

# Memorandum



CITY OF DALLAS

DATE April 27, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **2017 Bond Program – 2<sup>nd</sup> Quarter Status Update (FY2023)**

In November 2017, Dallas voters approved a \$1.05 Billion Bond Program, which included 10 propositions for the delivery of capital infrastructure projects to improve the quality of life for all residents across the City of Dallas. As of **March 31, 2023**, the City has committed **\$810,101,960** or **77%** of the bond authorization for the implementation of the 2017 approved bond projects. Please refer to Figure 1 (see page 2), which provides an overview of all bond funds committed in the implementation of the approved 2017 bond projects.

The 2017 Bond Program is comprised of 1,384 projects scheduled for delivery across various infrastructure disciplines. As of **March 31, 2022**, the City has awarded **1,322** or **96%** of the approved projects (refer to Figure 2 on Page 2 for project statuses).

As the 2017 Bond Program continues to move forward and nearing completion, the uncommitted available funds continue to be earmarked for the completion of the bond program approved projects.

Should you have additional questions, please contact Jennifer Nicewander, Interim Director of the Office of Bond and Construction Management, at [jennifer.nicewander@dallas.gov](mailto:jennifer.nicewander@dallas.gov).

A handwritten signature in black ink, appearing to read 'Rob Perez'.

Robert M. Perez, Ph.D.  
Assistant City Manager

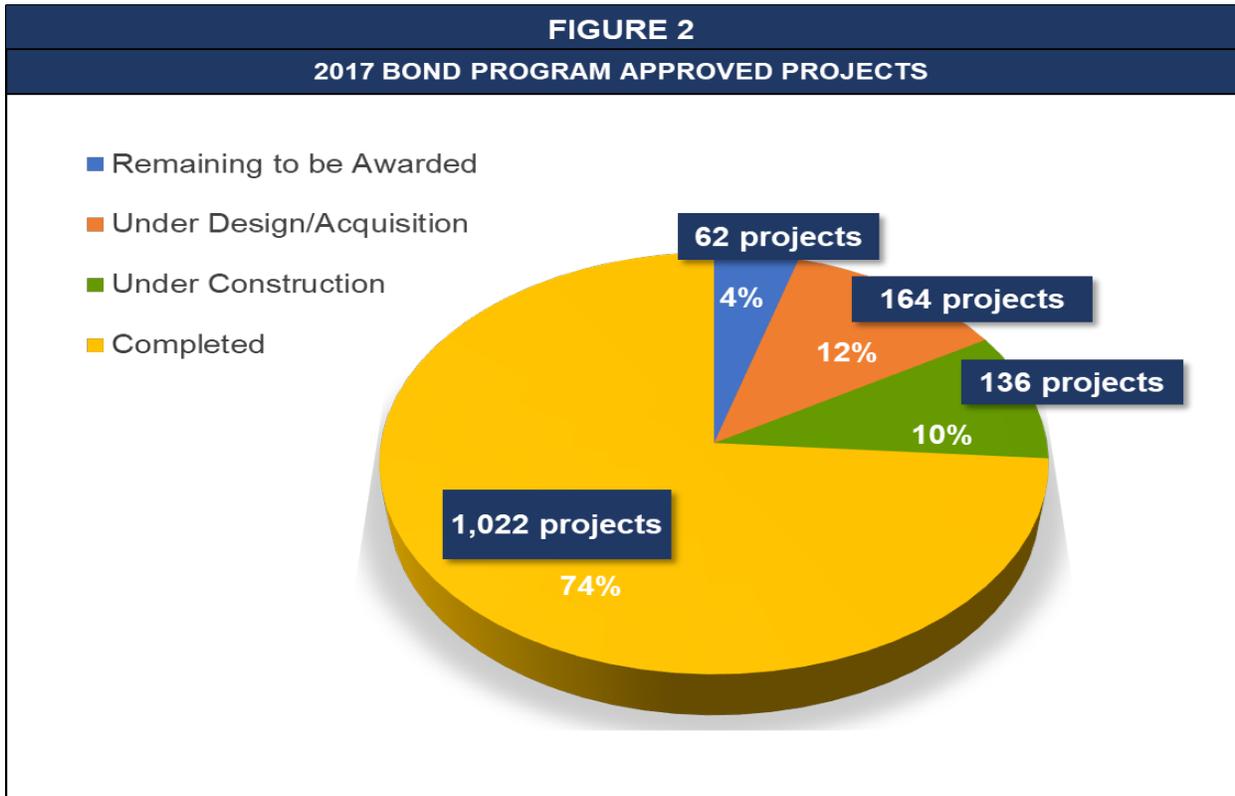
c: T. C. Broadnax, City Manager  
Tammy Palomino, Interim City Attorney  
Mark Swann, City Auditor  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizzor Tolbert, Deputy City Manager  
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Genesis D. Gavino, Chief of Staff to the City Manager  
Directors and Assistant Directors

FIGURE 1					
2017 BOND PROGRAM PROJECT COMMITMENTS TO DATE					
PROPOSITION	a	b	c	d	e
	BOND AUTHORIZATION	EXPENDITURES & ENCUMBERED <sup>1</sup> (MAR BVA)	EXPENSES DUE TO LEGACY BP <sup>2</sup>	APPROVED PENDING COMMITMENTS 2017 BP <sup>3</sup>	% BOND AUTHORIZATION COMMITTED (b+c+d)/a
Streets and Transportation (A)	\$ 533,981,000	\$ 415,600,075	\$ 15,730,953	\$ 10,891,812	83%
Park and Recreation (B)	\$ 261,807,000	\$ 182,311,322	\$ (50,000)	\$ 1,379,301	70%
Fair Park (C)	\$ 50,000,000	\$ 38,095,614	\$ 289,188	\$ -	77%
Flood Protection and Storm Drainage (D)	\$ 48,750,000	\$ 25,744,478	\$ -	\$ 2,327,721	58%
Library Facilities (E)	\$ 15,589,000	\$ 15,085,009	\$ 103,472	\$ -	97%
Cultural and Performing Arts Facilities (F)	\$ 14,235,000	\$ 13,459,890	\$ 365,257	\$ -	97%
Public Safety Facilities (G)	\$ 32,081,000	\$ 26,576,216	\$ 1,827,806	\$ -	89%
City Facilities (H)	\$ 18,157,000	\$ 2,449,841	\$ 7,389,948	\$ -	54%
Economic Development (I)	\$ 55,400,000	\$ 29,310,647	\$ -	\$ 3,975,000	60%
Homeless Assistance Facilities (J)	\$ 20,000,000	\$ 17,238,408	\$ -	\$ (0)	86%
<b>Total</b>	<b>\$ 1,050,000,000</b>	<b>\$ 765,871,501</b>	<b>\$ 25,656,624</b>	<b>\$ 18,573,834</b>	<b>77%</b>

**NOTES**

<sup>1</sup> March 2023 Budget vs. Actual Report (BVA) ITD Expenditures and Current Encumbered.  
<sup>2</sup> The column reflects bond expenditures and encumbrances that are in prior bond programs.  
<sup>3</sup> Approved commitments that are not recorded in the financial system, such as amounts recently approved by the City Council.



# Memorandum



CITY OF DALLAS

DATE April 27, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **2024 Bond Program Development – Town Hall Meetings**

## Background

During the City Council briefing on March 1, 2023, the Office of Bond and Construction Management (BCM) provided updates on the development of the 2024 Bond Program. The 2024 Bond Program update included discussion of topics such as the proposed bond propositions, recommended funding amounts, project scoring, and town hall meetings to seek input from the community. As public input is a major component of the City of Dallas' development of the 2024 Bond Program, the purpose of this memorandum is to provide additional details on the upcoming 2024 Bond Program town hall meetings.

## 2024 Bond Program Development – Town Hall Meetings

Given the importance of community input in the development of the 2024 Bond Program, beginning in May 2023, BCM will contact each member Dallas City Council Member to schedule town hall meetings in each respective Council District. The purpose of the meetings is to provide the community an overview of the 2024 Capital Bond Program planning and development process and to ask for feedback on the community's infrastructure and capital needs as well as to solicit input on how funding should be prioritized. Community feedback from the town hall meetings will be shared with the Community Bond Task Force and Subcommittees as their work begins to review and recommend projects to be included in the 2024 Capital Bond Program.

## Next Steps

The information shared in the memorandum will be discussed by BCM as part of the 2024 Bond Program development update, which is scheduled to be briefed to the Mayor and City Council on May 17, 2023. However, should there be any immediate questions, please contact Jennifer Nicewander, P.E., Interim Director of the Office of Bond and Construction Management, at [jennifer.nicewander@dallas.gov](mailto:jennifer.nicewander@dallas.gov).

A handwritten signature in black ink, appearing to read 'Rob Perez'.

Robert M. Perez, Ph.D.  
Assistant City Manager

c: T. C. Broadnax, City Manager  
Tammy Palomino, Interim City Attorney  
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Directors and Assistant Directors

# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **City License Applications**

Attached is a list of the most recent Dance Hall, Sexual Oriented Business, Billiard Hall, and/or Amusement Center license applications received for the week of April 17, 2023 – April 21, 2023 by the Tactical and Special Operations Bureau Licensing Squad of the Dallas Police Department.

Please have your staff contact Sergeant Corey Barnes, at (214) 470-6805 and/or by email at [corey.barnes@dallaspolice.gov](mailto:corey.barnes@dallaspolice.gov) should you need further information.

A handwritten signature in blue ink that reads "Jon Fortune".

Jon Fortune  
Deputy City Manager  
**[Attachment]**

c: T.C. Broadnax, City Manager  
Tammy Palomino, Interim City Attorney  
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WEEKLY APPLICATION LOG REPORT

DISTRICT	NAME OF BUSINESS	STREET ADDRESS	TYPE OF LICENSE	DATE OF APPLICATION	STATUS (RENEWAL/NEW)	APPLICANT NAME
D14	Pacific Playground	1930 A Pacific Ave	DH	4/21/2023	Renewal	Mr. Kelley
D14	2204	2204 Elm Street	DH	4/19/2023	New	Stephen David Wylie
D14	2204	2204 Elm Street	LH	4/19/2023	New	Stephen David Wylie
D14	The View Dallas	525 S. Riverfront Blvd	DH	4/19/2023	New	Mark Stephen Shaw

**License Definitions**

- DH - Class "A" Dance Hall - Dancing Permitted Three Days or more a Week*
- DH - Class "B" Dance Hall - Dancing Permitted Less Than Three Days a Week*
- DH - Class "C" Dance Hall - Dancing Scheduled One Day At A Time*
- DH - Class "E" Dance Hall - Dancing Permitted Seven Days A Week for Persons Age 14 through Age 18 Only*
- LH - Late Hours Permit - Can Operate A Dance Hall Until 4:00*
- BH - Billiard Hall - Billiards Are Played*
- SOB - Sexually Oriented Business - Adult Arcade / Adult Book/Video Store / Adult Cabaret / Adult Adult Theater / Escort Agency / Nude Model Studio*
- AC - Amusement Center*

# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **City of Dallas Historic Tree Designation – May 10, 2023 City Council Agenda**

The City of Dallas, through Article X, includes a historic tree provision that can be utilized on private and public property. This process includes permission from the property owner and affords additional protections for designated historic trees. On the May 10, 2023 City Council Agenda, you will be presented with one tree to approve under this provision of Article X. This tree, once designated, can only be removed by authorization of the City Council in a subsequent action item, or in the event of a critically dangerous public safety issue.

The following tree will be on your agenda: the West Dallas Gateway pecan tree.

As a reminder, a historic tree means “a tree, or grove of trees, that has been recognized by resolution of the city council as having cultural or historical significance”. The owner of the property and tree must be in agreement and authorize in writing the requested designation since this will be filed at the County as part of Deed Restrictions.

The nomination packet will include the following:

- cultural or historical significance to the community
- tree qualifications must be stated on the application or supplemental documents.
- located on an historic site or is adjacent to the historic site
- rare characteristic for its unique large size, age, or species for the region or state
- established in community recognition, or in memorial, to a person, place, or event
- community landmark and recognized as a significant feature of the site
- complementary information may be provided to address the significant size and age of the tree, the uniqueness of the species, its importance in arboriculture, and other noted relevant history

A complete application will be reviewed by the city arborist for its condition, standards of maintenance, and the growing environment. For more specifics on the application and the application process, residents or businesses may review the packet included in <https://dallascityhall.com/departments/sustainabledevelopment/buildinginspection/Page/landscape-and-tree-manual.aspx> .

If you have additional questions, please do not hesitate to contact me.



**Carl Simpson**  
**Assistant City Manager**

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# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Dallas Police Department Resources and City of Dallas Trails**

On April 17<sup>th</sup>, a Pedestrian and Trail Safety briefing was presented to the Quality of Life, Arts, and Culture Committee by the Park and Recreation Department, Dallas Police Department (DPD), and the Dallas Marshalls. During this briefing, Chairman Bazaldua requested an assessment of DPD resources used to patrol the following trails: White Rock, AT&T Trinity Trail, Katy, and Santa Fe.

This assessment focused only on the number of cumulative “Overtime Hours” for the aforementioned trails as on-duty hours varied on many factors to include but not limited to call load and other-directed enforcement activities.

CY 2022 – 2951 Patrol Hours  
YTD 2023 – 248 Patrol Hours

Additionally, a request was made in regard to Slide 19 and updated metrics for Murders. As of this writing, zero murders have been reported on any trail within the City of Dallas.

Should you have any questions please contact Michael T. Igo, Assistant Chief of Police, Patrol Bureau, at [michael.igo@dallaspolice.gov](mailto:michael.igo@dallaspolice.gov).



Jon Fortune  
Deputy City Manager  
**[Attachment]**

c: T.C. Broadnax, City Manager  
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# Crime Metrics – Monitored Trails



- White Rock Lake Trail, Santa Fe Trail, Katy Trail, and AT&T/Trinity Forest Trail (Offenses)

Offense	2021	2022	2023	Totals
Aggravated Assault	10	13	0	23
Robbery	3	2	1	6
Murder	0	0	0	0



# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Follow-Up Responses to Questions from March 20, 2023, TRNI Council Committee Meeting – Public Works Smart City Initiatives Briefing**

### Background

On March 20, 2023, the Department of Public Works briefed the Transportation and Infrastructure Committee (TRNI) on various completed and ongoing smart city initiatives. During the March 2023 briefing, some questions were asked by the TRNI Committee that required additional staff research and follow-up. As staff has completed the research of the outstanding TRNI Committee questions, the purpose of this memorandum is to provide the requested follow-up.

### Follow-Up Information from TRNI Committee Questions and Requested Information

- 1. Provide performance metrics (number of connections made and usage hours) for each completed Wi-Fi project:** (Response) Please see attachment.
- 2. What are the ongoing hardware operational & maintenance (O&M) costs of the various networks?**

(Response) The table below describes the annual recurring O&M costs of circuits, bandwidth, utilization, and support:

PROJECTS	O & M
10 -Wireless Arra/Neo Networks/10 Streetlight (CD 3, 4, 5, 6, 7, & 8)	\$49,743.20
10 - Cisco/Digital Divide (CD 1, 3, 4, 5, 6, & 8)	\$120,000.00
Granite (Red Cloud/FS5, Richmond/FS15, Tietze Aquatic)	\$98,640.00
<b>Total Annual O&amp;M</b>	<b>\$268,383.20</b>

- 3. Singing Hills Recreation Center - Provide the exact pole location connected by fiber to the recreation center that supports residential Wi-Fi to the community, as residents have reported connectivity issues. Homes could be up to 1200' from the broadband network pole. What is the Wi-Fi range?**

(Response) Wi-Fi range is up to 200 ft from access point, the attached document depicts locations of access points as well as estimated vs. actual coverage objectives and pole locations. Wi-Fi range beyond the City facility cannot be guaranteed and is an estimate based upon the capability of the Wireless Access Point devices installed and impacted by several factors that include weather, topography, obstructions, and construction of buildings, to name a few. Availability of data is dependent upon the configuration of the network devices respectively.

DATE April 28, 2023  
SUBJECT **Follow-Up Responses to Questions from March 20, 2023, TRNI Council  
Committee Meeting – Public Works Smart City Initiatives Briefing**  
PAGE 2 of 2

**4. In the next five years, what is the projected demand for Electric Vehicle Charging Stations in Dallas?**

(Response) The Texas Department of Transportation (TxDOT) projected electric vehicle usage of approximately 1M vehicles in Texas by 2030; this estimate was based on ERCOT's long-term system assessment scenario to evaluate grid capacity and planning for long range demands of energy use, but clearly maintains that it was merely a possible scenario, not a projection. However, a North Central Texas Council of Governments (NCTCOG) representative stated that the estimation was too low causing electric vehicle infrastructure demand projections to no longer be accurate; this region alone has already reached or exceeded predicted usage and is approximately 7 years ahead of the unofficial model used to forecast demand. NCTCOG is working to investigate if a regional goal should be set and investigate usage ratios to determine where groups would recharge vehicles (homes or public-facing stations).

As this memorandum has provided follow-up from questions asked during Public Works Smart City Initiatives briefing presented to the TRNI Committee on March 20, 2023, should there be any further questions, please contact Ali Hatefi, P.E., Director of Public Works, at [alireza.hatefi@dallas.gov](mailto:alireza.hatefi@dallas.gov).



Robert M. Perez, Ph.D.  
Assistant City Manager

Attachment

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TRNI - SMART CITY INITIATIVES BRIEFING FOLLOW-UP RESPONSES

Question 1:

PROJECT	DISTRICT(S)	WI-FI RANGE BEYOND CITY FACILITY	NUMBER OF USERS (CONNECTIONS MADE)	USAGE HOURS
Fiber installed in Storm Sewer: City Hall to Canton St. Svc. Ctr	2	200 ft	This is direct fiber-replaced cradle point for transportation, no Wi-Fi	N/A
Wireless Broadband Networks	1,3,4,5,6,8	200 ft	10 Cisco Digital Divide Sites Statistics <b>Visitors:</b> 1,224 (February '23) <b>Number of Visitors:</b> 3,205 (from Jan 1, 2022 - December 31, 2022) <b>Repeat Visits:</b> 3,750 (61%) <b>New Visits:</b> 2,300 (39%) <b>Dwell Time:</b> 1.45 Hours per visit Investigating bandwidth up/down	1.45 p/h per user on average
Ten Streetlight Wi-Fi projects	3,4,5,6,7,8	200 ft	10 NEO Network Digital Divide Site Statistics <b>Visitors:</b> 185 avg per cluster <b>Number of Visitors:</b> 2,219 (Last 12 months) 2.4GHz = 27.2 Mbps Down / 5.4 Mbps Up 30 Mbps Down / 7 Mbps Up 5.0GHz = 118.4 Mbps Down / 38.7 Mbps Up 125 Mbps Down / 40 Mbps Up	Portal does not include dwell time. ITS has reached out to Neo to get the information and requesting a monthly report moving forward or add the info to portal, awaiting reply. Contract still pending
Four Smart Light Poles (Lake Cliff Park/OCMC)	1	200 ft	Average of 416 users per month	10 min per user on average
Red Cloud Neighborhood	5	200 ft	Not yet operational	N/A
Richmond/Tietze Park	14	200 ft	*Traffic Signal Connections Only * Wi-Fi at intersections	N/A
Vickery Park Branch Library Electric Vehicle Charging Station/Small Cell Combo Unit	13	200 ft	Not yet installed	N/A

Question 3: Singing Hills Recreation Center

# Singing Hills



Neo Networks Project Area		Circuit Installed	Spectrum Install
Singing Hills		CradlePoint	In Design
Council Member		Council District	
Tennell Atkins		8	
Original Coverage Objective		Estimated Homes Covered	
Gillarel Springs from Old Ox to Cul-de-Sac		21	
Expanded Coverage Objective		Actual Homes Covered	
Interlude Dr., South to Rondo Dr., Troyglen Dr., East to Old Ox Rd.		154	
% Increase in Homes Covered		Delta	
733.3%		133	
Host Site Type	ClearWorld Poles	CommScope Poles	40' Wood Poles
Rooftop	7		
Host Site Active	Remote Site Count	Total Sites Active	Technology
1	7	8	ARRA Public Wi Fi 5 GHz & 2.4 GHz

# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Members of the Transportation & Infrastructure Committee

SUBJECT **Good Jobs Good Airports Act**

During a meeting of the City Council Transportation and Infrastructure Committee on Monday, April 17, staff was asked to provide additional information regarding the Good Jobs Good Airports Act Bill (HR 1449/S 753) and resolution. This bill addresses pay, benefits, and labor standards for certain airport service workers. Airport service workers include security officers, food service workers, cleaning staff, ticketing agents, and retail service workers. Specifically, the bill establishes a minimum wage and benefit standard for such airport service at large, medium, and small hub airports.

The bill would require small, medium, and large hub commercial service airport owners and operators to obtain from each entity that employs service workers certification that the requisite wages and fringe benefits have been paid, and submit a compliance report annually to the Secretary of Transportation. The bill would also require the same certification by airports as a condition of collecting a Passenger Facility Charge, receiving a discretionary Airport Improvement Program Grant, receiving an Airport Infrastructure Grant, and receiving an Airport Terminal Grant. While the bill's intent appears favorable, the language currently states that the airport operators would be responsible for entities that are not in compliance, potentially causing cities to lose airport improvement funding as well as ineligibility for airport terminal and infrastructure grants.

We are working with our federal legislative team, the Department of Aviation, and DFW Airport, on actions that may be considered locally.

Below are questions asked during the committee meeting and corresponding answers. Please note we will include this information in a briefing for your next committee meeting.

- What is the current federal wage/current minimum wage for other states? The current federal minimum wage is \$7.25 per hour. Employers to which the Fair Labor Standards Act (FLSA) applies must adhere to the federal minimum wage requirement. States may set their own minimum wage requirements that exceed the federal rate. State minimum wages are available [here](#). Currently only California, Washington, and the District of Columbia have rates higher than \$15.00 an hour.
- Does this bill also include Dallas Executive Airport? No, the bill would not apply to Dallas Executive Airport. It only applies to small hub airports, medium hub airports, and large hubs airports. Under federal aviation law, those terms describe commercial service airports. Dallas Executive Airport is a general aviation airport. (Dallas Love Field is a medium hub commercial service airport and DFW is a large hub commercial service airport, so the bill would apply to both.)

DATE April 28, 2023  
SUBJECT **Good Jobs Good Airports Act**

- At the State level are there any bills concerning minimum wage? Yes – there are several bills at the state level regarding minimum wage.
  - [SB 582](#) (Eckhardt): Relating to authorization for a county or municipality to establish a local minimum wage.
  - [HB 193](#) (Ortega): Relating to authorization for a county or municipality to establish a local minimum wage.
  - [HB 1126](#) (Martinez Fischer): Relating to the minimum wage.
  - [HB 1919](#) (Goodwin): Relating to the minimum wage.
  - [HB 737](#) (Walle): Relating to the minimum wage.
  - [HB 169](#) (Reynolds): Relating to the minimum wage.
- What is the timeline for the amending of the resolution? Position on a resolution considered by the City Council is subject to City Council action. The bill is not expected to move in the House. If it moves in the Senate, it may likely be as part of the broader FAA reauthorization bill. The Senate Commerce Committee is expected to begin consideration of the FAA reauthorization bill later this spring or summer.
- Is the bill the final draft from Washington? The bill has been introduced in the House (HR 1499) and the Senate (S 753). No bill is final until it is sent to the President, meaning it can be amended at most steps of the legislative process. For now, all we have are the bills as introduced. They have been referred to the House Transportation & Infrastructure Committee and the Senate Commerce Committee. Neither committee has taken any action on them. If the bill moves, it will be in the Senate, most likely as part of a broader FAA reauthorization bill. The House and Senate bills are identical. They would amend the statute governing the airport improvement program ([49 USC 47107](#)) to make the awarding of Airport Improvement Grants conditional on the airport owner providing written assurances that “covered service workers” are paid at least \$15 per hour and receive fringe benefits that are in line with those prevailing in local collective bargaining agreements (as outlined in [41 USC 6703](#)).

If you have questions or need additional information, please contact me or Victoria Moe, Senior Government Affairs Manager, at [victoria.moe@dallas.gov](mailto:victoria.moe@dallas.gov).



Carrie Rogers  
Director  
Office of Government Affairs

c: T.C. Broadnax, City Manager  
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# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Planned Citywide Internet and Network Maintenance Outage**

On Tuesday, May 9, the City's 24/7 call centers (311 and Aviation), Internet, City Network external traffic, and websites including DallasCityHall.com and DallasPolice.net, will be unavailable from approximately 2:00 a.m. to 3:00 a.m. due to a planned system outage. The Enterprise Network team will upgrade the operating system of core switches to resolve a known issue that is impacting City security services, as well as update configurations related to device failover to mitigate the risk of unplanned outages. Due to the nature of the upgrade process, it is not possible to perform a non-disruptive upgrade to the devices, necessitating a short outage. Upon completion, future upgrades will not require outages during these maintenance activities. During the maintenance window, network connectivity to external servers, application sites, and services will be unreachable until connectivity is re-established.

\*Public Safety 911 and CAD system will be available, however, communication to and from mobile devices will be impacted.

During the scheduled outage, residents will experience a busy signal when calling the 311 or Aviation call center. Residents experiencing urgent 311 requests related to water main breaks or pipe breaks will be directed to call 911 during the outage. Alerts will be placed on the OurDallas mobile app, the City's website, and social media platforms notifying 311 users of the scheduled outage. Phone calls to the 311 or Aviation call center will be restored after all required system testing is complete.

Internal communications will be sent out a week before, a day before, and the day of the maintenance to all departments.

If you have any questions or need additional information, please contact me or Bill Zielinski, Chief Information Officer.

A handwritten signature in blue ink that reads "Jack Ireland".

Jack Ireland  
Chief Financial Officer

c: T.C. Broadnax, City Manager  
Tammy Palomino, City Attorney (I)  
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# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Short-Term Rental Zoning and Registration Ordinances Briefing**

I received a four-signature memorandum from select Councilmembers providing clarity on their understanding of what the City Council requested Staff to review and consider in response to the Short-Term Rental Zoning and Registration Ordinance briefing on April 4, 2023. Additionally, the memorandum requested that the item be placed on the April 26, 2023 City Council Voting agenda. As shared in the April 14, 2023 “Short-Term Rental Zoning and Registration Ordinance Update” memorandum, Staff needs additional time to research and prepare. Staff has advised me that the review and analysis will be completed toward the end of May and they will be prepared to brief City Council on June 7, 2023.

I have confirmed that this is the earliest feasible date to present our findings to City Council.



T.C. Broadnax  
City Manager

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# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Status Update on Cypress Creek at Forest Lane, a Potential Mixed-Income Housing Development to be Located at 11520 North Central Expressway**

## Background

The purpose of this memorandum is to provide a status update on Cypress Creek at Forest Lane (Development). On February 27, 2023, the Housing and Homelessness Solutions Committee (HHSC) was briefed on the Development proposed as a 189-unit mixed-income multifamily community that will reserve 7% of the units for residents earning less than 80% Area Median Income (AMI), 22% of the units for residents earning less than 70% AMI, 25% of the units for residents earning less than 30% AMI, and 46% of the units will be non-income restricted. The HHSC was also informed that the project site is deed restricted with private restrictive covenants that do not allow for multifamily development. Staff supports the proposed multifamily project to carry out the City's affordable housing public purpose. However, for the City to carry out its affordable housing public purpose in an identified high opportunity area of the City, the City needs to acquire the site and maintain ownership for the duration of the project so that the restrictive covenants would not be enforceable. The plan as presented to the HHSC in February 2023 to move forward with this Development contemplated that the City would acquire the site (such acquisition being funded by the developer, Sycamore Strategies) and then the City would convey the land to the Dallas Public Facility Corporation (DPFC). The City's conveyance to the DPFC would be pursuant to a state law exception (Texas Local Government Code 272.001(g)) enabling the City to convey public property to an entity for development of low to moderate income housing. The DPFC would then enter into a long-term lease with the Developer to construct and manage the Development.

## Issue

This plan was presented for consideration and approval to the DPFC Board of Directors (Board) on March 28, 2023. The Board conditionally approved a memorandum of understanding (MOU) that outlined the City's conveyance of the project site to the DPFC and the subsequent lease to the Developer. However, the conditional approval of the Board is tantamount to a denial because the conditions were unacceptable to the City and thus the project cannot move forward under the proposed structure.

## Staff Alternative Recommendation

An alternative approach recommended for City Council consideration is for the City to enter into a ground lease agreement directly with the Developer to finance, construct, and manage the Development. This alternative has no DFPC participation, but will include a

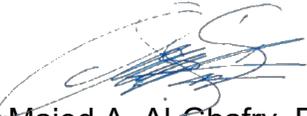
DATE April 24, 2023  
SUBJECT **Status Update on Cypress Creek at Forest Lane, a Potential Mixed-Income Housing Development to be Located at 11520 North Central Expressway**  
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Developer obligation to indemnify the City for any potential litigation expenses and damages for the duration of the project ground lease term. The City will require the standard performance and payment bond requirements for a transaction of this kind.

Without the City's participation in this acquisition and ground lease development structure, this mixed-income affordable housing development will not move forward to serve the City's affordable housing public purpose. City Council already provided its support for the placement of a 9% competitive tax credit development at this site via City Council Resolution 21-0378. The Developer's application for a resolution of support met all threshold requirements of the City's Low Income Housing Tax Credit Policy and qualified for a recommendation by the Department of Housing & Neighborhood Revitalization as it is a priority housing needs development (located in a census tract with less than 20% poverty). This resolution of support was approved by City Council on February 24, 2021. The project was subsequently awarded 9% housing tax credits by the Texas Department of Housing & Community Affairs (TDHCA).

Staff will work in collaboration with the City Attorney's Office to finalize ground lease terms for City Council consideration and approval on the May 10, 2023 Council Agenda.

Should you have any questions or require any additional information, please contact me or David Noguera, Director, Department of Housing & Neighborhood Revitalization at [David.Noguera@Dallas.gov](mailto:David.Noguera@Dallas.gov) or 214-670-3619



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Assistant City Manager

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Dr. Robert Perez, Assistant City Manager  
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Jack Ireland, Chief Financial Officer  
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Directors and Assistant Directors

# Memorandum



CITY OF DALLAS

DATE April 28, 2023

TO Honorable Mayor and Members of the City Council

SUBJECT **Update on Federal Infrastructure Investment and Jobs Act and Inflation Reduction Act Funding**

The Office of Government Affairs continues to work with partner departments to identify potential projects and submit competitive grant applications for programs included in the Infrastructure Investment and Jobs Act of 2021, also commonly referred to as the Bipartisan Infrastructure Law (IIJA or BIL). BIL is a five-year authorization of new and existing grant programs aimed at improving the nation's core infrastructure needs.

As we head into Year 2 of federal implementation of BIL, City staff will update the Opportunity Projects list based on lessons learned and feedback from federal agencies. The Opportunity Projects list identifies projects that are likely to be a good fit for BIL grant programs. It is not a ranked or prioritized list, and is focused on programs where the City is likely to be an eligible applicant. The current list is attached. Please send any requested changes or additional projects to Dina Colarossi at [dina.colarossi@dallas.gov](mailto:dina.colarossi@dallas.gov).

## **Infrastructure Investment and Jobs Act Activities**

To date, the City has taken the following actions for BIL funding since the last update to Council on December 23, 2022:

### **Grant Applications Awarded**

- Affordable Connectivity Program Outreach Grant Program – \$700,000
  - This grant will provide funding for a media campaign and outreach events to increase enrollment in the Affordable Connectivity Program, which provides subsidy for broadband internet service for eligible households. Dallas County, DISD, and the Dallas Housing Authority are partners, and will be subrecipients on this grant. It is expected to come to Council for approval within 30 days of receiving the grant contract from the FCC, currently projected for an agenda date in May.
- Thriving Communities Technical Assistance Program
  - The City was selected as a finalist for planning and community outreach assistance in the Westmoreland Heights/Lake West neighborhood to integrate transportation, housing, and economic development initiatives, however was ultimately not selected to receive the assistance.

### **Grant Applications Submitted**

- RAISE
  - Submitted an application for planning and design for 5 Mile Creek Trail, in partnership with the Trust for Public Land

DATE April 28, 2023

SUBJECT **Update on City Activities for Federal Infrastructure Investment and Jobs Act and Inflation Reduction Act Funding**

- Submitted a planning application for a City-wide Freight Mobility Study
- Partnered with NCTCOG on their application for continued infrastructure needs for the Southern Gateway Park
- Partnered with NCTCOG on their application for expansion of Klyde Warren Park

### Other Pending Applications

- Brownfields
  - An Assessment grant and a Revolving Loan Fund grant to provide environmental assessments and cleanup assistance for eligible projects in the Fair Park/South Dallas area
- Railroad Crossing Elimination Program
  - Westmoreland Road Grade Separation to eliminate at-grade crossings with Union Pacific (UP) and DGNO tracks
  - Skyline Bridge Grade Crossing Elimination to provide an alternate to an at-grade crossing for LOOP Trail users in partnership with the Circuit Trail Conservancy
  - A partnership with NCTCOG on their application to eliminate the at-grade crossing on Prairie Creek near the UP Intermodal Facility
- WaterSMART Water and Energy Efficiency Grants
  - Dallas Water Utilities implementation of Advanced Metering Infrastructure
- Middle Mile Broadband Infrastructure
  - A partnership with Crown Castle on their application to build out middle mile broadband infrastructure to connect underserved communities and anchor institutions

*Award announcements for all programs listed above are expected in Spring 2023.*

### Planned Grant Applications

- Energy Efficiency and Conservation Block Grants – due Summer 2023
  - Funds planning and implementation for projects that increase energy efficiency and conservation. The City of Dallas is expected to receive \$1.13M under this program, and staff has convened a working group to identify the best uses for this one-time funding.
- Charging and Fueling Infrastructure Discretionary Grant – due May 30
  - Funds charging infrastructure for electric and other alternative fuel vehicles with a focus on historically disadvantaged communities. The City will join a regional application led by NCTCOG.
- TxDOT Transportation Alternatives Program – due June 5
  - Planning for improved multi-modal connectivity in the Esperanza Neighborhood
  - Planning for improved pedestrian and bike connectivity for the area surrounding I-635/Skillman bridge
  - Construction of 1.2 miles of shared-use path on the 5 Mile Creek Trail from Westmoreland Rd. to S. Hampton Rd.

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SUBJECT **Update on City Activities for Federal Infrastructure Investment and Jobs Act and Inflation Reduction Act Funding**

- Safe Streets and Roads for All (SS4A) – due July 10
  - Resubmission of NCTCOG’s FY22 application for the Martin Luther King, Jr./Cedar Crest Blvd Complete Street and Safety Upgrades project. The City will be the lead applicant for the FY23 application.

### **Inflation Reduction Act Activities**

In addition to BIL, the Inflation Reduction Act of 2022 (IRA) also authorized several grant programs and tax credits the City can access to meet our climate and energy efficiency goals. Most programs funded by IRA are still in the planning stages, and Office of Government Affairs staff is actively monitoring for opportunities to comment on programs as they are being developed, and for information and guidance for grants and tax credits as they are released.

To date, the City has taken the following actions for IRA funding:

### **Planned Grant Applications**

- Climate Pollution Reduction Grants – due Spring 2023
  - Funds the development of a plan to cover the DFW Metropolitan Statistical Area (MSA). NCTCOG will be the lead applicant for the MSA, and the City will partner on the application and the development of the plan.
- USDA Forest Service Urban & Community Forestry – due June 1
  - Funds an array of forestry projects, including planning, workforce development, and enhancements to tree canopy and urban forests

We will continue to keep City Council updated as BIL and IRA programs advance in the coming months and years. If you have any questions, please contact me or Dina Colarossi, Fund Development Manager, at [dina.colarossi@dallas.gov](mailto:dina.colarossi@dallas.gov).



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Director  
Office of Government Affairs

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