


**OCTOBER 28, 2015 CITY COUNCIL AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated October 28, 2015. 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.



A.C. Gonzalez
City Manager



Date



Jeanne Chipperfield
Chief Financial Officer

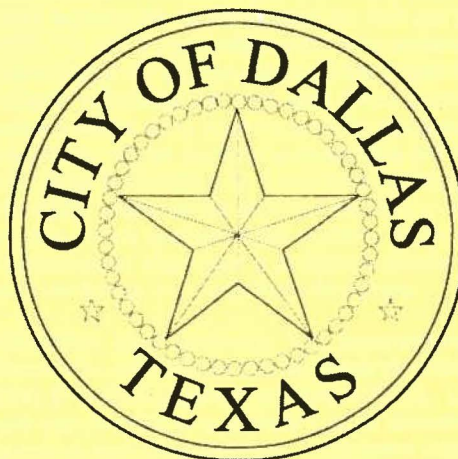


Date

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CITY OF DALLAS
DALLAS, TEXAS



COUNCIL AGENDA

October 28, 2015

Date

(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.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 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.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities 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 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 (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben 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.

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 28, 2015
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 - 49

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 50 - 56

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 57 - 71

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

AGENDA
CITY COUNCIL MEETING
OCTOBER 28, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the October 14, 2015 City Council Meeting

CONSENT AGENDA

Aviation

2. Authorize **(1)** the acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible capital improvement project costs at Dallas Love Field through the Airport Improvement Program Grant for Hold Position Relocation (Grant No. 3-48-0062-49-2015, CFDA No. 20.106) in the amount of \$863,445; **(2)** acceptance of a grant from the Federal Aviation Administration through the Airport Improvement Program Grant for Airfield Pavement Analysis (Grant No. 3-47-0062-047-2014, CFDA No. 20.106) in the amount of \$833,157; and **(3)** execution of the grant agreements - Total not to exceed \$1,696,602 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

CONSENT AGENDA (Continued)**Business Development & Procurement Services**

3. Authorize a three-year service contract to provide pressure washing, scraping, and sweeping of City owned parking lots, sidewalks, vertical surfaces, service vehicles and equipment - H and W Cleaning Systems, Inc. in the amount of \$1,399,917 and Fleet Clean Systems, Inc. in the amount of \$21,942, lowest responsible bidders of four - Total not to exceed \$1,421,859 - Financing: Current Funds (\$1,319,675), Aviation Current Funds (\$51,379), Convention and Event Services Current Funds (\$25,438) and Water Utilities Current Funds (\$25,367) (subject to annual appropriations)
4. Authorize a five-year service contract for janitorial services at the Kay Bailey Hutchison Convention Center Dallas - Member's Building Maintenance, LLC, most advantageous proposer of four - Not to exceed \$22,497,861 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)
5. Authorize the purchase of a 48-inch check valve - Hugh M. Cunningham, Inc., lowest responsible bidder of four - Not to exceed \$122,500 - Financing: Water Utilities Capital Improvement Funds
6. Authorize **(1)** the rejection of the only responsive bid received for event set-up at the Kay Bailey Hutchison Convention Center Dallas; and **(2)** the re-advertisement for new solicitation - Financing: No cost consideration to the City
7. Authorize a three-year master agreement for replacement belts for specialized Water Utilities' machinery - National Filter Media dba Filter Belts, lowest responsible bidder of three - Not to exceed \$326,580 - Financing: Water Utilities Current Funds

City Controller's Office

8. An ordinance authorizing: **(1)** the issuance and sale of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2015, in an aggregate principal amount not to exceed \$227,000,000; **(2)** the establishment of parameters regarding the sale of the Bonds; **(3)** approval of a Deposit Agreement; and **(4)** approval of a Bond Purchase Agreement and all other matters related thereto - Not to exceed \$825,737 - Financing: 2015 General Obligation Refunding and Improvement Bond Funds

Fire

9. Authorize Supplemental Agreement No. 2 to the contract with Public Consulting Group, Inc. to extend the contract for an additional two years for the period October 9, 2015 through October 9, 2017 to continue operation of the Ambulance Supplemental Payment Program for emergency ambulance services - Estimated Annual Net Revenue: \$7,500,000

CONSENT AGENDA (Continued)

Intergovernmental Services

Trinity River Corridor Project Legislative Services **Note:** Item Nos. 10 and 11 must be considered collectively.

10. * Authorize a personal services contract with Hector Alcalde for state legislative information and related services regarding the Trinity River Corridor Project and other water resources for the period October 1, 2015 through September 30, 2016 - Not to exceed \$73,800 - Financing: Current Funds
11. * Authorize a personal services contract with Paul Schlesinger for state legislative information and related services regarding the Trinity River Corridor Project and other water resources for the period October 1, 2015 through September 30, 2016 - Not to exceed \$43,650 - Financing: Current Funds
12. Authorize a personal services contract with Jesse Romero for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$30,000 - Financing: Current Funds
13. Authorize a personal services contract with Kwame Walker for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$45,000 - Financing: Current Funds
14. Authorize a personal services contract with Randy C. Cain for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$83,100 - Financing: Current Funds
15. Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2015 through September 30, 2016 - Not to exceed \$160,000 - Financing: Current Funds
16. Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$86,250 - Financing: Water Utilities Current Funds

Office of Cultural Affairs

17. Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Services Contracts Program (list attached) - Not to exceed \$5,294,109 - Financing: Current Funds

CONSENT AGENDA (Continued)

Office of Cultural Affairs (Continued)

18. Authorize **(1)** a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue; **(2)** the receipt and deposit of funds from the Fort Worth Avenue Development Group in the amount of \$5,000, for maintenance costs associated with a public art project; and **(3)** an increase in appropriations in the amount of \$5,000 in the Office of Cultural Affairs Gifts and Donations Fund - Not to exceed \$5,000 - Financing: Office of Cultural Affairs Gifts and Donations Fund

Park & Recreation

19. Authorize a development agreement with Bluffview Park Improvement Project for the renovation of Bluff View Park located at 4524 Pomona Road - Financing: No cost consideration to the City
20. Authorize a contract for stormwater culvert repairs at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of two - Not to exceed \$208,670 - Financing: 2006 Bond Funds
21. Authorize an increase in the site package contract with J.C. Commercial, Inc. for revisions requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and a construction schedule extension due to significant weather delays in the first months of 2015 at Singing Hills Recreation Center located between Crouch Road and Patrol Way - Not to exceed \$137,651, from \$1,080,077 to \$1,217,728 - Financing: 2006 Bond Funds

Planning and Urban Design

22. Authorize a personal service contract with Brent Brown of buildingcommunity Workshop to serve as Consulting Design Director for the Planning and Design Studio for the period November 1, 2015 through September 30, 2016 - Not to exceed \$77,917 - Financing: Current Funds
23. Authorize a Funding Agreement between Dallas Area Rapid Transit, Downtown Dallas, Inc. and the City of Dallas for a one year extension of the downtown shuttle service operation - Not to exceed \$400,000 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

CONSENT AGENDA (Continued)**Police****Internet Crimes Against Children
Continuation Grant**

Note: Item Nos. 24 and 25
must be considered collectively.

24. * Authorize **(1)** an application for and acceptance of a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant, new funding period from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation for the period July 1, 2013 through June 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$487,985, from \$957,570 to \$1,445,555 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
25. * Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office in the amount of \$9,000, Tarrant County District Attorney's Office in the amount of \$7,500, Potter County District Attorney's Office in the amount of \$4,300, Collin County Sheriff's Office in the amount of \$18,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$23,000, Arlington Police Department in the amount of \$13,000, Garland Police Department in the amount of \$13,000, Longview Police Department in the amount of \$22,000, and the Dallas Children's Advocacy Center in the amount of \$37,000, for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016 - Total not to exceed \$164,300 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
26. Authorize **(1)** an application for and acceptance of the City of Dallas - State of Texas Internet Crimes Against Children Grant from the Office of the Governor, Criminal Justice Division, to provide one year funding for the salaries, pension, and FICA of two Detectives and one Police Research Specialist as well as to fund training, purchase of equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation for the period October 1, 2015 through September 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$324,139 - Financing: Office of the Governor, Criminal Justice Division Grant Funds
27. Authorize **(1)** an application for and acceptance of a grant in the amount of \$80,000 from the Office of the Governor, Criminal Justice Division to aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program for the period October 1, 2015 through September 30, 2016; **(2)** an In-kind contribution in the amount of \$64,267; and **(3)** execution of the grant agreement - Total not to exceed \$144,267 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$80,000) and In-Kind Contribution (\$64,267)

CONSENT AGENDA (Continued)**Police (Continued)**

28. Authorize **(1)** application for and acceptance of the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 to adequately respond to victims of violent crime with needed aid for the period September 1, 2015 through September 30, 2016; **(2)** a local cash match in the amount of \$15,589; and **(3)** execution of the grant agreement - Total not to exceed \$77,948 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$62,359) and Current Funds (\$15,589)
29. Authorize **(1)** acceptance of a donation from the Dallas Police Youth Foundation in the form of a 25 passenger bus valued at \$62,347 to be used in youth community engagement activities; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City
30. Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$1,000,000) and Current Funds (\$2,800,000)
31. Authorize public hearings to be held on November 10, 2015 and December 9, 2015 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on December 9, 2015, consideration of an ordinance amending Chapter 31 of the Dallas City Code to reinstate and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City

Public Works Department

32. Authorize a contract with Camino Construction, L.P., lowest responsible bidder of four, for the reconstruction of street paving, drainage, pavement marking, landscape, water and wastewater main and adjustment improvements for Street Reconstruction Group 12-627 (list attached) - Not to exceed \$4,504,687 - Financing: General Obligation Commercial Paper Funds (\$3,584,983), Water Utilities Capital Improvement Funds (\$880,904) and Water Utilities Capital Construction Funds (\$38,800)
33. Authorize a contract with Jeske Construction Company, lowest responsible bidder of four, for the reconstruction of alley paving, storm drainage, drive approaches, sidewalks and wastewater main and adjustment improvements for Alley Reconstruction Group 12-2036 and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive (list attached) - Not to exceed \$1,898,225 - Financing: General Obligation Commercial Paper Funds (\$1,496,513), 2012 Bond Funds (\$103,052), Water Utilities Capital Improvement Funds (\$277,400) and Water Utilities Capital Construction Funds (\$21,260)

CONSENT AGENDA (Continued)**Public Works Department** (Continued)**North Beckley at Commerce Street**

Note: Item Nos. 34 and 35 must be considered collectively.

- 34. * Authorize an increase in the contract with Texas Standard Construction, Ltd. for drainage system upgrades along North Beckley Avenue and West Commerce Street and additional work associated with the reconstruction of the North Beckley at West Commerce Street intersection, including changes to the roadway profile to accommodate the drainage upgrades - Not to exceed \$1,298,542, from \$5,749,249 to \$7,047,791 - Financing: 2012 Bond Funds (\$1,250,779), and 1998 Bond Funds (\$47,763)
- 35. * Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing for the North Beckley Avenue at West Commerce Street intersection - Not to exceed \$75,150 - Financing: 1998 Bond Funds

Note: Item Nos. 36 and 37 must be considered collectively.

- 36. Authorize a contract with EAS Contracting, LP by EAS Contracting GP, LLC, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds
- 37. Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds
- 38. Authorize Supplemental Agreement No. 5 to the professional services contract with Pacheco Koch Consulting Engineers for additional engineering services for drainage improvements to the existing downstream stormwater system for the streetscape and urban design improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard - Not to exceed \$208,460, from \$1,003,295 to \$1,211,755 - Financing: 2006 Bond Funds

Sanitation Services

- 39. Authorize the third twelve-month renewal option to the service contract for the processing and sale of recycled materials for the period January 1, 2016 through December 31, 2016 - Greenstar Mid-America, LLC - Estimated Revenue: \$1,880,075

CONSENT AGENDA (Continued)**Sanitation Services** (Continued)

40. Authorize **(1)** a contract for the construction of two 15-acre waste cells for a total of 30 acres, cells 6B1 and 6D2, with composite liner and leachate collection system, at the McCommas Bluff Landfill; and site improvements that include pavement of a perimeter road, main entrance road improvements, a new waste cell access road, entrance signage improvements, environmental enhancements including a wheel/undercarriage washing system and mud tracking reduction controls; and **(2)** an increase in appropriations in the Sanitation Capital Improvement Fund in the amount of \$4,804,946 from \$9,010,338 to \$13,815,284 - Hammett Excavation, Inc., lowest responsible bidder of four - Total not to exceed \$4,804,946 - Financing: Sanitation Capital Improvement Funds

Street Services

41. Authorize **(1)** the receipt and deposit of funds in the amount of \$18,786 from SLF III - The Canyon TIF, L.P., for material, equipment and labor provided by the City related to the construction of a new traffic signal at Canyon Boulevard and Westmoreland Road; and **(2)** an increase in appropriations in the amount of \$18,786 in the Capital Projects Reimbursement Fund - Not to exceed \$18,786 - Financing: Capital Projects Reimbursement Funds
42. Authorize **(1)** the receipt and deposit of funds in the amount of \$200,181 from Victory Park UST Joint Venture I, LP for City-provided materials, equipment and labor related to the construction of nine traffic signals at the intersections of Continental Avenue and Houston Street/Victory Avenue, Lamar Street and Victory Avenue, Houston Street and Lamar Street, Houston Street and Olive Street, Olive Street and Victory Avenue, Houston Street and Payne Street, All Star Way and Houston Street, All Star Way and Victory Avenue, Hi Line Drive and Houston Street/Victory Avenue as part of the larger "Victory Park Two Way Conversion" project; and **(2)** an increase in appropriations in the amount of \$200,181 in the Capital Projects Reimbursement Fund - Not to exceed \$200,181- Financing: Capital Projects Reimbursement Funds
43. Authorize **(1)** the receipt and deposit of funds in the amount of \$15,141 from Wal-Mart Real Estate Business Trust for certain material, equipment and labor provided by the City related to the reconstruction of the existing traffic signal at the intersection of Harvest Hill Road and Midway Road; and **(2)** an increase in appropriations in the amount of \$15,141 in the Capital Projects Reimbursement Fund - Not to exceed \$15,141 - Financing: Capital Projects Reimbursement Funds

CONSENT AGENDA (Continued)**Sustainable Development and Construction**

44. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. The Hale Living Trust, Connie E. Hale, et al., Cause No. CC-15-01531-B, pending in County Court At Law No. 2, for acquisition from The Hale Living Trust, of approximately 7,044 square feet of land located near its intersection of Royal and Goodnight Lanes for the Goodnight Lane Street Improvements project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$21,153, increased from \$47,579 (\$44,279, plus closing costs and title expenses not to exceed \$3,300) to \$68,732 (\$65,432 being the award, plus closing costs and title expenses not to exceed \$3,300) - Financing: 2006 Bond Funds
45. An ordinance amending Chapter 43, of the Dallas City Code to define sidewalk cafes, establish annual and one-time fees for licenses and license renewals and reduce application fees for certain uses of the public right-of-way - Financing: No cost consideration to the City

Trinity Watershed Management

46. Authorize **(1)** acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; **(2)** execution of a CTP Agreement with FEMA for FY 2015-2016 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(3)** the receipt and deposit of funds in an amount not to exceed \$788,250 from FEMA; **(4)** an increase in appropriations in the amount of \$788,250 in the FEMA Cooperating Technical Partnership Fund; **(5)** a local cash match of \$262,750 for the FY 2015-2016 plan; and **(6)** Supplemental Agreement No. 1 to the contract with Halff Associates, Inc., in the amount of \$1,051,000, from \$741,667 to \$1,792,667, for updating certain flood studies in accordance with the CTP Agreement with FEMA for Fiscal Year 2015-16 - Total not to exceed \$1,051,000 - Financing: Stormwater Drainage Management Current Funds (\$262,750) and FEMA Cooperating Technical Partnership Funds (\$788,250)
47. Authorize Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation - Not to exceed \$288,900, from \$842,290 to \$1,131,190 - Financing: Capital Construction Funds (\$186,400), Water Utilities Capital Improvement Funds (\$12,500) and Public/Private Partnership Funds (\$90,000)

CONSENT AGENDA (Continued)**Water Utilities**

48. Authorize a professional services contract with Parsons Environment & Infrastructure Group Inc. to provide engineering services for the rehabilitation of the Jamison Meter Vault and the Irving North Meter Vault, and the design of a new interconnection facility between the Dallas and Irving water systems - Not to exceed \$803,500 - Financing: Water Utilities Capital Improvement Funds
49. Authorize a contract for the construction of rehabilitation improvements to the peak flow basins at the Central Wastewater Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of three - Not to exceed \$8,675,000 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION**City Secretary's Office**

50. 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)

Business Development & Procurement Services

51. Authorize a three-year master agreement for saw blades - Simba Industries in the amount of \$209,437, Desert Diamond Industries in the amount of \$194,796, Dunard Government Services, LLC in the amount of \$11,468, HD Supply Construction & Industrial White Cap in the amount of \$12,658 or \$11,896 (Tie Bid - Line 8), Simba Industries (Alternate) in the amount of \$3,984 or \$3,222 (Tie Bid - Line 8) and Root Brothers Manufacturing & Supply in the amount of \$2,773, lowest responsible bidders of seven - Total not to exceed \$434,354 - Financing: Current Funds (\$368,957), Aviation Current Funds (\$29,943), Water Utilities Current Funds (\$29,786) and Stormwater Drainage Management Current Funds (\$5,668)

Sustainable Development and Construction

52. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dennis Ray Hightower, of a tract of land containing approximately 133,347 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$61,476 (\$57,976, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

53. Authorize a grant agreement with Blocks GKM, LP for retail incentives and dedication of TIF funding in an amount not to exceed \$5,000,000 for the Victory Park Cinema Project, which is the construction of a theatre in the Victory Sub-district from revenues accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) - Not to exceed \$5,000,000 - Financing: Sports Arena TIF District Funds (subject to appropriations)

Note: Item Nos. 54 and 55
must be considered collectively.

West Dallas Sub District

54. * Authorize a Chapter 380 economic development grant agreement with Argos Ready Mix South Central Corp. and West Dallas Investments, LP in an amount not to exceed \$2,500,000 for the relocation of Argos Ready Mix South Central Corporation's existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities at the new site - Not to exceed \$2,500,000 - Financing: 2012 Bond Funds (\$1,100,000) and General Obligation Commercial Paper Funds (\$1,400,000)
55. * Authorize an agreement with West Dallas Investments, LP that details general redevelopment commitments by West Dallas Investment LP and future City commitment of public funds and incentives that will benefit property owned or to be purchased by West Dallas Investment LP in the West Dallas area - Financing: No cost consideration to the City

Housing/Community Services

56. Authorize a housing development grant in an amount not to exceed \$1,500,000 to the Dallas Housing Acquisition and Development Corporation for construction of ten single family homes on land bank properties - Not to exceed \$1,500,000 - Financing: FY 2014-15 HOME Program Income #1

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES - CONSENT

57. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an R-7.5(A) Single Family District at the southeast corner of Ludlow Drive and South Vernon Avenue
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan, and conditions
Z145-106(RB)
58. A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z145-172(AF)
59. A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Specific Use Permit No. 1896 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay south of Lake June Road, east of Templecliff Drive
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z145-270(OTH)
60. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 847, in the southeast quadrant of SMU Boulevard and North Central Expressway
Recommendation of Staff and CPC: Approval, subject to a revised Subarea 1 development plan, revised Subarea 2 development plan, and conditions
Z145-288(RB)
61. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, on the northeast side of C.F. Hawn Freeway, west of North Jim Miller Road
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions
Z145-304(AF)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Sustainable Development and Construction (Continued)**ZONING CASES - CONSENT (Continued)

62. A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast, southeast, and southwest corners of McBroom Street and Vilbig Road
Recommendation of Staff and CPC: Approval
Z145-317(AF)
63. A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast corner of Morris Street and Vilbig Road
Recommendation of Staff and CPC: Approval
Z145-318(AF)
64. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2065 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Old Seagoville Road and South St. Augustine Drive
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z145-319(OTH)

ZONING CASES - INDIVIDUAL

65. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, on the north line of Fort Worth Avenue, west of Walter Drive
Recommendation of Staff and CPC: Approval of the amendment to Subdistrict 4, subject to conditions; and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions
Z145-294(SM)
66. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Lodging or boarding house on property zoned a CR Community Retail District on the east corner of Belmont Avenue and North Carroll Avenue
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z145-303(AF)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Sustainable Development and Construction (Continued)**DESIGNATED ZONING CASES - INDIVIDUAL

67. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple-family Subdistrict Uses on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Cedar Springs Road, between Lucas Drive and Hawthorne Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z145-279(RB)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

68. An ordinance granting a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned a CS Commercial Service District on the north line of East University Boulevard, east of North Central Expressway
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan and conditions; and approval of the termination of deed restrictions
Z134-319(RB)
Note: This item was considered by City Council at a public hearing on June 10, 2015, and was denied without prejudice, with the public hearing closed. This item was reconsidered on June 17, 2015, to be heard on August 12, 2015, with the public hearing closed. This item was considered by the City Council on August 12, 2015, September 9, 2015, and September 22, 2015, and was held under advisement until October 28, 2015, with the public hearing closed.

DEVELOPMENT CODE AMENDMENTS UNDER ADVISEMENT- INDIVIDUAL

69. A public hearing to receive comments regarding consideration of and an ordinance granting amendments to Chapters 51 and 51A of the Dallas Development Code to: **(1)** require a landscape buffer and establish maximum stacking heights for open storage and outside storage uses; **(2)** require screening for open storage and outside storage uses in the I-2, I-3, and IM Industrial Manufacturing districts; **(3)** provide new screening regulations for the organic compost recycling facility use, petroleum product storage and wholesale use, and sand, gravel or earth sales and storage use in IM Industrial Manufacturing districts; and **(4)** require a Specific Use Permit for outside storage as a main use in the CA-1 and CA-2 districts
Recommendation of Staff: Approval of Staff recommendation
Recommendation of CPC: Approval
DCA078-016(DL)
Note: This item was considered by the City Council at a public hearing on September 22, 2015, and was held under advisement until October 28, 2015, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Planning and Urban Design

70. A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to delete Hawkins Street from Canton Street to Commerce Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Sustainable Development and Construction

71. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Henry W. Longfellow Career Exploration Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store with 10,000 square feet or more floor area [L&B Depp Inwood Village, dba CVS Pharmacy #7412] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV145-004 - Financing: No cost consideration to the City

Office of Cultural Affairs FY 2015-16

Agenda Item # 17

<u>Organization</u>	<u>Amount</u>
Anita N. Martinez Ballet Folklorico	\$ 73,645
Artreach-Dallas, Inc.	\$ 38,114
Big Thought	\$ 661,460
Big Thought	\$ 41,668
The Black Academy of Arts and Letters, Inc.	\$ 203,112
Cara Mia Theatre Co.	\$ 54,258
Children's Chorus of Greater Dallas	\$ 45,415
Creative Arts Center of Dallas	\$ 23,363
Dallas Black Dance Theatre, Inc.	\$ 187,711
Dallas Black Dance Theatre, Inc.	\$ 170,000
Dallas Children's Theater	\$ 150,222
Dallas County Heritage Society	\$ 179,902
Dallas Historical Society	\$ 67,472
Dallas Museum of Art	\$ 1,075,896
The Dallas Opera	\$ 164,500
DSM Management Group, Inc.	\$ 290,000
Dallas Theater Center	\$ 41,007
Dallas Wind Symphony	\$ 37,811
Dance Council	\$ 37,794
Fine Arts Chamber Players	\$ 47,604
Greater Dallas Youth Orchestra	\$ 50,367
Junior Players Guild	\$ 61,257
Kitchen Dog Theater Company	\$ 44,564
Perot Museum of Nature and Science	\$ 785,778
Sammons Center for the Arts	\$ 86,370
Sammons Center for the Arts	\$ 31,000
Shakespeare Festival of Dallas	\$ 91,156
Teatro Hispano De Dallas	\$ 68,943
TeCo Theatrical Productions, Inc.	\$ 93,782
Texas International Theatrical Arts Society	\$ 59,314
Texas Winds Musical Outreach, Inc.	\$ 51,646
Theatre Three, Inc.	\$ 85,420
Turtle Creek Chorale, Inc.	\$ 66,073
Undermain Theatre	\$ 33,594
USA Film Festival	\$ 50,567
The Writer's Garret	\$ 43,324
TOTAL	\$ 5,294,109

October 28, 2015

17

Street Reconstruction Group 12-627
Agenda Item # 32

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Merit Drive	Park Central Drive to Clodus Fields Drive	11
Aberdeen Avenue	Preston Road to Tulane Boulevard	13
Weeburn Drive	Marsh Lane to Midpines Drive	13

Alley Reconstruction Group 12-2036 and Street Reconstruction Improvements
Agenda Item # 33

<u>Alley Reconstruction Group 12-2036</u>	<u>Council District</u>
Alley between Alto Caro Drive (7305-7447) and Clearhaven Drive (7306-7446) from Caroridge Drive to Meandering Way	12
Alley between Clearhaven Drive (7206-7246) and Alto Caro Drive (7249-7279) from "T" alley to Caroridge Drive	12
Alley between La Avenida Drive (7607-7747) and La Bolsa Drive (7616-7748) from Meandering Way to Spring Creek Road	12
Alley between La Avenida Drive (7505-7607) and Meandering Way (7616-7748) from La Bolsa Drive to Arapaho Road	12
<u>Street Reconstruction Improvements</u>	
Langdon Avenue from Thurston Drive to Denton Drive	2

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA DATE October 28, 2015

ITEM	OK	IND	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the October 14, 2015 City Council Meeting
2			2	C	AVI	GT	NA	NA	Authorize (1) the acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible capital improvement project costs at Dallas Love Field through the Airport Improvement Program Grant for Hold Position Relocation (Grant No. 3-48-0062-49-2015, CFDA No. 20.106) in the amount of \$863,445; (2) acceptance of a grant from the Federal Aviation Administration through the Airport Improvement Program Grant for Airfield Pavement Analysis (Grant No. 3-47-0062-047-2014, CFDA No. 20.106) in the amount of \$833,157; and (3) execution of the grant agreements - Total not to exceed \$1,696,602 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds
3			All	C	PBD, AVI, CES, EBS, PKR, STS, WTR	\$1,421,858.44	100.00%	98.46%	Authorize a three-year service contract to provide pressure washing, scraping, and sweeping of City owned parking lots, sidewalks, vertical surfaces, service vehicles and equipment - H and W Cleaning Systems, Inc. in the amount of \$1,399,917 and Fleet Clean Systems, Inc. in the amount of \$21,942, lowest responsible bidders of four - Total not to exceed \$1,421,859 - Financing: Current Funds (\$1,319,675), Aviation Current Funds (\$51,379), Convention and Event Services Current Funds (\$25,438) and Water Utilities Current Funds (\$25,367) (subject to annual appropriations)
4			2	C	PBD, CES	\$22,497,860.20	100.00%	100.00%	Authorize a five-year service contract for janitorial services at the Kay Bailey Hutchison Convention Center Dallas - Member's Building Maintenance, LLC, most advantageous proposer of four - Not to exceed \$22,497,861 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)
5			7	C	PBD, WTR	\$122,500.00	100.00%	0.00%	Authorize the purchase of a 48-inch check valve - Hugh M. Cunningham, Inc., lowest responsible bidder of four - Not to exceed \$122,500 - Financing: Water Utilities Capital Improvement Funds
6			2	C	PBD, CES	NC	NA	NA	Authorize (1) the rejection of the only responsive bid received for event set-up at the Kay Bailey Hutchison Convention Center Dallas; and (2) the re-advertisement for new solicitation - Financing: No cost consideration to the City
7			All	C	PBD, WTR	\$326,580.00	0.00%	0.00%	Authorize a three-year master agreement for replacement belts for specialized Water Utilities' machinery - National Filter Media dba Filter Belts, lowest responsible bidder of three - Not to exceed \$326,580 - Financing: Water Utilities Current Funds
8			N/A	C	CON	\$825,737.00	NA	NA	An ordinance authorizing: (1) the issuance and sale of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2015, in an aggregate principal amount not to exceed \$227,000,000; (2) the establishment of parameters regarding the sale of the Bonds; (3) approval of a Deposit Agreement; and (4) approval of a Bond Purchase Agreement and all other matters related thereto - Not to exceed \$825,737 - Financing: 2015 General Obligation Refunding and Improvement Bond Funds
9			All	C	FIR	REV \$7,500,000	NA	NA	Authorize Supplemental Agreement No. 2 to the contract with Public Consulting Group, Inc. to extend the contract for an additional two years for the period October 9, 2015 through October 9, 2017 to continue operation of the Ambulance Supplemental Payment Program for emergency ambulance services - Estimated Annual Net Revenue: \$7,500,000
10			All	C	IGS, OFS	\$73,800.00	NA	NA	Trinity River Corridor Project Legislative Services: Authorize a personal services contract with Hector Alcalde for state legislative information and related services regarding the Trinity River Corridor Project and other water resources for the period October 1, 2015 through September 30, 2016 - Not to exceed \$73,800 - Financing: Current Funds
11			All	C	IGS, OFS	\$43,650.00	NA	NA	Trinity River Corridor Project Legislative Services: Authorize a personal services contract with Paul Schlesinger for state legislative information and related services regarding the Trinity River Corridor Project and other water resources for the period October 1, 2015 through September 30, 2016 - Not to exceed \$43,650 - Financing: Current Funds
12			All	C	IGS, OFS	\$30,000.00	NA	NA	Authorize a personal services contract with Jesse Romero for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$30,000 - Financing: Current Funds
13			All	C	IGS, OFS	\$45,000.00	NA	NA	Authorize a personal services contract with Kwame Walker for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$45,000 - Financing: Current Funds
14			All	C	IGS, OFS	\$83,100.00	NA	NA	Authorize a personal services contract with Randy C. Cain for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$83,100 - Financing: Current Funds

AGENDA DATE October 28, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
15			All	C	IGS, OFS	\$160,000.00	NA	NA	Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2015 through September 30, 2016 - Not to exceed \$160,000 - Financing: Current Funds
16			All	C	IGS, WTR	\$86,250.00	NA	NA	Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$86,250 - Financing: Water Utilities Current Funds
17			All	C	OCA	\$5,294,109.00	NA	NA	Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Services Contracts Program - Not to exceed \$5,294,109 - Financing: Current Funds
18			All	C	OCA	GT	NA	NA	Authorize (1) a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue; (2) the receipt and deposit of funds from the Fort Worth Avenue Development Group in the amount of \$5,000, for maintenance costs associated with a public art project; and (3) an increase in appropriations in the amount of \$5,000 in the Office of Cultural Affairs Gifts and Donations Fund - Not to exceed \$5,000 - Financing: Office of Cultural Affairs Gifts and Donations Fund
19			13	C	PKR	NC	NA	NA	Authorize a development agreement with Bluffview Park Improvement Project for the renovation of Bluff View Park located at 4524 Pomona Road - Financing: No cost consideration to the City
20			1	C	PKR	\$208,670.00	95.57%	68.05%	Authorize a contract for stormwater culvert repairs at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of two - Not to exceed \$208,670 - Financing: 2006 Bond Funds
21			8	C	PKR	\$137,650.96	43.02%	25.19%	Authorize an increase in the site package contract with J.C. Commercial, Inc. for revisions requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and a construction schedule extension due to significant weather delays in the first months of 2015 at Singing Hills Recreation Center located between Crouch Road and Patrol Way - Not to exceed \$137,651, from \$1,080,077 to \$1,217,728 - Financing: 2006 Bond Funds
22			All	C	PNV	\$77,916.67	NA	NA	Authorize a personal service contract with Brent Brown of buildingcommunity Workshop to serve as Consulting Design Director for the Planning and Design Studio for the period November 1, 2015 through September 30, 2016 - Not to exceed \$77,917 - Financing: Current Funds
23			1, 2, 14	C	PNV, CES	\$400,000.00	NA	NA	Authorize a Funding Agreement between Dallas Area Rapid Transit, Downtown Dallas, Inc. and the City of Dallas for a one year extension of the downtown shuttle service operation - Not to exceed \$400,000 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)
24			All	C	POL	GT	NA	NA	Internet Crimes Against Children Continuation Grant: Authorize (1) an application for and acceptance of a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant, new funding period from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation for the period July 1, 2013 through June 30, 2016; and (2) execution of the grant agreement - Not to exceed \$487,985, from \$957,570 to \$1,445,555 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
25			All	C	POL	GT	NA	NA	Internet Crimes Against Children Continuation Grant: Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office in the amount of \$9,000, Tarrant County District Attorney's Office in the amount of \$7,500, Potter County District Attorney's Office in the amount of \$4,300, Collin County Sheriff's Office in the amount of \$18,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$23,000, Arlington Police Department in the amount of \$13,000, Garland Police Department in the amount of \$13,000, Longview Police Department in the amount of \$22,000, and the Dallas Children's Advocacy Center in the amount of \$37,000, for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016 - Total not to exceed \$164,300 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

AGENDA DATE October 28, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
26			All	C	POL	GT	NA	NA	Authorize (1) an application for and acceptance of the City of Dallas - State of Texas Internet Crimes Against Children Grant from the Office of the Governor, Criminal Justice Division, to provide one year funding for the salaries, pension, and FICA of two Detectives and one Police Research Specialist as well as to fund training, purchase of equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation for the period October 1, 2015 through September 30, 2016; and (2) execution of the grant agreement - Not to exceed \$324,139 - Financing: Office of the Governor, Criminal Justice Division Grant Funds
27			All	C	POL	\$64,267.00	NA	NA	Authorize (1) an application for and acceptance of a grant in the amount of \$80,000 from the Office of the Governor, Criminal Justice Division to aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program for the period October 1, 2015 through September 30, 2016; (2) an In-kind contribution in the amount of \$64,267; and (3) execution of the grant agreement - Total not to exceed \$144,267 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$80,000) and In-Kind Contribution (\$64,267)
28			All	C	POL	\$15,589.00	NA	NA	Authorize (1) application for and acceptance of the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 to adequately respond to victims of violent crime with needed aid for the period September 1, 2015 through September 30, 2016; (2) a local cash match in the amount of \$15,589; and (3) execution of the grant agreement - Total not to exceed \$77,948 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$62,359) and Current Funds (\$15,589)
29			All	C	POL	NC	NA	NA	Authorize (1) acceptance of a donation from the Dallas Police Youth Foundation in the form of a 25 passenger bus valued at \$62,347 to be used in youth community engagement activities; and (2) execution of the grant agreement - Financing: No cost consideration to the City
30			All	C	POL, FIR	\$3,800,000.00	NA	NA	Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$1,000,000) and Current Funds (\$2,800,000)
31			All	C	POL	NC	NA	NA	Authorize public hearings to be held on November 10, 2015 and December 9, 2015 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on December 9, 2015, consideration of an ordinance amending Chapter 31 of the Dallas City Code to reinstate and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City
32			11, 13	C	PBW, WTR	\$4,504,687.00	23.99%	70.60%	Authorize a contract with Camino Construction, L.P., lowest responsible bidder of four, for the reconstruction of street paving, drainage, pavement marking, landscape, water and wastewater main and adjustment improvements for Street Reconstruction Group 12-627 - Not to exceed \$4,504,687 - Financing: General Obligation Commercial Paper Funds (\$3,584,983), Water Utilities Capital Improvement Funds (\$880,904) and Water Utilities Capital Construction Funds (\$38,800)
33			2, 12	C	PBW, WTR	\$1,898,224.50	92.20%	25.01%	Authorize a contract with Jeske Construction Company, lowest responsible bidder of four, for the reconstruction of alley paving, storm drainage, drive approaches, sidewalks and wastewater main and adjustment improvements for Alley Reconstruction Group 12-2036 and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive - Not to exceed \$1,898,225 - Financing: General Obligation Commercial Paper Funds (\$1,496,513), 2012 Bond Funds (\$103,052), Water Utilities Capital Improvement Funds (\$277,400) and Water Utilities Capital Construction Funds (\$21,260)
34			6	C	PBW, TWM	\$1,298,541.50	100.00%	28.60%	North Beckley at West Commerce Street: Authorize an increase in the contract with Texas Standard Construction, Ltd. for drainage system upgrades along North Beckley Avenue and West Commerce Street and additional work associated with the reconstruction of the North Beckley at West Commerce Street intersection, including changes to the roadway profile to accommodate the drainage upgrades - Not to exceed \$1,298,542, from \$5,749,249 to \$7,047,791 - Financing: 2012 Bond Funds (\$1,250,779), and 1998 Bond Funds (\$47,763)

AGENDA DATE October 28, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
35			6	C	PBW, TWM	\$75,149.50	100.00%	100.00%	North Beckley at West Commerce Street: Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing for the North Beckley Avenue at West Commerce Street intersection - Not to exceed \$75,150 - Financing: 1998 Bond Funds
36			2	C	PBW, AVI	\$1,306,252.00	0.00%	28.06%	Authorize a contract with EAS Contracting, LP by EAS Contracting GP, LLC, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds
37			2	C	PBW, AVI	\$415,700.00	59.84%	35.82%	Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds
38			1	C	PBW	\$208,460.00	100.00%	98.02%	Authorize Supplemental Agreement No. 5 to the professional services contract with Pacheco Koch Consulting Engineers for additional engineering services for drainage improvements to the existing downstream stormwater system for the streetscape and urban design improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard - Not to exceed \$208,460, from \$1,003,295 to \$1,211,755 - Financing: 2006 Bond Funds
39			All	C	SAN	REV \$1,880,075	NA	NA	Authorize the third twelve-month renewal option to the service contract for the processing and sale of recycled materials for the period January 1, 2016 through December 31, 2016 - Greenstar Mid-America, LLC - Estimated Revenue: \$1,880,075
40			8	C	SAN	\$4,804,945.56	0.00%	27.92%	Authorize (1) a contract for the construction of two 15-acre waste cells for a total of 30 acres, cells 6B1 and 6D2, with composite liner and leachate collection system, at the McCommas Bluff Landfill; and site improvements that include pavement of a perimeter road, main entrance road improvements, a new waste cell access road, entrance signage improvements, environmental enhancements including a wheel/undercarriage washing system and mud tracking reduction controls; and (2) an increase in appropriations in the Sanitation Capital Improvement Fund in the amount of \$4,804,946 from \$9,010,338 to \$13,815,284 - Hammett Excavation, Inc., lowest responsible bidder of four - Total not to exceed \$4,804,946 - Financing: Sanitation Capital Improvement Funds
41			1, 3	C	STS	GT	NA	NA	Authorize (1) the receipt and deposit of funds in the amount of \$18,786 from SLF III - The Canyon TIF, L.P., for material, equipment and labor provided by the City related to the construction of a new traffic signal at Canyon Boulevard and Westmoreland Road; and (2) an increase in appropriations in the amount of \$18,786 in the Capital Projects Reimbursement Fund - Not to exceed \$18,786 - Financing: Capital Projects Reimbursement Funds
42			2, 14	C	STS	GT	NA	NA	Authorize (1) the receipt and deposit of funds in the amount of \$200,181 from Victory Park UST Joint Venture I, LP for City-provided materials, equipment and labor related to the construction of nine traffic signals at the intersections of Continental Avenue and Houston Street/Victory Avenue, Lamar Street and Victory Avenue, Houston Street and Lamar Street, Houston Street and Olive Street, Olive Street and Victory Avenue, Houston Street and Payne Street, All Star Way and Houston Street, All Star Way and Victory Avenue, Hi Line Drive and Houston Street/Victory Avenue as part of the larger "Victory Park Two Way Conversion" project; and (2) an increase in appropriations in the amount of \$200,181 in the Capital Projects Reimbursement Fund - Not to exceed \$200,181- Financing: Capital Projects Reimbursement Funds
43			13	C	STS	GT	NA	NA	Authorize (1) the receipt and deposit of funds in the amount of \$15,141 from Wal-Mart Real Estate Business Trust for certain material, equipment and labor provided by the City related to the reconstruction of the existing traffic signal at the intersection of Harvest Hill Road and Midway Road; and (2) an increase in appropriations in the amount of \$15,141 in the Capital Projects Reimbursement Fund - Not to exceed \$15,141 - Financing: Capital Projects Reimbursement Funds

AGENDA DATE October 28, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
44			6	C	DEV, ATT, PBW	\$21,153.00	NA	NA	Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. The Hale Living Trust, Connie E. Hale, et al., Cause No. CC-15-01531-B, pending in County Court At Law No. 2, for acquisition from The Hale Living Trust, of approximately 7,044 square feet of land located near its intersection of Royal and Goodnight Lanes for the Goodnight Lane Street Improvements project; and (2) settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$21,153, increased from \$47,579 (\$44,279, plus closing costs and title expenses not to exceed \$3,300) to \$68,732 (\$65,432 being the award, plus closing costs and title expenses not to exceed \$3,300) - Financing: 2006 Bond Funds
45			All	C	DEV	NC	NA	NA	An ordinance amending Chapter 43, of the Dallas City Code to define sidewalk cafes, establish annual and one-time fees for licenses and license renewals and reduce application fees for certain uses of the public right-of-way - Financing: No cost consideration to the City
46			All	C	TWM	\$262,750.00	81.64%	25.72%	Authorize (1) acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; (2) execution of a CTP Agreement with FEMA for FY 2015-2016 to provide a 75% cost share for updating certain flood studies in the City of Dallas; (3) the receipt and deposit of funds in an amount not to exceed \$788,250 from FEMA; (4) an increase in appropriations in the amount of \$788,250 in the FEMA Cooperating Technical Partnership Fund; (5) a local cash match of \$262,750 for the FY 2015-2016 plan; and (6) Supplemental Agreement No. 1 to the contract with Half Associates, Inc., in the amount of \$1,051,000, from \$741,667 to \$1,792,667, for updating certain flood studies in accordance with the CTP Agreement with FEMA for Fiscal Year 2015-16 - Total not to exceed \$1,051,000 - Financing: Stormwater Drainage Management Current Funds (\$262,750) and FEMA Cooperating Technical Partnership Funds (\$788,250)
47			7, 8	C	TWM, ECO, WTR	\$288,900.00	96.54%	100.00%	Authorize Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation - Not to exceed \$288,900, from \$842,290 to \$1,131,190 - Financing: Capital Construction Funds (\$186,400), Water Utilities Capital Improvement Funds (\$12,500) and Public/Private Partnership Funds (\$90,000)
48			6, Outside	C	WTR	\$803,500.00	100.00%	36.98%	Authorize a professional services contract with Parsons Environment & Infrastructure Group Inc. to provide engineering services for the rehabilitation of the Jamison Meter Vault and the Irving North Meter Vault, and the design of a new interconnection facility between the Dallas and Irving water systems - Not to exceed \$803,500 - Financing: Water Utilities Capital Improvement Funds
49			4	C	WTR	\$8,675,000.00	6.80%	25.01%	Authorize a contract for the construction of rehabilitation improvements to the peak flow basins at the Central Wastewater Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of three - Not to exceed \$8,675,000 - Financing: Water Utilities Capital Improvement Funds
50			N/A	I	SEC	NC	N/A	N/A	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)
51			All	I	PBD, AVI, FIR, PKR, STS, TWM, WTR	\$434,353.56	52.51%	48.96%	Authorize a three-year master agreement for saw blades - Simba Industries in the amount of \$209,437, Desert Diamond Industries in the amount of \$194,796, Dunard Government Services, LLC in the amount of \$11,468, HD Supply Construction & Industrial White Cap in the amount of \$12,658 or \$11,896 (Tie Bid - Line 8), Simba Industries (Alternate) in the amount of \$3,984 or \$3,222 (Tie Bid - Line 8) and Root Brothers Manufacturing & Supply in the amount of \$2,773, lowest responsible bidders of seven - Total not to exceed \$434,354 - Financing: Current Funds (\$368,957), Aviation Current Funds (\$29,943), Water Utilities Current Funds (\$29,786) and Stormwater Drainage Management Current Funds (\$5,668)
52			Outside	I	DEV, WTR	\$61,476.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dennis Ray Hightower, of a tract of land containing approximately 133,347 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$61,476 (\$57,976, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Construction Funds

AGENDA DATE October 28, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
53			2, 6, 14	I	ECO	\$5,000,000.00	NA	NA	Authorize a grant agreement with Blocks GKM, LP for retail incentives and dedication of TIF funding in an amount not to exceed \$5,000,000 for the Victory Park Cinema Project, which is the construction of a theatre in the Victory Sub-district from revenues accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) - Not to exceed \$5,000,000 - Financing: Sports Arena TIF District Funds (subject to appropriations)
54			2, 6, 14	I	ECO	\$2,500,000.00	NA	NA	West Dallas Sub District: Authorize a Chapter 380 economic development grant agreement with Argos Ready Mix South Central Corp. and West Dallas Investments, LP in an amount not to exceed \$2,500,000 for the relocation of Argos Ready Mix South Central Corporation's existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities at the new site - Not to exceed \$2,500,000 - Financing: 2012 Bond Funds (\$1,100,000) and General Obligation Commercial Paper Funds (\$1,400,000)
55			2, 6, 14	I	ECO	NC	NA	NA	West Dallas Sub District: Authorize an agreement with West Dallas Investments, LP that details general redevelopment commitments by West Dallas Investment LP and future City commitment of public funds and incentives that will benefit property owned or to be purchased by West Dallas Investment LP in the West Dallas area - Financing: No cost consideration to the City
56			4	I	HOU	GT	NA	NA	Authorize a housing development grant in an amount not to exceed \$1,500,000 to the Dallas Housing Acquisition and Development Corporation for construction of ten single family homes on land bank properties - Not to exceed \$1,500,000 - Financing: FY 2014-15 HOME Program Income #1
57			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an R-7.5(A) Single Family District at the southeast corner of Ludlow Drive and South Vernon Avenue
58			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northeast of Maple Avenue
59			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Specific Use Permit No. 1896 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay south of Lake June Road, east of Templecliff Drive
60			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 847, in the southeast quadrant of SMU Boulevard and North Central Expressway
61			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, on the northeast side of C.F. Hawn Freeway, west of North Jim Miller Road
62			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast, southeast, and southwest corners of McBroom Street and Vilbig Road
63			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast corner of Morris Street and Vilbig Road
64			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2065 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Old Seagoville Road and South St. Augustine Drive
65			1	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, on the north line of Fort Worth Avenue, west of Walter Drive

AGENDA DATE October 28, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
66			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Lodging or boarding house on property zoned a CR Community Retail District on the east corner of Belmont Avenue and North Carroll Avenue
67			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple-family Subdistrict Uses on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Cedar Springs Road, between Lucas Drive and Hawthorne Avenue
68			14	PH	DEV	NC	NA	NA	An ordinance granting a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned a CS Commercial Service District on the north line of East University Boulevard, east of North Central Expressway
69			All	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding consideration of and an ordinance granting amendments to Chapters 51 and 51A of the Dallas Development Code to: (1) require a landscape buffer and establish maximum stacking heights for open storage and outside storage uses; (2) require screening for open storage and outside storage uses in the I-2, I-3, and IM Industrial Manufacturing districts; (3) provide new screening regulations for the organic compost recycling facility use, petroleum product storage and wholesale use, and sand, gravel or earth sales and storage use in IM Industrial Manufacturing districts; and (4) require a Specific Use Permit for outside storage as a main use in the CA-1 and CA-2 districts
70			2	PH	PNV	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to delete Hawkins Street from Canton Street to Commerce Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
71			13	PH	DEV	NC	NA	NA	A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Henry W. Longfellow Career Exploration Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store with 10,000 square feet or more floor area [L&B Depp Inwood Village, dba CVS Pharmacy #7412] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV145-004 - Financing: No cost consideration to the City

TOTAL \$68,273,630.89

AGENDA ITEM # 2

KEY FOCUS AREA: E-Gov
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Aviation
CMO: Ryan S. Evans, 671-9837
MAPSCO: 34E

SUBJECT

Authorize **(1)** the acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible capital improvement project costs at Dallas Love Field through the Airport Improvement Program Grant for Hold Position Relocation (Grant No. 3-48-0062-49-2015, CFDA No. 20.106) in the amount of \$863,445; **(2)** acceptance of a grant from the Federal Aviation Administration through the Airport Improvement Program Grant for Airfield Pavement Analysis (Grant No. 3-47-0062-047-2014, CFDA No. 20.106) in the amount of \$833,157; and **(3)** execution of the grant agreements - Total not to exceed \$1,696,602 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

BACKGROUND

The Federal Aviation Administration (FAA) has approved the following projects for federal funding in an amount up to \$1,696,602.00 of the actual and eligible project costs. Grant funds for these specific projects will be used to reimburse the program.

Runway Hold Position Relocation

Currently, a number of holding positions on Runways 13L-31R and 13R-31L are located closer to the runway centerline than permitted by FAA Criteria. This design project will relocate aircraft holding position signage and markings on taxiways intersecting Runway 13L-31R and 13R-31L so that they are in compliance with criteria contained in current FAA Advisory Circulars. The relocated holding positions will assure that Dallas Love Field airport complies with the latest industry safety standards.

BACKGROUND (Continued)

Airfield Pavement Analysis

This project will take a comprehensive look at airfield pavement through testing, investigation and nondestructive means and methods. The analysis will provide recommendations for a pavement management plan including improvement projects, cost estimates and a pavement management system. The evaluation of the airport's pavement infrastructure will provide cost-effective solutions along with detailed plans, project justifications and documentation for FAA planning purposes.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the professional services contract with Kimley Horn and Associates, Inc. for Airfield Pavement Analysis, on March 26, 2014, by Resolution No. 14-0511.

Authorized the professional services contract with Atkins North America, Inc. for Runway Hold Position Relocation, on September 24, 2014, by Resolution No. 14-1604.

Information about this item will be provided to the Budget, Finance and Audit Committee on October 19, 2015.

FISCAL INFORMATION

\$1,696,602.00 - Federal Aviation Administration Airport Improvement Program Grant Funds

October 28, 2015

WHEREAS, it is desirable to maintain the airport infrastructure to provide a safe and attractive environment for aircraft owners and operators to conduct business at Dallas Love Field, Dallas Executive Airport and the Dallas Vertiport; and,

WHEREAS, on March 26, 2014, City authorized the professional services contract with Kimley Horn and Associates, Inc. for the Airfield Pavement Analysis by Resolution No. 14-0511; and,

WHEREAS, on September 24, 2014, City authorized the professional services contract with Atkins North America, Inc. for Runway Hold Position Relocation by Resolution No. 14-1604; and,

WHEREAS, the Federal Aviation Administration (FAA) through the Airport Improvement Program (AIP) has indicated that the following Dallas Love Field Projects are eligible for Federal Aviation Administration Grants: Runway Hold Position Relocation and Pavement Analysis; and,

WHEREAS, it is desirable to accept grant funds from the FAA for the eligible costs of each project and execute the grant agreements.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to **(1)** accept grant funds from the FAA Airport Improvement Program Grant for Hold Sign Relocation (Grant No. 3-48-0062-49-2015, CFDA No. 20.106) in the amount of \$863,445.00 for the federal share of eligible capital improvement projects at Dallas Love Field; **(2)** accept grant funds from the FAA Airport Improvement Program Grant for Pavement Analysis Project (Grant No. 3-47-0062-047-2014, CFDA No. 20.106) in the amount of \$833,157.00 for the federal share of eligible capital improvement projects at Dallas Love Field; and **(3)** execute the grant agreements and any other documents required by the grant.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in the amount of \$863,445.00 for Runway Holding Position Relocation in the Aviation Improvement Program (AIP) Grant Fund F472, Dept. AVI, Unit 1794, Revenue Source 9907.

October 28, 2015

Section 3. That the Chief Financial Officer is hereby authorized to reimburse eligible design and construction administration costs for Runway Holding Position Relocation project from the AIP Grant Fund F472, Dept. AVI to Aviation Capital Construction Fund 0131, Dept. AVI in an amount not to exceed \$863,445.00.

Section 4. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in the amount of \$833,157.00 for Pavement Analysis in the Aviation Airport Improvement Program (AIP) Grant Fund F474, Dept. AVI, Unit 1797, Revenue Source 9907.

Section 5. That the Chief Financial Officer is hereby authorized to reimburse eligible design and construction administration costs for Pavement Analysis project from the AIP Grant Fund F474, Dept. AVI to Aviation Capital Construction Fund 0131, Dept. AVI in an amount not to exceed \$833,157.00.

Section 6. That the City Manager is hereby authorized to reimburse FAA any expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible no later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all final FAA monitoring reports not later than 30 days after the receipt of the report.

Section 8. That this resolution shall take effect immediately from and after its passage, in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 3

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Convention and Event Services
Equipment & Building Services
Park & Recreation
Street Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837
Jill A. Jordan, P.E., 670-5299
Willis Winters, 670-4071
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract to provide pressure washing, scraping, and sweeping of City owned parking lots, sidewalks, vertical surfaces, service vehicles and equipment - H and W Cleaning Systems, Inc. in the amount of \$1,399,917 and Fleet Clean Systems, Inc. in the amount of \$21,942, lowest responsible bidders of four - Total not to exceed \$1,421,859 - Financing: Current Funds (\$1,319,675), Aviation Current Funds (\$51,379), Convention and Event Services Current Funds (\$25,438) and Water Utilities Current Funds (\$25,367) (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will be used for pressure washing, scraping, and sweeping of City owned parking lots, sidewalks, vertical surfaces, service vehicles and equipment. All pressure washing services will be on an as needed basis. This service contract requires the vendor to reclaim and properly dispose of all waste water resulting from this service in accordance with federal, state and local requirements regarding environmental protection.

BACKGROUND (Continued)

Parking lots, service center lots, sidewalks and other paved areas require periodic cleaning due to the accumulation of dirt, debris and fluids from personal vehicles, service vehicles and heavy equipment. Examples of paved areas owned by the City to be cleaned under this service contract include:

- Fire-Rescue training and maintenance facility
- Fair Park
- Service centers
- Municipal buildings

Service vehicles and equipment require periodic cleaning due to the accumulation of dirt, debris and fluids from the normal course of operation. This service contract will also be used to pressure wash exteriors, engine compartments and undercarriages of service vehicles and equipment such as:

- Brush trucks tractors and trailers
- Automated (refuse) trucks
- Roll-off trucks
- Pick-up trucks
- Service cars

The use of environmentally friendly Green Seal certified cleaning products is a requirement in the specifications. Further, when additional related products become certified, the vendor is required to use those products.

This solicitation was structured in a manner which required bidders to submit a response using group pricing. This bid resulted in a 1.4% decrease over comparable prices for the bids awarded 2012.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 243 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2012, City Council authorized a three year service agreement for pressure washing of City owned parking lots, vertical surfaces and service vehicles and equipment by Resolution No. 12-1607.

Information about this item will be provided to the Budget, Finance and Audit Committee on October 19, 2015.

FISCAL INFORMATION

\$1,319,674.84 - Current Funds (subject to annual appropriations)
\$ 51,379.00 - Aviation Current Funds (subject to annual appropriations)
\$ 25,437.60 - Convention and Event Services Current Funds (subject to annual appropriations)
\$ 25,367.00 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

27 - Vendors contacted
26 - No response
1 - Response (Bid)
0 - Response (No bid)
1 - Successful

243 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

H and W Cleaning Systems, Inc.

White Male	0	White Female	0
Black Male	8	Black Female	3
Hispanic Male	8	Hispanic Female	0
Other Male	0	Other Female	0

Fleet Clean Systems, Inc.

White Male	3	White Female	1
Black Male	3	Black Female	3
Hispanic Male	1	Hispanic Female	0
Other Male	1	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BQ1510 and were opened on June 18, 2015. This service contract is being awarded to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*H and W Cleaning Systems, Inc.	605 S. Sherman St. Suite 705L Richardson, TX 75081	Group 1 - \$1,331,871.44 Group 2 - No Bid Group 3 - \$ 68,045.00
*Fleet Clean Systems, Inc.	4343 Congress Ave. Suite 366 Dallas, TX 75219	Group 1 - No Bid Group 2 - \$ 21,942.00 Group 3 - No Bid
MRM Ultimate Service, LLC dba Ultimate Sweepers	2640 Northaven Rd. Suite 105 Dallas, TX 75229	Group 1 - \$1,695,292.90 Group 2 - No Bid Group 3 - \$ 497,140.00
DFW Clear Choice Cleaning, Inc.	11363 Denton Dr. Suite 127 Dallas, TX 75229	Group 1 - \$1,507,999.18 Group 2 - No Bid Group 3 - \$ 773,190.00
Fleetwash, Inc.	11102 Ables Ln. Dallas, TX 75229	Non-responsive**

**Fleetwash, Inc. was been deemed non-responsive due to not meeting specifications.

OWNERS

H and W Cleaning Systems, Inc.

Le'Wiburne Maurice Williams-King, President

Fleet Clean Systems, Inc.

Scott Marr, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract to provide pressure washing, scraping, and sweeping of City owned parking lots, sidewalks, vertical surfaces, service vehicles and equipment - H and W Cleaning Systems, Inc. in the amount of \$1,399,917 and Fleet Clean Systems, Inc. in the amount of \$21,942, lowest responsible bidders of four - Total not to exceed \$1,421,859 - Financing: Current Funds (\$1,319,675), Aviation Current Funds (\$51,379), Convention and Event Services Current Funds (\$25,438) and Water Utilities Current Funds (\$25,367) (subject to annual appropriations)

H and W Cleaning Systems, Inc. is a local minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors. Fleet Clean Systems, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,421,858.44	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$1,421,858.44	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
H and W Cleaning System, Inc.	BMMB61854N0516	\$1,343,916.44	94.52%
2M Business Products	IMDB46640Y0516	\$14,000.00	0.98%
Master Cleaning Supply, Inc.	PFMB63898Y0117	\$42,000.00	2.95%
Total Minority - Local		\$1,399,916.44	98.46%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$1,343,916.44	94.52%	\$1,343,916.44	94.52%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$56,000.00	3.94%	\$56,000.00	3.94%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
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Total	\$1,399,916.44	98.46%	\$1,399,916.44	98.46%

October 28, 2015

WHEREAS, on June 27, 2012, City Council authorized a three year service agreement for pressure washing of City owned parking lots, vertical surfaces and service vehicles and equipment by Resolution No. 12-1607;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with H and W Cleaning Systems, Inc. (242072) in the amount of \$1,399,916.44 and Fleet Clean Systems, Inc. (VS89172) in the amount of \$21,942.00 for pressure washing, scraping, and sweeping of City owned parking lots, sidewalks, vertical surfaces, service vehicles and equipment for a term of three years in a total amount not to exceed \$1,421,858.44, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to H and W Cleaning Systems, Inc. and Fleet Clean Systems, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by H and W Cleaning Systems, Inc. and Fleet Clean Systems, Inc.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,421,858.44 (subject to annual appropriations).

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

AGENDA ITEM # 4

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Business Development & Procurement Services
Convention and Event Services

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837

MAPSCO: 45 P

SUBJECT

Authorize a five-year service contract for janitorial services at the Kay Bailey Hutchison Convention Center Dallas – Member's Building Maintenance, LLC, most advantageous proposer of four - Not to exceed \$22,497,861 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract provides janitorial services at the Kay Bailey Hutchison Convention Center Dallas (the Convention Center). The Convention Center has over 2.2 million square feet of space that requires janitorial service and hosts in excess of one million visitors each year, creating significant economic impact and contributes to the vitality of the downtown area and surrounding communities.

Daily janitorial maintenance will consist of cleaning of offices, public areas, restrooms, and facility exterior. Event cleaning will include exhibit halls, public areas, meeting rooms, and restrooms. The vendor is required to provide all supplies, equipment and labor necessary for the performance of the contract. The use of environmentally friendly Green Seal certified cleaning products and supplies is a requirement in this contract. Furthermore, as additional products become Green Seal certified, the vendor is required to incorporate these products at the Convention Center.

This solicitation was structured in a manner which required proposers to submit a response using unit pricing. This proposal resulted in a 49.38% increase over comparable unit prices for the contract awarded in 2014.

BACKGROUND (Continued)

A seven member committee from the following departments reviewed and evaluated the proposals:

- Aviation (1)
- Convention and Event Services (2)
- Office of Cultural Affairs (1)
- Library (1)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated the pricing and the Business Inclusion and Development Plan.

The successful proposer was selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- Experience/qualifications 35%
- Pricing 30%
- Staffing plan/approach 20%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 799 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2013, an item for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas was deferred by Mayor Pro Tem Atkins.

On August 21, 2013, City Council authorized the rejection of bids for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1395.

On August 28, 2013, City Council authorized Supplemental Agreement No. 1 to increase the service contract to extend the contract term through February 28, 2014, for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1507.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

On March 3, 2014, this item was included as a briefing memo to the Budget, Finance, and Audit Committee.

On March 26, 2014, City Council rejected the proposals for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 14-0497.

On May 14, 2014, City Council authorized a five year service contract for event set up and janitorial services at Kay Bailey Hutchison Convention Center Dallas by Resolution No. 14-0739.

Information about this item will be provided to the Budget, Finance and Audit Committee on October 19, 2015.

FISCAL INFORMATION

\$22,497,860.20 - Convention and Event Services Current Funds (subject to annual appropriations)

M/WBE INFORMATION

168 - Vendors Contacted

165 - No response

3 - Response (Bid)

0 - Response (No Bid)

1 - Successful

799 M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Member's Building Maintenance, LLC

White Male	21	White Female	16
Black Male	150	Black Female	140
Hispanic Male	210	Hispanic Female	220
Other Male	143	Other Female	84

PROPOSAL INFORMATION

The following proposals were received from solicitation number BQZ1524 and opened on July 30, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Member's Building Maintenance, LLC	11363 Denton Dr. Suite 127 Dallas, TX 75229	91%	\$22,497,860.20
United Maintenance Company, Inc.	1550 S. Indiana Ave. Chicago, IL 60605	66%	\$20,058,495.92
UBM Enterprise, Inc.	11102 Ables Ln. Dallas, TX 75229	64%	\$23,655,963.60
CTJ Maintenance, Inc.	6565 N. Mac Arthur Blvd. Suite #225 Irving, TX 75039	62%	\$19,937,028.00

OWNER

Member's Building Maintenance, LLC

Odes H. Kim, President
Harvey Burger, Vice President
Ann Kim, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for janitorial services at the Kay Bailey Hutchison Convention Center Dallas – Member's Building Maintenance, LLC, most advantageous proposer of four - Not to exceed \$22,497,861 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Member's Building Maintenance, LLC is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$22,497,860.20	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$22,497,860.20	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Magic Building Service, Inc.	PFMB62610N0716	\$5,624,465.05	25.00%
Member's Building Maintenance, LLC	PMMB62244N0616	\$16,873,395.15	75.00%
Total Minority - Local		\$22,497,860.20	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$22,497,860.20	100.00%	\$22,497,860.20	100.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$22,497,860.20	100.00%	\$22,497,860.20	100.00%

October 28, 2015

WHEREAS, on August 21, 2013, City Council authorized the rejection of bids for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1395; and,

WHEREAS, on August 28, 2013, City Council authorized Supplemental Agreement No. 1 to increase the service contract to extend the contract term through February 28, 2014, for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 13-1507; and,

WHEREAS, on March 26, 2014, City Council authorized the rejection of proposals for janitorial and event set up services at the Kay Bailey Hutchison Convention Center Dallas by Resolution No. 14-0497; and,

WHEREAS, on May 14, 2014, City Council authorized a five year service contract for event set up and janitorial services at Kay Bailey Hutchison Convention Center Dallas by Resolution No. 14-0739;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with Member's Building Maintenance, LLC (243814) for janitorial services at the Kay Bailey Hutchison Convention Center Dallas for a term of five years in an amount not to exceed \$22,497,860.20 upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Member's Building Maintenance, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Member's Building Maintenance, LLC under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$22,497,860.20 (subject to annual appropriations).

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

AGENDA ITEM # 5

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Business Development & Procurement Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256

MAPSCO: 48 J

SUBJECT

Authorize the purchase of a 48-inch check valve - Hugh M. Cunningham, Inc., lowest responsible bidder of four - Not to exceed \$122,500 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This purchase will provide a 48-inch check valve for Water Utilities' Pumping Division. The Pumping Division is replacing an existing 48-inch check valve at the Jim Miller Pump Station. The check valve is used to control surges within the White Rock transmission line. The current check valve was purchased in 1985 and parts for repairs are no longer obtainable.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 177 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance and Audit Committee on October 19, 2015.

FISCAL INFORMATION

\$122,500.00 - Water Utilities Capital Improvement Funds

M/WBE INFORMATION

33 - Vendors contacted

33 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

177 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Hugh M. Cunningham, Inc.

White Male	70	White Female	26
Black Male	5	Black Female	4
Hispanic Male	16	Hispanic Female	5
Other Male	1	Other Female	1

BID INFORMATION

The following bids were received from solicitation number BM1541 and were opened on August 20, 2015. This purchase will be awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Hugh M. Cunningham, Inc.	2029 Westgate Dr. Suite # 120 Carrollton, TX 75006	\$122,500.00
Municipal Valve & Equipment Company, Inc.	4547 Westgrove Dr. Addison, TX 75001	\$142,000.00

BID INFORMATION (Continued)

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
ShoJonn, LLC dba Johnson Sales Associates	14140 Midway Rd. Suite # 206 Farmers Branch, TX 75244	\$157,210.00
Water Technology Resources, Inc.	9201 E. Bloomington Fwy. Suite Z Bloomington, MN 55420	Non-responsive**

**Water Technology Resources, Inc. was deemed non-responsive due to not meeting bid specifications.

OWNER**Hugh M. Cunningham, Inc.**

David A. Cunningham, President
Dan Townsend, Vice President
D'Lissa V. Cunningham, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize the purchase of a 48-inch check valve - Hugh M. Cunningham, Inc., lowest responsible bidder of four - Not to exceed \$122,500 - Financing: Water Utilities Capital Improvement Funds

Hugh M. Cunningham, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$122,500.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$122,500.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

October 28, 2015**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the purchase of a 48-inch check valve is authorized with Hugh M. Cunningham, Inc. (094131) in an amount not to exceed \$122,500.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for a 48-inch check valve. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation, in an amount not to exceed \$122,500.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>	<u>AMOUNT</u>
3115	DWU	PW40	4420	CT-DWU7AI300CP	\$122,500.00

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 6

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Business Development & Procurement Services
Convention and Event Services

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837

MAPSCO: 45 P

SUBJECT

Authorize **(1)** the rejection of the only responsive bid received for event set-up at the Kay Bailey Hutchison Convention Center Dallas; and **(2)** the re-advertisement for new solicitation - Financing: No cost consideration to the City

BACKGROUND

This action will authorize the rejection of the only responsive bid received for solicitation BQ1525 for a five-year service contract for event set-up at the Kay Bailey Hutchison Convention Center Dallas. Business Development & Procurement Services (BDPS) will modify the specifications and bid sheet. BDPS further determined it would be more advantageous to the City to reject the bid and re-advertise for new solicitation.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance and Audit Committee on October 19, 2015.

FISCAL INFORMATION

No cost consideration to the City

October 28, 2015

WHEREAS, it has been determined that it is in the best interest of the City of Dallas to reject the only responsive bid that was received for event set-up at the Kay Bailey Hutchison Convention Center Dallas;

NOW, THEREFORE,

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

Section 1. That the only responsive bid received for event set-up at the Kay Bailey Hutchison Convention Center Dallas is hereby rejected and authorization to advertise a solicitation is granted.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 7

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for replacement belts for specialized Water Utilities' machinery - National Filter Media dba Filter Belts, lowest responsible bidder of three - Not to exceed \$326,580 - Financing: Water Utilities Current Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods for a specific term, which are ordered on an as needed basis.

This master agreement will provide replacement belts of various types and sizes for specialized Water Utility (DWU) machinery used to maintain current water and wastewater treatment plant operations. This agreement enables DWU to acquire and stock the replacement belts with minimal delay, reducing the likelihood of service interruption to customers. The belts perform various functions, one such function is the use of porous weave belts to separate waste solids from liquid during the de-watering of sludge.

Water Utilities treats approximately 170.4 billion gallons of water and 65.8 billion gallons of wastewater per year.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 529 email bid notifications to vendors registered under respective commodities.

BACKGROUND (Continued)

To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance and Audit Committee on October 19, 2015.

FISCAL INFORMATION

\$326,580.00 - Water Utilities Current Funds

M/WBE INFORMATION

58 - Vendors contacted
58 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

529 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

National Filter Media dba Filter Belts

White Male	21	White Female	10
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BM1535 and were opened on July 16, 2015. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*National Filter Media dba Filter Belts	12 Winada Dr. Winthrop, ME 04364	\$326,580.00
GMS Filtration, Inc.	140 Joe R. McCrary Rd. Fall Branch, TN 37656	\$374,119.90
Andritz Separation, Inc.	1010 Commercial Blvd. S Arlington, TX 76001	\$440,421.10

OWNER

National Filter Media dba Filter Belts

John R. Eugster, President
Jim R. Smith, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for replacement belts for specialized Water Utilities' machinery - National Filter Media dba Filter Belts, lowest responsible bidder of three - Not to exceed \$326,580 - Financing: Water Utilities Current Funds

National Filter Media dba Filter Belts is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$326,580.00	100.00%
TOTAL CONTRACT	\$326,580.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$0.00</u>	<u>0.00%</u>	<u>\$0.00</u>	<u>0.00%</u>

October 28, 2015

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

Section 1. That a master agreement for the purchase of replacement belts for specialized Water Utilities' machinery is authorized with National Filter Media dba Filter Belts (359380) for a term of three years in an amount not to exceed \$326,580.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for replacement belts for specialized Water Utilities' machinery. If a written contract is required or requested for any or all purchases for replacement belts for specialized Water Utilities' machinery under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval 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 \$326,580.00.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 8

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Controller

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

An ordinance authorizing: **(1)** the issuance and sale of City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2015, in an aggregate principal amount not to exceed \$227,000,000; **(2)** the establishment of parameters regarding the sale of the Bonds; **(3)** approval of a Deposit Agreement; and **(4)** approval of a Bond Purchase Agreement and all other matters related thereto - Not to exceed \$825,737 - Financing: 2015 General Obligation Refunding and Improvement Bond Funds

BACKGROUND

Pursuant to elections held in May 1998, November 2006, and November 2012, 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 Co-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.

The City's co-financial advisors, First Southwest Company and Estrada Hinojosa, recommend issuing up to \$227,000,000 for the purpose of issuing improvement bonds to finance capital improvement projects at the City as well as refunding and retiring a small amount of commercial paper notes.

Issuance of bonds will be used for refunding and retirement of up to \$3,000,000 in commercial paper notes is in accordance with the capital improvements program, and is within the Fiscal Year 2015-16 operating and capital budgets for the City. The notes to be refunded constitute the entire amount of outstanding commercial paper as of November 3, 2015.

BACKGROUND (Continued)

Issuance up to \$224,000,000 of Improvement bonds will also be used to finance capital improvements and is within the Fiscal Year 2015-16 operating and capital budgets for the City.

The City plans to use Underwriting Syndicate Team "A" which is comprised of JP Morgan Securities, Bank of America Merrill Lynch, Morgan Stanley, RBC Capital Markets Corp., Raymond James & Assoc., Stephens, Inc., Siebert Brandford Shank & Co., Cabrera Capital Markets, Duncan-Williams, Inc. Morgan Stanley will be the Bookrunning Senior Manager and Siebert Brandford Shank and Company will serve as the Co-Senior Manager.

ESTIMATED SCHEDULE OF PROJECT

Authorize preparation for Issuance of Bonds	October 14, 2015
Approval of parameters ordinance	October 28, 2015
Pricing	November 17, 2015
Execution of the Bond Purchase Agreement	November 18, 2015
Delivery of Proceeds	December 17, 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

Council approved the authorization to prepare for the issuance of bonds October 14, 2015 Resolution 15-1866.

Information about this item was provided to the Budget, Finance and Audit Committee on October 5, 2015.

FISCAL INFORMATION

See Attachment I - \$825,737.00 - Financing: 2015 General Obligation Refunding and Improvement Bond Funds.

M/WBE INFORMATION

Attachment I provides an estimate of bond issuance costs for the proposed Series 2015 bonds and the M/WBE participation.

**SERIES 2015
GENERAL OBLIGATION IMPROVEMENT BONDS
\$227,000,000**

Estimate of Total Bond Issuance Costs and M/WBE Participation

Co-Bond Counsel

Bracewell & Giuliani L.L.P. (Vendor #VS0000056820)	\$ 139,350	16.9%
West & Associates L.L.P. (Vendor #330805)	145,400	17.6%

Co-Disclosure Counsel

Andrew Kurth L.L.P. (Vendor #VC13546)	100,400	12.2%
Gonzalez, Saggio & Harlan L.L.P. (Vendor #VS86555)	96,305	11.7%

Co-Financial Advisors

First Southwest Company (Vendor #193056)	85,428	10.3%
Estrada Hinojosa (Vendor #259910)	56,952	6.9%

Out-of-Pocket Expenses

First Southwest Company (Vendor #193056)	4,000	0.5%
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Official Statement Printing

TBD	10,000	1.2%
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Rating Agencies

FitchRating (Vendor #14720)	75,000	9.1%
Standard & Poor's (Vendor #954974)	94,152	11.4%

Auditor

Grant Thornton L.L.P. (Vendor #VS0000007921)	8,500	1.0%
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Registrar

US Bank (Vendor #VS0000047523)	750	0.1%
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Filing Fee

Attorney General (Vendor #344989)	9,500	1.2%
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Total Issuance Costs

<u>\$ 825,737</u>	<u>111%</u>
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Total M/WBE Participation as % of Total Issuance Costs:	36.2%
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**ORDINANCE
AUTHORIZING THE ISSUANCE OF**

**CITY OF DALLAS, TEXAS
GENERAL OBLIGATION REFUNDING
AND IMPROVEMENT BONDS
SERIES 2015**

Adopted: October 28, 2015

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF DALLAS, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2015, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$227,000,000; LEVYING AND REQUIRING ASSESSMENT AND COLLECTION OF A CONTINUING DIRECT ANNUAL AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE CITY TO PAY THE INTEREST ON SUCH BONDS AND TO CREATE A SINKING FUND FOR THE PAYMENT THEREOF AT MATURITY; APPROVING EXECUTION OF A PURCHASE AGREEMENT, DEPOSIT AGREEMENT AND AN ESCROW AGREEMENT; APPROVING THE OFFICIAL STATEMENT; ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

WHEREAS, pursuant to special elections held in the City of Dallas (the “City”) on May 2, 1998, November 7, 2006 and November 6, 2012, a majority of the duly qualified resident electors of the City voting at such elections sustained propositions authorizing the City Council of the City (the “City Council”) to issue general obligation bonds of the City for the purpose of providing funds for permanent public improvements and public purposes, to-wit:

November 2, 1998 Election

\$246,000,000 for developing, constructing, and acquiring the Trinity River Corridor Project, including floodway extension and flood reduction and control improvements, levees and related street and road improvements, including the City’s share of the costs of the Trinity Parkway, lakes, waterways, open space and recreational facilities, and other facilities, improvements, and equipment necessary and incidental thereto;

November 6, 2006 Election

\$390,420,000 planning, designing, constructing, reconstructing, improving, extending, and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrianways, trolleyways and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements, and the acquisition of land therefor;

\$334,315,000	planning, designing, constructing, renovating, repairing, replacing, and expanding flood protection and storm drainage facilities and improvements, including erosion control, flood management and storm drainage relief improvements, including the relocation of utilities and the acquisition of land therefor;
\$343,230,000	planning, designing, constructing, improving, renovating, repairing, replacing, expanding, equipping, and acquiring land for park and recreation facilities, including neighborhood parks, downtown parks, aquatic facilities, municipal golf facilities, trails, open space, playgrounds, park service and maintenance facilities, and facilities located at Fair Park, the Dallas Arboretum and the City Zoo;
\$46,200,000	planning, designing, constructing, renovating, repairing, replacing, expanding, equipping, and furnishing library facilities and the acquisition of land or interests in land therefor;
\$60,855,000	planning, designing, constructing, renovating, repairing, replacing, expanding, equipping, furnishing and acquiring land for cultural arts facilities, including a performing arts theater in the Downtown Arts District;
\$34,750,000	planning, designing, constructing, renovating, replacing, repairing, expanding, equipping and furnishing city hall, city service and city maintenance facilities, including the acquisition of land therefor;
\$1,500,000	acquiring land under the land bank program for the development of low or moderate income single family homes;
\$41,495,000	promoting economic development in the Southern area of the City, and promoting economic development in other areas of the City in connection with transit-oriented development, through planning, designing, constructing, improving, extending and expanding public street, utility and other infrastructure facilities, including the acquisition of land therefor, and through funding the City's programs for economic development including the acquisition of improved and unimproved properties, the demolition of existing structures, making loans and grants of bond proceeds and otherwise providing assistance for private commercial, industrial, retail, residential and mixed-use development;
\$6,635,000	planning, designing, reconstructing, improving, renovating, repairing, replacing, expanding and equipping facilities located at the Farmers Market, including the acquisition of land, relocation of utilities, street infrastructure improvements, sidewalks, storm drainage facilities and controls, street lighting, streetscape and median improvements in connection therewith;

- \$22,550,000 acquiring land in the area known as Cadillac Heights for the future location of police academy related facilities and/or city service and maintenance facilities;
- \$7,945,000 planning, designing, constructing, renovating, repairing, replacing, expanding equipping, and furnishing court facilities and the acquisition of land therefor;
- \$63,625,000 planning, designing, constructing, renovating, repairing, replacing, expanding, equipping, and furnishing public safety facilities including police substations, a police academy and related facilities, fire stations, fire training and related facilities and emergency warning systems, and the acquisition of land therefor;

November 6, 2012 Election

- \$260,625,000 planning, designing, constructing, reconstructing, improving, extending, and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, and pedestrian and bike ways, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements, and the acquisition of land therefor;
- \$326,375,000 planning, designing, constructing, renovating, repairing, replacing, and expanding flood protection and storm drainage facilities and improvements, including erosion control, flood management and storm drainage relief improvements, including the relocation of utilities and the acquisition of land and subsurface easements therefor;
- \$55,000,000 promoting economic development in the Southern area of the City, and promoting economic development in other areas of the City in connection with transit-oriented development, through planning, designing, constructing, improving, extending and expanding public street, utility and other infrastructure facilities, including the acquisition of land therefor, and through funding the City's programs for economic development including the acquisition of improved and unimproved properties, the demolition of existing structures, making loans and grants of bond proceeds and otherwise providing assistance for private commercial, industrial, retail, residential and mixed-use development;

WHEREAS, the City Council has determined to issue for their respective purposes such of the aforesaid authorized but unissued bonds as are hereinafter provided to be issued, a tabulation showing the amount of bonds authorized, the amounts previously issued, the amounts authorized to be issued pursuant to this Ordinance (the "Ordinance") for the purposes indicated, and the balance remaining for future bond issues, as follows:

<u>Purpose</u>	<u>Amount Voted</u>	<u>Amount Previously Issued</u>	<u>Commercial Paper Issued</u>	<u>Amount Being Issued¹</u>	<u>Unissued Balance²</u>
<u>May 2, 1998 Election:</u>					
Trinity River Corridor Project	\$246,000,000	\$233,728,000	\$ -0-	\$12,272,000	\$ -0-
<u>November 7, 2006 Election:</u>					
Street and Transportation Improvements	390,420,000	312,635,000	-0-	29,512,000	48,273,000
Flood Protection and Storm Drainage Facilities	334,315,000	234,917,000	-0-	87,109,000	12,289,000
Park and Recreation Facilities	343,230,000	326,866,000	-0-	3,350,000	13,014,000
Library Facilities	46,200,000	46,199,000	1,000	-0-	-0-
Cultural Arts Facilities	60,855,000	56,123,000	-0-	1,202,000	3,530,000
City Hall, City Service and City Maintenance Facilities	34,750,000	23,417,000	-0-	-0-	11,333,000
Land Acquisition for Development of Low and Moderate Income Single Family Homes	1,500,000	955,000	-0-	545,000	-0-
Economic Development in the Southern Area of the City and in Other Areas in Connection with Transit-Oriented Development	41,495,000	41,495,000	-0-	-0-	-0-
Farmers Market Improvements	6,635,000	6,635,000	-0-	-0-	-0-
Cadillac Heights Land Acquisition for City Facilities	22,550,000	8,989,000	-0-	-0-	13,561,000
Court Facilities	7,945,000	7,945,000	-0-	-0-	-0-
Public Safety Facilities	63,625,000	60,489,000	-0-	3,136,000	-0-

¹ Amount may include premium allocated against voted authorization, as set forth in the Pricing Certificate. Additionally, the amount may be reduced or reallocated as determined by the Authorized Officer and provided in the Pricing Certificate.

² This amount may be increased as provided in the Pricing Certificate if the amount being issued is reduced.

<u>Purpose</u>	<u>Amount Voted</u>	<u>Amount Previously Issued</u>	<u>Commercial Paper Issued</u>	<u>Amount Being Issued¹</u>	<u>Unissued Balance²</u>
<u>November 6, 2012 Election:</u>					
Street Improvements	260,625,000	92,167,000	27,879,000	50,546,000	90,033,000
Flood Protection and Drainage Facilities	326,375,000	78,097,000	-0-	21,030,000	227,248,000
Economic Development Programs	<u>55,000,000</u>	<u>23,553,000</u>	<u>-0-</u>	<u>13,418,000</u>	<u>18,029,000</u>
TOTALS	\$2,241,520,000	\$1,554,210,000	\$27,880,000	\$222,120,000	\$437,311,000

¹ Amount may include premium allocated against voted authorization, as set forth in the Pricing Certificate. Additionally, the amount may be reduced or reallocated as determined by the Authorized Officer and provided in the Pricing Certificate.

² This amount may be increased as provided in the Pricing Certificate if the amount being issued is reduced.

WHEREAS, there are presently outstanding certain commercial paper notes (the "Refunded Commercial Paper Notes") of the City described on Schedule I hereto, which are secured by and payable from ad valorem taxes levied on property within the City in an amount sufficient to pay principal of and interest on such obligations as they become due within the limits prescribed by law; and

WHEREAS, the City now desires to refund such obligations described on Schedule I hereto; and

WHEREAS, the City Council desires to delegate to the Authorized Officer, pursuant to Chapters 1207 and 1371, Texas Government Code, as amended, and the parameters of this Ordinance, the authority to approve the amount, the number of series, the interest rate, the price and terms of the bonds authorized hereby and to otherwise take such actions as are necessary and appropriate to effect the sale of the bonds and to select the specific maturities or series of Refunded Obligation Candidates to be refunded;

WHEREAS, Chapter 1207, Texas Government Code, authorizes the City to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a commercial bank or trust company, and such deposit, if made before the payment dates for the Refunded Commercial Paper Notes, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Commercial Paper Notes;

WHEREAS, the City Council hereby finds and determines that it is not practicable to calculate a savings amount attributable to the refunding of the Refunded Commercial Paper Notes, but that the refunding contemplated in this Ordinance will benefit the City and that such

benefit is sufficient consideration for the refunding of the Refunded Commercial Paper Notes; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place, and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

ARTICLE I

DEFINITIONS AND OTHER PRELIMINARY MATTERS

Section 1.01. Definitions. Unless otherwise expressly provided or unless the context clearly requires otherwise in this Ordinance, the following terms shall have the meanings specified below:

“Authorized Officer” means the City Manager of the City, and in his or her absence, any Assistant City Manager.

“Bond” means any of the Bonds.

“Bonds” means the City of Dallas General Obligation Refunding and Improvement Bonds, Series 2015.

“Business Day” means a day that is not a Saturday, Sunday, legal holiday or other day on which banking institutions in the City where the Designated Payment/Transfer Office is located are required or authorized by law or executive order to close.

“Charter” means the Home Rule Charter of the City, as amended.

“City” means the City of Dallas, Texas.

“City Council” means the governing body of the City of Dallas, Texas as identified in the preamble to this Ordinance.

“Closing Date” means the date of the initial delivery of and payment for the Bonds.

“Code” means the Internal Revenue Code of 1986, as amended, including applicable regulations, published rulings and court decisions relating thereto.

“Commercial Paper Notes” means the City’s General Obligation Commercial Paper Notes, Series C authorized pursuant to an ordinance of the City dated November 20, 2010 and amended July 9, 2013.

“Construction Fund” means the construction fund established by Section 7.01 of this Ordinance.

“Deposit Agreement” means that certain Deposit Agreement between the City and the Paying Agent/Registrar for the Refunded Commercial Paper Notes pertaining to the defeasance of the outstanding Commercial Paper Notes listed in Schedule I.

“Designated Payment/Transfer Office” means (i) with respect to the initial Paying Agent/Registrar named herein, its corporate trust office in St. Paul, Minnesota, and (ii) with respect to any successor Paying Agent/Registrar, the office of such successor designated and located as may be agreed upon by the City and such successor.

“DTC” means The Depository Trust Company of New York, New York, or any successor securities depository.

“DTC Participant” means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

“EMMA” means the Electronic Municipal Market Access System.

“Event of Default” means any event of default as defined in Section 10.01 of this Ordinance.

“Fiscal Year” means such fiscal year as shall be prescribed by the Charter and which under the existing Charter commences October 1 and ends September 30 of the following year.

“Initial Bond” means the initial Bond, described in Sections 3.04(d) and 6.02(e) of this Ordinance.

“Interest and Sinking Fund” means the “City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2015, Interest and Sinking Fund,” as established by Section 7.01 of this Ordinance.

“Interest Payment Date” means the date or dates upon which interest on the Bonds is scheduled to be paid until the maturity or prior redemption of the Bonds, such dates being February 15 and August 15 of each year, commencing on the date set forth in the Pricing Certificate.

“MSRB” means the Municipal Securities Rulemaking Board.

“Original Issue Date” means the date designated as such in Section 3.02(a) of this Ordinance.

“Owner” means the person who is the registered owner of a Bond or Bonds, as shown in the Register.

“Paying Agent/Registrar” means the Paying Agent as set forth in the Pricing Certificate, any successor thereto or any entity which is appointed as and assumes the duties of paying agent/registrar as provided in this Ordinance.

“Pricing Certificate” means a certificate or certificates to be signed by the Authorized Officer.

“Purchase Agreement” means one or more bond purchase agreements described in Section 12.01(b) of this Ordinance.

“Record Date” means the last Business Day of the month next preceding an Interest Payment Date.

“Refunded Obligation Candidates” means the obligations of the City set forth in Schedule I.

“Refunded Obligations” means the Refunded Commercial Paper Notes, which are to be designated in the Pricing Certificate from the Refunded Obligation Candidates.

“Register” means the Register specified in Section 3.06(a) of this Ordinance.

“Representation Letter” means the Blanket Letter of Representations between the City and DTC applicable to the Bonds.

“Representative” means the representative for the Underwriters named in the Purchase Agreement.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

“Special Payment Date” means the Special Payment Date prescribed by Section 3.03(b).

“Special Record Date” means the Special Record Date prescribed by Section 3.03(b).

“Term Bonds” has the meaning set forth in Section 4.04 hereof.

“Unclaimed Payments” means money deposited with the Paying Agent/Registrar for the payment of principal of or interest on the Bonds as the same come due and payable or money set aside for the payment of Bonds duly called for redemption prior to maturity, and remaining unclaimed by the Owners of such Bonds for 90 days after the applicable payment or redemption date.

“Underwriters” means the underwriters named in the Purchase Agreement.

Section 1.02. Findings. The declarations, determinations and findings declared, made and found in the preamble to this Ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Section 1.03. Table of Contents, Titles and Headings. The table of contents, titles and headings of the Articles and Sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in

construing this Ordinance or any provision hereof or in ascertaining intent, if any question of intent should arise.

Section 1.04. Interpretation.

(a) Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa.

(b) This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of this Ordinance.

(c) Article and section references shall mean references to articles and sections of this Ordinance unless designated otherwise.

ARTICLE II

SECURITY FOR THE BONDS

Section 2.01. Tax Levy for Payment of the Bonds.

(a) The City Council hereby declares and covenants that it will provide and levy a tax legally and fully sufficient for payment of the Bonds, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding obligations of the City.

(b) In order to provide for the payment of the debt service requirements of the Bonds, being (i) the interest on the Bonds and (ii) a sinking fund for their payment at maturity or a sinking fund of two percent per annum (whichever amount is the greater), there is hereby levied for the current year and each succeeding year thereafter while the Bonds or interest thereon remain outstanding and unpaid, a tax within legal limitations on each \$100 assessed valuation of taxable property in the City that is sufficient to pay such debt service requirements, full allowance being made for delinquencies and costs of collection.

(c) The tax levied by this Section shall be assessed and collected each year and applied to the payment of the debt service requirements on the Bonds, and the tax shall not be diverted to any other purpose.

(d) Said ad valorem tax, the collections therefrom, and all amounts on deposit in or required hereby to be deposited to the Interest and Sinking Fund for the Bonds are hereby pledged and committed irrevocably to the payment of the principal of and interest on the Bonds when and as due and payable in accordance with their terms and this Ordinance.

(e) If the liens and provisions of this Ordinance shall be discharged in a manner permitted by Article XI hereof, then the collection of such ad valorem tax may be suspended or appropriately reduced, as the facts may permit, and further deposits to the Interest and Sinking Fund may be suspended or appropriately reduced, as the facts may permit. In determining the

aggregate principal amount of outstanding Bonds, there shall be subtracted the amount of any Bonds that have been duly called for redemption and for which money has been deposited in accordance with Article XI herein.

ARTICLE III

AUTHORIZATION; GENERAL TERMS AND PROVISIONS REGARDING THE BONDS

Section 3.01. Authorization. The City's bonds to be designated "City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2015" or such other designations as are set forth in the Pricing Certificate, are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas and the Charter of the City. The Bonds shall be issued in the aggregate principal amount designated in the Pricing Certificate for the public purpose of providing funds for: (i) various permanent public improvements and public purposes, all as set forth in the preamble hereof, (ii) to refund the Refunded Obligations, and (iii) to pay the costs incurred in connection with the issuance of the Bonds (including, without limitation, underwriters' discount), under and by virtue of Chapters 1207, 1331 and 1371, Texas Government Code, as amended, and pursuant to Chapter XXI of the Charter of the City. The Authorized Officer is hereby authorized and directed to modify the title of the Series to the extent that, in the judgment of the Authorized Officer, it is necessary or appropriate. The final title and principal amount of the Bonds shall be determined by the Authorized Officer, based on market conditions in the discretion of the Authorized Officer, and set forth in the Pricing Certificate. The Bonds shall be issued in the number of series and aggregate principal amount per series designated in the Pricing Certificate, provided that the aggregate principal amount of the Bonds issued for the purpose described in (i) above shall not exceed \$224,000,000 and the aggregate principal amount of Bonds issued for the purpose described in (ii) and above shall not exceed \$3,000,000. The aggregate principal amount of all of the Bonds shall not exceed \$227,000,000.

Section 3.02. Date, Denomination, Maturities, Numbers and Interest.

(a) The Bonds shall have the Original Issue Date set forth in the Pricing Certificate, shall be in fully registered form, without coupons, in the denomination of \$5,000 or any integral multiple thereof, and shall be numbered separately from one upward or such other designation acceptable to the City and the Paying Agent/Registrar, except the Initial Bond, which shall be numbered T-1.

(b) The Bonds shall mature on February 15 in the years, at the interest rates and in the principal amounts set forth in the Pricing Certificate, provided that the maximum maturity for the Bonds shall not exceed twenty years.

(c) Interest on each Bond shall accrue from the later of the Original Issue Date (or the date of their delivery to the Underwriters, as set forth in the Pricing Certificate) or the most recent Interest Payment Date to which interest has been paid or provided for at the per annum rates of interest specified in the Pricing Certificate. Such interest shall be payable on each Interest Payment Date until the principal amount shall have been paid or provision for such

payment shall have been made, and shall be computed on the basis of a 360-day year of twelve 30-day months.

Section 3.03. Medium, Method and Place of Payment; Unclaimed Payments.

(a) The principal of and interest on the Bonds shall be paid in lawful money of the United States of America.

(b) Interest on the Bonds shall be payable to the Owners whose names appear in the Register at the close of business on the Record Date; provided, however, in the event of nonpayment of interest on a scheduled Interest Payment Date and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") shall be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date," which shall be 15 days after the Special Record Date) shall be sent at least five Business Days prior to the Special Record Date by United States mail, first class, postage prepaid, to the address of each Owner of a Bond appearing on the Register at the close of business on the last Business Day next preceding the date of mailing of such notice.

(c) Interest on the Bonds shall be paid by check (dated as of the Interest Payment Date) and sent by the Paying Agent/Registrar to the person entitled to such payment, first class United States mail, postage prepaid, to the address of such person as it appears in the Register, or by such other customary banking arrangements acceptable to the Paying Agent/Registrar and the person to whom interest is to be paid; provided, however, that such person shall bear all risk and expenses of such other customary banking arrangements.

(d) The principal of each Bond shall be paid to the person in whose name such Bond is registered on the due date thereof (whether at the maturity date or the date of prior redemption thereof) upon presentation and surrender of such Bond at the Designated Payment/Transfer Office.

(e) If the date for the payment of the principal of or interest on any Bond is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the City where the Designated Payment/Transfer Office is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday, or day on which such banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

(f) Unclaimed Payments shall be segregated in a special account and held in trust, uninvested by the Paying Agent/Registrar, for the account of the Owner of the Bonds to which the Unclaimed Payments pertain. Subject to the provisions of Title 6, Texas Property Code, as amended, Unclaimed Payments remaining unclaimed by the Owners entitled thereto for three years after the applicable payment or redemption date shall be applied to the next payment or payments on the Bonds thereafter coming due and, to the extent any such money remains after the retirement of all outstanding Bonds, shall be paid to the City to be used for any lawful purpose. Thereafter, neither the City, the Paying Agent/Registrar nor any other person shall be

liable or responsible to any Owners of such Bonds for any further payment of such unclaimed moneys or on account of any such Bonds, subject to any applicable escheat law or similar law.

Section 3.04. Execution and Initial Registration.

(a) The Bonds shall be executed on behalf of the City by the Mayor and countersigned by the City Secretary and the City Manager, by their manual or facsimile signatures, and the official seal of the City shall be impressed or placed in facsimile thereon. Any facsimile signatures on the Bonds shall have the same effect as if each of the Bonds had been signed manually and in person by each of said officers, and such facsimile seal on the Bonds shall have the same effect as if the official seal of the City had been manually impressed upon each of the Bonds.

(b) In the event that any officer of the City whose manual or facsimile signature appears on the Bonds ceases to be such officer before the authentication of such Bonds or before the delivery thereof, such manual or facsimile signature nevertheless shall be valid and sufficient for all purposes as if such officer had remained in such office.

(c) Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the Certificate of Paying Agent/Registrar on all of the Bonds. In lieu of the executed Certificate of Paying Agent/Registrar described above, the Initial Bond delivered on the Closing Date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided in this Ordinance, manually executed by the Comptroller of Public Accounts of the State of Texas or by his duly authorized agent, which certificate shall be evidence that the Initial Bond has been duly approved by the Attorney General of the State of Texas and that it is a valid and binding obligation of the City, and has been registered by the Comptroller.

(d) On the Closing Date, the typewritten Initial Bond representing the entire principal amount of the Bonds, payable in stated installments to the Representative or its designee, executed by manual or facsimile signature of the Mayor and countersigned by manual or facsimile signatures of the City Secretary and the City Manager, approved by the Attorney General, and registered and manually signed by the Comptroller of Public Accounts will be delivered to the Representative or its designee. Upon payment for the Initial Bond, the Paying Agent/Registrar shall cancel the Initial Bond and deliver to DTC on behalf of the Representative registered definitive Bonds as described in Section 3.10(a). To the extent the Paying Agent/Registrar is eligible to participate in DTC's FAST System, as evidenced by agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

Section 3.05. Ownership.

(a) The City, the Paying Agent/Registrar and any other person may treat the person in whose name any Bond is registered as the absolute owner of such Bond for the purpose of

making and receiving payment of the principal thereof and premium, if any, thereon, for the further purpose of making and receiving payment of the interest thereon (subject to the provisions herein that interest is to be paid to the person in whose name the Bond is registered on the Record Date or on the Special Record Date, as applicable), and for all other purposes, whether or not such Bond is overdue, and neither the City nor the Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary.

(b) All payments made to the person deemed to be the Owner of any Bond in accordance with this Section shall be valid and effectual and shall discharge the liability of the City and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

Section 3.06. Registration, Transfer and Exchange.

(a) So long as any Bonds remain outstanding, the City shall cause the Paying Agent/Registrar to keep at the Designated Payment/Transfer Office the Register in which, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with this Ordinance.

(b) Registration of any Bond may be transferred in the Register only upon the presentation and surrender thereof at the Designated Payment/Transfer Office for transfer of registration and cancellation, together with proper written instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of the Bonds, or any portion thereof in any integral multiple of \$5,000 for any one maturity, to the assignee or assignees thereof, and the right of such assignee or assignees thereof to have the Bond or any portion thereof registered in the name of such assignee or assignees. No transfer of any Bond shall be effective until entered in the Register. Upon assignment and transfer of any Bond or portion thereof, a new Bond or Bonds will be issued by the Paying Agent/Registrar in exchange for such transferred and assigned Bond. To the extent possible the Paying Agent/Registrar will issue such new Bond or Bonds within not more than three Business Days after receipt of the Bond to be transferred in proper form and with proper instructions directing such transfer.

(c) Any Bond may be exchanged only upon the presentation and surrender thereof at the Designated Payment/Transfer Office, together with a written request therefor duly executed by the Owner or assignee or assignees thereof, or its or their duly authorized attorneys or representatives, with guarantees of signatures satisfactory to the Paying Agent/Registrar, for a Bond or Bonds of the same maturity and interest rate and in any authorized denomination and in an aggregate principal amount equal to the unpaid principal amount of the Bond presented for exchange. If a portion of any Bond is redeemed prior to its schedule maturity as provided herein, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in the denomination or denominations of any integral multiple of \$5,000 of any one maturity at the request of the Owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Owner upon surrender thereof for cancellation. To the extent possible, a new Bond or Bonds shall be delivered by the Paying Agent/Registrar to the Owner of the Bond or Bonds within not more than three Business Days after receipt of the Bond to be exchanged in proper form and with proper instructions directing such exchange.

(d) Each Bond issued in exchange for any Bond or portion thereof assigned or transferred shall have the same principal maturity date and shall bear interest at the same rate as the Bond for which it is being exchanged. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond. The Paying Agent/Registrar shall exchange the Bonds as provided herein, and each substitute Bond delivered in accordance with this Section shall constitute an original additional contractual obligation of the City and shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such substitute Bond or Bonds are delivered.

(e) The City will pay the Paying Agent/Registrar's reasonable and customary charge for the initial registration or any subsequent transfer or exchange of Bonds, but the Paying Agent/Registrar will require the Owner to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection with the registration, transfer or exchange of a Bond. In addition, the City hereby covenants with the Owners of the Bonds that it will (i) pay the reasonable and standard or customary fees and charges of the Paying Agent/Registrar for its services with respect to the payment of the principal of and interest on the Bonds, when due, and (ii) pay the fees and charges of the Paying Agent/Registrar for services with respect to the transfer, registration and exchange of Bonds as provided herein.

(f) Neither the City nor the Paying Agent/Registrar shall be required to issue, transfer, or exchange any Bond called for redemption, in whole or in part, within 45 days of the date fixed for redemption; provided, however, such limitation shall not be applicable to an exchange by the Owner of the uncalled principal balance of a Bond.

Section 3.07. Cancellation and Authentication.

(a) All Bonds paid in accordance with this Ordinance, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance with this Ordinance, shall be cancelled upon the making of proper records regarding such payment, redemption, exchange or replacement. Cancelled Bonds shall be disposed of in accordance with the requirements of the Securities and Exchange Act of 1934 and the regulations promulgated thereunder.

(b) Each substitute Bond issued pursuant to the provisions of Sections 3.06 and 3.09 of this Ordinance, in exchange for or replacement of any Bond or Bonds issued under this Ordinance, shall have printed thereon a Paying Agent/Registrar's Certificate, in the form hereinafter set forth. An authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, manually sign and date such Certificate, and no such Bond shall be deemed to be issued or outstanding unless such Certificate is so executed. No additional ordinances, orders, or resolutions need be passed or adopted by the City Council or any other body or person so as to accomplish the foregoing exchange or replacement of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed herein, and said Bonds shall be of customary type and composition and printed, typewritten, lithographed, mimeographed or otherwise produced. Pursuant to Chapter 1201, Texas Government Code, the duty of exchange or replacement of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of the above Paying Agent/Registrar's Authentication Certificate, the

exchanged or replaced Bonds shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Initial Bond which originally was delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(c) Bonds issued in exchange or replacement of any other Bond or portion thereof, (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the registered owners thereof, (ii) may be transferred and assigned, (iii) may be exchanged for other Bonds, (iv) shall have the characteristics, (v) shall be signed and sealed, and (vi) shall be payable as to principal and interest, all as provided, and in the manner required or indicated, in the form of Bond set forth in this Ordinance.

Section 3.08. Temporary Bonds.

(a) Following the delivery and registration of the Initial Bond and pending the preparation of definitive Bonds, the proper officers of the City may execute and, upon the City's request, the Paying Agent/Registrar shall authenticate and deliver, one or more temporary Bonds that are printed, lithographed, typewritten, mimeographed or otherwise produced, in any denomination, substantially of the tenor of the definitive Bonds in lieu of which they are delivered, without coupons, and with such appropriate insertions, omissions, substitutions and other variations as the officers of the City executing such temporary Bonds may determine, as evidenced by their signing of such temporary Bonds.

(b) Until exchanged for Bonds in definitive form, such Bonds in temporary form shall be entitled to the benefit and security of this Ordinance.

(c) The City, without unreasonable delay, shall prepare, execute and deliver to the Paying Agent/Registrar the Bonds in definitive form; thereupon, upon the presentation and surrender of the Bond or Bonds in temporary form to the Paying Agent/Registrar, the Paying Agent/Registrar shall cancel the Bonds in temporary form and authenticate and deliver in exchange therefor a Bond or Bonds of the same maturity, in definitive form, in the authorized denomination, and in the same aggregate principal amount, as the Bond or Bonds in temporary form surrendered. Such exchange shall be made without the making of any charge therefor to any Owner.

Section 3.09. Replacement Bonds.

(a) Upon the presentation and surrender to the Paying Agent/Registrar, at the Designated Payment/Transfer Office of a mutilated Bond, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding. The City or the Paying Agent/Registrar may require the Owner of such Bond to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection therewith and any other expenses connected therewith.

(b) In the event that any Bond is lost, apparently destroyed or wrongfully taken, the Paying Agent/Registrar, pursuant to the applicable laws of the State of Texas and in the absence

of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authenticate and deliver a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding, provided that the Owner first:

(i) furnishes to the Paying Agent/Registrar satisfactory evidence of his or her ownership of and the circumstances of the loss, destruction or theft of such Bond;

(ii) furnishes such security or indemnity as may be required by the Paying Agent/Registrar and the City to save them harmless;

(iii) pays all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar and any tax or other governmental charge that is authorized to be imposed; and

(iv) satisfies any other reasonable requirements imposed by the City and the Paying Agent/Registrar.

(c) If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the City and the Paying Agent/Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the City or the Paying Agent/Registrar in connection therewith.

(d) In the event that any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the Paying Agent/Registrar, in its discretion, without the necessity of issuing a replacement Bond, may pay such Bond on the date on which such Bond becomes due and payable.

(e) Each replacement Bond delivered in accordance with this Section shall constitute an original additional contractual obligation of the City and shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

Section 3.10. Book-Entry-Only System.

(a) The definitive Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of DTC, and except as provided in Section 3.11 hereof, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds, except as provided in this Ordinance. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with

respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than an Owner, as shown in the Register of any amount with respect to principal of or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Register as the absolute Owner of such Bond for the purpose of payment of principal of and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfer with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective Owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of, principal and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the register, shall receive a certificate evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the registered Owner at the close of business on the Record Date, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(c) The Representation Letter between the City and DTC applicable to the City's obligations delivered in book-entry-only form to DTC as securities depository for said obligations, is hereby affirmed.

Section 3.11. Successor Securities Depository; Transfer Outside Book-Entry-Only System. In the event that the City or the Paying Agent/Registrar determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, and that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, or in the event DTC discontinues the services described herein, the City or the Paying Agent/Registrar shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants, as identified by DTC, of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants, as identified by DTC, of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts, as identified by DTC. In such event, the Bonds shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

Section 3.12. Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bonds are registered in the name of Cede & Co., as

nominee of DTC, all payments with respect to principal of and interest on such Bonds, and all notices with respect to such Bonds, shall be made and given, respectively, in the manner provided in the Representation Letter.

ARTICLE IV

REDEMPTION OF BONDS BEFORE MATURITY

Section 4.01. Limitation on Redemption. The Bonds shall be subject to redemption before scheduled maturity only as provided in this Article IV.

Section 4.02. Optional Redemption.

(a) The City reserves the option to redeem Bonds in the manner provided in the form of Bond set forth in Section 6.02 of this Ordinance with such changes as are required by the Pricing Certificate.

(b) The City, at least 45 days before the redemption date (unless a shorter period shall be satisfactory to the Paying Agent/Registrar), shall notify the Paying Agent/Registrar of such redemption date and of the principal amount of Bonds to be redeemed.

Section 4.03. Mandatory Sinking Fund Redemption.

(a) Bonds designated as “Term Bonds,” if any, in the Pricing Certificate are subject to scheduled mandatory redemption and will be redeemed by the City, in part at a price equal to the principal amount thereof, without premium, plus accrued interest to the redemption date, out of moneys available for such purpose in the Interest and Sinking Fund for such Bonds, on the dates and in the respective principal amounts as set forth in the Pricing Certificate.

(b) At least forty-five (45) days prior to each scheduled mandatory redemption date, the Paying Agent/Registrar shall select for redemption by lot, or by any other customary method that results in a random selection, or such other method specified in the Pricing Certificate, a principal amount of Term Bonds equal to the aggregate principal amount of such Term Bonds to be redeemed, shall call such Term Bonds for redemption on such scheduled mandatory redemption date, and shall give notice of such redemption, as provided in Section 4.06.

The principal amount of the Term Bonds required to be redeemed on any redemption date pursuant to subparagraph (a) of this Section 4.04 shall be reduced, at the option of the City, by the principal amount of any Term Bonds which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the City at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or (ii) shall have been redeemed pursuant to the optional redemption provisions hereof and not previously credited to a mandatory sinking fund redemption.

Section 4.04. Partial Redemption.

(a) If less than all of the Bonds are to be redeemed pursuant to Section 4.02, the City shall determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call by lot or other customary method that results in a random selection of the Bonds, or portions thereof and maturity or maturities and in such principal amounts, for redemption.

(b) A portion of a single Bond of a denomination greater than \$5,000 may be redeemed, but only in a principal amount equal to \$5,000 or any integral multiple thereof. The Paying Agent/Registrar shall treat each \$5,000 portion of the Bond as though it were a single Bond for purposes of selection for redemption.

(c) Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar, in accordance with Section 3.06 of this Ordinance, shall authenticate and deliver an exchange Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

(d) The Paying Agent/Registrar shall promptly notify the City in writing of the principal amount to be redeemed of any Bond as to which only a portion thereof is to be redeemed.

Section 4.05. Notice of Redemption to Owners.

(a) The City shall give notice of any redemption of Bonds by sending or causing the Paying Agent/Registrar to send notice of such redemption by first class United States mail, postage prepaid, not less than 30 days before the date fixed for redemption, to the Owner of each Bond (or part thereof) to be redeemed, at the address shown on the Register at the close of business on the Business Day next preceding the date of mailing such notice.

(b) The notice shall state the redemption date, the redemption price, the place at which the Bonds are to be surrendered for payment, and, if less than all the Bonds outstanding are to be redeemed, an identification of the Bonds or portions thereof to be redeemed.

(c) The City reserves the right to give notice of its election or direction to redeem Bonds under Section 4.02 conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date or (ii) that the City retains the right to rescind such notice at any time prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice, and such notice and redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected Owners. Any Bonds subject to conditional redemption where redemption has been rescinded shall remain Outstanding, and the rescission shall not constitute an event of default. Further, in the case of a conditional

redemption, the failure of the City to make moneys and/or authorized securities available in part or in whole on or before the redemption date shall not constitute an event of default.

(d) Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice.

Section 4.06. Payment Upon Redemption.

(a) Before or on each redemption date, the Paying Agent/Registrar shall make provision for the payment of the Bonds to be redeemed on such date by setting aside and holding in trust an amount from the Interest and Sinking Fund or otherwise received by the Paying Agent/Registrar from the City sufficient to pay the principal of and accrued interest on such Bonds.

(b) Upon presentation and surrender of any Bond called for redemption at the Designated Payment/Transfer Office of the Paying Agent/Registrar on or after the date fixed for redemption, the Paying Agent/Registrar shall pay the principal of and accrued interest on such Bond to the date of redemption from the money set aside for such purpose.

Section 4.07. Effect of Redemption.

(a) Notice of redemption having been given as provided in Section 4.06 of this Ordinance and subject to any conditions or rights reserved by the City under Section 4.06(c), the Bonds or portions thereof called for redemption shall become due and payable on the date fixed for redemption and, unless the City defaults in the payment of the principal thereof, premium, if any, or accrued interest thereon, such Bonds or portions thereof shall cease to bear interest from and after the date fixed for redemption, whether or not such Bonds are presented and surrendered for payment on such date.

(b) If any Bond or portion thereof called for redemption is not so paid upon presentation and surrender of such Bond for redemption, such Bond or portion thereof shall continue to bear interest at the rate stated on the Bond until paid or until due provision is made for the payment of same.

Section 4.08. Lapse of Payment. Money set aside for the redemption of Bonds and remaining unclaimed by the Owners of such Bonds shall be subject to the provisions of Section 3.03(f) hereof.

ARTICLE V

PAYING AGENT/REGISTRAR

Section 5.01. Appointment of Initial Paying Agent/Registrar.

(a) The Authorized Officer is hereby authorized to select and appoint the initial Paying Agent/Registrar for the Bonds, and the initial Paying Agent/Registrar shall be designated in the Pricing Certificate. It shall be the duty of the Paying Agent/Registrar to obtain from the Owners and record in the Register the address of the Owner of each Bond to which payments

with respect to the Bonds shall be mailed, as provided herein. The City or its designee shall have the right to inspect the Register during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Register confidential and, unless otherwise required by law, shall not permit their inspection by any other entity.

(b) The Authorized Officer is hereby authorized and directed to execute and deliver or cause the execution and delivery by the City Manager and/or Mayor, a Paying Agent/Registrar Agreement or Contract, specifying the duties and responsibilities of the City and the Paying Agent/Registrar. The City Council hereby approves the form of Paying Agent/Registrar Agreement.

Section 5.02. Qualifications. Each Paying Agent/Registrar shall be (i) a bank, trust company, financial institution, or other entity duly qualified and legally authorized under applicable law, (ii) authorized under such laws to exercise trust powers, (iii) subject to supervision or examination by a federal or state governmental authority, and (iv) a single entity.

Section 5.03. Maintaining Paying Agent/Registrar.

(a) At all times while any Bonds are outstanding, the City will maintain a Paying Agent/Registrar that is qualified under Section 5.02 of this Ordinance.

(b) If the Paying Agent/Registrar resigns or otherwise ceases to serve as such, the City will promptly appoint a replacement.

Section 5.04. Termination. The City reserves the right to terminate the appointment of any Paying Agent/Registrar by delivering to the entity whose appointment is to be terminated a certified copy of a resolution of the City (i) giving notice of the termination of the appointment and of any contractual agreement, stating the effective date of such termination, and (ii) appointing a successor Paying Agent/Registrar.

Section 5.05. Notice of Change to Owners. Promptly upon each change in the entity serving as Paying Agent/Registrar, the City will cause notice of the change to be sent to each Owner by first class United States mail, postage prepaid, at the address in the Register, stating the effective date of the change and the name and mailing address of the replacement Paying Agent/Registrar and the mailing address of its Designated Payment/Transfer Office.

Section 5.06. Agreement to Perform Duties and Functions. By accepting the appointment as Paying Agent/Registrar, the Paying Agent/Registrar is deemed to have agreed to the provisions of this Ordinance and that it will perform the duties and functions of Paying Agent/Registrar prescribed hereby.

Section 5.07. Delivery of Records to Successor. If a Paying Agent/Registrar is replaced, such Paying Agent/Registrar, promptly upon the appointment of the successor, will deliver the Register (or a copy thereof) and all other pertinent books and records relating to the Bonds to the successor Paying Agent/Registrar and to the City.

ARTICLE VI

FORM OF THE BONDS

Section 6.01. Form Generally.

(a) The Bonds, including the Registration Certificate of the Comptroller of Public Accounts of the State of Texas to accompany the Initial Bond, and the Certificate of the Paying Agent/Registrar, and the Assignment form to appear on each of the Bonds, (i) shall be generally in the form set forth in this Article, with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and the Pricing Certificate, and (ii) may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as, consistently herewith, may be determined by the City or by the officers executing such Bonds, as evidenced by their execution thereof.

(b) Any portion of the text of any Bonds may be set forth on the reverse side thereof, with an appropriate reference thereto on the face of the Bonds.

(c) The Bonds (except for any temporary Bonds and the Initial Bonds) shall be typewritten, printed, lithographed, or engraved, and may be produced by any combination of these methods or produced in any other similar manner, all as determined by the officers executing such Bonds, as evidenced by their execution thereof.

Section 6.02. Form of the Bonds. The form of the Bonds, including the form of the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the form of Certificate of the Paying Agent/Registrar and the form of Assignment appearing on the Bonds, shall be generally as follows, provided, however, that the substantially final form of the Bonds shall be set forth in or attached to the Pricing Certificate and shall incorporate and reflect the final terms of the Bonds set forth in the Pricing Certificate:

(a) Form of Bond.

REGISTERED
No. _____

REGISTERED
\$ _____

United States of America
State of Texas
CITY OF DALLAS, TEXAS,
GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND, SERIES 2015³

INTEREST RATE: MATURITY DATE: ORIGINAL ISSUE DATE: CUSIP NO.:
_____ % _____, _____ _____, _____⁴ _____

The City of Dallas (the “City”), in the Counties of Dallas, Denton, Collin and Rockwall, State of Texas, for value received, hereby promises to pay to

or registered assigns, on the Maturity Date specified above, the principal sum of

_____ DOLLARS

unless this Bond shall have been duly called for prior redemption as provided herein and payment of the principal hereof and accrued but unpaid interest hereon shall have been paid or provided for, and to pay interest on the unpaid principal amount hereof from the later of the Original Issue Date specified above or the most recent Interest Payment Date to which interest has been paid or provided for until payment of such principal amount has been paid or provided for, at the interest rate per annum specified above, computed on the basis of a 360-day year of twelve 30-day months, such interest to be paid semiannually on February 15 and August 15 of each year, commencing _____.⁵ All capitalized terms used herein but not defined shall have the meaning assigned to them in the Ordinance (defined below).

The principal of this Bond shall be payable without exchange or collection charges in lawful money of the United States of America upon presentation and surrender of this Bond at the corporate trust office in _____⁶ (the “Designated Payment/Transfer Office”) of _____,⁷ or with respect to a successor Paying Agent/Registrar, at the designated payment/transfer office of such successor. Interest on this Bond is payable by check dated as of the Interest Payment Date, mailed by the Paying Agent/Registrar to the registered owner at the address shown on the registration books kept by the Paying Agent/Registrar or by such other customary banking arrangements acceptable to the Paying Agent/Registrar, requested by and at the risk and expense of, the person to whom interest is to be paid. For the purpose of the

³ As may be modified by the Pricing Certificate.

⁴ Information to be inserted from the Pricing Certificate.

⁵ Information to be inserted from the Pricing Certificate.

⁶ Information to be inserted from the Pricing Certificate.

⁷ Information to be inserted from the Pricing Certificate.

payment of interest on this Bond, the registered owner shall be the person in whose name this Bond is registered at the close of business on the "Record Date," which shall be the last Business Day of the month next preceding such Interest Payment Date; provided, however, that in the event of nonpayment of interest on a scheduled payment date and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date" which date shall be 15 days after the Special Record Date) shall be sent at least five Business Days prior to the Special Record Date by United States mail, first class, postage prepaid, to the address of each registered owner of a Bond appearing on the books of the Paying Agent/Registrar at the close of business on the last Business Day preceding the date of mailing of such notice.

If a date for the payment of the principal of or interest on this Bond is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the City where the Designated Payment/Transfer Office is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which such banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

This Bond is dated _____⁸ and is one of a series of fully registered bonds specified in the title hereof issued in the aggregate principal amount of \$_____⁹ (herein referred to as the "Bonds"), issued pursuant to a certain Ordinance of the City Council of the City (the "Ordinance") for the purpose of providing funds to refund the Refunded Obligations, to fund certain permanent public improvements and public purposes and to pay costs of issuance.

The Bonds and the interest thereon are payable from the levy of a direct and continuing ad valorem tax, within the limit prescribed by law, against all taxable property in the City.

[The City has reserved the option to redeem the Bonds maturing on or after _____, before their respective scheduled maturities in whole or in part in integral multiples of \$5,000 on _____, or on any date thereafter, at a redemption price of par, plus accrued interest to the date fixed for redemption. If less than all of the Bonds are to be redeemed, the City shall determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call by lot or other customary method that results in random selection of the Bonds, or portions thereof within such maturity or maturities and in such amounts, for redemption.

Bonds maturing on February 15 in each of the years ____ through ____, inclusive (the "Term Bonds"), are subject to mandatory sinking fund redemption prior to their scheduled maturity, and will be redeemed by the City, in part at a redemption price equal to the principal amount thereof, without premium, plus interest accrued to the redemption date, on the dates and in the principal amounts shown in the following schedule:

⁸ Information to be inserted from the Pricing Certificate.

⁹ Information to be inserted from the Pricing Certificate.

Redemption Date

Principal Amount

The Paying Agent/Registrar will select by lot or by any other customary method that results in a random selection the specific Term Bonds (or with respect to Term Bonds having a denomination in excess of \$5,000, each \$5,000 portion thereof) to be redeemed by mandatory redemption. The principal amount of Term Bonds required to be redeemed on any redemption date pursuant to the foregoing mandatory sinking fund redemption provisions hereof shall be reduced, at the option of the City, by the principal amount of any Bonds which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the City at a price not exceeding the principal amount of such Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or (ii) shall have been redeemed pursuant to the optional redemption provisions hereof and not previously credited to a mandatory sinking fund redemption.

Notice of such redemption or redemptions shall be given by first class mail, postage prepaid, not less than thirty (30) days before the date fixed for redemption, to the registered owner of each of the Bonds to be redeemed in whole or in part. In the Ordinance, the City reserves the right in the case of an optional redemption to give notice of its election or direction to redeem Bonds conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date or (ii) that the City retains the right to rescind such notice at any time prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice, and such notice and redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected owners. Any Bonds subject to conditional redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute an event of default. Further, in the case of a conditional redemption, the failure of the City to make moneys and/or authorized securities available in part or in whole on or before the redemption date shall not constitute an event of default.]¹⁰

As provided in the Ordinance, and subject to certain limitations therein set forth, this Bond is transferable upon surrender of this Bond for transfer at the Designated Payment/Transfer Office, with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar, and, thereupon, one or more new fully registered Bonds of the same stated

¹⁰ Insert redemption provisions, if any, and conform as necessary to the Pricing Certificate.

maturity, of authorized denominations, bearing the same rate of interest, and for the same aggregate principal amount will be issued to the designated transferee or transferees.

Neither the City nor the Paying Agent/Registrar shall be required to issue, transfer or exchange any Bond called for redemption, in whole or in part, within 45 days of the date fixed for redemption; provided, however, such limitation shall not be applicable to an exchange by the registered Owner of the uncalled principal balance of a Bond.

The City, the Paying Agent/Registrar, and any other person may treat the person in whose name this Bond is registered as the Owner hereof for the purpose of receiving payment as herein provided (except interest shall be paid to the person in whose name this Bond is registered on the Record Date or Special Record Date, as applicable) and for all other purposes, whether or not this Bond be overdue, and neither the City nor the Paying Agent/Registrar shall be affected by notice or knowledge to the contrary.

IT IS HEREBY CERTIFIED AND RECITED that the issuance of this Bond and the series of which it is a part is duly authorized by law; that all acts, conditions and things required to be done precedent to and in the issuance of the Bonds have been properly done and performed and have happened in regular and due time, form and manner, as required by law; that ad valorem taxes upon all taxable property in the City have been levied for and pledged to the payment of the debt service requirements of the Bonds within the limit prescribed by law; and that the total indebtedness of the City, including the Bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the City and countersigned by the manual or facsimile signature of the City Secretary and the City Manager, and the official seal of the City has been duly impressed or placed in facsimile on this Bond.

City Manager,
City of Dallas, Texas

Mayor, City of Dallas, Texas

City Secretary, City of Dallas, Texas

[SEAL]

(b) Form of Certificate of Paying Agent/Registrar. The following Certificate of Paying Agent/Registrar may be deleted from the Initial Bond if the Comptroller's Registration Certificate is attached thereto.

CERTIFICATE OF PAYING AGENT/REGISTRAR

It is hereby certified that this Bond has been issued under the provisions of the Ordinance of the City; and that this Bond has been issued in exchange for or replacement of a bond, bonds or portion of a bond or bonds of an issue which was originally approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

_____,
as Paying Agent/Registrar

Dated: _____
Authorized Signatory

By: _____

(c) Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto (print or typewrite name, address and zip code of transferee):

(Social Security or other identifying number: _____) the within Bond and all rights hereunder and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration hereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed By:

Authorized Signatory

NOTICE: The signature on this Assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular and must be guaranteed by an officer of a federal or state bank or a member of the National Association of Securities Dealers.

(d) Initial Bond Insertions.

(i) The Initial Bond shall be in the applicable form set forth in paragraphs (a) and (c) of this Section, except that:

A. immediately under the name of the Bond the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As shown below" and the heading "CUSIP NO." shall be deleted; and

B. in the first paragraph of the Bond, the words "on the Maturity Date specified above" shall be deleted and the following will be inserted: "on February 15 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Year</u>	<u>Principal Installment</u>	<u>Interest Rate</u>
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(Information to be inserted from the Pricing Certificate
as provided in Section 3.02 hereof.)

(ii) Form of Comptroller's Registration Certificate. The following Comptroller's Registration Certificate of the Comptroller of Public Accounts shall appear on each Initial Bond in lieu of the Certificate of Paying Agent/Registrar.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER §
OF PUBLIC ACCOUNTS § REGISTER NO. _____
OF THE STATE OF TEXAS §

I hereby certify that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this Bond has been examined by him as required by law, that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding general obligation of the City of Dallas, Texas, and that this Bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF OFFICE AT AUSTIN, TEXAS,
_____.

Comptroller of Public Accounts
of the State of Texas

[SEAL]

Section 6.03. CUSIP Registration. The City may secure identification numbers through the CUSIP Service Bureau Division of Standard & Poor's Corporation, New York, New York, and may authorize the printing of such numbers on the face of the Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the Bonds shall be of no significance or effect in regard to the legality thereof and neither the City nor the attorneys approving said Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the Bonds.

Section 6.04. Legal Opinion. The approving legal opinions of Bracewell & Giuliani LLP and West & Associates L.L.P., Co-Bond Counsel, may be printed on the back of each Bond over the certification of the City Secretary, which may be executed in facsimile.

Section 6.05. Municipal Bond Insurance. If municipal bond guaranty insurance is obtained with respect to the Bonds, the Bonds, including the Initial Bond, may bear an appropriate legend, as provided by the insurer.

ARTICLE VII

CREATION OF FUNDS AND ACCOUNTS, INITIAL DEPOSITS AND APPLICATION OF MONEY

Section 7.01. Creation of Funds. The City hereby establishes the following special funds or accounts to be designated as follows or as otherwise designated in the Pricing Certificate:

(a) “City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2015, Interest and Sinking Fund”;

(b) “City of Dallas, Texas, General Obligation Refunding and Improvement Bonds, Series 2015, Construction Fund.”

Section 7.02. Initial Deposits. On the Closing Date, the City shall cause the proceeds from the sale of the Bonds to be deposited as follows:

(a) first, an amount equal to all accrued interest, if any, on the Bonds from the Original Issue Date until the Closing Date, plus any additional amounts designated in the Pricing Certificate, shall be deposited to the credit of the Interest and Sinking Fund; and

(b) second, a portion of the proceeds of the sale of the Bonds together with any other funds of the City, if any, as set forth in the Pricing Certificate, shall be deposited with the Paying Agent for the Refunded Commercial Paper Notes pursuant to the Deposit Agreement and shall be used for the payment of such Refunded Commercial Paper Notes at their maturity; and

(c) third, a portion of the proceeds of the Bonds, as set forth in the Pricing Certificate, and used for the purposes described in the preamble hereof shall be deposited to the Construction Fund and used for the purposes described in the preamble hereof; and

(d) fourth, the remaining balance received on the Closing Date, shall be deposited to a special account of the City and used for the payment of the costs of issuing the Bonds. Any amounts not needed for the payment of costs of issuance shall be deposited to the Interest and Sinking Fund.

Section 7.03. Interest and Sinking Fund.

(a) The taxes levied under Section 2.01 of this Ordinance shall be deposited to the credit of the Interest and Sinking Fund at such times and in such amounts as necessary for the timely payment of the principal of and interest on such Bonds.

(b) If the amount of money in the Interest and Sinking Fund is at least equal to the aggregate principal amount of the outstanding Bonds plus the aggregate amount of interest due and that will become due and payable on such Bonds, no further deposits to that fund need be made. In determining the aggregate principal amount of outstanding Bonds, there shall be subtracted the amount of any Bonds discharged in accordance with Article XI hereof.

(c) Money on deposit in the Interest and Sinking Fund shall be used to pay the principal of and interest on the Bonds as such become due and payable.

Section 7.04. Construction Fund. The Construction Fund shall be used for the purpose of making the permanent public improvements and accomplishing the public purposes for which the Bonds were issued (as specified in the preamble of this Ordinance) and for paying expenses incurred in connection with the issuance and delivery of the Bonds.

Section 7.05. Excess Bond Proceeds.

(a) Upon completion of the permanent public improvements and public purposes financed with the Bonds any amount (exclusive of that amount retained for the payment of costs of such improvements not then due and payable) that remains in the Construction Fund shall be transferred to the credit of the Interest and Sinking Fund and segregated in a special escrow account.

(b) The money in such special escrow account shall be used for the payment of principal of and interest on the Bonds, on the respective due dates thereof or dates as of which Bonds have been called for redemption.

Section 7.06. Security of Funds. All moneys on deposit in the funds referred to in this Ordinance shall be secured in the manner and to the fullest extent required by the laws of the State of Texas for the security of public funds, and moneys on deposit in such funds shall be used only for the purposes permitted by this Ordinance.

ARTICLE VIII

INVESTMENTS

Section 8.01. Investments.

(a) Money in the Interest and Sinking Fund created by this Ordinance, at the option of the City, may be invested in such securities or obligations as permitted under applicable law.

(b) Any securities or obligations in which money is so invested shall be kept and held in trust for the benefit of the Owners of the Bonds and shall be sold and the proceeds of sale shall be timely applied to the making of all payments required to be made from the fund from which the investment was made.

(c) The money in an escrow account established under Section 7.05 of this Ordinance shall be invested in (i) tax-exempt obligations or (ii) securities or obligations that do not have a "higher yield," within the meaning of Section 148(f) of the Code, than the yield on the Bonds.

Section 8.02. Investment Income.

(a) Interest and income derived from investment of the Interest and Sinking Fund shall be credited to such Fund.

(b) Interest and income derived from investment of the Construction Fund shall be either deposited to the credit of the Interest and Sinking Fund or retained in the Construction Fund until the permanent improvements and public purposes authorized by this Ordinance are completed.

(c) The investment and application of money in the Escrow Fund shall be in accordance with the provisions of the Escrow Agreement.

ARTICLE IX

PARTICULAR REPRESENTATIONS AND COVENANTS

Section 9.01. Payment of the Bonds. On or before each Interest Payment Date for the Bonds, and while any of the Bonds are outstanding and unpaid, there shall be made available to the Paying Agent/Registrar, out of the Interest and Sinking Fund, money sufficient to pay such interest on, premium, if any, and principal of the Bonds as will accrue or mature on the applicable Interest Payment Date or date of prior redemption.

Section 9.02. Other Representations and Covenants.

(a) The City will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in this Ordinance and in each Bond; the City will promptly pay or cause to be paid the principal of and premium, if any, and interest on each Bond on the dates and at the places and manner prescribed in such Bond; and the City will, at the times and in the manner prescribed by this Ordinance, deposit or cause to be deposited the amounts of money specified by this Ordinance.

(b) The City is duly authorized under the laws of the State of Texas to issue the Bonds; all action on its part for the creation and issuance of the Bonds has been duly and effectively taken; and the Bonds in the hands of the Owners thereof are and will be valid and enforceable general obligations of the City in accordance with their terms.

Section 9.03. Federal Income Tax Exclusion of Bonds. The City intends that the interest on the Bonds shall be excludable from gross income for federal income tax purposes pursuant to sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations promulgated thereunder (the "Regulations"). The City covenants and agrees not to take any action, or knowingly omit to take any action within its control, that if taken or omitted, respectively, would cause the interest on the Bonds to be includable in gross income, as defined in section 61 of the Code, of the holders thereof for purposes of federal income taxation. In particular, the City covenants and agrees to comply with each requirement of Sections 9.03 through 9.09 of this Article IX; provided, however, that the City shall not be required to comply with any particular requirement of Sections 9.03 through 9.09 of this Article IX if the City has received an opinion of nationally recognized bond counsel ("Counsel's Opinion") that such noncompliance will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds or if the City has received a Counsel's Opinion to the effect that compliance with some other requirement set forth in Sections 9.03 through 9.09 of this Article IX will satisfy the applicable requirements of the Code,

in which case compliance with such other requirement specified in such Counsel's Opinion shall constitute compliance with the corresponding requirement specified in Sections 9.03 through 9.09 of this Article IX.

Section 9.04. No Private Use or Payment and No Private Loan Financing. The City shall certify, through an authorized officer, employee or agent that based upon all facts and estimates known or reasonably expected to be in existence on the date the Bonds are delivered, that the proceeds of the Refunded Obligations have not been used and the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "private activity bonds" within the meaning of section 141 of the Code and the Regulations. The City covenants and agrees that it will make such use of the proceeds of the Bonds and the Refunded Obligations including interest or other investment income derived from Bond proceeds, regulate the use of property financed, directly or indirectly, with such proceeds, and take such other and further action as may be required so that the Bonds will not be "private activity bonds" within the meaning of section 141 of the Code and the Regulations.

Section 9.05. No Federal Guarantee. The City covenants and agrees not to take any action, or knowingly omit to take any action within its control, that, if taken or omitted, respectively, would cause the Bonds to be "federally guaranteed" within the meaning of section 149(b) of the Code and the Regulations, except as permitted by section 149(b)(3) of the Code and the Regulations.

Section 9.06. No Hedge Bonds. The City covenants and agrees that it has not and will not to take any action, and has not knowingly omitted and will not knowingly omit to take any action, within its control, that, if taken or omitted, respectively, would cause the Bonds to be "hedge bonds" within the meaning of section 149(g) of the Code and the Regulations.

Section 9.07. No Arbitrage. The City shall certify, through an authorized officer, employee or agent that based upon all facts and estimates known or reasonably expected to be in existence on the date the Bonds are delivered, the City will reasonably expect that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of section 148(a) of the Code and the Regulations. Moreover, the City covenants and agrees that it will make such use of the proceeds of the Bonds including interest or other investment income derived from Bond proceeds, regulate investments of proceeds of the Bonds, and take such other and further action as may be required so that the Bonds will not be "arbitrage bonds" within the meaning of section 148(a) of the Code and the Regulations.

Section 9.08. Arbitrage Rebate. If the City does not qualify for an exception to the requirements of Section 148(f) of the Code relating to the required rebate to the United States, the City will take all necessary steps to comply with the requirement that certain amounts earned by the City on the investment of the "gross proceeds" of the Bonds (within the meaning of section 148(f)(6)(B) of the Code), be rebated to the federal government. Specifically, the City will (i) maintain records regarding the investment of the gross proceeds of the Bonds as may be required to calculate the amount earned on the investment of the gross proceeds of the Bonds separately from records of amounts on deposit in the funds and accounts of the City allocable to other bond issue of the City or moneys which do not represent gross proceeds of any bonds of the City, (ii) calculate at such times as are required by the Regulations, the amount earned from

the investment of the gross proceeds of the Bonds which is required to be rebated to the federal government, and (iii) pay, not less often than every fifth anniversary date of the delivery of the Bonds or on such other dates as may be permitted under the Regulations, all amounts required to be rebated to the federal government. Further, the City will not indirectly pay any amount otherwise payable to the federal government pursuant to the foregoing requirements to any person other than the federal government by entering into any investment arrangement with respect to the gross proceeds of the Bonds that might result in a reduction in the amount required to be paid to the federal government because such arrangement results in a smaller profit or a larger loss than would have resulted if the arrangement had been at arm's length and had the yield on the issue not been relevant to either party.

Section 9.09. Information Reporting. The City covenants and agrees to file or cause to be filed with the Secretary of the Treasury, not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Bonds are issued, an information statement concerning the Bonds, all under and in accordance with section 149(e) of the Code and the Regulations.

Section 9.10. Continuing Obligation. Notwithstanding any other provision of this Ordinance, the City's obligations under the covenants and provisions of Sections 9.03 through 9.09 of this Article IX shall survive the defeasance and discharge of the Bonds.

ARTICLE X

DEFAULT AND REMEDIES

Section 10.01. Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an "Event of Default," to-wit:

- (a) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or
- (b) default in the performance or observance of any other covenant, agreement or obligation of the City, the failure to perform which materially, adversely affects the rights of the Owners, including but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Owner to the City.

Section 10.02. Remedies for Default.

- (a) Upon the happening of any Event of Default, then and in every case any Owner or an authorized representative thereof, including but not limited to, a trustee or trustees therefor, may proceed against the City for the purpose of protecting and enforcing the rights of the Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Owners hereunder or any combination of such remedies.

(b) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Owners of Bonds then outstanding.

Section 10.03. Remedies Not Exclusive.

(a) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(b) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

ARTICLE XI

DISCHARGE

Section 11.01. Discharge. The Bonds may be defeased, discharged or refunded in any manner permitted by applicable law.

ARTICLE XII

**SALE AND DELIVERY OF BONDS;
APPROVAL OF OFFICIAL STATEMENT;
CONTROL AND DELIVERY OF BONDS**

Section 12.01. Sale of Bonds; Delivery of Official Statement.

(a) The Bonds shall be sold at negotiated sale to the Underwriters in accordance with the terms of this Ordinance, including this Section 12.01(a) and Exhibit B attached hereto, provided that all of the conditions set forth in Exhibit B can be satisfied. As authorized by Chapters 1207 and 1371, Texas Government Code, as amended, the Authorized Officer is authorized to act on behalf of the City upon determining that the conditions set forth in Exhibit B can be satisfied, in selling and delivering the Bonds and carrying out the other procedures specified in this Ordinance, including determining whether to acquire bond insurance for the Bonds, the aggregate principal amount of the Bonds, whether the Bonds shall be in one or more series from time to time, and price at which each of the Bonds will be sold, the aggregate principal amount of the Refunded Obligations and their redemption dates, the number and designation of series of Bonds to be issued, whether the Bonds will be taxable or tax-exempt, the form in which the Bonds shall be issued, the years in which the Bonds will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the first interest payment date, the initial date from which interest will accrue, the dates, prices and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the City and shall be subject to mandatory sinking fund redemption, and all other matters relating to the issuance, sale and delivery of the Bonds, all of which shall be specified in the Pricing Certificate.

The authority granted to the Authorized Officer under this Section 12.01(a) shall expire at 5:00 p.m., 180 days from the date of this Ordinance, unless otherwise extended by the City Council by separate action.

Any finding or determination made by the Authorized Officer relating to the issuance and sale of the Bonds and the execution of the Purchase Agreement in connection therewith shall have the same force and effect as a finding or determination made by the City Council.

(b) The Authorized Officer is hereby authorized and directed to execute and deliver one or more bond purchase agreements (the "Purchase Agreement"), which Purchase Agreement shall be in the form approved by the Authorized Officer. The Authorized Officer is hereby authorized and directed to approve the final terms and provisions of the Purchase Agreement in accordance with the terms of the Pricing Certificate and this Ordinance, which final terms shall be determined to be the most advantageous reasonably attainable by the City, such approval and determination being evidenced by its execution thereof by the Authorized Officer. All officers, agents and representatives of the City are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out therein and to provide for the issuance and delivery of the Bonds. The Initial Bond shall initially be registered in the name of the Representative or such other entity as may be specified in the Purchase Agreement.

(c) The form and substance of the Preliminary Official Statement and any addenda, supplement or amendment thereto, are hereby in all respects approved and adopted and is hereby deemed final as of its date within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended. The Authorized Officer and City Secretary are hereby authorized and directed to cause to be prepared a final Official Statement (the "Official Statement") incorporating applicable pricing information pertaining to the Bonds, and to execute the same by manual or facsimile signature and deliver appropriate numbers of executed copies thereof to the Underwriters. The Official Statement as thus approved, executed and delivered, with such appropriate variations as shall be approved by the Authorized Officer and the Underwriters, may be used by the Underwriters in the public offering and sale thereof. The City Secretary is hereby authorized and directed to include and maintain a copy of the Official Statement and any addenda, supplement or amendment thereto thus approved among the permanent records of this meeting. The use and distribution of the Preliminary Official Statement, and the preliminary public offering of the Bonds by the Underwriters, is hereby ratified, approved and confirmed.

(d) All officers of the City are authorized to take such actions and to execute such documents, certificates and receipts as they may deem necessary and appropriate in order to consummate the delivery of the Bonds in accordance with the terms of sale therefore including, without limitation, the Purchase Agreement. Further, in connection with the submission of the record of proceedings for the Bonds to the Attorney General of the State of Texas for examination and approval of such Bonds, the appropriate officer of the City is hereby authorized and directed to issue a check of the City payable to the Attorney General of the State of Texas as a nonrefundable examination fee in the amount required by Chapter 1202, Texas Government Code (such amount to be the lesser of (i) 1/10th of 1% of the principal amount of the Bonds or (ii) \$9,500).

(e) The obligation of the Underwriters to accept delivery of the Bonds is subject to the Underwriters being furnished with the final, approving opinions of Bracewell & Giuliani LLP and West & Associates L.L.P., Co-Bond Counsel for the City, which opinions shall be dated as of and delivered on the Closing Date.

Section 12.02. Control and Delivery of Bonds.

(a) The City Manager is hereby authorized to have control of the Initial Bond and all necessary records and proceedings pertaining thereto pending investigation, examination, and approval of the Attorney General of the State of Texas, registration by the Comptroller of Public Accounts of the State of Texas and registration with, and initial exchange or transfer by, the Paying Agent/Registrar.

(b) After registration by the Comptroller of Public Accounts, delivery of the Initial Bond shall be made to the Representative under and subject to the general supervision and direction of the City Manager, against receipt by the City of all amounts due to the City under the terms of sale.

(c) In the event the Mayor, City Secretary or City Manager is absent or otherwise unable to execute any document or take any action authorized herein, the Mayor Pro Tem, any Assistant City Secretary and any Assistant City Manager, respectively, shall be authorized to execute such documents and take such actions, and the performance of such duties by the Mayor Pro Tem, the Assistant City Secretary and the Assistant City Manager shall for the purposes of this Ordinance have the same force and effect as if such duties were performed by the Mayor, City Secretary and City Manager, respectively.

ARTICLE XIII

CONTINUING DISCLOSURE UNDERTAKING

Section 13.01. Annual Reports.

(a) The City shall provide annually to the MSRB, (1) within six months after the end of each fiscal year of the City, financial information and operating data with respect to the City of the general type included in the final Official Statement, being information described in the Pricing Certificate, including financial statements of the City if audited financial statements of the City are then available, and (2) if not provided as part such financial information and operating data, audited financial statements of the City, when and if available. Any financial statements so to be provided shall be (i) prepared in accordance with the accounting principles prescribed by the Generally Accepted Accounting Principles or such other accounting principles as the City may be required to employ, from time to time, by State law or regulation, and (ii) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the City shall file unaudited financial statements within such 12-month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available.

(b) If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

(c) The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

Section 13.02. Material Event Notices.

(a) The City shall provide the following to the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten (10) business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (i) Principal and interest payment delinquencies;
- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers, or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (vii) Modifications to rights of the holders of the Bonds, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the City;

Note to paragraph 12: For the purposes of the event identified in paragraph 12 of this section, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar

officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

(xiii) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

(xiv) Appointment of successor or additional paying agent/registrar or the change of name of a paying agent/registrar, if material.

(b) The City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with Section 13.01 of this Ordinance by the time required by such Section.

Section 13.03. Limitations, Disclaimers and Amendments.

(a) The City shall be obligated to observe and perform the covenants specified in this Article for so long as, but only for so long as, the City remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the City in any event will give notice of any Bond calls and any defeasances that cause the City to be no longer an “obligated person.”

(b) The provisions of this Article are for the sole benefit of the Owners and beneficial owners of the Bonds, and nothing in this Article, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Article and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Article or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY

COVENANT SPECIFIED IN THIS ARTICLE, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(c) No default by the City in observing or performing its obligations under this Article shall constitute a breach of or default under the Ordinance for purposes of any other provisions of this Ordinance.

(d) Nothing in this Article is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

(e) The provisions of this Article may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (i) the provisions of this Article, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (ii) either (A) the Owners of a majority in aggregate principal amount (or any greater amount required by any other provisions of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (B) an entity or individual person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Owners and beneficial owners of the Bonds. If the City so amends the provisions of this Article, it shall include with any amended financial information or operating data next provided in accordance with Section 13.01 an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

ARTICLE XIV

AMENDMENTS; ATTORNEY GENERAL MODIFICATION

Section 14.01. Amendments. This Ordinance shall constitute a contract with the Owners, be binding on the City, and shall not be amended or repealed by the City so long as any Bond remains outstanding except as permitted in this Section. The City may, without consent of or notice to any Owners, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Owners, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the written consent of the Owners of the Bonds holding a majority in aggregate principal amount of the Bonds then outstanding, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of all Owners of outstanding Bonds, no such amendment, addition, or rescission shall (i) extend the time or times of payment of the principal of, premium, if any, and interest on the Bonds, reduce the principal amount thereof, the redemption price, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, or interest on the Bonds, (ii) give any preference to any Bond over any other Bond, or (iii) reduce the aggregate principal amount of Bonds required to be held by Owners for consent to any such amendment, addition, or rescission.

Section 14.02. Attorney General Modification. In order to obtain the approval of the Bonds by the Attorney General of the State of Texas, any provision of this Ordinance may be modified, altered or amended after the date of its adoption if required by the Attorney General in connection with the Attorney General's examination as to the legality of the Bonds and approval thereof in accordance with the applicable law. Such changes, if any, shall be provided to the City Secretary and the City Secretary shall insert such changes into this Ordinance as if approved on the date hereof.

Section 14.03. Partial Invalidity. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 14.04. No Personal Liability. No recourse shall be had for payment of the principal of or interest on any Bonds or for any claim based thereon, or on this Ordinance, against any official or employee of the City or any person executing any Bonds.

ARTICLE XV

PAYMENT OF REFUNDED OBLIGATIONS; APPROVAL OF ESCROW AND DEPOSIT AGREEMENT; PURCHASE OF ESCROWED SECURITIES

Section 15.01. Payment of Refunded Obligations.

(a) The Refunded Obligations are to be paid on their maturity date, in the principal amount thereof plus interest accrued thereon to the payment as set forth in the Pricing Certificate.

(b) The City Secretary is hereby authorized and directed to cause a copy of this Ordinance to be delivered to the paying agent/registrar for the Refunded Obligations, the delivery of which shall constitute notice of payment to such paying agent/registrar.

Section 15.02. Approval of Deposit Agreement. The discharge and defeasance of the Refunded Obligations shall be effectuated pursuant to the terms and provisions of a Deposit Agreement, if necessary, (the "Deposit Agreement"), to be entered into by and between the City and the Paying Agent for the Refunded Commercial Paper Notes, respectively, which Deposit Agreement shall contain terms and provisions to be approved by the Authorized Officer including terms and provisions for the purposes of (i) carrying out the program designed for the City, (ii) minimizing the City's costs of refunding, (iii) complying with all applicable laws and regulations relating to the refunding of the Refunded Obligations, (iv) carrying out the other intents and purposes of this Ordinance and (v) complying with the terms set forth in the Pricing Certificate. The execution and delivery by the City Manager of the Deposit Agreement, if necessary, is hereby authorized and approved. The signature of the City Manager shall be attested by the City Secretary.

Section 15.03. Notice of Deposit and Redemption. The paying agent/registrar for the Refunded Obligations is hereby authorized and directed to give notice of deposit with respect to the Refunded Obligations in the manner specified in the ordinances authorizing the issuance of such Refunded Obligations.

ARTICLE XVI

EFFECTIVE IMMEDIATELY

Section 16.01. Effective Immediately. 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, Texas, pertaining thereto, and it is accordingly so ordained.

FINALLY PASSED, APPROVED AND EFFECTIVE this October 28, 2015.

APPROVED AS TO FORM:

Warren M.S. Ernst
City Attorney
City of Dallas, Texas

*Signature Page for the General Obligation
Refunding and Improvement Bonds, Series 2015*

SCHEDULE I

REFUNDED OBLIGATION CANDIDATES

All Outstanding Commercial Paper Notes, Series 2010C

EXHIBIT A

SALE PARAMETERS

In accordance with Section 12.01(a) of the Ordinance, the following conditions with respect to the Bonds must be satisfied in order for the Authorized Officer to act on behalf of the City in selling and delivering the Bonds to the Underwriters:

(a) the Bonds shall not bear interest at a rate greater than the maximum rate authorized by Chapter 1204, Texas Government Code, as amended;

(b) the aggregate principal amount of the Bonds authorized to be issued for the purposes described in Section 3.01 shall not exceed the limits described in that Section, and the Bonds sold for the purposes of refunding the Refunded Obligations shall be in an amount sufficient, in combination with the net premium from the sale of the Bonds, plus other available funds of the City, if any, to provide for the payment of the Refunded Obligations to be selected from the Refunded Obligation Candidates identified in Schedule I hereto and the costs and expenses of issuance of the Bonds, including underwriter's discount;

(c) the maximum maturity for the Bonds shall not be later than February 15, 2034;
and

(d) the Bonds to be issued, prior to delivery, must have been rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for long term obligations.

AGENDA ITEM # 9

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Fire

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to the contract with Public Consulting Group, Inc. to extend the contract for an additional two years for the period October 9, 2015 through October 9, 2017 to continue operation of the Ambulance Supplemental Payment Program for emergency ambulance services - Estimated Annual Net Revenue: \$7,500,000

BACKGROUND

The City's cost to provide Medicaid-covered patient care to each Medicaid patient is greater than payments received for those services. Additionally, most of the cost incurred in providing services to uninsured patients goes unpaid and the City ends up covering the cost. The Ambulance Supplemental Payment Program is a federally approved program designed to provide additional reimbursement to governmental ambulance providers. Effective October 1, 2011, the reimbursement methodology Texas Administrative Code (TAC) §355.8600 was modified to include supplemental payments to approved governmental entities delivering emergency ambulance services to Medicaid fee-for-service patients. As part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver), Uninsured and Medicaid Managed Care cost reimbursement has been incorporated as part of the program effective March 1, 2012. While the 1115 Waiver is set to expire on September 30, 2016, the Texas Health and Human Services Commission (HHSC) has requested an extension and additional funding from the Centers for Medicare and Medicaid Services (CMS). The Cost Reports are due on March 31, 2017 and the settlement anticipated by October 9, 2017.

BACKGROUND (Continued)

Since February 2012, Public Consulting Group, Inc. has played an instrumental role in the success of this project, working with Dallas Fire-Rescue from the beginning of the City's participation in the program which was approved and made effective March 1, 2012. The scope of work has included drafting initial program approval documentation, analyzing billing and expense reports, developing necessary allocation methods, preparing cost reports for submission by the Dallas Fire-Rescue Department, and providing comprehensive desk review support and interaction with HHSC. As a result, the City of Dallas has received settlement reimbursement under the Ambulance Supplemental Payment Program (ASPP) in the amount of \$8,473,438 (FY12), \$8,555,399 (FY13), and \$10,720,843 (FY14), for a total of \$27.7M in three years. The revenue realized has played a major role in the annual City-wide budget development.

Based on the prior three years submissions, and subject to the approved reimbursement rate, this program is estimated to capture \$7,500,000 dollars in annual net revenue of which represents a portion of the current gap between the cost of providing emergency medical services and the payment received from patients.

Under this service contract Public Consulting Group, Inc. will continue with the following activities:

- Calculate federal limits on reimbursement in order to optimize the reimbursement opportunity for the City
- Conduct a thorough review of operational and administrative costs to determine OMB A-87 allowable costs to report on a cost report approved by HHSC
- Refine allocation methodologies to ensure that Emergency Medical Services (EMS) costs are appropriately determined
- Conduct a review of all Medicaid and uninsured billing reports to determine total allowable charges that are eligible for reimbursement
- Submit annual cost reports on behalf of the City to HHSC thereby allowing the City to realize incremental revenue under an approved Ambulance Supplemental Payment Program
- Provide Medicaid subject matter expertise and representation during the HHSC review and approval of the submitted cost reports
- Analyze and report trends in billing, financial, and cost settlement activities
- Refine cost reports and/or other items of cost based on the review from HHSC and/or CMS
- Represent the City's interests with HHSC and with 1115 Waiver renewal proceedings

Public Consulting Group, Inc. will continue to be paid a commission of 6%, of collected gross revenues. Rate was renegotiated from 12% by Administrative Action No. 13-6638 on October 23, 2013. Estimated revenue is net to the City after commissions are deducted.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 10, 2012, City Council authorized a three-year service contract with Public Consulting Group, Inc. for the implementation and operation of a Medicaid supplemental payment program for emergency ambulance service, by Resolution No. 12-2514.

Information about this item was provided to the Public Safety Committee on October 12, 2015.

FISCAL INFORMATION

\$7,500,000 - Estimated Annual Net Revenue

ETHNIC COMPOSITION

Public Consulting Group, Inc.

White Male	481	White Female	660
Black Male	43	Black Female	117
Hispanic Male	42	Hispanic Female	93
Other Male	80	Other Female	86

OWNER

Public Consulting Group, Inc.

William S. Mosakowski, President
Tony McLean Brown, Vice President
Stephen P. Skinner, Secretary
Daniel T. Heaney, Treasurer

October 28, 2015

WHEREAS, the City of Dallas Fire-Rescue Department operates the emergency ambulance service for the City; and

WHEREAS, on October 10, 2012, City Council authorized a three-year service contract with Public Consulting Group, Inc., for implementation and operation of a Medical supplemental payment program for emergency ambulance service including a commission of 12% of the collected gross revenues, by Resolution No. 12-2514; and

WHEREAS, on October 23, 2013, Supplemental Agreement No. 1 was approved by Administrative Action No. 13-6638 to (1) include "uninsured claims" under the Scope of Services, and (2) adjust the percentage rate of the commission from 12% to 6% for services covering cost reporting beginning on or after October 1, 2012; and

WHEREAS, Public Consulting Group, Inc. has played a pivotal role in the development and implementation of an Ambulance Supplemental Payment Program (ASPP) in the City of Dallas, including successful annual preparation and submission of the cost reports to the Texas Health and Human Services Commission resulting in the City receiving settlement reimbursement of over \$27 Million; and

WHEREAS, it is in the best interest of the City to extend the current service contract with Public Consulting Group, Inc., to ensure consistency in the City's participation in Ambulance Supplemental Payment Program for the duration of the currently approved State of Texas' 1115 Waiver Program, retention for the historical data analysis and interworking relations with HHSC.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 to the contract with Public Consulting Group, Inc. (VS0000069890) to extend the contract for an additional two-years for the period October 9, 2015 through October 9, 2017 for the continual operation of the Ambulance Supplemental Payment Program with an estimated annual net revenue in the amount of \$7,500,000 (for a commission of 6% of collected gross revenues), upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to deposit revenue generated from the Ambulance Supplemental Payment Program into Fund 0001, Dept. DFD, Unit ER90, Revenue Source 741A.

October 28, 2015

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds, not to exceed 6% of collected gross revenues for the Ambulance Supplemental Payment Program to Public Consulting Group, Inc. from Fund 0001, Dept. DFD, Unit ER90, Object 3070 (subject to annual appropriations).

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 ITEMS # 10,11

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3297
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Trinity River Corridor Project Legislative Services

- * Authorize a personal services contract with Hector Alcalde for state legislative information and related services regarding the Trinity River Corridor Project and other water resources for the period October 1, 2015 through September 30, 2016 - Not to exceed \$73,800 - Financing: Current Funds
- * Authorize a personal services contract with Paul Schlesinger for state legislative information and related services regarding the Trinity River Corridor Project and other water resources for the period October 1, 2015 through September 30, 2016 - Not to exceed \$43,650 - Financing: Current Funds

BACKGROUND

The Trinity River Corridor Project is broad in scope and requires extensive interface with officials at both the federal and state levels. In order to successfully achieve the legislative initiatives required for the project, the City benefits from a liaison in Washington with expertise in specific areas and singular focus on the project.

Hector Alcalde and Paul Schlesinger have represented the City in Washington for the last fourteen years. They have extensive knowledge, background and contacts in the field of transportation and infrastructure and Army Corps of Engineers' projects. In addition, they have excellent working relationships with the leadership of key Congressional Committees.

BACKGROUND (Continued)

Hector Alcalde and Paul Schlesinger provide the City with advice, assistance and advocacy services to achieve the City Council's designated legislative objectives in connection with the Trinity River Corridor Project, especially in the areas of flood control and transportation. To date, they have worked to secure nearly \$230 million for the Trinity River Corridor Project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on October 5, 2010.

Authorized a contract with Hector Alcalde for FY 2010-11 on October 13, 2010, by Resolution No. 10-2579.

Authorized a contract with Paul Schlesinger for FY 2010-11 on October 13, 2010, by Resolution No. 10-2580.

Authorized a contract with Hector Alcalde for FY 2011-12 on October 10, 2011, by Resolution No. 11-2725.

Authorized a contract with Paul Schlesinger for FY 2011-12 on October 10, 2011, by Resolution No. 11-2726.

The Legislative Ad Hoc Committee was briefed on October 22, 2012.

Authorized a contract with Hector Alcalde for FY 2012-13 on November 14, 2012, by Resolution No. 12-2747.

Authorized a contract with Paul Schlesinger for FY 2012-13 on November 14, 2012, by Resolution No. 12-2748.

The Dallas City Council was briefed on October 16, 2013.

Authorized a contract with Hector Alcalde for FY 2013-14 on October 23, 2013, by Resolution No. 13-1832.

Authorized a contract with Paul Schlesinger for FY 2013-14 on October 23, 2013, by Resolution No. 13-1833.

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

The Dallas City Council was briefed on October 15, 2014.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized a contract with Hector Alcalde for FY 2014-15 on October 22, 2014, by Resolution No. 14-1797.

Authorized a contract with Paul Schlesinger for FY 2014-15 on October 22, 2014, by Resolution No. 14-1798.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

FISCAL INFORMATION

\$117,450.00 - Current Funds

October 28, 2015

WHEREAS, the Trinity River Corridor Project is broad in scope and requires extensive interface with officials at both the federal and state levels; and

WHEREAS, on October 13, 2010, Resolution No. 10-2579 authorized a contract with Hector Alcalde for FY 2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2725 authorized a contract with Hector Alcalde for FY 2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2747 authorized a contract with Hector Alcalde for FY 2012-13; and

WHEREAS, on October 23, 2013, Resolution No. 13-1832 authorized a contract with Hector Alcalde for FY 2013-14; and

WHEREAS, on October 22, 2014, Resolution No. 14-1797 authorized a contract with Hector Alcalde for FY 2014-15; and

WHEREAS, the City of Dallas has initiated a multi-year plan for the Trinity River, providing flood protection, recreational opportunities, economic development and transportation; and

WHEREAS, many of the federal legislative initiatives associated with the project must occur in a timely manner in order to avoid delays in the project; and

WHEREAS, in order to successfully achieve the legislative initiatives required by the project, the City would benefit from a liaison in Washington with expertise in specific areas and singular focus on the project; 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 authorized to enter into a personal services contract with Hector Alcalde for state legislative information and related services regarding the Trinity River Corridor Project for the period October 1, 2015 through September 30, 2016.

October 28, 2015

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed \$73,800.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. HA16BMS1978, Vendor No. 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.

October 28, 2015

WHEREAS, the Trinity River Corridor Project is broad in scope and requires extensive interface with officials at both the federal and state levels; and

WHEREAS, on October 13, 2010, Resolution No. 10-2580 authorized a contract with Paul Schlesinger for FY 2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2726 authorized a contract with Paul Schlesinger for FY 2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2748 authorized a contract with Paul Schlesinger for FY 2012-13; and

WHEREAS, on October 23, 2013, Resolution No. 13-1833 authorized a contract with Paul Schlesinger for FY 2013-14; and

WHEREAS, on October 22, 2014, Resolution No. 14-1798 authorized a contract with Paul Schlesinger for FY 2014-15; and

WHEREAS, the City of Dallas has initiated a multi-year plan for the Trinity River, providing flood protection, recreational opportunities, economic development and transportation; and

WHEREAS, many of the federal legislative initiatives associated with the project must occur in a timely manner in order to avoid delays in the project; and

WHEREAS, in order to successfully achieve the legislative initiatives required for the project, the City benefits from a liaison in Washington with expertise in specific areas and singular focus on the project; and

WHEREAS, Paul Schlesinger has extensive knowledge, background and contacts in the fields 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 authorized to enter into a personal services contract with Paul Schlesinger for state legislative information and related services regarding the Trinity River Corridor Project for the period October 1, 2015 through September 30, 2016.

October 28, 2015

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed \$43,650.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. PS16BMS1978, Vendor No. 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 ITEM # 12

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3297
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a personal services contract with Jesse Romero for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$30,000 - Financing: Current Funds

BACKGROUND

Jesse Romero has represented the City of Dallas before the State Legislature and various state agencies during the last five legislative sessions.

Mr. Romero monitors state action affecting cities, working with State Legislators and the Governor's Office to advance City interests and priorities.

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 October 5, 2010.

Authorized a contract with Jesse Romero for FY 2010-11 on October 13, 2010, by Resolution No. 10-2577.

Authorized a contract with Jesse Romero for FY 2011-12 on October 10, 2011, by Resolution No. 11-2721.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

The Legislative Ad Hoc Committee was briefed on October 22, 2012.

Authorized a contract with Jesse Romero for FY 2012-13 on November 14, 2012, by Resolution No. 12-2743.

The Dallas City Council was briefed on October 16, 2013.

Authorized a contract with Jesse Romero for FY 2013-14 on October 23, 2013, by Resolution No. 13-1834.

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

The Dallas City Council was briefed on October 15, 2014.

Authorized a contract with Jesse Romero for FY 2013-14 on October 22, 2014, by Resolution No. 14-1799.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

FISCAL INFORMATION

\$30,000.00 - Current Funds

October 28, 2015

WHEREAS, Jesse Romero has represented the City of Dallas before the State Legislature and various state agencies during the last five state legislative sessions; and

WHEREAS, on October 13, 2010, Resolution No. 10-2577 authorized a contract with Jesse Romero for FY 2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2721 authorized a contract with Jesse Romero for FY 2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2743 authorized a contract with Jesse Romero for FY 2012-13; and

WHEREAS, on October 23, 2013, Resolution No. 13-1834 authorized a contract with Jesse Romero for FY 2013-14; and

WHEREAS, on October 22, 2014, Resolution No. 14-1799 authorized a contract with Jesse Romero for FY 2014-15; and

WHEREAS, Jesse Romero uses resources to monitor and influence legislation for the City of Dallas during the state legislative session and throughout the interim; and

WHEREAS, Jesse Romero 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 authorized to enter into a personal services contract with Jesse Romero to provide state legislative information and related services for the period October 1, 2015 through September 30, 2016 in an amount not to exceed \$30,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed \$30,000.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. JR16BMS1978, Vendor No. VC0000005104.

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 ITEM # 13

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3297
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a personal services contract with Kwame Walker for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$45,000 - Financing: Current Funds

BACKGROUND

Kwame Walker represents governmental entities and corporations before the State Legislature. He has represented the City of Dallas during the last eight 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.
- Providing office space, utilities, and parking for City of Dallas use in Austin.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on October 5, 2010.

Authorized a contract with Kwame Walker for FY 2010-11 on October 13, 2010, by Resolution No. 10-2578.

Authorized a contract with Kwame Walker for FY 2011-12 on October 10, 2011, by Resolution No. 11-2722.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

The Legislative Ad Hoc Committee was briefed on October 22, 2012.

Authorized a contract with Kwame Walker for FY 2012-13 on November 14, 2012, by Resolution No. 12-2744.

The Dallas City Council was briefed on October 16, 2013

Authorized a contract with Kwame Walker for FY 2013-14 on October 23, 2013, by Resolution No. 13-1835.

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

The Dallas City Council was briefed on October 15, 2014.

Authorized a contract with Kwame Walker for FY 2014-15 on October 22, 2014, by Resolution No. 14-1800.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

FISCAL INFORMATION

\$45,000.00 - Current Funds

October 28, 2015

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 13, 2010, Resolution No. 10-2578 authorized a contract with Kwame Walker for FY 2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2722 authorized a contract with Kwame Walker for FY 2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2744 authorized a contract with Kwame Walker for FY 2012-13; and

WHEREAS, on October 23, 2013, Resolution No. 13-1835 authorized a contract with Kwame Walker for FY 2013-14; and

WHEREAS, on October 22, 2014, Resolution No. 14-1800 authorized a contract with Kwame Walker for FY 2014-15; and

WHEREAS, Kwame Walker has represented the City of Dallas before the State Legislature and various state agencies during the last eight 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 authorized to enter into a personal services contract with Kwame Walker to provide state legislative information and related services for the period October 1, 2015 through September 30, 2016.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed \$45,000.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. KW16BMS1978, Vendor No. 354093.

October 28, 2015

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 ITEM # 14

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3297
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a personal services contract with Randy C. Cain for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$83,100 - Financing: Current Funds

BACKGROUND

Randy Cain has represented the City of Dallas before the State Legislature and various state agencies during the last eleven legislative sessions.

Mr. Cain operates an Austin office which monitors state action affecting cities, working with State Legislators and the Governor's Office to advance City interests and priorities.

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.
- Providing office space, utilities, and parking for City of Dallas use in Austin.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on October 5, 2010.

Authorized a contract with Randy C. Cain for FY 2010-11 on October 13, 2010, by Resolution No. 10-2576.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized a contract with Randy C. Cain for FY 2011-12 on October 10, 2011, by Resolution No. 11-2723.

The Legislative Ad Hoc Committee was briefed on October 22, 2012.

Authorized a contract with Randy C. Cain for FY 2012-13 on November 14, 2012, by Resolution No. 12-2745.

The Dallas City Council was briefed on October 16, 2013.

Authorized a contract with Randy C. Cain for FY 2013-14 on October 23, 2013, by Resolution No. 13-1836.

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

The Dallas City Council was briefed on October 15, 2014.

Authorized a contract with Randy C. Cain for FY 2014-15 on October 22, 2014, by Resolution No. 14-1801.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

FISCAL INFORMATION

\$83,100.00 - Current Funds

October 28, 2015

WHEREAS, Randy C. Cain has represented the City of Dallas before the State Legislature and various state agencies during the last eleven state legislative sessions; and

WHEREAS, on October 13, 2010, Resolution No. 10-2576 authorized a contract with Randy C. Cain for FY 2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2723 authorized a contract with Randy C. Cain for FY 2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2745 authorized a contract with Randy C. Cain for FY 2012-13; and

WHEREAS, on October 23, 2013, Resolution No. 13-1836 authorized a contract with Randy C. Cain for FY 2013-14; and

WHEREAS, on October 22, 2014, Resolution No. 14-1801 authorized a contract with Randy C. Cain for FY 2014-15; 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 authorized to enter into a personal services contract with Randy C. Cain to provide state legislative and information related services for the period October 1, 2015 through September 30, 2016 in an amount not to exceed \$83,100.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed \$83,100.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. RC16BMS1978, Vendor No. 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 ITEM # 15

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3297
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2015 through September 30, 2016 - Not to exceed \$160,000 - Financing: Current Funds

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. CapitalEdge Strategies, LLC has also advised on working with federal agencies such as the US Departments of Housing and Urban Development, Transportation, Homeland Security, Federal Transit Administration, and The White House.

BACKGROUND (Continued)

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 October 5, 2010.

Authorized a contract with CapitalEdge Strategies, LLC for FY 2010-11 October 13, 2010, by Resolution No. 10-2574.

Authorized a contract with CapitalEdge Strategies, LLC for FY 2011-12 on October 10, 2011, by Resolution No. 11-2727.

The Legislative Ad Hoc Committee was briefed on October 22, 2012.

Authorized a contract with CapitalEdge Strategies, LLC for FY 2012-13 on November 14, 2012, by Resolution No. 12-2749.

The Dallas City Council was briefed on October 16, 2013.

Authorized a contract with CapitalEdge Strategies, LLC for FY 2013-14 on October 23, 2013, by Resolution No. 13-1837.

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

The Dallas City Council was briefed on October 15, 2014.

Authorized a contract with CapitalEdge Strategies, LLC for FY 2014-15 on October 22, 2014, by Resolution No. 14-1802.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

FISCAL INFORMATION

\$160,000.00 - Current Funds

October 28, 2015

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 13, 2010, Resolution No. 10-2574 authorized a contract with CapitalEdge Strategies, LLC, for FY 2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2727 authorized a contract with CapitalEdge Strategies, LLC, for FY 2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2749 authorized a contract with CapitalEdge Strategies, LLC, for FY 2012-13; and

WHEREAS, on October 23, 2013, Resolution No. 13-1837 authorized a contract with CapitalEdge Strategies, LLC, for FY 2013-14; and

WHEREAS, on October 22, 2014, Resolution No. 14-1802 authorized a contract with CapitalEdge Strategies, LLC, for FY 2014-15; 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;

October 28, 2015

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to enter into a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2015 through September 30, 2016.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed \$160,000.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. RG16BMS1978, Vendor No. 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 ITEM # 16

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Water Utilities

CMO: A. C. Gonzalez, 670-3297
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$86,250 - Financing: Water Utilities Current Funds

BACKGROUND

Construction of water infrastructure and planning for water supply will continue to be important issues. Water and wastewater is critical to the quality of life and economic vitality of the City.

HillCo Partners, LLC, a well respected firm with offices in Austin and Washington, D.C., provided the City with legislative consulting and related services during the past four sessions of the state legislature.

The firm will provide the City with advice, legal analysis and advocacy services to achieve the City Council's designated legislative objectives in connection with water and related issues. These include, but are not limited to, protecting water sources, revenue streams, permitting authority, and home rule authority.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on October 5, 2010.

Authorized a contract with HillCo Partners, LLC for FY 2010-11 on October 13, 2010, by Resolution No. 10-2575.

Authorized a contract with HillCo Partners, LLC for FY 2011-12 on October 10, 2011, by Resolution No. 11-2724.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

The Legislative Ad Hoc Committee was briefed on October 22, 2012.

Authorized a contract with HillCo Partners, LLC for FY 2012-13 on November 14, 2012, by Resolution No. 12-2746.

The Dallas City Council was briefed on October 16, 2013.

Authorized a contract with HillCo Partners, LLC for FY 2013-14 on October 23, 2013, by Resolution No. 13-1838.

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

The Dallas City Council was briefed on October 15, 2014.

Authorized a contract with HillCo Partners, LLC for FY 2014-15 on October 22, 2014, by Resolution No. 14-1803.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

FISCAL INFORMATION

\$86,250.00 - Water Utilities Current Funds

October 28, 2015

WHEREAS, the Dallas City Council finds that there are many items brought before the Legislature of the State of Texas that may directly affect the public health, safety or welfare of the residents of the City of Dallas; and

WHEREAS, the Dallas City Council further finds that there is a need to inform the Legislature of the State of Texas on proposed or needed state legislation necessary for or detrimental to the protection of the public health, safety and welfare of the residents of the City of Dallas; and

WHEREAS, the Dallas City Council also finds that many state agencies of the State of Texas propose and pass rules that directly affect the public health, safety and welfare of the residents of the City of Dallas; and

WHEREAS, the Dallas City Council believes that there is a need to inform the state agencies on proposed or needed rules necessary for, or detrimental to the public, health, safety or welfare of the residents of the City of Dallas; and

WHEREAS, on October 13, 2010, Resolution No. 10-2575 authorized a contract with HillCo Partners, LLC for FY 2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2724 authorized a contract with HillCo Partners, LLC for FY 2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2746 authorized a contract with HillCo Partners, LLC for FY 2012-13; and

WHEREAS, on October 23, 2013, Resolution No. 13-1838 authorized a contract with HillCo Partners, LLC for FY 2013-14; and

WHEREAS, on October 22, 2014, Resolution No. 14-1803 authorized a contract with HillCo Partners, LLC for FY 2014-15; and

WHEREAS, the Dallas City Council finds it to be a public purpose and in the best interest of the residents of the City of Dallas to engage the services of HillCo Partners, LLC to inform the Legislature and state agencies of its views on either pending legislation or rules that could or would affect the public health, safety or welfare of the residents of the City of Dallas;

NOW, THEREFORE,

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

October 28, 2015

SECTION 1. That the City Manager is authorized to enter into a professional services contract with HillCo Partners, LLC to provide state legislative information and related services for the period October 1, 2015 through September 30, 2016 in an amount not to exceed \$86,250.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed \$86,250.00 from Fund 0100, Department DWU, Unit 7015, Object Code 3070, Encumbrance No. CTDWU7015A1602, Vendor No. VS0000014218.

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 ITEM # 17

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Cultural Affairs

CMO: Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Services Contracts Program (list attached) - Not to exceed \$5,294,109 - Financing: Current Funds

BACKGROUND

On September 22, 2015, by Ordinance No. 29876, the City Council approved funds in the FY 2015-16 operating budget for services procured from cultural organizations. The Office of Cultural Affairs staff and the Cultural Affairs Commission reviewed proposals from Cultural Organizations. Proposals were evaluated and funding levels were recommended and approved by the Cultural Affairs Commission.

The Cultural Services Contracts Program provides operating support to eligible organizations in exchange for cultural services to the citizens of Dallas over a twelve-month period. All services must be provided no later than September 30, 2016.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSION)

On September 17, 2015, the Cultural Affairs Commission approved FY 2015-16 Cultural Organization Program funding.

Information about this item will be provided to the Arts, Culture and Libraries Committee on October 19, 2015.

FISCAL INFORMATION

\$5,294,109.00 - Current Funds

ETHNIC COMPOSITION

Staff

Anita N. Martinez Ballet Folklorico, Inc.

African American Male	1	African American Female	0
Hispanic Male	0	Hispanic Female	3

Artreach-Dallas, Inc.

White Male	1	White Female	2
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Big Thought

African American Male	11	African American Female	43
Asian Male	0	Asian Female	1
Hispanic Male	14	Hispanic Female	37
White Male	13	White Female	28

The Black Academy of Arts & Letters, Inc.

African American Male	2	African American Female	6
White Male	0	White Female	1

Cara Mia Theatre Co.

African American Male	0	African American Female	1
Hispanic Male	1	Hispanic Female	0
White Male	0	White Female	1

Children's Chorus of Greater Dallas

Hispanic Male	1	Hispanic Female	0
White Male	7	White Female	12

Creative Arts Center of Dallas

Hispanic Male	1	Hispanic Female	1
White Male	0	White Female	2

ETHNIC COMPOSITION (Continued)

Staff

Dallas Black Dance Theatre, Inc.

African American Male	9	African American Female	13
Asian Male	1	Asian Female	1
Native American	1	Native Hawaiian Female	1
White Male	0	White Female	4

Dallas Children's Theater

African American Male	3	African American Female	12
Asian Male	1	Asian Female	0
Hispanic Male	13	Hispanic Female	1
White Male	48	White Female	55

Dallas County Heritage Society

African American Male	0	African American Female	1
Hispanic Male	1	Hispanic Female	1
White Male	5	White Female	16

Dallas Historical Society

African American Male	0	African American Female	1
White Male	1	White Female	3

Dallas Museum of Art

African American Male	21	African American Female	47
Asian Male	3	Asian Female	0
Hispanic Male	15	Hispanic Female	24
Native American Male	1	Native Hawaiian Female	0
White Male	53	White Female	94

The Dallas Opera

African American Male	1	African American Female	1
Hispanic Male	3	Hispanic Female	0
White Male	26	White Female	26

ETHNIC COMPOSITION (Continued)

Staff

DSM Management Group, Inc.

African American Male	0	African American Female	2
White Male	24	White Female	16

Dallas Theater Center

African American Male	4	African American Female	3
Hispanic Male	2	Hispanic Female	3
White Male	23	White Female	24

Dallas Wind Symphony

Hispanic Male	1	Hispanic Female	0
White Male	2	White Female	2

Dance Council

White Male	0	White Female	2
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Fine Arts Chamber Players

White Male	0	White Female	3
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Greater Dallas Youth Orchestra

African American Male	1	African American Female	0
Asian Male	1	Asian Female	1
White Male	3	White Female	9

Junior Players Guild

African American Male	1	African American Female	0
Hispanic Male	0	Hispanic Female	3
White Male	1	White Female	1

Kitchen Dog Theater Company

Hispanic Male	1	Hispanic Female	0
White Male	2	White Female	1

ETHNIC COMPOSITION (Continued)

Staff

Perot Museum of Nature & Science

African American Male	4	African American Female	23
Asian American Male	1	Asian American Female	6
Hispanic Male	20	Hispanic Female	55
White Male	60	White Female	152
		Native American Female	2

Sammons Center for the Arts

African American Male	2	African American Female	0
Hispanic Male	1	Hispanic Female	1
White Male	2	White Female	1

The Shakespeare Festival of Dallas

African American Male	1	Native American Male	1
Hispanic Male	4	Hispanic Female	3
White Male	12	White Female	15

Teatro Hispano de Dallas

Hispanic Male	0	Hispanic Female	2
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TeCo Theatrical Productions, Inc.

African American Male	0	African American Female	2
Hispanic Male	1	Hispanic Female	1

Texas International Theatrical Arts Society

Hispanic Male	1	Hispanic Female	0
White Male	1	White Female	1

Texas Winds Musical Outreach, Inc.

White Male	0	White Female	3
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ETHNIC COMPOSITION (Continued)

Staff

Theater Three, Inc.

African American Male	1	African American Female	2
Hispanic Male	1	Hispanic Female	0
White Male	4	White Female	5

Turtle Creek Chorale, Inc.

White Male	3	White Female	0
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Undermain Theater

African American Male	2	African American Female	0
Hispanic Male	2	Hispanic Female	0
White Male	7	White Female	6
		Native American Female	1

USA Film Festival

White Male	0	White Female	2
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The Writer's Garret

Hispanic Male	0	Hispanic Female	1
White Male	0	White Female	2

Board

Anita N. Martinez Ballet Folklorico, Inc.

Hispanic Male	0	Hispanic Female	4
White Male	5	White Female	2

Artreach-Dallas, Inc.

Asian Male	1	Asian Female	0
White Male	7	White Female	20

ETHNIC COMPOSITION (Continued)

Board

Big Thought

African American Male	1	African American Female	5
Asian Male	0	Asian American Female	1
Hispanic Male	2	Hispanic Female	2
White Male	16	White Female	30

The Black Academy of Arts & Letters, Inc.

African American Male	2	African American Female	5
White Male	1	White Female	1

Cara Mia Theatre Co.

Hispanic Male	5	Hispanic Female	4
White Male	1	White Female	0

Children's Chorus of Greater Dallas

African American Male	0	African American Female	2
Asian Male	0	Asian Female	1
Hispanic Male	1	Hispanic Female	0
White Male	10	White Female	1

Creative Arts Center of Dallas

Hispanic Male	1	Hispanic Female	0
White Male	5	White Female	5

Dallas Black Dance Theatre, Inc.

African American Male	12	African American Female	21
Hispanic Male	1	Hispanic Female	1
White Male	4	White Female	7

Dallas Children's Theater

African American Male	2	African American Female	5
Hispanic Male	0	Hispanic Female	3
White Male	6	White Female	21

ETHNIC COMPOSITION (Continued)

Board

Dallas County Heritage Society

African American Male	2	African American Female	0
Hispanic Male	1	Hispanic Female	0
White Male	15	White Female	31

Dallas Historical Society

African American Male	3	African American Female	2
Hispanic Male	2	Hispanic Female	1
White Male	22	White Female	17
Asian American Male	1		

Dallas Museum of Art

African American Male	1	African American Female	6
Asian Male	1	Asian American Female	1
Hispanic Male	0	Hispanic Female	0
White Male	28	White Female	26

The Dallas Opera

Hispanic Male	3	Hispanic Female	0
White Male	27	White Female	22
		Asian American Female	1

DSM Management Group, Inc.

African American Male	6	African American Female	6
Hispanic Male	3	Hispanic Female	7
White Male	52	White Female	66

Dallas Theater Center

African American Male	3	African American Female	3
Hispanic Male	1	Hispanic Female	2
White Male	30	White Female	28
		Native American Female	1

Dallas Wind Symphony

White Male	13	White Female	7
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ETHNIC COMPOSITION (Continued)

Board

Dance Council

African American Male	1	African American Female	1
Hispanic Male	0	Hispanic Female	1
White Male	6	White Female	17
		Asian American Female	1

Fine Arts Chamber Players

African American Male	0	African American Female	1
Hispanic Male	1	Hispanic Female	0
White Male	1	White Female	4
		Asian American Female	1

Greater Dallas Youth Orchestra

African American Male	1	African American Female	2
Asian Male	1	Asian American Female	1
White Male	11	White Female	14

Junior Players Guild

African American Male	1	African American Female	1
Hispanic Male	1	Hispanic Female	1
White Male	1	White Female	1

Kitchen Dog Theater Company

Hispanic Male	1	Hispanic Female	1
White Male	7	White Female	5

Perot Museum of Nature & Science

African American Male	0	African American Female	1
Asian American Male	0	Asian American Female	1
Hispanic Male	1	Hispanic Female	0
White Male	17	White Female	10

ETHNIC COMPOSITION (Continued)

Board

Sammons Center for the Arts

African American Male	1	African American Female	1
Hispanic Male	1	Hispanic Female	0
White Male	9	White Female	1

The Shakespeare Festival of Dallas

African American Male	1	African American Female	1
Hispanic Male	1	Hispanic Female	0
White Male	5	White Female	5

Teatro Hispano de Dallas

African American Male	0	African American Female	1
Hispanic Male	2	Hispanic Female	3
White Male	3	White Female	2

TeCo Theatrical Productions, Inc.

African American Male	2	African American Female	4
Hispanic Male	1	Hispanic Female	0
White Male	2	White Female	1

Texas International Theatrical Arts Society

African American Male	0	African American Female	1
Hispanic Male	1	Hispanic Female	1
White Male	10	White Female	11

Texas Winds Musical Outreach, Inc.

African American Male	0	African American Female	1
Hispanic Male	0	Hispanic Female	2
White Male	6	White Female	6

Theater Three, Inc.

African American Male	0	African American Female	1
Hispanic Male	0	Hispanic Female	2
White Male	6	White Female	6

ETHNIC COMPOSITION (Continued)

Board

Turtle Creek Chorale, Inc.

White Male	8	White Female	1
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Undermain Theater

White Male	8	White Female	9
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USA Film Festival

African American Male	1	African American Female	2
Hispanic Male	1	Hispanic Female	2
White Male	19	White Female	41

The Writer's Garret

African American Male	0	African American Female	3
Hispanic Male	0	Hispanic Female	1
White Male	1	White Female	1

OWNERS

Anita N. Martinez Ballet Folklorico, Inc.

Leonor Marquez, President

Artreach-Dallas, Inc.

Susie Strauss Breen, President

Big Thought

Bill Albers, Chair

The Black Academy of Arts & Letters, Inc.

Barbara Steele, Chair

Cara Mia Theatre Co.

Linda Cantu, President

Children's Chorus of Greater Dallas

Lani Bugar, Chair

OWNERS (Continued)

Creative Arts Center of Dallas

Mary Stall, President

Dallas Black Dance Theatre, Inc.

Gilbert Gerst, Chair

Dallas Children's Theater

Carol March, President

Dallas County Heritage Society

Kelly Dybala, President

Dallas Historical Society

Margaret Keliher, Chair

Dallas Museum of Art

Melissa Foster Fetter, Chair

The Dallas Opera

Steve Suellentrop, Chair

DSM Management Group, Inc.

Dorsey Lee Baskin, Jr., Chair

Dallas Theater Center

Rebecca Fletcher, Chair

Dallas Wind Symphony

James Griffin, Chair

Dance Council

Sally Hansen, Chair

Fine Arts Chamber Players

Celeste Yeager, President

Greater Dallas Youth Orchestra

Nita Clark, Chair

Junior Players Guild

Bill Rolley, President

Kitchen Dog Theater Company

Paul Barnes, President

OWNERS (Continued)

Perot Museum of Nature & Science

John Jagers, Chair

Sammons Center for the Arts

Mary Anne Sammons Cree, Chair

The Shakespeare Festival of Dallas

Darren Dittrich, Chair

Teatro Hispano de Dallas

John Fullinwider, President

TeCo Theatrical Productions, Inc.

C.W. Whitaker, Chair

Texas International Theatrical Arts Society

Fred Margolin, President

Texas Winds Musical Outreach, Inc.

Jane Kovacs, President

Theatre Three, Inc.

Elizabeth Rivera, Chair

Turtle Creek Chorale, Inc.

David Hess, Chair

Undermain Theater

Pat Rosenthal, President

USA Film Festival

Greg Nieberding, Chair

The Writer's Garret

Hunter Foreman, President

Office of Cultural Affairs FY 2015-16

<u>Organization</u>	<u>Amount</u>
Anita N. Martinez Ballet Folklorico	\$ 73,645
Artreach-Dallas, Inc.	\$ 38,114
Big Thought	\$ 661,460
Big Thought	\$ 41,668
The Black Academy of Arts and Letters, Inc.	\$ 203,112
Cara Mia Theatre Co.	\$ 54,258
Children's Chorus of Greater Dallas	\$ 45,415
Creative Arts Center of Dallas	\$ 23,363
Dallas Black Dance Theatre, Inc.	\$ 187,711
Dallas Black Dance Theatre, Inc.	\$ 170,000
Dallas Children's Theater	\$ 150,222
Dallas County Heritage Society	\$ 179,902
Dallas Historical Society	\$ 67,472
Dallas Museum of Art	\$ 1,075,896
The Dallas Opera	\$ 164,500
DSM Management Group, Inc.	\$ 290,000
Dallas Theater Center	\$ 41,007
Dallas Wind Symphony	\$ 37,811
Dance Council	\$ 37,794
Fine Arts Chamber Players	\$ 47,604
Greater Dallas Youth Orchestra	\$ 50,367
Junior Players Guild	\$ 61,257
Kitchen Dog Theater Company	\$ 44,564
Perot Museum of Nature and Science	\$ 785,778
Sammons Center for the Arts	\$ 86,370
Sammons Center for the Arts	\$ 31,000
Shakespeare Festival of Dallas	\$ 91,156
Teatro Hispano De Dallas	\$ 68,943
TeCo Theatrical Productions, Inc.	\$ 93,782
Texas International Theatrical Arts Society	\$ 59,314
Texas Winds Musical Outreach, Inc.	\$ 51,646
Theatre Three, Inc.	\$ 85,420
Turtle Creek Chorale, Inc.	\$ 66,073
Undermain Theatre	\$ 33,594
USA Film Festival	\$ 50,567
The Writer's Garret	\$ 43,324
TOTAL	\$ 5,294,109

October 28, 2015

WHEREAS, on September 22, 2015, by Ordinance No. 29876, the City Council approved funds in the FY 2015-16 operating budget for the procurement of services from cultural organizations; and

WHEREAS, Cultural Services Contracts provide operating support to eligible organizations in exchange for cultural services to the citizens of Dallas over a twelve month period; and

WHEREAS, it is necessary for the City to define services to be received through the Cultural Services Program and authorize payment of these funding allocations during the 2015-16 fiscal year.

Now, Therefore,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into contracts with cultural organizations for the provision of services to the City through Cultural Services Contracts in an amount not to exceed \$5,294,109.

Section 2. That the Chief Financial Officer is authorized to disburse, in periodic payments, an amount not to exceed \$5,294,109 from Fund 0001, Department OCA, as vouchers are processed by the Office of Cultural Affairs, the amounts indicated below:

<u>Organization</u>	<u>Amount</u>	<u>Encumbrance</u>	<u>Vendor</u>	<u>Unit</u>	<u>Object</u>
Anita N. Martinez Ballet Folklorico, Inc.	\$73,645	OCA4836U300	269236	4836	3089
Artreach-Dallas, Inc.	\$38,114	OCA4836U301	223078	4836	3089
Big Thought	\$661,460 \$ 41,668	OCA4836U302	269229	4836 4836	3089 3070
The Black Academy of Arts & Letters, Inc.	\$203,112	OCA4836U303	219248	4836	3089
Cara Mia Theatre Co.	\$54,258	OCA4836U304	357327	4836	3089
Children's Chorus of Greater Dallas	\$45,415	OCA4836U305	359020	4836	3089

October 28, 2015**Section 2. (Continued)**

<u>Organization</u>	<u>Amount</u>	<u>Encumbrance</u>	<u>Vendor</u>	<u>Unit</u>	<u>Object</u>
Creative Arts Center Of Dallas	\$23,363	OCA4836U306	VS0000036818	4836	3089
Dallas Black Dance Theatre, Inc.	\$187,711 \$170,000	OCA4836U307	219206	4836 4854	3089 3099
Dallas Children's Theater	\$150,222	OCA1736U308	243720	1736	3089
Dallas County Heritage Society	\$179,902	OCA4836U328	126247	4836	3089
Dallas Historical Society	\$67,472	OCA4836U329	126319	4836	3089
Dallas Museum of Art	\$1,075,896	OCA1736U330	188483	1736	3089
The Dallas Opera	\$164,500	OCA1736U309	207225	1736	3089
DSM Management Group, Inc.	\$290,000	OCA4813U374	VS0000049924	4813	3099
Dallas Theater Center	\$41,007	OCA4836U310	077356	4836	3089
Dallas Wind Symphony	\$37,811	OCA4836U311	243546	4836	3089
Dance Council	\$37,794	OCA4836U312	341688	4836	3089
Fine Arts Chamber Players	\$47,604	OCA4836U314	223166	4836	3089
Greater Dallas Youth Orchestra	\$50,367	OCA4836U315	219235	4836	3089

October 28, 2015**Section 2. (Continued)**

<u>Organization</u>	<u>Amount</u>	<u>Encumbrance</u>	<u>Vendor</u>	<u>Unit</u>	<u>Object</u>
Junior Players Guild	\$61,257	OCA4836U316	223195	4836	3089
Kitchen Dog Theater Company	\$44,564	OCA4836U317	239976	4836	3089
Perot Museum of Nature & Science	\$785,778	OCA4836U331	263880	4836	3089
Sammons Center for the Arts	\$86,370 \$31,000	OCA4836U318	265704	4836 4845	3089 3099
The Shakespeare Festival of Dallas	\$91,156	OCA4836U319	128849	4836	3089
Teatro Hispano de Dallas	\$68,943	OCA4836U320	243541	4836	3089
TeCo Theatrical Productions, Inc.	\$93,782	OCA4836U321	507328	4836	3089
Texas International Theatrical Arts Society	\$59,314	OCA4836U324	269237	4836	3089
Texas Winds Musical Outreach, Inc.	\$51,646	OCA4836U322	269232	4836	3089
Theater Three, Inc.	\$85,420	OCA4836U323	219189	4836	3089
Turtle Creek Chorale, Inc.	\$66,073	OCA4836U325	223283	4836	3089
Undermain Theater	\$33,594	OCA4836U313	223140	4836	3089
U S A Film Festival	\$50,567	OCA4836U326	223296	4836	3089
The Writer's Garret	\$43,324	OCA4836U327	350999	4836	3089
TOTAL	\$5,294,109				

October 28, 2015

Section 3. That the following services, at a minimum, are to be performed by the Cultural Agencies from the period October 1, 2015, through September 30, 2016:

Anita N. Martinez Ballet Folklorico, Inc.

The cultural agency will serve over 100,000 people through 264 programs that include: 2 semesters of Dance Academy classes, each session ending with a recital; 2 Dance Academy Open Houses; advanced dancer workshops; 3 major educational and cultural awareness productions celebrating Hispanic Heritage Month, "The Coqui and the Iguana", "Dia de los Muertos" and "Cinco de Mayo" at the Bill and Margot Winspear Opera House and Latino Cultural Center. Over 8,000 students will experience educational matinee performances at the Winspear Opera House and Latino Cultural Center. The professional company will also perform and teach satellite programs at elementary, middle and high schools throughout the City of Dallas. Two summer cultural camps will be presented. The four-week camp in June is free to all DISD students and geared toward elementary school and middle school pupils. The three-week camp in July is taught utilizing Anita N. Martinez Ballet Folklorico, Inc. (ANMBF) curriculum. Along with the professional Ballet Folklorico, Mini-Professional Company, Children's Ensemble and Junior Companies will participate in the; Dance Africa, Fall for the Arts, Arts District Block Party and various community festivals including The State Fair of Texas, Lamar Street Festival, Dance for the Planet, and City Arts Celebration.

Performance Benchmarks for the COP FY15-16 Payment Periods

1. 10/1/15 - 12/30/15

- After School Programs at 35 Elementary Schools
- Educational Field Trip Celebrating "Hispanic Heritage Month" Production at the Latino Cultural Center
- Production Celebrating "Hispanic Heritage Month" Production at the Latino Cultural Center
- "Festival Latino Americano" in Dallas Art's District
- State Fair of Texas "Mundo Latino" event
- Fall for the Arts at Klyde Warren Park
- "Dia de los Muertos" Community Presentation at Perot Museum
- Dance Africa
- Christmas Recital at Anita N. Martinez Recreation Center
- Holiday Celebration at North Park Mall Center
- Parents Step Up Gala
- ANMBF Youth Auditions/Open House
- ZumbaKids Sunday's at Klyde Warren Park
- "The Coqui and the Iguana" Original Show
- Holiday Event at ATTPAC

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****2. 1/1/16 - 4/15/16**

- Spring Dance Academy Open House
- Dance Academy Spring session
- Festival De Los Mavs
- Dance Academy Spring Fiesta
- Dallas Arts Week, ArtsPark @ North Park Mall
- Dance for the Planet
- Earth Day Dallas
- Spring Dance Recital

3. 4/16/16 - 9/30/16

- The Clever Monkey, How the Tiger Got His Stripes, Latino Cultural Center
- "Cinco de Mayo" Battle of Puebla Production at the Margot and Bill Winspear Opera House
- City Arts Celebration
- Cinco de Mayo Community Performance at the Perot Museum
- Free DISD Summer Cultural Camp
- Dance Academy Summer session begins
- Asociación Nacional de Grupos Folkloricos Annual Conference
- Summer Dance Academy Open House
- Dance Academy (summer session)
- Summer Enrichment Cultural Camp -Preschool
- Folklorico outdoors community event at Artist Square
- Summer Dance Recital
- Mayors Back to School Fair
- Dance Academy Fall session
- Arts District Block Party
- Giving Day North Park Center

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	4
Class/Workshop	35
Fair/Festival/Carnival	75
Performance/Presentation	150
Totals	264

October 28, 2015

Section 3. (Continued)**Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Attendance
Camp	800
Class/Workshop	2,500
Fair/Festival/Carnival	40,000
Performance/Presentation	56,700
Totals	100,000

Artreach-Dallas, Inc.

The cultural agency will serve approximately 40,000 children, parents and teachers from DISD, private schools, parochial schools and home schools in the City of Dallas through 3 program initiatives: Community Events, In-facility programming and the Booking Service. Through the Community Events ticket distribution program, empty seats are filled by making tickets available to citizens whose access to the cultural community is otherwise often unavailable. The In-facility program provides custom designed instruction and residencies to schools, community centers, retirement homes, and service organizations through direct artistic instruction and services from professional artists. The Booking Service supports outreach efforts of arts and cultural institutions and provides coordination of field trips for school groups, institutions, and community based groups to attend performances and exhibitions. Artreach Community Events program provides donated tickets to approximately 17,000 economically disadvantaged children, adults, disabled and elderly citizens of Dallas.

Performance Benchmarks for the COP FY15-16 Payment Periods

The Artreach Booking Service represents Dallas Children's Theater, Dallas Black Dance Theater, and the African American Museum. Each of the above organization's calendars of events is used for booking purposes.

1. 10/1/15 - 12/30/15

- Community Events (23)
- In-facility Program (6)
- Booking Service (100)

2. 1/1/16 - 4/15/16

- Community Events (24)
- In-facility Program (7)
- Booking Service (98)

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- Community Events (22)
- In-facility Program (5)
- Booking Service (97)

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	3
Exhibit, Temporary	2
Exhibit/Permanent	3
Performance/Presentation	291
Residency	2
Tour	81
Totals	382

Event Type	Attendance
Class/Workshop	210
Exhibit, Temporary	4,173
Exhibit/Permanent	4,700
Performance/Presentation	26,180
Residency	325
Tour	4,935
Totals	40,523

October 28, 2015**Section 3. (Continued)****Big Thought**

The cultural agency will serve an estimated 510,400 attendees, students, teachers and families in Dallas, through creative learning events and programs that work to close the opportunity gap by providing experiences that enhance academic achievement, youth development and family learning. Through Big Thought's programs, children and adults will be served by an estimated 6,950 classes/workshops, 780 performances, 400 camp hours, 50 residencies, and attendance at fairs, festivals and exhibits during the 2015-2016 program cycle. Direct services include: School day and after school classes, workshops, performances, & residencies delivered by professional artists; Creative Solutions - master teaching artists helping at-risk teens on probation, in detention, and in other environments; and Library Live!, free monthly programs in Dallas public libraries. In addition, funding is also included for Big Thought to manage multi-week summer camps at Office of Cultural Affairs Cultural Centers; serve as the managing partner of Learning Partners (formerly Dallas ArtsPartners); and also act as the managing partner for Thriving Minds, including the Dallas City of Learning initiative which uses technology to connect students to learning opportunities in their communities, across Dallas and online. With an emphasis on community partnerships, Big Thought will coordinate the resources of the Office of Cultural Affairs, other City departments and agencies, Dallas Independent School District and more than 200 cultural partners to deliver creative learning activities and resources to Dallas students. Management activities include facilitating governance, planning activities and events, and taking direct responsibility for private sector fundraising, program implementation and fiscal management. Big Thought will support training, transportation, and direct services provided by the cultural community for out-of-school activities to be conducted in neighborhood venues. During the project period, research and evaluation data will also be collected to support systemic implementation across Dallas.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/31/15**

- Class/Workshop - 1,738
- Exhibit-Permanent - 465
- Performance-Presentation - 242
- Residency - 9
- Tour-Rehearsal-Other - 50

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****2. 1/1/16 - 4/15/16**

- Class/Workshop - 2,780
- Exhibit-Permanent - 750
- Fair/Festival - 12
- Performance-Presentation - 398
- Residency - 36
- Tour-Rehearsal-Other - 80

3. 4/16/16 - 9/30/16

- Camp - 400
- Class/Workshop - 2,432
- Exhibit-Permanent - 285
- Fair/Festival - 38
- Performance-Presentation - 140
- Residency - 5
- Tour-Rehearsal-Other - 70

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	400
Class/Workshop	6,950
Exhibit - Permanent	1,500
Fair/Festival	50
Performance/Presentation	780
Residency	50
Tour/Rehearsal/Other	200
Totals	9,930

Event Type	Attendance
Camp	12,400
Class/Workshop	375,000
Exhibit - Permanent	40,000
Fair/Festival	5,000
Performance/Presentation	75,000
Residency	1,000
Tour/Rehearsal/Other	2,000
Totals	510,400

October 28, 2015**Section 3. (Continued)****The Black Academy of Arts and Letters, Inc.**

The cultural agency will serve over 275,000 people and conduct one art exhibit, thirteen theatrical productions, fifteen literary arts and spoken word performances, fifteen concerts, one dance performance, and two film features. The cultural organization's outreach to underserved communities includes partnerships with agencies such as Boys and Girls Clubs, Dallas County Restitution Program, AIDS Interfaith Network, Dallas Can Academy, and Metro Ministries. The organization's outreach programs benefit inner city multi-ethnic school students, at-risk children, and youth in the juvenile justice system. Educational programs will include the "Summer Youth Arts Institute", the "Summer Arts Intensive Education Training with the Masters," the annual "Christmas/Kwanzaa Concert," "Black Music and the Civil Rights Movement Concert: A Tribute to Rev. Dr. Martin Luther King, Jr" and the "Promising Young Artists Series."

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Art Exhibition with 2 Tours
- Theatre Productions (3)
- Music Concerts (7)
- Literary Programs (Poetry, Writer's Breakfast, Spoken Word) (5)
- 24 Hr Film Fest (1)
- Comedy Performances (2)

2. 1/1/16 - 4/15/16

- Art Exhibition with 4 Tours
- Music Concerts (7)
- Theatre Productions (5)
- Dance Performance (1)
- Literary Programs (Poetry, Writer's Breakfast, Spoken Word) (10)
- 24 Hr Film Fest (1)
- Comedy Performances (2)
- Camp (1)

3. 4/16/16 - 9/30/16

- Art Exhibition with 4 Tours
- Music Concerts (2)
- Theatre Productions (2)
- Literary Programs (Poetry, Writer's Breakfast, Spoken Word) (3)
- Summer Youth Arts Institute Camp (1)
- Summer Arts Intensive Education Training with the Masters Camp (1)
- Comedy Performances (3)

October 28, 2015

Section 3. (Continued)**Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Camp	3
Class/Workshop	25
Exhibit/Permanent	1
Fair/Festival/Carnival	1
Performance/Presentation	65
Other	50
Totals	145

Event Type	Attendance
Camp	25,000
Class/Workshop	5,000
Exhibit/Permanent	20,000
Fair/Festival/Carnival	5,000
Performance/Presentation	40,000
Other	180,000
Totals	275,000

Cara Mia Theatre Co.

The cultural agency will serve an estimated 20,600 people by hosting approximately 400 events in the 2015-2016 Season. Cara Mía Theatre Co. is presenting a four-production season, one of which is the inaugural, *Teatro En Fuga : A Festival of New Works* . The organization will also be partnering with the Dallas Theater Center for a co-production of a trilogy called *Deferred Action* about the immigrant experience. They will also provide educational programs throughout the year for schools, cultural centers and community centers. These programs include educational residencies, touring plays, field trip programming, and The School Of YES! which provides youth with skills to say "YES" to a future of their choice through multidisciplinary and multicultural arts program.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15- 12/30/15**

- *blu* by Virginia Grise at the Latino Cultural Center
- *Blood Wedding* at the Latino Cultural Center
- *Deferred Action* Public Readings
- School Of YES! - Harry Montessori

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****2. 1/1/16 - 4/15/16**

- *Teatro En Fuga* at the Latino Cultural Center
- Deferred Action at the Wily Theatre - Collaboration with Dallas Theater Center
- Oak Cliff Cultural Center Spring Break Camp
- School Of YES! - Gabe Allen Elementary School

3. 4/16/16 - 9/30/16

- Summer Camps at Latino Cultural Center
- School Of YES! Summer Camp at Oak Cliff Cultural Center

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camps	3
Class/Workshop	60
Fair/Festival	1
Performance/Presentation	80
Tour/Rehearsal/Other	250
Totals	394

Event Type	Attendance
Camps	5,500
Class/Workshop	2,000
Fair/Festival	100
Performance/Presentation	9,300
Tour/Rehearsal/Other	3,700
Totals	20,600

October 28, 2015**Section 3. (Continued)****Children's Chorus of Greater Dallas**

The cultural agency will serve more than 50,000 people by: leading classes/workshops for more than 650 students; presenting three seasonal concerts at the Meyerson Symphony Center; making 14 guest appearances with other groups (Arts District Chorale, Greater Dallas Youth Orchestra, and Dallas Symphony Orchestra); and performing 8 free in-school concerts at DISD and other area elementary schools and 5 free concerts at various venues in Dallas. To further build diversity the cultural agency has developed two Neighborhood Choruses at West Dallas Community School, which serves Hispanic and African American students. The organization conducts observations of school choruses, providing feedback to district administrators as well as to individual educators. Professional development credit is also offered to DISD teachers who attend and observe CCGD's rehearsals and Summer Singing Camp. The cultural agency has an established relationship with the Circle of Support, which serves African-American students. Circle of Support students attend the Summer Singing Camp at no charge, as do students enrolled in a DISD school.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Performance at Zion Lutheran Church featuring three downtown choruses
- Free Performance at Trinity River Audubon Center
- Performance at First United Methodist Church worship service
- Guest appearance with Dallas Symphony Orchestra on Berlioz, *Damnation of Faust* performances
- "Fall into Winter" concert at the Meyerson featuring all six downtown choruses
- Guest appearance with the Arts District Chorale at their annual holiday concert
- Guest appearance at Greater Dallas Youth Orchestra's annual "Holiday Magic" concert
- Guest appearance on matinee performances of Dallas Symphony Orchestra's annual "Christmas Pops" concerts
- Neighborhood Chorus in-school performances

2. 1/1/16 - 4/15/16

- Free Performance at Perot Museum of Nature and Science
- "Earth, Wind & Sky" concert at the Meyerson featuring all six downtown choruses and two neighborhood choruses
- Outreach Chorus performances
- Performance at First United Methodist Church worship service

October 28, 2015

Section 3. (Continued)**Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- “Sculpting Sound” concert at the Meyerson featuring all six downtown choruses
- Performance at First United Methodist Church
- Guest appearance with Dallas Symphony Orchestra on Orff, *Carmina Burana* performances
- Free Performance at Nasher Sculpture Center
- Neighborhood Chorus in-school performance
- Summer Singing Camp and concerts

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp Workshop	10
Rehearsals	271
Performance/Presentation	39
Totals	320

Event Type	Attendance
Camp Workshop	750
Rehearsals	17,461
Performance/Presentation	35,200
Totals	53,411

Creative Arts Center of Dallas

The cultural agency will serve an estimated 12,000 people by hosting more than 500 classes, workshops and events in the 2015-2016 year. This will include visual art classes, professional development workshops, an annual membership show, department and community shows, including an annual show with Booker T. Washington High School for the Performing & Visual Arts and The Bridge, Dallas’ largest homeless service center. Outreach programs include; Camp MetalHead, ArtAbility and Art as a Second Language.

October 28, 2015

Section 3. (Continued)

Performance Benchmarks for the COP FY15-16 Payment Periods

1. 10/1/15 - 12/30/15

- 150 Art Classes & Workshops
- White Rock Artist Studio Tour
- The Bridge Community Art Show
- Department Show
- Art as a Second Language Events at Klyde Warren Park & NorthPark
- Two ArtAbility Studio Events
- Three Community Open Studio Events for Blue Plate Special & Empty Bowls
- Residency with Uplift Education
- Booker T. Washington Figure Drawing Camp

2. 1/1/16 - 4/15/16

- 150 Art Classes & Workshops
- Department Show
- Art as a Second Language Events at Klyde Warren Park, Dallas Arboretum & NorthPark
- Two ArtAbility Studio Event
- Three Community Open Studio Events for Blue Plate Special & Empty Bowls
- Business of Art Event on Entering Gallery Shows
- Octavio Medellin Driving Tour Brochure
- Residency with Uplift Education
- Booker T. Washington Figure Drawing Camp

3. 4/16/16 - 9/30/16

- 275 Classes & Workshops
- Camp MetalHead Summer Program
- Booker T. Washington Figure Show
- Department Show
- Two ArtAbility Studio Events
- Art as a Second Language Events at Klyde Warren Park & NorthPark
- Community Lecture on CAC Founder Octavio Medellin
- *Unseenamerica*

October 28, 2015**Section 3. (Continued)****Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Camps	10
Class/Workshop	575
Exhibit	6
Fair/Festival	1
Performance/Presentation	3
Residency	10
Totals	605

Event Type	Attendance
Camps	172
Class/Workshop	1,850
Exhibit	3,600
Fair/Festival	350
Performance/Presentation	5,650
Residency	350
Totals	11,972

Dallas Black Dance Theatre, Inc.

The cultural agency will serve approximately 75,000 people by providing educational programs and dance performances that include the following: Home Season consisting of "Director's Choice" with 3 public performances held at the Wylie Theatre; the "Cultural Awareness" (Black History Month) with 3 public performances and 2 student matinees; "Spring Celebration" with 3 public performances featuring nationally recognized guest artists and choreographers. In October at the Annette Strauss Artist Square and the Dallas City Performance Hall will be, "Dance Africa Festival" which celebrates African culture. Free Holiday showcase held at DBDT's Flora Street facility in November; DBDT II - Second Company Series (2 public performances and 1 student matinee) held in April at the Dallas City Performance Hall. DBDT academy recital performance held at the Majestic Theatre; over 20 community outreach performances by DBDT professional company, second company (DBDT II), Academy performing companies (Allegro, Senior and Junior); education programs, special classes and workshops held in 10 or more DISD schools.

October 28, 2015**Section 3. (Continued)****Dallas Black Dance Theatre, Inc. (Continued)**

Year-round outreach classes, performances and dance education activities held in senior citizen centers, churches, community or corporate events, libraries, juvenile detention centers and community centers around the City of Dallas; Year-round dance training classes (fall/spring/summer sessions) provided for more than 450 students per week at DBDT's dance studios; performance partnerships and collaboration with other cultural agencies, such as Dallas Museum of Art, Dance for the Planet, Klyde Warren Park, Dallas Symphony Orchestra, St. Paul United Methodist Church, South Dallas Dance Festival, Dallas Dance Fest and others. FY15-16 funding includes operating support through the Cultural Organizations Program and funds for utilities and facilities operations authorized by long-term usage agreement and appropriated through the FY15-16 budget process.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- "Dance Africa" Series
- "Director's Choice" Series
- Holiday Behind the Scenes
- Black on Black (Choreographer's Challenge)

2. 1/1/16 - 4/15/16

- 20th Annual Founder's Luncheon
- "Cultural Awareness" Student Matinee
- "Cultural Awareness" Series
- Easter Celebration Service with St. Paul United Methodist Church
- "Spring Fiesta" Student Matinee
- "Spring Fiesta" Series
- Dance for the Planet

3. 4/16/16 - 9/30/16

- Dallas Dance Fest
- Spring Celebration Series
- Summer Enrichment
- Summer Intensive

October 28, 2015

Section 3. (Continued)**Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Camp	350
Class/Workshop	8,500
Performance/Presentation	200
Fair/Festival/Carnival	3
Residency	15
Totals	9,068

Event Type	Attendance
Camp	2,250
Class/Workshop	18,750
Performance/Presentation	43,500
Fair/Festival/Carnival	9,500
Residency	1,000
Totals	75,000

Dallas Children's Theater

The cultural agency will serve approximately 125,000 Dallas students, youth, and families with the following services: 8 major productions and 4 season specials, with 360 performances (180 are student matinee performances); 15 school site residencies and after-school programs for DISD schools; 130 DCT Academy Classes with 1,000 sessions; 10,000 "Angel Seat"- free tickets and Arts Education scholarships for classes & workshops to DISD students and civic organizations; 8 sign-interpreted performances for hearing impaired; and free Teacher Study Guides via the DCT website.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- "Fancy Nancy: The Musical" - Production
- "The Ghosts of Sleepy Hollow" - Production
- "Miracle on 34th Street" - Production
- "Not a Creature Was Stirring" - Production
- "The BFG (Big Friendly Giant)" - Production
- "Lone Star Circus' Zingari" - Production

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****2. 1/1/16 - 4/15/16**

- "Lone Star Circus' Zingari" - Production
- "A Year with Frog and Toad" - Production
- "dont u luv me?" - Production
- "Hansel and Gretel" - Production
- "The Miraculous Journey of Edward Tulane" - Production

3. 4/16/16 - 9/30/16

- "Balloonacy" - Production
- "Jackie & Me" - Production
- "The BFG (Big Friendly Giant)" - Production
- "Pinkalicious The Musical" - Production

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	1,000
Performance/Presentation	360
Residency	800
Other	500
Totals	2,660

Event Type	Attendance
Class/Workshop	10,000
Performance/Presentation	80,000
Residency	5,000
Other	30,000
Totals	125,000

October 28, 2015**Section 3. (Continued)****Dallas County Heritage Society**

The cultural agency will serve approximately 48,000 people by operating and maintaining Dallas Heritage Village at Old City Park and conducting tours and historical experiences 250 days of the year. The cultural agency will provide curriculum-based programming for 25,000 students from 47 districts in the region; facilitate 20-25 workshops for scout groups; collaborate with other non-profit and community groups to host the Dallas Legacies History Conference; and produce 4 public festivals. In addition, the cultural agency will continue working with underserved students by providing reduced admission for school tours and hosting "Discovery Day" for visually impaired children. The following programs are booked on demand and are available in 2015-16: History Hunts, Speaker's Bureau, Guided Tours, Girl Scout Workshops, Boy Scout Workshops, Home School Workshops, Birthday Parties, and Blacksmithing Classes.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Barnyard Buddies
- Lone Star History Day
- Farina Lecture
- History Quest (Fall)/Scout Day
- Holiday History Hunt
- Candlelight

2. 1/1/16 - 4/15/16

- Village Readers Book Club
- Legacies History Conference
- Barnyard Buddies
- Spring Fling
- Jazz Age Sunday Social

3. 4/16/16 - 9/30/16

- Barnyard Buddies
- History Quest (Spring)/Scout Day
- Front Porch Showdown
- Old Fashioned Fourth
- Junior Historian Camp
- Village Readers Book Club

October 28, 2015**Section 3. (Continued)****Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Class/Workshop	60
Performance/Presentation	5
Fair/Festival/Carnival	10
Exhibit Permanent	250
Tour/Other	375
Totals	700

Event Type	Attendance
Class/Workshop	400
Performance/Presentation	500
Fair/Festival	6,500
Exhibit Permanent	9,250
Tour/Other	32,250
Totals	48,900

Dallas Historical Society

The cultural agency will serve approximately 99,000 people through exhibitions and programs such as: "Texas Treasures," "Big Texas Music." Other programs include; educational field trips and outreach, tours, historic character presentations, storytelling performances, traveling hands-on exhibits, collection care, research requests and preservation of family histories. Museum programming will include: the Texas History Tours, Hall of State Tours and in-house exhibitions. The 2016 Brown Bag series will start in March, and will offer free one hour lectures on a variety of historical topics relating to Dallas and Texas for the general public. Additionally, there will be 2 historic city bus and/or walking tours.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Texas Treasures cases on exhibit at various locations
- State Fair of Texas exhibition - Big Texas Music
- Artifacts on loan to Old Red Museum of Dallas County
- A book/author presentation

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****2. 1/1/16 - 4/15/16**

- Exhibit from the Dallas Historical collection
- “Six Flags over Texas” history exhibit in the Hall of State
- DHS will conduct 1 Historic City Tour
- DHS will conduct 2 Brown Bag Lectures

3. 4/16/16 - 9/30/16

- State Fair exhibit
- 1 Historic City Tour
- 4 Brown Bag lectures

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	1
Exhibit, Permanent	1
Exhibit, Temporary	1
Performance/Presentation	10
Tour	20
Totals	33

Event Type	Attendance
Camp	50
Exhibit/ Permanent	12,000
Exhibit/Temporary	85,000
Performance/Presentation	1,000
Tour	1,000
Totals	99,050

October 28, 2015**Section 3. (Continued)****Dallas Museum of Art**

The cultural agency will serve more than 1,300,000 visitors, present 11 exhibitions, and offer over 5,000 educational programs. General admission to the DMA is free to all, every day of the week, providing the community with wide public access to the Museum's global collection of art. The DMA will continue to engage visitors through *DMA Friends*, a free membership program that encourages participation with the Museum's art and programming by offering individualized opportunities for engagement. The DMA's website will welcome more than 4 million visitors, with over 620,000 page views attributed to the Online Collections. The website provides important educational access to the collections and exhibitions of the Museum that are available to the public. The exhibition schedule will include three nationally or internationally touring exhibitions and numerous smaller-scale exhibitions that will complement the Museum's permanent collection. The Center for Creative Connections will continue to provide visitors with the opportunity to interact with works of art and create art of their own. *Late Nights* will continue to provide extended hours on the third Friday of each month, and every Thursday night until 9 p.m., the DMA will present live jazz concerts by local musicians through, *Jazz in the Atrium*. *Family Experiences* programming will provide interactive opportunities for families to learn about art together, such as the DMA's *Early Learning Programs*, which serve children up to age 7 and their parents or caregivers. In the area of community outreach, the *Go van Gogh Outreach Program* will continue to offer free art presentations to North Texas students and teachers in their classrooms. *Arts & Letters Live* will celebrate its 25th season and will feature approximately 28 events with award-winning authors and artists. The DMA is an important partner and educational resource for the Dallas Independent School District, Big Thought, the Dallas Public Library, and several other organizations, universities, and schools. The Museum also will provide *Access Programs* for audiences with special needs, including families of children with autism spectrum disorders (*Autism Awareness Family Celebrations*, which will take place three times during the year), individuals with vision impairment (*Art Beyond Sight*, which occurs in October), and individuals with Alzheimer's disease (*Meaningful Moments*, which occurs monthly). The Museum will also continue to care for and preserve the City of Dallas' art collection.

October 28, 2015

Section 3. (Continued)

Performance Benchmarks for the COP FY15-16 Payment Periods

1. 10/1/15 - 12/30/15

- International Pop (exhibition)
- Spirit and Matter: Masterpieces from the Keir Collection (exhibition)
- Inca: Conquests of the Andes (exhibition)
- Jackson Pollock: Blind Spots (exhibition)
- Mirror Stage-Visualizing the Self After the Internet (exhibition)
- N S Harsha - Sprouts, reach in to reach out (exhibition)
- Permanent collection rotation (exhibition)
- Go van Gogh Outreach Program
- Late Nights
- Jazz in the Atrium
- Arts & Letters Live
- Family Programs
- Access Programs
- Gallery Talks, Tours, Lectures
- Teen and Adult Workshops
- K-12 Art Education Programs
- Art Spot and Studio Creations

2. 1/1/16 - 4/15/16

- International Pop (exhibition)
- Spirit and Matter: Masterpieces from the Keir Collection (exhibition)
- Jackson Pollock: Blind Spots (exhibition)
- Vermeer Suite: Music in 17th-Century Dutch Painting (exhibition)
- Rebecca Warren (exhibition)
- Body Techniques/Concentrations 60: Lucie Stahl (exhibition)
- Permanent collection rotation (exhibition)
- Go van Gogh Outreach Program
- Late Nights
- Jazz in the Atrium
- Arts & Letters Live
- Family Programs
- Access Programs
- Gallery Talks, Tours, Lectures
- Teen and Adult Workshops
- K-12 Art Education Programs
- Art Spot and Studio Creations

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- Irving Penn: Beyond Beauty (exhibition)
- Body Techniques/Concentrations 60: Lucie Stahl (exhibition)
- Spirit and Matter: Masterpieces from the Keir Collection (exhibition)
- Vermeer Suite: Music in 17th-Century Dutch Painting (exhibition)
- Rebecca Warren (exhibition)
- Permanent collection rotation (exhibition)
- Summer Art Camp
- Go van Gogh Outreach Program
- Late Nights
- Jazz in the Atrium
- Arts & Letters Live
- Family Programs
- Access Programs
- Gallery Talks, Tours, Lectures
- Teen and Adult Workshops
- K-12 Art Education Programs
- Art Spot and Studio Creations

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	95
Class/Workshop	1,100
Exhibit/Permanent	312
Exhibit/Temporary	850
Performance/Presentation	300
Tour/Other	3,100
Festival	85
Totals	5,842

Event Type	Attendance
Camp	285
Class/Workshop	33,000
Exhibit/Permanent	750,000
Exhibit/Temporary	350,000
Performance/Presentation	41,000
Tour/Other	51,000
Festival	85,000
Totals	1,310,285

October 28, 2015

Section 3. (Continued)**The Dallas Opera**

The cultural agency will serve approximately 71,000 people through the presentation of five main stage productions at the Winspear Opera House - Jake Heggie and Terrence McNally's world premiere opera *Great Scott*, Puccini's *Tosca*, the world premiere of Mark Adamo's *Becoming Santa Claus*, Massenet's *Manon*, and Kern and Hammerstein's *Show Boat* for a total of 25 main stage performances. We will open 3 dress rehearsals to select patrons and present a simulcast to patrons in Klyde Warren Park. Each year DISD students and teachers benefit from the Educational Series. There will be 4 student performances of a 50 minute production entitled, *Bastien and Bastienne* at the Winspear, plus 39 touring opera performances of *Bastien and Bastienne* and *The Billy Goats Gruff* opera to elementary schools. Two sessions will be held to train teachers to use curricula based on the opera to teach core academic subjects. Now providing afterschool programs to engage area youth in arts activities and introduce them to opera, The Dallas Opera (TDO) will provide 24 residencies of "Opera in a Suitcase" during two-day sessions. Through the budget-friendly Family Season, 6 family performances will be presented. The Dallas Opera will provide 5 panel discussions, one before each mainstage production, 24 free pre-opera lectures, and at least 5 community events such as movie screenings, lectures and wine tastings.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Opera Production: 15 total performances, 3 productions - *Great Scott* (5), *Tosca* (6) and *Becoming Santa Claus* (4)
- Simulcast: 1 in Klyde Warren Park of *Tosca*
- Lectures: 14 complimentary lectures one hour before opera
- Family Concert: Family oriented Saturday afternoon program with activities in the lobby before 1 performance.
- Panel Discussions: 3 presentations prior to the openings of *Great Scott*, *Tosca* and *Becoming Santa Claus*
- Family Opera: 1 special enhanced performance by the The Dallas Opera Orchestra and Family Performances cast of *Bastien and Bastienne*
- Touring Opera: Approximately 11 touring opera performances of *Bastien and Bastienne* and *The Billy Goats Gruff*
- "Opera in a Suitcase": Approximately 6 residency sessions for afterschool program providers
- Dress Rehearsals: 1 dress rehearsal of *Tosca* open to students and select patrons
- Student Matinees: 4 special enhanced performances of *Bastien and Bastienne* by The Dallas Opera Orchestra and Family Performances cast at the Winspear Opera House

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****1. 10/1/15 - 12/30/15 (Continued)**

- Institute for Women Conductors: 1 special performance of The Dallas Opera Orchestra being conducted by 6 different female conductors participating in the inaugural class of the Institute for Women Conductors at The Dallas Opera.

2. 1/1/16 - 4/15/16

- Opera Production: 5 total performances, 2 productions (*Manon*, *Show Boat*)
- Lectures: 5 complimentary lectures one hour before each opera
- Panel Discussions: 2 presentations, one prior to opening of each opera
- Touring Opera: Approximately 11 touring opera performances of *Bastien and Bastienne* and *The Billy Goats Gruff*
- "Opera in a Suitcase": Approximately 6 residency sessions for afterschool program providers
- Family Opera: 1 special performance by the The Dallas Opera Orchestra and Family Performances cast of *Bastien and Bastienne* for families at the Winspear Opera House
- Dress Rehearsals: 2 dress rehearsals (*Manon*, *Show Boat*) open to students and select patrons
- Family Concert: Family oriented Saturday afternoon program by The Dallas Opera Orchestra with activities in the lobby before 1 performance

3. 4/16/16 - 9/30/16

- Opera Production: 5 total performances of 1 production (*Show Boat*)
- Lectures: 5 complimentary lectures one hour before opera
- Touring Opera: Approximately 11 touring opera performances of *Bastien and Bastienne* and *The Billy Goats Gruff*
- "Opera in a Suitcase": Approximately 6 residency sessions for afterschool program providers
- Dallas Opera Vocal Competition - two-day national competition in the spring
- 3 summer audience development events open to public
- 1 Family Opera of *The Billy Goats Gruff* in the Winspear Opera House
- CampTDO: 4 summer camps including hands-on activities and a live performance of *The Billy Goats Gruff*

October 28, 2015

Section 3. (Continued)**Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Class/Workshop	35
Performance/Presentation	52
Tour	39
Residency	24
Camp	4
Totals	154

Event Type	Attendance
Class/Workshop	4,766
Performance/Presentation	61,000
Tour	4,305
Residency	1,200
Camp	400
Totals	71,671

DSM Management Group, Inc.

DSM Management Group, Inc. ("MGI") is a nonprofit corporation that operates and manages the Music Hall at Fair Park, in Dallas Texas. The company MGI rents the facility to various parties. Most significantly, including Dallas Summer Musicals, Inc. ("DSM"), an affiliate, which rents the facility for the presentation of shows in DSM's annual multi-week recurring season. As proposed, MGI will rent the facility to DSM, at least for the presentation of the shows listed below. MGI also leases the facility to others not associated with DSM. For which service, MGI will be reimbursed its actual utility expenditures for the facility, up to two hundred ninety thousand dollars (\$290,000).

Performance Benchmarks for Payment Period for 2015-16

The following shows will be presented in the DSM season.

- The Sound of Music - November 2015
- Elf - December 2015
- Bridges of Madison County - February 2016
- The Little Mermaid - March 2016
- Wicked - April 2016
- Ragtime - May 2016
- Bullets Over Broadway - June 2016
- 42nd Street - July 2016

October 28, 2015

Section 3. (Continued)**Dallas Theater Center**

The cultural agency will serve nearly 135,000 people through a variety of programs that include seven theater productions, education programs and community enrichment programs for Dallas residence of all ages. Productions will take place at the Dee and Charles Wyly Theatre or the Kalita Humphreys Theater. The agency will provide pre-play lectures and post-show audience conversations after every performance and will continue its educational and outreach programs including *Project Discovery* ; the Student Matinee Series; teacher workshops; partnerships with Booker T. Washington High School and SMU Meadows School of Arts; “Pay What You Can” performances; *Summer Stage* theater day camps; and donor cultivation events to reach new patrons. The Neighborhood Initiative will serve the South Oak Cliff neighborhood with free programming in the Beckley-Saner Recreation Center, a residency at South Oak Cliff High School, and deeply discounted tickets to DTC performances.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- *Moonshine: That Hee Haw Musical* , a world premiere, by Brandy Clark, Shane McAnally, and Robert Horn
- *The Mountaintop*, by Katori Hall
- *Clarkston*, a world premiere, by Samuel D. Hunter
- *A Christmas Carol*, adapted by Kevin Moriarty

2. 1/1/16 - 4/15/16

- *Romeo and Juliet*, by William Shakespeare
- *All the Way*, by Robert Schenkkan

3. 4/16/16 - 9/30/16

- *Deferred Action* , a world premiere, by David Lozano and Lee Trull
- *Dreamgirls* , by Tom Eyer and Henry Krieger

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	470
Performance/Presentation	389
Camp	140
Other	367
Totals	1,366

October 28, 2015

Section 3. (Continued)**Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Attendance
Class/Workshop	7,145
Performance/Presentation	105,000
Camp	375
Other	21,861
Totals	134,381

Dallas Wind Symphony

The cultural agency will serve approximately 40,000 people through a variety of programs that include the 2015-2016 Meyerson Concert Series, 9 concerts at the Meyerson Symphony Center; coaching sessions and a side-by-side concert with the student musicians of the Wind Symphony of the Greater Dallas Youth Orchestra; 1 free public performances at Fair Park (Fair Park Fourth of July Celebration); the one-day Dallas Winds Invitational Wind Band Festival featuring 16 school bands at the Meyerson Symphony Center; and the 10th annual Dallas Winds Band Camp, a week-long inner city band camp in collaboration with the Dallas Independent School District. Additional programs include the fanfare competition leading to newly composed fanfares being performed prior to each concert and regularly scheduled pre-concert lectures.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- *American Tapestry* - concert at Meyerson
- Sectionals with Greater Dallas Youth Orchestra Wind Symphony
- Master classes/clinics for DISD
- *Daybreak of Freedom* - concert at Meyerson
- *Brave Christmas at the Meyerson* - concert at Meyerson

2. 1/1/16 - 4/15/16

- *Band Geek Pride* - concert at Meyerson (with GDYOWS)
- *Strike Up the Band* - four concerts at Fair Park Music Hall
- *Trombonapalooza* - concert at Meyerson
- Concerto competition with Greater Dallas Youth Orchestra Wind Symphony
- *Godzilla Eats Las Vegas* - concert at Meyerson
- Sectionals with Greater Dallas Youth Orchestra Wind Symphony

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- *At the Movies: Music of John Williams* - concert at Meyerson
- Dallas Winds Invitational Wind band Festival - band festival at Meyerson
- Dallas Winds Band Camp - band camp at Booker T. Washington High School
- *Piccolos & Patriots: Star-Spangled Spectacular* - concert at Meyerson
- Fair Park Fourth - concert at Fair Park
- All-State Jump Start Clinic - program for high school students
- Opening concert of 2016-2017 season - Meyerson

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	1
Class/Workshop	3
Fair/Festival	1
Performance/Presentation	15
Totals	20

Event Type	Attendance
Camp	600
Class/Workshop	300
Fair/Festival	3,600
Performance/Presentation	35,500
Totals	40,000

October 28, 2015**Section 3. (Continued)****Dance Council**

The cultural agency will serve approximately 10,000 people by providing: a weekly email broadcast, "Center Stage," which includes a dance calendar, and classifieds to 3,700; website opportunities such as "Find A Dance Studio," "Find A Link/Class," and "Find A Nutcracker" reaching an average 10,000 monthly; online marketing options for the dance community to 14,800 weekly; a free, 32 page publication called *DANCE! North Texas* distributed to 13,700 clients quarterly; an Adaptive Dance Program serving a diverse population of 400-700 annually in hospitals, senior centers, outpatient centers, and health and recovery facilities; an Adaptive Dance Teacher Development Workshop; an annual distribution of 45 or more scholarships for outstanding students between the ages of 13 and 22 and 1 or 2 teacher development scholarships. January through April will provide a Youth Council Dance Education Outreach in DISD schools that will reach 70 DISD dance students and about 1,400 community members. This will culminate in two performances. "Dance Planet Festival" with 80-100 performances and 25-30 master classes held at the Booker T Washington High School for the Performing & Visual Arts that will reach 2-3,000. "National Tap Dance Celebration Master Classes & Performances" at Fair Park Music Hall is scheduled for summer 2016. Dallas DanceFest and Honors will be at the Dallas City Performance Hall in September. Dance Council also provides dance guidance, dance floor rentals and affordable advertising opportunities to other nonprofit organizations such as: Shakespeare Dallas, CityArts Festival, Nasher Sculpture Center, South Dallas Cultural Center, Arts One Plaza, Dallas Art Dealers Association, Big Thought, AT&T Performing Arts Center, Dance Companies, and Klyde Warren Park.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Center Stage-free weekly email calendar
- Affordable Online Marketing Opportunities for Dance Companies
- *DANCE! North Texas* - free quarterly publication

2. 1/1/16 - 4/15/16

- Center Stage-free weekly email calendar
- Affordable Online Marketing Opportunities for Dance Companies
- *DANCE! North Texas* - free quarterly publication
- Youth Council Dance Education in DISD schools
- Adaptive Dance Program - ongoing sessions
- Dance Planet Festival
- Scholarship Program: financial assistance to further dance education to outstanding students & teachers

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- Center Stage-free weekly email calendar
- Affordable Online Marketing Opportunities for Dance Companies
- *DANCE! North Texas* - free quarterly publications - 2 issues
- National Tap Dance Celebration
- Adaptive Dance Teacher Workshop (biennial)
- Adaptive Dance Program - ongoing sessions
- Dallas DanceFest
- Dance Council Honors Awards

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	75
Fair/Festival/Carnival	3
Performance/Presentation	2
Other	4
Totals	84

Event Type	Attendance
Class/Workshop	2,200
Fair/Festival/Carnival	6,000
Performance/Presentation	1,300
Other	500
Totals	10,000

October 28, 2015**Section 3. (Continued)****Fine Arts Chamber Players**

The cultural agency will serve approximately 8,000 people through a series of concerts including: the "Basically Beethoven Festival," consisting of 4 free chamber music concerts in July at the Dallas City Performance Hall that features local professional musicians from the Dallas area and 4 "Rising Star Youth Recitals"; the "Bancroft Family Concerts", that consists of 7 free afternoon chamber music concerts at the Dallas Museum of Art from October through May. In addition the cultural agency will provide 200 educational outreach programs in Dallas area public schools and pre-school programs from October through September through the following outreach programs; "Music Residencies," which provides 190 total events and Music A-Z/Dream Collectors, which will cumulatively provide 10 events.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Bancroft Family Concerts (2)
- Music Residencies (75)

2. 1/1/16 - 4/15/16

- Bancroft Family Concerts (4)
- Music Residencies (75)
- Music A-Z/Dream Collectors (6)

3. 4/16/16 - 9/30/16

- Bancroft Family Concerts -(1)
- Basically Beethoven Festival (4) free concerts
- Rising Star Youth Recitals - (4) free concert youth recitals
- Music Residencies (40)
- Music A-Z/Dream Collectors (4)

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	200
Performance/Presentation	15
Totals	215

Event Type	Attendance
Class/Workshop	2,000
Performance/Presentation	6,000
Totals	8,000

October 28, 2015**Section 3. (Continued)****Greater Dallas Youth Orchestra**

The cultural agency will serve over 22,000 people through activities including rehearsals and concerts. The organization will provide classical music training for over 450 young musicians' ages 8 to 18 in seven orchestras. Students receive 60-100 hours of instruction in weekly rehearsals with professional musicians and coaches. The GDYO (flagship orchestra) presents a formal subscription series of 4 concerts at the Meyerson Symphony Center. Throughout the year, the other orchestras will perform 4-6 concerts at City Performance Hall and the Meyerson. Quartets or other small ensembles average at least 2-4 extra performances for special events. Through its "Share the Magic" outreach program, the cultural agency will provide complimentary tickets to those who would not ordinarily have the opportunity to attend symphony concerts at the Meyerson.

Performance Benchmarks for Payment Periods**1. 10/1/15 - 12/30/15**

- 4 major concerts - Meyerson (2), City Performance Hall (2)
- 1 chamber music performance
- Weekly rehearsals for 450 students in 7 ensembles

2. 1/1/16 - 4/15/16

- 3 major concerts -Meyerson (1), City Performance Hall (2)
- 1 chamber music performance
- Weekly rehearsals for 450 students in 7 ensembles
- Entrance auditions for 2015-2016 for 750+ students

3. 4/16/16 - 9/30/16

- 3 major concerts - Meyerson (2), City Performance Hall (1)
- 1 chamber music performance
- Weekly rehearsals for 450 students in 7 ensembles through mid-May and then late Aug through Sept 30

October 28, 2015**Section 3. (Continued)****Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Performance/Presentation	10
Other	224
Totals	234

Event Type	Attendance
Performance/Presentation	7,000
Other	13,600
Totals	20,600

Junior Players Guild

The cultural agency will serve approximately 14,295 students and adults through free arts education outreach programs including the following: 30 after-school residencies at 10 sites, 50 free summer theater camps, 150 homeless education classes, 2 advanced acting workshops, 3 playwriting workshops and 2 performances, 1 Shakespeare camp and 1 performance, 3 Shakespeare audition workshops and 2 free performances and 4 ticketed performances, 1 dance audition workshop and 2 free performances at the Wyly, 1 dance workshop and 4 performances of *FAME* at the Dallas City Performance Hall.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- After-school workshops-10 to 12 weeks at approximately 10 locations
- "Kwanzaa" Celebration
- Jazz and Hip Hop Dance workshop at the Sammons Center
- Auditions for *FAME* , Rehearsals begin
- Homeless Education after-school workshops - 75 classes at approximately 12-15 locations

2. 1/1/16 - 4/15/16

- After-school workshops -10 to 12 weeks at approximately 20 locations
- Homeless Education after-school workshops - 75 classes at approximately 12-15 locations
- 4 performances in January of *FAME* at the Dallas City Performance Hall
- Advanced acting classes for interested junior high and high school students
- Series of 4 professional training sessions
- Auditions for "Discover Shakespeare" production
- PUP (Playwrights Under Progress) playwriting master classes for high school students

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- Rehearsals for “Discover Shakespeare”
- “Discover Shakespeare” - 2 free performances and 4 ticketed performances
- PUP Fest plays are performed
- Shakespeare Camp for students in grades 6-8
- 50 free two-week theater camps
- Advanced Summer Theater camps (2)
- Auditions for “Junior Players Presents: Evolution” dance production
- “Junior Players Presents: Evolution” Dance production - 2 free performances

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	500
Class/Workshop	3,324
Performance/presentation	206
Other	1
Totals	4,031

Event Type	Attendance
Camp	850
Class/Workshop	4,000
Performance/presentation	9,400
Other	45
Totals	14,295

Kitchen Dog Theater Company

The cultural agency will serve an estimated 7,450 people by hosting approximately 112 events in the 2015-2016 season including: a main stage season of 4 plays; educational programs with 8 "Talkbacks" between audience, actors and director that follow each Sunday matinee performance; performances attended by student groups of the main stage productions; the “17th Annual New Works Festival”, which consists of 6 staged readings, 10 PUP (Playwrights Under Progress) readings, and a production of the PUP (Playwrights Under Progress) Fest. This is an outreach program that conducts playwriting master classes for high school students and culminates in two performances of selected scripts during the “New Works Festival”.

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****1. 10/1/15 - 12/30/15**

- *"The Dumb Waiter"* by Harold Pinter
- *"The Totalitarians"* by Peter Sinn Nachtrieb

2. 1/1/16 - 4/15/16

- *"I'm Gonna Pray For You So Hard"* by Halley Feiffer

3. 4/16/16 - 9/30/16

- *"Blackberry Winter"* by Steve Yockey
- *"The Thrush and the Woodpecker"* by Steve Yockey
- *"New Works Festival"* Readings: 6 performances and 6 talkbacks;
- PUP FEST: (2); one-week workshop with professional actors/directors and two performances

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	18
Performance/Presentation	86
Totals	104

Event Type	Attendance
Class/Workshop	200
Performance/Presentation	7,000
Totals	7,200

Perot Museum of Nature and Science

The cultural agency will deliver approximately 1.45 million experiences in the City of Dallas by displaying and providing programming which includes 11 permanent exhibits, a Children's Museum, two temporary exhibitions, a 298-seat digital theater and outdoor park surrounding the Perot Museum of Nature and Science. The cultural agency will continue to operate city-owned buildings at Fair Park, securing and maintaining collections owned by the city. The cultural agency will provide educational outreach activities consisting of on-site field trip programs for schools and community organizations, off-site educational classes, science camps during school breaks, after school programs, teacher workshops, sleepovers, scouting badge workshops, birthday parties, family programs, adult programs, and other community events as requested. The cultural agency will operate the Moody Family Children's Museum, which will provide educational classes for children ranging in age from zero to five years old.

October 28, 2015

Section 3. (Continued)

Performance Benchmarks for Payment Periods

1. 10/1/15 - 12/30/15

- Traveling Exhibition - Creatures of Light: Nature's Bioluminescence (opens 10/31/15)
- Digital theater shows
- Social Science - adult programs (1)
- Discovery Days - family programs (3)

2. 1/1/16 - 4/15/16

- Traveling Exhibition - Creatures of Light: Nature's Bioluminescence (closes 2/21/16)
- Digital theater shows
- FIRST Lego Competition - North Texas Regional Tournament
- Engineers Week - school and public programs
- Discovery Days - family programs (4)
- Spring Break Discovery Camp - education
- Social Science - adult programs (1)

3. 4/16/16 - 9/30/16

- Temporary Exhibition - Eye of the Collector, Exact name TBD (opens 4/16/16; closes 9/5/16)
- Digital theater shows
- Discovery Days - family programs (5)
- Summer Discovery Camps - education
- Summer Discovery Camp, Jr. - education
- Field work in Alaska - Research
- Social Science - adult programs (3)

Year Round Programming/Exhibits/Events

Permanent Exhibitions

Perot Museum of Nature and Science at Victory Park:

Moody Family Children's Museum; Sports Hall; Discovering Life Hall; Being Human Hall; Texas Instruments Engineering and Innovation Hall; The Rees-Jones Foundation Dynamic Earth Hall; Tom Hunt Energy Hall; Gems and Minerals Hall; Expanding Universe Hall; Rose Hall of Birds; and the T. Boone Pickens Life Then and Now Hall.

October 28, 2015**Section 3. (Continued)****Year Round Programming/Exhibits/Events****Permanent Exhibitions**Perot Museum of Nature and Science at Fair Park:

Historical wildlife dioramas including: Mammal Hall; Bison Hall; Wetlands Hall; and the Birds of Texas Hall; Boehm porcelain bird collection; Mineral Hall and meteorite collection; Light Play interactive exhibit; Science Cast studio (not open to public); Education Outreach administration; the Leonhardt Lagoon Nature Walk; access (by appointment) to various collections including The Edmund W. Mudge Library of Ornithology; and Paleontology Lab.

Educational Films

Digital Shows: *Wonders of the Arctic; Walking with Dinosaurs: Prehistoric Planet; Wildest Weather in the Solar System; Jerusalem; Journey to Space; Sea Monsters; Tiny Giants; Flying Monsters; National Parks Adventure*

Programs

School programs (including those held at the Perot Museum and those held as outreach on school campuses), teacher workshops, early childhood programs, sleepovers, scouting badge workshops, family programming for birthday parties, adult programs and lectures.

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	320
Class/Workshop	2,620
Exhibit/Permanent	360
Exhibit/Temporary	257
Performance/Presentation	3,050
Other	913
Totals	7,520

Event Type	Attendance
Camp	1,150
Class/Workshop	120,000
Exhibit/Permanent	950,000
Exhibit/Temporary	156,500
Performance/Presentation	180,500
Other	44,112
Totals	1,452,262

October 28, 2015**Section 3. (Continued)****Sammons Center for the Arts**

The cultural center will serve 65,500 people by providing low-cost office, rehearsal, performance and meeting space, as well as administrative resources such as a copy, fax and postage center. The Center is home to twelve arts organizations representing every discipline, and the facility is used by over 50 other arts and community organizations for rehearsals, meetings, auditions, performances, etc. The Sammons will present 8 performances of *Sammons Jazz*, which features a variety of local jazz artists in a relaxed, noncommercial setting at nominal ticket prices, 8 performances of *Sammons Cabaret*; continue the *Youth Jazz Program* with 2 concert/demonstrations; host 500 rehearsals, 350 meetings, 50 auditions, 15 performances, 12 special events and 15 classes/workshops through the facility rental program. The *Youth Jazz Program* was developed for underprivileged youth ages 6-12 years with an interactive, educational program to teach children about Jazz and music. This contract also includes utilities and facilities operations support as approved and appropriated by the FY15-16 budget process.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- 3 Sammons Jazz Concerts
- 3 Sammons Cabaret Concerts
- 167 rehearsals
- 117 meetings
- 17 auditions
- 5 performances
- 4 special events
- 5 workshops/classes

2. 1/1/16 - 4/15/16

- 3 Sammons Jazz Concerts
- 3 Sammons Cabaret Concerts
- 166 rehearsals
- 116 meetings
- 16 auditions
- 5 performances
- 4 special events
- 5 workshops/classes

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- 2 Sammons Jazz Concerts
- 2 Sammons Cabaret Concerts
- 2 Sammons Jazz Youth Concerts
- 167 rehearsals
- 117 meetings
- 17 auditions
- 5 performances
- 4 special events
- 5 workshops/classes

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	15
Performance/Presentation	33
Other	912
Totals	960

Event Type	Attendance
Class/Workshop	375
Performance/Presentation	5,000
Other	60,125
Totals	65,500

The Shakespeare Festival of Dallas

The cultural agency will serve nearly 28,000 Dallas citizens through staged productions and educational programming, including 3 outdoor productions, 8 indoor staged readings, and 3 age-specific in-school educational programs. Shakespeare Dallas includes outreach initiatives in every program it creates by providing low-cost or free cultural opportunities for the general public. The cultural agency produces 3 key programs: "Shakespeare in the Park," the company's flagship outdoor performances in the summer and the fall; "Shakespeare on the Go!," which features 2 age-appropriate touring initiatives complete with performances and master classes; "Shakespeare Unplugged," which includes staged readings, co-productions with other organizations and outreach lectures, including our partnership to produce all 38 plays, 154 sonnets, and 2 narrative poems written by Shakespeare with AT&T Performing Arts Center; and "The Spoken Word Performance Workshop" to middle and high school students who receives free tickets to see a live performance.

October 28, 2015

Section 3. (Continued)

Performance Benchmarks for the COP FY15-16 Payment Periods

1. 10/1/15 - 12/30/15

- "Speak the Speech: Shakespeare and the Spoken Word" / middle and high school students (5)
- "Macbeth" - (2) Staged Readings at Winspear Opera House
- "Titus Andronicus" - 2 Staged Readings at Winspear Opera House
- "Rape of Lucrece" and "Venus and Adonis"- (2) Staged Readings at Winspear Opera House
- "Poets Society"- Adult Learning (2)

2. 1/1/16 - 4/15/16

- "Speak the Speech: Shakespeare and the Spoken Word"/Middle School Students (5)
- "Oh This Learning, What a Thing it Is!" / Performance for elementary students(10)
- "Poets Society"- (2) Adult Learning
- Professional training for actors (1)
- "Twelfth Night" - (2) Staged Readings at Winspear Opera House
- "King John" - (2) Staged Readings at Winspear Opera House
- "Hamlet" - (2) Staged Readings at Winspear Opera House

3. 4/16/16 - 9/30/16

- "Richard II" - (2) Staged Readings at Winspear Opera House
- "Measure For Measure"- (2) Staged Readings at Winspear Opera House
- "She Stoops to Conquer" - performance (16)
- "Richard III" - performance (16)
- "The Tempest"- performance (8)
- Bard's Birthday Bash (1)
- Stage Notes - pre- performance lectures (4)
- "Speak the Speech: Shakespeare and the Spoken Word"/Middle School Students (5)
- "As You Like It"- (2) Staged Readings at Winspear Opera House

October 28, 2015

Section 3. (Continued)**Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Class/Workshop	25
Performance/Presentation	83
Other	100
Totals	208

Event Type	Attendance
Class/Workshop	1,500
Performance/Presentation	22,000
Other	4,000
Totals	27,550

Teatro Hispano De Dallas

The cultural agency will serve over 10,000 people through the following events: *Days of the Dead* featuring “*The Wake*,” by Tomás Urtusástegui directed by Cora Cardona. The season continues with the “17th International Theatre Festival” with the opening show “*Dirty Filthy Diamonds*” by (DGDG) Danielle Georgiou Dance Group from Dallas. “*Snail and Mockingbird*” by Sabina Bergman directed by Alicia Martínez is a collaboration between *Laboratorio de la Máscara* and *Idiotas Teatro* from Mexico City. This children’s play deals with finding one’s own voice or identity; the group will be premiering this piece while conducting a mask movement workshops. From Spain, “*Woyzeck*” by Georg Buchner will be presented by Iguana Teatre; finally, Grupo Tehuantepec will perform “*Fin De Fiesta*” written and directed by Marco Petríz. This play explores the friendship between a gay man and single young mother. Ongoing theater classes for children, adolescents in the spring and adults in the summer will be held with public presentations; these presentations are free of charge.

Performance Benchmarks for the COP FY15-16 Payment Periods**10/1/15 - 12/30/15**

- *Days of the Dead* - “The Wake” by Tomás Urtusástegui (includes altars set up by local visual artists)
- 30th Anniversary Event

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****1/1/16 - 4/15/16**

- 17th International Theatre Festival presents: *Dirty Filthy Diamonds, Snail & Mockingbird, Woyzeck, and Otro Día de Fiesta.*
- Alicia Martínez leads a workshop from Laboratorio de la Máscara at the Dallas Children's Theater
- Conference about the gay culture of the Tehuantepec, Oaxaca Mexico at Richland College.
- Theatre of the Absurd- "*Feather and the Tempest* " by Arístides Vargas.

4/16/16 - 9/30/16

- Summer Camp for children
- Adult Workshops

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Camp	1
Class/Workshop	16
Exhibit/Temporary	1
Performance/Presentation	6
Festival	1
Other	4
Totals	29

Event Type	Attendance
Camp	300
Class/Workshop	900
Exhibit/Temporary	1,000
Performance/Presentation	4,000
Festival	2,000
Other	2,000
Totals	10,200

October 28, 2015**Section 3. (Continued)****TeCo Theatrical Productions, Inc.**

The cultural agency will serve approximately 15,000 children and adults through a variety of programs that include: 4 main stage theatre productions, 10 jazz concerts, 2 speaker series events and an array of year round arts education programs at the Bishop Arts Theatre. Student outreach programs are held after school and during the summer in the Emma Rodgers Learning Laboratory including TeCo's, *T-An-T* (Teenagers and Theatre) apprenticeship program. The Bishop Arts Theatre is also home to several cultural organizations who use the performance space.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Speaker Series - Terrence McNally
- *The Face of Emmett Till* by Mamie Till-Mobley & David Barr III
- Jazz Concert - Larry Carlton & Althea Rene
- Jazz Concert - Euge Groove & Paul Taylor
- Jazz Concert - Paul Brown & Jessy J
- *Black Nativity* by Langston Hughes

2. 1/1/16 - 4/15/16

- In For #TheCount, one act festival
- Jazz Concert - Nick Colionne
- Speaker Series - Victor McGlothin

3. 4/16/16 - 9/30/16

- *The Clink* by Steven Young featuring T-An-T students
- Jazz Concert - Warren Hill
- Summer Theater Camp
- 3rd Annual PlayPride LGBT Festival

October 28, 2015**Section 3. (Continued)****Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Camp	38
Class/Workshop	20
Performance/Presentation	45
Other	4
Totals	107

Event Type	Attendance
Camp	100
Class/Workshop	240
Performance/Presentation	10,000
Other	4,660
Totals	15,000

Texas International Theatrical Arts Society

The cultural agency will serve approximately 24,500 individuals. This season will include 10 dance presentations, 2 world premieres, 8 Dallas debuts and 2 special presentations, the annual *Command Performance Gala* and *A Gathering*. TITAS continues to build a dance audience and provide the North Texas area with the very best of world class touring dance companies. TITAS was a commissioner on the Twyla Tharp Anniversary tour project, which hosted the local, national and international press with the AT&T Performing Arts Center for the opening and world premiere and is currently in talks with DIAVOLO as a commissioner on their new work, which might open the 2016-17 season. All dance companies will participate in educational outreach programs, which will consist of post-performance Q&A sessions, audience pre-show lectures, master classes and open rehearsals (CPIB). The master classes will take place in schools, universities and community centers throughout the North Texas area. Additionally, mini-internships offered in conjunction with CPIB will be offered to area youths. The proposed additional number of individuals who will benefit from the agency's educational outreach offerings is estimated at 5500.

October 28, 2015

Section 3. (Continued)**Performance Benchmarks for the COP FY15-16 Payment Periods****1. 10/1/15 - 12/30/15**

- *Kyle Abraham* -Abraham.In.Motion - 2 performances / 2 pre-show talks / 2 Q & A / 1 Master class (DCPH, BTWHSPVA)
- *Akram Khan Company* - 2 performances / 2 pre-show talks / 2 Q & A / 1 master class (DCPH, BTWHSPVA)
- *Outreach - Arts Administration Program* - 1 Lecture / begin multi-month internship
- *Outreach Adjudication for BTWHSPVA College Showcase (100 students, 40 college reps)*

2. 1/1/16 - 4/15/16

- *BodyTraffic* - 1 performance/ 1 pre-show lecture/ 1 master class / 1 Q&A / (Winspear, BTWHSPVA)
- *Cloud Gate Dance Theatre of Taiwan* - 1 performance / 1 master class / 1 Q&A / 1 pre-show lecture / 1 panel discussion-reception at the Crow Collection (Winspear, BTWHSPVA, Crow Collection)
- *BalletBoyz* - 1 performance/ 1 pre-show lecture/ 1 master class / 1 Q&A / (Winspear, BTWHSPVA)
- *Mr. and Mme. Reve* - 2 performances / 2 pre-show talks / 2 Q & A / 1 master class (DCPH, BTWHSPVA)
- *Compagnie Herve Koubi* - 2 performances / 2 pre-show talks / 2 Q & A / 1 master class (DCPH, BTWHSPVA)
- *Outreach Adjudication for BTWHSPVA Senior Choreography (100 students)*
- *Outreach Lead Adjudicator for BTWHSPVA dance auditions (200 students)*

3. 4/16/16 - 9/30/16

- *KiddPivot* - 2 performances / 2 pre-show talks / 2 Q & A / 1 master class (DCPH, BTWHSPVA)
- *Complexions Contemporary Ballet* - 1 performance / 1 pre-show lecture / 1 Q&A / 1 master class (Winspear, BTWHSPVA)
- *Command Performance Gala* -1 performance / 1 master class / 1 open rehearsal (Winspear, BTWHSPVA)
- *Diavolo* - 2 performances / 1 student matinee / 1 master class / 2 pre-show lectures / 2 Q&A / 1 master class on technology and dance (Winspear, BTWHSPVA)

October 28, 2015

Section 3. (Continued)**Projected Performance Benchmark Services and Attendance for FY15-16**

Event Type	Services
Class/Workshop	12
Performance/Presentation	18
Other	35
Totals	65

Event Type	Attendance
Class/Workshop	1,275
Performance/Presentation	19,800
Other	3,627
Totals	24,702

Texas Winds Musical Outreach, Inc.

The cultural agency will serve 52,000 people with 680 outreach concerts to be given at locations throughout Dallas. The organization will provide professional musical programs to disadvantaged people who cannot participate in the cultural life of Dallas. Audiences are young or elderly individuals with special circumstances such as ill health, economically disadvantaged, and those isolated from the main population. All concerts are free of charge. Besides performing for individuals in nursing homes, hospitals, government subsidized apartments for seniors, retirement homes, sheltered workplaces for the disabled and adult day care centers; the organization also performs for children in Head Start Child Development Centers. Sixty musicians comprise more than 25 separate ensembles.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15- 12/30/15**

- Nursing Homes (104)
- City and Suburban Senior Nutrition Centers (5)
- DHA/Govt. Subsidized Apts./Seniors Limited Income (2)
- Retirement Homes (2)
- Adult Day Care Centers/Sheltered Workplaces for the Disabled (10)
- Hospitals and Dallas Veterans Hospital (52)
- Head Start Child Development Centers, Childcare Group/MiEscuelita Centers (53)

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****2. 1/1/16 - 4/15/16**

- Nursing Homes (104)
- City and Suburban Senior Nutrition Centers (5)
- DHA/Govt. Subsidized Apts./Seniors Limited Income (2)
- Retirement Homes (2)
- Adult Day Care Centers/Sheltered Workplaces for the Disabled (10)
- Hospitals and Dallas Veterans Hospital (52)
- Head Start Child Development Centers, Child Care Group / Mi Escuelita Centers (72)

3. 4/16/16 - 9/30/16

- Nursing Homes (104)
- City and Suburban Senior Nutrition Centers (5)
- DHA/Govt. Subsidized Apts./Seniors Limited Income (2)
- Retirement Homes (2)
- Adult Day Care Centers/Sheltered Workplaces for the Disabled (10)
- Hospitals and Dallas Veterans Hospital (52)
- Head Start Child Development Centers, Child Care Group /Mi Escuelita Centers (30)

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Performance/Presentation	680
Totals	680

Event Type	Attendance
Performance/Presentation	52,000
Totals	52,000

October 28, 2015**Section 3. (Continued)****Theatre Three, Inc.**

The cultural agency will serve approximately 25,000 people through the following programs: a minimum of 136 performances of 7 Norma Young Arena Stage productions of musicals, dramas, comedies, and classics; approximately 68 performances of 5 Theatre Too studio productions; a minimum of 16 showcase performances of Theatre Three's Musical Theatre Academy academic program; post show panel discussions for two Theatre Three student matinee shows; hosting/housing cultural events produced by other Dallas cultural/civic organizations; and an internship program consisting of 5 unpaid summer internships for high school and college students and 3 paid year-round internships for recent college graduates. The cultural agency will also provide study guides and post-show talk backs in association with all student matinee productions of the season.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- *Fix Me, Jesus* by Helen Sneed- 11 performances
- Hooky Matinee performance - 1
- *Picnic* by William Inge - 21 performances
- Hooky Matinee performance - 1
- *The Fantasticks* by 21 Performances
- Hooky Matinee performance - 1
- *Cotton Patch Gospel* by Harry Chapin, Tom Key, and Russell Treyz-4 performances fall after 10/1/14
- *A Christmas Carol: The Radio Show* by David Alberts- 12 performances
- *Beauty & the Beast Jr.* by Linda Woolverton, Tim Rice, Howard Ashman, and Alan Menken - minimum 4 performances. Part of Theatre Three's Musical Theatre Academy educational program for kids ages 8-19
- INTERN PROGRAM for recent college graduates: Full-time - 3 interns

2. 1/1/16 - 4/15/16

- *Oil* by Neil Tucker- 21 performances
- Hooky Matinee performance - 1
- *Light Up the Sky* by Moss Hart- 21 performances
- Hooky Matinee performance - 1
- *I Love You, You're Perfect , Now Change "* by Joe DiPietro & Jimmy Roberts -28 performance minimum
- INTERN PROGRAM for recent college graduates: Full-time - 3 interns

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****3. 4/16/16 - 9/30/16**

- *Memphis* by David Bryan and Joe DiPietro - 21 performances
- Hooky Matinee performance - 1
- Title is TBA - Arena Stage show after Memphis - 20 performances
- Hooky Matinee performance - 1
- 3 Musical Theatre Academy productions. - minimum 12 performances (titles are TBA)
- Minimum of 2 Theatre Too shows after "I Love You, You're Perfect, Now Change" (titles are TBA) - 24 performances minimum
- INTERN PROGRAM for recent college graduates: Full-time - 3 interns & for current high school and college students: Summer 5 interns

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Performance/Presentation	216
Totals	216

Event Type	Attendance
Performance /Presentation	25,000
Totals	25,000

Turtle Creek Chorale, Inc.

The cultural agency will serve approximately 20,000 individuals during its 36th season. The Turtle Creek Chorale will present a season of four mainstage concerts at Dallas City Performance Hall and small Turtle Creek Chorale ensembles will perform numerous outreach concerts in nursing homes, churches, hospitals, malls, libraries, and various community centers. The cultural agency will provide a wide variety of repertoire including American favorites, holiday classics, music dedicated to heroes and a concert series of love songs. The chorale will also join with Uptown Players for a special performance of Elton John's *AIDA* plus present events that feature the Chorale's Camerata, an acapella group, and the Chorale's Chamber Chorus. The cultural agency will provide more than 500 complimentary tickets for mainstage performances to individuals living with HIV/AIDS, senior citizens, high-school choral students and individuals from low-income areas.

October 28, 2015**Section 3. (Continued)****Performance Benchmarks for the COP FY15-16 Payment Periods****1. 10/1/15 - 12/31/15**

- “Heartland” - Fall Concert - Featuring *Partners in Harmony* , singers from 50 local church and community choirs and The Lone Star Wind Orchestra - 2 performances at Dallas City Performance Hall
- “A Tribute to Nelson Mandela” - Chamber Chorus in collaboration with First Presbyterian Church of Dallas
- “Home” - Traditional Holiday Concert - 4 performances at City Performance Hall
- “Home” - A Family Holiday Concert - 1 performance at City Performance Hall
- Outreach concerts - 5

2. 1/1/16 - 4/15/16

- *AIDA* - in cooperation with Uptown Players - 3 performances at City Performance Hall
- “Heroes” - Spring Concert - 3 performances at City Performance Hall
- Outreach concerts - 5

3. 4/16/16 - 9/30/16

- “Darker Side of Broadway” - Chamber Chorus - 1 performance in Dallas
- “Heartstrings” - Summer Concert - 3 performances at City Performance Hall
- Outreach concerts - 5

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Performance/Presentation	35
Totals	35

Event Type	Attendance
Performance/Presentation	20,000
Totals	20,000

October 28, 2015**Section 3. (Continued)****Undermain Theater**

The cultural agency will serve over 6,000 people by presenting 4 productions of new and classic plays in their regular season, with at least 4 preview performances and around 18 regular performances for each production. The agency will present a reading series of at least 2 new works for the theatre at the Dallas Museum of Art and produce the Undermain Apprentice Program for developing theater artists. The agency will also have two world premieres, *The Droll* and *Jonah*, the regional premiere of *The Night Alive*, and the American classic, *Long Day's Journey Into Night*. Included in this year, the agency will offer approximately 750 discounted tickets to students, seniors, and KERA audiences, free tickets to educators, and offer over 150 tickets to Artreach, a program that provides free tickets to those in need.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- *The Droll*, by Meg Miroshnik
- *The Night Alive*, by Conor McPherson
- Reading Series at the DMA TBD (based on DMA schedule)

2. 1/1/16 - 4/15/16

- *Long Day's Journey Into Night*, by Eugene O'Neill
- *Jonah*, by Len Jenkin
- Reading Series at the DMA TBD (based on DMA schedule)

3. 4/16/16 - 9/30/16

- Reading Series at DMA TBD (based on DMA schedule)
- Big D Reads at Klyde Warren Park

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	14
Performance/Presentation	74
Totals	88

Event Type	Attendance
Class/Workshop	130
Performance/Presentation	6,200
Totals	6,330

October 28, 2015**Section 3. (Continued)****USA Film Festival**

The cultural agency will serve over 25,000 people by producing two major annual events, the “32nd Annual KidFilm® Festival”, (featuring 40 films, 30 programs and 6 days of educational field trips for DISD students and teachers) and the “46th Annual USA Film Festival”, (featuring over 40 films with 21 screenings). In addition the agency will offer year-round activities such as screenings of new films (or retrospective screenings) with director or other artist in attendance with free tickets distributed to outreach publics (financially disadvantaged constituents and other special groups) and new audiences with special emphasis on educational programs. Monthly preview screenings of new American films and foreign works will also be included as a benefit to the membership and to develop new audience members.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Preview Film screenings - Approximately 15
- Visiting Artist Film Screenings - 3-4 screenings during the year
- Retrospectives and classics Series - 1-2 times during the year

2. 1/1/16 - 4/15/16

- “32nd Annual KIDFILM Festival”; 40+ films / 30 programs

3. 4/16/16 - 9/30/16

- “46th Annual USA Film Festival”; 40+ films / 25 programs

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Performance/Presentation	242
Totals	242

Event Type	Attendance
Performance/Presentation	25,000
Totals	25,000

October 28, 2015**Section 3. (Continued)****The Writer's Garret**

The cultural agency will serve at least 1,000 people by providing the following: a Literary Arts Learning and Resource Center, open to the public, in east Dallas; an interactive website with built-in learning management systems for reaching a greater number of audience members; at least 32 peer-run "Stone Soup" workshops / literary discussion groups; our "Community and Mentorship Project" (CAMP) and "Work-Exchange" (WE) program made fully available on-line; at least one professional development training for creative writers to learn how to work with children / youth and other "at risk" populations; continued development of project mentoring / organizational "incubation" pilot for sponsoring literary projects and programs; at least one book / anthology published either on-line or in print; a minimum of 16 creative writing literary classes, workshops, and residencies for children and youth, writers, readers, and "at risk" populations featuring local, regional, and national writers and literary experts; and at least eight public presentations of literary work by local, regional, and national writers and poets, both live and on-line; at least one literary arts panel presentation piloted on-line; continued adaptation of lesson plans, classroom activities, and assessment tools to reflect the specific needs of partner agencies' populations.

Performance Benchmarks for the COP FY15-16 Payment Periods**1. 10/1/15 - 12/30/15**

- Literary Arts Learning and Resource Center, open to the public, in East Dallas
- A minimum of ten (10) - "Stone Soup" workshops
- At least two (2) new live events in Dallas--"Soup's On!" featuring 2-3 writers each
- Restructuring of "Community and Mentorship Project" (CAMP) / "Work-Exchange" (W/E) program through the end of this calendar year
- New interactive website piloting Learning Management Systems and establishment of "Dallas-only Portal"
- Existing on-line literary arts programming routed through new website (e.g., student anthologies and videos, Studio Chats)
- Mentoring / Learning opportunities through creative writing for writers, young people, Veterans', and those impacted by illness via panels, classes, workshops, talks, and / or on-line portals
- At least two (2) "Writers in Neighborhoods & Schools" (WINS) programs
- Update and formalize literary project sponsorship / incubation mentoring opportunities for public via new website
- Firewheel Editions books available for reading audiences
- Pilot on-line "Birthday Party" for our late co-founder, SMU poet Jack Myers
- Formally revive "WordsWork" Intern / volunteer program for the literary arts

October 28, 2015

Section 3. (Continued)**Performance Benchmarks for the COP FY15-16 Payment Periods****2. 1/1/16 - 4/15/16**

- Literary Arts Learning and Resource Center, open to the public, in East Dallas
- Ten (10) - Stone Soup workshops
- At least three (3) live events in Dallas--“Soup’s On!” featuring 1-3 writers each
- Firewheel Editions books available for reading audiences
- New Writers’ CAMP/”Work-Exchange” (WE) program fully available online
- A minimum of two (2) “Writers in Neighborhoods & Schools” (WINS) programs
- At least eight (8) creative writing / literature classes / workshops, available live and / or on-line
- Partnership assistance with local literary programs, including “City of Literature” at the Festival of Ideas and the Highland Park Literary Festival with Dave Eggers

3. 4/16/16 - 9/30/16

- Literary Arts Learning and Resource Center, open to the public, in East Dallas
- Twelve (12) - “Stone Soup” workshops / Literary Discussion Groups
- At least three (3) live events in Dallas--“Soup’s On!” featuring 1-3 writers each
- Firewheel Editions books available for reading audiences
- At least one publication either on-line or printed no later than the end of summer
- At least four (4) writers actively participating in “Community and Mentorship Project” (CAMP) /” Work-Exchange” (WE) program
- At least eight (8) creative writing / literature classes / workshops, available live and / or on-line
- New online programming no later than the end of summer: podcasts, blog of blogs, summer festival / 21st Birthday party, and / or on-line professional development training opportunity for writers

Projected Performance Benchmark Services and Attendance for FY15-16

Event Type	Services
Class/Workshop	55
Performance/Presentation	10
Residency	10
Other	3
Totals	78

Event Type	Attendance
Class/Workshop	650
Performance/Presentation	250
Residency	100
Totals	1,000

October 28, 2015

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 ITEM # 18

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Cultural Affairs

CMO: Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize **(1)** a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue; **(2)** the receipt and deposit of funds from the Fort Worth Avenue Development Group in the amount of \$5,000, for maintenance costs associated with a public art project; and **(3)** an increase in appropriations in the amount of \$5,000 in the Office of Cultural Affairs Gifts and Donations Fund - Not to exceed \$5,000 - Financing: Office of Cultural Affairs Gifts and Donations Fund

BACKGROUND

The City of Dallas Public Art Program provides that all appropriations for City capital improvement projects shall include an amount equal to 1.5 percent of the total capital improvement project appropriation, or an amount equal to 0.75 percent of the total appropriation for a project that is exclusively for street, storm drainage, utility, or sidewalk improvements, to be used for design services of artists, for the selection, acquisition, commissioning, and display of artworks, and for administration of the public art projects. Public Art funding, derived from the Public Art Program, in an amount not to exceed \$10,000, is anticipated to be approved by administrative action for the construction of public artwork honoring the contributions of Latino-Americans to west Dallas, at Triangle Park (a street median) upon selection of a vendor.

The Fort Worth Avenue Development Group (FWADG) will use its best efforts to contribute \$5,000 for the maintenance cost associated with public artwork at Triangle Park. This action is for approval of a contract between the City of Dallas and FWADG to authorize acceptance of a \$5,000 contribution to City and authorize the participation of FWADG designated representatives in the development of the scope of work and artist selection process, as defined in the Cultural Policy, for the construction of the artwork.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 2, 2015, the Public Art Committee recommended planning for the Triangle Park project.

On June 18, 2015, the Cultural Affairs Commission approved planning for the Triangle Park project.

On August 11, 2015, the Public Art Committee recommended initiation of planning for the Triangle Park Project.

On August 17, 2015, the Cultural Affairs Commission approved initiation of planning for the Triangle Park Project.

On October 6, 2015, the Public Art Committee of the Cultural Affairs Commission reviewed this item.

Information about this item was provided to the Cultural Affairs Commission on October 15, 2015.

Information about this item will be provided to the Arts, Culture and Libraries Committee on October 19, 2015.

FISCAL INFORMATION

\$5,000 - Office of Cultural Affairs Gifts and Donations Fund

October 28, 2015

WHEREAS, the Public Art Program, pursuant to Section 2-103 of the Dallas City Code, provides art funding for the design services of artists; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs has identified a public art project to complement Triangle Park, a street median, located at the intersection of Sylvan Avenue, Seale Street, and Evanston Avenue in Dallas, Texas; and

WHEREAS, Public Art funding, in an amount not to exceed \$10,000, is anticipated to be approved by administrative action for the construction of public artwork honoring the contributions of Latino-Americans to west Dallas, at Triangle Park (a street median), upon selection of a vendor; and

WHEREAS, the Fort Worth Avenue Development Group will use its best efforts to contribute \$5,000 toward the maintenance of a public art project at Triangle Park.

Now, Therefore,

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

Section 1. That the City Manager is authorized to execute a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue and the receipt and deposit of funds in the amount of \$5,000 for support and maintenance of the Triangle Park public art project, upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is authorized to deposit \$5,000 into the Office of Cultural Affairs Gifts and Donations Fund 0388, Department OCA, Unit 6872, Revenue Source 8411.

Section 3. That the City Manager is authorized to increase appropriations in the amount of \$5,000 in Fund 0388, Department OCA, Unit 6872, Various Object Codes, according to future procurements.

Section 4. That the Chief Financial Officer is authorized to disburse funds from Fund 0388, Department OCA, Unit 6872, in accordance with the terms of the contract.

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 ITEM # 19

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 13

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 34-C

SUBJECT

Authorize a development agreement with Bluffview Park Improvement Project for the renovation of Bluff View Park located at 4524 Pomona Road - Financing: No cost consideration to the City

BACKGROUND

This item authorizes a development agreement with Bluffview Park Improvement Project (BPIP) for the design and construction of the renovation of Bluff View Park based on the adopted Bluff View Park Master Plan.

After a public meeting on June 9, 2014 to discuss improvements to Bluff View Park, Councilmember Jennifer Gates formed a neighborhood task force to develop a master plan for the park with guidance from Park and Recreation Department staff. On May 26, 2015 the master plan was presented to the community with widespread support. The master plan was adopted by the Park Board on August 20, 2015.

BPIP, a Texas 501c(3) corporation, was formed by residents to receive donations and implement the master plan. The agreement will be subject to the following terms:

- 1) The term is for construction of the project in phases. The agreement will terminate upon completion of the improvements.
- 2) BPIP, at its own cost, is responsible for the development of construction drawings and specifications and for the construction of improvements to the park. BPIP will submit drawings to the Park and Recreation Department for review and approval prior to commencement of construction. Any changes to the plan after approval shall require written approval of both parties.
- 3) BPIP will hire a contractor to construct the improvements. BPIP will be responsible for all permits, approvals, and City required bonds and insurance. The City will take possession and responsibility for maintenance of the improvements upon acceptance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the Bluff View Park Master Plan on August 20, 2015.

The Park and Recreation Board authorized the agreement with Bluffview Park Improvement Project on October 1, 2015.

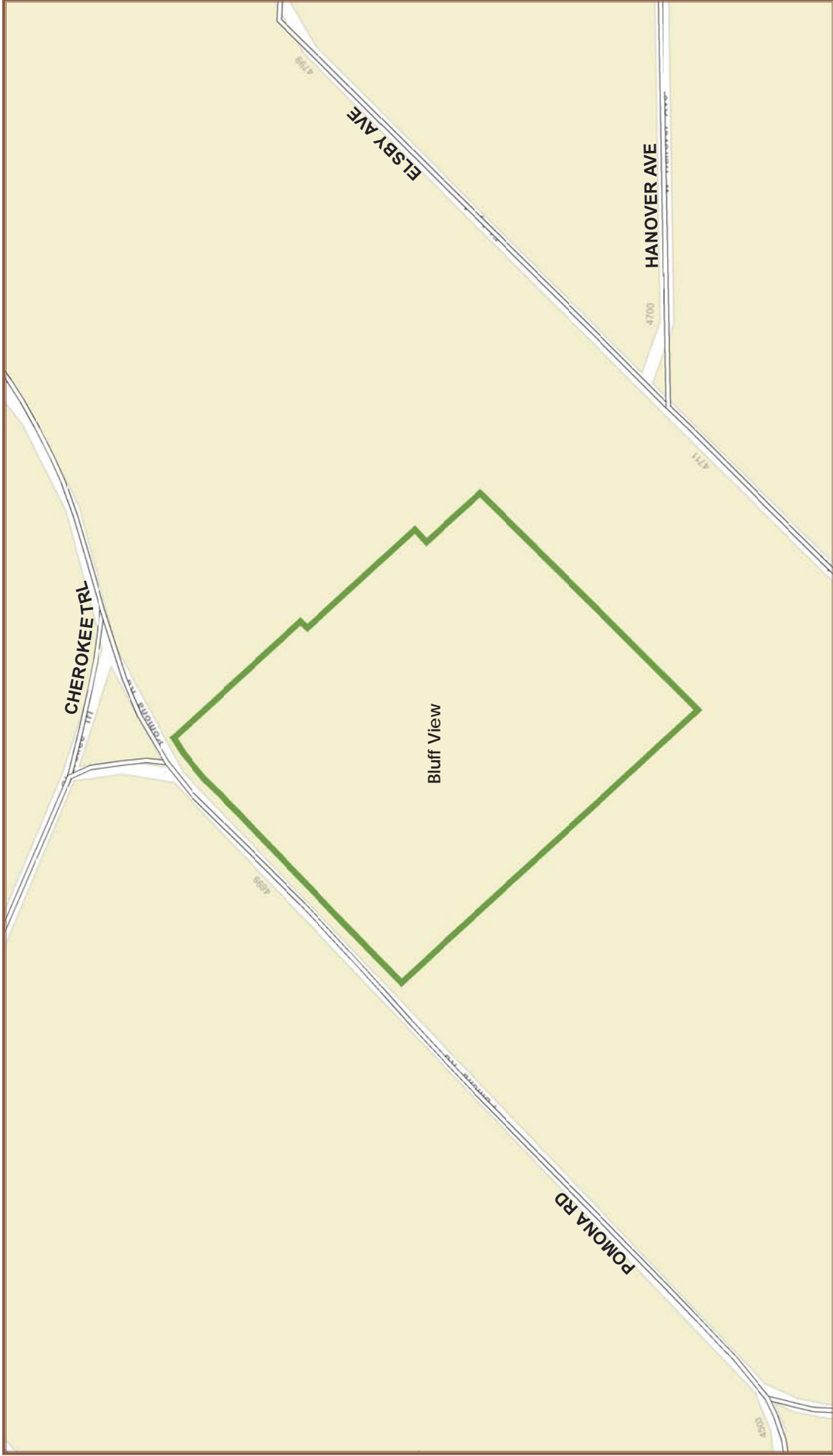
Information about this item will be provided to the Quality of Life & Environment Committee on October 26, 2015.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



0 40 80 160 240 Feet

Bluff View Park (4524 Pomona Rd)

MapSCO
34 C

District
13

October 1, 2015

October 28, 2015

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 Bluffview Park Improvement Project (BPIP), a Texas 501c(3) corporation, desires to enter into a development agreement for the purpose of designing and constructing improvements to Bluff View Park located at 4524 Pomona Road as shown in Exhibit A and B; and

WHEREAS, the City desires to have BPIP construct and renovate Bluff View Park during the Term of the Agreement for the use and enjoyment of all City of Dallas citizens.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into a development and renovation agreement with BPIP for the construction and development of Bluff View Park in accordance with the Bluff View Park Master Plan.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development agreement with BPIP, after approval as to form by the City Attorney's Office.

SECTION 3. That the duration of the agreement will be for the term of construction of the improvements.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

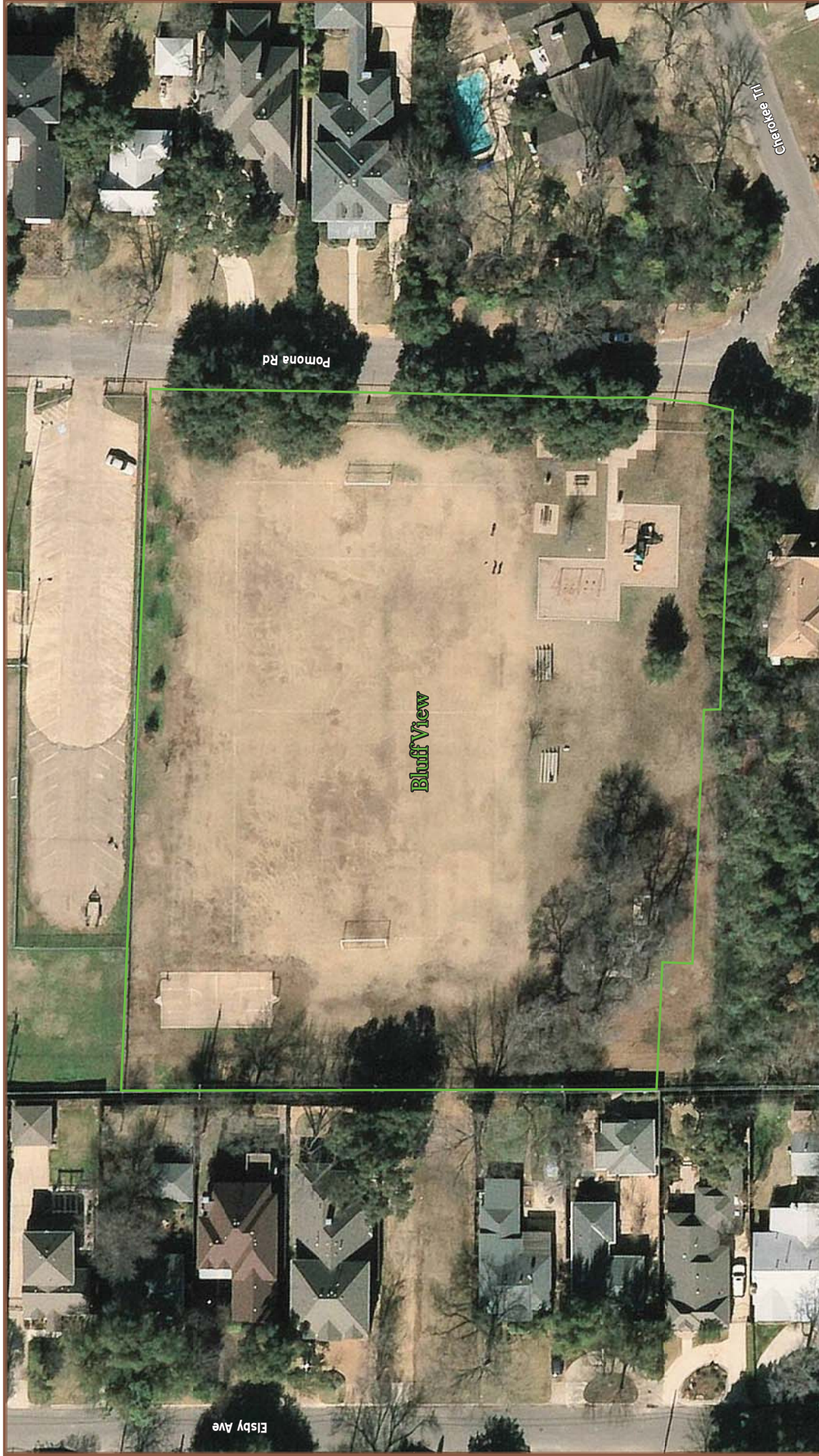


Exhibit A

BluffView Park

4524 Pomona Rd

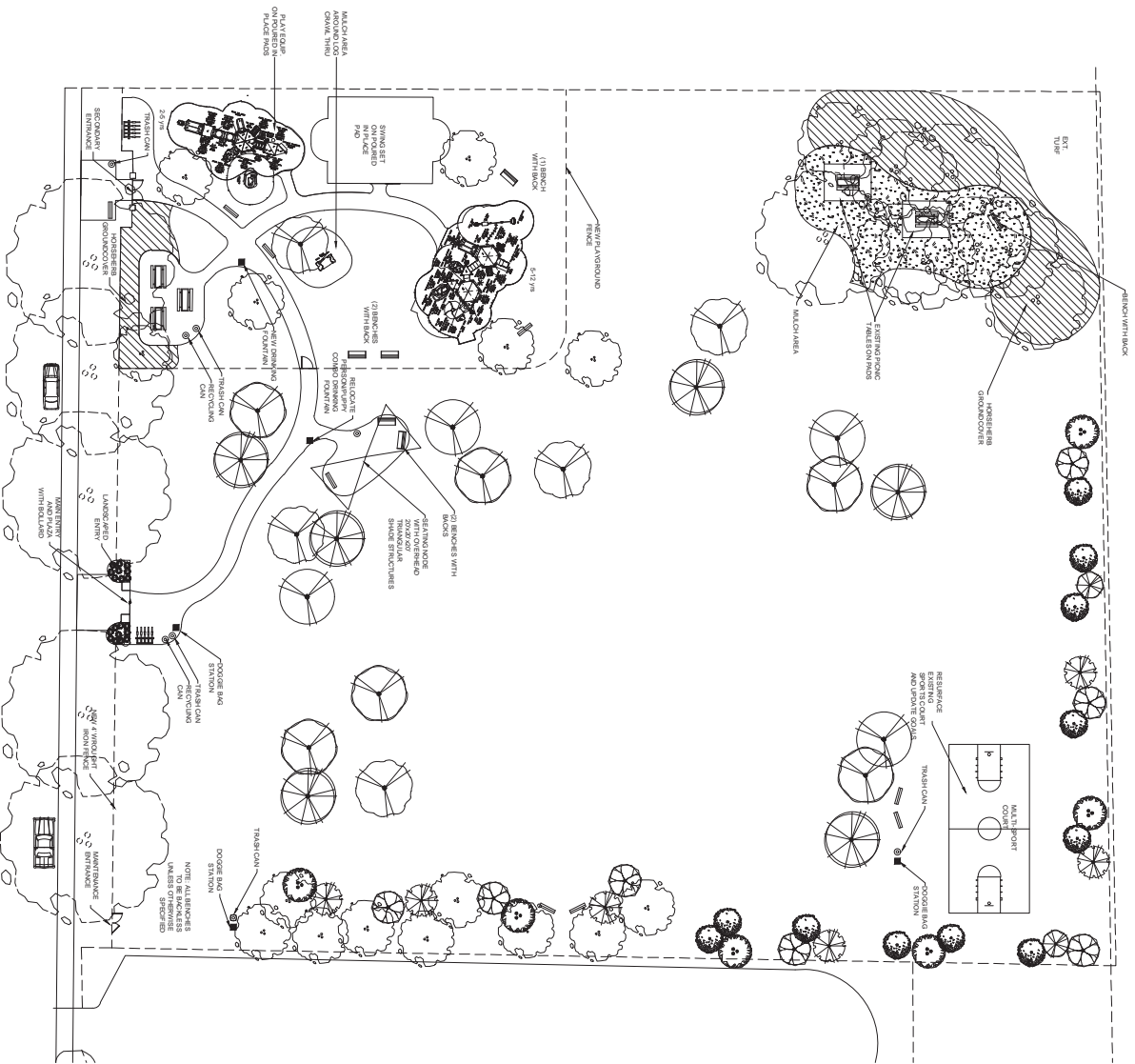


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September 24, 2015

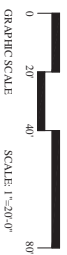
Exhibit B

Master Plan Approved by Park Board August 20, 2015



PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	COUNT	SIZE
1	Quercus macrocarpa / Bur Oak	10	12" DBH
2	Quercus muhlenbergii / Chinquapin Oak	10	12" DBH
3	Quercus macrocarpa / Bur Oak	10	12" DBH
4	Quercus muhlenbergii / Chinquapin Oak	10	12" DBH
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99	Quercus macrocarpa / Bur Oak	10	12" DBH
100	Quercus muhlenbergii / Chinquapin Oak	10	12" DBH



DRAWN BY: BS		CONSULTANT: CS	
REV. #	DATE	DESCRIPTION	
1	07/29/2015	CONCEPT PLAN	
DATE: 07/29/2015			

BLUFF VIEW PARK
4524 POMONA RD
DALLAS, TX 75209



COMPLETE LANDSCULPTURE
CREATING A COMPLETE OUTDOOR EXPERIENCE

2015 KANSAS LAND
DALLAS, TEXAS 75209
REV. 214.927.7211
WWW.COMPLETETOLANDSCULPTURE.COM

AGENDA ITEM # 20

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 54-B, C

SUBJECT

Authorize a contract for stormwater culvert repairs at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of two - Not to exceed \$208,670 - Financing: 2006 Bond Funds

BACKGROUND

On July 23, 2015, two bids were received for stormwater culvert repairs at Kidd Springs Park. This item authorizes award of the construction contract to A S Con, Inc. for the a total bid amount of \$208,670.

The following chart illustrates A S Con, Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	0	0	7
Change Orders	0	0	8
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2014
Completed Design	May 2015
Begin Construction	November 2015
Complete Construction	March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized proceeding with advertisement for construction procurement on May 21, 2015.

The Park and Recreation Board authorized award of the contract on October 1, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on October 26, 2015.

FISCAL INFORMATION

2006 Bond Funds - \$208,670

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

A S Con, Inc.

White Male	0	White Female	0
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	1

BID INFORMATION

*Denotes the successful bidder

The following two bids were received and opened on July 23, 2015:

<u>Bidder</u>	<u>Total</u>
*A S Con, Inc. 15724 Golden Creek Road Dallas, Texas 75248	\$208,670
Texas Standard Construction, Ltd.	\$468,150

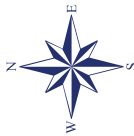
OWNER

A S Con, Inc.

Ali Safdarinia, Owner

MAP

Attached



0 100 200 400 600 Feet

October 14, 2015

Kidd Springs Park (700 W Canty St)

Mapsc
54 B,C

District
1

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for stormwater culvert repairs at Kidd Springs Park located at 700 West Cauty Street - A S Con, Inc., lowest responsible bidder of two - Not to exceed \$208,670 - Financing: 2006 Bond Funds

A S Con, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$199,420.00	95.57%
Total non-local contracts	\$9,250.00	4.43%
TOTAL CONTRACT	\$208,670.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Berumen Construction	HMMB61381N0416	\$142,000.00	71.21%
Total Minority - Local		\$142,000.00	71.21%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$142,000.00	71.21%	\$142,000.00	68.05%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$142,000.00	71.21%	\$142,000.00	68.05%

October 28, 2015

WHEREAS, on July 23, 2015, two bids were received for stormwater culvert repairs at Kidd Springs Park located at 700 West Canty Street.

<u>Bidder</u>	<u>Total</u>
A S Con, Inc.	\$208,670
Texas Standard Construction, Ltd.	\$468,150

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into a contract with A S Con, Inc. for stormwater culvert repairs at Kidd Springs Park, in an amount not to exceed \$208,670.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with A S Con, Inc., after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed \$208,670, as follows:

(2006) Park and Recreation Facilities Improvement Fund Fund BT00, Department PKR, Unit T192, Object 4599 Activity RFSI, Program PK06T194.4, CT-PKR15019522 Commodity 91200, Vendor 261853	\$61,963.53
--	-------------

(2006) Park and Recreation Facilities Improvement Fund Fund 1T00, Department PKR, Unit T194, Object 4599 Activity RFSI, Program PK06T194.4, CT-PKR15019522 Commodity 91200, Vendor 261853	<u>\$146,706.47</u>
--	---------------------

Total amount not to exceed	\$208,670.00
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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 ITEM # 21

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 65-U V

SUBJECT

Authorize an increase in the site package contract with J.C. Commercial, Inc. for revisions requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and a construction schedule extension due to significant weather delays in the first months of 2015 at Singing Hills Recreation Center located between Crouch Road and Patrol Way - Not to exceed \$137,651, from \$1,080,077 to \$1,217,728 - Financing: 2006 Bond Funds

BACKGROUND

The original contract was awarded to J.C. Commercial, Inc. by Council on November 12, 2014, by Resolution No. 14-1979, for grading, site utilities and paving for the Singing Hills Recreation Center located between Crouch Road and Patrol Way, in an amount not to exceed \$1,080,077.

This action will authorize Change Order No. 1 to the site package contract with J.C. Commercial, Inc. in an amount not to exceed \$137,650.96, from \$1,080,077.00 to \$1,217,727.96 for revisions in the scope of work requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and to allow additional construction time required to account for significant weather delays in the first months of 2015 at Singing Hills Recreation Center.

Revisions include: removal of trees originally specified to remain, with credit for tree protection; adjustments in price for revised trench design for buried Oncor cable ducts and extension to revised pole location; additional 4" sanitary sewer line; additional concrete placement and relocation of fire hydrant supply line per Dallas Water Utilities field inspection; credit for the deletion of three 4" conduits for power and communications; and extension of the schedule due to weather delays, thereby increasing the contract term by 222 calendar days.

ESTIMATED SCHEDULE OF PROJECT

Began Construction January 2015
Complete Construction April 2016

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized advertisement for bids on August 7, 2014.

The Park and Recreation Board authorized award of the contract on November 6, 2014.

City Council authorized award of the contract on November 12, 2014, by Resolution No. 14-1979.

The Park and Recreation Board authorized Change Order No. 1 on October 1, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on October 26, 2015.

FISCAL INFORMATION

2006 Bond Funds - \$137,650.96

Construction Amount	\$1,080,077.00
Change Order No. 1 (this action)	<u>\$137,650.96</u>

Total amount not to exceed	\$1,217,727.96
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

J.C. Commercial, Inc.

White Male	15	White Female	2
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	0

OWNER

J.C. Commercial, Inc.

Larry Wagnor, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the site package contract with J.C. Commercial, Inc. for revisions requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and a construction schedule extension due to significant weather delays in the first months of 2015 at Singing Hills Recreation Center located between Crouch Road and Patrol Way - Not to exceed \$137,651, from \$1,080,077 to \$1,217,728 - Financing: 2006 Bond Funds

J.C. Commercial, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$59,221.19	43.02%
Non-local contracts	\$78,429.77	56.98%
TOTAL THIS ACTION	<u>\$137,650.96</u>	<u>100.00%</u>

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

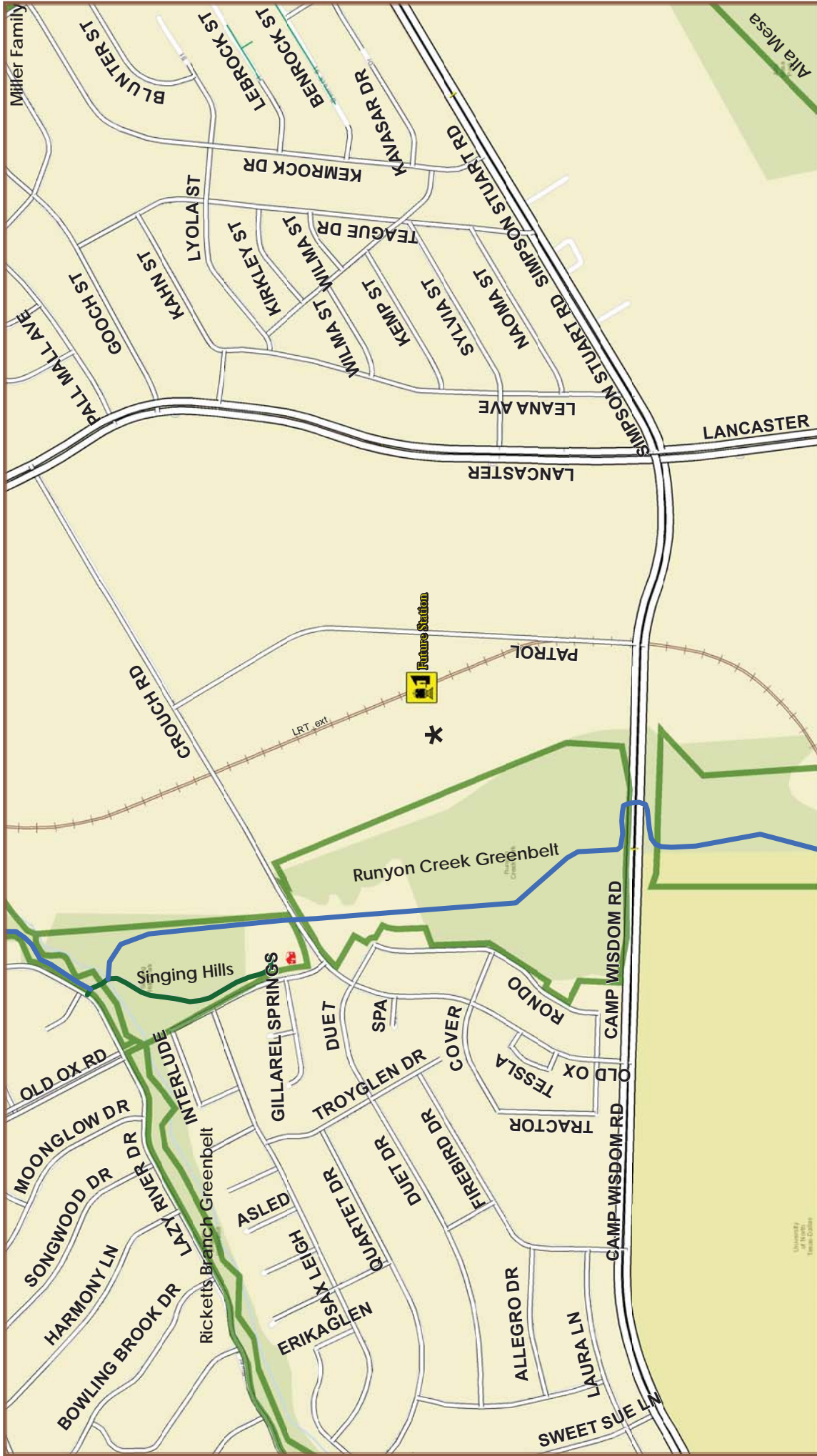
None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Southern Star Excavation Demolition dba Exiom Site Services	HMDB49983N0716	\$16,700.00	21.29%
Total Minority - Non-local		<u>\$16,700.00</u>	<u>21.29%</u>

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$16,700.00	12.13%	\$306,700.00	25.19%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$16,700.00</u>	<u>12.13%</u>	<u>\$306,700.00</u>	<u>25.19%</u>



Singing Hills Recreation Center (Crouch Rd & Patrol Way)

Mapscot
65 U V

District
8

October 1, 2015

October 28, 2015

WHEREAS, on November 12, 2014, Resolution No. 14-1979 authorized a contract to J.C. Commercial, Inc. for grading, site utilities and paving for the Singing Hills Recreation Center located between Crouch Road and Patrol Way, in an amount not to exceed \$1,080,077; and

WHEREAS, this action will authorize Change Order No. 1 to the site package contract with J.C. Commercial, Inc. in an amount not to exceed \$137,650.96, from \$1,080,077.00 to \$1,217,727.96 for revisions in the scope of work requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and to allow additional construction time required to account for significant weather delays in the first months of 2015 at Singing Hills Recreation Center.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into Change Order No. 1 to the site package contract with J.C. Commercial, Inc. for revisions in the scope of work requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and to allow additional construction time required to account for significant weather delays in the first months of 2015 at Singing Hills Recreation Center, in an amount not to exceed \$137,650.96, from \$1,080,077.00 to \$1,217,727.96.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed \$137,650.96 to J.C. Commercial, Inc. from (2006) Park and Recreation Facilities Improvement Fund, Fund BT00, Department PKR, Unit T281, Object 4599, Activity MMCF, Program PK06T281.1, CT-PKR15019482, Commodity 91200, Vendor VS0000012563.

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 ITEM # 22

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Planning and Urban Design

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

Authorize a personal service contract with Brent Brown of buildingcommunity Workshop to serve as Consulting Design Director for the Planning and Design Studio for the period November 1, 2015 through September 30, 2016 - Not to exceed \$77,917 - Financing: Current Funds

BACKGROUND

On September 23, 2009, City Council authorized the acceptance of a donation from the Trinity Trust Foundation through the Dallas Foundation in an amount not to exceed \$2,000,000 for the creation and operation of the Dallas CityDesign Studio. The CityDesign Studio was created to place strong emphasis on the importance of design of the urban environment to enhance the quality of life for all citizens. It was initiated through a public-private partnership with the intent that over time it would become fully integrated into the City's budget and functions.

For the past 5 years, in FY 2009-2010, FY 2010-2011, FY 2011-2012, FY 2012-2013, and FY 2013-2014, City Council has authorized personal service contracts with Brent Brown to guide the Studio and serve as a bridge between the public and private sectors to elevate awareness and attention to design in both public and private projects by working with City staff and the local design and development community. In FY 2014-2015, the CityDesign Studio transitioned to becoming 100% City funded.

As part of the FY 2015-16 budget, the department of Planning and Urban Design was created to bring together key city planning functions related to land use, urban design, transportation, and housing and neighborhood development. The new department includes an expanded Planning and Design Studio that will foster an integrated and comprehensive approach to planning and designing strategic projects and programs that will have a significant impact on the City's growth and development.

BACKGROUND (Continued)

Brent Brown has agreed to renew his contract to serve as the Consulting Design Director for the Planning and Design Studio. The amount of the contract for November through September of FY 2015-16 is \$77,916.67. The scope of services for this contract will include:

- Collaborate with the Chief Planning Officer to develop the work program and priorities for the Planning and Design Studio in consultation with the City Manager;
- Provide thought leadership, advice, ongoing project management guidance, and periodic review of work products related to urban design policy development, specific area plans, urban design advisory services and direct design services;
- Solicit and secure private sponsorship for projects or programs that complement the work program of the Planning and Design Studio; and
- Represent the interests of the City to the design and development community and other departments and agencies as specifically requested by the City

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the acceptance of a donation from the Trinity Trust Foundation through the Dallas Foundation on September 23, 2009, by Resolution No. 09-2376.

Authorized a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2009 through September 30, 2010, on October 28, 2009, by Resolution No. 09-2651.

Authorized a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2010 through September 30, 2011, on October 26, 2010, by Resolution No. 10-2764.

Authorized a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2011 through September 30, 2012, on October 26, 2011, by Resolution No. 11-2850.

Authorized a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2012 through September 30, 2013, on October 24, 2012, by Resolution No. 12-2670.

Authorized a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2013 through September 30, 2014, on October 23, 2013, by Resolution No. 13-1853.

Authorized a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2014 through September 30, 2015, on October 22, 2014, by Resolution No. 14-1805.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Information about this item will be briefed to Council on October 21, 2015.

FISCAL INFORMATION

\$77,916.67 - Current Funds

October 28, 2015

WHEREAS, the Trinity Trust Foundation works closely with the City of Dallas (“City”) to achieve excellence in the Trinity River Corridor Project; and raises private funds to implement the Balanced Vision Plan for the Trinity River Corridor Project; and

WHEREAS, the Trinity Trust Foundation has received a private donation to establish the Dallas CityDesign Studio (“Studio”) in partnership with the City with an initial focus on areas adjacent to the Trinity River Corridor Project; and

WHEREAS, on September 23, 2009, Resolution No. 09-2376 authorized the acceptance of the donation in the amount of \$2,000,000; and

WHEREAS, on October 28, 2009, Resolution No. 09-2651 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2009 through September 30, 2010; and

WHEREAS, on October 26, 2010, Resolution No. 10-2764 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2010 through September 30, 2011; and

WHEREAS, on October 26, 2011, Resolution No. 11-2850 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2011 through September 30, 2012; and

WHEREAS, on October 24, 2012, Resolution No. 12-2670 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2012 through September 30, 2013; and

WHEREAS, on October 23, 2013, Resolution No. 13-1853 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2013 through September 30, 2014; and

WHEREAS, on October 22, 2014, Resolution No. 14-1805 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2014 through September 30, 2015; and

WHEREAS, on September 22, 2015, Resolution No. 15-1784 approved the FY 2015-16 budget for the City of Dallas which included the creation of the Department of Planning and Urban Design to include the Planning and Design Studio; and

WHEREAS, on September 30, 2015, Administrative Action No. 15-6760 approved Supplemental Agreement No. 1 with Brent Brown to extend his contract from September 30, 2015 through October 31, 2015; and

WHEREAS, Brent Brown is willing to renew his contract to serve as Consulting Design Director for the Planning and Design Studio.

October 28, 2015

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to enter into a personal service contract with Brent Brown with buildingcommunity Workshop to serve as Consulting Design Director for the Planning and Design Studio from November 1, 2015 through September 30, 2016 in an amount not to exceed \$77,916.67.

Section 2. That the City Manager is hereby authorized to execute the personal service contract after approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms and conditions of the contract from:

Current Funds
Fund 0001, Dept. PNV, Unit 1580
Obj. 3072, Encumbrance, PNV161580CT001
Vendor # VS0000030392, in an amount not to exceed \$77,916.67

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 ITEM # 23

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 1, 2, 14

DEPARTMENT: Planning and Urban Design
Convention and Event Services

CMO: A. C. Gonzalez, 670-3297
Ryan S. Evans, 671-9837

MAPSCO: 44 Z Y; 45 E F J K L P S T W; 54 B C D F G H

SUBJECT

Authorize a Funding Agreement between Dallas Area Rapid Transit, Downtown Dallas, Inc. and the City of Dallas for a one year extension of the downtown shuttle service operation - Not to exceed \$400,000 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

BACKGROUND

The downtown shuttle service operation commenced on November 4, 2013 as a two year demonstration project to respond to the demand for a tourist focused downtown bus circulator service as well as plan the most appropriate shuttle to meet the needs of tourists, downtown residents, employees, and visitors. Dallas Area Rapid Transit (DART) collaborated with the City of Dallas and Downtown Dallas, Inc. (DDI) and created Route 722, also referred to as the D-Link. The D-Link provides shuttle services to the Omni Convention Center Hotel, Klyde Warren Park, and the Perot Museum of Nature and Science along with other Central Business District and North Oak Cliff major destinations such as the Bishop Arts District.

An evaluation of the D-Link shuttle service operation has determined through the ridership numbers that it was well received by visitors, businesses and residents. Daily ridership exceeds initial projections, is consistent and peaks during major conventions and summer months. The route currently operates between downtown Dallas and North Oak Cliff and also serves the Cedars Station in the evening hours. The operating schedule is Monday through Saturday every 15 minutes from 11:00 a.m. to 11:30 p.m. and there is no fee to utilize the service. The route will change in 2016 after Phase II of the Dallas Streetcar is completed which will extend service to the Bishop Arts District.

BACKGROUND (Continued)

The annual operating cost of this service is \$1.8 million. The City of Dallas (City) will contribute \$400,000 per year, Downtown Dallas, Inc. will contribute \$306,849 per year and the DART Board agreed to provide the remaining funds to operate the service. The City will make 12 monthly payments of \$33,333.33.

This action will authorize a Funding Agreement between Dallas Area Rapid Transit, Downtown Dallas, Inc. and the City of Dallas for a one year extension of the downtown shuttle service operation with a financial contribution of \$400,000 annually.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Convention and Event Services Current Funds (subject to annual appropriations) - \$400,000

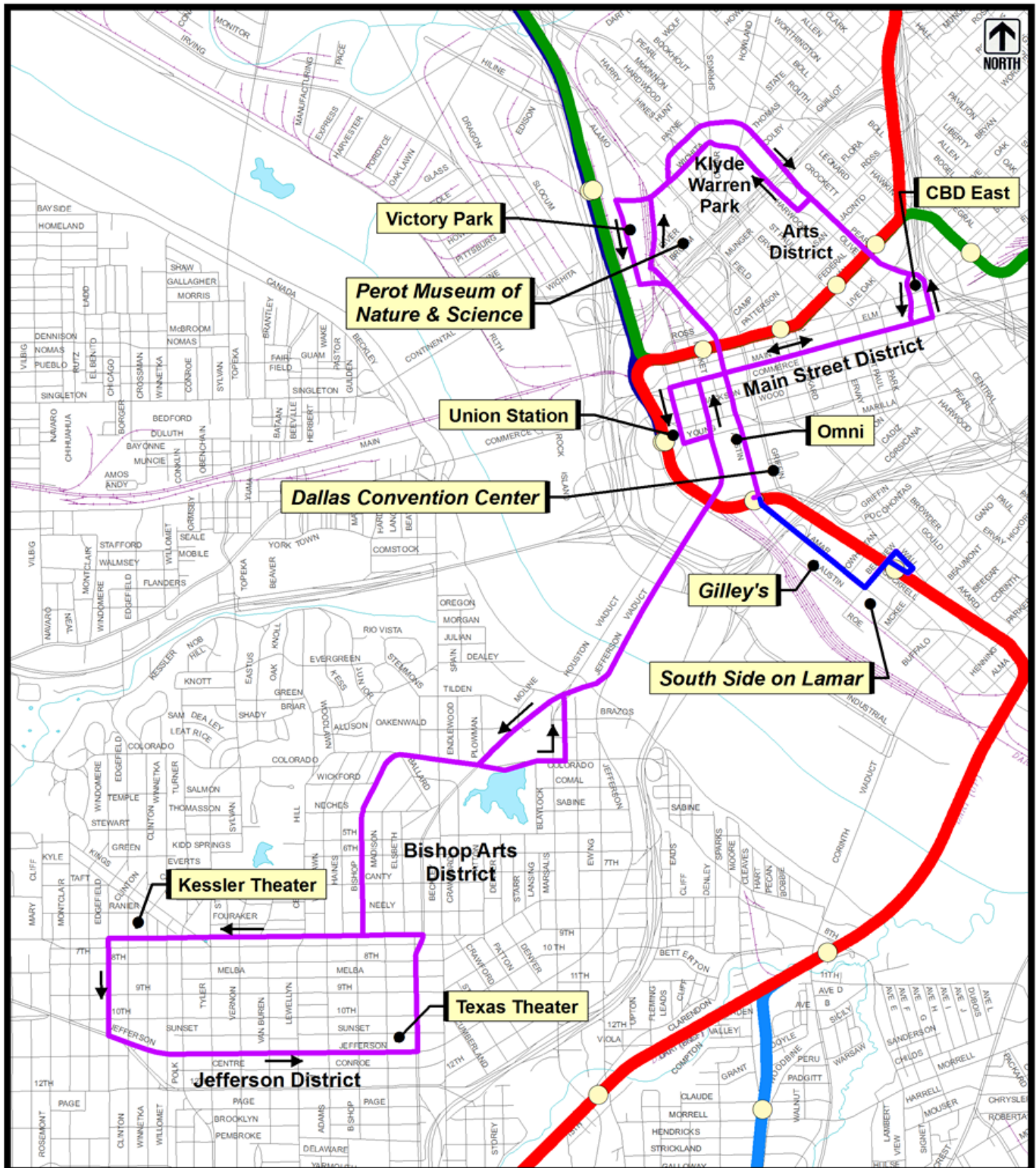
<u>Council District</u>	<u>Amount</u>
1	\$100,000
2	\$ 88,889
14	<u>\$211,111</u>
Total	\$400,000

MAP

Attached

ROUTE 722

Downtown - Edgefield Shuttle



October 28, 2015

WHEREAS, the increase in the Dallas convention business, downtown residential housings, growing employment base, and completed parks and attractions, Downtown Dallas, Inc (DDI) has identified a specific need for bus circulator service to major destinations in and around the Central Business District; and,

WHEREAS, the City of Dallas, DDI, and Dallas Area Rapid Transit (DART) have collaborated to evaluate the demand for a tourist focused downtown bus service as well as plan the most appropriate shuttle to meet that need; and,

WHEREAS, DART conducted a two year demonstration project of the Downtown Bus Circulator for approximately \$1,800,000 per year with annual contributions from the City of Dallas of \$400,000 and DDI in the amount of \$306,849; and,

WHEREAS, the City of Dallas, DART and DDI desire to enter into an agreement outlining the establishment of Route 722, detailing the proposed stops and hours of operation for the demonstration project; and,

WHEREAS, this agreement is intended to define the financial commitment and responsibilities of the Parties; and,

WHEREAS, it is now desirable to authorize a Funding Agreement between Dallas Area Rapid Transit, Downtown Dallas, Inc. and the City of Dallas for the operation of a one year extension of downtown shuttle service operation also known as the D-Link in an amount not to exceed \$400,000.00.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute a Funding Agreement between Dallas Area Rapid Transit, Downtown Dallas, Inc. and the City of Dallas for the operation of a two year demonstration project for a downtown supplemental shuttle service in an amount not to exceed \$400,000.00, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from Convention Center Operating Fund 0080, Dept. CCT, Unit 7840, Obj. 3099, Vendor No. 232802 in an amount not to exceed \$400,000.00 (subject to annual appropriations).

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

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Internet Crimes Against Children Continuation Grant

- * Authorize **(1)** an application for and acceptance of a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant, new funding period from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation for the period July 1, 2013 through June 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$487,985, from \$957,570 to \$1,445,555 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

- * Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office in the amount of \$9,000, Tarrant County District Attorney's Office in the amount of \$7,500, Potter County District Attorney's Office in the amount of \$4,300, Collin County Sheriff's Office in the amount of \$18,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$23,000, Arlington Police Department in the amount of \$13,000, Garland Police Department in the amount of \$13,000, Longview Police Department in the amount of \$22,000, and the Dallas Children's Advocacy Center in the amount of \$37,000, for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016 - Total not to exceed \$164,300 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

On September 21, 2015, the Crimes Against Children Unit was awarded a grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. This grant, in the amount of \$487,985 is a continuation for the period July 1, 2013 through June 30, 2016. The original grant award was \$477,337, approved by Resolution No. 13-1842, followed by a continuation grant award of \$480,233, approved by Resolution No. 14-1908. This is a continuation grant award covering the funding period of July 1, 2015 through June 30, 2016, and there is no cash match or in kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an application for and acceptance of the 2010 Internet Crimes Against Children Continuation Grant No. 2010-MC-CX-K037 on November 14, 2012, by Resolution No. 12-2756.

Authorized continuation of Cooperative Working Agreements with various entities on November 14, 2012, by Resolution No. 12-2757.

Authorized an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant No. 2013-MC-FX-K036 on October 23, 2013, by Resolution No. 13-1842.

Authorized a continuation of Cooperative Working Agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center on February 12, 2014, by Resolution No. 14-0299.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant No. 2013-MC-FX-K036 on November 12, 2014, by Resolution No. 14-1908.

Authorized the continuation of and an increase in the Cooperative Working Agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center on November 12, 2014, by Resolution No. 14-1909.

Information about this item will be provided to the Public Safety Committee on October 26, 2015.

FISCAL INFORMATION

\$487,985 - U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

October 28, 2015

WHEREAS, the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention has made continuation grant funds available to aid missing and exploited children during Fiscal Year 2015-2016; and

WHEREAS, such funding was awarded to the City of Dallas on September 21, 2015; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to accept a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, new funding period, Grant No. 2013-MC-FX-K036, CFDA # 16.543 in an amount not to exceed \$487,985 from \$957,570 to \$1,445,555, for the period July 1, 2013 through June 30, 2016 and execute the grant agreement.

Section 2. That the City Manager is hereby authorized to increase appropriations in the amount of \$487,985 from \$957,570 to \$1,445,555 in the Internet Crimes Against Children Continuation Grant, Fund F407, Department DPD, Unit 1505, in accordance with Schedule A.

Section 3. That the Chief Financial Officer is hereby authorized to deposit grant funds in an amount not to exceed \$487,985, in Fund F407, Department DPD, Unit 1505, Revenue Source 6506.

Section 4. That the Chief Financial Officer is hereby authorized to disburse grant funds from Fund F407, Department DPD, Unit 1505, an amount not to exceed \$487,985 according to Schedule A.

Section 5. That in the event of loss or misuse of funds, the City of Dallas will return all funds to the U.S. Department of Justice (DOJ), Office of Juvenile and Delinquency Prevention in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 6. That the City Manager shall keep the appropriate City Council Committee informed of all the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention final monitoring reports not later than 30 days after the receipt of the report.

October 28, 2015

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.

Schedule A

**Internet Crimes Against Children Continuation Grant
Fund F407, Unit 1505**

Obj	Description	Prior Budget	Supplement	Total
1102	Salaries - Uniform	382,268	173,148	555,416
1202	Overtime - Uniform	0	9,500	9,500
1302	Pension, Sworn	90,819	47,615	138,434
1304	Health, Sworn	20,056	10,454	30,510
1306	FICA	4,788	2,511	7,299
2280	Other Supplies	26,574	0	26,574
2890	Miscellaneous Equipment	0	18,725	18,725
3060	Equipment (Outside City)	4,000	0	4,000
3099	Misc Special Services (Contractual)	402,207	194,588	596,795
3361	Professional Development (Travel)	24,425	20,131	44,556
3435	Data Services	0	11,313	11,313
4731	Other	2,433	0	2,433
Total Budget		957,570	487,985	1,445,555

October 28, 2015

WHEREAS, the City of Dallas applies for grant funds available from the U.S. Department of Justice to aid missing and exploited children; and

WHEREAS, the services of the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center are approved by the execution of Cooperative Working Agreements; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant (July 1, 2013 to June 30, 2016) No. 2013-MC-FX-K036 was awarded to the City of Dallas on September 21, 2015; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant supplement No. 2013-MC-FX-K036 was accepted and appropriations and expenditures were authorized by the Dallas City Council on November 12, 2014; and

WHEREAS, execution of the Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center must be authorized by the Dallas City Council.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into respective Internet Crimes Cooperative Working Agreements with, the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department and the Dallas Children's Advocacy Center (per the attached Schedule B) as requested for the investigation, prosecution, education, and counseling activities related to the Dallas Internet Crimes Against Children Task Force response to Internet related sexual exploitation of children.

October 28, 2015

Section 2. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed \$164,300 from Fund F407, Department DPD, Unit 1505, OBJ 3099 per the attached Schedule B.

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.

SCHEDULE B

Federal Internet Crimes Against Children Continuation Grant

	Agency	2013-14 Allocation	2014-15 Supplemental Funding	2015-16 #2 Supplemental Funding	Fund	Dept.	Unit	Obj	Encumbrance No.	Commodity	Vendor No.
1	Dallas County District Attorney's Office	\$ 11,500.00	\$ 9,000.00	\$ 9,000.00	F407	DPD	1505	3099	PX-1505CR14C45	95217	014003
2	Tarrant County District Attorney's Office	\$ 8,500.00	\$ 8,500.00	\$ 7,500.00	F407	DPD	1505	3099	PX-1505CR14C46	95217	331260
3	Potter County District Attorney's Office	\$ 6,651.00	\$ 5,028.00	\$ 4,300.00	F407	DPD	1505	3099	PX-1505CR14C47	95217	VC0000001926
4	Collin County Sheriff's Department	\$ 15,000.00	\$ 18,000.00	\$ 18,000.00	F407	DPD	1505	3099	PX-1505CR14C48	95217	VS0000014264
5	Taylor County Sheriff's Department	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	F407	DPD	1505	3099	PX-1505CR14C49	95217	VS0000014301
6	Wichita County Sheriff's Department	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	F407	DPD	1505	3099	PX-1505CR14C50	95217	VC0000008139
7	Lubbock Police Department	\$ 20,000.00	\$ 23,000.00	\$ 23,000.00	F407	DPD	1505	3099	PX-1505CR14C51	95217	VC0000009161
8	Arlington Police Department	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	F407	DPD	1505	3099	PX-1505CR14C52	95217	520488
9	Garland Police Department	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	F407	DPD	1505	3099	PX-1505CR14C53	95217	268175
10	Longview Police Department	\$ 20,000.00	\$ 22,000.00	\$ 22,000.00	F407	DPD	1505	3099	PX-1505CR14C54	95217	516362
11	Dallas Children's Advocacy Center		\$ 37,000.00	\$ 37,000.00	F407	DPD	1505	3099	PX-1505CR14C55	95217	263854
		\$ 119,151.00	\$ 166,028.00	\$ 164,300.00							

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of the City of Dallas - State of Texas Internet Crimes Against Children Grant from the Office of the Governor, Criminal Justice Division, to provide one year funding for the salaries, pension, and FICA of two Detectives and one Police Research Specialist as well as to fund training, purchase of equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation for the period October 1, 2015 through September 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$324,139 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

BACKGROUND

The 2015-16 State of Texas Internet Crimes Against Children Grant will provide \$324,139 to enhance the response of the Dallas Crimes Against Children Task Force in the area of prevention, investigation and prosecution of computer-facilitated systems, and other technology. The grant will provide one year funding for the salaries, pension, and FICA of two (2) Detectives and one (1) Police Research Specialist. Funds will also be utilized for training, purchase equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation. There is no cash match or in-kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application and acceptance for the State Internet Crimes Against Children Grant, IC-14-A10-27451 on January 22, 2014, by Resolution No. 14-0185.

Information about this item will be provided to the Public Safety Committee on October 26, 2015.

FISCAL INFORMATION

\$324,139 - Office of the Governor, Criminal Justice Division Grant Funds

October 28, 2015

WHEREAS, the State of Texas, Office of the Governor, Criminal Justice Division has made funds available to aid missing and exploited children during Fiscal Year 2015 - 2016; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to accept the City of Dallas - State Internet Crimes Against Children Grant #2745102, from the Office of the Governor, Criminal Justice Division, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology, in an amount not exceed \$324,139 for the period October 1, 2015 through September 30, 2016, and to execute the grant agreement.

Section 2. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$324,139 into Fund S285, Department DPD, Unit 1799, and Revenue Source 6516.

Section 3. That the City Manager is authorized to establish appropriations in Fund S285, Department DPD, Unit 1799, in accordance with attached Schedule A.

Section 4. That the Chief Financial Officer is authorized to disburse Grant Funds from Fund S285, Department DPD, Unit 1799, in accordance with attached Schedule A, in an amount not to exceed \$324,139.

Section 5. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division, in full (CJD). The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

October 28, 2015

Section 6. That the City Manager shall keep the appropriate City Council Committee informed of all CJD final monitoring reports not later than 30 days after the receipt of the report.

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.

Schedule A
Dallas Police Department State of Texas ICAC
Fund S267, Unit 1525

Obj. Code	Description	OOG Funds
1101	Civilian Salaries	47,923.00
1102	Sworn Salaries	160,327.00
1202	Overtime - Uniform	23,100.00
1301	Pension - Civilian	13,179.00
1302	Pension - Uniform	50,561.00
1306	FICA	3,449.00
2890	Misc Equipment	3,600.00
3361	Professional Development	<u>22,000.00</u>
	Program Totals	\$324,139.00

AGENDA ITEM # 27

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of a grant in the amount of \$80,000 from the Office of the Governor, Criminal Justice Division to aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program for the period October 1, 2015 through September 30, 2016; **(2)** an In-kind contribution in the amount of \$64,267; and **(3)** execution of the grant agreement - Total not to exceed \$144,267 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$80,000) and In-Kind Contribution (\$64,267)

BACKGROUND

The City of Dallas Police Department (DPD) has been awarded \$80,000 in funding to Reduce Crime and Improve the Criminal Justice System under the State Criminal Justice Planning grant.

The Grant awarded funding will support partial funding for one certified Police Officer within the Crime Scene Response Section to support data entry and analysis in the National Integrated Ballistic Information Network (NIBIN). The grant also funds training and a new ballistic bullet recovery tank. NIBIN allows federal, state, and local law enforcement agencies to find linkages between crimes quickly and to make connections in crimes across jurisdictional boundaries. The Dallas Police Department has found and confirmed 911 linkages to date.

The DPD currently houses approximately 50,000 firearms and receives about 700 new firearms and cartridge casings each month. Most meet the criteria for entry into the NIBIN database and the full time Police Officer will continue to process valuable evidence and work to reduce the growing backlog.

BACKGROUND (Continued)

The DPD set the following Goals: *Goal 1.0* - to coordinate the comprehensive NIBIN entry of all ballistic information taken into federal, state, and local law enforcement custody in order to identify all possible links to violent crimes; and, *Goal 2.0* - to increase the number of NIBIN generated investigative leads referred to NIBIN participants in order to solve, reduce, and prevent firearms-related violent crimes. The continuation of the funding for the certified Police Officer should allow timely processing of evidence and increase the number of linkages referred to Dallas investigative personnel and partner agencies; thereby decreasing crime at the city, state, and national levels.

The In-Kind contribution covers Pension, Health Benefit, FICA and remaining Salary for the officer.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408203 on October 10, 2012, by Resolution No. 12-2529.

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408204 on October 8, 2013, by Resolution No. 13-1761.

Authorized correction to Resolution No. 13-1761 for acceptance of the City of Dallas NIBIN Program Grant No. 2408204 on January 22, 2014, by Resolution No. 14-0186.

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408205 on November 12, 2014, by Resolution No. 14-1911.

Information about this item will be provided to the Public Safety Committee on October 26, 2015.

FISCAL INFORMATION

\$80,000 - Office of the Governor, Criminal Justice Division Grant Funds
\$64,267 - In-Kind Contribution

October 28, 2015

WHEREAS, the Office of the Governor, Criminal Justice Division has made funds available for criminal justice projects for the 2015-2016 fiscal year; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas finds it in the best interest of the citizens of Dallas that the Office of the Governor, Criminal Justice Division be operated for the 2015-2016 fiscal year; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to accept a grant from the Office of the Governor, Criminal Justice Division (CJD) for the City of Dallas - National Integrated Ballistic Information Network (NIBIN) Program Grant No. 2408206, CFDA # 16.738, in an amount not to exceed \$80,000 for the period October 1, 2015 through September 30, 2016, and to execute the grant agreement.

Section 2. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$80,000 into Fund F476, Department DPD, Unit 1808, and Revenue Source 6506.

Section 3. That the City Manager is authorized to establish appropriations in Fund F476, Department DPD, Unit 1808, in accordance with the attached Schedule A.

Section 4. That the Chief Financial Officer is authorized to disburse Grant Funds from Fund F476, Department DPD, Unit 1808, in accordance with the attached Schedule A, in an amount not to exceed \$80,000.

Section 5. That the Chief Financial Officer is authorized to provide an In-Kind contribution in the amount of \$64,267.

October 28, 2015

Section 6. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division (OGCJD), in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all Office of the Governor, Criminal Justice Division (OGCJD) final monitoring reports not later than 30 days after the receipt of the report.

Section 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Schedule A
NIBIN-Criminal Justice Division Grant
Fund F476, Unit 1808

1102	Uniform Salary	\$ 45,000
3361	Travel / Training	\$ 5,000
4890	Misc Equipment	<u>\$ 30,000</u>

Total Grant Award \$ 80,000

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** application for and acceptance of the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 to adequately respond to victims of violent crime with needed aid for the period September 1, 2015 through September 30, 2016; **(2)** a local cash match in the amount of \$15,589; and **(3)** execution of the grant agreement - Total not to exceed \$77,948 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$62,359) and Current Funds (\$15,589)

BACKGROUND

This grant award is a Federal (U.S. Department of Justice) pass through State (Office of Governor, Criminal Justice Division) grant to the City of Dallas. The Dallas Police Department's Victim Services Program, formally established in April 1996, provides victims of violent crimes with crisis intervention, crime victims compensation assistance, information regarding the criminal justice process, information and referral services specifically for victims or family survivors, and court accompaniment of requested by the victim. Aid is provided through telephone contact, office visits, and/or home visits. The Police Department's goal is to lessen the trauma experienced by people who are victimized by violent crimes.

This grant will provide the fifteenth-year of funding for the salaries, benefits, training, and supplies of one full-time Victim Advocate and one part-time Victim Advocate. The Victim Services Coordinator's office is located in the Crimes Against Persons Division which includes the Homicide, Sexual Assaults, Aggravated Robbery, and Aggravated Assaults Unit. Referrals come from the detectives assigned to those units. It is important that victims are informed in a timely manner of the Texas Crime Victims Compensation Fund in order to provide emergency financial assistance for funeral benefits which may be needed and to provide information about the agencies that provide counseling and support.

BACKGROUND (Continued)

The Victim Advocates provide crime victim compensation application assistance, follow-up, information and referral, crisis counseling, and court advocacy for the survivors of homicides, sexual assaults, robbery, aggravated assaults, traffic fatalities or injuries as a result of failure to Stop and Render Aid and Driving While Intoxicated.

The State of Texas allocation for all awarded Victims of Crime Act (VOCA) grant funds, effective FY 2016, has been moved to the federal fiscal year, which runs October 1 through September 30. This adjustment has been made to allow both the State and grant recipients more time for smoother transactions between closing and awarding grants at the end of the grant period. Thus, the FY 15-16 Victim Services Program grant award is for 13 months to accommodate this shift in fiscal periods.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application for the Dallas Police Department Victim Services/10 grant on May 12, 2010, by Resolution No. 10-1208.

Authorized acceptance of the Dallas Police Department Victim Services/10 grant on October 13, 2010, by Resolution No. 10-2592.

Authorized application for the Dallas Police Department Victim Services/11 grant on April 27, 2011, by Resolution No. 11-1125.

Authorized acceptance of the Dallas Police Department Victim Services/11 grant on October 26, 2011, by Resolution No. 11-2837.

Authorized acceptance of the Dallas Police Department Victim Services/12 grant on October 10, 2012, by Resolution No. 12-2526.

Authorized acceptance of the Dallas Police Department Victim Services/13 grant on November 12, 2013, by Resolution No. 13-1941.

Authorized application for and acceptance of the Dallas Police Department Victim Services/14 grant on November 12, 2014, by Resolution No. 14-1913.

Information about this item will be provided to the Public Safety Committee on October 26, 2015.

FISCAL INFORMATION

\$15,589 - Current Funds

\$62,359 - Office of the Governor, Criminal Justice Division State Grant Funds

October 28, 2015

WHEREAS, the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice pass through State Office of the Governor, Criminal Justice Division, has made funds available for law enforcement projects during the 2015-16 fiscal year; and

WHEREAS, the City of Dallas was awarded the Dallas Police Department Victim Services/15 grant on August 25, 2015; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas finds it in the best interest of the citizens of Dallas that the Office of the Governor, Criminal Justice Division be operated for the 2015-2016 fiscal year; and

WHEREAS, the City of Dallas agrees to provide Cash Match funds for the said project as a requirement by the Office of the Governor, Criminal Justice Division grant application; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds identified as ineligible will be returned to the Criminal Justice Division; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantees authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to apply for and accept the Dallas Police Department Victim Services/15 grant, (Grant No. 2015-VA-GX-0009, CFDA #16.575) from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 for the period September 1, 2015 through September 30, 2016, and execute the grant agreement.

Section 2. That the City Manager is authorized to establish appropriations in the Dallas Police Department Victim Services fund in the amount of \$62,359 in Fund F475, Department DPD, Unit 1798, in accordance with Schedule A.

October 28, 2015

Section 3. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$62,359 into Fund F475, Department DPD, Unit 1798, Revenue Source 6506.

Section 4. That the Chief Financial Officer is authorized to disburse grant funds from Fund F475, Department DPD, Unit 1798, according to Schedule A, in an amount not to exceed \$62,359.

Section 5. That the Chief Financial Officer is authorized to disburse a local cash match from Fund 0001, Department DPD, Unit 2162, in an amount not to exceed \$15,589, in accordance with Schedule A.

Section 6. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division, in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all the Office of the Governor, Criminal Justice Division, final monitoring reports not later than 30 days after the receipt of the report.

Section 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and is accordingly so resolved.

SCHEDULE A
Victim Services/15
FUND F475, Dept. DPD, Unit 1798, Revenue Source Code 6506
September 1, 2015-September 30, 2016

Object Code	Description	OOG Funds	Cash Match
1101	Civilian Salaries - FT Advocate/Caseworker	\$ 44,169.00	\$ -
1101	Civilian Salaries - PT Victim Advocate	\$ 11,814.55	\$ 2,377.43
1202	Overtime, Uniform		
1301	Pension, Civilian		\$ 6,108.57
1304	Life/Health Insurance		\$ 5,780.00
1306	FICA/Medicare	\$ 640.45	
2110	Office Supplies	\$ 2,535.00	\$ 523.00
3361	Professional Development(Travel)	\$ 3,200.00	\$ 800.00
	Sub-total	\$ 62,359.00	\$ 15,589.00
5010	Cash Match		\$ (15,589.00)
	Grant Total	\$ 62,359.00	\$ 0.00

Matching Funds

Cash Match
Fund 0001, Dept. DPD, Unit 2162

Object Code	Description	Amount
3081	Grant Cash Match (Pension/Uniformed)	\$ 15,589.00
	Total	\$ 15,589.00
Program Totals		\$ 77,948.00

AGENDA ITEM # 29

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** acceptance of a donation from the Dallas Police Youth Foundation in the form of a 25 passenger bus valued at \$62,347 to be used in youth community engagement activities; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City

BACKGROUND

The Dallas Police Youth Foundation (DPYF) is a community based 501c3 charitable entity that was formed in 2013 to help provide financial support for the Dallas Police Department's community engagement efforts with our most vulnerable members – our youth. Despite being a young organization, they have been successful in locating funds to help grow the Youth Outreach Unit's efforts in Dallas. They received cash donations that are earmarked for equipment and programs managed by the Youth Outreach Unit (Y.O.U.). A portion of these funds was used to purchase a 25 passenger bus that the DPYF wishes to donate to the Dallas Police Department on behalf of the Youth Outreach Unit to help transport youth to and from activities. Utilizing a 25 passenger bus will allow Y.O.U. personnel to transport a greater number of children in a more efficient and safer manner. The bus was purchased for \$62,347.00. The only limitation DPYF insists on is the bus be utilized solely for youth outreach programs. This bus will greatly enhance the Youth Outreach efforts to interact with the youth of Dallas.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Public Safety Committee on October 26, 2015.

FISCAL INFORMATION

No cost consideration to the City

October 28, 2015

WHEREAS, Dallas Police Youth Foundation works closely with the City of Dallas to assist the Dallas Police Department engage the youth of Dallas in community programs; and

WHEREAS, Dallas Police Youth Foundation has received private funds earmarked for the purchase of a 25 passenger bus to assist the Dallas Police Department in its youth engagement efforts; and

WHEREAS, Dallas Police Youth Foundation has purchased the 25 passenger bus and would like to donate it to the City of Dallas for the usage of the Dallas Police Department's youth engagement activities; and

WHEREAS, it is in the best interest of the City of Dallas to accept such donations.

Now, Therefore,

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

Section 1. The City Manager is hereby authorized to accept the donation of a 25 passenger bus from the Dallas Police Youth Foundation valued at \$62,347 and to execute the grant agreement.

Section 2. That the City Manager is hereby authorized to limit the usage of this bus to be used by the Dallas Police Department for youth community engagement activities.

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

AGENDA ITEM # 30

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police
Fire

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$1,000,000) and Current Funds (\$2,800,000)

BACKGROUND

The City has utilized the services of Southwestern Institute of Forensic Sciences at Dallas by mutual agreement since the inception of the Institute in 1969 and paid for the service by direct payment. The first Interlocal Agreement was entered into and effective in January, 2000. The agreement provides for annual renewal by the City.

Prior to 1969, the City and County jointly owned the Dallas City/County Criminal Investigations Laboratory. It was in 1969 that the City withdrew from this entity, and the laboratory became a County facility under the organizational structure of the Dallas County Medical Examiner's Office. The name was changed to Southwestern Institute of Forensic Sciences at Dallas.

This Interlocal Agreement authorizes a twelve (12) month contract between the City and County, acting through the Southwestern Institute of Forensic Sciences at Dallas to provide medical/forensic analytical services for the Dallas Police and Dallas Fire Departments. Total payments made by the City during the term of this contract shall not exceed \$3,800,000; however, this limit shall not relieve the City of its obligation to pay the County for additional services rendered at the City's request which may exceed the \$3,800,000 limit. The City shall be solely responsible for monitoring payments under this agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 23, 2002, by Resolution No. 02-3056.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2003, by Resolution No. 03-3075.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 10, 2004, by Resolution No. 04-3245.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 9, 2005, by Resolution No. 05-3255.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 25, 2006, by Resolution No. 06-2977.

Authorized a funding increase to the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 10, 2007, by Resolution No. 07-3010.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on January 23, 2008, by Resolution No. 08-0315.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 28, 2009, by Resolution No. 09-2636.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on January 26, 2011, by Resolution No. 11-0268.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on September 14, 2011, by Resolution No. 11-2407.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on September 26, 2012, by Resolution No. 12-2370.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2013, by Resolution No. 13-1943.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2014, by Resolution No. 14-1914.

Information about this item will be provided to the Public Safety Committee on October 26, 2015.

FISCAL INFORMATION

\$1,000,000 - Confiscated Monies Funds

\$2,800,000 - Current Funds

October 28, 2015

WHEREAS, the Dallas Police and Fire Departments require forensic, toxicological, environmental and physical evidence analysis and other similar medical/forensic analytical services on a routine basis; and

WHEREAS, these services are routinely utilized by the City and provided locally by Dallas County through the Southwestern Institute of Forensic Sciences at Dallas; and

WHEREAS, the City entered the first Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas effective January 2000; and

WHEREAS, it is now desirable to renew the contractual agreement with Dallas County for the services provided through Southwestern Institute of Forensic Sciences at 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 enter into a renewal of the agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental and physical evidence analysis and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 in an amount not to exceed \$3,800,000; however, this limit does not relieve the City of its obligation to pay Dallas County for additional services rendered at the City's request which exceeds the \$3,800,000 limit.

Section 2. That the Chief Financial Officer is authorized to pay Dallas County (Vendor Number 014003), through Southwestern Institute of Forensic Sciences at Dallas total amounts not to exceed \$1,000,000 from Fund 0412, Department DPD, Unit 6368, Object 3040; \$2,795,000 from Fund 0001, Department DPD, Unit 2162, Object 3040, Encumbrance Number PX2162CR12A02; and \$5,000 from Fund 0001, Department DFD, Unit HS02, Object 3040, Encumbrance Number DFDHS02814 in accordance with the terms and conditions of the agreement.

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 ITEM # 31

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize public hearings to be held on November 10, 2015 and December 9, 2015 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on December 9, 2015, consideration of an ordinance amending Chapter 31 of the Dallas City Code to reinstate and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City

BACKGROUND

Enforcement of the Dallas juvenile curfew ordinance began May 1, 1994. Section 370.002 of the Texas Local Government Code requires that the curfew ordinance be reviewed every three years after conducting public hearings to receive citizen comments on whether the curfew ordinance should be abolished, continued, or modified. The last renewal of the Dallas juvenile curfew ordinance (which contained nighttime curfew hours) was approved on April 25, 2012 and became effective May 1, 2012. The daytime curfew hours were added to the juvenile curfew ordinance on May 13, 2009 and became effective May 18, 2009. The juvenile curfew ordinance expired on May 1, 2015.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Information about this item will be provided to the Public Safety Committee on October 26, 2015.

FISCAL INFORMATION

No cost consideration to the City.

October 28, 2015

WHEREAS, enforcement of the Dallas juvenile curfew ordinance began on May 1, 1994; and

WHEREAS, Section 370.002 of the Texas Local Government Code requires that a city's juvenile curfew ordinance be reviewed and re-adopted every three years, after public hearings are conducted to receive citizen comments; and

WHEREAS, it has been more than three years since the last renewal of the Dallas juvenile curfew ordinance, which renewal became effective May 1, 2012, and which expired on May 1, 2015; and

WHEREAS, another review and re-adoption of the city's juvenile curfew ordinance, which establishes daytime and nighttime curfew hours for minors, must be accomplished in order for the juvenile curfew ordinance to be reinstated.

Now, Therefore,

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

Section 1. That public hearings on re-adopting and continuing in effect Section 31-33 of Chapter 31, "OFFENSES - MISCELLANEOUS," of the Dallas City Code, which establishes the City's juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors, will be held on November 10, 2015 and December 9, 2015, in the City Council Chambers to receive citizen comments on the renewal of the Dallas juvenile curfew ordinance.

Section 2. That an ordinance to re-adopt and continue in effect Section 31-33 of Chapter 31, "OFFENSES - MISCELLANEOUS," of the Dallas City Code, which establishes the City's juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors, will be considered by the City Council on December 9, 2015, after the public hearing.

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 ITEM # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 11, 13

DEPARTMENT: Public Works Department
Water Utilities

CMO: Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: 16W 23D 25P

SUBJECT

Authorize a contract with Camino Construction, L.P., lowest responsible bidder of four, for the reconstruction of street paving, drainage, pavement marking, landscape, water and wastewater main and adjustment improvements for Street Reconstruction Group 12-627 (list attached) - Not to exceed \$4,504,687 - Financing: General Obligation Commercial Paper Funds (\$3,584,983), Water Utilities Capital Improvement Funds (\$880,904) and Water Utilities Capital Construction Funds (\$38,800)

BACKGROUND

Street Reconstruction Group 12-627 was approved in the 2012 Bond Program. On November 12, 2013, Resolution No. 13-1944 authorized a professional services contract with IEA, Inc. for engineering design services. This action will authorize a construction contract for the reconstruction of street paving, drainage, pavement marking, landscape, water and wastewater main and adjustment improvements for Street Reconstruction Group 12-627 which consists of Aberdeen Avenue from Preston Road to Tulane Boulevard; Merit Drive from Park Central Drive to Clodus Fields Drive; and Weeburn Drive from Marsh Lane to Midpines Drive.

The following chart shows Camino Construction, L.P.'s completed contractual activities for the past three years:

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects Completed	4	0	0
Change Orders	2	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2014
Completed Design	August 2015
Begin Construction	December 2015
Complete Construction	January 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with IEA, Inc. for engineering design services on November 12, 2013, by Resolution No. 13-1944.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - \$1,309,518

2012 Bond Program (General Obligation Commercial Paper Funds) - \$2,275,465

Water Utilities Capital Improvement Funds - \$880,904

Water Utilities Capital Construction Funds - \$38,800

Design - PBW	\$ 276,990.52
Design - DWU	\$ 17,655.18
Construction (this action)	
Paving & Drainage - PBW	\$3,584,983.00
Water and Wastewater - DWU	<u>\$ 919,704.00</u>

Total Project Cost \$4,799,332.70

<u>Council District</u>	<u>Amount</u>
11	\$1,850,898.00
13	<u>\$2,653,789.00</u>
Total	\$4,504,687.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Camino Construction, L.P.

Hispanic Female	2	Hispanic Male	34
African-American Female	0	African-American Male	2
Other Female	0	Other Male	0
White Female	1	White Male	2

BID INFORMATION

The following bids with quotes were received and opened on September 4, 2015:

*Denotes successful bidder(s)

BIDDERS

BID AMOUNT

*Camino Construction, L.P. 1208 Metro Park Lewisville, Texas 75057	\$4,504,687.00
Texas Standard Construction Company	\$4,579,387.20
Tiseo Paving Company	\$4,677,887.50
Pavecon, Ltd.	\$4,891,313.80

Original estimate: PBW - \$2,987,972.00
WTR - \$ 848,507.00

Total \$3,836,479.00

OWNER

Camino Construction, L.P.

Roy Ayala, General Manager

MAPS

Attached.

Street Reconstruction Group 12-627

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Merit Drive	Park Central Drive to Clodus Fields Drive	11
Aberdeen Avenue	Preston Road to Tulane Boulevard	13
Weeburn Drive	Marsh Lane to Midpines Drive	13

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Camino Construction, L.P., lowest responsible bidder of four, for the reconstruction of street paving, drainage, pavement marking, landscape, water and wastewater main and adjustment improvements for Street Reconstruction Group 12-627 (list attached) - Not to exceed \$4,504,687 - Financing: General Obligation Commercial Paper Funds (\$3,584,983), Water Utilities Capital Improvement Funds (\$880,904) and Water Utilities Capital Construction Funds (\$38,800)

Camino Construction, L.P. is a non-local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,080,829.00	23.99%
Total non-local contracts	\$3,423,858.00	76.01%
TOTAL CONTRACT	\$4,504,687.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Magnum Manholes & Underground Company	WFDB64723Y0416	\$6,500.00	0.60%
MMG Building and Construction Services	WFWB62284N0616	\$3,200.00	0.30%
Total Minority - Local		\$9,700.00	0.90%

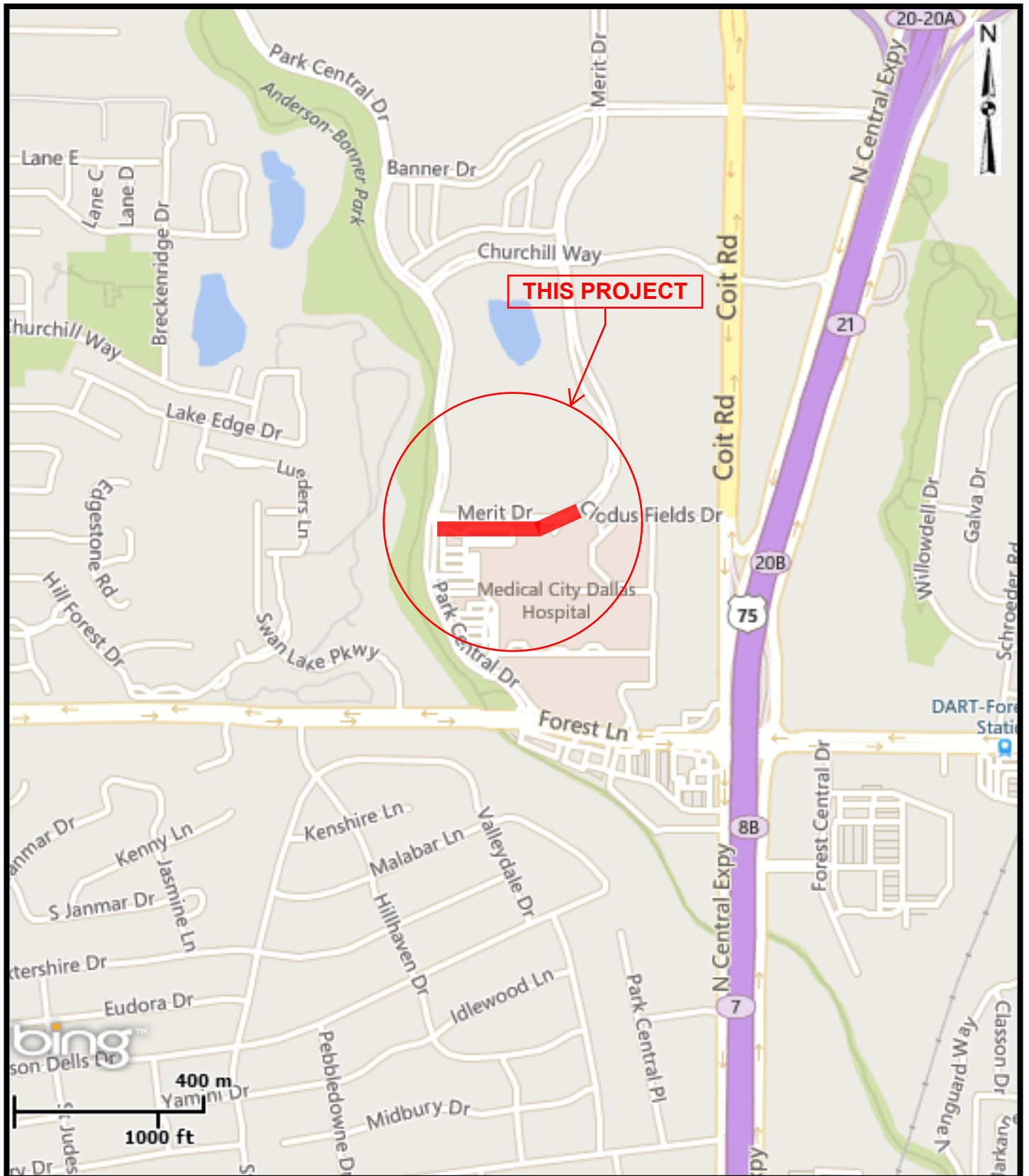
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
C Green Scaping, LLC	HFDB22088Y0716	\$139,232.00	4.07%
Camino Construction, L.P.	HMDB63353Y1015	\$3,006,788.00	87.82%
Road Master Striping	HMDB64683Y0316	\$6,684.00	0.20%
Miller Surveying, Inc.	WFWB64425N0317	\$18,000.00	0.53%
Total Minority - Non-local		\$3,170,704.00	92.61%

TOTAL M/WBE CONTRACT PARTICIPATION

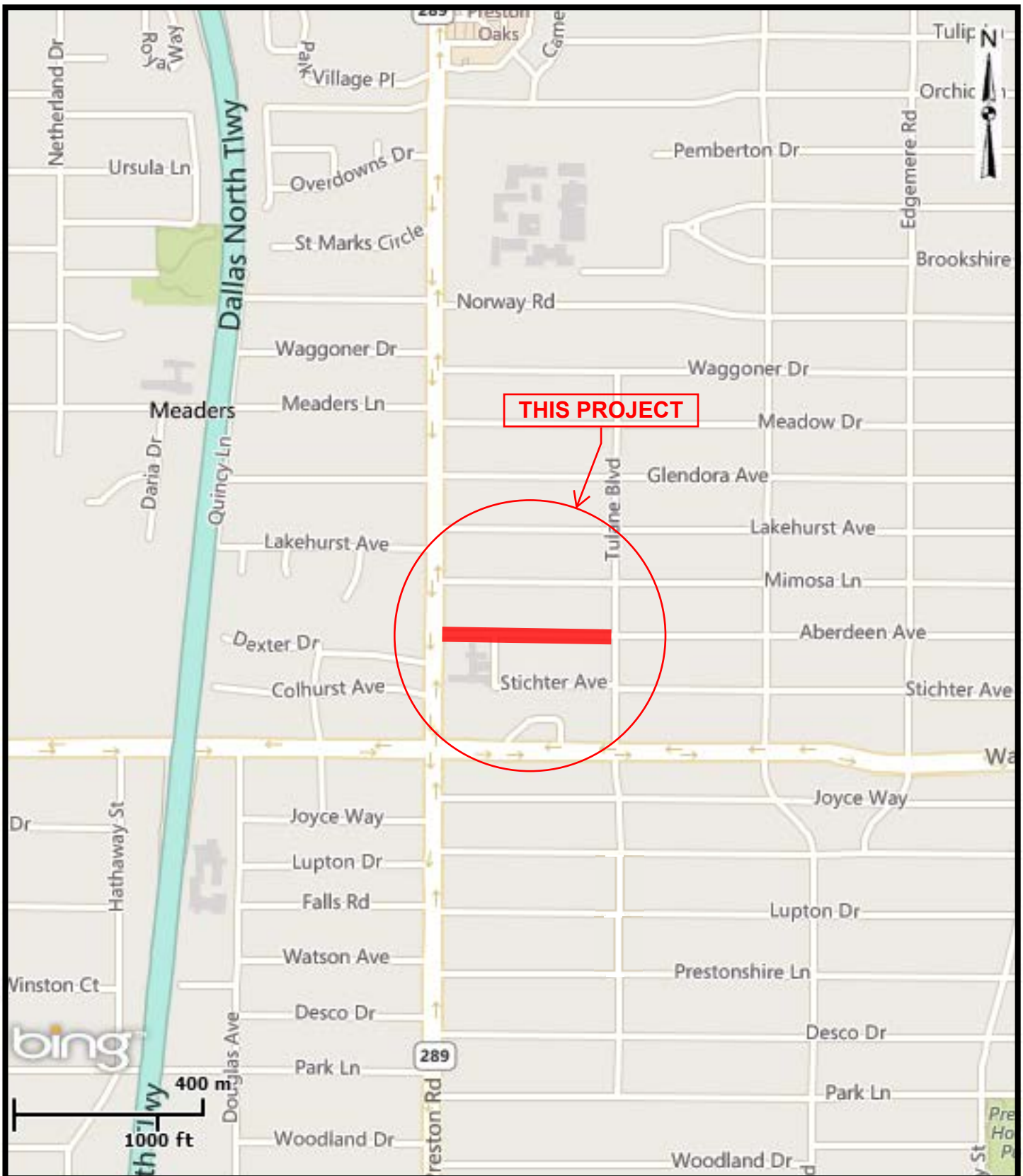
	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$3,152,704.00	69.99%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$9,700.00	0.90%	\$27,700.00	0.61%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$9,700.00	0.90%	\$3,180,404.00	70.60%

STREET RECONSTRUCTION GROUP 12-627
MERIT DR. FROM PARK CENTRAL DR. TO CLODUS FIELDS DR.



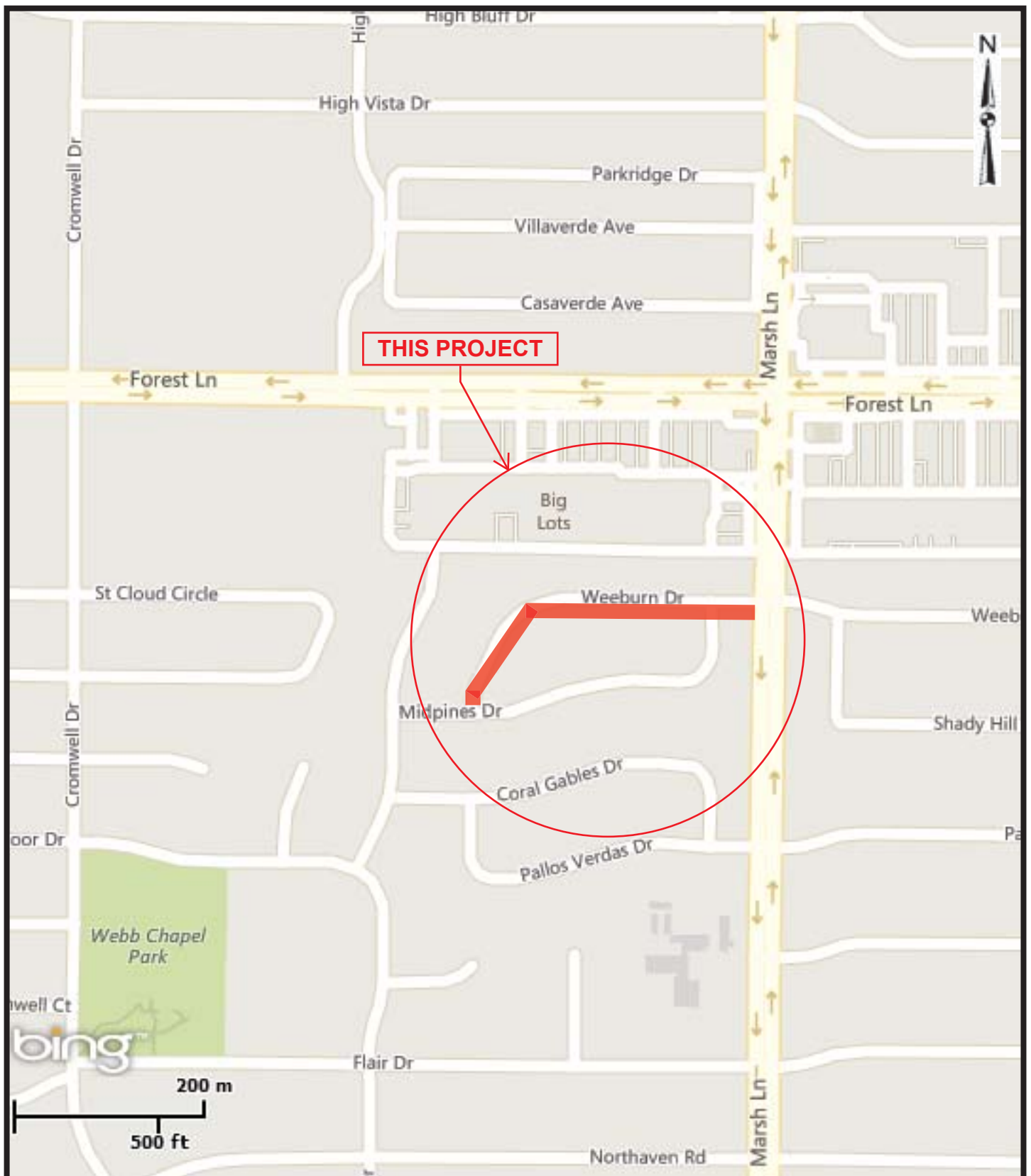
MAPSCO 16W

**STREET RECONSTRUCTION GROUP 12-627
ABERDEEN AVE. FROM PRESTON RD. TO TULANE BLVD.**



MAPSCO 25P

**STREET RECONSTRUCTION GROUP 12-627
WEEBURN DR. FROM MARSH LN. TO MIDPINES DR.**



MAPSCO 23D

October 28, 2015

WHEREAS, on November 12, 2013, Resolution No. 13-1944 authorized a professional services contract with IEA, Inc. for the engineering design services for Street Group 12-627, in the amount of \$294,645.70; and,

WHEREAS, bids were received on September 4, 2015, for the reconstruction of street paving, drainage, pavement marking, landscape, water and wastewater main and adjustment improvements for Street Reconstruction Group 12-627, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Camino Construction, L.P.	\$4,504,687.00
Texas Standard Construction Company	\$4,579,387.20
Tiseo Paving Company	\$4,677,887.50
Pavecon, Ltd.	\$4,891,313.80

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Camino Construction, L.P. for the reconstruction of street paving, drainage, pavement marking, landscape, water and wastewater main and adjustment improvements for Street Reconstruction Group 12-627 in an amount not to exceed \$4,504,687.00, this being the lowest responsible bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

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

Street and Transportation Improvements Fund Fund 3T22, Department PBW, Unit S317, Act. SREC Obj. 4510, Program #PB12S317, CT PBW12S317A1 Vendor #144735, in amount not to exceed	\$ 934,453.00
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Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S317, Act. SREC Obj. 4510, Program #PB12S317, CT PBW12S317A1 Vendor #144735, in amount not to exceed	\$ 894,795.00
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Street and Transportation Improvements Fund Fund 3T22, Department PBW, Unit S427, Act. SREC Obj. 4510, Program #PB12S427, CT PBW12S317A1 Vendor #144735, in amount not to exceed	\$ 119,627.00
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October 28, 2015

Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S427, Act. SREC Obj. 4510, Program #PB12S427, CT PBW12S317A1 Vendor #144735, in amount not to exceed	\$ 772,271.00
Street and Transportation Improvements Fund Fund 3T22, Department PBW, Unit S447, Act. SREC Obj. 4510, Program #PB12S447, CT PBW12S317A1 Vendor #144735, in amount not to exceed	\$ 255,438.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S447, Act. SREC Obj. 4510, Program #PB12S447, CT PBW12S317A1 Vendor #144735, in amount not to exceed	\$ 608,399.00
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42 Obj. 4550, Program #716009, CT PBW716009CP Vendor #144735, in amount not to exceed	\$ 360,719.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Obj. 3221, Program #716009X, CT PBW716009EN Vendor #144735, in amount not to exceed	\$ 20,450.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Obj. 4560, Program #716010, CT PBW716010CP Vendor #144735, in amount not to exceed	\$ 520,185.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj. 3222, Program #716010X, CT PBW716010EN Vendor #144735, in amount not to exceed	<u>\$ 18,350.00</u>
Total amount not to exceed	\$4,504,687.00

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 ITEM # 33

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2, 12

DEPARTMENT: Public Works Department
Water Utilities

CMO: Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: 5Z 6W 33M

SUBJECT

Authorize a contract with Jeske Construction Company, lowest responsible bidder of four, for the reconstruction of alley paving, storm drainage, drive approaches, sidewalks and wastewater main and adjustment improvements for Alley Reconstruction Group 12-2036 and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive (list attached) - Not to exceed \$1,898,225 - Financing: General Obligation Commercial Paper Funds (\$1,496,513), 2012 Bond Funds (\$103,052), Water Utilities Capital Improvement Funds (\$277,400) and Water Utilities Capital Construction Funds (\$21,260)

BACKGROUND

Alley Reconstruction Group 12-2036 and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive were approved in the 2012 Bond Program. On September 25, 2013, Resolution No. 13-1731 authorized a professional services contract with Garver, LLC for the engineering design of Alley Reconstruction Group 12-2036, and on March 26, 2014, Resolution No. 14-0510 authorized a professional services contract with Burgess & Nipple, Inc. for the engineering design of Langdon Avenue from Thurston Drive to Denton Drive. This action will authorize a construction contract for the reconstruction of alley paving, drainage, drive approaches, and wastewater main and adjustment improvements for Alley Reconstruction Group 12-2036 and street reconstruction improvements, which consists of the alley between Alto Caro Drive (7305-7447) and Clearhaven Drive (7306-7446) from Caroridge Drive to Meandering Way; the alley between Clearhaven Drive (7206-7246) and Alto Caro Drive (7249-7279) from "T" alley to Caroridge Drive; the alley between La Avenida Drive (7607-7747) and La Bolsa Drive (7616-7748) from Meandering Way to Spring Creek Road; the alley between La Avenida Drive (7505-7607) and Meandering Way (7616-7748) from La Bolsa Drive to Arapaho Road; and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive.

BACKGROUND (Continued)

The alley reconstruction includes a new 10-foot wide reinforced concrete alley pavement and drive approaches, storm drainage and wastewater main and adjustment improvements. Also, street improvement includes street paving, drainage, drive approaches, sidewalk, curb and gutter, and barrier free ramps.

The following chart shows completed contractual activities for Jeske Construction Company for the past three years:

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects Completed	8	0	0
Change Orders	0	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Alley Reconstruction Group 12-2036

Began Design	December 2013
Completed Design	July 2015
Begin Construction	December 2015
Complete Construction	December 2016

Langdon Avenue from Thurston Drive to Denton Drive

Began Design	April 2014
Completed Design	July 2015
Begin Construction	December 2015
Complete Construction	December 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Garver, LLC for engineering design services on September 25, 2013, by Resolution No. 13-1731.

Authorized a professional services contract with Burgess & Nipple, Inc. for engineering design services on March 26, 2014, by Resolution No. 14-0510.

Information about this item will be provided to the Transportation and Trinity River Projects Committee on October 26, 2015.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - \$1,496,512.50

2012 Bond Funds - \$103,052.00

Water Utilities Capital Improvement Funds - \$277,400.00

Water Utilities Capital Construction Funds - \$21,260.00

Design - PBW	\$ 188,011.00
Design - DWU	\$ 20,895.00
Construction (this action)	
Paving & Drainage - PBW	\$1,599,564.50
Wastewater - DWU	<u>\$ 298,660.00</u>
Total Project Cost	\$2,107,130.50

<u>Council District</u>	<u>Amount</u>
2	\$ 507,372.00
12	<u>\$1,390,852.50</u>
Total	\$1,898,224.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Jeske Construction Company

Hispanic Female	0	Hispanic Male	0
African-American Female	0	African-American Male	16
Other Female	0	Other Male	0
White Female	1	White Male	5

BID INFORMATION

The following bids with quotes were received and opened on August 13, 2015:

*Denotes successful bidder(s)

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Jeske Construction Company P. O. Box 59025 Dallas, Texas 75229	\$1,898,224.50
Camino Construction, LP	\$1,962,733.50
RBR Infrastructure Road, LLC	\$2,091,743.00
Barson Utilities, Inc.	Non-responsive
Original estimate: PBW - \$1,616,510.00 WTR - \$ <u>246,240.00</u>	
Total	\$1,862,750.00

OWNER

Jeske Construction Company

Steve Jeske, President

MAPS

Attached.

Alley Reconstruction Group 12-2036 and Street Reconstruction Improvements

<u>Alley Reconstruction Group 12-2036</u>	<u>Council District</u>
Alley between Alto Caro Drive (7305-7447) and Clearhaven Drive (7306-7446) from Caroridge Drive to Meandering Way	12
Alley between Clearhaven Drive (7206-7246) and Alto Caro Drive (7249-7279) from "T" alley to Caroridge Drive	12
Alley between La Avenida Drive (7607-7747) and La Bolsa Drive (7616-7748) from Meandering Way to Spring Creek Road	12
Alley between La Avenida Drive (7505-7607) and Meandering Way (7616-7748) from La Bolsa Drive to Arapaho Road	12
<u>Street Reconstruction Improvements</u>	
Langdon Avenue from Thurston Drive to Denton Drive	2

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Jeske Construction Company, lowest responsible bidder of four, for the reconstruction of alley paving, storm drainage, drive approaches, sidewalks and wastewater main and adjustment improvements for Alley Reconstruction Group 12-2036 and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive (list attached) - Not to exceed \$1,898,225 - Financing: General Obligation Commercial Paper Funds (\$1,496,513), 2012 Bond Funds (\$103,052), Water Utilities Capital Improvement Funds (\$277,400) and Water Utilities Capital Construction Funds (\$21,260)

Jeske Construction Company is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,750,143.50	92.20%
Total non-local contracts	\$148,081.00	7.80%
TOTAL CONTRACT	\$1,898,224.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Logan Trucking	BMMB63584N1116	\$72,000.00	4.11%
Flow Line Utilities, Inc.	HMMB64155N0217	\$251,685.00	14.38%
WOE Construction	WFWB22300N0516	\$3,000.00	0.17%
Total Minority - Local		\$326,685.00	18.67%

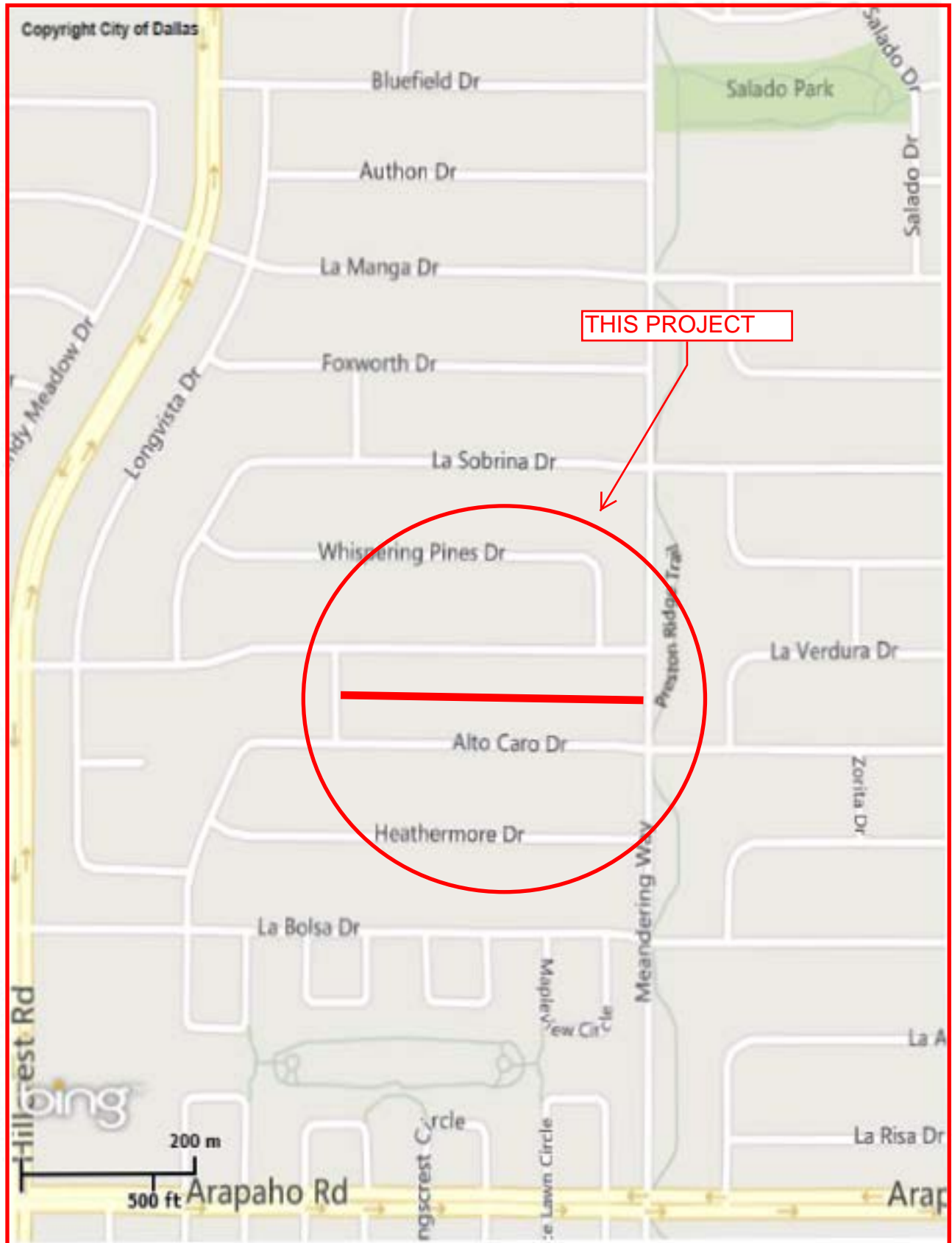
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
C Green Scaping, LLC	HFDB22088Y0716	\$17,781.00	12.01%
Cowtown Ready Mix	WFDB06682Y0916	\$118,000.00	79.69%
Champion Solutions	WFDB79263Y0416	\$8,000.00	5.40%
Buyers Barricades	WFDB24016Y0516	\$2,000.00	1.35%
MMG Building & Construction	WFWB62284N0616	\$1,400.00	0.95%
Brock Environmental Services	WFWB61711Y0516	\$900.00	0.61%
Total Minority - Non-local		\$148,081.00	100.00%

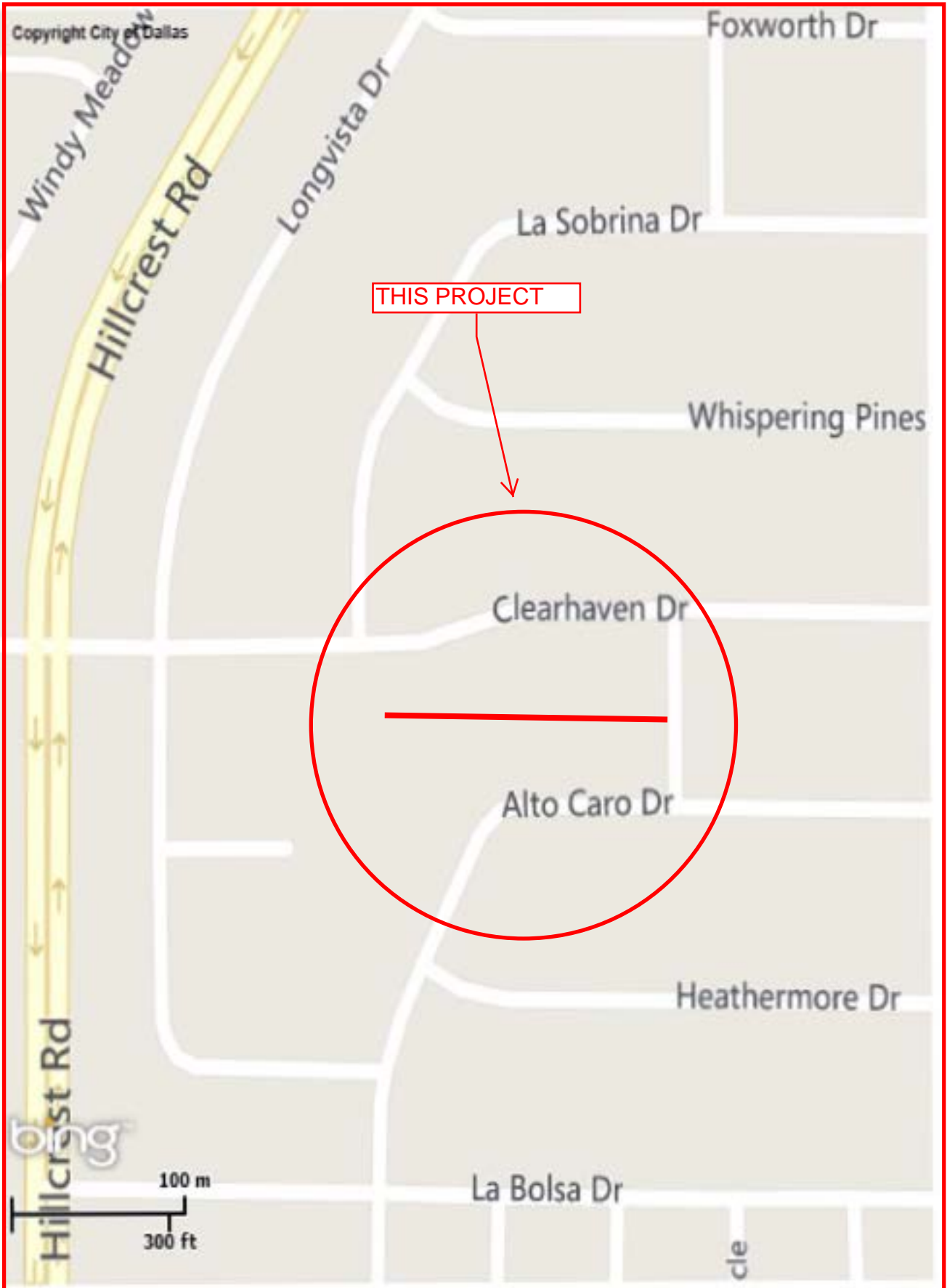
TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$72,000.00	4.11%	\$72,000.00	3.79%
Hispanic American	\$251,685.00	14.38%	\$269,466.00	14.20%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$3,000.00	0.17%	\$133,300.00	7.02%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$326,685.00	18.67%	\$474,766.00	25.01%

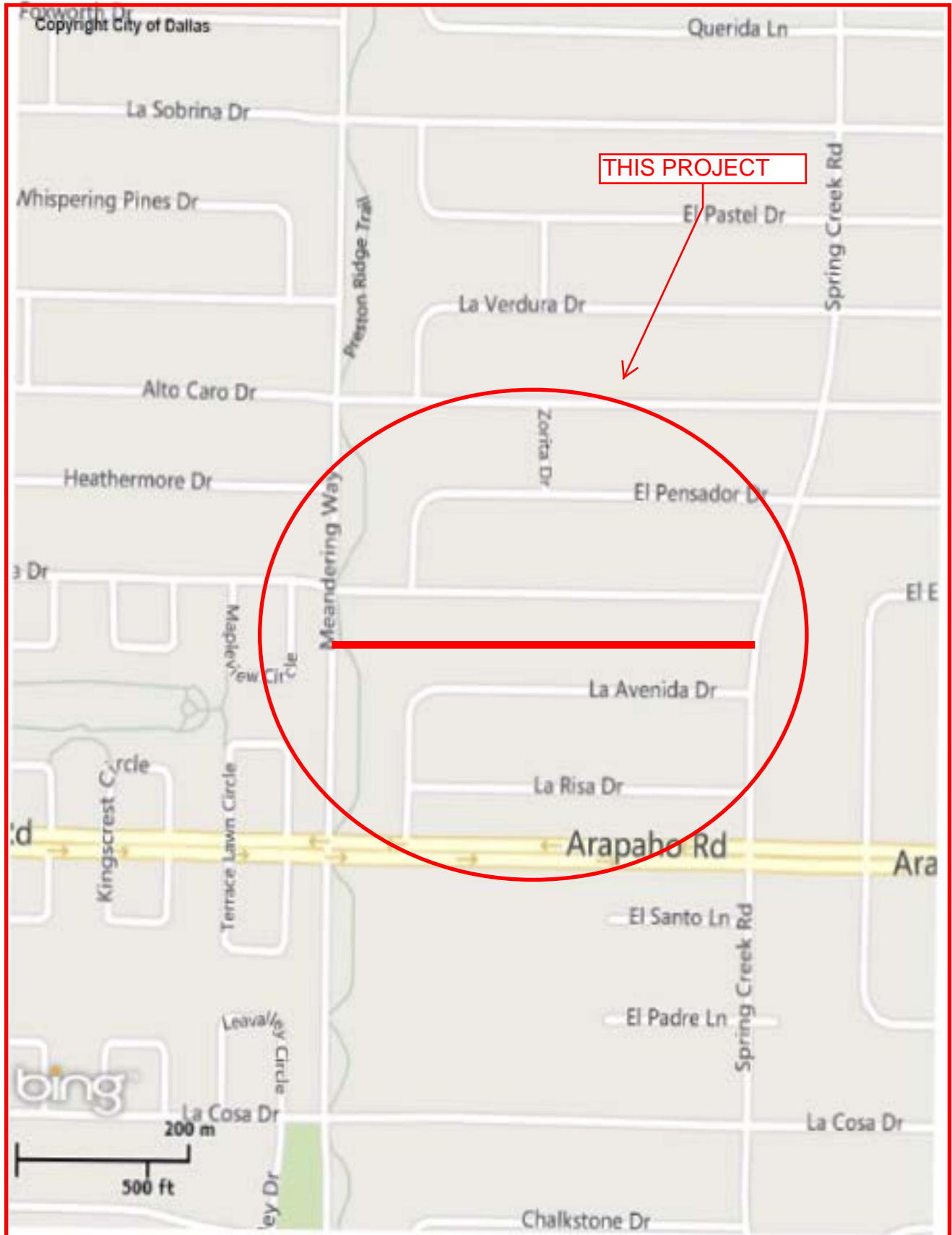
ALLEY RECONSTRUCTION GROUP 12-2036
ALLEY BETWEEN ALTO CARO DRIVE AND CLEARHAVEN DRIVE
FROM CARORIDGE DRIVE TO MEANDERING WAY



ALLEY RECONSTRUCTION GROUP 12-2036
ALLEY BETWEEN CLEARHAVEN DRIVE AND ALTO CARO DRIVE
FROM "T" ALLEY TO CARORIDGE DRIVE

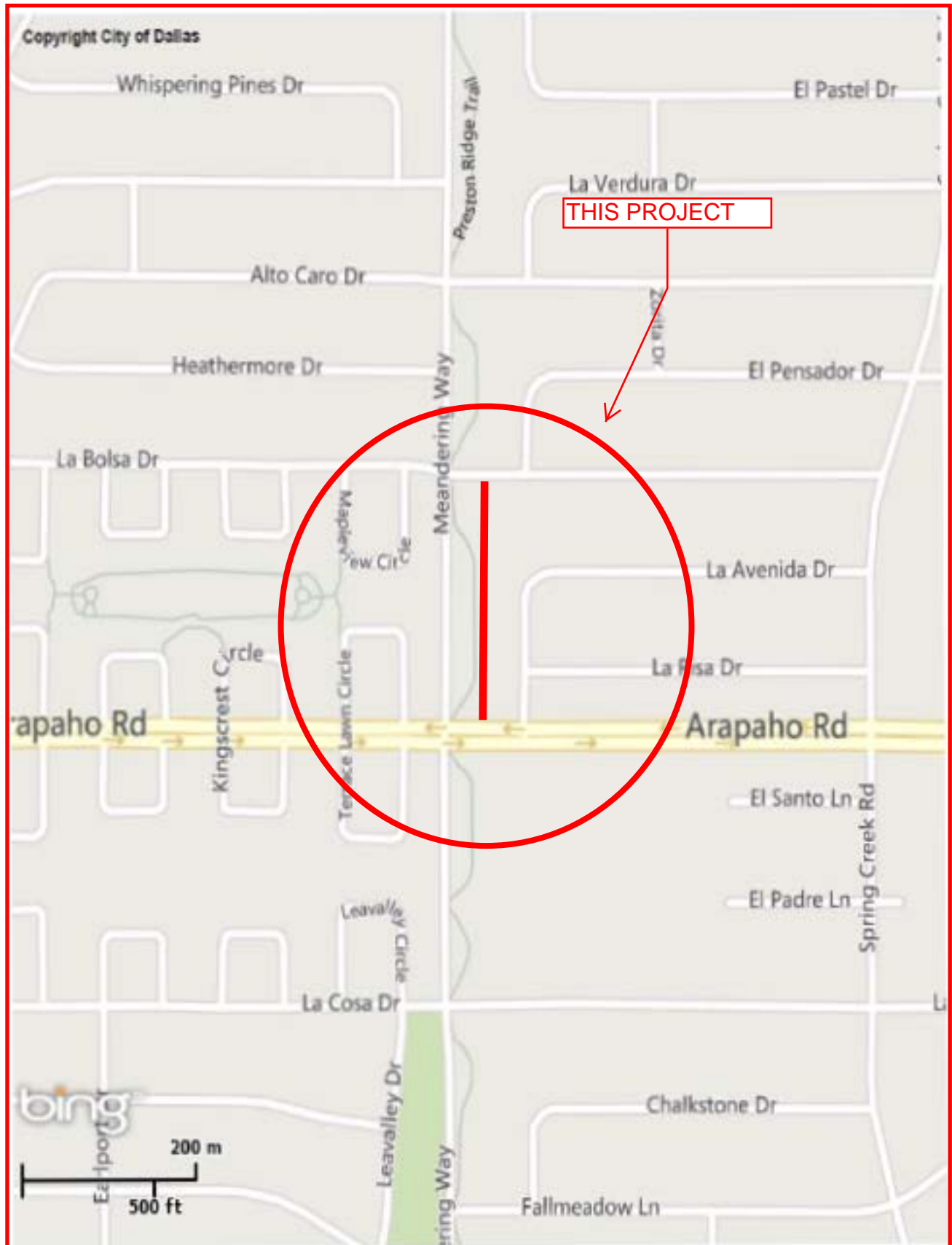


ALLEY RECONSTRUCTION GROUP 12-2036
ALLEY BETWEEN LA AVENIDA DRIVE AND LA BOLSA DRIVE
FROM MEANDERING WAY TO SPRING CREEK ROAD



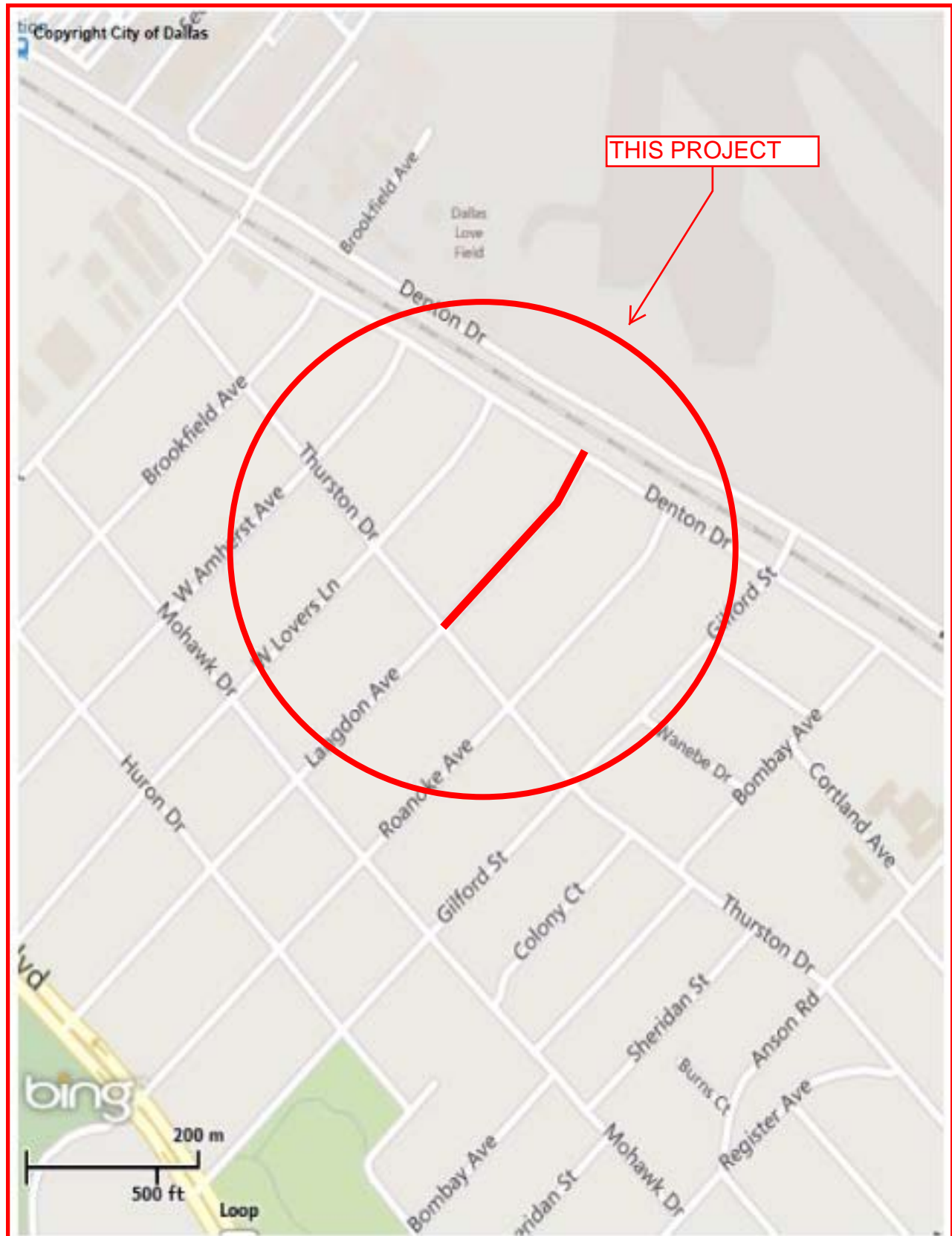
MAPSCO 6W

ALLEY RECONSTRUCTION GROUP 12-2036
ALLEY BETWEEN LA AVENIDA DRIVE AND MEANDERING WAY
FROM LA BOLSA DRIVE TO ARAPAHO ROAD



MAPSCO 5Z

STREET RECONSTRUCTION
LANGDON AVENUE FROM THURSTON DRIVE TO DENTON DRIVE



MAPSCO 33M

October 28, 2015

WHEREAS, on September 25, 2013, Resolution No. 13-1731 authorized a professional services contract with Garver, LLC for the engineering design services for Alley Reconstruction Group 12-2036, in the amount of \$139,226.00; and,

WHEREAS, on March 26, 2014, Resolution No. 14-0510 authorized a professional services contract with Burgess & Nipple, Inc. for the engineering design services for Langdon Avenue from Thurston Drive to Denton Drive, in the amount of \$591,593.00; and,

WHEREAS, bids were received on August 13, 2015, for the reconstruction of alley paving, storm drainage, drive approaches and wastewater main and adjustment improvements for Alley Reconstruction Group 12-2036 and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Jeske Construction Company	\$1,898,224.50
Camino Construction, LP	\$1,962,733.50
RBR Infrastructure Road, LLC	\$2,091,743.00
Barson Utilities, Inc.	Non-responsive

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Jeske Construction Company for the reconstruction of alley paving, storm drainage, drive approaches and wastewater main and adjustment improvements for Alley Reconstruction Group 12-2036 and street reconstruction improvements for Langdon Avenue from Thurston Drive to Denton Drive in an amount not to exceed \$1,898,224.50, this being the lowest responsible bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

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

Street and Transportation Improvements Fund	
Fund 3U22, Department PBW, Unit S214, Act. AREC	
Obj. 4510, Program #PB12S214, CT PBW12S214A1	
Vendor #083791, in amount not to exceed	\$ 311,379.50

October 28, 2015

Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S238, Act. AREC Obj. 4510, Program #PB12S238, CT PBW12S214A1 Vendor #083791, in amount not to exceed	\$ 172,206.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S267, Act. AREC Obj. 4510, Program #PB12S267, CT PBW12S214A1 Vendor #083791, in amount not to exceed	\$ 235,155.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S268, Act. AREC Obj. 4510, Program #PB12S268, CT PBW12S214A1 Vendor #083791, in amount not to exceed	\$ 373,452.00
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S438, Act. SREC Obj. 4510, Program #PB12S438, CT PBW12S214A1 Vendor #083791, in amount not to exceed	\$ 103,052.00
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S438, Act. SREC Obj. 4510, Program #PB12S438, CT PBW12S214A1 Vendor #083791, in amount not to exceed	\$ 404,320.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Obj. 4560, Program #715252, CT DWU715252CP Vendor #083791, in amount not to exceed	\$ 277,400.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj. 3222, Program #715252X, CT DWU715252EN Vendor #083791, in amount not to exceed	<u>\$ 21,260.00</u>
Total amount not to exceed	\$1,898,224.50

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department
Trinity Watershed Management

CMO: Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: 44R

SUBJECT

North Beckley at West Commerce Street

- * Authorize an increase in the contract with Texas Standard Construction, Ltd. for drainage system upgrades along North Beckley Avenue and West Commerce Street and additional work associated with the reconstruction of the North Beckley at West Commerce Street intersection, including changes to the roadway profile to accommodate the drainage upgrades - Not to exceed \$1,298,542, from \$5,749,249 to \$7,047,791 - Financing: 2012 Bond Funds (\$1,250,779), and 1998 Bond Funds (\$47,763)
- * Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing for the North Beckley Avenue at West Commerce Street intersection - Not to exceed \$75,150 - Financing: 1998 Bond Funds

BACKGROUND

On June 25, 2014, Resolution No. 14-1020 authorized a contract with Texas Standard Construction, Ltd. for the construction of street paving, storm drainage, traffic signal, street lighting, landscaping, water and wastewater main improvements for the North Beckley Avenue at West Commerce Street intersection. This action will authorize Change Order No. 1 to the construction contract with Texas Standard Construction, Ltd. for drainage system upgrades along North Beckley Avenue and West Commerce Street and additional work associated with the reconstruction of the North Beckley at West Commerce Street intersection, including changes to the roadway profile to accommodate the drainage upgrades.

BACKGROUND (Continued)

Construction for the North Beckley Avenue at West Commerce Street intersection/streetscape improvements was originally anticipated to start during fall 2014. However, the start of construction was delayed in order to allow for necessary drainage coordination with the planned West Dallas Gateway project improvements currently under design. The scope of the West Dallas Gateway project entails providing three new north/south roadway underpasses beneath the Union Pacific Railroad tracks between Sylvan Avenue and Beckley Avenue. The drainage study for the West Dallas Gateway project subsequently identified the need to upgrade the size of the drainage facilities along North Beckley Avenue to help facilitate stormwater run-off drainage for the planned underpasses. Run-off from the West Dallas watershed currently drains into the Pavaho sumps/pump station. The increased drainage capacity along Beckley Avenue will allow additional stormwater run-off from the underpasses to be directed to the Charlie sumps/pump station, which has lower elevation than Pavaho, thus taking advantage of gravity flow and minimizing the amount of pumping needed to drain the underpasses. The Beckley Avenue drainage upgrades entail increasing the stormwater lines from a 72 inch reinforced concrete pipe to a 10' x 5' drainage box. Additionally, the stormwater drainage trunk line along West Commerce Street is being increased from the originally-planned 48 inch to a 5'x4' reinforced concrete box in order to accommodate ongoing and planned development along the West Commerce Street corridor.

This action will also authorize a professional services contract with Alliance Geotechnical Group, Inc. for material testing services for the North Beckley Avenue at West Commerce Street intersection reconstruction project. These testing services are required to assure that the material utilized during construction is in conformance with the quality required by the project specifications.

Alliance Geotechnical Group, Inc. has successfully performed numerous projects under several previous City master agreement contracts for construction material testing services and geotechnical investigations with several City Departments.

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2005
Completed Design	December 2013
Began Construction	October 2015
Complete Construction	August 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Bridgefarmer & Associates, Inc. for engineering services on December 14, 2005, by Resolution No. 05-3470.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized Supplemental Agreement No. 2 to the professional services contract with Bridgefarmer & Associates, Inc. for engineering services on May 14, 2008, by Resolution No. 08-1424.

Authorized the rejection of bids on June 10, 2009, by Resolution No. 09-1472.

Briefed the Trinity River Corridor Project Committee on August 3, 2010.

Authorized Supplemental Agreement No. 1 to the professional services contract with Wallace Roberts & Todd, LLC for engineering services on November 10, 2010, by Resolution No. 10-2877.

Authorized the rejection of bids and re-advertisement for new bids on May 14, 2014, by Resolution No. 14-0760.

Authorized a construction contract with Texas Standard Construction, Ltd. on June 25, 2014, by Resolution No. 14-1020.

Information about this item will be provided to the Transportation and Trinity River Projects Committee on October 26, 2015.

FISCAL INFORMATION

Texas Standard Construction, Ltd.

2012 Bond Funds - \$1,250,779.10

1998 Bond Funds - \$47,762.40

Design (Bridgefarmer & Associates, Inc.)	\$ 191,900.00
Supplemental Agreement No. 1	\$ 11,800.00
Supplemental Agreement No. 2	\$ 71,423.00
Supplemental Agreement No. 3	\$ 20,173.00
Supplemental Agreement No. 4	\$ 24,810.00
Supplemental Agreement No. 5	\$ 2,350.00
Design - Study (Wallace Roberts & Todd, LLC)	\$ 24,975.00
Supplemental Agreement No. 1	\$ 477,810.50

FISCAL INFORMATION (Continued)

Construction	
Paving & Drainage - (PBW)	\$4,842,343.75
Water & Wastewater - (DWU)	\$ 906,905.00
Change Order No. 1 (this action)	<u>\$1,298,541.50</u>
Total Project Cost	\$7,873,031.75

Alliance Geotechnical Group, Inc.

1998 Bond Funds - \$75,149.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Texas Standard Construction, Ltd.

Hispanic Female	2	Hispanic Male	74
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	3	White Male	4

Alliance Geotechnical Group, Inc.

African-American Female	0	African-American Male	8
Hispanic Female	2	Hispanic Male	8
White Female	12	White Male	46
Other Female	0	Other Male	2

OWNER

Texas Standard Construction, Ltd.

Ronald H. Dalton, President

Alliance Geotechnical Group, Inc.

Robert P. Nance, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Texas Standard Construction, Ltd. for drainage system upgrades along North Beckley Avenue and West Commerce Street and additional work associated with the reconstruction of the North Beckley at West Commerce Street intersection, including changes to the roadway profile to accommodate the drainage upgrades - Not to exceed \$1,298,542, from \$5,749,249 to \$7,047,791 - Financing: 2012 Bond Funds (\$1,175,630), and 1998 Bond Funds (\$122,912)

Texas Standard Construction, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$1,298,541.50	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$1,298,541.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Kenyatta Sand and Gravel	BMDB63984Y0116	\$337,620.79	26.00%
Total Minority - Local		\$337,620.79	26.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$337,620.79	26.00%	\$1,979,234.79	28.08%
Hispanic American	\$0.00	0.00%	\$21,275.00	0.30%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$15,000.00	0.21%
Total	\$337,620.79	26.00%	\$2,015,509.79	28.60%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing for the North Beckley Avenue at West Commerce Street intersection - Not to exceed \$75,150 - Financing: 1998 Bond Funds

Alliance Geotechnical Group, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$75,149.50	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$75,149.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group, Inc.	BMDB63934Y0118	\$75,149.50	100.00%
Total Minority - Local		\$75,149.50	100.00%

Non-Local Contractors / Sub-Contractors

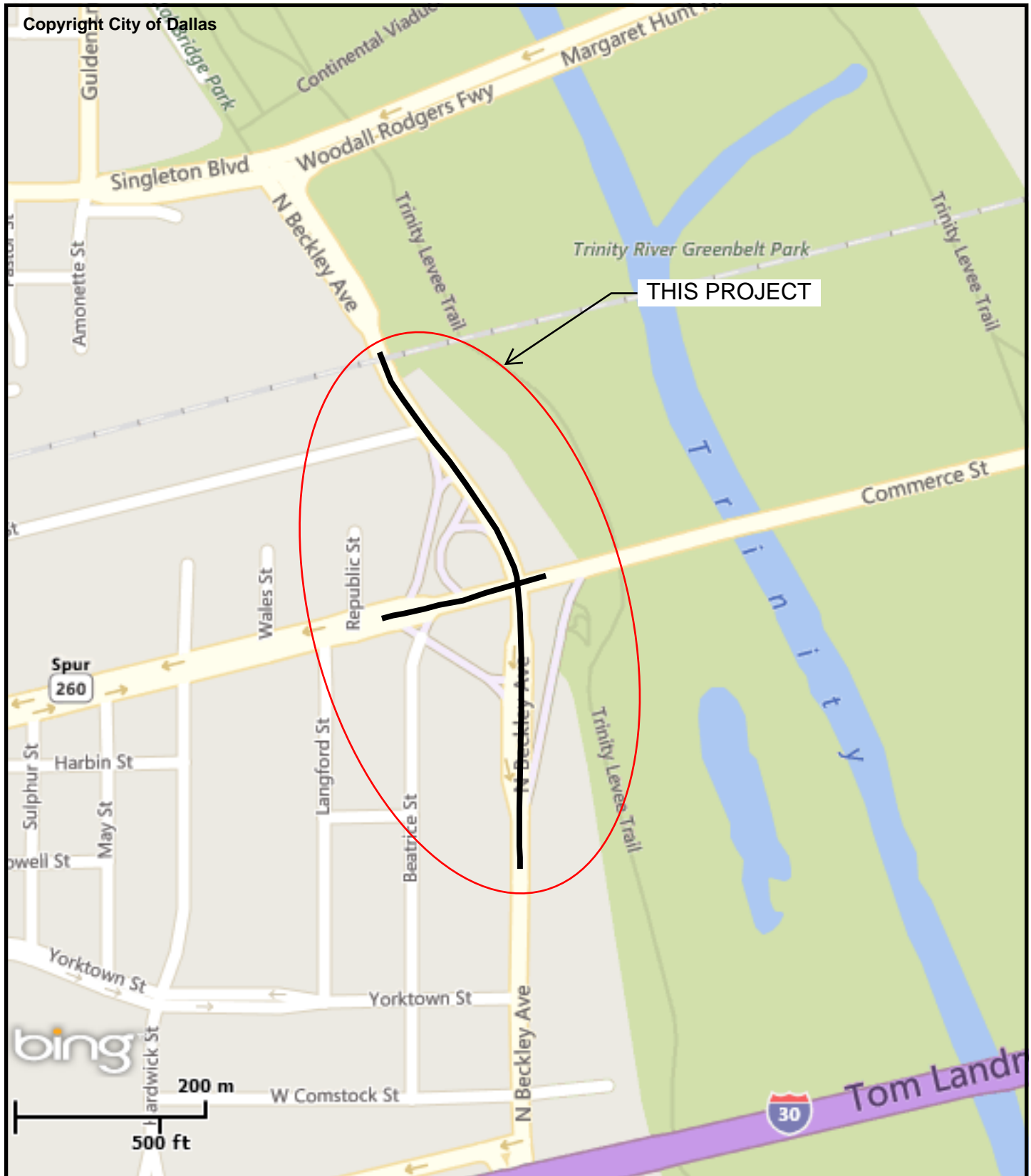
None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$75,149.50	100.00%	\$75,149.50	100.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$75,149.50	100.00%	\$75,149.50	100.00%

STREET RECONSTRUCTION

N. BECKLEY AVENUE AT W. COMMERCE STREET



MAPSCO 44R

October 28, 2015

WHEREAS, on December 14, 2005, Resolution No. 05-3470 authorized a professional services contract with Bridgefarmer & Associates, Inc. for the engineering services for the North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$191,900.00; and,

WHEREAS, on December 7, 2006, Administrative Action No. 06-3514 authorized Supplemental Agreement No. 1 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide supplemental services for retaining wall, coordination with UPRR and additional field survey work for the North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$11,800.00, increasing the contract amount from \$191,900.00 to \$203,700.00; and,

WHEREAS, on May 14, 2008, Resolution No. 08-1424 authorized Supplemental Agreement No. 2 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract for additional engineering design and survey services for water and wastewater design for the North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$71,423.00, increasing the contract amount from \$203,700.00 to \$275,123.00; and,

WHEREAS, on March 26, 2009, Administrative Action No. 09-0917 authorized Supplemental Agreement No. 3 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide additional survey and drainage design for the North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$20,173.00, increasing the contract amount from \$275,123.00 to \$295,296.00; and,

WHEREAS, on May 14, 2009, Administrative Action No. 09-1239 authorized Supplemental Agreement No. 4 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide additional sidewalk, landscaping, irrigation and water line design for the North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$24,810.00, increasing the contract amount from \$295,296.00 to \$320,106.00; and,

WHEREAS, on June 10, 2009, Resolution No. 09-1472 authorized the rejection of bids for the North Beckley Avenue at Commerce Street intersection improvements; and,

WHEREAS, on August 21, 2009, Administrative Action No. 09-2149 authorized Supplemental Agreement No. 5 to the contract with Bridgefarmer & Associates, Inc. to increase the scope of the contract to provide project renderings for public outreach for the North Beckley Avenue at Commerce Street intersection improvements, in the amount of \$2,350.00, increasing the contract amount from \$320,106.00 to \$322,456.00; and,

October 28, 2015

WHEREAS, on July 10, 2009, Administrative Action No. 09-2016 authorized a professional services contract with Wallace Roberts & Todd, LLC for the North Beckley Avenue Corridor Usage Study, in the amount of \$24,975.00; and,

WHEREAS, on November 10, 2010, Resolution No. 10-2877 authorized Supplemental Agreement No. 1 to the professional services contract with Wallace Roberts & Todd, LLC for engineering and survey services, paving, drainage, illumination, signalization, water and wastewater main improvements for North Beckley Avenue at Commerce Street, in the amount of \$477,810.50, increasing the contract amount from \$24,975.00 to \$502,785.50; and,

WHEREAS, bids were received on October 10, 2013, for the construction of the North Beckley Avenue at Commerce Street intersection improvements; and,

WHEREAS, on April 24, 2014, bids were received for the construction of street paving, storm drainage, traffic signals, street lights, landscape, water and wastewater main improvements for the North Beckley Avenue at West Commerce Street intersection; and,

WHEREAS, on May 14, 2014, Resolution No. 14-0760 authorized the rejection of bids received for the North Beckley Avenue at Commerce Street intersection improvements; and to re-advertise for new bids; and;

WHEREAS, on June 25, 2014, Resolution No. 14-1020 authorized a construction contract with Texas Standard Construction, Ltd. for the construction of street paving, storm drainage, traffic signals, street lights, landscape, water and wastewater main improvements for the North Beckley Avenue at West Commerce Street intersection, in the amount of \$5,749,248.75; and,

WHEREAS, it is now necessary to authorize Change Order No. 1 to the construction contract with Texas Standard Construction, Ltd. for drainage system upgrades along North Beckley Avenue and West Commerce Street and additional work associated with the reconstruction of the North Beckley at West Commerce Street intersection, including changes to the roadway profile to accommodate the drainage upgrades in the amount of \$1,298,541.50, from \$5,749,248.75 to \$7,047,790.25.

Now, Therefore,

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

October 28, 2015

Section 1. That the City Manager is hereby authorized to execute Change Order No. 1 to the construction contract with Texas Standard Construction, Ltd. for drainage system upgrades along North Beckley Avenue and West Commerce Street and additional work associated with the reconstruction of the North Beckley at West Commerce Street intersection, including changes to the roadway profile to accommodate the drainage upgrades in the amount of \$1,298,541.50, from \$5,749,248.75 to \$7,047,790.25, after it has been approved as to form by the City Attorney.

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

Street and Transportation Improvements Fund
Fund 2U22, Department PBW, Unit S399, Act. GTWY
Obj. 4599, Program #PB12S399, CT PBW98N972I2
Vendor #339573, in an amount not to exceed \$ 974,470.50

Street and Transportation Improvements Fund
Fund 2U22, Department PBW, Unit P890, Act. THRF
Obj. 4510, Program #PB06P890, CT PBW98N972I2
Vendor #339573, in an amount not to exceed \$ 276,308.60

Trinity River Corridor Project
Fund 4P14, Department PBW, Unit N972, Act. TRPP
Obj. 4599, Program #PB98N972, CT PBW98N972I2
Vendor #339573, in an amount not to exceed \$ 7,415.08

Trinity River Corridor Project
Fund 5P14, Department PBW, Unit N972, Act. TRPP
Obj. 4599, Program #PB98N972, CT PBW98N972I2
Vendor #339573, in an amount not to exceed \$ 945.58

Trinity River Corridor Project
Fund 8P14, Department PBW, Unit N972, Act. TRPP
Obj. 4113, Program #PB98N972, CT PBW98N972L3
Vendor #339573, in an amount not to exceed \$ 39,401.74

Total in an amount not to exceed \$1,298,541.50

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

October 28, 2015

WHEREAS, it is now necessary to authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing for the North Beckley Avenue at West Commerce Street intersection in the amount of \$75,149.50.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing for the North Beckley Avenue at West Commerce Street intersection in the amount of \$75,149.50, after it has been approved as to form by the City Attorney.

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

Trinity River Corridor Project Fund	
Fund 8P14, Department PBW, Unit N972, Act. TRPP	
Object 4113, Program #PB98N972, CT PBW98N972L3	
Vendor 338366, in an amount not to exceed	\$75,149.50

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 33D H; 34A E F J K

SUBJECT

Authorize a contract with EAS Contracting, LP by EAS Contracting GP, LLC, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize a Construction Contract with EAS Contracting, LP by EAS Contracting GP, LLC, the only bidder, for the construction of the Love Field Hold Sign Relocation Project at Dallas Love Field. This project consists of relocating existing runway holding position signs on Runway 13L/31R and Runway 13R/31L to meet current Federal Aviation Administration Standards.

On June 17, 2015, the bid opening was held for the Love Field Hold Sign Relocation Project at Dallas Love Field. EAS Contracting, LP by EAS Contracting GP, LLC was the only responsive bidder.

This project consists of relocation of existing holding position signs on to new sign bases; replacing some holding position signs in bad condition; grading and drainage modifications as necessary to accommodate new sign bases; installation of new light base cans and conduit, including devices such as new L-830 isolation transformers, new L-824 airfield lighting cable, ground rods, and counterpoise; application of new water-based reflective pavement markings with black outlines; demolition of existing sign bases, conduit, cable, and removal of existing pavement markings; and restoration of disturbed areas.

This action is to be performed in conjunction with Supplemental Agreement No. 1 with Atkins North America for construction administration and construction observation services, which Council will consider as a related item on this agenda.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2014
Completed Design	March 2015
Begin Construction	November 2015
Complete Construction	May 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Atkins North America, Inc. on September 24, 2014, for the design and preparation of construction documents for the Runway Signage and Marking Holding Position Relocation at Dallas Love Field, by Resolution No. 14-1604.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$1,306,252.00

Design Contract	\$274,722.00
Construction Administration SA No. 1	\$415,700.00
Construction Cost (this action)	<u>\$1,306,252.00</u>
Total	\$1,996,674.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

EAS Contracting, LP by EAS Contracting GP, LLC

Hispanic Female	0	Hispanic Male	70
African-American Female	0	African-American Male	13
Other Female	0	Other Male	3
White Female	9	White Male	64

BID INFORMATION

The following sole bid was received and opened on June 17, 2015:

*Denotes Successful bidder

BIDDER

BID AMOUNT

*EAS Contracting, LP by EAS Contracting GP, LLC
6013 CR 437
Princeton, TX 75407

\$1,306,252.00

Note: Pursuant to the Public Works Department's (PBW) request, the Auditor's office has reviewed the single bid item and submitted related documentation and has determined PBW followed Administrative Directive 4-05 provisions for processing this single bid item and made reasonable efforts to increase bid participation. This proposed procurement meets the requirements for a single bid.

OWNER(S)

EAS Contracting, LP by EAS Contracting GP, LLC

Carroll Edwards, President/Partner
Jerry Mills, Partner
Ray Naizer, Partner

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with EAS Contracting, LP by EAS Contracting GP, LLC, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

EAS Contracting, LP is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$1,306,252.00	100.00%
TOTAL CONTRACT	\$1,306,252.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

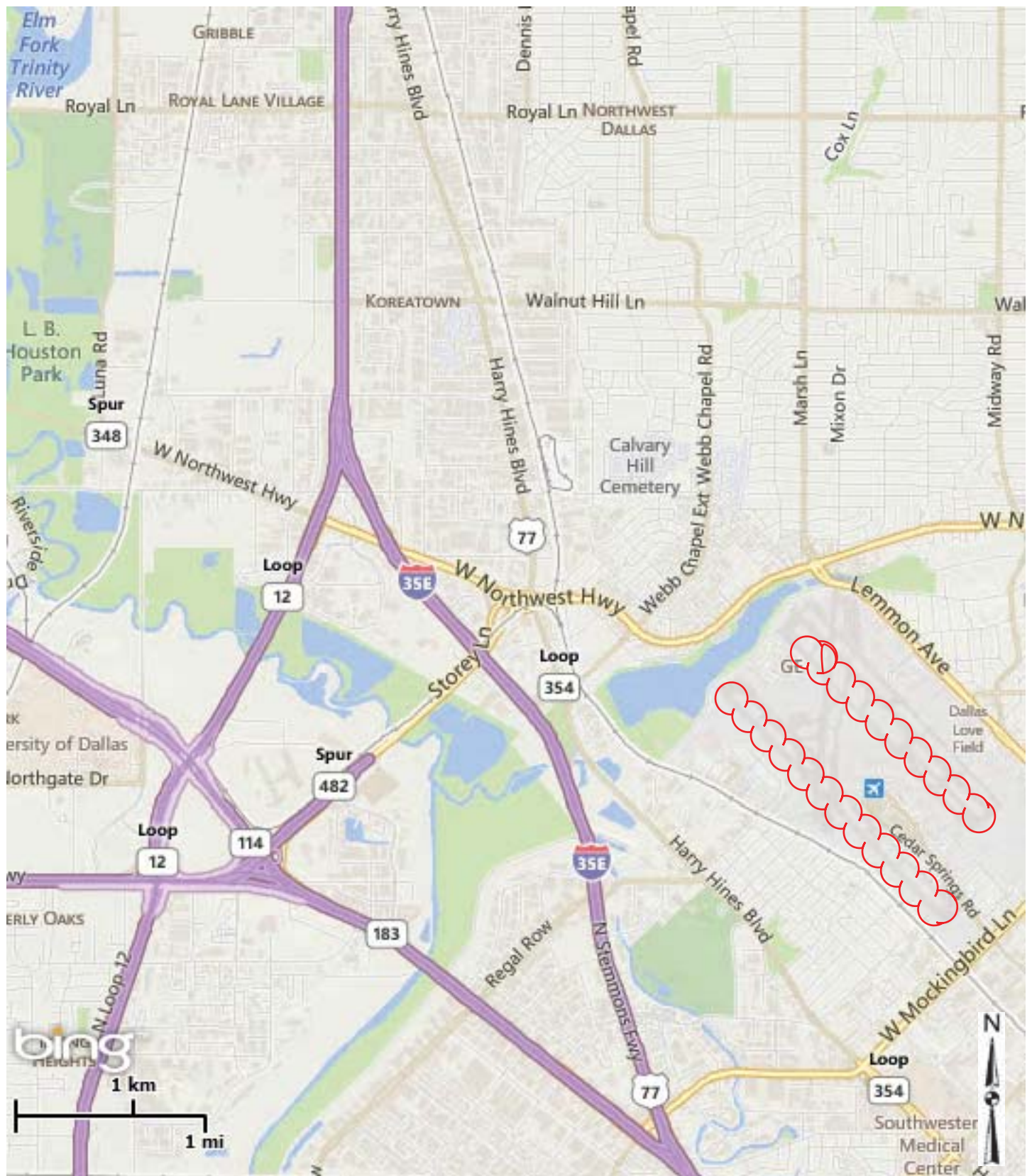
None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Chambers Engineering	BMDB22671N0716	\$366,545.00	28.06%
Total Minority - Non-local		\$366,545.00	28.06%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$366,545.00	28.06%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$366,545.00	28.06%



Dallas Love Field

Hold Sign Relocation Project

October 28, 2015

WHEREAS, in 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time; and,

WHEREAS, the current runway hold position markings and signage do not meet current Federal Aviation Administration standards for Runway Safety Areas at Dallas Love Field; and,

WHEREAS, in September 2012, the Federal Aviation Administration rescinded a waiver for Dallas Love Field allowing the runway hold position signage and pavement markings to remain in their existing locations; and,

WHEREAS, it is necessary to relocate the runway signage and pavement marking hold positions to meet current Federal Aviation Administration standards for the runway safety areas at Dallas Love Field; and,

WHEREAS, bid specifications were developed and publicly advertised for competitive bids for the Love Field Hold Sign Relocation Project; and,

WHEREAS, one bid was received and opened on June 17, 2015 for the Love Field Hold Sign Relocation Project at Dallas Love Field as follows:

<u>BIDDER</u>	<u>BID AMOUNT</u>
EAS Contracting, LP by EAS Contracting GP, LLC	\$1,306,252.00

WHEREAS, it is now desirable to authorize a construction contract with EAS Contracting, LP by EAS Contracting GP, LLC for construction of the Love Field Hold Sign Relocation Project at Dallas Love Field in an amount not to exceed \$1,306,252.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with EAS Contracting, LP by EAS Contracting GP, LLC to provide construction services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$1,306,252.00, after it has been approved as to form by the City Attorney.

October 28, 2015

Section 2. That the City will apply for Passenger Facility Charge (PFC) funding at a later date for the eligible construction cost \$1,306,252 of the Love Field Hold Sign Relocation Project; and upon approval of the PFC for these projects, the Chief Financial Officer is hereby authorized to transfer from the PFC Fund 0477, Dept. AVI, cash account 0001 to the Aviation Capital Construction Fund 0131, Dept. AVI, cash account 0001.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,306,252.00 to be paid to EAS Contracting, LP by EAS Contracting GP, LLC in accordance with the terms and conditions of the contract from:

Love Field Hold Sign Relocation Project

Aviation Capital Construction Fund

Fund 0131, Department AVI, Unit P919, Account AAIP,

Object 4599, Program #AVIP919, CTAVIHSEASFY15

Vendor #518115, in an amount not to exceed

\$1,306,252.00

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 33D H; 34A E F J K

SUBJECT

Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action is to be performed in conjunction with the construction contract with EAS Contracting, LP by EAS Contracting GP for construction services which Council will consider as a related item on this agenda.

This action will authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time, on-site construction administration and construction observation services for Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700, from \$274,722 to \$690,422.

In 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time. In September 2012 the waiver was revoked by the FAA and the Department of Aviation was advised to relocate the hold position signage and markings as mid-field take offs are no longer permitted at Dallas Love Field. Currently the signs and marking are approximately 200-ft from the runway centerline. Atkins North America, Inc. evaluated and developed construction documents to accommodate the correct location of the new signage and marking placement in order to comply with current standards, which are 255-ft from the runway centerline.

BACKGROUND (Continued)

This project consists of relocation of existing holding position signs on to new sign bases; replacing some holding position signs in bad condition; grading and drainage modifications as necessary to accommodate new sign bases; installation of new light base cans and conduit, including devices such as new L-830 isolation transformers, new L-824 airfield lighting cable, ground rods, and counterpoise; application of new water-based reflective pavement markings with black outlines; demolition of existing sign bases, conduit, cable, and removal of existing pavement markings; and restoration of disturbed areas.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	November 2015
Complete Construction	May 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract on September 24, 2014, for the design and preparation of construction documents for the Runway Signage and Marking Holding Position Relocation at Dallas Love Field, by Resolution No. 14-1604.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$415,700.00

Design	\$274,722.00
Construction Administration SA No. 1 (this action)	\$415,700.00
Construction Cost	<u>\$1,306,252.00</u>
Total	\$1,996,674.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Atkins North America, Inc.

Hispanic Female	124	Hispanic Male	192
African-American Female	78	African-American Male	85
Other Female	64	Other Male	116
White Female	564	White Male	1,214

OWNER(S)

Atkins North America, Inc.

Joe Boyer, Chief Executive Officer
Ernie Edgar, Sr. Vice President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds

Atkins North America, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$248,770.00	59.84%
Non-local contracts	\$166,930.00	40.16%
TOTAL THIS ACTION	\$415,700.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

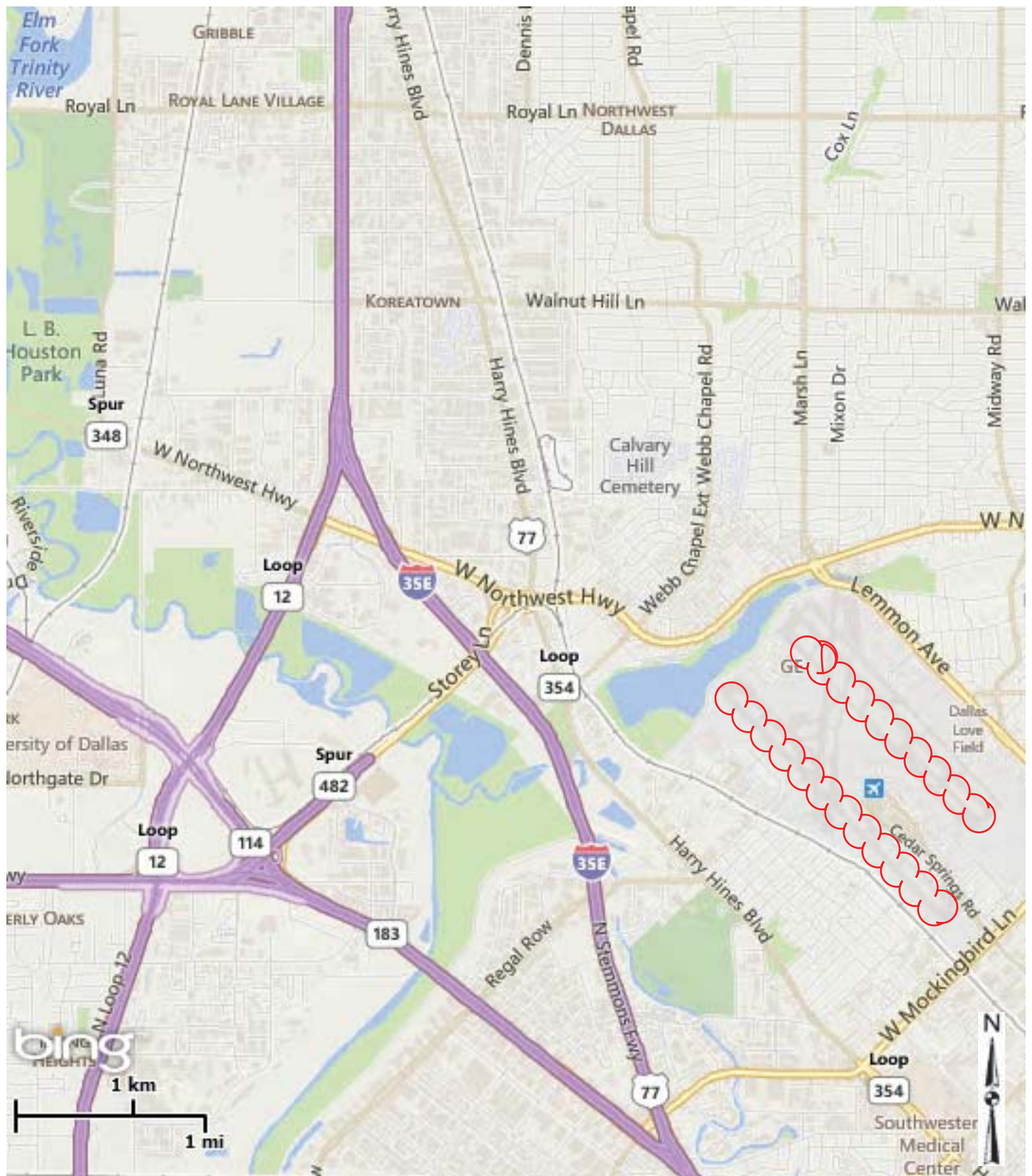
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
HVJ Associates	BMMB61733N0516	\$22,164.50	8.91%
Total Minority - Local		\$22,164.50	8.91%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Williams CM Group	WFDB62387Y0615	\$166,930.00	100.00%
Total Minority - Non-local		\$166,930.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$22,164.50	5.33%	\$22,164.50	3.21%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$18,962.00	2.75%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$166,930.00	40.16%	\$206,190.00	29.86%
Total	\$189,094.50	45.49%	\$247,316.50	35.82%



Dallas Love Field

Hold Sign Relocation Project

October 28, 2015

WHEREAS, in 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time; and,

WHEREAS, the current runway hold position markings and signage do not meet current Federal Aviation Administration standards for Runway Safety Areas at Dallas Love Field; and,

WHEREAS, in September 2012, the Federal Aviation Administration rescinded a waiver for Dallas Love Field allowing the runway hold position signage and markings to remain in their existing locations; and,

WHEREAS, it is necessary to relocate the runway signage and marking hold positions to meet current Federal Aviation Administration standards for the Runway Safety Areas at Dallas Love Field; and,

WHEREAS, four firms submitted proposals to provide Engineering Services for the Runway Hold Position Relocation Project at Dallas Love Field; and,

WHEREAS, Atkins North America, Inc. was selected as the most qualified proposer of four as a result of a qualifications-based selection process in accordance with City of Dallas procurement guidelines; and,

WHEREAS, on September 24, 2014, Resolution No. 14-1604 authorized a professional services contract with Atkins North America for the design and preparation of construction documents for the Hold Sign Relocation Project at Dallas Love Field in the amount of \$274,722.00; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the professional services contract with Atkins North America, Inc. to provide construction administration and construction management services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700.00, from \$274,722.00 to \$690,422.00.

Now, Therefore,

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

October 28, 2015

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Atkins North America, Inc. to provide construction administration and construction management services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700.00, from \$274,722.00 to \$690,422.00 after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$415,700.00 to be paid to Atkins North America, Inc. in accordance with the terms and conditions of the contract:

Aviation Capital Construction Fund

Fund 0131, Department AVI, Unit P919, Act. AAIP,
Object 4599, Program #AVIP919, CT AVI ATK P919F14
Vendor #066365, in an amount not to exceed

\$415,700.00

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Public Works Department

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 54C G

SUBJECT

Authorize Supplemental Agreement No. 5 to the professional services contract with Pacheco Koch Consulting Engineers for additional engineering services for drainage improvements to the existing downstream stormwater system for the streetscape and urban design improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard - Not to exceed \$208,460, from \$1,003,295 to \$1,211,755 - Financing: 2006 Bond Funds

BACKGROUND

This action will authorize Supplemental Agreement No. 5 to the professional services contract with Pacheco Koch Consulting Engineers for the design of downstream drainage improvements for the Bishop Avenue from Eighth Street to Jefferson Boulevard complete street project. The primary goal of the drainage improvement is to alleviate the burden on the existing drainage system from the additional stormwater run-off resulting from the anticipated redevelopment of the Bishop Arts areas.

Streetscape and urban design improvements for Bishop Avenue from Neely Street to Colorado Boulevard were funded in the 2006 Bond Program. A professional services contract with Pacheco Koch Consulting Engineers for the engineering design was authorized on May 13, 2009, by Resolution No. 09-1196. On April 27, 2011, City Council authorized a construction contract with Camino Construction, L.P., by Resolution No. 11-1128. On August 24, 2011, Resolution No. 11-2198 authorized Supplemental Agreement No. 3 to the professional services contract with Pacheco Koch Consulting Engineers. The construction of Bishop Avenue from Neely Street to Colorado Boulevard was completed in December 2012. Bishop Avenue from Eighth Street to Jefferson Boulevard was included in the 2012 Bond Program for complete street improvements, and on February 25, 2015, Resolution No. 15-0413 authorized Supplemental Agreement No. 4 with Pacheco Koch Consulting Engineers for additional engineering services for paving, drainage, streetscape, water and wastewater improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard and other nearby Bishop Arts area streets.

ESTIMATE SCHEDULE OF PROJECT

Began Design	May 2009
Complete Design	May 2016
Begin Construction	September 2016
Complete Construction	May 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Pacheco Koch Consulting Engineers for engineering services on May 13, 2009, by Resolution No. 09-1196.

Authorized a construction contract with Camino Construction, L.P. on April 27, 2011, by Resolution No. 11-1128.

Authorized Supplemental Agreement No. 3 to the professional services contract with Pacheco Koch Consulting Engineers on August 24, 2011, by Resolution No. 11-2198.

Authorized Supplemental Agreement No. 4 to the professional services contract with Pacheco Koch Consulting Engineers on February 25, 2015, by Resolution No. 15-0413.

Information about this item will be provided to the Transportation and Trinity River Projects Committee on October 26, 2015.

FISCAL INFORMATION

2006 Bond Funds - \$208,460

Design - PBW	\$ 270,105.00
Design - DWU	\$ 44,730.00
Supplemental Agreement No. 1	\$ 23,700.00
Supplemental Agreement No. 2	\$ 15,500.00
Supplemental Agreement No. 3	\$ 154,375.00
Supplemental Agreement No. 4	\$ 494,885.00
Supplemental Agreement No. 5 (this action)	\$ 208,460.00
Construction	
Paving & Drainage - PBW	<u>\$ 6,767,489.85 (est.)</u>
Total	\$ 7,979,244.85 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Pacheco Koch Consulting Engineers

Hispanic Female	6	Hispanic Male	21
African-American Female	0	African-American male	1
Other Female	2	Other Male	2
White Female	10	White Male	62

OWNER

Pacheco Koch Consulting Engineers

Mark A. Pacheco, P.E., R.P.L.S., President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 5 to the professional services contract with Pacheco Koch Consulting Engineers for additional engineering services for drainage improvements to the existing downstream stormwater system for the streetscape and urban design improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard - Not to exceed \$208,460, from \$1,003,295 to \$1,211,755 - Financing: 2006 Bond Funds

Pacheco Koch Consulting Engineers is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$208,460.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$208,460.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group	BMDB63934Y0116	\$11,575.00	5.55%
Criado & Associates	HFDB44840Y0716	\$25,105.00	12.04%
Pacheco Koch Consulting Engineers	HMDB63257Y1015	\$149,780.00	71.85%
Lim & Associates	PMDB61647Y0416	\$22,000.00	10.55%
Total Minority - Local		\$208,460.00	100.00%

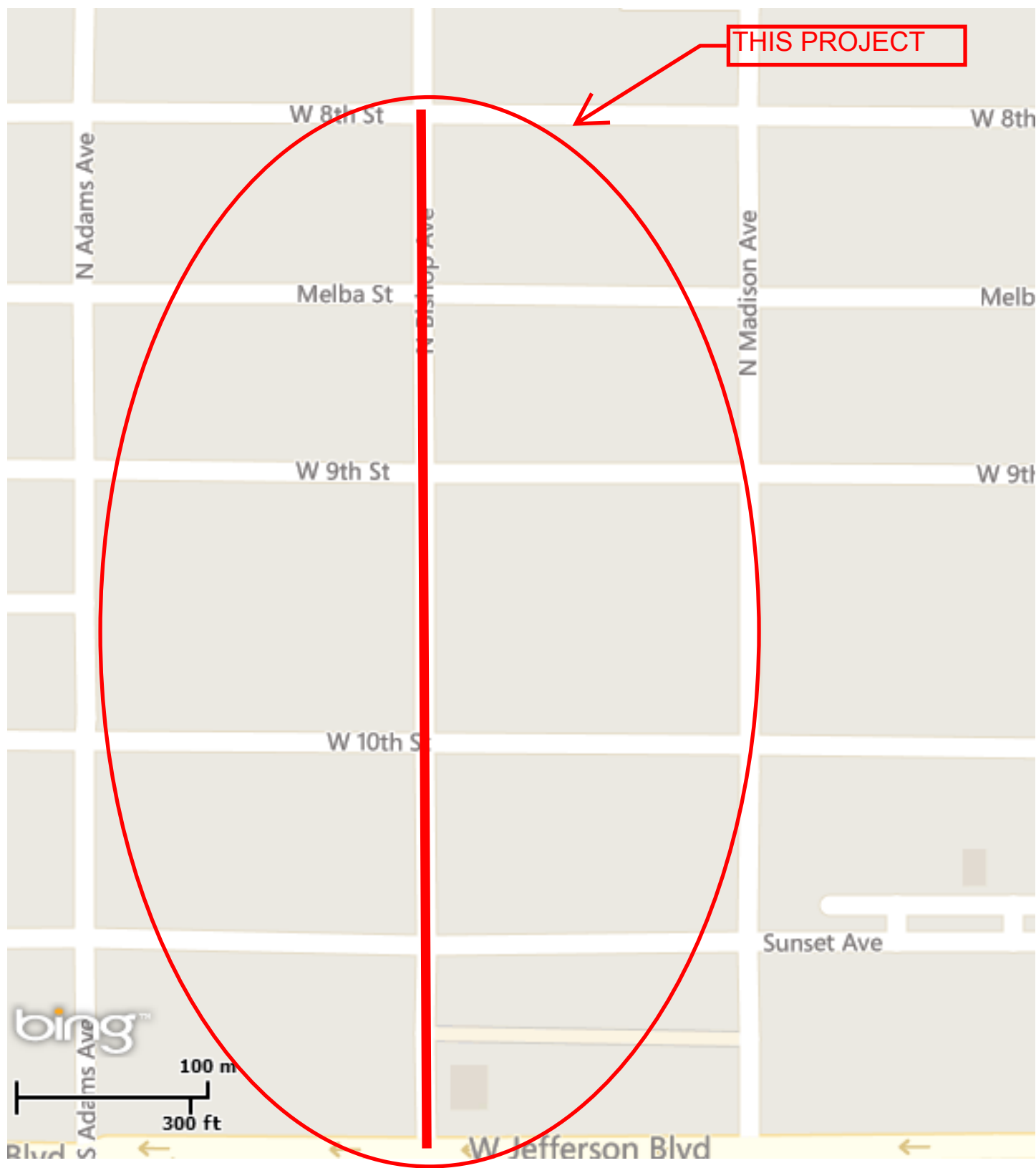
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$11,575.00	5.55%	\$21,700.00	1.79%
Hispanic American	\$174,885.00	83.89%	\$1,007,285.00	83.13%
Asian American	\$22,000.00	10.55%	\$44,300.00	3.66%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$114,470.00	9.45%
Total	\$208,460.00	100.00%	\$1,187,755.00	98.02%

BISHOP AVENUE FROM EIGHTH STREET TO JEFFERSON BOULEVARD



MAPSCO 54C & 54G

October 28, 2015

WHEREAS, on May 13, 2009, Resolution No. 09-1196 authorized a professional services contract with Pacheco Koch Consulting Engineers for engineering services for Bishop Avenue from Neely Street to Colorado Boulevard, in the amount of \$314,835.00; and,

WHEREAS, on January 20, 2010, Administrative Action No. 10-0637 authorized Supplemental Agreement No. 1 to the contract with Pacheco Koch Consulting Engineers to complete and finalize the survey work related to the horizontal and vertical control surveying and the boundary descriptions needed to proceed with the design of this project, in the amount of \$23,700.00, from \$314,835.00 to \$338,535.00; and,

WHEREAS, on November 12, 2010, Administrative Action No. 10-3140 authorized Supplemental Agreement No. 2 to the contract with Pacheco Koch Consulting Engineers to design a proposed storm drainage system and provide drainage related calculations and requirements needed to complete the design of this project, in the amount of \$15,500.00, from \$338,535.00 to \$354,035.00; and,

WHEREAS, on April 27, 2011, Resolution No. 11-1128 authorized a contract with Camino Construction, L.P. for the construction of paving, drainage and streetscape improvements including sidewalks, curb and gutter, barrier free ramps, water and wastewater mains for North Bishop Avenue from West Neely Street to West Colorado Boulevard, in the amount of \$2,678,103.25; and,

WHEREAS, on August 24, 2011, Resolution No. 11-2198 authorized Supplemental Agreement No. 3 to the contract with Pacheco Koch Consulting Engineers for additional streetscape/urban design services for Bishop Avenue from Eighth Street to Jefferson Boulevard, in the amount of \$154,375.00, increasing the contract from \$354,035.00 to \$508,410.00; and,

WHEREAS, on February 25, 2015, Resolution No. 15-0413 authorized Supplemental Agreement No. 4 to the contract with Pacheco Koch Consulting Engineers for additional engineering services for paving, drainage, streetscape, water and wastewater improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard and other nearby Bishop Arts area streets listed in Exhibit A, in the amount of \$494,885.00, increasing the contract from \$508,410.00 to \$1,003,295.00; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 5 to the contract with Pacheco Koch Consulting Engineers for additional engineering services for drainage improvements to the existing downstream stormwater system for the streetscape and urban design improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard, in the amount of \$208,460.00, increasing the contract from \$1,003,295.00 to \$1,211,755.00.

October 28, 2015

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 5 to the contract with Pacheco Koch Consulting Engineers for additional engineering services for drainage improvements to the existing downstream stormwater system for the streetscape and urban design improvements on Bishop Avenue from Eighth Street to Jefferson Boulevard, in the amount of \$208,460.00, increasing the contract from \$1,003,295.00 to \$1,211,755.00, after it has been approved as to form by the City Attorney.

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

Street and Transportation Improvements Fund	
Fund 1T22, Department PBW, Unit U728, Act. SSUD	
Obj. 4111, Program #PB06U728, CT PBW06U728H1	
Vendor No. 342980, in an amount not to exceed	\$208,460

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.

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Sanitation Services

CMO: Joey Zapata, 670-3009

MAPSCO: N/A

SUBJECT

Authorize the third twelve-month renewal option to the service contract for the processing and sale of recycled materials for the period January 1, 2016 through December 31, 2016 – Greenstar Mid-America, LLC - Estimated Revenue: \$1,880,075

BACKGROUND

On August 9, 2006, the City Council approved an eighty-four month service contract, with three twelve-month renewal options, with Mid-America Recycling Company d/b/a Vista Fibers of Dallas to process and sell the recycled material collected in the Dallas Residential Recycling Program. Mid-America Recycling was purchased by Greenstar North America Holdings, Inc. in 2008, and the contract was assumed by the new owner, with the entity renamed Greenstar Mid-America, LLC. In January 2013, 100% of the ownership of Greenstar Mid-America, LLC was transferred from Greenstar North America Holdings, Inc. to WM Recycle America, LLC. This was a change of ownership only, and the entity Greenstar Mid-America, LLC continued to perform under the solid waste franchise ordinance and the service contract with the City.

The original term of the contract was January 1, 2007 through December 31, 2013, with three one year renewal options. The contract provides processing services for recyclable materials collected in the Residential Recyclable Program. All materials are delivered to the processing facility by the City or the City's selected collection contractor. This agreement allows for revenue sharing between the City of Dallas and Greenstar Mid-America, LLC through the sale of over 50,000 tons of recycled material collected annually.

BACKGROUND (Continued)

This partnership also encourages environmental stewardship through an enhanced recycling educational program with an annual contribution of \$1.00 per household, payable to the City quarterly, for public education. This program includes direct mailings, educational videos, radio/TV public service announcements, media tours, billboards, bus display ads, magazine ads, attendance at community meetings and events. The amount of recycled material increased from 20,149 tons in 2007 to an estimated 55,500 tons in 2015.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 15, 2005, City Council was briefed as part of the Budget Workshop.

On September 19, 2005, City Council was briefed on twice-monthly single-stream residential recycling program.

On May 22, 2006, the Finance, Audit & Accountability and Quality of Life Committees were briefed on the City's Recycling Program.

On June 26, 2006, the Quality of Life Committee was briefed on the City's Recycling Program.

On August 2, 2006, City Council was briefed on the twice-monthly single-stream residential recycling program.

On August 9, 2006, City Council approved an eighty-four-month service contract, with three twelve-month renewal options, for the processing and sale of recycled material with Mid-America Recycling Company, LLC d/b/a Vista Fibers of Dallas, by Resolution No. 06-2013.

Resolution No. 13-0971, was approved by City Council on June 12, 2013, to authorize consent to a transfer of control of 100% of the ownership interests of Greenstar Mid-America, LLC, a solid waste franchisee, from Greenstar North America Holdings, Inc. to WM Recycle America, LLC.

Resolution No. 13-1947, was approved by City Council on November 12, 2013, exercising the first of the three, twelve-month renewal options of the service contract, for the processing and sale of recycled material to Greenstar Mid-America Holdings, Inc./Waste Management Recycle America.

Resolution No. 14-1808, was approved by City Council on October 22, 2014, exercising the second of the three, twelve-month renewal options of the service contract, for the processing and sale of recycled material to Greenstar Mid-America Holdings, Inc./Waste Management Recycle America.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Information about this item will be provided to the Quality of Life & Environment Committee on October 26, 2015.

FISCAL INFORMATION

\$1,880,075.00 - Estimated Revenue

October 28, 2015

WHEREAS, on August 9, 2006, City Council authorized an eighty-four-month service contract, with three, twelve-month renewal options with Mid-America Recycling Company, LLC d/b/a Vista Fibers of Dallas for the processing and sale of recycled material collected in the Residential Recycling Program for the City of Dallas; and

WHEREAS, on November 12, 2013, City Council approved exercising the first three, twelve-month renewal options of the service contract, for the processing and sale of recycled material to Greenstar Mid-America Holdings, Inc./Waste Management Recycle America; and

WHEREAS, on October 22, 2014, City Council approved exercising the second three, twelve-month renewal options of the service contract, for the processing and sale of recycled material to Greenstar Mid-America Holdings, Inc./Waste Management Recycle America; and

WHEREAS, it is in the best interest of the City to exercise the third twelve-month renewal option effective January 1, 2016;

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to exercise the third twelve-month renewal option of the service contract for the processing and sale of recycled materials with Greenstar Mid-America, LLC, wholly owned by WM Recycle America, LLC, for the period January 1, 2016 through December 31, 2016.

Section 2. That the Chief Financial Officer is hereby authorized to deposit all revenues received from WM Recycle America, LLC as follows:

<u>Fund</u>	<u>Dept.</u>	<u>Unit</u>	<u>Revenue Source</u>	<u>Amount</u>
0440	SAN	3581	7438	\$1,880,075.00

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.

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sanitation Services

CMO: Joey Zapata, 670-3009

MAPSCO: 67P

SUBJECT

Authorize **(1)** a contract for the construction of two 15-acre waste cells for a total of 30 acres, cells 6B1 and 6D2, with composite liner and leachate collection system, at the McCommas Bluff Landfill; and site improvements that include pavement of a perimeter road, main entrance road improvements, a new waste cell access road, entrance signage improvements, environmental enhancements including a wheel/undercarriage washing system and mud tracking reduction controls; and **(2)** an increase in appropriations in the Sanitation Capital Improvement Fund in the amount of \$4,804,946 from \$9,010,338 to \$13,815,284 - Hammett Excavation, Inc., lowest responsible bidder of four - Total not to exceed \$4,804,946 - Financing: Sanitation Capital Improvement Funds

BACKGROUND

The McCommas Bluff Landfill is a 2,048-acre property, of which 965 acres are dedicated to waste disposal. As one cell is being filled, another is being planned and prepared for use. Sanitation Services utilizes a Capital Improvement Fund, supported landfill revenues, to fund waste cell development projects. Current waste cells are estimated to reach capacity in January 2017, not including an additional 12+ months of cell capacity permitted for construction and demolition type debris in previously filled areas that now have capacity due to settlement. All new waste cells are constructed in accordance with state and federal regulations. This contract will allow two 15-acre waste cells to be constructed which will provide needed disposal capacity for the landfill's waste stream until approximately June 2019. This project will also include: landfill improvements to pave a degraded section of the landfill's perimeter access road; main entrance road improvements; construction of an access road to the new cell being constructed; new site signs at each entrance; and a wheel/undercarriage washing system and mud tracking reduction controls to reduce impacts to surrounding public right of ways during inclement weather.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction December 2015
Complete Construction July 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 9, 2012, by Resolution No. 12-1272, City Council authorized a professional services contract to Biggs and Mathews Environmental, Inc., for the design and construction oversight of a sector of waste cell 6 at McCommas Bluff Landfill.

On April 24, 2013, by Resolution No. 13-0713, City Council authorized a contract to Hammett Excavation Inc. for the construction of a 15-acre waste cell, with composite liner and leachate collection system, at McCommas Bluff Landfill.

Information about this item will be provided to the Quality of Life & Environment Committee on October 26, 2015.

FISCAL INFORMATION

\$4,804,945.56 - Sanitation Capital Improvement Funds

ETHNIC COMPOSITION

Hammett Excavation, Inc.

White Male	18	White Female	4
Black Male	0	Black Female	0
Hispanic Male	34	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number CIZ1564 and were opened on September 4, 2015. This construction contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

**Hammett Excavation, Inc. submitted a total base bid for this project totaling \$4,828,859.32. This bid contained a discrepancy between unit price and the extended total in the amount of \$23,913.76, which when corrected reduced the bid to \$4,804,945.56 (proposed award amount). The City, as allowed by State Law, can utilize the figure that is most advantageous to the City. Hammett Excavation, Inc. was the lowest responsible bidder of four prior to the correction and this change did not affect the overall results of bidding.

BID INFORMATION (Continued)

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
* Hammett Excavation, Inc.	1545 CR 2917 Dodd City, TX 75438	\$4,804,945.56 **
LD Kemp Excavating, Inc.	5409 Denton Hwy Ft. Worth, TX 76148	\$5,556,897.16
FCS Construction LLC	9550 John W. Elliott Dr Suite 106 Frisco, TX 75033	\$5,731,333.80
4X Construction Group LLC	99 Regency Pkwy Suite, 303 Mansfield, TX 76063	\$6,288,463.50

OWNER**Hammett Excavation, Inc.**

Gaylon Hammett, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a contract for the construction of two 15-acre waste cells for a total of 30 acres, cells 6B1 and 6D2, with composite liner and leachate collection system, at the McCommas Bluff Landfill; and site improvements that include pavement of a perimeter road, main entrance road improvements, a new waste cell access road, entrance signage improvements, environmental enhancements including a wheel/undercarriage washing system and mud tracking reduction controls; and **(2)** an increase in appropriations in the Sanitation Capital Improvement Fund in the amount of \$4,804,946 from \$9,010,338 to \$13,815,284 - Hammett Excavation, Inc., lowest responsible bidder of four - Total not to exceed \$4,804,946 - Financing: Sanitation Capital Improvement Funds

Hammett Excavation is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$4,804,945.56	100.00%
TOTAL CONTRACT	\$4,804,945.56	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Falcon Environmental	WFWB61659N0516	\$1,341,357.15	27.92%
Total Minority - Non-local		\$1,341,357.15	27.92%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$1,341,357.15	27.92%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$0.00	0.00%	\$1,341,357.15	27.92%

October 28, 2015

WHEREAS, on May 9, 2012, City Council authorized a professional services contract to Biggs and Mathews Environmental, Inc., for the design and construction oversight of a sector of waste cell 6 at McCommas Bluff Landfill, by Resolution No. 12-1272; and,

WHEREAS, on April 24, 2013, City Council authorized a contract for the construction of a 15-acre waste cell, with composite liner and leachate collection system, at McCommas Bluff Landfill with Hammett Excavation Inc., by Resolution No. 13-0713; and,

WHEREAS, the continued development of the McCommas Bluff Landfill requires the construction of cells 6B1 and 6D2, and site improvements.

NOW, THEREFORE,

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

Section 1. That upon approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a contract with Hammett Excavation Inc. (VS0000075903), for the construction of waste cells 6B1 and 6D2, with a composite liner and leachate collection system, and site improvements at the McCommas Bluff Landfill, in the amount not to exceed \$4,804,945.56.

Section 2. That the City Manager is hereby authorized to increase appropriations in the Sanitation Capital Improvement Funds 0593, Dept. SAN, Unit P309, Obj. 4599 in an amount not to exceed \$4,804,945.56.

Section 3. That the Chief Financial Officer is hereby authorized to disburse the following funds in an amount not to exceed \$4,804,945.56 from Fund 0593, Dept. SAN; Unit P309, Obj. 4599, Encumbrance CT-SAN-Cell6, Vendor No. VS0000075903, Program No. SAN Cell 6; Amount \$4,804,945.56

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 1, 3

DEPARTMENT: Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 43T

SUBJECT

Authorize **(1)** the receipt and deposit of funds in the amount of \$18,786 from SLF III - The Canyon TIF, L.P., for material, equipment and labor provided by the City related to the construction of a new traffic signal at Canyon Boulevard and Westmoreland Road; and **(2)** an increase in appropriations in the amount of \$18,786 in the Capital Projects Reimbursement Fund - Not to exceed \$18,786 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

SLF III – The Canyon TIF, L.P. is constructing a new mixed-use development south of IH 30 and west of Westmoreland Road. The construction of a new traffic signal at the intersection of Canyon Boulevard and Westmoreland Road is included in the project costs. The new traffic signal will be constructed by the developer as part of the construction project.

In order to remain consistent with existing traffic signal equipment in the City system, City forces will provide material and equipment for the intersection, as well as the labor to prepare the traffic control cabinet and the timing of the signal. SLF III – The Canyon TIF, L.P., has agreed to pay the full cost for all City material, equipment and labor toward the project.

SLF III – The Canyon TIF, L.P. understands that, upon City Council approval of the required funding, funds in the amount of \$18,785.27 are to be deposited with the City of Dallas before any signal-related materials or labor can be provided by the City.

It is understood that the final construction cost will be determined by the City upon completion of the project, and that SLF III – The Canyon TIF, L.P. will be billed for any amount over the prepayment amount or refunded any unused funds.

BACKGROUND (Continued)

This estimate includes all City of Dallas signal equipment, materials and labor associated with modifications of the signalized location.

Intersection

Council District

Canyon Boulevard and Westmoreland Road

1, 3

ESTIMATED SCHEDULE OF PROJECT

Begin Construction November 2015

Complete Construction March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Capital Projects Reimbursement Funds - \$18,785.27

Council District

Amount

1 \$ 9,392.64

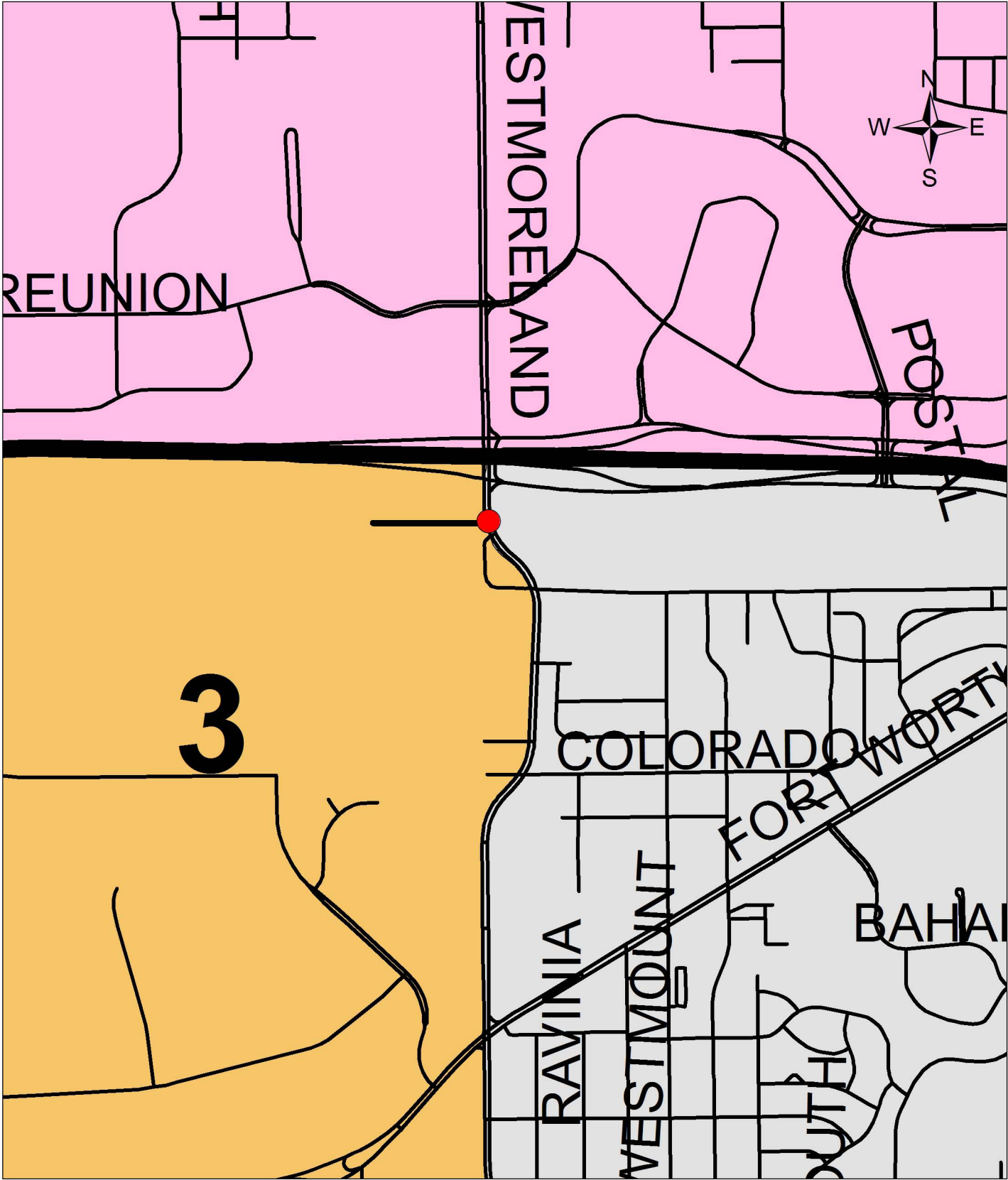
3 \$ 9,392.63

Total \$18,785.27

MAP

Attached

CANYON BOULEVARD AT WESTMORELAND ROAD



October 28, 2015

WHEREAS, SLF III – The Canyon TIF, L.P., is constructing a new development south of IH 30 and west of Westmoreland Road; and,

WHEREAS, the development requires the construction of a new traffic signal at the intersection of Canyon Boulevard and Westmoreland Road; and,

WHEREAS, SLF III – The Canyon TIF, L.P., has agreed to reimburse the City of Dallas for material, equipment and labor costs related to the construction of the traffic signal.

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 funds from SLF III – The Canyon TIF, L.P., for material, equipment and labor costs related to the construction of the new traffic signal being constructed at the intersection of Canyon Boulevard and Westmoreland Road in an amount not to exceed \$18,785.27 in the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit W038, Revenue Source 8492.

Section 2. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit W038, Obj. 4820, Act. THRG, Program TPW03816 in an amount not to exceed \$18,785.27.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds received from SLF III – The Canyon TIF, L.P., in the amount of \$18,785.27 from Fund 0556, Dept. STS, Unit W038, Obj. 4820, Act. THRG, Program TPW03816 for services related to the construction of the new traffic signal.

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 ITEM # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 45E J

SUBJECT

Authorize **(1)** the receipt and deposit of funds in the amount of \$200,181 from Victory Park UST Joint Venture I, LP for City-provided materials, equipment and labor related to the construction of nine traffic signals at the intersections of Continental Avenue and Houston Street/Victory Avenue, Lamar Street and Victory Avenue, Houston Street and Lamar Street, Houston Street and Olive Street, Olive Street and Victory Avenue, Houston Street and Payne Street, All Star Way and Houston Street, All Star Way and Victory Avenue, Hi Line Drive and Houston Street/Victory Avenue as part of the larger "Victory Park Two Way Conversion" project; and **(2)** an increase in appropriations in the amount of \$200,181 in the Capital Projects Reimbursement Fund - Not to exceed \$200,181- Financing: Capital Projects Reimbursement Funds

BACKGROUND

Victory Park UST Joint Venture I, LP is constructing streetscape and pedestrian improvements at nine intersections within Victory Park from Hi Line Drive and Houston Street/Victory Avenue to the north and the intersection of Continental Avenue and Houston Street/Victory Avenue to the south.

In order to remain consistent with existing traffic signal equipment in the City system, City forces will provide material and equipment for the intersection, as well as the labor to prepare the traffic control cabinet and the timing of the signal. Victory Park UST Joint Venture I, LP has agreed to pay the full cost for all City-provided material, equipment and labor toward the project.

Victory Park UST Joint Venture I, LP understands that, upon City Council approval of the required funding, funds in the amount of \$200,180.88 are to be deposited with the City of Dallas before any signal-related materials or labor can be provided by the City. It is understood that the final costs will be determined by the City upon completion of the project, and that Victory Park UST Joint Venture I, LP will be billed for any amount over the prepayment amount or refunded any unused funds.

BACKGROUND (Continued)

This project includes the replacement of traffic signals and includes new pedestrian ramps, new pedestrian push buttons and new countdown pedestrian heads at the intersections.

This estimate includes all City of Dallas signal equipment, materials and labor associated with modifications of nine signalized locations.

Intersection

Council District

Continental Avenue and Houston Street/Victory Avenue	2, 14
Lamar Street and Victory Avenue	2
Houston Street and Lamar Street	2, 14
Houston Street and Olive Street	2, 14
Olive Street and Victory Avenue	2
Houston Street and Payne Street	2
All Star Way and Houston Street	2
All Star Way and Victory Avenue	2
Hi Line Drive and Houston Street/Victory Avenue	2

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	October 2015
Complete Construction	March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

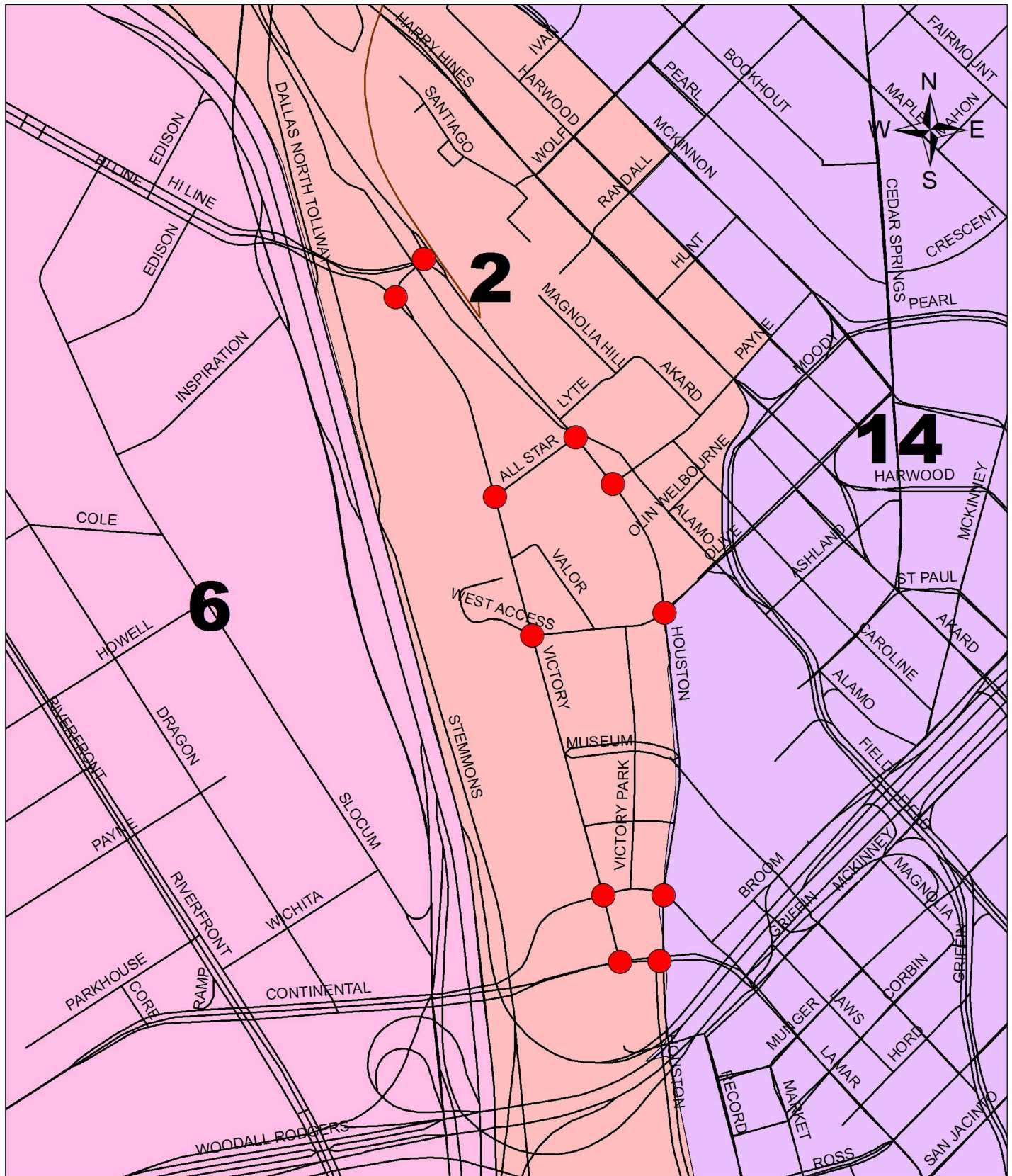
Capital Projects Reimbursement Funds - \$200,180.88

<u>Council District</u>	<u>Amount</u>
2	\$ 166,817.40
14	<u>\$ 33,363.48</u>
Total	\$ 200,180.88

MAP

Attached

VICTORY PARK TWO WAY CONVERSION



MAPSCO PAGES 45E, 45J

October 28, 2015

WHEREAS, Victory Park UST Joint Venture I, LP is constructing traffic signals at nine intersections between Hi Line Drive and Houston Street /Victory Avenue, and Continental Avenue and Houston Street /Victory Avenue as part of a larger "Victory Park Two Way Conversion" project; and,

WHEREAS, the project includes the construction of nine traffic signals at the intersections of Continental Avenue and Houston Street/Victory Avenue, Lamar Street and Victory Avenue, Houston Street and Lamar Street, Houston Street and Olive Street, Olive Street and Victory Avenue, Houston Street and Payne Street, All Star Way and Houston Street, All Star Way and Victory Avenue, Hi Line Drive and Houston Street/Victory Avenue; and,

WHEREAS, Victory Park UST Joint Venture I, LP has agreed to reimburse the City of Dallas for material, equipment and labor costs related to the construction of the nine traffic signals.

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 funds from Victory Park UST Joint Venture I, LP for material, equipment, and labor costs related to the construction of nine traffic signals at the intersections Continental Avenue and Houston Street/Victory Avenue, Lamar Street and Victory Avenue, Houston Street and Lamar Street, Houston Street and Olive Street, Olive Street and Victory Avenue, Houston Street and Payne Street, All Star Way and Houston Street, All Star Way and Victory Avenue, Hi Line Drive and Houston Street/Victory Avenue, in an amount not to exceed \$200,180.88 in the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit W036, Revenue Source 8492.

Section 2. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit W036, Obj. 4820, Act. THRG, Program TPW03616 in an amount not to exceed \$200,180.88.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds received from Victory Park UST Joint Venture I, LP in an amount not to exceed \$200,180.88 from Fund 0556, Dept. STS, Unit W036, Obj. 4820, Act. THRG, Program TPW03616 for materials and services related to the construction of nine traffic signals.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 13

DEPARTMENT: Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 14T

SUBJECT

Authorize **(1)** the receipt and deposit of funds in the amount of \$15,141 from Wal-Mart Real Estate Business Trust for certain material, equipment and labor provided by the City related to the reconstruction of the existing traffic signal at the intersection of Harvest Hill Road and Midway Road; and **(2)** an increase in appropriations in the amount of \$15,141 in the Capital Projects Reimbursement Fund - Not to exceed \$15,141 – Financing: Capital Projects Reimbursement Funds

BACKGROUND

Wal-Mart Real Estate Business Trust is constructing a new Wal-Mart store adjacent to Midway Road just south of LBJ Freeway. The existing traffic signal at the intersection of Harvest Hill Road and Midway Road will be reconstructed by Wal-Mart Real Estate Business Trust as part of the construction project.

In order to remain consistent with existing traffic signal equipment in the City system, City forces will provide certain material and equipment for the intersection, as well as the labor to prepare the traffic control cabinet and the timing of the signal. Wal-Mart Real Estate Business Trust has agreed to pay the full cost for all City material, equipment and labor toward the project.

Wal-Mart Real Estate Business Trust understands that, upon City Council approval of the required funding, funds in the amount of \$15,140.98 are to be deposited with the City of Dallas before any signal-related materials or labor can be provided by the City. It is understood that the final construction cost will be determined by the City upon completion of the project, and that Wal-Mart Real Estate Business Trust will be billed for any amount over the prepayment amount or refunded any unused funds.

BACKGROUND (Continued)

This estimate includes all City of Dallas signal equipment, materials and labor associated with modifications of the signalized location.

Intersection

Council District

Harvest Hill Road and Midway Road

13

ESTIMATED SCHEDULE OF PROJECT

Begin Construction November 2015

Complete Construction March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

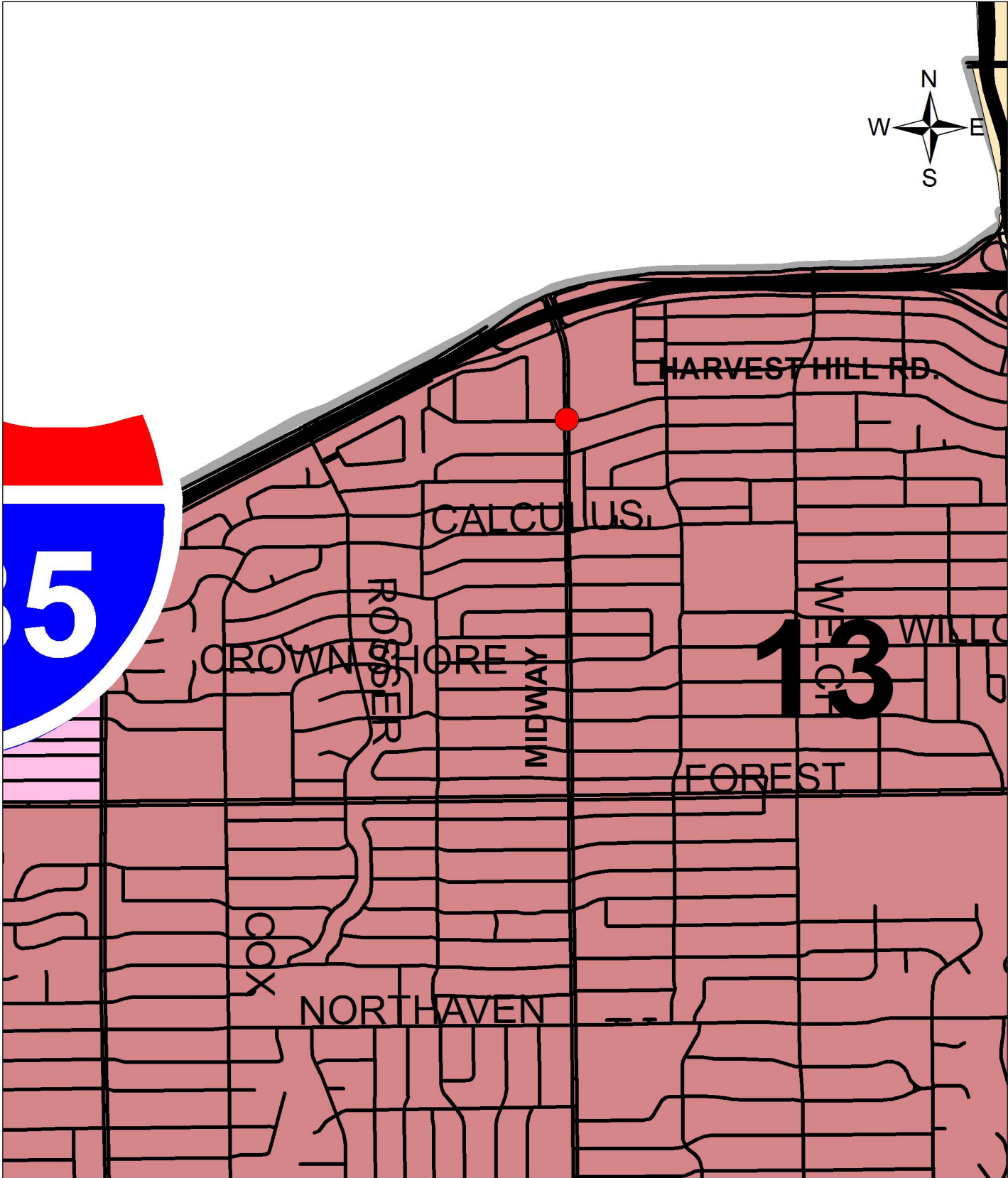
FISCAL INFORMATION

Capital Projects Reimbursement Funds – \$15,140.98

MAP

Attached

HARVEST HILL RD. AT MIDWAY RD.



October 28, 2015

WHEREAS, Wal-Mart Real Estate Business Trust is developing a new Wal-Mart store adjacent to Midway Road near LBJ Freeway; and,

WHEREAS, the development requires the reconstruction of the existing traffic signal at the intersection of Harvest Hill Road and Midway Road; and,

WHEREAS, Wal-Mart Real Estate Business Trust has agreed to reimburse the City of Dallas for certain City supplied material, equipment and labor costs related to the construction of the traffic signal.

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 funds from Wal-Mart Real Estate Business Trust for material, equipment and labor costs related to the reconstruction of the existing traffic signal being constructed at the intersection of Harvest Hill Road and Midway Road in an amount not to exceed \$15,140.98 the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit W037, Revenue Source 8492.

Section 2. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Dept. STS, Unit W037, Obj. 4820, Act. THRG, Program TPW03716 in an amount not to exceed \$15,140.98.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds received from Wal-Mart Real Estate Business Trust in an amount not to exceed \$15,140.98 from Fund 0556, Dept. STS, Unit W037, Obj. 4820, Act. THRG, Program TPW03716 for services related to the reconstruction of the existing traffic signal.

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 ITEM # 44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction
City Attorney's Office
Public Works Department

CMO: Ryan S. Evans, 671-9837
Warren M.S. Ernst, 670-3491
Jill A. Jordan, P.E., 670-5299

MAPSCO: 22G

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. The Hale Living Trust, Connie E. Hale, et al., Cause No. CC-15-01531-B, pending in County Court At Law No. 2, for acquisition from The Hale Living Trust, of approximately 7,044 square feet of land located near its intersection of Royal and Goodnight Lanes for the Goodnight Lane Street Improvements project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$21,153, increased from \$47,579 (\$44,279, plus closing costs and title expenses not to exceed \$3,300) to \$68,732 (\$65,432 being the award, plus closing costs and title expenses not to exceed \$3,300) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes deposit of the amount awarded by the Special Commissioners for the acquisition of approximately 7,044 square feet of land. The City made its final offer totaling \$44,279 and was based on a written appraisal from an independent certified appraiser. The offer was not accepted by the owner and the City filed an eminent domain case to acquire the land. After a hearing, the Special Commissioners awarded \$65,432.

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)

Authorized acquisition on November 12, 2013, by Resolution No. 13-1965.

Council will be briefed by memorandum regarding this item.

Information about this item will be provided to the Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

2006 Bond Funds - \$21,153

Resolution No. 13-1965	\$47,579
Additional Amount (this action)	<u>\$21,153</u>
Total Authorized Amount	\$68,732

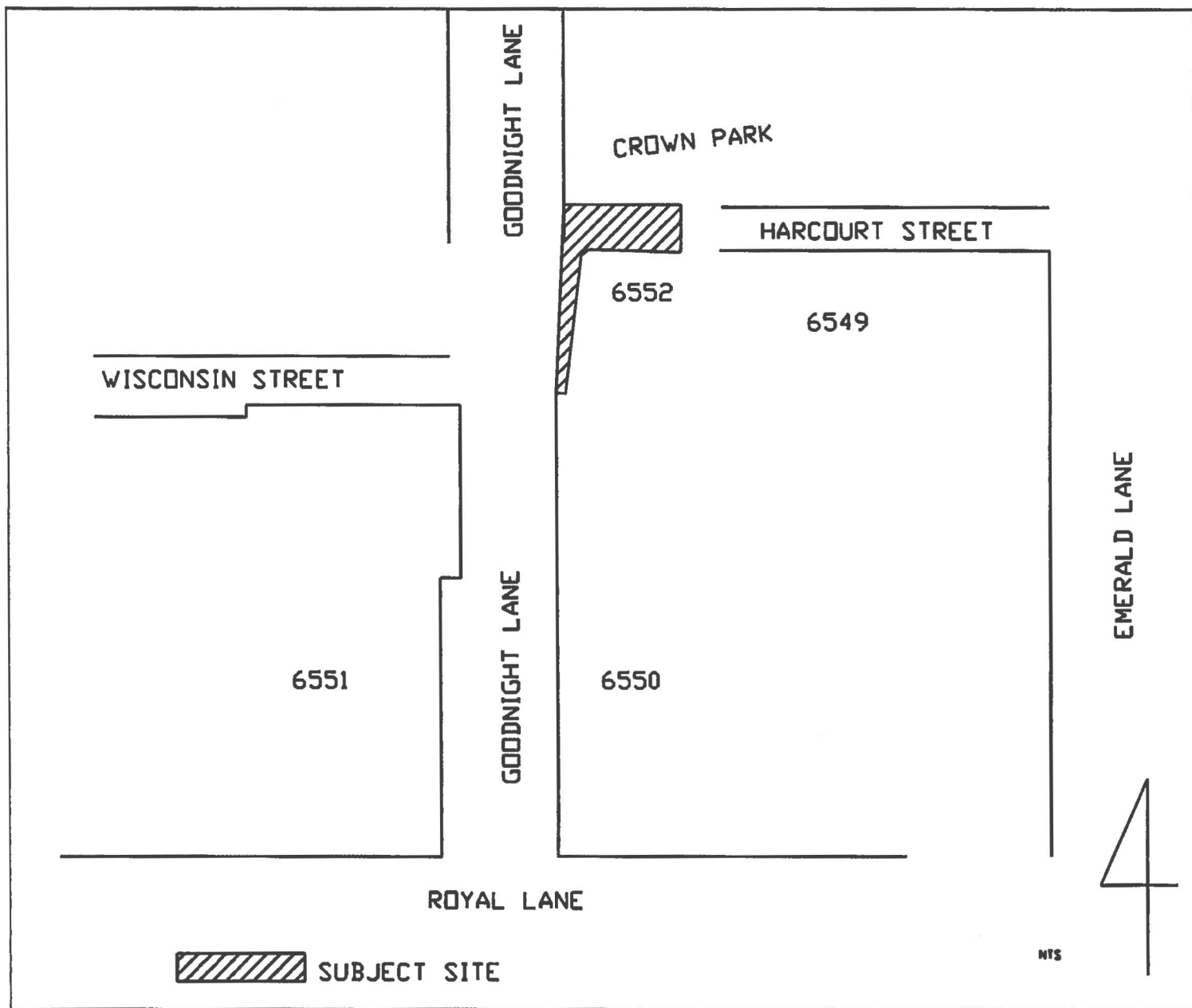
OWNER

The Hale Living Trust

Connie E. Hale, Trustee

MAP

Attached



October 28, 2015

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS' AWARD AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED THE LAWSUIT ARISING FROM THE CONDEMNATION PROCEEDING FOR THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

"CONDEMNATION PROCEEDING": Cause No. CC-15-01531-B, in County Court at Law No. 2, and styled City of Dallas v. The Hale Living Trust, Connie E. Hale, et al., filed pursuant to City Council Resolution No. 13-1965, approved November 12, 2013.

"PROPERTY": Approximately 7,044 square feet of land located in Dallas County, as described in the Condemnation Suit.

"PROJECT": Goodnight Lane Street Improvement

"OFFICIAL OFFER": \$44,279

"AWARD": \$65,432

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,300

"AUTHORIZED AMOUNT": Not to exceed \$68,732

"DESIGNATED FUNDS": \$44,279 - Street and Transportation Improvements Fund, Fund No. 2T22, Department PBW, Unit U787 Activity THRF, Program No. PB06U787, Object 4210, Encumbrance No. SUSCAU78781.

\$21,153 - Street and Transportation Improvements Fund, Fund No. 8T22, Department PBW, Unit U787 Activity THRF, Program No. PB06U787, Object 4210, Encumbrance No. SUSCAU78707.

\$3,300 - Street and Transportation Improvements Fund, Fund No. 2T22, Department PBW, Unit U787 Activity THRF, Program No. PB06U787, Object 4230, Encumbrance No. SUSCAU78706.

WHEREAS, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and

October 28, 2015

WHEREAS, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made an Award which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the PROPERTY; and

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD;

Now, Therefore, _

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

SECTION 1. That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with said County Clerk and in the amount of the CLOSING COSTS and TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 2. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

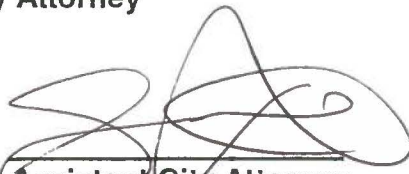
SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM

Warren M. S. Ernst

City Attorney

By:



Assistant City Attorney

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: Citywide

SUBJECT

An ordinance amending Chapter 43, of the Dallas City Code to define sidewalk cafes, establish annual and one-time fees for licenses and license renewals and reduce application fees for certain uses of the public right-of-way - Financing: No cost consideration to the City

BACKGROUND

Chapter 43 of the Dallas City Code currently provides application and license fees for certain uses of public right-of-way. The proposed ordinance would amend Chapter 43 to reduce the annual fee for sidewalk cafes and the one-time fees for landscaping and appurtenant irrigation systems; awnings and canopies without premise signs; subdivision and monuments signs; and other streetscape elements. The proposed ordinance would also reduce the application fee for those uses.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was briefed to Council on August 5, 2015.

Information about this item will be provided to the Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

No cost consideration to the City.

ORDINANCE NO. _____

An ordinance amending Chapter 43, "Streets and Sidewalks," of the Dallas City Code by amending Sections 43-112, 43-115, 43-115.1, and 43-116; adding Sections 43-111 and 43-115.3; and defining sidewalk cafes; establishing annual and one-time fees for licenses and license renewals for certain uses of the public right-of-way, reducing application fees for certain uses of the public right-of-way; requiring compliance with the Sidewalk Cafe Design Standards Manual; making certain semantic and conforming changes; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Section 43-111, "Reserved," of Article V, "Building Numbering," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code is moved from Article V, "Building Numbering," to Division 1, "Licenses for Other than Bicycle Parking Devices, Valet Parking Services, and Newsracks," of Article VI, "License for the Use of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, and amended to read as follows:

"SEC. 43-111. DEFINITIONS [~~RESERVED~~]."

In this division,

(1) DIRECTOR means the director of the department designated by the city manager to enforce and administer this division, or the director's authorized representative.

(2) SIDEWALK CAFE has the meaning given that term in Chapter 316 of the Texas Transportation Code, as amended."

SECTION 2. That Section 43-112, "Application; Fee," of Division 1, "Licenses for Other Than Bicycle Parking Devices, Valet Parking Services, and Newsracks," of Article VI,

“License for the Use of Public Right-of-Way” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code is amended to read as follows:

“SEC. 43-112. APPLICATION; FEE.

(a) If a person, or governmental entity operating a utility, desires to make use of any portion of the public right-of-way for a private or governmental utility use, the person, or governmental entity operating a utility, must apply in writing to the director. The application must be accompanied by plans or drawings showing the area to be used, a statement of the purpose for which the right-of-way is to be used, and a nonrefundable application fee in the amount required by Subsection (b) of this section [~~of \$750~~], plus recording fees; except that the application fee is not required for:

- (1) existing encroachments previously licensed; or
- (2) a license to place and maintain the facilities of a utility operated by a governmental entity on public right-of-way, where the governmental entity has previously contracted with the city to provide mutual granting of rights-of-way for utility purposes.

(b) The application fee is:

- (1) \$100 for a sidewalk cafe;
- (2) \$100 for a use of a public right-of-way described in Section 43-115.1; and
- (3) \$750 for any other use of the public right-of-way.”

SECTION 3. That Section 43-115, “Annual Fee for Use of Public Right-of-Way,” of Division 1, “Licenses for Other than Bicycle Parking Devices, Valet Parking Services, and Newsracks,” of Article VI, “License for the Use of Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code is amended to read as follows:

“SEC. 43-115. ANNUAL FEE FOR USE OF PUBLIC RIGHT-OF-WAY.

- (a) The annual fee for a license to use a public right-of-way for the following uses is:
- (1) Fee for railroad crossing: not less than \$50 per track crossing the public right-of-way or an amount determined by the director and established in the ordinance granting the license. The fee will not be assessed for a railroad crossing where the railroad existed before the public right-of-way was established.

(2) Fee for encroachment of historically significant structures into public right-of-way: \$1,000.

(3) Fee for placement and maintenance of facilities of a utility operated by a governmental entity on public right-of-way pursuant to a contract with the city providing for mutual grant of rights-of-way: None.

(4) Fee for a sidewalk cafe: \$200.

(b) The annual fee for a license to use a public right-of-way for uses other than those listed in Subsection (a) is \$1,000 or is calculated in accordance with one of the following formulas, whichever is greater:

(1) Fee for use of public right-of-way: $\text{area} \times \text{market value} \times 85\% \times 12\%$.

(2) Fee for subsurface use only: $\text{area} \times \text{market value} \times 30\% \times 12\%$.

(3) Fee for air rights use only (including awnings and canopies with a premise sign as defined in Section 51A-7.102(28) of the Dallas City Code): $\text{area} \times \text{market value} \times 85\% \times 85\% \times 12\%$.

(4) Fee for commercial parking operation use: 50% of gross receipts (which include receipts for all parking and tips less sales and use taxes, if applicable).

~~[(5) Fee for a sidewalk cafe: the lesser of \$2,500 or an amount equal to the area \times market value \times 85% \times 12%.]~~

(c) Except for a sidewalk cafe license, the [The] application fee required by Section 43-112 will be applied to the first year's fee if a license is granted.

(d) Whether or not stated in the ordinance granting the license, the city council retains the right to increase or decrease the annual fee.

(e) The market value of the area licensed is based on the per square foot appraised value, as determined by the Dallas County Central Appraisal District, of a fee simple interest in a useable tract of abutting property.

(f) The director shall annually review the market values of licensed areas for which fees are based on market value. If it is determined that the market value of a licensed area has decreased, the director shall notify the licensee in writing that the annual fee has been decreased. If it is determined that the market value of a licensed area has increased, the director shall notify the licensee in writing that the annual fee has been increased. If a licensee is unwilling to accept the increased fee, the licensee may terminate the license."

SECTION 4. That Section 43-115.1, “Special Fees for the Use of Public Right-of-Way,” of Division 1, “Licenses for Other than Bicycle Parking Devices, Valet Parking Services, and Newsracks,” of Article VI, “License for the Use of Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code is amended to read as follows:

“SEC. 43-115.1. SPECIAL FEES FOR THE USE OF PUBLIC RIGHT-OF-WAY.

(a) Instead of the annual fee charged under Section 43-115 of this division, the following one-time fees will be charged for a license to use a public right-of-way for the following uses:

- (1) Fee for landscaping and appurtenant irrigation systems: \$100 [~~1,000~~].
- (2) Fee for awnings and canopies without a premise sign as defined in Section 51A-7.102(28) of the Dallas City Code: \$100 [~~1,000~~] per awning or canopy.
- (3) Fee for subdivision and monument signs: \$100 [~~1,000~~] per sign.
- (4) Fee for other streetscape elements [~~improvement projects~~], including~~[, but not limited to, landscaping as part of a streetscape improvement project,]~~ planters, crosswalk texturing and coloring, artwork, lighting, benches, flag poles, bollards, and trash receptacles: \$100 [5,400].

(b) An application fee paid pursuant to Section 43-112 will not be applied to license fees charged under this section.”

SECTION 5. That Chapter 43, “Streets and Sidewalks,” of the Dallas City Code is amended by adding Section 43-115.3, “Sidewalk Cafe Guidelines” to read as follows:

“SEC. 43-115.3. SIDEWALK CAFE DESIGN STANDARDS MANUAL.

All sidewalk cafes must comply with the Sidewalk Cafe Design Standards Manual. The director shall keep an updated electronic copy of the Sidewalk Cafe Design Standards Manual on the city’s website and keep an updated paper copy on file for public inspection and copying.”

SECTION 6. That Section 43-116, “Temporary License; Director Defined,” of Division 1, “Licenses for Other than Bicycle Parking Devices, Valet Parking Services, and Newsracks,” of Article VI, “License for the Use of Public Right-of-Way,” of Chapter 43, “Streets and Sidewalks,” of the Dallas City Code is amended to read as follows:

“SEC. 43-116.

TEMPORARY LICENSE[~~,-DIRECTOR DEFINED~~].

[(a)] The director may grant a temporary license on a month-to-month basis if a license or abandonment application is being processed for city council action and if failure to grant a temporary license will subject the applicant to a substantial hardship.

[(b)] ~~In this division, DIRECTOR means the director of the department designated by the city manager to enforce and administer this division, or the director's authorized representative.]”~~

SECTION 7. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance governing the dumping of refuse, is, upon conviction, punishable by a fine not to exceed \$4,000; a person violating a provision of this ordinance governing fire safety, zoning, or public health and sanitation, other than the dumping of refuse, is, upon conviction, punishable by a fine not to exceed \$2,000; and a person violating any other provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 8. That Chapter 43 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. 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 10. 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:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize **(1)** acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; **(2)** execution of a CTP Agreement with FEMA for FY 2015-2016 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(3)** the receipt and deposit of funds in an amount not to exceed \$788,250 from FEMA; **(4)** an increase in appropriations in the amount of \$788,250 in the FEMA Cooperating Technical Partnership Fund; **(5)** a local cash match of \$262,750 for the FY 2015-2016 plan; and **(6)** Supplemental Agreement No. 1 to the contract with Halff Associates, Inc., in the amount of \$1,051,000, from \$741,667 to \$1,792,667, for updating certain flood studies in accordance with the CTP Agreement with FEMA for Fiscal Year 2015-16 - Total not to exceed \$1,051,000 - Financing: Stormwater Drainage Management Current Funds (\$262,750) and FEMA Cooperating Technical Partnership Funds (\$788,250)

BACKGROUND

The CTP program is FEMA's approach to creating partnerships between FEMA and participating National Flood Insurance Program (NFIP) communities to improve the flood hazard mapping program. In this program, FEMA provides a grant for 75% of the cost of the project while the participating city is responsible for the remaining 25%. In March 2010, the City of Dallas submitted an application for the CTP program, which includes a five-year plan to update several outdated flood studies for several streams. The application was subsequently approved by FEMA.

On November 10, 2010, City Council approved year one (FY 2010-2011) which included three streams within the Joe's Creek watershed and eleven streams within the White Rock Creek watershed.

On September 14, 2011, City Council approved Supplemental Agreement No. 1 for year two (FY 2011-2012) which included nine tributaries of White Rock Creek and Honey Springs Branch.

BACKGROUND (Continued)

On November 14, 2012, City Council approved Supplemental Agreement No. 2 for year three (FY 2012-2013) which included detailed studies of Ash Creek and South Fork of Ash Creek , Stream 5B1, 5B2, 5B3, 5B5, 5B6, 5B9 and Forney Branch.

On November 12, 2013, City Council approved Supplemental Agreement No. 3 for year four (FY 2013-2014) which included a connectivity model for White Rock Creek, Stream 4B5, and several tributaries of Five Mile Creek.

On November 12, 2014, City Council approved a new contract with Halff based on selection in 2014, for year five (FY 2014-2015) which included Woody Branch and eight tributaries, Rickett's Branch and five tributaries, and Ledbetter Branch and one tributary.

The FY 2015-2016 plan includes Five Mile Creek and several tributaries, Fish Creek and Cottonwood Creek (Mountain Creek Lake tributaries,) and Delaware Creek (West Fork Trinity River tributary.) The total cost of this project is \$1,051,000, of which FEMA is reimbursing \$788,250 to the City through its grant program, and the City is ultimately responsible for \$262,750. The City is using Halff Associates, Inc., to perform the work. Halff was selected to perform the work for a three-year period, of which this is year two.

The remaining program year will include the update of additional streams in the Mountain Creek and Turtle Creek watersheds. The City Council will be asked to authorize next year's CTP agreement with FEMA and to authorize a supplemental agreement to the engineering contract with Halff Associates, Inc.

Participation in the CTP program allows Dallas to update its flood hazard mapping at substantial savings, since FEMA funds the larger share of the cost of the projects.

This action will authorize the execution of the CTP agreement with FEMA and authorize Supplemental Agreement No. 1 to the contract with Halff Associates, Inc., for updating the flood studies in accordance with the CTP agreement for FY 2015-16.

ESTIMATED SCHEDULE OF PROJECT

Begin Study	November 2015
Complete Study	September 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized CTP FY 2010-2011, receipt of grant funds, increase in appropriations, and a contract with Halff Associates, Inc., on November 10, 2010, by Resolution No. 10-2822.

Authorized CTP FY 2011-2012, receipt of grant funds, increase in appropriations, and authorized Supplemental Agreement No. 1 with Halff Associates, Inc., on September 14, 2011, by Resolution No. 11-2457.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized CTP FY 2012-2013 receipt of grant funds, increase in appropriations, and authorized Supplemental Agreement No. 2 with Halff Associates, Inc., on November 14, 2012, by Resolution No. 12-2767.

Authorized CTP FY 2013-2014 receipt of grant funds, increase in appropriations, and authorized Supplemental Agreement No. 3 with Halff Associates, Inc., on November 12, 2013, by Resolution No. 13-1958.

Authorized CTP FY 2014-2015 receipt of grant funds, increase in appropriations, and authorized a contract with Halff Associates, Inc., on November 12, 2014, by Resolution No. 14-1934.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Stormwater Drainage Management Current Funds - \$262,750

FEMA Cooperating Technical Partnership Funds - \$788,250

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Halff Associates, Inc.

Hispanic female	20	Hispanic male	76
Black female	6	Black male	11
Other female	6	Other male	12
White female	92	White male	308

OWNER

Halff Associates, Inc.

Jessica Baker, P.E.,CFM, PMP, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; **(2)** execution of a CTP Agreement with FEMA for FY 2015-2016 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(3)** the receipt and deposit of funds in an amount not to exceed \$788,250 from FEMA; **(4)** an increase in appropriations in the amount of \$788,250 in the FEMA Cooperating Technical Partnership Fund; **(5)** a local cash match of \$262,750 for the FY 2015-2016 plan; and **(6)** Supplemental Agreement No. 1 to the contract with Halff Associates, Inc., in the amount of \$1,051,000, from \$741,667 to \$1,792,667, for updating certain flood studies in accordance with the CTP Agreement with FEMA for Fiscal Year 2015-16 - Total not to exceed \$1,051,000 - Financing: Stormwater Drainage Management Current Funds (\$262,750) and FEMA Cooperating Technical Partnership Funds (\$788,250)

Halff Associates, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$858,000.00	81.64%
Non-local contracts	\$193,000.00	18.36%
TOTAL THIS ACTION	\$1,051,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Garcia Land Data, Inc.	HMMB64109N0217	\$270,000.00	31.47%
Total Minority - Local		\$270,000.00	31.47%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$270,000.00	25.69%	\$461,000.00	25.72%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$270,000.00	25.69%	\$461,000.00	25.72%

October 28, 2015

WHEREAS, on November 12, 2014, Resolution No. 14-1934 authorized the Federal Emergency Management Agency (FEMA) Cooperating Technical Partners (CTP) FY 2014-2015 receipt of grant funds, increase in appropriations, and a contract with Halff Associates, Inc. to develop the multi-year plan required for the CTP application for the FY 2015-16 plan; and

WHEREAS, on August 26 2015, the Federal Emergency Management Agency (FEMA) approved Cooperating Technical Partners (CTP) program funding at \$788,250 (75%) for the City of Dallas for FY 2015-16; and

WHEREAS, the City of Dallas will be responsible for the remaining \$262,750 (25%) per the Federal Emergency Management Agency (FEMA) Cooperating Technical Partners (CTP) Agreement.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to **(1)** accept an annual grant from FEMA (Grant No. EMW-2015-CA-00076-S01, CFDA No. 97.045) for the Cooperating Technical Partners (CTP) program in an amount not to exceed \$788,250 or 75% federal funds cost share with the City of Dallas for updating certain flood studies for FY 2015-16; **(2)** provide a local cash match of \$262,750 for the FY 2015-2016 plan; and **(3)** execute the CTP Agreement with FEMA after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to deposit funds from FEMA in an amount not to exceed \$788,250 in Fund F478, Dept. TWM, Unit 1816, Revenue Source 6506.

Section 3. That the City Manager is hereby authorized to establish appropriations in Fund F478, Dept. TWM, Unit 1816, Object code 3070, in an amount not to exceed \$788,250.

Section 4. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1, to the contract with Halff Associates, Inc., for updating certain flood studies in accordance with the CTP Agreement with FEMA for Fiscal Year 2015-16.

October 28, 2015

Section 5. That the Chief Financial Officer is hereby authorized to disburse grant funds and local match funds in accordance with the terms and conditions of the contract from:

Storm Drainage Management Fund
Fund 0061, Dept. SDM, Unit 4908, Act. SD01
Obj. 3070, Program No. PBSWM004, CT SDM4908BM28
Vendor No. 089861, in an amount not to exceed \$262,750.00

Capital Projects Reimbursement Fund
Fund F478, Dept. TWM, Unit 1816, Act. PB40
Obj. 3070, Program No. PBSWM004, CT SDM4908BM28
Vendor No. 089861, in an amount not to exceed \$788,250.00

Section 6. That the City Manager is hereby authorized to reimburse FEMA 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 7. That the City Manager shall keep the appropriate City Council Committee informed of all final FEMA monitoring reports not later than 30 days after the receipt of the report.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 7, 8

DEPARTMENT: Trinity Watershed Management
Office of Economic Development
Water Utilities

CMO: Mark McDaniel, 670-3256
Ryan S. Evans, 671-9837

MAPSCO: 57 T U X Y & Z and 67 B C & D

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation - Not to exceed \$288,900, from \$842,290 to \$1,131,190 - Financing: Capital Construction Funds (\$186,400), Water Utilities Capital Improvement Funds (\$12,500) and Public/Private Partnership Funds (\$90,000)

BACKGROUND

The Elam and South Loop 12 Landfills, also known as Simpkins Landfills, were issued a Municipal Solid Waste (MSW) Permit No. 88 on August 29, 1975 by the Texas State Department of Health. Both landfills are located in the vicinity of Great Trinity Forest Boulevard (also known as Loop 12) and Pemberton Hill Road. The total permitted landfill area is approximately 340 acres; 85 acres for Elam and 255 acres for South Loop. The Elam Landfill operated from approximately 1957 until closure in 1980, and the South Loop Landfill operated from approximately 1962 until closure in 1983.

On May 28, 2008, Council authorized the acquisition of this site and remediation efforts to be made for environmental conditions at the site to be in compliance with regulations by the state regulatory agency, Texas Commission on Environmental Quality (TCEQ).

On October 22, 2008, Council authorized a professional services contract with Terracon to develop remedial designs to address the restoration of landfill caps and other corrective measures.

On May 15, 2013, Council authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) responsible for development, management and operation of a championship golf course. As part of the agreement, the City agreed to pursue certain infrastructure improvements.

BACKGROUND (Continued)

On April 9, 2014, Council authorized a professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide engineering designs for infrastructure improvements that include Elam Road paving and drainage, Trinity Hike and Bike Trail, water and wastewater improvements, traffic improvements along Great Trinity Forest Boulevard, Audubon Center Irrigation System improvements, and vegetative support layer improvements for Elam and South Loop 12 Landfills.

To optimize design, additional professional services are now necessary to include the extension of the raw water transfer line associated with the Audubon Center Irrigation System from the Deepwood Landfill to the Trinity Trail bridge for a distance of approximately 1,500 feet, realignment of Dallas Water Utilities' proposed 8-inch water line to minimize tree removals, preparation of street lighting plans for Great Trinity Forest Way (Loop 12), and tree assessment and mitigation plans for the raw water transfer line and Elam Road improvements. Additional special services include topographic surveys for water line and raw water line alignments, raw water line intake design revisions, delineating waters of the U.S., additional geotechnical investigations, and biological and cultural resources surveys.

This action is necessary to authorize Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide the aforementioned services.

ESTIMATED SCHEDULE OF PROJECT

Began Engineering Design	April 2014
Complete Engineering Design	December 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition of approximately 61 acres from Weir Bros, Partners, L.L.C. out of the above referenced 111 acres tract on April 28, 2004, by Resolution No. 04-1416.

Authorized acquisition of approximately 1,415 acres from Metropolitan Sand & Gravel Co., L.L.C. on February 13, 2008, by Resolution No. 08 -0398.

Authorized settlement in lieu of proceeding further with condemnation for the acquisition of approximately 1,415 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. or its successor, and approximately 111 acres of land located near the intersection of Linfield Road and Hull Avenue from Weir Bros. Partners, L.L.C., for the Trinity River Corridor Project on May 28, 2008, by Resolution No. 08-1591.

Authorized a professional services contract with Terracon Consultants, Inc., on October 22, 2008, by Resolution No. 08-2874.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) responsible for development, management and operation of a championship golf course on May 15, 2013, by Resolution No. 13-0776.

Authorized a professional services contract with Pacheco Koch Consulting Engineering, Inc. for engineering design services for improvements associated with Elam Road and Simpkins Remediation on April 9, 2014, by Resolution No. 14-0627.

FISCAL INFORMATION

Capital Construction Funds - \$186,400

Water Utilities Capital Improvement Funds - \$12,500

Public/Private Partnership Funds - \$90,000

Engineering Design Cost	\$ 842,290.00
Supplemental Agreement No. 1 (this action)	\$ 288,900.00
Estimated Construction Cost	<u>\$7,200,000.00</u>

Total Project Cost	\$8,331,190.00
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<u>Council District</u>	<u>Amount</u>
7	\$144,450.00
8	<u>\$144,450.00</u>
Total	\$288,900.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Pacheco Koch Consulting Engineers, Inc.

Hispanic Female	6	Hispanic Male	21
African-American Female	0	African-American Male	1
Other Female	2	Other Male	3
White Female	11	White Male	61

OWNER

Pacheco Koch Consulting Engineers, Inc.

Mark A. Pacheco, P.E., RPLS, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation - Not to exceed \$288,900, from \$842,290 to \$1,131,190 - Financing: Capital Construction Funds (\$186,400), Water Utilities Capital Improvement Funds (\$12,500) and Public/Private Partnership Funds (\$90,000)

Pacheco Koch Consulting Engineers, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$278,900.00	96.54%
Non-local contracts	\$10,000.00	3.46%
TOTAL THIS ACTION	\$288,900.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Gerard & Associates Consulting Engineers	BMDB96340Y0916	\$17,394.00	6.24%
Urban Engineers Group, Inc.	HFDB10630Y0716	\$35,705.00	12.80%
Pacheco Koch Consulting Engineers, Inc.	HMMD25567Y0917	\$200,276.00	71.81%
Lim & Associates, Inc.	PMDB01647Y0416	\$15,500.00	5.56%
Total Minority - Local		\$268,875.00	96.41%

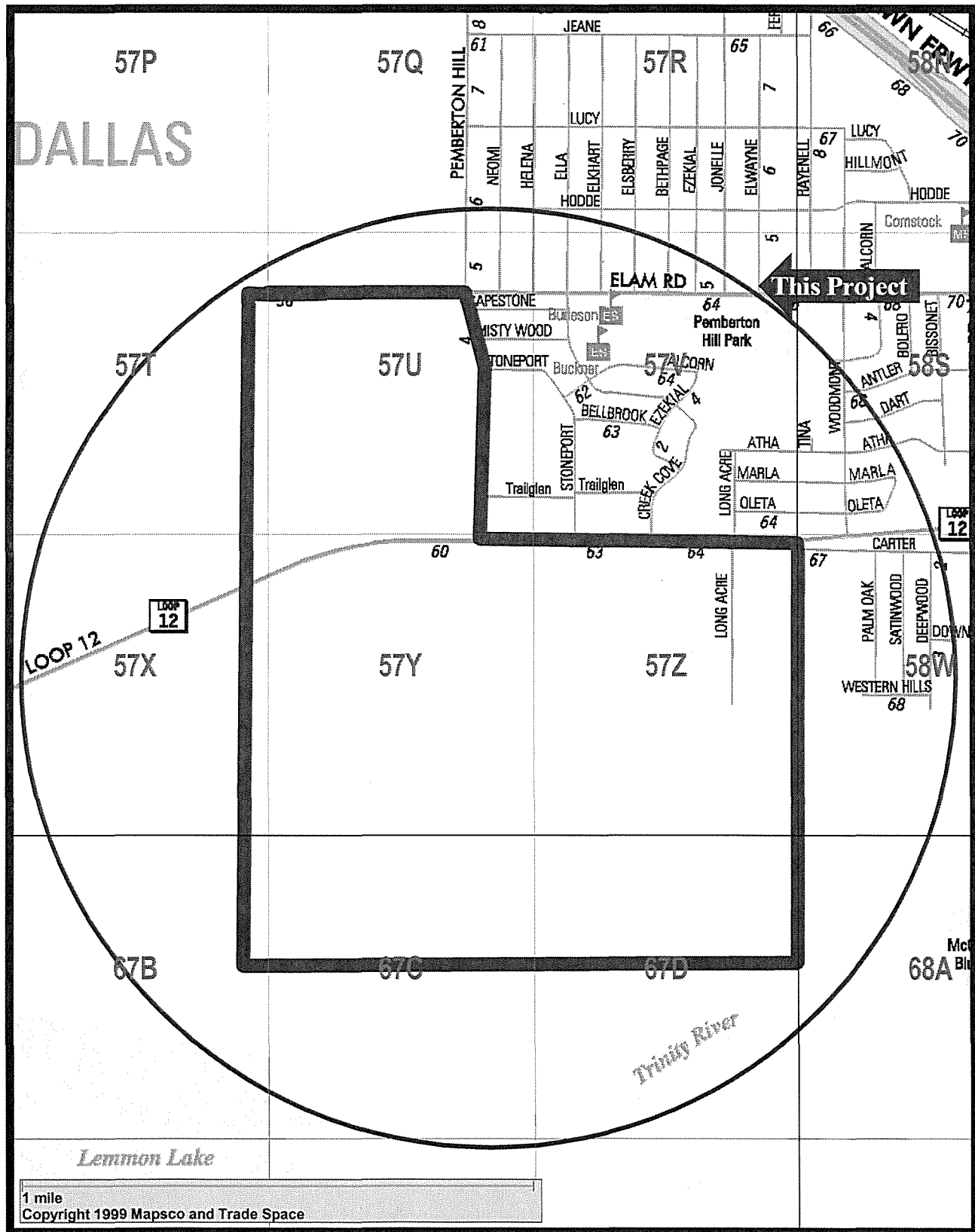
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Integrated Environmental Solutions, LLC	WFDB63365Y1015	\$10,000.00	100.00%
Total Minority - Non-local		\$10,000.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$17,394.00	6.02%	\$32,800.00	2.96%
Hispanic American	\$235,981.00	81.68%	\$952,025.00	85.87%
Asian American	\$15,500.00	5.37%	\$70,500.00	6.36%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$10,000.00	3.46%	\$53,340.00	4.81%
Total	<u>\$278,875.00</u>	<u>96.53%</u>	<u>\$1,108,665.00</u>	<u>100.00%</u>

Simpkins Remediation



October 28, 2015

WHEREAS, on May 28, 2008, Resolution No. 08-1591 authorized settlement in lieu of proceeding further with condemnation for the acquisition of approximately 1,415 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. or its successor, and approximately 111 acres of land located near the intersection of Linfield Road and Hull Avenue from Weir Bros. Partners, L.L.C., for the Trinity River Corridor Project; and

WHEREAS, on May 28, 2008, Resolution No. 08-1591 authorized the City Attorney to assume, on behalf of the City, the responsibility for the costs to remediate environmental conditions on the Metropolitan Tract and the Linfield Tract known by the City as of the date the settlement closed, and to waive any right to contribution for those costs from Metropolitan Sand and Gravel Co., L.L.C. and Weir Brothers Partners, L.L.C., including their officers, successors, and assigns; and

WHEREAS, Terracon Consultants Inc., has conducted a Phase I Environmental Site Assessment on August 24, 2005. In addition, Terracon also prepared a Limited Solid Waste Evaluation Report on October 12, 2005, a Limited Site Investigation on January 8, 2008, and a Methane and Landfill Cap Evaluation and Proposed Response Actions on January 30, 2008. Based on the preliminary investigation and findings, Terracon Consultants, Inc. recommended further detailed investigation and assessment, before remedial designs are prepared; and

WHEREAS, on October 22, 2008, Resolution No. 08-2874 authorized a professional services contract with Terracon Consultants Inc., for such detailed environmental investigation, assessment, remedial designs, and coordination with TCEQ, in an amount not to exceed \$814,464.00, and

WHEREAS, on May 15, 2013, Resolution No. 13-0776 authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) for development, management and operation of a championship golf course; and

WHEREAS, on April 9, 2014, Resolution No. 14-0627 authorized a contract with Pacheco Koch Consulting Engineering, Inc. for the engineering design for improvements associated with Elam Road and Simpkins Remediation in an amount not to exceed \$842,290.00; and

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation in an amount not to exceed \$288,900.00, from \$842,290.00 to \$1,131,190.00.

October 28, 2015**Now, Therefore,****BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation in an amount not to exceed \$288,900.00, from \$842,290.00 to \$1,131,190.00.

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

Capital Construction Fund
Fund 0671, Department BMS, Unit P837
Obj. 3070, Program # PBSWM007, CT SDM4796BM05
Vendor #342980, in an amount not to exceed \$186,400.00

Water Capital Improvement Fund
Fund 2115, Department DWU, Unit PW42
Obj. 4111, Program #713113, CT PBW713113CP
Vendor #342980, in an amount not to exceed \$ 12,500.00

Public/Private Partnership Fund
Fund 0352, Department ECO, Unit P151, Act. PPPF
Obj. 4111, Program # PBSWM007, CT ECOP151D260
Vendor #342980, in an amount not to exceed \$ 90,000.00

Total amount not to exceed \$288,900.00

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 6, Outside City Limits

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: Various

SUBJECT

Authorize a professional services contract with Parsons Environment & Infrastructure Group Inc. to provide engineering services for the rehabilitation of the Jamison Meter Vault and the Irving North Meter Vault, and the design of a new interconnection facility between the Dallas and Irving water systems - Not to exceed \$803,500 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action consists of rehabilitation improvements to the Jamison Meter Vault and the Irving North Meter Vault. These Dallas owned customer city meter vaults were constructed in 1955 and 1974 respectively, and are in need of structural and mechanical improvements to extend their service life, reduce operational and maintenance costs and improve worker safety. Additionally, this action includes the design of a new interconnection facility between the Dallas and Irving water systems to increase water capacity and reliability to northwest Dallas.

This action also includes a condition assessment of various water control valve and pressure reducing valve vaults throughout the City that are in need of rehabilitation to extend their service life. It includes the investigation, evaluation and preparation of a design report outlining the evaluated alternatives and recommended improvements. The second phase of this project will provide detailed design and construction administration services associated with this work, and will be awarded in a subsequent Council action after the full extent of the work is determined.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	November 2015
Complete Design	April 2016
Begin Construction	October 2016
Complete Construction	October 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation & Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

\$803,500.00 - Water Utilities Capital Improvement Funds

<u>Council District</u>	<u>Amount</u>
6	\$245,425.00
Outside City Limits	<u>\$558,075.00</u>
Total	\$803,500.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Parsons Environment & Infrastructure Group Inc.

Hispanic Female	7	Hispanic Male	7
Black Female	6	Black Male	2
Other Female	8	Other Male	9
White Female	32	White Male	46

OWNER

Parsons Environment & Infrastructure Group Inc.

Virginia Grebbien, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Parsons Environment & Infrastructure Group Inc. to provide engineering services for the rehabilitation of the Jamison Meter Vault and the Irving North Meter Vault, and the design of a new interconnection facility between the Dallas and Irving water systems - Not to exceed \$803,500 - Financing: Water Utilities Capital Improvement Funds

Parsons Environment & Infrastructure Group Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$803,500.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$803,500.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

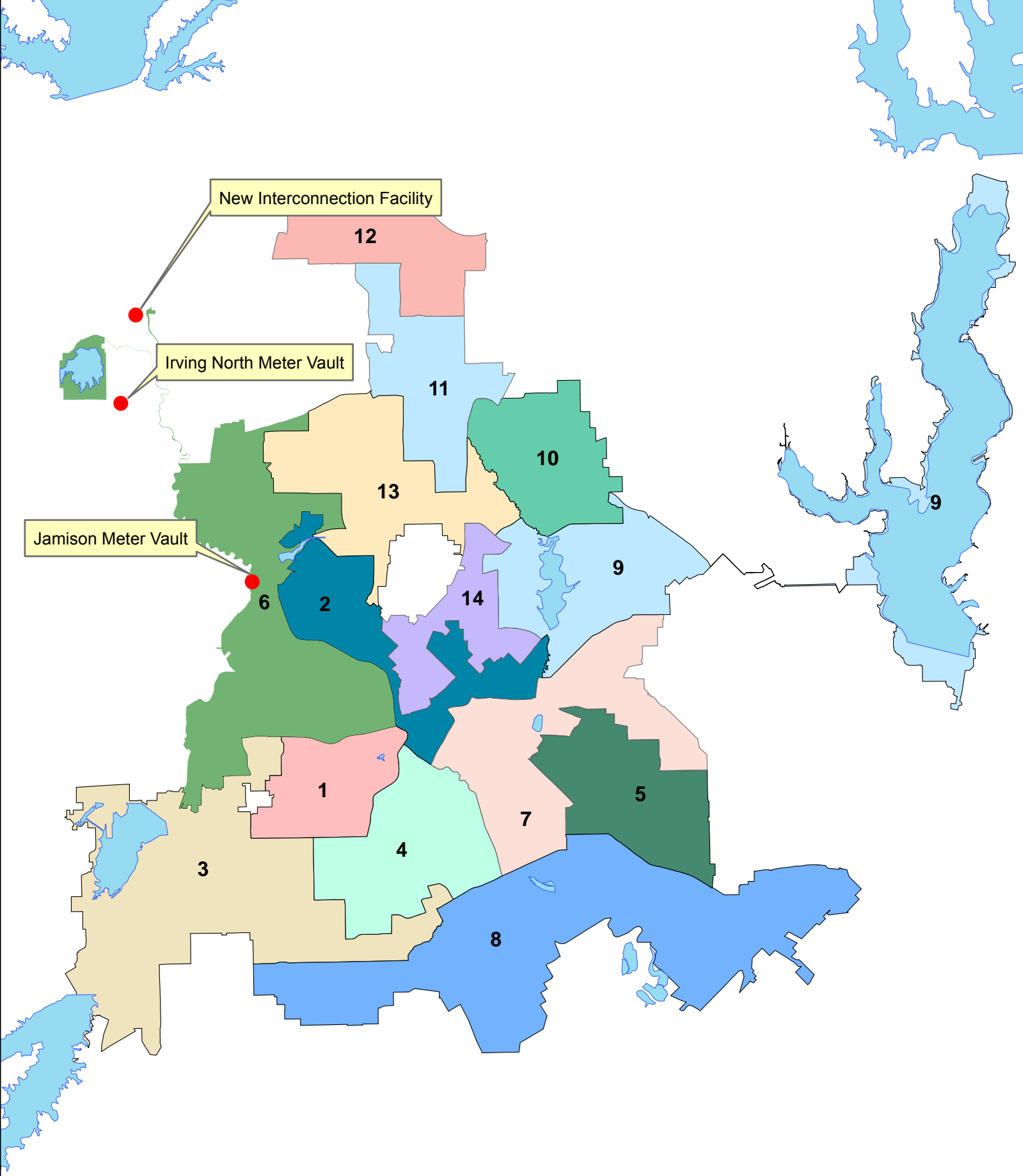
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
HVJ Associates, Inc.	BMMB61733N0516	\$31,302.50	3.90%
Criado & Associates, Inc.	HFDB44840Y0716	\$69,245.50	8.62%
EPB Associates, Inc.	HMDB21514Y0516	\$31,492.50	3.92%
Gupta & Associates, Inc.	PMMB62419Y0716	\$95,142.50	11.84%
Hayden Consultants, Inc.	WFDB67364Y0716	\$69,939.00	8.70%
Total Minority - Local		\$297,122.00	36.98%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$31,302.50	3.90%	\$31,302.50	3.90%
Hispanic American	\$100,738.00	12.54%	\$100,738.00	12.54%
Asian American	\$95,142.50	11.84%	\$95,142.50	11.84%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$69,939.00	8.70%	\$69,939.00	8.70%
Total	\$297,122.00	36.98%	\$297,122.00	36.98%



Dallas Water Utilities
Contract No. 15-233/234E
Improvements to Water Valve and Metering Facilities

October 28, 2015

WHEREAS, the existing Jamison Meter Vault and Irving North Meter Vault are in need of rehabilitation to the extend their service life, and a new interconnection between the Dallas and Irving water systems is needed to increase water capacity and reliability to northwest Dallas; and,

WHEREAS, engineering services are required for the study, design, and construction of each individual improvement; and,

WHEREAS, Parsons Environment & Infrastructure Group Inc., 1301 President George Bush Highway, Suite 350, Richardson, Texas 75080, 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 Parsons Environment & Infrastructure Group Inc. in the amount of \$803,500.00 be approved and the consultant be authorized to perform the required engineering services.

Section 2. That the City Manager is hereby authorized to enter into a professional services contract with Parsons Environment & Infrastructure Group Inc., to provide engineering services for improvements to water valve and metering facilities, after having approval of the contract documents by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$803,500.00 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3115	DWU	PW43	4111	715233	CT-DWU715233CP	VS0000074085

Parsons Environment & Infrastructure Group Inc. - \$728,500.00

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2116	DWU	PS50	4111	715234	CT-DWU715234CP	VS0000074085

Parsons Environment & Infrastructure Group Inc. - \$75,000.00

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): 4
DEPARTMENT: Water Utilities
CMO: Mark McDaniel, 670-3256
MAPSCO: 56 J

SUBJECT

Authorize a contract for the construction of rehabilitation improvements to the peak flow basins at the Central Wastewater Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of three - Not to exceed \$8,675,000 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Central Wastewater Treatment Plant currently has four existing concrete-lined peak flow basins totaling 185 million gallons of storage. These basins are used to store incoming wastewater flows during wet weather events and plant shutdowns. The basins were originally constructed in the mid-1980s and are in need of structural and mechanical repairs to extend their service life.

This action includes targeted structural repairs to the basin walls, floors and dividing berms that have settled and cracked due to excessive ground movement over the last 30 years. This action also includes piping modifications and the addition of a solids settling zone within the basins to improve operational flexibility and reduce operation and maintenance costs. This project was identified in the 2010 Wastewater Treatment Facilities Strategic Plan.

Oscar Renda Contracting, Inc. completed contractual activities in the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>
Projects Authorized	0	1	0
Change Orders	0	3	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2013
Completed Design	May 2015
Begin Construction	January 2016
Complete Construction	October 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Freese and Nichols, Inc. to provide engineering services for the rehabilitation of the peak flow basins at the Central Wastewater Treatment Plant and hydraulic analysis of wastewater flows in the vicinity of north Dallas area on August 14, 2013, by Resolution No. 13-1331.

Authorized Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. for additional engineering services associated with design and construction services for the rehabilitation of the peak flow basins at the Central Wastewater Treatment Plant on August 13, 2014, by Resolution No. 14-1263.

Information about this item will be provided to the Transportation & Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

\$8,675,000.00 - Water Utilities Capital Improvement Funds

Design	\$ 629,980.00
Supplemental Agreement No. 1	\$ 1,658,699.00
Construction (this action)	<u>\$ 8,675,000.00</u>
Total Project Cost	\$10,963,679.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Oscar Renda Contracting, Inc.

Hispanic Female	5	Hispanic Male	353
Black Female	0	Black Male	20
Other Female	0	Other Male	0
White Female	13	White Male	141

BID INFORMATION

The following bids with quotes were opened on August 6, 2015:

*Denotes successful bidder

<u>Bidders</u>	<u>Bid Amount</u>
*Oscar Renda Contracting, Inc. 608 Henrietta Creek Road Roanoke, Texas 76262	\$8,675,000.00
Archer Western Construction, LLC	\$8,703,000.00
S.J. Louis Construction of Texas, Ltd.	\$9,843,000.00

OWNER

Oscar Renda Contracting, Inc.

Oscar Renda, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of rehabilitation improvements to the peak flow basins at the Central Wastewater Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of three - Not to exceed \$8,675,000 - Financing: Water Utilities Capital Improvement Funds

Oscar Renda Contracting, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$590,000.00	6.80%
Total non-local contracts	\$8,085,000.00	93.20%
TOTAL CONTRACT	\$8,675,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Romero Steel, LLC	HMMB63034N0916	\$430,000.00	72.88%
Ram Tool & Supply Co., Inc.	WFWB61372N0416	\$160,000.00	27.12%
Total Minority - Local		\$590,000.00	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Luis Moreno Trucking	HMDB63550Y1115	\$200,000.00	2.47%
LKT & Associates, LLC	WFDB63380Y1015	\$795,000.00	9.83%
Champion Fuel Solutions	WFDB79263Y0416	\$400,000.00	4.95%
Eagle Aggregate Transportation, LLC	WFDB84070Y0416	\$175,000.00	2.16%
A.N.A. Consultants, LLC	WFDB57431Y0516	\$5,000.00	0.06%
Brock Environmental Services, LLC	WFWB61711Y0516	\$5,000.00	0.06%
Total Minority - Non-local		\$1,580,000.00	19.54%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

Page 2

TOTAL M/WBE CONTRACT PARTICIPATION

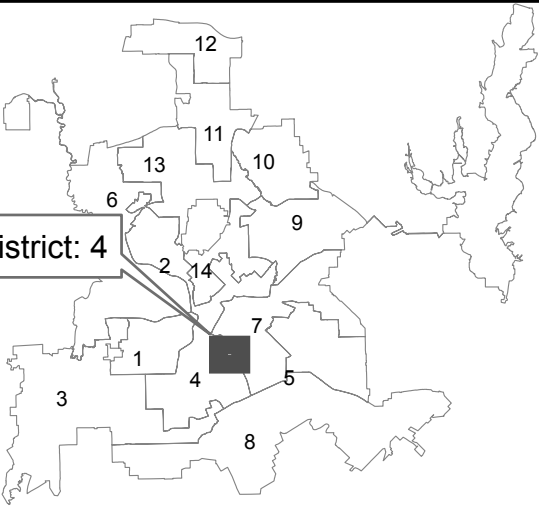
	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$430,000.00	72.88%	\$630,000.00	7.26%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$160,000.00	27.12%	\$1,540,000.00	17.75%
Total	<u>\$590,000.00</u>	<u>100.00%</u>	<u>\$2,170,000.00</u>	<u>25.01%</u>



Mapsc0: 56 J



Council District: 4



October 28, 2015

WHEREAS, bids were received on August 6, 2015 for the construction of rehabilitation improvements to the peak flow basins at the Central Wastewater Treatment Plant, Contract No. 15-196, listed as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Oscar Renda Contracting, Inc.	\$8,675,000.00
Archer Western Construction, LLC	\$8,703,000.00
S.J. Louis Construction of Texas, Ltd.	\$9,843,000.00

WHEREAS, the bid submitted by Oscar Renda Contracting, Inc., 608 Henrietta Creek Road, Roanoke, Texas 76262, in the amount of \$8,675,000.00, 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 Oscar Renda Contracting, Inc., in the amount of \$8,675,000.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 15-196, be accepted.

Section 2. That the City Manager is hereby authorized to execute a contract with Oscar Renda Contracting, Inc., for the construction of rehabilitation improvements to the peak flow basins at the Central Wastewater Treatment Plant, after approval 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 \$8,675,000.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2116	DWU	PS30	4330	715196	CT-DWU715196CP	244607

Oscar Renda Contracting, Inc. (Contract No. 15-196) - \$8,675,000.00

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 51

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Fire
Park & Recreation
Street Services
Trinity Watershed Management
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837
Eric Campbell, 670-3255
Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for saw blades - Simba Industries in the amount of \$209,437, Desert Diamond Industries in the amount of \$194,796, Dunard Government Services, LLC in the amount of \$11,468, HD Supply Construction & Industrial White Cap in the amount of \$12,658 or \$11,896 (Tie Bid – Line 8), Simba Industries (Alternate) in the amount of \$3,984 or \$3,222 (Tie Bid – Line 8) and Root Brothers Manufacturing & Supply in the amount of \$2,773, lowest responsible bidders of seven - Total not to exceed \$434,354 - Financing: Current Funds (\$368,957), Aviation Current Funds (\$29,943), Water Utilities Current Funds (\$29,786) and Stormwater Drainage Management Current Funds (\$5,668)

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.

BACKGROUND (Continued)

This master agreement will provide for the purchase of various types of saw blades. Blades under this agreement will be utilized throughout the City to cut various types of material such as:

- Concrete
- Asphalt
- Wood
- Iron

Additionally, Fire-Rescue has 150 pieces of front line equipment that utilize saw blades to ventilate roofs of burning structures and cut through security bars or other construction materials during emergency response.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 2% increase on comparable unit prices for the bids awarded in 2012.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 372 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 8, 2012, City Council authorized a three-year master agreement for saw blades by Resolution No. 12-1894.

Information about this item will be provided to the Budget, Finance and Audit Committee on October 19, 2015.

FISCAL INFORMATION

\$368,956.62 - Current Funds
\$ 29,943.00 - Aviation Current Funds
\$ 29,785.99 - Water Utilities Current Funds
\$ 5,667.95 - Stormwater Drainage Management Current Funds

M/WBE INFORMATION

59 - Vendors contacted
57 - No response
2 - Response (Bid)
0 - Response (No Bid)
2 - Successful

372 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Simba Industries

White Male	5	White Female	4
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Desert Diamond Industries

White Male	4	White Female	1
Black Male	1	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Dunard Government Services, LLC

White Male	1	White Female	0
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

HD Supply Construction & Industrial White Cap

White Male	9	White Female	2
Black Male	9	Black Female	0
Hispanic Male	11	Hispanic Female	0
Other Male	0	Other Female	0

ETHNIC COMPOSITION (Continued)

Root Brothers Manufacturing & Supply

White Male	1	White Female	1
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BT1508 and were opened on April 23, 2015. This master agreement is being awarded to the lowest responsive responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Simba Industries	753 Port America Pl. Suite 210 Grapevine, TX 76051	Multiple Lines
*Desert Diamond Industries	2799 E. Tropicana Ave. Suite G Las Vegas, NV 89121	Multiple Lines
*Dunard Government Services, LLC	4118 Bolton Overlook Woodbridge, VA 22192	Multiple Lines
*HD Supply Construction & Industrial White Cap	2037 E. Lancaster Ave. Fort Worth, TX 76103	Multiple Lines
*Root Brothers Manufacturing & Supply	11910 Shiloh Rd. Suite 100 Dallas, TX 75228	Multiple Lines
MK Diamond Products, Inc.	1315 Storm Pkwy. Torrance, CA 90509	Multiple Lines
*Simba Industries (Alternate)	753 Port America Pl. Suite 210 Grapevine, TX 76051	Multiple Lines

OWNERS

Simba Industries

Vickie L. Kasten, President

Desert Diamond Industries

Nicholas Mione, President

Dunard Government Services, LLC

Monte E. Dunard, President

HD Supply Construction & Industrial White Cap

John Stegeman, President

Evan Levitt, Chief Financial Officer

Dan McDevitt, Secretary

Joe Deangelo, Chief Executive Officer

Root Brothers Manufacturing & Supply

David Root, President

Gary Root, Vice President

Aaron Root, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for saw blades - Simba Industries in the amount of \$209,437, Desert Diamond Industries in the amount of \$194,796, Dunard Government Services, LLC in the amount of \$11,468, HD Supply Construction & Industrial White Cap in the amount of \$12,658 or \$11,896 (Tie Bid – Line 8), Simba Industries (Alternate) in the amount of \$3,984 or \$3,222 (Tie Bid – Line 8) and Root Brothers Manufacturing & Supply in the amount of \$2,773, lowest responsible bidders of seven - Total not to exceed \$434,354 - Financing: Current Funds (\$368,957), Aviation Current Funds (\$29,943), Water Utilities Current Funds (\$29,786) and Stormwater Drainage Management Current Funds (\$5,668)

Simba Industries is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Root Brothers Manufacturing & Supply and HD Supply Construction & Industrial White Cap are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Desert Diamond Industries and Dunard Government Services, LLC are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$228,089.56	52.51%
Total non-local contracts	\$206,264.00	47.49%
TOTAL CONTRACT	\$434,353.56	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Simba Industries	WFWB62220N0616	\$212,658.44	93.23%
Total Minority - Local		\$212,658.44	93.23%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$212,658.44	93.23%	\$212,658.44	48.96%
	-----	-----	-----	-----
Total	\$212,658.44	93.23%	\$212,658.44	48.96%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for saw blades - Simba Industries in the amount of \$209,437, Desert Diamond Industries in the amount of \$194,796, Dunard Government Services, LLC in the amount of \$11,468, HD Supply Construction & Industrial White Cap in the amount of \$12,658 or \$11,896 (Tie Bid – Line 8), Simba Industries (Alternate) in the amount of \$3,984 or \$3,222 (Tie Bid – Line 8) and Root Brothers Manufacturing & Supply in the amount of \$2,773, lowest responsible bidders of seven - Total not to exceed \$434,354 - Financing: Current Funds (\$368,957), Aviation Current Funds (\$29,943), Water Utilities Current Funds (\$29,786) and Stormwater Drainage Management Current Funds (\$5,668)

Simba Industries is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Root Brothers Manufacturing & Supply and HD Supply Construction & Industrial White Cap are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Desert Diamond Industries and Dunard Government Services, LLC are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$228,089.56	52.51%
Total non-local contracts	\$206,264.00	47.49%
TOTAL CONTRACT	\$434,353.56	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Simba Industries	WFWB62220N0616	\$213,420.74	93.57%
Total Minority - Local		\$213,420.74	93.57%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$213,420.74	93.57%	\$213,420.74	49.14%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$213,420.74	93.57%	\$213,420.74	49.14%

October 28, 2015

WHEREAS, on August 8, 2012, City Council authorized a three-year master agreement for saw blades by Resolution No. 12-1894;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of saw blades is authorized with Simba Industries (519720) in the amount of \$209,436.43, Desert Diamond Industries (VS0000063842) in the amount of \$194,796.00, Dunard Government Services, LLC (VS0000074164) in the amount of \$11,468.00, HD Supply Construction & Industrial White Cap (518381) in the amount of \$12,658.40 or \$11,896.10 (Tie Bid - Line 8), Simba Industries (Alternate) (519720) in the amount of \$3,984.31 or \$3,222.01 (Tie Bid - Line 8) and Root Brothers Manufacturing & Supply (VC14754) in the amount of \$2,772.72, for a term of three years in a total amount not to exceed \$434,353.56.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for saw blades. If a written contract is required or requested for any or all purchases of saw blades under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval 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 \$434,353.56.

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 ITEM # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Ryan S. Evans, 671-9837
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dennis Ray Hightower, of a tract of land containing approximately 133,347 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed \$61,476 (\$57,976, plus closing costs and title expenses not to exceed \$3,500) – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 133,347 square feet located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni Pipeline Project. The consideration is based on an independent appraisal plus \$9,000 for improvements, as approved by Dallas Water Utilities.

This acquisition is part of the right of way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, TX and then to the Eastside Water Treatment plant located in Sunnyvale, TX. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

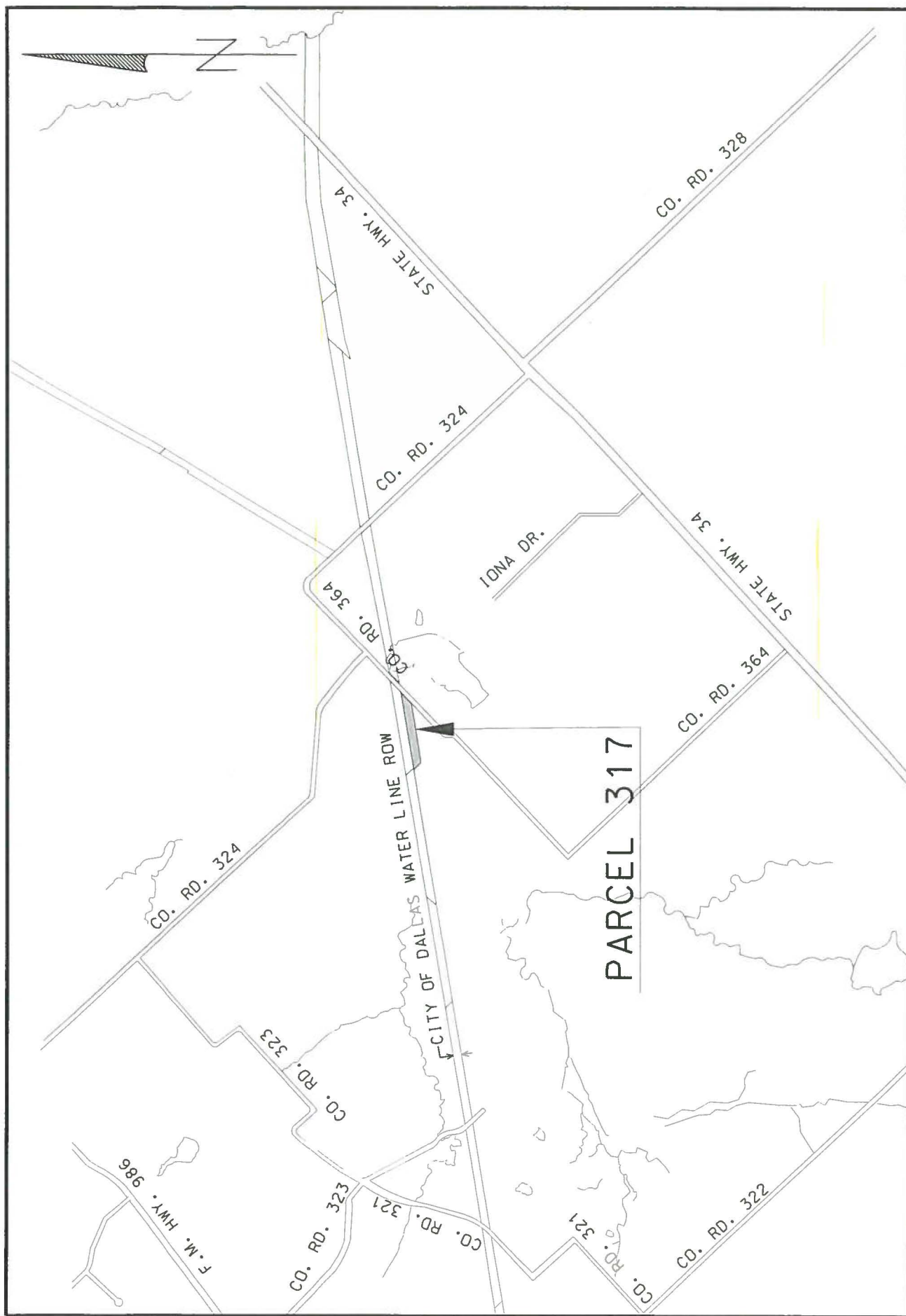
Water Utilities Capital Construction Funds - \$61,476 (\$57,976, plus closing costs and title expenses not to exceed \$3,500)

OWNER

Dennis Ray Hightower

MAP

Attached



VICINITY MAP
APPROXIMATE SCALE 1" = 2000'

October 28, 2015

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

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

"CITY": The City of Dallas

"PROPERTY": Approximately 133,347 square feet of land located in Kaufman County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"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.

"PROPERTY INTEREST": Fee Simple

"OWNER": Dennis Ray Hightower, 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.

"OFFER AMOUNT": \$57,976

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,500

"AUTHORIZED AMOUNT": \$61,476 (\$57,976, plus closing costs and title expenses not to exceed \$3,500)

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 the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

October 28, 2015

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is 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 OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW20, Program No. 704041, Object 4210, Encumbrance No. CT-DWU704041ID. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceeding and/or suit.

SECTION 8. 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 9. That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

October 28, 2015

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Kaufman County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

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.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

BY


Assistant City Attorney

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 317

BEING a 3.061 acre tract of land in the Thomas Hunt Survey, Abstract No. 201, in Kaufman County, Texas, and being part of a called 7.476 acre tract of land described as "Tract II" in Warranty Deed with Vendor's Lien to Dennis Ray Hightower and wife, Mary Elizabeth Hightower, dated October 12, 1995, as recorded in Volume 1187, Page 399, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a concrete monument with brass disk stamped "City of Dallas" found at the west corner of said Hightower "Tract II" and the northeast corner of a called 84.189 acre tract of land described as "Tract II" in Warranty Deed to Wayne Williams, dated May 9, 1997, as recorded in Volume 1255, Page 272, D.R.K.C.T., and the southeast corner of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded in Volume 441, Page 301, D.R.K.C.T., and the southwest corner of a City of Dallas Water Line Right-of-Way (a variable width Right-of-Way at this point) as recorded and Volume 437, Page 264, D.R.K.C.T.;

THENCE North 77 degrees 23 minutes 59 seconds East, departing the southwest line of said Hightower "Tract II" and the northeast line of said Williams "Tract II" and with the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 1,165.25 feet to a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the east corner of said Hightower "Tract II" and in the northwest line of a called 133.13 acre tract of land described in Warranty Deed with Vendor's Lien to Wayne Williams and wife, Evelyn Williams, dated July 6, 1990, as recorded in Volume 995, Page 674, D.R.K.C.T., being the southeast corner of said City of Dallas Water Line Right-of-Way and the southwest corner of a City of Dallas Water Line Right-of-Way as recorded in Volume 443, Page 343, D.R.K.C.T. and in the approximate center of Kaufman County Road No. 364 (variable width Right-of-Way by "use & occupation");

THENCE South 43 degrees 19 minutes 54 seconds West, with the southeast line of said Hightower "Tract II" and the northwest line of said Williams 133.13 acre tract and the approximate center of said County Road No. 364, a distance of 232.07 feet to a 1/2-inch iron rod with cap set;

THENCE South 77 degrees 23 minutes 59 seconds West, departing the southeast line of said Hightower "Tract II" and the northwest line of said Williams 133.13 acre tract, and the approximate center of said County Road No. 364, a distance of 886.24 feet to a 1/2-inch iron rod with cap set in the southwest line of said Hightower "Tract II" and the northeast line of said northeast line of said Williams "Tract II";

THENCE North 46 degrees 19 minutes 13 seconds West, with the southwest line of said Hightower "Tract II" and the northeast line of said Williams "Tract II", a distance of 156.30 feet to the POINT OF BEGINNING and containing 133,347 square feet or 3.061 acres of land, more or less.

FIELD NOTES APPROVED:



FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 317

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

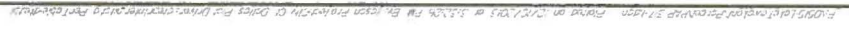
A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By:  Date: 12-16-13

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504





KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2, 6, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 E

SUBJECT

Authorize a grant agreement with Blocks GKM, LP for retail incentives and dedication of TIF funding in an amount not to exceed \$5,000,000 for the Victory Park Cinema Project, which is the construction of a theatre in the Victory Sub-district from revenues accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) – Not to exceed \$5,000,000 – Financing: Sports Arena TIF District Funds (subject to appropriations)

BACKGROUND

In 2012 the Sports Arena TIF District's term was extended to address the abundance of surface parking within the Victory Sub-district. Additionally, the final plan for the District was amended to address vacant retail space in the sub-district. The final plan concluded that in order to facilitate higher levels of retail occupancy and development of a more sustainable tenant mix for the area, financial incentives for retail recruitment were necessary. As such, the amended budget for the sub-district dedicated a maximum of \$10 million for Retail Incentives within the sub-district.

Technical studies for the Victory Sub-district, completed in May of 2013, further supported the finding of the District's amended final plan. One of the technical studies for the sub-district evaluated existing retail and vacant retail space within the sub-district and proposed a retail merchandising and design strategy for the sub-district. A key recommendation from the study was to "implement a district-wide leasing strategy incorporating new retail, food and beverage, and entertainment uses, to complement existing uses and complete the development."

Blocks GKM, LP proposes to construct, at the northwest corner of Victory Park Lane and High Market Street, an eight-screen, 44,000 square foot cinema which will be run by the theater operator, Cinepolis. The 700 seat theater will be adjoined to and accessible from a multi-level, mixed-use (residential and retail/restaurant) building. Ownership of the adjoining mixed use tower is separate from the ownership of the theater.

BACKGROUND (Continued)

The total project costs for the Victory Park Cinema Project is \$22,119,539. The grant will be paid in annual increments of \$625,000 over eight years, with the first grant payment made upon completion of construction and opening of the cinema. After opening and receiving the first grant payment, remaining payments are contingent upon continued operation of the theater.

The proposed cinema project is consistent with the goals and recommendations of both the amended District plan and retail technical study. The cinema will add a new entertainment anchor to the sub-district, generating activity 365 days a year and attracting visitors to Victory Park during American Airlines Center event and non-event times. It is anticipated that the cinema will stimulate leasing of retail space in the sub-district.

ESTIMATED PROJECT SCHEDULE

Project Start Date	January 2016
Project Completion Date	March 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 23, 2012, City Council conducted a public hearing and received comments on amendments to Tax Increment Financing Reinvestment Zone Number Seven (Sports Arena TIF District) and the Project and Reinvestment Zone Financing Plans for the Sports Arena TIF District and authorized an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to (1) add two new sub-districts within the Sports Arena TIF District: (a) Riverfront Gateway Sub-district and (b) West Dallas Sub-district; (2) increase the geographical area of the Sports Arena TIF District to add approximately: (a) 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); (b) 33 acres in the Riverfront Gateway Sub-district; and (c) 89.2 acres in the West Dallas Sub-district; (3) extend the termination date of the Sports Arena TIF District for a 10 year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; (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 Sports Arena TIF District budget from \$25,498,568 NPV (approximately \$46,961,785 total dollars) to \$94,409,005 NPV (approximately \$273,599,175 total dollars), an increase of \$68,910,437 NPV (approximately \$226,637,390 total dollars); (6) create an Economic Development TIF Grant Program within the District and adopt program guidelines; and (7) make corresponding modifications to the Sports Arena TIF District map, budget and Project and Reinvestment Zone Financing Plans by Ordinance No. 28672.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

On June 27, 2012, City Council authorized a development agreement with Victory Park UST Joint Venture I, LP to reimburse costs related to planning efforts related to parking, vehicular and pedestrian circulation, place making and retail design for the Victory Sub-district of Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) in an amount not to exceed \$400,000 by Resolutions Nos. 12-1682 and 12-1683.

On January 23, 2013, City Council authorized an amendment to the development agreement with Victory Park UST Joint Venture I, LP, for costs associated with district wide technical studies to increase the Economic Development grant amount from \$400,000, to an amount not to exceed \$700,000 by Resolution No. 13-0206.

On September 16, 2015, the Sports Arena TIF District Board of Directors reviewed and recommended approval of a grant agreement with Blocks GKM, LP, and dedicated TIF funding for the Victory Cinema Project in an amount not to exceed \$5,000,000.

Information about this item will be provided to the Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

\$5,000,000 – Sports Arena TIF District Funds (subject to appropriations)

PROJECT COUNCIL DISTRICT

2

OWNER/DEVELOPER

Blocks GKM, LP

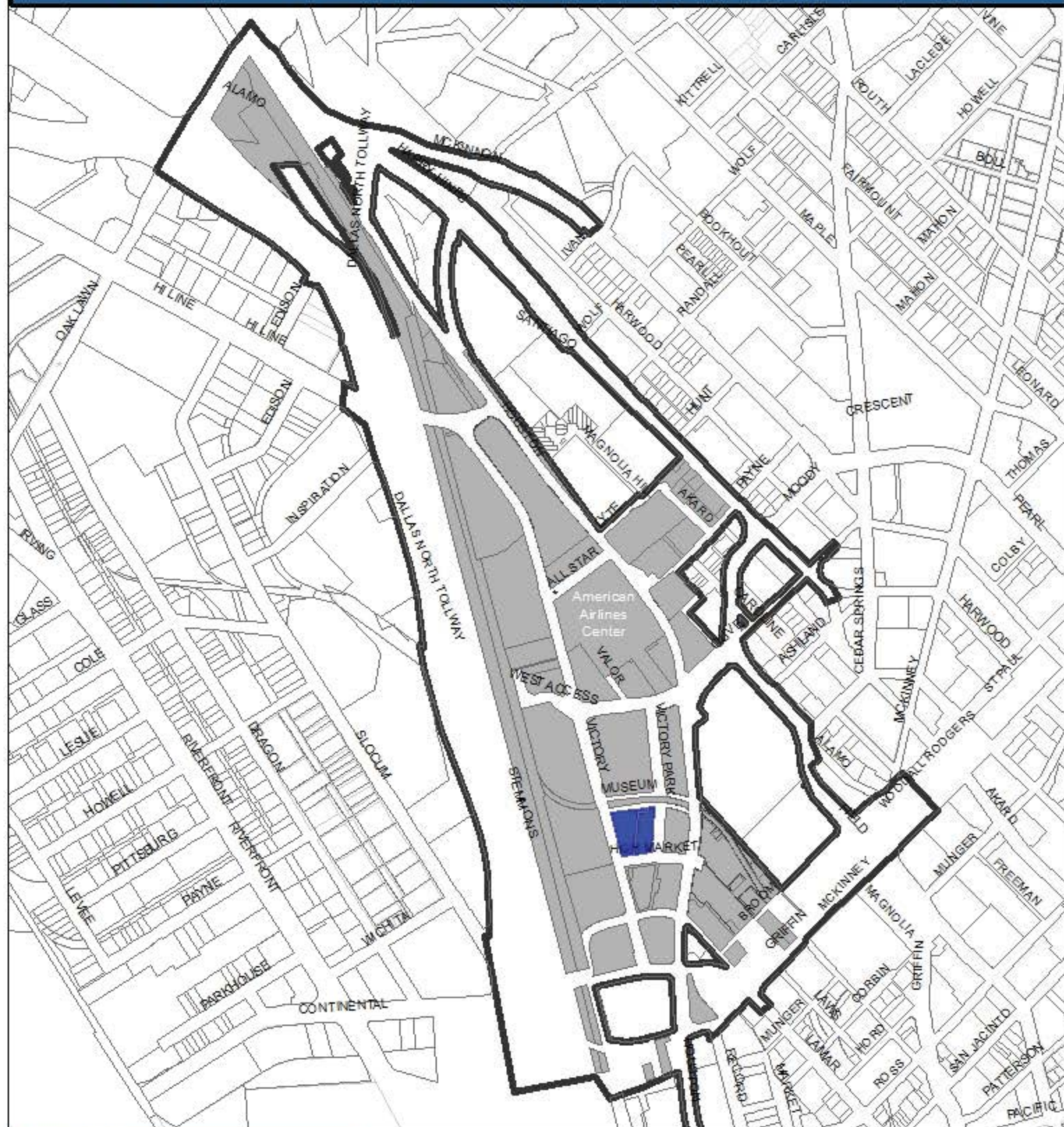
Lance Fair, Vice President
3090 Olive Street, Ste. 210
Dallas, TX 75219

MAP

Attached.

Victory Park Cinema Project

Sports Arena TIF District - Victory Sub-district





City of Dallas
Office of Economic Development



Area Redevelopment Division
<http://www.Dallas-EcoDev.org>

Created 05/2012

Legend

-  Victory Sub-district
-  Sub-district Parcels

-  Victory Park Cinema Project



October 28, 2015

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on October 28, 1998, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas ("Sports Arena TIF District") in accordance with the Tax Increment Financing Act, as amended, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act") to promote development and redevelopment through the use of tax increment financing by Ordinance No. 23688; as amended; and

WHEREAS, on August 25, 1999, the City Council authorized the Sports Arena Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 24002; as amended; and

WHEREAS, on May 23, 2012, the City Council conducted a public hearing and received comments on amendments to the Sports Arena TIF District Project and Reinvestment Zone Financing Plans and authorized an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to (1) add two new sub-districts within the Sports Arena TIF District: (a) Riverfront Gateway Sub-district and (b) West Dallas Sub-district; (2) increase the geographical area of the Sports Arena TIF District to add approximately: (a) 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); (b) 33 acres in the Riverfront Gateway Sub-district; and (c) 89.2 acres in the West Dallas Sub-district; (3) extend the termination date of the Sports Arena TIF District for a 10 year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; (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 Sports Arena TIF District budget from \$25,498,568 NPV (approximately \$46,961,785 total dollars) to \$94,409,005 NPV (approximately \$273,599,175 total dollars), an increase of \$68,910,437 NPV (approximately \$226,637,390 total dollars); (6) create an Economic Development TIF Grant Program within the District and adopt program guidelines; (7) make corresponding modifications to the Sports Arena TIF District map, budget and Project and Reinvestment Zone Financing Plans by Ordinance No. 28672; and

WHEREAS, on June 27, 2012, City Council authorized a development agreement with Victory Park UST Joint Venture I, LP to reimburse costs related to planning efforts related to parking, vehicular and pedestrian circulation, place making and retail design for the Victory Sub-district of Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) in an amount not to exceed \$400,000 by Resolutions Nos. 12-1682 and 12-1683; and

October 28, 2015

WHEREAS, on January 23, 2013, City Council authorized an amendment to the development agreement with Victory Park UST Joint Venture 1, LP, for costs associated with district wide technical studies to increase the Economic Development grant amount from \$400,000, to an amount not to exceed \$700,000 by Resolution No. 13-0206; and

WHEREAS, on September 16, 2015, the Sports Arena TIF District Board of Directors reviewed and recommended approval of a grant agreement with Blocks GKM, LP, and dedicated TIF funding for the Victory Park Cinema Project in an amount not to exceed \$5,000,000; and

WHEREAS, on September 21, 2015, the Economic Development Committee reviewed a briefing and recommended approval of a grant agreement for TIF funding the Victory Park Cinema Project in an amount not to exceed \$5,000,000; and

WHEREAS, in furtherance of the Sports Arena TIF District Project Plan and Reinvestment Zone Financing Plan, as amended, and to promote within the Sports Arena TIF District: (1) development and diversification of the economy, (2) elimination of unemployment and underemployment, and (3) development and expansion of commerce, the City desires to provide TIF incentives, in the form of a retail grant to Blocks GKM, LP, for the Victory Park Cinema Project in the Victory Sub-district of the Sports Arena TIF District; and

WHEREAS, the expenditure of TIF funds supporting this grant agreement is consistent with promoting development and redevelopment of the Sports Arena TIF District in accordance with the purposes for its creation, the City's revised Public/Private Partnership Guidelines and Criteria, the ordinance adopted by the City Council approving the Project and Financing Plan, as amended, and is for the purpose of making public improvements consistent with and described in the Project and Financing Plan, as amended, for the Sports Arena TIF District.

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 retail grant agreement with Blocks GKM, LP, and the City of Dallas, on behalf of the Sports Arena TIF District for the Victory Park Cinema Project.

October 28, 2015

Section 2. That the Sports Arena TIF District Board of Directors is authorized to dedicate future Sports Arena TIF District revenues, attributable to the Victory Sub-district in an amount not to exceed \$5,000,000 for Victory Park Cinema Project, which is the construction of a theatre in the Victory Sub-district of the Sports Arena TIF District.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds from future tax increments generated in the Victory Sub-district of the zone and subject to future appropriations from:

Fund 0038, Department ECO, Unit W041, Object 3016, Activity SATI, CT ECOW041A256, Vendor No. VS89675, in an amount not to exceed \$5,000,000.

For a total retail grant not to exceed \$5,000,000.

Section 4. That nothing in the resolution shall be construed to require the City to approve future dedications of Sports Arena TIF revenues (the "TIF Grant") from any source of the City funds other than the Victory Sub-district's Sports Arena TIF District Fund. Any portion of the TIF Grant that remains unpaid due to lack or unavailability of Sports Arena TIF District Funds shall no longer be considered project costs of the Sports Arena TIF District or the City and the obligation of the Sports Arena TIF District to pay Blocks GKM, LP, shall automatically expire.

Section 5. That in addition to the conditions set out in the Sections above, the Development Agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

- A. Minimum private investment of \$20,000,000 in construction and construction related soft costs for the Project.

The term "Invest" or "Investment" means the sum of all construction hard costs and construction related soft costs paid, payable or actually incurred by or on behalf of the Developer, with respect to the Project improvements inclusive cinema tenant improvements. Construction related soft costs can include the following items: architecture and engineering, design, testing and inspection fees to third party contractors, and construction management fees to third party contractors. Carrying or other similar costs shall not be considered toward this definition of project costs. The Developer must provide verification of all expenditures.

October 28, 2015

Section 5. (Continued)

- B. The Project shall include:
 - a. Minimum 35,000 square feet of cinema space; and
 - b. Minimum 125 parking spaces dedicated to cinema and district retail/restaurant parking in a garage to be constructed beneath the cinema space.
- C. Obtain a building permit issued by the City and start construction for the Project by January 31, 2016;
- D. Complete construction and obtain a Certificate of Occupancy for the cinema tenant, in the tenant's name, from the City by March 31, 2018;
- E. Obtain final acceptance of all public infrastructure improvements associated with the Project, as evidenced by the issuance of a Green Tag from the Public Works Department by March 31, 2018;
- F. Prior to the TIF Board's consideration, review of the Project's design by the Urban Design Peer Review Panel (UDPRP), an independent group of design, engineering, and/or planning professionals selected by the Dallas City Manager, is required for all Sports Arena TIF District projects. The UDPRP shall review and provide recommendations on the Project's design to the TIF Board for their consideration;
- G. Construction of Project improvements shall be in general conformance with design plans approved by the Sports Arena TIF Board of Directors and Dallas City Council;
- H. Execute an Operating and Maintenance Agreement for public infrastructure improvements installed as part of the Project by March 31, 2018 for a period of 20 years, if any;
- I. The cinema must be open and operational prior to payment of the TIF Grant and shall remain open throughout the remaining term of the Victory Sub-district (December 31, 2028);
- J. The TIF Grant will be paid over 8 years in the amount of \$625,000 annually. If the cinema is temporarily discontinued or closed, a 120 day cure period will be granted. Should the Developer fail to reopen the cinema within the cure period, the City's obligation to make remaining annual TIF Grant payments shall terminate;

October 28, 2015

Section 5. (Continued)

- K. Developer shall submit to the Director of the Office of Economic Development a quarterly status report for ongoing work on the project, as well as public improvements. Status reports will be due once every three months after the Council approval date;
- L. Comply with the Business Inclusion and Development ("BID") goal of twenty five percent (25%) Minority/Women-owned Business Enterprise (M/WBE) participation for construction hard costs for the Project, and meet all reporting requirements for each; and
- M. If necessary, the project deadline can be extended up to 6 months, subject to the Sports Arena TIF District Board of Directors' recommendation and the Office of Economic Development Director's approval.

Section 6. That should Blocks GKM, LP, not perform one or more of the contingencies listed above, the City Manager is authorized to disallow the TIF Grant payments.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2, 6, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

West Dallas Sub District

- * Authorize a Chapter 380 economic development grant agreement with Argos Ready Mix South Central Corp. and West Dallas Investments, LP in an amount not to exceed \$2,500,000 for the relocation of Argos Ready Mix South Central Corporation's existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities at the new site - Not to exceed \$2,500,000 - Financing: 2012 Bond Funds (\$1,100,000) and General Obligation Commercial Paper Funds (\$1,400,000)
- * Authorize an agreement with West Dallas Investments, LP that details general redevelopment commitments by West Dallas Investment LP and future City commitment of public funds and incentives that will benefit property owned or to be purchased by West Dallas Investment LP in the West Dallas area - Financing: No cost consideration to the City

BACKGROUND

Argos Relocation Project – Chapter 380 Grant Agreement

Argos Ready Mix South Central Corp. produces ready mix concrete at its current plant location (240 Singleton Boulevard), less than 600 feet west of the foot of the Margaret Hunt Hill Bridge. Bond funding has been requested to assist with the relocation of Argos' current operations from its existing location to a more suitable site (2900 W. Commerce Street) in the Lone Star Industrial Park, currently owned by West Dallas Investments, LP ("WDI").

BACKGROUND (Continued)

The proposed relocation project costs are approximately \$13 million. Argos will invest approximately \$10.5 million in construction of state of the art facilities at the new site. An additional \$2.5 million in railroad track improvements is needed to provide rail service to the new site. Argos' existing site is currently serviced by rail, unlike its proposed new location.

The proposed Argos relocation project creates redevelopment opportunities for the site at the gateway to the Margaret Hunt Hill Bridge, removes a current eyesore in the area, secures dedication of necessary right-of-way for the City's thoroughfare plan and public access easements for open space required by the area's zoning (Planned Development 891). Argos's relocation would not occur without the requested \$2.5 million in Bond funding to reimburse costs of the railroad improvements.

Agreement with West Dallas Investments – Future Development Commitments

The City of Dallas' 2012 Bond Program included significant funding for a capital improvement project in West Dallas, the West Dallas Gateway Project. Approximately \$34.3 million was identified to design and construct three new railroad crossings under the Union Pacific Railroad tracks at Herbert, Bataan and Amonette Streets. These three crossings are critical to creating a connected street grid between Singleton Boulevard, south to West Commerce Street, as prescribed in the CityDesign Studio's West Dallas Urban Structure and Guidelines adopted by City Council in 2011.

Since 2012, the West Dallas/Trinity Groves area has become a destination for many as a result of WDI's restaurant incubator project located at the foot of the Margaret Hunt Hill Bridge. WDI owns over 80 acres of property in the West Dallas area bounded by Singleton Boulevard on the north, West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west. Investment of 2012 bond funding to construct the West Dallas Gateway Project directly benefits WDI's property.

The proposed agreement will provide a guide for future development in the West Dallas area, outlining WDI redevelopment commitments and City public funding/incentive commitments. Specifically, in consideration of the City's formal commitment of bond funding for the West Dallas Gateway Project, WDI has committed to:

- o Dedicate right-of-way necessary to construct the West Dallas Gateway Project
- o Provide public access easements for open space required by PD 891
- o Construct at least 10% of all multi-family residential rental units to be affordable to a household earning 80% or below of the area median income for the Dallas metropolitan area
- o Urban Design Peer Review of all development projects

BACKGROUND (Continued)

The City has also committed to working with WDI to amend Planned Development 714, which encompasses properties owned by WDI south of the railroad tracks, to allow density similar to PD 891 zoning, provided WDI includes in the zoning regulations open space, mixed income and Urban Design Peer Review provisions.

ESTIMATED SCHEDULE OF PROJECT

Relocation Project Start Date	December 2015
Relocation Project Completion Date	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 28, 1998, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Seven, Sports Arena TIF District by Ordinance No. 23688, as amended.

On May 23, 2012, City Council conducted a public hearing and received comments on amendments to the Sports Arena TIF District Project and Reinvestment Zone Financing Plans and authorized an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to (1) add two new sub-districts within the Sports Arena TIF District: (a) Riverfront Gateway Sub-district and (b) West Dallas Sub-district; (2) increase the geographical area of the Sports Arena TIF District to add approximately: (a) 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); (b) 33 acres in the Riverfront Gateway Sub-district; and (c) 89.2 acres in the West Dallas Sub-district; (3) extend the termination date of the Sports Arena TIF District for a 10 year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; (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 Sports Arena TIF District budget from \$25,498,568 NPV (approximately \$46,961,785 total dollars) to \$94,409,005 NPV (approximately \$273,599,175 total dollars), an increase of \$68,910,437 NPV (approximately \$226,637,390 total dollars); (6) create an Economic Development TIF Grant Program within the District and adopt program guidelines; (7) make corresponding modifications to the Sports Arena TIF District map, budget and Project and Reinvestment Zone Financing Plans by Ordinance No. 28672.

Information about this item will be provided to the Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

\$1,100,000 - 2012 Bond Funds

\$1,400,000 - 2012 Bond Program (General Obligation Commercial Paper Funds)

PROJECT COUNCIL DISTRICT

6

OWNER/DEVELOPER

Argos Ready Mix South Central Corp.

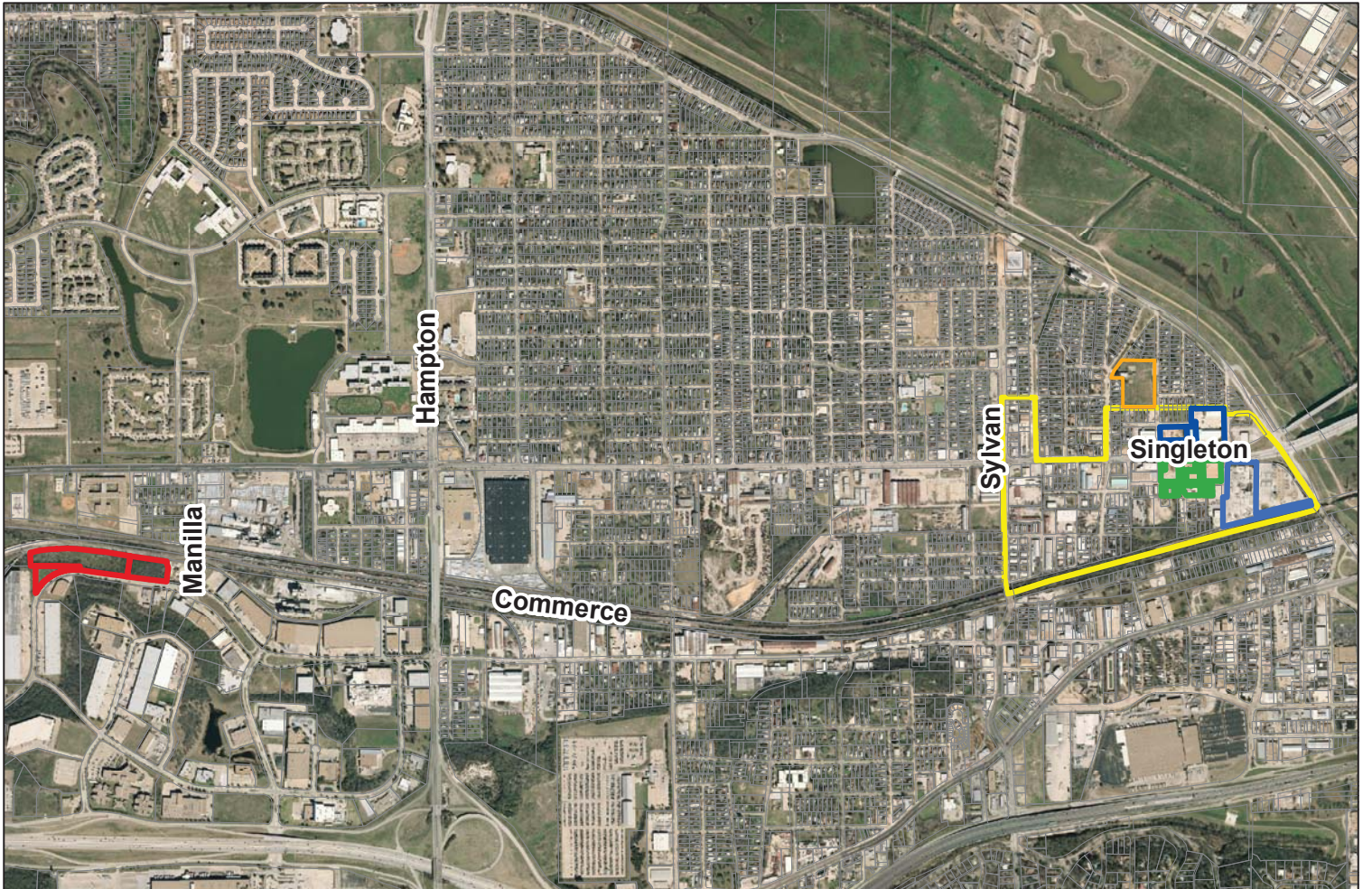
OWNER/DEVELOPER

West Dallas Investments, LP







Jim Reynolds, Manager
425 Bedford St.
Dallas, TX 75212

MAP

Attached.



Legend

	Trinity Groves Mixed-Use		Trinity_Groves_Restaurant_Incubator		LaBajada_Urban_Youth_Farm
	New_Batch_Plan_Site_2900_W_Commerce		Batch_Plant_Site		Sports_Arena_TIF_Boundary

October 28, 2015

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City Council adopted Ordinance 28740, as amended, on August 15, 2012 to authorize a bond election to be held on November 6, 2012 authorizing general obligation bonds; and

WHEREAS, on November 6, 2012, Dallas voters approved a \$642 million General Obligation Bond Program of which \$55,000,000 in bond funding to promote economic development activities in southern Dallas and promoting economic development in other areas of the City in conjunction with transit-oriented development by providing public infrastructure and funding the City's economic development programs for such areas; and

WHEREAS, the City, pursuant to Resolution No. 14-0993 approved by the City Council on June 25, 2014: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act"); and

WHEREAS, on June 25, 2014, City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 14-0993, as amended; and

WHEREAS, the City desires to enter into an economic development grant agreement with Argos Ready Mix South Central Corp. and West Dallas Investments LP for the for the relocation of Argos Ready Mix South Central Corporation's existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities and railroad improvements at the new site.

NOW, THEREFORE,

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

October 28, 2015

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Argos Ready Mix South Central Corp. ("Argos") and West Dallas Investments, LP ("WDI") to defray project costs associated with the relocation of Argos's current operations at 240 Singleton Blvd., Dallas, Texas to a property located in the Lone Star Industrial Park addressed as 2900 West Commerce Street, construction of new facilities at the industrial park and railroad improvements to provide rail service to the site.

Section 2. That the economic development grant with Argos Ready Mix South Central Corp., in an amount not to exceed \$2,500,000, is hereby expressly made subject to all of the following contingencies for Argos Ready Mix South Central Corp. and West Dallas Investments, LP, which must be performed or occur.

West Dallas Investments, LP Requirements:

- A. The satisfaction of the Argos Development Requirements (defined herein);
- B. Acquisition of the current Argos concrete plant property on or before December 21, 2015;
- C. Approval by City Council of a Final Plat for WDI's Columbus Realty Project which includes a portion of the existing concrete plant site and makes the following right-of-way dedications for the following streets by September 30, 2015:
 - a. Amonette Street
 - b. Akron Street
 - c. Herbert Street
- D. Submission of a copy of the recorded plat for the Columbus Realty Project to the Office of Economic Development ("OED") Director;
- E. Should there be any rental multi-family residential units constructed on the plant site, it shall provide mixed income housing and comply with the Sports Arena TIF District Mixed Income Housing Policy; and
- F. Record deed restrictions on current Argos concrete plant property for the benefit of City within 30 days after WDI's acquisition of plant site to cause the mixed income requirements to continue to burden the property in case the property is sold or conveyed to another entity prior to the end of the Affordability Period. Such deed restrictions shall be released in the event this Agreement is terminated prior to the end of the Affordability Period, except in the event of Default of these terms by WDI or Argos.

October 28, 2015

Section 2. (Continued)

Argos Ready Mix South Central Corp. Requirements:

- A. The satisfaction of the WDI Development Requirements;
- B. Sale of Argos' current concrete plant property to WDI by December 21, 2105;
- C. Sign the "Owners Dedication" signature block on the approved Final Plat for the Columbus Realty Project prior to recordation of the plat with Dallas County;
- D. Invest a minimum of \$10,000,000 in relocation and construction costs for the new Argos facility at 2900 W. Commerce and provide verification;
- E. Begin construction of the new facilities within 60 days of receiving a Building Permit from City of Dallas;
- F. Prior to construction Argos shall submit documentation evidencing the following:
 - a. An Air Permit issued by Texas Commission on Environmental Quality ("TCEQ") for construction of new plant
 - b. Union Pacific Railroad ("UPRR") approval of rail improvement portion of the project
 - c. Dallas, Garland & Northeaster Railroad ("DGNO") approval of rail improvement portion of the project
 - d. Executed track agreements with DGNO Railroad
- G. Complete construction and obtain final acceptance of the newly constructed spur and switches by DGNO by December 31, 2017, and submit documentation of acceptance to the OED Director;
- H. Execute or provide evidence of an executed Operating and Maintenance Agreement for rail spur and switches upon completion of the rail spur, if required;
- I. Complete construction of new LEED certified facilities and be operational at new location at 2900 W. Commerce Street by December 31, 2017, as evidenced by a Certificate of Occupancy issued by the City;
- J. Vacate facilities and cease operations at 240 Singleton Boulevard by December 31, 2016;

October 28, 2015

Section 2. (Continued)

- K. Submit to the Director of the Office of Economic Development a quarterly status report for ongoing work on the Project. Status reports will be due once every three months after the Council approval date; and
- L. Comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise ("M/WBE") participation for construction expenditures for the Project and meet all reporting requirements.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds from:

Fund 2U52, Department ECO, Unit W043, Object 3016, Activity ECNR, CT ECOW043A258, Vendor No. VS89721, in an amount not to exceed \$1,100,000;

Fund 3U52, Department ECO, Unit W043, Object 3016, Activity ECNR, CT ECOW043A258, Vendor No. VS89721, in an amount not to exceed \$1,400,000;

Total amount not to exceed \$2,500,000.

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.

October 28, 2015

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City wishes to encourage the development/redevelopment of the West Dallas area generally described as being bounded by Singleton Boulevard to the north, Fort Worth Avenue/West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west; and

WHEREAS, the City adopted the West Dallas Urban Structure and Guidelines, a shared vision area plan for the future of the portion at the foot of the Margaret Hunt Hill Bridge that provide guidelines for development of the public realm and individual development sites in 2011; and

WHEREAS, the City identified approximately \$34.3 million of City of Dallas 2012 Bond Program funding for the design and construction of extensions of Herbert, Amonette and Bataan Streets to cross under the Union Pacific Railroad track and intersect with Fort Worth/West Commerce Street; and

WHEREAS, West Dallas Investments, LP owns over 80 acres of property in the West Dallas area and much of that property abuts the proposed West Dallas Gateway Project; and

WHEREAS, information about this item will be provided to the Economic Development Committee on October 19, 2015.

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 an agreement between the City of Dallas ("City"), and West Dallas Investments, LP, in connection with WDI's proposed development in the West Dallas area and the future commitment of public funds and incentives benefitting property owned by WDI in the West Dallas area or located within the reasonable vicinity of said property and purchased by WDI and City commitments is described and attached hereto as **Exhibit A**.

Section 2. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 3. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds and that any specific request to create a special financing district or for individual funding requests shall require separate City Council actions.

October 28, 2015

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A

Term Letter with West Dallas Investments, L.P.

The purpose of this document is to detail the minimum required terms for a future agreement (“Agreement”) between the City of Dallas (“City”), and West Dallas Investments, L.P., a Texas limited partnership, acting by and through its general partner, [REDACTED] (collectively “WDI”) in connection with WDI’s proposed development in the West Dallas area and the future commitment of public funds and incentives benefitting property owned by WDI in the West Dallas area or located within the reasonable vicinity of said property or purchased by WDI subsequent to the effective date of this term sheet (collectively, the “Property”). This document presents a term sheet that will be presented to the City Council for consideration; however, unless and until approval of the City Council is obtained and mutually satisfactory definitive documents are executed and delivered, any party may discontinue negotiations hereunder and no party shall be bound.

The City has identified approximately \$34.3 million of City of Dallas’ 2012 Bond Program funding for the design and construction of three new railroad crossings under the Union Pacific Railroad tracks and roads at Herbert, Bataan and Amonette Streets (the “West Dallas Gateway Project”). No bond funding, however, has been formally committed to the West Dallas Gateway project and unless and until final specifications for these proposed improvements have been approved and construction contracts for the West Dallas Gateway Project have been approved and awarded by the City Council, those funds may be reallocated at any time to other projects within the recommended program. The Property consists of over 100 acres of property in the West Dallas area and much of that property abuts the West Dallas Gateway project. Accordingly, WDI directly benefits from the West Dallas Gateway Project.

I. WDI Commitments

WDI agrees to:

- a. Provide a public access easement within the to-be vacated concrete plant site (240 Singleton Boulevard) extending eastward from Amonette Street to Beckley Avenue, parallel to the railroad embankment for the Muncie Street Linear Park on future plat of the Property; and
- b. Provided that necessary right-of-way has been conveyed or acquired, construct the remaining portion of Herbert Street between Singleton and Akron Street and adjacent to the mixed-use project currently under development on the south side of Singleton Boulevard between Herbert Street and Amonette Street prior to, or in conjunction with, the development of Lot 2, Block 7087 shown and highlighted on **Exhibit A**; and
- c. Within a reasonable time after the West Dallas Gateway Project remaining alignments are approved and adopted by the City and/or applications by WDI are

EXHIBIT A

made to the City for development plans or platting the Property, dedicate by plat or separate instrument as determined by the City, rights-of-way, easements and other access concessions deemed necessary for streets associated with the West Dallas Gateway Project. Preferred roadway alignment and right-of-way dedication plans for Amonette Street, Herbert Street and Bataan Street are depicted on **Exhibit B**, attached hereto; and

- d. WDI recognizes the Preferred Roadway Alignment and ROW Dedication Plan, attached as **Exhibit B** does not show alignments for Herbert and Amonette Streets south of Main Street nor does it show an alignment for Bataan Street south of WDI owned property located on Main Street. WDI acknowledges and understands any approved alignment for the remaining portions of Herbert, Amonette and Bataan Streets will meet the following design requirements:
 1. Where possible, alignments will pass through property owned by WDI to allow right-of-way dedication by WDI, resulting in dedication credits that can be applied towards right-of-way abandonments necessitated by redevelopment projects on the Property;
 2. Alignments will provide a direct connection from the railroad crossing to West Commerce Street;
 3. Alignments will not create any additional turning movements for traffic traveling south on Herbert, Amonette and Bataan Streets to West Commerce Street.
- e. Meet Mixed Income Housing Requirements as detailed below:
 1. WDI shall ensure that (i) at least ten percent (10%) of all multifamily residential rental units constructed on the Property shall be reserved for and solely leased to households earning at or below 80% percent of the area median family income for the Dallas metropolitan area as determined annually by HUD (“Eligible Household”) at a lease rate that the City determines is affordable to the Eligible Households, and (ii) that each of the reserved units shall solely be occupied by Eligible Households for a period of 15 years commencing on the date that the building in which the reserved unit is located receives its final certificate of occupancy from the City (the “Affordability Period”).
 2. WDI shall be in default of its obligations if City determines that residential rental units have been constructed on the Property and are not being reserved for and leased to Eligible Households as described herein. This obligation shall be

EXHIBIT A

enforceable by the City by specific performance against WDI or the current owner of the Property, including payment by WDI to the City of its attorney's fees, costs of enforcement, and liquidated damages for each day of noncompliance after written notice to WDI and the current property owner by City (subject to the limitations of sections e(3)(b) and e(5) below).

3. (a) City shall have the right to inspect all rent rolls and other records that it deems necessary or useful in determining WDI's compliance with the requirements of section e(1) above. City shall have access to such records upon 24 hours written request to the current property owner. (b) Notwithstanding the foregoing, City shall not monitor WDI's compliance with the mixed use housing requirements contained herein and shall not issue any default notice related thereto until the earlier of (i) the date that 300 residential units have been constructed on the Property and a final certificate of occupancy has been issued for same, or (ii) December 31, 2017.
4. Prior to construction on the Property of a project containing residential rental units, if WDI desires to include any such units toward the minimum amount of mixed-income housing units required by this section, WDI shall record (or shall direct its affiliate or subsidiary to record) deed restrictions in a form acceptable to City to ensure compliance with the mixed income housing requirements, including the Affordability Period, and including the City's enforcement rights related thereto, for the applicable portion of the Property.
5. If (a) any portion of the Property is sold during the period that begins on the execution of this term sheet and ends on the later of the date that all of the Properties are fully developed, or twenty years from the execution date of this term sheet, and (b) if the buyer of the WDI Property is not WDI or an affiliate or subsidiary of WDI, WDI shall execute (or direct its affiliate or subsidiary to execute) deed restrictions in a form to be mutually agreed upon by WDI and the City and record such executed deed restrictions in the real property records of Dallas County prior to or simultaneously with the closing of the sale to ensure that the sold property will comply with these mixed income housing requirements described herein ("Housing Guidelines"). The deed restrictions will contain, at a minimum, the Housing Guidelines, including the Affordability Period, and an agreement that the City may enforce the deed restrictions by specific performance, including collection of attorney's fees and costs of enforcement and liquidated damages payable to the City by the current owner for each day of noncompliance after written notice to such owner by City, and the deed restriction shall include the City as a signatory thereto. When deed restrictions in the form

EXHIBIT A

described above have been recorded in the official real property records of Dallas County, Texas, WDI shall be released from its liability under sections e(1) and (2).

6. Income-restricted units within a residential project receiving TIF subsidy will be included in the calculation of the minimum affordable units required in section (e)(1) above.
 7. If the United States Department of Housing and Urban Development (“HUD”) imposes additional requirements on the City’s housing programs, Developer shall cooperate in good faith to reach a mutual agreement on reasonable modifications to the Housing Guidelines and citywide housing guidelines to comply with such requirements.
- f. Submit design plans for proposed development projects on any portion of the Property to the CityDesign Studio for review and design recommendations by the City of Dallas Urban Design Peer Review Panel (UDPRP) and work collaboratively with the CityDesign Studio to address the UDPRP’s recommendations in a project’s design plans to ensure buildings, streets and open space proposed on the Property deliver a vibrant, livable and pedestrian oriented neighborhood consistent with the spirit and intent of the West Dallas Urban Structure and Guidelines. In cases where the developer of any portion of the Property and the CityDesign Studio are unable to collaboratively address a design recommendation from the UDPRP, the Office of Economic Development Director will determine whether the developer should be required to meet the recommendation.
- g. Should WDI apply for an amendment to the PD 714 to achieve density similar to PD 891, then WDI agrees to include:
1. An open space requirement commensurate in size (as measured by a percentage of the overall PD area) and quality to open space required by PD 891;
 2. Housing Guidelines as outlined in Section I (e)(1); and
 3. Urban Design Peer Review Panel review requirement for all properties in the amended PD area.

II. City Commitments.

City agrees to the following:

EXHIBIT A

- a. City staff will work in good faith with WDI to present an amendment to all or a portion of PD 714 located south of the Union Pacific Railroad tracks to City Plan Commission (“CPC”) in order to achieve density similar to PD 891, and if such amendment is approved by the CPC, such amendment will be presented to the City Council for consideration. Any and all necessary zoning, replatting, abandonment, building inspection, or similar approval decisions, however, will be made by the appropriate body of the City or other entity, and such approval is solely within the discretion of that body.
- b. dedication of as long as of and Credit the fair market value, as determined by an independent third-party appraisal authorized by the City’s Real Estate Division, of mutually agreed upon right-of-way dedications by plat or separate instrument as determined by the City, made by WDI for Amonette, Herbert, and Bataan Streets, and any other streets shown or added to the City’s thoroughfare plan for the area towards right-of-way abandonments necessitated by redevelopment projects on the Property in an amount of dollars per square foot equal to or greater than the amount of dollars per square foot being paid for the applicable abandonment, as determined by an independent third-party appraisal authorized by the City’s Real Estate Division. It is understood by WDI and City that the timing of certain right-of-way dedications and right-of-way abandonments may not be concurrent, and accordingly, WDI shall be allowed to carry forward or “bank” credits for past right-of-way dedications to apply to future abandonments.
- c. After finalization of the roadway alignments for the West Dallas Gateway Project, City shall work with WDI in good faith to identify additional right-of-way and easement abandonments necessary to allow for WDI to achieve its development plans for the Property; provided, further, that the credits derived in Section II(c) above may likewise be applied to the cost of abandonments contemplated by this section.
- d. City recognizes that the existing storm water and related utility infrastructure for the Property surrounding property in the general vicinity of the Property not owned by WDI is inadequate, and therefore, City will work in good faith with WDI to designate improvements to said storm water and related infrastructure that could potentially be funded by a future bond issuance. If public funds are applied to said improvements in the future, City shall not seek any increase in the amount of mixed-income housing units required by any final agreement between the parties.

The commitments identified in this Term Sheet are the minimum requirements for any future Agreement between the City and WDI and its subsidiaries and affiliates for the commitment of public funds to the West Dallas Gateway project, subject to City Council approval.

EXHIBIT A

The City and WDI agree to proceed promptly to present the Agreement to the City Council, as soon as practicable following the execution of this Term Sheet, including all documentation necessary, appropriate or desirable to carry out the transactions agreed to by the parties in this document. The authority to bind the City, however, is reserved to City Council and that body is entitled, in its absolute discretion (subject to state and federal law, City Charter, and City Code) to approve, disapprove or refuse to consider any proposed Agreement presented to said council.

1. Approval and adoption of remaining alignments for Herbert, Amonette and Bataan Street within 18 months of the effective date of any final agreement, or

36

CONSENT TO TERMS:

RECOMMENDED BY DIRECTOR:

Frank Karl Zavitkovsky
partner
Office of Economic Development

DEVELOPER:

West Dallas Investments, L.P.,
a Texas limited partnership

By: XXX, a Texas XXX, its general

By:

Name, Title

Attachments

- | | |
|------------------|--|
| Exhibit A | Final Plat for Columbus Realty Project |
| Exhibit B | West Dallas Gateway Project – Preferred Roadway Alignment and ROW Dedications Plan |

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: Various

SUBJECT

Authorize a housing development grant in an amount not to exceed \$1,500,000 to the Dallas Housing Acquisition and Development Corporation for construction of ten single family homes on land bank properties - Not to exceed \$1,500,000 - Financing: FY 2014-15 HOME Program Income #1

BACKGROUND

The City Council has been briefed on the City of Dallas Neighborhood Plus Plan that includes a strategy for retaining middle income families and developing single family units for mixed-income neighborhoods. The Dallas Housing Acquisition and Development Corporation (DHADC), a nonprofit entity, pursuant to the provisions of Article 4.03 of the Texas Non-Profit Corporation Act, acts on behalf of and as directed and ordered by the City of Dallas for this purpose.

The City of Dallas will provide interim construction financing for ten (10) units to be built and sold to eligible low and moderate income families at or below 80% of Area Median Family Income. Eligible costs include land reimbursement, soft costs, construction costs, and allowable closing costs. The construction work will be completed within two years including occupancy. As each unit is sold, the proceeds from the sales of the affordable units will be used to build additional homes. Lots will be selected based on economies of scale for building and timing of lots expiring from land bank control. Deed restrictions for the affordable units will remain on the property for 15 years with forgiveness of the debt to the DHADC prorata per house.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 10, 2014, City Council held a public hearing and authorized final adoption of Substantial Amendment No. 1 to amend the FY 2014-15 Action Plan for the Community Development Block Grant, HOME Investment Partnerships Program, and the Housing Opportunities for Persons with AIDS grant, which included funding for housing development, by Resolution No. 14-2182.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On September 22, 2015, this item was remanded to Housing Committee By Councilmember Carolyn King Arnold.

On October 5, 2015, this item was briefed to Housing Committee.

Information about this item was provided to the Housing Committee on September 21, 2015.

FISCAL INFORMATION

FY 2014-15 HOME Program Income #1 - \$1,500,000

October 28, 2015

WHEREAS, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

WHEREAS, on December 10, 2014, City Council held a public hearing and authorized final adoption of Substantial Amendment No. 1 to amend the FY 2014-15 Action Plan for the Community Development Block Grant, HOME Investment Partnerships Program, and the Housing Opportunities for Persons with AIDS grant, which included funding for housing development, by Resolution No. 14-2182; and

WHEREAS, on September 22, 2015, this item was remanded to Housing Committee By Councilmember Carolyn King Arnold; and

WHEREAS, on October 5, 2015, this item was briefed to Housing Committee; and

WHEREAS, Dallas Housing Acquisition and Development Corporation (DHADC) proposes to work with the City of Dallas to undertake the development of ten (10) units located on scattered sites; and

WHEREAS, the City desires for DHADC to develop affordable units for low and moderate income families; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute a housing development grant in an amount not to exceed \$1,500,000 to the DHADC for construction of ten (10) single family homes on land bank properties.

Section 2. The terms of the loan agreement include:

- (a) DHADC must execute a note payable for \$1,500,000 to the City of Dallas for the loan.
- (b) DHADC will execute a lien through a Deed of Trust and deed restriction for a 15-year term for the affordable units.
- (c) DHADC will use funds for land reimbursement, soft costs, construction costs, and allowable closing costs.
- (d) DHADC will utilize proceeds from the sales of homes to build additional homes with the same 15 year affordability restrictions.
- (e) DHADC will have two (2) years to fully complete the project.

October 28, 2015

- (f) DHADC must build and occupy the affordable units to low and moderate income families with incomes at or below 80% of area median family income (AMFI).
- (g) The City will release DHADC's lien and forgive the debt on a prorata basis as each unit is sold to a low-income household at or below 80% AMFI.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute releases of liens, forgive the debt and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Dallas Housing Acquisition and Development Corporation Vendor # 516925

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object Code</u>	<u>Program #</u>	<u>Encumbrance</u>	<u>Amount</u>
14M1	HOU	489G	3015	14M1489G	HOU489GK181	\$1,500,000

Section 5. That the City Controller is hereby authorized to record notes receivable in balance sheet account (033F) and deferred revenue-home loan in (0859) in fund 14M1 for the amount of the loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan, until such time as the loan documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 54 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an R-7.5(A) Single Family District at the southeast corner of Ludlow Drive and South Vernon Avenue

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan, and conditions
Z145-106(RB)

FILE NUMBER: Z145-106(RB)

DATE FILED: October 20, 2014

LOCATION: Ludlow Drive and South Vernon Avenue, Southeast Corner

COUNCIL DISTRICT: 1

MAPSCO: 54 P

SIZE OF REQUEST: Approx. 4.3 Acres

CENSUS TRACT: 62.00

APPLICANT/ OWNER: Academy of Dallas

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a Specific Use Permit for an Open-enrollment charter school on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to continue operation of an open-enrollment charter school whose previous SUP for the use has expired.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR RECOMMENATION:

Staff recommends approval of the request based upon:

1. *Compatibility with surrounding uses and community facilities* – The request being located along a thoroughfare with multiple ingress/egress points, will continue to operate with minimal impact on adjacent uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The underlying zoning permits certain institutional uses by SUP. The continued use and proposed improvements will remain in scale with adjacent developments with no negative impact anticipated at build out.
3. *Not a detriment to the public health, safety, or general welfare* – Staff's recommended conditions will continue to provide for a use that is sensitive to its residential adjacency along the South Vernon Street frontage.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – All proposed improvements will require compliance with the building code and require final inspection to ensure revisions also comply with the revised site plan.

Zoning History:

File No.

Request, Disposition, and Date

1. BDA 145-045

On April 20, 2015, the Board of Adjustment granted a special exception of two feet for a fence in the required front yard.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it has not significantly impacted the surrounding roadway system and is subject to compliance with the submitted traffic management plan.

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
South Vernon Avenue	Principal Arterial; 90' & 90' ROW
Ludlow Drive	Local; 60' ROW
Heyser Drive	Local; 50' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The request site is developed with improvements that previously support an institutional (church) use dating back to the mid-1950's. The most recent use of the property has been an open-enrollment charter school and child-care facility, initiating (under expanded format) under SUP Nos. 1114 (community service center, private school, and child-care facility) and 1476 (open-enrollment charter school and child-care facility), the latter expiring on June 11, 2007. At this time, the applicant is requesting continuation of only the open-enrollment charter school, with expansion areas within the northeast quadrant. Additionally, a traffic management plan has been submitted to address unloading/loading operations for a 24 classroom campus (current classroom count is 18). The split of elementary and middle school/junior high classrooms is 50 percent, current and proposed. As noted in the zoning history section, the applicant obtained approval from the Board of Adjustment for a special exception of two feet for a fence in a required front yard (all three street frontages).

The site is uniquely located along a thoroughfare, separated from the closest residential uses (mix of single family, duplex, and multifamily structures) west of the site, across a six-lane divided arterial, providing 90 feet of separation. The outside activity areas and surface parking/circulation for unloading/loading operations being oriented along Heyser Drive, west of the multi-tenant retail center (Wynnewood Shopping Center). Another

open-enrollment charter school and financial institution with drive-thru lanes are developed on properties to the south, respectively, completing the blockface to Illinois Avenue. It should be noted that both parcels are encumbered with deed restrictions that limit structure height to 72 feet and prohibit access to Illinois Avenue.

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 has worked with staff to ensure the expansion area has acceptable separation from the established residential area to the west/northwest. All circulation will occur off the Heyser Drive frontage, thus ensuring typical unloading/loading operations for the school do not affect streets serving adjacent residential uses. The submitted traffic management plan and Traffic Management Plan circulation exhibit (see attached) will ensure all unloading and loading operations are accommodated on-site, thus ensuring no queuing occurs in the public right-of-way.

As a result of this analysis, staff is supportive of the request, subject to the attached site plan, traffic management plan, and conditions.

Landscaping. The site possesses mature plantings across the site. As noted on the site plan, there is an expansion area that will accommodate future classrooms. Article X would normally require landscaping when either of the following occurs: 1) increase in nonpermeable surface area increases by 2,000 square feet, or 2) issuance of a building permit that increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor area of buildings within the most recent 24-month period.

As there is no assurance of when or how the expansion areas will occur, it is anticipated that additional landscaping utilizing the artificial lot provisions as provided for in Article X will be provided at that time.

CPC ACTION – September 17, 2015

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Open-enrollment charter school for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan, and conditions on property zoned an R-7.5(A) Single Family District at the southeast corner of Ludlow Drive and South Vernon Avenue.

Maker: Emmons
Second: Abtahi
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Abtahi

Against: 0
Absent: 2 - Murphy, Ridley
Vacancy: 2 - District 4, District 7

Notices: Area: 300 Mailed: 33

Replies: For: 1 Against: 1

Speakers: None

List of Officers
Academy of Dallas

Jessica Sears, President

Robert Young, Vice-President

Paul Bradley, Secretary

Nathalia Brooks, Treasurer

Ross F. Williams, Jr., Regional Director

Rev. H.Lee Barnes, Director

**CONDITIONS FOR A SPECIFIC USE PERMIT
FOR AN OPEN ENROLLMENT CHARTER SCHOOL**

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
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 the 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. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X prior to the issuance of an amended certificate of occupancy for any new construction to be located within each respective area identified on the site plan as future classrooms.
5. CLASSROOMS: Maximum number of classrooms is 24.
6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 5:00 p.m., Monday through Friday.
7. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. OFF-STREET PARKING: Parking must be located as shown on the attached site plan.
9. TRAFFIC MANAGEMENT PLAN:
 - A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.
 - 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 management plan.

i. 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, 2017. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1 of every odd year thereafter (2019, 2021, etc).

ii. 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.

iii. 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) of Chapter 51A of the Dallas City Code, as amended.

(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.

10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

11. 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.

TRAFFIC MANAGEMENT PLAN FOR THE
ACADEMY OF DALLAS
CHARTER SCHOOL
IN DALLAS, TEXAS

Prepared for:

Baldwin Associates

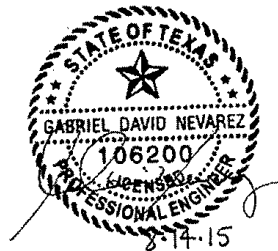
3904 Elm Street, Suite B
Dallas, Texas 75226

Prepared by:

DeShazo Group, Inc.

Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

August 14, 2015



Traffic Management Plan for the
Academy of Dallas Charter School
~ DeShazo Project No. 15093 ~

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Table 1. School Operational Characteristics

Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

LIST OF EXHIBITS:

Exhibit 1. Recommended Site Circulation Plan



Traffic. Transportation Planning. Parking. Design.

400 S. Houston Street, Suite 330

Dallas, TX 75202

ph. 214.748.6740

deshazogroup.com

Technical Memorandum

To: Ms. Jennifer Hiromoto — Baldwin Associates
Cc: Academy of Dallas Charter School
From: DeShazo Group, Inc.
Date: August 14, 2015
Re: Traffic Management Plan for the Academy of Dallas Charter School in Dallas, Texas
DeShazo Project Number 15093

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by Baldwin Associates on behalf of the Academy of Dallas Charter School ("the school") to prepare a traffic management plan (TMP) for their campus located at 2324 S. Vernon Avenue in Dallas, Texas.

The school is currently in operation at the subject site with an enrollment of 275 students in grades 3 through 8. The school administration is planning an expansion of the current facilities to provide additional student capacity for a maximum enrollment of 425 students. A site plan showing existing site conditions and the proposed modifications are attached for reference to this report.

The school site is zoned R-7.5(A); zoning provisions permit the expansion of the open-enrollment charter school under specific stipulations of a Specific Use Permit. As part of the approval process, the City of Dallas requires submittal of a TMP as a record of the preferred traffic control strategies and to ensure safe and efficient traffic operations. The plan is intended to assess anticipated traffic conditions during the morning drop-off and afternoon pick-up activities on the basis of satisfying these objectives.

By consent of the TMP submittal, the school agrees to the strategies presented herein. In addition, the school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

*Academy of Dallas Charter School
Traffic Management Plan
Page 1*

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing the vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel—including walking—will also inherently improve. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

The analysis summarized below identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. DeShazo insists that the use of designated parking and queuing areas is necessary to minimize the operational impact on the adjacent properties and the public street system.

School Operational Characteristics

Table 1 summarizes the proposed operational characteristics for the Academy of Dallas Charter School.

Table 1. School Operational Characteristics

	Existing Conditions	Proposed Conditions
Student Enrollment:	275 students	425 students
Number of Classrooms:	Grades 3-59 Grades 6-89 <i>Total Classrooms: 18</i>	Grades 3-5.....12 Grades 6-8.....12 <i>Total Classrooms: 24</i>
Daily Schedule:	8:00 AM – 3:15 PM	Staggered dismissal times separated by at least 30 minutes
Students Travelling by Modes Other Than Drop-off/Pick-up (estimated):	By School Bus.....0% By Transit.....0% By Walking.....0%	By School Bus.....0% By Transit.....0% By Walking.....0%

NOTE #1: To the highest degree practical, the accounts of existing conditions presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day conditions and from personal interviews of school representatives. The analyses and recommendations presented in this report for proposed or future conditions were based upon evaluations of existing conditions and may be supplemented by DeShazo's professional judgment and experience. Proposed conditions are intended to reflect the anticipated day-to-day conditions at full occupancy.

NOTE #2: Occasional functions or other events may be held at the school, which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Site Access and Circulation

A total of three driveways serve the school site. One driveway provides access to the site from S. Vernon Avenue; two more driveways serve the school site on Heyser Drive. Both driveways on Heyser Drive are only wide enough for one single approach lane—each driveway provides an inbound and outbound access point, respectively.

The access driveway on S. Vernon Avenue remains closed during student drop-off and pick-up hours. Inasmuch as this driveway provides a convenient access to the campus, the existing roadway geometry of the adjacent street does not provide a safe access point for ingress or egress to the site (e.g. no left turn deceleration lane, etc.). Thus, parents may only enter the site at the inbound driveway on Hersey Drive and exit from the outbound driveway. During the pick-up period, many parents either:

- Drive into parking lot, park in a vacant parking space, then either wait inside their vehicle for the student to arrive or walk to the building to greet their child.
- Drive into the parking lot from the inbound driveway and enter a queue line to load passengers. Once inside the site, pick-up traffic circulates back towards the exit driveway on Hersey Drive.
- Park or stand along Hersey Drive, then either wait inside vehicle for students to arrive or walk onto the campus to greet their child.

Passenger Unloading/Loading

DeShazo recommends that the school staff enforce a semi-managed loading protocol during the afternoon pick-up periods, whereby vehicles enter and circulate through a generally prescribed route and form a systematic queue. Students may continue to be released from school at the current dismissal time; however, due to capacity limitations of the school site and to ensure efficient operation of the loading areas, dismissal periods should be limited to 300 students. Loading of over 300 students requires a separate pick-up time period separated by at least 30 minutes from the prior dismissal period. For each dismissal time, school staff should assist in paring students with their parents' vehicles by actively managing the loading process. School staff should also be positioned at strategic locations ahead of the pick-up areas to relay the sequence of parent arrival back to the loading zone. School will potentially load several vehicles simultaneously with the assistance of staff stationed at the loading area. Once loaded, vehicles are cleared by school staff to carefully continue along the designated egress route.

Vehicle Queuing

The goal for any school is to accommodate all vehicular queuing and drop-off/pick-up procedures on private property. DeShazo quantified the peak number of parent vehicles on site during an afternoon pick-up period based upon field observations conducted during typical school-day conditions on Tuesday, June 9, 2015. The vehicle accumulation count includes all vehicles in queue, or parked on- and off-campus.

Maximum queues at schools consistently occur during the afternoon peak period when students are being picked-up—the morning period is typically not a significant traffic issue since drop-off activities are more temporally distributed and occurs much more quickly than student pick-up. The peak queue for the proposed conditions at the Academy of Dallas can be estimated, assuming that the number of vehicles generated during the afternoon pick-up period is directly proportional to the number of students enrolled. A summary of the vehicles is provided in Table 2.

Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

	Existing Conditions (Observed) <i>For current enrollment of 275 students</i>	Proposed Conditions (Recommended) <i>For a maximum of 300 students per dismissal time</i>
Peak Vehicular Accumulation:	Queue: 12 vehicles (282 LF) Parked: 19 vehicles <i>Total: 31 vehicles</i>	Queue: up to 13 vehicles (306 LF) Parked: up to 21 vehicles <i>Total: up to 34 vehicles</i>

Recommendations

The following recommendations are provided by DeShazo to the Academy of Dallas Charter School for the management of vehicular traffic generated by the school during peak traffic conditions. [NOTE: Generally, traffic delays and congestion that occurs during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to the timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is most critical, while the morning traffic operations require nominal active management. Therefore, except where stated otherwise, the recommendations provided herein pertain specifically to the afternoon period operations.]

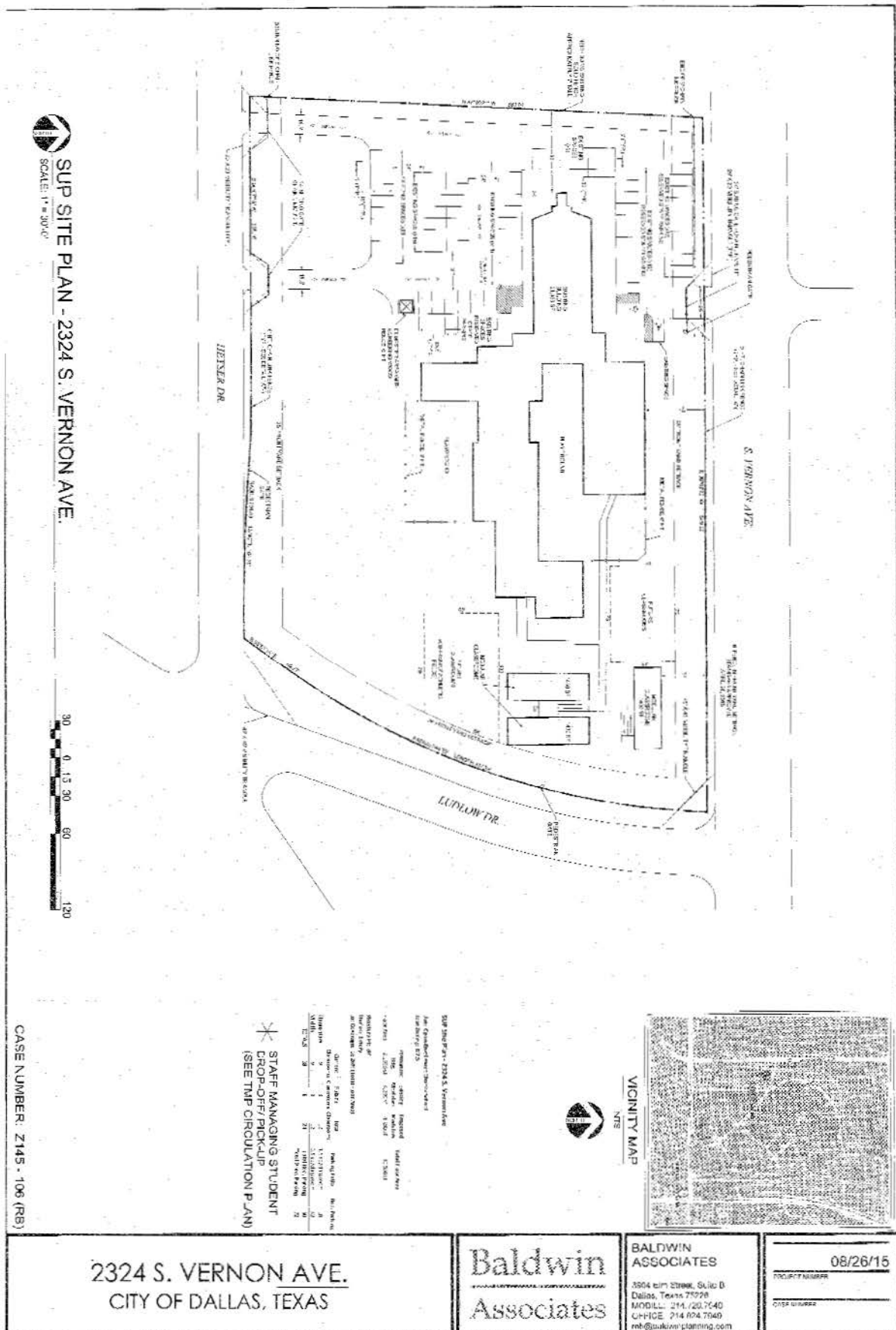
The full cooperation of all school staff members, students, and parents is crucial for the success of any traffic management plan. Proper training of school staff on duties and expectations pertaining to the plan is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended. In general,

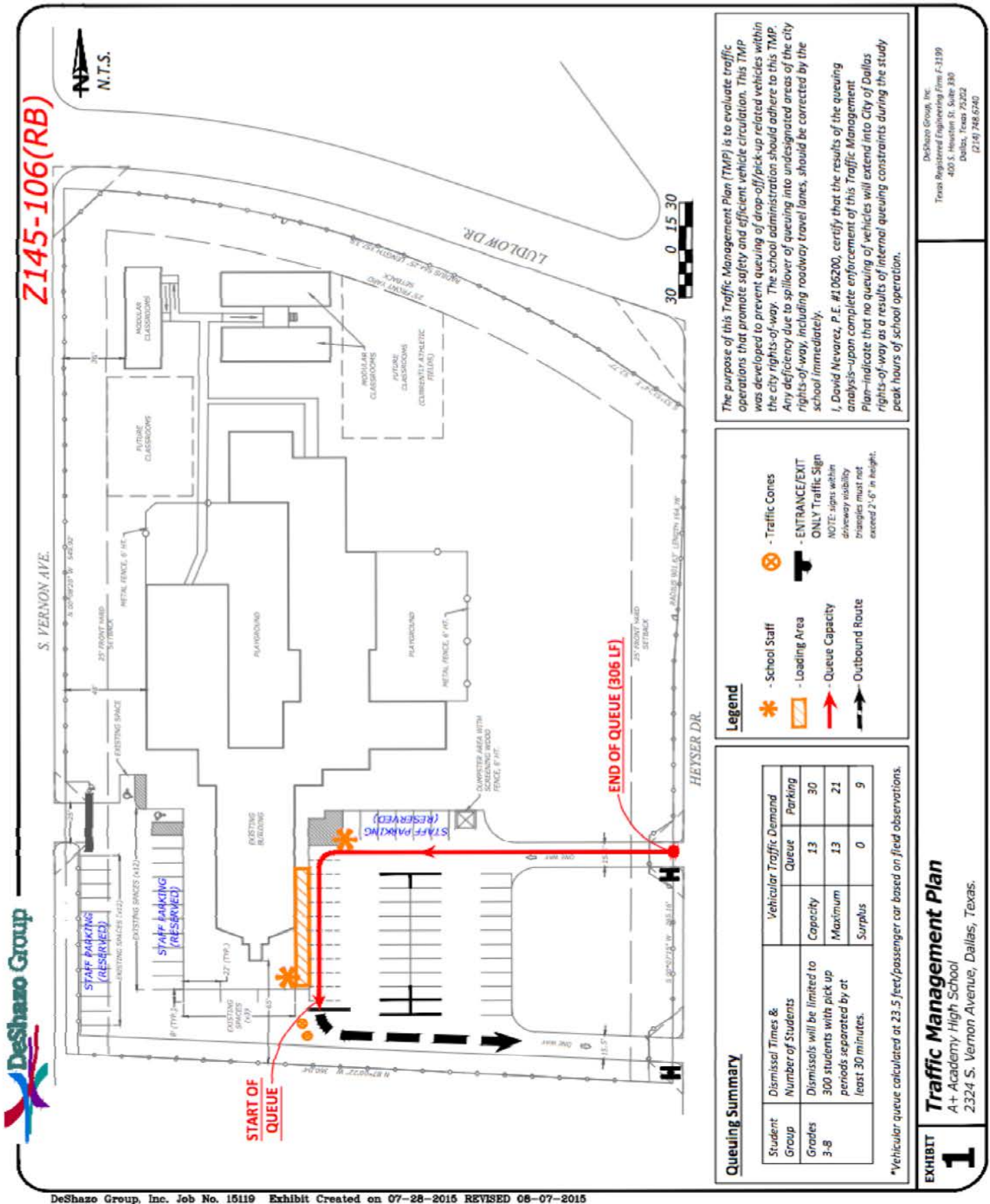
- DeShazo recommends implementation of the traffic circulation plan depicted in **Exhibit 1** based upon a review of the proposed site and the anticipated needs of traffic during peak conditions. This plan was designated to optimize the on-site vehicular circulation with a proposed parking layout and retention of queued vehicles in a manner that promotes safety and operational efficiency.
- The recommended plan provides 306 linear feet of on-site vehicular queuing or storage for up to 13 vehicles at 23.5 feet per vehicle plus 30 unreserved parking spaces. A total capacity of 43 vehicles is expected to accommodate the projected vehicle demand of up to 34 vehicles for a dismissal period with a maximum of 300 students and provide a surplus. Additionally, 34 off-street parking spaces should remain reserved for school staff at all times as depicted in **Exhibit 1**.
- All queuing and parking should be accommodated within the school site boundaries. For circumstances where this cannot be avoided, coordination City staff responsible for traffic operations in the area should take place so that appropriate mitigation measures can be investigated.
- To maintain a proper circulation, traffic signs or temporary traffic cones shall be installed on a daily basis when typical traffic conditions are expected. An appropriate number of school staff shall be assigned to fulfill the duties of student supervision, on-site traffic control, and other related duties as depicted on the plan.
- To optimize traffic operations, parking stalls should be clearly marked for parents and visitors to identify reserved parking. The recommended parking assignment shown in **Exhibit 1** is meant to assign school staff (i.e. reserved) to spaces that may potentially be blocked by ingress queue under the assumption that those school staff do not depart the campus during the student pick-up period.

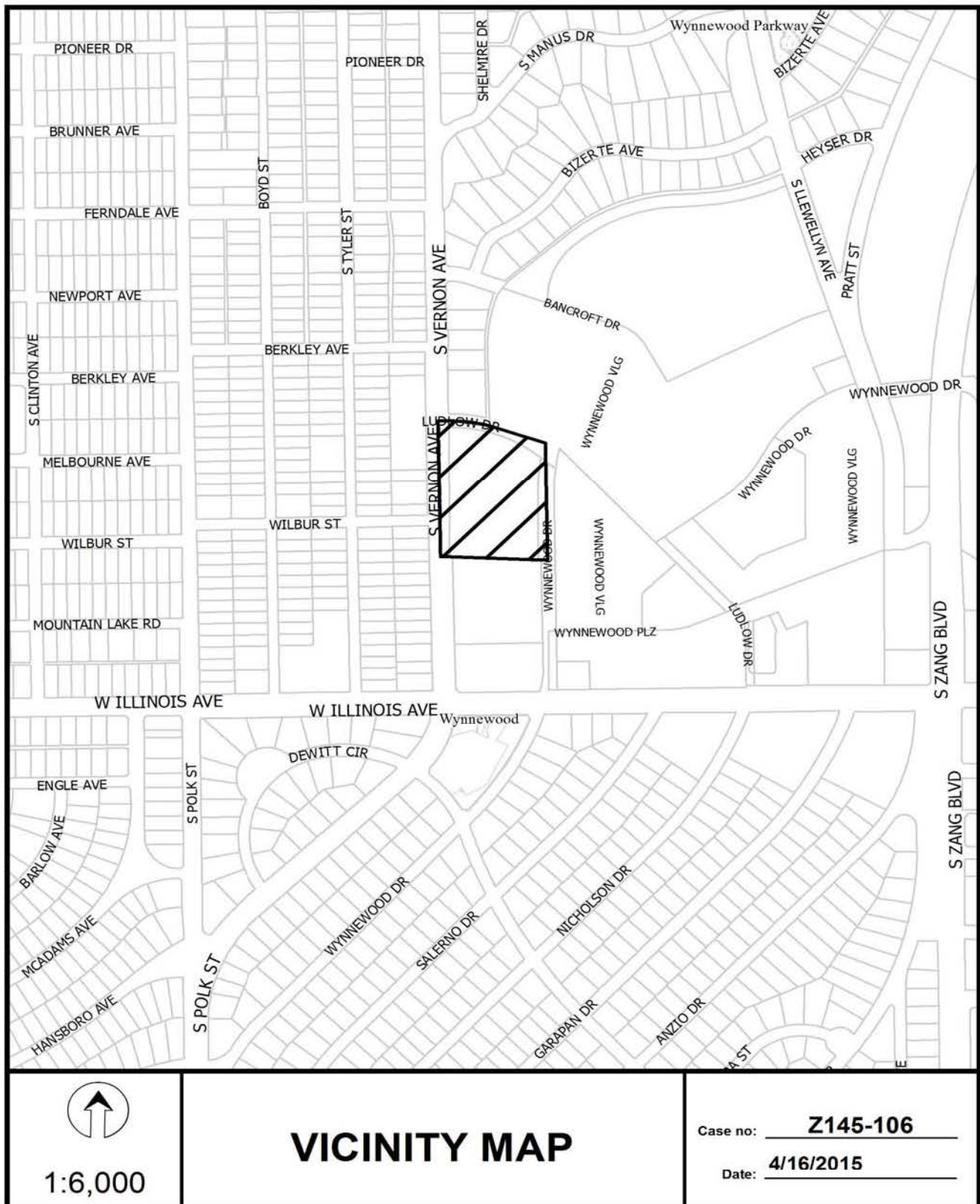
SUMMARY

This TMP is to be used by the Academy of Dallas Charter School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness.

END OF MEMO

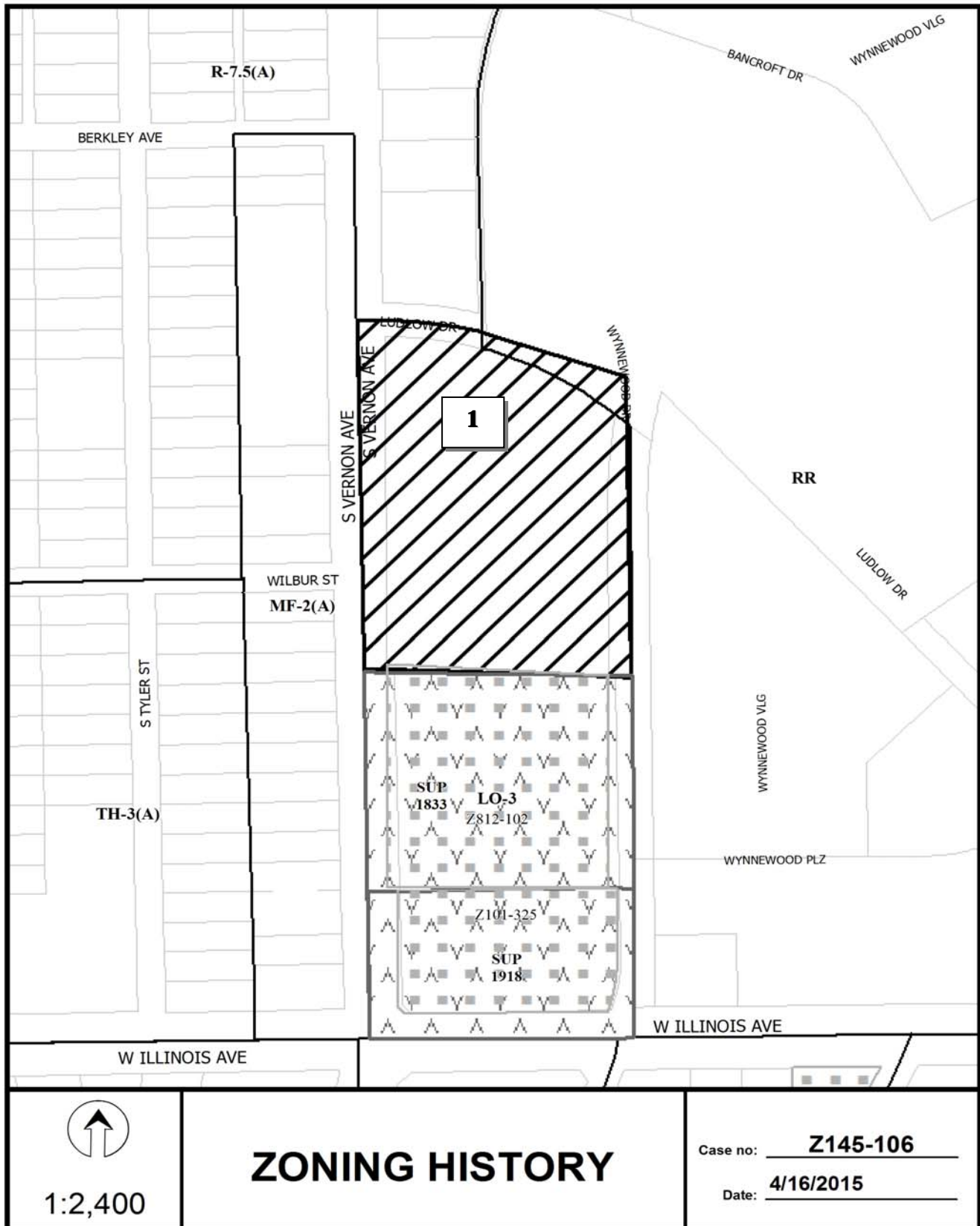


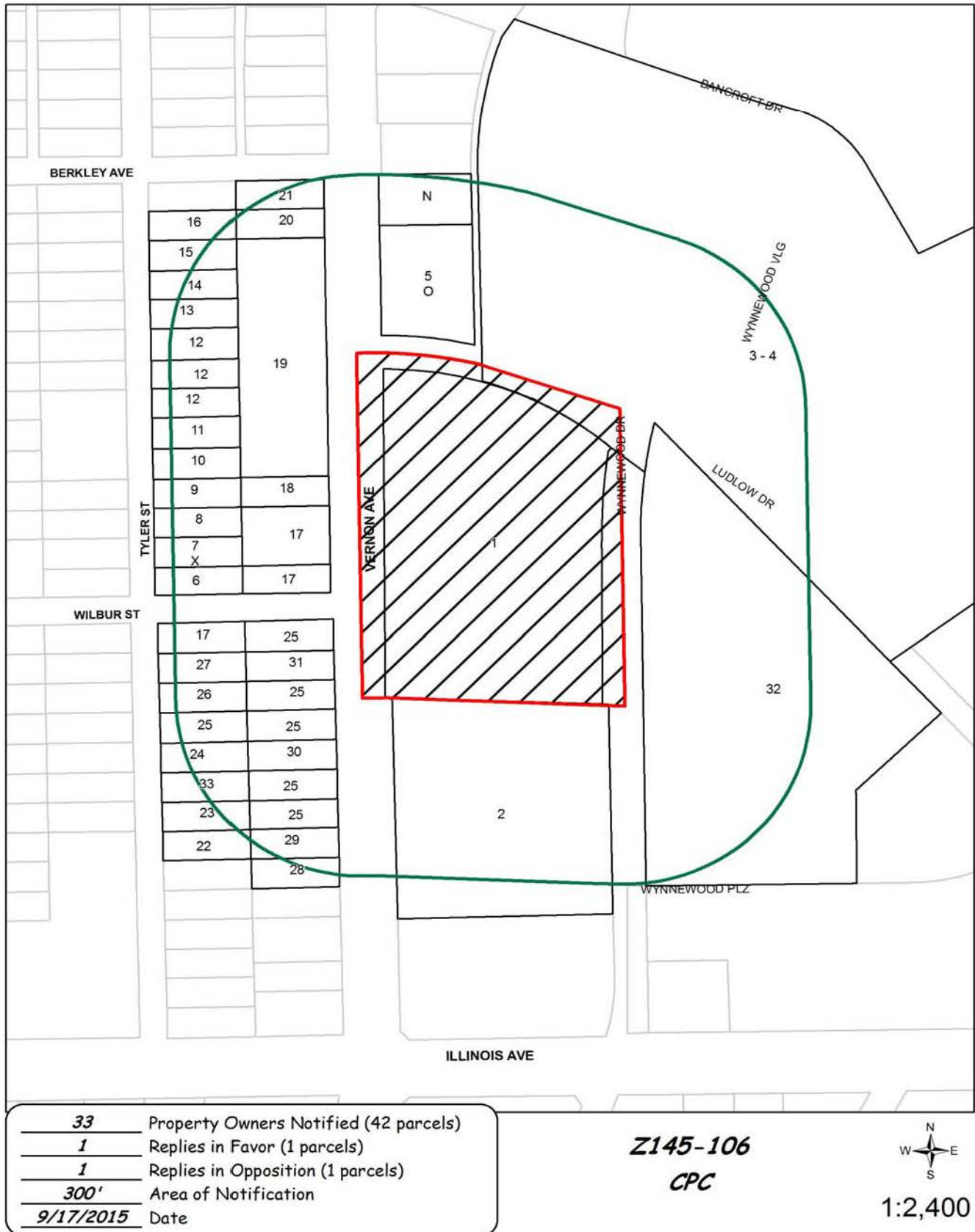




Z145-106(RB)





CPC RESPONSES

09/16/2015

Reply List of Property Owners***Z145-106******33 Property Owners Notified******1 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2324 VERNON AVE	ACADEMY OF DALLAS
	2	2510 VERNON AVE	UPLIFT EDUCATION
	3	701 ILLINOIS AVE	CENTRO NP HOLDINGS 12 SPE LLC
	4	701 ILLINOIS AVE	BELLAIRE CAPITAL PS LP
O	5	2210 VERNON AVE	WORLD MISSIONARY
	6	2326 TYLER ST	GONZALEZ FRANCISCO &
X	7	2322 TYLER ST	ORTEGA SANTIAGO JR &
	8	2318 TYLER ST	GREATER NEW HOPE
	9	2314 TYLER ST	GREATER NEW HOPE
	10	2310 TYLER ST	HERNANDEZ RAFAEL
	11	2306 TYLER ST	CLEWIS SHIRLEY L
	12	2302 TYLER ST	PFEIL RICHARD A
	13	2218 TYLER ST	PACHECO CELIA
	14	2214 TYLER ST	ELWELL STEVE & LYNETTE
	15	2210 TYLER ST	GRACIANO ISIDRO
	16	2206 TYLER ST	GUTIERREZ DANIEL & MARIA
	17	2327 VERNON AVE	WALKER CHARLES FRANKLIN
	18	2315 VERNON AVE	OSBORN CHARLES A JR
	19	2211 VERNON AVE	KARIKAL GEORGE JOSEPH
	20	2205 VERNON AVE	TANNOUS PHILIP
	21	2201 VERNON AVE	SOLIS ALFONSO H &
	22	2502 TYLER ST	AVILES JOSE &
	23	2426 TYLER ST	MUNOZ MARIA D & MIGUEL A
	24	2418 TYLER ST	ALANIS LUIS M
	25	2414 TYLER ST	WALKER CHARLES FRANKLIN
	26	2410 TYLER ST	AGUILAR YOLANDA

Z145-106(RB)

09/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2406	TYLER ST	WALKER CHARLES FRANKLIN &
28	2507	VERNON AVE	CARDENAS MARIO &
29	2503	VERNON AVE	WYRICK BILLIE JO TR
30	2417	VERNON AVE	WALKER CHARLES F &
31	2405	VERNON AVE	WALKER CHARLES FRANKLIN &
32	701	ILLINOIS AVE	CENTRO NP HOLDINGS 12 SPE LLC
33	2424	TYLER ST	CATES ANITA JO

AGENDA ITEM # 58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z145-172(AF)

FILE NUMBER: Z145-172(AF)

DATE FILED: January 27, 2015

LOCATION: Southeast line of Kimsey Drive, northeast of Maple Avenue

COUNCIL DISTRICT: 2

MAPSCO: 34P

SIZE OF REQUEST: Approx. 0.86 Acres

CENSUS TRACT: 4.06

APPLICANT/OWNER: Madison Kimsey Ltd.

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The applicant intends to develop approximately 30 townhouse style, single family homes. However, all uses in the MF-2(A) district would be permitted. Deed restrictions are being volunteered with the emphasis of improving pedestrian accessibility for the proposed development.

CPC RECOMMENDATION: Approval with deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Approval with deed restrictions volunteered by the applicant.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will be consistent with the existing redevelopment efforts and growth pattern in the surrounding area. Even though staff is supporting the request, it is important to note that the proposed zoning district will make the property adjacent to the south a nonconforming structure due to the setbacks required for a non-residential development adjacent to a residential zoning district. In the event that the property owner of the adjacent property wants to make an addition to the existing structure, the owner will have to comply with Code requirements, and might need to go to the Board of Adjustment to request either a special exception or a variance, depending on the type of development the owner wants to do.
2. *Traffic impact* – The proposed development does not have direct access to a major thoroughfare and will have small impact on the existing neighborhood street access. The number of trips generated by a residential district differs from the number of trips generated by a use permitted in the Industrial Research District. Residential uses generate higher trips per hour.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas!* Comprehensive Plan states that this area is within the Campus Building Block. The requested zoning district, comparable with ongoing redevelopment efforts in the area, is consistent with the Campus Building Block.

Zoning History:

<u>File Number</u>	<u>Request, Disposition, and Date</u>
1. Z134-292	On Wednesday, November 12, 2014 the City Council denied an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District located on the northwest side of Kimsey Drive, northeast of Maple Avenue
2. Z123-339	On Wednesday, March 26, 2014, the City Council approved Planned Development District No. 907 for MF-2(A) Multifamily District on property located on the northwest side of Kimsey Drive, northeast of Maple Avenue.

- 3. Z112-228** On Wednesday, August 22, 2012, the City Council approved a WR-5 Walkable Urban Residential District on property zoned an MU-2 Mixed Use District on property located on the east corner of Maple Avenue and Bomar Avenue.

Thoroughfare/Street	Type	Existing ROW
Kimsey Drive	Local	50 feet

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed zoning district 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.

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 Plan identifies the request site as being in the Campus Building Block.

The Campus Building Block focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. The University of North Texas campus was the motivating factor for creating this Building Block, although other examples exist, such as the areas around the Southwestern Medical District, the Baylor University Medical Center, the Veterans Administration Hospital and Pinnacle Park. Campus Building Blocks often act as smaller versions of a complete community and include a range of single-family and multifamily housing for students, employees and visitors. A variety of offices, shops, services and open space should exist to support the major campus employer and area residents. Over time, areas such as UNT can take on a "university town" feel as they mature. All Campus Building Block areas should have convenient transit options as an integral component. Economic development efforts should capitalize on the spin-off employment opportunities generated by the primary employers.

The requested zoning district and proposed development are consistent with the Campus Building Block and provides for a variety of housing options.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Surrounding Land Uses:

	ZONING	Land Use
Site	IR	Undeveloped
North	PD 907	Undeveloped
East	IR	Single family
South	IR	Retail
West	IR	Office

Land Use Compatibility:

The property encompasses five lots measuring approximately 0.86 acres and includes a mix of single family homes and vacant/undeveloped lots. Currently, the property directly abuts an existing single family dwelling unit located on the northeast and an office located to the southwest. The applicant is proposing to develop approximately 30 townhouse style single family homes. Deed restrictions are being volunteered focusing on improving pedestrian accessibility for the proposed development. The proposed volunteered deed restrictions attempt to mirror the pedestrian oriented restrictions of the development across the street zoned PD 907.

Redevelopment spurred by the expansion of the Southwestern Medical District is apparent along Maple Avenue, which has created the need for additional housing options. The surrounding area is experiencing a series of zoning changes and development of residential uses to more intense uses to satisfy the needs of the area. Running perpendicular to Kimsey Drive is Maple Avenue, which is currently developed with a mix of light industrial/office, office/showroom warehouse uses and multi-family uses. The site is in close proximity to the Inwood DART rail station.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side /Rear					
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed							
MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

Parking: Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200.

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code.

CPC ACTION – September 17, 2015

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northeast of Maple Avenue.

Maker: Emmons
Second: Abtahi
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Rodgers, Shidid, Anantasomboon,
Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Abtahi
Against: 0
Absent: 2 - Murphy, Ridley
Vacancy: 2 - District 4, District 7

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 0

Speakers: None

Officer Information

Owner/Applicant

Madison Kimsey, Ltd
6116 Central Expressway – Suite 510
Dallas, Texas 75206

John D. Gourly, President
Robert Teeter, Vice President

**PROPOSED DEED
RESTRICTIONS**

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

I.

The undersigned, Madison Kimsey, Limited, ("the Owner"), is the owner of the following described property ("the Property"), being Lots 3 through 6 of Block D/5712, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Chavalit Salpavivat, by deed dated October 7, 2013, and recorded in Instrument Number 201300316629; by Marc Alan Montemayor, by deed dated October 7, 2013, and recorded in Instrument Number 201300316619; by Pedro Banda, by deed dated October 7, 2013, and recorded in Instrument Number 201300316628; and by Amy Lynn Incorporated, by deed dated October 7, 2013, and recorded in Instrument Number 201300316626, in the Deed Records of Dallas County, Texas.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. Sidewalks along Kimsey Drive must be a minimum width of five feet.
2. Dwelling units that abut Kimsey Drive must have an entrance door that faces Kimsey Drive with a sidewalk connection to the public sidewalk.
3. Pedestrian scale lighting is required along Kimsey Drive at one light standard per 100 linear feet.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any

right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

XII.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

EXECUTED this the _____ day of _____, 2015.

By: _____

Madison Kimsey, Ltd.

John Gourley, Vice President

Z145-172(AF)

APPROVED AS TO FORM:
WARREN M.S. ERNST, City Attorney

By: _____
Assistant City Attorney

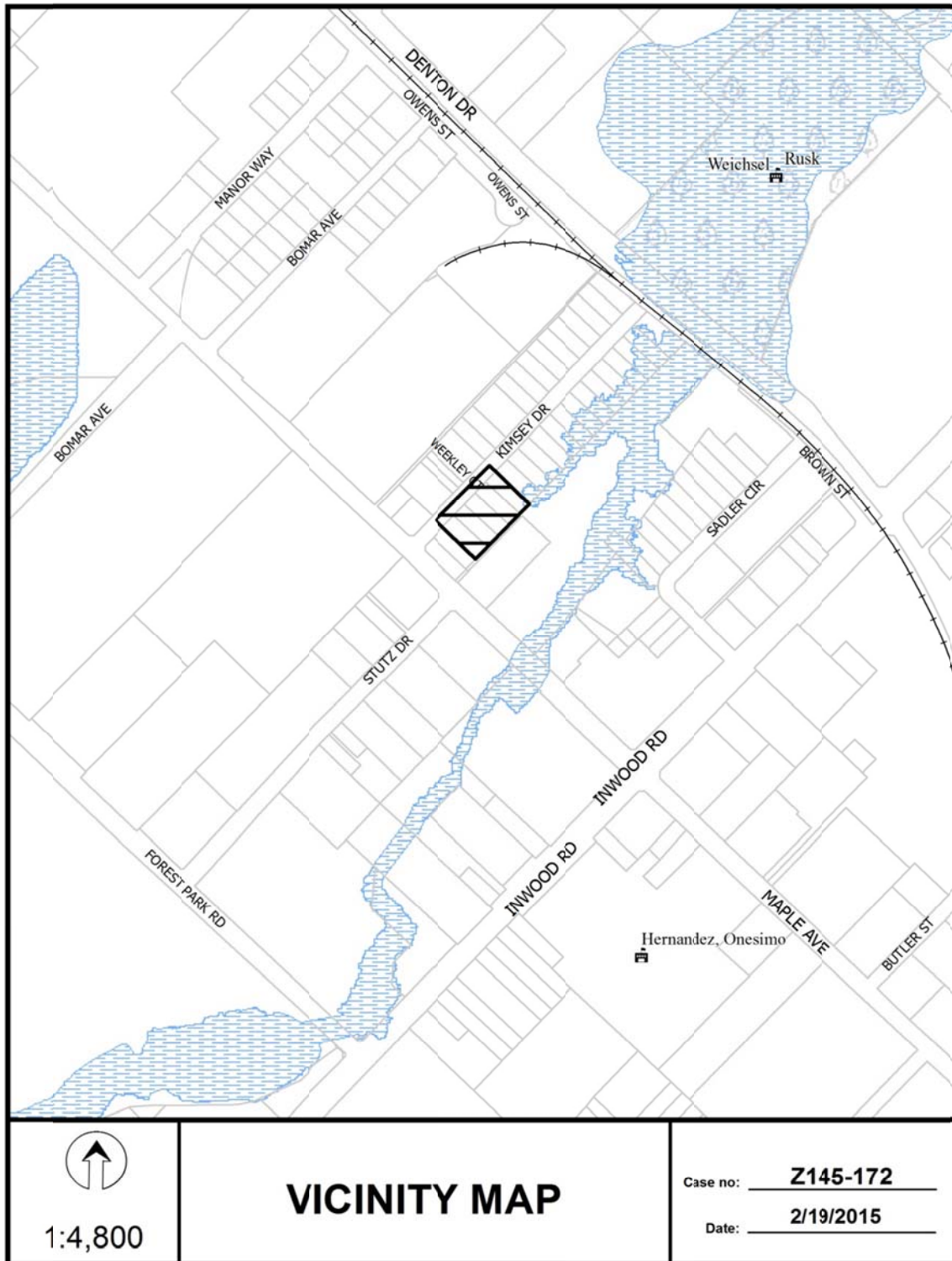
Z145-172(AF)

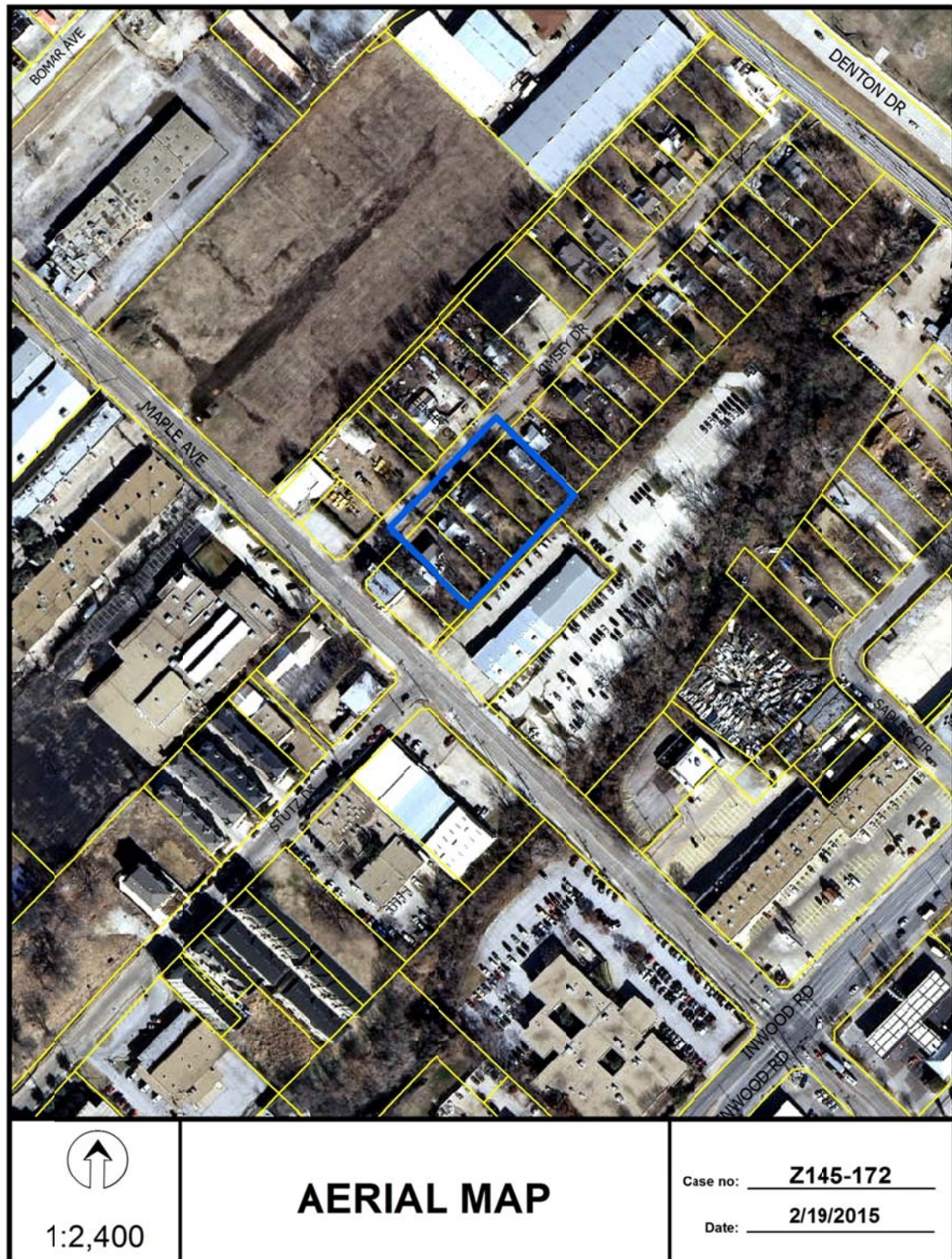
STATE OF TEXAS

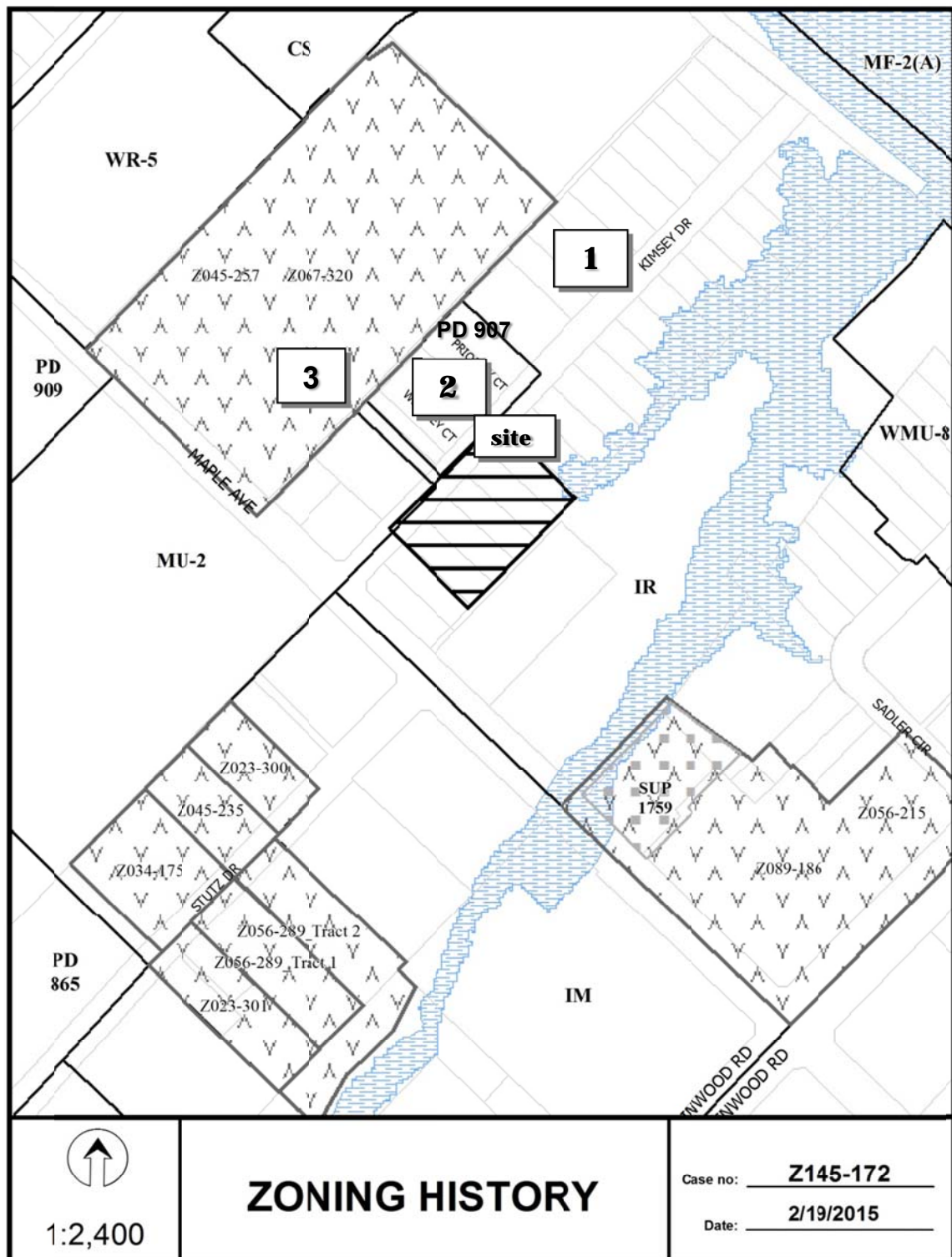
COUNTY OF DALLAS

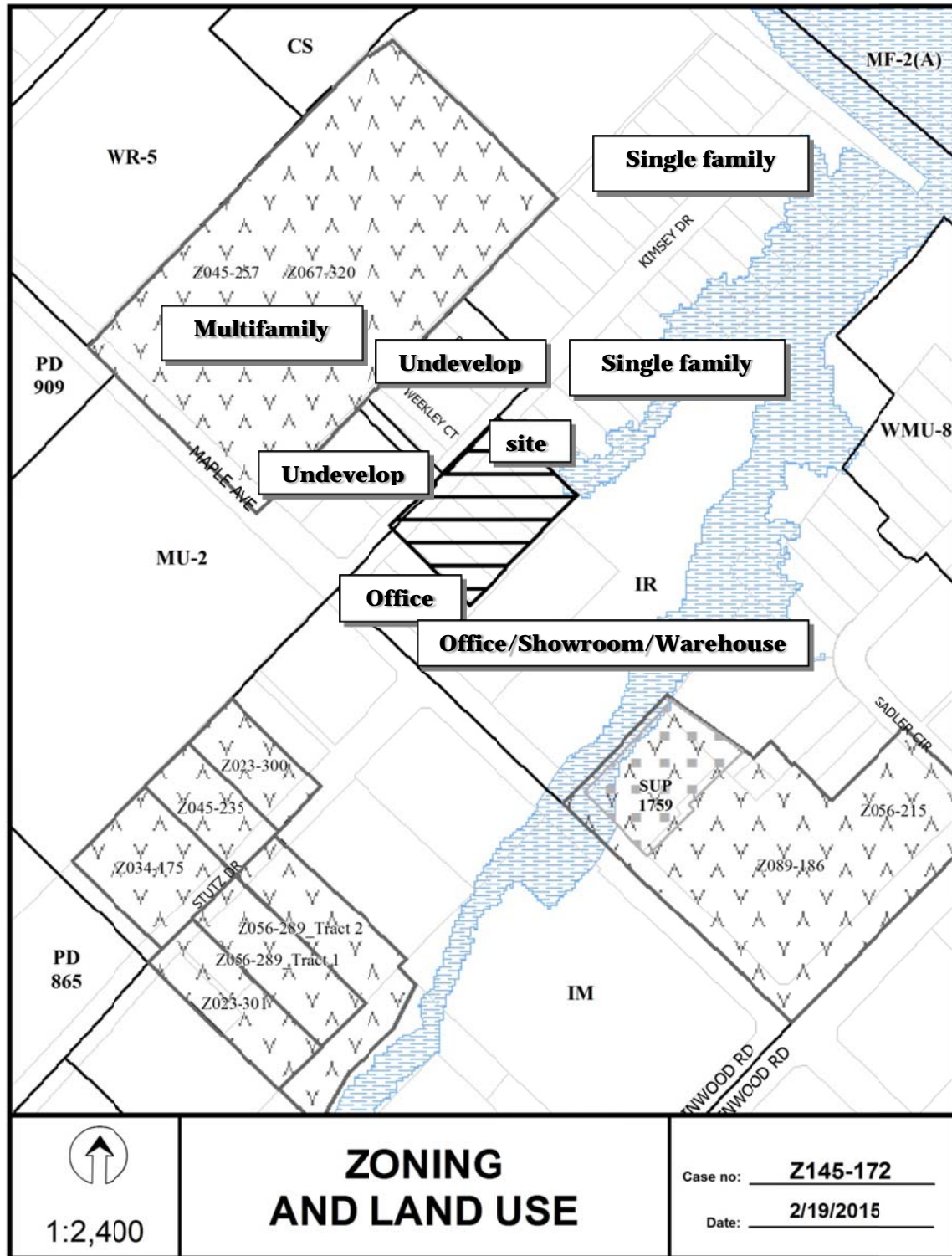
This instrument was acknowledged before me on _____ by
John Gourley, Vice President of Madison Kimsey, Limited, a Texas limited partnership,
on behalf of said partnership.

NOTARY PUBLIC

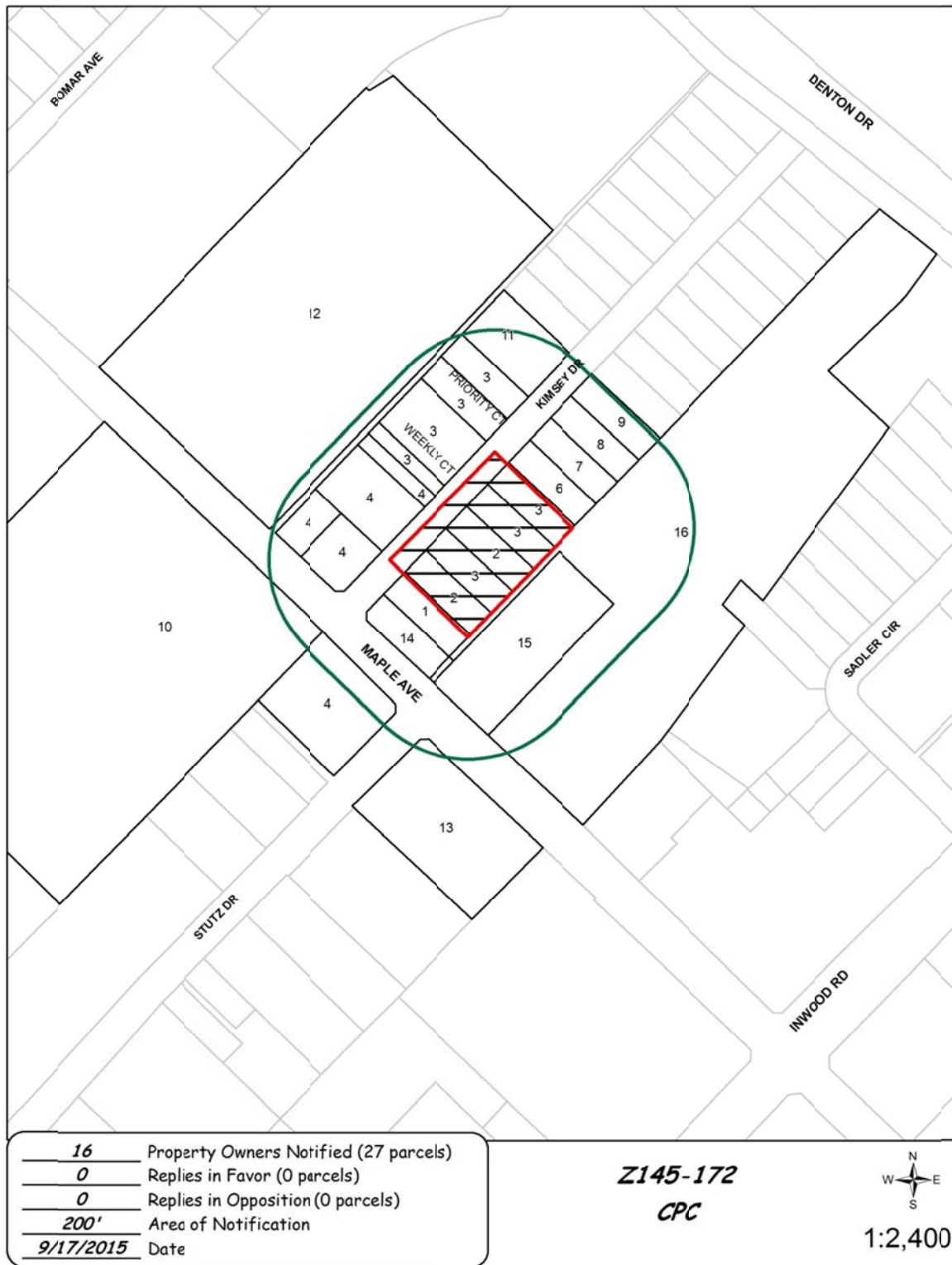








CPC Responses



09/16/2015

Reply List of Property Owners***Z145-172******16 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2504 KIMSEY DR	GARCIA FRANCISCO
	2	2508 KIMSEY DR	MADISON KIMSEY LTD
	3	2512 KIMSEY DR	MADISON KIMSEY LTD
	4	5901 MAPLE AVE	RED BARN HOLDINGS LP
	5	5830 MAPLE AVE	JAM TOWER LTD
	6	2602 KIMSEY DR	PERKINS JANIE L
	7	2606 KIMSEY DR	COPELAND D K
	8	2610 KIMSEY DR	MADISON KIMSEY TLD
	9	2614 KIMSEY DR	SOLIS MARTHA M
	10	5919 MAPLE AVE	CRP-GREP MAPLE OWNER LLC
	11	2611 KIMSEY DR	WINE MAISON LLC
	12	6008 MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC
	13	5855 MAPLE AVE	STARK O V
	14	5850 MAPLE AVE	J A M TOWER PPTIES LTD
	15	5800 MAPLE AVE	GAS PIPE INC
	16	5760 MAPLE AVE	ADLER PROPERTY CO LLP

AGENDA ITEM # 59

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 58 J

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an expansion of Specific Use Permit No. 1896 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay south of Lake June Road, east of Templecliff Drive

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions

Z145-270(OTH)

FILE NUMBER: Z145-270(OTH)

DATE FILED: May 27, 2015

LOCATION: South of Lake June Road, east of Templecliff Drive

COUNCIL DISTRICT: 5

MAPSCO: 58 J

SIZE OF REQUEST: Approx. 0.040 acres

CENSUS TRACT: 93.01

REPRESENTATIVE: Parvez Malik – Business Zoom

APPLICANT/OWNER: Bawa Corporation

REQUEST: An application for the expansion of Specific Use Permit No. 1896 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the sale of alcoholic beverages in conjunction with an existing general merchandise or food store. The SUP boundaries are being expanded to include the associated parking and access on the site. The revised site plan now shows an existing wheel chair ramp that was not shown on the existing site plan.

CPC RECOMMENDATION: **Approval** for a two-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 two-year period with eligibility for automatic renewals for additional five-year periods subject to a revised site plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The sale of alcoholic beverages in conjunction with the main use does not impact compatibility with surrounding uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing use of the property does not negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The existing use has not been a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed site plan complies with all the zoning regulations and standards.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lake June Blvd.	Principal	100 feet
Templecliff Dr.	Local	50 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor area and two spaces for a motor vehicle fueling station. The parking requirement for the existing use is 9 spaces. The attached site plan depicts a total of 17 parking spaces. The site plan is being amended to include in the SUP area the parking spaces required for the proposed use. The SUP boundaries are being expanded to include the associated parking and access on the site. The revised site plan now shows an existing wheel chair ramp that was not shown in the existing site plan.

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 Plan identifies the request site as being in the Residential Neighborhood Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

Land Use:

	Zoning	Land Use
Site	RR-D-1, SUP No. 1896	General merchandise or food store 3,500 square feet or less, vehicle fuel station
North	MF-1(A)	Church, retail and single family
East	CR	Auto service center, Retail
South	CR, R-7.5(A)	Multifamily, Church, single family
West	R-7.5(A)	Church, community service center, single family

Land Use Compatibility:

The approximately 0.40 acre request site is zoned an RR Regional Retail District with a D-1 Liquor Control Overlay and is currently developed with an approximately 1,737-square-foot convenience store with a motor vehicle fueling station. To the east, located on the same property is a tire shop/automobile service center. The applicant is proposing to continue selling alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which requires a Specific Use Permit.

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.

Landscaping:

The request does not include any additions to the existing structure or any increase to impervious surface; therefore, the request does not trigger landscape requirements.

Police Report

Offense	Date	Address
OTHER THEFTS	7/2/2014	6808 LAKE JUNE RD
VANDALISM & CRIM MISCHIEF	7/2/2014	6808 LAKE JUNE RD
AGG ASSAULT - NFV	8/16/2014	6808 LAKE JUNE RD
OTHER THEFTS	10/10/2014	6808 LAKE JUNE RD
ASSAULT	11/24/2014	6808 LAKE JUNE RD
AGG ASSAULT - NFV	7/3/2015	6808 LAKE JUNE RD
CRIMINAL TRESPASS	2/12/2015	6808 LAKE JUNE RD
CRIMINAL TRESPASS	4/1/2015	6808 LAKE JUNE RD

CPC ACTION – October 1, 2015

Motion: It was moved to recommend **approval** of an expansion of Specific Use Permit No. 1896 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 with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay south of Lake June Road, east of Templecliff Drive.

Maker: Anantasomboon
Second: Shidid
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Schultz, Peadon, Murphy, Ridley,
Tarpley

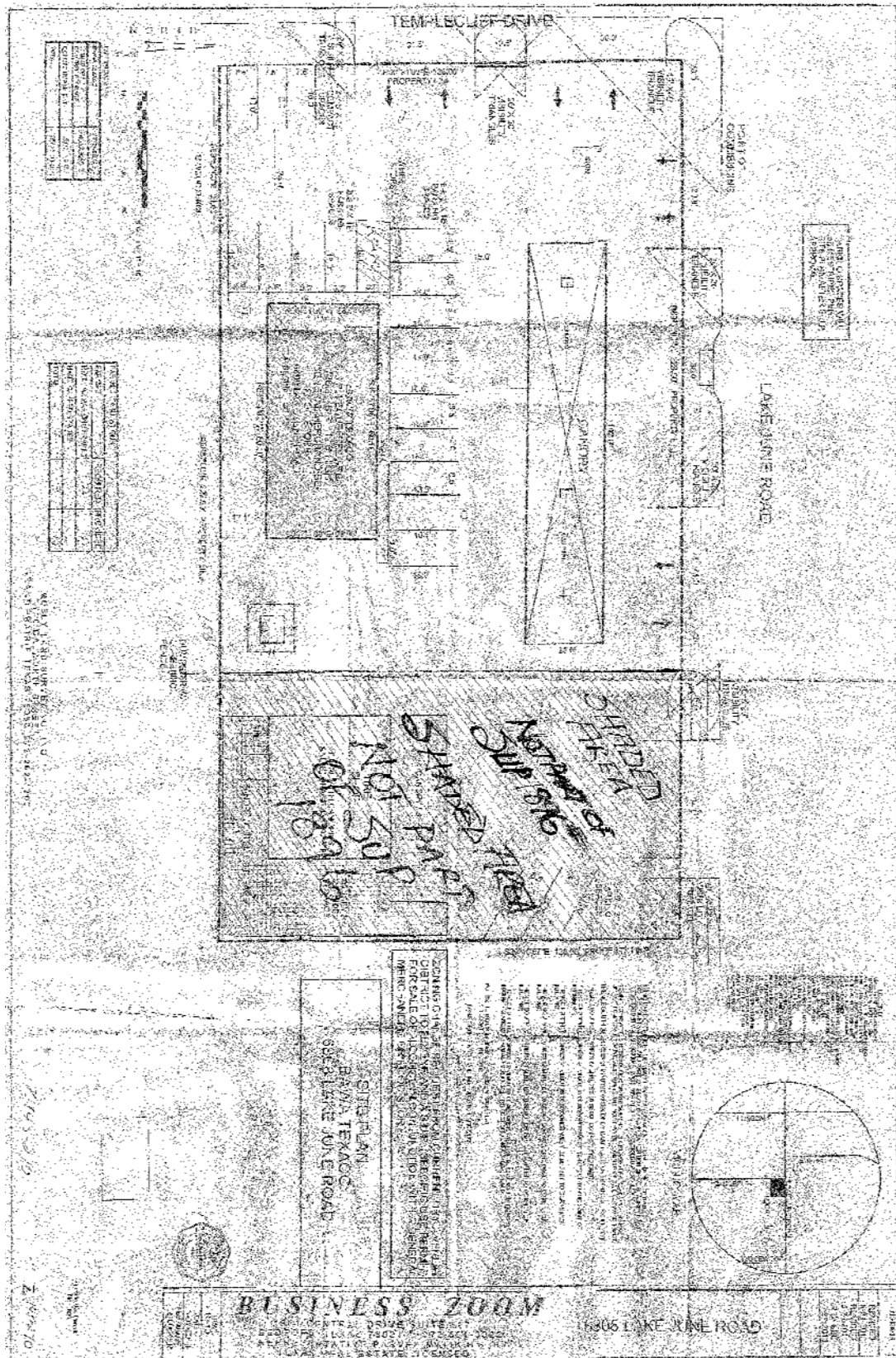
Against: 0
Absent: 0
Vacancy: 1 - District 4

Notices:	Area: 200	Mailed: 13
Replies:	For: 0	Against: 2
Speakers:	None	

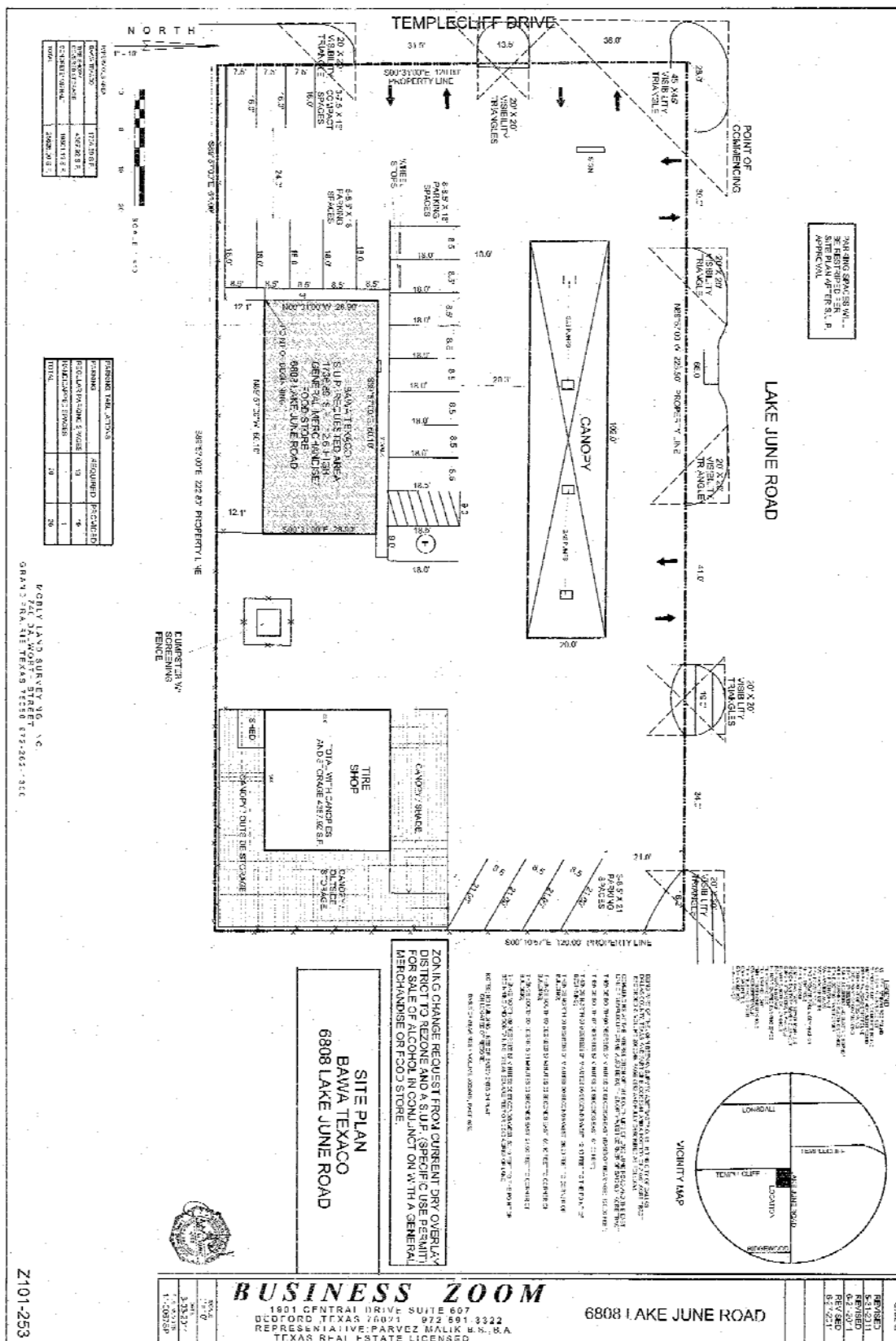
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
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 8, 2015~~ two years from date of approval, 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. FENCE: A six-foot-high solid fence must be provided in the location shown on the attached site plan.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Off-street parking must be located as shown on the attached site plan.
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 ordinances, rules, and regulations of the City of Dallas.”

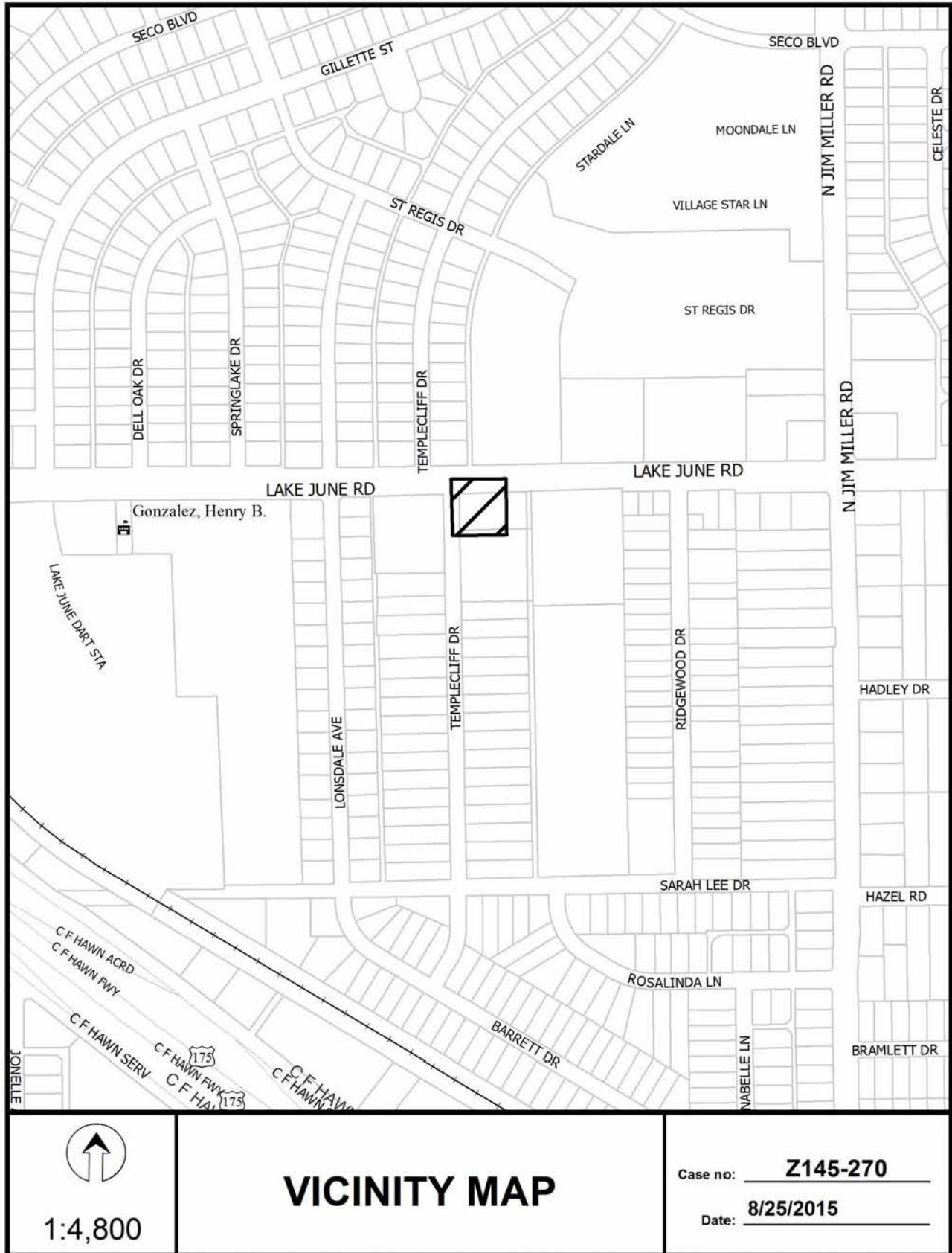
Proposed Site Plan

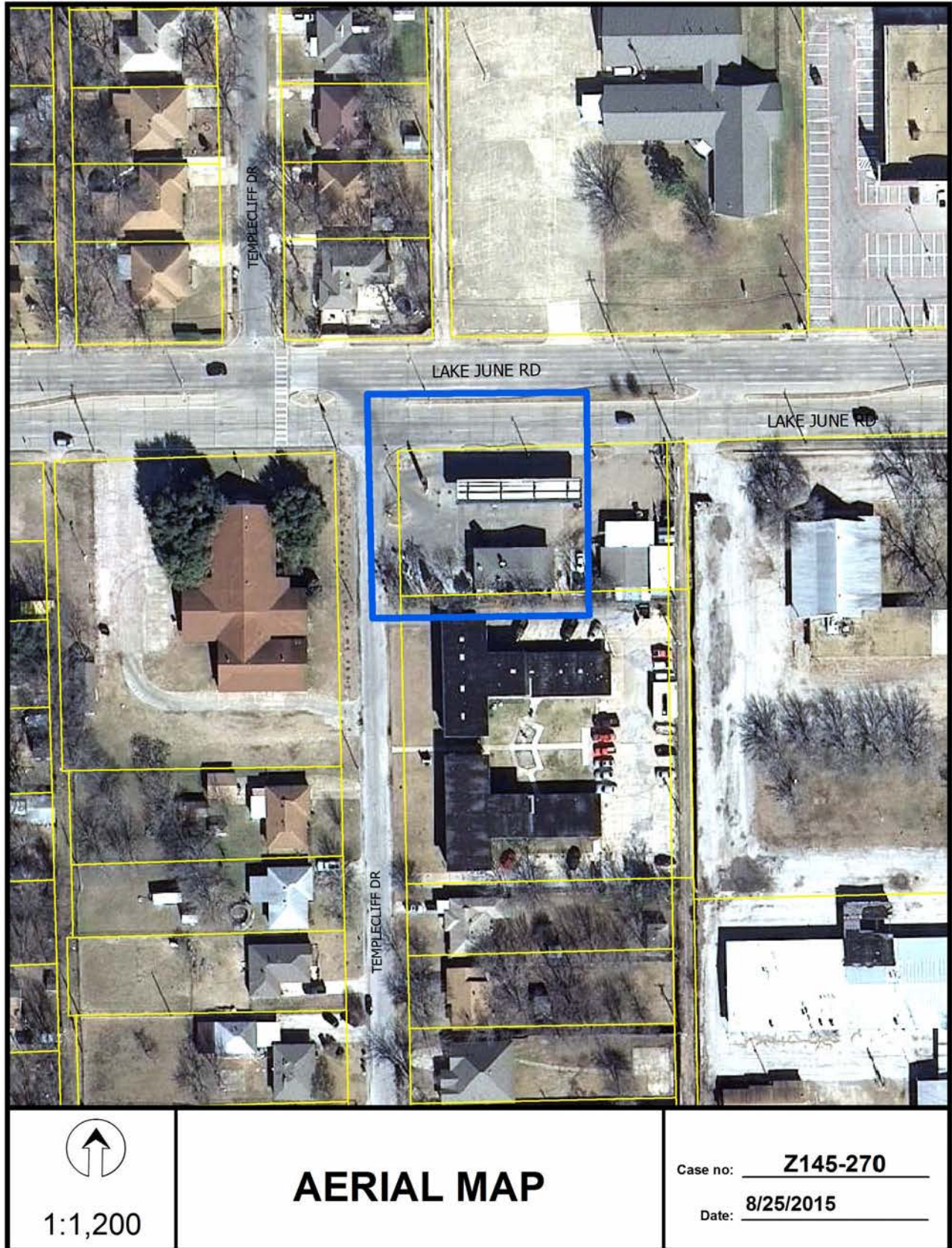


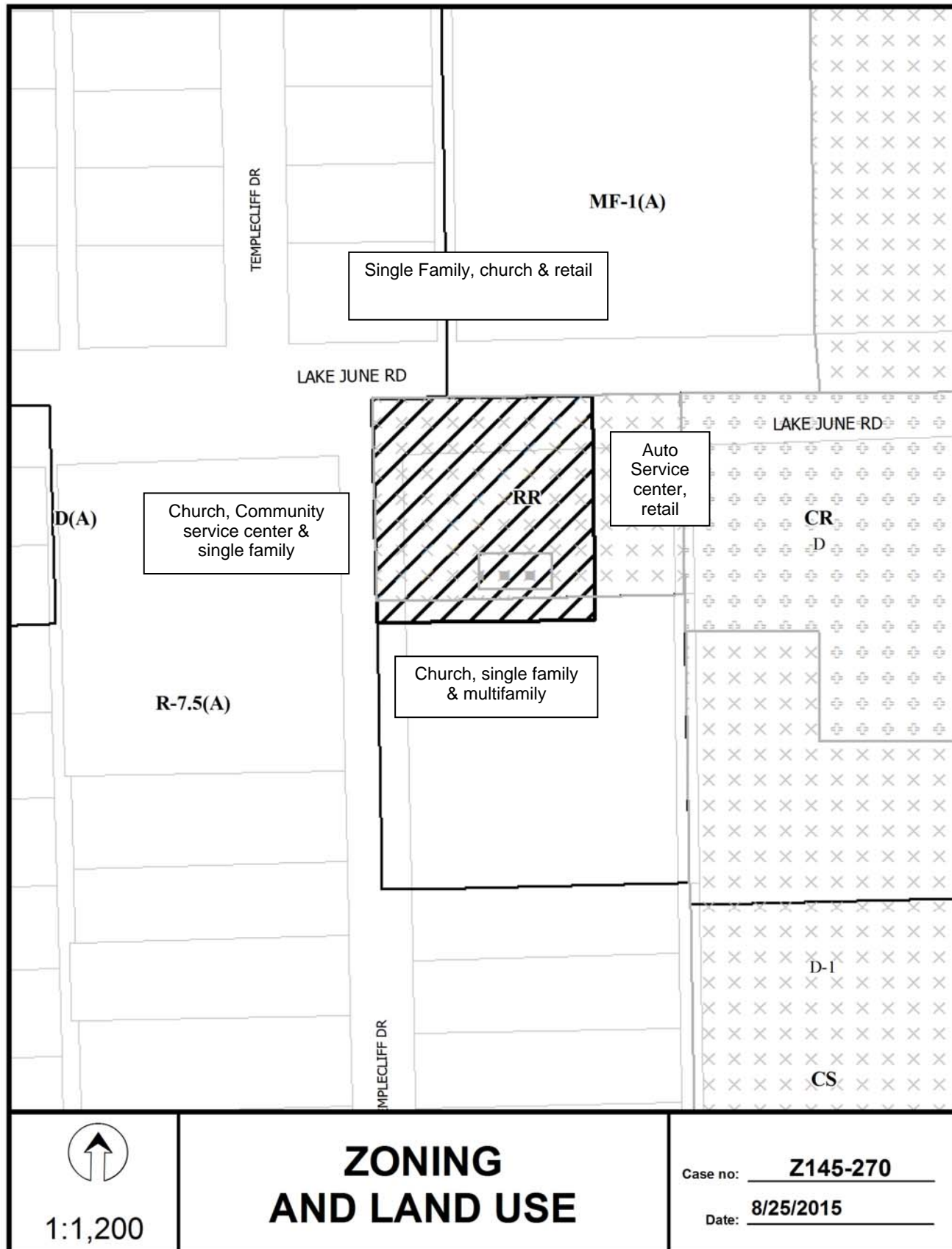
Existing Site Plan



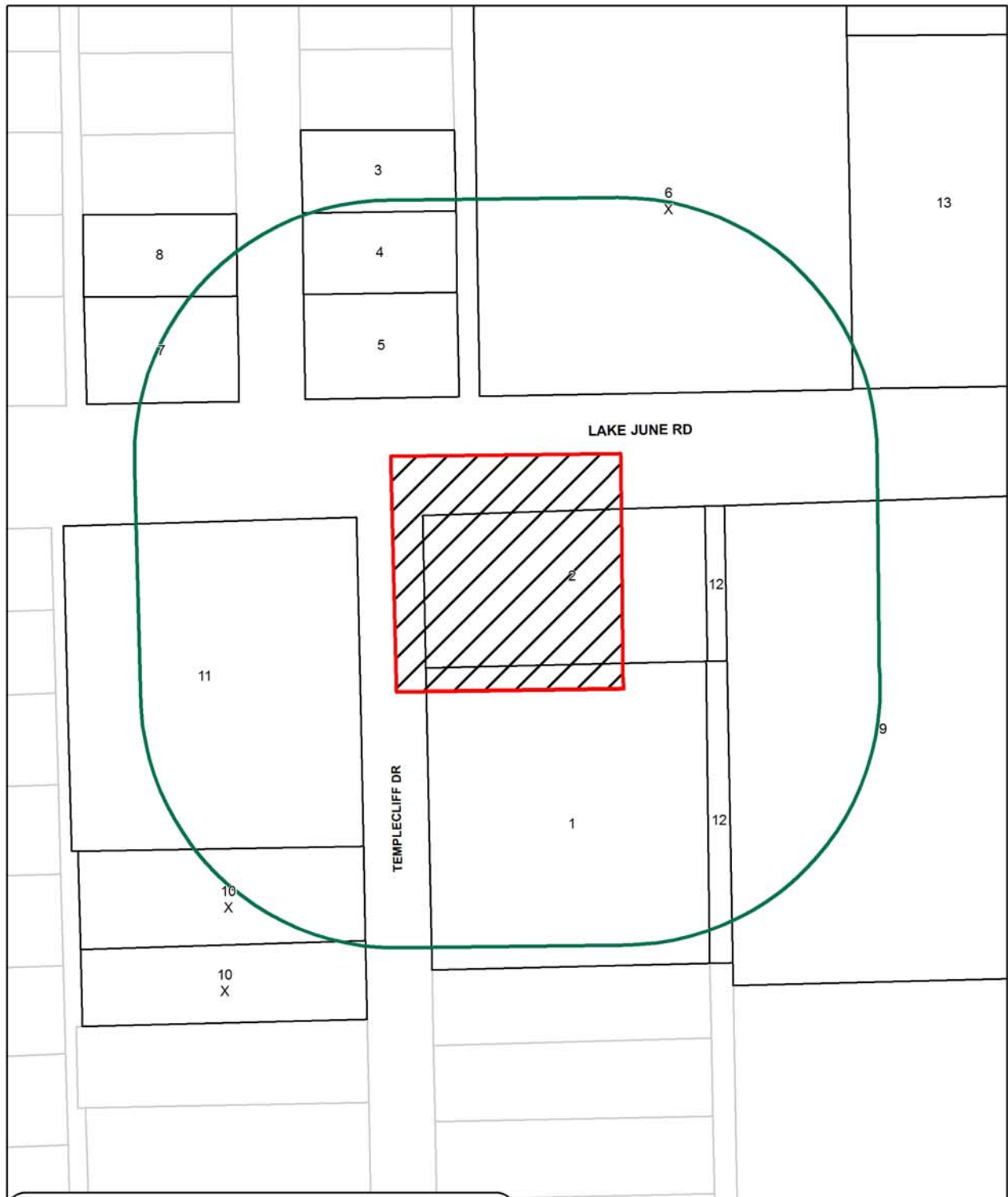
Z145-270(OTH)







CPC RESPONSES



<u>13</u>	Property Owners Notified (15 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>2</u>	Replies in Opposition (3 parcels)
<u>200'</u>	Area of Notification
<u>10/1/2015</u>	Date

Z145-270
CPC



1:1,200

09/30/2015

Reply List of Property Owners ***Z145-270***

13 Property Owners Notified 0 Property Owners in Favor 2 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1234 TEMPLECLIFF DR	BOST FRED W
	2	6808 LAKE JUNE RD	BAWA CORPORATION
	3	1314 TEMPLECLIFF DR	WALTON BILLY LEE
	4	1308 TEMPLECLIFF DR	MAY LETICIA
	5	1304 TEMPLECLIFF DR	MARES NOEL & LINDA MARES
X	6	6819 LAKE JUNE RD	MOUNT SINAI BAPTIST CH
	7	1305 TEMPLECLIFF DR	JAMAICA ROBERTO & EVA
	8	1309 TEMPLECLIFF DR	ALEXANDER CRAIG & LESIA
	9	6916 LAKE JUNE RD	FAITH KINGDOM CHURCH OF
X	10	1223 TEMPLECLIFF DR	SCOTT ANITA LOUISE
	11	1239 TEMPLECLIFF DR	CENTRO CRISTIANO
	12	1234 TEMPLECLIFF DR	CRAIG A C RESOURCE CTR
	13	6919 LAKE JUNE RD	MARCER INV LLC

AGENDA ITEM # 60

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 847, in the southeast quadrant of SMU Boulevard and North Central Expressway

Recommendation of Staff and CPC: Approval, subject to a revised Subarea 1 development plan, revised Subarea 2 development plan, and conditions
Z145-288(RB)

FILE NUMBER: Z145-288(RB)

DATE FILED: July 1, 2015

LOCATION: SMU Boulevard and North Central Expressway, Southeast Quadrant

COUNCIL DISTRICT: 14

MAPSCO: 36 E

SIZE OF REQUEST: Approx. 7.8 Acres

CENSUS TRACT: 79.14

APPLICANT/OWNER: Southern Methodist University

REPRESENTATIVE: Kirk Williams

REQUEST: An application for an amendment to Planned Development District No. 847.

SUMMARY: The applicant is proposing the following revisions: 1) permit a university aquatic center within the northeast quadrant (Subarea 2); 2) revised off-street parking for the university aquatics center; and, 3) enhanced sign regulations.

CPC RECOMMENDATION: Approval, subject to a revised Subarea 1 development plan, revised Subarea 2 development plan, and conditions.

STAFF RECOMMENDATION: Approval, subject to a revised Subarea 1 development plan, revised Subarea 2 development plan, and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval, subject to the attached revised plans and revised conditions, based upon:

1. *Performance impacts upon surrounding property* – As the applicant's request involves a new athletic facility that will function internally (aquatic center, offices, classrooms) in lieu of the existing outside athletic area for the property owner, no negative impact on adjacent properties (lighting, noise, odor) is anticipated.
2. *Traffic impact* – Trip generations for this improvement are not expected to impact the surrounding area as some or all of the following will be implemented: 1) swim meets will be scheduled during non-peak periods; 2) existing on-site parking will accommodate scheduled swim meets; and 3) the existing shuttle from the west side's main campus area will serve during these events.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.

Zoning History:

File No.

Request, Disposition, and Date

- | | | |
|----|----------|---|
| 1. | Z067-284 | On December 8, 2010, the City Council approved a Planned Development District for MU-3 District Uses. |
| 2. | Z067-189 | On September 26, 2007, the City Council approved a Planned Development District for MU-3 District Uses. |
| 3. | Z078-168 | On June 11, 2008, the City Council approved a Planned Development District for MU-3 District Uses. |

Street/Thoroughfare

Existing & Proposed ROW

North Central Expressway

Freeway; Variable width ROW

SMU Boulevard

Collector; 100' & 100' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's requested amendment and determined there will be no impact on the area's street system.

STAFF ANALYSIS:

Comprehensive Plan: The request site lies within an area considered Urban Mixed-Use. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

Land Use Compatibility:

PDD No. 847 was approved by the City Council on April 27, 2011 and provides for three subareas; this request focuses on Subarea 2, currently utilized as an outside athletic training area along with surface parking across the balance of the subarea.

The applicant proposes to provide for a university aquatic center (55,000 square feet; 64 feet tall), which will include an outdoor pool abutting the southern façade. The balance of the subarea will continue to provide for surface parking as well as an enclosed electrical equipment area (currently, utilities are being upgraded in this area). Additionally, specific off-street parking for this use is being considered, along with enhanced signage.

The area has been undergoing significant changes, both public and private investments. The result of these efforts has led to mixed use projects providing for high density multifamily uses with supporting retail. The applicant has expanded various office and administrative functions utilizing adjacent office structures. Lodging uses are found south of the site. Finally, the recently completed George W. Bush Presidential Center is situated across the depressed lanes of North Central Expressway. With respect to the balance of PDD 847, Subarea 1 is developed with a 15 story office structure and surface parking, with Subarea 3 providing for additional surface parking. It should be noted much of the surface parking in these two subareas has been improved with canopy structures, thus considered and a part of the site's lot coverage.

Staff has worked with the applicant to ensure the draw of spectators for scheduled swim meets can be accommodated on site, with minimal impact on the above referenced high density the area currently enjoys. As such, a parking memorandum has been prepared by a professional traffic engineer, which has been reviewed and supported by staff as to anticipate demand for vehicles traversing through the area during these events. As part of the analysis, it should be noted there are two buses that traverse through the area – DART's Mustang Express and SMU Express (see attached route maps).

It should be noted that other times the facility is in use (offices, classrooms, training) are not an issue and can be accommodated without any specific provisions.

Signage: PDD No. 847 currently provides for business zoning district rules regarding signage. The applicant is requesting an amendment to these provisions for consideration of a monument sign, one each for Subarea 1 and Subarea 2. Specifically, Subarea 1 will permit a seven foot-tall/55-foot span at the corner of North Central Expressway and SMU Boulevard (respectful of the 45-foot visibility clip), with Subarea 2 providing for a similar seven foot-tall but longer expanded run (135 feet) that bookends the PDD (northeast corner of the Subarea), abutting the 12 foot-wide pedestrian walkway that connects to DART's Mockingbird Station. Each sign will permit a maximum effective area of 200 square feet. Lastly, it should be noted these signs are consistent in design and dimensional controls as those located throughout the main campus, the George Bush Presidential Center, and the recently completed tennis center (southwest corner of Mockingbird Lane and North Central Expressway).

Off-Street Parking: As noted herein, the applicant is requesting an alternative off-street parking requirement for the university aquatic center. Staff concurs with the findings noted in the attached parking memorandum and furthermore the applicant has indicated the Mustang Express can provide service during those events that may facilitate alternative options for attending scheduled events.

Miscellaneous Provisions: PDD No. 847 requires certain pedestrian amenities along the SMU Boulevard frontage as well as a functional pedestrian walkway that links the area to Mockingbird Station, south of the site.

With regard to the pedestrian pathway, the applicant is required to provide a 12 foot-wide walkway that connects to an existing pathway south of the site, ultimately providing a seamless pathway to Mockingbird Station, prior to issuance of a certificate of occupancy for occupied floor area within Subarea 2.

As noted on the attached conceptual plan, SMU Boulevard must be improved with pedestrian amenities, with completion also before the issuance of a certificate of occupancy for a structure within Subarea 2.

The property is located within the boundary of the TOD TIF-Mockingbird and Lovers Lane Sub-District, of which a development agreement with Southern Methodist University was authorized by the City Council in June, 2011. This will provide SMU a reimbursement as part of a North Central Council of Government Sustainable Development grant for pedestrian improvements along SMU Boulevard and a Katy Trail Extension from SMU Boulevard to Twin Sixties Drive (south of the site). These improvements will benefit a larger area by enhancing the immediate streetscape as well as enhancing the connectivity of the DART's Mockingbird Lane Station with area businesses, employees, and residents.

As the above referenced improvements are tied to the TIF District requirements for reimbursements, and the fact these improvements have been provided, staff supports deleting the requirement from the existing PDD ordinance.

CPC ACTION – September 17, 2015

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 847, subject to a revised Subarea 1 development plan, Subarea 2 development plan and revised conditions with the following modification: 1) Monument sign height increase from 7 ft. to 9 ft.6 inches in the southeast quadrant of SMU Boulevard and North Central Expressway.

Maker: Emmons
Second: Shellene
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Abtahi

Against: 0
Absent: 2 - Murphy, Ridley
Vacancy: 2 - District 4, District 7

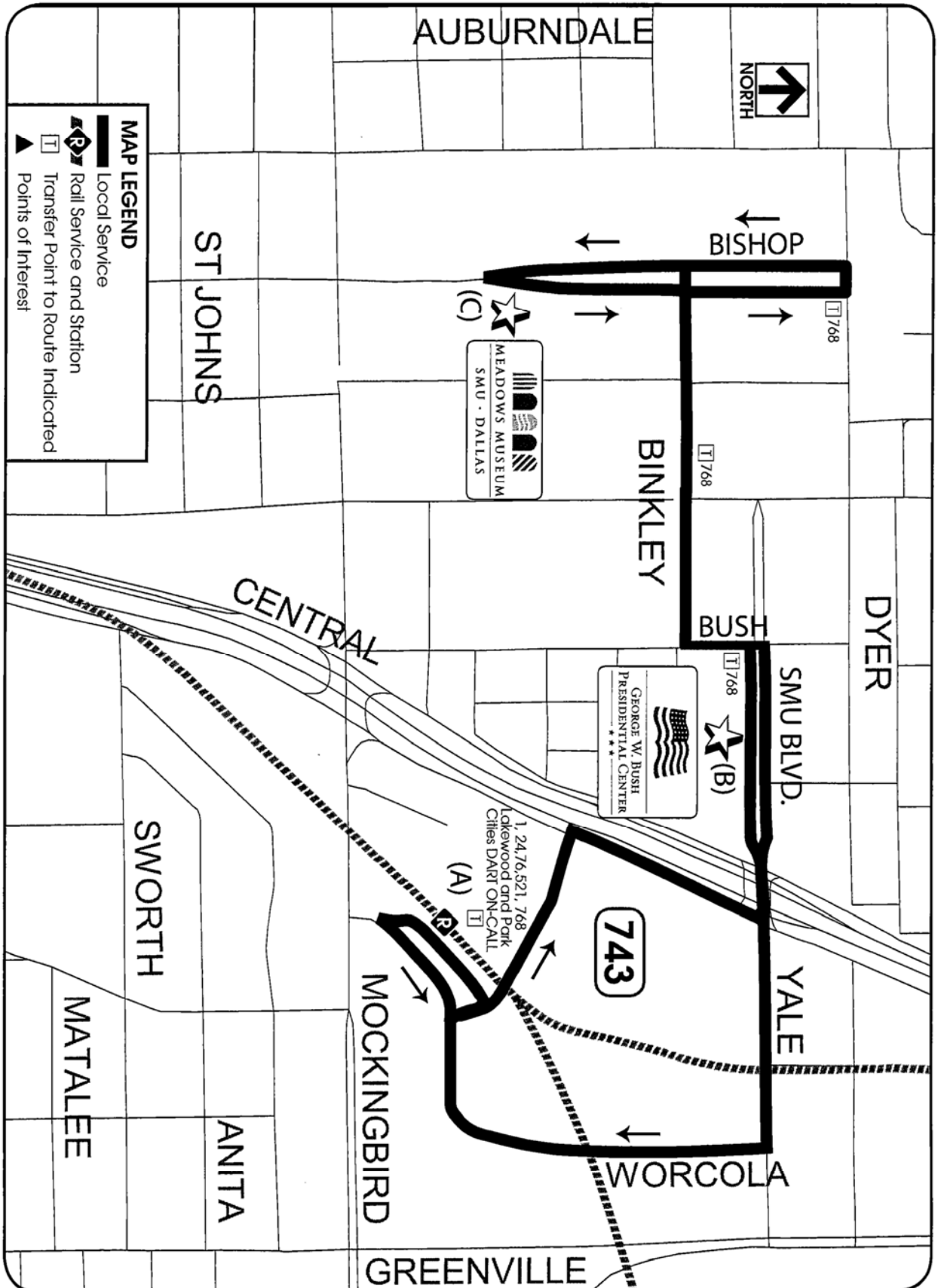
Notices: Area: 500 Mailed: 70
Replies: For: 9 Against: 0

Speakers: For (Did not speak): Kirk Williams, Address not given
Against: None

**CORPORATE OFFICERS
OF SOUTHERN METHODIST UNIVERSITY
FOR FY 2015-2016**

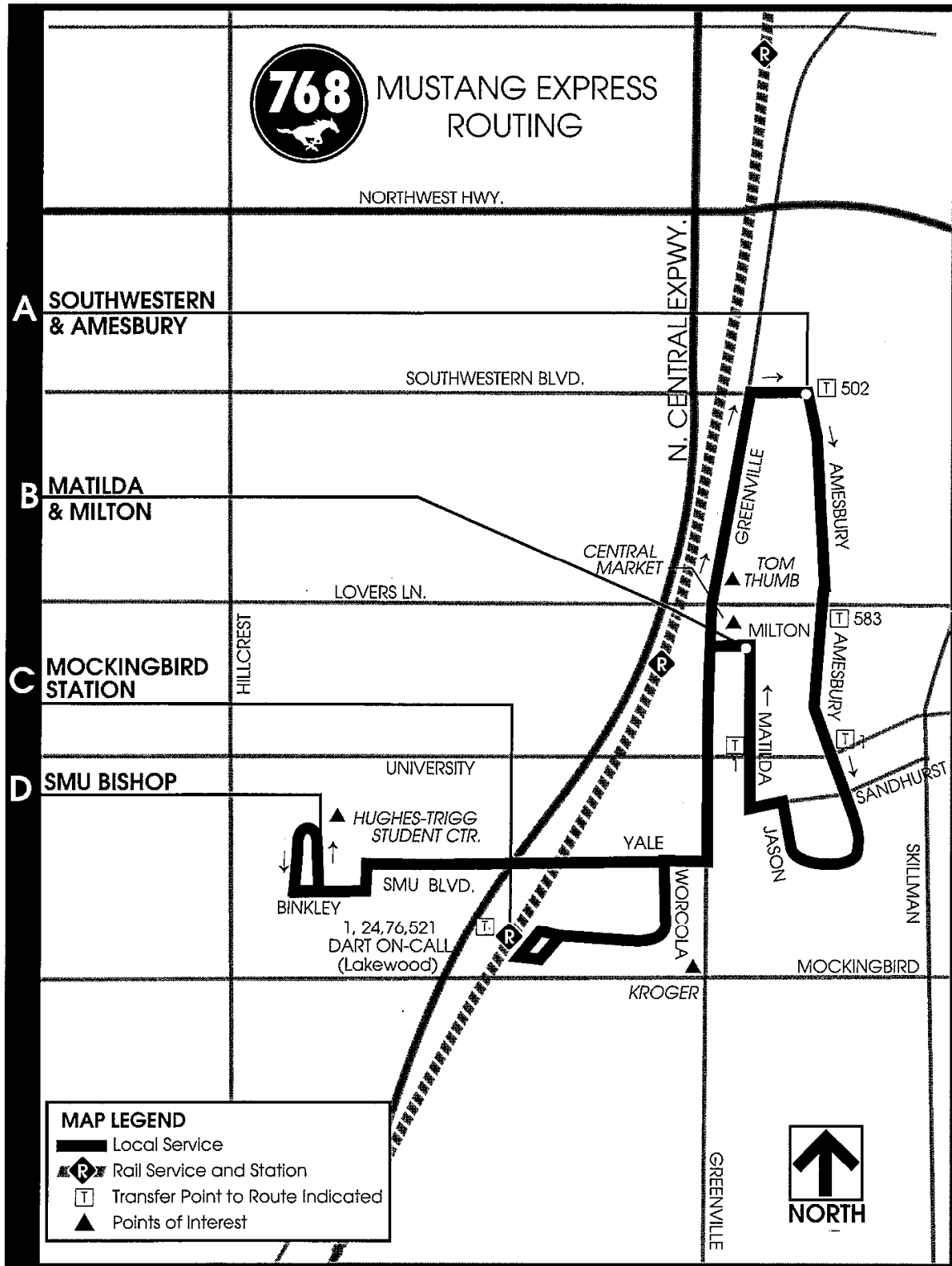
Dr. R. Gerald Turner	President
Dr. Harold W. Stanley	Provost and Vice President for Academic Affairs, <i>ad interim</i>
Dr. Thomas E. Barry	Vice President for Executive Affairs
Mrs. Christine Regis	Vice President for Business and Finance
Mr. Brad Cheves	Vice President for Development and External Affairs
Mr. Michael A. Condon	Treasurer and Chief Investment Officer
Mr. Paul J. Ward	General Counsel, Vice President for Legal Affairs and Government Relations, and Secretary
Dr. Lori White	Vice President for Student Affairs (Effective June 1, 2015 – June 30, 2015)
Dr. Joanne Vogel	Vice President for Student Affairs, <i>ad interim</i> (Effective July 1, 2015)
Ms. Mary Anne Rogers	Associate University Secretary

Z145-288





FARE PAYMENT COURTESY OF SMU



Traffic, Transportation Planning. Parking, Design. 400 S. Houston Street, Suite 330
Dallas, TX 75202
ph. 214.748.6740
des hazo group.com

August 7, 2015

Mr. Kirk R. Williams Winstead PC
2728 N. Harwood Street Dallas, Texas 75201

RE: Parking Needs for the Proposed SMU Aquatics Center in Dallas, Texas; DeShazo #15138

Dear Mr. Williams,

I have reviewed the information provided for the proposed relocation of the SMU Aquatics Center—a collegiate department organizing a variety of swim classes and events with a planned capacity of 800 seats. The proposed site is located on the southeast corner of North Central Expressway and SMU Boulevard. The property will be shared with the Expressway Tower, an existing office building with a Code parking requirement of 412 spaces. An off-street parking supply of 525 leaves 113 spaces theoretically available to accommodate the daily parking needs of the swimming facilities. The estimated attendance of SMU Aquatics is time-of-day dependent with groups participating during the early morning, late morning, midday, afternoon and evening periods. The description of daily activities indicates an estimated attendance of 100 participants in the early morning and maximum attendance of 147 in the evening with lower attendance numbers during corresponding office business hours.

SMU Aquatics also anticipates regional meets attracting additional spectators. A published, technical methodology to calculate the parking generation for college athletic or swimming facilities is not available. Instead of an established equation or rate, I evaluated the parking characteristics of other SMU athletic events. A parking generation rate of *0.23-0.24 vehicles per occupied seat* is considered appropriate based upon the average parking demand observed at 18 college football and basketball events and published in the *Shared Parking* (2nd Edition) by the Urban Land Institute. Accordingly, a parking demand of 192 vehicles is expected during a full-capacity event.

However, a detailed description of the athletic facilities and activities indicates that the proposed aquatics center decidedly resembles the SMU Tennis Complex with a similar number of seats, dedicated classroom and locker areas, student-to-staff ratio and number of participants per event. Attendance records of the last 20 meets since January of this year show an average of 130 attendees per event (excluding a day-long event with approximately 1,800 attendees that I consider a statistical outlier). The SMU Tennis Complex is located on the south side of Mockingbird Lane at North Central Expressway. Records indicate that the City classified it as a “College, University, or Seminary Use” for its site plan approval in 2011 with a parking requirement of *1 space per 25 square feet* of classroom area (or 14 off-street parking spaces). Notwithstanding, university officials confirm that the tennis complex has been able to support the parking demands primarily due to the modes of transportation representative of university environments. Applying a similar approach would require a total of 29 spaces (without any applicable zoning reductions) for the 725 square feet of classroom area at the proposed SMU Aquatics Center.

August 7, 2015

The following tables summarize my findings and interpretation of the information provided.

Table A. Proposed Code Parking Requirement

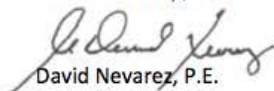
Land Use	Area	Code Parking Rate	Totals
Office	196,000 SF	1 space/333 SF	588.6
College, University, or Seminary Use	725 SF	1 space/25 SF	29.0
Subtotal:			617.6
30% Parking Reduction [51P-847.111(c)]:			(185.3)
Code Requirement:			432 spaces
Supply:			525 spaces
Code Surplus:			93 spaces

Table B. Projected Parking Demand Analysis

	Early Morning 7-8 AM	Normal Office Business Hours			Evening 4-9 PM	Meet/ Event Varies
		Morning 8-11 AM	Midday 11-1 PM	Afternoon 1-4 PM		
Staff	7	7	7	7	7	--
SMU Aquatics Activities	100	10	20	60	140	--
Seats/Visitors	--	--	--	--	--	800
Estimated Attendance:	107	17	27	67	147	800
SMU Aquatics Center (0.24 spaces per attendee)	26	4	6	16	35	192
Expressway Office Tower (per Dallas City Code)	0	412	412	412	0	0
Projected Demand:	26	416	418	428	35	192
Demand Surplus: (From a 525-space Supply)	499	109	107	97	490	333

Based on my professional judgement and a detailed evaluation of the proposed swim facilities and activities, I am of the opinion that the subject site provides an adequate parking supply to support the parking needs of both the existing office and proposed aquatics center without any impact to adjacent properties or public right-of-way. Do not hesitate to contact me if you any further questions.

Sincerely,
DeShazo Group, Inc.


David Nevarez, P.E.



**CPC RECOMMENDED AMENDING CONDITIONS
ARTICLE 847.**

PD 847.

SEC. 51P-847.101. LEGISLATIVE HISTORY.

PD 847 was established by Ordinance No. 28186, passed by the Dallas City Council on April 27, 2011. (Ord. 28186)

SEC. 51P-847.102. PROPERTY LOCATION AND SIZE.

PD 847 is established on property located at the southeast corner of SMU Boulevard and Central Expressway. The size of PD 847 is approximately 7.8496 acres. (Ord. 28186)

SEC. 51P-847.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) UNIVERSITY HOUSING means housing intended for university faculty, staff, visitors, or students.

(2) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain vehicular access to the other parking space.

(3) UNIVERSITY AQUATIC CENTER means a complex for university faculty, staff, visitors, or students with facilities for water sports, including but not limited to swimming pools, diving boards, and instructional classrooms.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district. (Ord. 28186)

SEC. 51P-847.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 847A: conceptual plan.
- (2) Exhibit 847B: Subarea 1 development plan.
- (3) Exhibit 847C: Subarea 2 development plan. (Ord. 28186)

SEC. 51P-847.105. CREATION OF SUBAREAS.

This district is divided into three subareas: Subarea 1, Subarea 2, and Subarea 3 as shown on the conceptual plan (Exhibit 847A). Structures may span subareas. (Ord. 28186)

SEC. 51P-847.106. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 847A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 28186)

SEC. 51P-847.107. DEVELOPMENT PLAN.

(a) Subarea 1. Development and use of the Property must comply with the Subarea 1 development plan (Exhibit 847B). If there is a conflict between the text of this article and the Subarea 1 development plan, the text of this article controls.

(b) Subarea 2. Development and use of the Property must comply with the Subarea 2 development plan (Exhibit 847C). If there is a conflict between the text of this article and the Subarea 2 development plan, the text of this article controls.

(c) Subarea 3. A development plan must be approved by the city plan commission before the issuance of a building permit for work in this subarea other than the repair of existing structures, demolition, grading, construction of structures for security purposes, or work intended to provide for the irrigation or maintenance of landscaping. If there is a conflict between the text of this article and the development plan, the text of this article controls. The provision of Section 51A-4.702 requiring submission of a development plan within six months after city council approval of this district is not applicable. (Ord. 28186)

SEC. 51P-847.108. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

- (1) Agricultural uses.

None permitted.

- (2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Labor hall. *[SUP]*

- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(3) Industrial uses.

- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home.
- Hospital.
- Library, art gallery, or museum.
- Open-enrollment charter school.
- Private school.
- Public school other than an open-enrollment charter school.
- University aquatic center.

(5) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.
- Duplex.
- Group residential facility. *[SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]*
- Multifamily.
- Residential hotel.
- Retirement housing.
- University housing.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[SUP]*
- Animal shelter or clinic without outside runs.
- Business school.
- Commercial parking lot or garage.
- 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]*
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. *[DIR]*
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Helistop. *[SUP]*
- Private street or alley.
- Railroad passenger station. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

- Commercial radio or television transmitting station.

- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1). Treat as if in a mixed use district.]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Mini-warehouse. *[SUP]*
- Office showroom/warehouse.
- Recycling buy-back center. *[SUP or RAR may be required. See Section 51A-4.213(11). Treat as if in a mixed use district.]*
- Recycling collection center. *[SUP or RAR may be required. See Section 51A-4.213(11.1). Treat as if in a mixed use district.]*
- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*
- Trade center.

(Ord. 28186)

SEC. 51P-847.109. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory use is not permitted:

- Private stable.

(c) The following accessory uses are permitted by SUP only:

- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.

(Ord. 28186)

SEC. 51P-847.110. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

- (a) In general. Except as provided in this section, the yard, lot, and space regulations for the MU-3 Mixed Use District apply.
- (b) Front yard. A 15-foot front yard setback is required for that portion of a structure above 45 feet in height; otherwise no minimum front yard.
- (c) Side and rear yard. No minimum side and rear yard. Tower spacing does not apply.
- (d) Floor area. Maximum floor area is 1,538,679 square feet.
- (e) Height. Residential proximity slope does not apply. (Ord. 28186)

SEC. 51P-847.111. 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) University aquatic center. A minimum of 29 off-street parking spaces must be provided.
- (b c) University housing. A minimum of one space per bedroom is required.
- (e d) Parking reductions for proximity to DART light rail stations. Required off-street parking may be reduced by 30 percent if the Property is one-quarter mile or less from a DART light rail station and if a minimum six-foot-wide pedestrian connection to the DART light rail station is provided. Pedestrian connections must be illuminated with a minimum maintained average illumination level of 1.5 footcandles. Measurements to a DART light rail station are measured from the nearest point of the DART light rail station to the nearest point of the Property containing the use.
- (d e) Screening of off-street loading spaces and service areas.
 - (1) Off-street loading spaces and service areas must be screened from all public streets, and from all adjoining property whether abutting or directly across a street or alley.
 - (2) The screening must be at least nine feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space to a public street or adjoining property and may be provided by using any of the methods for providing screening described in Section 51A-4.602(b)(3), except that screening around service areas for trash collection must be screened by a masonry wall.
- (e f) Parking structures. Below-grade parking structures may project to the lot line.

(f g) On-street parking. On-street parking is allowed in the location shown on the conceptual plan and the Subarea 2 development plan. On-street parking does not count as required parking.

(g h) Tandem parking. Tandem parking is permitted for all residential uses.

(h i) Remote parking. For a college, university, or seminary use, a special parking license under Section 51A-4.329(a)(1)(B) is not required to extend the walking distance for remote parking beyond 600 feet.

(i j) Location. The entire district is considered one lot for parking purposes.

(j k) Fees. A property owner may charge occupants or customers a user fee on a daily, hourly, or other basis for the use of required off-street parking.

(k l) Development plan. Parking spaces are not required to be shown on a development plan. (Ord. 28186)

SEC. 51P-847.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 28186)

SEC. 51P-847.113. LANDSCAPING.

(a) In general.

(1) Except as provided in this section, landscaping must be provided in accordance with Article X.

(2) For landscaping purposes, each subarea is considered a separate lot.

~~(b) Subarea 1.~~

~~(3) All landscaping within the parkway may count towards the Article X landscaping requirements.~~

~~———— (e) Pedestrian amenities.~~

~~———— (1) Pedestrian amenities must be located along SMU Boulevard in the pedestrian amenity area as shown on the conceptual plan.~~

~~———— (2) Pedestrian amenities must be publicly accessible.~~

~~———— (3) A minimum of two of the following pedestrian amenities must be provided:~~

~~———— (A) At least three light fixtures.~~

~~_____ (B) At least two park benches.~~

~~_____ (C) At least two bicycle racks.~~

~~_____ (D) At least two large canopy trees with a caliper of at least three inches.~~

~~_____ (E) At least two pieces of outdoor furniture, including tables and chairs.~~

~~_____ (F) At least two trash receptacles.~~

~~_____ (G) At least one piece of public art.~~

~~_____ (4) Pedestrian amenities must be installed prior to the issuance of a certificate of occupancy for any new structures in Subarea 2.~~

~~_____ (5) Pedestrian amenities are not required to be shown on a development plan.~~

~~(d)~~ b) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping and pedestrian amenity requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise

acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(d e) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner, otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

(e f) Maintenance. Plant materials must be maintained in a healthy, growing condition. (Ord. 28186)

SEC. 51P-847.114. ————— PEDESTRIAN WALKWAY.

~~————— Before the issuance of a certificate of occupancy for occupied space in Subarea 2, a walkway with a minimum unobstructed width of 12 feet must be provided through Subarea 2, or on DART right of way, from SMU Boulevard to the existing walkway to the south. Plans and specifications for this portion of the walkway must be approved by the director of park and recreation before its construction. (Ord. 28186)~~

SEC. 51P-847.114 5. SIGNS.

(a) In general.

(1) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(2) The entire district is considered one premise.

(b) Expressway sign.

(1) One expressway premise sign is permitted in the location shown on the conceptual plan.

(2) No minimum setback is required.

(3) Maximum height is 50 feet.

(4) Maximum effective area is 500 square feet.

(5) The sign may not be a Highway Beautification Act (HBA) sign.'

(c) Monument sign.

(1) Monument sign 1. Monument sign 1 must be located as shown on the Subarea 1 development plan. Maximum height is nine feet and six inches, and maximum effective area is 200 square feet.

(1) Monument sign 2. Monument sign 2 must be located as shown on the Subarea 2 development plan. Maximum height is nine feet and six inches, and maximum effective area is 200 square feet.

(e d) Development plan. Except for monument signs. § signs are not required to be shown on a development plan. (Ord. 28186)

SEC. 51P-847.115 6.

ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

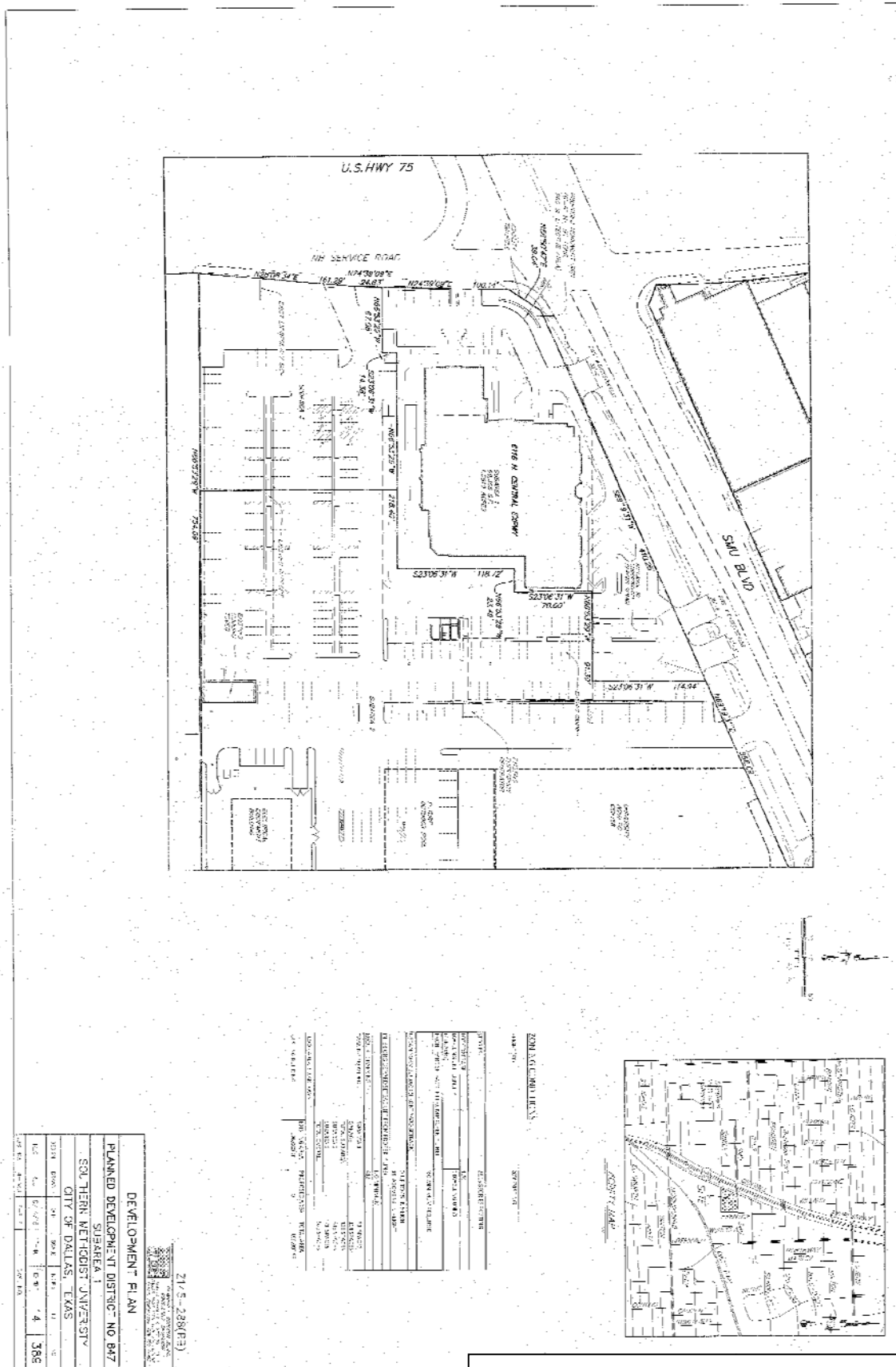
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 28186)

SEC. 51P-847.116 7.

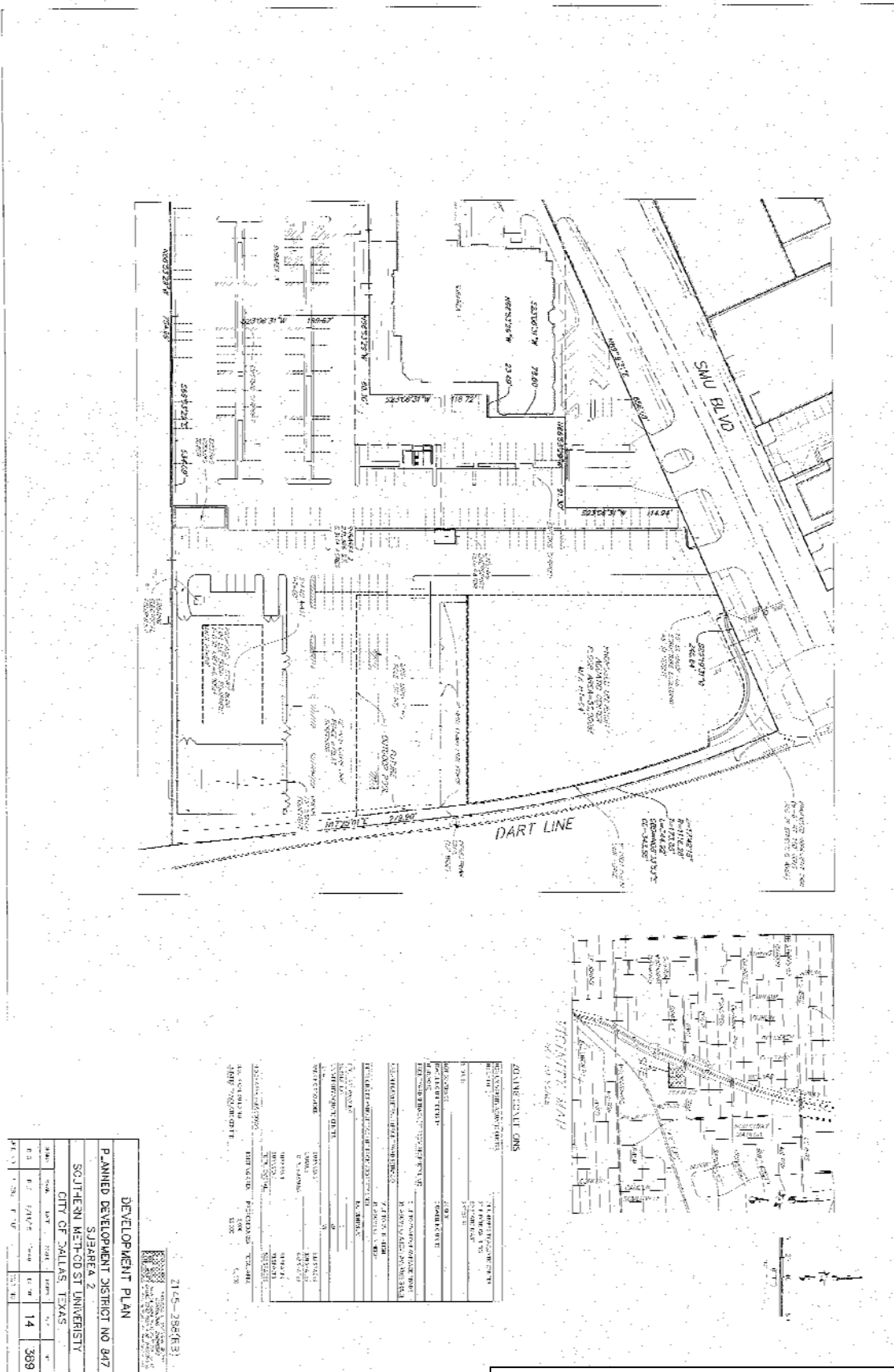
COMPLIANCE WITH CONDITIONS.

(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. 28186)

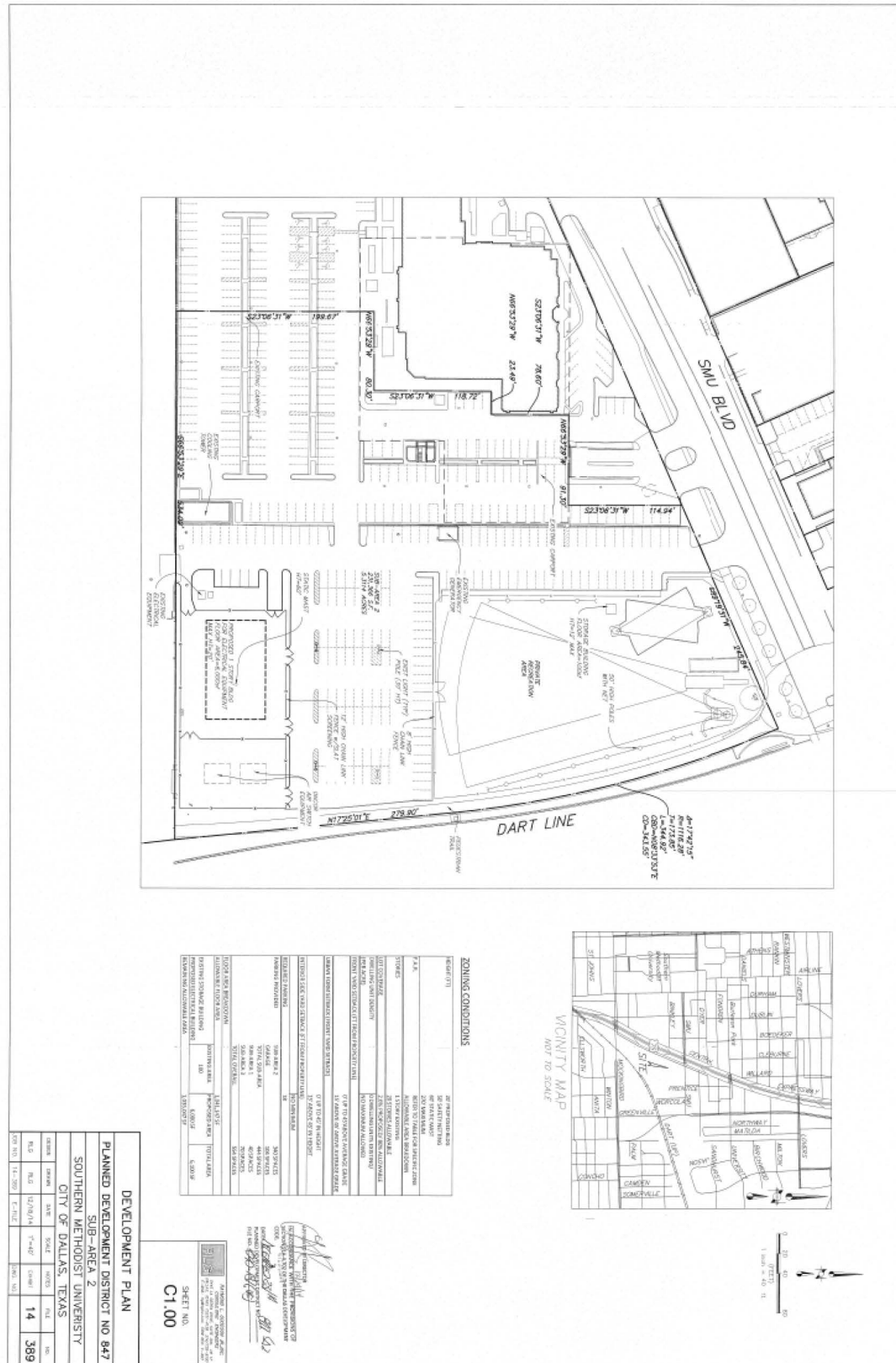


Proposed Subarea 1 Development Plan

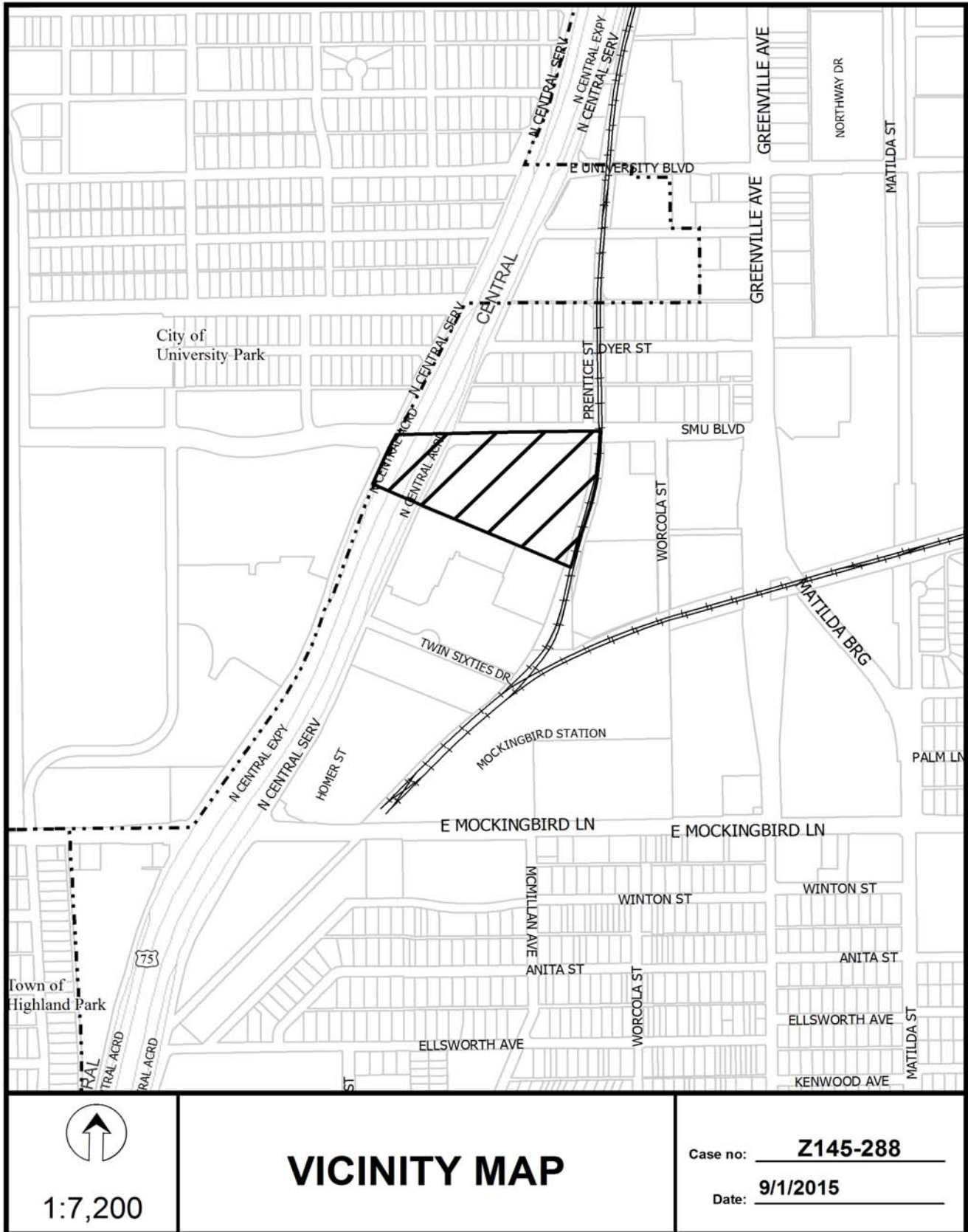


Proposed Subarea 2 Development Plan

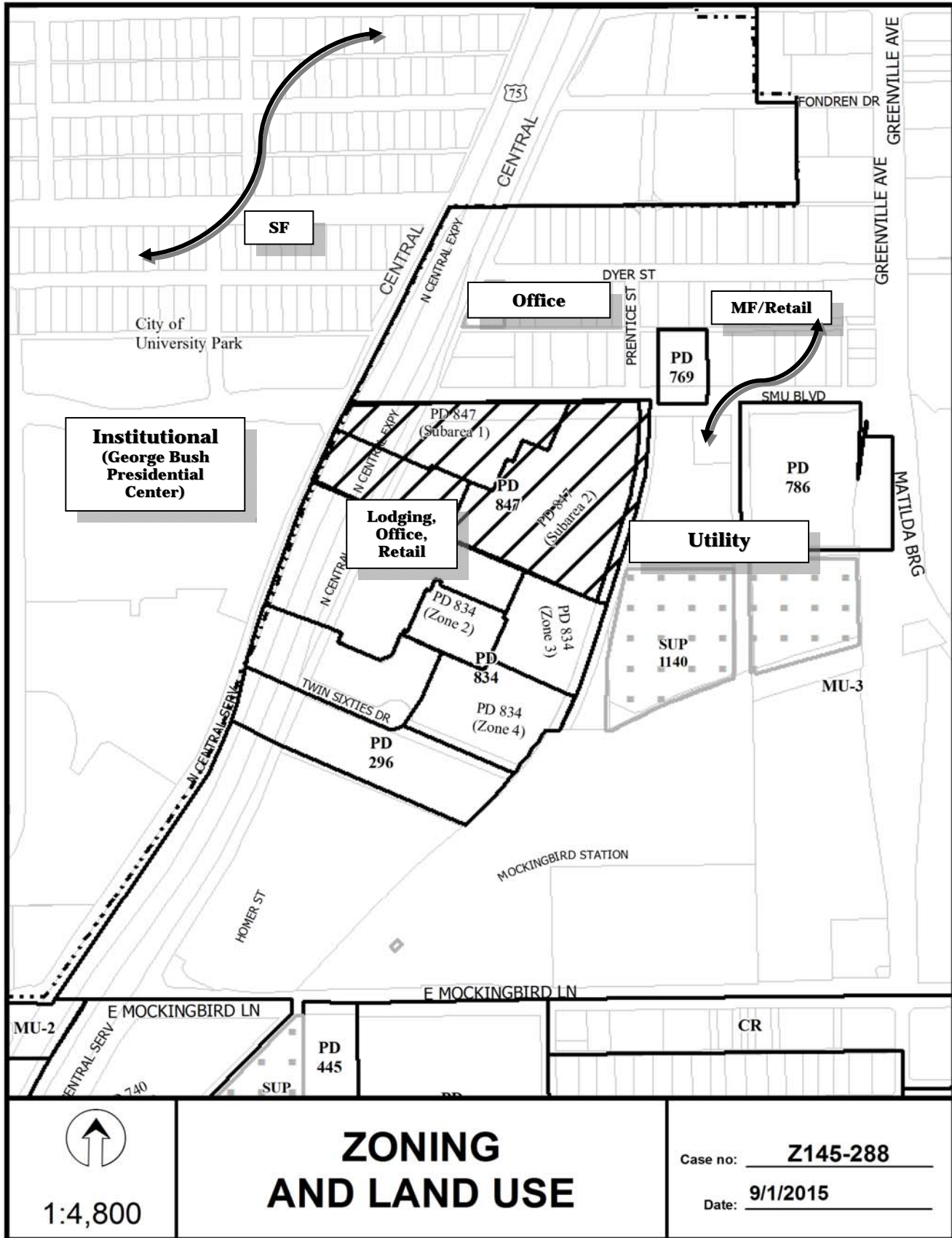


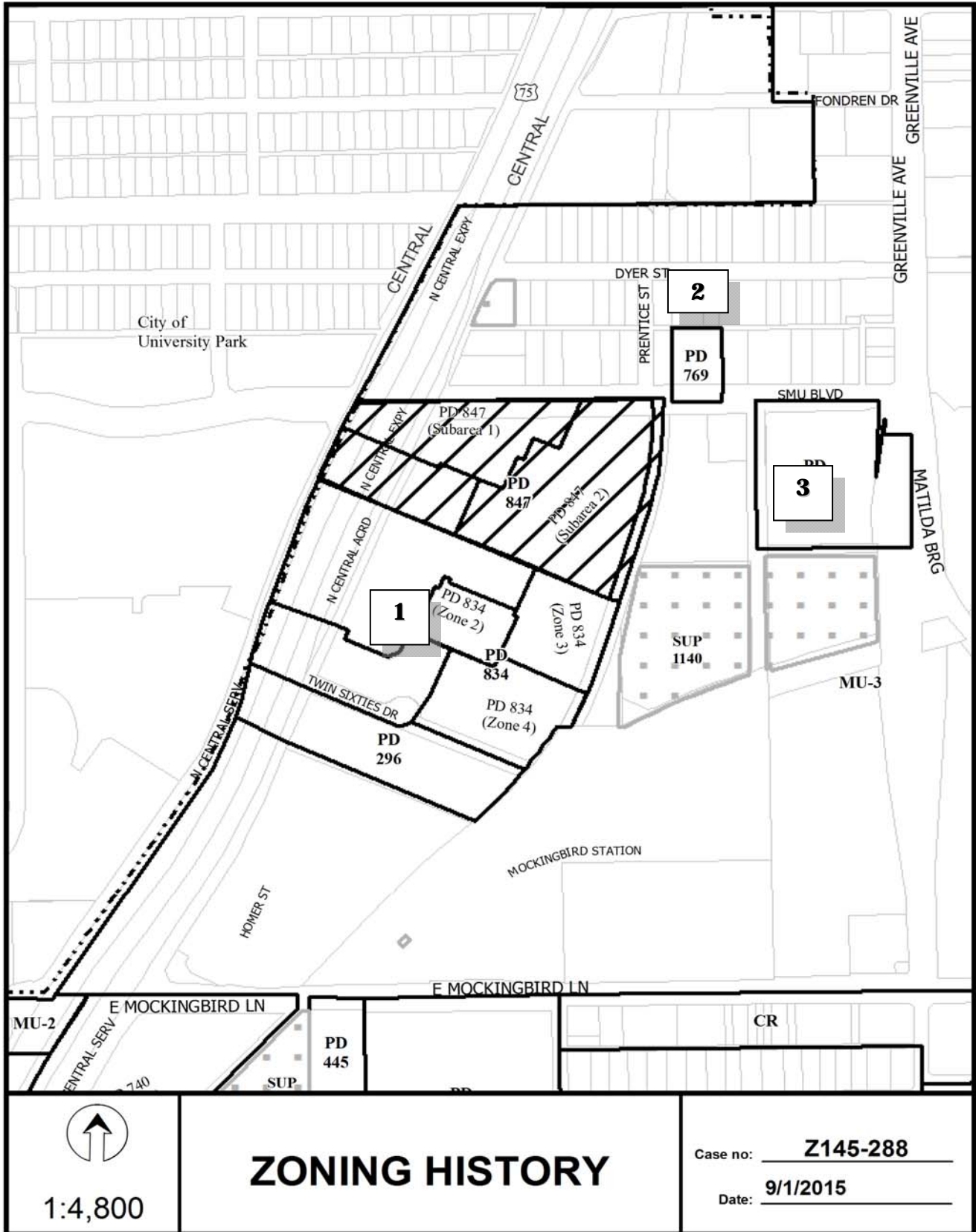


Existing Subarea 2 Development Plan











09/16/2015

Reply List of Property Owners***Z145-288******70 Property Owners Notified******9 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	555 2ND AVE	DART
O	2	6116 CENTRAL EXPY	SOUTHERN METHODIST
	3	4400 WORCOLA ST	DALLAS AREA RAPID TRANSIT
	4	4417 GREENVILLE AVE	UNIVERSITY PARK CITY OF
	5	5601 DYER ST	BALLARD VENDORS INC
	6	5634 DYER ST	SKYLINE 5634 DYER LLC
	7	5626 DYER ST	JACKSON LEASING PARTNERS
	8	5629 SMU BLVD	ASBURY APARTMENTS LLC
O	9	5523 DYER ST	PERUNA EAST CORPORATION
	10	5527 DYER ST	PERUNA EAST CORPORATION
	11	6222 CENTRAL EXPY	SOWELL JAMES COMPANY LP
O	12	5534 DYER ST	SOUTHERN MEDTHODIST
	13	5542 DYER ST	SOUTHERN METHODIST
	14	5551 SMU BLVD	PERUNA EAST CORPORATION
	15	5531 SMU BLVD	5535 YALE BLVD PARTNERSHP
O	16	6210 CENTRAL EXPY	SOUTHERN METHODIST UNIV
	17	4419 WORCOLA ST	UNIVERSITY PARK CITY OF
	18	2900 MOCKINGBIRD LN	SMU CORP
	19	2900 SMU BLVD	SMU CORP
	20	2800 SMU BLVD	SMU CORP
	21	2841 DYER ST	KOPIDLANSKY MARK A & SHERI L
	22	2837 DYER ST	SCHIFF CALVIN E &
	23	2833 DYER ST	CAOLO JACK P
	24	2829 DYER ST	NGO HIEN &
	25	2825 DYER ST	KHETAN RAINER & ANITA
	26	2821 DYER ST	KHETAN RAINER & ANITA

09/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2817 DYER ST	KHETAN ROGER
	28	2813 DYER ST	DYER BG LLC
	29	2809 DYER ST	CANTRELL TIM L
	30	2805 DYER ST	UNIVERSITY PARK CITY OF
	31	2828 DYER ST	LUCAS MATTHEW C & PAULINE
	32	2824 DYER ST	HENSLEY SHERRY
	33	2820 DYER ST	BUSH JASON A & JENIFER D
	34	2816 DYER ST	SIMS BRETT A & LINDA J
	35	2812 DYER ST	BINNS GREGORY D & KATHERINE W
	36	2808 DYER ST	BROOKER EUGENE AYCOCK JR & REBEKAH S
	37	2806 DYER ST	Taxpayer at
	38	2804 DYER ST	HENRY ALAN C & AMY W
	39	5606 SMU BLVD	U S POSTAL SERVICE
	40	5612 SMU BLVD	YALE CENTRAL LLC
	41	5619 DYER ST	DYER STREET INVESTORS LP
	42	5615 DYER ST	HAYS JERRY
	43	5607 DYER ST	SKYLINE 5607 DYER LLC
	44	5605 DYER ST	BALLARD VENDORS INC
	45	5630 DYER ST	JACKSON LEASING PARTNERS
	46	5610 DYER ST	NAK JOINT VENTURE LTD
	47	5602 DYER ST	NAK JOINT VENTURE LTD
	48	5619 SMU BLVD	HOLTVET HOLDINGS LLC
	49	5635 SMU BLVD	JACKSON LEASING PTNRS LTD
	50	5641 SMU BLVD	5641 YALE LTD PS
	51	6300 CENTRAL EXPY	MANHATTAN CONSTRUC CO INC
O	52	5531 DYER ST	SOUTHERN METHODIST
	53	5533 DYER ST	SOUTHERN METHODIST
O	54	5539 DYER ST	SOUTHERN METHODIST UNIVERSITY
O	55	5543 DYER ST	PERUNA EAST CORPORATION
O	56	5512 DYER ST	PERUNA EAST CORPORATION
O	57	5526 DYER ST	PERUNA EAST CORPORATION

09/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5538	DYER ST	SOUTHERN METHODIST
59	5555	SMU BLVD	SECREST SALES CO INC
60	5535	SMU BLVD	5535 YALE BLVD PARTNERSHP
61	6060	CENTRAL EXPY	AP PRESCOTT TWIN SIXTIES
62	6080	CENTRAL EXPY	AP PRESCOTT 6080 LP
63	6060	CENTRAL EXPY	TPP 2 DALLAS HOTEL LLC
64	4420	WORCOLA ST	UNIVERSITY PARK CITY OF
65	5630	SMU BLVD	5640 SMU BLVD LP
66	5622	DYER ST	DYER STREET INVESTORS LP
67	5609	SMU BLVD	MC 5609 YALE LP
68	5539	SMU BLVD	PERUNA EAST CORPORATION
69	2900	SMU BLVD	GEORGE W BUSH FOUNDATION
70	2943	SMU BLVD	SMU CORP

AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 58 N

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, on the northeast side of C.F. Hawn Freeway, west of North Jim Miller Road

Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions

Z145-304(AF)

FILE NUMBER: Z145-304(AF)

DATE FILED: July 21, 2015

LOCATION: Northeast side of C.F. Hawn Freeway, west of North Jim Miller Road

COUNCIL DISTRICT: 5

MAPSCO: 58N

SIZE OF REQUEST: Approx. 0.5295 acres

CENSUS TRACT: 93.03

APPLICANT/OWNER: Herberto Miranda

REPRESENTATIVE: Herberto Miranda

REQUEST: An application for the renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1.

SUMMARY: The applicant proposes to continue to use the request site for vehicle display, sales, and service. No new construction is proposed on the property. SUP No. 1771 was first approved in 2009. On October 24, 2012, City Council approved a renewal for a three-year period and the addition of the 2,400-square-foot storage structure.

CPC RECOMMENDATION: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions.

STAFF RECOMMENDATION: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not a Specific Use Permit shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing use is compatible with the surrounding uses which are automobile service oriented uses. In addition the site does have a ten-foot buffer to mitigate any potential impacts, which is a landscape requirement for all properties within PD 533, Subdistrict 3.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The renewal for SUP No. 1771 for a vehicle display, sales and service has not negatively impacted the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The use is not a detriment to the public health, safety, or general welfare. The vehicle display, sales, and service use is currently registered with the Air Pollution Control Office of the City of Dallas, who reports no violations or outstanding fees.
4. *Conforms in all other respect to all applicable zoning regulations and standards* – The proposed use will continue to comply with all applicable zoning regulations and standards and does not need any variances or special exceptions on the site.

Zoning History: There have been no recent zoning changes requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
C.F. Hawn Freeway	Primary Highway	135 feet

Comprehensive Plan: The comprehensive plan does not make a specific land use recommendation related to the request; however, the *forwardDallas!* Vision Illustration, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The subject site is identified as being within a Commercial Center or Corridor on the *forwardDallas!* Vision Illustration, adopted June 2006. Commercial Centers function as

service and job destinations, are commonly located at the intersection of major streets and are easily accessible via automobiles. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses.

Area Plan:

The request site is within the Southeast Dallas Comprehensive Land Use Plan, adopted December 11, 1996. The study recommended the creation of three C.F. Hawn Planned Development Districts, which were subsequently adopted in 1999 to facilitate stabilization of the corridor through landscaping, parking requirements and urban design standards.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	PDD No. 533, Subdistrict 3	Vehicle display, sales, and service
North	R-7.5(A)	Single family
East	PDD No. 533, Subdistrict 3	Auto Service Center
South	PDD No. 533; R-7.5(A)	Vehicle or Engine Repair, or Maintenance
West	PDD No. 533; R-7.5(A)	Outside Salvage & Reclamation

Land Use Compatibility:

The request site is surrounded by single family to the north; vehicle display and sales to the east; auto-related uses and single family to the south (across C.F. Hawn Freeway) and undeveloped property and outside storage to the west. The ±0.5295-acre request site is developed with a ±600-square-foot office, a 2,400-square-foot storage building and a 1,777-square-foot vehicle display, sales and service use.

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 compatible with the adjacent property and 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.

Development Standards:

Current Development Standards							
DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD No. 533 Subdistrict 3	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: The landscaping depicted on the site plan complies with the requirements of PDD No. 533, the C.F. Hawn Special Purpose District No.1. The site plan reflects the existing landscaping.

Parking: Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for the vehicle display, sales and service use is one space for each 500 square feet of floor area. The site plan includes a 600-square-foot office, a 2,400-square foot storage area and 1,777-square-foot display area requiring 10 spaces. Eleven (11) spaces are provided, as shown on the site plan.

Air Quality: The Air Pollution Control Office of the City of Dallas indicates there are no outstanding fees or previous violations listed for this facility.

CPC ACTION – September 17, 2015

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to conditions on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, on the northeast side of C.F. Hawn Freeway, west of North Jim Miller Road.

Maker: Emmons
Second: Abtahi
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Rodgers, Shidid, Anantasomboon, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Abtahi
Against: 0
Absent: 2 - Murphy, Ridley
Vacancy: 2 - District 4, District 7

Notices:	Area: 200	Mailed: 18
Replies:	For: 0	Against: 0
Speakers:	None	

Z145-304(AF)

List of Partners/Principals/Officers:

Owner: Herberto Miranda

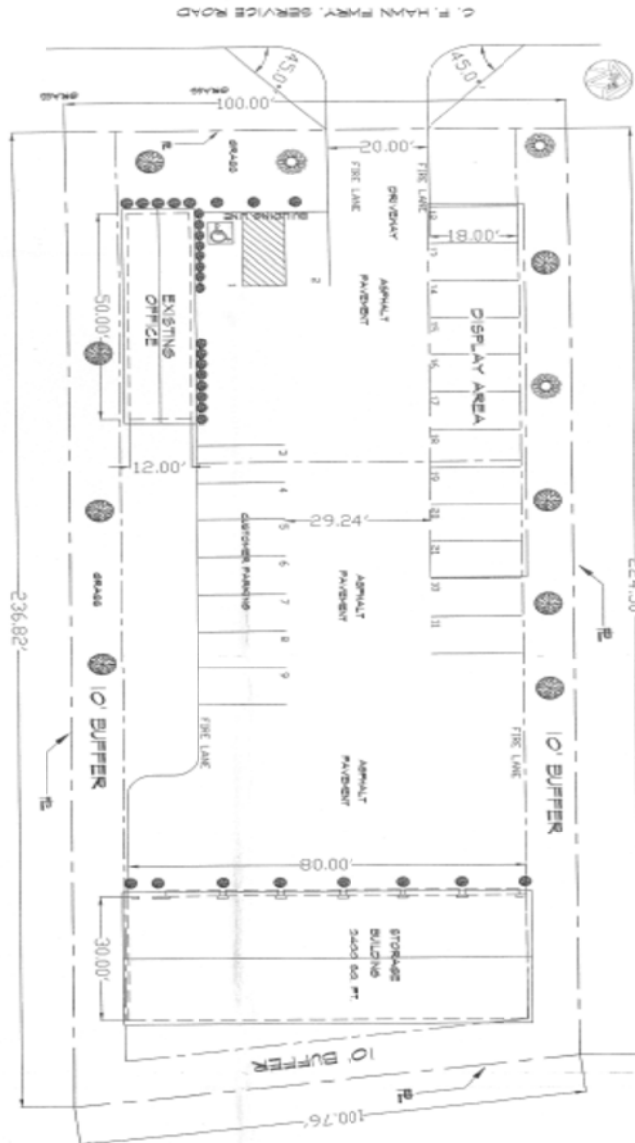
Proposed Conditions

1. USE: The only use authorized by this specific use permit is vehicle display, sales, and service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use expires on _____ (three years), but is eligible for automatic renewal for additional 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. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.
5. AIR QUALITY: This use must register with the Air Pollution Control office of the City of Dallas.
6. PARKING: Parking must be located as shown on the attached site plan. Vehicle display is limited to the area shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENT: 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/Landscape Plan

PARKING ANALYSIS FOR MIRANDA AUTO SALES			
SPACE	SQ. FT.	PARKING REQUIRED	PARKING PROVIDED
VEHICLE DISPLAY AND SALES	777	500 ± 4	
OFFICE	600	500 ± 1	
STORAGE	2400	500 ± 3	
TOTAL	4,777		
		TOTAL 10	TOTAL 11

SITE PLAN
SCALE: 1" = 40'



Shea Design & Construction
737 S. RL Thornton FRWY
Dallas, Texas 75203
CELL (214) 616-7087
Fax (214) 946-1166

DESIGNED BY
DRAWN BY
CHECKED BY
DATE

122.686
28829

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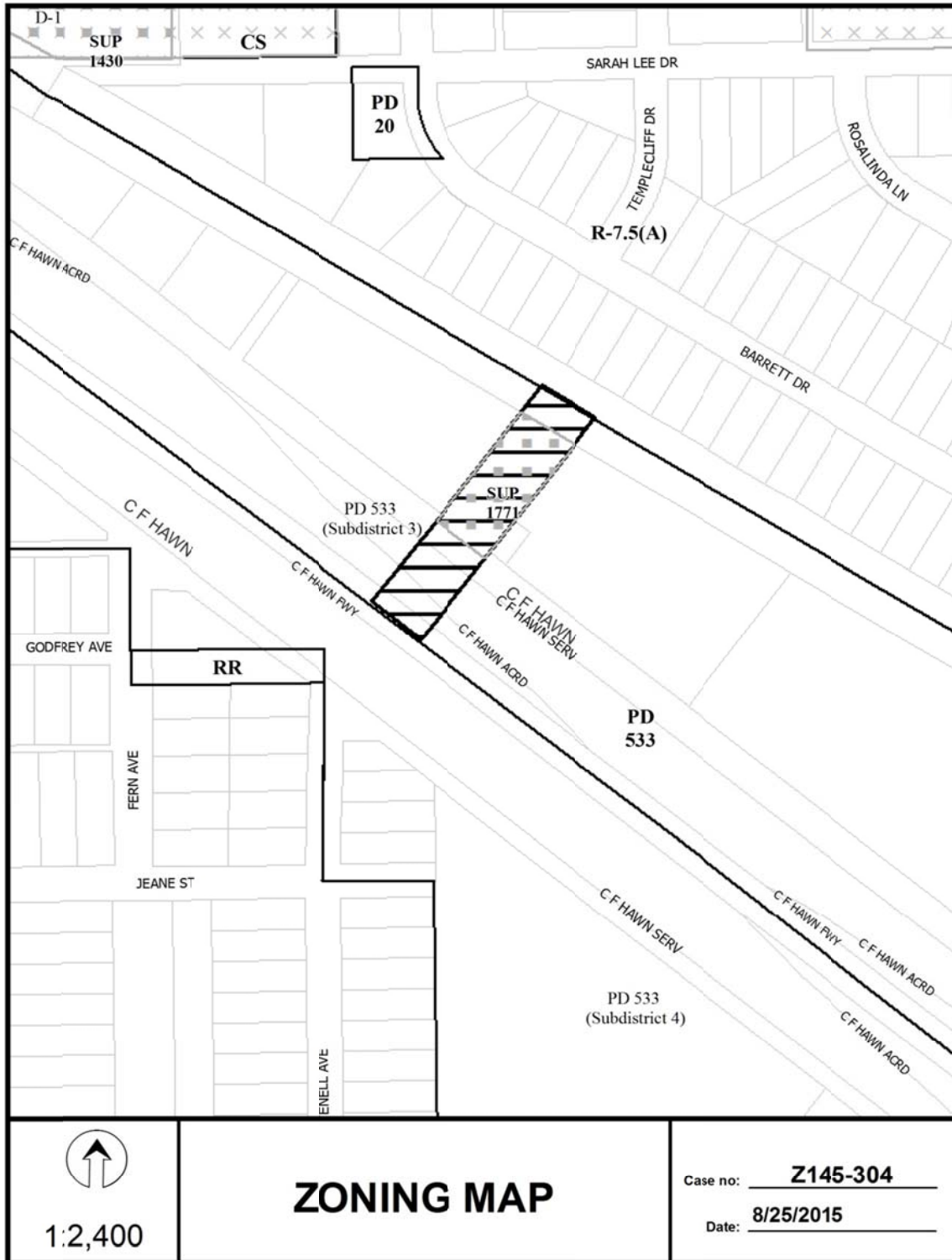
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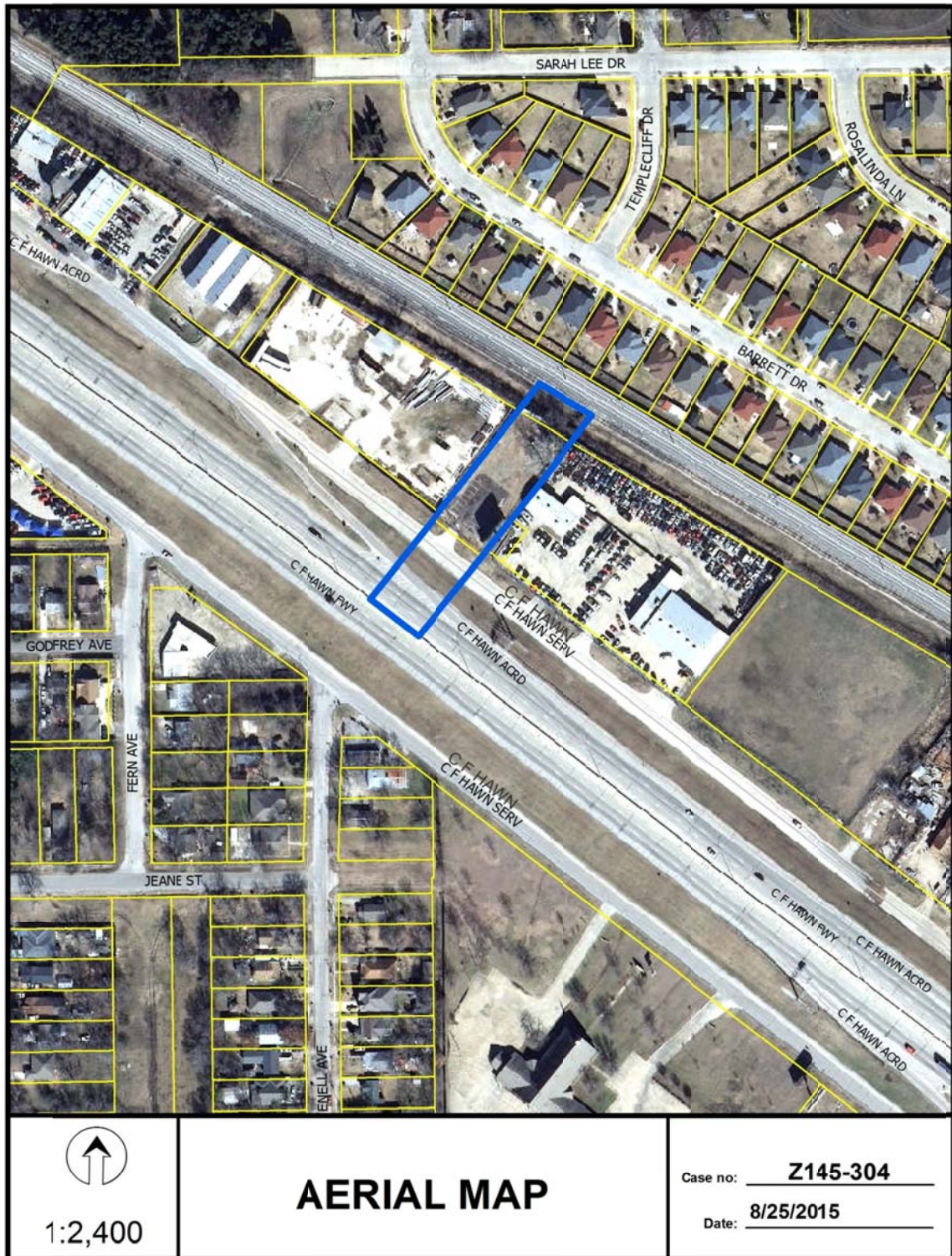
PROJECT:
MIRANDA AUTO SALES
6636 C F HAYN HWY.
DALLAS, TEXAS
LOT: 5 BLK: 6248

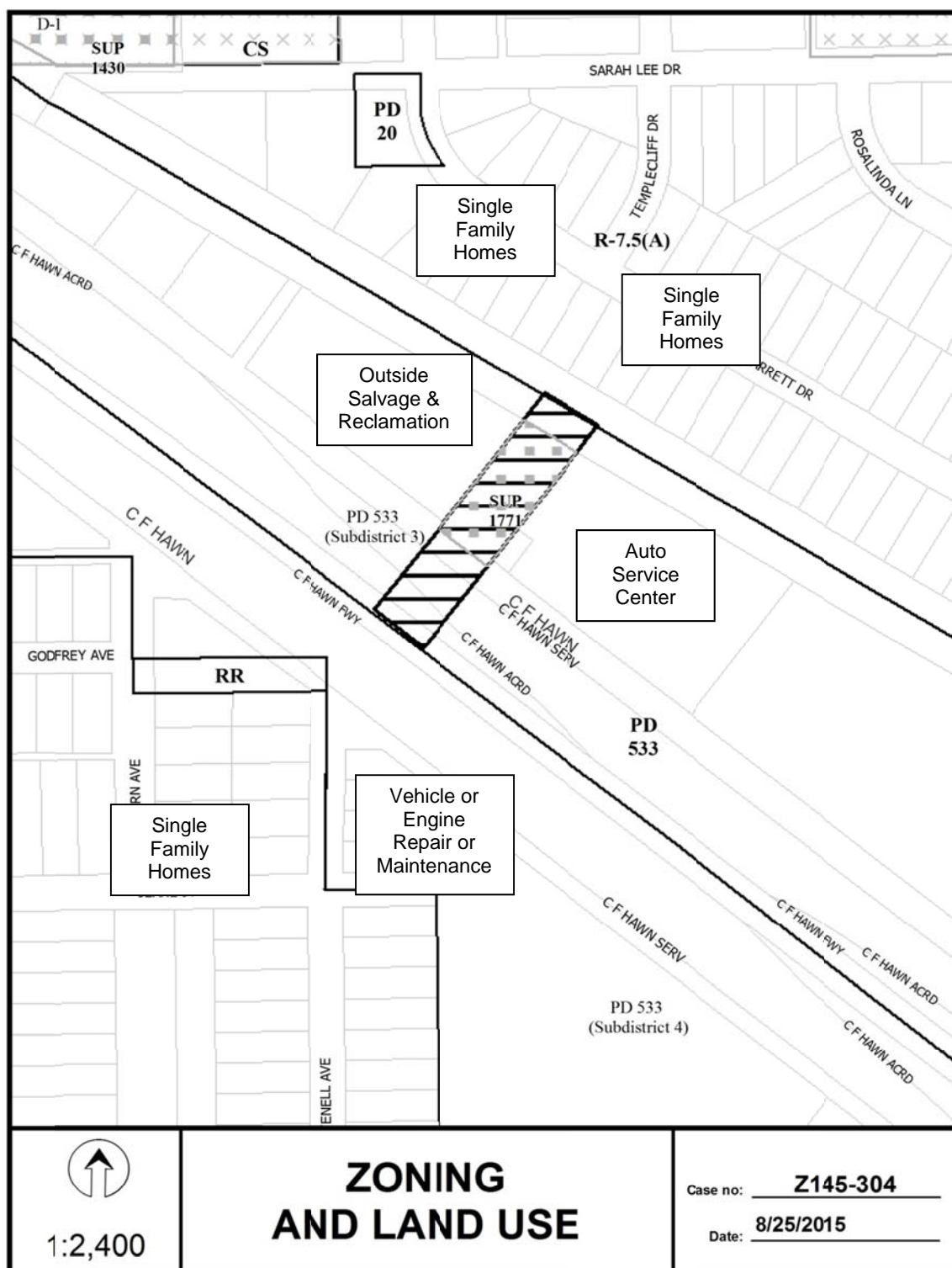
FOR INFORMATION
DATE
SCALE
OR

SHEA DESIGN & CONSTRUCTION
737 S. RL Thornton FRWY
Dallas, Texas 75203
CELL (214) 616-7087
Fax (214) 946-1166

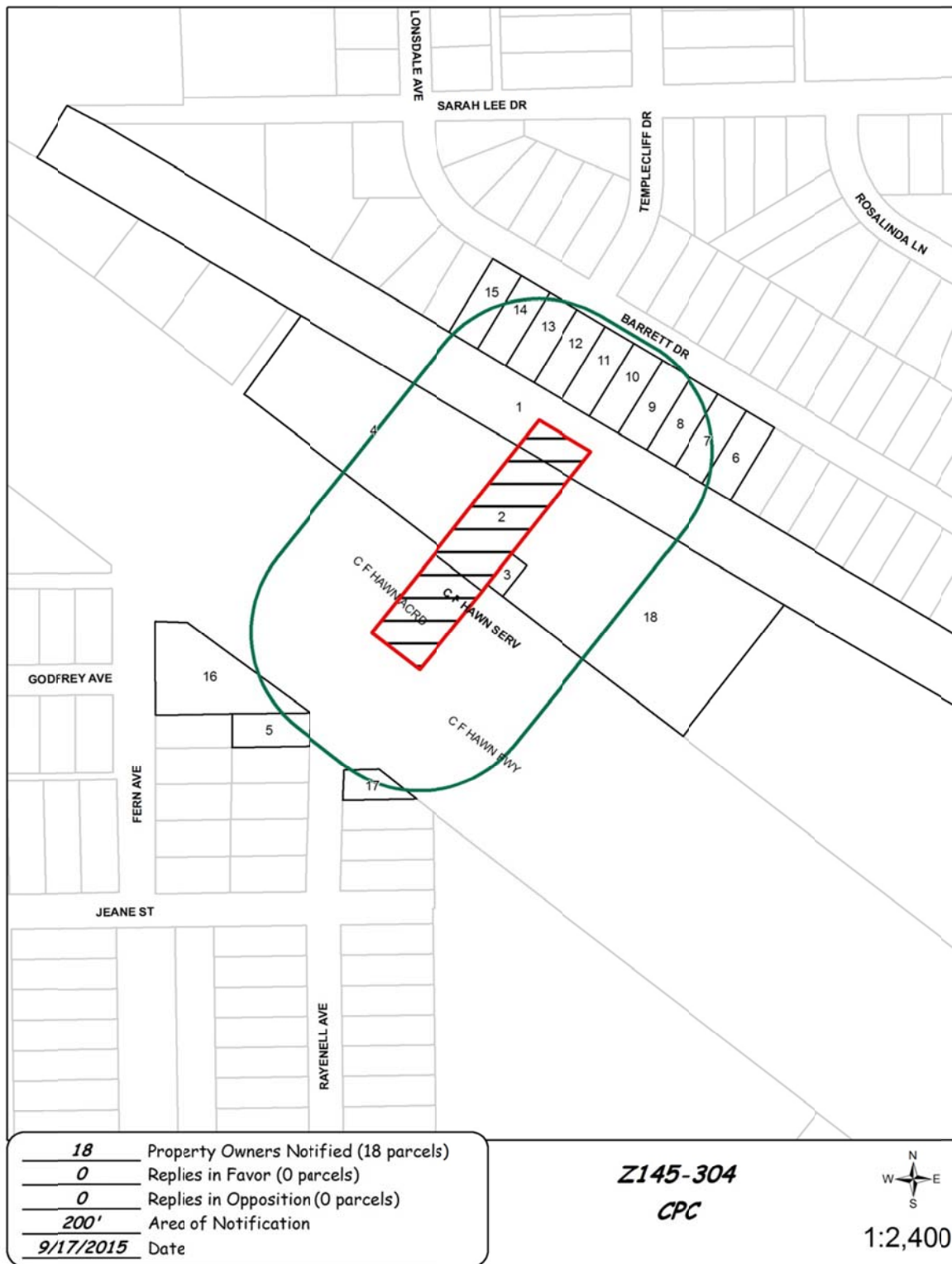
Shea
DESIGN & CONSTRUCTION







CPC Responses



09/16/2015

Reply List of Property Owners***Z145-304******18 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	401 BUCKNER BLVD	DART
	2	6636 C F HAWN FWY	MIRANDA HERBERTO
	3	6700 C F HAWN FWY	QUALITY PROPERTY
	4	6626 C F HAWN FWY	UHRICK PROPERTIES LLC
	5	821 RAYENELL AVE	SMITH HUBERT W
	6	6904 BARRETT DR	VAZQUEZ OSIRIS H
	7	6850 BARRETT DR	PATRICIO NORMA
	8	6846 BARRETT DR	CASTRO RODOLFO H
	9	6842 BARRETT DR	SCOTT MARILYN R
	10	6838 BARRETT DR	QUINTERO ANTONIA
	11	6834 BARRETT DR	ERAZMO SERGIO &
	12	6830 BARRETT DR	BEARD LEON
	13	6826 BARRETT DR	FRAUSTO JOSE GUADALUPE
	14	6822 BARRETT DR	MOLINA NAZARIO U
	15	6818 BARRETT DR	ELEGANT INVESTMENTS GROUP INC
	16	826 FERN AVE	SAFEBUY PROPERTIES LLC
	17	814 RAYENELL AVE	ESTRADA MICHAEL JR
	18	6768 C F HAWN FWY	USA MUSTANG SPECIALIST

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 44 J

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast, southeast, and southwest corners of McBroom Street and Vilbig Road

Recommendation of Staff and CPC: Approval
Z145-317(AF)

FILE NUMBER: Z145-317(AF)

DATE FILED: August 6, 2015

LOCATION: Northeast, southeast, and southwest corners of McBroom Street and
Vilbig Road

COUNCIL DISTRICT: 6

MAPSCO: 44J

SIZE OF REQUEST: Approx. 0.5098 Acres

CENSUS TRACT: 101.01

APPLICANT/OWNER: Dallas Area Habitat for Humanity Inc.

REPRESENTATIVE: Suzan Kedron and Steven Dimitt, Jackson Walker L.L.P.

REQUEST: An application for an R-5(A) Single Family District on
property zoned a CR Community Retail District.

SUMMARY: The applicant intends to develop the properties with single-
family residences.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will be consistent with the surrounding zoning, existing redevelopment efforts and growth pattern in the surrounding area.
2. *Traffic impact* – The proposed development does not have direct access to a major thoroughfare and will have minimal impact on the existing neighborhood street access. The number of trips generated will be fewer.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas!* Comprehensive Plan states that this area is within the Residential Neighborhood Building Block. The requested zoning district is consistent with the Residential Neighborhood Building Block.

Zoning History:

File Number **Request, Disposition, and Date**

1. **Z145-318** On August 8, 2015, an application was filed for an R-5(A) Single Family District on property zoned a CR Community Retail District located on the northeast corner of Morris Street and Vilbig Road. City Planning Commission hearing is scheduled for October 1, 2015.

Thoroughfare/Street	Type	Existing ROW
Vilbig Road	Minor Arterial	40'
McBroom Street	Minor Arterial	50'

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed zoning district 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.

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 Plan identifies the request site as being in the Residential Neighborhood Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cutthrough traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

The requested zoning district is consistent with the Residential Neighborhood Building Block.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Surrounding Land Uses:

	ZONING	Land Use
Site	CR	Undeveloped
North	R-5(A)	Single Family
East	R-5(A)	Single Family
South	R-5(A)	Single Family
West	R-5(A)	Single Family

Land Use Compatibility:

The property encompasses five undeveloped lots measuring approximately 0.5098 acres. Abutting the properties are either undeveloped lots or single family homes. The applicant is proposing to build four or five single family homes.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side /Rear					
Existing							
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
Proposed							
R-5(A)	20'	5'	1 Dwelling Unit/ 5,000 sq. ft.	30'	45%		Single family

Parking: Pursuant to the Dallas Development Code, off-street parking and loading parking must be provided in accordance with Division 51A-4.200.

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code, which would require three site trees with a minimum of 2 caliper inches. Two of these trees must be located in the front yard.

CPC Action – October 1, 2015

Motion: It was moved to recommend **approval** of an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast, southeast, and southwest corners of McBroom Street and Vilbig Road.

Maker: Anantasomboon

Second: Shidid

Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Shidid, Anantasomboon, Abtahi, Lavallaisaa, Jung, Shellene, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0

Absent: 0

Vacancy: 1 - District 4

Notices: Area: 200

Mailed: 54

Replies: For: 7

Against: 0

Speakers: None

List of Officers:

**Dallas Area Habitat for Humanity
2015 Board of Directors**

Al Childs, Chairman
Zach Wooldridge, Vice-Chair
Scott Wallace, Secretary
Eric Kosmin, Audit and Finance Chair

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**Dallas Neighborhood Alliance for Habitat
2014 Board of Directors**

Richard Kelly, President
Aisha Johnson, Secretary

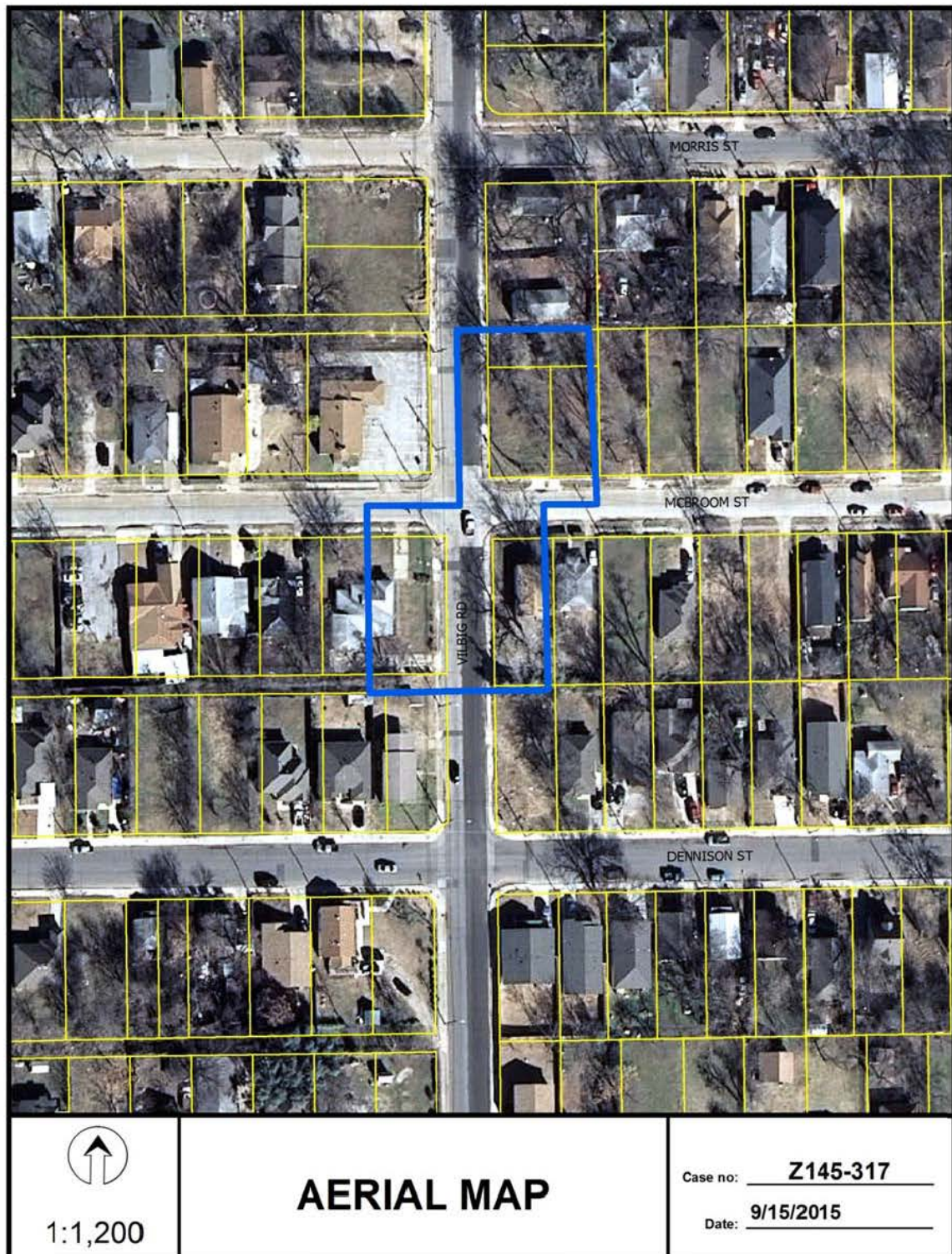
Clyde McClendon
Catherine Rhodes
Anthony Edwards
Sara Abbott McEown
Zemerian Brooks

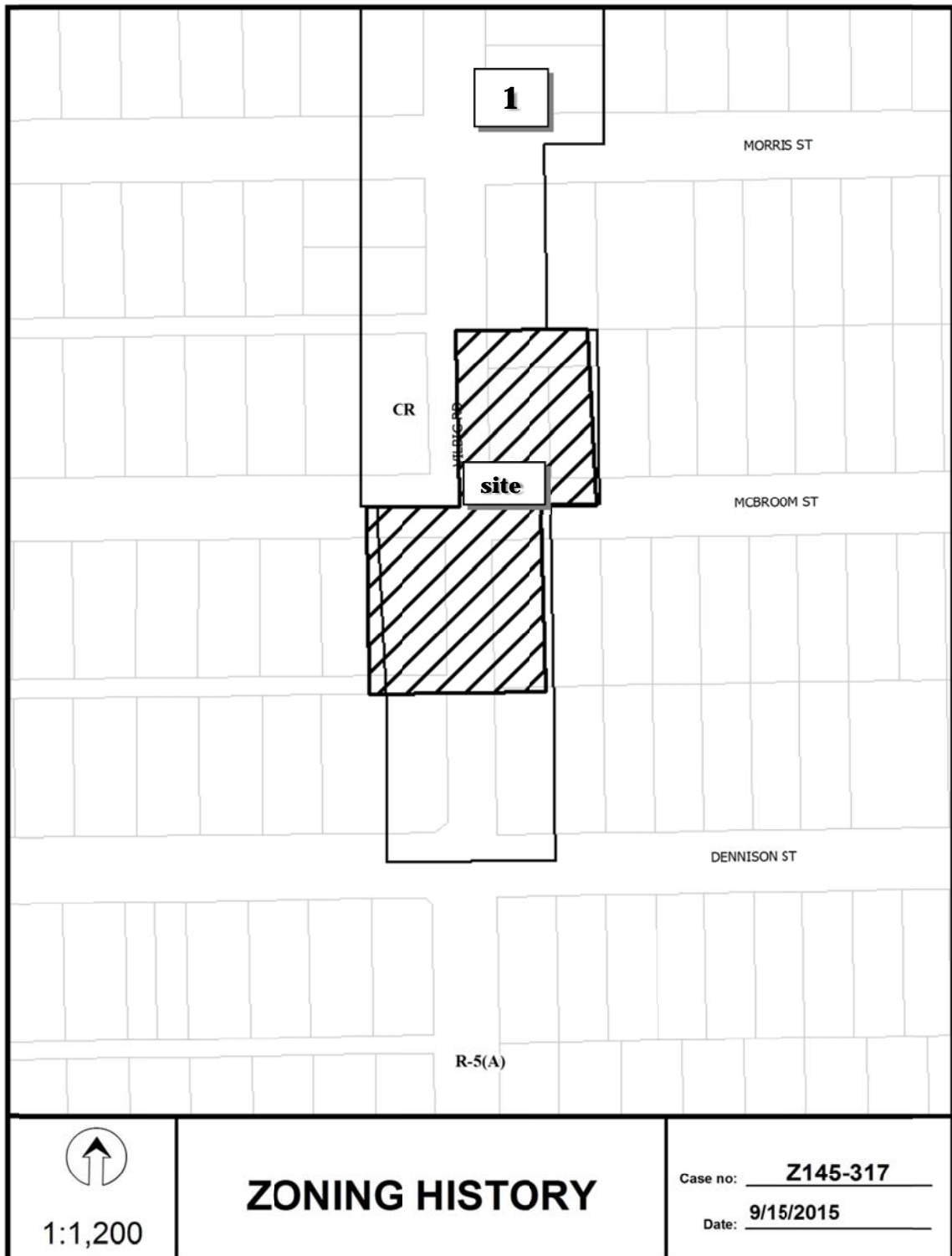
Builders of Hope CDC Officers and Directors

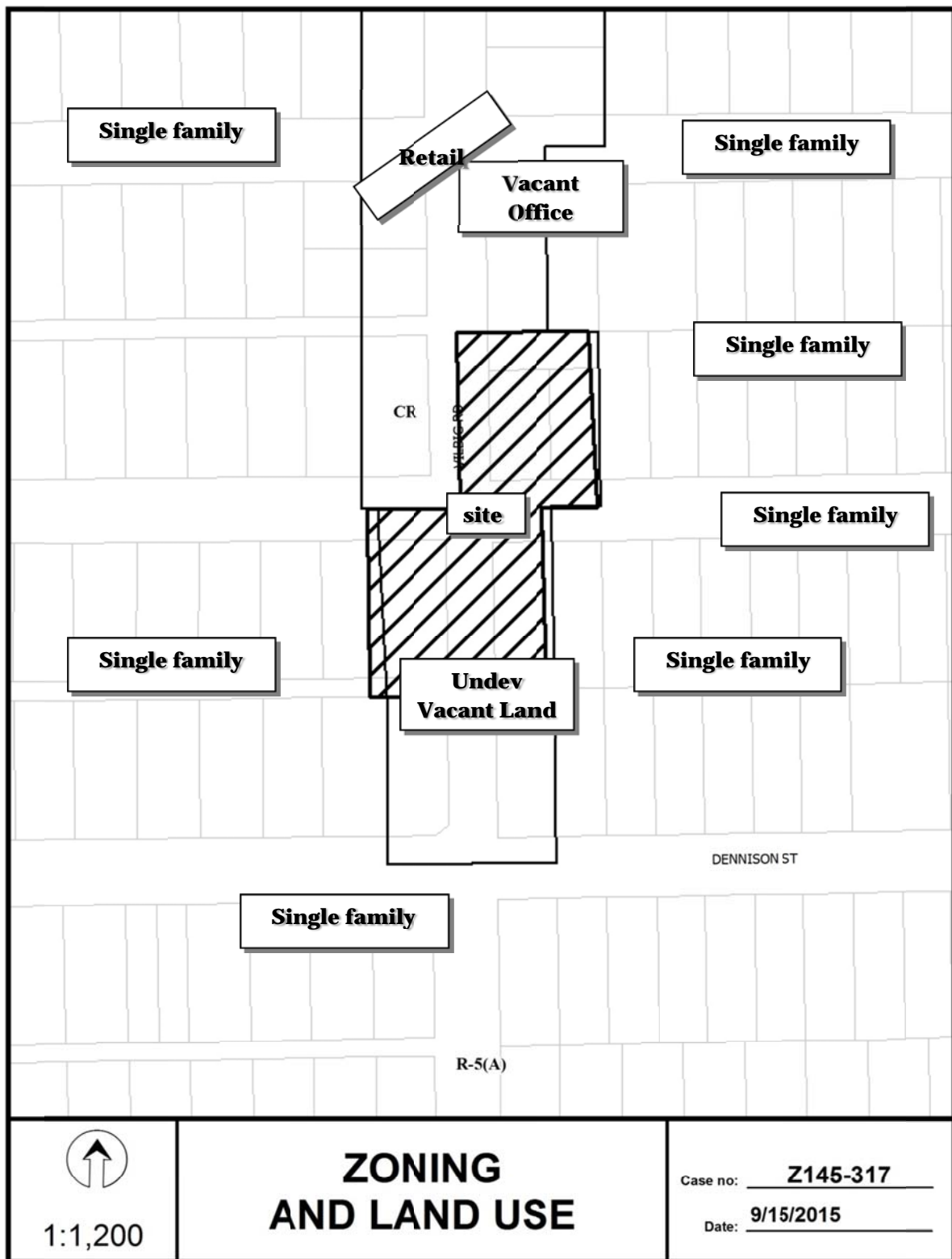
Carey Galpern	Board Chair
William Avery	Board Secretary
Norman Henry	President/CEO
Damon Polk	Chief Operating Officer



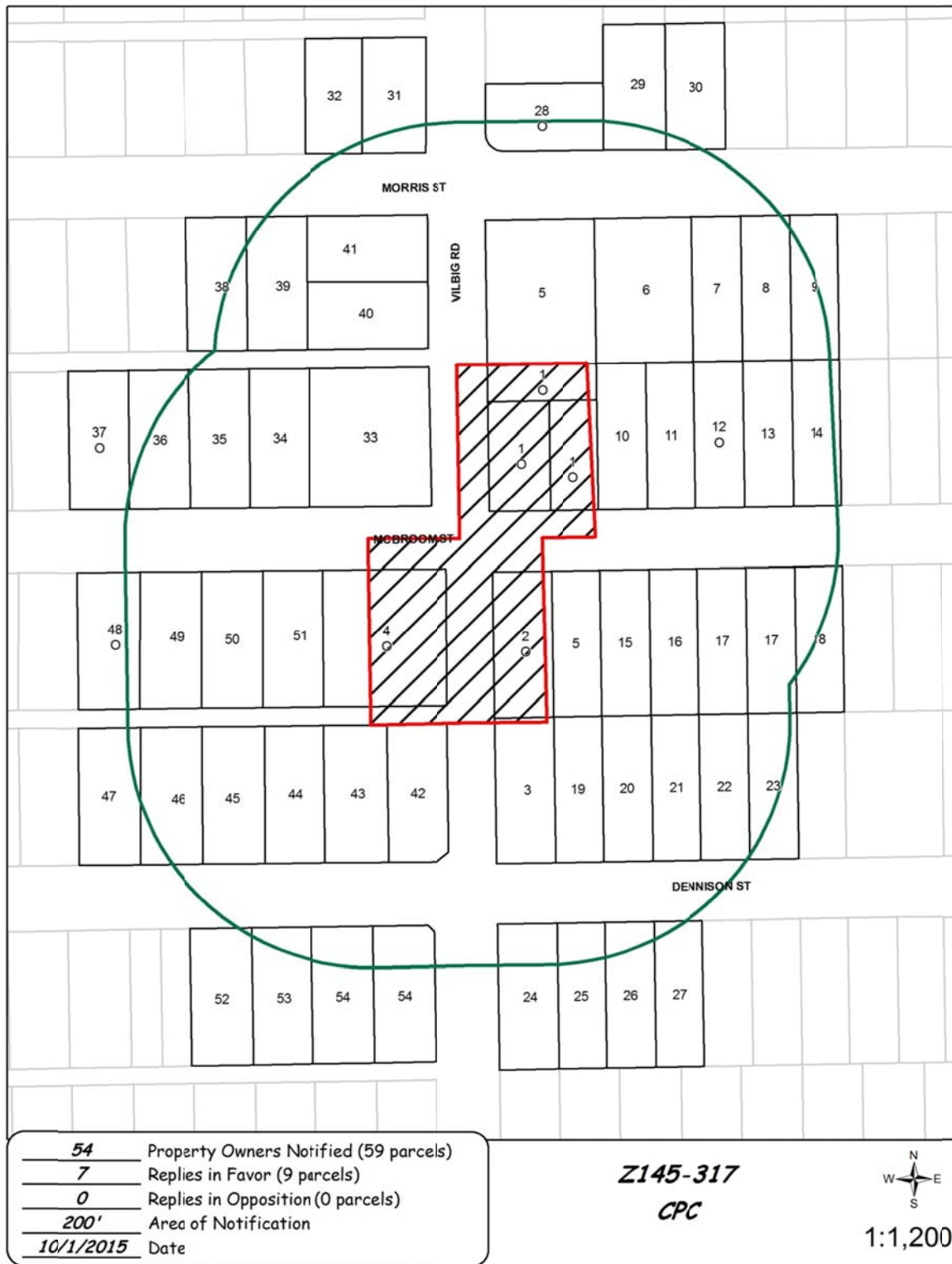
Z145-317(AF)







CPC RESPONSES



09/30/2015

Reply List of Property Owners***Z145-317******54 Property Owners Notified******7 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	3332 VILBIG RD	DALLAS AREA HABITAT FOR HUMANITY INC
O	2	1738 MCBROOM ST	BUILDERS OF HOPE CDC
	3	3300 VILBIG RD	KINNER PEGGY
O	4	1802 MCBROOM ST	DALLAS AREA HABITAT FOR HUMANITY
	5	3334 VILBIG RD	HMK LTD
	6	1730 MORRIS ST	MALONE BILLY JOE
	7	1724 MORRIS ST	SKINNER BERTHA
	8	1720 MORRIS ST	DARTSON FRANCES
	9	1718 MORRIS ST	SKINNER JEANETTE
	10	1731 MCBROOM ST	HILL MARY
	11	1729 MCBROOM ST	WILLIAMS KATHERINE L &
O	12	1721 MCBROOM ST	DALLAS AREA HABITAT FOR HUMANITY INC &
	13	1719 MCBROOM ST	ZAMACONA ARMANDO
	14	1717 MCBROOM ST	MCBRIDE LUCY
	15	1730 MCBROOM ST	DALLAS AREA HABITAT FOR HUMANITY INC &
	16	1728 MCBROOM ST	SHETH HEMANG A
	17	1724 MCBROOM ST	SHIELDS CLEOLA
	18	1718 MCBROOM ST	HAWTHORNE DONALD RAY
	19	1733 DENNISON ST	BELL BETTY LIFE ESTATE
	20	1731 DENNISON ST	STOUT DON J &
	21	1729 DENNISON ST	FLORES MARTIN
	22	1725 DENNISON ST	LOWE GREGORY
	23	1721 DENNISON ST	FULLER TAMMY
	24	1738 DENNISON ST	PLATA ESTHER
	25	1734 DENNISON ST	MYERS CONNIE
	26	1730 DENNISON ST	GOMEZ JORGE

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	1728 DENNISON ST	LOWE GREGORY L
O	28	3402 VILBIG RD	JOHNSON ARNITHA
	29	1731 MORRIS ST	BANK OF AMERICA
	30	1727 MORRIS ST	JIMENEZ GABRIEL L &
	31	3401 VILBIG RD	WALLACE DELORES FENNELL
	32	2 VILBIG RD	MANOR MARGARET F EST OF
	33	1805 MCBROOM ST	WEST VIEW MISSIONARY
	34	1811 MCBROOM ST	PATTERSON GENE E
	35	1815 MCBROOM ST	MARSHALL PEARLIE M
	36	1821 MCBROOM ST	THOMAS HELEN ANN
O	37	1823 MCBROOM ST	SPEIKES ROSA D
	38	1814 MORRIS ST	PASILLAS HILARIO V &
	39	1810 MORRIS ST	PASILLAS HILARIO V &
	40	3335 VILBIG RD	ORANTES CECILIA
	41	3339 VILBIG RD	ORANTES CECILIA I
	42	1801 VILBIG RD	HOOVER SHERRY &
	43	1807 DENNISON ST	HERNANDEZ FELIX &
	44	1811 DENNISON ST	BRISCO TRAVIS
	45	1813 DENNISON ST	CRAWFORD ANNIE MAY EST OF
	46	1819 DENNISON ST	NIETO LINDA M
	47	1823 DENNISON ST	PINEDA EDDY
O	48	1822 MCBROOM ST	WILLIAMS HOBERT & MAXIE L
	49	1818 MCBROOM ST	WILLIAMS HOBERT
	50	1812 MCBROOM ST	HARPER MACK A & RUBY J
	51	1810 MCBROOM ST	AGUIN JUAN & JOSEFINA G
	52	1814 DENNISON ST	BRAWLEY CLINTON EDWARD
	53	1810 DENNISON ST	BABE ENDALE
	54	1806 DENNISON ST	TOLIVER SHIRLEY

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 44 J

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast corner of Morris Street and Vilbig Road

Recommendation of Staff and CPC: Approval

Z145-318(AF)

FILE NUMBER: Z145-318(AF)

DATE FILED: August 6, 2015

LOCATION: Northeast corner of Morris Street and Vilbig Road

COUNCIL DISTRICT: 6

MAPSCO: 44J

SIZE OF REQUEST: Approx. 0.342

CENSUS TRACT: 101.01

APPLICANT/OWNER: Dallas Area Habitat for Humanity Inc.

REPRESENTATIVE: Suzan Kedron and Steven Dimitt, Jackson Walker L.L.P

REQUEST: An application for an R-5(A) Single Family District on property zoned a CR Community Retail District.

SUMMARY: The request for rezoning is to allow the applicant to build homes on these undeveloped lots.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will be consistent with the surrounding zoning, existing redevelopment efforts and growth pattern in the surrounding area.
2. *Traffic impact* – The proposed development does not have direct access to a major thoroughfare and will have minimal impact on the existing neighborhood street access. The number of trips generated will be fewer.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas!* Comprehensive Plan states that this area is within the Residential Neighborhood Building Block. The requested zoning district is consistent with the Residential Neighborhood Building Block.

Zoning History:

<u>File Number</u>	<u>Request, Disposition, and Date</u>
--------------------	---------------------------------------

- | | |
|--------------------|--|
| 1. Z145-317 | On August 8, 2015, an application was filed for an R-5(A) Single Family District on property zoned a CR Community Retail District located on the northeast, southeast, and southwest corners of McBroom Street and Vilbig Road. City Planning Commission hearing is scheduled for October 1, 2015. |
|--------------------|--|

Thoroughfare/Street	Type	Existing ROW
Vilbig Road	Minor Arterial	40'
Morris Street	Minor Arterial	50'

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed zoning district 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.

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 Plan identifies the request site as being in the Residential Neighborhood Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cutthrough traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

The requested zoning district is consistent with the Residential Neighborhood Building Block.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Surrounding Land Uses:

	ZONING	Land Use
Site	CR	Undeveloped
North	CR	Retail
East	R-5(A)	Undeveloped and Single Family
South	R-5(A)	Single Family, Undeveloped, and Retail
West	R-5(A)	Undeveloped

Land Use Compatibility:

The property encompasses two lots with a total area of approximately 0.342 acres. Abutting the properties on the east side are single family homes and undeveloped property. South of the lot is undeveloped, single family and retail. The applicant is proposing to develop two, single-family homes on these lots.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side /Rear					
Existing							
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
Proposed							
R-5(A)	20'	5'	1 Dwelling Unit/ 5,000 sq. ft.	30'	45%		Single family

Parking: Pursuant to the Dallas Development Code, off-street parking and loading parking must be provided in accordance with Division 51A-4.200.

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code, which would require three site trees with a minimum of 2 caliper inches. Two of these trees must be located in the front yard.

CPC Action –October 1, 2015

Motion: It was moved to recommend **approval** of an R-5(A) Single Family District on property zoned a CR Community Retail District on the northeast corner of Morris Street and Vilbig Road.

Maker: Anantasomboon
Second: Shidid
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Shidid, Anantasomboon, Abtahi, Lavallaisaa, Jung, Shellene, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 4

Notices:	Area: 200	Mailed: 44
Replies:	For: 3	Against: 0

Speakers: None

List of Officers:

**Dallas Area Habitat for Humanity
2015 Board of Directors**

Al Childs, Chairman
Zach Wooldridge, Vice-Chair
Scott Wallace, Secretary
Eric Kosmin, Audit and Finance Chair

Bill "Bulldog" Cunningham
Betsy del Monte
Dena DeNooyer Stroh
Tracy Fulton
Gilbert Gerst
Anthony Green
Anne Haskel
Holly Hassmann
Dave Hermon
Aisha Johnson
Richard Lofgren
Dan Morgan
Susan Rucks
Scott Wallace
Ed Wilson

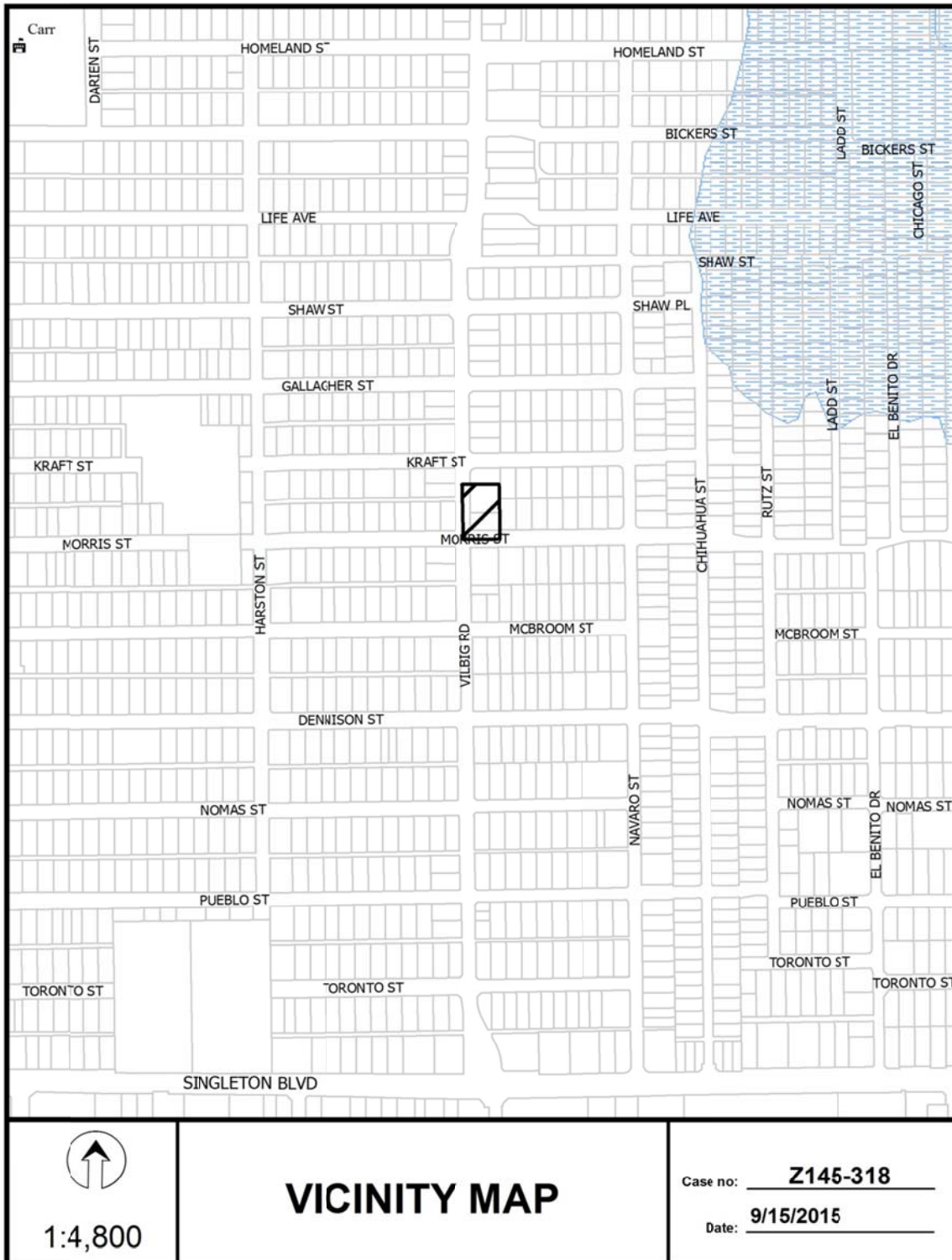
**Dallas Neighborhood Alliance for Habitat
2014 Board of Directors**

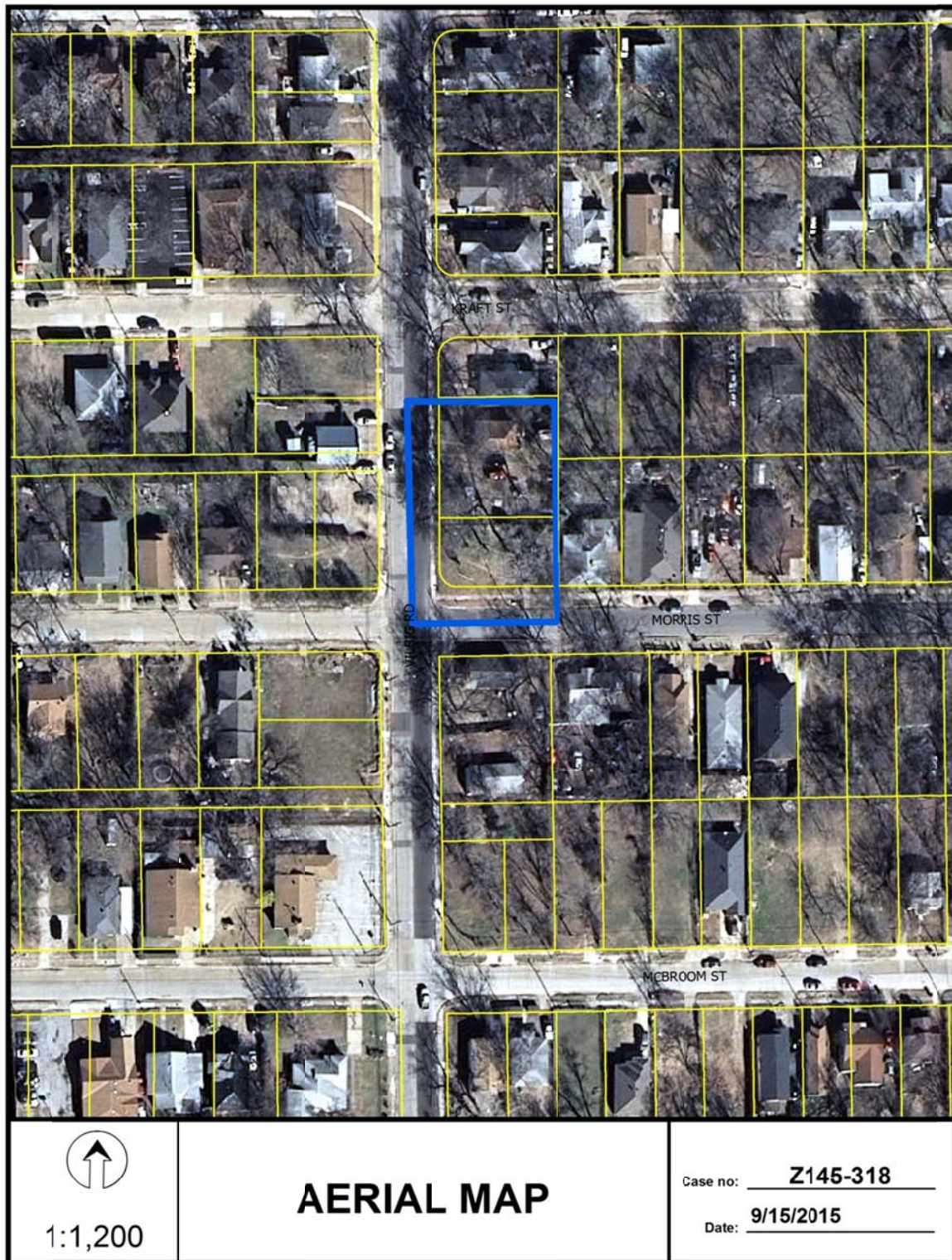
Richard Kelly, President
Aisha Johnson, Secretary

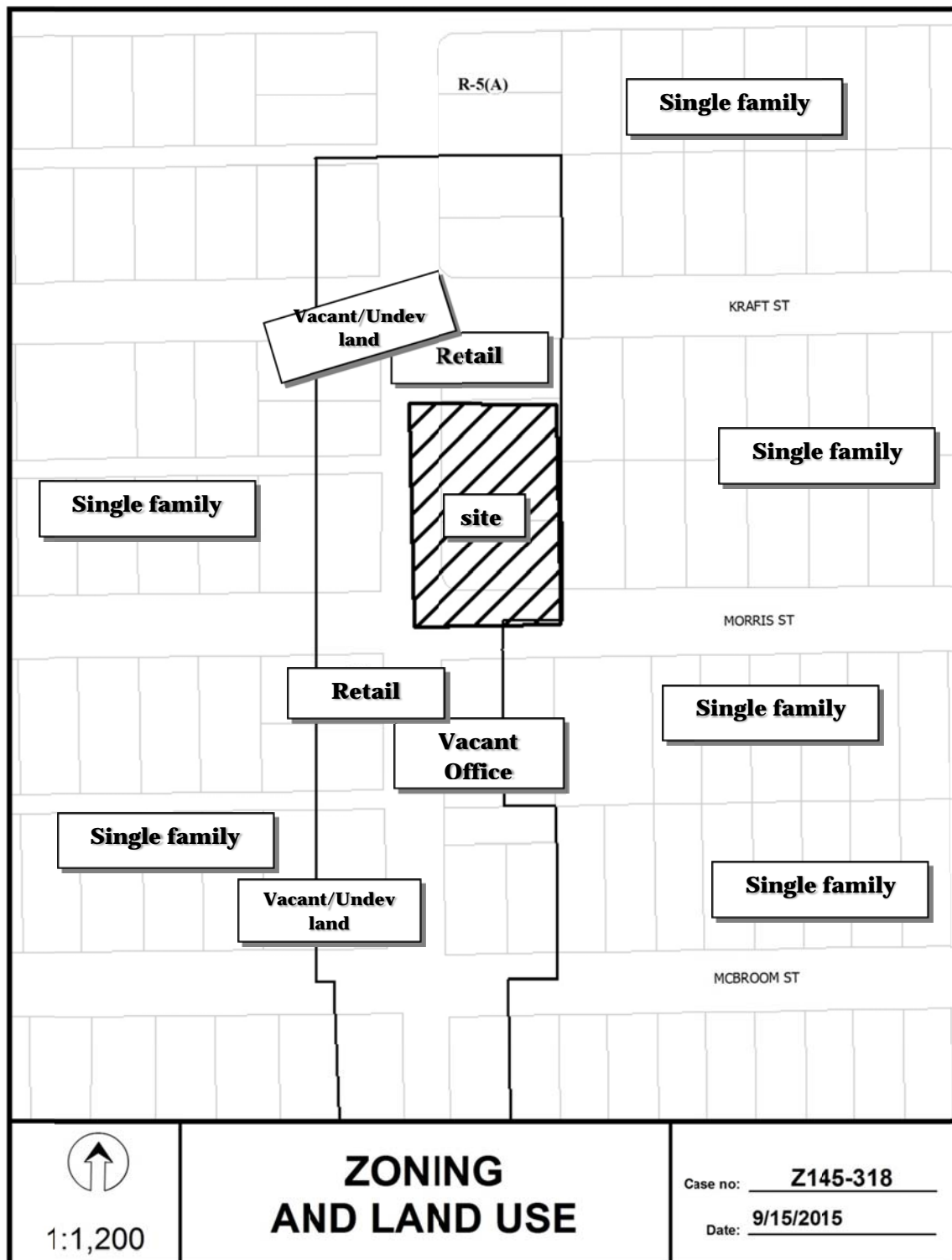
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Catherine Rhodes
Anthony Edwards
Sara Abbott McEown
Zemerian Brooks

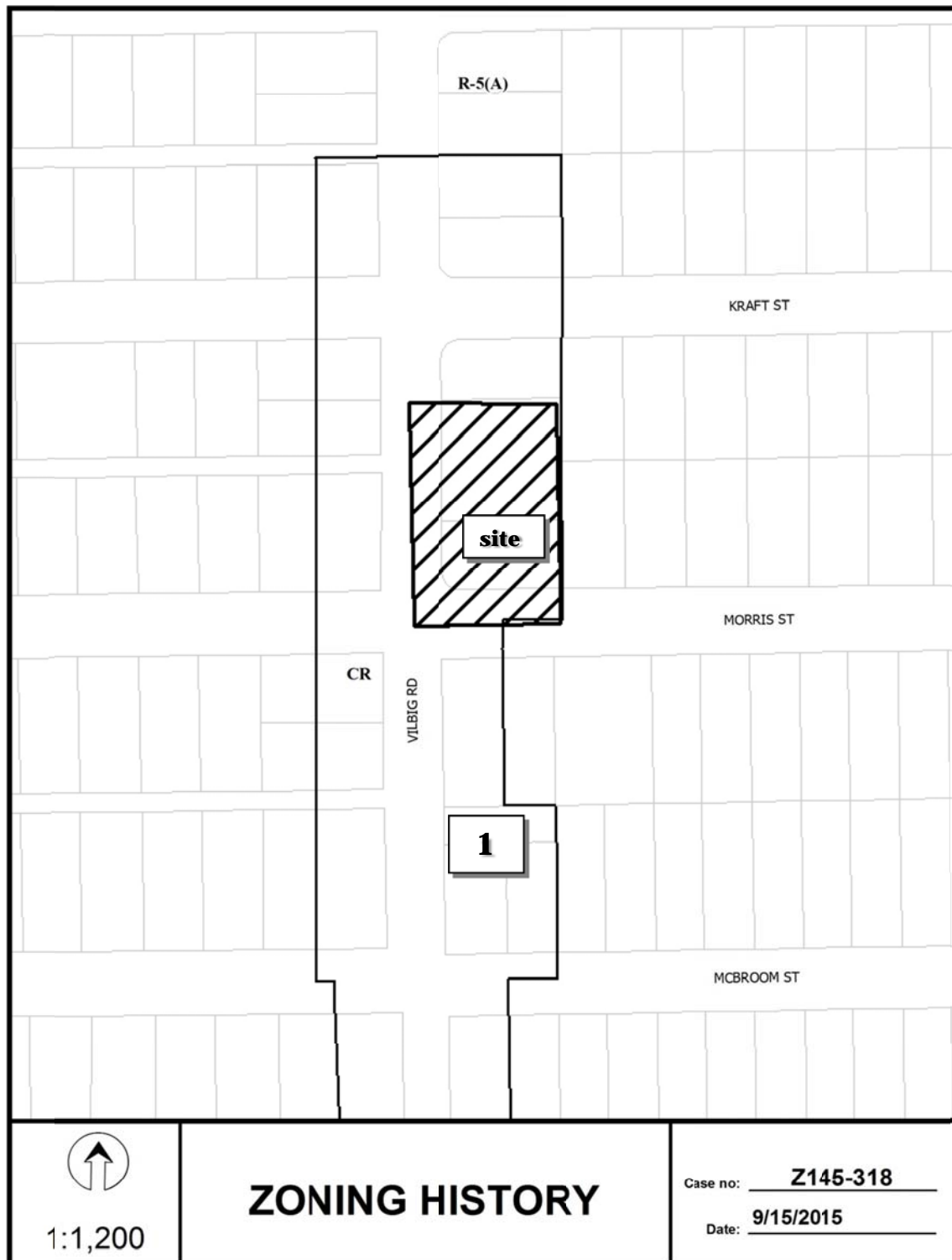
Builders of Hope CDC Officers and Directors

Carey Galpern	Board Chair
William Avery	Board Secretary
Norman Henry	President/CEO
Damon Polk	Chief Operating Officer

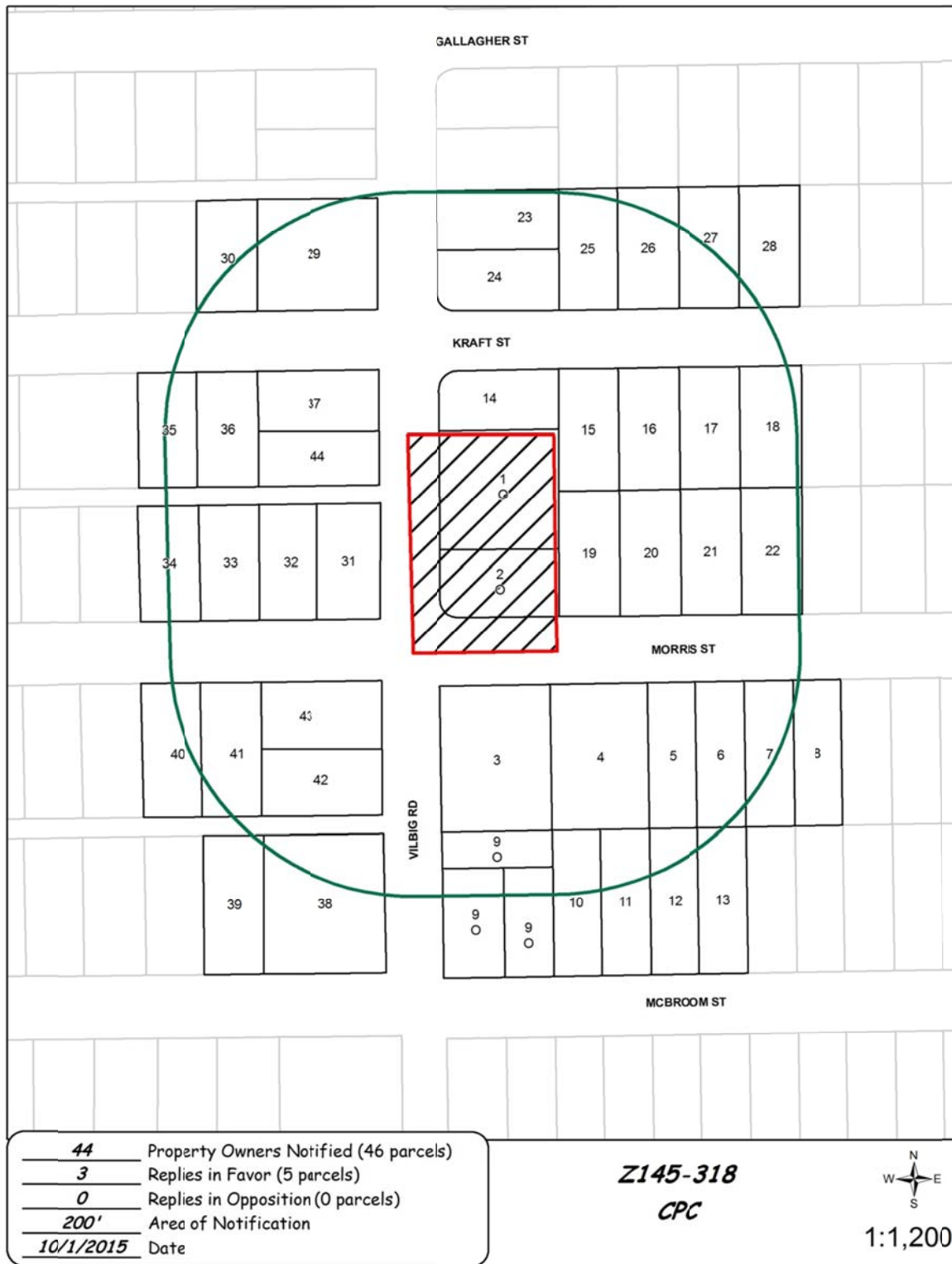








CPC Responses



09/30/2015

Reply List of Property Owners***Z145-318******44 Property Owners Notified 3 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	3410 VILBIG RD	DALLAS AREA HABITAT FOR HUMANITY INC &
O	2	3402 VILBIG RD	JOHNSON ARNITHA
	3	3334 VILBIG RD	HMK LTD
	4	1730 MORRIS ST	MALONE BILLY JOE
	5	1724 MORRIS ST	SKINNER BERTHA
	6	1720 MORRIS ST	DARTSON FRANCES
	7	1718 MORRIS ST	SKINNER JEANETTE
	8	1714 MORRIS ST	RUSSET CORPORATION
O	9	3332 VILBIG RD	DALLAS AREA HABITAT FOR HUMANITY INC
	10	1731 MCBROOM ST	HILL MARY
	11	1729 MCBROOM ST	WILLIAMS KATHERINE L &
	12	1721 MCBROOM ST	DALLAS AREA HABITAT FOR HUMANITY INC &
	13	1719 MCBROOM ST	ZAMACONA ARMANDO
	14	3414 VILBIG RD	MONTGOMERY DORIS MAXINE
	15	1730 KRAFT ST	HOWARD LOUISE
	16	1726 KRAFT ST	JIMENEZ GABRIEL LOPEZ
	17	1722 KRAFT ST	BLUITT D L
	18	1718 KRAFT ST	GEIGER CAROLYN J
	19	1731 MORRIS ST	BANK OF AMERICA
	20	1727 MORRIS ST	JIMENEZ GABRIEL L &
	21	1723 MORRIS ST	SKINNER CAROLYN
	22	1719 MORRIS ST	HUNTER NANCY
	23	3426 VILBIG RD	WHITE BERT
	24	3424 VILBIG RD	DEAN ROBBIE JO
	25	1731 KRAFT ST	CALLOWAY DORIS MAE EST OF
	26	1727 KRAFT ST	DEVEREAUX JAMES

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1723	KRAFT ST	TAYLOR EUGENE
28	1719	KRAFT ST	GEIGER CAROLYN J
29	3423	VILBIG RD	BAKER LIZA JOE
30	1811	KRAFT ST	CHURCH OF GOD
31	3401	VILBIG RD	WALLACE DELORES FENNELL
32	2	VILBIG RD	MANOR MARGARET F EST OF
33	1809	MORRIS ST	WOODARD RECTOR A ET AL
34	1815	MORRIS ST	DUNN BRODIE L EST OF
35	1814	KRAFT ST	JACKSON SHAMAYIA
36	1810	KRAFT ST	CHURCH OF LIVING
37	3415	VILBIG RD	CHURCH OF THE LIVING GOD
38	1805	MCBROOM ST	WEST VIEW MISSIONARY
39	1811	MCBROOM ST	PATTERSON GENE E
40	1814	MORRIS ST	PASILLAS HILARIO V &
41	1810	MORRIS ST	PASILLAS HILARIO V &
42	3335	VILBIG RD	ORANTES CECILIA
43	3339	VILBIG RD	ORANTES CECILIA I
44	3409	VILBIG RD	FULLWOOD ASAIE

AGENDA ITEM # 64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 59 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2065 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Old Seagoville Road and South St. Augustine Drive

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Z145-319(OTH)

FILE NUMBER: Z145-319(OTH)

DATE FILED: August 7, 2015

LOCATION: Southwest corner of Old Seagoville Road and South St. Augustine Drive

COUNCIL DISTRICT: 5

MAPSCO: 59X

SIZE OF REQUEST: ±4.3716 acres

CENSUS TRACT: 117.01

APPLICANT: Malone's Food Stores, LLC

REPRESENTATIVE: Rhonda Davis

OWNER: Victor Ballas

REQUEST: An application for the renewal of Specific Use Permit No. 2065 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue selling beer and wine for off-premise consumption in conjunction with the existing general merchandise or food store greater than 3,500 square-foot use [Malone's]. SUP No. 2065 was originally approved for a two-year period that terminates on January 8, 2016, but does not have automatic renewals. The site is developed with a ±41,400 square-foot multi-tenant building comprised of retail and personal services uses. The alcoholic beverage sales are limited to 19,200 square feet designated on the site plan. The applicant does not propose any changes to the existing building or site.

CPC RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval of this renewal subject to the conditions based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store is compatible with the surrounding land uses. The use does not impact the compatibility with surrounding uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale of the alcoholic beverages at the existing general merchandise or food store does not negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The sale of alcoholic beverages in conjunction with a general merchandise or food store does not compromise health, safety, and welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards.

Surrounding Zoning History:

1. **Z112-208:** On August 22, 2012, the City Council approved an NO(A) Neighborhood Office District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
St. Augustine Road	Collector	80 feet
Old Seagoville Road	Local	60 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested renewal and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:**Comprehensive Plan:**

The Comprehensive Plan does not make a specific land use recommendation related to the request; however, the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depict general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Residential Neighborhood Building Block*. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The existing general merchandise or food store is located at a key intersection within the neighborhood, which is generally a desired location for a nonresidential use. In general, the applicant's request for renewal of the Specific Use Permit is consistent with the goals and policies of the Comprehensive Plan.

Surrounding Land Uses:

	Zoning	Land Use
North	CR-D	Church; single family
East	CR-D-1	Retail; restaurant; carwash
South	CR-D-1	Single Family
West	CR-D-1	Undeveloped

Land Use Compatibility:

The site contains a shopping center, where the general merchandise or food store is located. Surrounding land uses are single family and a church to the north, a school to the northeast; retail and single family to the east; single family to the south; and undeveloped and single family to the west. The use does not have a negative impact on the area.

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.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
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 and personal service, office

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store greater than 3,500 square-feet is one (1) space per 200 square feet of floor area. Therefore, the 19,200-square-foot general merchandise or food store requires 96 spaces. As depicted on the site plan, 240 spaces are provided.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from January 8, 2014 to September 15, 2015 present the following results:

UCR_Offense	Date1	Address
ROBBERY-INDIVIDUAL	8/9/2015	333 S ST AUGUSTINE DR
THEFT/BMV	2/3/2015	333 S ST AUGUSTINE DR
OTHER THEFTS	1/27/2015	333 S ST AUGUSTINE DR
OTHER THEFTS	12/20/2014	333 S ST AUGUSTINE DR
OTHER THEFTS	12/18/2014	333 S ST AUGUSTINE DR
BURGLARY-BUSINESS	10/10/2014	333 S ST AUGUSTINE DR
ROBBERY-INDIVIDUAL	6/25/2014	333 S ST AUGUSTINE DR
BURGLARY-BUSINESS	4/24/2014	00333 S ST AUGUSTINE DR
THEFT/SHOPLIFT	3/22/2014	00333 S ST AUGUSTINE DR
AGG ASSAULT - NFV	3/9/2014	00333 S ST AUGUSTINE DR
AGG ASSAULT - NFV	3/9/2014	00333 S ST AUGUSTINE DR
THEFT/SHOPLIFT	2/28/2014	00333 S ST AUGUSTINE DR
THEFT/SHOPLIFT	2/20/2014	00333 S ST AUGUSTINE DR
BURGLARY-BUSINESS	2/8/2014	00333 S ST AUGUSTINE DR
OTHER THEFTS	1/21/2014	00333 S ST AUGUSTINE DR

CPC ACTION – October 1, 2015

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2065 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions to include an additional condition limiting the use to 19,200 sq. ft. of floor area as shown on the site plan on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Old Seagoville Road and South St. Augustine Drive.

Maker: Anantasomboon

Second: Shidid

Result: Carried: 14 to 0

For:14 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Schultz, Peadon, Murphy, Ridley,
Tarpley

Against: 0

Absent: 0

Vacancy: 1 - District 4

Notices: Area: 300 Mailed: 44

Replies: For: 0 Against: 0

Speakers: For (Did not speak): Rhonda Davis, 333 S. St Augustine Rd.,
Dallas, TX, 75217

Against: None

List of Partners/Principals/Officers

Malone's Food Stores, LLC

Ronnie J. Malone
W. Jane Malone

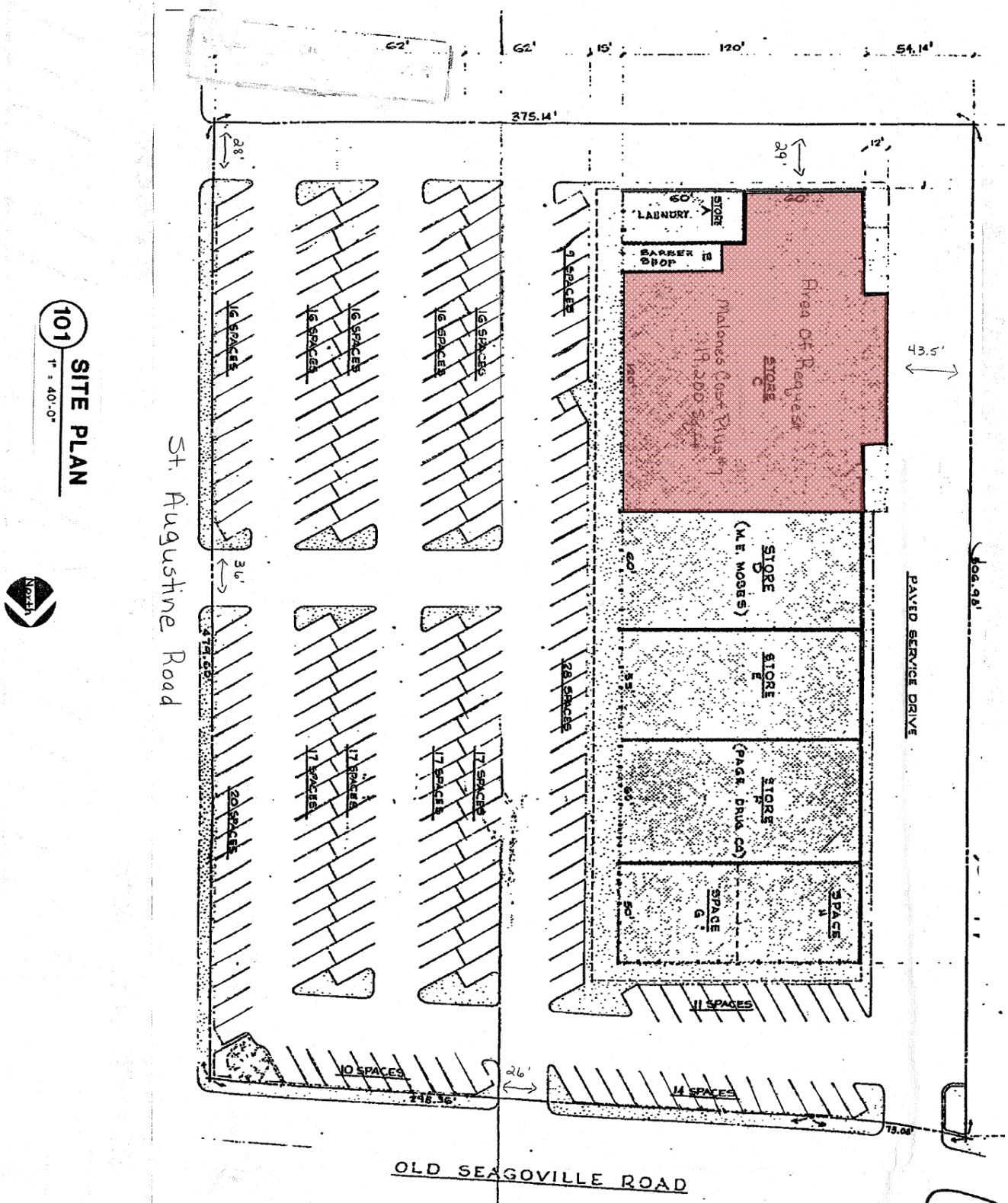
Malone Management LLC

Ronnie J. Malone President and Sole Member

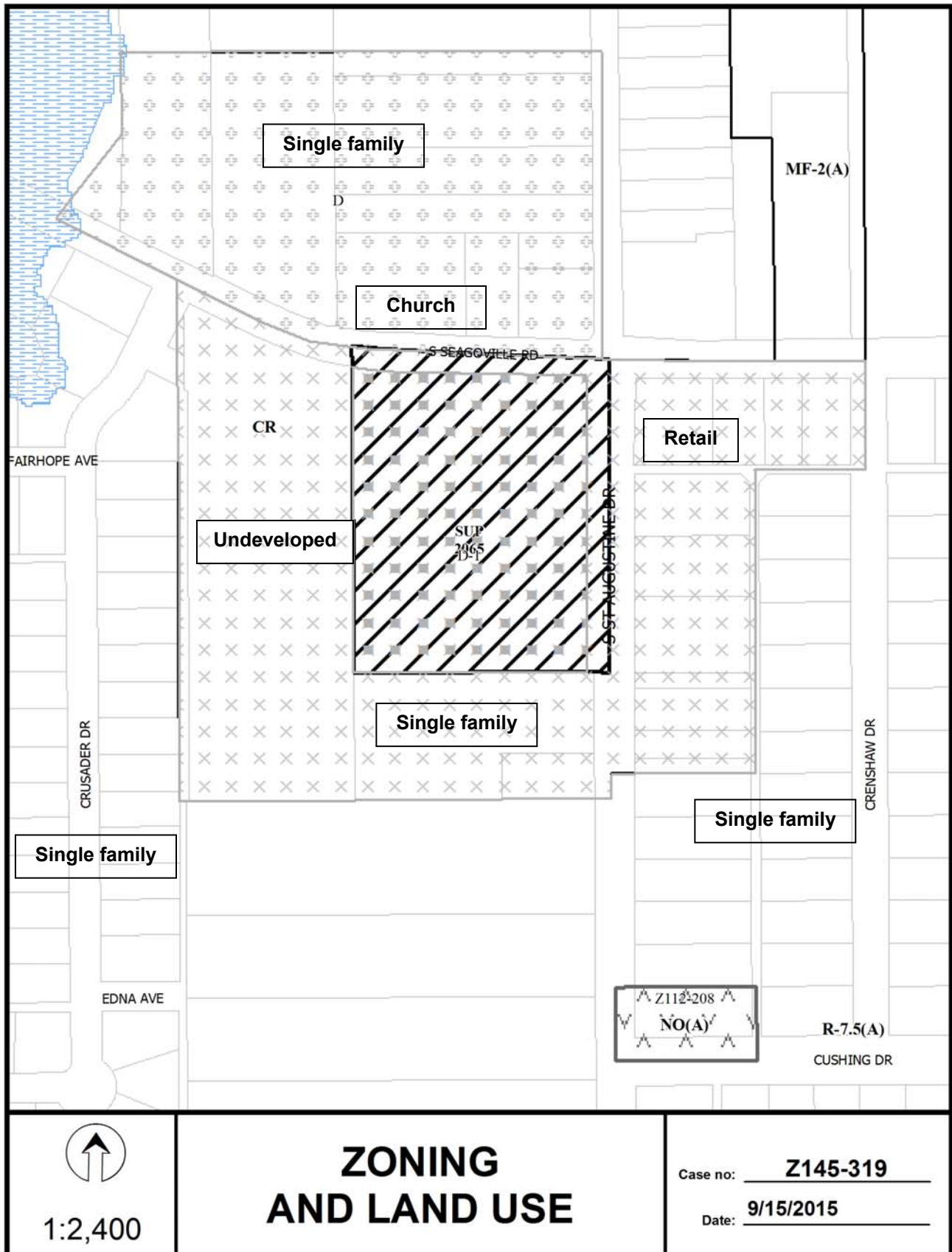
Proposed SUP Conditions

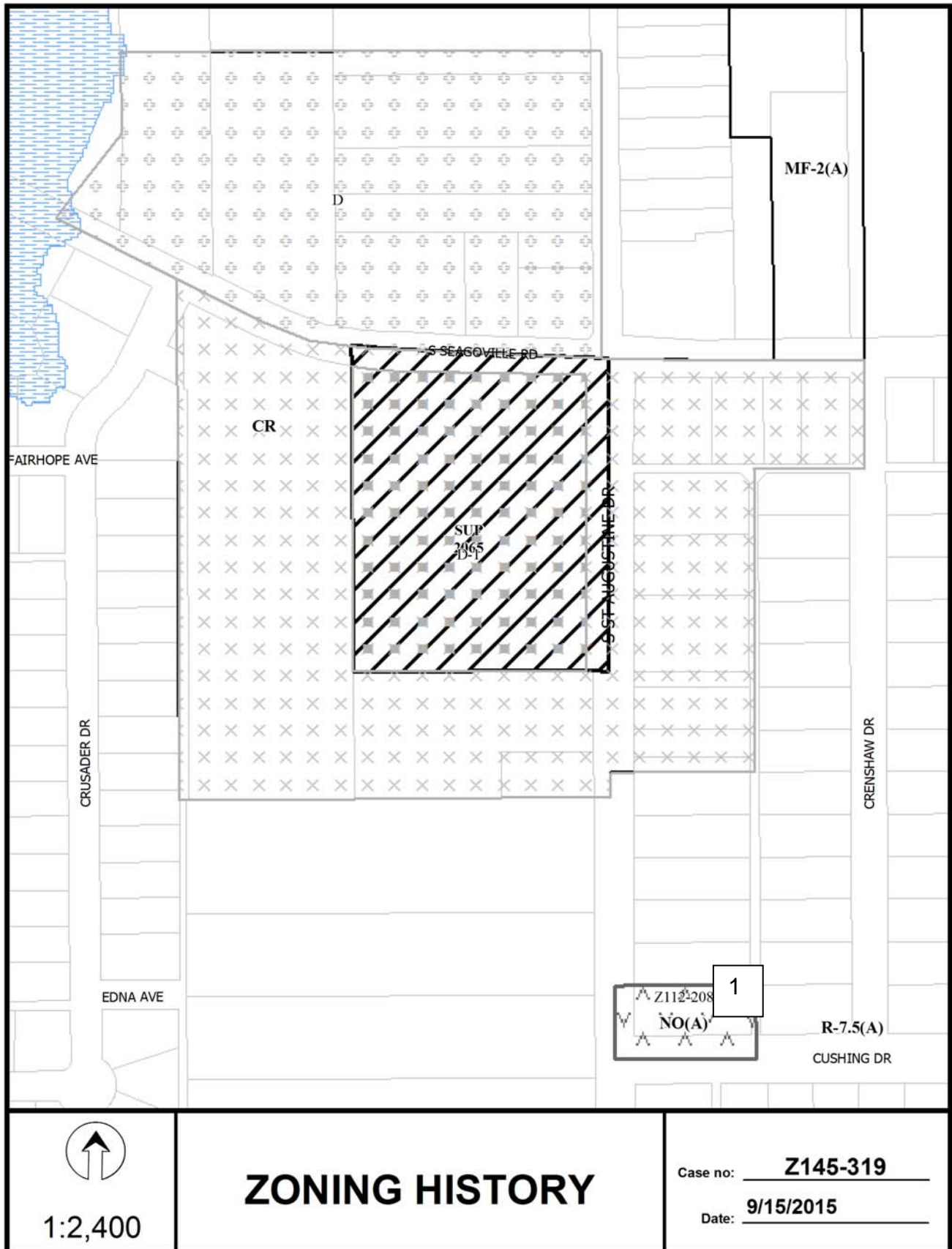
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square-foot uses or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~January 8, 2016~~ (two years from the passage of the 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 is 19,200 square feet as shown on the site plan.
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.

Existing Site Plan

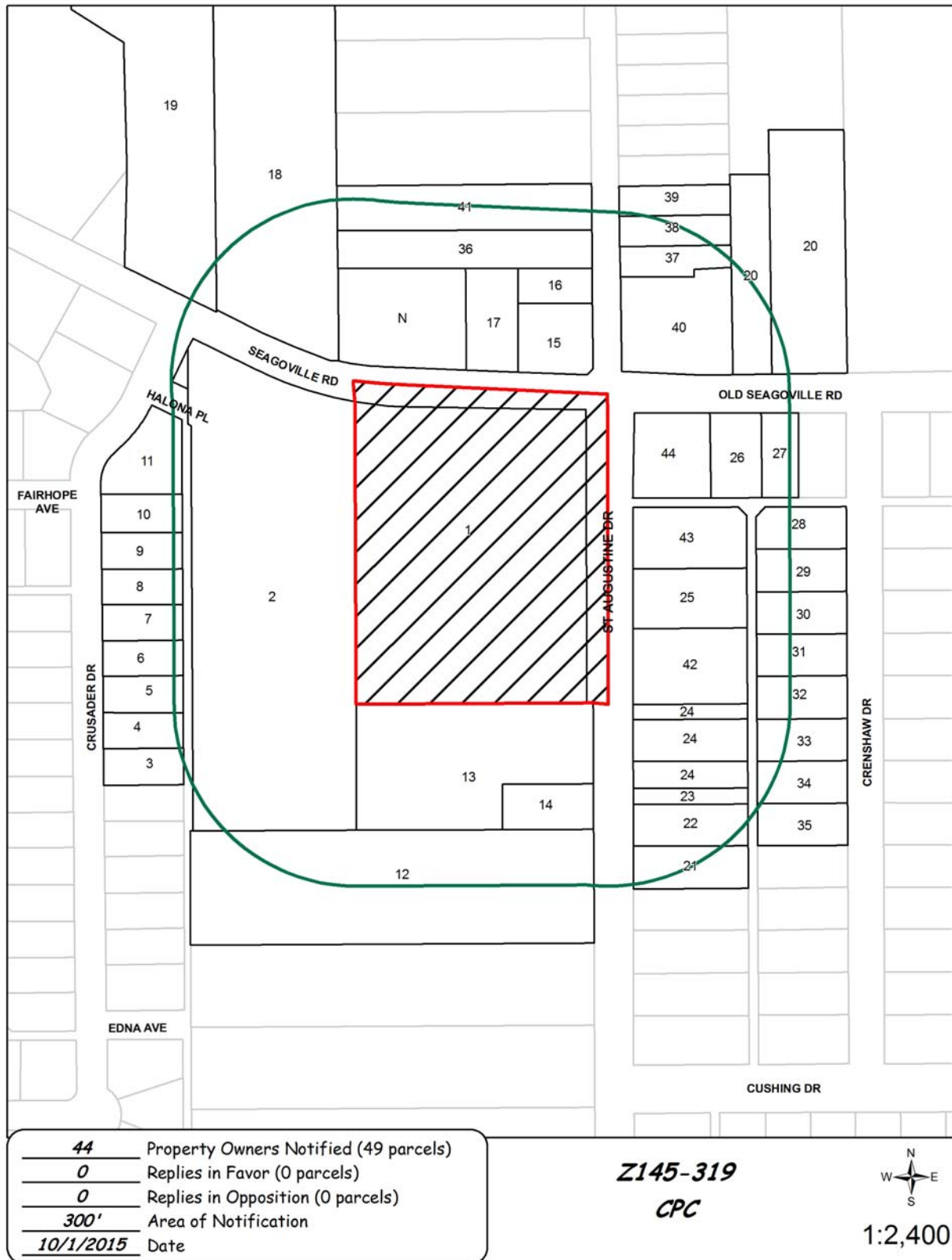








CPC RESPONSES



09/30/2015

Reply List of Property Owners***Z145-319******44 Property Owners Notified******0 Property Owners in Favor******0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	333	ST AUGUSTINE RD	BALLAS VICTOR E
2	304	CRUSADER DR	BALLAS VICTOR
3	356	CRUSADER DR	FIERRO RODOLFO &
4	350	CRUSADER DR	MADISON YOLANDA M
5	344	CRUSADER DR	RUVALCABA ARNOLDO G &
6	338	CRUSADER DR	RODRIGUEZ GRICELDA
7	332	CRUSADER DR	DANIELS WILLIE J &
8	326	CRUSADER DR	SCHIER BILL
9	320	CRUSADER DR	HUGHES PEGGY J TR
10	314	CRUSADER DR	SANCHEZ ADOLFO
11	310	CRUSADER DR	PEREZ HECTOR & IRMA AGUIRRE
12	335	ST AUGUSTINE RD	CARTER JAMES
13	323	ST AUGUSTINE RD	CORDOVA LUIS
14	325	ST AUGUSTINE RD	CORDOVA LUIS
15	237	ST AUGUSTINE RD	PEREZ REFUCIO & MARIA
16	233	ST AUGUSTINE RD	SALAZAR MAURILIA
17	350	SEAGOVILLE RD	LOVE OUTREACH CHURCH
18	316	SEAGOVILLE RD	CHANG ROGER A
19	246	SEAGOVILLE RD	UNITED STATES OF AMERICA
20	9625	SEAGOVILLE RD	WOOD SHAUN D & JENNIFER L
21	356	ST AUGUSTINE RD	SANCHEZ PATRICIA
22	352	ST AUGUSTINE RD	ALVARADO JUAN &
23	348	ST AUGUSTINE RD	GEDDINGS ALVIN EST OF
24	346	ST AUGUSTINE RD	TAIWO ADEDAYO A
25	326	ST AUGUSTINE RD	OPALACH THOMAS
26	9612	SEAGOVILLE RD	SARAVIA LAURA

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	9618	SEAGOVILLE RD	MITCHELL DANIEL
28	315	CRENSHAW DR	AREVALO NORMA A
29	319	CRENSHAW DR	LENTO BARBARA S
30	325	CRENSHAW DR	PORTILLO REINA DE LAPAZ
31	331	CRENSHAW DR	SERRATO ADELFA
32	337	CRENSHAW DR	BENITES ANITA
33	341	CRENSHAW DR	ALVAREZ LUIS
34	345	CRENSHAW DR	VILLATORO RODOLFO & MARIA
35	351	CRENSHAW DR	MORENO PEDRO
36	229	ST AUGUSTINE RD	PATINA EVERARDO &
37	278	ST AUGUSTINE RD	HERNANDEZ JUAN & MARTHA
38	274	ST AUGUSTINE RD	JIMENEZ PRISHNA
39	270	ST AUGUSTINE RD	RAMIREZ SERGIO
40	9615	SEAGOVILLE RD	HO JUI HUI
41	201	ST AUGUSTINE RD	SOUTH CENTRAL MTG INC
42	332	ST AUGUSTINE RD	MILLER W C TRUSTEE
43	316	ST AUGUSTINE RD	DANG TUAN N &
44	300	ST AUGUSTINE RD	PHAM VU T & THIEM PHAM

AGENDA ITEM # 65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 43 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, on the north line of Fort Worth Avenue, west of Walter Drive

Recommendation of Staff and CPC: Approval of the amendment to Subdistrict 4, subject to conditions; and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions

Z145-294(SM)

FILE NUMBER: Z145-294(SM)

DATE FILED: June 10, 2015

LOCATION: North line of Fort Worth Avenue, west of Walter Drive

COUNCIL DISTRICT: 1

MAPSCO: 43Z

SIZE OF REQUEST: Approximately 3.6 acres

CENSUS TRACT: 69.00

APPLICANT: T-Mobile West, LLC

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER: Housing Authority of Dallas

REQUEST: An application for an amendment to Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District and for a Specific Use Permit for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714.

SUMMARY: PD 714 was established by Ordinance No. 25898, passed by the Dallas City Council on February 23, 2005. It did not permit cellular communication uses. In 2006, an electrical permit was issued in error to erect the mounted cellular antenna atop the existing 12-story building on the subject site. The applicant would like to add equipment for the antenna. However, because it was never a permitted use, PD 714 has to be amended. An amendment to Subdistrict 4 is proposed to permit the mounted cellular antenna by specific use permit and to allow a new use, temporary cellular unit by right. The temporary cellular unit is proposed as part of the code amendments previously recommended by the City Plan Commission. City Council has not considered the code amendments at this time.

CPC RECOMMENDATION: Approval of the amendment to Subdistrict 4, subject to conditions; and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval of the amendment to Subdistrict 4, subject to conditions; and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – Mounted cellular antennas are generally unnoticed by surrounding properties because they are mounted to existing structures. While temporary cellular units may be less compatible with surrounding structures, they blend into a construction site and have specific regulations to remove the unit after a year or sometimes two years. Additionally, because the temporary cellular unit has an expiration date, it encourages the cellular provider to find another suitable location or allows interim cellular service so that a mounted cellular antenna can be replaced after the temporary cellular unit expires.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located along a Main Street. The proposed mounted cellular antennas and temporary cellular units will not be contrary to the vision of this building block.

BACKGROUND INFORMATION:

- According to Dallas Central Appraisal District records, the existing 12-story structure was built in 1970 and is approximately 32,304 square feet.

Zoning History: There have been one recent zoning changes requested in the area Within the last five years.

1. Z123-334 On Wednesday, November 12, 2014 the City Council approved an application for a Specific Use Permit for a Convalescent and nursing homes, hospice care, and related institutions use and to terminate deed restrictions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Special cross street designation
Fort Worth Avenue	Principal Arterial	4 lanes divided, 100' ROW, two-way cycle track
West Colorado Boulevard	Local Street	60' R.O.W.
Walter Drive	Local Street	50' R.O.W.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed request will not have a negative impact on the surrounding street system.

STAFF ANALYSIS:

COMPREHENSIVE PLAN:

The subject site is identified as being within a Main Street Building Block. Main streets are modeled after the American tradition of “main street” as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on-street. Away from the “main street,” density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the “main street” to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 714, Subdistrict 4	Multifamily
North	R-7.5(A)	Single Family and church
East	PDD No. 714, Subdistrict 4B	Undeveloped
South	PDD No. 714, Subdistrict 4A	Undeveloped
West	PDD No. 714, Subdistrict 5	Grocery Store

Land Use Compatibility: The site is surrounded by single family with some churches to the north and an elementary school to the northwest. To the east and south, there are large undeveloped parcels. Immediately to the west of the site there is a recently constructed grocery store and parking lot. Further west and southwest of the site are single story retail related uses.

The rationale to include temporary cellular units is in light of the concurrent proposal that temporary cellular units be added to the overall Dallas Development Code. Staff also intends to reference the Dallas Development Code language in the planned development regulations so that the use would track future amendments to the Dallas Development Code.

Additionally, mounted cellular antennas and temporary cellular units provide the much needed utility of cellular coverage but in a much more appealing manner than monopole cellular antennas, which will remain prohibited. In medium density residential, office, retail, and mixed use base zoning districts, mounted cellular antennas are allowed by right when attached to any existing structure¹. In the proposed Development Code Amendment, temporary cellular units will also be allowed in all districts.

Landscaping: Landscaping must be provided in accordance with the current landscaping regulations in the planned development district, as amended. No modifications to landscaping is proposed or recommended by staff.

¹ Reference Section 51A-4.212(10.1)(B)(ii) of the Dallas Development Code.

CPC Action

September 3, 2015

This item was held under advisement.

October 1, 2015

Motion: It was moved to recommend **approval** of an amendment to Subdistrict 4, subject to revised conditions to include clarifying language under allowed uses that mounted cellular antenna be allowed in Subdistrict 4 only of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District; and **approval** of a Specific Use Permit for a tower/antenna for cellular communication limited to a mounted cellular antenna for a two-year period, subject to a site plan and revised conditions to include an additional condition requiring the antennas be camouflaged with the same color of the building on property zoned Subdistrict 4 of Planned Development District No. 714, on the north line of Fort Worth Avenue, west of Walter Drive.

Maker: Anglin
Second: Shellene
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon*, Abtahi, Lavallaisaa, Jung,
Shellene, Schultz, Peadon, Murphy, Ridley,
Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 4

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 130

Replies: For: 1 Against: 7

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX. 75226
Against: None

APPLICANT LIST OF OFFICERS

T-MOBILE WEST LLC
OFFICERS & MANAGERS
(As of June 10, 2015)

Manager	David A. Miller
Officers	Title
John J. Legere	President & Chief Executive Officer
J. Braxton Carter	Executive Vice President & Chief Financial Officer
James C. Alling	Executive Vice President & Chief Operating Officer – T-Mobile Business
Thomas C. Keys	Executive Vice President, Chief Operating Officer – MetroPCS Business
David A. Miller	Executive Vice President, General Counsel & Secretary
Larry L. Myers	Executive Vice President, Human Resources
Neville R. Ray	Executive Vice President & Chief Technology Officer
Peter A. Ewens	Executive Vice President, Corporate Strategy
G. Michael Sievert	Executive Vice President & Chief Marketing Officer
David R. Carey	Executive Vice President, Corporate Services
Gary A. King	Executive Vice President & Chief Information Officer
Lauren Venezia	Senior Vice President, Deputy General Counsel & Assistant Secretary
Michael J. Morgan	Senior Vice President, Finance & Chief Accounting Officer
Marc D. Rome	Vice President, Legal Affairs, Governance & Securities and Assistant Secretary
Christopher M. Miller	Vice President, Taxation
Yvonne Smith	Vice President, Accounting & Controller
Dirk Wehrse	Vice President, Treasury & Treasurer
Sarah E. Mock	Assistant Secretary

Note: The policy of T-Mobile USA, Inc. and its subsidiaries prevents the release of personal information (i.e., home address, home phone number, Social Security and driver's license information) of its officers and directors.

OWNER LIST OF OFFICERS

List of Officers

Dallas Housing Authority

Maryann Russ, President and CEO

Troy Broussard, Senior Vice President and COO

Chetana Chaphekar, CFO

Brooke Etie, Vice President

Tim Lott, Vice President

Carolyn Stovall, Manager

Sharon Stafford, Manager

Sam Sally, Manager

Proposed PD Amendments

ARTICLE 714.

PD 714.

West Commerce Street/Fort Worth Avenue Special Purpose District

SEC. 51P-714.101. LEGISLATIVE HISTORY.

PD 714 was established by Ordinance No. 25898, passed by the Dallas City Council on February 23, 2005. (Ord. 25898)

SEC. 51P-714.102. PROPERTY LOCATION AND SIZE.

PD 714 is established on property located north and south of West Commerce Street and Fort Worth Avenue from North Beckley Avenue to Westmoreland Road. The size of PD 714 is approximately 248.9 acres. (Ord. Nos. 25898; 26876; 27056; 28505)

SEC. 51P-714.103. CREATION OF SUBDISTRICTS.

(a) This district is divided into the following subdistricts:

(1) Subdistrict 1. This subdistrict is for medium density mixed-use development that respects existing businesses but gives incentive for new mid-rise commercial and residential development. Development should support West Commerce Street as the gateway from downtown into the area, and strengthen the Sylvan Avenue-Fort Worth Avenue intersection as a retail anchor. New development should support future light rail along the northern edge of the subdistrict. Preserving historic buildings through adaptive re-use is a priority. This subdistrict will be the most densely developed urban subdistrict due to its proximity to the Trinity River and downtown. The mix of uses should lean more too commercial, although residential development is essential to the success of the mixed uses. Buildings should front the street with broad sidewalks. Street trees should line the street edge. On-street parking should be parallel parking along West Commerce Street and Fort Worth Avenue. Off-street parking should be provided behind buildings or in parking structures and shared between adjacent lots. This subdistrict should have an overall urban feel, but still provide pedestrian amenities. Subdistricts 1A, 1B, and 1C have maximum building heights and maximum stories that reflect the rising topography and protect the downtown view. Buildings should have minimum or no setbacks, with commercial and retail uses at the ground level and office and residential above. Pedestrian protections from traffic, such as street trees, planters, and crosswalks, are desired. Subdistricts 1A, 1B, and 1C are part of Subdistrict 1. Except as provided in this article, Subdistrict 1 regulations apply in Subdistricts 1A, 1B, and 1C.

(2) Subdistrict 2. Subdistrict 2 is a mixed-use subdistrict that consists predominately of residential uses, but with some small retail and office uses. Because residential neighborhoods are adjacent to the subdistrict, it should be more serene than other subdistricts. New development should strengthen the existing residential neighborhoods and help to create a pedestrian-friendly environment. North Edgefield Avenue should connect the north and the south neighborhoods. Pedestrian protections from traffic, such as on-street parking, street trees, and parkways, are desired. Buildings should have minimum or no setbacks. Building heights are controlled separately in Subdistricts 2A, 2B, 2C, and 2D to optimize medium density residential development, preserve downtown views, and be sensitive to the

existing single-family neighborhood to the north. Preserving historic buildings through adaptive re-use is a priority. Subdistricts 2A, 2B, 2C, and 2D are part of Subdistrict 2. Subdistrict 2 regulations apply in Subdistricts 2A, 2B, 2C, and 2D unless otherwise indicated.

(3) Subdistrict 3. Subdistrict 3 is a mixed-use subdistrict primarily developed with commercial and retail uses, but with some residential uses. Retail and commercial areas should be strengthened with more varied uses. New development should include residential uses and vertical stacking of uses for more efficient land use resulting in activity throughout the day and night. Buildings should have minimum or no setbacks. Off-street parking should be provided behind buildings and shared between neighboring lots. Use of traffic calming elements such as median plantings, on-street parking, street trees, broad sidewalks, and low-to-mid-rise buildings is desirable. Development should strive to create a village center accessible by pedestrians, bicycles, mass transit, and cars. Land uses are controlled separately in Subdistricts 3A and 3B to be sensitive to residential neighborhoods.

(4) Subdistrict 4. Subdistrict 4 is a mixed-use subdistrict dominated by multifamily uses. While commercial and retail uses are encouraged at street level, maintenance of the residential density is desired. Pedestrian protections from traffic, such as broad sidewalks, street trees, and crosswalks, are desired. New construction should be oriented to address the street front. Existing slip roads providing on-street parking and pedestrian amenities should be preserved. Building height, land use, and setbacks are controlled separately in Subdistricts 4A and 4B to encourage mixed use and townhouse development. Subdistricts 4A and 4B are part of Subdistrict 4. Subdistrict 4 regulations apply in Subdistricts 4A and 4B unless otherwise indicated.

(5) Subdistrict 5. Subdistrict 5 is a mixed-use district balanced with residential, commercial, and retail uses. New development should include vertical stacking of different uses to achieve more efficient land use and activity throughout the day and night. New development should also include a medium density residential component to strengthen surrounding residential neighborhoods and ensure the success of commercial and retail development. Building heights and uses are controlled to be sensitive to residential neighborhoods. New development should strengthen pedestrian connections on Fort Worth Avenue. Buildings should have minimum or no setbacks, with commercial and retail uses at the ground level and office and residential uses above. Off-street parking should be provided behind buildings and shared between neighboring lots. Pedestrian protections from traffic, such as broad sidewalks, street trees, planters, and crosswalks, are a priority.

(b) Exhibit 714A is a map showing the boundaries of this district and its subdistricts. Exhibit 714B is a verbal description of the boundaries of this district and its subdistricts. In the event of a conflict between the graphic depiction in Exhibit 714A and the verbal description in Exhibit 714B, the verbal description in Exhibit 714B controls.

(c) This district is considered to be a mixed-use zoning district. (Ord. Nos. 25898; 26876; 27056; 27820; 28505; 29654)

SEC. 51P-714.104. DEFINITIONS.

Unless otherwise stated, the definitions in Chapter 51A apply to this article. In this district:

(1) BINGO PARLOR means a facility licensed for the conducting of bingo pursuant to Texas Occupation Code Chapter 2001, as amended.

(1.1) BUILD-TO ZONE means the area where a specified percentage of a street-facing building facade must be constructed on a lot.

(1.2) CERAMIC STUDIO means a studio containing kilns used to fire ceramics.

(2) DISTRICT means the entire planned development district (the West Commerce Street/Fort Worth Avenue Special Purpose District) created by this article.

(2.1) ELECTRICAL VEHICLE CHARGING STATION means a dedicated parking area for vehicles that includes publicly accessible recharging equipment.

(3) FRONT FACADE means the primary building elevation facing the front yard.

(4) FULLY SIGHT-OBSCURING FENCE means a fence that provides complete visual separation. Fully sight-obscuring fences must be six feet high and 100 percent sight-obscuring. Fences must be constructed of one or more of the following: brick, concrete masonry (split or polished face only; no unfinished units or cinder block), stone, stucco, or wood. Landscaping with a minimum height of three feet must be provided on the street side of the fence. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(4.1) GATEWAY PLAZA means a plaza in Permissible Building Area A of Subdistrict 1C as shown on the conceptual plan that marks the entrance to Subdistrict 1C by creating a sense of arrival and that incorporates a minimum of two of the following, which must be shown on an approved development plan:

(A) Public art.

(B) A prominent architectural feature that marks the corner through increased height such as a tower or monument.

(C) A visual enhancement such as a water feature, distinctive landscaping, or a display window.

(D) Site configuration that allows direct pedestrian access through the plaza and into the interior of Subdistrict 1C through the use of pedestrian passages or paseos.

(5) HIGH SCREEN means a landscape treatment that provides physical and visual separation between uses. Shrubs must form a six-foot-high screen that is 95 percent opaque year-round within three years of planting. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. Ground cover plants must cover the remainder of the landscaped area. If a wall or fence is also provided, it must be on the interior side of the high screen.

(6) LIVE/WORK UNIT means an interior space with street-level access that combines residential with office or retail and personal service uses.

(7) **LOW SCREEN** means a landscape treatment that provides physical separation between uses. Shrubs must form a three-foot-high screen that is 95 percent opaque year-round within three years of planting. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. Ground cover plants must cover the remainder of the landscaped area. A three-foot-high masonry wall may be substituted, but ground cover plants are still required. A berm may be substituted. The berm must be planted with turf grass or groundcover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height per three feet of width. If a wall or fence is provided in addition to shrubs or a berm, it must be on the interior side of the shrubs or berm.

(8) **MAJOR MODIFICATION** means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in floor area of an original building by 50 percent or more. With regard to streets and sidewalks, **MAJOR MODIFICATION** means reconstruction, alteration, or renovation that exceeds 50 percent of the surface area of that street or sidewalk segment.

(9) **MASSAGE ESTABLISHMENT** means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under the physician's direction. **MASSAGE** means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, massage by registered physical therapists who treat only patients recommended by a licensed physician and who operate only under the physician's direction, or massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(9.1) **MICRO-BREWERY OR MICRO-WINERY** means a facility that produces no more than 15,000 barrels of beer or wine, as defined in the Texas Alcoholic Beverage Code, per year for sale or distribution on or off the premises.

(9.2) **MICRO-DISTILLERY** means a facility that manufactures no more than 250,000 gallons of distilled spirits, as defined in the Texas Alcoholic Beverage Code, per year for sale or distribution on or off premises.

(10) **MIXED-USE PROJECT** means a development containing uses in two or more of the following categories, and with the combined floor areas of the uses in each category equaling or exceeding the following percentages of the total floor area of the project:

<u>Use category</u>	<u>Percentage of total floor area</u>
Lodging	10%
Office	15%
Residential	10%
Retail and personal service	5%

(11) **NEW CONSTRUCTION** means construction of a main structure that did not exist on February 23, 2005, the date of the establishment of this special purpose district. With regard to

streets and sidewalks, NEW CONSTRUCTION means construction of a street or sidewalk that did not exist on February 23, 2005.

(12) ORIGINAL BUILDING means a structure existing on February 23, 2005, but does not include a structure that has undergone a major modification.

(13) PARTIALLY SIGHT-OBSCURING FENCE means a fence that provides partial visual separation. Partially sight-obscuring fences must be six feet high and at least 50 percent sight-obscuring. Fences must be constructed of one or more of the following: brick, concrete masonry (split or polished face only; no unfinished units or cinder block), stone, stucco, wood, or wrought iron. Landscaping with a minimum height of three feet must be provided on the street side of the fence. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(13.1) PHOTOGRAPHY STUDIO means a facility for taking and processing photographs. This does not include a bulk photography processing plant.

(13.2) PEDESTRIAN ZONE means the area between the back-of-curb and the building facade, which is intended for sidewalks, planting areas, outdoor eating areas, and pedestrian amenities.

(14) PIERCING SALON means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(14.1) REQUIRED FRONTAGE means the percentage of the street-facing facade that must be located within the build-to zone.

(14.2) SPECIAL COMMUNITY ACTIVITY means a temporary event or gathering such as:

- (A) sale of merchandise, food, or beverages;
- (B) art shows or craft shows; or
- (C) outdoor shows, concerts, exhibits, or exhibitions

that may also involve erection of a tent; installation of a stage, bandshell, trailer, van, portable building, grandstand, or bleachers; placement of portable toilets; or placement of temporary no-parking, directional, over-size, or identification signs or banners.

(14.3) SPECIAL TEMPORARY RETAIL USE means an outdoor temporary facility for the retail sale of seasonal products such as food, Christmas trees, and live plants.

(15) STREET CAR/TROLLEY SHELTER means a structure which affords protection from the weather to persons who are waiting to board a publically-owned or franchised street car or trolley.

(16) SUBDISTRICT means one of the subdistricts referred to in Section 51P-714.103 of this article.

(17) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(17.1) TEMPORARY CELLULAR UNIT means any cellular communication structure, vehicle, trailer mounted apparatus, or device that is part of a system authorized by the Federal Communications Commission that is designed to temporarily provide service where an existing tower/antenna for cellular communication is not operable due to one or more of the following reasons:

(A) The existing tower/antenna for cellular communication use is damaged or destroyed by something other than the intentional act of the owner or agent; or

(B) A demolition or construction permit has been issued on a building site that includes an existing mounted cellular antenna, monopole cellular tower, or other cellular communication tower/antenna.

(18) VISIBILITY TRIANGLE means the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection. VISIBILITY TRIANGLE means the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and an adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on driveway or alley edge and the street curb line 20 feet from the intersection.

(19) WRECKER SERVICE means a facility for the parking or storage of vehicle tow trucks. (Ord. Nos. 25898; 27820; 28470; 28505)

SEC. 51P-714.105. INTERPRETATIONS.

(a) Unless otherwise stated, all references to articles, divisions, or sections in this article are references to articles, divisions, or sections in Chapter 51A.

(b) Section 51A-2.101, "Interpretations," applies to this article.

(c) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol **[L]** appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol **[SUP]** appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]

(4) The symbol **[DIR]** appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, “Site Plan Review.” (“DIR” means “development impact review.” For more information regarding development impact review generally, see Division 51A-4.800, “Development Impact Review.”)

(5) The symbol **[RAR]** appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, “Site Plan Review,” a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review generally, see Division 51A-4.800, “Development Impact Review.”)

(d) If there is a conflict, the text of this article controls over any charts, exhibits, graphic displays, or maps. (Ord. 25898)

SEC. 51P-714.105.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 714A: Subdistrict boundary map.
- (2) Exhibit 714B: Verbal description of the district and subdistrict boundaries.
- (3) Exhibit 714C: Native and adapted xeriscape plants.
- (4) Exhibit 714D: Main and accessory land use chart.
- (5) Exhibit 714E: Development standards chart.
- (6) Exhibit 714F: Street diagrams and landscaping.
- (7) Exhibit 714G: Residential proximity slope illustration.
- (8) Exhibit 714H: Residential proximity slope illustration for Subdistrict 4A.
- (9) Exhibit 714I: Subdistrict 1C conceptual plan. (Ord. 28505)

SEC. 51P-714.106. CONCEPTUAL PLAN.

- (a) Except for Subdistrict 1C, there is no conceptual plan for this district.
- (b) The Fort Worth Avenue Corridor Land Use and Urban Design Study should be consulted for goals, objectives, policy statements, and recommendations for development of this district.
- (c) The West Dallas Urban Structure and Guidelines should be consulted for goals, objectives, policy statements, and recommendations for development of Subdistricts 1C.
- (d) Development and use of Subdistrict 1C must comply with the Subdistrict 1C conceptual plan (Exhibit 714I). (Ord. Nos. 25898; 28505)

SEC. 51P-714.107. DEVELOPMENT PLAN.

(a) Except for Subdistrict 1C, 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.

(b) A development plan must be approved by the city plan commission before the issuance of any building permit to authorized work in Subdistrict 1C. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(c) For Subdistrict 1C, each development plan must comply with the requirements for a development plan listed in Section 51A-4.702 and include a tabulation box that includes:

- (1) existing, proposed, and total floor area for all Permissible Building Areas;
- (2) required and provided off-street parking for all permitted uses; and
- (3) detail for all special temporary retail uses, inclusive of land area for each and required off-street parking; date of issuance of certificate(s) of occupancy, any 30-day extensions (noting revised off-street parking requirement for more than one 30-day extension). In lieu of a minor amendment to a development plan to comply with paragraph, an analysis may be submitted for approval by the director that contains the information required by this paragraph. (Ord. Nos. 25898; 28505)

SEC. 51P-714.108. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NOS. 1A AND 1B.

OMITTED FOR BREVITY

SEC. 51P-714.108.1 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 1C.

OMITTED FOR BREVITY

SEC. 51P-714.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 2.

OMITTED FOR BREVITY

SEC. 51P-714.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 3.

OMITTED FOR BREVITY

SEC. 51P-714.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 4.

- (a) Uses. The following listed uses are the only main uses permitted in this subdistrict:

- (1) Agricultural uses.
 - Crop production.
- (2) Commercial and business service uses.
 - Catering service.
 - Custom business services. *[Subdistrict 4A only.]*
- (3) Industrial uses.
 - Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*
- (4) Institutional and community service uses.
 - Adult day care facility.
 - Cemetery or mausoleum. *[SUP]*
 - Child-care facility.
 - Church.
 - College, university, or seminary.
 - Community service center. *[SUP]*
 - Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
 - Convent or monastery. *[SUP]*
 - Library, art gallery, or museum.
 - Open-enrollment charter school. *[SUP]*
 - Private school. *[SUP]*
 - Public school. *[SUP]*
- (5) Lodging uses.
 - Extended stay hotel or motel. *[SUP] [Subdistrict 4A only.]*
 - Hotel or motel. *[SUP] [Subdistrict 4A only.]*
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window. *[DIR]*
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Country club with private membership. *[SUP]*
 - Private recreation center, club, or area. *[RAR]*
 - Public park, playground, or golf course.

(9) Residential uses.

- Live/work unit. *[Subdistricts 4A and 4B only.] [The non-residential portion of a live/work unit is considered an office use or a retail and personal service use for purposes of a mixed-use project.]*
- Multifamily. *[Only as a component of a mixed-use project.] [In Subdistrict 4B, the sales/leasing office of a multifamily use is considered a retail and personal service use.]*
- Retirement housing. *[RAR]*
- Single family. *[A minimum of eight single family structures must be attached together with a minimum of 15 feet between each group of eight single family structures. In Subdistricts 4A and 4B, this only applies to single family structures located in the front yard setback area of Fort Worth Avenue. Single family detached structures are prohibited.]*

(10) Retail and personal service uses.

- Animal shelter or clinic without outside runs. *[SUP] [Subdistrict 4A only.]*
- Business school. *[Subdistrict 4A only.]*
- Commercial amusement inside. *[SUP] [Subdistrict 4A only. Bingo parlor, billiard hall, Class E dance hall, and motor track prohibited.]*
- 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. *[Subdistrict 4A only.]*
- General merchandise or food store 100,000 square feet or more. *[SUP] [Subdistrict 4A only.]*
- Household equipment and appliance repair. *[Subdistrict 4A only.]*
- Motor vehicle fueling station. *[RAR] [Prohibited in Subdistrict 4B.]*
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishment, piercing salon, and tattoo studio prohibited.]*
- Restaurant without drive-in or drive-through service. *[RAR] [In Subdistrict 4B, RAR not required if the restaurant has a floor area of 2,000 square feet or less.] [In Subdistrict 4B, SUP required if the restaurant has a floor area greater than 2,000 square feet.]*
- Restaurant with drive-in or drive-through service. *[DIR] [SUP in Subdistrict 4B.]*
- Temporary retail use.
- Theater. *[SUP] [Subdistrict 4A only.]*

(11) Transportation uses.

- Private street or alley. *[SUP]*
- Street car/trolley shelter. *[Subdistricts 4A and 4B only.]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[By SUP or city council resolution. See Section 51A-4.211(10).]*

(12) Utility and public service uses.

- Electrical substation. *[SUP]*
- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
- Police or fire station.
- Post office. *[SUP]*
- Tower/antenna for cellular communication. *[Limited to a mounted cellular antenna and temporary cellular unit in Subdistrict 4 only. Mounted cellular antenna by SUP in Subdistrict 4 only. Prohibited in Subdistricts 4A and 4B]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
- Wrecker service. *[Prohibited.]*

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217, “Accessory Uses.” For more information regarding accessory uses, consult Section 51A-4.217.

(2) In this subdistrict, the following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside storage.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(c) 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 in Division 51A-4.400, “Yard, Lot, and Space Regulations.” In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard.

(A) Minimum front yard.

- (i) Except as provided in this subparagraph, minimum front yard is 15 feet.
- (ii) Except as provided in this subparagraph, in Subdistricts 4A and

4B, no minimum front yard setback is required.

(iii) In Subdistrict 4B, minimum front yard setback from Colorado Boulevard and Walter Drive is five feet.

(B) Maximum front yard.

(i) Maximum front yard from Fort Worth Avenue is 50 feet.

(ii) Except as provided in this subparagraph, in Subdistricts 4A and 4B, maximum front yard is 50 feet.

(iii) In Subdistrict 4A, maximum front yard is 100 feet on all right-of-ways other than Fort Worth Avenue or rights-of-way adjacent to Fort Worth Avenue if no more than one row of off-street parking is located in the setback. In Subdistricts 4A and 4B, if a public right-of-way is dedicated adjacent to the existing Fort Worth Avenue right-of-way, maximum front yard is 50 feet measured from the Fort Worth Avenue right-of-way shown on the Subdistrict 4A and 4B existing Fort Worth Avenue right-of-way exhibit (Exhibit 714I).

(C) Setback areas. In Subdistricts 4A and 4B, structures fronting Fort Worth Avenue or a right-of-way dedicated adjacent to Fort Worth Avenue must be located within the Fort Worth Avenue setback area for at least 60 percent of the lot width. In Subdistrict 4A, structures fronting current or future right-of-way dedications must be located within the setback area for at least 60 percent of the lot width. In Subdistrict 4B, structures fronting Walter Drive or Colorado Boulevard must be located within the setback area for at least 60 percent of the street frontage width. The setback area is the area between the minimum and maximum front yard setbacks.

(D) Garage door. In Subdistricts 4A and 4B, a residential use may not have a garage door facing the front lot line.

(E) Street car/trolley shelter. In Subdistricts 4A and 4B, a street car/trolley shelter is exempt from the front yard requirements, but must be at least five feet from the edge of a roadway.

(2) Side and rear yard.

(A) Except as provided in Subparagraph (B), minimum side and rear yard is:

(i) 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 or a residential use (but not a mixed-use project with a residential component); and

(ii) no minimum in all other cases.

(B) Except in Subdistricts 4A and 4B, 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.

(C) In Subdistricts 4A and 4B, a carport is allowed within the side or rear yard setback. Carports must remain open. Storage of items other than motor vehicles within a carport is prohibited.

(D) In Subdistricts 4A and 4B, a streetcar/trolley shelter is exempt from the side and rear yard requirements, but must be at least five feet from the edge of a roadway.

(3) Density.

(A) No maximum dwelling unit density.

(B) Minimum dwelling unit size is 450 square feet.

(4) Floor area ratio.

(A) 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 mixed-use project. The second column (MUP=2/no res.) is the FAR for a mixed-use project with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a mixed-use project with a mix of residential plus one other use category. The fourth column (MUP=3/with res.) is the FAR for a mixed-use project with a mix of residential plus two or more other use categories. A mixed-use project with three use categories must include a residential use.]

Use category	Base (no MUP)	MUP=2 (no res.)	MUP=2 (with res.)	MUP=3 (with res.)
Lodging	1.6	2.5	3.0	3.5
Office	1.6	2.5	3.0	3.5
Residential	1.6	--	3.0	3.5
Retail and personal service	1.0	1.1	1.2	1.3
Total	--	2.5	3.0	3.5

(B) A street car/trolley shelter is not counted as floor area.

(5) Height.

(A) Subdistrict 4.

(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. 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. A mounted cellular antenna may exceed residential proximity slope if located atop an existing structure that is nonconforming to residential proximity slope.

(ii) Maximum height. Maximum structure height is 180 feet.

(iii) Temporary cellular unit must comply with the yard, lot and space regulations of the district and may not exceed the height of the existing tower/antenna for cellular communication use to be removed. Lightning rods atop a temporary cellular unit are not

included in height calculations. A temporary cellular unit is not subject to residential proximity slope. If a temporary cellular unit collocates existing operators on a single vertical temporary cellular unit, the following regulations apply:

(aa) If the height of the existing mounted cellular antenna to be removed is less than the maximum structure height of the district, the maximum structure height may extend an additional ten feet in height for each existing operator above one, not to exceed the maximum structure height of the district.

(bb) If the height of the existing mounted cellular antennas to be removed is equal to or exceeds the maximum structure height of the district, the maximum height of the temporary cellular unit may not exceed the height of the existing mounted cellular antennas to be removed.

(B) Subdistrict 4A.

(i) Residential proximity slope.

(aa) Except as otherwise provided in this subparagraph, if any portion of a structure is over 20 feet in height, that portion may not be located above a residential proximity slope. The residential proximity slope is a plane projected upward and outward at a one-to-two slope beginning at a point seven feet above grade at the site of origination, as shown on Exhibit 714G.

(bb) The residential proximity slope is infinite.

(cc) The residential proximity slope does not apply to a residential use 40 feet in height or less.

(dd) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less. Chimneys may project through the residential proximity slope to a height 12 feet above the residential proximity slope and 12 feet above the maximum structure height.

(ee) The residential proximity slope applies only to MF-1(A) adjacency. For the southernmost portion of this subdistrict, the site of origination is the north and northwest lines of the Wedglea Creek Addition as shown on Exhibit 714H.

(ii) Maximum height. Maximum structure height is 180 feet.

(C) Subdistrict 4B.

(i) Residential proximity slope.

(aa) Except as otherwise provided in this subparagraph, if any portion of a structure is over 20 feet in height, that portion may not be located above a residential proximity slope. The residential proximity slope is a plane projected upward and outward at a one-to-two slope beginning at a point seven feet above grade at the site of origination, as shown on Exhibit 714G.

(bb) The residential proximity slope terminates 150 feet from the site of origin.

(cc) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less. Chimneys may project through the residential proximity slope to a height 12 feet above the residential proximity slope and 12 feet above the maximum structure height.

(ii) Maximum height. Maximum structure height is 50 feet.

(6) Lot coverage.

(A) Except as provided in this paragraph, maximum lot coverage is 80 percent.

(B) In Subdistricts 4A and 4B, maximum lot coverage is 90 percent.

(C) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade is 12, except that maximum number of stories above grade in Subdistrict 4B is three.

(B) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading. See Section 51P-714.113, “Off-Street Parking and Loading.”

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. Except as modified in Section 51P-714.114, “Landscaping,” see Article X. (Ord. Nos. 25898; 26876; 27820)

SEC. 51P-714.112. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 5.

OMITTED FOR BREVITY

SEC. 51P-714.113. OFF-STREET PARKING AND LOADING.

(a) In general. Except as modified in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Except as modified in this section, consult the off-street parking and loading regulations in Divisions 51A-4.300 et seq. for information regarding off-street parking and loading generally.

(b) Remote parking. Except as provided in this section, remote parking is allowed if it is located within 600 feet of the main use and the requirements of Division 51A-4.320, "Special Parking Regulations," are met. Except for residential uses, all of Subdistrict 4A is considered one building site for parking purposes.

(c) Residential.

(1) One space per bedroom up to a maximum of two spaces per dwelling unit.

(2) In Subdistricts 4A and 4B, for purposes of this subsection, a bedroom is defined as having at least 100 square feet of floor area and direct access to a closet.

(3) In Subdistrict 4A, at least one parking space per residential unit must be located on the same building site as the residential unit. Any additional required parking spaces must be located on a building site within Subdistrict 4A and within 200 feet of the building site containing the residential use.

(d) Restaurant.

(1) One space per 125 square feet of floor area.

(2) Except as provided in this subsection, any outdoor dining area, whether or not covered, counts as floor area for calculation of the parking requirement. For purposes of this provision, "outdoor dining area" means a rectangular area that includes all outdoor tables, chairs, and wait-stations.

(3) In Subdistricts 4A and 4B, 50 percent of an outdoor dining area, whether or not covered, is excluded for calculation of the parking requirement as long as the outdoor dining area is within 20 feet of, and has direct access to, a street, sidewalk, or publically accessible open space. This exclusion only applies to an area up to 20 percent of the size of the indoor floor area. Any portion of an outdoor dining area in excess of 20 percent of the size of the indoor floor area must be parked in accordance with Paragraph (2).

(e) Retail and personal service in Subdistricts 4A and 4B. Except for a business school; commercial amusement (inside); furniture store; nursery, garden shop, or plant sales; and theater, one space per 250 square feet of floor area. The floor area of a sales/leasing office and amenities for residential uses that are part of a mixed use project do not count for purposes of determining parking calculations. The non-residential portion of a live/work unit is treated as an office or a retail and personal service use for parking purposes.

(f) Retirement housing in Subdistricts 4A and 4B. 0.7 spaces per dwelling unit or suite. In Subdistrict 4A, all required parking must be located on the same building site as the retirement housing use.

(g) Above-grade off-street parking. Parking is permitted on any level of a building.

(h) Bicycle parking. If an institutional and community service use, mixed-use project, or retail and personal service use has a floor area of 4,000 square feet or more, it must provide a lockable rack for a minimum of two bicycles.

(i) Mixed-use shared parking reduction.

(1) Office and residential uses within a mixed-use project must share parking. Any shared parking must be on the same building site as the mixed-use project. The number of off-street parking spaces required for the mixed-use project is 100 percent of the parking requirement for the use requiring the greater number of spaces plus 25 percent of the parking requirements for the use requiring fewer spaces. For example, if the office component would separately require 100 spaces and the residential component would separately require 80 spaces, then the parking requirement for the mixed-use project is 120 spaces $[(100 \times 1.00) + (80 \times .25) = 120]$.

(2) Retail and residential uses within a mixed-use project must share parking. Any shared parking must be on the same building site as the mixed-use project. The number of off-street parking spaces required for the mixed-use project is 100 percent of the parking requirement for the use requiring the greater number of spaces plus 75 percent of the parking requirements for the use requiring fewer spaces. For example, if the retail component would separately require 100 spaces and the residential component would separately require 80 spaces, then the parking requirement for the mixed-use project is 160 spaces $[(100 \times 1.00) + (80 \times .75) = 160]$.

(3) If a mixed-use project has office, retail, and residential uses, the project must use the parking reduction that offers the greatest reduction, but may not use both. For example, if the office-residential reduction reduces the parking to 120 spaces and the retail-residential reduction reduces the parking to 160 spaces, then the office-residential reduction must be used and the retail-residential reduction may not be used.

(4) The parking reduction in this subsection may not be used in Subdistrict 1C.

(j) On-street parallel, straight, or angled head-in parking.

(1) Except as provided in this subsection, any on-street parallel parking spaces on West Commerce Street, Fort Worth Avenue, or a street that intersects Fort Worth Avenue may be counted toward the parking requirement of the use adjacent to the on-street parallel parking space.

(A) An on-street parallel parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space $(8 \div 24 = \text{one-third})$. The total of the limited availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(2) In Subdistrict 4A, any on-street parallel, straight, or angled head-in parking space may be counted toward the total off-street parking requirement of the use adjacent to the on-street parallel, straight, or angled head-in parking space.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be

counted as one-third of a parking space ($8 \div 24 = \text{one-third}$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(3) In Subdistrict 4B, parallel, straight, or angled head-in parking accessed from the alley between Subdistrict 4B and Colorado Boulevard is allowed and screening from the alley is not required.

(4) In Subdistrict 4B, on-street parallel, straight, or angled head-in parking may be counted towards the total off-street parking requirement.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 = \text{one-third}$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(k) Parking to the rear of the main structure.

(1) In Subdistrict 1A and 1B, 100 percent of any parking for new construction located on the same building site as the main use must be to the rear of the main structure.

(2) Except as provided in this subsection, in Subdistricts 2, 3, 4, and 5, only 25 percent of any parking for new construction located on the same building site as the main use, or one row of parking, whichever is fewer spaces, may be located in front of the main structure. In addition, only one drive aisle may be located in front of the main structure.

(3) In Subdistrict 4B, one row of parking is allowed in front of the main structure with no limit on the percentage of total parking.

(l) Parking structures.

(1) In Subdistrict 4A, if an aboveground parking structure is located within 200 feet of an adjacent residential district not dedicated to a public park, playground, or golf course use, the parking must be concealed in a structure with a facade similar in appearance to the main structure's facade. At least 12 percent of the parking structure facade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total facade.

(2) Except as provided in this subparagraph, aboveground parking structures are prohibited in Subdistrict 4A within 100 feet of a residential district not dedicated to a public park, playground, or golf course use. If an aboveground parking structure is located in that portion of Subdistrict 4A shown on Exhibit 714H, which is located within 100 feet of the boundary of the adjacent residential district, the aboveground parking structure must be aligned with the existing aboveground parking structure. If the existing aboveground parking structure in the adjacent residential district is demolished or is not used for parking prior to construction of the aboveground parking structure in Subdistrict 4A, the aboveground parking structure in Subdistrict 4A must be located more than 100 feet from the boundary line of the adjacent residential district.

(3) In Subdistrict 2D, parking must be concealed in a structure with a facade similar in appearance to the main structure's facade. At least 12 percent of the parking structure facade, including openings, must be covered with the same material predominately used on the first 24 feet in height of the main structure. Openings in the aboveground parking structure may not exceed 52 percent of the total facade.

(m) Loading.

(1) In Subdistricts 4A and 4B, a nonresidential use with a floor area greater than 10,000 square feet, but less than 20,000 square feet, per occupancy must have one small size loading space as defined in Section 51A-4.303.

(2) In Subdistricts 4A and 4B, a required loading space may be located within the public right-of-way.

(n) Parking lanes and private drives. In Subdistrict 4B, parking lanes and private drives may be accessed from an alley. (Ord. Nos. 25898; 26876; 27820; 28505; 29654)

SEC. 51P-714.114. LANDSCAPING.

(a) In general.

(1) Except as modified in this section, the regulations in Article X, "Landscape and Tree Preservation Regulations," apply to this district. In the event of a conflict between this section and Article X, this section controls.

(2) Landscaping of streets as shown in Exhibit 714F is required.

(b) Street trees.

(1) One street tree must be provided per 30 feet of street frontage, with a minimum of two street trees per building site. Along Fort Worth Avenue in Subdistrict 1C, small tree types, as listed in Section 51P-714.114 (c)(5) may be provided in lieu of street trees.

(2) It is recommended that, to the extent possible, street trees be spaced 30 feet apart, but, where necessary, street trees may be spaced a minimum of 20 feet apart.

(3) Street trees must have a minimum caliper of three inches and must have a minimum height of eight feet when planted.

(4) In Subdistricts 1A and 1B, street trees must be placed in a 16-foot square tree grate. In Subdistrict 1C, street trees must be planted in either a minimum 16-foot square tree grate or a minimum 4x6 foot planting area. In Subdistrict 1C, street trees must be planted within six feet of the back of curb.

(5) In Subdistrict 2, street trees must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(6) In Subdistrict 3, street trees must be placed in a 16-foot square tree grate.

(7) Except as provided in this subsection, in Subdistrict 4, street trees must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(8) In Subdistricts 4A and 4B, street trees must be placed in a minimum 15 square foot tree grate if placed within a sidewalk or other non-permeable area. In Subdistricts 4A and 4B, street trees not planted within a sidewalk or other non-permeable area must be placed in a minimum 15 square foot planting strip. In Subdistricts 4A and 4B, street trees may be placed anywhere within the public right-of-way.

(9) In Subdistricts 4A and 4B, credit will be given for the preservation of existing street trees in accordance with Section 51A-10.125(b)(3)(B).

(10) In Subdistricts 4A and 4B, site trees and street trees planted in the right-of-way count as replacement trees required for the mitigation of protected trees.

(11) In Subdistrict 5, street trees along Fort Worth Avenue must be placed in a 16-foot square tree grate, and street trees along all other streets must be placed in a four-foot-wide planting strip with a minimum length of six feet.

(12) Street trees at the following frontages must be placed in a 16-foot[-]square tree grate:

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street and Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block 4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(13) Trees must be evenly spaced over the length of a planting strip.

(14) Except for Subdistrict 1C, see Exhibit 714F for the required location of tree grates or planting strips.

(15) Except as provided in this paragraph, street trees may not be counted as site trees. In Subdistrict 4A, street trees may be counted as site trees. In Subdistrict 4B, street trees other than those directly adjacent to Fort Worth Avenue may be counted as site trees.

(16) Except as provided in this section, street trees must be provided from the following list of Texas native or adapted species:

<u>Scientific name</u>	<u>Common name</u>	<u>Tree type</u>
Acer barbatum var. "Caddo"	Caddo maple	Large canopy
Acer buergerianum	Trident maple	Large canopy
Acer grandidentatum	Bigtooth maple	Large canopy
Acer truncatum	Shantung maple	Medium canopy
		[Subdistrict 1C only]
Diospyros virginiana (male only)	Common persimmon	Large canopy
Fraxinus americana	White ash	Large canopy
Fraxinus pennsylvanica	Urbanite ash	Large canopy [Subdistrict

	Gymnocladus dioicus	Kentucky coffee tree	Large canopy	1C only]
	Liquidambar styraciflua	Sweetgum	Large canopy	
	Pistachia chinensis	Chinese pistachio	Large canopy	
4A and 4B only]	Prosopis glandulosa	Maverick mesquite	Large canopy	[Subdistrict
	Quercus buckleyi	Texas red oak	Large canopy	
	Quercus durandii	Durand oak	Large canopy	
	Quercus fusiformis	Escarpment live oak	Large canopy	
	Quercus muhlenbergii	Chinkapin oak	Large canopy	
	Quercus shumardii	Shumard oak	Large canopy	
	Quercus virginiana	Live oak	Large canopy	
	Quercus virginiana "SLDN"	Cathedral live oak	Large canopy	[Subdistrict
	Quercus virginiana "QVTIA"	High-rise live oak	Large canopy	1C only]
1C, 4A and 4B only]	Ulmus crassifolia	Cedar elm	Large canopy	[Subdistricts
	Ulmus parvifolia	Bosque elm	Large canopy	[Subdistricts
4A and 4B only]	Ulmus parviflora	Lacebark elm	Large canopy	

(17) Street trees required to be planted along West Commerce Street or Fort Worth Avenue must be provided from the following list of Texas native or adapted species:

	<u>Scientific name</u>	<u>Common name</u>	<u>Tree type</u>
	Acer barbatum var. "Caddo"	Caddo maple	Large canopy
	Acer buergerianum	Trident maple	Large canopy
	Acer grandidentatum	Bigtooth maple	Large canopy
	Acer truncatum	Shantung maple	Medium canopy
	Fraxinus pennsylvanica	Urbanite ash	[Subdistrict 1C only]
	Liquidambar styraciflua	Sweetgum	Large canopy
	Pistachia chinensis	Chinese pistachio	Large canopy
4A and 4B only]	Prosopis glandulosa	Maverick mesquite	Large canopy [Subdistrict
	Quercus buckleyi	Texas red oak	Large canopy
	Quercus durandii	Durand oak	Large canopy
	Quercus fusiformis	Escarpment live oak	Large canopy
	Quercus muhlenbergii	Chinkapin oak	Large canopy
	Quercus shumardii	Shumard oak	Large canopy
	Quercus virginiana	Live oak	Large canopy
	Quercus virginiana "SLDN"	Cathedral live oak	Large canopy [Subdistrict
	Quercus virginiana "QVTIA"	High-rise live oak	Large canopy [Subdistricts
1C, 4A and 4B only]	Ulmus crassifolia	Cedar elm	Large canopy
	Ulmus parvifolia	Bosque elm	Large canopy [Subdistricts
4A and 4B only]	Ulmus parviflora	Lacebark elm	Large canopy

(c) Site trees.

(1) One site tree must be provided per 3,000 square feet of lot area or fraction thereof, with a minimum of four trees provided.

(2) Site trees must have a minimum caliper of two inches.

(3) Site trees may not be counted as street trees.

(4) In Subdistricts 4A and 4B, site trees planted in the right-of-way count as replacement trees required for the mitigation or protected trees.

(5) Except as provided in this paragraph, site trees must be provided from the following list of Texas native or adapted species. In Subdistrict 1C, other species of trees may be used as street trees with approval from the building official.

<u>Scientific name</u>	<u>Common name</u>	<u>Tree type</u>
Acer barbatum var. "Caddo"	Caddo maple	Large canopy
Acer buergerianum	Trident maple	Large canopy
Acer grandidentatum	Bigtooth maple	Large canopy
Acer truncatum	Shantung maple	Medium canopy
		<i>[Subdistrict 1C only]</i>
Aesculus glaba v. arguta	Texas buckeye	Small
Aesculus pavia	Red buckeye	Small
Carya illinoensis	Pecan	Large canopy
Carya texana	Black hickory	Large canopy
Cercis canadensis	Redbud	Small
Chilopsis linearis	Desert willow	Small
Diospyros texana	Texas persimmon	Small
Diospyros virginiana (male only)	Common persimmon	Large canopy
Fraxinus americana	White ash	Large canopy
Fraxinus pennsylvanica	Urbanite ash	Large canopy <i>[Subdistrict 1C only]</i>
Gymnocladus dioicus	Kentucky coffee tree	Large canopy
Ilex decidua	Deciduous holly or Possumhaw	Small
Ilex vomitoria	Yaupon holly	Small
Juglans microcarpa	Texas black walnut	Large canopy
Juniperus ashei	Ashe juniper	Small
Juniperus virginiana	Eastern red cedar	Large noncanopy
Lagerstroemia indica	Crepe myrtle	Small
Liquidambar styraciflua	Sweetgum	Large canopy
Magnolia grandiflora	Southern magnolia	Large noncanopy
Pistachia chinensis	Chinese pistachio	Large canopy
Prosopis glandulosa	Mesquite	Small
Prosopis glandulosa	Maverick mesquite	Large canopy <i>[Subdistrict 4A and 4B only]</i>
Prunus mexicana	Mexican plum	Small
Quercus buckleyi	Texas red oak	Large canopy
Quercus durandii	Durand oak	Large canopy
Quercus fusiformis	Escarpment live oak	Large canopy
Quercus macrocarpa	Bur oak	Large canopy
Quercus muhlenbergii	Chinkapin oak	Large canopy
Quercus shumardii	Shumard oak	Large canopy
Quercus virginiana	Live oak	Large canopy
Quercus virginiana "SLDN"	Cathedral live oak	Large canopy <i>[Subdistrict 1C only]</i>
Quercus virginiana "QVTIA"	High-rise live oak	Large canopy <i>[Subdistricts 1C, 4A and 4B only]</i>
Rhamnus caroliniana	Carolina buckthorn	Small
Rhus lanceolata	Flameleaf sumac	Small
Rhus virens	Evergreen sumac	Small
Sophora affinis	Eve's necklace	Small
Taxodium ascendens	Pond cypress	Large noncanopy
Taxodium distichum	Bald cypress	Large noncanopy
Ulmus crassifolia	Cedar elm	Large canopy
Ulmus parvifolia	Bosque elm	Large canopy <i>[Subdistricts 4A and 4B only]</i>
Ulmus parviflora	Lacebark elm	Large canopy
Viburnum rufidulum	Rusty blackhaw viburnum	Small

(d) Parking lot trees.

(1) Except as provided in this subsection, each required parking space must be within 75 feet of the trunk of a large canopy site tree.

(2) In Subdistricts 4A and 4B, each required parking space not within a parking structure must be within 75 feet of either a site tree or street tree.

(3) Parking lot trees must have a minimum caliper of three inches.

(4) Parking lot trees may not be planted closer than two feet from a paved surface.

(5) Parking lot trees may be counted as site trees, but may not be counted as street trees.

(e) Prohibited trees. The following trees may not be planted within this district:

<u>Scientific name</u>	<u>Common name</u>
Pyrus calleryana	Bradford pear
Populus deltoides	Cottonwood
Albizia julbrissen	Mimosa

(f) Open space fund.

(1) If a property owner cannot plant all of the required trees on the building site, the property owner shall make a payment into the West Commerce Street/Fort Worth Avenue Open Space Fund for no more than 50 percent of the required trees.

(2) The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a tree equal in caliper to the tree not planted, as derived from the most recent edition of the *Guide for Establishing Values of Trees and Other Plants* published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining the tree for two years as determined by the park and recreation department.

(3) The department shall administer a city account to be known as the West Commerce Street/Fort Worth Avenue Open Space Fund. Funds from the West Commerce Street/Fort Worth Avenue Open Space Fund must be used only for acquiring and maintaining property for parks and open space within this district and for median landscape improvement on West Commerce Street or Fort Worth Avenue. The Fort Worth Avenue Development Group, its successor or a similar organization, should be consulted on uses of the fund

(g) Landscaping in the public right-of-way.

(1) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.

(2) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this district for the exclusive purpose of authorizing compliance with the landscaping requirements of this district. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a right-of-way landscape permit. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed

by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(3) A property owner or tenant is not required to comply with any right-of-way landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of a right-of-way landscape permit or the revocation of the private license granted under this subsection.

(4) Upon the installation of landscaping in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(5) Each owner or tenant is responsible for maintaining the right-of-way landscaping in a healthy, growing condition, and for keeping the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to maintain right-of-way landscaping or make repairs. The granting of a license for landscaping under this subsection does not release the owner or tenant from liability for the installation or maintenance of landscaping in the public right-of-way.

(h) Plant requirements. Plants used to satisfy landscape requirements must comply with the following requirements:

(1) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.

(2) Solid sod or hydro-mulch grass may be used.

(3) Artificial plant materials may not be used.

(4) Any required landscaping that dies must be replaced.

(5) Except as provided in this subsection, trees and shrubs must be planted at least 10 feet from the centerline of any water or sewer main. Landscaping over water or sewer mains must be limited to ground cover.

(6) In Subdistricts 4A and 4B, trees and shrubs must be planted at least five feet from the centerline of any water or sewer main.

(7) Trees must be trimmed to provide adequate clearance for pedestrians and vehicles so as not to create a safety hazard.

(8) Trees may not be located within 15 feet of light poles, signal lights, warning signs, or traffic control devices. This provision does not apply to existing trees in Subdistricts 4A and 4B.

(9) Trees may not be planted within 90 feet of a school crossing or a railroad crossing. This provision does not apply to existing trees in Subdistricts 4A and 4B.

(10) An adequate irrigation and drainage system must be provided for all landscaping. Drought tolerant plants must be used when an irrigation system is not provided. See Section 51A-10.106, "Irrigation Requirements."

(11) Plants other than trees within parkways must be maintained so that they do not overhang the curb.

(i) Plantings within medians.

- (1) Trees within medians may not be planted adjacent to left turn lanes.
- (2) Trees within medians must be located so as to provide adequate sight distance.
- (3) Trees within medians may not be planted within 30 feet of the tip of the median.
- (4) Trees within medians may not be planted within three feet of the back of the curb.
- (5) Trees within medians must be placed in a six-foot-wide planting strip.
- (6) Plants other than trees within medians must be maintained so that they do not overhang the curb.
- (7) Trees within medians must have a minimum clearance of 15 feet.
- (8) Drought tolerant plants must be used in medians.

(j) Landscape plan.

(1) This section becomes applicable to a building site when an application is made for a building permit for construction work that within a 24-month period:

- (A) increases the number of stories in a building on the site;
- (B) increases the combined floor area of all buildings on the site; or
- (C) increases the nonpermeable coverage on the site by 1,000 square feet or more.

(2) Landscape plans must be reviewed by water utilities and the department of public works and transportation.

(3) A landscape plan must include a schedule for maintenance of required landscaping.

(4) A landscape plan must earn at least 75 points (out of a total of 125 possible points). The points awarded for providing each feature is provided in parentheses. Existing landscaping qualifies for points. If the landscape plan earns at least 75 points, the design standards of Section 51A-10.126, "Design Standards," are not required.

(A) Lighting. (Total possible points = 30) Ten points each are awarded for providing tree lighting, building facade lighting, or landscape area lighting. Tree lighting must provide lighting in each tree in the front yard. Building facade lighting must illuminate the entire front facade. Landscape area lighting must illuminate a landscape feature such as a planting bed, fountain, sculpture, or water feature. The lighting must be at least 1.5 foot-candles in intensity.

(B) Foundation planting strip. (Total possible points = 30) Thirty points are awarded for a three-foot-wide foundation planting strip extending along at least 50 percent of the foundation facing the street. The foundation planting strip must have evergreen shrubs planted every three feet on center.

(C) Seasonal color landscaping. (Total possible points = 15) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for each 10 square feet of landscape area. The plants in the landscape area must be changed at least twice per year with appropriate seasonal color plants. The landscape area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(D) Native or adapted xeriscape landscaping. (Total possible points = 30) Points may be obtained for using native plants or xeriscape plants for at least 80 percent of the landscape requirement. Native plants or adapted xeriscape plants listed in Exhibit 714C must be used.

(E) Creation of open space. (Total possible points = 20) Five points are awarded for every 200 square feet of open space if the open space is a minimum of 500 feet from the building site but within this district. For purposes of this subparagraph, "open space" means a contiguous space containing primarily grass or vegetation and pedestrian amenities such as fountains, benches, paths, or shade structures. In Subdistricts 4A and 4B, dog parks, community gardens, and publically-accessed plazas are also open space. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued. (Ord. Nos. 25898; 26876; 27820; 28505)

SEC. 51P-714.115.

STREET AND SIDEWALK STANDARDS.

(a) In general.

(1) The street and sidewalk standards of this section apply only to new construction or a major modification.

(2) Except as provided in this section, streets as shown in Exhibit 714F are required. This provision does not apply in Subdistrict 1C.

(3) Except as provided in this section, sidewalks along streets as shown in Exhibit 714F are required.

(b) Street standards.

(1) Except as provided in this section, streets must be constructed as shown in Exhibit 714F. If future right-of-way dedications are made in Subdistricts 4A and 4B, the pavement width for new streets must be in accordance with Exhibit 714F. Parallel parking must be provided as shown in Exhibit 714F. This provision does not apply in Subdistrict 1C.

(2) Access to and from Subdistrict 4B to Colorado Boulevard and Walter Drive is permitted only at the locations in existence on February 24, 2010.

(3) The following frontages are exempt from parallel parking requirements:

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street at Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block 4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(F) Street frontages in Subdistricts 4A and 4B.

(c) Sidewalk standards.

In Subdistricts 1A and 1B, there must be a 15-foot-wide sidewalk along West Commerce Street and Fort Worth Avenue, and an 11-foot, six-inch-wide sidewalk along any other street. In Subdistrict 1C, there must be a minimum 15-foot-wide pedestrian zone along Fort Worth Avenue, and a minimum 11-foot, six-inch-wide pedestrian zone along Sylvan Avenue.

(2) In Subdistrict 2, there must be a six-foot sidewalk.

(3) In Subdistrict 3, there must be a 12-foot sidewalk along Fort Worth Avenue, and an 11-foot, six-inch sidewalk along any other street.

(4) Except as provided in this subsection, in Subdistrict 4, there must be a six-foot sidewalk.

(5) In Subdistricts 4A and 4B, the minimum width of sidewalks along Fort Worth Avenue is 10 feet. At least five feet of the sidewalks along Fort Worth Avenue must be made of concrete; the remainder may be an aggregate or permeable surface. All other sidewalks along a right-of-way must be at least six-feet-wide with at least three feet of the sidewalk unobstructed and clear. ADA-approved tree grates are not a sidewalk obstruction. If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement or access agreement to the city to assure its availability to the public as a permanent pedestrian way.

(6) In Subdistrict 5, there must be a 10-foot sidewalk.

(7) Except as provided in this paragraph, see Exhibit 714F for the required widths of sidewalks. See Paragraph (1) for the required width of sidewalks in Subdistrict 1C.

(8) The street curb may not be counted as part of the sidewalk width.

(9) The following frontages must provide the sidewalks shown on page 6 of Exhibit 714F.

(A) The Fort Worth Avenue frontage of Block B/3926 between Neal Street at Montclair Avenue.

(B) The Fort Worth Avenue frontage of Block 6157 and Block 6156.

(C) The Fort Worth Avenue frontage of Block 3977 between Windomere Avenue and Edgefield Avenue.

(D) The Fort Worth Avenue frontage and the Sylvan Avenue frontage of Block 4015.

(E) Any location where the provision of parallel parking would require a retaining wall in excess of four feet.

(10) Sidewalk widths must taper or expand to match the width of existing sidewalks in front of adjacent properties at the point of convergence.

(11) Sidewalks must be located along the entire length of the street frontage.

(12) Each owner or tenant is responsible for maintaining sidewalks, and for keeping sidewalks safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to maintain sidewalks or make repairs. (Ord. Nos. 25898; 26876; 27820; 28505)

SEC. 51P-714.116.

SCREENING REGULATIONS.

(a) In general. Except as modified in this section, the provisions of Section 51A-4.301(f), “Screening Provisions for Off-Street Parking,” apply.

(b) Parking lots.

(1) Except as provided in this subsection, surface parking lots must be screened with a low screen. The screening requirement for surface parking lots applies only to new construction.

If a structure is built in Permissible Building Area E in Subdistrict 1C before structures are built in Permissible Building Areas A, B, C, and D and surface parking exists between Permissible Building Area E and the public right-of-way, then the surface parking must be screened from the public right-of-way with a low screen until structures are built in Permissible Building Areas A, B, C, and D. In Subdistrict 1C, screening of surface parking is not required for any surface parking between Permissible Building Areas C and D.

(c) Loading spaces. Except as provided in this subsection, off-street loading spaces must be screened with a fully sight-obscuring fence or a high screen. In Subdistricts 4A and 4B, only off-street loading spaces visible from Fort Worth Avenue must be screened.

(d) Dumpsters and garbage storage areas.

(1) All dumpsters and garbage storage areas must be screened on all four sides with a solid fence. One side may be a gate.

(2) Screening materials must match the main building. This provision does not apply to Subdistrict 1C.

(3) Screening must be at least as tall as the objects being screened, but in no case less than six feet in height.

(4) Each panel of the gate must have a pin that can be inserted in a sleeved hole in the ground to allow the gate to be held open during garbage collection.

(e) Outside storage areas.

(1) Except as provided in this subsection, all outside storage areas for commercial and business services uses and industrial uses must be entirely screened on any side visible from a street with a fully sight-obscuring fence or a high screen.

(2) In Subdistrict 1C, outside storage used for temporary outside display and sales does not need to be screened.

(3) In Subdistrict 1C, accessory outside storage provided in conjunction with a special temporary retail use must be screened with a minimum four-foot solid screen. Metal panels or slats are prohibited screening materials. Accessory outside storage may not exceed five percent of the land area associated with each special temporary retail use.

(f) Nonresidential buildings. The rear or service side of a nonresidential building must be screened with a partially sight-obscuring fence if the nonresidential building is exposed to a residential use.

(g) Maintenance.

(1) Each owner or tenant is responsible for maintaining screening at no expense to the city, and the city is absolutely exempt from any requirements to maintain screening or make repairs.

(2) Screening must be properly maintained so that:

(A) the screening is not out of vertical alignment more than one foot from the vertical, measured at the top of the screening; and

(B) any rotted, fire damaged, or broken slats or support posts; any broken or bent metal posts; any torn, cut, bent, or ripped metal screening; any loose or missing bricks, stones, rocks, mortar, or similar materials; and any dead or damaged landscaping materials are repaired or replaced. (Ord. Nos. 25898; 27820; 28505)

SEC. 51P-714.117. SIGNS.

(a) See Division 51A-7.2000, “Provisions for the West Commerce Street/Fort Worth Avenue Sign District,” of Article VII.”

(b) No signs are permitted on street car/trolley shelters except government signs, street car or trolley system logos, schedules, and route information. (Ord. Nos. 25898; 27820; 28505)

SEC. 51P-714.118. ARCHITECTURAL DESIGN STANDARDS.

(a) Purpose.

(1) The district is hereby designated as an area of historical, cultural, and architectural importance and significance. The architectural design standards of this section are intended to preserve the historical, cultural, and architectural importance and significance of the West Commerce Street/Fort Worth Avenue corridor. The corridor has historic and cultural importance as an early major east-west thoroughfare in the Dallas metroplex. The development patterns and architecture along the corridor reflect pioneer settlements; the Great Depression; mid-20th century Americana; and post-World War II automobile, nightclub, and restaurant culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor’s historical, cultural, and architectural significance.

(2) The purpose of these architectural design standards is to:

(A) ensure that new development enhances the character of the corridor and complement adjacent neighborhoods;

(B) ensure that increased density in established neighborhoods makes a positive contribution to the area’s character;

(C) ensure the integrity of historic buildings and the compatibility of new development; and

(D) enhance the character and environment for pedestrians.

(b) Applicability. The architectural design standards of this section apply to:

(1) New construction and major modifications of buildings containing a nonresidential use.

(2) Buildings containing only residential uses.

(c) Plan review. The director shall review any plan submitted to determine whether it complies with the requirements of this section.

(d) Building orientation.

(1) Except as provided in 51A-714.118(e)(3), the primary facade and primary entrance of new construction must be oriented to face the public right-of-way.

(2) Garage doors serving eight or fewer dwelling units may not face West Commerce Street or Fort Worth Avenue. In Subdistrict 1C, this provision applies only to individual vehicular garages for residential dwelling units.

(e) Entrances.

(1) In general. All street-facing entrances must be architecturally prominent and clearly visible from the street. This provision applies only to new construction. In Subdistrict 1C, except as provided in 51A-714.118(e)(3), all customer entrances for retail and personal service uses must have the same level of design and articulation whether street-facing or not.

(2) Primary customer entrances for retail and personal service uses in all subdistricts. Except as provided in 51A-714.118(e)(3), primary customer entrances for retail and personal service uses must face the street. For corner lots, primary customer entrances for retail and personal service uses may be oriented toward the corner. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:

- (A) Arcade.
- (B) Arch.
- (C) Attached tower or turret.
- (D) Awning.
- (E) Canopy.
- (F) Decorative elements such as tile work, molding, raised banding, or projected banding.
- (G) Display windows.
- (H) Integral planters or wing walls that incorporate landscaped areas or places for sitting.
- (I) Overhang.
- (J) Peaked roof form.
- (K) Patio.
- (L) Porch.
- (M) Portico.
- (N) Projection.
- (O) Raised corniced parapet.
- (P) Recess.

(3) Additional regulations for customer entrances for retail and personal service uses in Subdistrict 1C. Street-facing customer entrances must be provided as follows:

(A) In Permissible Building Area A, one entrance must be oriented to Sylvan Avenue unless the facade oriented to Sylvan Avenue is 60 percent or more glazing. For purposes of calculating glazing percentage, glazing must be located a minimum of three feet above grade and a maximum of 10 feet above grade.

(B) In Permissible Building Area B, one entrance must be oriented to Sylvan Avenue.

(C) In Permissible Building Area C, two entrances must be oriented to a public street.

(D) In Permissible Building Area D, one entrance must be oriented to Ft. Worth Avenue.

(E) Four of the five entrances required in this paragraph must comply with Paragraph (2). All other entrances are not required to comply with Paragraph (2).

(f) Facades.

(1) Street-facing facades on a single development tract must have similar architectural design.

(2) Street-facing facades exceeding 30 feet in length must have two of the following elements. Street-facing facades exceeding 100 feet in length must have four of the following elements.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and a depth of at least eight inches and may include columns, planters, arches, and niches.

(B) Architectural details such as raised bands and cornices.

(C) Architecturally prominent public entrance.

(D) Attached tower or turret.

(E) Awnings.

(F) Change in color.

(G) Change in material.

(H) Change in texture.

(3) The ground floor of the primary facade of nonresidential uses or mixed-use projects with retail uses on the ground floor must have at least two of the following elements for at least 60 percent of the width of the facade:

(A) Arcades, canopies, or secondary roofs to provide shade.

(B) Display windows.

(C) Awnings associated with windows or doors.

(4) Except in Subdistrict 1C, street-facing facades of all buildings other than accessory buildings must be visually divided into a base, a middle, and a top. The base must be at least two feet above grade and distinguished from the middle by a change of materials, horizontal banding, change of color, or change of plane. The top must be distinguished from the middle by cornice treatments, roof overhangs with brackets, stepped parapets, corbeling, textured materials, or differently colored materials. Color bands are not acceptable as the only treatment for the top.

(5) Accessory structures must have the same architectural detail, design elements, materials, and roof design as the primary structure.

(6) Except as provided in this paragraph, any parking structure for a residential use must be constructed of comparable materials and be of the same architectural treatment as the dwelling units. In Subdistrict 4A, this provision only applies to a facade facing a public street.

(7) Additions and alterations must have the same architectural detail, design elements, materials, and roof design as the portion of the structure that is not being altered.

(8) That portion of the ground-level floor facing the street of any multi-floor parking facility must have a use other than parking. For Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground-level western facade must be a use other than parking.

(9) Except in Subdistrict 1C, at least 20 percent, but no more than 80 percent, of street-facing facades of nonresidential uses must be windows and doors. In Subdistrict 1C, at least 20 percent, but no more than 80 percent, of non-street level facades of nonresidential uses must be windows and doors, except for residential portions of mixed-use structures. Windows and doors on street-level facades in Subdistrict 1C must be provided as follows:

	Permissible Building Area A	Permissible Building Area B	Permissible Building Area C	Permissible Building Area D
Minimum transparency required**	50% facing Sylvan*	50% facing Sylvan	50% facing Sylvan	60% facing Fort Worth Ave

* See SEC. 51P-714.118(e)(3) for additional requirements.

** For purposes of calculating the minimum transparency required, glazing must be located a minimum of 3 feet and a maximum of 10 feet above grade.

(10) If a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. If the building is more than two stories, 100 percent of the first-story street-facing facade, excluding fenestration, must be masonry. In Subdistrict 1C, metal and stucco are allowed in addition to masonry on up to 50 percent of the total area of street-facing facade per street frontage.

(11) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.

(12) Within Permissible Building Area E in Subdistrict 1C, vehicular access must be provided from west to east.

(13) Within Permissible Building Area E in Subdistrict 1C, a minimum of 50 percent of the ground floor of any parking structure oriented to and visible from the east boundary line of Subdistrict 1C must be screened by plant material.

(14) In Subdistrict 1C, facades oriented to Sylvan Avenue and Ft. Worth Avenue may have overhead garage-type doors if the doors do not open to an automotive use.

(g) Fences and walls. To prevent visual monotony, at least 20 percent of the length of any fence or wall longer than 200 feet must be alternate materials, alternate textures, gates, offsets, or openings. The alternate materials, alternate textures, gates, offsets, or openings may spread out over the length of the fence or wall.

(h) Materials. Exterior building materials should be high quality and durable.

(1) Glass.

(A) Allowed. Glass is allowed. In Subdistrict 1C, no more than 50 percent of the total area of street-facing facade per street frontage may be metal panels.

(B) Prohibited. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used on stories above the first two stories may not exceed 27 percent. As used in this provision, “reflectance” is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(2) Masonry.

(A) Allowed.

(i) Brick.

(ii) Cement-based siding or panels.

(iii) Finished concrete masonry units such as split-faced concrete masonry units.

(iv) Tilt architectural pre-cast concrete with an applied masonry finish.

(B) Prohibited.

(i) Painted brick.

(ii) Simulated brick.

(iii) Unfinished concrete masonry units.

(3) Metal.

(A) Allowed. No more than 20 percent of a street-facing facade may be flat or corrugated metal panels. In Subdistrict 1C, no more than 50 percent of the total area of street-facing facade per street frontage may be metal panels.

(B) Prohibited.

(i) Aluminum siding.

(ii) Reflective metal panels.

(4) Plastic.

(A) Allowed. Fiberglass.

(B) Prohibited. Plastic, including plastic siding and vinyl siding.

(5) Stone.

(A) Allowed.

(i) Cast stone.

(ii) Materials that simulate natural stone.

(iii) Natural stone.

(B) Prohibited. Painted stone.

(6) Stucco.

(A) Allowed. Stucco. In Subdistricts 4A and 4B, miscellaneous foam trim sections are permissible as base material to be covered in stucco.

(B) Prohibited. Simulated stucco. In Subdistricts 4A and 4B, exterior insulated finish systems (EIFS).

(7) Tile. Terra cotta and tile are allowed.

(8) Wood.

(A) Allowed.

(i) Natural wood.

(ii) No more than 20 percent of a street-facing facade may be shake shingles or plywood.

(B) Prohibited. Flakeboard.

(i) Roofs. Roofs must comply with the following:

(1) Sloped roofs must have a pitch of 4:12 or more, and must have overhanging eaves extending no less than 12 inches past the supporting walls.

(2) Flat roofs and roofs with a pitch of less than 4:12 must have a parapet that meets the following:

(A) The parapet must be articulated or detailed as an element distinct from other building facade elements.

(B) Single-story buildings must have a parapet at least 18 inches high.

(C) Multi-story buildings must have a parapet at least 24 inches high.

(3) Except as allowed in Subdistrict 1C, mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way. In Subdistrict 1C, skylights and solar panels may be part of any structure regardless of visibility.”

(j) Story dimensions.

(1) A minimum 10-foot floor-to-floor dimension is required for the ground floor of single-story and multi-story residential structures. Except in Subdistricts 4A and 4B, the foundation must be two feet above grade.

(2) A minimum 12-foot floor-to-floor dimension is required for the ground floor of single-story nonresidential structures and single-story mixed-use projects.

(3) Except as provided in this subsection, a minimum 14-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and multi-story mixed-use projects.

(4) In Subdistrict 4A, a minimum 10-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and the nonresidential portions of multi-story mixed use projects.

(5) In Subdistrict 4B, a minimum nine-foot floor-to-floor dimension is required for the ground floor of multi-story nonresidential structures and the nonresidential portions of multi-story mixed-use projects.

(6) In Subdistricts 4A and 4B, a minimum eight-foot floor-to-floor dimension is required for any residential portion of a structure. (Ord. Nos. 25898; 27820; 28505)

SEC. 51P-714.119. ADDITIONAL PROVISIONS.

(a) Property within this district must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of property within this district must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) A person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is in a visibility triangle and between two and one-half feet and eight feet in height measured from the top of the adjacent street curb. If there is no adjacent street curb, the measurement is taken from the grade of the portion of the street adjacent to the visibility triangle. The board of adjustment shall grant a special exception to the requirements of this subsection when, in the opinion of the board of adjustment, the item will not constitute a traffic hazard.

(d) Temporary cellular unit must comply with the following:

(1) The building official shall issue a certificate of occupancy for a period not to exceed one year. The building official may grant up to two six-month extensions if an application for or amendment to a specific use permit or planned development district has been filed with the director or a permit is issued for the replacement of the existing tower/antenna for cellular communication.

(2) A temporary cellular unit must be removed upon the expiration of its certificate of occupancy or upon the completion or expiration of a permit to construct a structure to mount a permanent mounted cellular antenna, a monopole cellular tower, or other cellular antenna.

(Ord. 25898)

SEC. 51P-714.120.

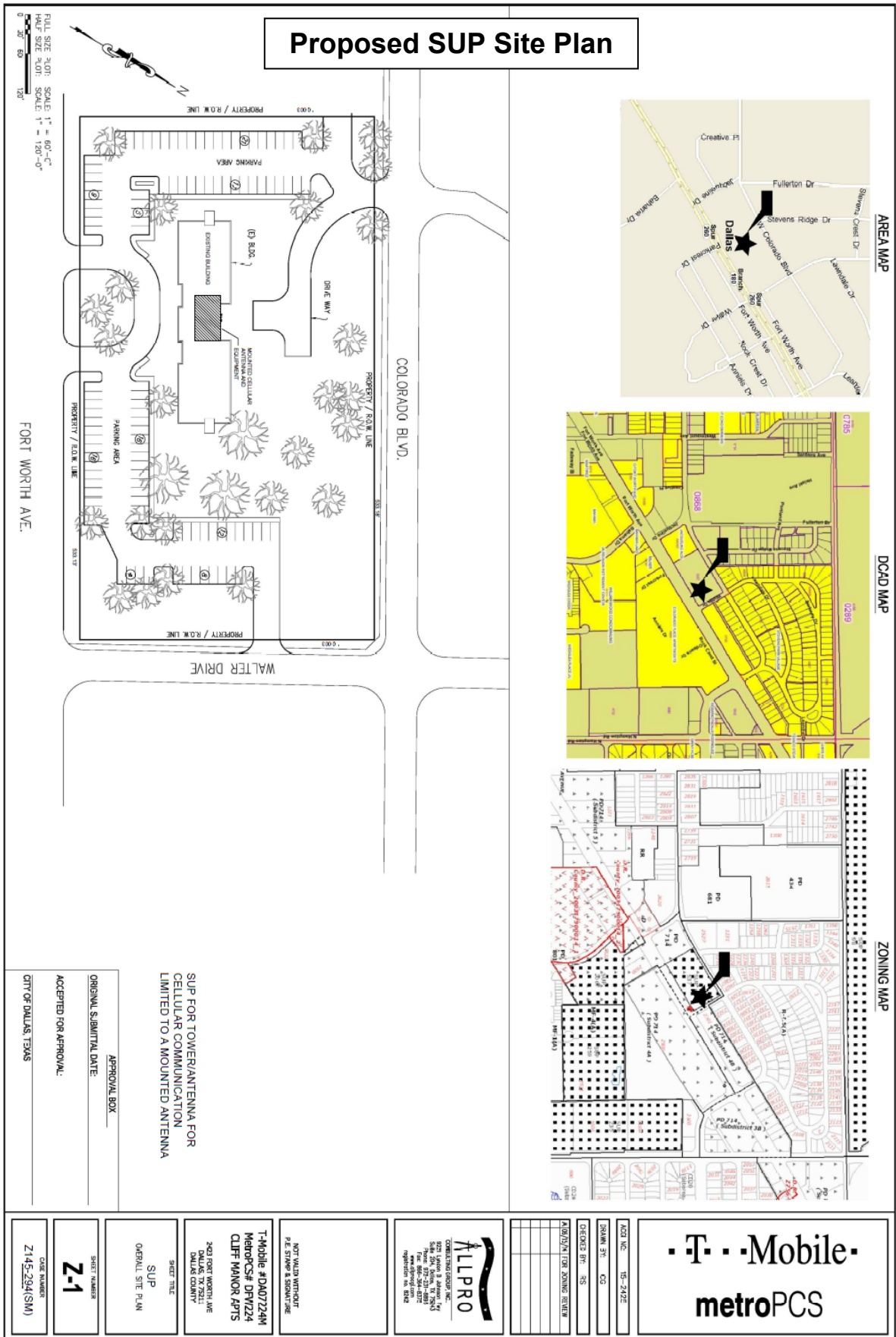
COMPLIANCE WITH CONDITIONS.

(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, in this district 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. 25898)

CPC Recommended SUP conditions

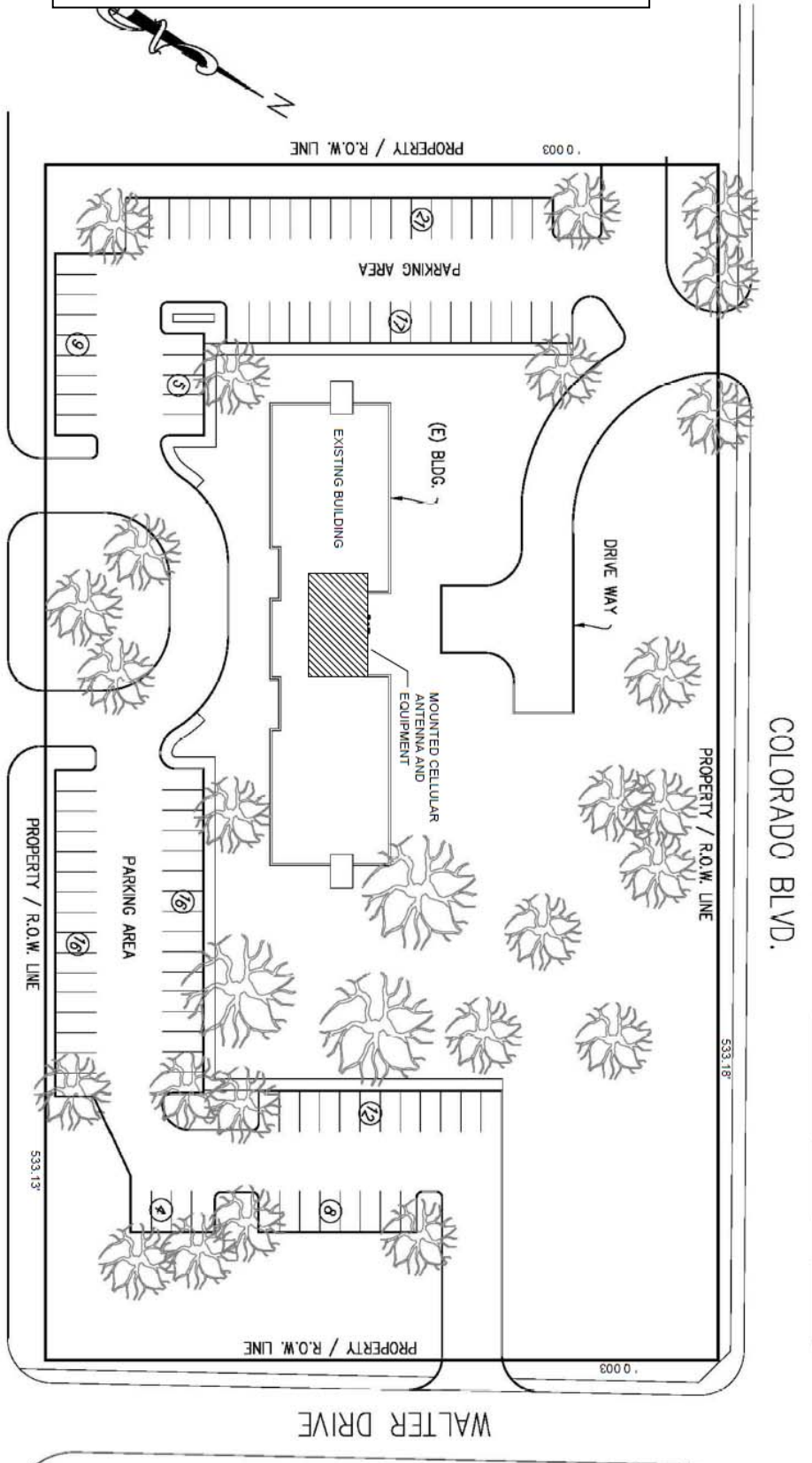
1. **USE**: The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to mounted cellular antennas.
2. **SITE PLAN**: Use and development of the Property must comply with the attached site plan.
3. **TIME LIMIT**: This specific use permit automatically terminates on (2 years). The structures and equipment for the mounted cellular antenna must be removed within 60 days of the termination of this Specific Use Permit.
4. **COLOR**: Antennas and equipment must be consistent with colors on the building to which they are mounted.
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.



FULL SIZE PLOT: SCALE: 1" = 60'-0"
 HALF SIZE PLOT: SCALE: 1" = 120'-0"

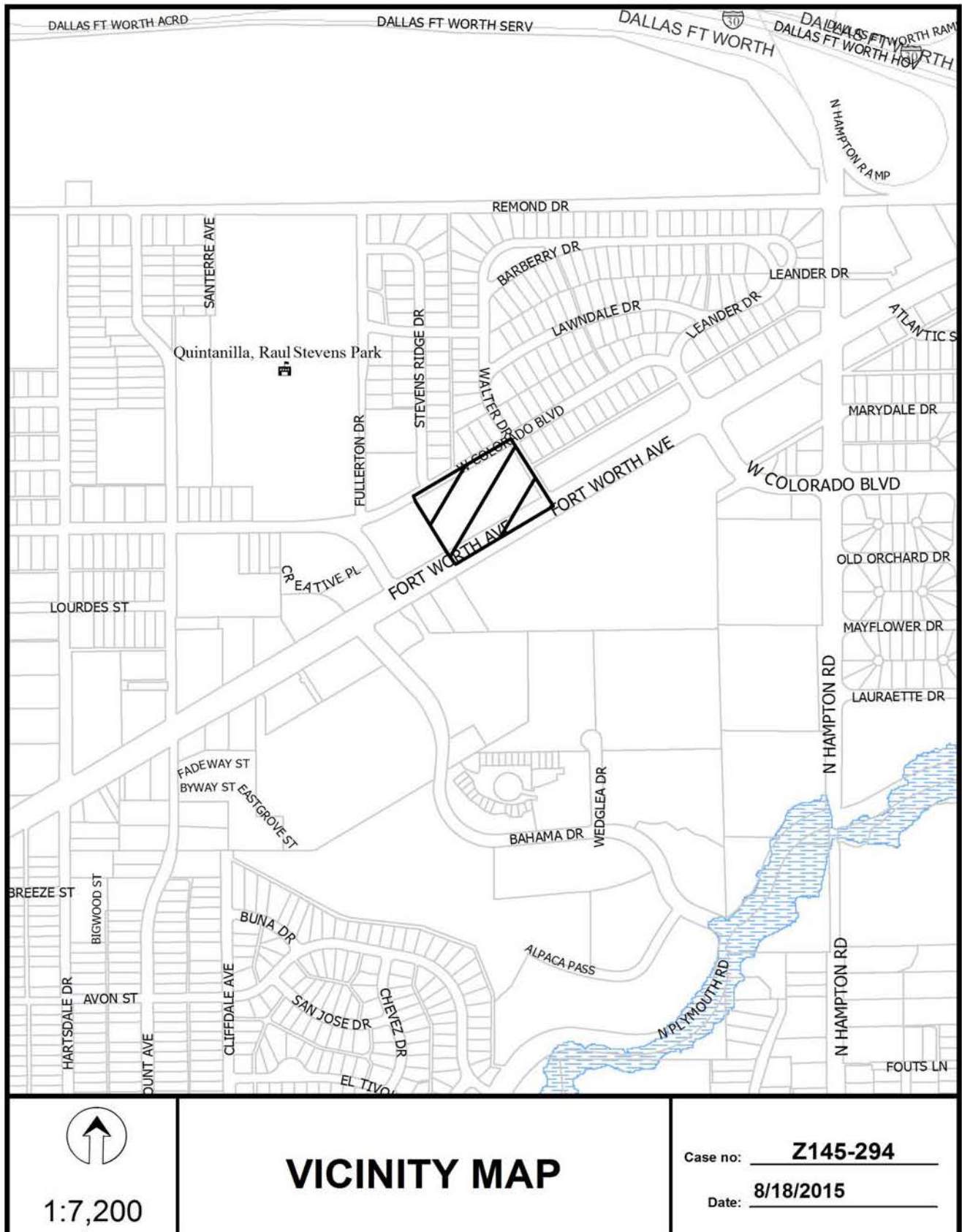


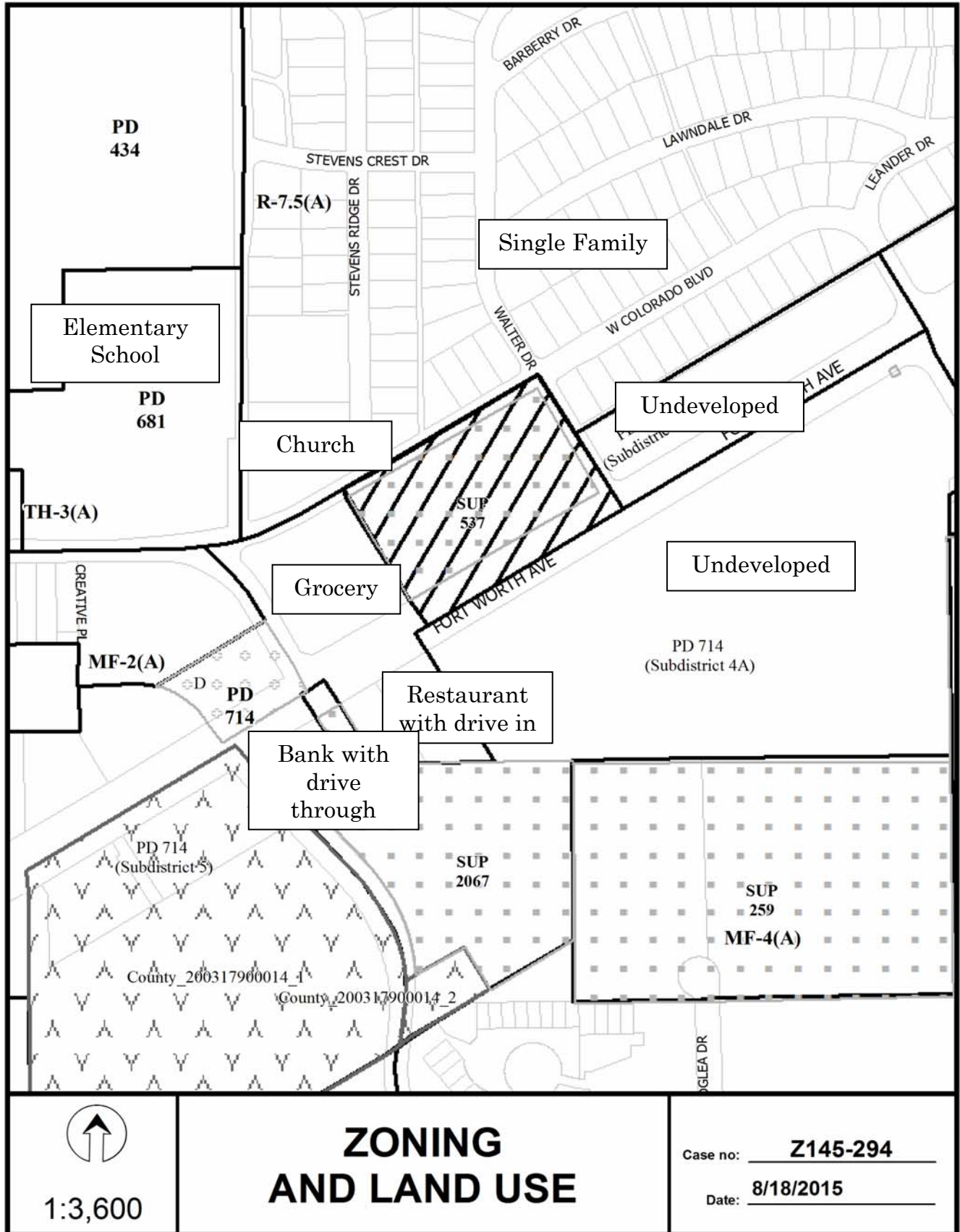
Proposed SUP Site Plan (Enlarged)

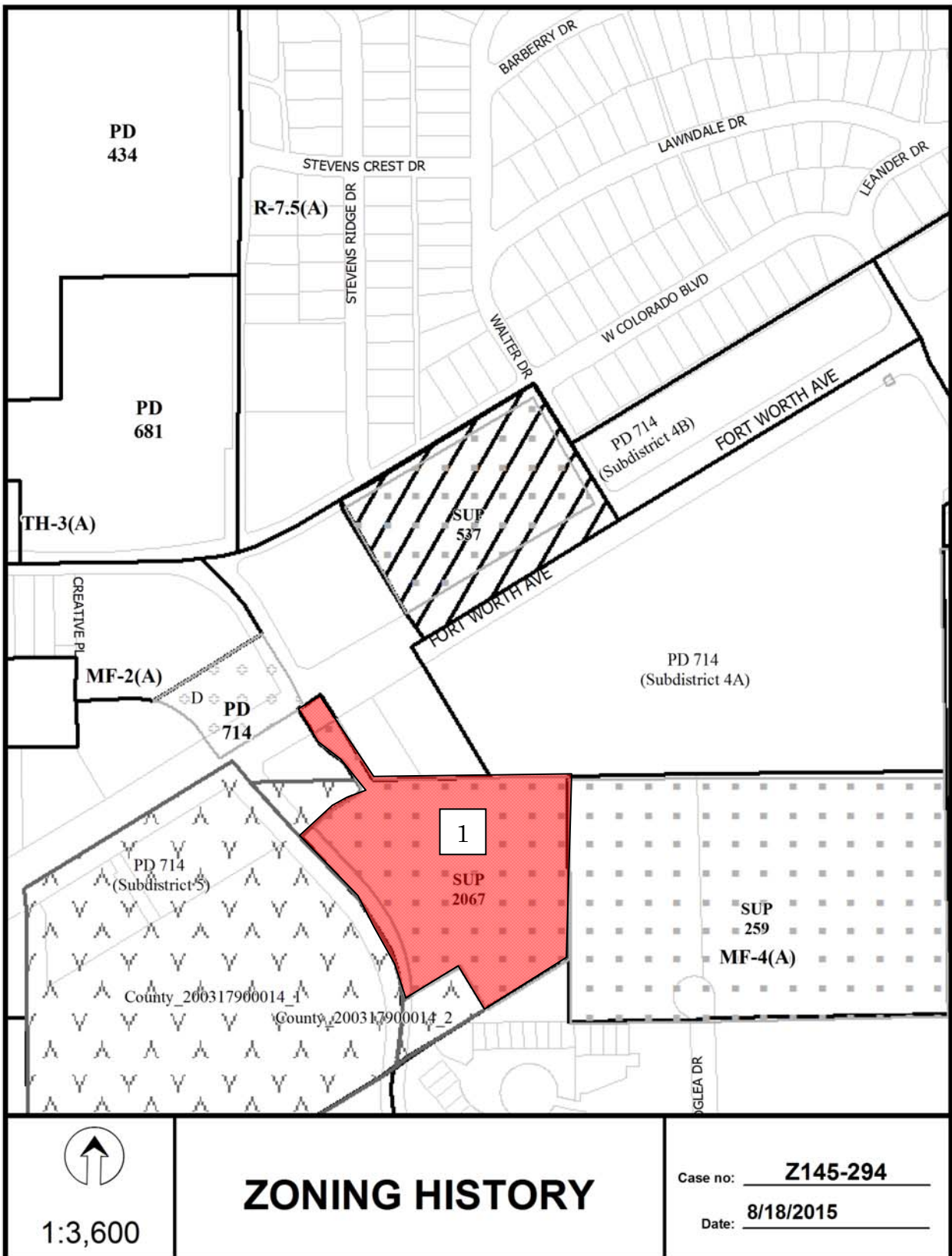


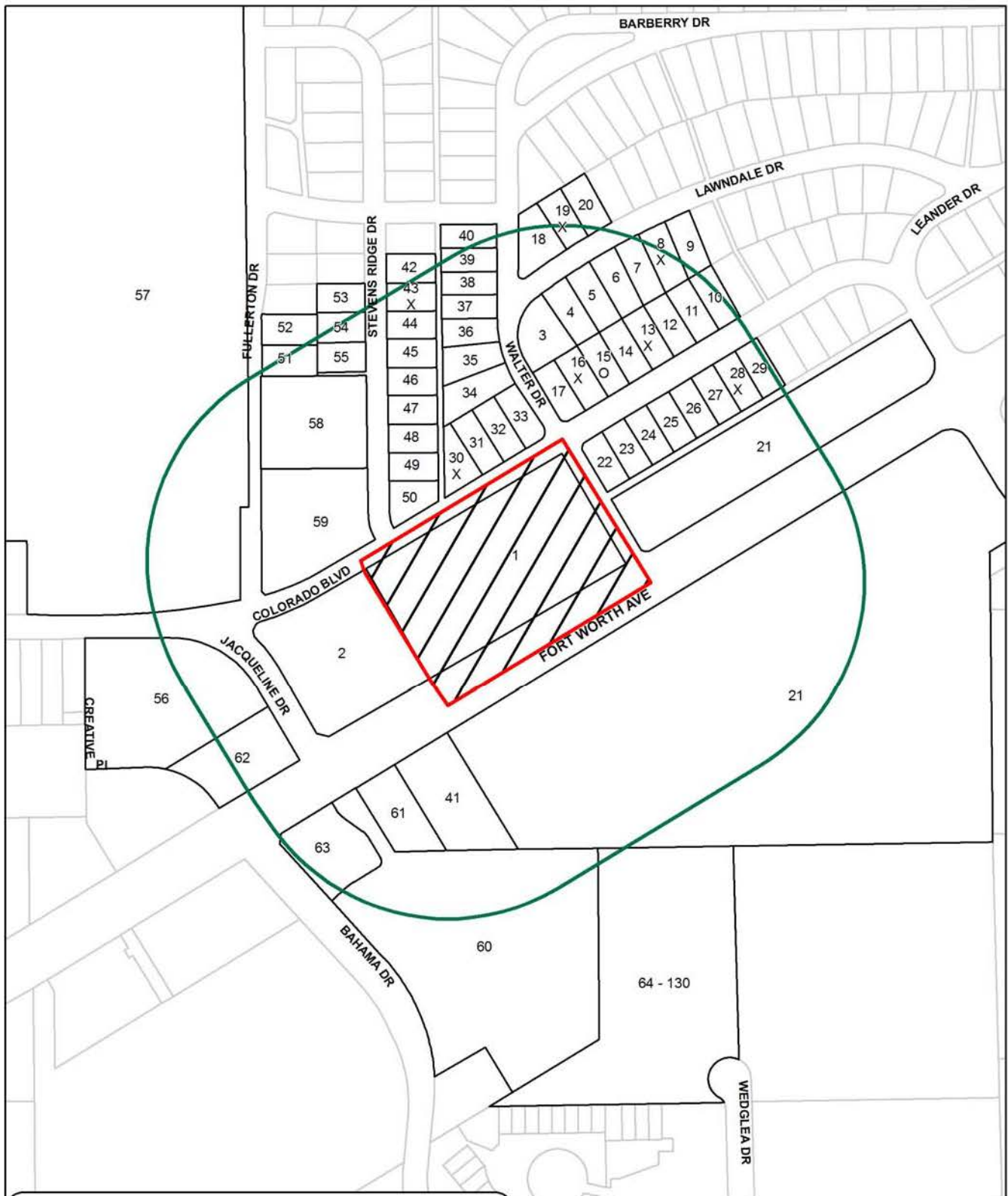


Z145-294(SM)









<u>130</u>	Property Owners Notified (65 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>7</u>	Replies in Opposition (7 parcels)
<u>500'</u>	Area of Notification
<u>10/1/2015</u>	Date <u>9/3/2015</u> Under Advisement

Z145-294
CPC



1:3,600

09/30/2015

Reply List of Property Owners***Z145-294******130 Property Owners Notified 1 Property Owners in Favor 7 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2423 FORT WORTH AVE	DALLAS HOUSING AUTHORITY
	2	2505 FORT WORTH AVE	ALDI LLC
	3	2336 LAWNSDALE DR	TREJO F R
	4	2332 LAWNSDALE DR	PANOPOULOS MARINA
	5	2328 LAWNSDALE DR	MCCONNELL BENJAMIN M &
	6	2324 LAWNSDALE DR	FRIEDEL CHERIE L
	7	2318 LAWNSDALE DR	BOGGAN GREGORY
X	8	2314 LAWNSDALE DR	CARVELL DENA MARIE &
	9	2306 LAWNSDALE DR	JOHNSON VAN A
	10	2235 COLORADO BLVD	GARZA TRINIDAD
	11	2241 COLORADO BLVD	ROSALES HENRY
	12	2303 COLORADO BLVD	YANCEY JAMES A
X	13	2307 COLORADO BLVD	WILKINSON STEPHEN E
	14	2309 COLORADO BLVD	SMITH LARRY
O	15	2315 COLORADO BLVD	LELAND ROBYN
X	16	2323 COLORADO BLVD	DUNCAN BATSON TRUST
	17	2329 COLORADO BLVD	SCHULTZ KAREN
	18	2333 LAWNSDALE DR	CONIFER HOMES LLC
X	19	2329 LAWNSDALE DR	HERNANDEZ ROSA RUIZ
	20	2323 LAWNSDALE DR	LITTLE DUDLEY EUGENE &
	21	2201 FORT WORTH AVE	FIRST NATIONAL BANK
	22	2328 COLORADO BLVD	VENTURA STEVE
	23	2322 COLORADO BLVD	GEORGE LISA R
	24	2318 COLORADO BLVD	FARRIS MICHAEL
	25	2314 COLORADO BLVD	SAENZ RENE R & ELIDA T
	26	2308 COLORADO BLVD	FANNIE MAE

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2302 COLORADO BLVD	JOHNSON MYLA A
X	28	2234 COLORADO BLVD	SCHAPER ANNETTE
	29	2230 COLORADO BLVD	GUNTER ROBIN DEWAYNE
X	30	2419 COLORADO BLVD	CASTILLO MANUELA
	31	2411 COLORADO BLVD	POWELL BELINDA
	32	2407 COLORADO BLVD	DOMINGUEZ VALENTINE G &
	33	2403 COLORADO BLVD	PINILLA DAVID & ROBYN
	34	1215 WALTER DR	CZITROM ALEC LADISLAU
	35	1219 WALTER DR	CAMPBELL JERRY D &
	36	1223 WALTER DR	IMTHURN MELINDA &
	37	1227 WALTER DR	CHILES JESSICA
	38	1231 WALTER DR	BLAKELY CECIL A
	39	1235 WALTER DR	TORRES FERNANDO JR &
	40	1241 WALTER DR	BENAVIDES ANTONIO & MARY
	41	2500 FORT WORTH AVE	MATTOX JERRY &
	42	1254 STEVENS RIDGE DR	MIRANDA MARIO & LENA
X	43	1248 STEVENS RIDGE DR	JENSEN LORIE JAN
	44	1242 STEVENS RIDGE DR	COX WILLIAM E
	45	1236 STEVENS RIDGE DR	RIVERA ESMERALDA
	46	1230 STEVENS RIDGE DR	LAMBING DAVID ROBERT
	47	1224 STEVENS RIDGE DR	MUNOZ JORGE & ANGELICA R
	48	1218 STEVENS RIDGE DR	MUNOZ JESUS M & LUCINA
	49	1212 STEVENS RIDGE DR	MENDOZA JOVITO
	50	1206 STEVENS RIDGE DR	GAYTAN RAUL O
	51	1250 FULLERTON DR	HERNANDEZ AURORA
	52	1254 FULLERTON DR	LOWRY ANNE F
	53	1247 STEVENS RIDGE DR	SOSA FRANCISCO G &
	54	1241 STEVENS RIDGE DR	WARD JEFF E &
	55	1235 STEVENS RIDGE DR	MARTINEZ ALEJANDRO &
	56	2620 COLORADO BLVD	RIVER ROCK HOLDINGS LLC
	57	2615 COLORADO BLVD	Dallas ISD

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1231	STEVENS RIDGE DR	BACAK ALBERT ET AL TR OF
59	2527	COLORADO BLVD	PROMISE METROPOLITAN
60	2522	BAHAMA DR	PACIFICA HARBORVIEW KESSLER LLC
61	2516	FORT WORTH AVE	FOLDBERG JOHN D &
62	2519	FORT WORTH AVE	MICHAEL LINDSEY
63	2530	FORT WORTH AVE	RICHARDS NADA JEAN TRUST
64	2535	WEDGLEA DR	REED BRETT
65	2535	WEDGLEA DR	MARLOWE SAMUEL C & ALISON K
66	2535	WEDGLEA DR	LEMLEY SHEEHAN ROSE
67	2535	WEDGLEA DR	WILLIAMS JO OLLIE
68	2535	WEDGLEA DR	CRAWFORD BETTY SUE
69	2535	WEDGLEA DR	JOHNSTON MICHAEL L & KAREN J
70	2535	WEDGLEA DR	DAVIS BRYAN W
71	2535	WEDGLEA DR	MAY ROBERT & BELINDA
72	2535	WEDGLEA DR	SALINA VICTOR O &
73	2535	WEDGLEA DR	BROWN BARBARA J
74	2535	WEDGLEA DR	HLAING CHARLES S &
75	2535	WEDGLEA DR	BURDINE CALVIN EUGENE FAMILY TRUST
76	2535	WEDGLEA DR	WALKER GARY E
77	2535	WEDGLEA DR	HEWITT KATHLEEN A
78	2535	WEDGLEA DR	MANTYLA BRUCE ALLARD &
79	2535	WEDGLEA DR	PETTIT GREGORY L
80	2535	WEDGLEA DR	MONTELONGO AMBER S
81	2535	WEDGLEA DR	HERRING MIKE & BEVERLY
82	2535	WEDGLEA DR	BRACY CAROL L
83	2535	WEDGLEA DR	ESCONTRIAS ADRIANA
84	2535	WEDGLEA DR	HATFIELD RANDALL KEITH
85	2535	WEDGLEA DR	DIXON LALANE
86	2535	WEDGLEA DR	LACROIX CARLA ELAINE
87	2535	WEDGLEA DR	KAVAN DOUGLAS L
88	2535	WEDGLEA DR	DYER BARBARA L

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2535	WEDGLEA DR	QUESENBERRY TYRA
90	2535	WEDGLEA DR	ZADICK THOMAS W
91	2535	WEDGLEA DR	GRADY KATHRYN A
92	2535	WEDGLEA DR	MARTINEZ FELICITAS
93	2535	WEDGLEA DR	MONTAG PATRIC
94	2535	WEDGLEA DR	WEBB ROBIN J
95	2535	WEDGLEA DR	MCKAY MICHAEL
96	2535	WEDGLEA DR	WILLIAMS AMY M
97	2535	WEDGLEA DR	THOMPSON RACHEL
98	2535	WEDGLEA DR	RAMOS ARMANDO
99	2535	WEDGLEA DR	SANCHEZ MELODY G
100	2535	WEDGLEA DR	TREDWAY JENNIFER L
101	2535	WEDGLEA DR	WATSON ELAINE
102	2535	WEDGLEA DR	KALFELL CASSIE
103	2535	WEDGLEA DR	RAMOS ARMANDO
104	2535	WEDGLEA DR	GEEZE MARY ELIZABETH
105	2535	WEDGLEA DR	WATTS EVA ESTATE OF
106	2535	WEDGLEA DR	EVANS MARSHA W
107	2535	WEDGLEA DR	HOYLE DELILAH L
108	2535	WEDGLEA DR	BOHMAN AMELIA T EST OF
109	2535	WEDGLEA DR	SMITH KENNETH WAYNE
110	2535	WEDGLEA DR	HLAING CHARLES & MONICA
111	2535	WEDGLEA DR	DUNCAN JACK L
112	2535	WEDGLEA DR	COLLIE RUTH
113	2535	WEDGLEA DR	GLIDEWELL CAROLYN J
114	2535	WEDGLEA DR	MCDONALD GEORGE MARK
115	2535	WEDGLEA DR	ALEXANDER DOROTHY M
116	2535	WEDGLEA DR	FORD HELEN FRANCES
117	2535	WEDGLEA DR	BROOKS ALICE F
118	2535	WEDGLEA DR	PEREZ JOE G
119	2535	WEDGLEA DR	RANDLE FRANCES MORENO

09/30/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2535	WEDGLEA DR	DICKINSON PATRICK
121	2535	WEDGLEA DR	CHANDLER DEBBE KAY
122	2535	WEDGLEA DR	LAWSON JAMES H
123	2535	WEDGLEA DR	JIMENEZ MARY ALICE
124	2535	WEDGLEA DR	LITWIN STEPHAN C
125	2535	WEDGLEA DR	ERICKSON MICHAEL B
126	2535	WEDGLEA DR	PALOMO MARIA P
127	2535	WEDGLEA DR	HARRITY MICHAEL J
128	2535	WEDGLEA DR	BLUIETT MYRA C
129	2535	WEDGLEA DR	KELSKE FRANCIS J
130	2535	WEDGLEA DR	KOHUTEK MARK E

AGENDA ITEM # 66

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 35 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Lodging or boarding house on property zoned a CR Community Retail District on the east corner of Belmont Avenue and North Carroll Avenue

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

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

Z145-303(AF)

FILE NUMBER: Z145-303(AF)

DATE FILED: July 22, 2015

LOCATION: East corner of Belmont Avenue and North Carroll Avenue

COUNCIL DISTRICT: 2

MAPSCO: 35Z

SIZE OF REQUEST: Approx. 9,266 square feet **CENSUS TRACT:** 8.00

APPLICANT: Mater Fillius Dallas

REPRESENTATIVE: Elsie Thurman

OWNER: Venegas Property Company, Ltd.

REQUEST: An application for a Specific Use Permit for a Lodging or boarding house on property zoned a CR Community Retail District.

SUMMARY: The applicant proposes to utilize the request site for a Boarding House. The applicant is proposing to establish a facility which has five guest rooms, four bathrooms, a common area, and a full kitchen. Length of stay ranges from one day to 17 months. A lodging or boarding is defined as a facility that contains at least one but fewer than six guest rooms that are separately rented to occupants. Accessory uses include prenatal classes, childbirth classes, newborn health care classes, parenting education, professional counseling, employment training, and educational assistance.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not a Specific Use Permit shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed use is compatible with the surrounding uses. The overall development pattern allows for a variety of uses to be integrated in the area. The applicant is proposing to use the existing building and will not be modifying the existing footprint.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed Lodging/Boarding House is not anticipated to negatively impact the adjacent properties and will provide a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is not anticipated to be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respect to all applicable zoning regulations and standards*
Based on information depicted on the site plan, the request complies with all applicable zoning regulations and standards. The applicant is not proposing any variances or exceptions to the site.

Zoning History: There has been one recent zoning change requested in the area.

1. Z145-265 On Wednesday, May 22, 2013, the City Council approved: 1) a Planned Development District for MU-3 Mixed Use District uses on property zoned a GO(A) General Office District, an MU-3 (SAH) Mixed Use District (Affordable) and a portion of Subdistrict E in PDD No. 305, Cityplace, on the northeast corner of North Central Expressway and North Carroll Avenue; and 2) a new subdistrict on property zoned Subdistrict E within the Planned Development District No. 305 on the east side of North Central Expressway between North Carroll Avenue and North Haskell Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Dimension
Belmont Ave.	Minor Arterial	50'
North Carroll Ave.	Minor Arterial	60'

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 Plan identifies the request site as being within 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.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	CR	Unoccupied
North	CR	Single Family Home
South	PD 698	Middle School
East	MF-2(A)	Single Family Homes
West	CS	Retail/Office

Land Use Compatibility: Formally the location of a medical clinic/ambulatory surgical center, the sight is a +/- 9,180-square-foot lot with a vacant, two -story +/- 2,883-square-foot building. Located to the north and east of the site are single family homes. Across the street on the south side is A.W. Spence Middle School/TAG Academy, and to the west is a one-story office building.

Over the recent years, the area has seen a significant amount of change in the area. The development pattern is a diverse one with different uses within close proximity. Further to the south and west there are new large scale multi-family apartment buildings.

Development Standards:

Current Development Standards							
DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
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

Landscaping: There will not be any additional impervious surface added to the site. Therefore, additional landscaping in Article X will not be triggered.

Parking:

Pursuant to §51A-4.200 of the Dallas Development Code, the use requires one off-street parking space for each guest room. The applicant is proposing five guest rooms, which would require five parking spaces. The site is providing seven parking spaces.

CPC ACTION – September 17, 2015

Motion: It was moved to recommend **approval** of the a Specific Use Permit for a Lodging or boarding house for a two-year period, subject to a site plan and conditions on property zoned a CR Community Retail District, on the east corner of Belmont Avenue and North Carroll Avenue.

Maker: Emmons
Second: Abtahi
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Rodgers, Shidid, Anantasomboon, Lavallaisaa, Tarpley, Shellene*, Schultz, Peadon, Abtahi
Against: 0
Absent: 2 - Murphy, Ridley
Vacancy: 2 - District 4, District 7

* out of the room, shown voting in favor

Notices: Area: 200 Mailed: 30
Replies: For: 0 Against: 6

Speakers: For: Luis A. Boy, 6156 Canvas Back Dr., Frisco, TX, 75034
Against: Carl Smith, 4517 Weldon St., Dallas, TX, 75204

List of Partners

Applicant:

Mater Filius of Dallas, Inc

A Domestic Nonprofit Corporation 501 (c)(3)

Directors

Javier Burkle Elizondo

Luis Fernando Salazar Valle

Luis Boy

Owner:

Venegas Property Company, Ltd.

A Domestic Limited Partnership, L.P.

Directors:

Venegas Management Company: Gonzalo Venegas

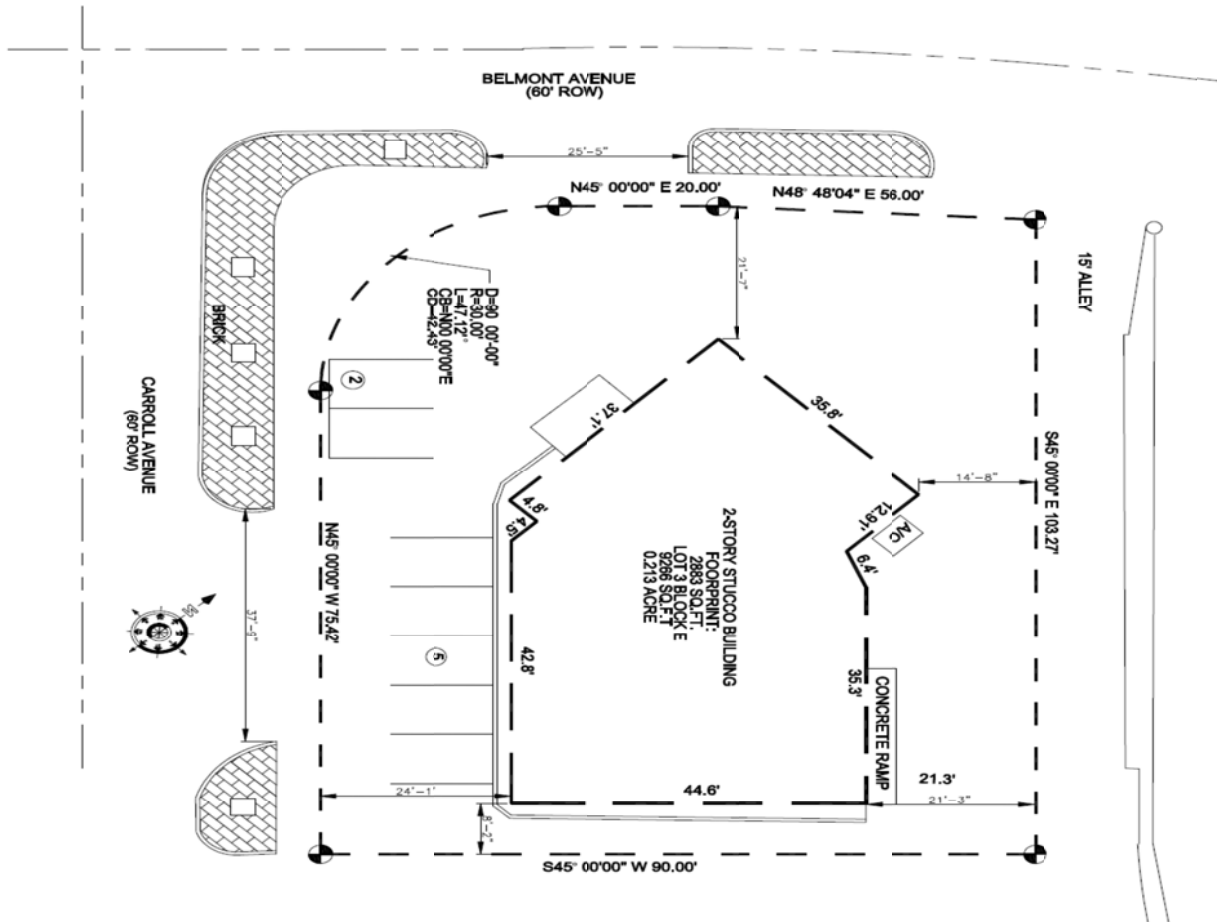
Proposed Conditions

1. USE: The only use authorized by this specific use permit is a Lodging or Boarding House.
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).
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 conditions, rules, and regulations of the City of Dallas.

Proposed Site Plan

Site Plan

SCALE:
1/8"=1'-0" (22X34" SHEET)
1/8"=2'-0" (11X17" SHEET)

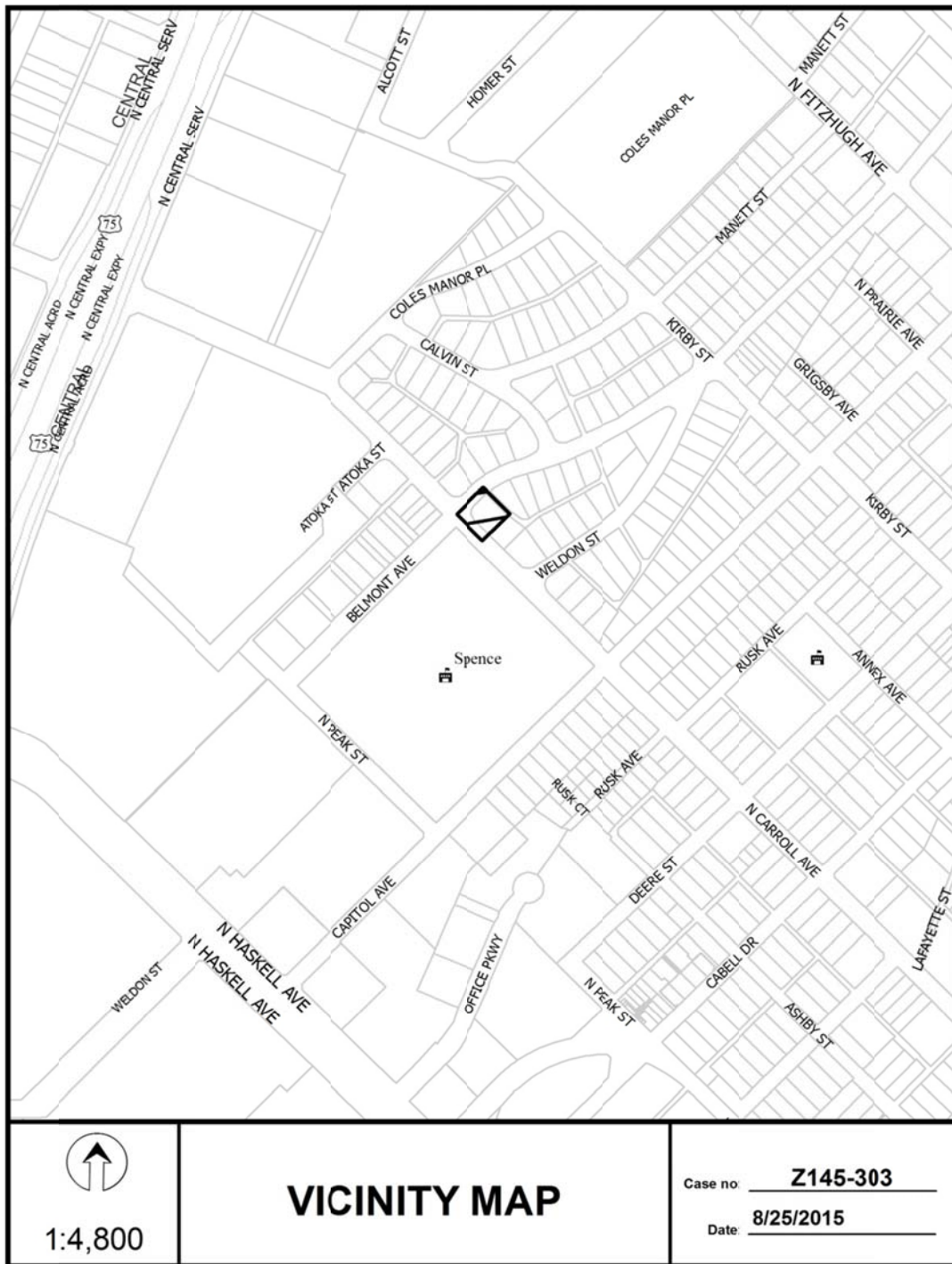


LEGAL DESCRIPTION
BELMONT PARK
BLOCK E/ LOT 3

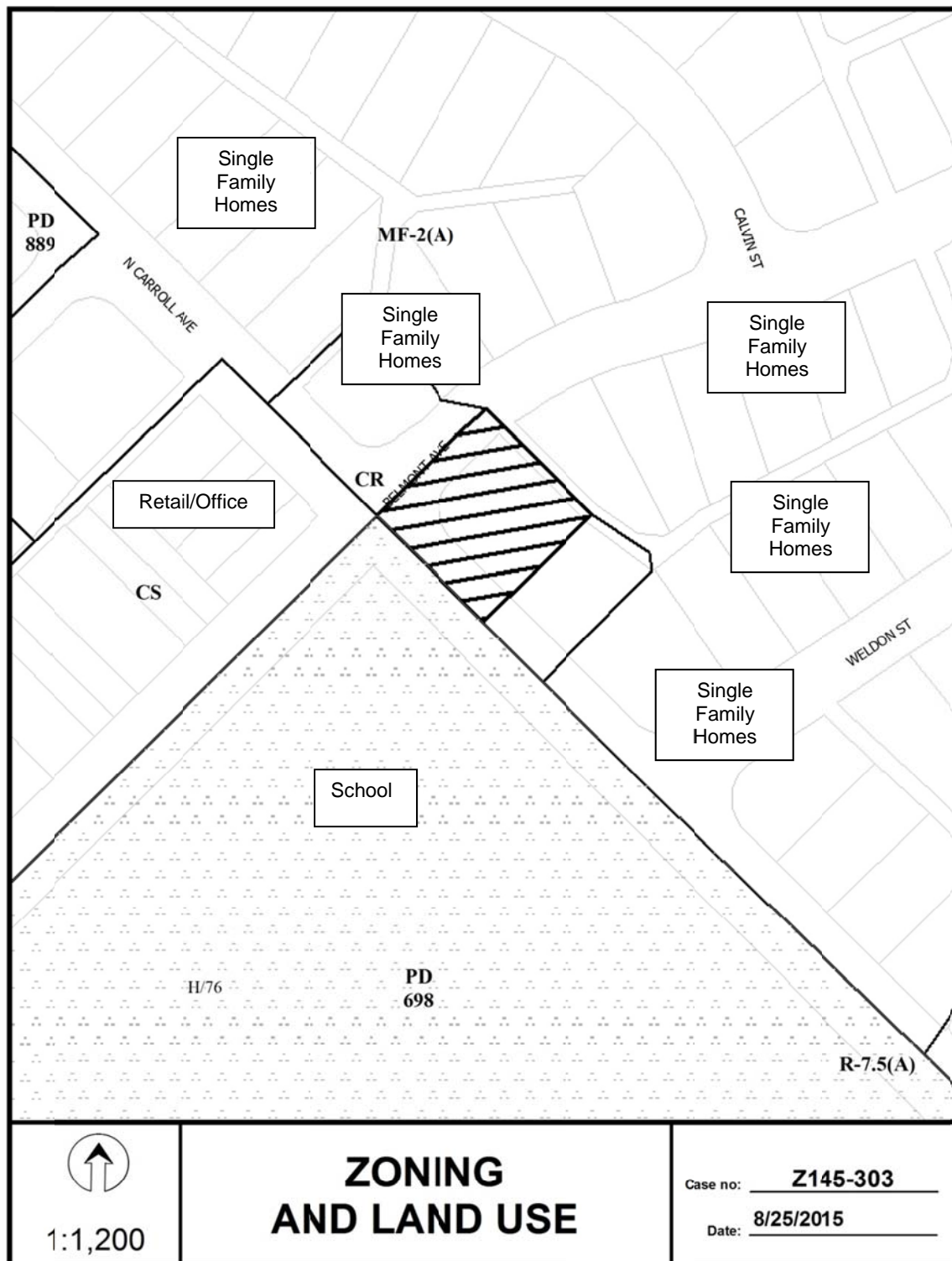
2520 N. CARROLL AVE.
DALLAS, TEXAS

SG
ARCHITECTURAL SERVICES
2158 MAIL AVE.
DALLAS, TEXAS 75235

1 of 1









CPC Responses



09/16/2015

Reply List of Property Owners***Z145-303******30 Property Owners Notified 0 Property Owners in Favor 6 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2520 CARROLL AVE	VENEGAS PROPERTIES
	2	2506 CARROLL AVE	NGO VUI MANH &
	3	2512 CARROLL AVE	YEPEZ MARLENE
	4	4512 BELMONT AVE	MEZA GILBERT
	5	4516 BELMONT AVE	RILEY PATRICIA
	6	4522 BELMONT AVE	VAZQUEZ ARNULFO CORONADO
X	7	4526 BELMONT AVE	CHAILLET BRIAN
	8	4523 WELDON ST	RUIZ MACEDONIO
X	9	4517 WELDON ST	SMITH CARL E
X	10	4513 WELDON ST	HOLMES BILL
X	11	4509 WELDON ST	CARMONA ALFONSO & MARIA
	12	2610 CARROLL AVE	HSIANG YUEHYUE &
	13	2614 CARROLL AVE	HERNANDEZ SANTIAGO DOROTEO
	14	2603 CALVIN ST	SAYEED MOHAMMED
	15	2521 CALVIN ST	HOLMES JOHN B
	16	2517 CALVIN ST	HINKLE FAMILY REVOCABLE
X	17	4523 BELMONT AVE	ASTMANN ANDREW K
	18	4517 BELMONT AVE	ELIZONDO EGLANTINA Q
X	19	4513 BELMONT AVE	WALDIE RONALD WAYNE
	20	4509 BELMONT AVE	NGUYEN DIEM CHI THI
	21	4503 BELMONT AVE	ALVAREZ REFUGIO &
	22	4411 BELMONT AVE	CORE COMMERCIAL INV PPTIES LLC
	23	4415 BELMONT AVE	REEVES GEORGE
	24	2603 CARROLL AVE	EZ CLEANING SOLUTIONS INC
	25	4001 CAPITAL AVE	Dallas ISD
	26	4420 ATOKA ST	TC CENTRAL ASSOCIATES LLC

Z145-303(AF)

09/16/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	4417 BELMONT AVE	BOYD KYLE SCOTT & BETSEY JILL TRUSTEES
	28	2607 CARROLL AVE	MM WHITETAIL PPTIES LP
	29	2609 CARROLL AVE	CORE COMMERCIAL INVESTMENT PROPERTIES LLC
	30	2601 CARROLL AVE	REEVES GROUP LTD

AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34 V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple-family Subdistrict Uses on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Cedar Springs Road, between Lucas Drive and Hawthorne Avenue

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

Z145-279(RB)

FILE NUMBER: Z145-279(RB)

DATE FILED: June 10, 2015

LOCATION: Southwest Line of Cedar Springs Road, between Lucas Drive and Hawthorne Avenue

COUNCIL DISTRICT: 2

MAPSCO: 34 V

SIZE OF REQUEST: Approx. 2.13 Acres

CENSUS TRACT: 4.05

APPLICANT: Maker Bros., LLC

REPRESENTATIVE: Karl Crawley

OWNERS: See attached

REQUEST: An application for a Planned Development Subdistrict for MF-2 Multiple-family Subdistrict Uses on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant is proposing to redevelop the property with multiple-family uses with consideration of the following: 1) increase in structure height, 2) increase in lot coverage, 3) increase in density; 4) permit certain encroachments into a required front yard setback; and, 5) alternative landscape regulations.

CPC RECOMMENDATION: Approval, subject to a development plan, landscape plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan, landscape plan and conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval of the request, subject to the attached plans and conditions based upon:

1. *Performance impacts upon surrounding property* – As the anticipated residential redevelopment provides for a multiple family use as found on adjacent properties, impact on adjacent properties (lighting, noise, odor) is not expected.
2. *Traffic impact* – Trip generations will be consistent with similar medium density residential uses in the immediate area and will not require improvements to enhance the existing street and thoroughfare infrastructure serving the area.
3. *Comprehensive Plan or Area Plan Conformance* – The vision for a residential development is in compliance with the designated Building Block for the area, inclusive of engaging street level activity by requiring a minimum number of dwelling units providing direct access from a sidewalk as well as ensuring a covered amenity structure embraces the a local DART bus stop along the property's Cedar Springs Road frontage. Additionally, the request as recommended by staff in the attached conditions complies with the Oak Lawn Special Purpose District and Oak Lawn Plan criteria for redevelopment.
4. It should be noted staff's support for redevelopment of the property, is subject to the attached conditions which will ensure the increased entitlements are better managed to integrate with the adjacent built environment.

Zoning History:

File Number	Request, Disposition, and Date
--------------------	---------------------------------------

- | | |
|-------------|--|
| 1. Z123-178 | On April 24, 2013, the City Council approved an amendment to and expansion of PDS No. 75 for MF-2 Multiple Family Subdistrict Uses within PDD No. 193. |
|-------------|--|

<u>Street</u>	<u>Existing & Proposed ROW</u>
----------------------	---

Cedar Springs Road	Collector 60' & 60' ROW
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Lucas Drive	Local; 50' ROW
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Hawthorne Avenue	Local; 50' ROW
------------------	----------------

Traffic: The Engineering Section of the Department of Sustainable Development and Construction reviewed a traffic impact analysis submitted in conjunction with the request and has determined the proposed development will not significantly impact the level of service of adjacent streets.

STAFF ANALYSIS

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

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.

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 site will be redeveloped with multiple family uses, consistent with the previously constructed development (exclusive of the church and single family structure fronting along Hawthorne Avenue). With respect to compliance with the above referenced objectives, staff has worked with the applicant to ensure the majority, if not all, applicable areas are provided for with the requested entitlements for the new PDS. As provided herein, Objective Nos. 1, 3, and 7 are provided for in the applicant's development vision (i.e., wide sidewalks, dedicated gathering area for abutting DART bus stop along Cedar Springs Road).

While the applicant is requesting a 66 percent increase in structure height, the proposed development plan will provide for a second level amenity area, thus opening up the south facing façade. Combined with recommended plantings and an increased setback from the southern property line, Objective No. 4 is palatable. Regarding Objective No. 6, staff's recommended conditions will ensure an active street level activity by requiring a percentage of ground level, street facing dwelling units accessing from the street. As the applicant has required the ground level to provide for off-street parking, this Objective remains in noncompliance.

Lastly, Objective Nos. 2 and 5 are not applicable to this request.

Land Use Compatibility: The property is developed with a multiple family development, church and single family use. All improvements will be demolished, with a vision for new multiple family uses, inclusive of structured parking and a second story private pool area. The applicant's request for a PDS will consider the following revisions to the existing MF-2 Multiple Family Subdistrict development rights: The applicant is proposing to redevelop the property with multiple-family uses with consideration of the following: 1) increase in structure height, 2) increase in lot coverage, 3) increase in density; 4) permit certain encroachments into a required front yard setback; and, 5) alternative landscape regulations.

Surrounding land use consists of residential uses of mixed densities, with a community service center (Dallas Housing Authority's Cedar Springs Multi-Purpose Center) located south of the site's Lucas Drive frontage. The depressed travel lanes of the Dallas North Tollway are visible eastward from the site. New multiple family construction exists on property to the east/southeast along the Lucas Drive frontage.

The applicant has worked with staff to ensure the redevelopment integrates into the built environment. Specifically, increased setbacks along both Cedar Springs Road and the property's southern line are provided. Certain design criteria as well as sensitivity to adjacent residential development of less intensity (ie, structure height and type of residential construction) is being recommended and supported by the applicant. The

attached table reflects the comprehensive affect of these discussions.

With regard to sensitivity to adjacent residential development of less intensity, one only has to look at PDS No. 70, also fronting on Cedar Springs Road, west of the property. This subdistrict shares the same adjacency (ie, sf, duplex, and multiple family). As this subdistrict possesses more land area than that of this request, various height zones were considered and approved; the Cedar Springs Road-fronting development capped at 47 feet/four for occupied floor area, stepping down to 37 feet/three stories within the southern portion of the PDS. A separate garage was located in the middle of the property, capping height at 30 foot and 33 foot sections. An Oct/2007 amendment to PDS No. 70 increased height for the Cedar Springs-fronting building to 58 feet (retained four story maximum), increasing the southernmost structures one foot, to 38 feet and retaining the three story maximum. While staff is supportive of the applicant's height, additional sensitivity has been recommended and supported by the applicant; 1) limits to the façade of where balconies and patios are permitted; 2) screening of elevated pool area; and, 3) increased side yard setback (closest to single family and duplex structures).

In summary, staff supports the applicant's request for redevelopment, subject to the attached plans and conditions.

Landscaping: The applicant has requested consideration of a site-specific landscape plan for the presence of overhead power lines will prohibit the planting of large trees at the perimeter. The chief arborist has reviewed and supports the attached plan.

CPC ACTION

September 17, 2015

This item was held under advisement.

October 1, 2015

Z145-279(RB)

Planner: Richard Brown

Motion: It was moved to recommend **approval** of Planned Development Subdistrict for MF-2 Multiple-family Subdistrict Uses, subject to a revised development plan to include 30 ft. linear encroachment of the required 15 ft. front yard on Lucas, revised landscape plan to include additional caliper inch for required tree plantings and revised conditions to include 1) Additional 45 ft. side yard setback for multifamily structures, and 2) Modification of the ordinance language to reflect the burying of the power lines on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Cedar Springs Road between Lucas Drive and Hawthorne Avenue.

Maker: Emmons
Second: Shellene
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Shidid,
Anantasomboon, Abtahi, Lavallaisaa, Jung,
Shellene, Schultz, Peadon, Murphy, Ridley,
Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 4

Notices: Area: 500 Mailed: 203
Replies: For: 2 Against: 1

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

ZONING	Existing MF-2	Applicant's request	Staff's comments
USES	MF-2 MULTIPLE FAMILY SUBDISTRICT	NO REVISION	NO COMMENT
F/S/R SETBACKS	15'/10'/10' PLUS ADDL. SETBACK >36' OF STR. HT. NERSHIP Bethany Presbyterian Church Grace Presbytery, Inc., a Texas non-profit corporation Gerald L. Tyer, State Clerk Michael Jones, State Administrative Commission	25'-CEDAR SPRINGS, 15'-LUCAS, HAWTHORNE (5' ENCROACHMENT ALONG LUCAS FOR 30' OF FAÇADE) 25'-SIDE YARD AND 45' FOR MULTIPLE FAMILY STRUCTURES	NO COMMENT
DENSITY	85 DWELLING UNITS (40 DU/ACRE) * ASSUMES 50% 1 BR/50% 2 BR	188 DWELLING UNITS	NO COMMENT
FLOOR AREA	NO MAXIMUM and 5 CS Villas, LLC, a Texas limited liability corporation Thomas M. Smith, Member and Manager Bryan Humphries, Member	NO MAXIMUM	NO COMMENT
HEIGHT	36' Rezene G. Andu, Member Alex Stolarski, Member	60'	NO COMMENT
STORIES	N/A chaser Maker Bros., LLC, a Texas limited liability corporation Justin C Bailey, President	FOUR-OCCUPIED, FIVE TOTAL TO ACCOMMODATE STRUCTURED PARKING	NO COMMENT
LOT COVERAGE	60%	65%	NO COMMENT
LANDSCAPE	PDD 193	DETAILED LP TO ADDRESS OVERHEAD POWER LINES AT PERIMETER	CHIEF ARBORIST ACCEPTS ATTACHED LANDSCAPE PLAN
OFF-STREET PARKING	CODE, BY USE	CODE, BY USE	NO COMMENT
SIGNS	NON-BUSINESS	NON-BUSINESS	NO COMMENT
MISC	N/A	SPECIFIC DESIGN REQUIREMENTS	WIDE SIDEWALK CONNECTIVITY, DESIGN CRITERIA, PROVISIONS TO PROTECT ADJACENT RESIDENTIAL, GATHERING AREA NEAR DART BUS STOP, REQUIRE DWELLING UNITS AT STREET LEVEL WITH DIRECT ACCESS FROM STREET

Division S-_____. Subdistrict _____.

SEC. S-_____.101. LEGISLATIVE HISTORY.

PD Subdistrict _____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2015.

SEC. S-_____.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict _____ is established on property fronting on the southwest line of Cedar Springs Road between Hawthorne Avenue and Lucas Drive. The size of PD Subdistrict _____ is approximately 2.13 acres.

SEC. S-_____.103. DEFINITIONS AND INTERPRETATIONS.

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. In this division:

STOOP means a small porch leading to the entrance of a residential structure.

(c) SUBDISTRICT means a subdistrict of PD 193.

(d) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(e) This subdistrict is considered to be a residential zoning district.

SEC. S-_____.104. EXHIBITS.

The following exhibit is incorporated into this division:

(a) Exhibit S____A: development plan.

(b) Exhibit S____B: landscape plan.

SEC. S-_____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-____A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

SEC. S- _____.106. MAIN USES PERMITTED.

The only main uses permitted in this subdistrict are those main uses permitted in the MF-2 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-2 Multiple Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Multiple Family 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 MF-2 Multiple Family Subdistrict is subject to DIR in this subdistrict; etc.

SEC. S- _____.107. 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- _____.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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls)

In general. Except as provided in this section, the yard, lot, and space regulations of the MF-2 Multiple Family Subdistrict apply.

(b) Front yard.

- (1) Minimum front yard is 25 feet on Cedar Springs Road.
- (2) Minimum front yard is 15 feet on Hawthorne Avenue.
- (3) Minimum front yard is 15 feet on Lucas Drive except for the northern 30 feet of the façade as shown on the development plan, which is ten feet.
- (4) The following may be located in the required front yard.
 - (A) Cedar Springs Road and Hawthorne Avenue. Fences with a maximum height of four feet;
 - (B) Lucas Street. Fences with a maximum height of six feet;
 - (C) railings for stairs, stoops, and porches with a maximum height of 42 inches;

(D) patios and covered seating areas; and

(E) arbors.

(3) Any fence located in the required front yard must have at least 50 percent open surface.

(4) Any balcony in the required front yard must have at least a minimum clearance of eight feet from grade.

(c) Side yard.

(1) Except as provided in this paragraph, minimum side yard is 25 feet.

(2) Minimum side yard for a multiple family structure is 45 feet.

(d) Density. Maximum number of dwelling units is 188.

(e) Height.

(1) Except as provided in this paragraph, maximum height for occupied floor area is 60 feet.

(2) The maximum height for the pool and amenity deck, as measured to the finished floor is 12 feet.

(3) Elevator penthouse, mechanical equipment, and a clerestory may project a maximum of 12 feet above occupied floor area.

(4) A parapet wall constructed to a maximum height of four feet may project above occupied floor area.

(f) Lot coverage. Maximum lot coverage is 65 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 is five.

SEC. S- _____.109. OFF STREET PARKING AND LOADING.

(a) Except as provided in this paragraph, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Accessory community center (private). No off-street parking is required.

SEC. S- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S- _____.111. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Part I of this Article.

(b) Multiple family. For a multiple family use, landscaping must comply with the landscape plan (Exhibit S-__B).

(c) Maintenance. Plant materials must be maintained in a healthy, growing condition.

(d) Sidewalks.

(1) Cedar Springs Road. A minimum unobstructed width of eight feet must be provided.

(2) Hawthorne Avenue and Lucas Street. A minimum unobstructed width of six feet must be provided.

(3) Ingress and egress. Whenever a driveway connects through a sidewalk to a right-of-way, design and construction of the driveway must be level with any connecting sidewalk.

(4) Tree grates. Handicapped accessible tree grates are considered as part of the unobstructed sidewalk width.

SEC. S- _____.112. SIGNS.

Signs must comply with the provisions for nonbusiness zoning districts in Article VII.

SEC. S- _____.113. URBAN DESIGN REQUIREMENTS.

(a) Cedar Springs entrance. A minimum of one visible and usable entrance is required on Cedar Springs Road. The entrance must be clearly identified using an awning, paving treatments, a change in roofline, porticos, arcades, arches, integral planters, a stoop or front porch, color treatments, or similar means.

(b) Pedestrian amenities. A minimum of two each of the following pedestrian amenities are required along the Cedar Springs Road frontage: bench, trash receptacle, and bicycle rack.

(c) Facade elements. To help break up long facades along Cedar Springs Road, Lucas Drive, and Hawthorne Avenue and make the structure appear as multiple structures, building facades along Cedar Springs Road must incorporate at least four of the following elements and facades along Lucas Drive and Hawthorne Avenue must incorporate at least three of the following elements:

(1) A change in building material, color, and texture that effectively contrasts from the rest of the facade.

(2) Vertical articulation of the facade and roofline with strong forms to help break up the building mass.

(3) Accentuation of the building's base, middle, and top through combination of materials, detailing, and building articulation.

(4) Stepped-back upper floors.

(5) Deeply inset windows.

(6) Inset or projecting volumes, awnings, or canopies.

(d) Ground level residential entrances. A minimum of five multiple family dwelling units must provide direct access from the sidewalk.

(e) Pedestrian trail or walkway. A pedestrian trail or walkway is required to connect the building at two locations on the Cedar Springs Road frontage. The purpose of the pedestrian trail or walkway is to provide pedestrian connectivity between the building and the street. These pedestrian trails or walkways may be constructed of permeable material, such as decomposed granite and must have a minimum width of four feet.

(f) Screening. The pool and amenity deck must be screened from the west by evergreen shrubs in either a planter or individual containers which at the time of planting must be spaced so as to give a solid appearance with a minimum height of six feet and capable of growing to a minimum height of eight feet with two years.

(g) Parking garage.

(1) Except as provided in this subsection, all aboveground parking structures must comply with Section 51P-193.127(a).

(2) Parking structure facades must include at least one of the following: heavy gauge metal screen, pre-cast concrete panels, laminated glass, photovoltaic panels, or other elements.

(3) Aboveground parking structures must have a solid wall or panel on each level with a minimum height of 36 inches to block light spillage from headlights.

(h) Fenestrations. Multiple family fenestrations constructed on a southern façade must be designed to restrict view from inside the structure onto adjacent properties utilizing translucent glazing or other similar materials.

(i) Patios and balconies. Patios and balconies are prohibited on the southern facade above the second floor.

SEC. S- _____.114. ADDITIONAL PROVISIONS.

(a) Live or amplified music outdoor music is prohibited.

(b) The Property must be properly maintained in a state of good repair and neat appearance.

(c) 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.

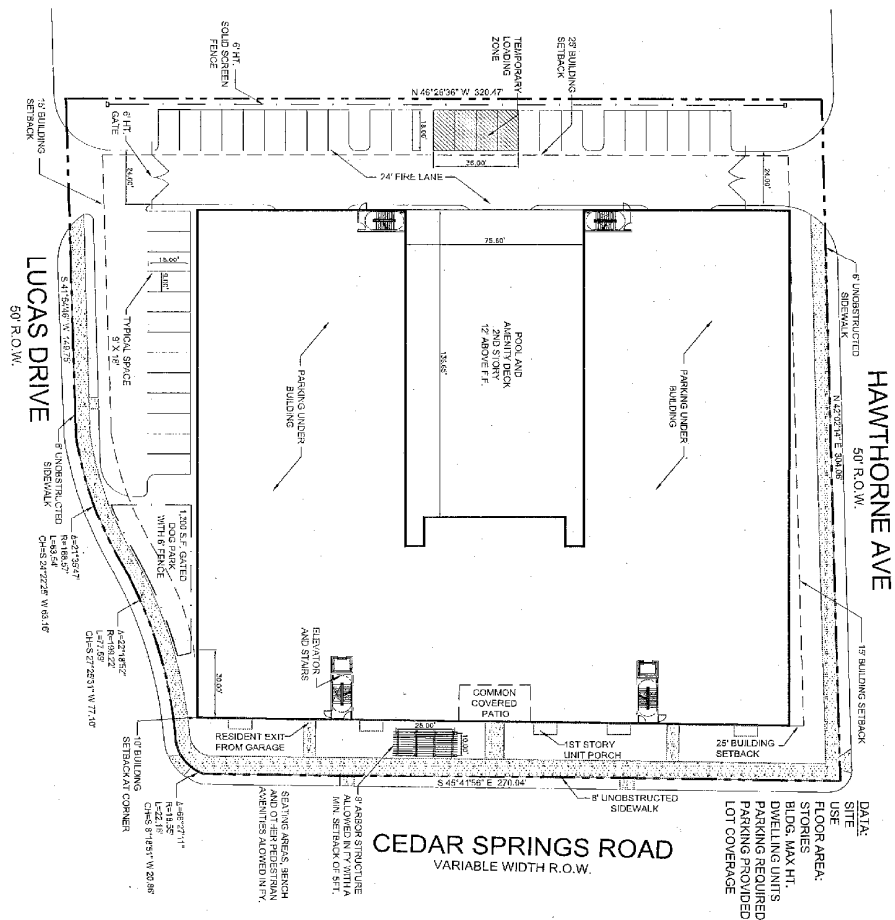
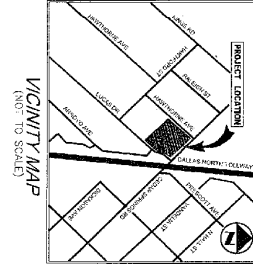
(d) Except as provided in this division or shown on the development plan, development and use of the Property must comply with Part I of this article.

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



DATA:
 SITE: 2.13 AC.
 FLOOR AREA: 184,000 S.F.
 BLDG. MAX HT: 5
 DWELLING UNITS: 60
 PARKING REQUIRED: 180
 PARKING PROVIDED: 270
 LOT COVERAGE: 65%

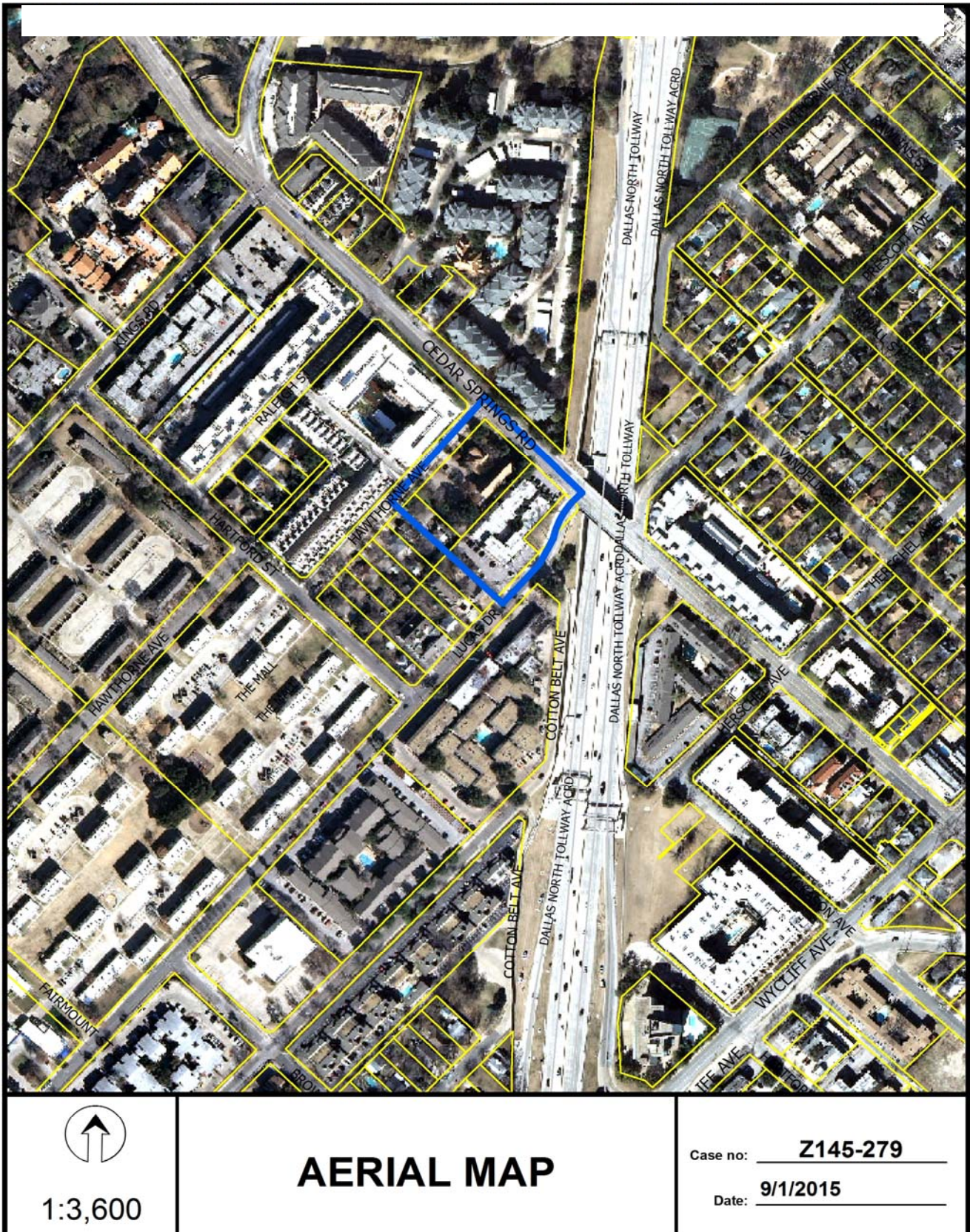
01 DEVELOPMENT PLAN

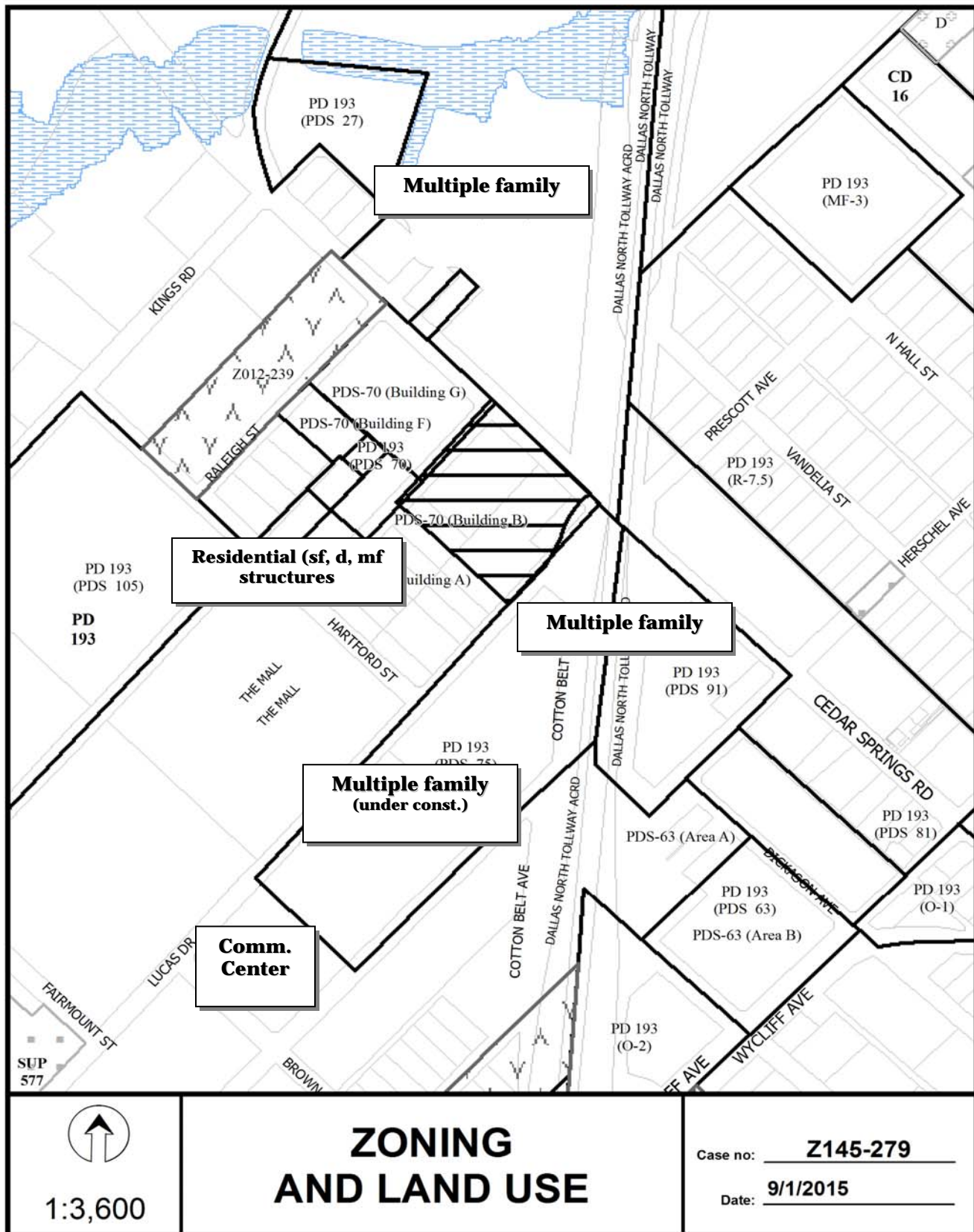


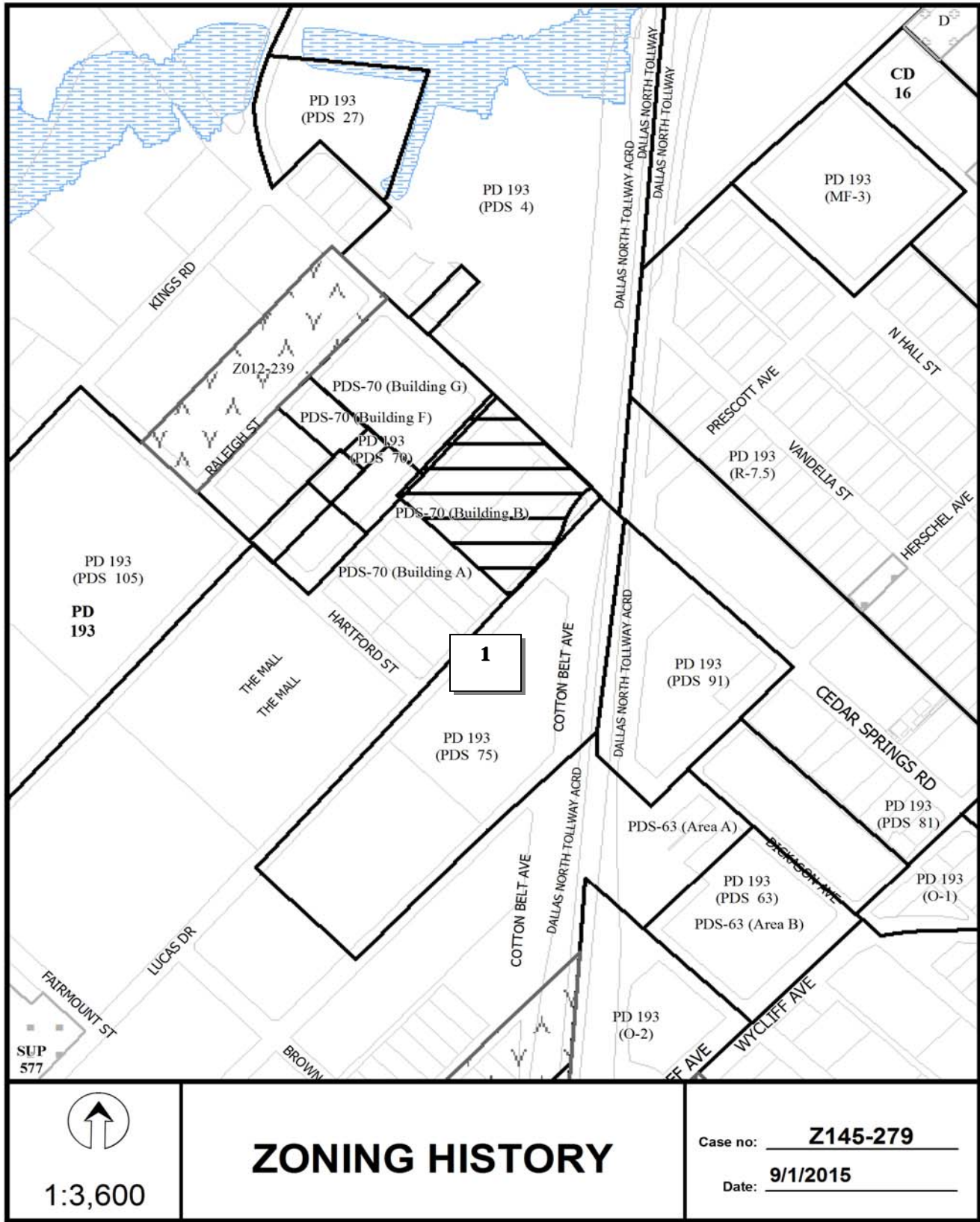
REVISIONS	DATE	BY	CHKD

CEDAR SPRINGS & LUCAS DRIVE
 DALLAS, TX

ARCHITECT:
 CROSS ARCHITECTS, PLLC.
 1265 W. 15TH ST., SUITE 125
 PLANO, TEXAS 75075
 PH: 972.398.6644
 FAX: 972.312.8666
 brunsey@crossarchitects.com







CPC RESPONSES



09/01/2015

Notification List of Property Owners***Z145-279******203 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4515 CEDAR SPRINGS RD	BETHANY PRESBYTERIAN CH
2	4505 CEDAR SPRINGS RD	CS VILLAS LLC
3	4503 CEDAR SPRINGS RD	TEXAS TURNPIKE AUTHORITY
4	2920 HAWTHORNE AVE	LARA PEDRO
5	3000 HAWTHORNE AVE	SKINNER LEO
6	3083 HERSCHEL AVE	CEDAR POINTE MULTIFAMILY LLC
7	4438 VANDELIA ST	WATKINS JEREMY &
8	4434 VANDELIA ST	JONES BRUCE L &
9	4415 VANDELIA ST	SMITH EDGAR LEE
10	4419 VANDELIA ST	STANG CHRISTOPHER
11	4423 VANDELIA ST	WHITTEN ERIC
12	4427 VANDELIA ST	SCHNEER KENNETH E &
13	4431 VANDELIA ST	SHEEHAN KAYCI & CHARLES
14	4435 VANDELIA ST	CED CHARLES & BETTY
15	4439 VANDELIA ST	CUSTER DANIEL J
16	4518 VANDELIA ST	MITCHELL DORIS J
17	4512 VANDELIA ST	SCHWEND NICOLE
18	4508 VANDELIA ST	HARTLEY THOMAS G &
19	4506 VANDELIA ST	BOONE OLIVIA E
20	4502 VANDELIA ST	HERNANDEZ LUIS A & NILSA
21	4503 VANDELIA ST	HUGGINS JASON
22	4507 VANDELIA ST	TEXAS TURNPIKE AUTHORITY
23	4509 VANDELIA ST	TEXAS UTILITIES ELEC CO
24	2924 LUCAS DR	TRG CEDAR SPRINGS LP
25	2816 LUCAS DR	TRG CEDAR SPRINGS LP
26	4610 CEDAR SPRINGS RD	FOONG CHAN C & YUNIE M

09/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4548 CEDAR SPRINGS RD	FOONG CHAN C & YUNIE MOON
28	2903 LUCAS DR	SOOCKAR KARL D
29	2909 LUCAS DR	KELCHER MANAGEMENT INC
30	2915 LUCAS DR	RODNEY E JOHNSON PPTIES LLC
31	2923 LUCAS DR	GREATER MOUNT ZION
32	2900 HAWTHORNE AVE	MUMM CHARLES
33	2906 HAWTHORNE AVE	MONZURES ERASMO &
34	2908 HAWTHORNE AVE	GUEVARA ANTONIO &
35	2912 HAWTHORNE AVE	ALEJANDRO JOSE ALFREDO
36	2916 HAWTHORNE AVE	ALEJANDRO JOSE A & BLANCA
37	2902 RALEIGH ST	PARKS CHARLES I JR
38	2912 RALEIGH ST	SOMMER LANCE & MARCIA
39	2820 KINGS RD	DALLAS HOUSING AUTHORITY
40	4606 CEDAR SPRINGS RD	FAIRFIELD MADISON LLC
41	2919 LUCAS DR	IRVIN ROSS GREGORY
42	4533 CEDAR SPRINGS RD	CJUF III DYLAN LLC
43	4428 VANDELIA ST	DAILY LOUIS R
44	2906 RALEIGH ST	SOFIELD THOMAS A
45	2916 RALEIGH ST	NORRIS JESSE E
46	4414 CEDAR SPRINGS RD	SAMUEL STEVEN D
47	4414 CEDAR SPRINGS RD	HU JOSEPH
48	4414 CEDAR SPRINGS RD	PRICE LESLIE C
49	4414 CEDAR SPRINGS RD	PARKER ROBERT E &
50	4414 CEDAR SPRINGS RD	MALINOSKI EDWARD ANTON
51	4414 CEDAR SPRINGS RD	CLENDANIEL JOHN J &
52	4414 CEDAR SPRINGS RD	SCHIAVONE JILL M
53	4414 CEDAR SPRINGS RD	THOMAS STEVEN C
54	4414 CEDAR SPRINGS RD	INKS ANGELA
55	4414 CEDAR SPRINGS RD	FLECHA LANE INC
56	4414 CEDAR SPRINGS RD	MCCREA ROBERT S
57	4414 CEDAR SPRINGS RD	ARAGON DANIA Z

09/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4414 CEDAR SPRINGS RD	LEAL ROBERTO
59	4414 CEDAR SPRINGS RD	LAPORTE MIKEL
60	4414 CEDAR SPRINGS RD	BOLDING GARY
61	4414 CEDAR SPRINGS RD	TERRELL PAUL & NORMA
62	4414 CEDAR SPRINGS RD	WENG IZUULIN JULIAN
63	4414 CEDAR SPRINGS RD	CHEN TING YU
64	4414 CEDAR SPRINGS RD	WILLIAMSMEIRIE ONEIKA
65	4414 CEDAR SPRINGS RD	PARK EDWARD
66	4414 CEDAR SPRINGS RD	PAULUS MICHAEL J
67	4414 CEDAR SPRINGS RD	CONNELL KATHERINE K
68	4414 CEDAR SPRINGS RD	PADDOCK LOUIS &
69	4414 CEDAR SPRINGS RD	LAI MY LINH
70	4414 CEDAR SPRINGS RD	SRISOUPHAN DARAVANE
71	4414 CEDAR SPRINGS RD	TUCKER ALLISON A
72	4414 CEDAR SPRINGS RD	JASSO KELLIE
73	4414 CEDAR SPRINGS RD	GELFAND ANDREW & DONNA
74	4414 CEDAR SPRINGS RD	ADAMS JOHN P
75	4414 CEDAR SPRINGS RD	LEFKOWITZ SUSAN R
76	4414 CEDAR SPRINGS RD	TERRELL PAUL A & NORMA L
77	4414 CEDAR SPRINGS RD	POTHEN PAUL NICHOLAS
78	4414 CEDAR SPRINGS RD	HEATH LEA ANNE
79	4414 CEDAR SPRINGS RD	HEIMBACH SARAH E
80	4414 CEDAR SPRINGS RD	MIHECOBY ALLEN F
81	4414 CEDAR SPRINGS RD	CUNNINGHAM SHANNON
82	4414 CEDAR SPRINGS RD	PETTIT STACY L
83	4414 CEDAR SPRINGS RD	BENNETT LORIE A
84	4414 CEDAR SPRINGS RD	ROSSER L B
85	4414 CEDAR SPRINGS RD	MUTREJA SWADESH & JAI G
86	4414 CEDAR SPRINGS RD	SHARMA DARPAN &
87	4414 CEDAR SPRINGS RD	FAROOQI MIDHAT S &
88	4414 CEDAR SPRINGS RD	BAZEMORE GEORGE C III

09/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4414 CEDAR SPRINGS RD	DO THAO
90	4414 CEDAR SPRINGS RD	APNAR JOHN
91	4414 CEDAR SPRINGS RD	GONZALEZ-DICKSON FAMILY LP
92	4414 CEDAR SPRINGS RD	HENDERSON JEFF
93	4414 CEDAR SPRINGS RD	BURGOON LARRY REV TRUST
94	4414 CEDAR SPRINGS RD	JOHNSON JILL
95	4414 CEDAR SPRINGS RD	VOLLMER DAVID W
96	4414 CEDAR SPRINGS RD	HARIRI WAHIB ADNAN
97	4414 CEDAR SPRINGS RD	HOSIER MEGAN
98	4414 CEDAR SPRINGS RD	REEVES JEFFREY S &
99	4414 CEDAR SPRINGS RD	SANFORD QUINN A
100	4414 CEDAR SPRINGS RD	DANVERS CHRISTOPHER
101	4414 CEDAR SPRINGS RD	GOH YEE KHAI & YIWEN LEE
102	4414 CEDAR SPRINGS RD	POWELL TIFFANY
103	4414 CEDAR SPRINGS RD	ODUNSI ABAYOMI N
104	4414 CEDAR SPRINGS RD	DAVIS ROBBIE
105	4414 CEDAR SPRINGS RD	4414 CEDAR SPRINGS LLC
106	4414 CEDAR SPRINGS RD	CHENET FLORENCE J
107	4414 CEDAR SPRINGS RD	TAVARES CARLOS L &
108	4414 CEDAR SPRINGS RD	GIDDENS CHRISTOPHER
109	4414 CEDAR SPRINGS RD	CHISOLM HENRY JR &
110	4414 CEDAR SPRINGS RD	PHAM LINH L
111	4414 CEDAR SPRINGS RD	LENG CHIH CHUN
112	4414 CEDAR SPRINGS RD	SANCHEZ MARIO H
113	4414 CEDAR SPRINGS RD	GRIMES STEPHANIE R
114	4414 CEDAR SPRINGS RD	BASHARA VIRGINIA &
115	4414 CEDAR SPRINGS RD	ANDERSON HEATHER L
116	4414 CEDAR SPRINGS RD	SAREMI YAVAR SHOKOUH
117	4414 CEDAR SPRINGS RD	CHEN JIAQIANG
118	4414 CEDAR SPRINGS RD	GOODWIN BOBBY A
119	4414 CEDAR SPRINGS RD	WOOD JOSHUA T

09/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	4414 CEDAR SPRINGS RD	AGUIRRE PATRICIA
121	4605 CEDAR SPRINGS RD	GRANADO HERIBERTO &
122	4605 CEDAR SPRINGS RD	MAYES JUSTIN
123	4605 CEDAR SPRINGS RD	JARVIS AUSTIN BRADLEY
124	4605 CEDAR SPRINGS RD	LONG JAMES D
125	4605 CEDAR SPRINGS RD	BASHARA MICHAEL & VIRGINIA
126	4605 CEDAR SPRINGS RD	CRAWFORD STEVEN B
127	4605 CEDAR SPRINGS RD	NGUYEN STEPHEN K
128	4605 CEDAR SPRINGS RD	ORMBREK JACK
129	4605 CEDAR SPRINGS RD	PERAZA ELIER
130	4605 CEDAR SPRINGS RD	KRUEGER DALE K JR
131	4605 CEDAR SPRINGS RD	TRAVIESO ANDRE G
132	4605 CEDAR SPRINGS RD	PIPER JANAYE
133	4605 CEDAR SPRINGS RD	PARKER THOMAS E
134	4605 CEDAR SPRINGS RD	DAVIS DWAYNE
135	4605 CEDAR SPRINGS RD	POLE RAJEEV & PRITHVIRAJ
136	4605 CEDAR SPRINGS RD	BROOKS SANDRA &
137	4605 CEDAR SPRINGS RD	CROCKETT JASMINE F
138	4605 CEDAR SPRINGS RD	BROWN TONY LEE
139	4605 CEDAR SPRINGS RD	HUGHES KEVIN M
140	4605 CEDAR SPRINGS RD	SEITER MAX N
141	4605 CEDAR SPRINGS RD	KAFOR FRANCIS O
142	4605 CEDAR SPRINGS RD	NGANG KIM C
143	4605 CEDAR SPRINGS RD	CLARE RHETT
144	4605 CEDAR SPRINGS RD	TURNER CRAIG & LAUREN
145	4605 CEDAR SPRINGS RD	HOLLAND JAMES HOWARD
146	4605 CEDAR SPRINGS RD	FOUST ERNEST L
147	4605 CEDAR SPRINGS RD	MCCARTHY EDMOND JR & MARY
148	4605 CEDAR SPRINGS RD	GOMEZ RITA CERVANTES
149	4605 CEDAR SPRINGS RD	SCHEXNAYDER JUDE A
150	4605 CEDAR SPRINGS RD	MCLAUGHLIN DUSTIN

09/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	4605 CEDAR SPRINGS RD	THOMAS TEENA
152	4605 CEDAR SPRINGS RD	DEAN JOHN J JR
153	4605 CEDAR SPRINGS RD	OLSEN ADAM D
154	4605 CEDAR SPRINGS RD	BEARIST GROUP LLC
155	4605 CEDAR SPRINGS RD	DURHAM CHRISTINA R
156	4605 CEDAR SPRINGS RD	SAMENI FALLAH SAM
157	4605 CEDAR SPRINGS RD	RODRIGUEZ PEGGY LYNN &
158	4605 CEDAR SPRINGS RD	AUSTIN JOHN C
159	4605 CEDAR SPRINGS RD	NGUYEN ANDREW
160	4605 CEDAR SPRINGS RD	BAO PAUL XIAPEI &
161	4605 CEDAR SPRINGS RD	WANG ERIC
162	4605 CEDAR SPRINGS RD	ROLAND CAROLINE
163	4605 CEDAR SPRINGS RD	BOWERS MATTHEW S
164	4605 CEDAR SPRINGS RD	HERRERA CAROLINA
165	4605 CEDAR SPRINGS RD	JACOBS DAVID A
166	4605 CEDAR SPRINGS RD	NOTO ANGELA
167	4605 CEDAR SPRINGS RD	LEE ALLEN
168	4605 CEDAR SPRINGS RD	SKOFF JOHN W
169	4605 CEDAR SPRINGS RD	HALL DEANNA M
170	4605 CEDAR SPRINGS RD	LEMONS WILLIAM
171	4605 CEDAR SPRINGS RD	SMITH PHILLIP JOHN
172	4605 CEDAR SPRINGS RD	MCQUEARY R WAYNE &
173	4605 CEDAR SPRINGS RD	MCINTYRE DANIEL JR
174	4605 CEDAR SPRINGS RD	ANDERSEN JULIE D
175	4605 CEDAR SPRINGS RD	PAULUS MICHAEL
176	4605 CEDAR SPRINGS RD	POPP ANDREW J
177	4605 CEDAR SPRINGS RD	PANZA LUCY G & NICHOLAS P
178	4605 CEDAR SPRINGS RD	THIBODEAU MARK
179	4605 CEDAR SPRINGS RD	JONES JAMES A
180	4605 CEDAR SPRINGS RD	FORRETTE PHILLIP H
181	4605 CEDAR SPRINGS RD	FINCK MARK B

09/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	4605 CEDAR SPRINGS RD	HERRERA LEONARDO
183	4605 CEDAR SPRINGS RD	CHEN MARIE
184	4605 CEDAR SPRINGS RD	BARNETT JESSICA E
185	4605 CEDAR SPRINGS RD	HU RANDOLF
186	4605 CEDAR SPRINGS RD	LIN TONY &
187	4605 CEDAR SPRINGS RD	LIM JACINTA C E
188	4605 CEDAR SPRINGS RD	JOHN SANGITA ELIZABETH &
189	4605 CEDAR SPRINGS RD	SKOFF DALE A
190	4605 CEDAR SPRINGS RD	WANG YIFAN
191	4605 CEDAR SPRINGS RD	SAMES STEVEN R
192	4605 CEDAR SPRINGS RD	MCQUERY BARBARA
193	4605 CEDAR SPRINGS RD	PICKENS DOUGLAS R
194	4605 CEDAR SPRINGS RD	HUDNALL JEROD D
195	4605 CEDAR SPRINGS RD	CROWLEY KRISTIE J
196	4605 CEDAR SPRINGS RD	THOMAS BRIAN L
197	4605 CEDAR SPRINGS RD	FAHR ROBERT J
198	4605 CEDAR SPRINGS RD	BARTON AUSTIN
199	4605 CEDAR SPRINGS RD	BUDA RANDALL T
200	4605 CEDAR SPRINGS RD	LAMPERT HOWARD
201	4605 CEDAR SPRINGS RD	BK PROTEGE PROPERTIES LP
202	4605 CEDAR SPRINGS RD	CAULDER RICHARD
203	4605 CEDAR SPRINGS RD	SEN HEMANTA & SOHINI MUKHERJEE

AGENDA ITEM # 68

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 E

SUBJECT

An ordinance granting a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use and a resolution granting the termination of deed restrictions on property zoned a CS Commercial Service District on the north line of East University Boulevard, east of North Central Expressway

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and conditions; and approval of the termination of deed restrictions

Z134-319(RB)

Note: This item was considered by City Council at a public hearing on June 10, 2015, and was denied without prejudice, with the public hearing closed. This item was reconsidered on June 17, 2015, to be heard on August 12, 2015, with the public hearing closed. This item was considered by the City Council on August 12, 2015, September 9, 2015, and September 22, 2015, and was held under advisement until October 28, 2015, with the public hearing closed.

FILE NUMBER: Z134-319(RB)

DATE FILED: August 19, 2014

LOCATION: North Line of East University Boulevard, East of North Central Expressway

COUNCIL DISTRICT: 14

MAPSCO: 36E

SIZE OF REQUEST: Approx. 32,190 Sq. Ft. **CENSUS TRACT:** 79.13

APPLICANT: OP Acquisitions, LLC

REPRESENTATIVE: Rob Baldwin

OWNERS: East Campus Holdings, LP; City of Dallas

REQUEST: An application for a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use and the termination of deed restrictions on property zoned a CS Commercial Service District.

SUMMARY: The applicant proposes to redevelop the property with a mini-warehouse use. The site consists of a commercial structure and surface parking area within the site's eastern half. All improvements will be removed, providing for a six story mini-warehouse use encompassing approximately 129,000 square feet of floor area. Additionally, the applicant will be terminating the existing deed restrictions that limit permitted uses (see attached deed restriction). A PDD is being requested to: 1) increase in floor area; 2) increase in structure height; 3) increase in number of stories; and 4) enhanced attached signage. While not specifically requested, staff is of the opinion a PDD also will consider a reduction in 'adequate' off-street parking.

CPC RECOMMENDATION: Approval, subject to a development plan and conditions, and approval of the termination of deed restrictions.

STAFF RECOMMENDATION: Denial

DESIGNATED ZONING CASE

Guiding Criteria for Recommendation:

Staff recommends denial of the request, based upon:

1. *Performance impacts upon surrounding property* – While the proposed development standards are compatible with the built environment, the intensity of the proposed use, and a lack of adequate off-street parking, could impact adjacent development.
2. *Traffic impact* – No increase in trip generations is expected, which currently are consistent with those generated by the surrounding nonresidential development.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area, however staff envisions transit-oriented development for this area and would expect a residential component as part of any rezoning request.
4. *Justification for a Planned Development District as opposed to straight zoning* – As the applicant wishes to establish development rights over that currently permitted, a PDD was presented for consideration.

Zoning History: There has been no recent zoning activity in the immediate area relevant to the request within the past five years.

Thoroughfare

University Boulevard

Existing & Proposed ROW

Collector; 60' & 60' ROW

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested development vision in conjunction with the required Traffic Impact Analysis and determined that the proposed development will not significantly impact the street system.

STAFF ANALYSIS:

Comprehensive Plan: The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical

element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

The predominant development pattern in the immediate area consists of nonresidential uses, heavily influenced by office structures and structured parking to serve their requirements, with retail uses concentrated to the west/northwest, and eastward (approximately 530 feet) along the Greenville Avenue alignment. An outside industrial use (University Park) is situated along the south line of University Boulevard. The DART right-of-way (Red Line) abuts the site's western property line, with various office and retail uses fronting parcels between the DART right-of-way and the northbound service road of North Central Expressway (travel lanes are depressed through this section), both north and south of University Boulevard. With respect to DART's presence in the immediate area, both the Lovers Lane Station as well as the Mockingbird Station (Park and Ride) serve this area; approximately 880 and 2,900 feet, respectively.

As the current zoning permits the mini-warehouse use by right, the applicant's intent is to utilize this CS District zoning as a base for certain permitted uses (i.e., prohibiting some uses allowed either by right or by SUP) along with the intended mini-warehouse development while requesting an increase in development rights (see table, below). While the use is not of concern to staff, it was strongly encouraged to come back with a mixed use incorporating a component of multifamily dwellings. As the site abuts office and structured parking to the north and east, it would be envisioned the units would be oriented towards unobstructed views west/northwest/south. As the site is constrained by its platted lot, off-street parking could be a concern; however, the site's proximity to mass transit would allow for consideration of reduced parking requirements for residential as part of a mixed use project. With respect to structural design, it would be anticipated at grade podium parking would be incorporated into the building's design.

As submitted, the applicant is proposing the minimum amount of parking for the use when compared to existing use categories with similar floor area (office, retail; see Off-street parking section, below). As such, the proposed redevelopment is not 'taxing' when considering land area required for parking and maneuvering. As the site is

somewhat restricted in size, the majority of redevelopment options per the attached list of permitted uses would tend to be one-story, again being somewhat impacted by off-street parking requirements.

In summary of this analysis, staff cannot support the applicant's request. It should be stated that lack of support is not related to the requested increase in development rights, but lack of a development that is more of a transit oriented development, with or without a mini-warehouse component.

In consideration of the applicant's request, staff would recommend the City Council consider the following in regard to a mini-warehouse use (in addition to a residential component as provided above):

- 1) in addition to required parking for the floor area devoted to rental units, require an additional off-street parking space for a caretaker's quarters (whether anticipated now or in the future);*
- 2) consider an increase in required parking to adequately serve the proposed development;*
- 3) prohibit rental of trailers, and associated equipment;*
- 4) prohibit outside storage;*
- 5) prohibit sales of packing/moving materials; and,*
- 6) require all units to be accessed from an internal corridor (protects against a change of design in the future)*

With respect to the part of the request to terminate existing deed restrictions, staff has no objections to this. As the applicant has established specific uses, those overlapping uses (in comparison to those restricted in the existing deed restrictions) are not being requested, thus staff supports the termination of deed restrictions.

Landscaping: The applicant will be complying with landscape requirements as outlined in Article X (street trees, site trees, two design standards) during the building permit process.

Off-Street Parking: As noted above, any redevelopment of the site will largely be impacted by an ability to provide parking on site. For purposes of this section, consideration of special parking (remote, shared) is not being considered.

By definition, the mini-warehouse use permits a maximum of 500 square feet of floor area per rental unit; required off-street parking is a minimum of six spaces, what is being proposed. Based on the applicant's development plan, 258 rental units could be available (applicant has not established a maximum number of rental units). As noted above, staff is concerned as to adequate parking being provided.

By comparison, a 129,000 square foot office would require 387 parking spaces; an 8,000 square foot restaurant would require 80 spaces; or, an 8,000 square foot furniture store would require 16 spaces.

The majority of mini-warehouse projects are developed in a horizontal pattern; i.e., one and two story structures across a parcel, with parking spaces interspersed throughout the development and located in close proximity to the rental units.

As a truly vertical product, one such does exist and was approved (also as a PDD) and may provide the City Council with a comparison in assessing this request. This particular development provides for 79,740 square feet of floor area within a four story structure, providing parking at one space for each 4,200 square feet of floor area.

Signage: The applicant is governed by sign provisions for a business zoning district. With respect to attached signage, the applicant is requesting an effective area of 25 percent for both the western and southern façade.

PROVISION	CS (existing)	PROPOSED PDD
F/S/R SETBACKS	15'/0'/0'	NO REVISION
DENSITY	N/A	N/A
HEIGHT	45 FEET	80 FEET
STORIES	THREE	SIX
FLOOR AREA	24,176 SF (RESTRICTED OFFICE/LODGING/ RETAIL TO 16,117 SF)	129,000 SF
LOT COVERAGE	80%	N/A
OFF-STREET PARKING	PER USE-DALLAS DEVELOPMENT CODE	CPC RECOMMENDED 12 SPACES
LANDSCAPE	ARTICLE X	N/A
SIGNS	BUSINESS ZONING DISTRICT	ATTACHED SIGNS-≤25% OF AREA OF WEST AND SOUTHERN, EACH

CPC ACTION – May 7, 2015

Motion: It was moved to recommend **approval** of a Planned Development District for certain CS Commercial Service District Uses and a Mini-warehouse use, subject to a development plan and conditions with the following modifications: 1) Section 51P-__109, Increase parking spaces to 12, and 2) Section 51P-__113, Strike (b)(3) “Sales of packing and moving materials is prohibited”, and **approval** of the termination of deed restrictions on property zoned a CS Commercial Service District on the north line of East University Boulevard, east of North Central Expressway.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 1

For: 13 - Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Peadon, Murphy, Ridley, Abtahi

Against: 1 - Schultz
Absent: 1 - Anglin
Vacancy: 0

Notices: Area: 500 Mailed: 28
Replies: For: 1 Against: 2

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Matthew Vrnngink, 5422 Monticello Ave., Dallas, TX, 75206
Against: None

LIST OF OFFICERS

Applicant:

OP Acquisitions, LLC

Clay Likover, officer

Owner:

East Campus Holdings, LP

Seth Bame, officer

CPC RECOMMENDED 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 on the north line of University Boulevard, east of North Central Expressway. The size of PD _____ is approximately 0.74 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 nonresidential zoning district.

SEC. 51P- ____ .104. EXHIBITS.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

SEC. 51P- ____ .105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- ____ .106. MAIN USES PERMITTED.

The following uses are the only main uses permitted:

- (1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Building repair and maintenance shop.
-- Catering service.
-- Custom business services.
-- Electronics service center.
-- Medical or scientific laboratory. [SUP]
-- Tool or equipment rental.

(3) Industrial uses.

-- Gas drilling and production. [SUP]
-- Industrial (inside) for light manufacturing, limited to a bakery.
-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) 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. [SUP]
-- Public school.
-- Open enrollment charter school. [SUP]
-- Private school. [SUP]

(5) Lodging uses.

-- Hotel or motel. *[See Section 51A-4.205(1)(B).]*
-- Lodging or boarding house. [SUP]
-- Overnight general purpose shelter.

(6) Miscellaneous uses.

-- Attached non-premise sign. [SUP]
-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(7) Office uses.

- Alternative financial establishment. [SUP]
- Financial institution without drive-in window.
- Financial institution with drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- 4.210(b)(4).]
- Alcoholic beverage establishments. [See Section 51A-
 - Ambulance service.
 - Animal shelter or clinic without outside runs.
 - Auto service center.
 - Business school.
 - Car wash.
 - Commercial amusement (inside). [SUP may be required.]
 - Commercial amusement (outside). [SUP]
 - Commercial parking lot or garage.
 - 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.
 - Pawn shop.
 - Personal service uses.
 - Restaurant without drive-in or drive-through service.
 - Restaurant with drive-in or drive-through service.

- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower.
- Tower/antenna for cellular communication.
- Utility or government installation other than listed.

(13) Wholesale, distribution, and storage uses.

- Mini-warehouse.
- Office showroom/warehouse.
- Recycling buy-back center. *[SUP or RAR may be required. See Section 51A-4.213(11).]*
- Recycling collection center. *[SUP or RAR may be required. See Section 51A-4.213(11.1).]*
- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

SEC. 51P-____.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.

SEC. 51P-____.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) Except as provided in this section, the yard, lot, and space regulations for the CS Commercial Service District apply.

(b) Height. Maximum structure height is 80 feet.

(c) Stories. Maximum number of stories above grade is six.

(d) Floor area. Maximum floor area is 128,938 square feet.

SEC. 51P- _____.109. OFF-STREET PARKING AND LOADING.

(a) 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) Mini-warehouse. A minimum of 12 off-street parking spaces must be provided.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.112. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) Attached signs.

(1) The maximum effective area for the west façade is 25 percent of this façade area.

(2) The maximum effective area for the south façade is 25 percent of this façade area.

SEC. 51P- _____.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) For a mini-warehouse:

- (1) Rental of trailers and associated equipment is prohibited.
- (2) Outside storage is prohibited.
- (3) All storage units must be accessed from an internal corridor.

(c) 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-____.114.

COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the 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.

941995

DEED RESTRICTIONS *WJS*

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

I.

The undersigned, **DEMAC CORP., a Texas corporation** (the "Owner"), is the owner of the property located in the City of Dallas, Dallas County, Texas described in Exhibit A attached hereto and made a part hereof (the "Property"), such Property being more commonly known as 5531 East University Boulevard, Dallas, Texas and being the same property conveyed to Owner by Warranty Deed dated April 10, 1980 from Mary Alice Dealey and recorded in Volume 80113, Page 1871 of the Deed Records of Dallas County, Texas. *WJS*

II.

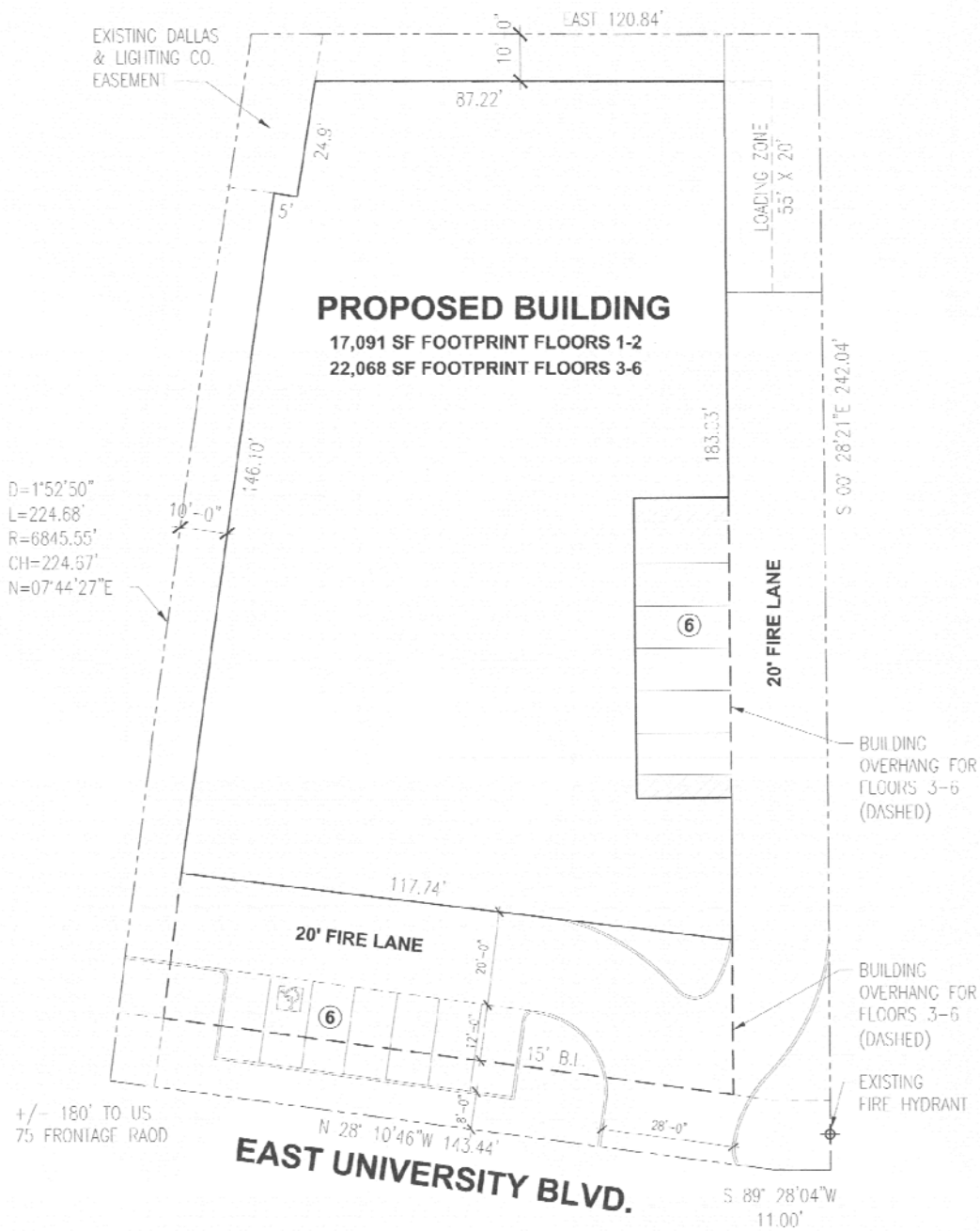
The Owner does hereby impress all of the Property with the following deed restriction (the "Restriction"), to wit:

The following shall be the only uses permitted on the Property:

- 1) Industrial (Inside) for Light Manufacturing Uses limited to the operation of a Commercial Bakery and uses customarily incidental to a Commercial Bakery. For purposes hereof, a "Commercial Bakery" is defined as an industrial facility where the baking and processing of baked goods takes place wholly within an enclosed building.
- 2) Office Showroom/Warehouse Uses.
- 3) Those uses permitted in the CR Community Retail District.

III.

The Restriction shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.



SITE DATA TABLE
 PROPOSED USE: SELF STORAGE / MINI-WAREHOUSE
 FLOOR AREA: 122,454 TOTAL
 VOLUME: 800,000
 STORIES: 6
 LOT COVERAGE: 80% MAX ALLOWED / 72% PROVIDED
 OFF-STREET PARKING: PROVIDED 6 (PER ARTICLE 11 (1) (D) CDD ZONING ORDINANCE)
 PROVIDED: 12

DEVELOPMENT PLAN
 CASE Z134-319



SCALE: 1" = 20'-0"

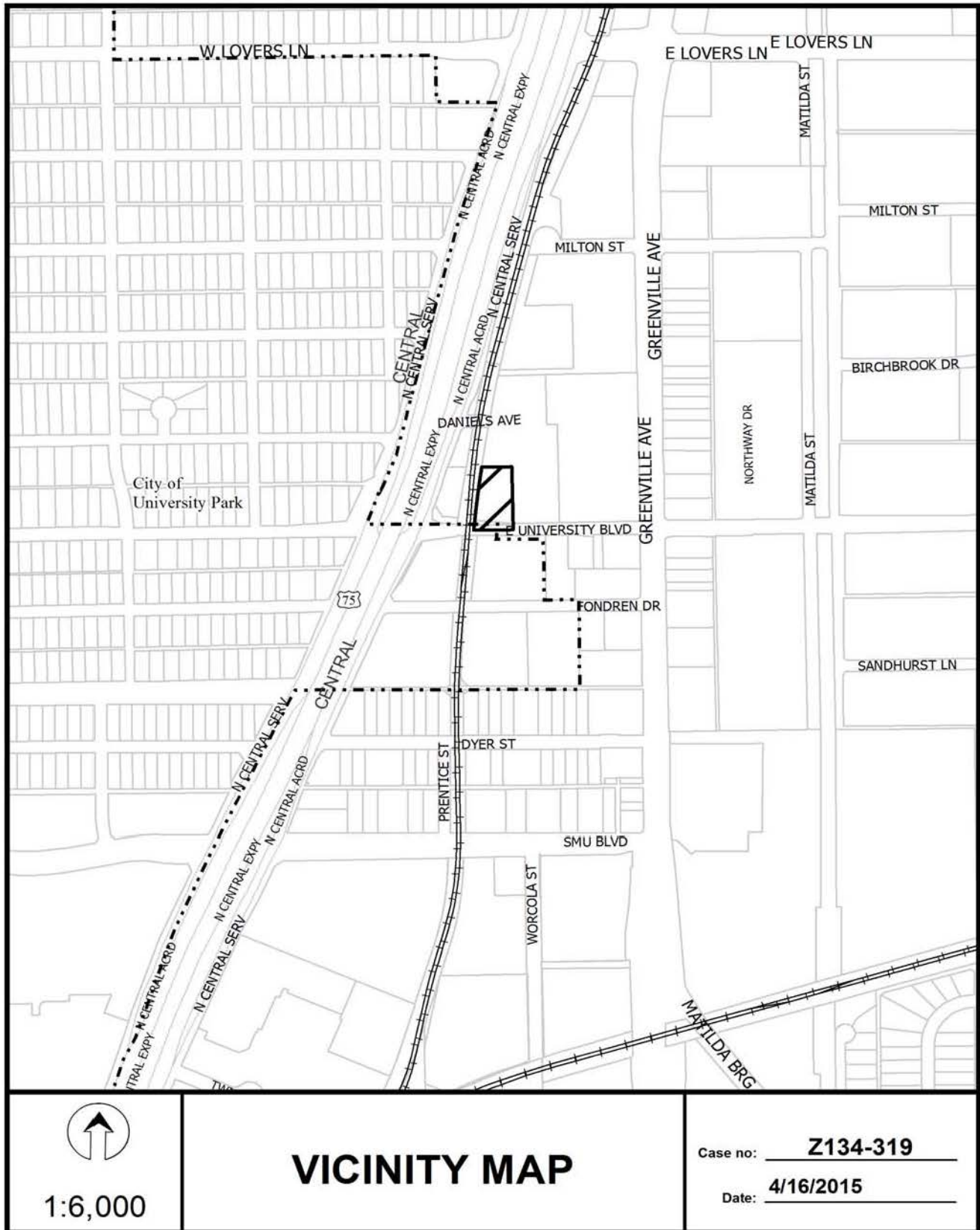
CONCEPTUAL SITE PLAN HAS BEEN DEVELOPED WITHOUT SURVEY, SETBACK, EASEMENT, OR CIVIL ENGINEERING INFORMATION.
 THIS DOCUMENT IS NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
 JEFFREY S. DALLMADILL, AIA
 TX REGISTRATION NO. 15128

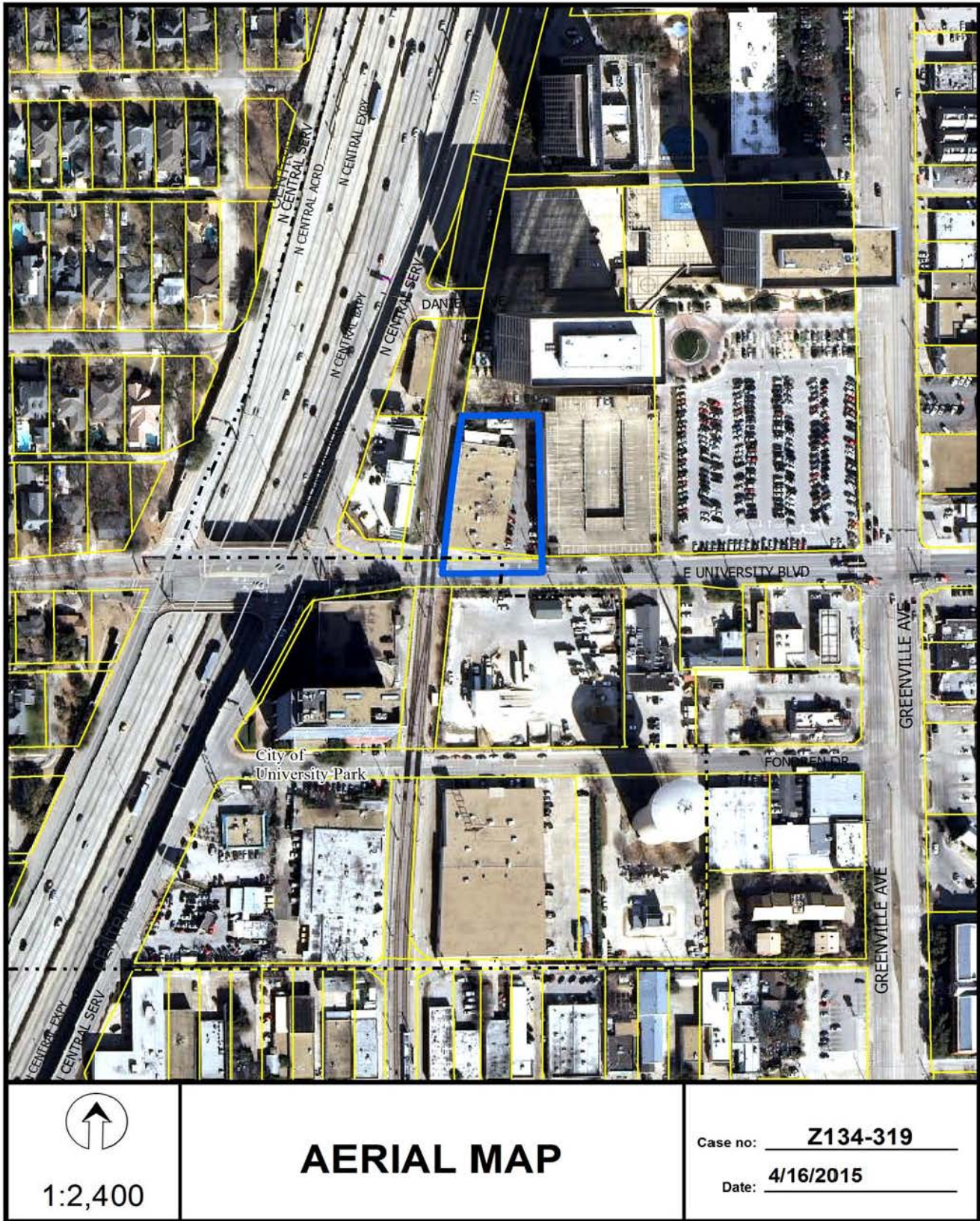
UNIVERSITY STORAGE

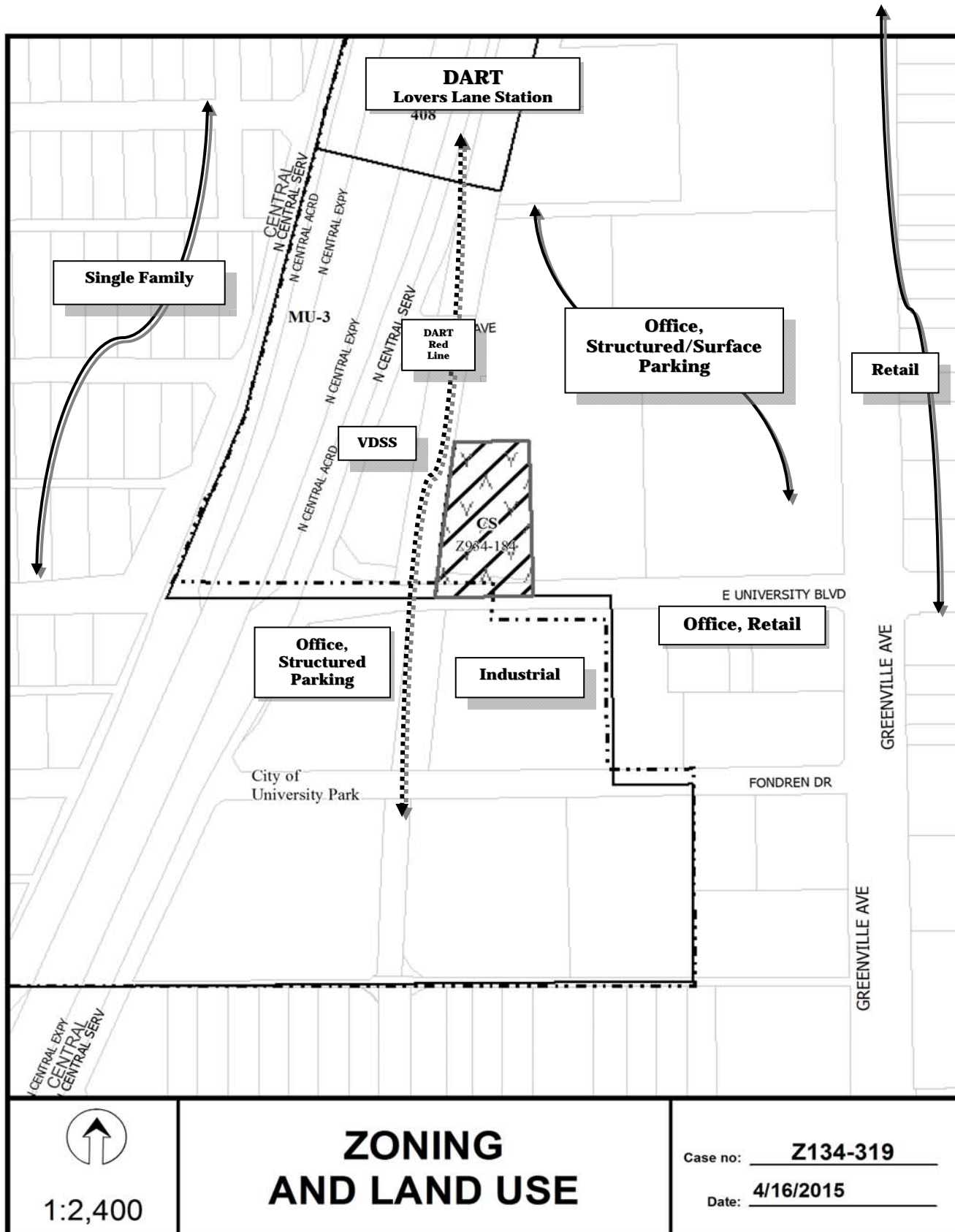
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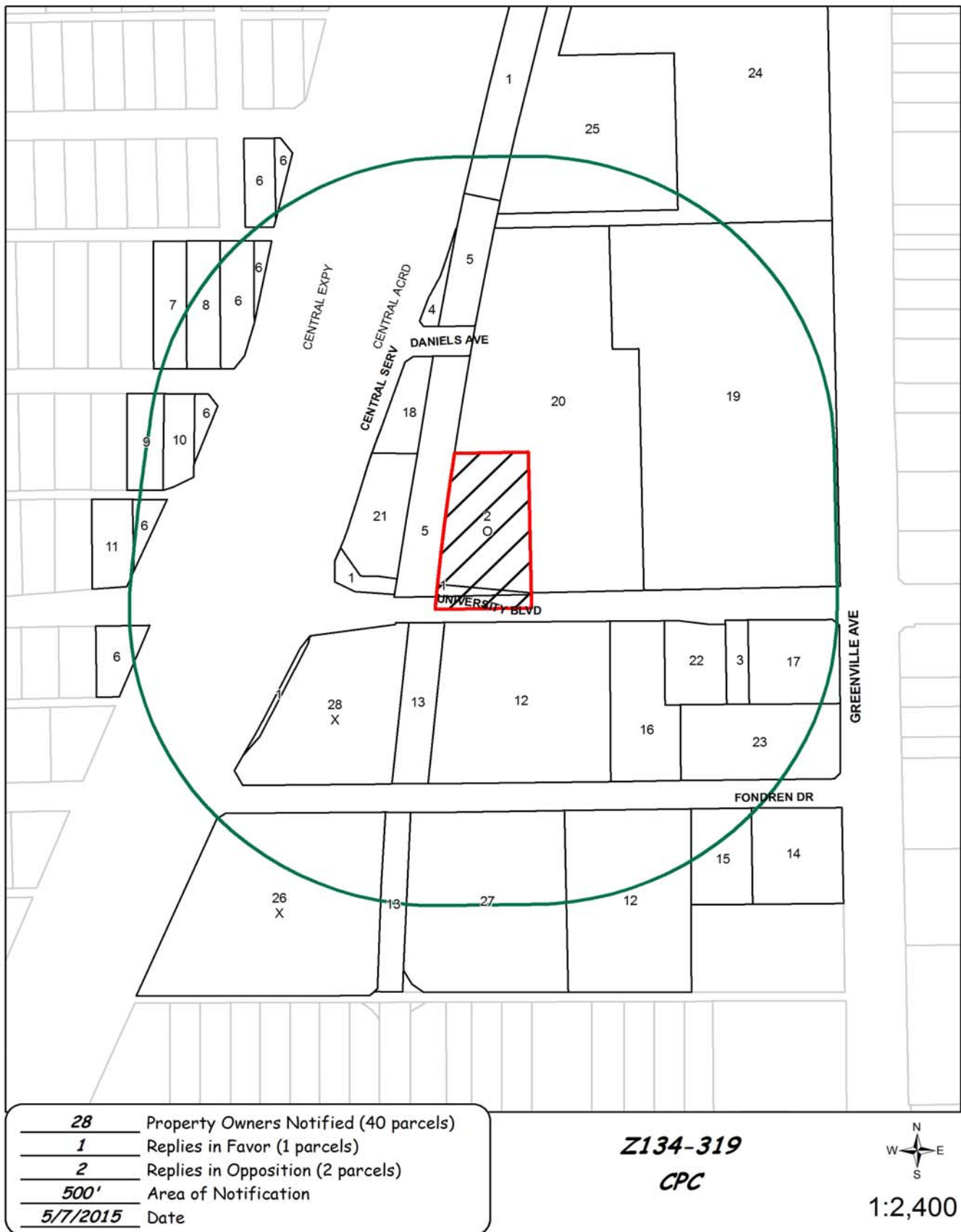
ARCHCON
 architecture

Proposed Development Plan







CPC RESPONSES

05/06/2015

Reply List of Property Owners***Z134-319******28 Property Owners Notified******1 Property Owners in Favor******2 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5603 MILTON ST	DALLAS AREA RAPID TRANSIT
O	2	5531 UNIVERSITY BLVD	EAST CAMPUS HOLDINGS LP
	3	5626 UNIVERSITY BLVD	CAMPBELL RANDY &
	4	6600 CENTRAL EXPY	UNIVERSITY SIGN PARTNERSHIP
	5	555 2ND AVE	DART
	6	2801 UNIVERSITY BLVD	UNIVERSITY PARK CITY OF
	7	2708 DANIEL AVE	FARR MARGARET JEAN
	8	2706 DANIEL AVE	DUNSTON JAYSON & HEATHER
	9	2709 DANIEL AVE	KAPLAN CHERYL H & ARTHUR
	10	2705 DANIEL AVE	UNIVERSITY PARK CITY OF
	11	2804 UNIVERSITY BLVD	CAHILL JOHN E
	12	2525 UNIVERSITY BLVD	UNIVERSITY PARK CITY OF
	13	2600 FONDREN DR	DALLAS AREA RAPID TRANSIT
	14	4645 GREENVILLE AVE	SAYAH INVESTMENTS LP
	15	5620 FONDREN DR	DDW PROPERTIES LLC
	16	5614 UNIVERSITY BLVD	FIFTY SIX FOURTEEN
	17	4747 GREENVILLE AVE	ZAKI FAMILY PARTNERSHIP LP THE
	18	6530 CENTRAL EXPY	ROPPOLO THOMAS J ET AL
	19	4925 GREENVILLE AVE	LOCH ENERGY SQUARE LP
	20	4849 GREENVILLE AVE	LOCH ENERGY SQUARE LP
	21	5515 UNIVERSITY BLVD	SAAD BASEL R
	22	5622 UNIVERSITY BLVD	HOPPER JAMES T & KATHLEEN
	23	4703 GREENVILLE AVE	EDWARD T FARRIS CO LTD
	24	5646 MILTON ST	MEADOWS BUILDING LLC
	25	6688 CENTRAL EXPY	LOCH ENERGY SQUARE LP
X	26	6400 CENTRAL EXPY	MUSTANG MOCKINGBIRD PROPERTIES

Z134-319(RB)

05/06/2015

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2651 FONDREN DR	JARRELL CREDIT EQUIVALENT
X	28	6440 CENTRAL EXPY	TURLEY WINDLE & SHIRLEY A

AGENDA ITEM # 69

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: All

SUBJECT

A public hearing to receive comments regarding consideration of and an ordinance granting amendments to Chapters 51 and 51A of the Dallas Development Code to: **(1)** require a landscape buffer and establish maximum stacking heights for open storage and outside storage uses; **(2)** require screening for open storage and outside storage uses in the I-2, I-3, and IM Industrial Manufacturing districts; **(3)** provide new screening regulations for the organic compost recycling facility use, petroleum product storage and wholesale use, and sand, gravel or earth sales and storage use in IM Industrial Manufacturing districts; and **(4)** require a Specific Use Permit for outside storage as a main use in the CA-1 and CA-2 districts

Recommendation of Staff: Approval of Staff recommendation

Recommendation of CPC: Approval

DCA078-016(DL)

Note: This item was considered by the City Council at a public hearing on September 22, 2015, and was held under advisement until October 28, 2015, with the public hearing open

FILE NUMBER: DCA078-016(DL)

DATE INITATED: April 24, 2009

TOPIC: Outside Storage

COUNCIL DISTRICT: All

CENSUS TRACTS: All

PROPOSAL: Consideration of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code to: (1) require a landscape buffer and establish maximum stacking heights for open storage and outside storage uses; (2) require screening for open storage and outside storage uses in the I-2, I-3, and IM Industrial Manufacturing districts; (3) provide new screening regulations for the organic compost recycling facility use, petroleum product storage and wholesale use, and sand, gravel or earth sales and storage use in IM Industrial Manufacturing districts; and (4) require a Specific Use Permit for outside storage as a main use in the CA-1 and CA-2 districts.

SUMMARY: The purpose of the amendments are to provide adequate and appropriate screening requirements for open storage and outside storage uses in the I-2 and I-3 Industrial Districts, and IM Industrial Manufacturing District; to establish maximum stacking heights for this use in all allowed districts; to establish a landscape buffer requirement for this use; to provide adequate and appropriate screening requirements for the organic compost recycling, sand, gravel, or earth sales and storage; and petroleum product storage and wholesale uses in the IM Industrial Manufacturing District; and to provide additional scrutiny of this use in the CA-1 and CA-2 Central Area Districts.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval of Staff recommendation**

BACKGROUND

Outside storage is currently defined as “a lot used for the outside placement of an item for a period in excess of 24 hours and includes storage in a structure that is open or not entirely enclosed.”

Outside storage is considered a main use if it occupies greater than five percent of a lot's area. It is allowed by right in a CS Commercial Service District, Industrial districts (LI Light Industrial, IR Industrial Research and IM Industrial Manufacturing) and the Central Area districts (CA-1 and CA-2).

Currently, screening is required in CS, LI, and IR districts. Per, section 51A-4.602(b), required screening must not be less than six feet in height and must be constructed of either brick, stone, concrete masonry, stucco, concrete or wood; an earthen berm (with a slope that does not exceed one foot of height for each two feet of width) planted with turf grass or ground cover; evergreen plant materials; or any combination of these materials. Metal is currently not a permitted screening material.

The goal of the proposed changes is to improve the aesthetics of the city as seen from thoroughfares and highways. Thoroughfares are streets that are designated in the City's thoroughfare plan and are typically arterial or collector streets.

The proposed amendments establish screening requirements for the Outside storage use in an IM District (i.e., uses with Certificates of Occupancy where the land use is listed as Outside storage). Additionally, the proposal establishes stacking height and landscape buffer requirements for the Outside storage use in all allowed districts. The proposal does not affect accessory outside storage.

Screening requirements are also proposed for the Organic compost recycling; Petroleum product storage and wholesale; and Sand, gravel, or earth sales and storage uses, as these uses typically have an outside storage component. The requirements will affect new uses with Certificates of Occupancy where the land use is listed as Organic compost recycling; Petroleum product storage and wholesale; or Sand, gravel, or earth sales and storage uses.

The proposed amendment establishes compliance dates for outside storage for both maximum stacking heights and required screening. No compliance date is recommended for the landscape buffer requirement.

In 2009, the Zoning Ordinance Committee (ZOC) considered amendments to the screening requirements for the Outside storage use. City Plan Commission (CPC) recommended approval of those amendments.

On January 13, 2014, the Quality of Life & Environment Committee (Committee) was updated on the status of the proposed amendments to the screening requirements. The Quality of Life & Environment Committee directed staff to take the item back to ZOC to

resolve outstanding issues including: compliance periods; stacking heights; screening materials; and screening for other uses with an outside storage component.

The Zoning Ordinance Committee (ZOC) reconsidered this issue at seven meetings between January 23, 2014 and September 18, 2014. On September 18, 2014, ZOC recommended approval of the proposed ordinance (which includes some of the City Plan Commission recommendations from 2009 as well as new recommendations from ZOC).

On October 23, 2014, the City Plan Commission (CPC) held this item under advisement until December 4, 2014 when the City Plan Commission approved Staff and Zoning Ordinance Committee recommended changes.

City Council's Quality of Life & Environment Committee was briefed on this matter on May 26, 2015, August 10, 2015 and August 24, 2015.

On August 24, 2015, the Quality of Life & Environment Committee recommended taking the amendment to the full Council. The Committee supported the majority of the CPC's recommended actions. The Committee differed with CPC on the instances when outside storage in the IM District must be screened; the allowable screening materials for this use in the IM District; the compliance periods; and the special exception process for the outside storage use in the IM District.

PROPOSED AMENDMENTS

Screening Requirements

CPC Recommendation

- In the IM district, outside storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned IM.

Staff and Quality of Life and Environment Committee Recommendation

- In the IM district, outside storage must be visually screened on any side that is within 200 feet and visible from a thoroughfare, expressway, or adjacent property not zoned IM.

Screening for Additional Uses with an Outside Storage component

CPC Recommendation

- Required screening, consistent with the screening proposed for Outside Storage use in the IM District, for the following additional uses that have an outside storage component and are allowed by right in the IM District:
 - Petroleum Product Storage and Wholesale
 - Sand, Gravel, or Earth Sales and Storage
 - Organic Compost Recycling Facility

Screening Materials for Required Screening

In 2009 CPC recommended amendments to regulations in Sec 51A-4.602(b) for Required Screening by removing “stucco” from the list of allowable screening material for any Required screening and Garbage storage areas. Additionally, “metal” was added as an allowed screening material for Garbage storage areas.

- Required screening must be constructed of: brick, stone, concrete masonry, ~~stucco~~, concrete, wood, an earthen berm (planted with turf grass or ground cover), or evergreen plant materials (capable of obtaining a solid appearance within three years).
- Garbage storage areas must be visually screened on any side visible from a street or an adjoining property by a brick, stone, concrete masonry, ~~stucco~~, concrete, wood, or metal wall or fence or by landscape screening.

During the 2015 Quality of Life and Environment Committee briefings, metal as a screening material was discussed and removed as an allowable material.

Screening Materials in the IM District

CPC Recommendation

- In the IM district, in addition to the screening materials allowed in Section 51A-4.602(b)(3), which are: brick, stone, concrete masonry, ~~stucco~~, concrete, wood, an earthen berm (planted with turf grass or ground cover), and evergreen plant materials (capable of obtaining a solid appearance within three years). The outside storage use may also be screened with corrugated sheet metal (that includes a cap, a top, and a bottom rail) or chain link (with slats through all links).

Staff and Quality of Life and Environment Committee Recommendation

- To remove corrugated sheet metal (that includes a cap, a top, and a bottom rail) and chain link (with slats through all links) as an additional material for the outside storage use in the IM District and instead allow weathering steel as an additional material for this use in the IM District.

Landscape

CPC Recommendation

- Require a landscape buffer between any required screening fence and the adjacent thoroughfare (Alternative irrigation may be approved by the director).

Stacking Height

CPC Recommendation

- Maximum stacking height of outside storage within 40 feet of the required screening is no higher than the height of the screening
- Maximum stacking height of outside storage is 30 feet if the outside storage area is visible from and within 200 feet of a thoroughfare or adjoining property not zoned IM

- No maximum stacking height 200 feet or more from a thoroughfare or adjoining property

CA Districts

CPC Recommendation

- Require an SUP for Outside Storage as a main use in the CA-1 and the CA-2 Districts

Compliance Periods

CPC Recommendation

- Five year compliance period for screening and stacking height requirements
- No compliance date proposed for landscape buffer requirement

Quality of Life and Environment Committee Recommendation

- Require a three year compliance period instead of a five years for screening and stacking height requirements
- No compliance date proposed for landscape buffer requirement

Special Exception Process

After City Planning Commission, Staff expressed concerns that requiring the outside storage use in the IM District to obtain a Special Use Permit to allow for exceptions to the screening requirements was too onerous and is better addressed by the existing process in which an appeal may be made to the Board of Adjustment for a special exception to the required screening.

CPC Recommendation

- By right in the IM district if screening is provided in accordance with Subparagraph (F) and stacking heights comply with Subparagraph (G); otherwise by SUP only in the IM district.

Staff and Quality of Life and Environment Committee Recommendation

- Follow Staff recommendation to allow Outside storage use in the IM District to follow the existing process for special exceptions for required screening through the Board of Adjustment.

CPC ACTION

October 23, 2014

Motion I: It was moved to recommend **approval** of Consideration of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code to: 1) provide landscaping, stacking height, and screening regulations for open storage and outside storage uses; and 2) provide screening regulations for organic compost recycling; petroleum product storage and wholesale; and sand, gravel or earth sales and storage uses in IM Industrial Manufacturing districts.

Maker: Shellene
Second: None
Result: Failed for lack of a second

Motion II: In considering amendments to Chapter 51 and Chapter 51A, the Dallas Development Code to: 1) provide landscaping, stacking height, and screening regulations for open storage and outside storage uses; and 2) provide screening regulations for organic compost recycling; petroleum product storage and wholesale; and sand, gravel or earth sales and storage uses in IM Industrial Manufacturing districts, it was moved to **hold** this case under advisement until December 4, 2014.

Maker: Shellene
Second: Ridley
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Shidid, Bagley,
Lavallaisaa, Tarpley, Shellene, Peadon, Murphy,
Ridley, Abtahi

Against: 0
Absent: 3 - Culbreath, Anantasomboon, Schultz
Vacancy: 0

Speakers: None

December 4, 2014

Motion: It was moved to recommend **approval** of the amendments to Chapter 51 and Chapter 51A, the Dallas Development Code to: 1) provide landscaping, stacking height, and screening regulations for open storage and outside storage uses; and 2) provide screening regulations for organic compost recycling; petroleum product storage and wholesale; and sand, gravel or earth sales and storage uses in IM Industrial Manufacturing districts.

Maker: Shellene
Second: Murphy

Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley,
Shellene, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Abtahi
Vacancy: 0

Speakers: None

9-1-15

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 Sections 51-4.213, 51-4.214, 51A-4.123, 51A-4.124, 51A-4.203, 51A-4.213, and 51A-4.602; providing screening requirements for the organic compost recycling use, the petroleum product storage and wholesale use, and the sand, gravel, or earth sales and storage use; providing landscaping, screening, and stacking height requirements for the open storage use and the outside storage use; providing additional screening materials for outside storage in IM districts; providing a specific use permit requirement for outside storage in central area districts; 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 Subparagraph (E), “Additional Provisions,” of Paragraph (10), “Petroleum Products Storage and Wholesale,” of Section 51-4.213, “Commercial Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended by adding new Romanette (ii) to read as follows:

CPC Recommendation

“(ii) In the I-2 and I-3 districts, petroleum products storage and wholesale must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjoining property that is not zoned I-2 or I-3. In addition to the screening materials allowed in Section 51A-4.602(b)(3), corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used.”

Staff and Quality of Life and Environment Committee Recommendation

“(ii) In the I-2 and I-3 districts, petroleum products storage and wholesale must be visually screened on any side that is within 200 feet of and visible from a thoroughfare, expressway, new expressway, or an adjoining property that is not zoned I-2 or I-3. In addition to the screening materials allowed in Section 51A-4.602(b)(3), ~~corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links~~ weathering steel may also be used.”

SECTION 2. That Subparagraph (E), “Additional Provisions,” of Paragraph (13), “Sand, Gravel, and Earth Sales or Storage,” of Section 51-4.213, “Commercial Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended by adding new Romanette (iii) to read as follows:

CPC Recommendation

“(iii) In the I-2 and I-3 districts, sand, gravel, or earth sales and storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned I-2 or I-3. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used.”

Staff and Quality of Life and Environment Committee Recommendation

“(iii) In the I-2 and I-3 districts, sand, gravel, or earth sales and storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare, expressway, new expressway, or an adjacent property that is not zoned I-2 or I-3. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), ~~corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links~~ weathering steel may also be used.”

SECTION 3. That Paragraph (4), “Open Storage,” of Section 51-4.214, “Storage and Waste Disposal Uses,” of Division 51-4.200, “Use 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:

“(4) Open storage.

(A) Definition: A lot used for the outside placement of an item[, for a period in excess of 24 hours,] ~~[, of an item which is:]~~ Outside placement includes storage in a structure that is open or not entirely closed.

~~[(i) customarily used or stored outside; and~~

~~[(ii) made of a material that is resistant to damage or deterioration from exposure to the outside environment.]~~

CPC Recommendation

(B) Districts permitted: By right in HC and I-1 districts. RAR required in HC and industrial districts. By SUP only in the central area and LC districts. By right in the I-2 and I-3 districts if screening is provided in accordance with Subparagraph (F) and stacking heights comply with Subparagraph (G); otherwise by SUP only in the I-2 and I-3 districts.

Staff and Quality of Life and Environment Committee Recommendation

(B) Districts permitted: By right in HC and I-1 districts. RAR required in HC and industrial districts. By SUP only in the central area and LC districts. By right in the I-2 and I-3 districts if screening is provided in accordance with Subparagraph (F) and stacking heights comply with Subparagraph (G) otherwise by SUP only in the I-2 and I-3 districts.

~~[(i) Open storage with visual screening: HC, central area, and industrial districts; specific use permit required in a LC district.~~

~~[(ii) Open storage without visual screening: I-2 and I-3 districts.]~~

(C) Required off-street parking: One space for each 5,000 ~~[2,000]~~ square feet of site area exclusive of parking area; a minimum of one space is required, and a maximum of four spaces is allowed.

(D) Required off-street loading:

SQUARE FEET OF
FLOOR AREA IN STRUCTURE

TOTAL REQUIRED
SPACES OR BERTHS

0 to 10,000

NONE

10,000 to 50,000

1

50,000 to 100,000

2

Each additional 100,000
or fraction thereof

1 additional

(E) Landscaping:

(i) A landscape buffer must be provided between any required screening fence and the adjacent thoroughfare.

(ii) The director may approve an alternative irrigation plan for landscaping if the director determines that it will maintain the required landscaping.

(F) Screening:

(i) In the HC, LC, and I-1 districts, open storage must be screened.

CPC Recommendation

(ii) In the I-2 and I-3 districts, open storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned I-2 or I-3. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used.

Staff and Quality of Life and Environment Committee Recommendation

(ii) In the I-2 and I-3 districts, open storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare, expressway, new expressway, or an adjacent property that is not zoned I-2 or I-3. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), ~~corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links~~ weathering steel may also be used.

(G) Stacking height.

(i) Except as provided in this subparagraph, maximum stacking height of open storage is 30 feet if the open storage area is visible from and within 200 feet of a thoroughfare or adjoining property that is not zoned I-3. No maximum stacking height of open storage if the open storage area is 200 feet or more from a thoroughfare or adjoining property.

(ii) Maximum stacking height of open storage within 40 feet of the required screening is no higher than the height of the screening.

(H) Additional provisions:

(i) A person shall not place, store, or maintain outside for a period in excess of 24 hours, an item that [which] is not:

(aa) customarily used or stored outside; or

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(ii) Open storage may qualify as an accessory use if it is customarily incidental to a main use. See Section 51-4.217. [The required screening for open storage must comply with the screening requirements in this article.]

(iii) Open storage is prohibited in required yards, landscaping areas, and parking areas.

CPC Recommendation

(iv) All nonconforming open storage areas must comply with Subparagraphs (F) and (G) by [five years].”
--

Staff and Quality of Life and Environment Committee Recommendation

(iv) All nonconforming open storage areas must comply with Subparagraphs (F) and (G) by September 22, 2018. The owner or operator of an outside storage use may appeal to the board of adjustment for a later compliance date at any time up to the compliance date in this provision if the owner or operator will not be able to recover his investment in the use (up to the date of nonconformance) by the compliance date in this subsection. The fee for the appeal of the compliance date is the same as the fee for a nonresidential special exception before the board of adjustment as set forth in Chapter 51A.
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SECTION 4. That Subparagraph (M), “Wholesale, Distribution, and Storage Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “Industrial Manufacturing (IM) District,” of Section 51A-4.123, “Commercial Service and Industrial 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:

“(M) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Building mover's temporary storage yard. [SUP]
- Contractor's maintenance yard. [RAR]
- Freight terminal. [RAR]
- Livestock auction pens or sheds. [SUP]
- Manufactured building sales lot. [RAR]
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). [RAR]

CPC Recommendation

- | |
|--|
| <ul style="list-style-type: none"> -- Outside storage (without visual screening). [RAR. <u>SUP</u>
<u>may be required. See Section 51A-4.213(9).</u>] |
|--|

Staff and Quality of Life and Environment Committee Recommendation

- | |
|--|
| <ul style="list-style-type: none"> -- Outside storage (without visual screening). [RAR. <u>SUP</u>
<u>may be required. See Section 51A-4.213(9).</u>] |
|--|
- Petroleum product storage and wholesale. [RAR]
 - Recycling buy-back center. [See Section 51A-4.213(11).]
 - Recycling collection center. [See Section 51A-4.213(11.1).]
 - Recycling drop-off container. [See Section 51A-4.213(11.2).]
 - Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
 - Sand, gravel, or earth sales and storage. [RAR]
 - Trade center.
 - Vehicle storage lot.
 - Warehouse. [RAR]

SECTION 5. That Subparagraph (M), “Wholesale, Distribution, and Storage Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (a), “CA-1(A) District,” of Section 51A- 4.124, “Central Area 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:

“(M) Wholesale, distribution, and storage uses.

- Freight terminal. *[DIR]*
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). *[SUP]*
- Recycling buy-back center. *[See Section 51A-4.213(11).]*
- Recycling collection center. *[See Section 51A-4.213(11.1).]*
- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
- Trade center.
- Warehouse.”

SECTION 6. That Subparagraph (M), “Wholesale, Distribution, and Storage Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (b), “CA-2(A) District,” of Section 51A- 4.124, “Central Area 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:

“(M) Wholesale, distribution, and storage uses.

- Freight terminal. *[DIR]*
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). *[SUP]*
- Recycling buy-back center. *[See Section 51A-4.213(11).]*

- Recycling collection center. *[See Section 51A-4.213(11.1).]*
- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*
- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*
- Trade center.
- Warehouse.”

SECTION 7. That Paragraph (4.1), “Organic Compost Recycling Facility,” of Subsection (b), “Specific Uses,” of Section 51A-4.203, “Industrial Uses,” of Division 51A- 4.200, “Use Regulations,” 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 (E), “Additional Provisions,” to read as follows:

“(E) Additional provisions:

CPC Recommendation

(i) In the IM district, an organic compost recycling facility must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned IM. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used.”

Staff and Quality of Life and Environment Committee Recommendation

(i) In the IM district, an organic compost recycling facility must be visually screened on any side that is within 200 feet of and visible from a thoroughfare, expressway, new expressway, or an adjacent property that is not zoned IM. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), ~~corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links~~ weathering steel may also be used.”

SECTION 8. That Paragraph (9), “Outside Storage,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use 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:

“(9) Outside storage.”

(A) Definition: A lot used for the outside placement of an item for a period in excess of 24 hours. Outside placement includes storage in a structure that is open or not entirely enclosed.

CPC Recommendation

(B) Districts permitted: By right in CS[,] and industrial[, and central area] districts. By SUP only in central area districts. [Screening required in CS, LI, IR, and central area districts.] RAR required in CS and industrial districts. By right in the IM district if screening is provided in accordance with Subparagraph (F) and stacking heights comply with Subparagraph (G); otherwise by SUP only in the IM district.

Quality of Life and Environment Committee Recommendation

(B) Districts permitted: By right in CS[,] and industrial[, and central area] districts. By SUP only in central area districts. [Screening required in CS, LI, IR, and central area districts.] RAR required in CS and industrial districts. By right in the IM district if screening is provided in accordance with Subparagraph (F) and stacking heights comply with Subparagraph (G); otherwise by SUP only in the IM district.

(C) Required off-street parking: One space for each 5,000 square feet of site area exclusive of parking area up to a maximum of five required spaces; a minimum of one space is required.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Landscaping.

(i) A landscape buffer must be provided between any required screening fence and the adjacent thoroughfare.

(F) Screening.

(i) In the CS, LI, and IR districts, outside storage must be screened.

CPC Recommendation

(ii) In the IM district, outside storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned IM. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used.

Staff and Quality of Life and Environment Committee Recommendation

(ii) In the IM district, outside storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare, expressway, or new expressway, or an adjacent property that is not zoned IM. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), ~~corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used~~ weathering steel may also be used.

(G) Stacking height.

(i) Except as provided in this subparagraph, maximum stacking height of outside storage is 30 feet if the outside storage area is visible from and within 200 feet of a thoroughfare or adjoining property that is not zoned IM. No maximum stacking height of outside storage if the outside storage area is 200 feet or more from a thoroughfare or adjoining property.

(ii) Maximum stacking height of outside storage within 40 feet of the required screening is no higher than the height of the screening.

(H) Additional provisions:

(i) A person shall not place, store, or maintain outside for a period in excess of 24 hours, an item that ~~which~~ is not:

(aa) customarily used or stored outside; or

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(ii) Except as otherwise provided in this article, outside storage is considered to be a separate main use if it occupies more than five percent of the lot. Outside storage on less than five percent of the lot may qualify as an accessory use if it is customarily incidental to a main use. See Section 51A-4.217.

(iii) Outside storage is prohibited in required yards, landscaping areas, and parking areas.

CPC Recommendation

(iv) All nonconforming outside storage areas must comply with Subparagraphs (F) and (G) by [five years].”

Quality of Life and Environment Committee Recommendation

(iv) All nonconforming outside storage areas must comply with Subparagraphs (F) and (G) by September 22, 2018. The owner or operator of an outside storage use may appeal to the board of adjustment for a later compliance date at any time up to the compliance date in this provision if the owner or operator will not be able to recover his investment in the use (up to the date of nonconformance) by the compliance date in this subsection. The fee for the appeal of the compliance date is the same as the fee for a nonresidential special exception before the board of adjustment as set forth in Chapter 51A.

SECTION 9. That Paragraph (10), “Petroleum Product Storage and Wholesale,” of Section 51A-4.213, “Wholesale, Distribution, and Storage Uses,” of Division 51A-4.200, “Use Regulations,” 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 (E), “Additional Provisions,” to read as follows:

“(E) Additional provisions:

CPC Recommendation

(i) In the IM district, petroleum product storage and wholesale must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned IM. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used.”

Staff and Quality of Life and Environment Committee Recommendation

(i) In the IM district, petroleum product storage and wholesale must be visually screened on any side that is within 200 feet of and visible from a thoroughfare, expressway, new expressway, or an adjacent property that is not zoned IM. For purposes of this paragraph, adjacent means across the street or sharing a common lot line. In addition to the screening materials allowed in Section 51A-4.602(b)(3), ~~corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links~~ weathering steel may also be used.”

SECTION 10. That Subparagraph (E), “Additional Provisions,” of Paragraph (12), “Sand, Gravel, or Earth Sales and Storage,” of Section 51A-4.213, “Wholesale, Distribution,

and Storage Uses,” of Division 51A-4.200, “Use Regulations,” 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 new Romanette (ii) to read as follows:

CPC Recommendation

“(ii) In the IM district, sand, gravel, or earth sales and storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjoining property that is not zoned IM. In addition to the screening materials allowed in Section 51A-4.602(b)(3), corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links may also be used.”

Staff and Quality of Life and Environment Committee Recommendation

“(ii) In the IM district, sand, gravel, or earth sales and storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare, expressway, new expressway, or an adjoining property that is not zoned IM. In addition to the screening materials allowed in Section 51A-4.602(b)(3), ~~corrugated sheet metal that includes a cap and a top and bottom rail or chain link with slats through all links~~ weathering steel may also be used.”

SECTION 11. That Subsection (b), “Required Screening,” of Section 51A-4.602, “Fence, Screening and Visual Obstruction Regulations,” of Division 51A-4.600, “Regulations of Special Applicability,” 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:

“(b) Required screening. Unless otherwise specifically provided for in this chapter, screening must be constructed and maintained in accordance with the following regulations.

(1) Screening required in this article must be not less than six feet in height.

(2) The board may grant a special exception to the height requirement for screening when, in the opinion of the board, the special exception will not adversely affect neighboring property, except that the board may not grant a special exception to the height requirements for screening around off-street parking.

(3) Required screening must be constructed of:

(A) brick, stone, [or] concrete masonry, [stucco,] concrete, or wood;

(B) earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each two feet of width;

(C) evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years; or

(D) any combination of the above.

(4) A required screening wall or fence may not have more than 10 square inches of openings in any given square foot of surface. Plant materials used for required screening must obtain a solid appearance and provide a visual barrier of the required height within three years after ~~of~~ their initial planting.

(5) Access through required screening may be provided only by a solid gate equaling the height of the screening. The gate must remain closed:

(A) between the hours of 10 p.m. and 7 a.m.; and

(B) at all other times except when in actual use.

CPC Recommendation

(6) Garbage storage areas must be visually screened on any side visible from a street or an adjoining property by a brick, stone, concrete masonry, ~~stucco,~~ concrete, ~~or~~ wood, or metal wall or fence or by landscape screening. Screening is not required on a side adjacent to an alley or easement used for garbage pick-up service. Screening is not required if the garbage storage area is 200 feet or more from the street or adjoining property. To allow air circulation and visibility, the screening from grade to one foot above grade may be up to 50 percent open. ~~[Screening must be properly maintained so that:~~

(A) ~~the screening is not out of vertical alignment more than one foot from the vertical, measured at the top of the screening; and~~

(B) ~~any rotted, fire damaged, or broken slats or support posts; any broken or bent metal posts; any torn, cut, bent, or ripped metal screening; any loose or missing bricks, stones, rocks, mortar, or similar materials; and any dead or damaged landscaping materials are repaired or replaced.]~~

Staff and Quality of Life and Environment Committee Recommendation

(6) Garbage storage areas must be visually screened on any side visible from a street or an adjoining property by a brick, stone, concrete masonry, [,] concrete, or wood, ~~or metal~~ wall or fence or by landscape screening. Screening is not required on a side adjacent to an alley or easement used for garbage pick-up service. Screening is not required if the garbage storage area is 200 feet or more from the street or adjoining property. To allow air circulation and visibility, the screening from grade to one foot above grade may be up to 50 percent open. ~~[Screening must be properly maintained so that:~~

~~(A) the screening is not out of vertical alignment more than one foot from the vertical, measured at the top of the screening; and~~

~~(B) any rotted, fire damaged, or broken slats or support posts; any broken or bent metal posts; any torn, cut, bent, or ripped metal screening; any loose or missing bricks, stones, rocks, mortar, or similar materials; and any dead or damaged landscaping materials are repaired or replaced.]~~

(7) An owner shall provide screening in accordance with this section for the rear or service side of a nonresidential building if:

(A) the nonresidential building is in a residential district and is exposed to a residential use; or

(B) the nonresidential building is in an office, retail, CS, IL, IR, or IM district and is exposed to and closer than 150 feet to the boundary line of an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(8) When all service, storage, and loading facilities are contained within a nonresidential building, the screening requirement in Subsection (b)(7) does not apply.

(9) Plant materials used for required screening must be maintained in a healthy growing condition at all times. The property owner is responsible for the regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with screening requirements within 90 days after notification by the city.

(10) All required screening with plant materials must be irrigated by an automatic irrigation system installed to comply with industry standards.

(11) Screening must be properly maintained so that:

(A) the screening is not out of vertical alignment more than one foot from the vertical, measured at the top of the screening; and

(B) any rotted, fire damaged, or broken slats or support posts; any broken or bent metal posts; any torn, cut, bent, or ripped metal screening; any loose or missing bricks, stones, rocks, mortar, or similar materials; and any dead or damaged landscaping materials are repaired or replaced.

(12) Fences that are painted or stained must be uniformly painted or stained across the entire length of the fence. The provision prohibits the use of different colored patches of paint or stain on portions of a fence. For example, if a fence is painted white, graffiti should be covered with the same color of white paint, not with blue or red paint.”

SECTION 12. That the director of development services 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 13. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 14. 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 15. 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 16. 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:

WARREN M.S. ERNST, City Attorney

By _____ Assistant City Attorney

Passed _____

AGENDA ITEM # 70

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Planning and Urban Design
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 45M

SUBJECT

A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to delete Hawkins Street from Canton Street to Commerce Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

The Canton Commerce Partners, Ltd. has requested an amendment to delete Hawkins Street from the Central Business District Streets and Vehicular Circulation Plan to facilitate their planned residential development in the Farmers Market Area. The developer is proposing the construction of 38 townhomes on property fronting on Canton Street and does not intend to take access from Hawkins Street, which is currently designated but unbuilt. The proposed development aligns with requirements outlined in the Farmers Market Special Purpose District, PD 357.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Plan Commission Transportation Committee acted on this item on July 23, 2015, and followed staff recommendation of approval.

The City Plan Commission acted on this item on September 17, 2015, and followed staff recommendation of approval.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

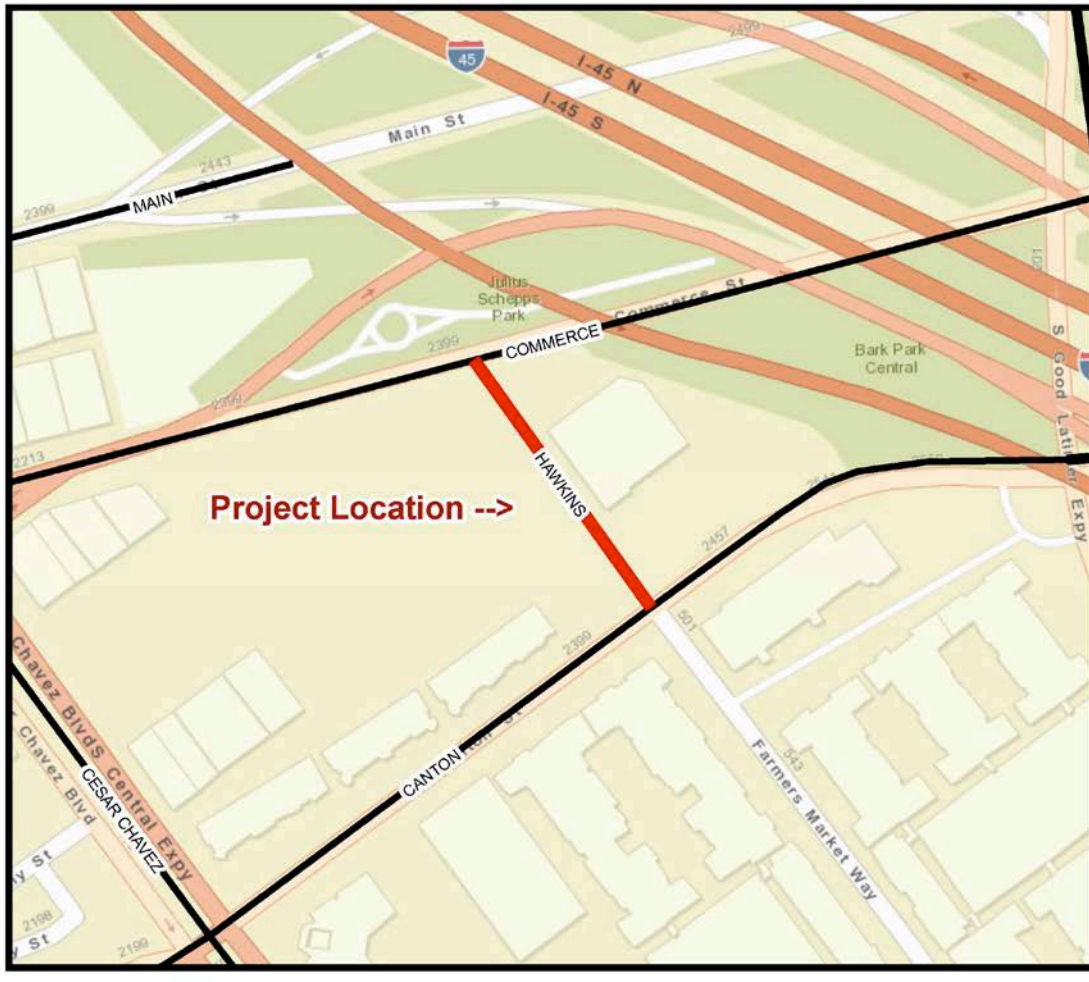
Hawkins Street

Canton Street to Commerce Street

Council District: 2

MAPSCO: 45M

Central Business District
Streets and Vehicular Circulation Plan
Amendment Map



KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34 D

SUBJECT

A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Henry W. Longfellow Career Exploration Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store with 10,000 square feet or more floor area [L&B Depp Inwood Village, dba CVS Pharmacy #7412] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV145-004 - Financing: No cost consideration to the City

BACKGROUND

Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code allows Council to grant a variance from the usual spacing required between an alcohol business and a protected use. The usual spacing requirement is 300 feet in a direct line from the property line of the public DISD school to the property line of the place of business.

The standard for approval of the variance is that:

A. the application is for one of the following permits pursuant to the following chapters of the Texas Alcoholic Beverage Code:

- (i) a brewer's permit, Chapter 12;
- (ii) a distiller's and rectifier's permit, Chapter 14;
- (iii) a winery permit, Chapter 16;
- (iv) a wine and beer retailer's permit, Chapter 25;
- (v) a wine and beer retailer's off-premise permit, Chapter 26;
- (vi) a mixed beverage permit with a food and beverage certificate, Chapter 28;
- or
- (vii) a manufacturer's license, Chapter 62.

BACKGROUND (Continued)

B. the application is for one of the following land uses:

- (i) general merchandise or food store use with 10,000 square feet or more of floor area
- (ii) restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code;
- (iii) alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery; or
- (iv) alcoholic beverage manufacturing.

C. alcoholic beverages will not be sold by drive-in or drive-through service; and

D. enforcement of the spacing requirements in this particular instance:

- (i) is not in the best interest of the public;
- (ii) constitutes waste or inefficient use of land or other resources;
- (iii) creates an undue hardship on an applicant for an alcohol permit;
- (iv) does not serve its intended purpose;
- (v) is effective or necessary; or
- (vi) for any other reason that the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

An application for a waiver of the spacing requirements was submitted on April 8, 2015, by CVS Pharmacy #7412. Henry W. Longfellow Career Exploration Academy, located to the south of the request site, creates the need for the variance.

The applicant has submitted the attached letter providing a statement of why the variance meets the standard of approval.

The approximately 14.503 acre request site, which is located in Planned Development District No. 482, is currently occupied by CVS Pharmacy. The request site is surrounded by retail uses to the north and east, multifamily uses to the east and southeast, the protected DISD school is located to the south, a financial institution to the southwest, and additional retail and restaurant uses to the west and northwest.

The public school is located to the south of the request site. While the required spacing from a school is measured property line to property line, the walking distance from the entrance of the school to the proposed restaurant is approximately 855 feet. Due to the protected site being in a shopping center that contains other uses that sell alcohol and located on two major thoroughfares, staff has no objection this request.

The general merchandise or food store greater than 10,000 square feet (Trader Joe's) on the same lot but located to the east of the request site received a variance to the alcohol distance requirements on August 14, 2013.

BACKGROUND (Continued)

The same public DISD school, Henry W. Longfellow Middle School was the protected use in the variance request for Trader Joe's.

This item requires two seconds to pass.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, the City Council approved an amendment to Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code to allow a process for a variance to the spacing requirements between a business selling alcohol and a public or private school.

On October 26, 2011, September 26, 2012, and January 22, 2014, the City Council further amended Section 6-4 of Chapter 6.

On May 27, 2015, this item was held under advisement by Council.

On June 10, 2015, this item was held under advisement by Council.

On September 22, 2015, this item was deferred by Council.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



AV145-004



1:4,000



Approximate location of business requesting alcohol variance



Land use requiring spacing from business requesting alcohol sales: school



CITY OF DALLAS

APPLICATION FOR A VARIANCE FROM THE MINIMUM DISTANCE REGULATIONS RELATED TO THE SALE OF ALCOHOLIC BEVERAGES

Chapter 6—Alcoholic Beverages, City of Dallas Code of Ordinances

Applicant ETB Inc. CVS/pharmacy #7412
(Must match the business name on TABC application)

Contact person, title Santos T. Martinez Property owner's name L&B Deep Inwood Village
(Land owner, business owner, representative)

Contact person's phone 214-761-9197 Address of request site 5370 Lovers Lane, Suite 310

Contact person's address 900 Jackson, Suite 640, Dallas, TX 75202 Protected use's address 5314 Boaz Street

Type of protected use:

- ☐ Church
- ☒ Public school / open-enrollment charter school
- ☐ Private school
- ☐ Public hospital
- ☐ Daycare/child-care facility

Type of business seeking to sell alcohol:

- ☐ Alcoholic beverage manufacturing
- ☒ General merchandise or food store with 10,000 square feet or more floor area
- ☐ Microbrewery, microdistillery, or winery
- ☐ Restaurant without drive-in or drive-through service

Type of TABC permit(s) to be sought:

- ☐ Brewer's permit, "B" / Manufacturer's license, "BA"
- ☐ Distiller's and rectifier's permit, "D"
- ☐ Food and beverage certificate, "FB"
- ☐ Mixed beverage permit, "MB"
- ☒ Wine and beer retailer's off-premise permit, "BQ"
- ☐ Wine and beer retailer's permit, "BG"
- ☐ Winery, "G"

The nonrefundable variance application fee is \$1,200.00 and the sign fee, which is between \$10 and \$50 depending on street frontages. A statement explaining how the request meets the standard below is required as part of this application. The burden of proving that the request meets the standard is solely the responsibility of the applicant. Additional evidence supporting the request may be submitted along with this application.

Enforcement of the spacing requirements in this particular instance (1) is not in the best interest of the public; (2) constitutes waste or inefficient use of land or other resources; (3) creates an undue hardship on an applicant for an alcohol permit; (4) does not serve its intended purpose; is not effective or necessary; or (5) for any other reason that the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

REQUIRED ATTACHMENTS:

- ☒ Statement of request
- ☒ Sealed alcohol survey showing 300 foot radius and door to door measurements (*protected use must be indicated on this survey*)
- ☒ List of officers for alcohol business and property owner

AUTHORIZATION BY PROPERTY OWNER(S)

I, JOHN GERDES, the owner of the property to be considered, hereby authorize the above business and representative to file this application for a variance from the requirements of Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances.

JOHN GERDES
Owner's Printed Name

John R. Gerdes
Owner's Signature

APPLICANT ACKNOWLEDGEMENT AND AFFIDAVIT

I have read, examined, and completed this application; and know the information provided to be true and correct. I hereby apply for a variance from the distance requirements in Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances. I understand that this application, including all submitted documentation, are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

Linda M. Cimbron
Assistant Secretary

Applicant's Printed Name

Linda M. Cimbron
Applicant Signature

Sworn to and subscribed before me by on this day 29 of January in the year 2015, to certify which witness my hand and seal of office.

Kimberly M. Mitchell
Notary Public State of Rhode Island
My Commission Expires 01/27/2016
Notary Public in and for the State of Texas

Date received: 4/8/13 SRM

Receipt No.: 6490/5491

Case number: AV 145-004



April 7, 2015

Mr. David Cossum
Department of Sustainable Development and Construction
City of Dallas
1500 Marilla, Room 5DS
Dallas, Texas 75201

RE: Variance for general merchandise or food store greater than 10000 square feet selling beer and wine for off-premise consumption located at 5370 W. Lovers Lane, Suite 310.

Dear Mr. Cossum:

City records indicate that CVS has been operating at this location in the Inwood Village Shopping Center since 2010. Their current certificate of occupancy lists their floor area as 12,478 square feet.

Inwood Village Shopping Center is located across the street from Henry W. Longfellow Career Exploration Academy. This is an elementary school campus operated by the Dallas Independent School District. Inwood Village is over fourteen acres in size with several retail, personal service, office, and restaurant uses. The Longfellow campus is over eight and a half acres in size across the street from a major commercial intersection of Lovers Lane and Inwood Road. It is difficult to maintain the appropriate spacing requirements when both properties encompass large city blocks.

Currently, there are establishments selling alcoholic beverages to the west and north of this location. They are just removed outside of the 300 foot measurement since they are located across from a major thoroughfare and the elementary school, or they are on separately platted lots. CVS is located on a 14.5 acre lot with several tenants. It is located across from a narrower street than the other properties that maintain the appropriate licenses from TABC. There is another large retail tenant that was successful in securing a variance to the distance requirements for similar reasons.

It should be noted that CVS is located over 850 feet away when calculated on a door to door measurement with the protective use. CVS seeks to provide the same level of service and products that its customers expect from their locations.

We have included a TABC field survey, list of officers, and application for this variance request. Please feel free to contact our offices if you need any additional information regarding this application.

A handwritten signature in blue ink, appearing to read 'Santos T. Martinez'.

Santos T. Martinez
Authorized representative for
CVS

AV145-004

0 150 300 600
GRAPHIC SCALE IN FEET



INWOOD ROAD

LOVERS LANE

S 22°59'36" E
539.9'

855' FRONT DOOR
TO FRONT DOOR

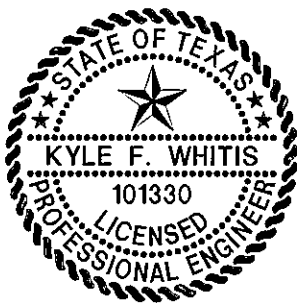
BUILDING
ENTRANCE

5370 W.
LOVERS
LANE

BOAZ

HENRY W.
LONGFELLOW
MIDDLE SCHOOL

AREA OF
INTEREST



NOTES:

1. I have conducted (or caused to be conducted) a physical inspection of the area and a diligent search of public records to determine if the place of business is located near any protected uses. The survey map shows that the place of business where alcoholic beverages will be sold does not meet the location requirements in Dallas City Code Section 6-4.
2. Distances shown are based on City of Dallas GIS aerial information and are not the result of an on the ground survey.
3. Results from online resources and field observations, as shown, do not indicate that a protected use is located within the required minimum distances as determined by the City of Dallas measurement methods upon date of signature.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY KYLE F. WHITIS, P.E. 101330 ON 04/23/2015. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.



Pacheco Koch
DALLAS ■ FORT WORTH ■ HOUSTON

8350 N. CENTRAL EXPWY, SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

**TABC ALCOHOL
PERMIT EXHIBIT**

CVS #7412, 5370 W. LOVERS LANE, SUITE 310
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DWG FILE: 3156-10.311 CVS.DWG

M:\DWG-31\3156-10.311\DWG\3156-10.311 CVS.DWG

04/23/2015 - 7:07AM

JOUINONES

DRAWN BY
KFW

CHECKED BY
KFW

SCALE
1"=200'

DATE
04/23/2015

JOB NUMBER
3156-10.311

CVS

List of Officers

Thomas Ryan	Chairman of Board
Larry Merlo	President, Chief Operating Officer
Thomas S. Moffatt	Vice President and Assistant Secretary

L&B Depp Inwood Village GP, LLC

List of Officers

G. Andrews Smith	CEO
Daniel L Plumlee	President
Mark R. Gerick	Executive Vice President, Secretary
Holly Robertson	Assistant Secretary
John Gerdes	Vice President
Eric Smith	Vice President
Jennifer Hanson	Assistant Secretary

October 28, 2015

WHEREAS, Subsection 6-4(g) of the Dallas City Code authorizes the City Council to grant variances from the alcohol spacing requirements prescribed by Subsection 6-4(a) of the Dallas City Code; and

WHEREAS, L&B Depp Inwood Village, dba CVS Pharmacy #7412 have submitted an application for a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code for a general merchandise or food store with 10,000 square feet or more floor area, and is requesting a variance to the alcohol spacing requirements for a property on the southeast corner of West Lovers Lane and Inwood Road and north of Boaz Street, north of Henry W. Longfellow Career Exploration Academy, a public school; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that enforcement of the alcohol spacing requirements in this particular instance:

- (1) is not in the best interest of the public;
- (2) constitutes waste or inefficient use of land or other resources;
- (3) creates an undue hardship on an applicant for an alcohol permit;
- (4) does not serve its intended purpose; and
- (5) is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol spacing variance; **Now, Therefore,**

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

Section 1. That the variance to the alcohol spacing requirements for L&B Depp Inwood Village, dba CVS Pharmacy #7412, for property on the southeast corner of West Lovers Lane and Inwood Road and north of Boaz Street, north of Henry W. Longfellow Career Exploration Academy, a public school, is granted, subject to the following conditions:

- (1) This alcohol spacing variance is valid only for a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code.
- (2) This alcohol spacing variance is valid only for a general merchandise or food store with 10,000 square feet or more floor area in the location shown on the attached location map.

October 28, 2015

- (3) Alcoholic beverages may not be sold by drive-in or drive-through service.
- (4) This alcohol spacing variance is valid for subsequent renewals of the alcohol permit.
- (5) This alcohol spacing variance may not be transferred to another location or to another alcohol permit holder.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

**OCTOBER 28, 2015 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated October 28, 2015. 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.



A.C. Gonzalez
City Manager



Date



Jeanne Chipperfield
Chief Financial Officer



Date

RECEIVED
2015 OCT 23 PM 4:53
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 28, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.**

REVISED ORDER OF BUSINESS

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

9:00 a.m. INVOCATION AND PLEDGE OF ALLEGIANCE

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 49

CONSENT ADDENDUM

Items 1 - 4

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 50 - 56

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 57 - 71

**ADDENDUM
CITY COUNCIL MEETING
OCTOBER 28, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a five-year service contract to establish a master agreement for merchant credit card processing services - Bank of America Merchant Services, LLC, most advantageous proposer of five - Fees not to exceed the attached fee schedule - Financing: Current Funds (subject to annual appropriations)

City Attorney's Office

2. Authorize the settlement of the condemnation lawsuit styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B - Not to exceed \$135,556, increased from \$164,444 (\$162,167 plus closing costs and title expenses not to exceed \$2,277) to \$300,000 (total settlement amount) - Financing: Water Utilities Capital Construction Funds
3. Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)

Sustainable Development and Construction

4. An ordinance abandoning portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner, containing a total of approximately 46,248 square feet of land, located near Lyte Street and its intersection with Magnolia Hill Court and North Houston Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

**ADDENDUM
CITY COUNCIL MEETING
OCTOBER 28, 2015**

CORRECTIONS:

Public Works Department

36. Authorize a contract with EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

Economic Development

West Dallas Sub District

Note: Item Nos. 54 and 55
must be considered collectively.

54. * Authorize a Chapter 380 economic development grant agreement with Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P. in an amount not to exceed \$2,500,000 for the relocation of Argos Ready Mix (South Central) ~~Corporation's Corp.~~ existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities at the new site - Not to exceed \$2,500,000 - Financing: 2012 Bond Funds (\$1,100,000) and General Obligation Commercial Paper Funds (\$1,400,000)
55. * Authorize an agreement with West Dallas Investments, L.P. that details general redevelopment commitments by West Dallas Investment L.P. and future City commitment of public funds and incentives that will benefit property owned or to be purchased by West Dallas Investment L.P. in the West Dallas area - Financing: No cost consideration to the City

DELETIONS:

Police

31. Authorize public hearings to be held on November 10, 2015 and December 9, 2015 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on December 9, 2015, consideration of an ordinance amending Chapter 31 of the Dallas City Code to reinstate and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
OCTOBER 28, 2015**

DELETIONS: (Continued)

Economic Development

53. Authorize a grant agreement with Blocks GKM, LP for retail incentives and dedication of TIF funding in an amount not to exceed \$5,000,000 for the Victory Park Cinema Project, which is the construction of a theatre in the Victory Sub-district from revenues accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) - Not to exceed \$5,000,000 - Financing: Sports Arena TIF District Funds (subject to appropriations)

ADDENDUM DATE October 28, 2015

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			All	C	PBD, CON	NC	NA	NA	Authorize a five-year service contract to establish a master agreement for merchant credit card processing services - Bank of America Merchant Services, LLC, most advantageous proposer of five - Fees not to exceed the attached fee schedule - Financing: Current Funds (subject to annual appropriations)
2			8	C	ATT, WTR	\$135,556.00	NA	NA	Authorize the settlement of the condemnation lawsuit styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B - Not to exceed \$135,556, increased from \$164,444 (\$162,167 plus closing costs and title expenses not to exceed \$2,277) to \$300,000 (total settlement amount) - Financing: Water Utilities Capital Construction Funds
3			N/A	C	ATT	\$175,000.00	100.00%	0.00%	Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)
4			2	C	DEV	REV \$5,400	NA	NA	An ordinance abandoning portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner, containing a total of approximately 46,248 square feet of land, located near Lyte Street and its intersection with Magnolia Hill Court and North Houston Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

TOTAL \$310,556.00

ADDENDUM ITEM # 1

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
City Controller

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a five-year service contract to establish a master agreement for merchant credit card processing services - Bank of America Merchant Services, LLC, most advantageous proposer of five - Fees not to exceed the attached fee schedule - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This item was placed on the addendum to allow for continued services as current contract will expire on October 31, 2015.

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will provide credit card payment processing services (merchant services) for the City. Services include processing payments received by interactive voice response (IVR), in person and by internet-based payment processing. Respondents were requested to present proposals that would minimize processing cost and improve efficiency and security. The request for competitive sealed proposal (RFCSP) was structured to allow vendors to submit applications for the various methods of accepting credit card payments used by City departments. The fee schedule included in this agreement will be fixed for five years, but the total amount paid by the City will vary depending on specific services and usage.

BACKGROUND (Continued)

A seven member evaluation committee was selected from the following departments:

- City Controller (1)
- Office of Financial Services (1)
- Water Utilities (1)
- Communication and Information Services (2)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services evaluated the cost and the Business Inclusion and Development Plan.

The proposer's responses were evaluated based on the following criteria:

- Fees 40%
- Qualifications 20%
- Experience 20%
- Business Inclusion and Development Plan 15%
- Completeness of Proposals 5%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 721 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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, notifications were sent by the BDPS' Resource LINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On October 14, 2009, City Council authorized a five-year service contract for depository services by Resolution No. 09-2549.

On November 3, 2014, Budget, Finance and Audit Committee was briefed on the award of the 5-year contract for depository and lockbox services to Bank of America, N. A., also to extend merchant services as currently provided by Bank of America Merchant Services for 9 months.

On November 12, 2014, City Council authorized a contract for depository and lockbox services for five years, including the extension and consolidation for nine months of merchant services as currently provided by Resolution No. 14-1886.

Information about this item was provided to the Budget, Finance and Audit Committee on August 17, 2015.

FISCAL INFORMATION

Financing: Current Funds (subject to annual appropriations) Fees not to exceed the attached fee schedule

M/WBE INFORMATION

128 - Vendors contacted

128 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

721 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Bank of America Merchant Services, LLC

White Male	562	White Female	657
Black Male	115	Black Female	132
Hispanic Male	176	Hispanic Female	106
Other Male	70	Other Female	62

PROPOSAL INFORMATION

The following proposals were received from solicitation number BKZ1527 and were opened on June 11, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
*Bank of America Merchant Services, LLC	5565 Glenridge Connector Suite 2000 Atlanta, GA 30342	83.40
Wells Fargo Bank National Association	1445 Ross Ave. 3 rd Floor Dallas, TX 75202	68.40

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
Comerica Merchant Services Vantiv	8500 Governors Hill Dr. Cincinnati, OH 45249	60.94
J.P. Morgan Chase Paymentech, LLC	14221 Dallas Pkwy. Dallas, TX 75254	46.57
Collector Solutions, Inc.	316 S. Baylen St. Suite 590 Pensacola, FL 32502	37.89

OWNER**Bank of America Merchant Services, LLC**

Tim Tynan, Chief Executive Officer
JoAnn Carlton, Secretary
Maria Rueda, Chief Financial Officer

October 28, 2015

WHEREAS, on October 14, 2009, City Council authorized a five-year service contract for depository services by Resolution No. 09-2549; and,

WHEREAS, on November 12, 2014, City Council authorized a contract for depository and lockbox services for five years, including the extension and consolidation for nine months of merchant services as currently provided by Resolution No. 14-1886;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a five-year service contract to establish a master agreement with Bank of America Merchant Services, LLC (VS88378) for merchant credit card processing services, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Bank of America Merchant Services, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Bank of America Merchant Services, LLC under the contract.

Section 2. The Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms of the contract provisions and the attached fee schedule (subject to annual appropriations).

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

MERCHANT SERVICES RATE PROPOSAL FORM

Proposer: Bank of America Merchant Services																		
Service Descriptor	Estimated Monthly Volume	VISA			Comments	MASTERCARD			Comments	DISCOVER			Comments	AMEX			Comments	
		Price \$ or % Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price		
Section I - Credit Cards																		
Specify Discount Rate(s) by Cards																		
VISA	\$ 7,733,556	0.0160%	=	1,237.37	Bank of America Discount Percentage	Do not enter data in this area.				Do not enter data in this area.				Do not enter data in this area.				
MasterCard	\$ 4,679,203	Do not enter data in this area.				0.0160%			748.67	Bank of America Discount Percentage	Do not enter data in this area.				0.00			
American Express	\$ 364,140																	
Discover	\$ 1,640,919										0.0160%			262.55				
Transaction Fees by Cards																		
VISA	48,599	0.0150	=	728.98	Bank of America Per Authorization Fee	Do not enter data in this area.				Do not enter data in this area.				Do not enter data in this area.				
MasterCard	19,486	Do not enter data in this area.				0.0150			292.29	Bank of America Per Authorization Fee	Do not enter data in this area.							
American Express	323														0.1000			
Discover	31										0.0150			0.47		Do not enter data in this area.		
Credit Cards Subtotal				1,966.35					1,040.96					263.01		32.30		
Return/Chargeback Fee	151	5.00000	=	755.00														
	10,000																	
Debit Card Transactions		0.0150	=	150.00	NOTE: Pricing for Debit is for Signature Debit - NOT PIN Debit. Pin Debit pricing is \$0.07 per transaction. All Debit Network Fees will be passthrough.	Do not enter data in this area.				Do not enter data in this area.				Do not enter data in this area.				
Section I Monthly Bid Total				4,207.63														

MERCHANT SERVICES RATE PROPOSAL FORM

		VISA			MASTERCARD			DISCOVER			AMEX						
Service Descriptor	Estimated Monthly Volume	Price \$ or % Per Unit	=	Total Price	Comments	Price Per Unit	=	Total Price	Comments	Price Per Unit	=	Total Price	Comments	Price Per Unit	=	Total Price	Comments
Section II - Services	Estimated Monthly Volume	Price \$ or % Per Unit	=	Total Price	Comments	Do not enter data in this area.											
Debit Sales Discount	10,000	0.0160	=	160.00													
Sales Discount	10,000	0.0000%	=	0.00	Listed in Section I - Ex: E6												
Kilobyte Fee	10,000	\$0.0025	=	25.00													
Authorization Fee	10,000	\$0.0000	=	0.00	Listed in Section I - Ex: E11												
Intl Service Fee																	
	\$ 100	0.00%	=	0.00													
Acquirer Processor Fee Credit	100	0.0195%	=	0.02	Interchange should be consistent across all vendors												
Acquirer Processor Fee DB/PP	100	-	=	0.00													
Fixed Acquirer Network Fee	100	0.85%	=	0.85													
Us Cross Border Fee	100																
		0.40%	=	0.40													
Statement Fee	40	-	=	0.00	Waived by Bank of America Merchant Services												
Application Fee	40	-	=	0.00	Waived by Bank of America Merchant Services												
Discount Rate per Item	10,000	-	=	0.00	Listed in Section I - Ex: E6												
Per Authorization Fee	10,000	-	=	0.00	Listed in Section I - Ex: E11												
Voice Authorization Fee	100	\$0.95	=	95.00													
Voice (Manual) AVS Fee	100	\$0.95	=	95.00													
Voice Operator Assistant	100	0.95	=	95.00													
Voice AVS Request	100	\$0.0075	=	0.75													
Electronic AVS	100	\$0.0050	=	0.50													
Account Updater Transaction Fee	100	-	=	0.00													
Specify Floor Release Limit(s)	100				Floor Limit for Visa - Fee assessed on all Visa clearing transactions that are not authorized. Billed on a one month lag.												
		0.10	=	10.00													
Assessment Fee	100	0.11%	=	0.11													
Audio Response Unit Authorization	100		=	0.00													
Access Fee on each gross sale transaction	10,000	0.0195	=	195.00													
ACH Reject	1	\$25.00	=	25.00													
Electronic Address Verification Service Fee	100																
		0.0075	=	0.75													
Voice (Manual) Address Verification Fee	100																
		\$0.10	=	10.00													
None-Validation PCI Compliance Fee, Per Month, Per Location	100				Fees assessed by the card organizations would be based on factors such as type of non-compliance, length of non-compliance, etc.												
				0.00													
PCI Compliance Service Program Fee	100				N/A The City would contract with a third party for completing SAQ's												
				0.00													
Assessment/Access, Per Item	10,000																
				0.00													
Processing Rate	10,000																
				0.00													
Interchange Clearing Fee	10,000			0.00													
Foreign Handling Fee	1			0.00													
Processing Fee Per Transaction	10,000			0.00													
EMV Tokenization and Encryption Fees					There is no per item for EMV, Pricing provided is for Tokenization and Encryption which is our TransArmor solution - Pricing is per transaction												
EMV Tokenization and Encryption	10,000	0.0200	=	200.00													

MERCHANT SERVICES RATE PROPOSAL FORM

Service Descriptor	Estimated Monthly Volume	VISA			Comments	MASTERCARD			Comments	DISCOVER			Comments	AMEX			Comments
		Price \$ or % Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price		Price Per Unit	=	Total Price	
EMV Monthly Maintenance Fee by MID					There is not an EMV Monthly Maintenance fee - This fee is per month, per MID that utilizes TransArmor for tokenization and encryption. This is a value added optional service												
	100	19.95		1,995.00													
EMV Implementation Fee w/ description	100	-		0.00	Waived by Bank of America Merchant Services												
Equipment																	
Monthly Equipment Lease	1	36.00		36.00	This rate applies for renting of NEW terminals, as the City has migrated to the preferred platform. NOTE: Bank of America Merchant Services will be providing 14-pieces of equipment at NO cost to ensure the City is EMV ready. In addition, we will be providing 2-pieces of equipment at no cost in the event a machine is damaged.												
Monthly Equipment Warrant Fee	100			0.00	Standard equipment does not have a monthly equipment warranty fee												
Retrieval Request																	
Arbitration/Compliance:	10	-		0.00	Waived by Bank of America Merchant Services												
Monthly Maintenance Fee/MID Gateway	100			0.00													
Monthly Maintenance Fee/TID Merchant	100				This is for an optional added value service of Bank of America Merchant Services Payeezy Gateway monthly maintenance is Per TID: \$10.00												
Any Additional TID for Dis/VP/POS at	100	-		0.00	Per transaction cost is \$0.03												
				0.00													
Merchant Center																	
eConnections: per log in (user) per month	10	-		0.00	Waived by Bank of America Merchant Services												
Merlink: per log in (user) per month	100	-		0.00	Waived by Bank of America Merchant Services												
Per Incidence Fees - Chargeback Related																	
Settled Chargeback Processed or Represented	100	5.00		500.00													
Collection, Pre-Arbitration or Compliance	10	-		0.00	Bank of America Merchant Services charges a flat rate of \$5.00; however other fees could be assessed by												
Payment Brand Fees - Assessments																	
Visa Assessment (all transactions \$1000 or Less)	\$ 10,000	0.11%		11.00													
MasterCard Assessments (all transactions \$1000 or Less)	\$ 10,000	0.11%		11.00													

MERCHANT SERVICES RATE PROPOSAL FORM

		VISA			MASTERCARD			DISCOVER			AMEX			
Service Descriptor	Estimated Monthly Volume	X Price \$ or % Per Unit	= Total Price	Comments	Price Per Unit	= Total Price	Comments	Price Per Unit	= Total Price	Comments	Price Per Unit	= Total Price	Comments	
Discover, Diners, & JBC Assessments	\$ 10,000	0.02%	2.00											
Monthly Charges - Subtotal			3,488.38											
Merchant Service Annual Fee	1		71,000.00	Please note; this includes purchase of 100 terminals and one time replacement cost of 100 terminals. As the City has migrated to the preferred platform, we believe initially (with the MID's in place today) that only 14-pieces of equipment will be needed, which we are supplying at no cost. These costs (new and replacement) provided are provided so the City has the cost information for the terminals. If awarded the RFP, there will not be a need to order 100-terminals.										
Section II Annual Total			112,620.55											
One-Time Fee Estimated Total Volume														
One Time Merchant Service Set-up Fees	100	-	0.00	Waived by Bank of America Merchant Services										
One Time EMV, Tokenization, and Encryption Set-up Fee / Installation Fee	100		0.00	There is no one time EMV setup fee. Bank of America Merchant Services will waive the one time setup/installation fee for this value added service.										
One Time Equipment Purchase	100	445.0000	44,500.00	FD130 or FD130 Duo and is for NEW equipment needed only as the City has migrated to the preferred platform. The City is EMV ready with the exception of 14-pieces of hardware. Bank of America Merchant Services will be providing 14-pieces of equipment at NO cost to ensure the City is EMV ready. In addition, we will be providing 2-pieces of equipment at NO cost in the event a machine is damaged.										
One Time Equipment Installation Fee	100	-	0.00	Waived by Bank of America Merchant Services										
One Time Equipment Programming Fee	100	-	0.00	Waived by Bank of America Merchant Services										
One Time Equipment Replacement Fee	100			Cost is for FD130 or FD130 Duo. Bank of America Merchant Services will provide 2-pieces of equipment at no cost in the event a machine is damaged. Other terminal replacement cost will be dependent on type of damage, hold the terminal is, etc.. The cost represented is if the terminal is outside 1-year warranty period. For example, if terminal is less than a year old, and is non-functioning, the City would only be charged shipping and handling of \$35.00. We can work on a case by case basis to waive the shipping/handling cost. Depending on type of issue, we can work with the City to determine if replacement costs can										
		265.00	26,500.00											
One Time Equipment Terminal Reprogramming Fee - (Customer	100	-	0.00	Waived by Bank of America Merchant Services										
One Time Equipment Training Fees	100	-	0.00	Waived by Bank of America Merchant Services										
One Time Fee - Total			71,000.00											

MERCHANT SERVICES RATE PROPOSAL FORM

Service Descriptor	Estimated Monthly Volume	VISA			Comments	MASTERCARD			Comments	DISCOVER			Comments	AMEX			Comments
		X	Price \$ or % Per Unit	=	Total Price	Price Per Unit	=	Total Price	Price Per Unit	=	Total Price	Price Per Unit	=	Total Price	Price Per Unit	=	Total Price
Section III - Additional Charges																	
					0.00												
Section III Total					0.00												

KEY FOCUS AREA: E-Gov

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: City Attorney's Office
Water Utilities

CMO: Warren M.S. Ernst, 670-3491
Mark McDaniel, 670-3256

MAPSCO: 69M 69AJ

SUBJECT

Authorize the settlement of the condemnation lawsuit styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B - Not to exceed \$135,556, increased from \$164,444 (\$162,167 plus closing costs and title expenses not to exceed \$2,277) to \$300,000 (total settlement amount) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the settlement of a lawsuit for the acquisition of approximately 2.82 acres of land out of an approximately 5.45-acre tract for the Southwest 120/96-inch Water Transmission Pipeline Project. A final offer of \$70,470 was made based on a written appraisal from an independent certified appraiser. The offer was not accepted by the owners and the City filed an eminent domain proceeding to acquire the land. The City's appraiser updated his report for the hearing and testified that the City owed \$70,470 for the property. The landowner's appraiser testified that the City owed \$557,272 for the property. After the hearing, the Special Commissioners awarded the owner \$162,167, which the City deposited into the registry of the Court. Both parties filed objections to the award of the Special Commissioners.

The City obtained a new appraisal as of the date of the taking, which opined that the City owed \$214,866 for the property. At mediation, parties agreed to the settlement of the lawsuit at \$300,000.00, subject to City Council approval. The settlement will require the payment of an additional \$135,556 to acquire the property.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council authorized the acquisition of real property and condemnation on April 10, 2013, by Resolution No. 13-0640.

City Council authorized deposit of the amount awarded by the Special Commissioners for the acquisition of the property on February 11, 2015, by Resolution No. 15-0281.

Council was briefed in Executive Session on October 21, 2015.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$135,556.00

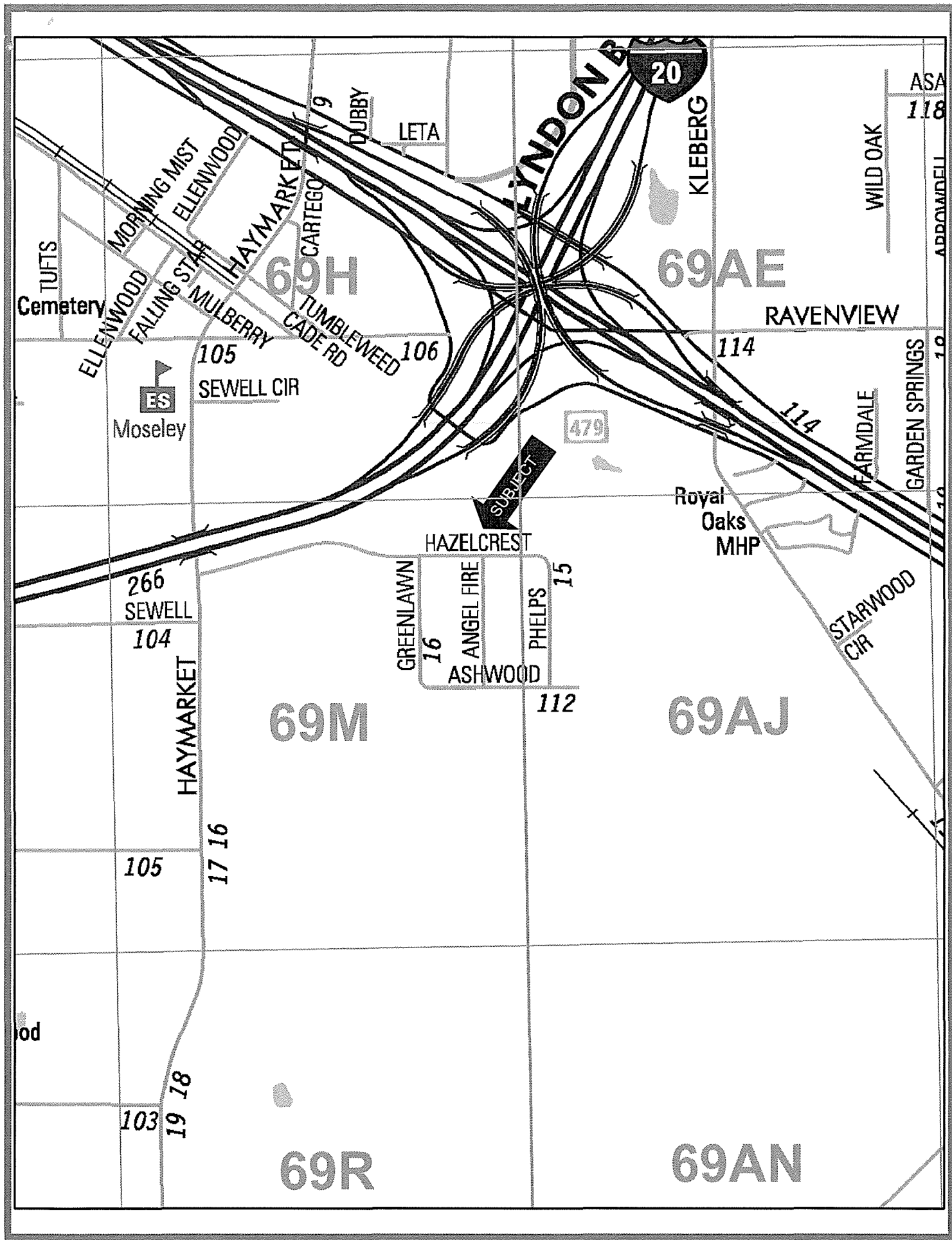
Resolution No. 15-0281 -	\$164,444.00
Additional Amount (this action) -	<u>\$135,556.00</u>
Total Settlement Amount -	\$300,000.00

OWNER

Matthew Millard

MAP

Attached



October 28, 2015

A RESOLUTION AUTHORIZING SETTLEMENT OF A CONDEMNATION SUIT.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION SUIT: Cause No. CC-14-01188-B, in Dallas County Court at Law No. 2, and styled City of Dallas v. Matthew Millard, et al., filed in accordance with City Council Resolution No. 13-0640.

PROPERTY: Approximately 122,789 square feet of land located in Dallas County, as described in the CONDEMNATION SUIT.

PROJECT: Southwest 120/96-inch Water Transmission Pipeline Project

OFFER: \$70,470

COMMISSIONERS' AWARD: \$162,167 (Res 15-0281)

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$2,277

ORIGINAL AUTHORIZED AMOUNT (Res 15-0281): \$164,444

SETTLEMENT AMOUNT: \$300,000.00 which includes the ORIGINAL AUTHORIZED AMOUNT and the ADDITIONAL AMOUNT.

ADDITIONAL AMOUNT: \$135,556.00 which is the difference between the ORIGINAL AUTHORIZED AMOUNT and the SETTLEMENT AMOUNT.

DESIGNATED FUNDS:

\$72,444 from Water Utilities Capital Improvement Funds, Fund 2115, Department DWU, Unit PW40, Activity RWPT, Object 4210, Program 706623, Encumbrance No. CTDWU706623CPV and \$92,000 from Water Utilities Capital Improvement Funds, Fund 2115, Department DWU, Unit PW40, Activity RWPT, Object 4210, Program 706623, Encumbrance No. CTDWU706623CPDQ. (Res 15-0281)

\$135,566 from Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW40, Activity RWPT, Object 4230, Program 706623X, Encumbrance No. CTDWU706623ENAN.

WHEREAS, Defendants have agreed to settle the CONDEMNATION SUIT for the SETTLEMENT AMOUNT; and

October 28, 2015

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION SUIT; **Now, Therefore,**

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

Section 1. That the City Attorney and the City Manager are authorized to settle the CONDEMNATION SUIT for the SETTLEMENT AMOUNT.

Section 2. That the City Attorney and the City Manager are authorized to prepare and execute such documents as may be necessary to effect the settlement described herein.

Section 3. That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, for the ADDITIONAL AMOUNT payable to the County Clerk of Dallas County, Texas to be deposited by the City Attorney with the Clerk.

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
WARREN M.S. ERNST, City Attorney

By Chris Bowers
Assistant City Attorney

ADDENDUM ITEM # 3

KEY FOCUS AREA: E-Gov
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): N/A
DEPARTMENT: City Attorney's Office
CMO: Warren M.S. Ernst, 670-3491
MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)

BACKGROUND

Supplemental Agreement No. 2 will authorize Fanning Harper Martinson Brandt & Kutchin, P.C. to provide additional services necessary to represent Amy Wilburn, a former employee of the City, in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed in Closed Session on September 17, 2014.

FISCAL INFORMATION

\$175,000.00 - Current Funds (subject to appropriations)

M/WBE INFORMATION

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Resolution No. 08-2826, as amended.

OWNER

Fanning Harper Martinson Brandt & Kutchin, P.C.

Thomas P. Brandt, Partner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D - Not to exceed \$175,000, from \$250,000 to \$425,000 - Financing: Current Funds (subject to appropriations)

Fanning Harper Martinson Brandt & Kutchin, P.C. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$175,000.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$175,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

October 28, 2015

WHEREAS, the City of Dallas is involved in a lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D; and,

WHEREAS, on January 29, 2014, pursuant to Administrative Action No. 14-5283, authorized a professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., in an amount not to exceed \$50,000.00 for legal services necessary to represent Amy Wilburn, a former employee of the City; and,

WHEREAS, on September 24, 2014, pursuant to Council Resolution No. 14-1593, the City Council authorized Supplemental Agreement No. 1 with Fanning Harper Martinson Brandt & Kutchin, P.C., in an amount not to exceed \$200,000.00, for legal services necessary to represent Amy Wilburn, a former employee of the City; and,

WHEREAS, the professional services of Fanning Harper Martinson Brandt & Kutchin, P.C., continue to be necessary; **Now, Therefore**,

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C. for additional services in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D, in an amount not to exceed \$175,000.00, increasing the contract amount from \$250,000.00 to \$425,000.00.

Section 2. That the Chief Financial Officer is authorized to disburse, in periodic payments to Fanning Harper Martinson Brandt & Kutchin, P.C., an amount not to exceed \$175,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3033, Encumbrance No. ATT389014J332, Vendor No. 399210 (subject to appropriations).

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 28, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 45E

SUBJECT

An ordinance abandoning portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner, containing a total of approximately 46,248 square feet of land, located near Lyte Street and its intersection with Magnolia Hill Court and North Houston Street - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item is on the addendum because additional review time was required. This item authorizes the abandonment of portions of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road to Magnolia Station, LLC, the abutting owner. The area will be included with the property of the abutting owners for the construction of multifamily units. 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 was provided to Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

Revenue: \$5,400, plus the \$20 ordinance publication fee

OWNER

Magnolia Station, LLC

Fernando R. De Leon, Manager

MAPS

Attached

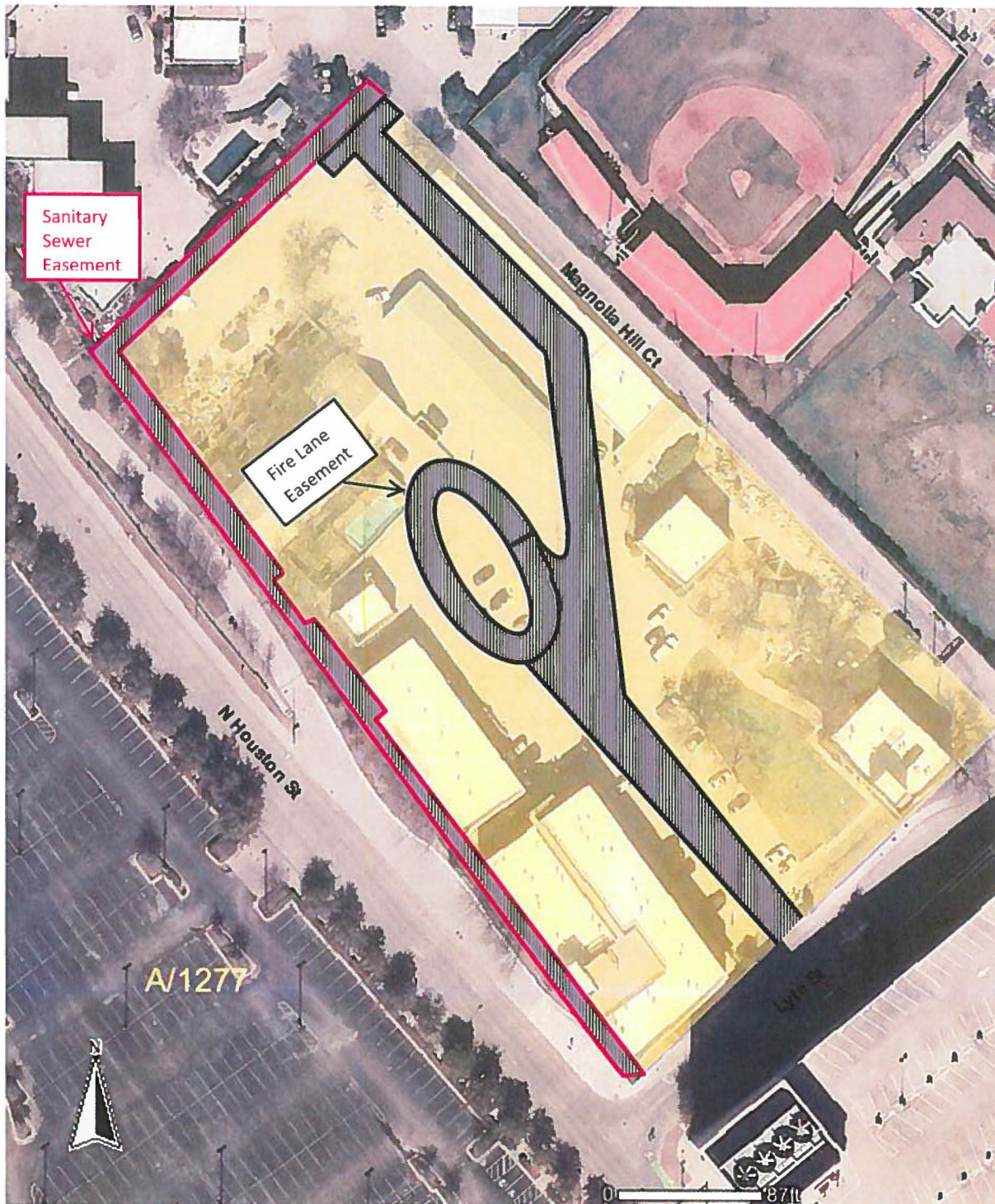


Log 41854

Abandonment area =  Utility Easement
 Water Easement

Mapsc 45-E

Applicant Magnolia Station



Log 41854

Abandonment area = Sanitary Sewer Easement

Mapsc0 45-E

Fire Apparatus Access Road

Applicant Magnolia Station

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a utility easement, a sanitary sewer easement, a water easement and a fire apparatus access road, located in City Block A/9027 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Magnolia Station, LLC; 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 abandonments herein; providing for the consideration to be paid to the City of Dallas; relinquishment and quitclaim made herein; 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 Magnolia Station, LLC, a Texas limited liability company; 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 tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are 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 tracts 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 (\$5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, 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 tracts or parcels 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 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 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 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**, its successors 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**, 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 part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) ensure emergency response and water supply will not be impacted during or following construction;
- b) contact the Texas Excavation Safety System (Texas 811) to have facilities marked and located within affected easements before any excavations are started.

SECTION 10. 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 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:
WARREN M. S. ERNST
City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY 
Assistant City Attorney

BY 
Assistant Director

Passed _____.

**WATER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 1

BEING a 7,860 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being all of a 15 foot wide Water Easement created and recorded in Volume 94012, Page 19, Deed Records of Dallas County, Texas (DRDCT) said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 DRDCT, as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract being more particularly described as follows:

COMMENCING at an "X" found in concrete for the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation, for the southeast corner of said Lot 1A and said Magnolia Station tract;

THENCE S 45°58'17" W, 87.32 feet along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for the POINT OF BEGINNING of the subject tract;

THENCE S 45°58'17" W, 15.01 feet continuing along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for corner, and from which an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way, bears S 45°58'17" W, 187.50 feet, and N 89°19'24" W, 11.60 feet;

THENCE departing the northwest line of Lyte Street, into and through said Lot 1A and said Magnolia Station tract, the following:

THENCE N 42°31'43" W, 171.00 feet to a point for corner;

THENCE S 47°28'17" W, 50.50 feet to a point for corner;

THENCE N 42°31'43" W, 15.00 feet to a point for corner;

THENCE N 47°28'17" E, 50.50 feet to a point for corner;

THENCE N 42°31'43" W, 287.20 feet to a point for corner;

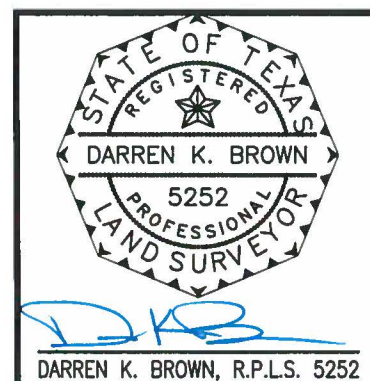
THENCE N 44°51'17" E, 15.02 feet to a point for corner;

THENCE S 42°31'43" E, 473.49 feet to the POINT OF BEGINNING with the subject tract containing 7,860 square feet or 0.180 acres of land.

(For SPRG use only)

Reviewed By: JD
Date: 9/18/2015
SPRG No: 3371

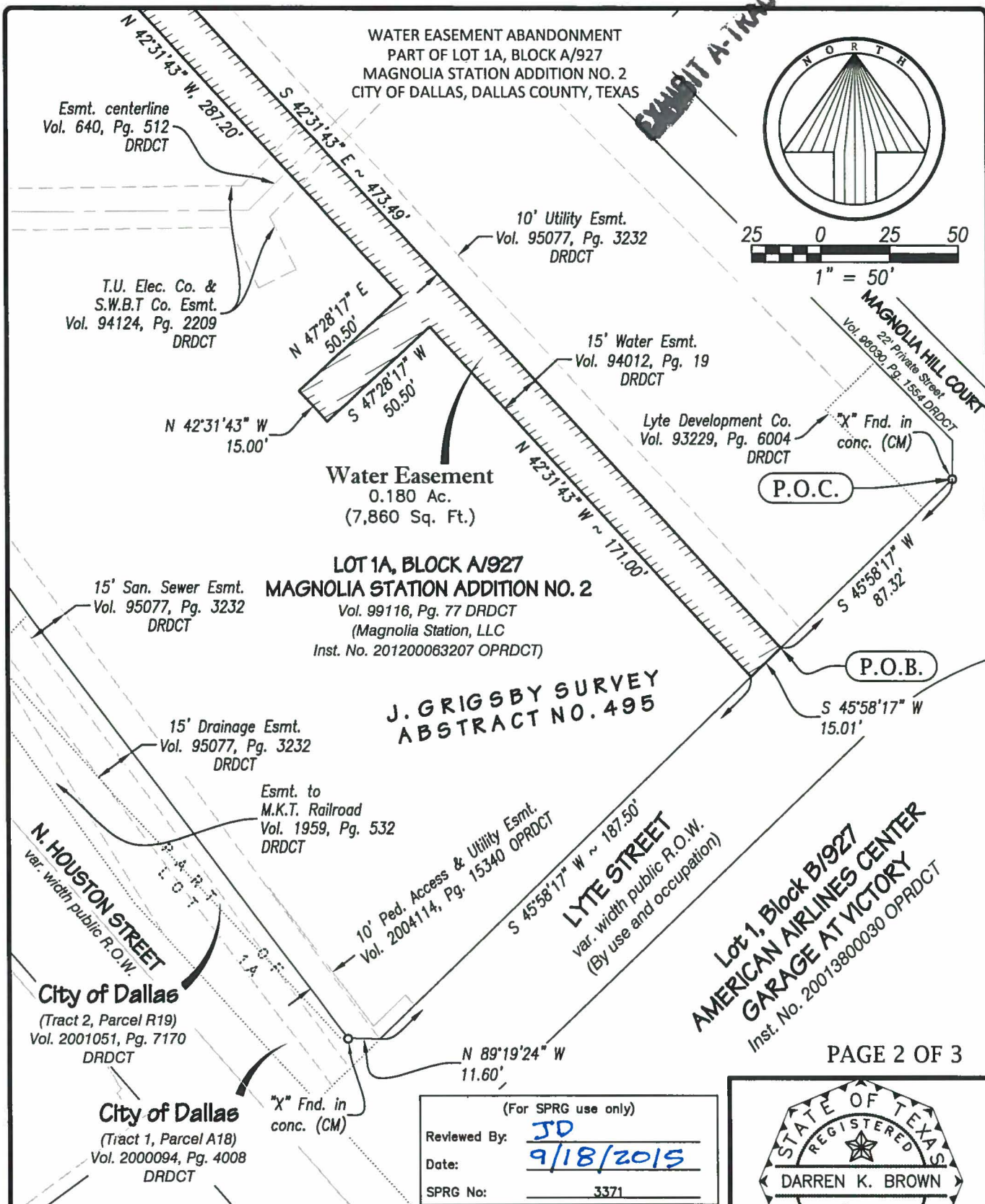
PAGE 1 OF 3



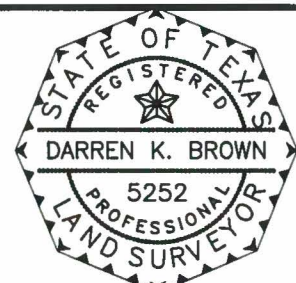
p i a r s
ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date accompanies this legal description.



PAGE 2 OF 3



Darren K. Brown
DARREN K. BROWN, R.P.L.S. 5252

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ED	DKB	1" = 50'	5/11/15	13-094

EXHIBIT A-TRACT 1

MAGNOLIA HILL ADDITION

Vol. 96030, Pg. 1554
DRDCT

Block A/927

MAGNOLIA HILL COURT
A private street per plat
Vol. 96030, Pg. 1554 DRDCT

Lot 22

WATER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS



25 0 25 50
1" = 50'

LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing
R.O.W.	Right of way
Esmt.	Easement

J. GRIGSBY SURVEY ABSTRACT NO. 495

Water Easement
0.180 Ac.
(7,860 Sq. Ft.)

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**

Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

T.U. Elec. Co. &
S.W.B.T Co. Esmt.
Vol. 94124, Pg. 2209
DRDCT

Esmt. centerline
Vol. 640, Pg. 512
DRDCT

City of Dallas
(Tract 1, Parcel P32)
Vol. 2001051, Pg. 7170
DRDCT

KATY TRAIL
Formerly known as
the M.K.T. Railroad
Ver. width public R.O.W.

(For SPRG use only)

Reviewed By: JD
Date: 9/18/2015
SPRG No: 3371

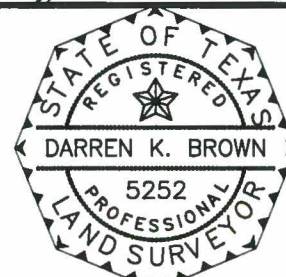
PAGE 3 OF 3

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Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).

2. A legal description of even date accompanies this plat.



DARREN K. BROWN, R.P.L.S. 5252

(For SPRG use only)

Reviewed By:

JD

Date:

9/18/2015

SPRG No:

3369

FIRE APPARATUS ACCESS ROAD ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

BEING a 22,643 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being all of a 20 foot wide "Fire Apparatus Access Road" as shown by Magnolia Station Addition, an addition to the City of Dallas, recorded in Volume 95077, Page 3232, Deed Records, Dallas County, Texas (DRDCT), said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 of the Deed Records, Dallas County, Texas (DRDCT), as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract is not defined by said Final Plat, and the approximate location of the Fire Apparatus Access Road being more particularly described as follows:

COMMENCING at an "X" found in concrete for the southerly east corner of said Lot 1A and said Magnolia Station tract, and being the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation;

THENCE S 45°58'17" W, 156.93 feet along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for the POINT OF BEGINNING of the subject tract;

THENCE S 45°58'17" W, 28.27 feet continuing along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for corner, and from which an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way, bears S 45°58'17" W, 104.64 feet, and N 89°19'24" W, 11.60 feet;

THENCE departing the northwest line of Lyte Street, into and through said Lot 1A and said Magnolia Station tract, the following:

N 36°10'03" W, 161.17 feet to a point for corner;

A tangent curve to the left having a central angle of 81°11'41", a radius of 20.00 feet, a chord of N 76°45'54" W - 26.03 feet, an arc length of 28.34 feet to a point for corner;

A reverse curve having a central angle of 82°11'15", a radius of 30.00 feet, a chord of N 76°16'07" W - 39.44 feet, an arc length of 43.03 feet to a point for corner;

N 35°10'30" W, 99.73 feet to a point for corner;

A tangent curve to the right having a central angle of 180°00'00", a radius of 35.00 feet, a chord of N 54°49'30" E - 70.00 feet, an arc length of 109.96 feet to a point for corner;

S 35°10'30" E, 75.89 feet to a point for corner;

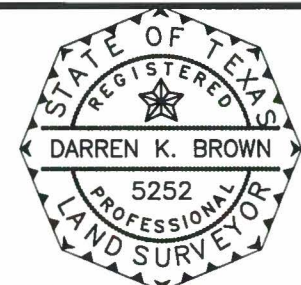
A tangent curve to the left having a central angle of 155°05'31", a radius of 12.00 feet, a chord of N 67°16'45" E - 23.44 feet, an arc length of 32.48 feet to a point for corner;

N 10°16'01" W, 93.72 feet to a point for corner;

N 45°21'51" W, 167.77 feet to a point for corner;

A tangent curve to the left having a central angle of 90°51'24", a radius of 30.00 feet, a chord of S 89°12'27" W - 42.74 feet, an arc length of 47.57 feet to a point for corner;

PAGE 1 OF 5



Darren K. Brown, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).

2. A plat of even date accompanies this legal description.

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Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		8/7/15	13-094

**FIRE APPARATUS ACCESS ROAD ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 2

S 43°46'45" W, 9.94 feet to a point for corner;

N 44°37'40" W, 19.87 feet to a point for corner;

And N 44°58'34" E, 99.08 feet to a point on the northeast line of said Lot 1A and said Magnolia Station tract and on the southwest line of Magnolia Hill Court;

THENCE S 44°52'42" E, 20.00 feet along the northeast line of said Lot 1A and said Magnolia Station tract and the southwest line of said Magnolia Hill Court to a point for corner;

THENCE departing the southwest line of Magnolia Hill Court, into and through said Lot 1A and said Magnolia Station tract, the following:

S 44°58'34" W, 8.59 feet to a point for corner;

A tangent curve to the left having a central angle of 90°20'25", a radius of 30.00 feet, a chord of S 00°11'39" E — 42.55 feet, an arc length of 47.30 feet to a point for corner;

S 45°21'51" E, 166.95 feet to a point for corner;

A tangent curve to the right having a central angle of 35°05'50", a radius of 20.00 feet, a chord of S 27°48'56" E — 12.06 feet, an arc length of 12.25 feet to a point for corner;

S 10°16'01" E, 145.83 feet to a point for corner;

A tangent curve to the left having a central angle of 25°54'02", a radius of 180.00 feet, a chord of S 23°13'02" E — 80.68 feet, an arc length of 81.37 feet to a point for corner;

And S 36°10'03" E, 90.16 feet to the POINT OF BEGINNING with the subject tract containing 26,216 square feet or 0.602 acres of land, SAVE AND EXCEPT the following tract:

COMMENCING at an "X" found in concrete for the southerly east corner of said Lot 1A and said Magnolia Station tract, and being the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Preliminary Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation;

THENCE N 79°04'13" W, 258.14 feet through said Lot 1A and said Magnolia Station tract to a point for the POINT OF BEGINNING of the subject tract;

THENCE around a curve to the right having a central angle of 180°00'00", a radius of 15.00 feet, a chord of S 54°49'30" W — 30.00 feet, an arc length of 47.12 feet to a point for corner;

THENCE N 35°10'30" W, 95.54 feet to a point for corner;

THENCE around a tangent curve to the right having a central angle of 180°00'00", a radius of 15.00 feet, a chord of N 54°49'30" E — 30.00 feet, an arc length of 47.12 feet to a point for corner;

THENCE S 35°10'30" E, 95.54 feet to the POINT OF BEGINNING with the subject tract containing 3,573 square feet or 0.082 acres of land.

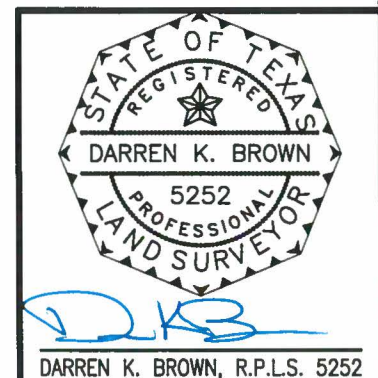
PAGE 2 OF 5


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Reviewed By: JD

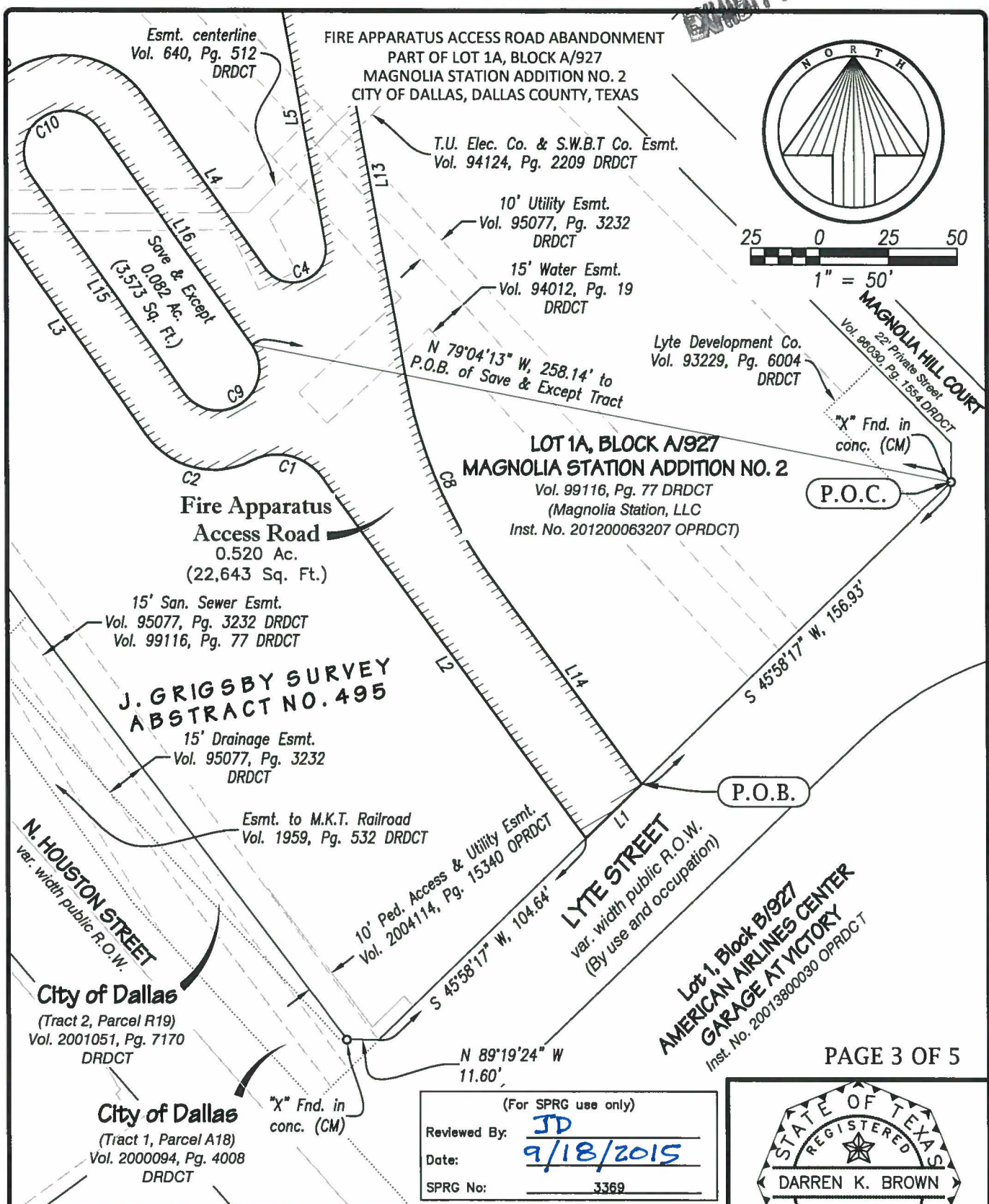
Date: 9/18/2015

SPRG No: 3369



 piars ENGINEERING				
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121				
Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		8/7/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date accompanies this legal description.



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Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	8/7/15	13-094

(For SPRG use only)

Reviewed By: JD

Date: 9/18/2015

SPRG No: 3369

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

[Signature]
DARREN K. BROWN, R.P.L.S. 5252

(For SPRG use only)

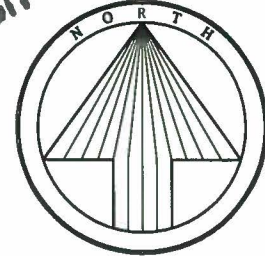
Reviewed By: JD

Date: 9/18/2015

SPRG No: 3369

FIRE APPARATUS ACCESS ROAD ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2



25 0 25 50
1" = 50'

MAGNOLIA HILL ADDITION

Vol. 96030, Pg. 1554 DRDCT

Block A/927

MAGNOLIA HILL COURT
A private street per plat
Vol. 96030, Pg. 1554 DRDCT

RANDALL STREET
50' R.O.W.

MAGNOLIA HILL COURT
22' Private Street
Vol. 96030, Pg. 1554 DRDCT

J. GRIGSBY SURVEY
ABSTRACT NO. 495

City of Dallas
Vol. 577, Pg. 405 DRDCT

15' Water Esmt.
Vol. 94012, Pg. 19 DRDCT

**Fire Apparatus
Access Road**
0.520 Ac.
(22,643 Sq. Ft.)

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**

Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

10' Utility Esmt.
Vol. 95077, Pg. 3232 DRDCT

T.U. Elec. Co. &
S.W.B.T. Co. Esmt.
Vol. 94124, Pg. 2209 DRDCT
Vol. 99116, Pg. 77 DRDCT

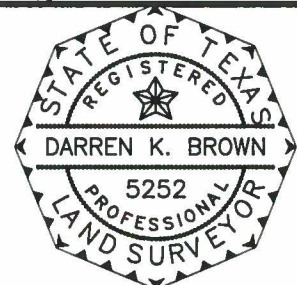
City of Dallas
(Tract 1, Parcel R37)
Vol. 2001051, Pg. 7170
DRDCT

KATY TRAIL
Formerly known as
the M.K.T. Railroad
N. HOUSTON STREET
Var. width public R.O.W.

Esmt. centerline
Vol. 640, Pg. 512
DRDCT

Save & Except
0.082 Ac.
(3,573 Sq. Ft.)

PAGE 4 OF 5



D.K.B.
DARREN K. BROWN, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.



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Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	8/7/15	13-094

**FIRE APPARATUS ACCESS ROAD ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 2

Line Table		
Line #	Bearing	Distance
L1	S 45°58'17" W	28.27'
L2	N 36°10'03" W	161.17'
L3	N 35°10'30" W	99.73'
L4	S 35°10'30" E	75.89'
L5	N 10°16'01" W	93.72'
L6	N 45°21'51" W	167.77'
L7	S 43°46'45" W	9.94'
L8	N 44°37'40" W	19.87'

Line Table		
Line #	Bearing	Distance
L9	N 44°58'34" E	99.08'
L10	S 44°52'42" E	20.00'
L11	S 44°58'34" W	8.59'
L12	S 45°21'51" E	166.95'
L13	S 10°16'01" E	145.83'
L14	S 36°10'03" E	90.16'
L15	N 35°10'30" W	95.54'
L16	S 35°10'30" E	95.54'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C1	28.34'	20.00'	81°11'41"	N 76°45'54" W	26.03'
C2	43.03'	30.00'	82°11'15"	N 76°16'07" W	39.44'
C3	109.96'	35.00'	180°00'00"	N 54°49'30" E	70.00'
C4	32.48'	12.00'	155°05'31"	N 67°16'45" E	23.44'
C5	47.57'	30.00'	90°51'24"	S 89°12'27" W	42.74'
C6	47.30'	30.00'	90°20'25"	S 00°11'39" E	42.55'
C7	12.25'	20.00'	35°05'50"	S 27°48'56" E	12.06'
C8	81.37'	180.00'	25°54'02"	S 23°13'02" E	80.68'
C9	47.12'	15.00'	180°00'00"	S 54°49'30" W	30.00'
C10	47.12'	15.00'	180°00'00"	N 54°49'30" E	30.00'

LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
R.O.W.	Right of way
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing
Eamt.	Easement

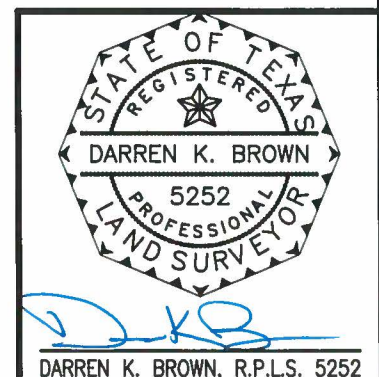
(For SPRG use only)


Reviewed By: JD

Date: 9/18/2015

SPRG No: 3369

PAGE 5 OF 5



				
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121				
Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	8/7/15	13-094

**SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT 3

BEING a 9,553 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being a part of a variable width Sanitary Sewer Easement created by Magnolia Station Addition, an addition to the City of Dallas recorded in Volume 95077, Page 3232 of the Deed Records, Dallas County, Texas (DRDCT), said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 DRDCT, as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract being more particularly described as follows:

BEGINNING at an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way;

THENCE N 36°58'24" W, 190.99 feet along the southwest line of said Magnolia Station tract, and along the northeast line of Tract 2, Parcel R19, to a point for the north corner thereof, and being an inset corner of said Lot 1A, Block A/927, and being the east corner of a tract described as "Tract 1, Parcel R37", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT;

THENCE N 35°51'43" W, 338.85 feet along the southwest line of said Lot 1A and said Magnolia Station tract, and along the northeast line of Tract 1, Parcel R37, to a point for the west corner of said Lot 1A and said Magnolia Station tract, and being the south corner of Lot 2, Block A/927, Magnolia Hill Addition, an addition to the City of Dallas recorded in Volume 96030, Page 1554 DRDCT;

THENCE N 45°07'17" E, along the northwest line of said Lot 1A and said Magnolia Station tract, and along the southeast line of said Lot 2, Block A/927, passing at 76.53 feet the east corner of said Lot 2 and a south corner of Magnolia Hill Court, a private street created by said plat of Magnolia Hill Addition, and continuing along a southeasterly line thereof a total distance of 228.37 feet to a point for the north corner of said Lot 1A and said Magnolia Station tract, and for an inset corner of said Magnolia Hill Court;

THENCE S 44°52'43" E, along the northeast line of said Lot 1A and said Magnolia Station tract, and along the southwest line of said Magnolia Hill Court, passing at 1.33 feet an "X" found in concrete, continuing a total distance of 15.00 feet to a point for corner;

THENCE departing the southwest line of said Magnolia Hill Court, into and through said Lot 1A and said Magnolia Station tract, the following:

S 45°07'17" W, 215.56 feet to a point for corner;

S 35°51'43" E, 104.76 feet to a point for corner;

S 44°26'52" W, 6.84 feet to a point for corner;

S 35°57'03" E, 38.24 feet to a point for corner;

N 44°48'14" E, 6.77 feet to a point for corner;

S 35°51'43" E, 91.21 feet to a point for corner;

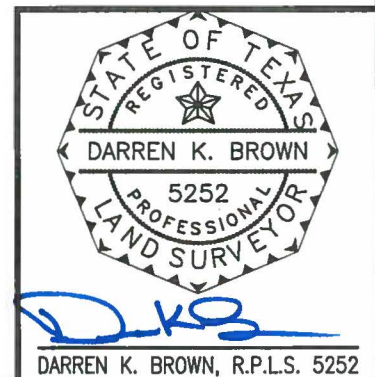
S 53°28'15" W, 5.10 feet to a point for corner;


And S 36°25'30" E, 289.68 feet to a point on the east end of said corner clip;

THENCE N 88°09'33" W, 11.43 feet along said corner clip to the POINT OF BEGINNING with the subject tract containing 9,553 square feet or 0.219 acres of land.

(For SPRG use only)	
Reviewed By:	<u>JD</u>
Date:	<u>8/20/2015</u>
SPRG No:	<u>3370</u>

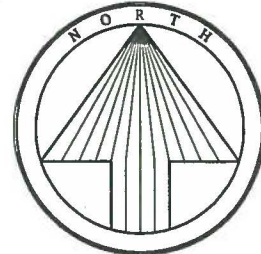
PAGE 1 OF 3



				
<small>765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121</small>				
Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date legal description.

EXHIBIT A-TRACT 3



SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

T.U. Elec. Co. &
S.W.B.T Co. Esmt.
Vol. 94124, Pg. 2209
DRDCT

**J. GRIGSBY SURVEY
ABSTRACT NO. 495**

15' Water Esmt.
Vol. 94012, Pg. 19
DRDCT

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**

Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

**Sanitary Sewer
Easement**
0.219 Ac.
(9,553 Sq. Ft.)

10' Utility Esmt.
Vol. 95077, Pg. 3232
DRDCT

15' Drainage Esmt.
Vol. 95077, Pg. 3232
DRDCT

10' Ped. Access & Utility Esmt.
Vol. 2004114, Pg. 15340 OPRDCT

LYTE STREET
S 45°58'17" W ~ 289.83'
var. width public R.O.W.
(By use and occupation)

35°51'43" E ~ 91.21'
N 35°51'43" W
Vol. 2001051, Pg. 7170 DRDCT
City of Dallas
(Tract 1, Parcel R37)

N. HOUSTON STREET
var. width public R.O.W.

15' San. Sewer Esmt.
Vol. 95077, Pg. 3232 DRDCT
Vol. 99116, Pg. 77 DRDCT

Esmt. to M.K.T. Railroad
Vol. 1959, Pg. 532 DRDCT

**Lot 1D, Block A/1277
CAMDEN VICTORY PARK ADDITION**
Inst. No. 201400214445 OPRDCT
5' Private Drainage Esmt.
Inst. No. 201300233091 OPRDCT

City of Dallas
(Tract 2, Parcel R19)
Vol. 2001051, Pg. 7170
DRDCT

City of Dallas
(Tract 1, Parcel A18)
Vol. 2000094, Pg. 4008
DRDCT

"X" Fnd. in
conc. (CM)

P.O.B.

**Lot 1, Block B/927
AMERICAN AIRLINES CENTER
GARAGE AT VICTORY**
Inst. No. 20013800030 OPRDCT

**Remainder
Lot 1C, Block A/1277
VICTORY NORTH
ADDITION**
Inst. No. 200600219870
OPRDCT

PAGE 2 OF 3

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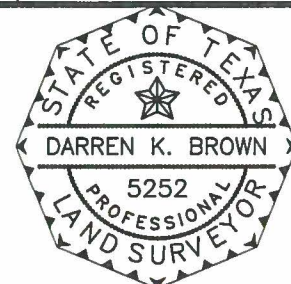
Reviewed By: JD
Date: 8/26/2015
SPRG No: 3370

**p i a r s
ENGINEERING**

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.



DKB
DARREN K. BROWN, R.P.L.S. 5252

(For SPRG use only)

Reviewed By: JD

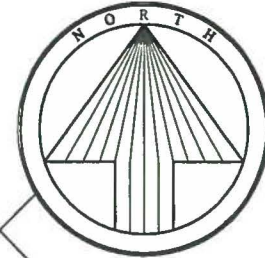
Date: 8/20/2015

SPRG No: 3370

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

"X" Fnd.
in conc.
(CM)



25 0 25 50
1" = 50'

City of Dallas
Vol. 577, Pg. 405
DRDCT
MAGNOLIA HILL COURT
Vol. 96030, Pg. 1554 DRDCT

MAGNOLIA HILL COURT
A private street per plat
Vol. 96030, Pg. 1554 DRDCT

MAGNOLIA HILL ADDITION
Vol. 96030, Pg. 1554
DRDCT

Lot 22

Lot 5

Lot 4

Block A/927

Lot 3

Lot 2

**J. GRIGSBY SURVEY
ABSTRACT NO. 495**

15' San. Sewer Esmt.
Vol. 95077, Pg. 3232
DRDCT

10' Utility Esmt.
Vol. 95077, Pg. 3232
DRDCT

**Sanitary Sewer
Easement**
0.219 Ac.
(9,553 Sq. Ft.)

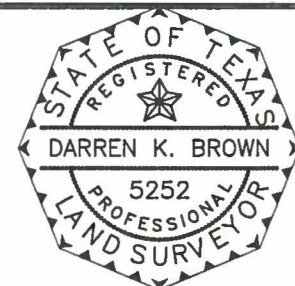
15' Water Esmt.
Vol. 94012, Pg. 19
DRDCT

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**
Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

T.U. Elec. Co. &
S.W.B.T. Co. Esmt.
Vol. 94124, Pg. 2209
DRDCT

Esmt. centerline
Vol. 640, Pg. 512
DRDCT

PAGE 3 OF 3



D.K.B.
DARREN K. BROWN, R.P.L.S. 5252

LEGEND

OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
R.O.W.	Right of way
P.O.B.	Point of Beginning
Esmt.	Easement



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Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	5/11/15	13-094

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

**UTILITY EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

EXHIBIT A-TRACT

BEING a 6,192 square foot tract of land situated in the J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, the subject tract being part of a variable width Utility Easement created by Magnolia Station Addition, an addition to the City of Dallas, recorded in Volume 95077, Page 3232 of the Deed Records, Dallas County, Texas (DRDCT), said tract being part of Lot 1A, Block A/927, Magnolia Station Addition No. 2, an addition to the City of Dallas recorded in Volume 99116, Page 77 DRDCT, as conveyed to Magnolia Station, LLC, by Special Warranty Deed recorded in Instrument Number 201200063207 of the Official Public Records, Dallas County, Texas (OPRDCT), the subject tract being more particularly described as follows:

COMMENCING at an "X" found in concrete for the south end of a corner clip being the intersection of the southwest line of Magnolia Hill Court, a 22 foot wide private street created by the Plat of Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT, with the northwest line of Lyte Street, a variable width public right-of-way established by use and occupation, for the southeast corner of said Lot 1A and said Magnolia Station tract;

THENCE S 45°58'17" W, 77.32 feet along the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract to a point for the southeast corner of said variable width utility easement;

THENCE N 42°31'43" W, 10.00 feet departing the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract, along the east line of said utility easement, to the POINT OF BEGINNING of the subject tract;

THENCE S 45°58'17" W, 10.00 feet through and across said utility easement to a point for corner, and from which an "X" found in concrete for the westerly south corner of said Magnolia Station tract, and for the most easterly corner of a tract described as "Tract 2, Parcel R19", as conveyed to the City of Dallas by Warranty Deed recorded in Volume 2001051, Page 7170 DRDCT, and being the west end of a corner clip being the intersection of the northwest line of said Lyte Street with the northeast line of North Houston Street, a variable width public right-of-way, bears S 42°31'43" E, 10.00 feet to a point on the northwest line of Lyte Street and the southeast line of said Lot 1A and said Magnolia Station tract, S 45°58'17" W, 202.51 feet along said common line, and N 89°19'24" W, 11.60 feet along said common line;

THENCE departing the northwest line of Lyte Street, into and through said Lot 1A and said Magnolia Station tract, the following:

THENCE N 42°31'43" W, 463.49 feet to a point for corner;

THENCE S 44°51'17" W, 15.02 feet to a point for corner;

THENCE N 42°31'43" W, 62.30 feet to a point on the northwest line of said Lot 1A and said Magnolia Station tract, and being on the southeast line of Magnolia Hill Court, a variable width private street created by said Magnolia Hill Addition, and recorded in Volume 96030, Page 1554 DRDCT;

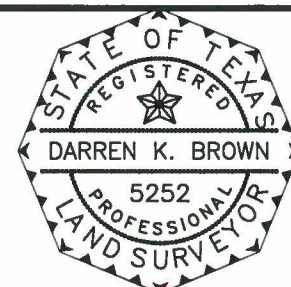
THENCE N 45°07'17" E, 25.03 feet along the northwest line of said Lot 1A and said Magnolia Station tract, and the southeast line of Magnolia Hill Court to a point for corner;

THENCE S 42°31'43" E, 525.88 feet departing the southeast line of Magnolia Hill Court, into and through said Lot 1A and said Magnolia Station tract to the POINT OF BEGINNING with the subject tract containing 6,192 square feet or 0.142 acres of land.

(For SPRG use only)

Reviewed By: JD
Date: 9/18/2015
SPRG No: 3372

PAGE 1 OF 3



DARREN K. BROWN, R.P.L.S. 5252

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A plat of even date accompanies this legal description.

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Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		9/14/15	13-094

EXHIBIT A-TRACT



UTILITY EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Esmt. centerline
Vol. 640, Pg. 512
DRDCT

T.U. Elec. Co. &
S.W.B.T Co. Esmt.
Vol. 94124, Pg. 2209
DRDCT

10' Utility Esmt.
Vol. 95077, Pg. 3232 DRDCT
Vol. 99116, Pg. 77 DRDCT

15' Water Esmt.
Vol. 94012, Pg. 19
DRDCT

**Utility
Easement**
0.142 Ac.
(6,192 Sq. Ft.)

Lyte Development Co.
Vol. 93229, Pg. 6004
DRDCT

MAGNOLIA HILL COURT
Vol. 99030, Pg. 1554 DRDCT

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**
Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

15' San. Sewer Esmt.
Vol. 95077, Pg. 3232 DRDCT
Vol. 99116, Pg. 77 DRDCT

**J. GRIGSBY SURVEY
ABSTRACT NO. 495**

15' Drainage Esmt.
Vol. 95077, Pg. 3232 DRDCT

Esmt. to M.K.T. Railroad
Vol. 1959, Pg. 532 DRDCT

N HOUSTON STREET
var. width public R.O.W.

City of Dallas
(Tract 2, Parcel R19)
Vol. 2001051, Pg. 7170
DRDCT

10' Ped. Access & Utility Esmt.
Vol. 2004114, Pg. 15340 OPRDCT

LYTE STREET
var. width public R.O.W.
(By use and occupation)

**Lot 1, Block B/927
AMERICAN AIRLINES CENTER
GARAGE AT VICTORY**
Inst. No. 20013800030 OPRDCT

City of Dallas
(Tract 1, Parcel A18)
Vol. 2000094, Pg. 4008
DRDCT

"X" Fnd. in
conc. (CM)

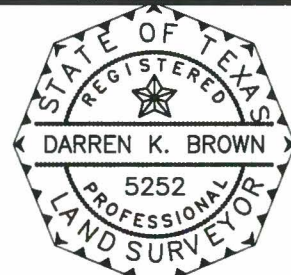
N 89°19'24" W
11.60'

(For SPRG use only)

Reviewed By: JD
Date: 9/18/2015
SPRG No: 3372

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. A legal description of even date accompanies this plat.

PAGE 2 OF 3



D.K.B.
DARREN K. BROWN, R.P.L.S. 5252

**p i a r s
ENGINEERING**
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • T&E No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	9/14/15	13-094

UTILITY EASEMENT ABANDONMENT
PART OF LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT

**MAGNOLIA HILL
ADDITION**

Vol. 96030, Pg. 1554
DRDCT

Block A/927

N 45°07'17" E
25.03'

Lot 22

MAGNOLIA HILL COURT
A private street per plat
Vol. 96030, Pg. 1554 DRDCT

RANDALL STREET
50' R.O.W.

MAGNOLIA HILL COURT
22' Private Street
Vol. 96030, Pg. 1554 DRDCT

City of Dallas
Vol. 577, Pg. 405
DRDCT

**Utility
Easement**
0.142 Ac.
(6,192 Sq. Ft.)

10' Utility Esmt.
Vol. 95077, Pg. 3232
DRDCT

15' Water Esmt.
Vol. 94012, Pg. 19
DRDCT

**J. GRIGSBY SURVEY
ABSTRACT NO. 495**

**LOT 1A, BLOCK A/927
MAGNOLIA STATION ADDITION NO. 2**

Vol. 99116, Pg. 77 DRDCT
(Magnolia Station, LLC
Inst. No. 201200063207 OPRDCT)

Esmt. centerline
Vol. 640, Pg. 512
DRDCT

T.U. Elec. Co. & S.W.B.T Co. Esmt.
Vol. 94124, Pg. 2209 DRDCT



25 0 25 50
1" = 50'

LEGEND

OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Var. width	Variable width
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
(CM)	Controlling Monument
R.O.W.	Right of way
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing
Esmt.	Easement

PAGE 3 OF 3

(For SPRG use only)

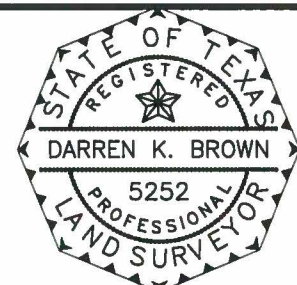
Reviewed By: JD

Date: 9/18/2015

SPRG No: 3372

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).

2. A legal description of even date accompanies this plat.



DARREN K. BROWN, R.P.L.S. 5252



**p i a r s
ENGINEERING**

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 50'	9/14/15	13-094

REVISED AGENDA ITEM # 18

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All 6

DEPARTMENT: Office of Cultural Affairs

CMO: Joey Zapata, 670-1204

MAPSCO: N/A 44 T U

SUBJECT

Authorize **(1)** a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue; **(2)** the receipt and deposit of funds from the Fort Worth Avenue Development Group in the amount of \$5,000, for maintenance costs associated with a public art project; and **(3)** an increase in appropriations in the amount of \$5,000 in the Office of Cultural Affairs Gifts and Donations Fund - Not to exceed \$5,000 - Financing: Office of Cultural Affairs Gifts and Donations Fund

BACKGROUND

The City of Dallas Public Art Program provides that all appropriations for City capital improvement projects shall include an amount equal to 1.5 percent of the total capital improvement project appropriation, or an amount equal to 0.75 percent of the total appropriation for a project that is exclusively for street, storm drainage, utility, or sidewalk improvements, to be used for design services of artists, for the selection, acquisition, commissioning, and display of artworks, and for administration of the public art projects. Public Art funding, derived from the Public Art Program, in an amount not to exceed \$10,000, is anticipated to be approved by administrative action for the construction of public artwork honoring the contributions of Latino-Americans to west Dallas, at Triangle Park (a street median) upon selection of a vendor.

The Fort Worth Avenue Development Group (FWADG) will use its best efforts to contribute \$5,000 for the maintenance cost associated with public artwork at Triangle Park. This action is for approval of a contract between the City of Dallas and FWADG to authorize acceptance of a \$5,000 contribution to City and authorize the participation of FWADG designated representatives in the development of the scope of work and artist selection process, as defined in the Cultural Policy, for the construction of the artwork.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 2, 2015, the Public Art Committee recommended planning for the Triangle Park project.

On June 18, 2015, the Cultural Affairs Commission approved planning for the Triangle Park project.

On August 11, 2015, the Public Art Committee recommended initiation of planning for the Triangle Park Project.

On August 17, 2015, the Cultural Affairs Commission approved initiation of planning for the Triangle Park Project.

On October 6, 2015, the Public Art Committee of the Cultural Affairs Commission reviewed this item.

Information about this item was provided to the Cultural Affairs Commission on October 15, 2015.

Information about this item will be provided to the Arts, Culture and Libraries Committee on October 19, 2015.

FISCAL INFORMATION

\$5,000 - Office of Cultural Affairs Gifts and Donations Fund

October 28, 2015

WHEREAS, the Public Art Program, pursuant to Section 2-103 of the Dallas City Code, provides art funding for the design services of artists; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs has identified a public art project to complement Triangle Park, a street median, located at the intersection of Sylvan Avenue, Seale Street, and Evanston Avenue in Dallas, Texas; and

WHEREAS, Public Art funding, in an amount not to exceed \$10,000, is anticipated to be approved by administrative action for the construction of public artwork honoring the contributions of Latino-Americans to west Dallas, at Triangle Park (a street median), upon selection of a vendor; and

WHEREAS, the Fort Worth Avenue Development Group will use its best efforts to contribute \$5,000 toward the maintenance of a public art project at Triangle Park.

Now, Therefore,

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

Section 1. That the City Manager is authorized to execute a contract with the Fort Worth Avenue Development Group for participation in the development of the scope of work and artist selection process for a public art project to be located in Triangle Park, a street median, at the intersection of Sylvan Avenue, Seale Street and Evanston Avenue and the receipt and deposit of funds in the amount of \$5,000 for support and maintenance of the Triangle Park public art project, upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is authorized to deposit \$5,000 into the Office of Cultural Affairs Gifts and Donations Fund 0388, Department OCA, Unit 6872, Revenue Source 8411.

Section 3. That the City Manager is authorized to increase appropriations in the amount of \$5,000 in Fund 0388, Department OCA, Unit 6872, Various Object Codes, according to future procurements.

Section 4. That the Chief Financial Officer is authorized to disburse funds from Fund 0388, Department OCA, Unit 6872, in accordance with the terms of the contract.

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.

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Internet Crimes Against Children Continuation Grant

- * Authorize **(1)** an application for and acceptance of a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant, new funding period from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation for the period July 1, 2013 through June 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$487,985, from \$957,570 to \$1,445,555 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
- * Authorize a continuation of cooperative working agreements with the Dallas County District Attorney's Office in the amount of \$9,000, Tarrant County District Attorney's Office in the amount of \$7,500, Potter County District Attorney's Office in the amount of \$4,300, Collin County Sheriff's Office in the amount of \$18,000, Taylor County Sheriff's Office in the amount of \$10,000, Wichita County Sheriff's Office in the amount of \$7,500, Lubbock Police Department in the amount of \$23,000, Arlington Police Department in the amount of \$13,000, Garland Police Department in the amount of \$13,000, Longview Police Department in the amount of \$22,000, and the Dallas Children's Advocacy Center in the amount of \$37,000, for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016 - Total not to exceed \$164,300 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

On September 21, 2015, the Crimes Against Children Unit was awarded a grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. This grant, in the amount of \$487,985 is a continuation for the period July 1, 2013 through June 30, 2016. The original grant award was \$477,337, approved by Resolution No. 13-1842, followed by a continuation grant award of \$480,233, approved by Resolution No. 14-1908. This is a continuation grant award covering the funding period of July 1, 2015 through June 30, 2016, and there is no cash match or in kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an application for and acceptance of the 2010 Internet Crimes Against Children Continuation Grant No. 2010-MC-CX-K037 on November 14, 2012, by Resolution No. 12-2756.

Authorized continuation of Cooperative Working Agreements with various entities on November 14, 2012, by Resolution No. 12-2757.

Authorized an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant No. 2013-MC-FX-K036 on October 23, 2013, by Resolution No. 13-1842.

Authorized a continuation of Cooperative Working Agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center on February 12, 2014, by Resolution No. 14-0299.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant No. 2013-MC-FX-K036 on November 12, 2014, by Resolution No. 14-1908.

Authorized the continuation of and an increase in the Cooperative Working Agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center on November 12, 2014, by Resolution No. 14-1909.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$487,985 - U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

October 28, 2015

WHEREAS, the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention has made continuation grant funds available to aid missing and exploited children during Fiscal Year 2015-2016; and

WHEREAS, such funding was awarded to the City of Dallas on September 21, 2015; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to accept a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, new funding period, Grant No. 2013-MC-FX-K036, CFDA # 16.543 in an amount not to exceed \$487,985 from \$957,570 to \$1,445,555, for the period July 1, 2013 through June 30, 2016 and execute the grant agreement.

Section 2. That the City Manager is hereby authorized to increase appropriations in the amount of \$487,985 from \$957,570 to \$1,445,555 in the Internet Crimes Against Children Continuation Grant, Fund F407, Department DPD, Unit 1505, in accordance with Schedule A.

Section 3. That the Chief Financial Officer is hereby authorized to deposit grant funds in an amount not to exceed \$487,985, in Fund F407, Department DPD, Unit 1505, Revenue Source 6506.

Section 4. That the Chief Financial Officer is hereby authorized to disburse grant funds from Fund F407, Department DPD, Unit 1505, an amount not to exceed \$487,985 according to Schedule A.

Section 5. That in the event of loss or misuse of funds, the City of Dallas will return all funds to the U.S. Department of Justice (DOJ), Office of Juvenile and Delinquency Prevention in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 6. That the City Manager shall keep the appropriate City Council Committee informed of all the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention final monitoring reports not later than 30 days after the receipt of the report.

October 28, 2015

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.

Schedule A

**Internet Crimes Against Children Continuation Grant
Fund F407, Unit 1505**

Obj	Description	Prior Budget	Supplement	Total
1102	Salaries - Uniform	382,268	173,148	555,416
1202	Overtime - Uniform	0	9,500	9,500
1302	Pension, Sworn	90,819	47,615	138,434
1304	Health, Sworn	20,056	10,454	30,510
1306	FICA	4,788	2,511	7,299
2280	Other Supplies	26,574	0	26,574
2890	Miscellaneous Equipment	0	18,725	18,725
3060	Equipment (Outside City)	4,000	0	4,000
3099	Misc Special Services (Contractual)	402,207	194,588	596,795
3361	Professional Development (Travel)	24,425	20,131	44,556
3435	Data Services	0	11,313	11,313
4731	Other	2,433	0	2,433
Total Budget		957,570	487,985	1,445,555

October 28, 2015

WHEREAS, the City of Dallas applies for grant funds available from the U.S. Department of Justice to aid missing and exploited children; and

WHEREAS, the services of the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center are approved by the execution of Cooperative Working Agreements; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant (July 1, 2013 to June 30, 2016) No. 2013-MC-FX-K036 was awarded to the City of Dallas on September 21, 2015; and

WHEREAS, the 2013 Internet Crimes Against Children Continuation Grant supplement No. 2013-MC-FX-K036 was accepted and appropriations and expenditures were authorized by the Dallas City Council on November 12, 2014; and

WHEREAS, execution of the Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center must be authorized by the Dallas City Council.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into respective Internet Crimes Cooperative Working Agreements with, the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department and the Dallas Children's Advocacy Center (per the attached Schedule B) as requested for the investigation, prosecution, education, and counseling activities related to the Dallas Internet Crimes Against Children Task Force response to Internet related sexual exploitation of children.

October 28, 2015

Section 2. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed \$164,300 from Fund F407, Department DPD, Unit 1505, OBJ 3099 per the attached Schedule B.

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.

SCHEDULE B

Federal Internet Crimes Against Children Continuation Grant

	Agency	2013-14 Allocation	2014-15 Supplemental Funding	2015-16 #2 Supplemental Funding	Fund	Dept.	Unit	Obj	Encumbrance No.	Commodity	Vendor No.
1	Dallas County District Attorney's Office	\$ 11,500.00	\$ 9,000.00	\$ 9,000.00	F407	DPD	1505	3099	PX-1505CR14C45	95217	014003
2	Tarrant County District Attorney's Office	\$ 8,500.00	\$ 8,500.00	\$ 7,500.00	F407	DPD	1505	3099	PX-1505CR14C46	95217	331260
3	Potter County District Attorney's Office	\$ 6,651.00	\$ 5,028.00	\$ 4,300.00	F407	DPD	1505	3099	PX-1505CR14C47	95217	VC0000001926
4	Collin County Sheriff's Department	\$ 15,000.00	\$ 18,000.00	\$ 18,000.00	F407	DPD	1505	3099	PX-1505CR14C48	95217	VS0000014264
5	Taylor County Sheriff's Department	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	F407	DPD	1505	3099	PX-1505CR14C49	95217	VS0000014301
6	Wichita County Sheriff's Department	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	F407	DPD	1505	3099	PX-1505CR14C50	95217	VC0000008139
7	Lubbock Police Department	\$ 20,000.00	\$ 23,000.00	\$ 23,000.00	F407	DPD	1505	3099	PX-1505CR14C51	95217	VC0000009161
8	Arlington Police Department	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	F407	DPD	1505	3099	PX-1505CR14C52	95217	520488
9	Garland Police Department	\$ 10,000.00	\$ 13,000.00	\$ 13,000.00	F407	DPD	1505	3099	PX-1505CR14C53	95217	268175
10	Longview Police Department	\$ 20,000.00	\$ 22,000.00	\$ 22,000.00	F407	DPD	1505	3099	PX-1505CR14C54	95217	516362
11	Dallas Children's Advocacy Center		\$ 37,000.00	\$ 37,000.00	F407	DPD	1505	3099	PX-1505CR14C55	95217	263854
		\$ 119,151.00	\$ 166,028.00	\$ 164,300.00							

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of the City of Dallas - State of Texas Internet Crimes Against Children Grant from the Office of the Governor, Criminal Justice Division, to provide one year funding for the salaries, pension, and FICA of two Detectives and one Police Research Specialist as well as to fund training, purchase of equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation for the period October 1, 2015 through September 30, 2016; and **(2)** execution of the grant agreement - Not to exceed \$324,139 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

BACKGROUND

The 2015-16 State of Texas Internet Crimes Against Children Grant will provide \$324,139 to enhance the response of the Dallas Crimes Against Children Task Force in the area of prevention, investigation and prosecution of computer-facilitated systems, and other technology. The grant will provide one year funding for the salaries, pension, and FICA of two (2) Detectives and one (1) Police Research Specialist. Funds will also be utilized for training, purchase equipment and use of overtime to address the growing problem of technology facilitated child abuse and exploitation. There is no cash match or in-kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application and acceptance for the State Internet Crimes Against Children Grant, IC-14-A10-27451 on January 22, 2014, by Resolution No. 14-0185.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$324,139 - Office of the Governor, Criminal Justice Division Grant Funds

October 28, 2015

WHEREAS, the State of Texas, Office of the Governor, Criminal Justice Division has made funds available to aid missing and exploited children during Fiscal Year 2015 - 2016; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to accept the City of Dallas - State Internet Crimes Against Children Grant #2745102, from the Office of the Governor, Criminal Justice Division, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology, in an amount not exceed \$324,139 for the period October 1, 2015 through September 30, 2016, and to execute the grant agreement.

Section 2. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$324,139 into Fund S285, Department DPD, Unit 1799, and Revenue Source 6516.

Section 3. That the City Manager is authorized to establish appropriations in Fund S285, Department DPD, Unit 1799, in accordance with attached Schedule A.

Section 4. That the Chief Financial Officer is authorized to disburse Grant Funds from Fund S285, Department DPD, Unit 1799, in accordance with attached Schedule A, in an amount not to exceed \$324,139.

Section 5. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division, in full (CJD). The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

October 28, 2015

Section 6. That the City Manager shall keep the appropriate City Council Committee informed of all CJD final monitoring reports not later than 30 days after the receipt of the report.

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.

Schedule A
Dallas Police Department State of Texas ICAC
Fund S267, Unit 1525

Obj. Code	Description	OOG Funds
1101	Civilian Salaries	47,923.00
1102	Sworn Salaries	160,327.00
1202	Overtime - Uniform	23,100.00
1301	Pension - Civilian	13,179.00
1302	Pension - Uniform	50,561.00
1306	FICA	3,449.00
2890	Misc Equipment	3,600.00
3361	Professional Development	<u>22,000.00</u>
	Program Totals	\$324,139.00

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of a grant in the amount of \$80,000 from the Office of the Governor, Criminal Justice Division to aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program for the period October 1, 2015 through September 30, 2016; **(2)** an In-kind contribution in the amount of \$64,267; and **(3)** execution of the grant agreement - Total not to exceed \$144,267 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$80,000) and In-Kind Contribution (\$64,267)

BACKGROUND

The City of Dallas Police Department (DPD) has been awarded \$80,000 in funding to Reduce Crime and Improve the Criminal Justice System under the State Criminal Justice Planning grant.

The Grant awarded funding will support partial funding for one certified Police Officer within the Crime Scene Response Section to support data entry and analysis in the National Integrated Ballistic Information Network (NIBIN). The grant also funds training and a new ballistic bullet recovery tank. NIBIN allows federal, state, and local law enforcement agencies to find linkages between crimes quickly and to make connections in crimes across jurisdictional boundaries. The Dallas Police Department has found and confirmed 911 linkages to date.

The DPD currently houses approximately 50,000 firearms and receives about 700 new firearms and cartridge casings each month. Most meet the criteria for entry into the NIBIN database and the full time Police Officer will continue to process valuable evidence and work to reduce the growing backlog.

BACKGROUND (Continued)

The DPD set the following Goals: *Goal 1.0* - to coordinate the comprehensive NIBIN entry of all ballistic information taken into federal, state, and local law enforcement custody in order to identify all possible links to violent crimes; and, *Goal 2.0* - to increase the number of NIBIN generated investigative leads referred to NIBIN participants in order to solve, reduce, and prevent firearms-related violent crimes. The continuation of the funding for the certified Police Officer should allow timely processing of evidence and increase the number of linkages referred to Dallas investigative personnel and partner agencies; thereby decreasing crime at the city, state, and national levels.

The In-Kind contribution covers Pension, Health Benefit, FICA and remaining Salary for the officer.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408203 on October 10, 2012, by Resolution No. 12-2529.

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408204 on October 8, 2013, by Resolution No. 13-1761.

Authorized correction to Resolution No. 13-1761 for acceptance of the City of Dallas NIBIN Program Grant No. 2408204 on January 22, 2014, by Resolution No. 14-0186.

Authorized application and acceptance for the City of Dallas NIBIN Program Grant No. 2408205 on November 12, 2014, by Resolution No. 14-1911.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$80,000 - Office of the Governor, Criminal Justice Division Grant Funds
\$64,267 - In-Kind Contribution

October 28, 2015

WHEREAS, the Office of the Governor, Criminal Justice Division has made funds available for criminal justice projects for the 2015-2016 fiscal year; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas finds it in the best interest of the citizens of Dallas that the Office of the Governor, Criminal Justice Division be operated for the 2015-2016 fiscal year; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to accept a grant from the Office of the Governor, Criminal Justice Division (CJD) for the City of Dallas - National Integrated Ballistic Information Network (NIBIN) Program Grant No. 2408206, CFDA # 16.738, in an amount not to exceed \$80,000 for the period October 1, 2015 through September 30, 2016, and to execute the grant agreement.

Section 2. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$80,000 into Fund F476, Department DPD, Unit 1808, and Revenue Source 6506.

Section 3. That the City Manager is authorized to establish appropriations in Fund F476, Department DPD, Unit 1808, in accordance with the attached Schedule A.

Section 4. That the Chief Financial Officer is authorized to disburse Grant Funds from Fund F476, Department DPD, Unit 1808, in accordance with the attached Schedule A, in an amount not to exceed \$80,000.

Section 5. That the Chief Financial Officer is authorized to provide an In-Kind contribution in the amount of \$64,267.

October 28, 2015

Section 6. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division (OGCJD), in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all Office of the Governor, Criminal Justice Division (OGCJD) final monitoring reports not later than 30 days after the receipt of the report.

Section 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Schedule A
NIBIN-Criminal Justice Division Grant
Fund F476, Unit 1808

1102	Uniform Salary	\$ 45,000
3361	Travel / Training	\$ 5,000
4890	Misc Equipment	<u>\$ 30,000</u>

Total Grant Award \$ 80,000

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** application for and acceptance of the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 to adequately respond to victims of violent crime with needed aid for the period September 1, 2015 through September 30, 2016; **(2)** a local cash match in the amount of \$15,589; and **(3)** execution of the grant agreement - Total not to exceed \$77,948 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$62,359) and Current Funds (\$15,589)

BACKGROUND

This grant award is a Federal (U.S. Department of Justice) pass through State (Office of Governor, Criminal Justice Division) grant to the City of Dallas. The Dallas Police Department's Victim Services Program, formally established in April 1996, provides victims of violent crimes with crisis intervention, crime victims compensation assistance, information regarding the criminal justice process, information and referral services specifically for victims or family survivors, and court accompaniment of requested by the victim. Aid is provided through telephone contact, office visits, and/or home visits. The Police Department's goal is to lessen the trauma experienced by people who are victimized by violent crimes.

This grant will provide the fifteenth-year of funding for the salaries, benefits, training, and supplies of one full-time Victim Advocate and one part-time Victim Advocate. The Victim Services Coordinator's office is located in the Crimes Against Persons Division which includes the Homicide, Sexual Assaults, Aggravated Robbery, and Aggravated Assaults Unit. Referrals come from the detectives assigned to those units. It is important that victims are informed in a timely manner of the Texas Crime Victims Compensation Fund in order to provide emergency financial assistance for funeral benefits which may be needed and to provide information about the agencies that provide counseling and support.

BACKGROUND (Continued)

The Victim Advocates provide crime victim compensation application assistance, follow-up, information and referral, crisis counseling, and court advocacy for the survivors of homicides, sexual assaults, robbery, aggravated assaults, traffic fatalities or injuries as a result of failure to Stop and Render Aid and Driving While Intoxicated.

The State of Texas allocation for all awarded Victims of Crime Act (VOCA) grant funds, effective FY 2016, has been moved to the federal fiscal year, which runs October 1 through September 30. This adjustment has been made to allow both the State and grant recipients more time for smoother transactions between closing and awarding grants at the end of the grant period. Thus, the FY 15-16 Victim Services Program grant award is for 13 months to accommodate this shift in fiscal periods.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application for the Dallas Police Department Victim Services/10 grant on May 12, 2010, by Resolution No. 10-1208.

Authorized acceptance of the Dallas Police Department Victim Services/10 grant on October 13, 2010, by Resolution No. 10-2592.

Authorized application for the Dallas Police Department Victim Services/11 grant on April 27, 2011, by Resolution No. 11-1125.

Authorized acceptance of the Dallas Police Department Victim Services/11 grant on October 26, 2011, by Resolution No. 11-2837.

Authorized acceptance of the Dallas Police Department Victim Services/12 grant on October 10, 2012, by Resolution No. 12-2526.

Authorized acceptance of the Dallas Police Department Victim Services/13 grant on November 12, 2013, by Resolution No. 13-1941.

Authorized application for and acceptance of the Dallas Police Department Victim Services/14 grant on November 12, 2014, by Resolution No. 14-1913.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$15,589 - Current Funds

\$62,359 - Office of the Governor, Criminal Justice Division State Grant Funds

October 28, 2015

WHEREAS, the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice pass through State Office of the Governor, Criminal Justice Division, has made funds available for law enforcement projects during the 2015-16 fiscal year; and

WHEREAS, the City of Dallas was awarded the Dallas Police Department Victim Services/15 grant on August 25, 2015; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas finds it in the best interest of the citizens of Dallas that the Office of the Governor, Criminal Justice Division be operated for the 2015-2016 fiscal year; and

WHEREAS, the City of Dallas agrees to provide Cash Match funds for the said project as a requirement by the Office of the Governor, Criminal Justice Division grant application; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds identified as ineligible will be returned to the Criminal Justice Division; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantees authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to apply for and accept the Dallas Police Department Victim Services/15 grant, (Grant No. 2015-VA-GX-0009, CFDA #16.575) from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$62,359 for the period September 1, 2015 through September 30, 2016, and execute the grant agreement.

Section 2. That the City Manager is authorized to establish appropriations in the Dallas Police Department Victim Services fund in the amount of \$62,359 in Fund F475, Department DPD, Unit 1798, in accordance with Schedule A.

October 28, 2015

Section 3. That the Chief Financial Officer is authorized to deposit grant funds in an amount not to exceed \$62,359 into Fund F475, Department DPD, Unit 1798, Revenue Source 6506.

Section 4. That the Chief Financial Officer is authorized to disburse grant funds from Fund F475, Department DPD, Unit 1798, according to Schedule A, in an amount not to exceed \$62,359.

Section 5. That the Chief Financial Officer is authorized to disburse a local cash match from Fund 0001, Department DPD, Unit 2162, in an amount not to exceed \$15,589, in accordance with Schedule A.

Section 6. That in the event of loss or misuse of funds, the City of Dallas will return all grant funds to the Office of the Governor, Criminal Justice Division, in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all the Office of the Governor, Criminal Justice Division, final monitoring reports not later than 30 days after the receipt of the report.

Section 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and is accordingly so resolved.

SCHEDULE A
Victim Services/15
FUND F475, Dept. DPD, Unit 1798, Revenue Source Code 6506
September 1, 2015-September 30, 2016

Object Code	Description	OOG Funds	Cash Match
1101	Civilian Salaries - FT Advocate/Caseworker	\$ 44,169.00	\$ -
1101	Civilian Salaries - PT Victim Advocate	\$ 11,814.55	\$ 2,377.43
1202	Overtime, Uniform		
1301	Pension, Civilian		\$ 6,108.57
1304	Life/Health Insurance		\$ 5,780.00
1306	FICA/Medicare	\$ 640.45	
2110	Office Supplies	\$ 2,535.00	\$ 523.00
3361	Professional Development(Travel)	\$ 3,200.00	\$ 800.00
	Sub-total	\$ 62,359.00	\$ 15,589.00
5010	Cash Match		\$ (15,589.00)
	Grant Total	\$ 62,359.00	\$ 0.00

Matching Funds

Cash Match
Fund 0001, Dept. DPD, Unit 2162

Object Code	Description	Amount
3081	Grant Cash Match (Pension/Uniformed)	\$ 15,589.00
	Total	\$ 15,589.00
Program Totals		\$ 77,948.00

REVISED AGENDA ITEM # 29

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize **(1)** acceptance of a donation from the Dallas Police Youth Foundation in the form of a 25 passenger bus valued at \$62,347 to be used in youth community engagement activities; and **(2)** execution of the grant agreement - Financing: No cost consideration to the City

BACKGROUND

The Dallas Police Youth Foundation (DPYF) is a community based 501c3 charitable entity that was formed in 2013 to help provide financial support for the Dallas Police Department's community engagement efforts with our most vulnerable members – our youth. Despite being a young organization, they have been successful in locating funds to help grow the Youth Outreach Unit's efforts in Dallas. They received cash donations that are earmarked for equipment and programs managed by the Youth Outreach Unit (Y.O.U.). A portion of these funds was used to purchase a 25 passenger bus that the DPYF wishes to donate to the Dallas Police Department on behalf of the Youth Outreach Unit to help transport youth to and from activities. Utilizing a 25 passenger bus will allow Y.O.U. personnel to transport a greater number of children in a more efficient and safer manner. The bus was purchased for \$62,347.00. The only limitation DPYF insists on is the bus be utilized solely for youth outreach programs. This bus will greatly enhance the Youth Outreach efforts to interact with the youth of Dallas.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

No cost consideration to the City

October 28, 2015

WHEREAS, Dallas Police Youth Foundation works closely with the City of Dallas to assist the Dallas Police Department engage the youth of Dallas in community programs; and

WHEREAS, Dallas Police Youth Foundation has received private funds earmarked for the purchase of a 25 passenger bus to assist the Dallas Police Department in its youth engagement efforts; and

WHEREAS, Dallas Police Youth Foundation has purchased the 25 passenger bus and would like to donate it to the City of Dallas for the usage of the Dallas Police Department's youth engagement activities; and

WHEREAS, it is in the best interest of the City of Dallas to accept such donations.

Now, Therefore,

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

Section 1. The City Manager is hereby authorized to accept the donation of a 25 passenger bus from the Dallas Police Youth Foundation valued at \$62,347 and to execute the grant agreement.

Section 2. That the City Manager is hereby authorized to limit the usage of this bus to be used by the Dallas Police Department for youth community engagement activities.

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

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Police
Fire

CMO: Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$1,000,000) and Current Funds (\$2,800,000)

BACKGROUND

The City has utilized the services of Southwestern Institute of Forensic Sciences at Dallas by mutual agreement since the inception of the Institute in 1969 and paid for the service by direct payment. The first Interlocal Agreement was entered into and effective in January, 2000. The agreement provides for annual renewal by the City.

Prior to 1969, the City and County jointly owned the Dallas City/County Criminal Investigations Laboratory. It was in 1969 that the City withdrew from this entity, and the laboratory became a County facility under the organizational structure of the Dallas County Medical Examiner's Office. The name was changed to Southwestern Institute of Forensic Sciences at Dallas.

This Interlocal Agreement authorizes a twelve (12) month contract between the City and County, acting through the Southwestern Institute of Forensic Sciences at Dallas to provide medical/forensic analytical services for the Dallas Police and Dallas Fire Departments. Total payments made by the City during the term of this contract shall not exceed \$3,800,000; however, this limit shall not relieve the City of its obligation to pay the County for additional services rendered at the City's request which may exceed the \$3,800,000 limit. The City shall be solely responsible for monitoring payments under this agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 23, 2002, by Resolution No. 02-3056.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2003, by Resolution No. 03-3075.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 10, 2004, by Resolution No. 04-3245.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 9, 2005, by Resolution No. 05-3255.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 25, 2006, by Resolution No. 06-2977.

Authorized a funding increase to the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 10, 2007, by Resolution No. 07-3010.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on January 23, 2008, by Resolution No. 08-0315.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on October 28, 2009, by Resolution No. 09-2636.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on January 26, 2011, by Resolution No. 11-0268.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on September 14, 2011, by Resolution No. 11-2407.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on September 26, 2012, by Resolution No. 12-2370.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2013, by Resolution No. 13-1943.

Authorized a renewal of the Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas for medical/forensic analytical services on November 12, 2014, by Resolution No. 14-1914.

~~Information about this item will be provided to the Public Safety Committee on October 26, 2015.~~

City Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

\$1,000,000 - Confiscated Monies Funds

\$2,800,000 - Current Funds

October 28, 2015

WHEREAS, the Dallas Police and Fire Departments require forensic, toxicological, environmental and physical evidence analysis and other similar medical/forensic analytical services on a routine basis; and

WHEREAS, these services are routinely utilized by the City and provided locally by Dallas County through the Southwestern Institute of Forensic Sciences at Dallas; and

WHEREAS, the City entered the first Interlocal Agreement with Southwestern Institute of Forensic Sciences at Dallas effective January 2000; and

WHEREAS, it is now desirable to renew the contractual agreement with Dallas County for the services provided through Southwestern Institute of Forensic Sciences at 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 enter into a renewal of the agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental and physical evidence analysis and other similar medical/forensic analytical services for the period October 1, 2015 through September 30, 2016 in an amount not to exceed \$3,800,000; however, this limit does not relieve the City of its obligation to pay Dallas County for additional services rendered at the City's request which exceeds the \$3,800,000 limit.

Section 2. That the Chief Financial Officer is authorized to pay Dallas County (Vendor Number 014003), through Southwestern Institute of Forensic Sciences at Dallas total amounts not to exceed \$1,000,000 from Fund 0412, Department DPD, Unit 6368, Object 3040; \$2,795,000 from Fund 0001, Department DPD, Unit 2162, Object 3040, Encumbrance Number PX2162CR12A02; and \$5,000 from Fund 0001, Department DFD, Unit HS02, Object 3040, Encumbrance Number DFDHS02814 in accordance with the terms and conditions of the agreement.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 33D H; 34A E F J K

SUBJECT

Authorize a contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize a Construction Contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project at Dallas Love Field. This project consists of relocating existing runway holding position signs on Runway 13L/31R and Runway 13R/31L to meet current Federal Aviation Administration Standards.

On June 17, 2015, the bid opening was held for the Love Field Hold Sign Relocation Project at Dallas Love Field. EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~ was the only responsive bidder.

This project consists of relocation of existing holding position signs on to new sign bases; replacing some holding position signs in bad condition; grading and drainage modifications as necessary to accommodate new sign bases; installation of new light base cans and conduit, including devices such as new L-830 isolation transformers, new L-824 airfield lighting cable, ground rods, and counterpoise; application of new water-based reflective pavement markings with black outlines; demolition of existing sign bases, conduit, cable, and removal of existing pavement markings; and restoration of disturbed areas.

This action is to be performed in conjunction with Supplemental Agreement No. 1 with Atkins North America for construction administration and construction observation services, which Council will consider as a related item on this agenda.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2014
Completed Design	March 2015
Begin Construction	November 2015
Complete Construction	May 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Atkins North America, Inc. on September 24, 2014, for the design and preparation of construction documents for the Runway Signage and Marking Holding Position Relocation at Dallas Love Field, by Resolution No. 14-1604.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$1,306,252.00

Design Contract	\$274,722.00
Construction Administration SA No. 1	\$415,700.00
Construction Cost (this action)	<u>\$1,306,252.00</u>
Total	\$1,996,674.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

EAS Contracting, L.P. by EAS Contracting GP, LLC

Hispanic Female	0	Hispanic Male	70
African-American Female	0	African-American Male	13
Other Female	0	Other Male	3
White Female	9	White Male	64

BID INFORMATION

The following sole bid was received and opened on June 17, 2015:

*Denotes Successful bidder

BIDDER

BID AMOUNT

*EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~
6013 CR 437
Princeton, TX 75407

\$1,306,252.00

Note: Pursuant to the Public Works Department's (PBW) request, the Auditor's office has reviewed the single bid item and submitted related documentation and has determined PBW followed Administrative Directive 4-05 provisions for processing this single bid item and made reasonable efforts to increase bid participation. This proposed procurement meets the requirements for a single bid.

OWNER(S)

EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~

Carroll Edwards, President/Partner
Jerry Mills, Partner
Ray Naizer, Partner

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~, the only bidder, for the construction of the Love Field Hold Sign Relocation Project
 - Not to exceed \$1,306,252 - Financing: Aviation Capital Construction Funds

EAS Contracting, L.P. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$1,306,252.00	100.00%
TOTAL CONTRACT	\$1,306,252.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

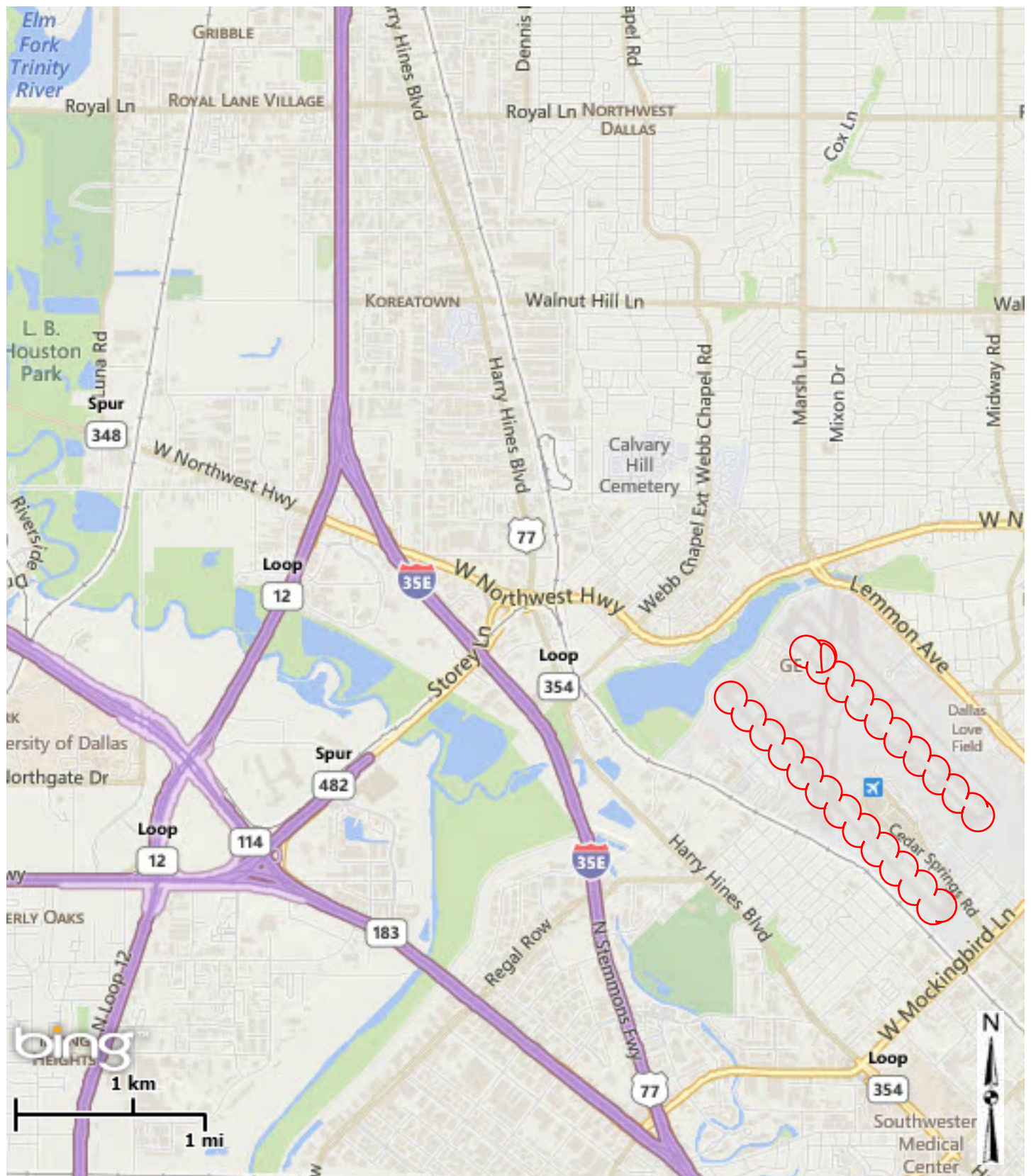
None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Chambers Engineering	BMDB22671N0716	\$366,545.00	28.06%
Total Minority - Non-local		\$366,545.00	28.06%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$366,545.00	28.06%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$366,545.00	28.06%



Dallas Love Field

Hold Sign Relocation Project

October 28, 2015

WHEREAS, in 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time; and,

WHEREAS, the current runway hold position markings and signage do not meet current Federal Aviation Administration standards for Runway Safety Areas at Dallas Love Field; and,

WHEREAS, in September 2012, the Federal Aviation Administration rescinded a waiver for Dallas Love Field allowing the runway hold position signage and pavement markings to remain in their existing locations; and,

WHEREAS, it is necessary to relocate the runway signage and pavement marking hold positions to meet current Federal Aviation Administration standards for the runway safety areas at Dallas Love Field; and,

WHEREAS, bid specifications were developed and publicly advertised for competitive bids for the Love Field Hold Sign Relocation Project; and,

WHEREAS, one bid was received and opened on June 17, 2015 for the Love Field Hold Sign Relocation Project at Dallas Love Field as follows:

<u>BIDDER</u>	<u>BID AMOUNT</u>
EAS Contracting, L.P. by EAS Contracting GP, LLC	\$1,306,252.00

WHEREAS, it is now desirable to authorize a construction contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~ for construction of the Love Field Hold Sign Relocation Project at Dallas Love Field in an amount not to exceed \$1,306,252.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with EAS Contracting, L.P. ~~by EAS Contracting GP, LLC~~ to provide construction services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$1,306,252.00, after it has been approved as to form by the City Attorney.

October 28, 2015

Section 2. That the City will apply for Passenger Facility Charge (PFC) funding at a later date for the eligible construction cost \$1,306,252 of the Love Field Hold Sign Relocation Project; and upon approval of the PFC for these projects, the Chief Financial Officer is hereby authorized to transfer from the PFC Fund 0477, Dept. AVI, cash account 0001 to the Aviation Capital Construction Fund 0131, Dept. AVI, cash account 0001.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,306,252.00 to be paid to EAS Contracting, L.P. by ~~EAS Contracting GP, LLC~~ in accordance with the terms and conditions of the contract from:

Love Field Hold Sign Relocation Project

Aviation Capital Construction Fund

Fund 0131, Department AVI, Unit P919, Account AAIP,

Object 4599, Program #AVIP919, CTAVIHSEASFY15

Vendor #518115, in an amount not to exceed

\$1,306,252.00

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 33D H; 34A E F J K

SUBJECT

Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action is to be performed in conjunction with the construction contract with EAS Contracting, L.P. by ~~EAS Contracting GP~~ for construction services which Council will consider as a related item on this agenda.

This action will authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time, on-site construction administration and construction observation services for Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700, from \$274,722 to \$690,422.

In 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time. In September 2012 the waiver was revoked by the FAA and the Department of Aviation was advised to relocate the hold position signage and markings as mid-field take offs are no longer permitted at Dallas Love Field. Currently the signs and marking are approximately 200-ft from the runway centerline. Atkins North America, Inc. evaluated and developed construction documents to accommodate the correct location of the new signage and marking placement in order to comply with current standards, which are 255-ft from the runway centerline.

BACKGROUND (Continued)

This project consists of relocation of existing holding position signs on to new sign bases; replacing some holding position signs in bad condition; grading and drainage modifications as necessary to accommodate new sign bases; installation of new light base cans and conduit, including devices such as new L-830 isolation transformers, new L-824 airfield lighting cable, ground rods, and counterpoise; application of new water-based reflective pavement markings with black outlines; demolition of existing sign bases, conduit, cable, and removal of existing pavement markings; and restoration of disturbed areas.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	November 2015
Complete Construction	May 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract on September 24, 2014, for the design and preparation of construction documents for the Runway Signage and Marking Holding Position Relocation at Dallas Love Field, by Resolution No. 14-1604.

Information about this item will be provided to the Transportation and Trinity River Project Committee on October 26, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$415,700.00

Design	\$274,722.00
Construction Administration SA No. 1 (this action)	\$415,700.00
Construction Cost	<u>\$1,306,252.00</u>
Total	\$1,996,674.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Atkins North America, Inc.

Hispanic Female	124	Hispanic Male	192
African-American Female	78	African-American Male	85
Other Female	64	Other Male	116
White Female	564	White Male	1,214

OWNER(S)

Atkins North America, Inc.

Joe Boyer, Chief Executive Officer
Ernie Edgar, Sr. Vice President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the engineering services contract with Atkins North America, Inc. to provide full time on-site construction administration and construction observation services for the Love Field Hold Sign Relocation Project - Not to exceed \$415,700, from \$274,722 to \$690,422 - Financing: Aviation Capital Construction Funds

Atkins North America, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$248,770.00	59.84%
Non-local contracts	\$166,930.00	40.16%
TOTAL THIS ACTION	\$415,700.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

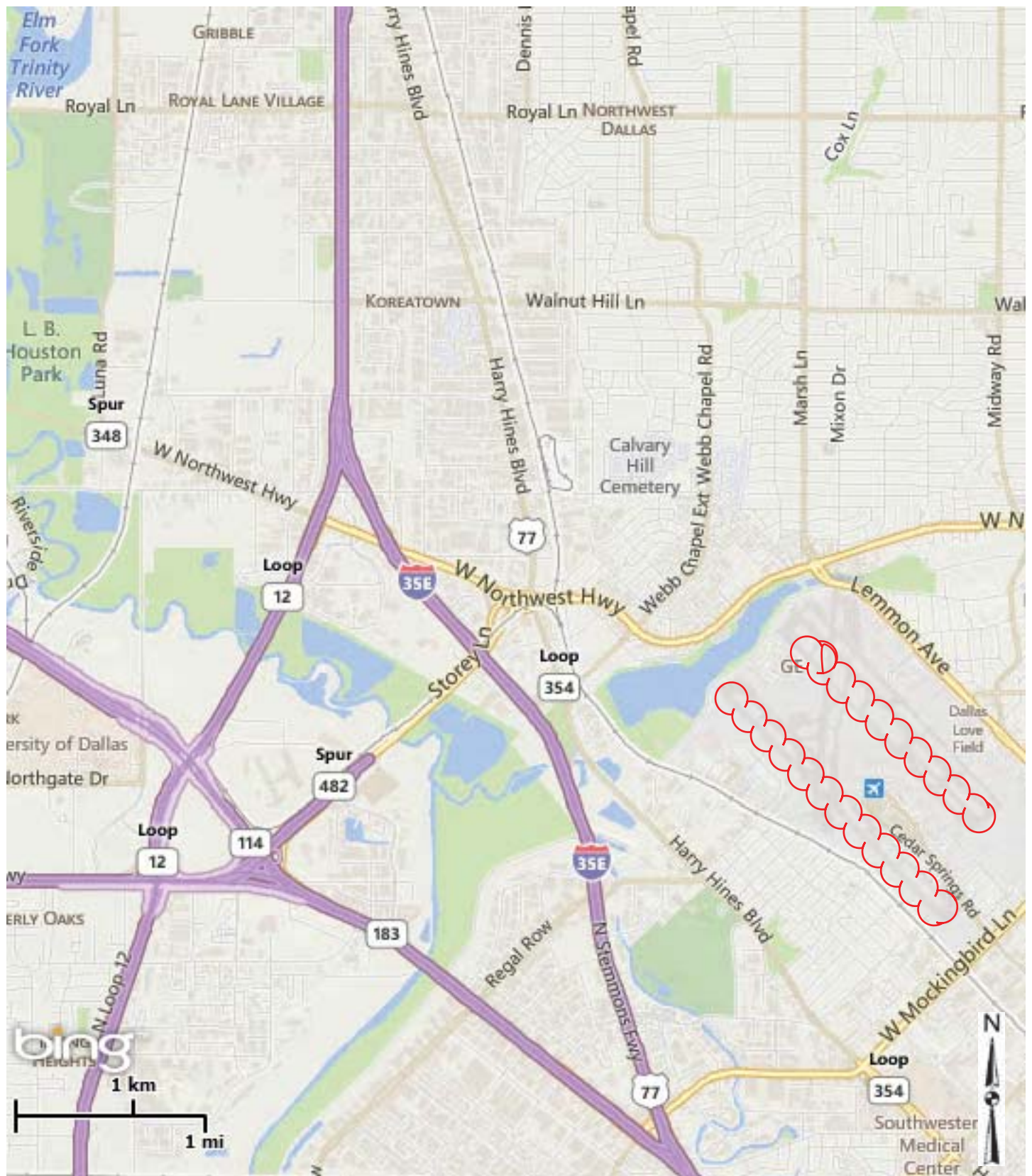
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
HVJ Associates	BMMB61733N0516	\$22,164.50	8.91%
Total Minority - Local		\$22,164.50	8.91%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Williams CM Group	WFDB62387Y0615	\$166,930.00	100.00%
Total Minority - Non-local		\$166,930.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$22,164.50	5.33%	\$22,164.50	3.21%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$18,962.00	2.75%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$166,930.00	40.16%	\$206,190.00	29.86%
Total	\$189,094.50	45.49%	\$247,316.50	35.82%



Dallas Love Field

Hold Sign Relocation Project

October 28, 2015

WHEREAS, in 1981 the Federal Aviation Administration (FAA) granted Dallas Love Field a waiver to allow the runway holding position signs and pavement markings to remain in their existing conditions due to the use of mid-field take offs allowed at that time; and,

WHEREAS, the current runway hold position markings and signage do not meet current Federal Aviation Administration standards for Runway Safety Areas at Dallas Love Field; and,

WHEREAS, in September 2012, the Federal Aviation Administration rescinded a waiver for Dallas Love Field allowing the runway hold position signage and markings to remain in their existing locations; and,

WHEREAS, it is necessary to relocate the runway signage and marking hold positions to meet current Federal Aviation Administration standards for the Runway Safety Areas at Dallas Love Field; and,

WHEREAS, four firms submitted proposals to provide Engineering Services for the Runway Hold Position Relocation Project at Dallas Love Field; and,

WHEREAS, Atkins North America, Inc. was selected as the most qualified proposer of four as a result of a qualifications-based selection process in accordance with City of Dallas procurement guidelines; and,

WHEREAS, on September 24, 2014, Resolution No. 14-1604 authorized a professional services contract with Atkins North America for the design and preparation of construction documents for the Hold Sign Relocation Project at Dallas Love Field in the amount of \$274,722.00; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the professional services contract with Atkins North America, Inc. to provide construction administration and construction management services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700.00, from \$274,722.00 to \$690,422.00.

Now, Therefore,

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

October 28, 2015

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Atkins North America, Inc. to provide construction administration and construction management services for the Love Field Hold Sign Relocation Project at Dallas Love Field, in an amount not to exceed \$415,700.00, from \$274,722.00 to \$690,422.00 after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$415,700.00 to be paid to Atkins North America, Inc. in accordance with the terms and conditions of the contract:

Aviation Capital Construction Fund

Fund 0131, Department AVI, Unit P919, Act. AAIP,
Object 4599, Program #AVIP919, CT AVI ATK P919F14
Vendor #066365, in an amount not to exceed

\$415,700.00

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 28, 2015

COUNCIL DISTRICT(S): 2, 6, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

West Dallas Sub District

- * Authorize a Chapter 380 economic development grant agreement with Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P. in an amount not to exceed \$2,500,000 for the relocation of Argos Ready Mix (South Central) Corporation's Corp. existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities at the new site - Not to exceed \$2,500,000 - Financing: 2012 Bond Funds (\$1,100,000) and General Obligation Commercial Paper Funds (\$1,400,000)
- * Authorize an agreement with West Dallas Investments, L.P. that details general redevelopment commitments by West Dallas Investment L.P. and future City commitment of public funds and incentives that will benefit property owned or to be purchased by West Dallas Investment L.P. in the West Dallas area - Financing: No cost consideration to the City

BACKGROUND

Argos Relocation Project – Chapter 380 Grant Agreement

~~Argos Ready Mix South Central Corp.~~ Argos Ready Mix (South Central) Corp. ("Argos") produces ready mix concrete at its current plant location (240 Singleton Boulevard), less than 600 feet west of the foot of the Margaret Hunt Hill Bridge. Bond funding has been requested to assist with the relocation of Argos' current operations from its existing location to a more suitable site (2900 W. Commerce Street) in the Lone Star Industrial Park, currently owned by West Dallas Investments, L.P. ("WDI").

BACKGROUND (Continued)

The proposed relocation project costs ~~are approximately~~ will range from \$13 million to \$17 million. Argos will invest approximately \$10.5 million in construction of state of the art facilities at the new site. ~~An additional~~ A minimum \$2.5 million in railroad track improvements ~~is needed to~~ will be invested to provide rail service to the new site. Argos' existing site is currently serviced by rail, unlike its proposed new location.

The proposed Argos ~~relocation project~~ Relocation Project creates redevelopment opportunities for the site at the gateway to the Margaret Hunt Hill Bridge, removes a current eyesore in the area, secures dedication of necessary right-of-way for the City's thoroughfare plan and public access easements for open space required by the area's zoning (Planned Development 891). Argos's relocation would not occur without the requested \$2.5 million in Bond funding to reimburse costs of the railroad improvements.

Agreement with West Dallas Investments – Future Development Commitments

The City of Dallas' 2012 Bond Program included significant funding for a capital improvement project in West Dallas, the West Dallas Gateway Project. Approximately \$34.3 million was identified to design and construct extensions of three existing streets, Herbert, Bataan and Amonette Streets from Singleton Boulevard to West Commerce Street including three new railroad crossings under the Union Pacific Railroad tracks at ~~Herbert, Bataan and Amonette Streets~~. These three street extensions and railroad crossings are critical to creating a connected street grid between Singleton Boulevard, south to West Commerce Street, as prescribed in the CityDesign Studio's West Dallas Urban Structure and Guidelines adopted by City Council in 2011.

Since 2012, the West Dallas/Trinity Groves area has become a destination for many as a result of WDI's restaurant incubator project located at the foot of the Margaret Hunt Hill Bridge. WDI owns over 80 acres of property in the West Dallas area bounded by Singleton Boulevard on the north, West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west. Investment of 2012 bond funding to construct the West Dallas Gateway Project directly benefits WDI's property.

The proposed agreement will provide a guide for future development in the West Dallas area, outlining WDI redevelopment commitments and City public funding/incentive commitments. Specifically, in consideration of the City's formal commitment of bond funding for the West Dallas Gateway Project, WDI has committed to:

- o Dedicate right-of-way necessary to construct the West Dallas Gateway Project
- o Provide public access easements for open space required by PD 891
- o Construct at least 10% of all multi-family residential rental units to be affordable to a household earning 80% or below of the area median income for the Dallas metropolitan area
- o Urban Design Peer Review of all development projects requiring public subsidy

BACKGROUND (Continued)

The City has also committed to working with WDI to amend Planned Development 714, which encompasses properties owned by WDI south of the railroad tracks, to allow density similar to PD 891 zoning, provided WDI includes in the zoning regulations open space, and mixed income and Urban Design Peer Review provisions.

ESTIMATED SCHEDULE OF PROJECT

Relocation Project Start Date	December 2015 <u>June 2016</u>
Relocation Project Completion Date	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

~~On October 28, 1998, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Seven, Sports Arena TIF District by Ordinance No. 23688, as amended.~~

On November 6, 2012, Dallas voters approved a \$642 million General Obligation Bond Program of which \$55,000,000 in bond funding to promote economic development activities in southern Dallas and promoting economic development in other areas of the City in conjunction with transit-oriented development by providing public infrastructure and funding the City's economic development programs for such areas.

On June 25, 2014, City Council: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act") by Resolution No. 14-0993.

On June 25, 2014, City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 14-0993, as amended.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

~~On May 23, 2012, City Council conducted a public hearing and received comments on amendments to the Sports Arena TIF District Project and Reinvestment Zone Financing Plans and authorized an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to (1) add two new sub-districts within the Sports Arena TIF District: (a) Riverfront Gateway Sub-district and (b) West Dallas Sub-district; (2) increase the geographical area of the Sports Arena TIF District to add approximately: (a) 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); (b) 33 acres in the Riverfront Gateway Sub-district; and (c) 89.2 acres in the West Dallas Sub-district; (3) extend the termination date of the Sports Arena TIF District for a 10-year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; (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 Sports Arena TIF District budget from \$25,498,568 NPV (approximately \$46,961,785 total dollars) to \$94,409,005 NPV (approximately \$273,599,175 total dollars), an increase of \$68,910,437 NPV (approximately \$226,637,390 total dollars); (6) create an Economic Development TIF Grant Program within the District and adopt program guidelines; (7) make corresponding modifications to the Sports Arena TIF District map, budget and Project and Reinvestment Zone Financing Plans by Ordinance No. 28672.~~

Information about this item ~~will be~~ was provided to the Economic Development Committee on October 19, 2015.

FISCAL INFORMATION

\$1,100,000 - 2012 Bond Funds

\$1,400,000 - 2012 Bond Program (General Obligation Commercial Paper Funds)

PROJECT COUNCIL DISTRICT

6

OWNER/DEVELOPER

Argos Ready Mix (South Central) Corp.

Tommy Abbott, President
850 Freeport Parkway, Ste. 200
Irving, TX 75063

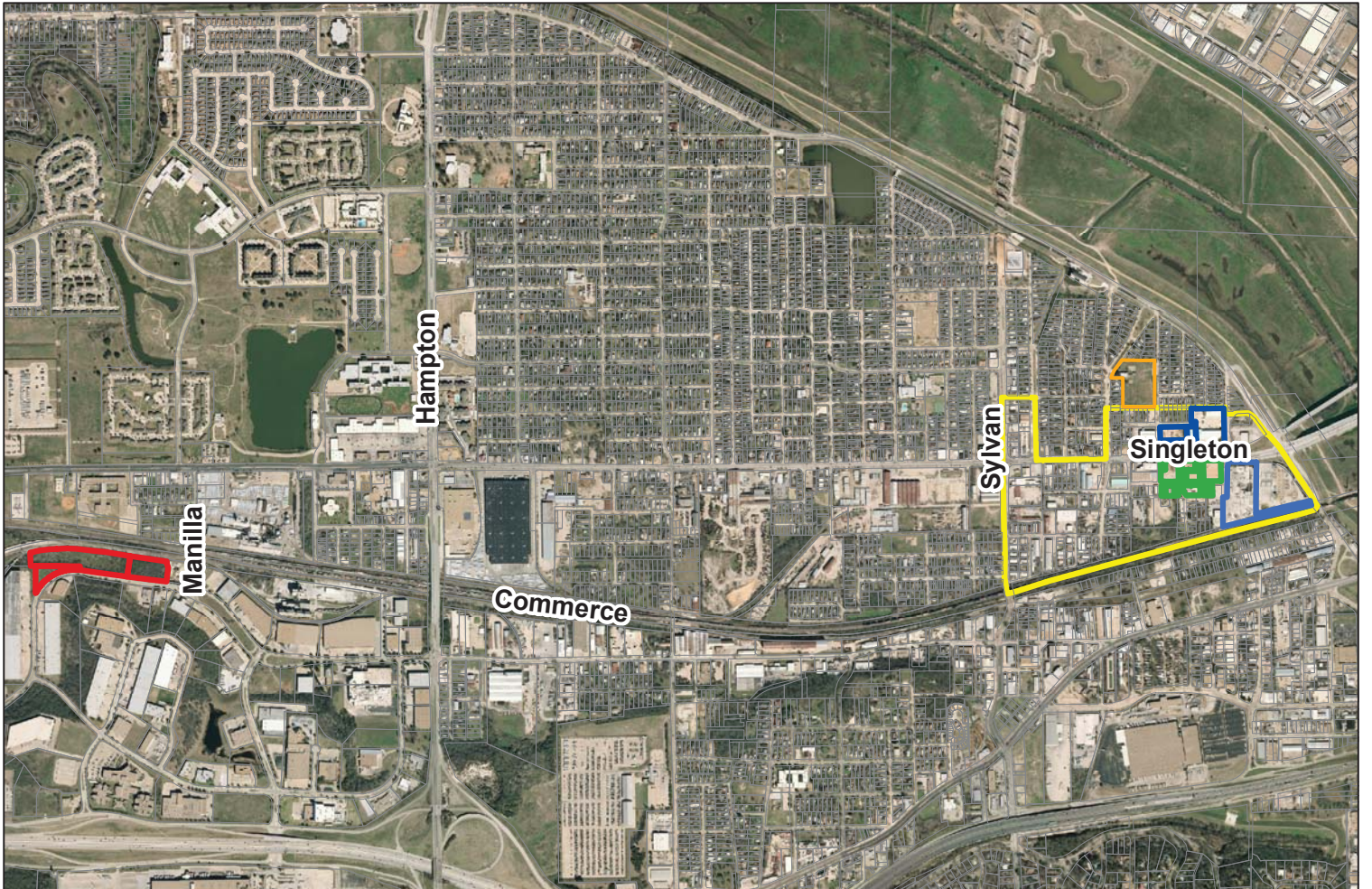
OWNER/DEVELOPER

West Dallas Investments, L.P.







Jim Reynolds, Manager
425 Bedford St.
Dallas, TX 75212

MAP

Attached.



Legend

- | | | |
|--|---|---|
|  Trinity Groves Mixed-Use |  Trinity_Groves_Restaurant_Incubator |  LaBajada_Urban_Youth_Farm |
|  New_Batch_Plan_Site_2900_W_Commerce |  Batch_Plant_Site |  Sports_Arena_TIF_Boundary |

October 28, 2015

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City Council adopted Ordinance 28740, as amended, on August 15, 2012 to authorize a bond election to be held on November 6, 2012 authorizing general obligation bonds; and

WHEREAS, on November 6, 2012, Dallas voters approved a \$642 million General Obligation Bond Program of which \$55,000,000 in bond funding to promote economic development activities in southern Dallas and promoting economic development in other areas of the City in conjunction with transit-oriented development by providing public infrastructure and funding the City's economic development programs for such areas; and

WHEREAS, the City, pursuant to Resolution No. 14-0993 approved by the City Council on June 25, 2014: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act"); and

WHEREAS, on June 25, 2014, City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 14-0993, as amended; and

WHEREAS, the City desires to enter into an economic development grant agreement with Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P. for the relocation of Argos Ready Mix (South Central) Corporation's Corp. existing operations in the West Dallas/Trinity Groves area to a more compatible location and construction of new facilities and railroad improvements at the new site.

NOW, THEREFORE,

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

October 28, 2015

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Argos Ready Mix (South Central) Corp. ("Argos") and West Dallas Investments, L.P. ("WDI") to defray project costs associated with the relocation of Argos's current operations at 240 Singleton Blvd., Dallas, Texas to a property located in the Lone Star Industrial Park addressed as 2900 West Commerce Street, construction of new facilities at the industrial park and railroad improvements to provide rail service to the site.

Section 2. That the economic development grant with Argos Ready Mix (South Central) Corp., in an amount not to exceed \$2,500,000, is hereby expressly made subject to all of the following contingencies for Argos Ready Mix (South Central) Corp. and West Dallas Investments, L.P., which must be performed or occur.

West Dallas Investments, L.P. Requirements:

- A. The satisfaction of the Argos Development Requirements (defined herein);
- B. Acquisition of the current Argos concrete plant property on or before December 24 31, 2015;
- C. Approval by City Council of a Final Plat for WDI's Columbus Realty Project which includes a portion of the existing concrete plant site and makes the following right-of-way dedications for the following streets by September 30, 2015:
 - a. Amonette Street
 - b. Akron Street
 - c. Herbert Street
- D. Submission of a copy of the recorded plat for the Columbus Realty Project to the Office of Economic Development ("OED") Director;
- E. Should there be any rental multi-family residential units constructed on the plant site, it shall provide mixed income housing and comply with the Sports Arena TIF District Mixed Income Housing Policy; and
- F. Record deed restrictions on current Argos concrete plant property for the benefit of City within 30 days after WDI's acquisition of plant site to cause the mixed income requirements to continue to burden the property in case the property is sold or conveyed to another entity prior to the end of the Affordability Period. Such deed restrictions shall be released in the event this Agreement is terminated prior to the end of the Affordability Period, except in the event of Default of these terms by WDI or Argos.

October 28, 2015

Section 2. (Continued)

Argos Ready Mix [South Central] Corp. Requirements:

- A. The satisfaction of the WDI Development Requirements;
- B. Sale of Argos' current concrete plant property to WDI by December 24 31, ~~2405~~ 2015;
- C. Sign the "Owners Dedication" signature block on the approved Final Plat for the Columbus Realty Project prior to recordation of the plat with Dallas County;
- D. Invest a minimum of \$10,000,000 in relocation and construction costs for the new Argos facility at 2900 W. Commerce and provide verification;
- E. Begin construction of the new facilities within 60 days of receiving a Building Permit from City of Dallas;
- F. Prior to construction Argos shall submit documentation evidencing the following:
 - a. An Air Permit issued by Texas Commission on Environmental Quality ("TCEQ") for construction of new plant
 - b. Union Pacific Railroad ("UPRR") approval of rail improvement portion of the project
 - c. Dallas, Garland & Northeaster Railroad ("DGNO") approval of rail improvement portion of the project
 - d. Executed track agreements with DGNO Railroad
- G. Complete construction and obtain final acceptance of the newly constructed spur and switches by DGNO by December 31, 2017, and submit documentation of acceptance to the OED Director;
- H. Execute or provide evidence of an executed Operating and Maintenance Agreement for rail spur and switches upon completion of the rail spur, if required;
- I. Complete construction of new LEED certified facilities and be operational at new location at 2900 W. Commerce Street by December 31, 2017, as evidenced by a Certificate of Occupancy issued by the City;
- J. Vacate facilities and cease operations at 240 Singleton Boulevard by December 31, ~~2016~~ 2017;

October 28, 2015

Section 2. (Continued)

- K. Submit to the Director of the Office of Economic Development a quarterly status report for ongoing work on the Project. Status reports will be due once every three months after the Council approval date; and
- L. Comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise ("M/WBE") participation for construction expenditures for the Project and meet all reporting requirements.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds from:

Fund 2U52, Department ECO, Unit W043, Object 3016, Activity ECNR, CT ECOW043A258, Vendor No. VS89721, in an amount not to exceed \$1,100,000;

Fund 3U52, Department ECO, Unit W043, Object 3016, Activity ECNR, CT ECOW043A258, Vendor No. VS89721, in an amount not to exceed \$1,400,000;

Total amount not to exceed \$2,500,000.

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.

October 28, 2015

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City wishes to encourage the development/redevelopment of the West Dallas area generally described as being bounded by Singleton Boulevard to the north, Fort Worth Avenue/West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west; and

WHEREAS, the City adopted the West Dallas Urban Structure and Guidelines, a shared vision area plan for the future of the portion at the foot of the Margaret Hunt Hill Bridge that provide guidelines for development of the public realm and individual development sites in 2011; and

WHEREAS, the City identified approximately \$34.3 million of City of Dallas 2012 Bond Program funding for the design and construction of extensions of Herbert, Amonette and Bataan Streets to cross under the Union Pacific Railroad track and intersect with Fort Worth Avenue/West Commerce Street; and

WHEREAS, West Dallas Investments, L.P., owns over 80 acres of property in the West Dallas area and much of that property abuts the proposed West Dallas Gateway Project; and

WHEREAS, information about this item ~~will be~~ was provided to the Economic Development Committee on October 19, 2015.

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 an agreement between the City of Dallas ("City"), and West Dallas Investments, L.P., ("WDI") in connection with WDI's proposed development in the West Dallas area and the future commitment of public funds and incentives benefitting property owned by WDI in the West Dallas area or located within the reasonable vicinity of said property and purchased by WDI ~~and City commitments~~ as described and attached hereto as **Exhibit A**.

Section 2. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 3. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds and that any specific request to create a special financing district or for individual funding requests shall require separate City Council actions.

October 28, 2015

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A

Term Sheet with West Dallas Investments, L.P.

The purpose of this document is to detail the minimum required terms for a future agreement (“Agreement”) between the City of Dallas (“City”), and West Dallas Investments, L.P., a Texas limited partnership, acting by and through its general partner, _____ (collectively “WDI”) in connection with WDI’s proposed development in the West Dallas area and the future commitment of public funds and incentives benefitting property owned as of or purchased after the date of the Dallas City Council Resolution approving this Term Sheet by WDI or its affiliates or subsidiaries in the area bounded by Singleton Boulevard on the north, West Commerce Street to the south, Beckley Avenue to the east and Sylvan Avenue to the west (excluding the approximately 4.5 acre tract of land located on Commerce Street between future Amonette Street and future Herbert Street currently under contract for sale by WDI to a third party) (collectively, the “Property”). This Term Sheet is presented to the City Council for consideration; however, unless and until approval of the City Council is obtained and mutually satisfactory definitive documents are executed and delivered, any party may discontinue negotiations hereunder and no party shall be bound.

The City has identified approximately \$34.3 million of City of Dallas’ 2012 Bond Program funding for the design and construction of three new railroad crossings under the Union Pacific Railroad tracks and roads at Herbert, Bataan and Amonette Streets (the “West Dallas Gateway Project”). The West Dallas Gateway Project is consistent with and furthers the objectives and goals of the West Dallas Urban Structure Guidelines, thereby providing a substantial benefit to all of the property in its general vicinity and the public generally. The Property consists of over 80 acres, and much of the Property abuts the West Dallas Gateway Project. Accordingly, WDI likewise directly benefits from the West Dallas Gateway Project. No bond funding, however, has been formally committed to the West Dallas Gateway Project and unless and until final specifications for these proposed improvements have been approved and construction contracts for the West Dallas Gateway Project have been approved and awarded by the City Council, those funds may be reallocated at any time to other projects within the recommended program.

I. WDI Commitments

WDI agrees to:

- a. Provided that necessary right-of-way has been conveyed or acquired, construct the remaining portion of Herbert Street between Singleton and Akron Street and adjacent to the mixed-use project currently under development on the south side of Singleton Boulevard between Herbert Street and Amonette Street (the “Columbus Project”) prior to, or in conjunction with, the development of Lot 2, Block 7087 shown and highlighted on **Exhibit A**; and

Exhibit A

- b. Within a reasonable time after the West Dallas Gateway Project remaining alignments are approved and adopted by the City and/or applications by WDI are made to the City for development plans or platting the Property, dedicate by plat or separate instrument as determined by the City, rights-of-way, easements and other access concessions deemed necessary for streets associated with the West Dallas Gateway Project. Preferred roadway alignment and right-of-way dedication plans for Amonette Street, Herbert Street and Bataan Street are depicted on **Exhibit B**, attached hereto; and
- c. WDI recognizes that **Exhibit B** does not show alignments for Herbert and Amonette Streets south of Main Street nor does it show an alignment for Bataan Street south of WDI owned property located on Main Street. WDI acknowledges and understands any approved alignment for the remaining portions of Herbert, Amonette and Bataan Streets will meet the following design requirements:
 - 1. Where possible, alignments will pass through property owned by WDI to allow right-of-way dedication by WDI, resulting in dedication credits that can be applied towards right-of-way abandonments necessitated by redevelopment projects on the Property;
 - 2. Alignments will provide a direct connection from the railroad crossing to West Commerce Street;
 - 3. Alignments should not create any additional turning movements for traffic traveling south on Herbert, Amonette and Bataan Streets to West Commerce Street.
- d. Meet Mixed Income Housing Requirements for Future Residential Development (“Mixed Income Housing Requirements”) as detailed below:
 - 1. WDI shall ensure that (i) at least ten percent (10%) of all multifamily residential rental units constructed on the Property shall be reserved for and solely leased to households earning at or below 80% percent of the area median family income for the Dallas metropolitan area as determined annually by HUD (“Eligible Household”) at a lease rate that is affordable to the Eligible Households, and (ii) that each of the reserved units shall solely be occupied by Eligible Households for a period of 15 years commencing on the date that the building in which the reserved unit is located receives its final certificate of occupancy from the City (the “Affordability Period”).
- e. WDI shall be in default of its obligations hereunder if City determines that residential rental units have been constructed on the Property and are not being

Exhibit A

reserved for and leased to Eligible Households as described herein. This obligation shall be enforceable by the City by specific performance against WDI or the current owner of the Property, including payment by WDI to the City of its attorney's fees and costs of enforcement (subject to the limitations of section d(3)(b) below).

1. (a) WDI shall submit to the City annual reports beginning on January 1, 2017, verifying that the Property is in compliance with the Mixed Income Housing Requirements. (b) City shall have the right to inspect all rent rolls and other records that it deems necessary or useful in determining WDI's compliance with the Mixed Income Housing Requirements. City shall have access to such records upon 5 business days prior written request to WDI or its designated property manager. (c) Notwithstanding the foregoing, City shall not monitor WDI's compliance with the Mixed Income Housing Requirements contained herein and shall not issue any default notice related thereto until the earlier of (i) the date all residential units within the Columbus Project plus an additional 400 residential units have been constructed on the Property and a final certificate of occupancy has been issued or (ii) December 31, 2019.
2. Prior to construction on the Property of a project containing residential rental units, if WDI desires to include any such units toward the minimum amount of mixed-income housing units required, WDI shall record (or shall direct its affiliate or subsidiary to record) deed restrictions in a form acceptable to City and WDI to ensure compliance with the Mixed Income Housing Requirements, including the Affordability Period, including the City's enforcement rights related thereto, for the applicable portion of the Property.
3. If (a) any portion of the Property is sold during the period that begins on the date of the resolution by the Dallas City Council approving this Term Sheet and ends twenty years from the execution date of this Term Sheet, and (b) the buyer of the WDI Property is not WDI or an affiliate or subsidiary of WDI, and (iii) WDI desires to include any residential units to be constructed on said property toward the minimum amount of mixed-income housing units required, WDI shall execute (or direct its affiliate or subsidiary to execute) deed restrictions in a form to be mutually agreed upon by WDI and the City and record such executed deed restrictions in the real property records of Dallas County prior to the closing of the sale to ensure that the sold property will comply with the Mixed Income Housing Requirements. The deed restrictions will contain, at a minimum, the Mixed Income Housing Requirements, including the Affordability Period, and an agreement that the City may enforce the deed restrictions by specific performance, including collection of attorney's fees and costs of enforcement, and the deed restrictions shall include the City as a signatory thereto. When deed restrictions in the form described above have been recorded

Exhibit A

in the official real property records of Dallas County, Texas, WDI shall be released from its liability under sections d(1) and d(2).

4. Income-restricted units within a residential project receiving Tax Increment Finance (“TIF”) subsidy will be included in the calculation of the minimum amount of mixed-income housing units required in section (d)(1) above.
5. If the United States Department of Housing and Urban Development (“HUD”) imposes additional requirements on the City’s housing programs, Developer shall cooperate in good faith to reach a mutual agreement on reasonable modifications to the Mixed Income Housing Requirements and citywide housing guidelines to comply with such requirements.
- f. Submit design plans to the CityDesign Studio for review and design recommendations by the City of Dallas Urban Design Peer Review Panel (“UDPRP”) for proposed development projects on any portion of the Property located within the boundary of the West Dallas Sub-district of the Sports Arena TIF District, applying for TIF or other City subsidies and work collaboratively with the City Design Studio to address the UDPRP’s recommendations in a project’s design plans to ensure buildings, streets and open space proposed on the Property deliver a vibrant, livable and pedestrian oriented neighborhood consistent with the spirit and intent of the West Dallas Urban Structure and Guidelines.
- g. Property located within the West Dallas Sub-district of the Sports Arena TIF District and not applying for TIF or other City subsidies shall submit design plans for proposed development to the Office of Economic Development for TIF staff review of adjacency design compatibility.
- h. In formulating an amendment to and/or expansion of Planned Development (“PD”) 714, as further described in Section II below, the CityDesign Studio and UDPRP will review the proposed PD amendment and propose design recommendations. WDI and CityDesign Studio will work collaboratively to include UDPRP recommendations in a revised and/or expanded PD 714 to ensure buildings, streets and open space proposed deliver a vibrant, livable and pedestrian oriented neighborhood consistent with the spirit and intent of the West Dallas Urban Structure and Guidelines.
- i. Should WDI apply for or the City initiate an amendment and/or expansion of PD 714 to achieve density similar to PD 891, then WDI agrees to include and/or support:
 1. An open space requirement commensurate in size (as measured by a percentage of the overall PD area) and quality to open space required by PD 891; and

Exhibit A

2. Mixed Income Housing Requirements as outlined in Section I (d).

II. City Commitments.

City agrees to the following:

- a. City staff will work in good faith with WDI to present an amendment to all or a portion of PD 714 located south of the Union Pacific Railroad tracks to City Plan Commission (“CPC”) in order to achieve density similar to PD 891, and if such amendment is approved by the CPC, such amendment will be presented to the City Council for consideration. Any and all necessary zoning, replatting, abandonment, building inspection, or similar approval decisions, however, will be made by the appropriate body of the City or other entity, and such approval is solely within the discretion of that body.
- b. Credit the fair market value, as determined by an independent third-party appraisal authorized by the City’s Real Estate Division, of mutually agreed upon right-of-way dedications by plat or separate instrument as determined by the City, made by WDI for Amonette, Herbert, and Bataan Streets, and any other streets shown or added to the City’s thoroughfare plan for the area towards right-of-way abandonments necessitated by redevelopment projects on the Property in an amount of dollars per square foot equal to or greater than the amount of dollars per square foot being paid for the applicable abandonment, as determined by an independent third-party appraisal authorized by the City’s Real Estate Division. It is understood by WDI and City that the timing of certain right-of-way dedications and right-of-way abandonments may not be concurrent, and accordingly, WDI shall be allowed to carry forward or “bank” credits for past right-of-way dedications to apply to future abandonments.
- c. After finalization of the roadway alignments for the West Dallas Gateway Project, City shall work with WDI in good faith to identify additional right-of-way and easement abandonments necessary to allow for WDI to achieve its development plans for the Property; provided, further, that the credits derived in Section II(c) above may likewise be applied to the cost of abandonments contemplated by this section.
- d. City recognizes that the existing storm water and related utility infrastructure for the Property and surrounding property in the general vicinity of the Property not owned by WDI is inadequate, and therefore, City will work in good faith with WDI to designate improvements to said storm water and related infrastructure that could potentially be funded by a future bond issuance. If public funds are applied to said improvements in the

Exhibit A

future, City shall not seek any increase in the amount of mixed-income housing units required by any final agreement between the parties.

III. Additional Consideration.

- a. The parties acknowledge that a substantial inducement to WDI's willingness to enter into any final agreement is completion of the West Dallas Gateway Project and an amendment to and/or expansion of PD 714 to achieve density similar to PD 891.

The commitments identified in this Term Sheet are the minimum requirements for any future Agreement between the City and WDI and its subsidiaries and affiliates for the commitment of public funds to the West Dallas Gateway project, subject to City Council approval.

The City and WDI agree to proceed promptly to present the Agreement to the City Council, as soon as practicable following the execution of this Term Sheet, including all documentation necessary, appropriate or desirable to carry out the transactions agreed to by the parties in this document. The authority to bind the City, however, is reserved to City Council and that body is entitled, in its absolute discretion (subject to state and federal law, City Charter, and City Code) to approve, disapprove or refuse to consider any proposed Agreement presented to said council.

RECOMMENDED BY DIRECTOR:

Frank Karl Zavitkovsky
Office of Economic Development

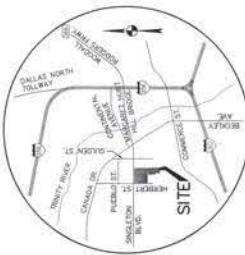
CONSENT TO TERMS DEVELOPER:

West Dallas Investments, L.P.
a Texas Limited Partnership

By: _____
Jim Reynolds
Senior Vice President

Attachments

Exhibit A Final Plat for Columbus Realty Project
Exhibit B West Dallas Gateway Project – Preferred Roadway Alignment and ROW
 Dedications Plan



VICINITY MAP
MAP 500 440



SCALE 1"=40'

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, EPOCH 1983, NAD 83, EPOCH 2011.0 AS DERIVED FROM GPS RECORDS OBTAINED BY RTK METHOD.
2. LOT-TO-LOT DIMENSION IS NOT PERMITTED WITHOUT ENGINEERING SECTION APPROVAL.
3. THE PURPOSE OF THIS PLAN IS TO CREATE LEGAL BUILDING LOTS FOR DEVELOPMENT PURPOSES.
4. ALL UTILITIES ON LOTS 1 AND 2 TO BE REMOVED.
5. COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
6. LOT 1, BLOCK A7087 IS SUBJECT TO THE BACK FLOW RELEASE RECORDED IN INSTRUMENT NO. 20100024801, O.P.R.D.C.T.

FINAL PLAT

TRINITY GROVES NO. 1

LOTS 1-3, BLOCK A7087

REPLAT OF LOTS 3-12, 20-48, BLOCK 7087 OF TRINITY GROVES NO. 1, AS RECORDED IN INSTRUMENT NO. 20100024801, O.P.R.D.C.T., AND RECORDED IN VOLUME 91, PAGE 108, D.R.D.C.T., ALL OF LOT 1-A, BLOCK 7087 OF GIFFORD-HILL TRUCK PLANT ADDITION, RECORDED IN VOLUME 74042, PAGE 1520, D.R.D.C.T., PART OF LOT 1, BLOCK 7084 OF GIFFORD-HILL TRUCK PLANT, RECORDED IN VOLUME 74042, PAGE 1520, D.R.D.C.T., ALLEY ABANDONMENTS, HERBERT STREET RIGHT-OF-WAY, BEDFORD AVENUE RIGHT-OF-WAY, MOPHERSON STREET RIGHT-OF-WAY, AMONETTE STREET RIGHT-OF-WAY ABANDONMENTS, AMONETTE STREET RIGHT-OF-WAY ABANDONMENTS, IN THE WILLIAM P. OVERTON SURVEY, ABSTRACT NO. 1105, CITY OF DALLAS, DALLAS COUNTY, TEXAS.

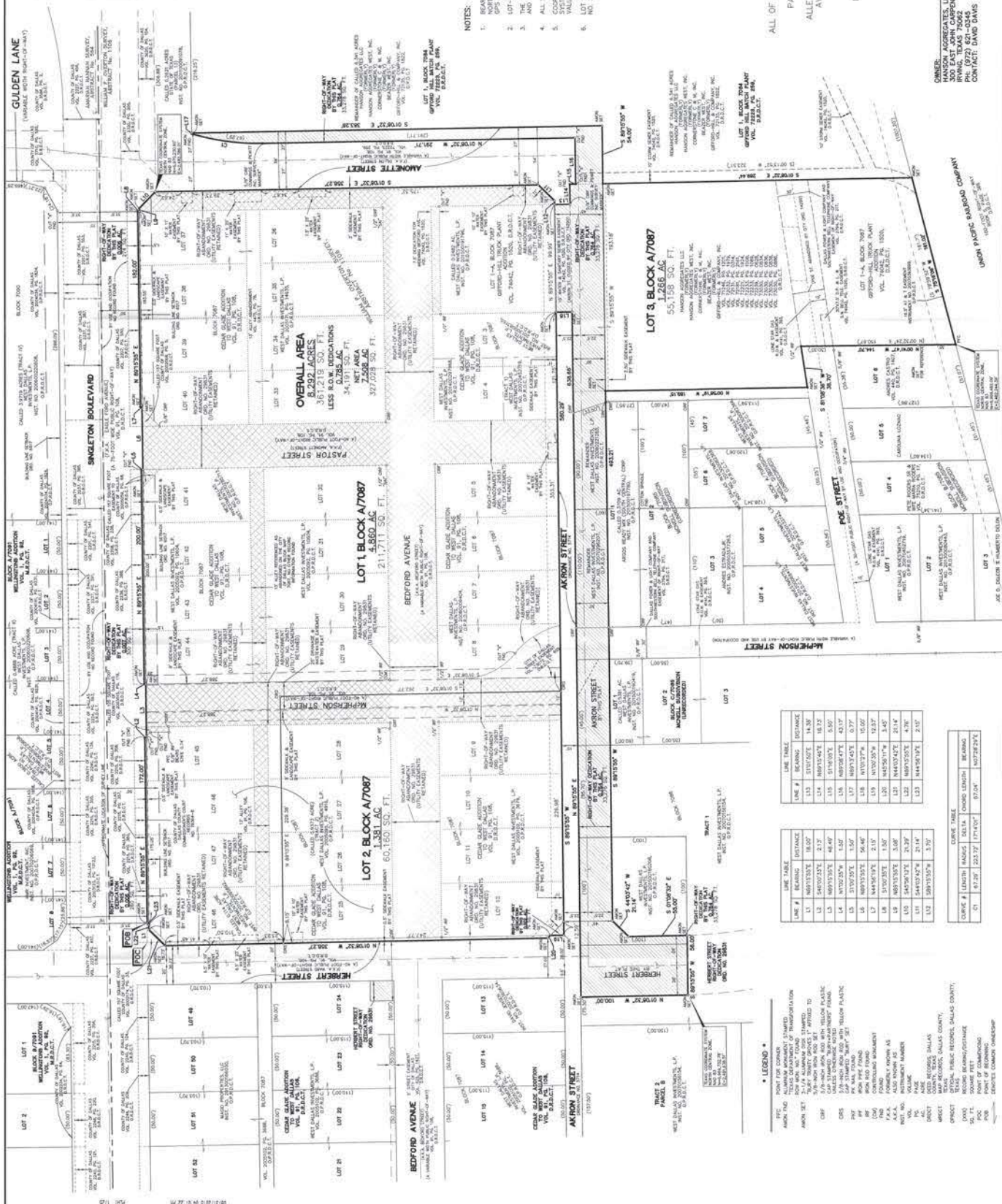
TOTAL ACRES - 8.292 ACRES

CITY PLAN FILE NO. S145-056
AUGUST 21, 2015

OWNER:
HARDON AGGREGATES, LLC
10000 W. LAKESIDE DRIVE
DALLAS, TEXAS 75243
PH (972) 621-0546
CONTACT: JIM RENDLOS

SURVEYOR:
BURY-GUN, INC.
10000 W. LAKESIDE DRIVE
DALLAS, TEXAS 75243
PH (972) 621-0546
CONTACT: JIM RENDLOS

BP PROJECT NO. 8011031-30003
SHEET 1 OF 2



LINE TABLE			DISTANCE		
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
1	N 89°15'00" E	14.30'	13	S 89°15'00" E	14.30'
2	N 89°15'00" E	18.15'	14	N 89°15'00" E	18.15'
3	N 89°15'00" E	5.90'	15	S 89°15'00" E	5.90'
4	N 89°15'00" E	43.07'	16	N 89°15'00" E	43.07'
5	N 89°15'00" E	0.77'	17	N 89°15'00" E	0.77'
6	N 89°15'00" E	15.00'	18	N 89°15'00" E	15.00'
7	N 89°15'00" E	56.46'	19	N 89°15'00" E	56.46'
8	N 89°15'00" E	2.10'	20	N 89°15'00" E	2.10'
9	N 89°15'00" E	3.45'	21	N 89°15'00" E	3.45'
10	N 89°15'00" E	21.14'	22	N 89°15'00" E	21.14'
11	N 89°15'00" E	4.70'	23	N 89°15'00" E	4.70'
12	N 89°15'00" E	2.10'	24	N 89°15'00" E	2.10'

CURVE TABLE			DISTANCE		
CURVE #	LENGTH	DELTA	CURVE LENGTH	BEARING	BEARING
1	11.37'	222.72°	177.00'	97.04°	107.25°

LEGEND

- 1. 1/4" = 100'
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- 96. 1/4" = 100'
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- 98. 1/4" = 100'
- 99. 1/4" = 100'
- 100. 1/4" = 100'

STATE OF TEXAS §
COUNTY OF DALLAS §

THENCE NORTH 89°55' EAST ALONG SAO SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 16.00 FEET TO A 3-1/4" INCH ALUMINUM MONUMENT STAMPED SURT-THIRTY ONES 1" HEREINAFTER REFERRED TO AS AMNO; SET FOR THE POINT OF BEGINNING FOR THE INTERSECTION OF THE SOUTH 202°01'-OF-WAY LINE OF SAO SINGLETON BOULEVARD WITH THE SOUTHEASTERNLY LINE OF SAO 157 SQUARE FOOT TRACT OF LAND RECORDED IN VOLUME 20031/A, PAGE 33, D.M.D.C.T.;

NORTH 86°55'35" EAST, A DISTANCE OF 200.00 FEET TO A CUT "C" FOUND FOR THE
NORTH-EAST CORNER OF SAID 1ST SQUARE FOOT TRACT OF LAND DESCRIBED TO THE COUNTY
OF DALLAS IN VOLUME 200555, PAGE 6B, G.P.R.C.T.

SOUTH 01°00'35" EAST ALONG THE EAST LINE OF SAID 1ST SQUARE FOOT TRACT OF LAND, A
DISTANCE OF 1.50 FEET TO AN AMON SET FOR CORNER IN THE NORTH LINE OF PASTOR STREET
AS ABANDONED BY SAID ORDINANCE NUMBER 29831.

SAID LOT 37, BLOCK 7082,
THENCE SOUTH 01°30'27" EAST ALONG SAID EAST LINE, A DISTANCE OF 1.50 FEET TO AN AMON SET
FOR THE NORTHWEST CORNER OF THAT PORTION OF AMOINETTE STREET ABANDONED BY SAID
ORDINANCE NUMBER 23831;
THENCE ALONG THE NORTH, EAST AND SOUTH LINES OF SAID AMOINETTE STREET ABANDONMENT, THE
FOLLOWING

Copyright 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685,

NOW THEREFORE, KNOW ALL

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS. ADDITIONAL EASEMENT AREA IS ALSO REQUIRED FOR STORAGE OF MATERIALS, EQUIPMENT, AND TOOLS. EASEMENT SHALL BE MAINTAINED AND CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANOUTS, FIRE HYDRANTS, WATER MAINS, AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE. THE LOCATION AND DEPTH OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THE ENGINEER AT HIS OR HER LOCATION AS NECESSARY.

WITNESS MY HAND AT DALLAS, TEXAS, THIS 25th DAY OF August, 2015.

WEST DALLAS INVESTMENTS, LP.

STATE OF TEXAS 0
COUNTY OF DALLAS 6

BY LARRY B. MCGEECOON, MANAGER

Notary Public and for the State of Texas
Charles D. Howell

 My Comm. Expires 01/01/2015

Dr. Philip Holland
TITLE: VP/Com

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID HOLLAND KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FORTNIGHTLY CONTRIBUTION, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND INTENTIONS EXPRESSED AND IN THE CAPACITY THEN STATED.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



CYNTHIA LEGUIZAMO
My Commission Expires
October 5, 2018

DAVID A. DE WERT, A RESEARCHER AT THE UNIVERSITY OF TEXAS, AFFIRMS THAT THIS PRACTICE OF "REPRODUCTION" IS "A VERY COMMON PRACTICE."

DATED THIS 15th DAY OF August, 2015.

David J. De Mordt
DAVID J. DE MORDT, P.L.L.C.
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 25648

STATE OF TEXAS
COUNTY OF DALLAS

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 21st DAY OF August, 2015.

Journal of Management Inquiry 22(4)

FINAL PLAT

LOIS 1-3, BLOCK A/7087
REPLAT OF LOTS 3-12, 25-48, BLOCK 7087 OF
CEDAR GLADE ADDITION TO WEST DALLAS,
RECORDED IN VOLUME 91, PAGE 108, D.R.O.C.T. AND

ALLEY ABANDONED, HERBERT STREET RIGHT-OF-WAY, BEDFORD
AVENUE RIGHT-OF-WAY, MCPHERSON STREET RIGHT-OF-WAY,
PASTOR STREET RIGHT-OF-WAY AND
AMONETTE STREET RIGHT-OF-WAY

TOTAL ACRES - 6,292 ACRES
QUANTITY 30192
REV. 10/02

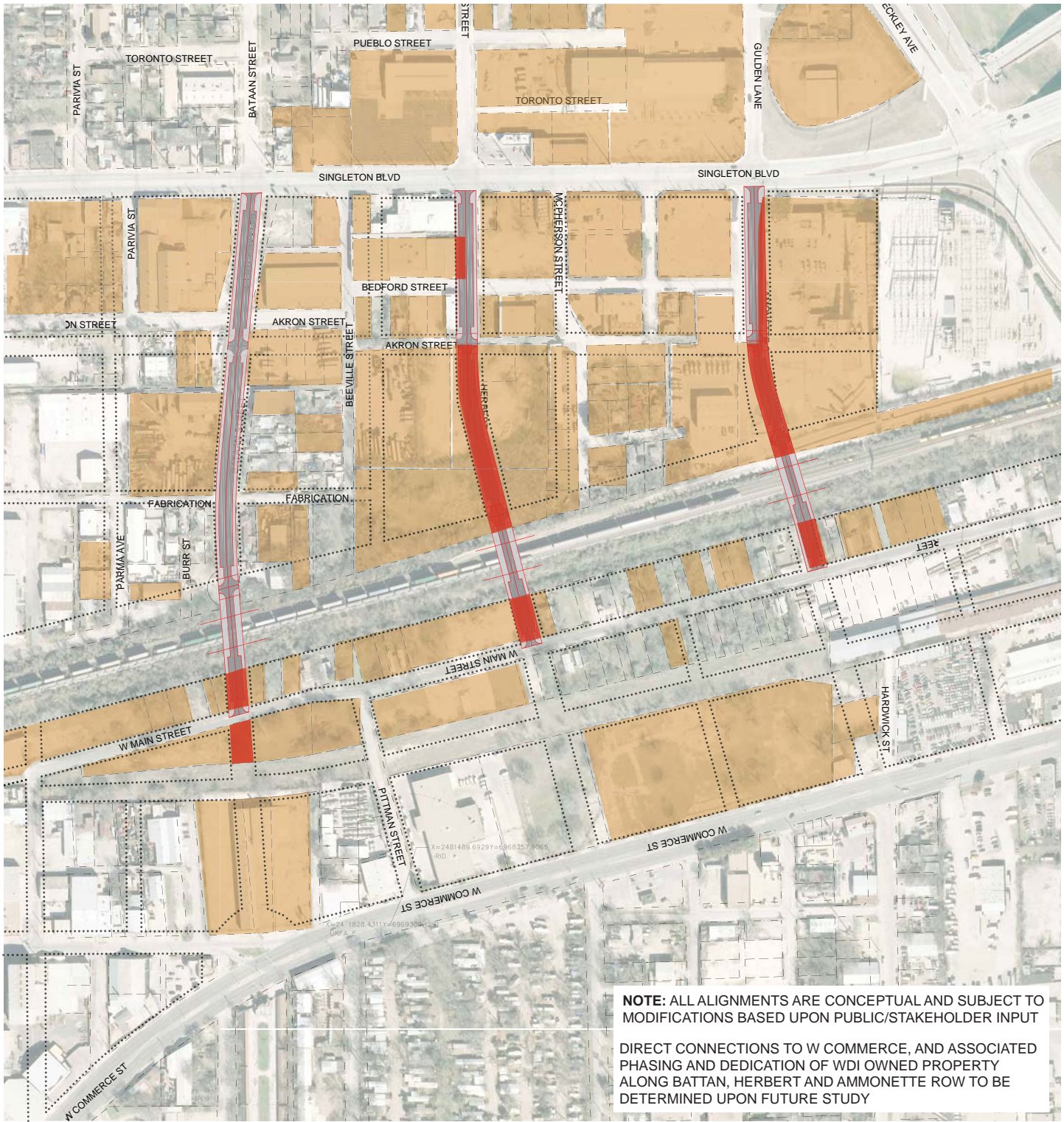
CITY PLAN FILE NO. S145-056

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1451 EAST JOHN CARPENTER FREEWAY
DALLAS, TEXAS 75062
PH: (972) 821-0345
FAX: (972) 821-0346
E-MAIL: JAGGREG@DALLAS.AT&T.NET

WEST DALLAS INVESTMENTS, LP
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DALLAS, TEXAS 75212
PH: (214) 744-0100
FAX: (214) 744-0100
E-MAIL: WDI@DALLAS.AT&T.NET

BURY-OFW, INC.
5310 HARVEST HILL, SUITE 100
DALLAS, TEXAS 75230
PH: (972) 991-0011
FAX: (972) 991-0011
E-MAIL: BURY-OFW@DALLAS.AT&T.NET

Exhibit B
West Dallas Gateway Project
Preferred Roadway Alignment and ROW Dedications Plan



- West Dallas Investments
- ROW Dedications
- Proposed Streets
- Future Conceptual Development Blocks

