AUGUST 23, 2017 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated August 23, 2017. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

T.C. Broadnax
City Manager

08/11/17
Date

M. Elizabeth Reich
Elizabeth Reich
Chief Financial Officer

8-11-17
Date

RECEIVED
2017 AUG 11 PM 6:37
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

August 23, 2017
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.

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

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

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

Rules of Courtesy

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

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

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

Información General

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

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

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

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

Reglas de Cortesía

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

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

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

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, AUGUST 23, 2017
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 - 70
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 71 - 73
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 74 - 99

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

AGENDA

CITY COUNCIL MEETING

AUGUST 23, 2017

CITY OF DALLAS

1500 MARILLA STREET

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 August 8, 2017 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a three-year service contract for the purchase of trauma kits and training - Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc., lowest responsible bidder of two - Not to exceed $427,522 - Financing: U.S. Department of Homeland Security Grant Funds

3. Authorize a three-year service contract to monitor, maintain, and repair the tunnel lights and jet fans under Klyde Warren Park - CMC Network Solutions, LLC, most advantageous proposer of two - Not to exceed $6,006,685 - Financing: Current Funds (subject to annual appropriations)

4. Authorize a three-year system and service contract, with two one-year renewal options, for web hosted certificate of insurance and payment and performance bond compliance tracking and compliance review services - Insurance Tracking Services, Inc., most advantageous proposer of three - Not to exceed $605,200 - Financing: Current Funds (subject to annual appropriations)

CONSENT AGENDA (continued)

Business Development & Procurement Services (continued)

5. Authorize a five-year service contract, with two one-year renewal options, for maintenance and support of the supervisory control and data acquisition system for Dallas Water Utilities - Prime Controls, LP, most advantageous proposer of two - Not to exceed $948,304 - Financing: Water Utilities Current Funds (subject to annual appropriations)

6. Authorize a three-year master agreement for liquid ammonia sulfate for the Eastside Water Treatment Plant - Chemtrade Chemicals US LLC, lowest responsible bidder of two - Not to exceed $2,852,820 - Financing: Water Utilities Current Funds

7. Authorize Supplemental Agreement No. 2 to exercise the second one-year renewal option to the service contract with Cellco Partnership dba Verizon Wireless and its related entities through the Department of Information Resources, State of Texas Cooperative for commercial wireless communication services and equipment - Not to exceed $3,596,410, from $13,385,429 to $16,981,839 - Financing: Current Funds (subject to annual appropriations)

City Attorney's Office

8. Authorize Supplemental Agreement No. 4 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services necessary in connection with the lawsuit styled City of Dallas v. Delta Airlines Inc. et al., Civil Action No. 3:15-V-2069-K and gate accommodations at Dallas Love Field - Not to exceed $145,000, from $380,000 to $525,000 - Financing: Aviation Current Funds

Economic Development

9. Authorize **(1)** approval of the proposed Dallas Downtown Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance (a) levying a special assessment on property in the District, for services and improvements to be provided during 2018; (b) fixing charges and liens against the property in the District and against the owners thereof; (c) providing for the collection of the 2017 assessment; (d) authorizing payment of City's 2016 assessment, 2017 assessment and all future City assessments directly to the District; and (e) providing an effective date - Financing: No cost consideration to the City

CONSENT AGENDA (continued)

Economic Development (continued)

10. Authorize **(1)** approval of the proposed Deep Ellum Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2017; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

11. Authorize **(1)** approval of the proposed Klyde Warren Park/Dallas Arts District Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

12. Authorize **(1)** approval of the proposed Knox Street Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

13. Authorize **(1)** approval of the proposed Lake Highlands Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

CONSENT AGENDA (continued)

Economic Development (continued)

14. Authorize **(1)** approval of the proposed North Lake Highlands Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

15. Authorize **(1)** approval of the proposed Oak Lawn-Hi Line Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

16. Authorize **(1)** approval of the proposed Prestonwood Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

17. Authorize **(1)** approval of the proposed South Dallas/Fair Park Public Improvement District ("District") 2018 Service Plan, establishing the South Dallas/Fair Park Public Improvement District, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

CONSENT AGENDA (continued)

Economic Development (continued)

18. Authorize **(1)** approval of the proposed South Side Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017 to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

19. Authorize **(1)** approval of the proposed Tourism Public Improvement District ("District") Service Plan for 2017-2018 Assessment Plan, and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on Dallas hotels with a 100 or more rooms, for services and improvements to be provided during 2017; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

20. Authorize **(1)** approval of the proposed Uptown Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

21. Authorize **(1)** approval of the proposed University Crossing Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

CONSENT AGENDA (continued)

Economic Development (continued)

22. Authorize **(1)** approval of the proposed Vickery Meadow Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

Equipment & Building Services

23. Authorize a professional services contract with Conley Group, Inc. for architectural and engineering services for design, construction documents and construction administration for the 2017 Water Infiltration Projects at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $875,390 - Financing: Convention Center Capital Construction Funds

24. Authorize a professional services contract with Aguirre Roden, Inc. to provide engineering design services and construction management services to upgrade the primary switchgear, uninterruptible power supply systems, electrical distribution panels, and perform an Arc Flash Study at Dallas City Hall located at 1500 Marilla Street - Not to exceed $320,000 - Financing: 2006 Bond Funds

Housing & Neighborhood Revitalization

25. Authorize **(1)** renewal of the grant agreement between the City of Dallas and Bridge Steps through a grant from the Health and Human Services Commission Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Bridge Steps in an amount not to exceed $504,201; and **(2)** execution of the grant agreement - Not to exceed $504,201 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization (continued)

26. Authorize **(1)** renewal of a grant agreement between the City of Dallas and CitySquare through a grant from the Health and Human Services Commission for the Health Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $491,598 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from CitySquare in an amount not to exceed $491,598; and **(2)** execution of the grant agreement - Not to exceed $491,598 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

27. Authorize **(1)** renewal of the grant agreement between the City of Dallas and Shelter Ministries of Dallas dba Austin Street Center through a grant from the Health and Human Services Commission for the Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide emergency shelter, and a wide range of supportive services to homeless men and women to address their needs and assist them to transition out of homelessness for homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Shelter Ministries of Dallas dba Austin Street Center in an amount not to exceed $504,201; and **(2)** execution of the grant agreement - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

28. Authorize the first twelve-month renewal option to the contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $585,674 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($580,837) and Current Funds ($4,837) (subject to appropriations)

29. Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $273,108 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($270,471) and Current Funds ($2,637) (subject to appropriations)

30. Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $151,012 - Financing: 2016-17 Housing Opportunities for Persons with AIDS Grant Funds ($24,000), 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($123,575) and Current Funds ($3,437) (subject to appropriations)

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization (continued)

31. Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide master leasing and emergency vouchers for homeless persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $469,579 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($464,105) and Current Funds ($5,474) (subject to appropriations)

32. Authorize the first twelve-month renewal option to the contract with My Second Chance, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $183,598 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($180,961) and Current Funds ($2,637) (subject to appropriations)

33. Authorize the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $1,231,723 - Financing: 2016-17 Housing Opportunities for Persons with AIDS Grant Funds ($569,120), 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($651,655) and Current Funds ($10,948) (subject to appropriations)

34. Authorize an amendment to Resolution No. 16-1189, previously approved on August 10, 2016, with Builders of Hope CDC for the Creekside project to **(1)** decrease the number of units from 10 to 9 units; **(2)** decrease the amount by ($22,500), from $225,000 to $202,500; and **(3)** extend the loan agreement from May 31, 2017 to May 31, 2018 - Financing: No cost consideration to the City

Intergovernmental Services

35. Authorize approval of the Dallas Fort Worth International Airport Board FY 2018 Proposed Budget - Financing: No cost consideration to the City

36. Approval of the Fifty-Second Supplemental Concurrent Bond Ordinance authorizing the issuance of the Dallas Fort Worth International Airport Joint Revenue Bonds, subject to certain parameters - Financing: No cost consideration to the City

Mobility and Street Services

*__Note__: Item Nos. 37 and 38 must be considered collectively.

West Davis Street

37. * Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation in the design and construction of sidewalk enhancements and paving improvements for West Davis Street from North Clinton Avenue to Cedar Hill Avenue; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $840,000 for Dallas County's share of the project costs; and **(3)** an increase in appropriations in an amount not to exceed $840,000 in the Capital Projects Reimbursement Fund - Not to exceed $840,000 - Financing: Capital Projects Reimbursement Funds

CONSENT AGENDA (continued)

Mobility and Street Services (continued)

*__Note__: Item Nos. 37 and 38 must be considered collectively.

West Davis Street

38. * Authorize **(1)** a Funding Agreement with Dallas County for a study to evaluate the West Davis Street corridor's transportation needs from Cockrell Hill Road to East Seventh Street and preliminary design of Complete Street improvements; and **(2)** payment to Dallas County for the City's share of study cost - Not to exceed $300,000 - Financing: 2006 Bond Funds

39. Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for the U. S. Department of Transportation - Federal Highway Administration 2016 Highway Safety Improvement Program Grant in an amount not to exceed $2,141,058 to design, upgrade, and construct six traffic signals and associated off-system intersection improvements at the Dallas North Tollway (Inwood Road) and Harvest Hill Road, Campbell Road and Hillcrest Road, Lemmon Avenue and Douglas Avenue, Lemmon Avenue and Airdrome Drive, Harry Hines Boulevard and Moody Street, and Lemmon Avenue and Welborn Street; **(2)** a required local match in an amount not to exceed $207,616 to be issued as a warrant check for State construction costs and other State direct costs; and **(3)** an additional required local match identified for design of the traffic signals in an amount not to exceed $143,912, previously approved on June 14, 2017, by Resolution No. 17-0931 - Total not to exceed $2,141,058 - Financing: Texas Department of Transportation Grant Funds ($1,789,531) and Current Funds ($207,616)

40. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the U. S. Department of Transportation Federal Highway Administration for the Highway Safety Improvement Program (HSIP) to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following seven off-system locations: Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; **(2)** the receipt and deposit of funds in an amount not to exceed $145,693 in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund; and **(3)** the establishment of appropriations in an amount not to exceed $145,693 in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund - Not to exceed $145,693 - Financing: Texas Department of Transportation Grant Funds

41. Authorize a contract with Pavecon Public Works, L.P., lowest responsible bidder of six, for the construction of street paving, storm drainage, water and wastewater main improvements for Wheatland Road Phase 1B project from 1,745 feet east of the Dallas city limit to the city limit line - Not to exceed $3,885,799 - Financing: 2012 Bond Funds ($3,670,093), Water Utilities Capital Improvement Funds ($111,747) and Water Utilities Capital Construction Funds ($103,959)

CONSENT AGENDA (continued)

Mobility and Street Services (continued)

42. Authorize **(1)** the receipt and deposit of funds in an amount not to exceed $23,204 from Ainbinder Northwest Highway, LLC for certain material, equipment, and labor costs associated with the construction of a new traffic signal at the intersection of Northwest Highway (State Highway Loop 12) and Quality Lane; and **(2)** an increase in appropriations in an amount not to exceed $23,204 in the Capital Projects Reimbursement Fund - Not to exceed $23,204 - Financing: Capital Projects Reimbursement Funds

43. Authorize an increase to the construction services contract with Rebcon, Inc. for additional construction costs associated with design modifications and other miscellaneous items needed to complete the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street Project - Not to exceed $532,701, from $11,632,296 to $12,164,997 - Financing: 2006 Bond Funds ($231,968) and General Obligation Commercial Paper Funds ($300,733)

Office of Environmental Quality

44. Authorize the **(1)** acceptance of a grant from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $28,054 to operate the ambient air monitoring station in Rockwall County for the period September 1, 2017 through August 31, 2018; **(2)** receipt and deposit of funds in an amount not to exceed $28,054 from TCEQ in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $28,054 in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund; and **(4)** execution of the fourth amendment to the contract with TCEQ (Contract No. 582-15-50031) for the Rockwall Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $28,054, from $84,159 to $112,213 - Financing: Texas Commission on Environmental Quality Grant Funds

45. Authorize the **(1)** acceptance of a grant from the U.S. Environmental Protection Agency passed through the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $67,587; **(2)** receipt and deposit of funds in an amount not to exceed $67,587 from TCEQ in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $67,587 in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund; and **(4)** execution of the fourth amendment to the contract with TCEQ (Contract No. 582-15-50039) for the Texas PM 2.5 Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $67,587, from $202,760 to $270,347 - Financing: Texas Commission on Environmental Quality Grant Funds

CONSENT AGENDA (continued)

Office of Environmental Quality (continued)

46. Authorize the **(1)** acceptance of a grant from the U.S. Environmental Protection Agency passed through Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $367,790 to monitor air sampling sites at six locations across the City for the period September 1, 2017 through August 31, 2018; **(2)** receipt and deposit of funds in an amount to exceed $367,790 from TCEQ in the TCEQ 17-19 Ambient Air Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $367,790 in the TCEQ 17-19 Ambient Air Monitoring Program Fund; **(4)** required local match in an amount not to exceed $181,151 over the two-year period; and **(5)** execution of a contract with TCEQ (Contract No. 582-18-80089) for the Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2019 - Not to exceed $548,941 - Financing: Texas Commission on Environmental Quality Grant Funds ($367,790) and Current Funds ($181,151) (subject to annual appropriations)

47. Authorize the **(1)** acceptance of reimbursement funds from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $475,000 to conduct the Whole Air Monitoring Program for the period September 1, 2017 to August 31, 2018; **(2)** receipt and deposit of funds in an amount not to exceed $475,000 from TCEQ in the TCEQ 17-18 Whole Air Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $475,000 in the TCEQ 17-18 Whole Air Monitoring Program Fund; and **(4)** execution of the second amendment to the contract with TCEQ (Contract No. 582-16-60016) for the Whole Air Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $475,000, from $961,132 to $1,436,132 - Financing: Texas Commission on Environmental Quality Grant Funds

48. Authorize the **(1)** acceptance of a grant from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $525,117 to continue the Air Pollution Compliance Program to provide investigation services and complaint response within the City of Dallas for the period September 1, 2017 to August 31, 2018; **(2)** receipt and deposit of funds in an amount not to exceed $525,117 from TCEQ in the TCEQ 17-18 Air Pollution Compliance Program Fund; **(3)** establishment of appropriations in an amount not to exceed $525,117 in the TCEQ 17-18 Air Pollution Compliance Program Fund; **(4)** required local match in an amount not to exceed $258,640; and **(5)** execution of the third amendment to the contract with TCEQ (Contract No. 582-15-50121) for the Air Pollution Compliance Program for the period September 1, 2017 to August 31, 2018 - Not to exceed $783,757, from $2,351,271 to $3,135,028 - Financing: Texas Commission on Environmental Quality Grant Funds ($525,117) and Current Funds ($258,640) (subject to annual appropriations)

CONSENT AGENDA (continued)

Office of Financial Services

49. Ordinances amending Ordinance No. 30178 (FY 2016-17 Operating Budget Appropriation Ordinance) and Ordinance No. 30179 (FY 2016-17 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2016-17 for public improvements and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City

Park & Recreation

50. Authorize a service contract for the purchase and installation of Musco Sports Lighting, LLC's Control Link System which will provide an automated athletic field lighting system at Samuell Grand Park located at 6200 East Grand Avenue, Samuell Garland Park located at 12200 Garland Road, and Crawford Park located at 8700 Elam Road and integrate with the Department's RecTrac Reservation System from Musco Sports Lighting, LLC through The Texas Association of School Boards - Not to exceed $83,320 - Financing: Samuell Park Expendable Funds

51. Authorize a professional services contract with Alliance Geotechnical Group, Inc. for engineering inspection and testing services of three regional family aquatic centers at Crawford Memorial Park located at 8700 Elam Road; Fretz Park located at 6994 Belt Line Road; and Samuell Grand Park located at 6200 East Grand Avenue - Not to exceed $149,330 - Financing: Elgin B. Robertson Land Sale Funds

52. Authorize an increase in the construction services contract with The Fain Group, Inc. to add increased scope of work associated with the Bachman Lake Park - Loop Trail Renovation Phase III, located between the 2800 to 3600 Block of Shorecrest Drive - Not to exceed $298,854, from $2,138,524 to $2,437,378 - Financing: 2012 Bond Funds ($199,534) and General Obligation Commercial Paper Funds ($99,320)

53. Authorize a public hearing to be held on September 13, 2017, to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with state law - Financing: No cost consideration to the City

Police

54. Authorize a Memorandum of Understanding with the Highland Park Independent School District, by and through its Police Department to define duties and obligations involved with the coordination of law enforcement efforts within jurisdiction boundaries - Financing: No cost consideration to the City

CONSENT AGENDA (continued)

Police (continued)

55. Authorize the **(1)** application for and acceptance of the Texas School Safety Center 2017/2018 Tobacco Enforcement Grant in the amount of $65,025 from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2017 through August 31, 2018; **(2)** receipt and deposit of grant funds in an amount not to exceed $65,025 in the Tobacco Enforcement Program Grant Fund; **(3)** establishment of appropriations in an amount not to exceed $65,025 in the Tobacco Enforcement Program Grant Fund; and **(4)** execution of the grant agreement - Not to exceed $65,025 - Financing: Texas School Safety Center Tobacco Compliance Grant Funds

56. Authorize **(1)** the renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training; **(2)** the receipt and deposit of funds from El Centro College of the Dallas County Community College District; and **(3)** an increase in appropriations in an amount not to exceed $550,548 in the Texas Higher Education Coordinating Board Fund for the two-year period September 1, 2017 through August 31, 2019 - Not to exceed $550,548 - Financing: Texas Higher Education Coordinating Board Funds

Sustainable Development and Construction

57. Authorize acquisition from Francisco Herrera and Bertha Herrera, of approximately 47,974 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $33,500 ($30,642, plus closing costs and title expenses not to exceed $2,858) - Financing: Water Utilities Capital Construction Funds

58. Authorize acquisition from Mary E. Langford, of approximately 23,333 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $76,000 ($73,136, plus closing costs and title expenses not to exceed $2,864) - Financing: Water Utilities Capital Construction Funds

59. Authorize acquisition from Sandra Marie Nicodemus Witt, of approximately 23,829 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $143,000 ($140,036, plus closing costs and title expenses not to exceed $2,964) - Financing: Water Utilities Capital Construction Funds

60. Authorize acquisition from Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch and Michael Brewer Pringle, of approximately 92,191 square feet of land located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $72,000 ($68,831, plus closing costs and title expenses not to exceed $3,169) - Financing: Water Utilities Capital Construction Funds

CONSENT AGENDA (continued)

Sustainable Development and Construction (continued)

61. Authorize **(1)** the quitclaim of 71 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and **(2)** the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgement (list attached) - Estimated Revenue: $259,000

62. An ordinance granting a private license to Butler Brother Hospitality Group, LLC for the use of approximately 300 square feet of land to install, maintain, and utilize nineteen tree wells, on a portion of Ervay and Marilla Streets rights-of-way, near its intersection with Marilla Street - Revenue: $200 one-time fee, plus the $20 ordinance publication fee

63. An ordinance granting a private license to Elm at Stoneplace Holdings, LLC for the use of approximately 34 square feet of aerial space to install, maintain, and utilize 12 canopies without premise signs, over and above a portion of Main Street right-of-way, near its intersection with Elm Street - Revenue: $1,200 one-time fee, plus the $20 ordinance publication fee

64. An ordinance abandoning a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner, containing approximately 17,700 square feet of land, located near the intersection of Haskell Avenue and Bird Street; and authorizing the quitclaim and providing for the dedication of approximately 17,700 square feet of land needed for a wastewater easement - Revenue: $212,400, plus the $20 ordinance publication fee

65. An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: $5,400, plus the $20 ordinance publication fee

66. An ordinance abandoning a water easement and a utility and access easement to 5033 Lemmon Limited Partnership, the abutting owner, containing a total of approximately 17,368 square feet of land, located near the intersection of Lemmon Avenue and Mahanna Street and authorizing the quitclaim; and providing for the dedication of approximately 26,370 square feet of land needed for right-of-way - Revenue: $10,800, plus the $20 ordinance publication fee

67. An ordinance abandoning two utility and access easements to Preston Hollow Place Property Owner, L.P., the abutting owner, containing a total of approximately 37,959 square feet of land, located near the intersection of Preston Road and Northwest Highway - Revenue: $5,400, plus the $20 ordinance publication fee

CONSENT AGENDA (continued)

Trinity Watershed Management

68. Authorize Supplemental Agreement No. 8 to the professional services contract with Halff Associates, Inc. for additional professional services for technical support in preparation for the Federal Emergency Management Agency Community Rating System 2017 Recertification Cycle Visit - Not to exceed $150,000, from $1,668,789 to $1,818,789 - Financing: Stormwater Drainage Management Current Funds

Water Utilities

69. Authorize an increase in the construction services contract with Webber, LLC for additional work associated with the improvements to the Walcrest Pump Station and reservoir - Not to exceed $558,605, from $36,850,500 to $37,409,105 - Financing: Water Utilities Capital Improvement Funds

70. Authorize an increase in the twenty-four month service contract with NPL Construction Co. for additional paving and infrastructure repairs at various locations throughout the City to extend the term of the service contract by twelve months from September 2017 to September 2018 - Not to exceed $3,760,532, from $57,449,171 to $61,209,703 - Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

71. 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

72. Authorize **(1)** an acquisition contract for the purchase and implementation of an Advanced Traffic Management System (ATMS) for Mobility and Street Services in the amount of $6,352,990; and **(2)** a five-year service contract, with a five-year renewal option, for maintenance and support of the ATMS in the amount of $3,523,538 - Ericsson, Inc., most advantageous proposer of five - Total not to exceed $9,876,528 - Financing: Texas Department of Transportation Grant Funds ($5,744,477), General Obligation Commercial Paper Funds ($2,007,091), 2006 Bond Funds ($1,252,000), and 2003 Bond Funds ($872,960)

ITEMS FOR FURTHER CONSIDERATION

Park & Recreation

73. Authorize an increase in the contract with Northstar Construction, LLC to add increased scope of work associated with the Runyon Creek Trail located between Glendale Park to the new Singing Hills Recreation Center - Not to exceed $213,626, from $2,354,100 to $2,567,726 - Financing: General Obligation Commercial Paper Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

74. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1601 for a commercial amusement (inside) use, limited to a Class A dance hall, on property zoned a CS Commercial Service District, on the west corner of East Grand Avenue and South St. Mary Avenue
Recommendation of Staff and CPC: Approval for a three-year period, subject to a site plan and conditions
Z156-260(SM)

75. A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking on property zoned an MF-2(A) Multifamily District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive
Recommendation of Staff and CPC: Approval for an IR Industrial Research District and approval of a Specific Use Permit for a commercial motor vehicle parking for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z167-137(WE)

76. A public hearing to receive comments regarding an application for and an ordinance granting CS Commercial Services District on property zoned an A(A) Agricultural District, south of Telephone Road, east of Travis Trail
Recommendation of Staff: Approval
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-243(KK)

77. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking on property zoned an IR Industrial Research District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z167-269(WE)

78. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school use, on property zoned an R-7.5(A) Single Family District and a CR Community Retail District, in an area bounded by Paducah Avenue to the north, South Lancaster Road to the east, Ann Arbor Avenue to the south, and South Denley Drive to the west
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions
Z167-295(JM)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - CONSENT (continued)

79. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 1 within Planned Development District No. 740, on the southeast corner of North Central Expressway and East Mockingbird Lane
Recommendation of Staff and CPC: Approval, subject to revised development plan and conditions
Z167-301(KK)

80. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1691 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, east of Ash Lane
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z167-302(JM)

81. A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval
Z167-304(PD)

82. A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval
Z167-305(PD)

83. A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a new subdistrict for mixed uses; and **(2)** an ordinance granting a Specific Use Permit for an alcoholic beverage manufacturing use on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the southwest corner of Powell Street and Sulphur Street, and the southeast corner of Powell Street and Haslett Street
Recommendation of Staff and CPC: Approval of a new subdistrict, subject to a revised development plan and conditions; and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions
Z167-315(JM)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - INDIVIDUAL

84. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z145-300(SH)

85. A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and an ordinance granting a Specific Use Permit for an industrial (inside) potentially incompatible use limited to the manufacture, blending, and packaging of chemicals on property zoned an IR Industrial Research District on the southwest corner of Grissom Lane and Rodney Lane
Recommendation of Staff: Approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for an industrial (inside) potentially incompatible use for the manufacture, blending, and packaging of chemicals for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for an industrial (inside) potentially incompatible use for the manufacture, blending, and packaging of chemicals for a five-year period with eligibility for automatic renewal for one additional five-year periods, subject to a site plan and conditions
Z167-136(SM)

86. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z167-190(SM)

87. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, on the south side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-266(KK)

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

88. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the southwest corner of Great Trinity Forest Way and North Jim Miller Road
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Recommendation of CPC: Approval for a three-year period, subject to conditions
Z156-310(OTH)
Note: This item was considered by the City Council at public hearings on January 11, 2017, February 8, 2017, February 22, 2017, March 22, 2017, May 24, 2017 and June 28, 2017, and was held under advisement until August 23, 2017, with the public hearing open

89. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z156-323(JM)
Note: This item was considered by the City Council at public hearings on April 12, 2017, May 24, 2017 and June 28, 2017, and was deferred until August 23, 2017, with the public hearing open

90. A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-212(OTH)
Note: This item was considered by the City Council at a public hearing on June 28, 2017, and was deferred until August 23, 2017, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (continued)

91. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Specific Use Permit No. 80 for a Salvation Army Community Center on property zoned an R-7.5(A) Single Family District, on the north line of Elam Road, west of Holcomb Road
Recommendation of Staff and CPC: Approval, subject to a revised site plan
Z167-232(SM)
Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 23, 2017, with the public hearing open

92. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a Subdistrict to allow a foster care use on property zoned Planned Development District No. 764, the Second Avenue Special Purpose District, on the east corner of Second Avenue and Reed Lane
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to conditions
Z167-245(PD)
Note: This item was considered by the City Council at a public hearing on June 28, 2017, and was held under advisement until August 23, 2017, with the public hearing open

93. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an MF-2(A) Multifamily District on the north side of John West Road, west of La Prada Drive
Recommendation of Staff and CPC: Approval
Z167-249(OTH)
Note: This item was considered by the City Council at a public hearing on June 28, 2017, and was deferred until August 23, 2017, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

MISCELLANEOUS HEARINGS

Mobility and Street Services

94. A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristics of **(1)** Lamar Street from Elm Street to Main Street from a southbound three-lane roadway and a northbound three-lane roadway in 78 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 78 feet of right-of-way and 48 feet of pavement and loading zone on the west side; **(2)** Lamar Street from Main Street to Wood Street from a southbound three-lane roadway and a northbound three-lane roadway in 86-100 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 80 feet of right-of-way and 60 feet of pavement and parking on both east and west sides; and **(3)** Lamar Street from Wood Street to Young Street from a southbound three-lane roadway and a northbound three-lane roadway in 86-100 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 80 feet of right-of-way and 50 feet of pavement and parking on the east side, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

Office of Environmental Quality

95. A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by CRP/Maple Ross Arts II Owner, L.P., located near the intersection of Ross Avenue and North Haskell Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to AR2 Apartments, L.L.C., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

96. A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by Jon Roy Reid, Trinity Floor Company, Inc., 123 East Oregon Joint Venture, Trinity Hardwood Distributors, Inc., Jon Roy Reid and Sheila Hromadka, located near the intersection of North Beckley Avenue and Oregon Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to Flournoy Texas Holdings, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

MISCELLANEOUS HEARINGS (continued)

Office of Environmental Quality (continued)

97. A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by Live Oak Texas Partners LLC, located near the intersection of Live Oak Street and Texas Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to Live Oak Texas Partners, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Office of Financial Services

98. A public hearing to receive comments on the proposed FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

Sustainable Development and Construction

99. 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 mixed beverages permit (Chapter 28) for a restaurant without drive-in or drive-through service with a food and beverage certificate [Asian Mint Inwood Village, LLC dba Asian Mint] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV167-003 - Financing: No cost consideration to the City

Tax Foreclosed and Seizure Warrant Property Resales

Agenda Item # 61

Parcel No.	Address	Vac/ Imp	Council District	Zoning	Parcel Size	Struck off Amount	DCAD
1	917 E. 12th	V	4	CS	.0732	$4,790.00	$4,790.00
2	2671 E. Ann Arbor	V	4	CA-1(A)	.1560	$9,192.00	$7,000.00
3	3943 Atlanta	V	7	PD-595	.0655	$6,000.00	$6,000.00
4	3019 Beauchamp	V	4	R-7.5(A)	.1829	$20,140.00	$10,000.00
5	2830 Benrock	V	8	R-5(A)	.2928	$4,000.00	$5,500.00
6	3707 Bernal	I	6	R-5(A)	.1749	$71,020.00	$71,020.00
7	4151 Biglow	V	4	R-7.5(A)	.4126	$8,750.00	$8,750.00
8	5643 Bon Air	V	8	R-7.5(A)	.2788	$9,009.00	$12,000.00
9	3515 Britt	V	3	R-7.5(A)	.2707	$28,331.00	$18,410.00
10	4205 Cardinal	V	4	R-7.5(A)	.1656	$2,494.00	$6,900.00
11	3878 Castle Hills	V	8	R-7.5(A)	.2121	$20,472.00	$12,000.00
12	402 Cleaves	V	4	R-5(A)	.0921	$1,732.00	$7,500.00
13	3228 Cleveland	V	7	PD-595	.1549	$5,850.00	$16,880.00
14	3529 Cleveland	V	7	PD-595	.1922	$6,856.00	$20,940.00
15	1307 Coleman	I	7	PD-595	.1671	$22,920.00	$22,920.00
16	4215 Colonial	V	7	PD-595	.1721	$6,750.00	$6,750.00
17	952 S. Corinth	V	4	CR	.3156	$13,760.00	$13,760.00
18	4325 Crozier	V	7	PD-595	.1508	$22,840.00	$22,840.00
19	3049 Dorris	V	7	D(A)	.1376	$980.00	$1,000.00
20	411 N. Dwight	V	6	R-7.5(A)	.2074	$34,750.00	$12,500.00
21	4166 Easter	V	4	R-7.5(A)	.1116	$6,900.00	$6,900.00
22	1636 Elsie Faye Heggins	I	7	PD-595	.1205	$25,880.00	$25,880.00
23	2310 Exeter	V	4	R-7.5(A)	.1405	$6,900.00	$6,900.00
24	2722 Exline	V	7	PD-595	.1857	$1,596.00	$6,000.00
25	1410 Fayette	V	4	R-5(A)	.2376	$9,551.00	$7,500.00
26	2919 Fordham	V	4	CR	.1870	$7,990.00	$8,150.00
27	2739 Frazier	V	7	PD-595	.0994	$5,000.00	$5,000.00
28	2403 Garden	V	7	R-5(A)	.1230	$1,562.00	$2,750.00
29	14247 Greenhaw	V	8	R-7.5(A)	.1320	$10,195.00	$15,000.00
30	1339 Hendricks	V	4	R-5(A)	.1623	$9,069.00	$11,500.00
31	515 High	V	4	R-5(A)	.1801	$9,500.00	$9,500.00
32	3221 Holmes	V	7	PD-595	.1532	$10,020.00	$10,020.00
33	2623 Hooper	V	7	R-5(A)	.1046	$4,559.32	$4,000.00
34	2126 Hulse	I	4	R-7.5(A)	.1645	$42,930.00	$29,441.78
35	3603 Humphrey	V	4	R-5(A)	.2747	$11,500.00	$11,500.00
36	4111 Jamaica	I	7	PD-595	.1386	$18,800.00	$29,130.00
37	2513 Jeffries	V	7	PD 363	.3442	$7,500.00	$7,500.00
38	2501 Jeffries	V	7	PD 363	.1721	$3,750.00	$3,750.00
39	2525 Jeffries	V	7	PD-363	.4476	$11,564.23	$9,760.00
40	12239 Kleberg	V	8	R-7.5(A)	1.7590	$21,110.00	$21,110.00
41	7422 S. Lancaster	V	8	R-7.5(A)	.2772	$15,409.00	$18,500.00
42	3550 S. Ledbetter	V	3	MF-2(A)	1.2100	$15,130.00	$15,130.00
43	374 Legacy	V	5	R-5(A)	.1385	$44,186.00	$9,000.00
44	1417 Lenway	V	7	PD-595	.1686	$5,637.00	$18,380.00
45	3718 S. Malcolm X	I	7	PD-595	.1262	$26,050.00	$26,050.00
46	4511 Meek	V	7	CS	.6899	$9,857.34	$2,000.00
47	3610 Metropolitan	V	7	PD-595	.1396	$16,706.00	$5,000.00
48	2319 Metropolitan	V	7	PD-595	.1487	$18,910.00	$6,000.00
49	2826 Mojave	I	8	R-7.5(A)	.4622	$56,530.00	$54,460.00
50	937 Muncie	I	6	TH-3(A)	.1147	$12,017.19	$44,050.00
51	2840 Oakdale	V	7	PD-595	.1192	$4,000.00	$4,000.00
52	1238 Ohio	V	4	R-7.5(A)	.3433	$11,000.00	$11,000.00
53	6500 Palm Island	V	8	R-5(A)	1.4680	$12,750.00	$15,000.00
54	2528 Peabody	V	7	PD-595	.1477	$6,000.00	$6,000.00

Tax Foreclosed and Seizure Warrant Property Resales

Agenda Item # 61 (continued)

Parcel No.	Address	Vac/ Imp	Council District	Zoning	Parcel Size	Struck off Amount	DCAD
55	2601 Peabody	V	7	PD-595	.0477	$17,613.00	$6,000.00
56	2839 Peary	V	7	PD-595	.0781	$10,670.00	$3,200.00
57	3906 Pine	V	7	PS-595	.1249	$1,228.00	5,000.00
58	623 Rayenell	V	5	R-7.5(A)	.1787	$15,000.00	$15,000.00
59	3606 Reese	I	7	PD-595	.1663	$30,900.00	$30,900.00
60	2117 Seevers	V	4	R-7.5(A)	.1736	$33,050.00	$82,720.00
61	3808 State Oak	I	8	R-5(A)	.1598	$15,000.00	$35,110.00
62	1311 Strikland	V	4	R-5(A)	.1695	$19,369.00	$11,500.00
63	2434 Tallyho	V	6	R-5(A)	.1721	$10,158.00	$12,000.00
64	2636 Tanner	V	7	R-5(A)	.1147	$3,900.00	$6,000.00
65	3811 Tioga	V	8	R-5(A)	.2369	$16,841.00	$9,000.00
66	6118 Tracy	V	8	R-5(A)	.2834	$9,366.00	$11,000.00
67	1415 Waco	V	4	R-5(A)	.1341	$11,500.00	$11,153.60
68	2631 Wilhurt	V	4	R-7.5(A)	.1632	$6,900.00	$6,900.00
69	3512 Wilhurt	V	4	R-7.5(A)	.4612	$12,000.00	$12,000.00
70	4278 Wilshire	I	8	R-5(A)	.1627	$31,930.00	$15,470.00
71	1531 E. Woodin	V	4	R-7.5(A)	.1814	$11,500.00	$11,500.00

EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the August 8, 2017 City Council Meeting
2			All	C	PBD, OEM	GT	0.00%	0.00%	Authorize a three-year service contract for the purchase of trauma kits and training - Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc., lowest responsible bidder of two - Not to exceed $427,522 - Financing: U.S. Department of Homeland Security Grant Funds
3			14	C	PBD, STS	$6,006,685.00	29.15%	19.63%	Authorize a three-year service contract to monitor, maintain, and repair the tunnel lights and jet fans under Klyde Warren Park - CMC Network Solutions, LLC, most advantageous proposer of two - Not to exceed $6,006,685 - Financing: Current Funds (subject to annual appropriations)
4			All	C	PBD, ORM	$605,200.00	0.00%	0.00%	Authorize a three-year system and service contract, with two one-year renewal options, for web hosted certificate of insurance and payment and performance bond compliance tracking and compliance review services - Insurance Tracking Services, Inc., most advantageous proposer of three - Not to exceed $605,200 - Financing: Current Funds (subject to annual appropriations)
5			All	C	PBD, CIS, WTR	$948,304.00	0.00%	0.00%	Authorize a five-year service contract, with two one-year renewal options, for maintenance and support of the supervisory control and data acquisition system for Dallas Water Utilities - Prime Controls, LP, most advantageous proposer of two - Not to exceed $948,304 - Financing: Water Utilities Current Funds (subject to annual appropriations)
6			Outside	C	PBD, WTR	$2,852,820.00	0.00%	0.00%	Authorize a three-year master agreement for liquid ammonia sulfate for the Eastside Water Treatment Plant - Chemtrade Chemicals US LLC, lowest responsible bidder of two - Not to exceed $2,852,820 - Financing: Water Utilities Current Funds
7			All	C	PBD, CIS	$3,596,409.72	0.00%	0.00%	Authorize Supplemental Agreement No. 2 to exercise the second one-year renewal option to the service contract with Cellco Partnership dba Verizon Wireless and its related entities through the Department of Information Resources, State of Texas Cooperative for commercial wireless communication services and equipment - Not to exceed $3,596,410, from $13,385,429 to $16,981,839 - Financing: Current Funds (subject to annual appropriations)
8			N/A	C	ATT, AVI	$145,000.00	NA	NA	Authorize Supplemental Agreement No. 4 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services necessary in connection with the lawsuit styled City of Dallas v. Delta Airlines Inc. et al., Civil Action No. 3:15-V-2069-K and gate accommodations at Dallas Love Field - Not to exceed $145,000, from $380,000 to $525,000 - Financing: Aviation Current Funds
9			2, 14	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Dallas Downtown Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance (a) levying a special assessment on property in the District, for services and improvements to be provided during 2018; (b) fixing charges and liens against the property in the District and against the owners thereof; (c) providing for the collection of the 2017 assessment; (d) authorizing payment of City's 2016 assessment, 2017 assessment and all future City assessments directly to the District; and (e) providing an effective date - Financing: No cost consideration to the City
10			2, 7, 14	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Deep Ellum Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2017; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
11			14	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Klyde Warren Park/Dallas Arts District Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
12			14	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Knox Street Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
13			9, 10, 13	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Lake Highlands Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
14			10	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed North Lake Highlands Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
15			6	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Oak Lawn-Hi Line Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
16			12	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Prestonwood Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
17			2, 7	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed South Dallas/Fair Park Public Improvement District ("District") 2018 Service Plan, establishing the South Dallas/Fair Park Public Improvement District, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
18			2	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed South Side Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017 to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
19			2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Tourism Public Improvement District ("District") Service Plan for 2017-2018 Assessment Plan, and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on Dallas hotels with a 100 or more rooms, for services and improvements to be provided during 2017; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
20			14	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Uptown Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
21			14	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed University Crossing Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
22			13	C	ECO	NC	NA	NA	Authorize (1) approval of the proposed Vickery Meadow Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; (2) a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City
23			10	C	EBS, CES	$875,390.00	92.95%	33.94%	Authorize a professional services contract with Conley Group, Inc. for architectural and engineering services for design, construction documents and construction administration for the 2017 Water Infiltration Projects at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $875,390 - Financing: Convention Center Capital Construction Funds
24			2	C	EBS	$320,000.00	100.00%	100.00%	Authorize a professional services contract with Aguirre Roden, Inc. to provide engineering design services and construction management services to upgrade the primary switchgear, uninterruptible power supply systems, electrical distribution panels, and perform an Arc Flash Study at Dallas City Hall located at 1500 Marilla Street - Not to exceed $320,000 - Financing: 2006 Bond Funds
25			All	C	HOU	GT	NA	NA	Authorize (1) renewal of the grant agreement between the City of Dallas and Bridge Steps through a grant from the Health and Human Services Commission Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Bridge Steps in an amount not to exceed $504,201; and (2) execution of the grant agreement - Not to exceed $504,201 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
26			All	C	HOU	GT	NA	NA	Authorize (1) renewal of a grant agreement between the City of Dallas and CitySquare through a grant from the Health and Human Services Commission for the Health Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $491,598 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from CitySquare in an amount not to exceed $491,598; and (2) execution of the grant agreement - Not to exceed $491,598 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds
27			All	C	HOU	GT	NA	NA	Authorize (1) renewal of the grant agreement between the City of Dallas and Shelter Ministries of Dallas dba Austin Street Center through a grant from the Health and Human Services Commission for the Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide emergency shelter, and a wide range of supportive services to homeless men and women to address their needs and assist them to transition out of homelessness for homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Shelter Ministries of Dallas dba Austin Street Center in an amount not to exceed $504,201; and (2) execution of the grant agreement - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds
28			All	C	HOU	$4,837.00	NA	NA	Authorize the first twelve-month renewal option to the contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $585,674 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($580,837) and Current Funds ($4,837) (subject to appropriations)
29			All	C	HOU	$2,637.00	NA	NA	Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $273,108 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($270,471) and Current Funds ($2,637) (subject to appropriations)
30			All	C	HOU	$3,437.00	NA	NA	Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $151,012 - Financing: 2016-17 Housing Opportunities for Persons with AIDS Grant Funds ($24,000), 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($123,575) and Current Funds ($3,437) (subject to appropriations)
31			All	C	HOU	$5,474.00	NA	NA	Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide master leasing and emergency vouchers for homeless persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $469,579 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($464,105) and Current Funds ($5,474) (subject to appropriations)
32			All	C	HOU	$2,637.00	NA	NA	Authorize the first twelve-month renewal option to the contract with My Second Chance, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $183,598 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($180,961) and Current Funds ($2,637) (subject to appropriations)
33			All	C	HOU	$10,948.00	NA	NA	Authorize the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $1,231,723 - Financing: 2016-17 Housing Opportunities for Persons with AIDS Grant Funds ($569,120), 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($651,655) and Current Funds ($10,948) (subject to appropriations)
34			8	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 16-1189, previously approved on August 10, 2016, with Builders of Hope CDC for the Creekside project to (1) decrease the number of units from 10 to 9 units; (2) decrease the amount by ($22,500), from $225,000 to $202,500; and (3) extend the loan agreement from May 31, 2017 to May 31, 2018 - Financing: No cost consideration to the City
35			Outside	C	IGS	NC	NA	NA	Authorize approval of the Dallas Fort Worth International Airport Board FY 2018 Proposed Budget - Financing: No cost consideration to the City

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
36			Outside	C	IGS	NC	NA	NA	Approval of the Fifty-Second Supplemental Concurrent Bond Ordinance authorizing the issuance of the Dallas Fort Worth International Airport Joint Revenue Bonds, subject to certain parameters - Financing: No cost consideration to the City
37			1, 3	C	STS	GT	NA	NA	West Davis Street: Authorize (1) a Project Specific Agreement with Dallas County for funding participation in the design and construction of sidewalk enhancements and paving improvements for West Davis Street from North Clinton Avenue to Cedar Hill Avenue; (2) the receipt and deposit of funds from Dallas County in an amount not to exceed $840,000 for Dallas County's share of the project costs; and (3) an increase in appropriations in an amount not to exceed $840,000 in the Capital Projects Reimbursement Fund - Not to exceed $840,000 - Financing: Capital Projects Reimbursement Funds
38			1, 3	C	STS	$300,000.00	NA	NA	West Davis Street: Authorize (1) a Funding Agreement with Dallas County for a study to evaluate the West Davis Street corridor's transportation needs from Cockrell Hill Road to East Seventh Street and preliminary design of Complete Street improvements; and (2) payment to Dallas County for the City's share of study cost - Not to exceed $300,000 - Financing: 2006 Bond Funds
39			2, 12, 13, 14	C	STS	$207,615.44	NA	NA	Authorize (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation for the U. S. Department of Transportation - Federal Highway Administration 2016 Highway Safety Improvement Program Grant in an amount not to exceed $2,141,058 to design, upgrade, and construct six traffic signals and associated off-system intersection improvements at the Dallas North Tollway (Inwood Road) and Harvest Hill Road, Campbell Road and Hillcrest Road, Lemmon Avenue and Douglas Avenue, Lemmon Avenue and Airdrome Drive, Harry Hines Boulevard and Moody Street, and Lemmon Avenue and Welborn Street; (2) a required local match in an amount not to exceed $207,616 to be issued as a warrant check for State construction costs and other State direct costs; and (3) an additional required local match identified for design of the traffic signals in an amount not to exceed $143,912, previously approved on June 14, 2017, by Resolution No. 17-0931 - Total not to exceed $2,141,058 - Financing: Texas Department of Transportation Grant Funds ($1,789,531) and Current Funds ($207,616)
40			1, 2, 4, 7, 10, 11, 13	C	STS	GT	NA	NA	Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the U. S. Department of Transportation Federal Highway Administration for the Highway Safety Improvement Program (HSIP) to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following seven off-system locations: Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; (2) the receipt and deposit of funds in an amount not to exceed $145,693 in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund; and (3) the establishment of appropriations in an amount not to exceed $145,693 in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund - Not to exceed $145,693 - Financing: Texas Department of Transportation Grant Funds
41			8	C	STS, WTR, ECO	$3,885,798.38	23.38%	25.50%	Authorize a contract with Pavecon Public Works, L.P., lowest responsible bidder of six, for the construction of street paving, storm drainage, water and wastewater main improvements for Wheatland Road Phase 1B project from 1,745 feet east of the Dallas city limit to the city limit line - Not to exceed $3,885,799 - Financing: 2012 Bond Funds ($3,670,093), Water Utilities Capital Improvement Funds ($111,747) and Water Utilities Capital Construction Funds ($103,959)
42			9, 14	C	STS	GT	NA	NA	Authorize (1) the receipt and deposit of funds in an amount not to exceed $23,204 from Ainbinder Northwest Highway, LLC for certain material, equipment, and labor costs associated with the construction of a new traffic signal at the intersection of Northwest Highway (State Highway Loop 12) and Quality Lane; and (2) an increase in appropriations in an amount not to exceed $23,204 in the Capital Projects Reimbursement Fund - Not to exceed $23,204 - Financing: Capital Projects Reimbursement Funds
43			14	C	STS	$532,700.55	NA	NA	Authorize an increase to the construction services contract with Rebcon, Inc. for additional construction costs associated with design modifications and other miscellaneous items needed to complete the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street Project – Not to exceed $532,701, from $11,632,296 to $12,164,997 - Financing: 2006 Bond Funds ($231,968) and General Obligation Commercial Paper Funds ($300,733)

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
44			All	C	OEQ	GT	NA	NA	Authorize the (1) acceptance of a grant from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $28,054 to operate the ambient air monitoring station in Rockwall County for the period September 1, 2017 through August 31, 2018; (2) receipt and deposit of funds in an amount not to exceed $28,054 from TCEQ in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund; (3) establishment of appropriations in an amount not to exceed $28,054 in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund; and (4) execution of the fourth amendment to the contract with TCEQ (Contract No. 582-15-50031) for the Rockwall Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $28,054, from $84,159 to $112,213 - Financing: Texas Commission on Environmental Quality Grant Funds
45			All	C	OEQ	GT	NA	NA	Authorize the (1) acceptance of a grant from the U.S. Environmental Protection Agency passed through the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $67,587; (2) receipt and deposit of funds in an amount not to exceed $67,587 from TCEQ in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund; (3) establishment of appropriations in an amount not to exceed $67,587 in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund; and (4) execution of the fourth amendment to the contract with TCEQ (Contract No. 582-15-50039) for the Texas PM 2.5 Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $67,587, from $202,760 to $270,347 - Financing: Texas Commission on Environmental Quality Grant Funds
46			All	C	OEQ	$181,151.30	NA	NA	Authorize the (1) acceptance of a grant from the U.S. Environmental Protection Agency passed through Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $367,790 to monitor air sampling sites at six locations across the City for the period September 1, 2017 through August 31, 2018; (2) receipt and deposit of funds in an amount to exceed $367,790 from TCEQ in the TCEQ 17-19 Ambient Air Monitoring Program Fund; (3) establishment of appropriations in an amount not to exceed $367,790 in the TCEQ 17-19 Ambient Air Monitoring Program Fund; (4) required local match in an amount not to exceed $181,151 over the two-year period; and (5) execution of a contract with TCEQ (Contract No. 582-18-80089) for the Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2019 - Not to exceed $548,941 - Financing: Texas Commission on Environmental Quality Grant Funds ($367,790) and Current Funds ($181,151) (subject to annual appropriations)
47			All	C	OEQ	GT	NA	NA	Authorize the (1) acceptance of reimbursement funds from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $475,000 to conduct the Whole Air Monitoring Program for the period September 1, 2017 to August 31, 2018; (2) receipt and deposit of funds in an amount not to exceed $475,000 from TCEQ in the TCEQ 17-18 Whole Air Monitoring Program Fund; (3) establishment of appropriations in an amount not to exceed $475,000 in the TCEQ 17-18 Whole Air Monitoring Program Fund; and (4) execution of the second amendment to the contract with TCEQ (Contract No. 582-16-60016) for the Whole Air Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $475,000, from $961,132 to $1,436,132 - Financing: Texas Commission on Environmental Quality Grant Funds
48			All	C	OEQ	$258,640.00	NA	NA	Authorize the (1) acceptance of a grant from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $525,117 to continue the Air Pollution Compliance Program to provide investigation services and complaint response within the City of Dallas for the period September 1, 2017 to August 31, 2018; (2) receipt and deposit of funds in an amount not to exceed $525,117 from TCEQ in the TCEQ 17-18 Air Pollution Compliance Program Fund; (3) establishment of appropriations in an amount not to exceed $525,117 in the TCEQ 17-18 Air Pollution Compliance Program Fund; (4) required local match in an amount not to exceed $258,640; and (5) execution of the third amendment to the contract with TCEQ (Contract No. 582-15-50121) for the Air Pollution Compliance Program for the period September 1, 2017 to August 31, 2018 - Not to exceed $783,757, from $2,351,271 to $3,135,028 - Financing: Texas Commission on Environmental Quality Grant Funds ($525,117) and Current Funds ($258,640) (subject to annual appropriations)
49			N/A	C	OFS	NC	NA	NA	Ordinances amending Ordinance No. 30178 (FY 2016-17 Operating Budget Appropriation Ordinance) and Ordinance No. 30179 (FY 2016-17 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2016-17 for public improvements and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
50			2, 5, 9	C	PKR	$83,320.00	NA	NA	Authorize a service contract for the purchase and installation of Musco Sports Lighting, LLC's Control Link System which will provide an automated athletic field lighting system at Samuell Grand Park located at 6200 East Grand Avenue, Samuell Garland Park located at 12200 Garland Road, and Crawford Park located at 8700 Elam Road and integrate with the Department's RecTrac Reservation System from Musco Sports Lighting, LLC through The Texas Association of School Boards - Not to exceed $83,320 - Financing: Samuell Park Expendable Funds
51			2, 5, 11	C	PKR	$149,330.00	100.00%	100.00%	Authorize a professional services contract with Alliance Geotechnical Group, Inc. for engineering inspection and testing services of three regional family aquatic centers at Crawford Memorial Park located at 8700 Elam Road; Fretz Park located at 6994 Belt Line Road; and Samuell Grand Park located at 6200 East Grand Avenue - Not to exceed $149,330 - Financing: Elgin B. Robertson Land Sale Funds
52			6	C	PKR, STS	$298,853.04	0.00%	27.12%	Authorize an increase in the construction services contract with The Fain Group, Inc. to add increased scope of work associated with the Bachman Lake Park - Loop Trail Renovation Phase III, located between the 2800 to 3600 Block of Shorecrest Drive - Not to exceed $298,854, from $2,138,524 to $2,437,378 - Financing: 2012 Bond Funds ($199,534) and General Obligation Commercial Paper Funds ($99,320)
53			All	C	PKR	NC	NA	NA	Authorize a public hearing to be held on September 13, 2017, to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with state law - Financing: No cost consideration to the City
54			N/A	C	POL	NC	NA	NA	Authorize a Memorandum of Understanding with the Highland Park Independent School District, by and through its Police Department to define duties and obligations involved with the coordination of law enforcement efforts within jurisdiction boundaries - Financing: No cost consideration to the City
55			All	C	POL	GT	NA	NA	Authorize the (1) application for and acceptance of the Texas School Safety Center 2017/2018 Tobacco Enforcement Grant in the amount of $65,025 from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2017 through August 31, 2018; (2) receipt and deposit of grant funds in an amount not to exceed $65,025 in the Tobacco Enforcement Program Grant Fund; (3) establishment of appropriations in an amount not to exceed $65,025 in the Tobacco Enforcement Program Grant Fund; and (4) execution of the grant agreement - Not to exceed $65,025 - Financing: Texas School Safety Center Tobacco Compliance Grant Funds
56			N/A	C	POL	GT	NA	NA	Authorize (1) the renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training; (2) the receipt and deposit of funds from El Centro College of the Dallas County Community College District; and (3) an increase in appropriations in an amount not to exceed $550,548 in the Texas Higher Education Coordinating Board Fund for the two-year period September 1, 2017 through August 31, 2019 - Not to exceed $550,548 - Financing: Texas Higher Education Coordinating Board Funds
57			Outside	C	DEV, WTR	$33,500.00	NA	NA	Authorize acquisition from Francisco Herrera and Bertha Herrera, of approximately 47,974 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $33,500 ($30,642, plus closing costs and title expenses not to exceed $2,858) - Financing: Water Utilities Capital Construction Funds
58			Outside	C	DEV, WTR	$76,000.00	NA	NA	Authorize acquisition from Mary E. Langford, of approximately 23,333 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $76,000 ($73,136, plus closing costs and title expenses not to exceed $2,864) - Financing: Water Utilities Capital Construction Funds
59			Outside	C	DEV, WTR	$143,000.00	NA	NA	Authorize acquisition from Sandra Marie Nicodemus Witt, of approximately 23,829 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $143,000 ($140,036, plus closing costs and title expenses not to exceed $2,964) - Financing: Water Utilities Capital Construction Funds
60			Outside	C	DEV, WTR	$72,000.00	NA	NA	Authorize acquisition from Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch and Michael Brewer Pringle, of approximately 92,191 square feet of land located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $72,000 ($68,831, plus closing costs and title expenses not to exceed $3,169) - Financing: Water Utilities Capital Construction Funds

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
61			3, 4, 5, 6, 7, 8	C	DEV	REV $259,000	NA	NA	Authorize (1) the quitclaim of 71 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and (2) the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgement (list attached) - Estimated Revenue: $259,000
62			2	C	DEV	REV $200	NA	NA	An ordinance granting a private license to Butler Brother Hospitality Group, LLC for the use of approximately 300 square feet of land to install, maintain, and utilize nineteen tree wells, on a portion of Ervay and Marilla Streets rights-of-way, near its intersection with Marilla Street - Revenue: $200 one-time fee, plus the $20 ordinance publication fee
63			14	C	DEV	REV $1,200	NA	NA	An ordinance granting a private license to Elm at Stoneplace Holdings, LLC for the use of approximately 34 square feet of aerial space to install, maintain, and utilize 12 canopies without premise signs, over and above a portion of Main Street right-of-way, near its intersection with Elm Street - Revenue: $1,200 one-time fee, plus the $20 ordinance publication fee
64			2	C	DEV	REV $212,400	NA	NA	An ordinance abandoning a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner, containing approximately 17,700 square feet of land, located near the intersection of Haskell Avenue and Bird Street; and authorizing the quitclaim and providing for the dedication of approximately 17,700 square feet of land needed for a wastewater easement - Revenue: $212,400, plus the $20 ordinance publication fee
65			2	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: $5,400, plus the $20 ordinance publication fee
66			2	C	DEV	REV $10,800	NA	NA	An ordinance abandoning a water easement and a utility and access easement to 5033 Lemmon Limited Partnership, the abutting owner, containing a total of approximately 17,368 square feet of land, located near the intersection of Lemmon Avenue and Mahanna Street and authorizing the quitclaim; and providing for the dedication of approximately 26,370 square feet of land needed for right-of-way - Revenue: $10,800, plus the $20 ordinance publication fee
67			13	C	DEV	REV $5,400	NA	NA	An ordinance abandoning two utility and access easements to Preston Hollow Place Property Owner, L.P., the abutting owner, containing a total of approximately 37,959 square feet of land, located near the intersection of Preston Road and Northwest Highway - Revenue: $5,400, plus the $20 ordinance publication fee
68			All	C	TWM	$150,000.00	100.00%	17.10%	Authorize Supplemental Agreement No. 8 to the professional services contract with Halff Associates, Inc. for additional professional services for technical support in preparation for the Federal Emergency Management Agency Community Rating System 2017 Recertification Cycle Visit - Not to exceed $150,000, from $1,668,789 to $1,818,789 - Financing: Stormwater Drainage Management Current Funds
69			11	C	WTR	$558,604.31	35.99%	25.43%	Authorize an increase in the construction services contract with Webber, LLC for additional work associated with the improvements to the Walcrest Pump Station and reservoir - Not to exceed $558,605, from $36,850,500 to $37,409,105 - Financing: Water Utilities Capital Improvement Funds
70			All	C	WTR	$3,760,531.07	91.70%	25.11%	Authorize an increase in the twenty-four month service contract with NPL Construction Co. for additional paving and infrastructure repairs at various locations throughout the City to extend the term of the service contract by twelve months from September 2017 to September 2018 - Not to exceed $3,760,532, from $57,449,171 to $61,209,703 - Financing: Water Utilities Capital Construction Funds
71			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)
72			All	I	PBD, CIS, STS	$4,132,050.74	0.69%	4.38%	Authorize (1) an acquisition contract for the purchase and implementation of an Advanced Traffic Management System (ATMS) for Mobility and Street Services in the amount of $6,352,990; and (2) a five-year service contract, with a five-year renewal option, for maintenance and support of the ATMS in the amount of $3,523,538 - Ericsson, Inc., most advantageous proposer of five - Total not to exceed $9,876,528 - Financing: Texas Department of Transportation Grant Funds ($5,744,477), General Obligation Commercial Paper Funds ($2,007,091), 2006 Bond Funds ($1,252,000), and 2003 Bond Funds ($872,960)

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
73			3, 8	I	PKR, STS	$213,626.00	15.10%	25.88%	Authorize an increase in the contract with Northstar Construction, LLC to add increased scope of work associated with the Runyon Creek Trail located between Glendale Park to the new Singing Hills Recreation Center - Not to exceed $213,626, from $2,354,100 to $2,567,726 - Financing: General Obligation Commercial Paper Funds
74			2	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. 1601 for a commercial amusement (inside) use, limited to a Class A dance hall, on property zoned a CS Commercial Service District, on the west corner of East Grand Avenue and South St. Mary Avenue
75			3	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking on property zoned an MF-2(A) Multifamily District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive
76			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting CS Commercial Services District on property zoned an A(A) Agricultural District, south of Telephone Road, east of Travis Trail
77			3	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 commercial motor vehicle parking on property zoned an IR Industrial Research District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive
78			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school use, on property zoned an R-7.5(A) Single Family District and a CR Community Retail District, in an area bounded by Paducah Avenue to the north, South Lancaster Road to the east, Ann Arbor Avenue to the south, and South Denley Drive to the west
79			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 1 within Planned Development District No. 740, on the southeast corner of North Central Expressway and East Mockingbird Lane
80			7	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. 1691 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, east of Ash Lane
81			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 on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue
82			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 on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue
83			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and (1) an ordinance granting a new subdistrict for mixed uses; and (2) an ordinance granting a Specific Use Permit for an alcoholic beverage manufacturing use on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the southwest corner of Powell Street and Sulphur Street, and the southeast corner of Powell Street and Haslett Street
84			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street
85			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and an ordinance granting a Specific Use Permit for an industrial (inside) potentially incompatible use limited to the manufacture, blending, and packaging of chemicals on property zoned an IR Industrial Research District on the southwest corner of Grissom Lane and Rodney Lane

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
86			14	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-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue
87			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, on the south side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street
88			8	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. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the southwest corner of Great Trinity Forest Way and North Jim Miller Road
89			8	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 private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road
90			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road
91			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Specific Use Permit No. 80 for a Salvation Army Community Center on property zoned an R-7.5(A) Single Family District, on the north line of Elam Road, west of Holcomb Road
92			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the creation of a Subdistrict to allow a foster care use on property zoned Planned Development District No. 764, the Second Avenue Special Purpose District, on the east corner of Second Avenue and Reed Lane
93			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an MF-2(A) Multifamily District on the north side of John West Road, west of La Prada Drive
94			2, 14	PH	STS	NC	NA	NA	A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristics of (1) Lamar Street from Elm Street to Main Street from a southbound three-lane roadway and a northbound three-lane roadway in 78 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 78 feet of right-of-way and 48 feet of pavement and loading zone on the west side; (2) Lamar Street from Main Street to Wood Street from a southbound three-lane roadway and a northbound three-lane roadway in 86-100 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 80 feet of right-of-way and 60 feet of pavement and parking on both east and west sides; and (3) Lamar Street from Wood Street to Young Street from a southbound three-lane roadway and a northbound three-lane roadway in 86-100 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 80 feet of right-of-way and 50 feet of pavement and parking on the east side, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
95			14	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by CRP/Maple Ross Arts II Owner, L.P., located near the intersection of Ross Avenue and North Haskell Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to AR2 Apartments, L.L.C., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

AGENDA DATE August 23, 2017

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
96			1	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by Jon Roy Reid, Trinity Floor Company, Inc., 123 East Oregon Joint Venture, Trinity Hardwood Distributors, Inc., Jon Roy Reid and Sheila Hromadka, located near the intersection of North Beckley Avenue and Oregon Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to Flournoy Texas Holdings, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
97			14	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by Live Oak Texas Partners LLC, located near the intersection of Live Oak Street and Texas Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to Live Oak Texas Partners, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
98			N/A	PH	OFS	NC	NA	NA	A public hearing to receive comments on the proposed FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City
99			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 mixed beverages permit (Chapter 28) for a restaurant without drive-in or drive-through service with a food and beverage certificate [Asian Mint Inwood Village, LLC dba Asian Mint] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV167-003 - Financing: No cost consideration to the City

TOTAL $30,416,499.55

AGENDA ITEM # 2

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Emergency Management

CMO: Elizabeth Reich, 670-7804
Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for the purchase of trauma kits and training - Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc., lowest responsible bidder of two - Not to exceed $427,522 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

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

This service contract will allow for the purchase of trauma kits and training for City facilities. These kits include specialized medical supplies designed specifically for immediate response to severe injury during the critical interval between when injury occurs and when a patient receives traditional emergency medical services. Items in these trauma kits are not found in basic first aid kits and include items such as:

- SOFTT-W Tourniquet
- Combat Gauze Z-Fold Packaging
- Pressure Bandage
- Heat-Reflective Emergency Blankets
- Quick Clotting Gauze

Currently the City has kits located at Dallas City Hall, Jack Evans Police Headquarters and all sub stations, Love Field, Dallas City Performance Hall, and the Morton H. Meyerson Symphony Center.

BACKGROUND (continued)

As part of the solicitation process and in an effort to increase competition, Business Development & Procurement Services (BDPS) used its procurement system to send out 2,294 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, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on August 14, 2017.

FISCAL INFORMATION

U.S. Department of Homeland Security Grant Funds - $427,521.20

M/WBE INFORMATION

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

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

BID INFORMATION

BDPS received the following bids from solicitation number BT1719. We opened them on June 9, 2017. We recommend the City Council award this service contract in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

BID INFORMATION (continued)

Bidders	**Address**	**Amount**
*Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc.	1250 Harris Bridge Rd. Anderson, SC 29621	$427,521.20
Telecom Electric Supply	1304 Capital Ave. Plano, TX 75074	$601,215.55

OWNER

Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc.

Ross A. Johnson, President
Richard A. Hester, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for the purchase of trauma kits and training - Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc., lowest responsible bidder of two - Not to exceed $427,522 - Financing: U.S. Department of Homeland Security Grant Funds

Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$427,521.20	100.00%
TOTAL CONTRACT	$427,521.20	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
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%

August 23, 2017

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc. (VS0000025312), approved as to form by the City Attorney, for the purchase of trauma kits and training for a term of three years, in an amount not to exceed $427,521.20. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $427,521.20 to Tactical Medical Solutions, Inc. dba Tramedic Solutions, Inc. from Service Contract No. OEM-2017-00002469.

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 # 3

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	August 23, 2017
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Business Development & Procurement Services Mobility and Street Services
CMO:	Elizabeth Reich, 670-7804 Majed Al-Ghafry, 670-3302
MAPSCO:	45 F

SUBJECT

Authorize a three-year service contract to monitor, maintain, and repair the tunnel lights and jet fans under Klyde Warren Park - CMC Network Solutions, LLC, most advantageous proposer of two - Not to exceed $6,006,685 - Financing: 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 will provide for the monitoring, maintenance, and repair of the tunnel lights and jet fans under Klyde Warren Park. Additionally, other critical equipment within the tunnel such as switchgear and electrical equipment, vaults/control rooms, and carbon monoxide monitors will be a part of this service. The contract also includes testing and inspection of the carbon monoxide monitoring system and the fire system. All fans, lights, and carbon monoxide monitors are located in the tunnel immediately under Klyde Warren Park on Woodall Rodgers Freeway.

Housed in the tunnel are 26 computer controlled jet fans, to expel harmful fumes during congested traffic or when necessary, and 6 carbon monoxide monitors that measure the harmful fumes. There are 420 ceiling mounted light fixtures that operate 24 hours per day and 1,825 wall mounted light fixtures that operate only during daylight hours.

As part of the original agreement with the Texas Department of Transportation (TxDOT) and the City, the park and structure (tunnel) serve no purpose for vehicular traffic or transportation so TxDOT bears no responsibility for the maintenance of associated items.

BACKGROUND (continued)

A six member committee from the following departments reviewed and evaluated the qualifications:

- Mobility and Street Services (2)
- Park and Recreation (2)
- Business Development & Procurement Services (BDPS) (2)*

*BDPS only evaluated cost and the Business Inclusion and Development Plan.

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

- Capability and expertise 30%
- Cost 30%
- Staffing/methodology 25%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, BDPS used its procurement system to send out 2,088 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, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council-Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 27, 2013, City Council authorized a three-year service contract to maintain and repair the tunnel lights and jet fans under Klyde Warren Park by Resolution No. 13-0486.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on August 14, 2017.

FISCAL INFORMATION

Current Funds - $6,006,685.00 (subject to annual appropriations)

M/WBE INFORMATION

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

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

BDPS received the following proposals from solicitation number BCZ1704. We opened them on February 16, 2017. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*CMC Network Solutions, LLC	2700 Research Dr. Suite 100 Plano, TX 75074	81.41%	$6,006,685.00
Siemens Industry, Inc.	16560 Air Center Blvd. Houston, TX 77032	74.75%	$5,238,048.25

OWNER

CMC Network Solutions, LLC

Scott Broekemeir, President
Chuck McLaughlin, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract to monitor, maintain, and repair the tunnel lights and jet fans under Klyde Warren Park - CMC Network Solutions, LLC, most advantageous proposer of two - Not to exceed $6,006,685 - Financing: Current Funds (subject to annual appropriations)

CMC Network Solutions, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$1,751,190.00	29.15%
Total non-local contracts	$4,255,495.00	70.85%
TOTAL CONTRACT	$6,006,685.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
BVT Power Solutions, dba Balance Vibration Technologies, Inc.	WFWBC200510318	$1,179,031.00	67.33%
Total Minority - Local		$1,179,031.00	67.33%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
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	$1,179,031.00	67.33%	$1,179,031.00	19.63%
Total	$1,179,031.00	67.33%	$1,179,031.00	19.63%

August 23, 2017

WHEREAS, on March 27, 2013, City Council authorized a three-year service contract to maintain and repair the tunnel lights and jet fans under Klyde Warren Park by Resolution No. 13-0486.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with CMC Network Solutions, LLC (VC16003), approved as to form by the City Attorney, to monitor, maintain, and repair the tunnel lights and jet fans under Klyde Warren Park for a term of three years, in an amount not to exceed $6,006,685. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to CMC Network Solutions, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by CMC Network Solutions, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $6,006,685 (subject to annual appropriations) to CMC Network Solutions, LLC from Service Contract No. STS-2017-00002991.

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: E-Gov

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Risk Management

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a three-year system and service contract, with two one-year renewal options, for web hosted certificate of insurance and payment and performance bond compliance tracking and compliance review services - Insurance Tracking Services, Inc., most advantageous proposer of three - Not to exceed $605,200 - Financing: 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 system and service contract provides for web hosted certificate of insurance and payment and performance bond compliance tracking and compliance review services. Currently, approximately 6,700 certificates of insurance and bonds are monitored and tracked for the City annually. The review of the various insurance documents is available in one unified system in which vendor compliance can be verified and documented. The recommended vendor will provide services to help ensure vendor compliance with the City's insurance requirements related to contracts, ordinances, lease agreements, and permits. This service includes access to a web-based system which provides a comprehensive certificate of insurance and payment and performance bond management tool.

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

- Office of Risk Management (1)
- Communication and Information Services (1)
- Aviation (1)
- Sanitation Services (1)
- Code Compliance (1)
- Business Development & Procurement Services (BDPS) (2)*

BACKGROUND (continued)

*BDPS only evaluated cost and the Business Inclusion and Development Plan.

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

● Cost	30 points
● Capability and expertise	25 points
● Functional/technical match	20 points
● Overall approach and methodology	10 points
● Business Inclusion and Development Plan	15 points

As part of the solicitation process and in an effort to increase competition, BDPS used its procurement system to send out 1,296 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, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 18, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

On February 26, 2014, City Council authorized a three-year service contract, with two one-year renewal options, for certificate of insurance and payment and performance bond compliance tracking services by Resolution No. 14-0369.

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on August 14, 2017.

FISCAL INFORMATION

Current Funds - $605,200 (subject to annual appropriations)

M/WBE INFORMATION

197 - Vendors contacted
196 - No response
1 - Response (Bid)
0 - Response (No bid)
0 - Successful

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

BDPS received the following proposals from solicitation number BKZ1702. We opened them on February 10, 2017. We recommend the City Council award this system and service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*Insurance Tracking Services, Inc.	100 W. Broadway Suite 610 Long Beach, CA 90802	83.50%	$ 605,200
S2000 Corporation dba Certfocus	101 Sunnyside Blvd. Suite 100 Plainview, NY 11803	51.34%	$1,441,650
Creative Insurance Concepts, Inc.	8012 Midlothian Tpke. Suite 202 North Chesterfield, VA 23235	42.92%	$ 687,295

OWNER

Insurance Tracking Services, Inc.

Richard D. Lopez, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year system and service contract, with two one-year renewal options, for web hosted certificate of insurance and payment and performance bond compliance tracking and compliance review services - Insurance Tracking Services, Inc., most advantageous proposer of three - Not to exceed $605,200 - Financing: Current Funds (subject to annual appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$605,200.00	100.00%
TOTAL CONTRACT	$605,200.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
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%

August 23, 2017

WHEREAS, on February 26, 2014, City Council authorized a three-year service contract, with two one-year renewal options, for certificate of insurance and payment and performance tracking services, in an amount not to exceed $740,550, by Resolution No. 14-0369; and

WHEREAS, on February 16, 2016, Administrative Action No. 16-5358 authorized Supplemental Agreement No. 1 to increase the service contract with S2000 Corp. dba Certfocus and to amend the scope of services, in an amount not to exceed $3,600, from $740,550 to $744,150; and

WHEREAS, on January 31, 2017, Administrative Action No. 17-5384 authorized Supplemental Agreement No. 2 to amend the terms of the service contract with S2000 Corp. dba Certfocus and extend the service contract for twelve months from February 25, 2017 to February 24, 2018.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a system and service contract with Insurance Tracking Services, Inc. (VS0000081522), approved as to form by the City Attorney, for web hosted certificate of insurance and payment and performance bond compliance tracking and compliance review services for a term of three years, with two one-year renewal options, in an amount not to exceed $605,200. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Insurance Tracking Services, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Insurance Tracking Services, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $605,200 (subject to annual appropriations) to Insurance Tracking Services, Inc. from Service Contract No. POM-2017-00002542.

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: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services
Water Utilities

CMO: Elizabeth Reich, 670-7804
Jody Puckett, 670-3390
Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize a five-year service contract, with two one-year renewal options, for maintenance and support of the supervisory control and data acquisition system for Dallas Water Utilities - Prime Controls, LP, most advantageous proposer of two - Not to exceed $948,304 - Financing: Water Utilities 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 will provide maintenance and support for the supervisory control and data acquisition (SCADA) system for Dallas Water Utilities (DWU). The SCADA system located at pumping operation locations allow for automated control of pump stations, data logging, and regulatory reporting of operations. The current system was installed in 2010 and requires periodic maintenance. Maintenance includes patches, updates, technical, and customer service support to ensure compliance with state or federal requirements.

DWU utilizes this SCADA system to effectively monitor and control 21 water storage tanks and 22 high service pump stations located throughout its 4,940 mile potable pipeline network. DWU provides water and wastewater service to approximately 2.4 million customers in the Dallas service area of approximately 700 square miles.

BACKGROUND (continued)

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

- Trinity Watershed Management (1)
- Dallas Water Utilities (2)
- Communication and Information Services (2)
- Business Development & Procurement Services (BDPS) (2)*

*BDPS only evaluated cost and the Business Inclusion and Development Plan.

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

- Cost 30%
- Capability and expertise 20%
- Technical match 20%
- Overall approach 15%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, BDPS used its procurement system to send out 709 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, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Mobility Solutions, Infrastructure & Sustainability Committee will be briefed by memorandum regarding this matter on August 14, 2017.

FISCAL INFORMATION

Water Utilities Current Funds - $948,304 (subject to annual appropriations)

M/WBE INFORMATION

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

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

BDPS received the following proposals from solicitation number BUZ1707. We opened them on March 16, 2017. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*Prime Controls, LP	1725 Lakepointe Dr. Lewisville, TX 75057	85.98%	$948,304
Trimax Systems, Inc.	565 Explorer St. Brea, CA 92821	65.80%	$859,305

OWNER

Prime Controls, LP

Jason D. McNiel, President
Gary D. McNiel, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract, with two one-year renewal options, for maintenance and support of the supervisory control and data acquisition system for Dallas Water Utilities - Prime Controls, LP, most advantageous proposer of two - Not to exceed $948,304 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Prime Controls, LP is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$948,304.00	100.00%
TOTAL CONTRACT	$948,304.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
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%

August 23, 2017

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Prime Controls, LP (VS0000007557), approved as to form by the City Attorney, for maintenance and support of the supervisory control and data acquisition system for Dallas Water Utilities for a term of five years, with two one-year renewal options, in an amount not to exceed $948,304. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Prime Controls, LP shall be based only on the amount of the services directed to be performed by the City and properly performed by Prime Controls, LP under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $948,304 (subject to annual appropriations) to Prime Controls, LP from Service Contract No. DSV-2017-00002549.

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 # 6

KEY FOCUS AREA:	E-Gov
AGENDA DATE:	August 23, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Elizabeth Reich, 670-7804 Majed Al-Ghafry, 670-3302
MAPSCO:	50 A

SUBJECT

Authorize a three-year master agreement for liquid ammonia sulfate for the Eastside Water Treatment Plant – Chemtrade Chemicals US LLC, lowest responsible bidder of two - Not to exceed $2,852,820 - 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 allow for the purchase of liquid ammonia sulfate (LAS) for the Eastside Water Treatment Plant. The LAS is mixed with chlorine in the water treatment process to form chloramines in the water. Chloramines remain in the water longer than free chlorine and therefore provide a more effective disinfectant residual throughout the distribution system. The LAS will be used at the Eastside Water Treatment Plant beginning in Fall 2017 as part of planned treatment process changes. These process changes will provide the Eastside Water Treatment Plant with a more effective method in reducing the total organic carbon, mandated by State and Federal regulations.

The Eastside Water Treatment Plant provides up to 440 million gallons of treated water per day for City residents and wholesale customers.

As part of the solicitation process and in an effort to increase competition, Business Development & Procurement Services (BDPS) used its procurement system to send out 453 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, the Office of Business Diversity's Resource LINK Team sent notifications 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)

The Government Performance & Financial Management Committee will be briefed by memorandum regarding this matter on August 14, 2017.

FISCAL INFORMATION

Water Utilities Current Funds - $2,852,820

M/WBE INFORMATION

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

The awardee has fulfilled the good faith effort requirements set forth in the Business Inclusion and Development (BID) Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

BID INFORMATION

BDPS received the following bids from solicitation number BW1706. We opened them on June 30, 2017. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount of Bid
*Chemtrade Chemicals US LLC	90 East Halsey Road Parsippany, NJ 07054	$2,852,820
Brenntag Southwest, Inc.	610 Fisher Road Longview, TX 75604	$3,402,000

OWNER

Chemtrade Chemicals US LLC

Mark Davis, President
Tab McCullough, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for liquid ammonia sulfate for the Eastside Water Treatment Plant – Chemtrade Chemicals US LLC, lowest responsible bidder of two - Not to exceed $2,852,820 - Financing: Water Utilities Current Funds

Chemtrade Chemicals US LLC 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

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$2,852,820.00	100.00%
TOTAL CONTRACT	$2,852,820.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
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%

August 23, 2017

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

SECTION 1. The City Manager is hereby authorized to sign a master agreement with Chemtrade Chemicals US LLC (053277), approved as to form by the City Attorney, for the purchase of liquid ammonia sulfate for the Eastside Water Treatment Plant for a term of three years, in an amount not to exceed $2,852,820.

SECTION 2. That the Purchasing Agent is hereby authorized, upon appropriate request and documented need by a user department, to issue a purchase order for liquid ammonia sulfate for the Eastside Water Treatment Plant. If a written contract is required or requested for any or all purchases of liquid ammonia sulfate for the Eastside Water Treatment Plant under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,852,820 from Master Agreement Contract No. DWU-2017-00002696.

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 # 7

KEY FOCUS AREA:	E-Gov
AGENDA DATE:	August 23, 2017
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Communication and Information Services
CMO:	Elizabeth Reich, 670-7804 Jody Puckett, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize Supplemental Agreement No. 2 to exercise the second one-year renewal option to the service contract with Cellco Partnership dba Verizon Wireless and its related entities through the Department of Information Resources, State of Texas Cooperative for commercial wireless communication services and equipment - Not to exceed $3,596,410, from $13,385,429 to $16,981,839 - Financing: 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 renewal will allow the City to have continued commercial wireless communication services and equipment. This agreement is mainly utilized by Public Safety for real time exchange of data and communications during day-to-day and emergency operations. Other City departments that require devices such as laptops, tablets, and other mobile wireless devices also utilize this agreement to deliver timely and efficient services while in the field. Additionally, this agreement allows for wireless cell phone use which increases mobility and collaboration between departments and residents.

Wireless technology includes voice, data, and internet capabilities which are used in various combinations to capture and share information. Utilizing Verizon's commercial wireless technology provides the ability for staff to access information, research inquiries, and respond instantly.

BACKGROUND (continued)

This agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 22, 2012, City Council authorized a four-year service contract, with two one-year renewal options, for commercial wireless communication services and equipment for public safety and other City departments by Resolution No. 12-2077.

Information about this item was provided to the Budget, Finance and Audit Committee on August 15, 2016.

On August 24, 2016, City Council authorized supplemental agreement no. 1 to exercise the first one-year renewal option of the service contract for commercial wireless communication services and equipment by Resolution No. 16-1310.

The Mobility Solutions, Infrastructure & Sustainability Committee will be briefed by memorandum regarding this matter on August 14, 2017.

FISCAL INFORMATION

Current Funds - $3,596,409.72 (subject to annual appropriations)

OWNER

Cellco Partnership dba Verizon Wireless and its related entities

Ronan Dunne, President
Christine Baron, Senior Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to exercise the second one-year renewal option to the service contract with Cellco Partnership dba Verizon Wireless and its related entities through the Department of Information Resources, State of Texas Cooperative for commercial wireless communication services and equipment - Not to exceed $3,596,410, from $13,385,429 to $16,981,839 - Financing: Current Funds (subject to annual appropriations)

Cellco Partnership dba Verizon Wireless is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$0.00	0.00%
Non-local contracts	$3,596,409.72	100.00%
TOTAL THIS ACTION	$3,596,409.72	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

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
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%

August 23, 2017

WHEREAS, on August 22, 2012, City Council authorized a four-year service contract, with two one-year renewal options, for commercial wireless communication services and equipment for public safety and other City departments by Resolution No. 12-2077; and

WHEREAS, on August 24, 2016, City Council authorized supplemental agreement no. 1 to exercise the first one-year renewal option of the service contract for commercial wireless communication services and equipment by Resolution No. 16-1310.

Now, Therefore,

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

SECTION 1. The City Manager is hereby authorized to sign Supplemental Agreement No. 2 to exercise the second one-year renewal option to the service contract with Cellco Partnership dba Verizon Wireless and its related entities (VS92349) through the Department of Information Resources, State of Texas Cooperative, approved as to form by the City Attorney, for commercial wireless communication services and equipment, in an amount not to exceed $3,596,409.72, increasing the service contract amount from $13,385,428.88 to $16,981,838.60.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,596,409.72 (subject to annual appropriations) to Cellco Partnership dba Verizon Wireless and its related entities from Service Contract No. POM BHZ1218.

SECTION 3. That this contract is designated as Contract No. POM 2016-00000908.

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: August 23, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Aviation

CMO: Larry Casto, 670-3491
Jody Puckett, 670-3390

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 4 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services necessary in connection with the lawsuit styled City of Dallas v. Delta Airlines Inc. et al., Civil Action No. 3:15-V-2069-K and gate accommodations at Dallas Love Field - Not to exceed $145,000, from $380,000 to $525,000 - Financing: Aviation Current Funds

BACKGROUND

The additional legal services of Kaplan Kirsch & Rockwell, L.L.P., which specializes in airport regulatory law, are necessary in connection with the lawsuit styled City of Dallas v. Delta Airlines Inc. et al., Civil Action No. 3:15-V-2069-K and gate accommodations at Dallas Love Field.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 18, 2014, City Council authorized Supplemental Agreement No. 1 with Kaplan Kirsch & Rockwell, L.L.P., for additional legal services on matters relating to the gate accommodations at Dallas Love Field by Resolution No. 14-2056.

On January 14, 2015, City Council authorized Supplemental Agreement No. 2 with Kaplan Kirsch & Rockwell, L.L.P., for additional legal services on matters relating to the gate accommodations at Dallas Love Field by Resolution No. 15-0143.

On August 12, 2015, City Council authorized Supplemental Agreement No. 3 with Kaplan Kirsch & Rockwell, L.L.P., for additional legal services on matters relating to the gate accommodations at Dallas Love Field by Resolution No. 15-1351.

Council was briefed in Closed Session on August 2, 2017.

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

Council will be briefed by memorandum on August 18, 2017.

FISCAL INFORMATION

Aviation Current Funds - $145,000

OWNER

Kaplan Kirsch & Rockwell, L.L.P.

Peter J. Kirsch, Partner

August 23, 2017

WHEREAS, on October 29, 2014, Administrative Action No. 14-6916 authorized a professional services contract in the amount of $50,000.00, with Kaplan Kirsch & Rockwell, L.L.P. for legal services on matters relating to the gate accommodations at Dallas Love Field; and

WHEREAS, on November 18, 2014, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. in an amount not to exceed $150,000, from $50,000 to $200,000, for legal services on matters relating to the gate accommodations at Dallas Love Field by Resolution No. 14-2056; and

WHEREAS, on January 14, 2015, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. in an amount not to exceed $80,000, from $200,000 to $280,000, for legal services on matters relating to the gate accommodations at Dallas Love Field by Resolution No. 15-0143; and

WHEREAS, on August 12, 2015, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. in an amount not to exceed $100,000, from $280,000 to $380,000, for legal services on matters relating to the gate accommodations at Dallas Love Field by Resolution No. 15-1351; and

WHEREAS, the legal services of Kaplan Kirsch & Rockwell, L.L.P. continue to be necessary on matters relating to the gate accommodations at Dallas Love Field.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 4 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P., approved as to form by the City Attorney, for additional legal services in connection with the lawsuit styled City of Dallas v. Delta Airlines Inc. et al., Civil Action No. 3:15-V-2069-K and gate accommodations at Dallas Love Field, in an amount not to exceed $145,000, increasing the contract amount from $380,000 to $525,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in periodic payments to Kaplan Kirsch & Rockwell, L.L.P., an amount not to exceed $145,000 from Fund 0130, Department AVI, Unit 7729, Object 3033, Encumbrance CTAVIAVIKKR77101114, Vendor VC0000012035.

SECTION 3. That this contract is designated as Contract No. ATT-2017-00003127.

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 # 9

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 45 F G J K L M N P Q R

SUBJECT

Authorize **(1)** approval of the proposed Dallas Downtown Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance (a) levying a special assessment on property in the District, for services and improvements to be provided during 2018; (b) fixing charges and liens against the property in the District and against the owners thereof; (c) providing for the collection of the 2017 assessment; (d) authorizing payment of City's 2016 assessment, 2017 assessment and all future City assessments directly to the District; and (e) providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

Downtown Dallas, Inc., provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements**. The proposed services and improvements to be provided in the District include Downtown Safety Patrol program, safety awareness and education programs, Clean Team program, operation of the mass transportation facilities, landscaping, banner program, installation and maintenance of trash containers, promotion of downtown, installation of lighting, implementation of signage and wayfinding system, development of new public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $6,883,807 in 2018 and reach $7,186,384 in 2022. The total estimated assessment to be collected during the next five-year period is approximately $35,162,515. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The gross assessment amount for 2017 is estimated to be $7,591,632. This amount is approximately equal to $0.129 per $100.00 of appraised value, as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the City Council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

BACKGROUND (continued)

(e) **Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. The City of Dallas has contractually agreed to pay assessments against exempt City property in the District. City rights-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must also be established by contract. For FY 2017-18, the estimated City participation is approximately $659,987.25 (this amount excludes an estimated $380,721.30 assessment for the Convention Center Hotel property under the auspices of a Local Government Corporation). Beginning with FY 2016-2017, the County will no longer collect the City's assessment for City property within the District. The City's 2016 assessment ($651,427), 2017 Assessment ($659,987.25) and all future assessments will be paid directly to the District at the County's request. Every dollar of City assessment paid to the District will leverage approximately $11.00 of assessments paid by private property owners. As a contributor, the City of Dallas will be represented on the governing Boards of Directors.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 1992, City Council authorized the creation of the Dallas Downtown Improvement District by Resolution No. 92-2445.

On August 9, 2006, City Council held a public hearing to receive comments on the renewal of the Public Improvement District and authorized the renewal of the District for a seven-year period by Resolution Nos. 06-2048 and 06-2049.

On June 12, 2013, City Council authorized the renewal of the District for a seven-year period and approval of the Service Plan and management contract by Resolution No.13-1015.

On September 10, 2014, City Council authorized an ordinance approving and adopting the final 2015 Service Plan, 2014 Assessment Plan and 2014 Assessment Roll by Resolution No. 14-1506; Ordinance No. 29456.

On September 9, 2015, City Council authorized the approval and adoption of the proposed and final 2016 Service Plan, 2015 Assessment Plan and 2015 Assessment Roll by Resolution No. 15-1695; Ordinance No. 29860.

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

On September 14, 2016, City Council authorized the 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1496; Ordinance No. 30201.

Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

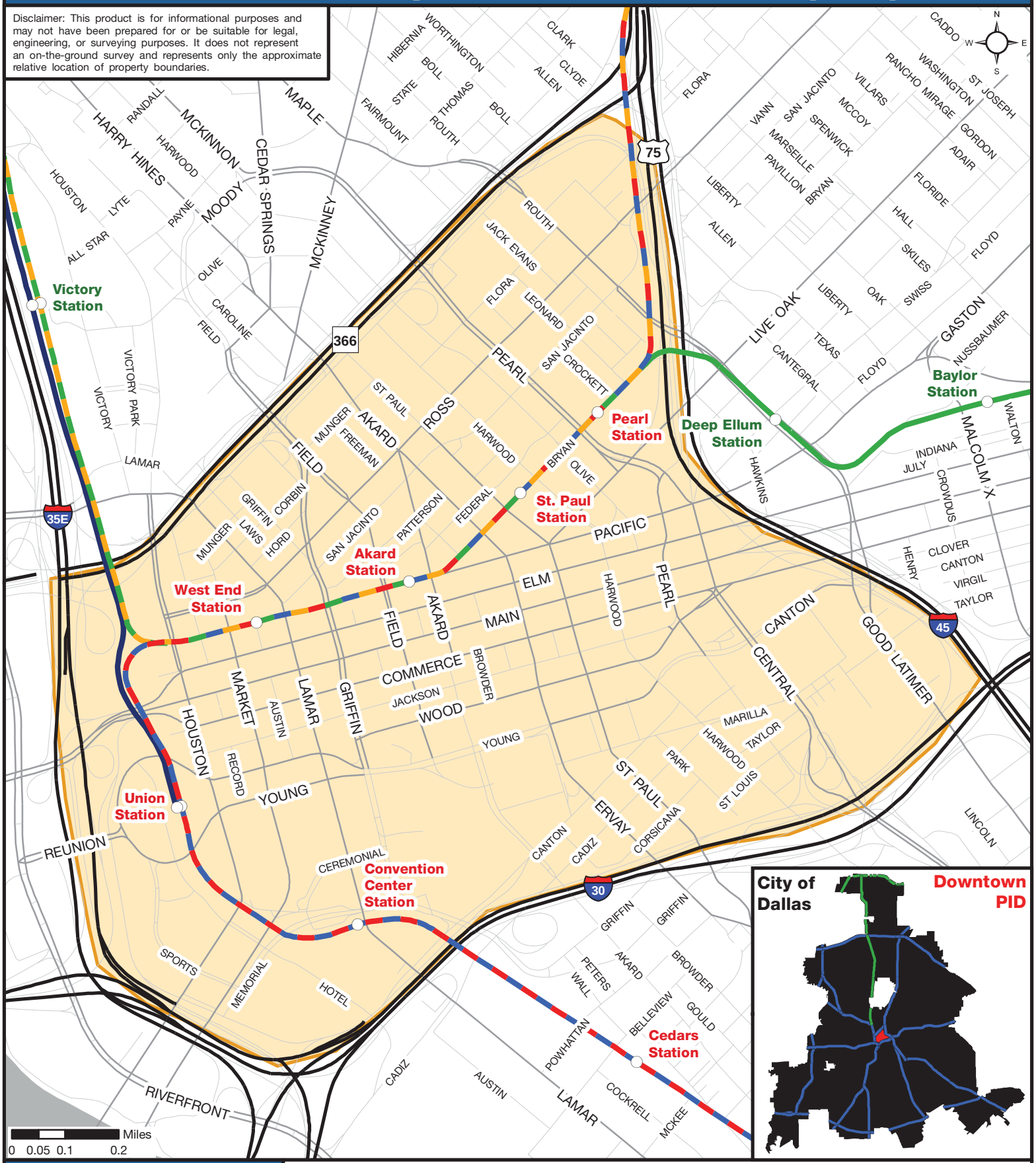
No cost consideration to the City.

MAP

Attached

Downtown Improvement District (DID)

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 3.17.10, Last Updated 8.31.11 - PID_Downtown.TCG

Legend

- Downtown Improvement District
- Rail Station
- DART Red Line
- DART Blue Line
- DART Green Line
- DART Orange Line
- Trinity Railway Express
- Freeway or Tollway
- Arterial
- Local Road
- Flood Plain

Source: Rail Lines - DART, 2010; Parcels - DCAD, 2009; All Other Data - City of Dallas, 2010

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 24, 1992, City Council authorized the creation of the Dallas Downtown Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Downtown Dallas Inc., as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 92-2445; and

WHEREAS, on June 12, 1996, City Council authorized the renewal of the Dallas Downtown Improvement District by Resolution No. 96-2039; and

WHEREAS, on August 9, 2006, City Council held a public hearing to receive comments on the renewal of the Public Improvement District by Resolution No. 06-2048 and authorized the renewal of the District by Resolution No. 06-2049; and

WHEREAS, on June 12, 2013, City Council authorized the renewal of the Dallas Downtown Improvement District and approval of the Service Plan and management contract by Resolution No.13-1015; and

WHEREAS, on September 10, 2014, City Council authorized an ordinance approving and adopting the final 2015 Service Plan and 2014 Assessment Plan and 2014 Assessment Roll by Resolution No. 14-1506; Ordinance No. 29456; and

WHEREAS, on September 9, 2015, City Council authorized the approval and adoption of the proposed and final 2016 Service Plan , the 2015 Assessment Plan and the 2015 Assessment Roll by Resolution No. 15-1695; Ordinance No. 29860; and

WHEREAS, on September 14, 2016, City Council authorized the 2017 Service Plan and 2016 Assessment Plan by Resolution No. 16-1496; Ordinance No. 30201; and

WHEREAS, Downtown Dallas Inc., provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Dallas Downtown Improvement District will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Nature of the Services and Improvements**. The proposed services and improvements to be provided in the District include Downtown Safety Patrol program, safety awareness and education programs, Clean Team program, operation of the mass transportation facilities, landscaping, banner program, installation and maintenance of trash containers, promotion of downtown, installation of lighting, implement signage and wayfinding system, development of new public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $6,883,807 in 2018 and reach $7,186,384 in 2022. The total estimated assessment to be collected during the next five-year period is approximately $35,162,515. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The gross assessment amount for 2017 is estimated to be $7,591,632.

SECTION 1. (continued)

This amount is approximately equal to $0.129 per $100.00 of appraised value, as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the City Council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. The City of Dallas has contractually agreed to pay assessments against exempt City property in the District. City rights-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must also be established by contract.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

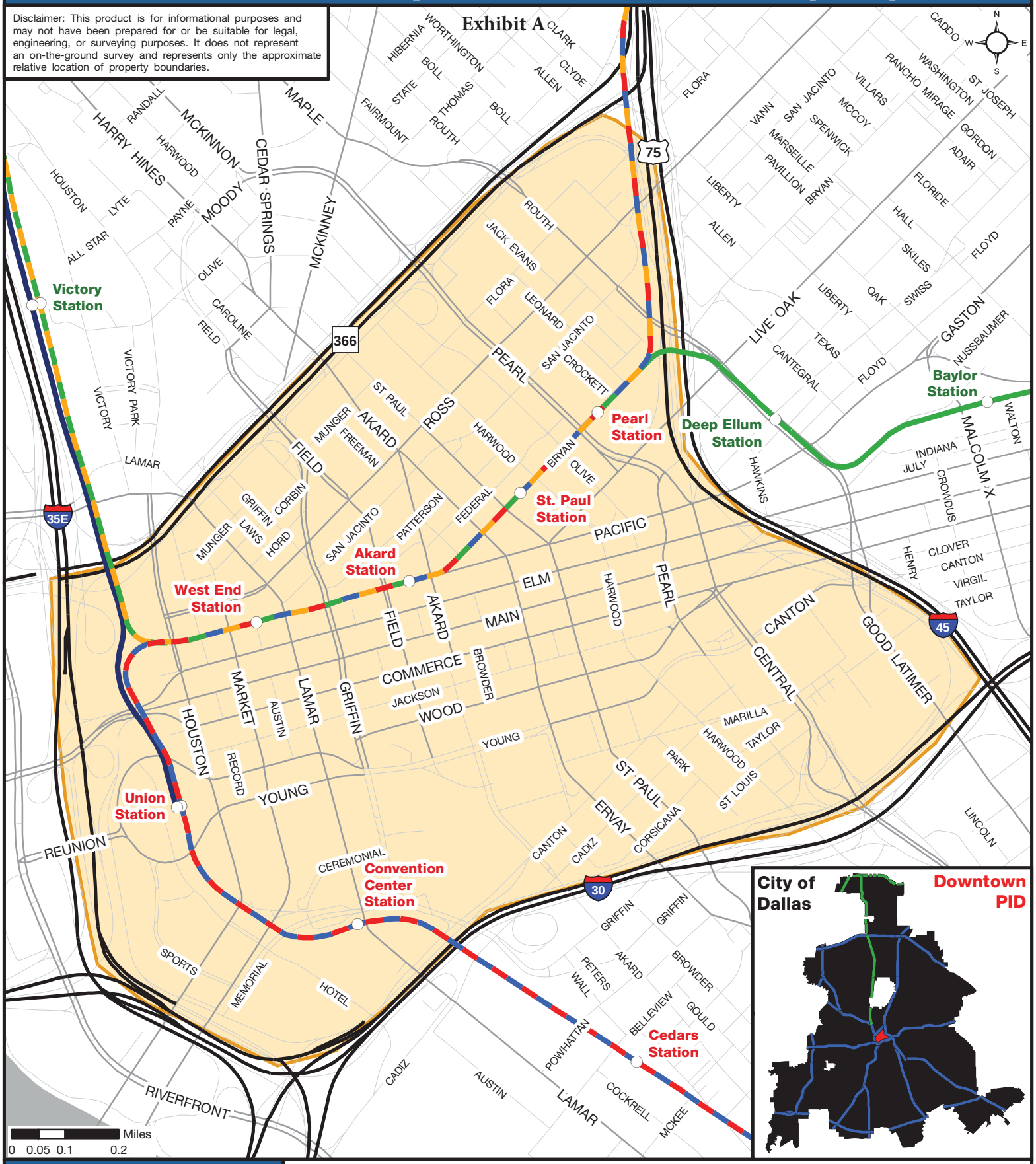
SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Downtown Improvement District (DID)

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Exhibit A



DALLAS
ECONOMIC DEVELOPMENT

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dallas-ecodev.org

Created 3.17.10, Last Updated 8.31.11 - PID_Downtown.TCG

Legend

- Downtown Improvement District
- Rail Station
- DART Red Line
- DART Blue Line
- DART Green Line
- DART Orange Line
- Trinity Railway Express
- Freeway or Tollway
- Arterial
- Local Road
- Flood Plain

Source: Rail Lines - DART, 2010; Parcels - DCAD, 2009; All Other Data - City of Dallas, 2010

Exhibit B

Dallas Downtown Improvement District (DID)

Service Plan 2018-2022

	2018 Budget	*2019 Budget*	*2020 Budget*	*2021 Budget*	*2022 Budget*
REVENUES & RESERVES					
Fund balance from previous year	$2,824.00	$2,292.00	$1,063.81	$1,447.12	$1,273.64
Net assessment revenue*	$6,798,983.00	$6,873,771.81	$6,949,383.30	$7,025,826.52	$7,103,110.61
Exempt jurisdictions	$81,500.00	$81,500.00	$81,500.00	$81,500.00	$81,500.00
Interest on cash balances	$500.00	$500.00	$500.00	$500.00	$500.00
Other income & contributions	$0.00	$0.00	$0.00	$0.00	$0.00
TOTAL INCOME & RESERVES	**$6,883,807.00**	**$6,958,063.81**	**$7,032,447.12**	**$7,109,273.64**	**$7,186,384.25**
EXPENDITURES					
Organization & Administration	$761,449.00	$805,000.00	$850,000.00	$895,000.00	$940,000.00
Capital Improvements [1]	$280,757.00	$290,000.00	$295,000.00	$300,000.00	$307,000.00
Transportation and Improvements [2]	$380,714.00	$385,000.00	$385,000.00	$385,000.00	$385,000.00
Communications & Events [3]	$1,023,908.00	$1,048,000.00	$1,052,000.00	$1,058,000.00	$1,062,000.00
Services and Improvements [4]	$1,603,900.00	$1,610,000.00	$1,620,000.00	$1,630,000.00	$1,640,500.00
Safety [5]	$2,830,787.00	$2,819,000.00	$2,829,000.00	$2,840,000.00	$2,850,500.00
TOTAL EXPENDITURES	**$6,881,515.00**	**$6,957,000.00**	**$7,031,000.00**	**$7,108,000.00**	**$7,185,000.00**
FUND BALANCE/RESERVES	$2,292.00	$1,063.81	$1,447.12	$1,273.64	$1,384.25

* 2017 Assessment less admin fees and contingency for delinquent and/or protested accounts, as well as exempt accounts removed by the County.

[1] Public Improvements, landscape and parks.

[2] Downtown circulator, operation and maintenance of mass transportation facilities.

[3] Special supplemental service for promotion and improvement of the DID, including, entertainment and events, and retail recruitment.

[4] Community programs, Clean Team, environmental enhancements and sanitation.

[5] Downtown Safety Patrol, Homeless outreach, education & coordination.

Exhibit C

DOWNTOWN
DALLAS INC
901 Main Street
Suite 7100
Dallas, TX 75202
p 214.744.1270
f 214.744.1986

Downtown Dallas, Inc.
Improvement District
2018 Assessment Plan

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The District service area is shown on a map attached hereto. The assessment to be levied for properties in the District service area is $.1290 per $100 of appraised value. Dependent upon future District property values and the changing needs of the District, the assessment rate stated above is not anticipated to change in the next five years. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of $0.15 per $100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code.

As provided by Chapter 372 of The Code, the City of Dallas is responsible for payments of assessments against exempt municipal property in the District. Properties not liable for assessment include City rights-of-way and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code). Payment of assessments by other exempt jurisdictions shall be established by contract.

AGENDA ITEM # 10

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 45 G L M R and 46 J K

SUBJECT

Authorize **(1)** approval of the proposed Deep Ellum Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2017; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Deep Ellum Foundation provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $454,614 in 2018 and reach $573,940 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $2,807,543. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $484,875. This amount is approximately equal to $0.12 per $100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

BACKGROUND (continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 25, 1999, City Council authorized creation of the Deep Ellum Public Improvement District by Resolution No. 99-2604.

On August 9, 2006, City Council authorized a public hearing to receive comments on the renewal of the public improvement district by Resolution No. 06-2050 and authorized the Deep Ellum Public Improvement District and contract by Resolution No. 06-2051.

On August 14, 2013, City Council authorized renewal of the Deep Ellum Public Improvement District Service Plan and contract by Resolution No. 13-1376.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2016 Assessment Plan and Assessment Roll by Resolution No. 16-1497; Ordinance No. 30202.

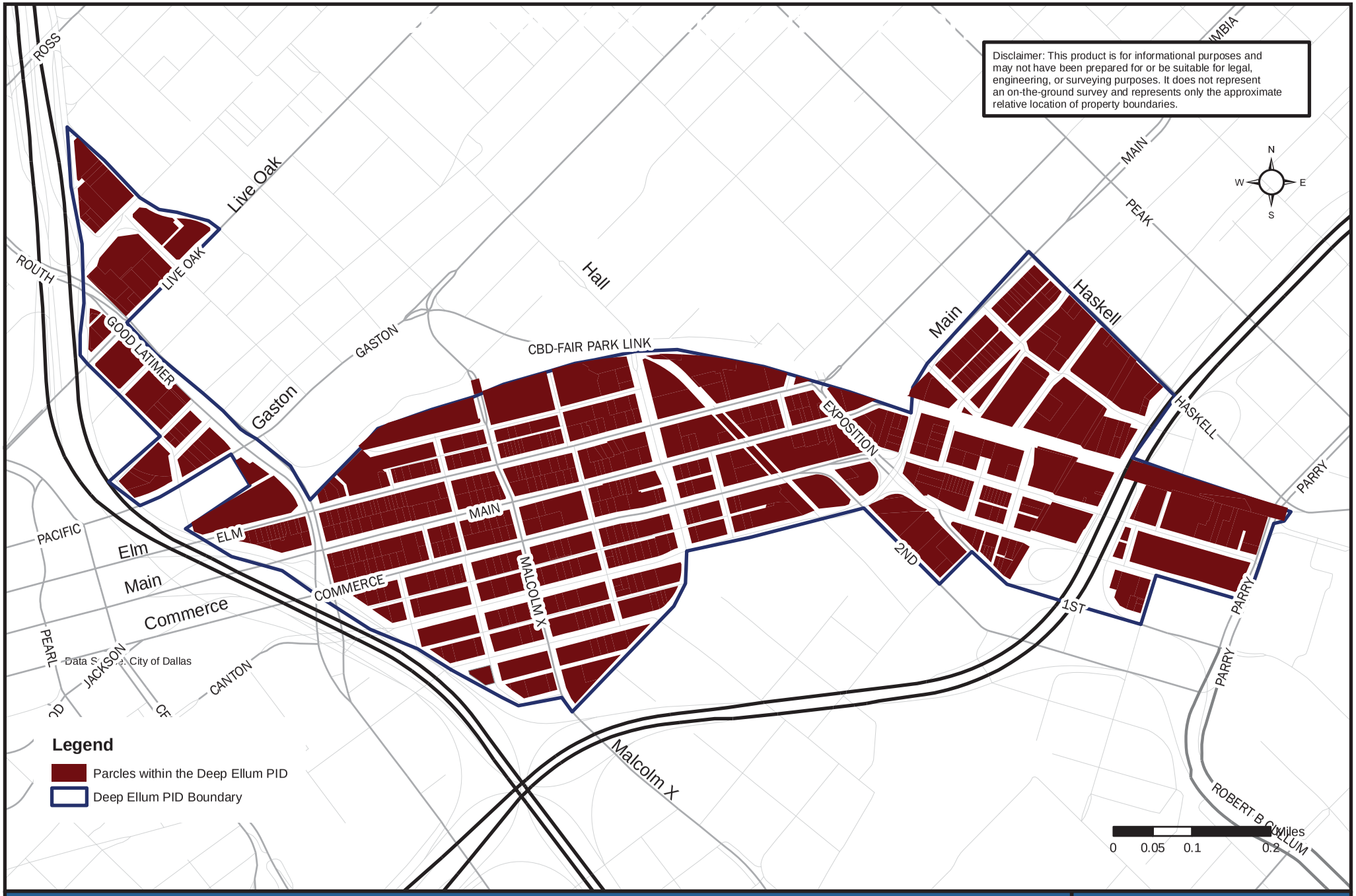
Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Deep Ellum PID Boundary Map

DALLAS
ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created 08/2013

August 23, 2017

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on August 25, 1999, City Council authorized the creation of the Deep Ellum Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Deep Ellum Foundation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 99-2604; and

WHEREAS, on August 9, 2006, City Council held a public hearing to receive comments on the renewal of the public improvement district by Resolution No. 06-2050 and authorized the Deep Ellum Public Improvement District (District), approval of the service plan and contract by Resolution No. 06-2051; and

WHEREAS, on August 14, 2013, City Council authorized the renewal of the District Service Plan and contract by Resolution No. 13-1376; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving the adopting the final 2017 Service Plan and the 2016 Assessment Plan and the 2016 Assessment Roll by Resolution No. 16-1497; Ordinance No. 30202; and

WHEREAS, the Deep Ellum Foundation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Deep Ellum Public Improvement District will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

SECTION 1. (continued)

The City Council makes the following findings concerning the Service Plan for the public improvement district:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $454,614 in 2018 and reach $573,940 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $2,807,543. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $484,875. This amount is approximately equal to $0.12 per $100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation.

SECTION 1. (continued)

Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way and City parks and cemeteries are not specially benefited and therefore are not subject to PID assessment.

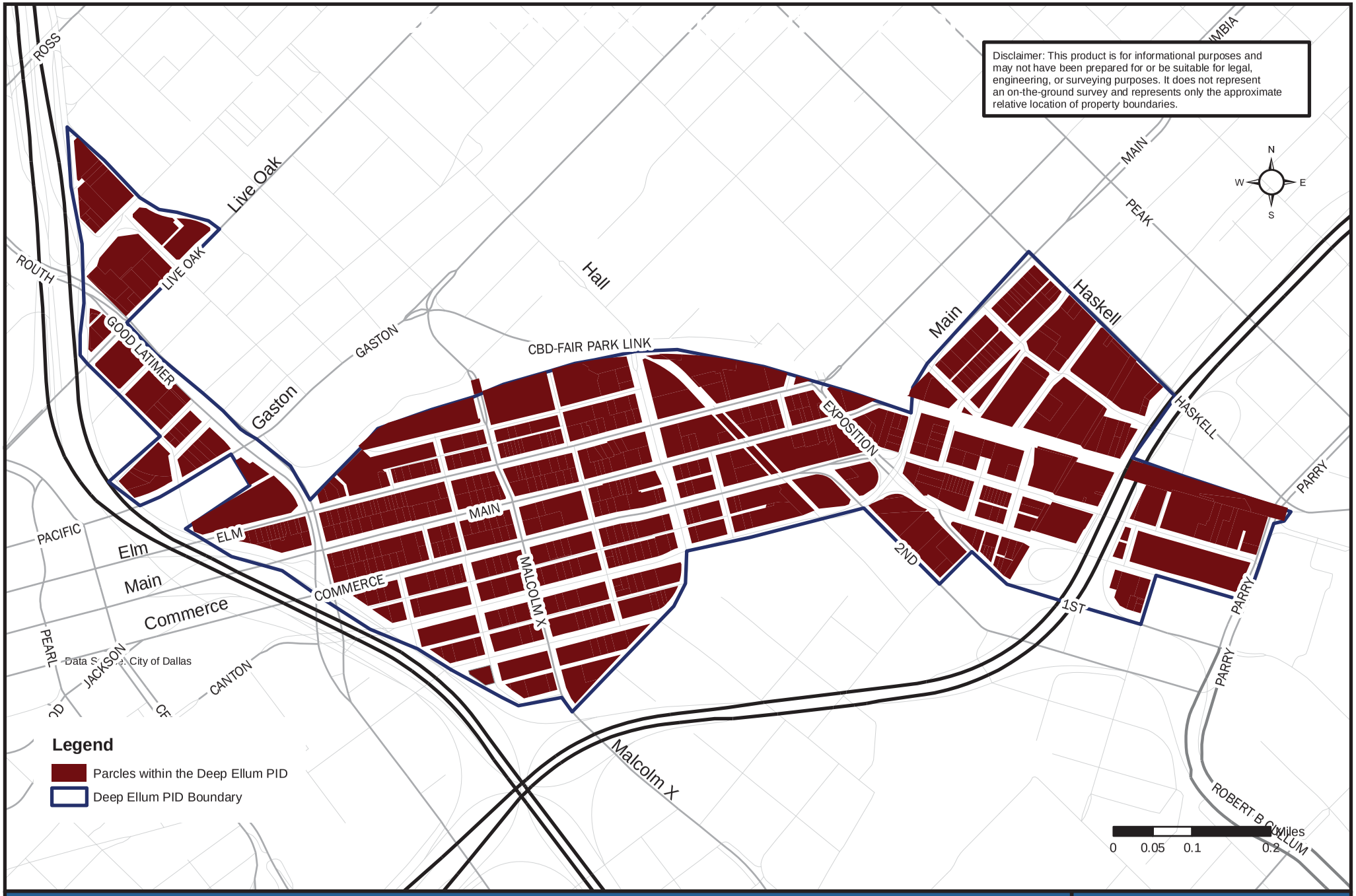
SECTION 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 3. That a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Deep Ellum PID Boundary Map
Exhibit A

DALLAS
ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created 08/2013

EXHIBIT B
DEEP ELLUM PID
Service Plan 2018-2022 | Updated August 4, 2017

		2018		2019*	2020*	2021*	2022*
Revenues and Reserves		**BUDGET**		**BUDGET**	**BUDGET**	**BUDGET**	**BUDGET**
Net Assessment Revenue		**$484,874.50**		**$530,309.98**	**$562,571.59**	**$596,768.89**	**$633,018.04**
Fund balance from previous year[6]		$19,380.35		$20,717.94	$38,768.02	$58,647.81	$82,076.64
Interest on cash balances		$1,077.14		$1,131.00	$1,187.55	$1,187.55	$1,246.93
Total Income and Reserves		**$475,331.99**		**$520,658.92**	**$569,452.16**	**$623,529.26**	**$681,612.86**
Improvements[1]	18%	$78,328.02	17%	$83,027.70	$88,009.36	$93,289.92	$98,887.32
Transportation and related expenses[2]	6%	$28,291.61	6%	$29,989.11	$31,788.46	$33,695.76	$35,717.51
Business Development and Recruitment[3]	4%	$18,822.11	4%	$19,951.43	$21,148.52	$22,417.43	$23,762.48
Marketing and Promotion[4]	44%	$195,488.71	43%	$207,218.04	$219,651.12	$232,830.19	$246,800.00
Public Safety[5]	5%	$28,233.16	6%	$29,927.15	$31,722.78	$33,626.14	$35,643.71
Administration	16%	$68,947.36	15%	$73,084.20	$77,469.26	$82,117.41	$87,044.46
Financial Audit and Insurance	7%	$36,503.08	8%	$38,693.27	$41,014.86	$43,475.75	$46,084.30
	100%		100%				
Total Expenditures[6]		**$454,614.05**		**$481,890.90**	**$510,804.35**	**$541,452.61**	**$573,939.77**
Fund Balance/Reserves		$20,717.94		$38,768.02	$58,647.81	$82,076.64	$107,673.09

1. Graffiti control, landscaping, park improvements, trash pickup and neighborhood improvements
2. Acquisition, construction, operation and maintenance of transportation facilities and wayfinding signage including neighborhood parking programs
3. Business development and recruitment to promote the District as well as efforts to ease the burden of opening and operating a business.
4. Marketing and other promotional activities including but not limited to wifi, website, light pole banners, and newsletter.
5. Safety and security related initiatives including but not limited to lighting and signage.

The original service plan covers 2015-2020. This plan shows years 2015-2022. Any year beyond 2020 is an estimate pending a successful early renewal. Renewal process of the Service Plan starts in April and is completed in September of the year before required renewal. We intend on renewing and revising this service plan in 2018 to be effective 2019, therefore this service plan shown for 2019-2022 is subject to a potentially significant change.

Exhibit C

DEEP ELLUM FOUNDATION

Jon Hetzel
President
Deep Ellum Foundation
PO Box 710596, Dallas, Texas 75371

July 10, 2017

Deep Ellum Public Improvement District
2017 Assessment Plan

The cost of the services and improvements provided by the Deep Ellum Public Improvement District (DEPID) will be paid primarily by special assessments against property in the District. Annual assessments will be based on the total value of real property and improvements as certified by the Dallas Central Appraisal District.

All property owners not exempt from assessment will be assessed at a uniform rate. For the tax year of 2017, the rate continues to be $0.12 per $100.00 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. DEPID will recognize and honor exemptions listed by the Dallas Central Appraisal District, including homestead, disability, senior citizen and exemptions for property owned by tax-exempt entities. Payment of the DEPID assessment by any exempt owners must be established by contract.

DEPID's assessments will be collected by Dallas County for the City of Dallas, in accordance with the management contract between the City of Dallas and The Deep Ellum Foundation, the non-profit corporation that manages the District.

Sincerely,

Jon Hetzel, Deep Ellum Foundation President

AGENDA ITEM # 11

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 45 E F G K and L

SUBJECT

Authorize **(1)** approval of the proposed Klyde Warren Park/Dallas Arts District Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Woodall Rodgers Park Foundation provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017. The assessment values provided herein are preliminary. The assessment values based on 2017 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 13, 2017 public hearing item.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services and improvements for properties specifically benefitted by their proximity to Klyde Warren Park (KWP) and Dallas Arts District (DAD), but not to replace or supplant existing City or other services provided. The general nature of the proposed services and improvements to be performed by the District for KWP and DAD includes security, sanitation, graffiti control and landscape improvements, marketing and promotional activities, distinctive lighting and signage, landscaping and water features, KWP/DAD improvements, trash pick-up, cultural enhancement, programs, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $1,141,592 in 2018 and reach $1,671,405 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $6,969,533. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $1,141,592. This amount is approximately equal to $.025 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate is capped and shall not exceed $0.025 per $100.00 evaluation. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

BACKGROUND (continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2013, City Council authorized creation of the Klyde Warren Park Public Improvement District, approval of the Service Plan and management contract by Resolution No. 13-1375.

On June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District by Resolution No. 14-1073.

On June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District, approval of the Service Plan and management contract by Resolution No. 14-1074.

On September 14, 2016 City Council authorized an ordinance approving and adopting the final 2017 Service Plan and the 2016 Assessment Plan and 2016 Assessment Roll for the Klyde Warren Park/Dallas Arts District Public Improvement District by Resolution No. 16-1498; Ordinance No. 30203.

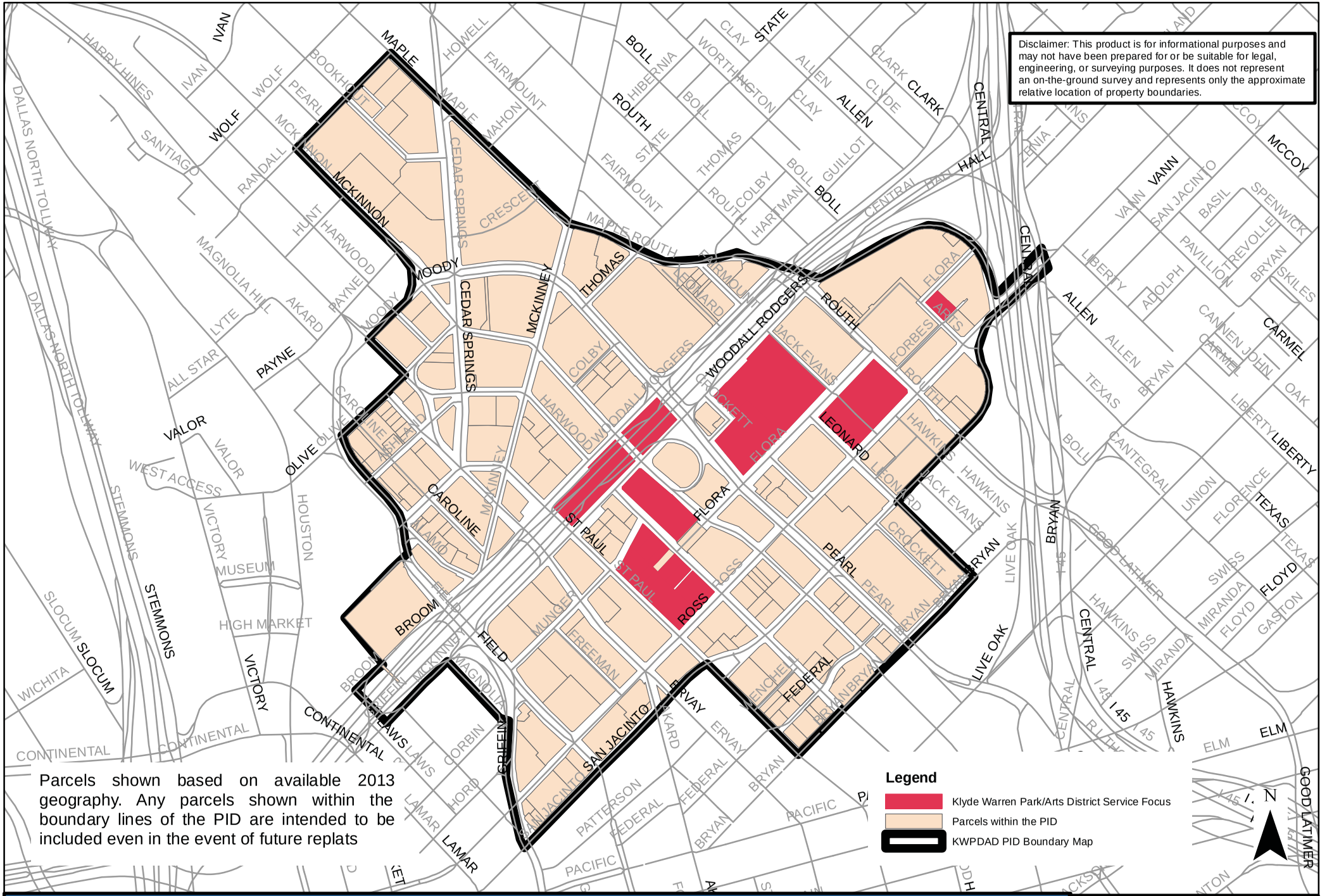
Information about this item will be provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Klyde Warren Park/Arts District PID (KWP/DADPID) Boundary Map

DALLAS
ECONOMIC
DEVELOPMENT
Area Redevelopment Division
214.670.1685
dallas-ecodev.org

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on August 14, 2013, City Council authorized the creation of the Klyde Warren Park Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Woodall Rodgers Park Foundation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 13-1375; and

WHEREAS, on June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District by Resolution No. 14-1073; and

WHEREAS, on June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District, approval of the Service Plan and management contract for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan and 2016 Assessment Plan and 2016 Assessment Roll for the Klyde Warren Park/Dallas Arts District Public Improvement District by Resolution No. 16-1498; Ordinance No. 30203; and

WHEREAS, the Woodall Rodgers Park Foundation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Klyde Warren Park/Dallas Arts District Public Improvement District, will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

The City Council makes the following findings concerning the Service Plan for the public improvement district:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services and improvements for properties specifically benefitted by their proximity to Klyde Warren Park (KWP) and Dallas Arts District (DAD), but not to replace or supplant existing City or other services provided. The general nature of the proposed services and improvements to be performed by the District for KWP and DAD includes security, sanitation, graffiti control and landscape improvements, marketing and promotional activities, distinctive lighting and signage, landscaping and water features, KWP/DAD improvements, trash pick-up, cultural enhancement, programs, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $1,141,592 in 2018 and reach $1,671,405 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $6,969,533. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $1,141,592. This amount is approximately equal to $.025 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year.

SECTION 1. (continued)

The annual assessment rate is capped and shall not exceed $0.025 per $100.00 valuation. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

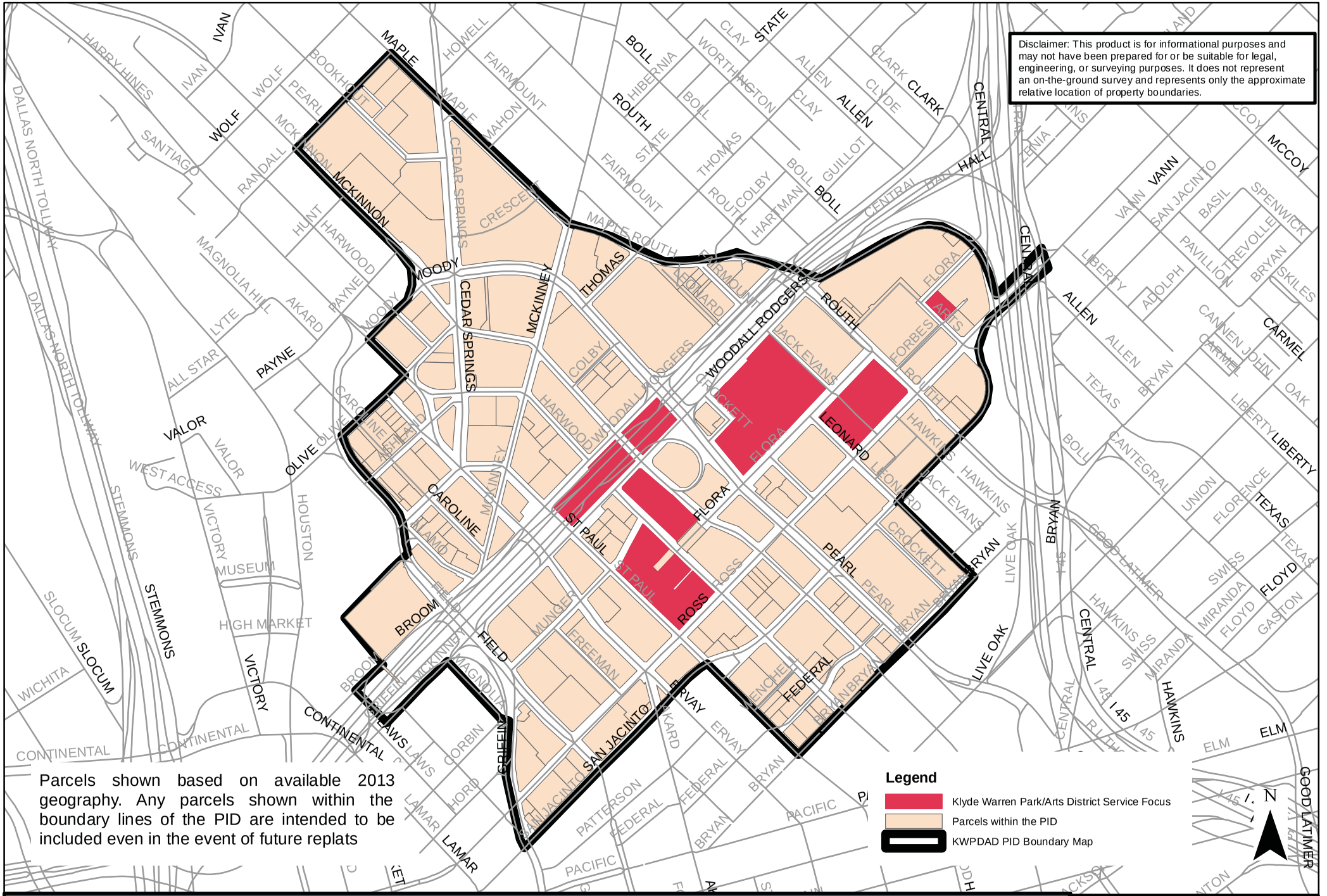


Exhibit A
Klyde Warren Park/Arts District PID (KWP/DADPID) Boundary Map

DALLAS
ECONOMIC DEVELOPMENT
Area Redevelopment Division
214.670.1685
dallas-ecodev.org

EXHIBIT B

KLYDE WARREN PARK/DALLAS ARTS DISTRICT
PUBLIC IMPROVEMENT DISTRICT
PROPOSED SERVICE PLAN 2018

		2018 Proposed	2019 Revised Plan	2020 Revised Plan	2021 Revised Plan	2022 Plan *
REVENUE						
	Fund Balance from previous year	-	-	-	-	-
1	Net assessment revenue	$1,141,592.00	$1,255,751.20	$1,381,326.32	$1,519,458.95	$1,671,404.85
	TOTAL REVENUE	$1,141,592.00	$1,255,751.20	$1,381,326.32	$1,519,458.95	$1,671,404.85
EXPENDITURES						
	Security	$220,216.20	$231,227.01	$242,788.36	$254,927.77	$267,674.16
	Sanitation	$234,113.97	$250,501.95	$268,037.08	$286,799.68	$306,875.66
	Scrubbing and power washing pavers	$19,810.43	$21,791.47	$23,970.62	$26,367.68	$29,004.45
	Waste disposal	$15,980.13	$17,578.15	$19,335.96	$21,269.56	$23,396.51
	Landscape improvements	$224,738.61	$274,254.18	$317,683.42	$369,293.59	$423,255.67
	Water features and general maintenance	$90,796.08	$99,875.69	$122,405.34	$131,733.72	$157,530.87
	Cultural enhancement (programs)	$89,501.31	$98,451.44	$108,296.59	$119,126.24	$131,038.87
	Marketing and promotion	$81,938.16	$90,131.97	$99,145.17	$122,059.69	$134,265.65
	Administration	$42,939.68	$44,227.87	$45,554.70	$46,921.34	$48,328.98
	Liability insurance and financial audit	$71,848.10	$74,003.55	$76,223.65	$78,510.36	$80,865.67
	Holiday lighting and Decorations	$28,758.04	$31,633.85	$34,797.23	$38,276.95	$42,104.65
	Signage	$13,351.28	$14,474.08	$15,488.19	$16,572.36	$19,463.70
2	Contingency	$7,600.00	$7,600.00	$7,600.00	$7,600.00	$7,600.00
	TOTAL OPERATING EXPENDITURES	$1,141,592.00	$1,255,751.20	$1,381,326.32	$1,519,458.95	$1,671,404.85
FUND BALANCE/ RESERVES		$0.00	$0.00	$0.00	$0.00	$0.00

KWP and DAD will support the remaining operating costs of their organizations, which is not included in the Service Plan

* 2022 Plan is first year of PID renewal; Assume renewal of PID

1 Revised plan assumes a 10% increase in property values each year based on future Uptown and Downtown development

2 Allowance made for anticipated tax refunds due to protests by property owners

Exhibit C

Klyde Warren Park/Dallas Arts District Public Improvement District Assessment Plan

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The Klyde Warren Park/Dallas Arts District Public Improvement District (PID) proposed assessment rate for 2017 is $0.025 per $100 of appraised value. The annual assessment rate shall not exceed $0.025 per $100 valuation. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

AGENDA ITEM # 12

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 35 Q R U V

SUBJECT

Authorize **(1)** approval of the proposed Knox Street Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Knox Street Improvement District Corporation provided the proposed District 2017 Service Plan and proposed 2016 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 14, 2016.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $1,029,674 in 2018 and reach $312,825 in 2022. The total estimated assessments to be collected for during the next five-year period is approximately $1,783,258. The District shall incur no bonded indebtedness. Future years' budgets may alter significantly as the result of the carryover funds accumulated through 2017 from the previous term to be used to fund capital improvement projects such as gateway markers and streetscape improvements and/or possibly in conjunction with Knox Complete Streets (and related feasibility study costs). Capital Improvements include traffic studies related to Knox Complete Streets and Cole-McKinney Two Way Conversion, as well as gateway marker costs. 2017 Capital Improvements reflects anticipated spend of majority of carryover from prior years to complement Knox Complete Streets (but may be separate project from Complete Streets).

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2016 is proposed to be $335,885. This amount is approximately equal to $0.15 per $100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2017 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District.

BACKGROUND (continued)

Any future increase in the assessment rate would also be subject to a public hearing and the City Council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 2010, City Council authorized creation of the Knox Street Public Improvement District, Service Plan and management contract by Resolution No. 10-1670.

On September 9, 2015, City Council authorized an ordinance approving and adopting the proposed and final 2015 Assessment Plan and the 2016 Assessment Roll by Resolution No. 15-1698; Ordinance No. 29863.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan, and 2016 Assessment Roll by Resolution No. 16-1499; Ordinance 30204.

On June 28, 2017, City Council held a public hearing to receive comments on the renewal of the Knox Street Public Improvement District and authorized the Service Plan and the management contract by Resolution No. 17-1119.

Information about this item was provided to the Economic Development Committee on August 15, 2016.

Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

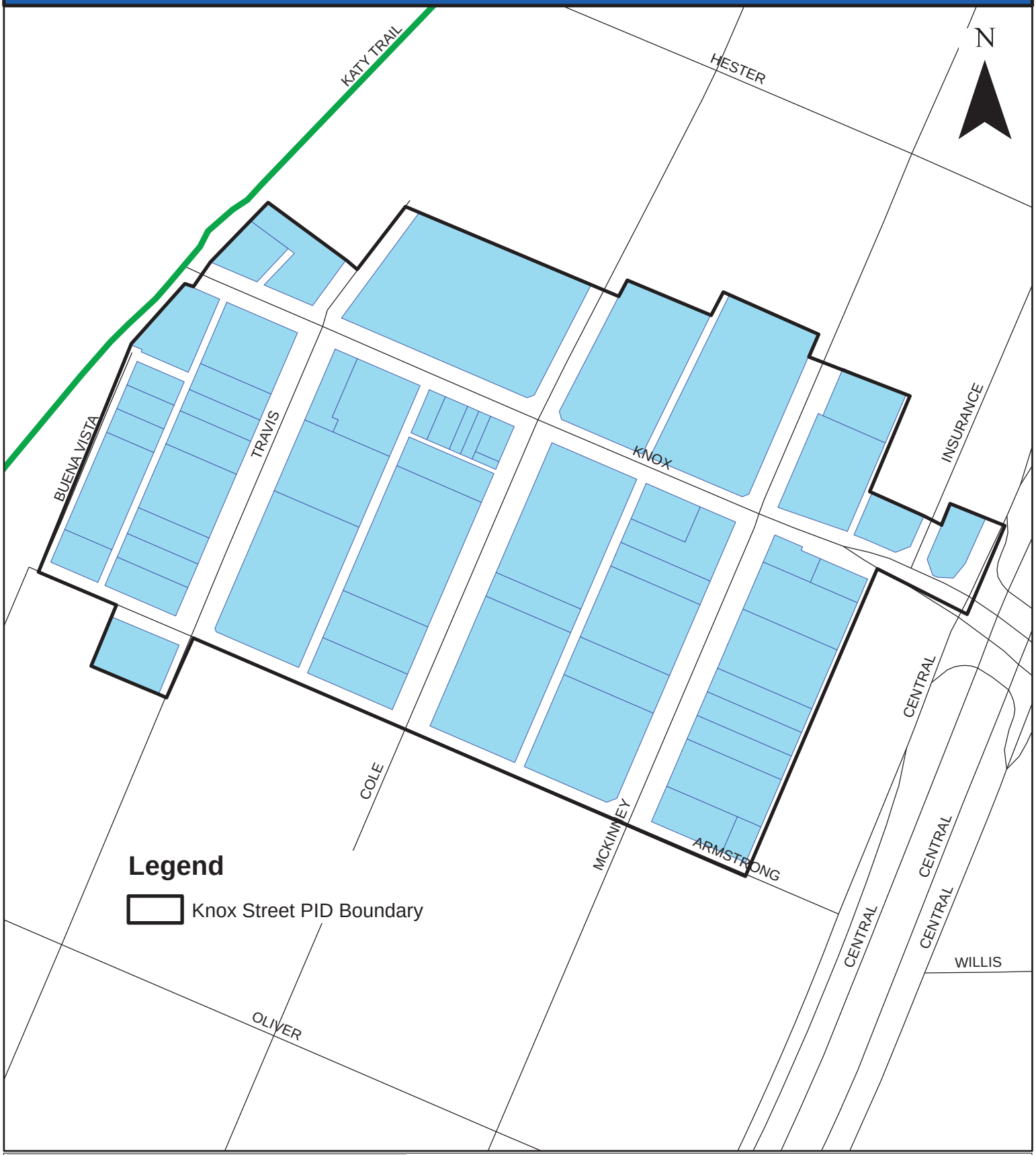
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

Knox Street PID



City of Dallas
Office of Economic Development
http://www.Dallas-EcoDev.org

Created 04/2010

August 23, 2017

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 23, 2010, City Council authorized the creation of the Knox Street Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Knox Street Improvement District Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 10-1670; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1499; Ordinance No. 30204; and

WHEREAS, on June 28, 2017, City Council held a public hearing to receive comments on the renewal of the Knox Street Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Knox Street Improvement District Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 17-1119; and

WHEREAS, the Knox Street Improvement District Corporation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Knox Street Public Improvement District will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

SECTION 1. (continued)

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include public safety and security, lighting, sidewalk and streetscape, operation and maintenance of public improvements, landscaping improvements including plantings and hardscape, District marketing and promotional activities and improvements authorized by the Act and approved by the Dallas City Council.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $1,029,674 in 2018 and reach $312,825 in 2022. The total estimated assessments to be collected for during the next five-year period is approximately $1,783,258. The District shall incur no bonded indebtedness. Future years' budgets may alter significantly as the result of the carryover funds accumulated through 2017 to be used to fund capital improvement projects such as gateway markers and streetscape improvements and/or possibly in conjunction with Knox Complete Streets (and related feasibility study costs). Capital Improvements include traffic studies related to Knox Complete Streets and Cole-McKinney Two Way Conversion, as well as gateway marker costs. 2018 Capital Improvements reflects anticipated spend of majority of carryover from prior years to complement Knox Complete Streets (but may be separate project from Complete Streets).

(d) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $335,885.

SECTION 1. (continued)

This amount is approximately equal to $0.15 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(f) **Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

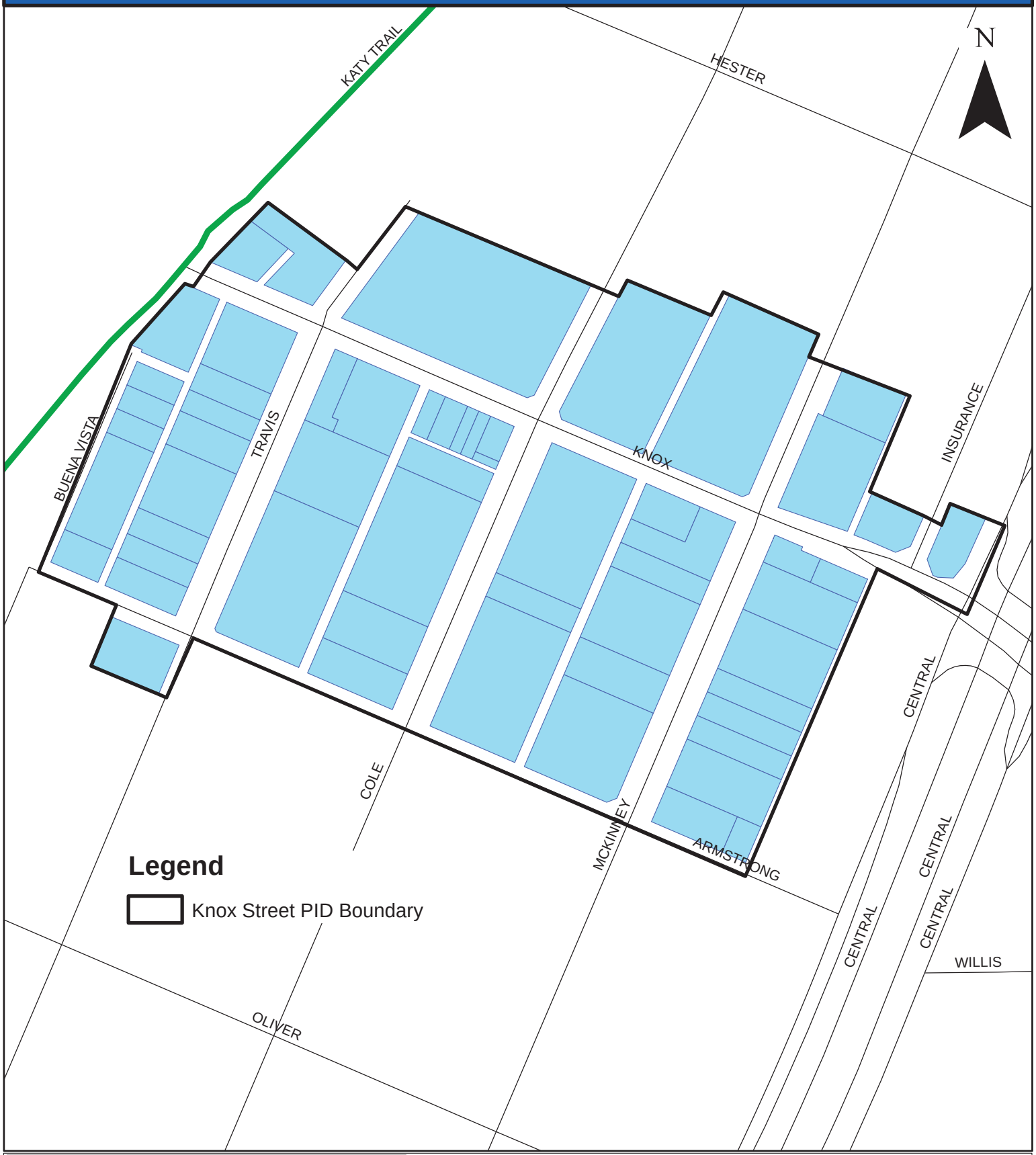
SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A

Knox Street PID



City of Dallas

Office of Economic Development

http://www.Dallas-EcoDev.org

Created 04/2010

Knox Street Public Improvement District - 5 Year Service Plan (2018-2022)

Revised August 2017

	2018 Forecast [3]		2019 Forecast		2020 Forecast		2021 Forecast		2022 Forecast	
INCOME										
Carryover Fund Balance From Previous Year	$ 744,359		$ 50,570		$ 110,252		$ 171,725		$ 235,042	
Net Assessment Revenue [1]	$ 335,885		$ 345,961		$ 356,340		$ 367,030		$ 378,041	
TOTAL INCOME & RESERVES	$ 1,080,244		$ 396,531		$ 466,593		$ 538,755		$ 613,083	
EXPENSES										
Capital Improvements [4]	$ 875,000	81%	$ 152,715	39%	$ 158,020	34%	$ 163,483	30%	$ 169,111	28%
Public Safety and Security [5]	$ 47,741	4%	$ 49,173	12%	$ 50,648	11%	$ 52,167	10%	$ 53,732	9%
Marketing & Promotion [6] & [7]	$ 96,070	9%	$ 73,202	18%	$ 74,675	16%	$ 76,192	14%	$ 77,755	13%
PID Renewal Fee [8]	$ -	0%	$ -	0%	$ -	0%	$ -	0%	$ -	0%
Insurance & Audit	$ 10,711	1%	$ 11,033	3%	$ 11,364	2%	$ 11,704	2%	$ 12,056	2%
Administrative [7]	$ 152	0%	$ 157	0%	$ 161	0%	$ 166	0%	$ 171	0%
TOTAL EXPENSES	$ 1,029,674		$ 286,279		$ 294,868		$ 303,713		$ 312,825	
Current Net Income	$ (693,789)	-64%	$ 59,682	15%	$ 61,472	13%	$ 63,317	12%	$ 65,216	11%
TOTAL CARRYOVER FUNDS AT YEAR END	$ 50,570		$ 110,252		$ 171,725		$ 235,042		$ 300,257	

[1] Net assessment reflects the deduction of City and County fees from the gross assessment collection.

[2] 2018 Assessments are proposed to be set at the maximum rate of $0.15 per $100 of taxable value.

[3] 2018 Budget Revenues are based on 2017 certified tax roll with a 10% reduction applied for potential protest and refunds.

[4] Carryover funds will be used to fund capital improvement projects such as (but not limited to) gateway markers, streetscape improvements and/or in conjunction with Knox Complete Streets (and related feasibility study costs).
2017 Capital Improvements reflect the Gateway Marker (increased from $25,000 to $40,000).
2018 Capital Improvements reflects anticipated spend of majority of carryover from prior years to complement Knox Complete Streets (but may be separate project from Complete Streets).

[5] Security includes private security patrol, off-duty police, camera and related security systems equipment and monitoring.

[6] Marketing / Non-Recurring - Non-recurring expenses for 2017 include 1) $78,000 - The Dealey Group for initial meetings/setup, social takeover, research, brand development, media campaign development; and 2) $15,000 - Manufacture light pole banners that will be re-used ongoing.

Non-recurring expenses for 2018 include a placeholder of $25,000 for the purchase of third-party media TBD (magazines, billboards).

[7] Marketing / Recurring - $69,000 - Monthly social media & website maintenance, seasonal labor to change-out light pole banners, holiday light installation, and special events.

[8] Printing, mailing, notice, legal, audit and miscellaneous adminstrative expenses.

[Z] Actual Revenues (ie Cash Basis) in these years. Future years are on a tax year basis.

[*] PID Oversight Charges: Starting in 2016, includes $2.75 per account fee.

EXHIBIT C
KNOX STREET PUBLIC IMPROVEMENT DISTRICT
ASSESSMENT PLAN 2017

The cost of the services and improvements provided by the Knox Street Public Improvement District will be paid primarily by assessments against real properties within the Knox Street Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment rate for 2017 is proposed at $0.15 per $100.00 of appraised value. The annual assessment rate, during the seven-year life of the District, will not exceed $0.15 per $100.00 of appraised value as determined by the Dallas Central Appraisal District.

The Knox Street PID assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Knox Street Improvement District Corporation.

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 9, 10, 13

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 27 B C E F G H J K L N P S T W X & 26 Z

SUBJECT

Authorize **(1)** approval of the proposed Lake Highlands Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Lake Highlands Improvement District Corporation provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017. The assessment values provided herein are preliminary. The assessment values based on 2017 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 13, 2017 public hearing item.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $593,259 in 2018 and reach $1,266,483 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $4,337,188. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $592,959. This amount is approximately equal to $0.13 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code will be exempt from assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

BACKGROUND (continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, City Council authorized creation of the Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 08-1866.

On August 12, 2015, City Council held a public hearing to receive comments concerning the renewal and expansion of the Lake Highlands Public Improvement District, and authorized approval of the Service Plan and management contract by Resolution No. 15-1473.

On September 14, 2016 City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1500; Ordinance No. 30205.

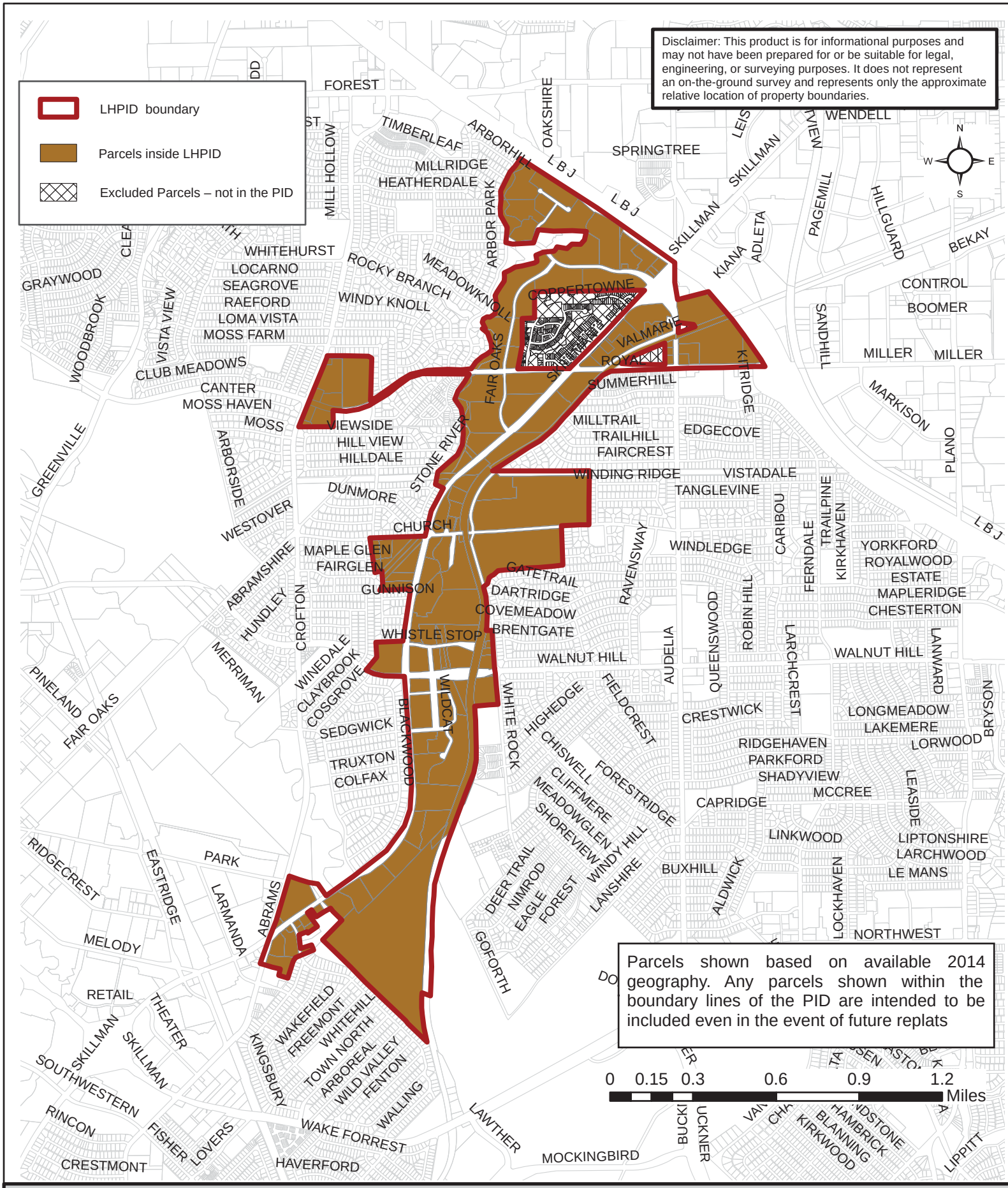
Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 8/2015

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 25, 2008, City Council authorized the creation of the Lake Highlands Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Lake Highlands Improvement District Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 08-1866; and

WHEREAS, on August 12, 2015, City Council held a public hearing to receive comments concerning the renewal and expansion of the Lake Highlands Public Improvement District (District), and authorized approval of the Service Plan and management contract by Resolution No. 15-1473; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1500; Ordinance No. 30205; and

WHEREAS, the Lake Highlands Improvement District Corporation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Lake Highlands Public Improvement District, will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

SECTION 1. (continued)

The City Council makes the following findings concerning the Service Plan for the public improvement district:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements**. The proposed services and improvements to be provided in the District include enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $593,259 in 2018 and reach $1,266,483 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $4,337,188. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $592,959 This amount is approximately equal to $0.13 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

SECTION 1. (continued)

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code will be exempt from assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

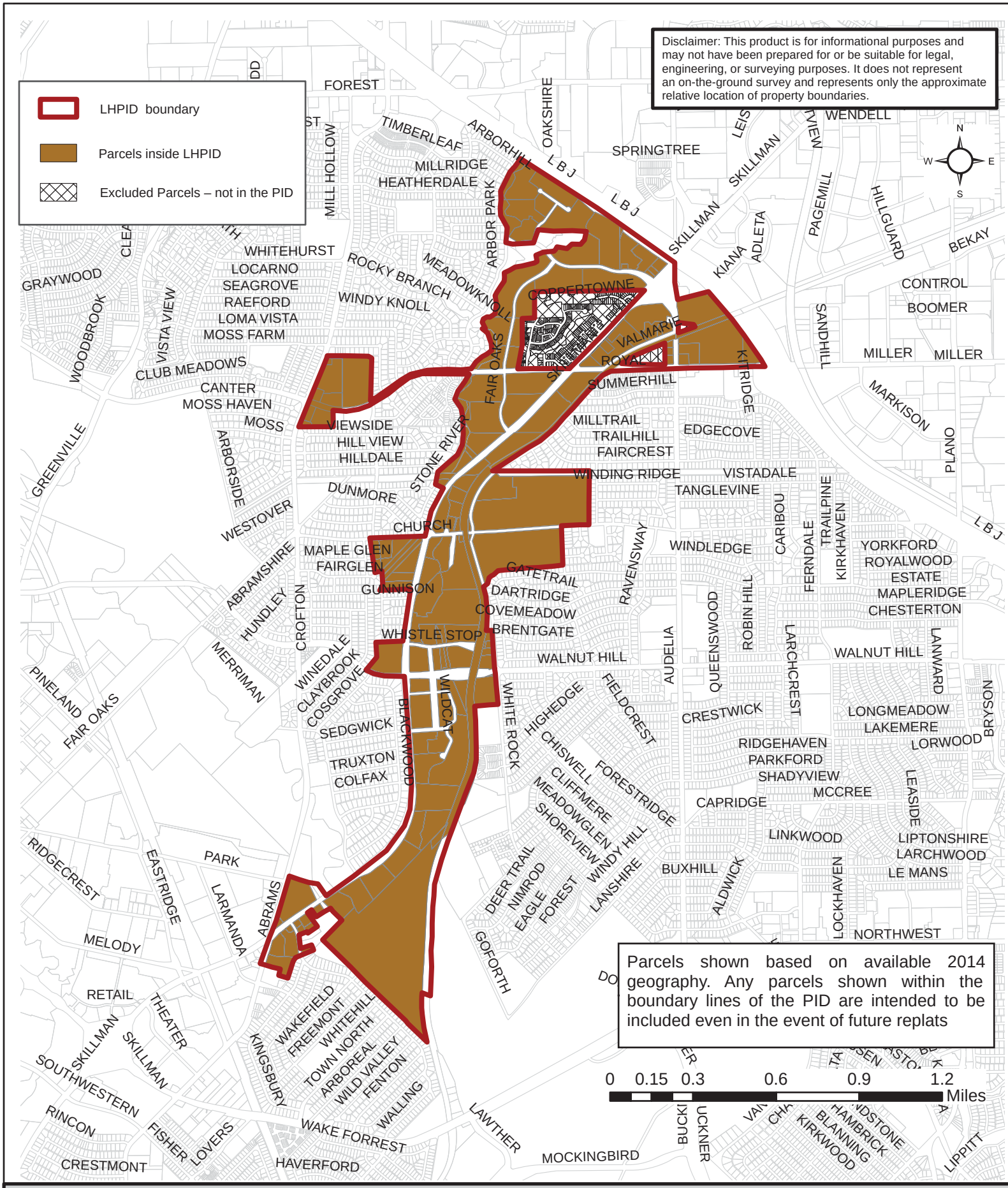


Exhibit A - Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 8/2015

Exhibit B

LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR SERVICE PLAN (2018-2022)

		2018		2019		2020		2021		2022
INCOME										
Net Assessment		$592,959.50		$667,481.49		$836,079.05		$974,585.18		$1,266,083.14
Interest on Cash Balance		$300.00		$400.00		$400.00		$400.00		$400.00
Total Income		**$593,259.50**		**$667,881.49**		**$836,479.05**		**$974,985.18**		**$1,266,483.14**
EXPENSES										
Renewal/Creation Fee										
Public Safety [1]	45.00%	$266,966.78	45%	$300,546.67	45%	$376,415.57	45%	$438,743.33	45%	$569,917.41
Improvements [2]	33.00%	$195,775.64	33%	$220,400.89	33%	$276,038.09	33%	$321,745.11	33%	$417,939.44
Promotion [3]	6.00%	$35,595.57	6%	$40,072.89	6%	$50,188.74	6%	$58,499.11	6%	$75,988.99
Administration [4]	10.00%	$59,325.95	10%	$66,788.15	10%	$83,647.91	10%	$97,498.52	10%	$126,648.31
Audit	2.00%	$11,865.19	2%	$13,357.63	2%	$16,729.58	2%	$19,499.70	2%	$25,329.66
Insurance	4.00%	$23,730.38	4%	$26,715.26	4%	$33,459.16	4%	$38,999.41	4%	$50,659.33
	100.00%									
Total Expenses		**$593,259.50**		**$667,881.49**		**$836,479.05**		**$974,985.18**		**$1,266,483.14**
Surplus Carried Forward		$0.00		$0.00		$0.00		$0.00		$0.00

Notes:

The assessment amount is approximately equal to $0.13 per $100 of appraised value as determined by the Dallas Central Appraisl District (DCAD).
Net assessment reflects the deduction of City and County fees from the gross assessment collection.

[1] Regular Security Patrol, patrol vehicle lease and related expenses

[2] Design and construction of public infrastructure improvements and maintenance of common areas including non standard ROW, medians and parks;

[3] Website, marketing and outreach, marketing materials, promotion, community events, business development

[4] Office supplies, administration, notice mailings

Exhibit C
LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
2017 ASSESSMENT PLAN

The cost of the services and improvements provided by the Lake Highlands Public Improvement District will be paid primarily by assessments against real properties within the Lake Highlands Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The service area is identified on the enclosed map. All properties will be assessed at a uniform rate. The proposed assessment rate for the 2017 is proposed at $0.13 per $100.00 of appraised value. Each subsequent year, a recommended assessment rate will be determined by the budget prepared by the management corporation. Assessment will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

Properties not liable for assessment include City rights-of-way, City-owned park properties and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (exempt under the provisions of Section 11.24 and 11.28 of the Property Tax Code), and property owned by persons already receiving and qualifying of for the 65-or-older homestead exemption (under Section 11.13(c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract.

The District's assessments will be collected by Dallas County or other collection agent as determined by the City of Dallas, in accordance with management contract between the City of Dallas and the Lake Highlands Improvement District Corporation, the non-profit management corporation for the District.

AGENDA ITEM # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 10

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 17Y 17Z 27B-D 27G-H

SUBJECT

Authorize **(1)** approval of the proposed North Lake Highlands Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The North Lake Highlands Improvement District Corporation provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017. The assessment values provided herein are preliminary. The assessment values based on 2017 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 13, 2017 public hearing item.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $339,101 in 2018 and reach $795,005 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $2,626,755. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $339,101. This amount is approximately equal to $0.12 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

BACKGROUND (continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2017, City Council authorized creation of the North Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 17-1232.

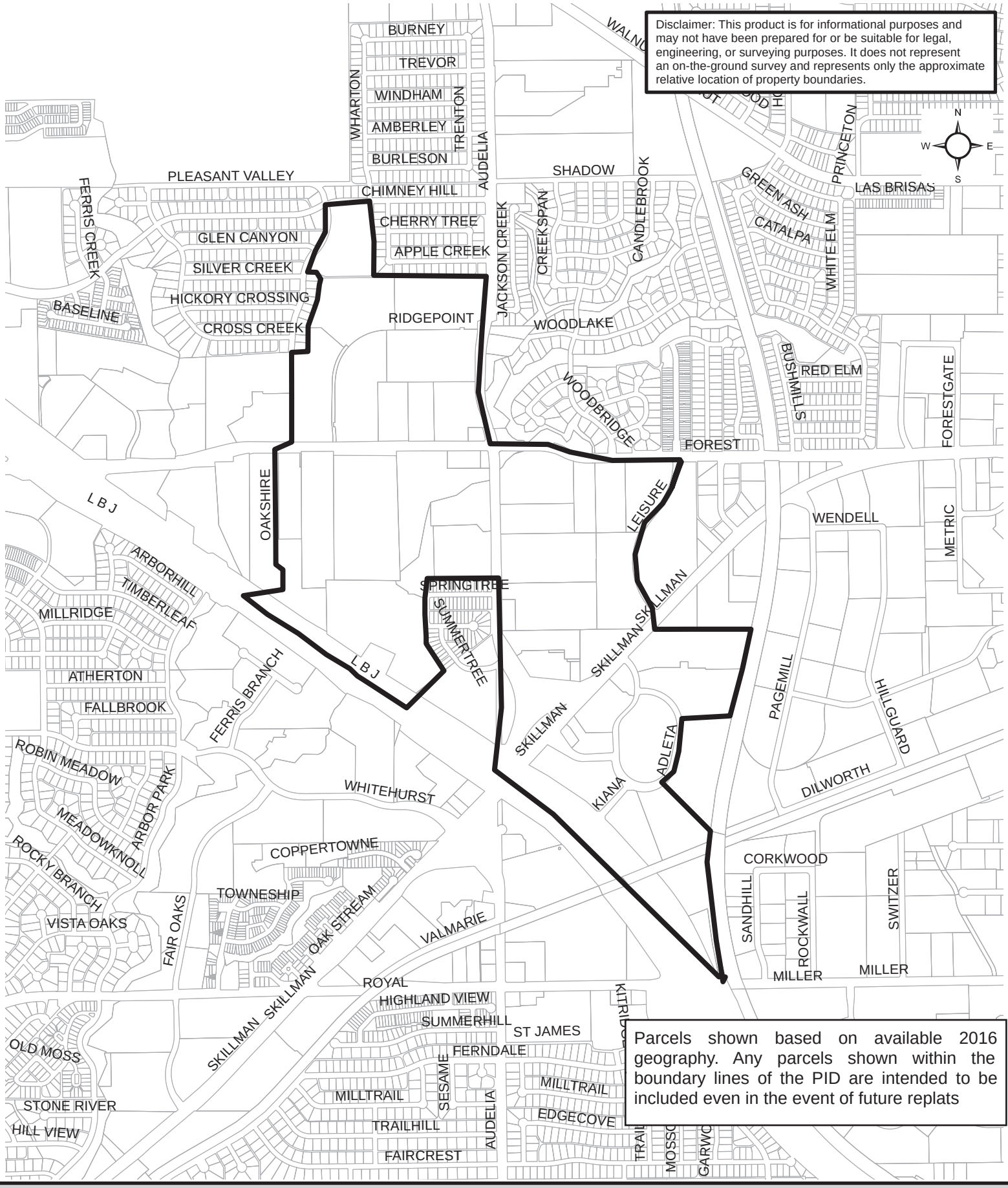
Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Proposed
North Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 6/2017

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on August 9, 2017, City Council authorized the creation of the North Lake Highlands Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Lake Highlands Improvement District Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 17-1232; and

WHEREAS, the North Lake Highlands Improvement District Corporation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the North Lake Highlands Public Improvement District, will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

SECTION 1. (continued)

(b) **Nature of the Services and Improvements**. The proposed services and improvements to be provided in the District include enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $339,101 in 2018 and reach $795,005 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $2,626,755. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $339,101. This amount is approximately equal to $0.12 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

SECTION 1. (continued)

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

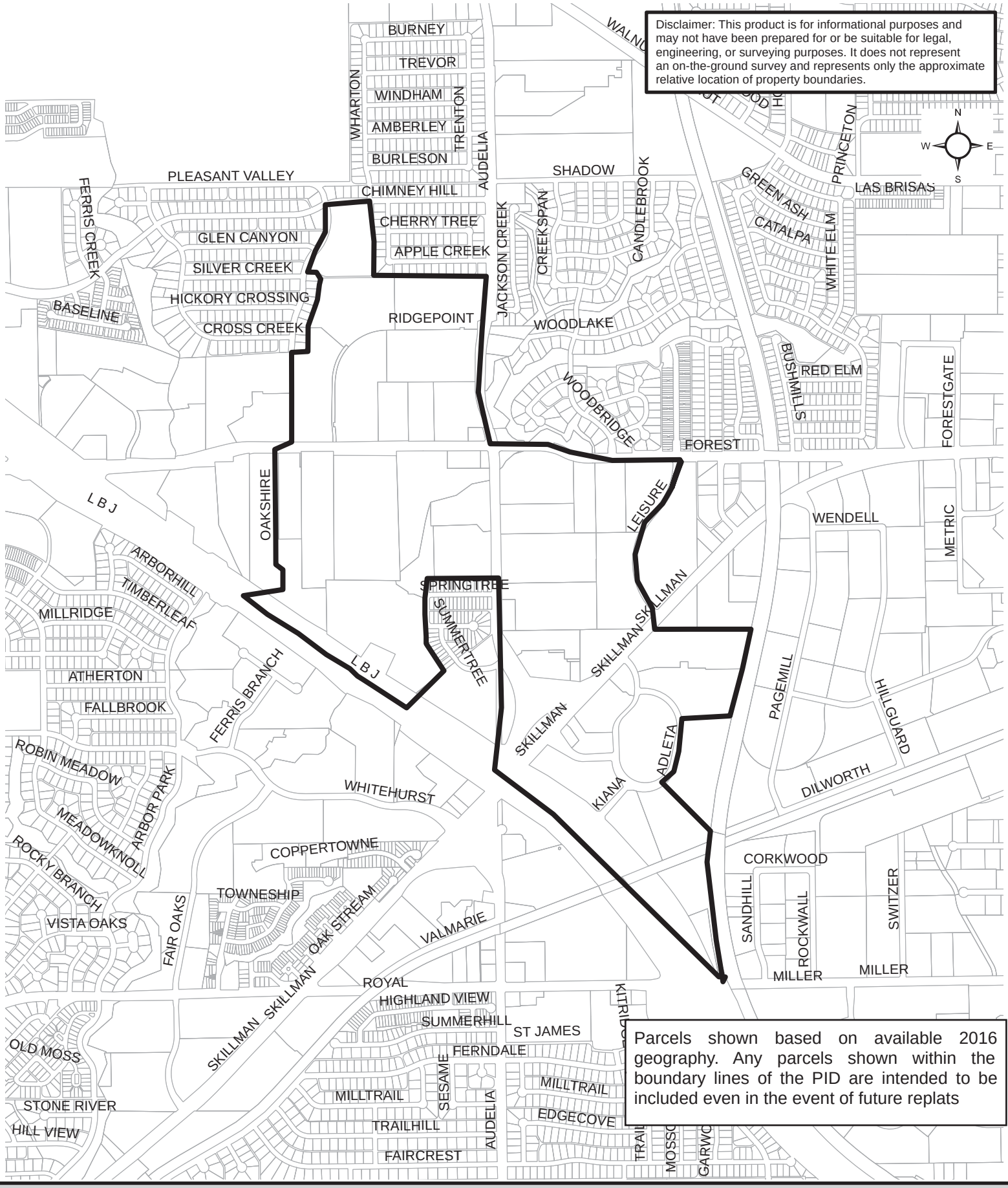


Exhibit A
Proposed
North Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 6/2017

Exhibit B

NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
PROPOSED PID FIVE YEAR SERVICE PLAN (2018-2022)

	2018		2019		2020		2021		2022	
INCOME										
Net Assessment*	$339,100.55		$387,645.07		$482,346.27		$621,554.78		$794,604.98	
Interest on Cash Balance	$0.00		$300.00		$400.00		$400.00		$400.00	
Surplus Carried Forward	$0.00		$0.00		$0.00		$0.00		$0.00	
City Service Fee			-$2,500.00		-$2,500.00		-$2,500.00		-$2,500.00	
Total Income	**$339,100.55**		**$387,945.07**		**$482,746.27**		**$621,954.78**		**$795,004.98**	
EXPENSES										
Renewal/Creation Fee	$15,000.00	4%								
Public Safety [1]	$203,460.33	60%	$232,767.04	60%	$265,510.45	55%	$342,075.13	55%	$397,502.49	50%
Improvements [2]	$49,429.10	15%	$69,830.11	18%	$111,031.64	23%	$143,049.60	23%	$222,601.40	28%
Promotion [3]	$16,955.03	5%	$23,276.70	6%	$28,964.78	6%	$37,317.29	6%	$47,700.30	6%
Administration [4]	$33,910.06	10%	$38,794.51	10%	$48,274.63	10%	$62,195.48	10%	$79,500.50	10%
Audit	$6,782.01	2%	$7,758.90	2%	$9,654.93	2%	$12,439.10	2%	$15,900.10	2%
Insurance	$13,564.02	4%	$15,517.80	4%	$19,309.85	4%	$24,878.19	4%	$31,800.20	4%
Total Expenses	**$339,100.55**		**$387,945.07**		**$482,746.27**		**$621,954.78**		**$795,004.98**	
Surplus Carried Forward										

Notes:
The assessment amount is approximately equal to $0.12 per $100.00 of appraised value as determined by the Dallas Central Appraisal District (DCAD).
*Net assessment reflects the deduction of City and County fees from the gross assessment collection.

[1] Public Safety consists of enhanced neighborhood patrols, security enhancements, emergency preparedness
[2] Improvements include asthetic improvements, acquisition and instillation of public art, the establishment of parks and youth recreation sites, and educational programming
[3] Promotion includes business recruitment related expenses, branding efforts, marketing and outreach efforts and materials, and advertising
[4] Adminstrative costs include management fee, annual tax preperation, bookkeeping charges, office supplies, and postage for public notifications

Exhibit C
NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
2017 ASSESSMENT PLAN

The cost of the services and improvements provided by the North Lake Highlands Public Improvement District will be paid primarily by assessments against real properties within the North Lake Highlands Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The service area is identified on the enclosed map. All properties will be assessed at a uniform rate. The proposed assessment rate for the 2017 is proposed at $0.12 per $100.00 of appraised value. Each subsequent year, a recommended assessment rate will be determined by the budget prepared by the management corporation. Assessment will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

Properties not liable for assessment include City rights-of-way, City-owned park properties and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (exempt under the provisions of Section 11.24 and 11.28 of the Property Tax Code). Payment of assessment by other exempt jurisdictions must be established by contract.

The District's assessments will be collected by Dallas County or other collection agent as determined by the City of Dallas, in accordance with management contract between the City of Dallas and the Lake Highlands Improvement District Corporation, the non-profit management corporation for the District.

AGENDA ITEM # 15

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 44 D H and 45 E

SUBJECT

Authorize **(1)** approval of the proposed Oak Lawn-Hi Line Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Oak Lawn-Hi Line Improvement Corporation provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017. The assessment values provided herein are preliminary. The assessment values based on 2017 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 13, 2017 public hearing item.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $375,185 in 2018 and reach $817,036 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $3,019,277. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $358,555. This amount is approximately equal to $0.15 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

BACKGROUND (continued)

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way and City parks are not subject to assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 2009, City Council authorized the creation of the Oak Lawn-Hi Line Public Improvement District, approval of the Service Plan and management contract by Resolution No. 09-1679.

On June 15, 2016, City Council authorized the renewal of the Oak Lawn-Hi Line Public Improvement District, approval of the Service Plan and management contract by Resolution No. 16-1022.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1501; Ordinance No. 30206.

Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

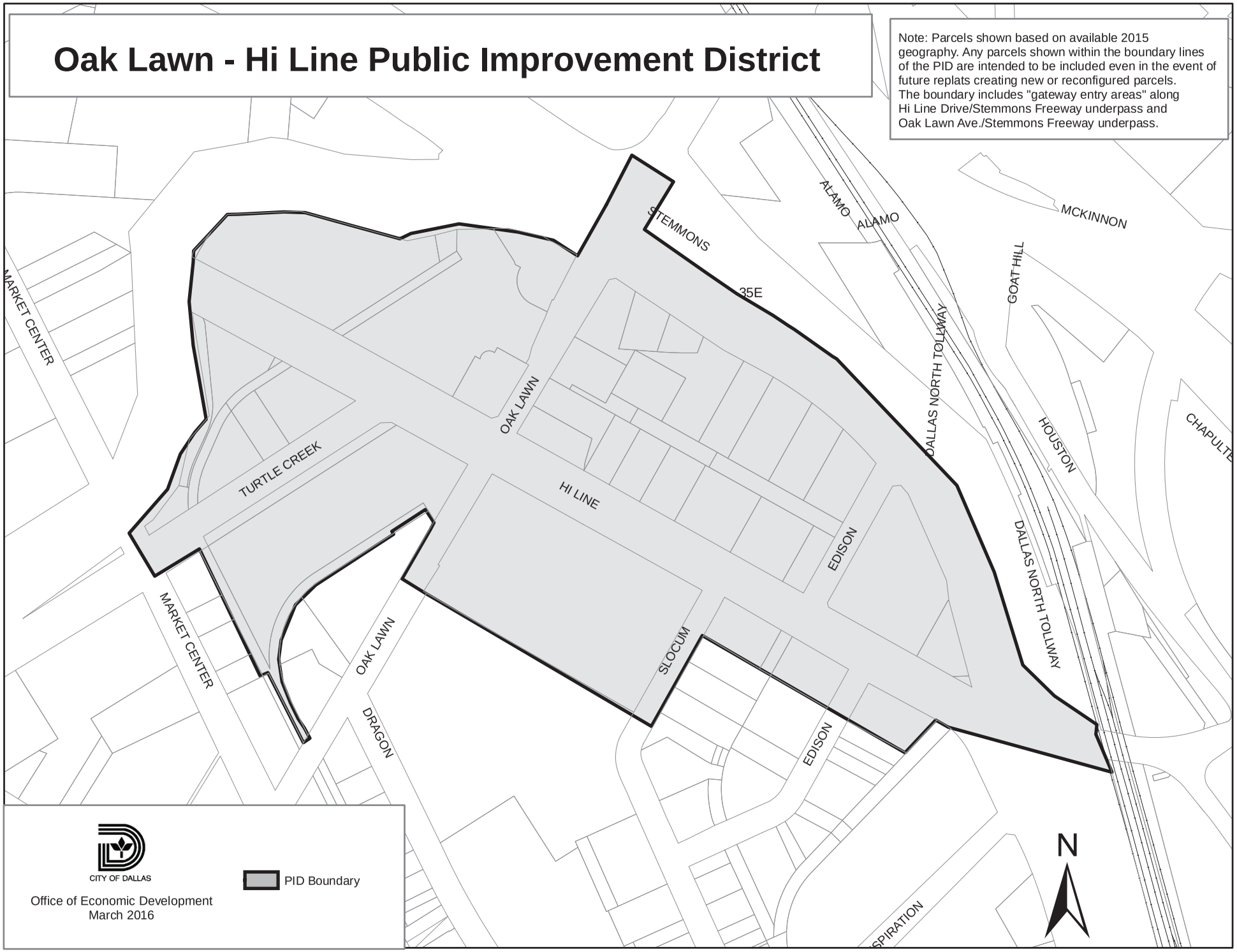
No cost consideration to the City.

MAP

Attached

Oak Lawn - Hi Line Public Improvement District

Note: Parcels shown based on available 2015 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels. The boundary includes "gateway entry areas" along Hi Line Drive/Stemmons Freeway underpass and Oak Lawn Ave./Stemmons Freeway underpass.



CITY OF DALLAS

Office of Economic Development
March 2016

PID Boundary

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 24, 2009, City Council authorized the creation of the Oak Lawn-Hi Line Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Oak Lawn-Hi Line Improvement Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 09-1679; and

WHEREAS, on June 15, 2016, City Council authorized the renewal of the Oak Lawn-Hi Line Public Improvement District, approval of the Service Plan and management contract by Resolution No. 16-1022; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll for the Oak Lawn-Hi Line Public Improvement District by Resolution No. 16-1501; Ordinance No. 30206; and

WHEREAS, the Oak Lawn-Hi Line Improvement Corporation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Oak Lawn-Hi Line Public Improvement District, will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

SECTION 1. (continued)

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $375,185 in 2018 and reach $817,036 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $3,019,277. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $358,555. This amount is approximately equal to $0.15 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year.

SECTION 1. (continued)

The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way and City parks are not subject to assessment.

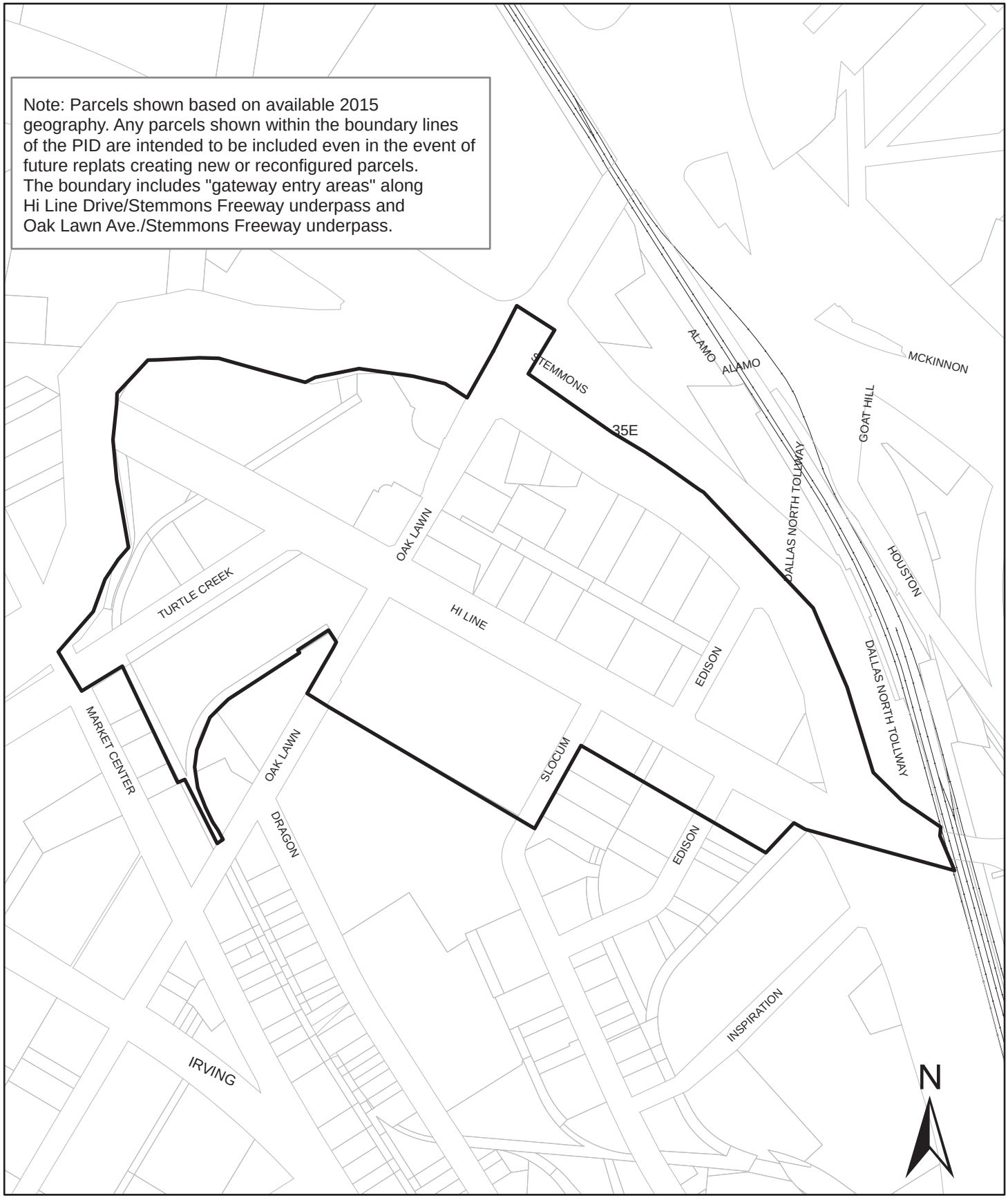
SECTION 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 3. That a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Oak Lawn - Hi Line Public Improvement District

Exhibit A

PID Boundary

CITY OF DALLAS

Office of Economic Development
March 2016

Exhibit B
Oak Lawn-Hi Line Public Improvement District - Five Year Service Plan

	2018	2019	2020	2021	2022
INCOME					
Net assessment revenue [1]	$358,555	$490,988	$610,447	$742,346	$816,941
Interest on cash balances	$84	$87	$90	$92	$95
Other income & contributions [2]	$16,546	$0	$0	$0	$0
TOTAL INCOME	$375,185	$491,075	$610,537	$742,438	$817,036
EXPENDITURES					
Security/PID Patrol [3]	$115,000	$115,000	$120,000	$120,000	$125,000
Area Improvements [4]	$186,000	$216,000	$216,000	$266,000	$216,000
General Administrative [5]	$25,200	$25,200	$27,200	$27,200	$27,200
Marketing/Promotion [6]	$32,000	$35,000	$35,000	$40,000	$40,000
Capital Improvements [7]		$82,890	$195,352	$272,253	$391,851
Insurance and Audit [8]	$16,985	$16,985	$16,985	$16,985	$16,985
TOTAL EXPENDITURES	$375,185	$491,075	$610,537	$742,438	$817,036

Oak Lawn-Hi Line Public Improvement District--Assessment Plan

The assessment amount is approximately equal to $0.15 per $100.00 of appraised value as determined by the Dallas Central Appraisal District (DCAD).

Notes

1. Net assessment reflects the deduction of City and County fees from the gross assessment collection.
2. Expenditures are anticipated to exceed net assessment revenue and interest income in the earlier years. Deficits will be met with property owner donations.
3. Public Safety consists of contract security patrols inside PID boundary.
4. Area improvements include landscape/irrigation to include turf, trees and periodic flower changes as well as litter and graffiti control. Maintenance of above standard improvements including benches, trash receptacles and bike racks is included. Periodic improvements to refurbish specialty signage and painting treatments.
5. General Administrative costs include management fee, annual tax preparation, bookkeeping charges and postage for public notices
6. Marketing/ Promotion is public information dissemination primarily through the Dallas Design District website. A branding effort is also proposed during the next 7 year term.
7. Capital improvements may include transportation planning/design for gateway improvements and phased implementation of those improvements. The feasbility of overhead utility burial to improve the asthetics of the area will be studied and funded as budget allows with potential to leverage other sources of funding. Other improvements may include additional benches, trash cans, signage, sidewalk/median improvement projects, installing a signature fountain or adding art pieces to the District.
8. Insurance expense provides for liability coverage binder and cost of required annual financial audit.

Exhibit C

OAK LAWN - HI LINE PUBLIC IMPROVEMENT DISTRICT
2017 ASSESSMENT PLAN

The cost of the services and improvements provided by the Oak Lawn-Hi Line Public Improvement District will be paid primarily by assessments against real properties within the Oak Lawn-Hi Line Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The 2017 assessment rate is proposed at $0.15 per $100.00 of appraised value. The annual assessments rate, during the seven-year life of the District, will not exceed $0.15 per $100.00 of appraised value as determined by the Dallas Central Appraisal District.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specially benefited. City rights-of-way and city parks are not subject to assessment. Properties otherwise exempt from ad valorum taxes are not subject to assessment. Payment of assessment by other exempt jurisdictions must be established by contract.

The Oak Lawn Hi Line PID assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Oak Lawn-Hi Line Improvement District Corporation.

AGENDA ITEM # 16

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 12

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 5 T U X Y

SUBJECT

Authorize **(1)** approval of the proposed Prestonwood Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Prestonwood Homeowners Association provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017.

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District.

BACKGROUND (continued)

The general nature of the proposed services and improvements to be performed by the District includes enhanced security and security related improvements within the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $361,863 in 2018 and reach $420,706 in 2022. The total estimated assessments to be collected for during the next five-year period is approximately $915,346. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $394,049. This amount is approximately equal to $0.0825 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

BACKGROUND (continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 1997, City Council authorized the creation of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 97-1575.

On August 11, 2004, City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 04-2328.

On June 22, 2011, City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 11-1796.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1502; Ordinance No. 30207.

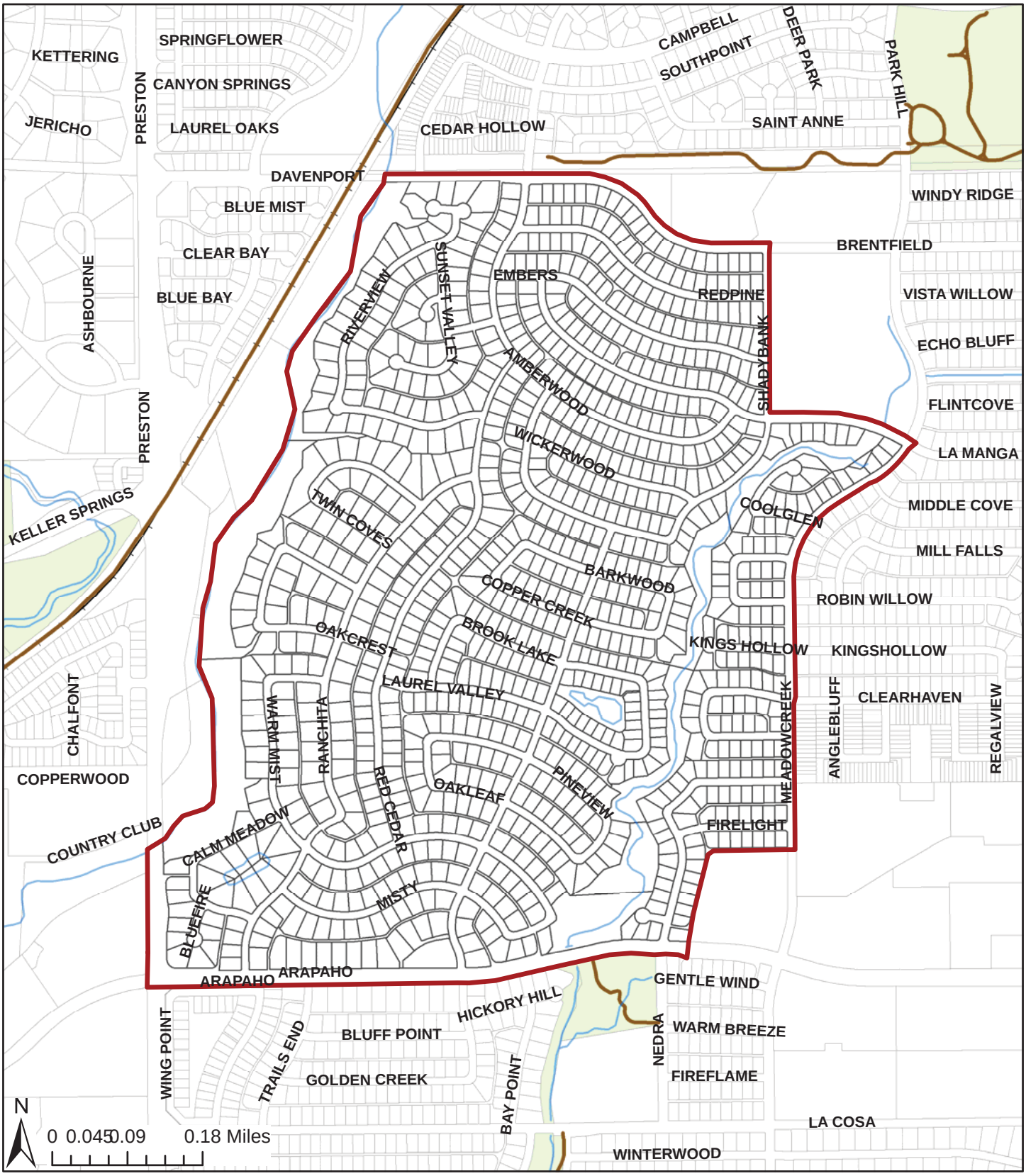
Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Prestonwood PID Boundary Map

Prestonwood PID Boundary

City of Dallas

Office of Economic Development
August 2007

August 23, 2017

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on May 14, 1997, City Council authorized the creation of the Prestonwood Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Prestonwood Homeowners Association, Inc., as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 97-1575; and

WHEREAS, on August 11, 2004, City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 04-2328; and

WHEREAS, on June 22, 2011, City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 11-1796; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1502; Ordinance No. 30207; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Prestonwood Public Improvement District will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

SECTION 1. (continued)

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and security related improvements within the District as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $361,863 in 2018 and reach $420,706 in 2022. The total estimated assessments to be collected for during the next five-year period is approximately $915,346. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $394,049. This amount is approximately equal to $0.0825 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

SECTION 1. (continued)

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

SECTION 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

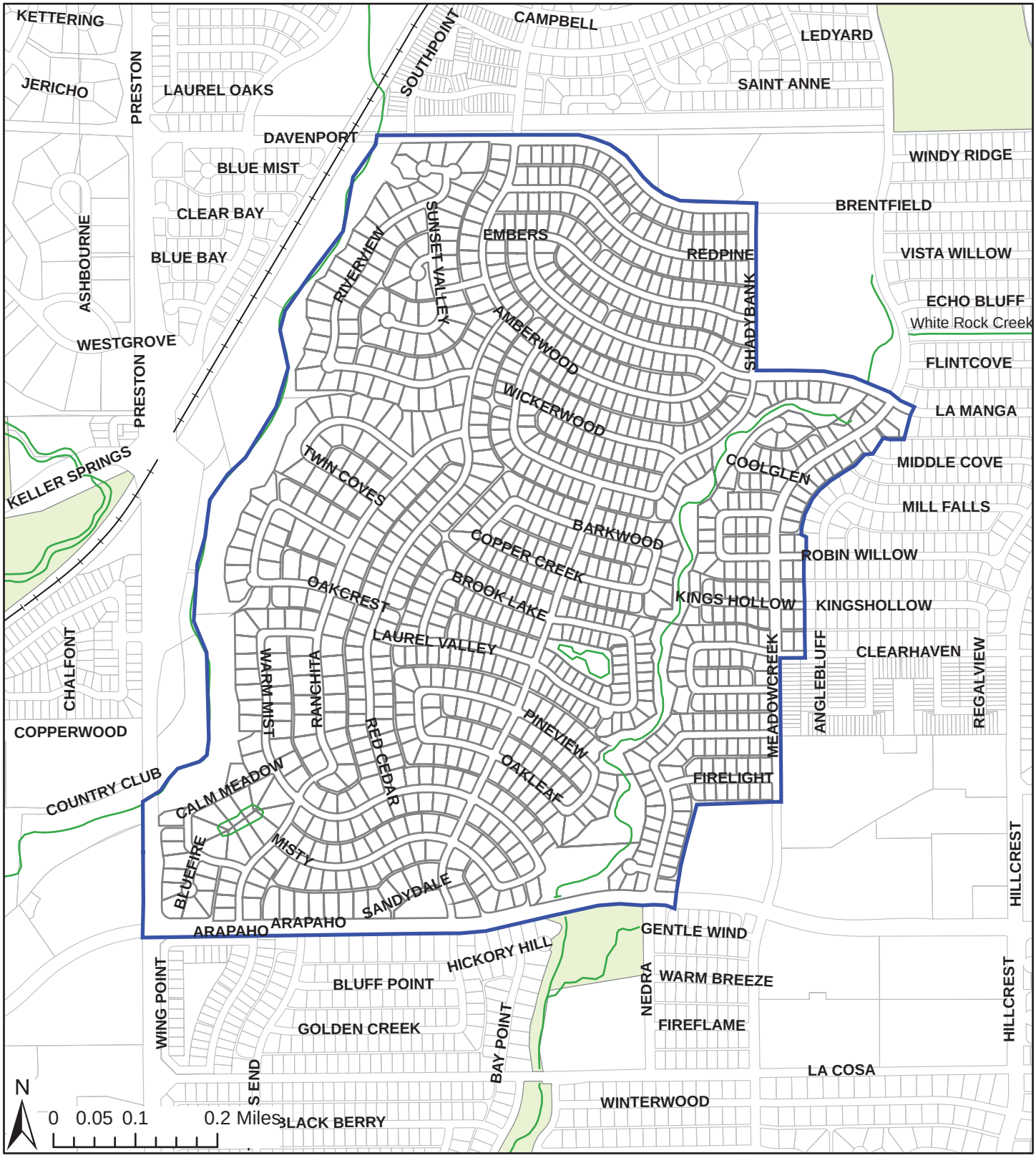
SECTION 3. That a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A



Prestonwood PID Boundary Map

Prestonwood PID Boundary

City of Dallas

Office of Economic Development
August 2006

Exhibit B

Prestonwood Public Improvement District
Service Plan 2018-2022

	ESTIMATED	IF RENEWED	IF RENEWED	IF RENEWED	IF RENEWED
Revenue & Reserves	**2018**	**2019**	**2020**	**2021**	**2022**
Calendar Year Beginning Balance	$ 34,601	$ 32,186	$ 33,152	$ 21,718	$ 4,708
Net Assessment Revenue	$ 359,448	$ 380,172	$ 385,982	$ 391,879	$ 397,864
Exempt Jusrisdictions	$ -	$ -	$ -	$ -	$ -
Interest on Cash balances	$ -	$ -	$ -	$ -	$ -
Total Income & Reserves	**$ 394,049**	**$ 412,359**	**$ 419,134**	**$ 413,597**	**$ 402,573**
PID Services					
Public Safety	$ 346,863	$ 364,206	$ 382,416	$ 393,889	$ 405,706
Audit & Insurance	$ 12,500	$ 12,500	$ 12,500	$ 12,500	$ 12,500
Administrative	$ 2,500	$ 2,500	$ 2,500	$ 2,500	$ 2,500
Total Disbursements	**$ 361,863**	**$ 379,206**	**$ 397,416**	**$ 408,889**	**$ 420,706**
Reserve	**$ 32,186**	**$ 33,152**	**$ 21,718**	**$ 4,708**	**$ (18,133)**

Assumptions

-Assumes annual audit fees of $5,000 and $7,500 insurance expense shared with PHA.
-Assumes an estimated annual increase in home valuations.
-Assumes 5% annual competition, cost of living, and expense increase for 2018 & 2019
-Assumes 3% cost of living & expense increase for 2020-2022

PRESTONWOOD

EXHIBIT C
PRESTONWOOD PUBLIC IMPROVEMENT DISTRICT
2017 ASSESSMENT PLAN

The cost of services and improvements provided by the Prestonwood Public Improvement District will be paid primarily by assessments against real properties within the Prestonwood Public Improvement District (PID) boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The 2017 assessment rate for the property in the Prestonwood PID is proposed at $0.0825 per $100.00 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District which is specifically benefited. City rights-of-way, parks and cemeteries are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract. No such contract is in place, nor is any proposed.

The Prestonwood PID's assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Prestonwood Homeowners Association.

AGENDA ITEM # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 7

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: N/A

SUBJECT

Authorize **(1)** approval of the proposed South Dallas/Fair Park Public Improvement District ("District") 2018 Service Plan, establishing the South Dallas/Fair Park Public Improvement District, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

Hip Hop Government, Inc. provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017. The assessment values provided herein are preliminary. The assessment values based on 2017 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 13, 2017 public hearing item.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Purpose of the District; General Nature of the Proposed Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefit accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be based on the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $106,955. This amount is approximately equal to $0.15 per $100.00 of appraised value as determined by DCAD. If appraised values rise such that the assessment rate equal to the amount of $0.15 per $100.00 valuation would yield an assessment amount that exceeds the estimated costs, the assessment rate shall be reduced until the total assessment equals or is less than the budgeted amount approved in the petition, subject to the appropriations set forth in the petition. The annual assessment amount shall not exceed the total amount shown in the budget for the services and improvements to be provided for the year in which the property is assessed.

(c) **Estimated Cost; No Bonded Indebtedness.** During the five-year period, the annual cost of the improvements and services provided by the existing District is estimated to range from approximately $106,955 to $156,593 annually. The total estimated assessments to be collected during the next five-year period is approximately $652,971. Based on the estimated maximum cost of improvements and services, the seven-year total assessment collection requested by the District shall not exceed a collective total of $1,219,450. In the event the District requires additional funds, the District shall re-petition the property owners for such an increase. At no time shall the total amount levied exceed the total amount shown in the budget for the services and improvements to be provided for the year in which the property is assessed. The District shall not incur bonded indebtedness.

BACKGROUND (continued)

(d) **Apportionment of Cost between the District and the Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

(e) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2016, City Council authorized the creation of the South Dallas/Fair Park Public Improvement District, approval of the Service Plan and management contract by Resolution No. 16-1249.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll the South Dallas/Fair Park Public Improvement District by Resolution No. 16-1503; Ordinance No. 30208.

Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

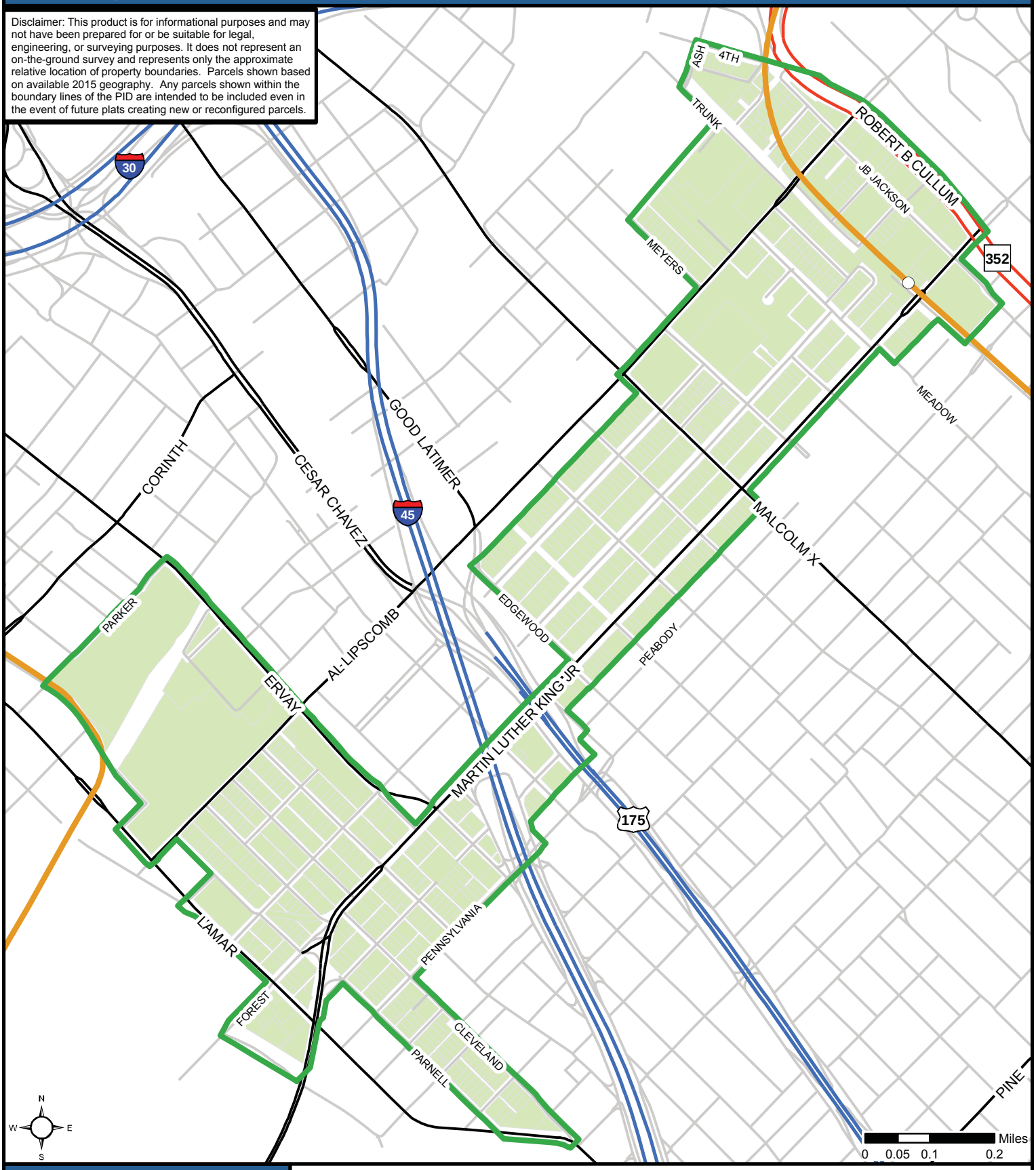
No cost consideration to the City.

MAP

Attached

Proposed South Dallas-Fair Park PID Parcels

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Parcels shown based on available 2015 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future plats creating new or reconfigured parcels.



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 9.24.2015, Updated 7.5.2016 - PID_Option6.TCG

Legend

- Proposed Parcel for Inclusion
- pid_southdallas
- Rail Station
- DART Light Rail
- Freeway
- Highway
- Arterial
- Local Road

Source: Parcels - Dallas CAD, 2015; All Other Data - City of Dallas, 2016

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on August 10, 2016, City Council authorized the creation of the South Dallas/Fair Park Public Improvement District for a period of seven-years and designated the Alliance for Greater Works as the management entity for the District; and

WHEREAS, as part of the South Dallas/Fair Park PID Management Contract, the management of the Public Improvement District was assigned from the Alliance for Greater Works to Hip Hop Government, Inc; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan and 2016 Assessment Plan and 2016 Assessment Roll for the South Dallas/Fair Park Public Improvement District by Resolution No. 16-1498; Ordinance No. 30208; and

WHEREAS, Hip Hop Government, Inc. provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the South Dallas/Fair Park Public Improvement District, will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Purpose of the District; General Nature of the Proposed Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District.

SECTION 1. (continued)

The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefit accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $106,955. This amount is approximately equal to $0.15 per $100.00 of appraised value as determined by DCAD. If appraised values rise such that the assessment rate equal to the amount of $0.15 per $100.00 valuation would yield an assessment amount that exceeds the estimated costs, the assessment rate shall be reduced until the total assessment equals or is less than the budgeted amount approved in the petition, subject to the appropriations set forth in the petition. The annual assessment amount shall not exceed the total amount shown in the budget for the services and improvements to be provided for the year in which the property is assessed.

(c) **Estimated Cost; No Bonded Indebtedness.** During the five-year period, the annual cost of the improvements and services provided by the existing District is estimated to range from approximately $106,955 to $156,593 annually. The total estimated assessments to be collected during the next five-year period is approximately $652,971. Based on the estimated maximum cost of improvements and services, the seven-year total assessment collection requested by the District shall not exceed a collective total of $1,219,450. In the event the District requires additional funds, the District shall re-petition the property owners for such an increase. At no time shall the total amount levied exceed the total amount shown in the budget for the services and improvements to be provided for the year in which the property is assessed. The District shall not incur bonded indebtedness.

SECTION 1. (continued)

(d) **Apportionment of Cost between the District and the Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

(e) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

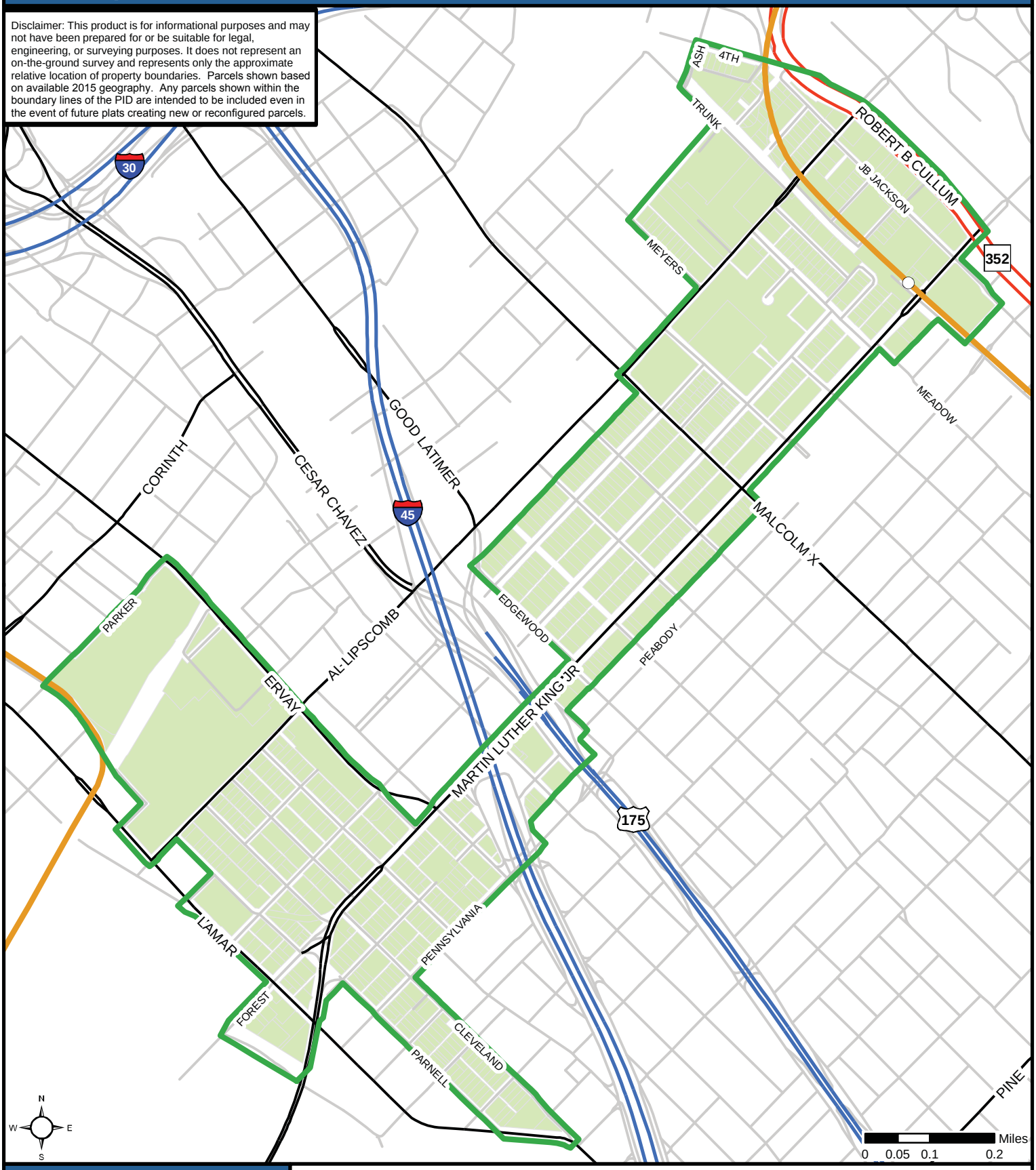
SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A

Proposed South Dallas-Fair Park PID Parcels



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Source: Parcels - Dallas CAD, 2015; All Other Data - City of Dallas, 2016

SOUTH DALLAS FAIR PARK PID BUDGET
PROPOSED SERVICE PLAN 2018
EXHIBIT B

REVENUE		2018 Proposed	2019 Revised Plan	2020 Revised Plan	2021 Revised Plan	2022 Revised Plan
Fund Balance from previous year		-	-	-	-	-
Net assessment revenue		$106,955.00	$117,650.50	$129,415.55	$142,357.11	$156,592.82
TOTAL REVENUE		$106,955.00	$117,650.50	$129,415.55	$142,357.11	$156,592.82
EXPENDITURES	Allocation %					
Public Safety	35.53%	$38,000.00	$41,800.00	$45,980.00	$50,578.00	$55,635.80
Improvements	30.85%	$33,000.00	$36,300.00	$39,930.00	$43,923.00	$48,315.30
Promotion	9.82%	$10,500.00	$11,550.00	$12,705.00	$13,975.50	$15,373.05
Administration	12.62%	$13,500.00	$14,850.00	$16,335.00	$17,968.50	$19,765.35
Contingency/Carryover	3.74%	$4,000.00	$4,400.00	$4,840.00	$5,324.00	$5,856.40
Insurance	4.63%	$4,955.00	$5,450.50	$5,995.55	$6,595.11	$7,254.62
Audit	2.80%	$3,000.00	$3,300.00	$3,630.00	$3,993.00	$4,392.30
TOTAL OPERATING EXPENDITURES		$106,955.00	$117,650.50	$129,415.55	$142,357.11	$156,592.82
FUND BALANCE/ RESERVES		$0.00	$0.00	$0.00	$0.00	$0.00

Exhibit C

South Dallas/Fair Park Public Improvement District
Assessment Plan

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The South Dallas/Fair Park Public Improvement District (PID) proposed assessment rate for 2017 is $0.15 per $100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of $0.15 per $100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

AGENDA ITEM # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 45 T U X Y

SUBJECT

Authorize **(1)** approval of the proposed South Side Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017 to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The South Side Quarter Development Corporation provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017.

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District.

BACKGROUND (continued)

The general nature of the proposed services and improvements to be provided in the District include enhanced security; safety and security related services to promote the District; services to enhance and protect property values, improve infrastructure, streetscape, and service of common areas; business recruitment; marketing; and other services and improvements as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $208,469.25 in 2018 and reach $214,000 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $1,055,469.25. The District shall incur no bonded indebtedness. Unless a specific purpose is identified in the Service Plan, any over collections of assessments for any year shall be returned to the property owners or the assessment rate shall be reduced in the following year so that such surplus cash may be absorbed by the cost of services and improvements to be provided by the management company for that following year. The City shall not levy assessments against property owners that exceed the total amount budgeted for the entire term of the PID without a new petition securing consent of the property owners to such increases in the Service Plan and city council approval.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $208,469.25. This amount is approximately equal to $0.15 per $100.00 of appraised value for the premium service area in the District and $0.12 per $100.00 of appraised value for the standard service area as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

BACKGROUND (continued)

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2005, City Council authorized creation of the South Side Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2230.

On June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1585.

On September 9, 2015, City Council authorized an ordinance approving and adopting the final 2016 Service Plan, 2015 Assessment Plan and 2015 Assessment Roll by Resolution No. 15-1702; Ordinance No. 29867.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1504; Ordinance No. 30209.

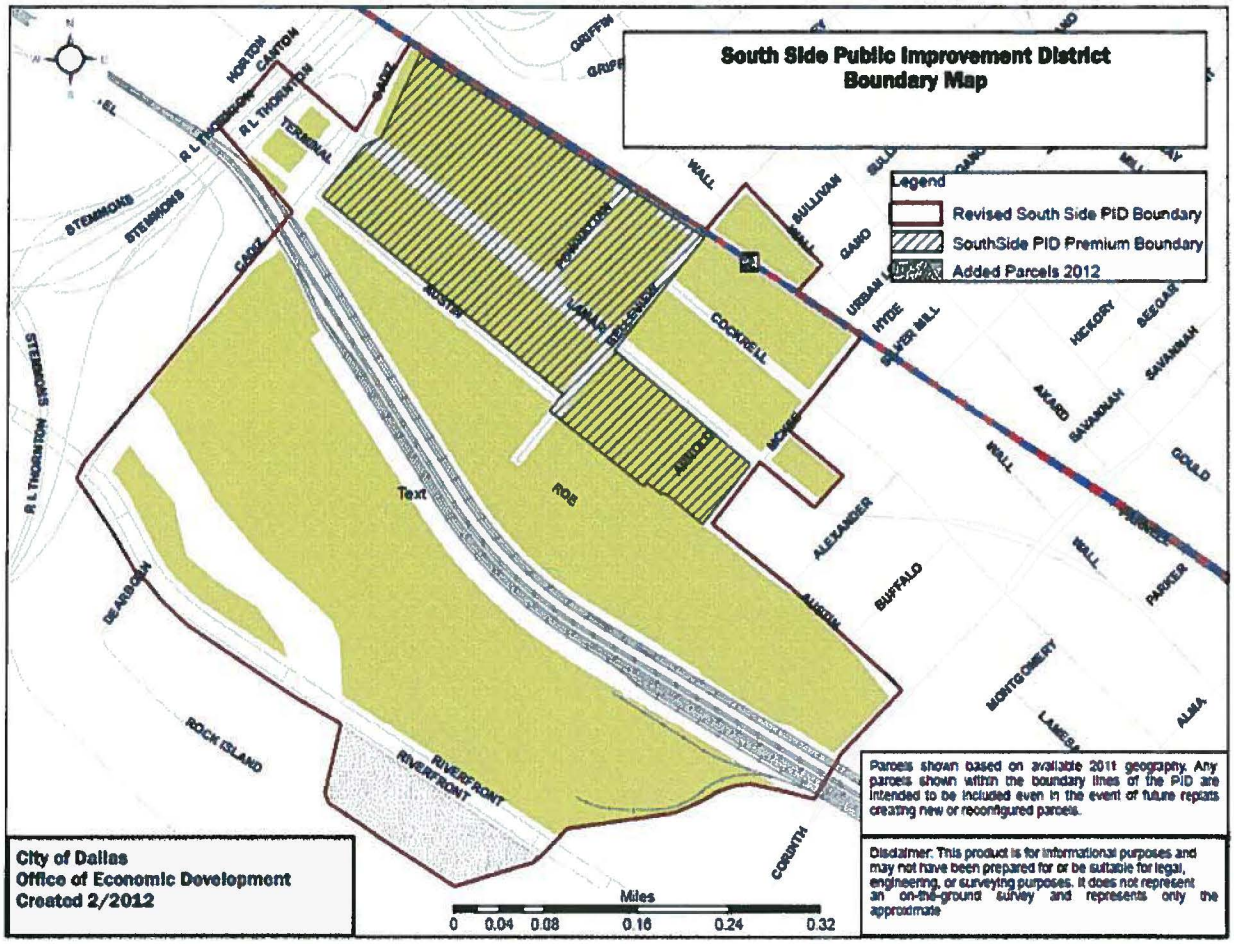
Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached


South Side Public Improvement District
Boundary Map
Legend
Revised South Side PID Boundary
SouthSide PID Premium Boundary
Added Parcels 2012
Parcels shown based on available 2011 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
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City of Dallas
Office of Economic Development
Created 2/2012
Miles
0 0.04 0.08 0.16 0.24 0.32
HORTON
CANTON
R L THORNTON
TERMINAL
STEMMONS
CADIZ
AUSTIN
HOUSTON
LAMAR
STRICKLAND
COCKRELL
ABBOTT
MCKEE
WALL
BULLIVAN
GANO
URBAN
HYDE
SILVER HILL
HICKORY
SEGOAR
SAVANNAH
AKARD
GOULD
ALEXANDER
BUFFALO
AUSTIN
PARKER
MONTGOMERY
ALMA
LAMAR
DEARBORN
ROCK ISLAND
RIVERFRONT
CORINTH
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ROE

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on August 10, 2005, City Council authorized the creation of the South Side Public Improvement District (District) as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated the South Side Quarter Development Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 05-2230; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District, and approval of the Service Plan and management contract by Resolution No. 12-1585; and

WHEREAS, on September 9, 2015, City Council authorized an ordinance approving and adopting the final 2016 Service Plan, 2015 Assessment Plan and 2015 Assessment Roll by Resolution No. 15-1702; Ordinance No. 29867; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1504; Ordinance No. 30209; and

WHEREAS, the South Side Quarter Development Corporation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the South Side Public Improvement District, will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

SECTION 1. (continued)

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be provided in the District include enhanced security; safety and security related services to promote the District; services to enhance and protect property values, improve infrastructure, streetscape, and service of common areas; business recruitment; marketing; and other services and improvements as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $208,469.25 in 2018 and reach $214,000 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $1,055,469.25. The District shall incur no bonded indebtedness. Unless a specific purpose is identified in the Service Plan, any over collections of assessments for any year shall be returned to the property owners or the assessment rate shall be reduced in the following year so that such surplus cash may be absorbed by the cost of services and improvements to be provided by the management company for that following year. The City shall not levy assessments against property owners that exceed the total amount budgeted for the entire term of the PID without a new petition securing consent of the property owners to such increases in the Service Plan and city council approval.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $208,469.25.

SECTION 1. (continued)

(e) (continued)

This amount is approximately equal to $0.15 per $100.00 of appraised value for the premium service area in the District and $0.12 per $100.00 of appraised value for the standard service area as determined by DCAD Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(f) **Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

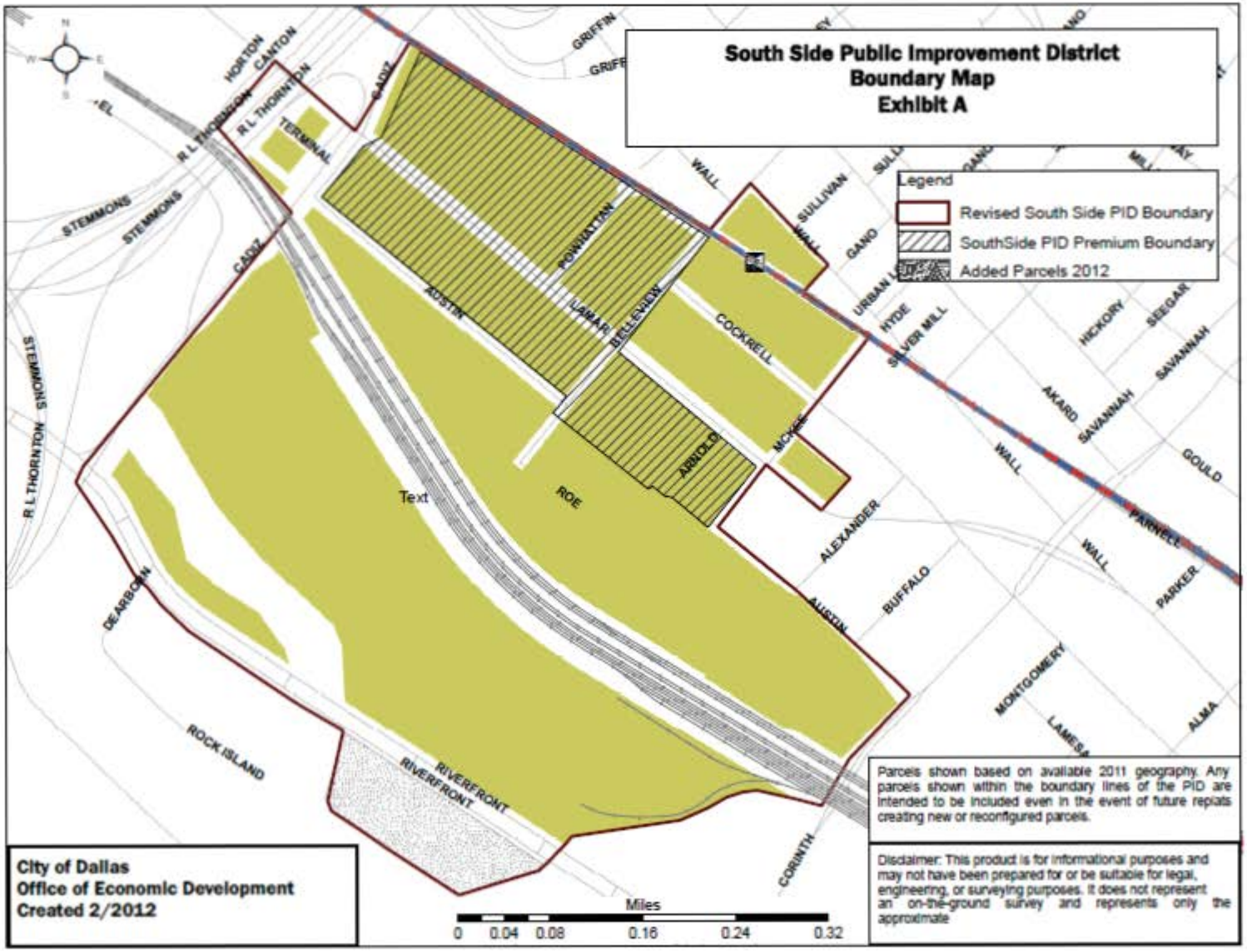

South Side Public Improvement District
Boundary Map
Exhibit A
Legend
Revised South Side PID Boundary
SouthSide PID Premium Boundary
Added Parcels 2012
Parcels shown based on available 2011 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
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City of Dallas
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Created 2/2012
Miles
0 0.04 0.08 0.16 0.24 0.32
GRIFFIN
HORTON
CANTON
R L THORNTON
TERMINAL
GADIZ
STEMMONS
WALL
SULLIVAN
GANO
URBAN
HYDE
SILVER MILL
HICKORY
SEEGAR
SAVANNAH
AKARD
GOULD
PARNELL
PARKER
MANHATTAN
AUSTIN
LAMAR
BELLEVIEW
COCKRELL
MCKEE
ARNOLD
ROE
ALEXANDER
BUFFALO
DEARBORN
ROCK ISLAND
RIVERFRONT
CORINTH
MONTGOMERY
LAMESA
ALMA
Text

Exhibit B

South Side Public Improvement District
Service Plan 2017-2021

	2018	2019	2020	2021	2022
NET TOTAL ASSESSMENTS	**$ 208,469.25**	**$ 210,000.00**	**$ 211,000.00**	**$ 212,000.00**	**$ 214,000.00**
Surplus/Deficit from previous year	**$ 13,070.87**	**$ 8,540.12**	**$ 20,040.12**	**$ 25,540.12**	**$ 32,540.12**
Estimated Annual Income to District	**$ 221,540.12**	**$ 218,540.12**	**$ 231,040.12**	**$ 237,540.12**	**$ 246,540.12**
Public Improvements					
Distinctive lighting/signs					
Water, wastewater, drainage					
Fountains					
Special Supplemental Services					
Park improvements (1)	$ 70,000.00	$ 72,000.00	$ 72,500.00	$ 73,000.00	$ 73,000.00
Public safety/security (2)	$ 60,000.00	$ 61,500.00	$ 61,500.00	$ 62,000.00	$ 62,000.00
Public art projects (3)	$ 5,000.00		$ 5,000.00		
Business recruitment/marketing (4)	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 26,000.00	$ 27,000.00
Cultural events (5)	$ 6,000.00	$ 7,000.00	$ 7,000.00	$ 7,500.00	$ 7,500.00
Administration	$ 20,000.00	$ 20,500.00	$ 21,000.00	$ 22,000.00	$ 22,000.00
Audit (6)	$ 6,500.00	$ 6,500.00	$ 7,000.00	$ 7,500.00	$ 7,500.00
Insurance (7)	$ 5,500.00	$ 6,000.00	$ 6,500.00	$ 7,000.00	$ 7,000.00
Estimated Annual Expenses to District	**$198,000.00**	**$ 198,500.00**	**$205,500.00**	**$205,000.00**	**$ 206,000.00**
SURPLUS (DEFICIT)	**$ 23,540.12**	**$ 20,040.12**	**$ 25,540.12**	**$ 32,540.12**	**$ 40,540.12**

(1) Dog park/pedestrian area/plaza improvements
(2) RHI security group patrol and ensure safety throughout PID
(3) mural and artistic updates to beautify PID
(4) marketing and promotional ads & events, website maintainance & development
(5) events and programs to enrich the culture of the historic area
(6) Audit line item also includes quarterly and annual accounting charges
(7) Insurance line item covers both insurance and legal fees
(8) 2018 surplus (deficit) line will allocate $15,000 for the 2018 renewal fee for the 2019 year (actual carryover is $8,540.12)

SOUTH SIDE QUARTER DEVELOPMENT CORPORATION
The Creative District in the Heart of Dallas

Exhibit C
SOUTH SIDE QUARTER PUBLIC IMPROVEMENT DISTRICT
2017 ASSESSMENT PLAN

The cost of the services and improvements provided by the South Side Public Improvement District will be paid primarily by assessments against real properties within the South Side Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The 2017 assessment rate for the property in the premium service area is proposed at $0.15 per $100.00 of value. The 2017 assessment rate for the property in the standard service area is proposed at $0.12 per $100.00. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property including City rights-of-way and parks. Payment of assessments by other tax-exempt owners must be established by contract. No such contracts are in place at present.

The South Side PID's assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the South Side Quarter Development Corporation.

1401 S. Lamar Dallas, Texas 75215
(214) 426-0771 • Fax (214) 426-6217 • www.southsidequarter.org

AGENDA ITEM # 19

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: N/A

SUBJECT

Authorize **(1)** approval of the proposed Tourism Public Improvement District ("District") Service Plan for 2017-2018 Assessment Plan, and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on Dallas hotels with a 100 or more rooms, for services and improvements to be provided during 2017; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Dallas Tourism Public Improvement District Management Corporation provided the proposed District Service Plan for 2018 and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include marketing, business recruitment, and promotional activities authorized by the Act for improvement and promotion of the district, including the provision of incentives by the Dallas Convention and Visitors Bureau to organizations to encourage them to bring their large and city wide meetings to Dallas and to fund additional marketing by the Dallas Convention and Visitors Bureau to increase hotel stays within the City.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $17,335,005 in 2017-18 and reach $21,095,117 in 2021-22; however, in no event shall the assessment amount exceed two percent of the price paid to hotels for a room in a hotel. The total estimated assessments to be collected during the next five-year period is approximately $95,897,358. In the event the District requires additional funds; the District shall re-petition the hotel owners for such an increase. The District shall not incur bonded indebtedness. At no time shall the total amount levied exceed the total amount shown in the approved petition budget for the services and improvements to be provided for the year in which the hotel is assessed except as provided in the petition and subject to the collective total for the five-year period. The Service Plan budget and assessment amount are subject to annual review by the Tourism Public Improvement District Board, and are subject to an annual public hearing and approval by the City Council.

(c) **Boundaries.** The District is located wholly within the city of Dallas, Texas. The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The District assessment will be levied on hotels with 100 or more rooms (“qualifying hotels”) located within the District. The proposed cost of the services and improvements to be provided shall be assessed in a manner that results in imposing equal shares of the cost of the services qualifying on hotels that are similarly benefitted. Under the Act, the apportionment of the cost of the services against property in the District territory must be made on the basis of special benefits accruing to the property because of the services and improvements provided. The total cost of the services and improvements to be provided shall be apportioned at a rate of 2 percent of room-nights sold at qualifying hotels located within the District territory until the budget for services and improvements for the year is reached.

BACKGROUND (continued)

(d) (continued)

Accordingly, those qualifying hotels that sell more rooms will pay a greater portion of the assessment since those properties benefit more from the promotion and marketing services provided by the District. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment. The total assessment must be reviewed and approved annually by the Dallas City Council. The future cost of services and improvements that are budgeted in the 2018 Service Plan may be increased in amounts indicated in subsequent Service Plans, beyond the amount shown subject to an enhancement in value of property in the District and a corresponding increase in the services and improvements to be provided, and subject to the limitations on the assessment per occupied room and the aggregate amount approved in the petition. Each year's assessment must be reviewed and approved annually by the Dallas City Council following a public hearing. The total assessment amount for the year may be less than the amount budgeted for the year, but it shall not be more than the amount budgeted for the year as shown in the adopted service plan.

(e) **Apportionment of costs between the District and the Municipality as a Whole.** The District shall continue to pay the cost of the supplemental services described in the Service Plan by assessment against the hotels with 100 or more rooms within the District, including City-owned qualifying hotels located within the District territory, such as the Omni Hotel.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2012, City Council authorized the creation of the Tourism Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1581.

On August 10, 2016, City Council authorized the renewal of the Tourism Public Improvement Distinct, approval of the Service Plan and management contract by Resolution No. 16-1250.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final Service Plan for 2016-17, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1505; Ordinance No. 30210.

Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

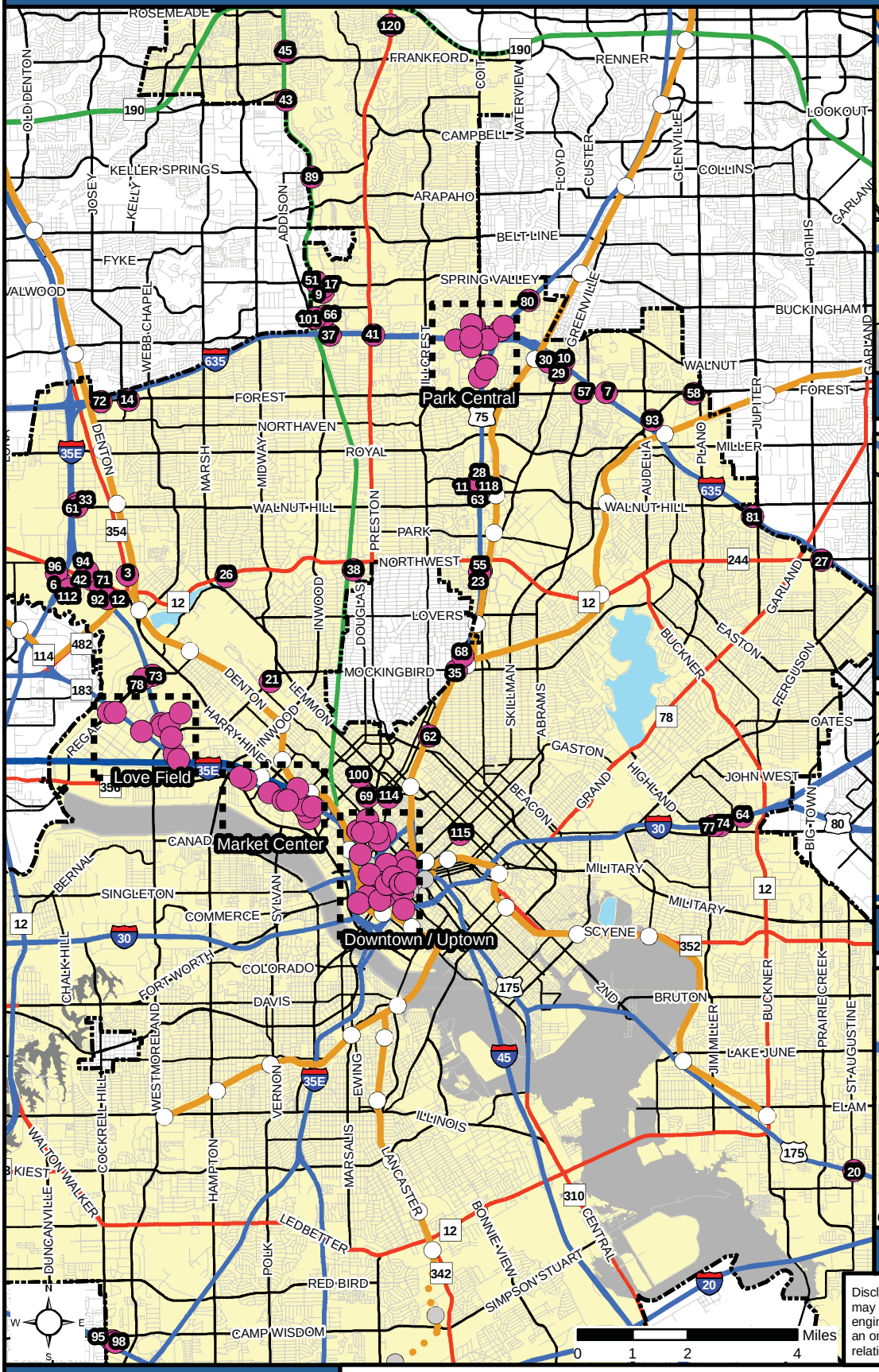
FISCAL INFORMATION

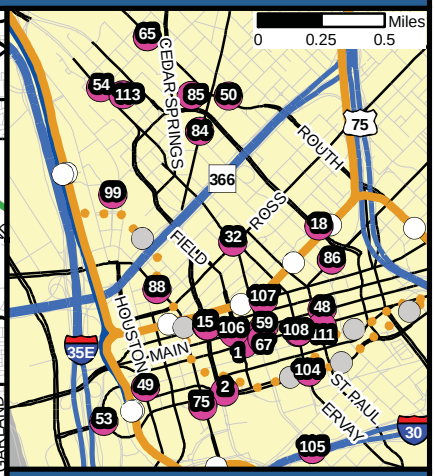
No cost consideration to the City.

MAP

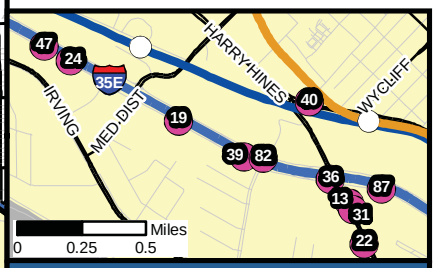
Attached

Tourism PID Hotels

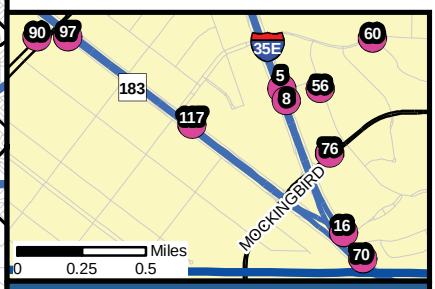




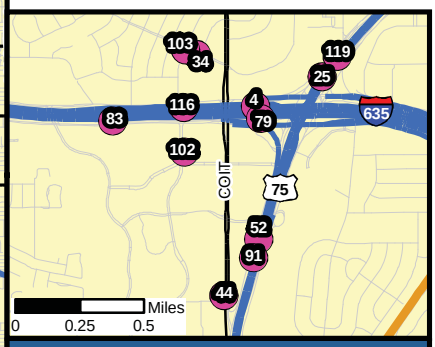
Downtown / Uptown



Market Center



Love Field



Park Central

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Created 5.30.2016, Updated 6.2.2016 - Tourism_PID_2016.TCG

Legend

- Tourism PID Hotel
- Rail Station
- Future Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway
- Tollway
- Highway
- Arterial
- Local Road
- Escarpment
- Flood Plain
- Lake
- City of Dallas

Source: Hotel List - Dallas CVB, 2016; All Other Data - City of Dallas, 2016

August 23, 2017

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 13, 2012, City Council authorized the creation of the Tourism Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit on hotel properties within the City, designated the Dallas Tourism Public Improvement District Management Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 12-1581; and

WHEREAS, on August 10, 2016, City Council authorized the renewal of the Tourism Public Improvement District, approval of the Service Plan and management contract by Resolution No. 16-1250; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final Service Plan for 2016-17, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1505; by Ordinance No. 30210; and

WHEREAS, the Dallas Tourism Public Improvement District Management Corporation provided City staff with the proposed District Service Plan for 2017-2018 and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed District Service Plan for 2017-2018 and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the special assessment on Dallas hotels with 100 or more rooms, to provide funding for the District for the purpose of increasing hotel activities within the City.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed District Service Plan for 2017-2018 and the proposed 2017 Assessment Plan for the Tourism Public Improvement District, will consider approval of the final District Service Plan for 2017-2018 and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

SECTION 1. (continued)

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit on hotel properties within the City's boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include marketing, business recruitment, and promotional activities authorized by the Act for improvement and promotion of the district, including the provision of incentives by the Dallas Convention and Visitors Bureau to organizations to encourage them to bring their large and city wide meetings to Dallas and to fund additional marketing by the Dallas Convention and Visitors Bureau to increase hotel stays within the City.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $17,335,005 in 2017-18 and reach $21,095,117 in 2021-22; however, in no event shall the assessment amount exceed two percent of the price paid to hotels for a room in a hotel. The total estimated assessments to be collected during the next five-year period is approximately $95,897,358. In the event the District requires additional funds; the District shall re-petition the hotel owners for such an increase. The District shall not incur bonded indebtedness. At no time shall the total amount levied exceed the total amount shown in the approved petition budget for the services and improvements to be provided for the year in which the hotel is assessed except as provided in the petition and subject to the collective total for the five-year period. The Service Plan budget and assessment amount are subject to annual review by the tourism public improvement district board, and are subject to an annual public hearing and approval by the City Council.

(d) **Boundaries.** The District is located wholly within the city of Dallas, Texas. The boundaries of the District are shown on the attached map marked **Exhibit A** and shall solely include non-contiguous hotel properties with 100 or more rooms within the City of Dallas as shown on the attached list marked **Exhibit A-1**.

SECTION 1. (continued)

(e) **Method of Assessment.** The District assessment will be levied on hotels with 100 or more rooms ("qualifying hotels") located within the District. The proposed cost of the services and improvements to be provided shall be assessed in a manner that results in imposing equal shares of the cost of the services qualifying on hotels that are similarly benefitted. Under the Act, the apportionment of the cost of the services against property in the District territory must be made on the basis of special benefits accruing to the property because of the services and improvements provided. The total cost at a rate of 2 percent of room-nights sold at qualifying hotels located within the District territory until the budget for services and improvements for the year is reached. Accordingly, those qualifying hotels that sell more rooms will pay a greater portion of the assessment since those properties benefit more from the promotion and marketing services provided by the District. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment. The total assessment must be reviewed and approved annually by the Dallas City Council. The future cost of services and improvements that are budgeted in the 2017-2018 Service Plan may be increased in amounts indicated in subsequent Service Plans, beyond the amount shown subject to an enhancement in value of property in the District and a corresponding increase in the services and improvements to be provided, and subject to the limitations on the assessment per occupied room and the aggregate amount approved in the petition. Each year's assessment must be reviewed and approved annually by the Dallas City Council following a public hearing. The total assessment amount for the year may be less than the amount budgeted for the year, but it shall not be more than the amount budgeted for the year as shown in the adopted Service Plan.

(f) **Apportionment of costs between the District and the Municipality as a Whole.** The District shall continue to pay the cost of the supplemental services described in the Service Plan by assessment against the hotels with 100 or more rooms within the District, including City-owned qualifying hotels located within the District territory, such as the Omni Hotel.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of a special assessment on Dallas hotels with a 100 or more rooms, to provide funding for the District for the purpose of increasing hotel activities within the City of Dallas.

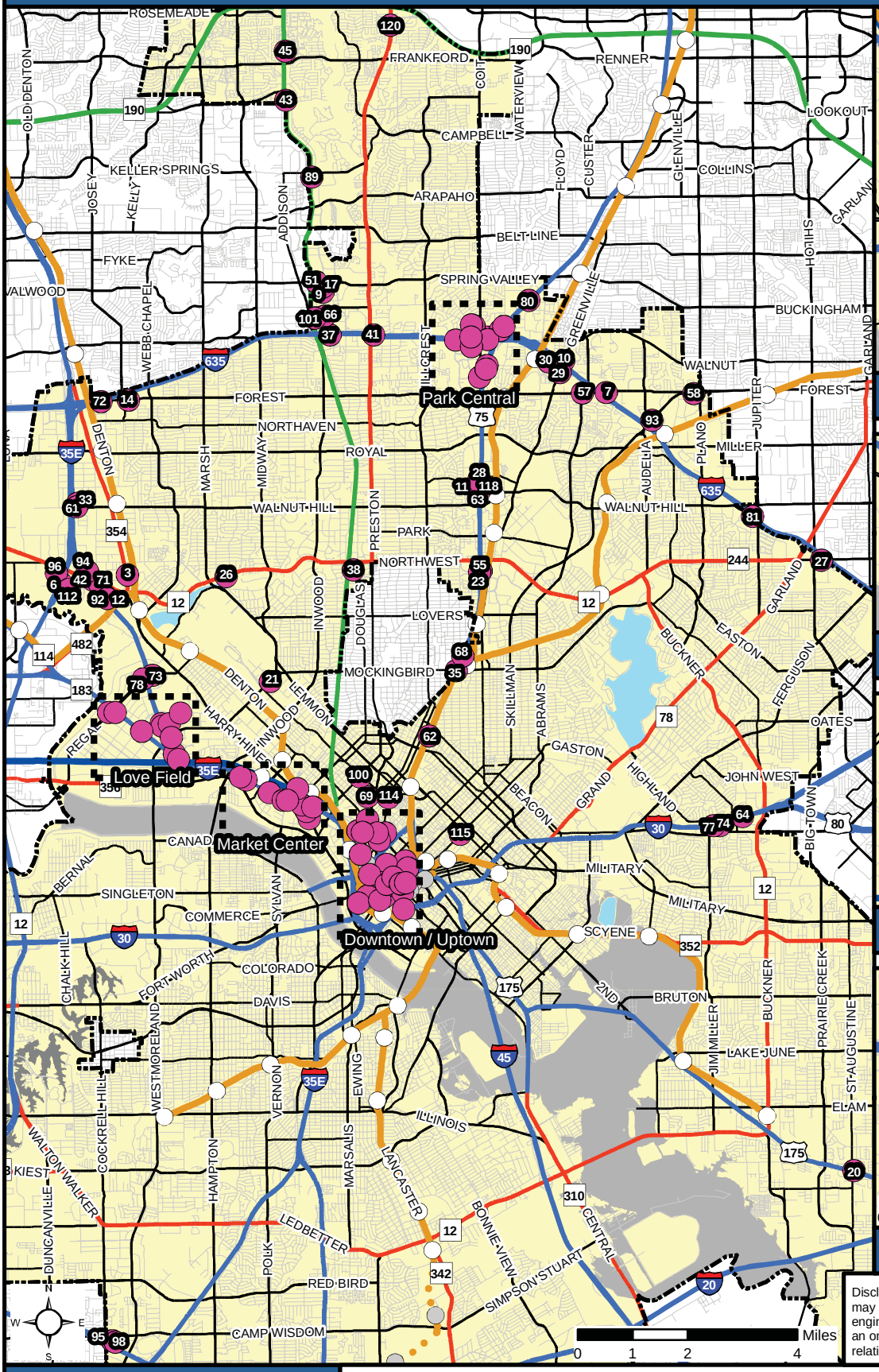
SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

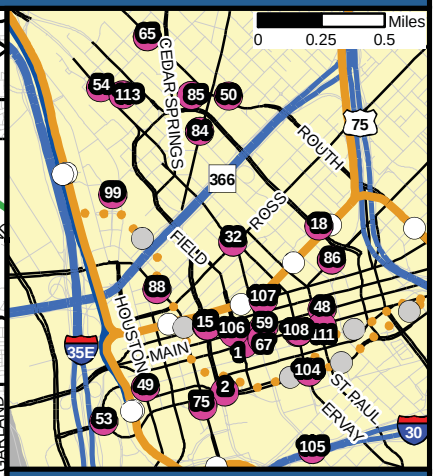
SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the District Service Plan for 2017-2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2017-2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

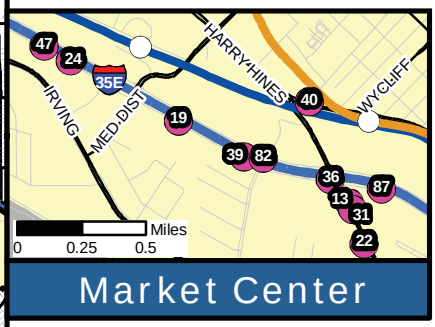
SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

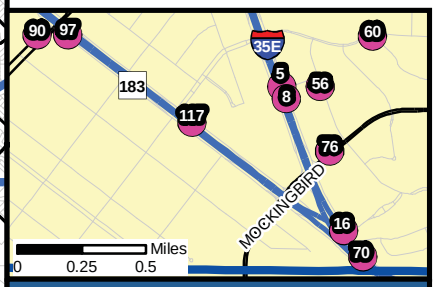
Exhibit A

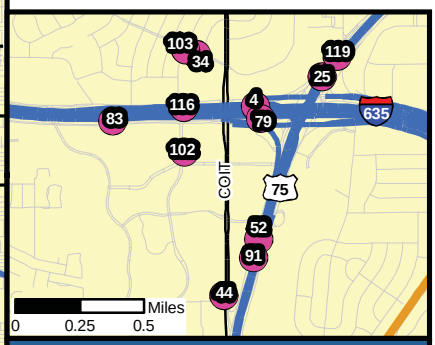
Tourism PID Hotels











Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Research & Information Division
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dallas-ecodev.org

Created 5.30.2016, Updated 6.2.2016 - Tourism_PID_2016.TCG

Legend

- Tourism PID Hotel
- Rail Station
- Future Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway
- Tollway
- Highway
- Arterial
- Local Road
- Escarpment
- Flood Plain
- Lake
- City of Dallas

Source: Hotel List - Dallas CVB, 2016; All Other Data - City of Dallas, 2016

Exhibit A-1

Dallas Tourism Public Improvement District

Hotel Properties That Comprise the Tourism PID

Hotel	Street Address	Rooms
Hyatt Regency Dallas	300 Reunion Boulevard	1,120
La Quinta Inn & Suites Dallas Downtown	302 South Houston Street	120
Hotel Crescent Court	400 Crescent Court	220
Sheraton Dallas Hotel	400 North Olive Street	1,840
TownePlace Suites Dallas Downtown	500 South Ervay Street	132
Omni Dallas Hotel	555 South Lamar Street	1,001
Dallas Marriott City Center	650 North Pearl Street	416
Lorenzo Hotel	1011 South Akard Street	237
Crowne Plaza Dallas Downtown	1015 Elm Street	293
Homewood Suites by Hilton Dallas Downtown	1025 Elm Street	130
Aloft Dallas Downtown	1033 Young Street	193
Sterling Hotel Dallas	1055 Regal Row	360
Westin Dallas	1201 Main Street	323
Love Field Hotel and Suites	1241 West Mockingbird Lane	348
Adolphus Hotel	1321 Commerce Street	422
Magnolia Hotel Dallas Downtown	1401 Commerce Street	329
The Joule	1530 Main Street	160
Knights Inn Market Center	1550 Empire Central	111
Ramada Dallas Love Field	1575 Regal Row	201
Hilton Garden Inn Downtown	1600 Pacific Avenue	171
Motel 6 Dallas - Market Center	1625 Regal Row	130
Hampton Inn & Suites Downtown	1700 Commerce Street	176
AC Hotels by Marriott Dallas Downtown	1712 Commerce Street	120
Residence Inn Dallas Downtown	1712 Commerce Street	121
Fairmont Dallas	1717 North Akard Street	545
Springhill Suites Dallas Downtown/West End	1907 North Lamar Street	148
Curio Collection Statler Hotel & Residences	1914 Commerce Street	161
Hotel Indigo	1933 Main Street	170
DoubleTree by Hilton Hotel Dallas Market Center	2015 Market Center Boulevard	227
Sheraton Suites Market Center Dallas	2101 North Stemmons Freeway	251
Fairfield Inn & Suites Dallas Medical Market Center	2110 Market Center Boulevard	116
The Ritz-Carlton, Dallas	2121 McKinney Avenue	218
Courtyard Dallas Medical/Market Center	2150 Market Center Boulevard	184
Hilton Anatole	2201 North Stemmons Freeway	1,608
Renaissance Dallas Hotel	2222 North Stemmons Freeway	514
Holiday Inn Express & Suites Dallas	2225 Connector Drive	100
Holiday Inn Express & Suites Dallas Stemmons	2287 West Northwest Highway	103
MCM Elegante Dallas	2320 West Northwest Highway	197
Hilton Garden Inn Dallas/Market Center	2325 North Stemmons Freeway	240
Hotel ZaZa Dallas	2332 Leonard Street	167

Exhibit A-1

Dallas Tourism Public Improvement District

Hotel Properties That Comprise the Tourism PID

Hotel	Street Address	Rooms
Country Inn & Suites by Carlton Dallas Love Field	2383 Stemmons Trail	110
Studio 6 Dallas Northwest #6035	2395 Stemmons Trail	189
La Quinta Inn & Suites Dallas I35 Walnut Hill Lane	2421 Walnut Hill Lane	121
W Dallas - Victory	2440 Victory Park Lane	252
Dallas Marriott Suites Medical/Market Center	2493 North Stemmons Freeway	265
Motel 6 Dallas - Galleria #4657	2660 Forest Lane	114
Embassy Suites by Hilton Dallas Market Center	2727 North Stemmons Freeway	248
Homewood Suites Dallas Market Center	2747 North Stemmons Freeway	137
Unnamed Hotel @ The Lexi	2815 North Harwood Street	110
Rosewood Mansion on Turtle Creek	2821 Turtle Creek Boulevard	143
Hyatt House Dallas/Uptown	2914 Harry Hines Boulevard	141
Le Meridien Dallas, The Stoneleigh	2927 Maple Avenue	170
Courtyard Dallas Northwest	2930 Forest Lane	146
Warwick Melrose Hotel Dallas	3015 Oak Lawn Avenue	184
Dream Dallas	3207 McKinney Avenue	128
DoubleTree by Hilton Hotel Dallas Love Field	3300 West Mockingbird	244
Embassy Suites by Hilton Dallas Love Field	3880 West Northwest Highway	248
element Dallas East	4005 Gaston Avenue	151
Townhouse Suites	4150 Independence Drive	108
Super 7 Inn Dallas Southwest	4220 Independence Drive	128
La Quinta Inn & Suites Dallas Uptown	4440 North Central Expressway	101
Holiday Inn Dallas Market Center	4500 Harry Hines Boulevard	200
Hyatt Place Dallas North by the Galleria	5229 Spring Valley Road	121
The Highland Dallas	5300 East Mockingbird Lane	198
Hilton Dallas Lincoln Centre	5410 Lyndon B Johnson Freeway	500
Hilton Dallas/Park Cities	5954 Luther Lane	224
Holiday Inn Express & Suites North Dallas at Preston	6055 Lyndon B Johnson Freeway	103
Magnolia Hotel Dallas Park Cities	6070 North Central Expressway	300
Residence Inn Dallas Market Center	6950 North Stemmons Freeway	142
Crowne Plaza Dallas Market Center	7050 North Stemmons Freeway	354
Residence Inn Dallas Park Central	7642 Lyndon B Johnson Freeway	139
Wyndham Dallas Suites Park Central	7800 Alpha Road	295
The Grand Hotel	7815 Lyndon B Johnson Freeway	145
Hawthorn Suites by Wyndham Park Central	7880 Alpha Road	114
Candlewood Suites Dallas Market Center	7930 North Stemmons Freeway	150
Best Western Plus Dallas Hotel & Conference Center	8051 Lyndon B Johnson Freeway	197
Gateway	8102 Lyndon B Johnson Freeway	200
Budget Suites of America Empire Central/Dallas	8150 North Stemmons Freeway	408
InTown Suites Dallas/Market Center Extended Stay	8201 Brookriver Drive	135
Hyatt House Dallas/Lincoln Park	8221 North Central Expressway	155

Exhibit A-1

Dallas Tourism Public Improvement District

Hotel Properties That Comprise the Tourism PID

Hotel	Street Address	Rooms
DoubleTree by Hilton Hotel Dallas Campbell Centre	8250 North Central Expressway	300
La Quinta Inn & Suites Dallas Love Field	8300 John W Carpenter Freeway	102
Stay Express Inn Dallas Fair Park Downtown	8303 East R L Thornton Freeway	102
Motel 6 Dallas - Fair Park #4616	8510 East R L Thornton Freeway	105
Lamplighter Motel	9001 East R L Thornton Freeway	107
Extended Stay America - Dallas - Vantage Point Dr.	9019 Vantage Point Drive	134
Super 8 Dallas Love Field Market Center	9229 John W Carpenter Freeway	110
InTown Suites Dallas Northeast Extended Stay	9355 Forest Lane	145
Budget Suites of America North Dallas	9519 Forest Lane	348
Super 7 Inn	9626 C F Hawn Freeway	118
Studio 6 Dallas Garland/Northeast #5003	9801 Adleta Court	126
La Quinta Inn & Suites Dallas North Central	10001 North Central Expressway	127
Budget Suites of America Loop 12/Dallas	10222 North Walton Walker Boulevard	282
Anchor Motel	10230 Harry Hines Boulevard	126
Hampton Inn & Suites Dallas	10310 North Central Expressway	124
Courtyard Dallas Central Expressway	10325 North Central Expressway	160
Express Studios	10326 Finnell Street	146
Residence Inn Dallas Central Expressway	10333 North Central Expressway	103
Super 7 Inn Dallas	10335 Gardner Road	100
InTown Suites Garland Extended Stay	10477 Metric Drive	135
Hampton Inn & Suites Dallas North I-35 at Walnut Hill	11069 Composite Drive	113
Regency Hotel	11350 Lyndon B Johnson Freeway	236
Extended Stay America - Dallas - Coit Rd.	12121 Coit Road	133
Extended Stay America - Dallas - Greenville Ave.	12270 Greenville Avenue	116
Studio 6 Dallas Richardson/North #5010	12301 North Central Expressway	133
Hyatt Place Dallas/Park Central	12411 North Central Expressway	126
Candlewood Suites Dallas Park Central	12525 Greenville Avenue	122
Executive Inn	12670 East Northwest Highway	120
The Westin Dallas Park Central	12720 Merit Drive	536
Embassy Suites by Hilton Dallas Park Central	13131 North Central Expressway	279
La Quinta Inn & Suites Dallas North	13175 North Central Expressway	124
The Westin Galleria Dallas	13340 Dallas Parkway	448
Le Meridien Dallas by the Galleria	13402 Noel Road	258
Red Roof Inn - Dallas Richardson	13685 North Central Expressway	121
Candlewood Suites Dallas Galleria	13939 Noel Road	134
Embassy Suites by Hilton Dallas Near the Galleria	14021 Noel Road	150
Staybridge Suites Dallas Addison	16060 Dallas Parkway	129
Crossland Economy Studios - Dallas - North Addison - Tollway	17425 Dallas Parkway	120
Extended Stay America - Dallas - Frankford Road	18470 North Dallas Parkway	118

Exhibit A-1

Dallas Tourism Public Improvement District

Hotel Properties That Comprise the Tourism PID

Hotel	Street Address	Rooms
InTown Suites Dallas North, Plano Extended Stay	19059 Preston Road	121
added/opening soon/under development		27,778

Exhibit B

Tourism Public Improvement District (PID) Service Plan						
Fiscal Year		**2018-19**	**2019-20**	**2020-21**	**2021-22**	**2022-23**
Assessment Revenue		**$ 18,222,755**	**$ 19,133,893**	**$ 20,090,588**	**$ 21,095,117**	**$ 22,149,873**
Categories	**%**					
Incentives & Sales Efforts	42.5%	$ 7,744,671	$ 8,131,905	$ 8,538,500	$ 8,965,425	$ 9,413,696
Marketing (Promotion/Advertising)	35.0%	$ 6,377,964	$ 6,696,863	$ 7,031,706	$ 7,383,291	$ 7,752,456
Site Visits & Familiarization Tours	10.0%	$ 1,822,276	$ 1,913,389	$ 2,009,059	$ 2,109,512	$ 2,214,987
Event Funding Application Pool	7.5%	$ 1,366,707	$ 1,435,042	$ 1,506,794	$ 1,582,134	$ 1,661,240
Operations/Research/Administration	5.0%	$ 911,138	$ 956,695	$ 1,004,529	$ 1,054,756	$ 1,107,494
Total Expenses	**100.0%**	**$ 18,222,755**	**$ 19,133,893**	**$ 20,090,588**	**$ 21,095,117**	**$ 22,149,873**

Note: Expenditures are limited to actual collections, which can not exceed the 2% fee on each occupied room as defined in the petition.

Exhibit C

Tourism Public Improvement District
2017 Assessment Plan

The cost of the services and improvements provided by the Tourism Public Improvement District ("District") will be levied by special assessment against Dallas hotels located within the District territory with 100 or more rooms ("qualifying hotels") based on hotel room nights sold. The total cost of the services and improvements to be provided shall be apportioned at a rate of 2% of room-nights sold at qualifying hotels until the budget for services and improvements for the year is reached. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment.

AGENDA ITEM # 20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 35 X Y and 45 A B C F G K

SUBJECT

Authorize **(1)** approval of the proposed Uptown Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

Uptown, Inc. provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017. The assessment values provided herein are preliminary. The assessment values based on 2017 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 13, 2017 public hearing item.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be provided in the District include enhanced public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $2,502,831 in 2018 and reach $3,037,043 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $13,893,591. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $2,502,831. This amount is approximately equal to $0.0450 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

BACKGROUND (continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District, approval of Service Plan and management contract by Resolution No. 93-2501.

On August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2231.

On June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1584.

On September 14, 2016, City Council held a public hearing to on the proposed levy of assessment for the Uptown Public Improvement District and authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1506; Ordinance No. 30211.

Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

Uptown Public Improvement District Boundary Map

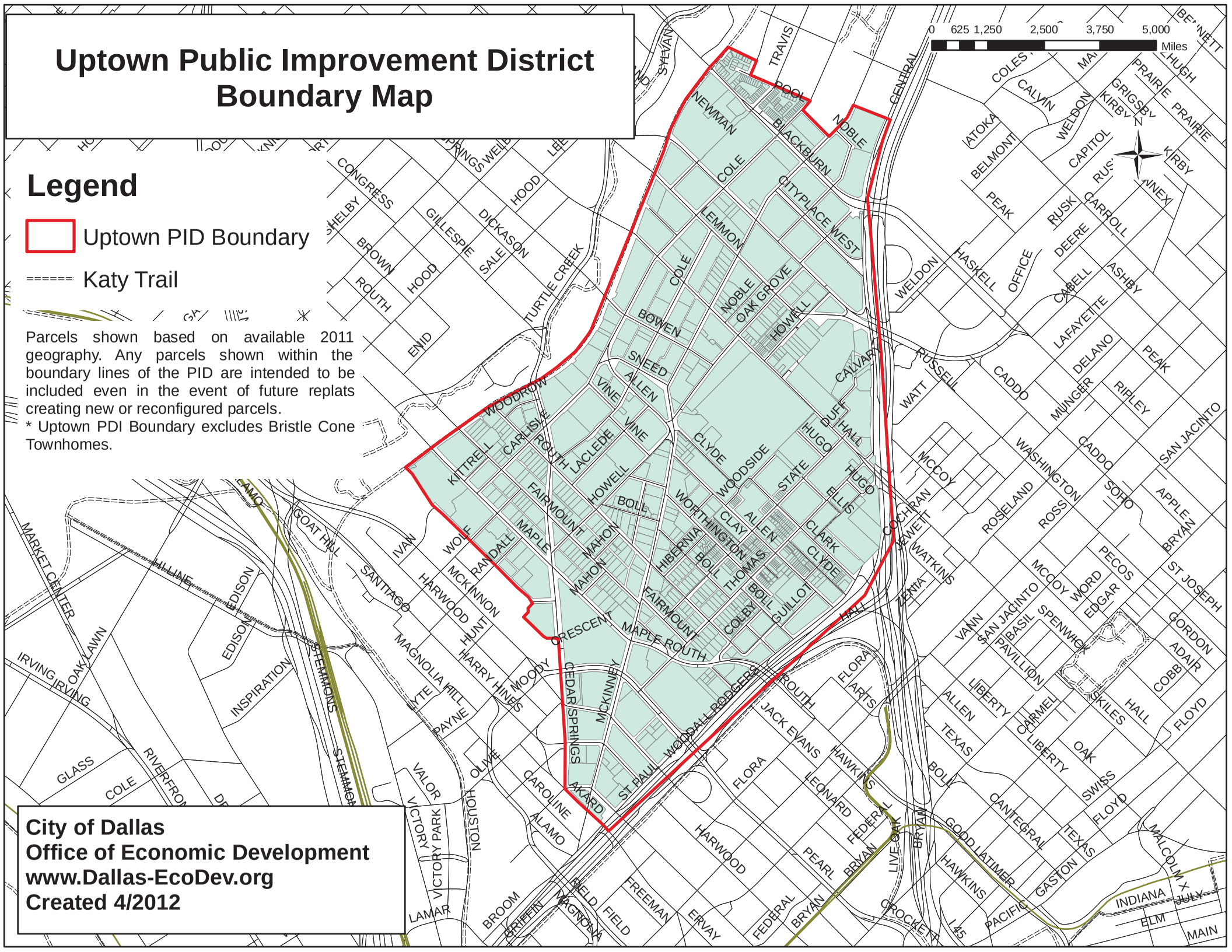
Legend

Uptown PID Boundary

Katy Trail

Parcels shown based on available 2011 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

* Uptown PDI Boundary excludes Bristle Cone Townhomes.



City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2012

August 23, 2017

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Uptown, Inc. as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2501; and

WHEREAS, on August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2231; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1584; and

WHEREAS, on September 14, 2016, City Council held a public hearing to on the proposed levy of assessment for the Uptown Public Improvement District and authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1506; Ordinance No. 30211; and

WHEREAS, Uptown, Inc. provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2018 Service Plan and the proposed 2017 Assessment Plan for the Uptown Public Improvement District, will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be provided in the District include enhanced public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $2,502,831 in 2018 and reach $3,037,043 in 2022. The total estimated assessments to be collected during the next five-year period is approximately $13,893,591. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District are as shown on **Exhibit A**.

(e) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2017 is proposed to be $2,502,831. This amount is approximately equal to $0.0450 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District.

SECTION 1. (continued)

(e) (continued)

Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Property owned by tax-exempt religious organizations will be exempt from assessment as will property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(f) **Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

SECTION 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

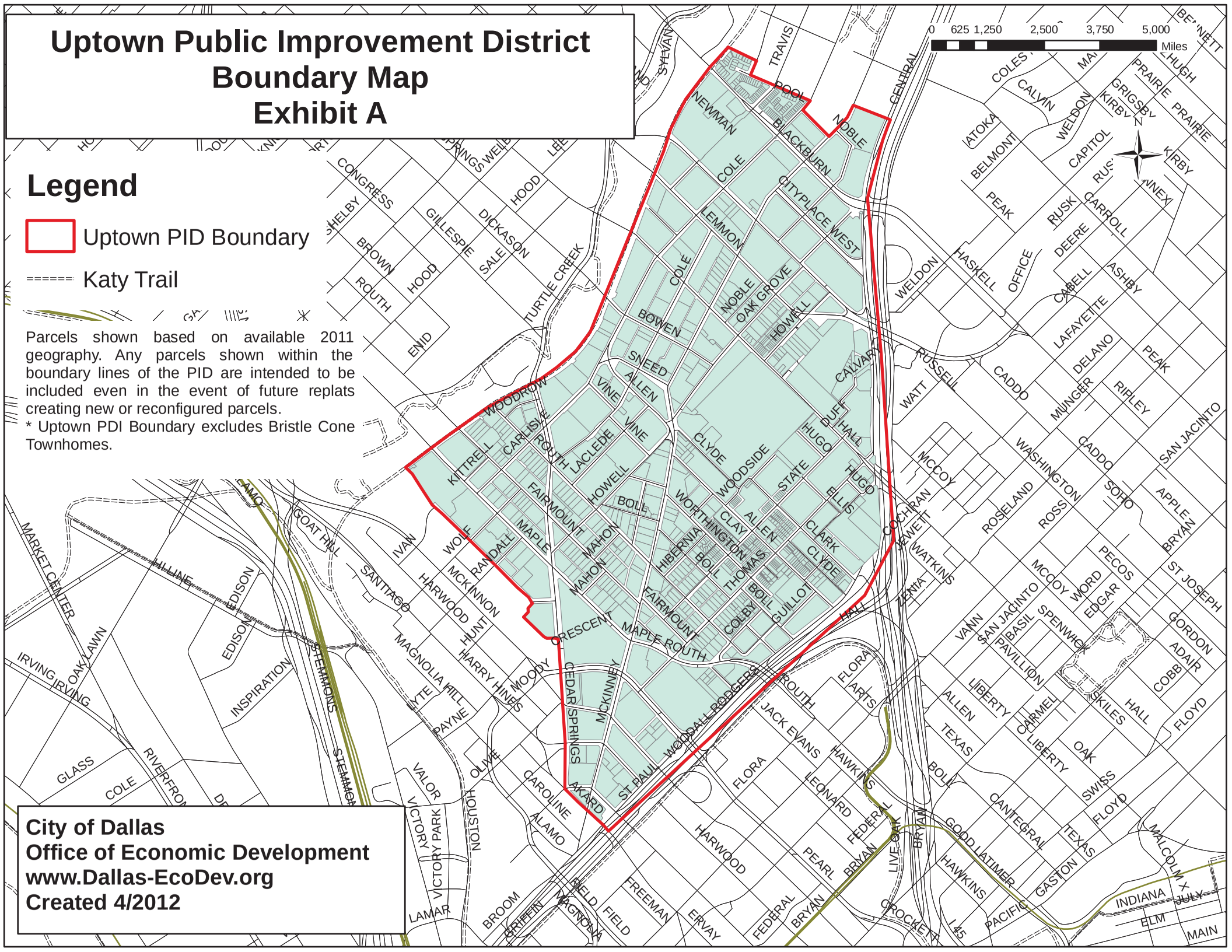
SECTION 3. That a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Uptown Public Improvement District
Boundary Map
Exhibit A



UPTOWN PUBLIC IMPROVEMENT DISTRICT
SERVICE PLAN (2018 - 2022)
EXHIBIT B

Income	**2018**	**2019** [2]	**2020** [2]	**2021** [2]	**2022** [2]
Net Assessments	$2,502,831	$2,590,700	$2,831,010	$2,932,007	$3,037,043
Interest	$2,000	$2,000	$2,000	$2,000	$2,000
Uptown Dallas, Inc. service fees (memberships)	$13,500	$14,000	$14,000	$14,000	$14,000
Marketing Sponsorships (for events)	$40,000	$45,000	$45,000	$45,000	$45,000
Total	$2,558,331	$2,651,700	$2,892,010	$2,993,007	$3,098,043
Expenditures					
Capital Improvements (Median Landscaping, gateway markers, walking trails, parks, streetscape, Katy Trail).	$767,499	$795,510	$867,603	$897,902	$929,413
Services (Off-duty police, trolley operations, traffic & parking, marketing and promotion)	$589,583	$612,925	$673,003	$698,252	$724,511
Landscape Improvements (Landscape, tree care, street & sidewalk sweeping, trash cans, graffiti removal, grates).	$767,499	$795,510	$867,603	$897,902	$929,413
Finance & Administration (Staff Salaries & benefits, rent, office expenses, audit, insurance).	$383,750	$397,755	$433,802	$448,951	$464,706
Griggs Park Improvements	$0	$0	$0	$0	$0
Contingency [1]	$50,000	$50,000	$50,000	$50,000	$50,000
Total	$2,558,331	$2,651,700	$2,892,010	$2,993,007	$3,098,043

[1] Contingency funds: Allowance made for anticipated tax refunds due to protests by property owners

[2] Expenses are estimated and are subject to a renewal in 2019.

EXHIBIT C

2017 ASSESSMENT PLAN Uptown

Public Improvement District

The cost of the services and improvements provided by the Uptown Public Improvement District will be paid primarily by special assessments against properties in the District. Annual assessments will be based on the total value of real property and improvements as determined by the Dallas Central Appraisal District.

All property owners not exempt from assessment will be assessed at a uniform rate. In 2017, the proposed rate continues to be 4.5 cents per $100 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. The District's cemeteries, which operate on a nonprofit basis and are not specifically benefited by most of the improvements and services, are one class of tax-exempt properties. Accordingly, the cemeteries will be exempt from assessment. Property owned by tax-exempt religious organizations will be exempt from assessment and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract. No such contracts are in place, nor are any proposed. City rights-of-way and city parks are exempt from assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment.

UPID's assessments will be collected by Dallas County or other contractor chosen by the City of Dallas, in accordance with the management contract between the City of Dallas and Uptown Dallas, Inc., the non-profit corporation that manages the District.

AGENDA ITEM # 21

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 35 M and 36 A B E F J K

SUBJECT

Authorize **(1)** approval of the proposed University Crossing Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The University Crossing Improvement District Corporation (dba UCPID, Inc.) provided the proposed District 2018 Service Plan and proposed 2017 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017. The assessment values provided herein are preliminary. The assessment values based on 2017 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 13, 2017 public hearing item.

BACKGROUND (continued)

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements**. The proposed services and improvements to be provided in the District include police safety patrol's for the area, safety awareness and education programs, landscaping, banner program, installation and maintenance of trash containers, promotion of the University Crossing area, implement signage and wayfinding systems, management of new and existing public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to range from approximately $1,147,000 in 2018 to $875,000 in 2022. Carryover funds accumulated through 2017 will be used to support capital improvement projects related to the Mockingbird Lane Pedestrian Bridge and Trail Expansion. The total estimated assessments to be collected during the next five-year period is approximately $4,178,000. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2017 is proposed to be $803,000. This amount is approximately equal to $0.10 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. With the exception of Southern Methodist University (SMU), the real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

BACKGROUND (continued)

SMU has agreed to participate in the University Crossing Public Improvement District (PID) by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 12, 2013, City Council authorized the creation of the University Crossing Public Improvement District, approval of the Service Plan and management contract by Resolution No. 13-1016.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1507; Ordinance No. 30212.

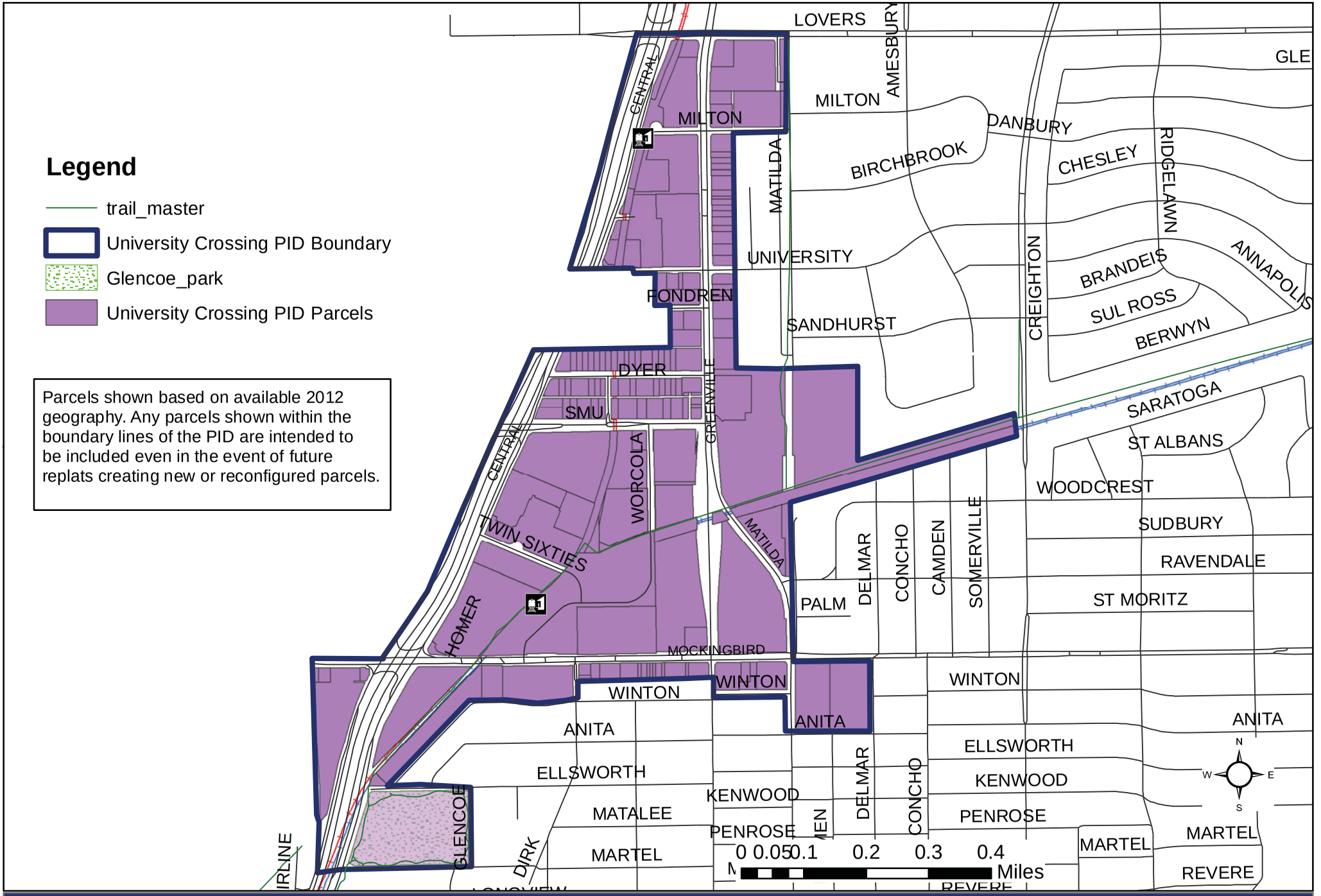
Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



University Crossing Public Improvement District Map

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2013

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 12, 2013, City Council authorized the creation of the University Crossing Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated University Crossing Improvement District Corporation (dba UCPID, Inc.) as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 13-1016; and

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WHEREAS, the University Crossing Improvement District Corporation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

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(a) Advisability of the Services Proposed for the District. The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

SECTION 1. (continued)

(b) **Nature of the Services and Improvements**. The proposed services and improvements to be provided in the District include police safety patrol's for the area, safety awareness and education programs, landscaping, banner program, installation and maintenance of trash containers, promotion of the University Crossing area, implement signage and wayfinding systems, management of new and existing public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

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SECTION 1. (continued)

SMU has agreed to participate in the University Crossing Public Improvement District (PID) by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID.

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

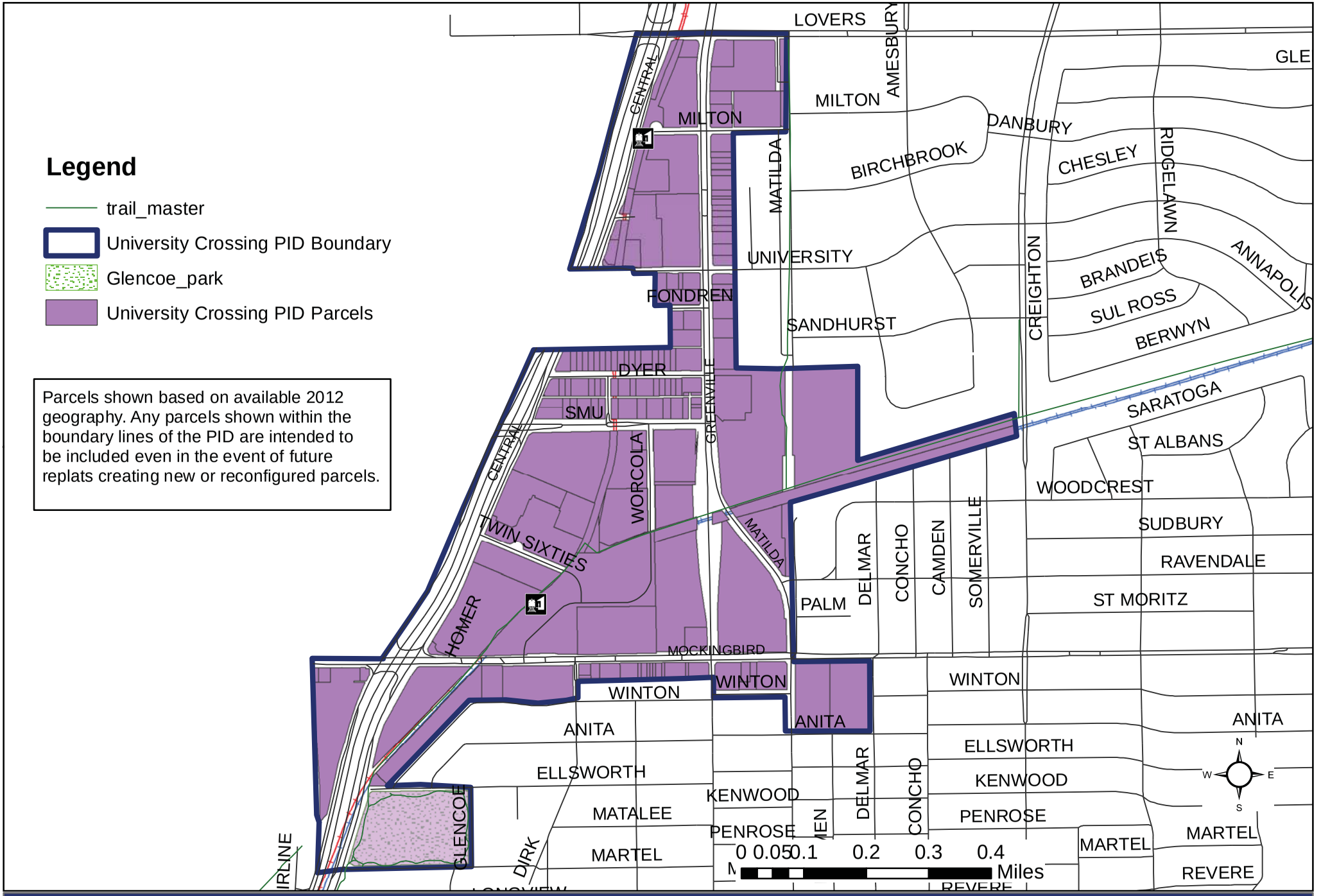


Exhibit A
University Crossing Public Improvement District
Boundary Map

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2013

Exhibit B
University Crossing Public Improvement District - Five - Year Budget

	2018 Budget	2019 Budget	2020 Budget	2021 Budget[9]	2022 Budget[9]
INCOME					
Fund balance from previous year[8]	1,000,000	657,500	310,500	0	0
Net assessment revenue	803,000	819,000	835,000	852,000	869,000
Exempt jurisdictions	0	0	0	0	0
Interest on cash balances	1,500	4,000	5,000	6,000	6,000
Other income & contributions	0	0	0	0	0
TOTAL INCOME[1]	**$1,804,500**	**$1,480,500**	**$1,150,500**	**$858,000**	**$875,000**
EXPENDITURES					
Security[2]	257,000	262,000	267,000	272,000	277,000
Improvements[3]	444,000	453,000	419,500	113,000	116,000
Public Area Maintenance[4]	212,000	216,000	220,000	224,000	228,000
Promotion and Communication[5]	88,000	90,000	92,000	94,000	96,000
Organization & Administration[6]	116,000	118,000	120,000	122,000	124,000
Audit & Insurance[7]	30,000	31,000	32,000	33,000	34,000
TOTAL EXPENDITURES	**$1,147,000**	**$1,170,000**	**$1,150,500**	**$858,000**	**$875,000**
FUND BALANCE/RESERVES	**$657,500**	**$310,500**	**$0**	**$0**	**$0**

NOTES:

1 The assessment amount is approximately equal to $0.10 per $100 of appraised value as determined by the Dallas Central Appraisl District (DCAD). Net assessment reflects the deduction of City and County fees from the gross assessment collection.

2 Police patrol of the University Crossing area, owner safety coordination, safety ehancements in lighting, etc.

3 Public Improvements, landscape, parks and pedestrian amenities for the PID.

4 Sidewalk, public planters, waste disposal, clean area programs, and landscape improvements throughout the University Crossing area.

5 University Crossing area coordination among owners, program services for area promotion and awareness

6 Expenses of the PID and salary of PID director.

7 Annual audit of the PID finances and liability insurance for the PID.

8 Fund balances carried over from 2014, 2015, 2016 and 2017 will be used across all major categories to support the Mockingbird Lane Pedestrian Bridge and Trail Expansion construction to that began in 2017 and expected to continue through 2019. These majority of the carryover funds are primarily from the improvement imporvement category and will be spent there as shown.

9 The five year plan goes to year 2022. However, this assumes that the PID is successfully renewed for another term beginning in 2021. If the PID isn't renewed then the PID would cease collections at the end of 2020.

Exhibit C
University Crossing Public Improvement District
Assessment Plan 2017

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The University Crossing Public Improvement District (PID) proposed assessment rate for 2017 is $0.10 per $100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of $0.15 per $100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. With the exception of Southern Methodist University (SMU), payment of assessments by other exempt jurisdictions and entities must also be established by contract. SMU has agreed to participate in the University Crossing PID by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID.

AGENDA ITEM # 22

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Office of Economic Development

CMO: Raquel Favela, 670-3309

MAPSCO: 26 F K L N Q R S T U V Y and Z; 27 N and S

SUBJECT

Authorize **(1)** approval of the proposed Vickery Meadow Public Improvement District ("District") 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll; **(2)** a public hearing to be held on September 13, 2017, to receive comments concerning the annual assessment for the District; and, at the close of the hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2017 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the City Council calls and holds a public hearing to hear and pass on any objections to the annual assessment to be levied against property in the Public Improvement District (PID) and approves the Service Plan for each PID.

The Vickery Meadow Management Corporation provided the proposed District 2018 Service Plan and proposed 2017 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 13, 2017.

The Public Improvement District Service Plan is outlined in the following way:

(a) **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District.

BACKGROUND (continued)

The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(b) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $781,780 in 2018 and reach $1,630,641 in 2022. The total estimated assessments to be collected for during the next five-year period is approximately $6,965,535. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are shown on the attached map of the District.

(d) **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment amount for 2017 is proposed to be $781,780. This amount is approximately equal to $0.10 per $100.00 of appraised value for the premium service area in the District and $0.05 per $100.00 of appraised value for the standard service area Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

(e) **Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District.

BACKGROUND (continued)

The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Vickery Meadow Public Improvement District, approval of the Service Plan and management contract by Resolution No. 93-2502.

May 13, 1998, September 10 2003, June 25, 2008 and August 12, 2015, City Council authorized the renewal of the Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Vickery Meadow Management Corporation as manager of the District and authorizing a contract for management services; and approving the District Service Plan and annual updates by Resolution Nos. 98-1440, 03-2475, 08-1867 and 15-1474.

September 9 2015, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 and 2016 Assessment Roll by Resolution No. 16-1508; Ordinance No. 30213.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 and 2016 Assessment Roll by Resolution No. 16-1508; Ordinance No. 30213.

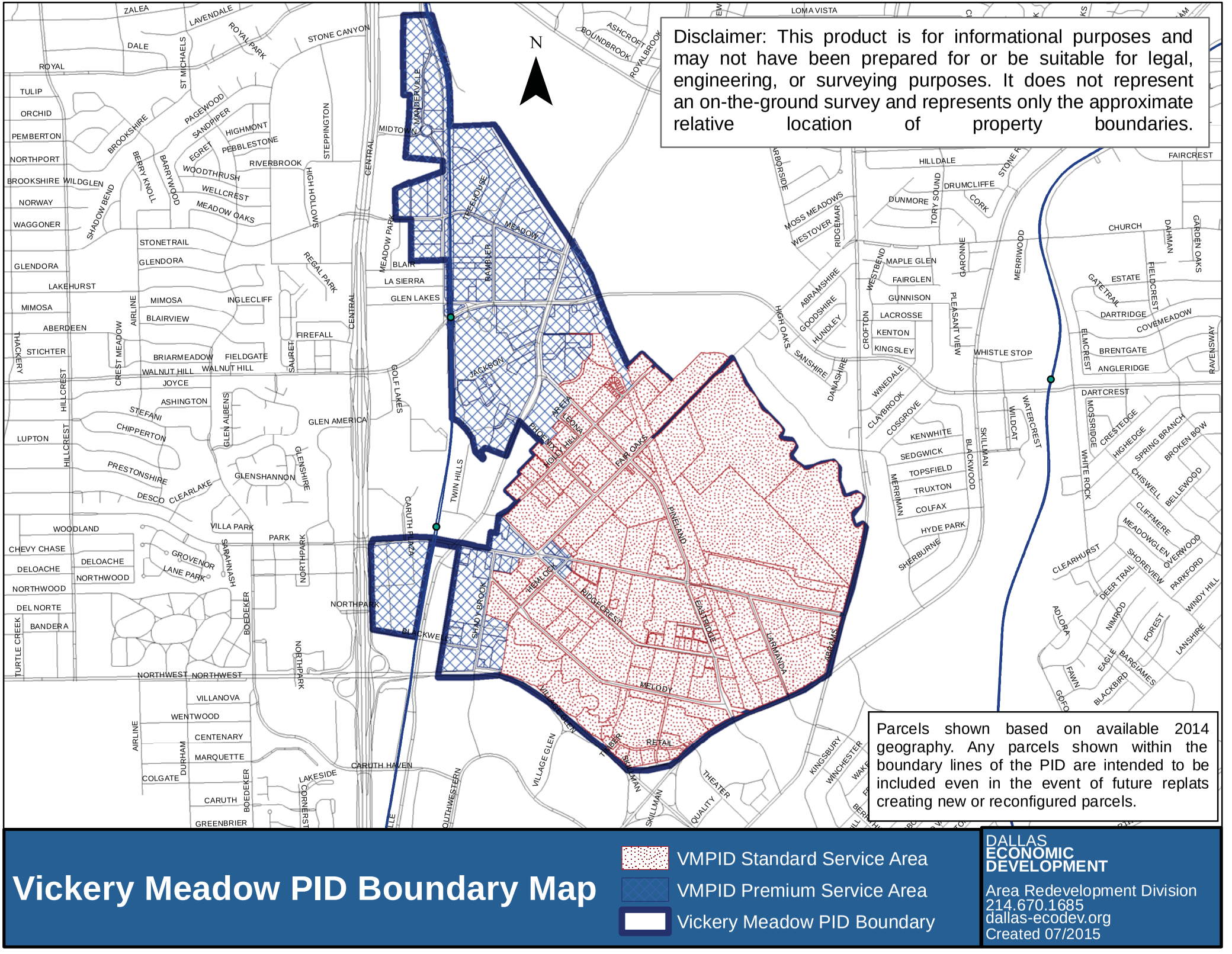
Information about this item was provided to the Economic Development and Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached


Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
N
Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
Vickery Meadow PID Boundary Map
VMPID Standard Service Area
VMPID Premium Service Area
Vickery Meadow PID Boundary
DALLAS ECONOMIC DEVELOPMENT
Area Redevelopment Division
214.670.1685
dallas-ecodev.org
Created 07/2015

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 23, 1993, City Council authorized the creation of the Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Vickery Meadow Management Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2502; and

WHEREAS, on May 13, 1998, September 10 2003, June 25, 2008 and August 12, 2015, City Council authorized the renewal of the Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Vickery Meadow Management Corporation as manager of the District and authorizing a contract for management services; and approving the District Service Plan and annual updates by Resolution Nos. 98-1440, 03-2475, 08-1867 and 15-1474; and

WHEREAS, on September 9 2015, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1508; Ordinance No. 30213; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1508; Ordinance No. 30213; and

WHEREAS, the Vickery Meadow Management Corporation provided City staff with the proposed District 2018 Service Plan and 2017 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2018 Service Plan and 2017 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2017 assessment against real property and real property improvements exclusive of rights -of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

Now, Therefore,

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

SECTION 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed 2017 Service Plan and the proposed 2017 Assessment Plan for the Vickery Meadow Public Improvement District will consider approval of the final 2018 Service Plan and 2017 Assessment Plan, subject to the public hearing on September 13, 2017.

The City Council makes the following findings concerning the Service Plan for the Public Improvement District:

(a) **Advisability of the Services Proposed for the District.** The District promotes the interests of the City and confers a special benefit to the property within its boundaries and it is advisable to continue the District and to provide the services and improvements described in this resolution.

(b) **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

(c) **Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately $781,780 in 2018 and reach $1,630,641 in 2022. The total estimated assessments to be collected for during the next five-year period is approximately $6,965,535. The District shall incur no bonded indebtedness.

(d) **Boundaries.** The boundaries of the District are located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.

SECTION 1. (continued)

(e) Method of Assessment. The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment amount for 2017 is proposed to be $781,780. This amount is approximately equal to $0.10 per $100.00 of appraised value for the premium service area in the District and $0.05 per $100.00 of appraised value for the standard service area. Once levied, this assessment rate shall not increase during the 2018 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of $0.15 per $100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

(f) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

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 a public hearing shall be held at 1:00 p.m. on September 13, 2017, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2017 Assessment Roll on file with the City Secretary; approving the Service Plan for 2018; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2018; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

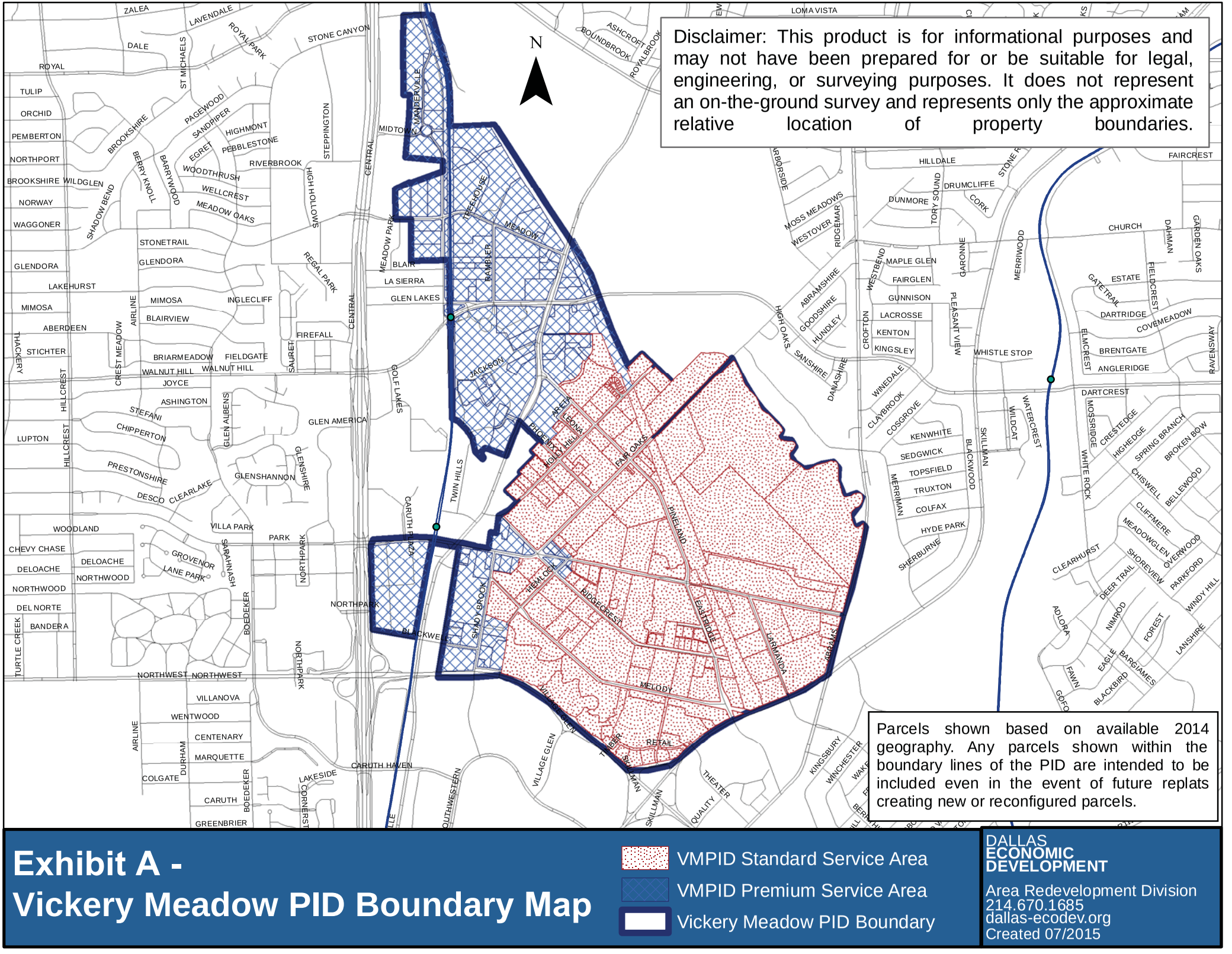

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
N
Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
Exhibit A -
Vickery Meadow PID Boundary Map
VMPID Standard Service Area
VMPID Premium Service Area
Vickery Meadow PID Boundary
DALLAS
ECONOMIC
DEVELOPMENT
Area Redevelopment Division
214.670.1685
dallas-ecodev.org
Created 07/2015

Exhibit B

VICKERY MEADOW PUBLIC IMPROVEMENT DISTRICT
SERVICE PLAN (2018-2022)

		2018 BUDGET		2019 BUDGET		2020 BUDGET		2021 BUDGET		2022 BUDGET
REVENUES:										
Interest Income		$1,500.00		$1,600.00		$1,600.00		$1,600.00		$1,800.00
Net Assessment		$781,780.01		$1,434,574.00		$1,536,012.00		$1,582,528.65		$1,630,640.70
Surplus Carried Forward [9]		$0.00		$0.00		$0.00		$0.00		$0.00
TOTAL REVENUE		**$781,780.01**		**$1,439,263.56**		**$1,543,208.32**		**$1,582,528.65**		**$1,630,640.70**
DISBURSEMENTS:										
Administrative Expenses [1]	10%	$78,178.00	10%	$143,926.36	10%	$154,320.83	10%	$158,252.87	10%	$163,064.07
Park Lane Place Improvements (VM TIF) [2]	8%	$62,542.40	8%	$115,141.08	8%	$123,456.67	8%	$126,602.29	8%	$130,451.26
Midtown Park Improvements [3]	3%	$23,453.40	3%	$43,177.91	3%	$46,296.25	3%	$47,475.86	3%	$48,919.22
Community Service Expenses [4]	2%	$15,635.60	2%	$28,785.27	2%	$30,864.17	2%	$31,650.57	2%	$32,612.81
Safety & Security Expenses [5]	38%	$297,076.40	38%	$546,920.15	38%	$586,419.16	38%	$601,360.89	38%	$619,643.47
Property Standard Expenses [6]	13%	$101,631.40	13%	$187,104.26	13%	$200,617.08	13%	$205,728.72	13%	$211,983.29
Public Relations Expenses [7]	7%	$54,724.60	7%	$100,748.45	7%	$108,024.58	7%	$110,777.01	7%	$114,144.85
Economic Development Expense [8]	2%	$15,635.60	2%	$28,785.27	2%	$30,864.17	2%	$31,650.57	2%	$32,612.81
Capital Improvements [9]	15%	$117,267.00	15%	$215,889.53	15%	$231,481.25	15%	$237,379.30	15%	$244,596.11
Insurance & Audit Expenses	2%	$15,635.60	2%	$28,785.27	2%	$30,864.17	2%	$31,650.57	2%	$32,612.81
TOTAL DISBURSEMENTS		**$781,780.01**		**$1,439,263.56**		**$1,543,208.32**		**$1,582,528.65**		**$1,630,640.70**

Notes:

1. Office Management & Items Required by PID Contract
2. Improvements of common areas in the Park Lane Development, lower than expected; based on development timeline
3. Improvements of common areas in the Mid-Town Development, lower than expected; based on delayed development
4. Community Enrichment Activities, Youth Development Activities, & Special Events
5. Crime Database, Security Patrols, & Crime Prevention
6. Landscaping, Litter Removal, Graffiti Abatement, Cart Pickup
7. Marketing & Promotional Activities
8. Neighborhood Planning & Recruitment of Business
9. Large-scale Street Improvements, Sidewalks, Acquision, Enhanced Landscaping, Etc. Large scale projects may require funds to be carried over multiple years.
10. Increases in Projected Values in 2018-2019 is contingent on completion of the Mid-Town Development

EXHIBIT C

VICKERY MEADOW IMPROVEMENT DISTRICT
2017 ASSESSMENT PLAN

The costs of the services and improvements by the Vickery Meadow Improvement District will be paid primarily by assessments against real properties within the District's boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District ("DCAD").

The 2017 assessment rate for the property in the premium service area is proposed at $.10 per $100 value. The 2017 assessment rate for the property in the standard service area is proposed at $.05 per $100 value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code. The City of Dallas shall not be responsible for payment of assessments against exempt City property including City rights-of-way and parks. Payment of assessment by other tax-exempt owners must be established by contract. No such contracts are in place at present.

The Vickery Meadow PID assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Vickery Meadow Management Corporation.

AGENDA ITEM # 23

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	August 23, 2017
COUNCIL DISTRICT(S):	10
DEPARTMENT:	Equipment & Building Services Convention and Event Services
CMO:	Jody Puckett, 670-3390 Joey Zapata, 670-3009
MAPSCO:	45P

SUBJECT

Authorize a professional services contract with Conley Group, Inc. for architectural and engineering services for design, construction documents and construction administration for the 2017 Water Infiltration Projects at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $875,390 - Financing: Convention Center Capital Construction Funds

BACKGROUND

The Capital Improvement Program developed in 2010 focused on repairing and upgrading the center to complement the new headquarters hotel. A major component of the program focused on maintaining the integrity of the building envelope to prevent water infiltration. Projects addressing water infiltration were prioritized and the projects executed included replacing roofs on the administration building, Exhibit Halls A, B, C, D, and E, water proofing the Exhibit Hall loading docks and subterranean storm water drain repairs.

The current initiative is a continuation of this effort. Projects identified included replacing roofs that are nearing the end of their life expectancy and additional areas of water infiltration experienced after major weather events. The project listing is:

- Exhibit Hall F roof replacement
- Exhibit Halls D and E mechanical penthouses
- Section A/B Lower Level Lobby roof and flashing
- Exhibit Halls A and B Pre-function Exhibit Level - north concrete exterior wall / parapet wall, skylights, roofing and expansion joints
- Section A/B Parking Garage Tunnel Drive - north exterior concrete wall - subgrade
- Administration Building exterior area way stairs and concrete sidewalk flatwork at ground level

BACKGROUND (continued)

- Exhibit Hall B/C electrical shop at A/B Parking Garage Level
- Exhibit Hall D Pre-function Exhibit Level
- Lower A/B Lobby
- Arena and Exhibit Hall A/B roof drains
- Exhibit Halls E and F expansion joints

This action will authorize a professional services contract with Conley Group, Inc. to provide architectural and engineering services necessary for the design, construction documents an construction administration for the water infiltration projects identified for 2017 Kay Bailey Hutchison Convention Center Dallas Capital Improvement Program.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	September 2017
Complete Design	March 2018
Begin Construction	July 2018
Complete Construction	July 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Government Performance & Financial Management Committee on August 21, 2017.

FISCAL INFORMATION

Convention Center Capital Construction Funds - $875,390

M/WBE INFORMATION

See attached.

PROPOSAL INFORMATION

In August 2015, the Public Works Department began the two step (Request for Qualifications/Request for Proposals) process to procure Architectural/Engineering and Consulting Services for Fiscal Years 2015-2018. From the pool of firms who submitted qualifications, the selected firms were short-listed based on the water infiltration qualifications listed in their Statement of Qualifications.

On January 24, 2017 the Equipment and Building Services Department notified the short-listed firms and issued a Request for Proposals for the 2017 Kay Bailey Hutchison Convention Center Dallas Water Infiltration Projects.

PROPOSAL INFORMATION (continued)

On February 16, 2017, the Equipment and Building Services Department received proposals from three short-listed firms. Interviews were held on February 28, 2017. Proposers were ranked as follows:

Proposers	**Rank**
Conley Group, Inc.	1
Terracon	2
Exp US Services, Inc.	3

The proposals were evaluated according to the criteria published in the Request for Qualifications and the Request for Proposals. These criteria, with respective weights were as follows:

Criteria 1 - Qualifications and Experience	25 points
Criteria 2 - Key Personnel	20 points
Criteria 3 - Understanding and Approach	15 points
Criteria 4 - Schedules and Budgets	15 points
Criteria 5 - Firms Technical Resources	10 points
Criteria 6 - Past performance and history of complying with M/WBE goals	15 points

OWNER

Conley Group, Inc.

Bill Coney, President
Ken Paar, Senior Vice President
Kelly Conley, Direct of Client Services

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Conley Group, Inc. for architectural and engineering services for design, construction documents and construction administration for the 2017 Water Infiltration Projects at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $875,390 - Financing: Convention Center Capital Construction Funds

Conley Group, 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: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$813,640.00	92.95%
Total non-local contracts	$61,750.00	7.05%
TOTAL CONTRACT	$875,390.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

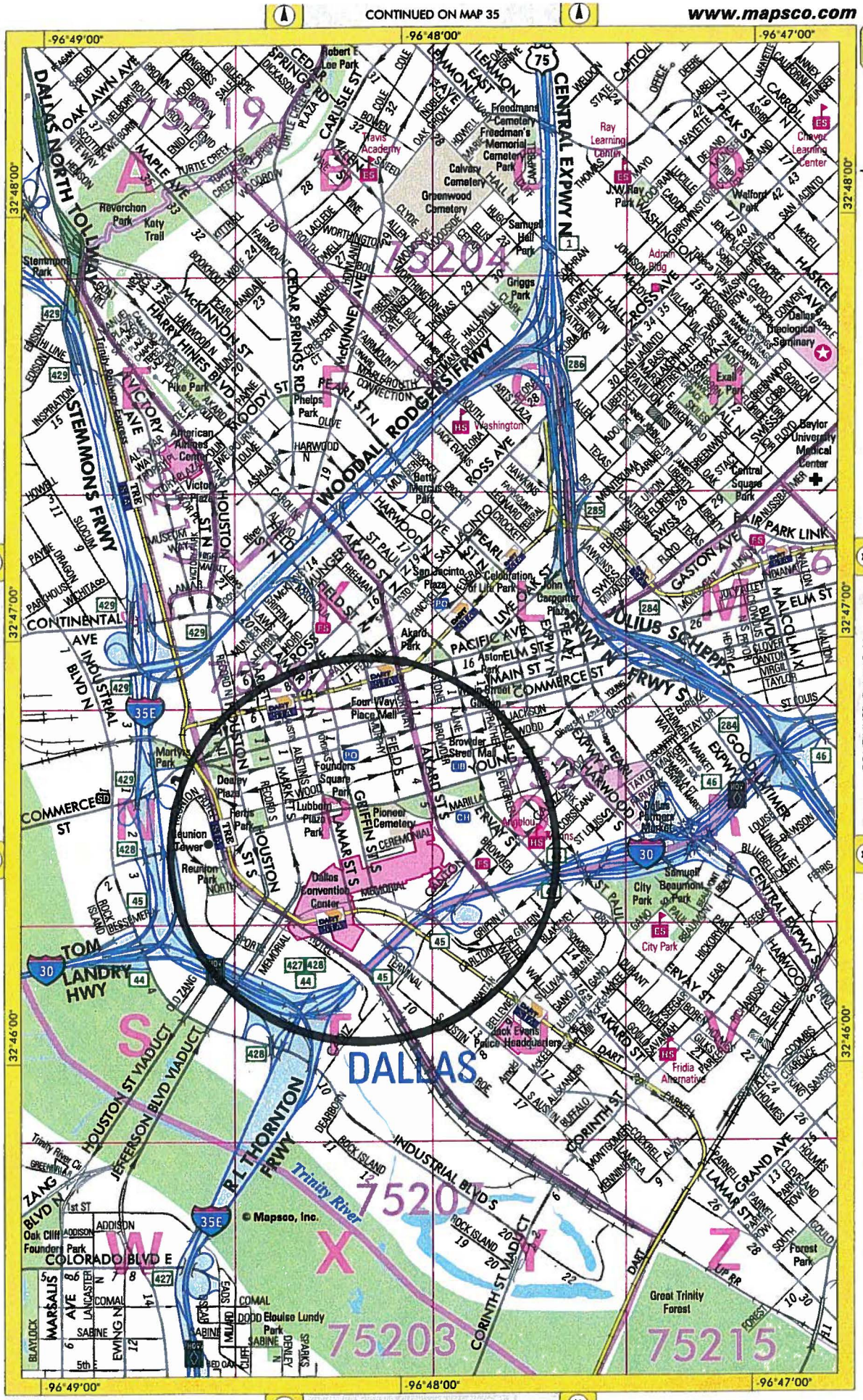
Local	Certification	Amount	Percent
Campos Engineering	HMDB82404Y0318	$204,975.00	25.19%
Jaster-Quintanilla	IMDFW028450817	$61,870.00	7.60%
Environmental Consulting, Inc.	WFDB27417Y0518	$30,240.00	3.72%
Total Minority - Local		$297,085.00	36.51%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$204,975.00	25.19%	$204,975.00	23.42%
Asian American	$61,870.00	7.60%	$61,870.00	7.07%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$30,240.00	3.72%	$30,240.00	3.45%
Total	$297,085.00	36.51%	$297,085.00	33.94%



For Central Business District map coverage see pages 10 and 11

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August 23, 2017

WHEREAS, the Capital Improvement Program developed for the Kay Bailey Hutchison Convention Center Dallas in 2010 focused on upgrading the center to complement the new headquarters hotel; and

WHEREAS, a major component of the program focused on maintaining the integrity of the building envelope to prevent water infiltration; and

WHEREAS, projects addressing water infiltration were prioritized and the projects executed included replacing roofs on the administration building, Exhibit Halls A, B, C D, and E, water proofing the exhibit hall loading docks and subterranean storm water drain repairs; and

WHEREAS, as a continuation of this effort, a listing of projects have been developed based on replacing roofs that are nearing the end of their life expectancy and additional areas of water infiltration experienced after major weather events; and

WHEREAS, the first step in the execution of these projects requires the procurement of architectural and engineering services for design, construction documents, and construction administration; and

WHEREAS, a solicitation for Professional Architectural/Engineering and Consulting Services was developed and publicly advertised by the Public Works Department; and

WHEREAS, a proposal request was issued to the six short-listed firms; and

WHEREAS, three firms submitted proposals to provide architectural and engineering services for the Kay Bailey Hutchison Convention Center Dallas Water Infiltration projects; and

WHEREAS, Conley Group, Inc., was selected as the most qualified proposer of the three proposers as a result of a qualifications based selection process in accordance with City of Dallas procurement guidelines; and

WHEREAS, it is now desirable to authorize a professional service contract with Conley Group, Inc. to provide architectural and engineering services for design, construction documents and construction administration for the 2017 Kay Bailey Hutchison Convention Center Dallas Water Infiltration Projects, in an amount not to exceed $875,390.

Now, Therefore,

August 23, 2017

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Conley Group, Inc., approved as to form by the City Attorney, to provide architectural and engineering services for design, construction documents, and construction administration for the 2017 Kay Bailey Hutchison Convention Center Dallas Water Infiltration projects, in an amount not to exceed $875,390.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in an amount not to exceed $875,390 in accordance with the terms and conditions of the contract to Conley Group, Inc. from Convention Center Capital Construction Fund, Fund 0082, Department CCT, Unit W188, Object 4110, Encumbrance/Contract No. CX-EBS-2017-00002755, Vendor 259339.

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 # 24

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Equipment & Building Services

CMO: Jody Puckett, 670-3246

MAPSCO: 45Q

SUBJECT

Authorize a professional services contract with Aguirre Roden, Inc. to provide engineering design services and construction management services to upgrade the primary switchgear, uninterruptible power supply systems, electrical distribution panels, and perform an Arc Flash Study at Dallas City Hall located at 1500 Marilla Street - Not to exceed $320,000 - Financing: 2006 Bond Funds

BACKGROUND

There are approximately 200 Federal Pacific electrical panels throughout Dallas City Hall. The panels are obsolete as replacement parts are not available. The existing uninterruptible power supply systems, along with the primary switchgear and electrical distribution panels, need to be replaced per the new electrical code and the increasing reliability requirements of Dallas City Hall. The data center power will be upgraded to improve reliability (via redundancy) and maintainability. In addition, the new design will extend the operating time in the event of a power outage. This project's design phase scope of work includes preparation of construction documents, the requirement to attend meetings, submittal of the construction cost estimate and testing power monitoring of selected electrical panels and substations.

On June 23, 2016, four (4) firms were short-listed from the Request For Qualifications for professional architectural, engineering and consulting services for fiscal years 2015 through 2018. The firms selected to receive a Request For Proposal were Aguirre Roden, Inc., Campos Engineering, Inc., EJES, Inc., and G&S Consulting Engineers, Inc. On October 7, 2016, two (2) proposals were received. On October 13, 2016, the selection committee unanimously chose Aguirre Roden, Inc. On December 5, 2016, the Equipment and Building Services Director concurred with the committee's selection.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	September 2017
Complete Design	January 2018
Begin Construction	March 2018
Complete Construction	March 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 21, 2017.

FISCAL INFORMATION

2006 Bond Funds - $320,000

M/WBE INFORMATION

See attached.

OWNER

Aguirre Roden, Inc.

Pedro Aguirre, President, FAIA

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Aguirre Roden, Inc. to provide engineering design services and construction management services to upgrade the primary switchgear, uninterruptible power supply systems, electrical distribution panels, and perform an Arc Flash Study at Dallas City Hall located at 1500 Marilla Street - Not to exceed $320,000 - Financing: 2006 Bond Funds

Aguirre Roden, Inc. is a local, 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

	Amount	Percent
Total local contracts	$320,000.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$320,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Ram Contracting	BMDB38532Y0817	$18,541.00	5.79%
Aguirre Roden, Inc.	HMDFW024541017	$301,459.00	94.21%
Total Minority - Local		$320,000.00	100.00%

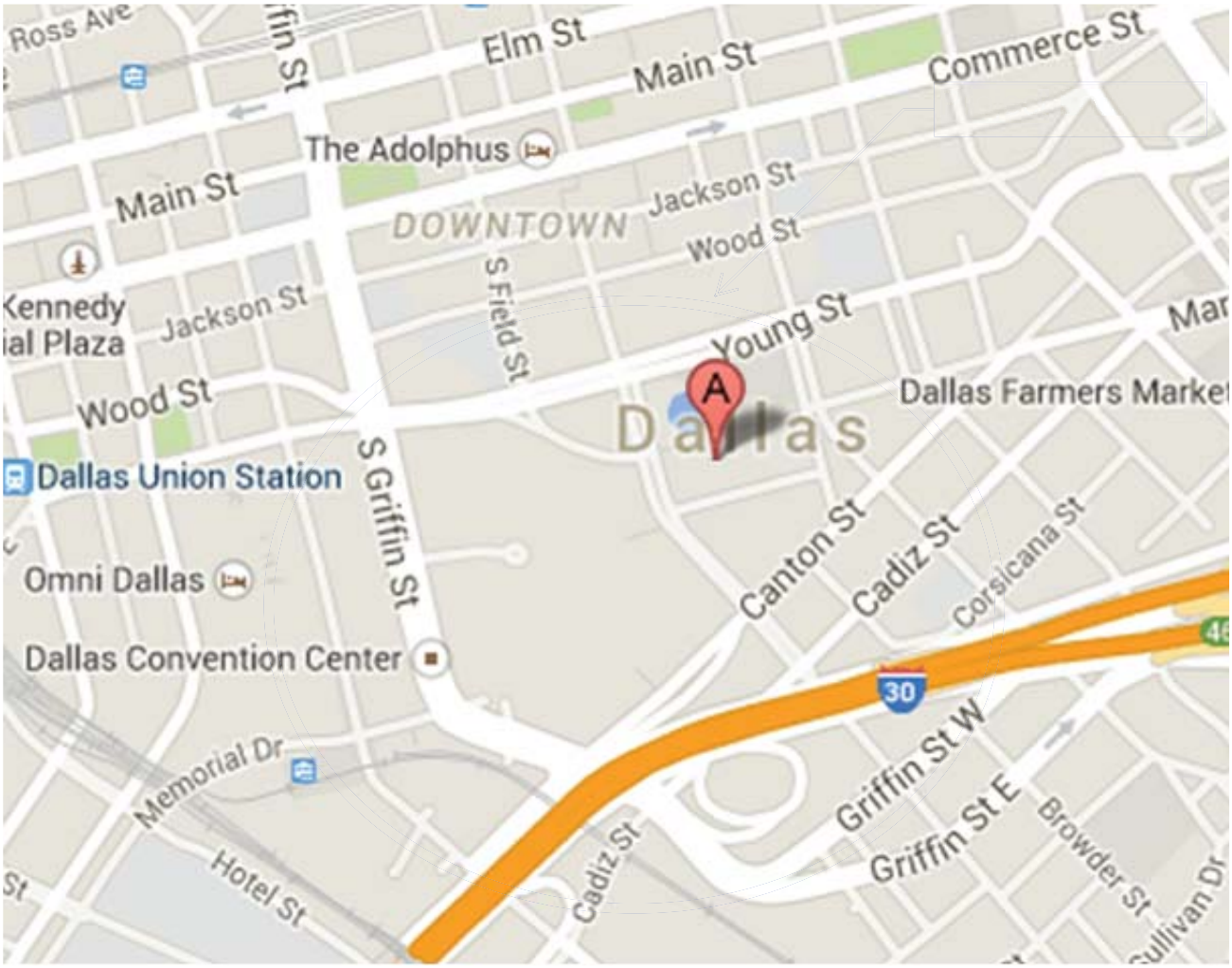
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$18,541.00	5.79%	$18,541.00	5.79%
Hispanic American	$301,459.00	94.21%	$301,459.00	94.21%
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	$320,000.00	100.00%	$320,000.00	100.00%

Dallas City Hall



Mapsco 45Q

WHEREAS, the primary switchgear and associated uninterruptible power supply/electrical systems for providing normal and emergency power has reached the end of their useful service life, and need to be replaced; and

WHEREAS, the City of Dallas has a need to comply with new design requirements for new electrical primary switchgear and associated uninterruptible power supply/electrical systems for providing normal and emergency power at Dallas City Hall located at 1500 Marilla Street; and

WHEREAS, Aguirre Roden, Inc. is highly qualified and has submitted an acceptable proposal to replace the existing electrical system located at Dallas City Hall; and

WHEREAS, it is now desirable to authorize a professional services contract with Aguirre Roden, Inc. to provide engineering design services and construction management services to upgrade the primary switchgear, uninterruptible power supply systems, electrical distribution panels, and perform an Arc Flash Study at Dallas City Hall located at 1500 Marilla Street.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Aguirre Roden, Inc., approved as to form by the City Attorney, to provide engineering design services and construction management services to upgrade the primary switchgear, uninterruptible power supply systems, electrical distribution panels, and perform an Arc Flash Study at Dallas City Hall located at 1500 Marilla Street, in an amount not to exceed $320,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $320,000 to Aguirre Roden, Inc. from City Hall, City Service and Maintenance Facilities Fund, Fund 2T60, Department EBS, Unit T747, Object 4110, Activity EB01, Program EBS06T738, Encumbrance/Contract No. CX-EBS-2017-00001945, Commodity 91438, Vendor VS000012100.

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 # 25

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize **(1)** renewal of the grant agreement between the City of Dallas and Bridge Steps through a grant from the Health and Human Services Commission Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Bridge Steps in an amount not to exceed $504,201; and **(2)** execution of the grant agreement - Not to exceed $504,201 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services awarded funds to five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services (assistance accessing benefits, detoxification units, integrated medical services, housing services and education, job training).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015; acceptance of the FY 2017 Healthy Community Collaborative (HCC) grant from the Texas Department of State Health Services (Contract No. 2016-049507-001) to provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017; and execution of the grant agreement by Resolution No. 16-1387.

On September 28, 2016, City Council authorized a grant agreement with Bridge Steps to provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disordaers through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, by Resolution No. 16-1567.

On February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with Bridge Steps to revise the budget and increase the contract amount to provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders through the Texas Department of State Health Services Healthy Community Collaborative Program for the FY 2017 allocation for the period August 1, 2016 through August 31, 2017; and execution of any and all documents required by the contract by Resolution No. 17-0382.

On June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016; application and acceptance of FY 2018 HCC grant from the Health and Human Services Commission (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant for the period September 1, 2017 through August 31, 2018; and execution of the grant agreement by Resolution No. 17-1050.

The Human & Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

Texas Health and Human Services-Health and Human Services Commission Grant Funds (FY18) - $504,201
Private Match - $504,201

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015; acceptance of the FY 2017 Healthy Community Collaborative (HCC) grant from the Texas Department of State Health Services (Contract No. 2016-049507-001) to provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017 in the amount of $2,613,607; and execution of the grant agreement by Resolution No. 16-1387; and

WHEREAS, on September 28, 2016, City Council authorized a grant agreement with Bridge Steps to provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, in an amount not to exceed $1,799,735, by Resolution No. 16-1567; and

WHEREAS, on February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with Bridge Steps to revise the budget and increase the contract amount from $1,799,735 to $2,145,819 to provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders through the Texas Department of State Health Services Healthy Community Collaborative Program, in an amount not to exceed $2,145,819 for the FY 2017 allocation for the period August 1, 2016 through August 31, 2017; and execution of any and all documents required by the contract by Resolution No. 17-0382; and

WHEREAS, on June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016; application and acceptance of FY 2018 HCC grant from the Health and Human Services Commission (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant in the amount of $1,500,000 for the period September 1, 2017 through August 31, 2018; and execution of the grant agreement by Resolution No. 17-1050; and

WHEREAS, the City desires to contract with Bridge Steps to serve mentally ill and substance abuse homeless individuals.

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)** renew a grant agreement between the City of Dallas and Bridge Steps through a grant from the Health and Human Services Commission Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide outreach/engagement, supportive services, transitional shelter, housing services and rental assistance, coordinated assessment/client prioritization, mental health services and substance abuse/detoxification to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders, in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Bridge Steps in an amount not to exceed $504,201; and **(2)** sign the grant agreement, 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 $504,201 to Bridge Steps from the HHSC-FY 2018 Healthy Community Collaborative Grant Fund, Fund S313, Department HOU, Unit 3292, Object 3070, Encumbrance MASCHCCBRIDGESTPS18, Vendor VS0000067075.

SECTION 3. That the City Manager is hereby authorized to reimburse to the granting agency expenditures 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 4. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after receipt of the report.

SECTION 5. That this contract is designated as Contract No. HOU-2016-00001240.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 26

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize **(1)** renewal of a grant agreement between the City of Dallas and CitySquare through a grant from the Health and Human Services Commission for the Health Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $491,598 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from CitySquare in an amount not to exceed $491,598; and **(2)** execution of the grant agreement - Not to exceed $491,598 - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services awarded funds to five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services (assistance accessing benefits, detoxification units, integrated medical services, housing services, education, and job training).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 10, 2016, City Council authorized a grant agreement with CitySquare to provide expanded housing services for temporary shelters through outreach and housing units to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative (HCC) Program for the period January 1, 2016 through August 31, 2016, by Resolution No. 16-0280.

On August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015; for acceptance of the FY 2017 HCC grant from DSHS (Contract No. 2016-049507-001) to (a) provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017;and execution of the grant agreement by Resolution No. 16-1387.

On September 28, 2016, City Council authorized a grant agreement with CitySquare to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, by Resolution No. 16-1568.

On February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with CitySquare to revise the budget amount and decrease the contract amount to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017; and execution of any and all documents required by the contract by Resolution No. 17-0383.

On June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016; application and acceptance of FY 2018 HCC grant from HHSC (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant in the amount of $1,500,000 for the period September 1, 2017 through August 31, 2018; and execution of the grant agreement by Resolution No. 17-1050.

The Human & Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

Texas Health and Human Services-Health and Human Services Commission Grant Funds (FY 18) - $491,598
Private Match - $491,598

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on February 10, 2016, City Council authorized a grant agreement with CitySquare in the amount of $770,362 to provide expanded housing services for temporary shelters through outreach and housing units to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative Program for the period January 1, 2016 through August 31, 2016, by Resolution No. 16-0280; and

WHEREAS, on August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015; acceptance of the FY 2017 Healthy Community Collaborative (HCC) grant from the Texas Department of State Health Services (Contract No. 2016-049507-001) to provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017 in the amount of $2,613,607; and execution of the grant agreement by Resolution No. 16-1387; and

WHEREAS, on September 28, 2016, City Council authorized a grant agreement with CitySquare to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative Program, in an amount not to exceed $1,508,192 for the period of August 1, 2016 through August 31, 2017, by Resolution No. 16-1568; and

WHEREAS, on February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with CitySquare to revise the budget amount and decrease the contract amount from $1,508,192 to $857,725 to provide coordination/assessment, supportive services, expanded housing services for temporary shelters through outreach and housing units, residential treatment and detox treatment to homeless individuals through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017; and execution of any and all documents required by the contract by Resolution No. 17-0383; and

WHEREAS, on June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016; application and acceptance of FY 2018 HCC grant from Health and Human Services Commission (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant in the amount of $1,500,000 for the period September 1, 2017 through August 31, 2018; and execution of the grant agreement by Resolution No. 17-1050; and

WHEREAS, the City desires to contract with CitySquare to serve mentally ill and substance abuse homeless individuals.

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)** renew a grant agreement between the City of Dallas and CitySquare through a grant from the Health and Human Services Commission for the Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide services to homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders, in an amount not to exceed $491,598 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from CitySquare in an amount not to exceed $491,598; and **(2)** sign the grant agreement, 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 $491,598 to CitySquare from the HHSC-FY 2018 Healthy Community Collaborative Grant Fund, Fund S313, Department HOU, Unit 3291, Object 3070, Encumbrance MASCHCCITYSQ18, Vendor VS0000000497.

SECTION 3. That the City Manager is hereby authorized to reimburse to the granting agency expenditures 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 4. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after receipt of the report.

SECTION 5. That this contract is designated as Contract No. HOU-2016-00001239.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provision of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 27

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize **(1)** renewal of the grant agreement between the City of Dallas and Shelter Ministries of Dallas dba Austin Street Center through a grant from the Health and Human Services Commission for the Healthy Community Collaborative Program for FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide emergency shelter, and a wide range of supportive services to homeless men and women to address their needs and assist them to transition out of homelessness for homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Shelter Ministries of Dallas dba Austin Street Center in an amount not to exceed $504,201; and **(2)** execution of the grant agreement - Financing: Texas Health and Human Services-Health and Human Services Commission Grant Funds

BACKGROUND

Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness. The Texas Department of State Health Services awarded funds to five Texas municipalities in counties with populations of more than one million, including Bexar, Dallas, Harris, Tarrant, and Travis.

Acceptable uses of the grant money require one for one matching funds to include the establishment or expansion of a community collaborative of service providers focused on meeting the needs of the mentally ill homeless population, the establishment, operation and/or maintenance of minimum services (assistance accessing benefits, detoxification units, integrated medical services, housing services and education, job training and/or coordination) of additional/optional services may be provided.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015; acceptance of the FY 2017 Healthy Community Collaborative (HCC) grant from Texas Department of State Health Services (Contract No. 2016-049507-001) to provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017; and execution of the grant agreement by Resolution No. 16-1387.

On September 28, 2016, City Council authorized a grant agreement with Shelter Ministries of Dallas dba Austin Street Center to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, by Resolution No. 16-1569.

On February 22, 2017, City Council authorized Supplemental Agreement No. 1 to the contract with Shelter Ministries of Dallas dba Austin Street Center to revise the budget and increase the contract amount to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017; and execution of any and all documents required by the contract by Resolution No. 17-0384.

On June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016; application and acceptance of FY 2018 HCC grant from the Health and Human Services Commission (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant for the period September 1, 2017 through August 31, 2018; and execution of the grant agreement by Resolution No. 17-1050.

The Human & Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

Texas Health and Human Services-Health and Human Services Commission Grant Funds (FY 18) - $504,201
Private Match - $504,201

WHEREAS, Senate Bill 58 of the 83rd regular legislative session amended Subtitle I, Title 4, of the Texas Government Code to add Chapter 539 establishing or expanding community collaborative projects to improve the access to care, quality/comprehensiveness of care, and outcomes for persons who are both homeless and have a mental illness; and

WHEREAS, the five eligible municipalities and counties include: Bexar, Dallas, Harris, Tarrant, and Travis; and

WHEREAS, on August 24, 2016, City Council authorized an amendment to Resolution No. 15-1893, previously approved on October 14, 2015; acceptance of the FY 2017 Healthy Community Collaborative (HCC) grant from Texas Department of State Health Services (Contract No. 2016-049507-001) to provide services to the homeless through the HCC for the period August 1, 2016 through August 31, 2017, in the amount of $2,613,607; and execution of the grant agreement by Resolution No. 16-1387; and

WHEREAS, on September 28, 2016, City Council authorized a grant agreement with Shelter Ministries of Dallas dba Austin Street Center to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017, by Resolution No. 16-1569; and

WHEREAS, on February 22, 2017, City Council authorized Supplemental Agreement No. 1 to revise the budget amount and increase the contract amount from $500,000 to $654,383 to provide expanded services with an intense, longer term transitional shelter program for homeless men and women with the addition of a Women's Day Resource Program, Housing Readiness Program and After Care Services through the Texas Department of State Health Services Healthy Community Collaborative Program for the period August 1, 2016 through August 31, 2017; and execution of any and all documents required by the contract by Resolution No. 17-0384; and

WHEREAS, on June 28, 2017, City Council authorized an amendment to Resolution No. 16-1387, previously approved on August 24, 2016; application and acceptance of FY 2018 HCC grant from the Health and Human Services Commission (Contract No. 2016-049507-001A, Amendment No. 1) to provide services to the homeless through HCC grant for the period of September 1, 2017 through August 31, 2018, in the amount of $1,500,000; and execution of the grant agreement by Resolution No. 17-1050; and

WHEREAS, the City desires to contract with Shelter Ministries of Dallas dba Austin Street Center to serve mentally ill and substance abuse homeless individuals.

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)** renew a grant agreement between the City of Dallas and Shelter Ministries of Dallas dba Austin Street Center through a grant from the Health and Human Services Commission for Healthy Community Collaborative Program FY 2017-18 (Grant No. 2016-049507-001A) to (a) provide emergency shelter, and a wide range of supportive services to homeless men and women to address their needs and assist them to transition out of homelessness for homeless individuals who suffer from mental illness, substance abuse disorder or co-occurring psychiatric disorders, in an amount not to exceed $504,201 for the period September 1, 2017 through August 31, 2018; and (b) provide a private 1:1 cash match from Shelter Ministries of Dallas dba Austin Street Center, in an amount not to exceed $504,201; and **(2)** sign the grant agreement, 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 $504,201 to Shelter Ministries of Dallas dba Austin Street Center from the HHSC-FY 2018 Healthy Community Collaborative Grant Fund, Fund S313, Department HOU, Unit 3290, Object 3070, Encumbrance MASCHCCMDALLAS18, Vendor VC0000011655.

SECTION 3. That the City Manager is hereby authorized to reimburse to the granting agency expenditures 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 4. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after receipt of the report.

SECTION 5. That this contract is designated as Contract No. HOU-2016-00001238.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 28

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize the first twelve-month renewal option to the contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $585,674 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($580,837) and Current Funds ($4,837) (subject to appropriations)

BACKGROUND

The FY 2017-18 Consolidated Plan Budget includes the Housing Opportunities for Persons with AIDS (HOPWA) grant in the amount of $6,470,345. The grant funds are available beginning October 1, 2017, contingent upon HUD's approval of the City's FY 2017-18 Action Plan (which is based on the approved Consolidated Plan and submitted on August 15, 2017), and execution of grant agreements with HUD.

The City of Dallas has applied for and received HOPWA funds since 1993 to support eligible activities within the Dallas Eligible Metropolitan Statistical Area (Dallas EMSA) which includes the counties of Dallas, Collin, Denton, Ellis, Hunt, Kaufman, and Rockwall.

On July 7, 2016, the City of Dallas Business Development and Procurement Services Department solicited and received Requests for Competitive Sealed Proposals (BTZ1616) for the HOPWA program. Health Services of North Texas, Inc. (HSNT) submitted a proposal for scattered site housing assistance for persons with HIV/AIDS, and was recommended for funding.

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with HSNT to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018, by Resolution No. 16-1663. This is the first twelve-month renewal option to that contract.

BACKGROUND (continued)

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 17-1171.

HSNT is a non-profit agency located in Denton, with offices also located in Plano, providing quality medical and support services to persons living with HIV/AIDS in the rural and outer urban communities of North Texas. The agency was founded in 1988 and has been providing HOPWA scattered site housing assistance through Tarrant County since 1995, and through Dallas County since 1996.

HSNT will provide HOPWA assistance to persons with HIV/AIDS residing in the rural/suburban counties within the Dallas EMSA. HOPWA assistance in Dallas County is provided through an Interlocal Agreement with Dallas County Health and Human Services.

Under the HOPWA program, HSNT provides short-term emergency assistance and long-term tenant based rental assistance to low income persons living with HIV/AIDS primarily in Collin, Denton, Hunt, Kaufman, and Rockwall counties. The emergency assistance program includes short-term rent, mortgage, and utility payments, for up to 21 weeks in any 52-week period, to prevent the homelessness of the client. The tenant based rental assistance program includes rent assistance (with a utility allowance) similar to the Section 8 voucher program. In addition to housing assistance, HOPWA clients also receive supportive services through case managers who ensure that clients have access to needed services.

The agency provides services for non-English speaking clients through bilingual staff and by providing written materials in English and in Spanish. All HOPWA projects use the local Homeless Management Information System (HMIS) to collect client-level data for service coordination and reporting/evaluation purposes.

To ensure eligible persons across the Dallas EMSA have access to the full continuum of HOPWA eligible activities, the City intends to enter into additional project sponsor agreements with entities that provide additional eligible activities (e.g., facility based housing, scattered site housing assistance, housing information services, housing placement, and support services).

Approval of this item will authorize the City to execute the first twelve-month renewal option to the contract with HSNT to provide HOPWA grant funding in the amount of $585,674 to HSNT to be used to continue providing HOPWA scattered site housing assistance to persons with HIV/AIDS, as follows: $429,757 in Emergency/Tenant Based Rental Assistance - Financial Assistance, $113,137 in Emergency/Tenant Based Rental Assistance - Housing Services, $37,943 in Program Administration, and $4,837 for Homeless Management Information System (HMIS) User Fees.

BACKGROUND (continued)

All HOPWA projects use the local Homeless Management Information System (HMIS) to collect client-level data for service coordination and reporting/evaluation purposes. HSNT staff must input client-level data into the local Homeless Management Information System (HMIS) with applicable written consent. HSNT must also submit monthly financial reports (including supporting documentation) and performance reports (including demographic data, outputs, and outcomes), as well as an overview of accomplishments at year end, to the City. These reports are compiled at year end into the City's annual report to HUD.

PERFORMANCE MEASURES

Number of Persons Assisted

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Emergency-unduplicated clients served	45	39	45
Tenant-based-unduplicated clients served	40	47	40
Total-unduplicated clients served	85	86	85

OUTCOME MEASURES

Housing Stability

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Emergency - percent in stable/temp housing	98%	TBD%**	98%
Tenant-based - percent in stable housing	96%	100%	96%

*YTD data through 4/30/17 (7 months)
**TBD - Housing Stability for Emergency Assistance determined at year end

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2015, City Council authorized the second twelve-month renewal option to the contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-1369.

On April 27, 2016, City Council authorized Supplemental Agreement No. 1 to the FY 2014-15 contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS, to revise the Statement of Services and budget to reallocate funding from the Emergency/Tenant Based Rental Assistance (E/TBRA) – Housing Services budget category to the Emergency/Tenant Based Rental Assistance (E/TBRA) by Resolution No. 16-0634.

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

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1663.

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 17-1171.

The Human & Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

2017-18 Housing Opportunities for Persons with AIDS Grant Funds - $580,837
Current Funds - $4,837 (subject to appropriations)

OWNER

Health Services of North Texas, Inc.

Board of Directors

Glen McKenzie, President
Randy Robinson, Vice President
David Garcia, Treasurer
Gloria Herron, Secretary
Herman Oosterwijk
Louise Baldwin
Clara Sanchez
Justin Coury
Michael Foster
Dale Tampke
Jerry Garrett
Derrell Bulls
Dean Perkins
Trang Dang-Le

August 23, 2017

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides grant funds through the Housing Opportunities for Persons with AIDS (HOPWA) program according to the terms of 24 C.F.R. Part 574, to assist grantees in meeting the housing needs of low-income persons with HIV/AIDS and HIV-related illness and their families within the grantee's Eligible Metropolitan Statistical Area (EMSA); and

WHEREAS, the City is a grantee of HOPWA funds to serve the Dallas EMSA, and the City's FY 2017-18 HUD Consolidated Plan Budget includes the HOPWA Grant Funds from HUD in the amount of $6,470,345; and

WHEREAS, Health Services of North Texas, Inc. submitted a proposal in response to the City's Request for Competitive Sealed Proposals (BTZ1616) to provide scattered site housing assistance; and

WHEREAS, on October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1663; and

WHEREAS, the City of Dallas seeks to enter into the first twelve-month renewal option to the contract with Health Services of North Texas, Inc. to continue providing these services, funded by FY 2017-18 HOPWA Grant Funds, which, contingent upon HUD's approval of the City's FY 2017-18 Action Plan and execution of the grant agreements, will be available beginning October 1, 2017.

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 the first twelve-month renewal option to the contract, with Health Services of North Texas, Inc., approved as to form by the City Attorney**,** to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in periodic payments to Health Services of North Texas, Inc. (Vendor 516465) an amount not to exceed $585,674, from Service Contract number HOU-2016-00001268, as follows:

Fund	Department	Unit	Object	Description	Amount
HW17	MGT	291B	3099	E/TBRA – Financial Assistance	$ 429,757
HW17	MGT	292B	3099	E/TBRA – Housing Services	$ 113,137
HW17	MGT	298B	3099	Program Admin/Project Sponsors	$ 37,943
0001	HOU	4311	3099	HMIS User Fees (subject to appropriations)	$ 4,837
				Total	$ 585,674

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 # 29

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $273,108 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($270,471) and Current Funds ($2,637) (subject to appropriations)

BACKGROUND

The FY 2017-18 Consolidated Plan Budget includes the Housing Opportunities for Persons with AIDS (HOPWA) Grant Funds, which are available beginning October 1, 2017, contingent upon HUD's approval of the City's FY 2017-18 Action Plan (which is based on the approved Consolidated Plan and submitted on August 15, 2017), and execution of grant agreements with HUD.

The City of Dallas has applied for and received HOPWA funds since 1993 to support eligible activities within the Dallas Eligible Metropolitan Statistical Area (Dallas EMSA) which includes the counties of Dallas, Collin, Denton, Ellis, Hunt, Kaufman, and Rockwall.

On July 7, 2016, the City of Dallas Business Development and Procurement Services Department solicited and received Requests for Competitive Sealed Proposals (BTZ1616) for the HOPWA program. Legacy Counseling Center, Inc. (Legacy) submitted a proposal for facility based housing assistance for persons with HIV/AIDS and was recommended for funding.

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding, with Legacy to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1664. This is the first twelve-month renewal option to that contract.

BACKGROUND (continued)

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 17-1171.

Legacy is a non-profit agency located in the Oak Lawn area. Legacy was founded in 1989 to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017 and has been providing services to the HIV/AIDS impacted population of Dallas and surrounding counties since that time. The agency's programs fall under three categories of services: mental health, substance abuse, and housing. Mental health and substance abuse services include individual, couple, and family therapy and support groups for persons impacted by the HIV/AIDS epidemic, including crisis counseling as well as short and long-term therapy.

Legacy will provide HOPWA facility based housing assistance to persons living with HIV/AIDS through its special care housing program. Legacy also provides HOPWA housing information services and resource identification for persons living with HIV/AIDS and HOPWA master leasing and emergency vouchers for homeless persons living with HIV/AIDS under separate contracts.

Under its special care housing program, Legacy provides housing and hospice/respite care in a home-like setting at the Legacy Founder's Cottage, located in Oak Cliff (75208), and comprised of seven single room occupancy units. The facility serves critically ill people living with HIV/AIDS, focusing on alleviating their pain and providing comfort and support during the final stages of the disease (typically in the last six months of life).

Supportive services for this high need population consist of 24-hour around-the-clock care (including housing, prepared meals, volunteer based support, and comprehensive case management, as well as access to medical care, transportation, medications, and counseling) for individuals too sick to care from themselves.

To ensure eligible persons across the Dallas EMSA have access to the full continuum of HOPWA eligible activities, the City intends to enter into additional project sponsor agreements with entities that provide additional eligible activities (e.g., facility based housing, scattered site housing assistance, housing information services, housing placement, and support services).

Approval of this item will authorize the City to execute the first twelve-month renewal option to the contract with Legacy to provide HOPWA grant funding in the amount of $273,108 to Legacy to be used to continue providing HOPWA facility based housing assistance for persons with HIV/AIDS, as follows: $49,314 in Housing Facilities Operations, $203,463 in Supportive Services, $17,694 in Program Administration, and $2,637 for Homeless Management Information System (HMIS) User Fees.

BACKGROUND (continued)

All HOPWA projects use the local HMIS to collect client-level data for service coordination and reporting/evaluation purposes. Legacy staff must input client-level data into the local HMIS with applicable written consent. Legacy must also submit monthly financial reports (including supporting documentation) and performance reports (including demographic data, outputs, and outcomes), as well as an overview of accomplishments at year end to the City. These reports are compiled at year end into the City's annual report to HUD.

PERFORMANCE MEASURES

Number of Persons Assisted

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Unduplicated clients served	26	26	26

OUTCOME MEASURES

Housing Stability

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Percent in stable/temporary housing	86%	96%	86%

*YTD data through 5/31/17 (8 months)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2015, City Council authorized the second twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-1371.

On April 13, 2016, City Council authorized Supplemental Agreement No. 1 to the contract with Legacy Counseling Center, Inc. for Housing Opportunities for Persons with AIDS (HOPWA) facility-based housing assistance to (1) revise the Statement of Services and budget to reallocate funds in the amount of $20,000 from the budget category Supportive Services to Housing Facility Operations, with no net change in the contract amount; and (2) revise the HOPWA Contract Provisions to include changes to applicable federal regulations, by Resolution No. 16-0540.

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding, with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1664.

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

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U. S. Department of Housing and Urban Development Grant Funds, by Resolution No. 17-1171.

The Human and Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

2017-18 Housing Opportunities for Persons with AIDS Grant Funds - $270,471
Current Funds - $2,637 (subject to appropriations)

OWNER

Legacy Counseling Center, Inc.

Board of Directors

Justin Anderson, Chair
Gregg Gunter, Vice Chair
Pamela Roberts, Secretary
John Horany, Treasurer
David Andrews
Robert Cantrell
Patricia Horton
Vince Martinez
Roberta McDonald
Ojeda Nina
Sharon Walker

August 23, 2017

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides grant funds through the Housing Opportunities for Persons with AIDS (HOPWA) program according to the terms of 24 C.F.R. Part 574, to assist grantees in meeting the housing needs of low-income persons with HIV/AIDS and HIV-related illness and their families within the grantee's Eligible Metropolitan Statistical Area (EMSA); and

WHEREAS, the City is a grantee of HOPWA funds to serve the Dallas Eligible Metropolitan Statistical Area, and the City's FY 2017-18 HUD Consolidated Plan Budget includes the HOPWA grant funds from HUD in the amount of $6,470,345; and

WHEREAS, Legacy Counseling Center, Inc. (Legacy) submitted a proposal in response to the City's Request for Competitive Sealed Proposals (BTZ1616) to provide facility based housing assistance for persons with HIV/AIDS; and

WHEREAS, on October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding, with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1664; and

WHEREAS, the City of Dallas seeks to enter into the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to continue providing these services, funded by FY 2017-18 HOPWA Grant Funds, which, contingent upon HUD's approval of the City's FY 2017-18 Action Plan and execution of the grant agreements, will be available beginning October 1, 2017.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc., approved as to form by the City Attorney, to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in periodic payments to Legacy Counseling Center, Inc. (Vendor 502679), in an amount not to exceed $273,108 from Service Contract No. HOU-2016-00001135-FY17-18, as follows:

Fund	Department	Unit	Object	Description	Amount
HW17	MGT	293B	3099	Housing Facilities Operations	$ 49,314
HW17	MGT	294B	3099	Supportive Services	$203,463
HW17	MGT	298B	3099	Program Admin/Project Sponsors	$ 17,694
0001	HOU	4311	3099	HMIS User Fees (subject to appropriations)	$ 2,637
				Total	$273,108

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 # 30

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $151,012 - Financing: 2016-17 Housing Opportunities for Persons with AIDS Grant Funds ($24,000), 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($123,575) and Current Funds ($3,437) (subject to appropriations)

BACKGROUND

The FY 2017-18 Consolidated Plan Budget includes the Housing Opportunities for Persons with AIDS (HOPWA) Grant Funds, which are available beginning October 1, 2017, contingent upon HUD's approval of the City's FY 2017-18 Action Plan (which is based on the approved Consolidated Plan and submitted on August 15, 2017), and execution of grant agreements with HUD. Because HOPWA Grant Funds may be expended for eligible purposes within three years of HUD's award, remaining funds from FY 2016-17 may be included in this year's contract with Legacy Counseling Center, Inc. (Legacy).

The City of Dallas has applied for and received HOPWA funds since 1993 to support eligible activities within the Dallas Eligible Metropolitan Statistical Area (Dallas EMSA) which includes the counties of Dallas, Collin, Denton, Ellis, Hunt, Kaufman, and Rockwall.

On July 7, 2016, the City of Dallas Business Development and Procurement Services Department solicited and received Requests for Competitive Sealed Proposals (BTZ1616) for the HOPWA program. Legacy submitted a proposal for housing information services and resource identification for persons with HIV/AIDS and was recommended for funding.

BACKGROUND (continued)

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with Legacy to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1665. This is the first twelve-month renewal option to that contract.

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) grant funds by Resolution No. 17-1171.

Legacy is a non-profit agency located in the Oak Lawn area. Legacy was founded in 1989 and has been providing services to the HIV/AIDS impacted population of Dallas and surrounding counties since that time. The agency's programs fall under three categories of services: mental health, substance abuse, and housing. Mental health and substance abuse services include individual, couple, and family therapy and support groups for persons impacted by the HIV/AIDS epidemic, including crisis counseling, as well as short and long-term therapy.

Legacy will provide HOPWA housing information services and resource identification for persons living with HIV/AIDS. Legacy also provides HOPWA facility based housing assistance and hospice/respite care to critically ill HIV+ persons at the Legacy Founders Cottage and HOPWA master leasing and emergency vouchers for homeless persons living with HIV/AIDS under separate contracts.

Under HOPWA housing information services and resource identification, Legacy operates an HIV housing resource center, which serves as a central/coordinated access point for persons with HIV/AIDS experiencing a housing crisis to receive information and direct, one-on-one assistance in locating and accessing community-based housing resources in the Dallas EMSA. The resource center includes a website and online searchable database of housing resources.

To ensure eligible persons across the Dallas EMSA have access to the full continuum of HOPWA eligible activities, the City intends to enter into additional project sponsor agreements with entities that provide additional eligible activities (e.g., facility based housing, scattered site housing assistance, housing information services, housing placement, and support services).

Approval of this item will authorize the City to execute the first twelve-month renewal option to the contract with Legacy to provide HOPWA grant funding in the amount of $151,012 to Legacy to be used to continue providing a HOPWA housing resource center, website, and online database, as follows: $137,980 in Housing Information Services/Resource Identification, $9,595 in Program Administration, and $3,437 for Homeless Management Information Services (HMIS) User Fees.

BACKGROUND (continued)

All HOPWA projects use the local HMIS to collect client-level data for service coordination and reporting/evaluation purposes. Legacy staff must input client-level data into the local HMIS with applicable written consent. Legacy must also submit monthly financial reports (including supporting documentation) and performance reports (including demographic data, outputs, and outcomes), as well as an overview of accomplishments at year end, to the City. These reports are compiled at year end into the City's annual report to HUD.

PERFORMANCE MEASURES

Number of Persons Assisted

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Unduplicated clients served	225	149	225

OUTCOME MEASURES

Housing Stability

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Percent in stable/temporary housing	98%	TBD**	98%

*YTD data through 5/31/17 (7 months)
**TBD - Housing Stability for placed clients determined at year end

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 13, 2014, City Council authorized the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015, by Resolution No. 14-1225.

On August 12, 2015, City Council authorized the second twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-1372.

On October 11, 2016, City authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding, with Legacy Counseling Center, Inc. to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1665.

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

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 17-1171.

The Human and Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

2016-17 Housing Opportunities for Persons with AIDS Grant Funds - $24,000
2017-18 Housing Opportunities for Persons with AIDS Grant Funds - $123,575
Current Funds - $3,437 (subject to appropriations)

OWNER(S)

Legacy Counseling Center, Inc.

Board of Directors

Justin Anderson, Chair
Gregg Gunter, Vice Chair
Pamela Roberts, Secretary
John Horany, Treasurer
David Andrews
Robert Cantrell
Patricia Horton
Vince Martinez
Roberta McDonald
Ojeda Nina
Sharon Walker

August 23, 2017

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides grant funds through the Housing Opportunities for Persons with AIDS (HOPWA) program according to the terms of 24 C.F.R. Part 574, to assist grantees in meeting the housing needs of low-income persons with HIV/AIDS and HIV-related illness and their families within the grantee's Eligible Metropolitan Statistical Area (EMSA); and

WHEREAS, the City is a grantee of HOPWA funds to serve the Dallas EMSA, and the City's FY 2017-18 HUD Consolidated Plan Budget includes the HOPWA Grant Funds from HUD in the amount of $6,470,345; and

WHEREAS, Legacy Counseling Center, Inc. (Legacy) submitted a proposal in response to the City's Request for Competitive Sealed Proposals (BTZ1616) to provide housing information services and resource identification; and

WHEREAS, on October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding, with Legacy to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1665; and

WHEREAS, the City of Dallas seeks to enter into the first twelve-month renewal option to the contract with Legacy to continue providing these services, funded by FY 2017-18 HOPWA Grant Funds, which, contingent upon HUD's approval of the City's FY 2017-18 Action Plan and execution of the grant agreements, will be available beginning October 1, 2017, together with unspent FY 2016-17 HOPWA Grant Funds.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc., approved as to form by the City Attorney, to provide housing information services and resource identification for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in periodic payments to Legacy Counseling Center, Inc. (Vendor 502679), in an amount not to exceed $151,012 from Service Contract No. HOU-2016-00001136-FY 17-18, as follows:

Fund	Department	Unit	Object	Description	Amount
HW16	HOU	566A	3099	Housing Info Services/Resource Id	$ 24,000
HW17	MGT	296B	3099	Housing Info Services/Resource Id	$113,980
HW17	MGT	298B	3099	Program Admin/Project Sponsors	$ 9,595
0001	HOU	4311	3099	HMIS User Fees (subject to appropriations)	$ 3,437
				Total	$151,012

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: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide master leasing and emergency vouchers for homeless persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $469,579 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($464,105) and Current Funds ($5,474) (subject to appropriations)

BACKGROUND

The FY 2017-18 Consolidated Plan Budget includes the Housing Opportunities for Persons with AIDS (HOPWA) Grant Funds, which are available beginning October 1, 2017, contingent upon HUD's approval of the City's FY 2017-18 Action Plan (which is based on the approved Consolidated Plan and submitted on August 15, 2017) and execution of grant agreements with HUD.

The City of Dallas has applied for and received HOPWA funds since 1993 to support eligible activities within the Dallas Eligible Metropolitan Statistical Area (Dallas EMSA), which includes the counties of Dallas, Collin, Denton, Ellis, Hunt, Kaufman, and Rockwall.

On July 7, 2016, the City of Dallas Business Development and Procurement Services Department solicited and received Requests for Competitive Sealed Proposals (BTZ1616) for the HOPWA program. Legacy Counseling Center, Inc. (Legacy) submitted a proposal for master leasing and emergency vouchers for homeless persons with HIV/AIDS, and was recommended for funding.

BACKGROUND (continued)

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding, with Legacy to provide master leasing and emergency vouchers for homeless persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1666. This is the first twelve-month renewal option to that contract.

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds, by Resolution No. 17-1171.

Legacy is a non-profit agency located in the Oak Lawn area. Legacy was founded in 1989 and has been providing services to the HIV/AIDS impacted population of Dallas and surrounding counties since that time. The agency's programs fall under three categories of services: mental health, substance abuse, and housing. Mental health and substance abuse services include individual, couple, and family therapy and support groups for persons impacted by the HIV/AIDS epidemic, including crisis counseling, as well as short and long-term therapy.

Legacy will provide a HOPWA master leasing program, as well as emergency hotel/motel vouchers, for homeless persons with HIV/AIDS. Legacy also provides HOPWA facility based housing assistance and HOPWA housing information services and resource identification for persons living with HIV/AIDS under separate contracts.

Under the master leasing, Legacy leases apartment units under a master lease with a private landlord, and subleases those units to homeless persons with HIV/AIDS for independent, long-term living. The master leasing program covers the cost of rent and utilities (less the required tenant portion), along with other costs to operate the units. The agency also provides a housing case manager to provide support for the client in maintaining housing stability and access to care and services. Under emergency vouchers, Legacy provides emergency hotel/motel vouchers for homeless persons with HIV/AIDS for up to 30 days to reduce their stay on the streets or in a shelter prior to moving into permanent housing.

To ensure eligible persons across the Dallas EMSA have access to the full continuum of HOPWA eligible activities, the City intends to enter into additional project sponsor agreements with entities that provide additional eligible activities (e.g., facility based housing, scattered site housing assistance, housing information services, housing placement, and support services).

Approval of this item will authorize the City to execute the first twelve-month renewal option to the contract with Legacy to provide HOPWA grant funding in the amount of $469,579 to Legacy to be used to continue providing HOPWA master leasing and emergency vouchers, as follows: $329,500 in Housing Facilities Operations, $104,245 in Supportive Services, $30,360 in Program Administration, and $5,474 for the Homeless Management Information System (HMIS) User Fees.

BACKGROUND (continued)

All HOPWA projects use the local HMIS to collect client-level data for service coordination and reporting/evaluation purposes. Legacy staff must input client-level data into the local HMIS with applicable written consent. Legacy must also submit monthly financial reports (including supporting documentation) and performance reports (including demographic data, outputs, and outcomes), as well as an overview of accomplishments at year end, to the City. These reports are compiled at year end into the City's annual report to HUD.

PERFORMANCE MEASURES

Number of Persons Assisted

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Unduplicated clients (master leasing)	50	48	50
Unduplicated clients (vouchers)	15	8	15

OUTCOME MEASURES

Housing Stability

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Percent in stable housing (master lsg)	92%	85%	97%
Percent in stable/temporary (vouchers)	N/A**	N/A**	86%

*YTD data through 5/31/17 (8 months)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 13, 2014, City Council authorized the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide a master leasing program for homeless persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015, by Resolution No. 14-1227.

On August 12, 2015, City Council authorized the second twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide a master leasing program for homeless persons with HIV/AIDS for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-1370.

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with Legacy Counseling Center, Inc. to provide a master leasing and emergency vouchers for homeless persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1666.

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

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development Grant Funds by Resolution No. 17-1171.

The Human and Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

2017-18 Housing Opportunities for Persons with AIDS Grant Funds - $464,105
Current Funds - $5,474 (subject to appropriations)

OWNER

Legacy Counseling Center, Inc.

Board of Directors

Justin Anderson, Chair
Gregg Gunter, Vice Chair
Pamela Roberts, Secretary
John Horany, Treasurer
David Andrews
Robert Cantrell
Patricia Horton
Vince Martinez
Roberta McDonald
Ojeda Nina
Sharon Walker

August 23, 2017

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides grant funds through the Housing Opportunities for Persons with AIDS (HOPWA) program according to the terms of 24 C.F.R. Part 574, to assist grantees in meeting the housing needs of low-income persons with HIV/AIDS and HIV-related illness and their families within the grantee's Eligible Metropolitan Statistical Area (EMSA); and

WHEREAS, the City is a grantee of HOPWA funds to serve the Dallas EMSA, and the City's FY 2017-18 HUD Consolidated Plan Budget includes the HOPWA Grant Funds from HUD in the amount of $6,470,345; and

WHEREAS, Legacy Counseling Center, Inc. (Legacy) submitted a proposal in response to the City's Request for Competitive Sealed Proposals (BTZ1616) to provide master leasing and emergency vouchers; and

WHEREAS, on October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding, with Legacy to provide master leasing and emergency vouchers for homeless persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1666; and

WHEREAS, the City of Dallas seeks to enter into the first twelve-month renewal option to the contract with Legacy to continue providing these services, funded by FY 2017-18 HOPWA Grant Funds, which, contingent upon HUD's approval of the City's FY 2017-18 Action Plan and execution of the grant agreements, will be available beginning October 1, 2017.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc., approved as to form by the City Attorney, to provide master leasing and emergency vouchers for homeless persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in periodic payments to Legacy Counseling Center, Inc. (Vendor 502679), in an amount not to exceed $469,579 from Service Contract No. HOU-2016-00001137-FY17-18, as follows:

Fund	Department	Unit	Object	Description	Amount
HW17	MGT	293B	3099	Housing Facilities Operations (EV)	$ 37,100
HW17	MGT	293B	3099	Housing Facilities Operations (ML)	$292,400
HW17	MGT	294B	3099	Supportive Services	$104,245
HW17	MGT	298B	3099	Program Admin/Project Sponsors	$ 30,360
0001	HOU	4311	3099	HMIS User Fees (subject to appropriations)	$ 5,474
				Total	$469,579

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: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize the first twelve-month renewal option to the contract with My Second Chance, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $183,598 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($180,961) and Current Funds ($2,637) (subject to appropriations)

BACKGROUND

The FY 2017-18 Consolidated Plan Budget includes the Housing Opportunities for Persons with AIDS (HOPWA) grant funds, which are available beginning October 1, 2017, contingent upon HUD's approval of the City's FY 2017-18 Action Plan (which is based on the approved Consolidated Plan and submitted on August 15, 2017), and execution of grant agreements with HUD.

The City of Dallas has applied for and received HOPWA funds since 1993 to support eligible activities within the Dallas Eligible Metropolitan Statistical Area (Dallas EMSA) which includes the counties of Dallas, Collin, Denton, Ellis, Hunt, Kaufman, and Rockwall.

On July 7, 2016, the City of Dallas Business Development and Procurement Services Department solicited and received Requests for Competitive Sealed Proposals (BTZ1616) for the HOPWA program. My Second Chance, Inc. (MSC) submitted a proposal for facility based housing assistance and was recommended for funding.

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with MSC, to provide facility based housing assistance for person with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1667. This is the first twelve-month renewal option to that contract.

BACKGROUND (continued)

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 17-1171.

MSC is a non-profit agency located in the Cedar Crest area of Dallas County. The agency was founded in 1999 and has been providing recovery support services and supportive housing for women living with HIV/AIDS since August 2007.

Under this contract, the agency will provide residential supportive housing for HIV positive women at its five-bed facility located in South Dallas (75203). In addition to safe, stable living accommodations and nutritious meals, all program participants receive case management, supportive services (such as life skills training, job readiness, employment coaching, and computer training), recovery coaching, relapse prevention, aftercare and follow-up services, as well as access to medical and mental health care.

To ensure eligible persons across the Dallas EMSA have access to the full continuum of HOPWA eligible activities, the City intends to enter into additional project sponsor agreements with entities that provide additional eligible activities (e.g., facility based housing, scattered site housing assistance, housing information services, housing placement, and support services).

Approval of this item will authorize the City to execute the first twelve-month renewal option to the contract with MSC, to provide HOPWA grant funding in the amount of $183,598 to MSC to be used to continue providing HOPWA facility based housing assistance, as follows: $63,726 in Housing Facilities Operations, $105,400 in Supportive Services, $11,835 in Program Administration, and $2,637 for Homeless Management Information System (HMIS) User Fees.

All HOPWA projects use the local HMIS to collect client-level data for service coordination and reporting/evaluation purposes. MSC staff must input client-level data into the local HMIS with applicable written consent. MSC must also submit monthly financial reports (including supporting documentation) and performance reports (including demographic data, outputs, and outcomes), as well as an overview of accomplishments at year end, to the City. These reports are compiled at year end into the City's annual report to HUD.

BACKGROUND (continued)

PERFORMANCE MEASURES

Number of Persons Assisted

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Unduplicated clients served	18	11	18

OUTCOME MEASURES

Housing Stability

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Percent in stable/temporary housing	86%	73%	86%

*YTD data through 5/31/17 (8 months)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 13, 2014, City Council authorized the first twelve-month renewal option to the contract with My Second Chance, Inc., to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2014 through September 30, 2015, by Resolution No. 14-1228.

On August 12, 2015, City Council authorized the second twelve-month renewal option to the contract with My Second Chance, Inc., to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-1373.

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options with My Second Chance, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1667.

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development Grant Funds by Resolution No. 17-1171.

The Human and Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

2017-18 Housing Opportunities for Persons with AIDS Grant Funds - $180,961
Current Funds - $2,637 (subject to appropriations)

OWNER

My Second Chance, Inc.

Board of Directors

Emily Marie Vernon, President
Donna Fay Randle, Vice President
Betty Jean Grant, Treasurer
Theresa Braddy
Amy Carenza
Margaret Annette Sears
Phyllis Thompson

August 23, 2017

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides grant funds through the Housing Opportunities for Persons with AIDS (HOPWA) program according to the terms of 24 C.F.R. Part 574, to assist grantees in meeting the housing needs of low-income persons with HIV/AIDS and HIV-related illness and their families within the grantee's Eligible Metropolitan Statistical Area (EMSA); and

WHEREAS, the City is a grantee of HOPWA funds to serve the Dallas EMSA, and the City's FY 2017-18 HUD Consolidated Plan Budget includes the HOPWA Grant Funds from HUD in the amount of $6,470,345; and

WHEREAS, My Second Chance, Inc. submitted a proposal in response to the City's Request for Competitive Sealed Proposals (BTZ1616) to provide facility based housing assistance; and

WHEREAS, October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options with My Second Chance, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1667; and

WHEREAS, the City of Dallas seeks to enter into the first twelve-month renewal option to the contract with My Second Chance, Inc. to continue providing these services, funded by FY 2017-18 HOPWA Grant Funds, which, contingent upon HUD's approval of the City's FY 2017-18 Action Plan and execution of the grant agreements, will be available beginning October 1, 2017.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the first twelve-month renewal option to the contract with My Second Chance, Inc., approved as to form by the City Attorney, to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in periodic payments to My Second Chance, Inc. (Vendor VS0000020290), in an amount not to exceed $183,598 from Service Contract No. HOU-2016-00001139-FY17-18, as follows:

Fund	Department	Unit	Object	Description	Amount
HW17	MGT	293B	3099	Housing Facilities Operations	$ 63,726
HW17	MGT	294B	3099	Supportive Services	$105,400
HW17	MGT	298B	3099	Program Admin/Project Sponsors	$ 11,835
0001	HOU	4311	3099	HMIS User Fees (subject to appropriations)	$ 2,637
				Total	$183,598

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: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Nadia Chandler Hardy, 670-1611

MAPSCO: N/A

SUBJECT

Authorize the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018 - Not to exceed $1,231,723 - Financing: 2016-17 Housing Opportunities for Persons with AIDS Grant Funds ($569,120), 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($651,655) and Current Funds ($10,948) (subject to appropriations)

BACKGROUND

The FY 2017-18 Consolidated Plan Budget includes the Housing Opportunities for Persons with AIDS (HOPWA) Grant Funds, which are available beginning October 1, 2017, contingent upon HUD's approval of the City's FY 2017-18 Action Plan (which is based on the approved Consolidated Plan and submitted on August 15, 2017), and execution of grant agreements with HUD. Because HOPWA Grant Funds may be expended for eligible purposes within three years of HUD's award, remaining funds from FY 2016-17 may be included in this year's contract renewal with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (ASD).

The City of Dallas has applied for and received HOPWA funds since 1993 to support eligible activities within the Dallas Eligible Metropolitan Statistical Area (Dallas EMSA) which includes the counties of Dallas, Collin, Denton, Ellis, Hunt, Kaufman, and Rockwall.

On July 7, 2016, the City of Dallas Business Development and Procurement Services Department solicited and received Requests for Competitive Sealed Proposals (BTZ1616) for the HOPWA program. ASD submitted a proposal for facility based housing assistance and was recommended for funding.

BACKGROUND (continued)

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with ASD to provide facility based housing assistance for person with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1669. This is the first twelve-month renewal option to that contract.

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant Funds by Resolution No. 17-1171.

ASD is a non-profit agency located in the southwestern part of the city. The agency was founded in 1987 with its mission being to create and strengthen healthy communities through the delivery of quality, affordable, service-enriched housing for individuals and families living with HIV/AIDS. The agency has been providing supportive housing services continually since April 1987.

ASD will provide HOPWA facility based housing assistance for persons living with HIV/AIDS. Under this program, the agency provides housing and supportive services to low-income and formerly homeless persons living with HIV/AIDS and their families in four apartment communities (125 units) that are licensed by the Texas Department of State Health Services as special care facilities. The properties are located in North Oak Cliff (75203), south of the Trinity River and adjacent to the Central Business District. They include Ewing Center, Hillcrest House, Revlon Apartments, and Spencer Gardens.

In addition to a privately-configured, furnished apartment, ASD residents receive home health care, comprehensive case management, volunteer support, disease management, food services, transportation, and vocational services.

To ensure eligible persons across the Dallas EMSA have access to the full continuum of HOPWA eligible activities, the City intends to enter into additional project sponsor agreements with entities that provide additional eligible activities (e.g., facility based housing, scattered site housing assistance, housing information services, housing placement, and support services).

Approval of this item will authorize the City to execute the first twelve-month renewal option to the contract with ASD to provide HOPWA grant funding in the amount of $1,231,723 to ASD to be used to continue providing HOPWA facility based housing assistance, as follows: $407,120 in Housing Facilities Operations, $733,792 in Supportive Services, $79,863 in Program Administration, and $10,948 for Homeless Management Information System (HMIS) User Fees.

BACKGROUND (continued)

All HOPWA projects use the local HMIS to collect client-level data for service coordination and reporting/evaluation purposes. ASD staff must input client-level data into the local HMIS with applicable written consent. ASD must also submit monthly financial reports (including supporting documentation) and performance reports (including demographic data, outputs, and outcomes), as well as an overview of accomplishments at year end, to the City. These reports are compiled at year end into the City's annual report to HUD.

PERFORMANCE MEASURES

Number of Persons Assisted

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Unduplicated clients served at Ewing	24	24	24
Unduplicated clients served at Hillcrest	77	76	77
Unduplicated clients served at Revlon	28	29	28
Unduplicated clients served at Spencer	13	12	13
Total unduplicated clients served	142	141	142

OUTCOME MEASURES

Housing Stability

	2016-17 Goal	2016-17 Actual*	2017-18 Goal
Percent in stable housing at Ewing	97%	100%	97%
Percent in stable housing at Hillcrest	97%	93%	97%
Percent in stable housing at Revlon	97%	100%	97%
Percent in stable housing at Spencer	97%	100%	97%

*YTD data through 5/31/17 (8 months)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2015, City Council authorized the second twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-1375.

On November 10, 2015, City Council authorized Supplemental Agreement No. 1 to amend Resolution No. 14-1794, previously approved on October 22, 2014, to extend the completion date and change the scope of work for non-substantial rehabilitation at Spencer Gardens by Resolution No. 15-2068.

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

On October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options contingent upon available funding with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1669.

On August 9, 2017, City Council adopted the FY 2017-18 HUD Consolidated Plan Budget for the U. S. Department of Housing and Urban Development Grant Funds by Resolution No. 17-1171.

The Human and Social Needs Committee will be briefed by memorandum regarding this matter on August 21, 2017.

FISCAL INFORMATION

2016-17 Housing Opportunities for Persons with AIDS Grant Funds - $569,120
2017-18 Housing Opportunities for Persons with AIDS Grant Funds - $651,655
Current Funds - $10,948 (subject to appropriations)

OWNER

PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas

Board of Directors

Don Neubauer, Chair
Donald Mercer, Vice Chair
Karen Charleston, Secretary
Sam Etheridge, Treasurer
Bridget Bonning
Jacque Borel
William Early
Mark Edgell
Robert Helm
Bruce Jaster
Matthew Jones
Nathan Justice
Dennis Kershner
Arlen Miller
David Nelson
Deborah Ochoa
Rich Perry
Budi Sutomo
Wayne Thomas

OWNER (continued)

Jonathan Thorne
Jennifer Thornton
Sharon Valenti
Hon. Ernie White, III

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides grant funds through the Housing Opportunities for Persons with AIDS (HOPWA) program according to the terms of 24 C.F.R. Part 574, to assist grantees in meeting the housing needs of low-income persons with HIV/AIDS and HIV-related illness and their families within the grantee's Eligible Metropolitan Statistical Area (EMSA); and

WHEREAS, the City is a grantee of HOPWA funds to serve the Dallas EMSA, and the City's FY 2017-18 HUD Consolidated Plan Budget includes the HOPWA Grant Funds from HUD in the amount of $6,470,345; and

WHEREAS, PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas submitted a proposal in response to the City's Request for Competitive Sealed Proposals (BTZ1616) to provide facility based housing assistance; and

WHEREAS, on October 11, 2016, City Council authorized a twelve-month contract, with two twelve-month renewal options with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1669; and

WHEREAS, the City of Dallas seeks to enter into the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to continue providing these services, funded by FY 2017-18 HOPWA Grant Funds, which, contingent upon HUD's approval of the City's FY 2017-18 Action Plan and execution of the grant agreements, will be available beginning October 1, 2017, together with unspent FY 2016-17 HOPWA Grant Funds.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas, approved as to form by the City Attorney, to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2017 through September 30, 2018, and execute any and all documents required by the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in periodic payments to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (Vendor 268632), in an amount not to exceed $1,231,723 from Service Contract No. HOU-2016-00001134-FY17-18, as follows:

Fund	Department	Unit	Object	Description	Amount
HW16	HOU	563A	3099	Housing Facilities Operations	$ 244,120
HW17	MGT	293B	3099	Housing Facilities Operations	$ 163,000
HW16	HOU	564A	3099	Supportive Services	$ 325,000
HW17	MGT	294B	3099	Supportive Services	$ 408,792
HW17	MGT	298B	3099	Program Admin/Project Sponsors	$ 79,863
0001	HOU	4311	3099	HMIS User Fees (subject to appropriations)	$ 10,948
				Total	$1,231,723

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 # 34

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Housing & Neighborhood Revitalization

CMO: Raquel Favela, 670-3309

MAPSCO: 64W

SUBJECT

Authorize an amendment to Resolution No. 16-1189, previously approved on August 10, 2016, with Builders of Hope CDC for the Creekside project to **(1)** decrease the number of units from 10 to 9 units; **(2)** decrease the amount by ($22,500), from $225,000 to $202,500; and **(3)** extend the loan agreement from May 31, 2017 to May 31, 2018 - Financing: No cost consideration to the City

BACKGROUND

In June 2017, Builders of Hope CDC (BOH) requested an extension to the existing contract for the Creekside Project. The City provided $225,000 as gap financing for the construction of ten single family homes by May 27, 2017. BOH received private financing from Benchmark Bank, Inwood Bank and American National Bank for construction of the ten units and has completed four homes to date. Four are under construction and one remains to start by August 2017. As each of the units are sold, the developer's lien is partially released.

The project is a collaboration between BOH and the Texas Department of Affordable Housing Corporation. Several situations have contributed to a number of delays with contract completion, including BOH experiencing a change in executive staff twice in the past two years, contractor availability and the weather.

This action will authorize the amendment to loan documents with BOH for these funds to (1) decrease the number of units from 10 to 9 units; (2) decrease the amount of funds from $225,000 to $202,500; and (3) extend the loan agreement from May 31, 2017 to May 31, 2018.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 27, 2015, City Council approved a development loan with Builders of Hope CDC by Resolution No. 15-0989.

On November 10, 2015, City Council authorized an amendment to the loan agreement with Builders of Hope CDC by Resolution No. 15-2069.

On August 10, 2016, City Council authorized an amendment to the loan agreement with Builders of Hope CDC to extend the completion date from May 27, 2016 to May 31, 2017 for the Creekside project by Resolution No. 16-1189.

Information about this item was provided to the Economic Development & Housing Committee on August 7, 2017.

FISCAL INFORMATION

No cost consideration to the City.

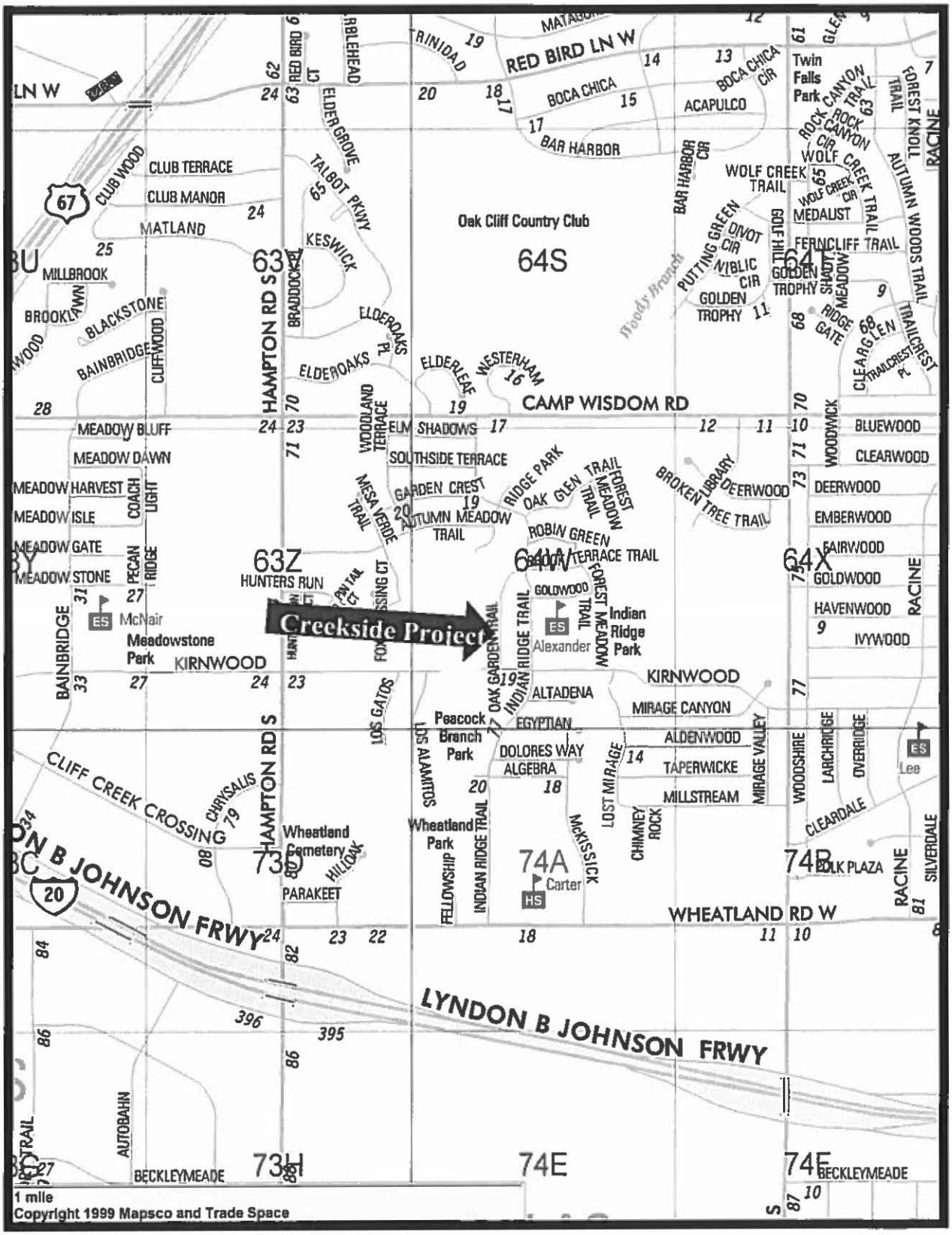
OWNER/DEVELOPER

Builders of Hope CDC

David Campbell, President/Chief Executive Officer

MAP

Attached


Creekside Project
RED BIRD LN W
HAMPTON RD S
CAMP WISDOM RD
KIRNWOOD
WHEATLAND RD W
LYNDON B JOHNSON FRWY
Oak Cliff Country Club
Twin Falls Park
Meadowstone Park
Indian Ridge Park
Wheatland Park
Peacock Branch Park
Wheatland Cemetery
McNair
Alexander
Carter
Lee
63Z
64W
64X
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74A
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MAPSCO 64W

WHEREAS, affordable housing for mixed income families is a high priority of the City of Dallas; and

WHEREAS, on May 27, 2015, City Council approved a development loan in an amount not to exceed $225,000 with Builders of Hope CDC, a certified Community Housing Development Organization, for construction of ten affordable single family homes for the Creekside Project to be located on Oak Garden Trail by Resolution No. 15-0989; and

WHEREAS, on November 10, 2015, City Council authorized an amendment to the loan agreement with Builders of Hope CDC to (a) forgive the debt as each unit is sold to a low-income homebuyer at or below 80 percent of Area Median Family Income; and (b) execute an agreement with the Texas State Affordable Housing Corporation (Lessor), in lieu of requiring the Lessor to file a Deed of Trust in favor of the City against the lots for the Creekside Project located on Oak Garden Trail by Resolution No. 15-2069; and

WHEREAS, on August 10, 2016, City Council authorized an amendment to the loan agreement with Builders of Hope CDC in the amount of $225,000 to extend the completion date from May 27, 2016 to May 31, 2017 for the Creekside Project by Resolution No. 16-1189; and

WHEREAS, Builders of Hope CDC has requested an extension of time to the development loan agreement to allow them to continue their efforts to construct the nine units and complete the sale of the units to low-to-moderate income families at or below 80 percent of Area Median Family Income.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to amend the loan agreement with Builders of Hope CDC in the amount of $225,000, approved as to form by the City Attorney, for the Creekside project to **(1)** decrease the number of units from 10 to 9 units; **(2)** decrease the amount by ($22,500), from $225,000 to $202,500; and **(3)** extend the loan agreement from May 31, 2017 to May 31, 2018.

SECTION 2. That the terms of the agreement will include:

(a) Borrower must execute an amended Notes Payable, Deed of Trust and Deed Restrictions.
(b) Builders of Hope CDC will use the funds to gap the construction costs for the units and will keep the proceeds from the sale of the units.
(c) Builders of Hope CDC will have until May 31, 2018 to fully complete the project.

SECTION 2. (continued)

(d) Builders of Hope CDC must build and occupy the affordable units with low and moderate income families with incomes at or below 80 percent of Area Median Family Income.
(e) The City will subordinate first lien position to the interim construction lender.
(f) Borrower will be released from liability on the Note at the same time the low-to-moderate income family closes the purchase on the home.

SECTION 3. That the City Manager is hereby authorized to sign the agreement described herein, as well as releases of liens, termination of deed restrictions on the property upon compliance with the loan terms and for forgiveness of debt and contract extensions and modifications as necessary to meet further requirements, approved as to form by the City Attorney.

SECTION 4. 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 5. That the Chief Financial Officer is hereby authorized to reduce encumbrance to Builders of Hope CDC, Vendor 337558, from Fund HM12, Department HOU, Unit 890E, Object 3015, Encumbrance HOU890EF152, in an amount not to exceed $22,500, from $225,000 to $202,500.

SECTION 6. That this contract is designated as Contract No. HOU-2016-0000408.

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 # 35

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Intergovernmental Services

CMO: Kim Tolbert, 670-3302

MAPSCO: N/A

SUBJECT

Authorize approval of the Dallas Fort Worth International Airport Board FY 2018 Proposed Budget - Financing: No cost consideration to the City

BACKGROUND

In accordance with the contract and agreement between the owner cities of Dallas and Forth Worth, The Dallas Fort Worth International Airport Board is required to submit its annual budget to the owner cities by August 15th for approval by September 30th of each year.

PRIOR ACTIONS/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Dallas Fort Worth International Airport Board submitted is FY 2018 Proposed Budget to the Dallas City Secretary's Office on July 10, 2017.

The Government Performance and Financial Management Committee will be briefed regarding this item on August 21, 2017.

FISCAL INFORMATION

No cost consideration to the City.

August 23, 2017

WHEREAS, the Dallas/Fort Worth International Airport ("the Airport") serves the aviation needs of the owner cities of Dallas and Fort Worth; and

WHEREAS, the Dallas/Fort Worth International Airport Board ("the Board") presented the FY 2018 Proposed Budget to the City Council of the City of Dallas for its approval in accordance with the Contract and Agreement between the cities of Dallas and Fort Worth, dated April 15, 1968, as amended, which established the Board as the operating Board of Directors for the Airport;

Now, Therefore,

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

SECTION 1. That the City Council hereby approves the Dallas/Fort Worth International Airport Board's FY 2018 Proposed Budget, attached hereto as **Exhibit A**.

SECTION 2. That the approvals and authorization contained in this resolution are further conditioned upon similar approvals by the City Council of the City of Fort Worth.

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.

Exhibit A

DALLAS FORT WORTH INTERNATIONAL AIRPORT

FY 2018 Adopted Budget









Finance Department
P.O. Box 619428
DFW Airport, Texas 75261-9428

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Board of Directors



Sam Coats
Board Chair
Dallas



William Meadows
Vice Chair
Fort Worth



Regina Montoya
Secretary
Dallas



Mayor
Betsy Price
Fort Worth



Mayor
Mike Rawlings
Dallas



Lillie M. Biggins
Fort Worth



Henry Borbolla III
Fort Worth



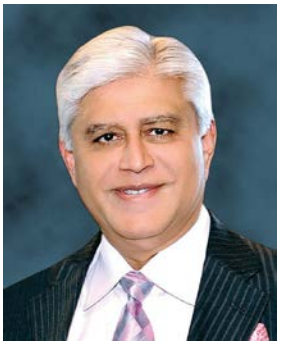
Bridget M. Lopez
Dallas



Matrice Ellis-Kirk
Dallas



Eddie Reeves
Dallas



Amir Rupani
Dallas



Mayor
Karen Hunt
Coppell

DFW Vision Statement

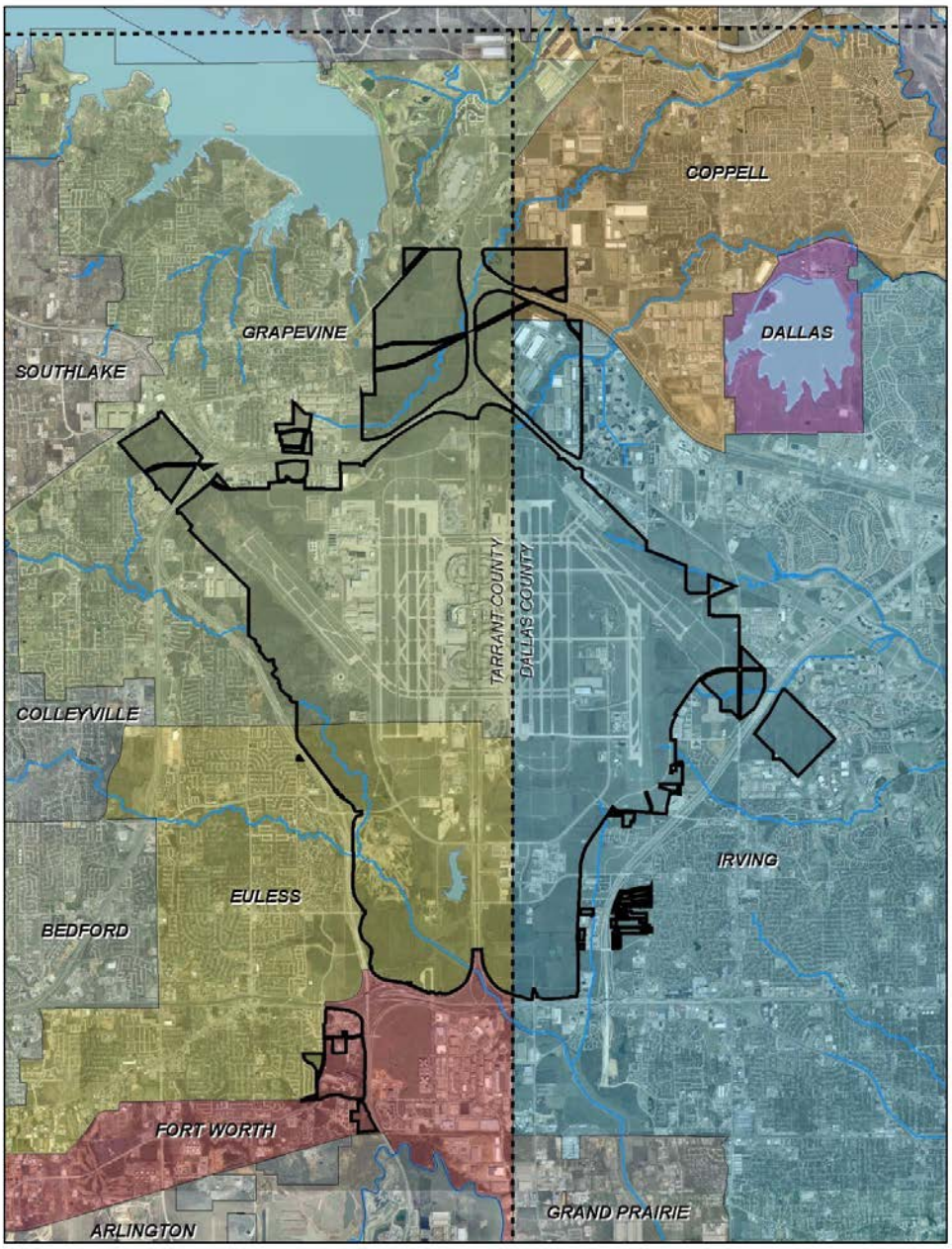
Travel. Transformed.

DFW Mission Statement

We provide an exceptional Airport experience for our customers and connect our community to the world.

Airport Background

The Dallas/Fort Worth International Airport (the "Airport" or "DFW") was created by a "Contract and Agreement" between the cities of Dallas, Texas, and Fort Worth, Texas ("the Cities") on April 15, 1968 for the purpose of developing and operating an airport as a joint venture between the Cities. Although owned by Dallas and Fort Worth, DFW is located within the boundaries of the Cities of Grapevine, Coppell, Irving, Euless and Fort Worth; and within Dallas and Tarrant Counties.



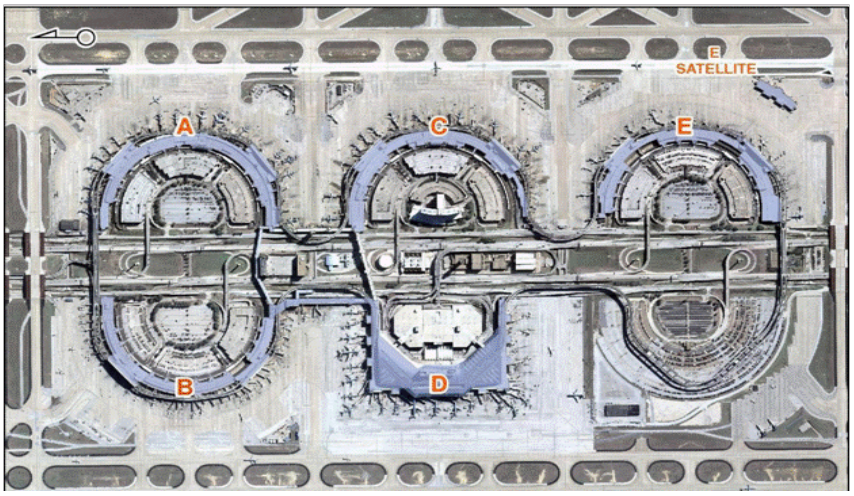
Source: DFW Airport Information Technology Services

DFW is located within a four-hour flight time of 98% of the U.S. population, and currently ranks third among the world's busiest airports in terms of operations and tenth in terms of passengers. Its central location is the focal point of one of the nation's largest intermodal hubs, connecting air, rail, and interstate highway systems. DFW currently operates daily passenger flights to 233 destinations worldwide, including 167 nonstop domestic destinations and 56 nonstop international destinations. There are 27 passenger carriers and 23 cargo carriers serving DFW. The Airport is the economic engine for North Texas. According to a recent study, DFW drives $37 billion in annual economic activity, supporting approximately 60,000 on-airport employees, 228,000 local jobs, and an annual payroll of $12.5 billion.

DFW Infrastructure

Terminals – DFW has 5 terminals (A, B, C, D, and E) totaling 6.3 million square feet of building space, including 165 aircraft boarding gates, 373 ticketing positions with 96 supporting self-service kiosks, and 15 security checkpoints. As of June 1, 2017, 14 of the gates were closed for renovation as part of the Terminal Renewal and Improvement Program (TRIP). Collectively, the airlines averaged 6.7 turns per active gate per day for the first six months of FY 2017.

DFW Terminal Complex



American Airlines ("AA") operates domestic service and international departures in Terminals A C, and D. Envoy Aviation Group dba American Eagle ("Envoy"), Mesa Airlines, and ExpressJet operate AA's regional domestic and international service in Terminals B, D, and E. All other domestic flights and certain Canadian pre-cleared flights operate from Terminal E. All international flights requiring U. S. Customs and Immigration clearance operate from DFW's Terminals D and B (with the exception of some Spirit Airlines international flights that arrive at Terminal E, and their passengers are bussed to Terminal D for customs clearance).

All terminal gate leases expire September 30, 2020 per the terms of the Airline Lease and Use Agreement (Use Agreement) which became effective on October 1, 2010. DFW's Federal Inspection Service (FIS) facilities are located in Terminal D. The Airport's FIS facility is approximately 406,000 square feet with 36 inspection booths, 54 automated passport control kiosks, and 8 baggage carousels.

DFW is responsible for all of the janitorial and facility maintenance in Terminals B, D and E, and baggage maintenance in Terminals B and E. Most of the maintenance and janitorial functions are contracted out to third parties. Costs associated with maintenance of these facilities are included in DFW's operating budget. AA is responsible for the majority of the facilities maintenance, custodial services, and the jet-bridge and baggage system maintenance in Terminals A and C. In Terminal D, AA maintains its preferentially leased jet-bridges and the entire baggage system for the terminal. The maintenance cost is paid directly by AA and not included in DFW's budget or financial statements. AA receives a maintenance credit in the terminal rates and charges calculation.

Airfield – DFW has seven runways with significant airfield capacity. Five runways are configured as north/south parallels with two diagonals. Four of DFW's runways are 13,400 feet in length. DFW's infrastructure is capable of supporting next generation aircraft such as the Airbus A380 and the Boeing 747-8F. Per FAA benchmark studies, the Airport's designated hourly capacity arrival/departure flow is approximately 170 aircraft operations per hour under reduced instrument flight rule (IFR) weather conditions and approximately 226-264 aircraft operations per hour under optimum visual flight rule (VFR) weather conditions, a condition that prevails approximately 82% of the time.

Airport Operations Center/Emergency Operations Center – The Airport Operations Center/ Emergency Operations Center (AOC/EOC) and DPS 911 Dispatch Center serves as a single point of contact to centralize communications for DFW's passengers, guests, tenants, employees, and contractors, with an emphasis on Communication, Collaboration and Coordination (C3). This includes the 9-1-1 call management of police, fire and emergency medical response teams and 3-1-1 non-emergency services. The AOC/EOC facility is the fusion and coordination center that provides Executive Management and aviation stakeholders with the situational awareness needed to efficiently and quickly manage airport resources and partner with aviation stakeholders when responding not only to routine/daily infrastructure deficiencies, but also irregular operations and emergency incidents. The combined facility handles approximately 44,000 calls per month and generates approximately 4,800 work orders per month.

Transit System – DFW's people mover system (Skylink) transports passengers and employees between terminals on the secure side. DFW operates 16 to 24 fully automated cars on Skylink during normal operations. Skylink cars circle the five terminals in two directions, and trains arrive on an average of every two minutes at each terminal. There are two Skylink stations in each terminal. The average customer ride is about five minutes. DFW uses buses to transport passengers and employees between terminals on the non-secure side, the Grand Hyatt Hotel, parking lots and the Rental Car Center (RAC). DFW uses 29 buses to shuttle passengers between the terminals and Grand Hyatt (Terminal Link); 62 buses between remote and express parking lots and the terminals; 5 buses for various DFW activities and service between the Trinity Railway Express CenterPoint station and the terminals; 32 buses between employee parking lots and the terminals; and 54 buses between the terminals and the RAC.

DFW has a Dallas Area Rapid Transit (DART) rail station at the north end of Terminal A that connects DFW to downtown Dallas. A new TexRail station is being designed at the north end of Terminal B that will connect DFW to downtown Fort Worth. This station is planned to be in operation by the end of 2018.

DFW Controlling Documents

In addition to the Contract and Agreement between the Cities, DFW is governed by several other key documents, including the Master Bond Ordinance and the Use Agreements between DFW and the Signatory Airlines. Collectively, these agreements are called the Controlling Documents.

The Controlling Documents define how DFW manages its business affairs. DFW does not collect any local tax revenue to fund its operations. The Controlling Documents require that Gross Revenues of the Airport be deposited into the "Revenue and Expense Fund." Gross Revenues are defined as all Airport revenues and receipts except: bond proceeds; Passenger Facility Charge (PFC) proceeds used to fund capital projects (rather than for debt service); interest earned on unspent bonds; proceeds in the Capital Accounts; grant proceeds used to fund capital projects; and sale of land or mineral rights, including natural gas royalties.

Strategic Plan

DFW's executive team rolled out the organization's new Strategic Plan in the first quarter of FY 2017. The structure of the plan is shown in the next page. The new Vision statement is **Travel. Transformed.** The new Plan expands the number of key results, beginning with the overarching key result of Customer Experience. The supporting key results are Business Performance, Employee Engagement, Operational Excellence, and Community Engagement, with the foundational key result of Safe and Secure.

Customer Experience has been elevated to emphasize its importance to DFW's ongoing success. Tools that include a Customer Engagement Management technology platform will allow DFW to establish personal relationships with its customers.

Business Performance addresses how DFW will remain financially strong and cost competitive by generating higher net revenues. This key result also addresses DFW's core business of growing air passenger and cargo services and to position DFW as a prime gateway between Asia and Latin America for passenger and air cargo service.

Employee Engagement is one of the keys to achieving the Airport's goals and objectives. Engagement measures an employee's willingness to give discretionary effort and demonstrate commitment to the organization resulting in personal and organizational success.

Operational Excellence defines how DFW will improve operational efficiencies, incorporate sustainability best practices, and leverage technology. DFW will also embark on a new capital program to ensure future growth for the Airport for the next 30-40 years.

Community Engagement leverages the Airport's commitment to the regional community. DFW will continue to positively impact the community by generating economic benefits and employing responsible business practices that help all parts of the region grow and prosper.

Safe and Secure has been added as a key result to demonstrate its critical nature. Investments in training and technology will provide both physical and cyber security.

A copy of DFW's Strategic Plan is available at www.dfwairport.com.

Vision

Travel. Transformed.

DFW

Mission

We provide an exceptional Airport experience for our customers and connect our community to the world.

Key Results

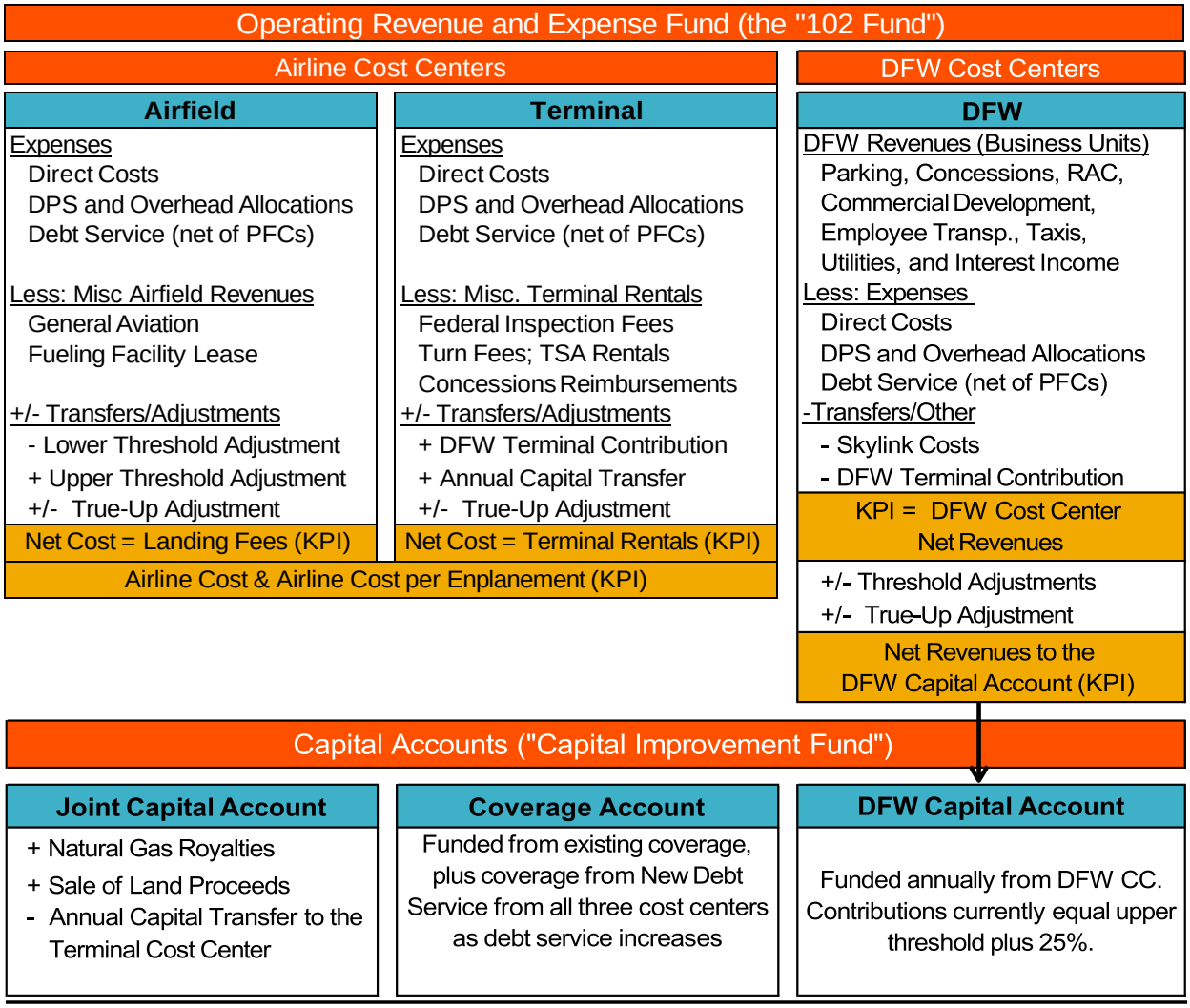


Beliefs



Airline Use Agreement Rate Model

The Airline Use Agreement is a hybrid model, whereby the Signatory Airlines pay landing fees and terminal rentals based on the net cost to provide those services, and DFW retains a portion of the net revenues from non-airline business units (e.g., parking) in the DFW Cost Center (DFWCC). The following chart summarizes the Airline Use Agreement rate model.



Airline Cost Centers – The Airline Cost Centers are cost recovery in nature, such that the amount charged to the airlines equals the cost to provide services, after certain adjustments. Landing fees and terminal rental rates are based on the net cost to operate and maintain the airfield and terminals, respectively. DFW charges the direct operating and maintenance costs for the airfield and terminals, plus allocated Department of Public Safety and overhead costs, plus debt service net of Passenger Facility Charges (PFCs), to each cost center; then, subtracts ancillary revenues generated in these cost centers; and credits or charges certain transfers and/or adjustments (see True-Up Adjustments below). The budgeted landing fee rate is determined by dividing the net cost of the airfield by projected landed weights. The budgeted average terminal rental rate is determined by dividing the net cost of the terminal cost center

divided by leasable square footage. The Use Agreement requires the Airport to charge an equalized terminal rental rate for all five terminals.

The amount paid by the airlines for landing fees and terminal rent fees less airline incentive payments for new service equals airline cost, which is an airport industry Key Performance Indicator (KPI). Another common industry KPI is passenger airline cost per enplaned passenger or CPE. This KPI for passenger airlines is calculated by dividing the amount paid by passenger airlines for landing fees and terminal rent fees less airline new service incentive payments (i.e., collectively, airline cost) by the number of enplanements.

DFW Cost Center – All non-airline business units, plus interest income, are included in the DFW Cost Center. The DFW Cost Center also pays all costs associated with the Skylink people mover system. The net revenues from this cost center are transferred to the DFW Capital Account and currently equal the "upper threshold" plus 25%. One of DFW's most important Key Performance Indicators (KPIs) is DFW Cost Center Net Revenue. This KPI measures the profitability (i.e., net revenues) generated by the Airport's non-airline business units, after adjusting for the cost of Skylink and drives the contribution of discretionary capital to the DFW Capital Account.

Joint Capital Account – Funds in the Joint Capital Account (JCA) require DFW and airline approval before money can be spent. The JCA is funded from the proceeds from natural gas royalties and the sale of land, plus interest income on the account. Supplemental funding for projects paid from the JCA comes from grants and the issuance of debt.

Coverage Account – The Airport established the Coverage Account as part of the new Use Agreement in order to implement "rolling coverage." Each year, the Coverage Account is rolled into the 102 Fund as a source of revenue, and then transferred back into the Coverage Account as excess revenue at the end of the year. The Coverage Account must equal 25% of aggregate debt service each year. If new debt is issued, rates are established to generate the incremental coverage required to fund 25% of the new debt service.

DFW Capital Account – This is DFW's discretionary account and is funded primarily from the DFWCC Net Revenues, plus interest income. Supplemental funding for projects paid from the DFW Capital Account comes from grants and the issuance of debt. Funds in this account may be used for any legal purpose without airline approval.

Threshold Adjustments – The Use Agreement established Lower and Upper Thresholds for DFWCC Net Revenues. If DFWCC Net Revenues are budgeted to be less than the Lower Threshold ($44.4 million in FY 2018), an incremental charge (i.e., a Lower Threshold Adjustment) is collected through landing fees in an amount sufficient to achieve the Lower Threshold amount. Although clearly not needed given current levels of net revenues, the theoretical benefit of the Lower Threshold Adjustment guarantees that DFW will have a minimum level of cash to transfer to the DFW Capital Account to replace assets on a timely basis. If DFWCC Net Revenues are budgeted to be greater than the Upper Threshold ($66.4 million in FY 2018), then 75% of the excess is credited to the Airfield Cost Center as an Upper Threshold Adjustment. This reduces budgeted landing fees. The remaining 25% is transferred to the DFW Capital Account at the end of the fiscal year. Sharing net revenues over the Upper Threshold sharing provides sufficient funds for capital replacement but also provides funds to lower landing fees. The Threshold Amounts are adjusted annually for inflation.

True-Up Adjustments – At the end of each fiscal year, DFW performs a reconciliation or true-up, such that revenues collected equal the actual net cost to operate and maintain the airfield and terminals. Any difference becomes a True-Up Adjustment and is either charged or credited to the appropriate cost center in the next fiscal year beginning in January.

Annual Capital Transfer – The Use Agreement included an annual transfer from the Joint Capital Account to the Terminal Cost Center to reduce the terminal rents. This transfer, originally $28 million in FY 2011, was reduced $4 million each year and was phased out completely in FY 2017.

DFW Terminal Contribution – Per the terms of the Use Agreement, an annual transfer is made from the DFW Cost Center to the Terminal Cost Center to pay for DFW's share of common use and leasable, but unleased space, in Terminals D and E. This amount is $3.1 million in FY 2018.

DFW's Fund Structure

Although DFW uses the word "fund" to describe the designation of the source and prospective use of proceeds, DFW is an Enterprise Fund and does not utilize traditional fund accounting commonly used by government organizations. The table below summarizes the primary funds used by DFW:

Number	Fund Description	Primary Use
101	Fixed Assets and Long Term Debt	Capital Assets/Bonds
102	Operating Revenues and Expenses	Operations
252	Passenger Facility Charges (PFC)	Collections/Debt Service
320s/330s	Joint Capital Account and Bond Funds	Capital/Bond Proceeds
340s	DFW Capital Accounts and Bond Funds	Capital/Bond Proceeds
500-600s	Debt Service and Sinking Funds	Principal and Interest
907/910/914	Public Facility Improvement Corporation (PFIC)	Rental Car Facility/Grand Hyatt and Hyatt Place Hotels

DFW's financial statements are issued in conformance with Generally Accepted Accounting Principles (GAAP) and include all of DFW's funds, whereas the Annual Budget focuses on revenues and expenses included in the 102 Fund. DFW manages its day-to-day operations primarily through the 102 Fund in accordance with the Controlling Documents.

Passenger Facility Improvement Corporation (PFIC)

DFW has a PFIC which owns and operates the Grand Hyatt Hotel in Terminal D and the Hyatt Place Hotel in Southgate Plaza, as well as the Rental Car Facility and rental car bus transportation services. Revenues, expenses, and capital projects of the PFIC are not included in this budget. These businesses are specifically excluded from the airline rate base per the Use Agreement. DFW has issued bonds to finance the construction of the Grand Hyatt Hotel and Rental Car Facility. Each business transfers funds in an amount equal to the debt service so that there is no impact on the airline rate base.

Basis of Budgeting

The Operating Revenue and Expense Fund budget is commonly called the Operating Budget, but contains elements that are not expenses under GAAP such as debt service, reserve requirements, and certain expenditures that may be capitalized under GAAP.

Capital expenditures are funded through Joint Revenue Bonds, grants, PFCs, or cash in the DFW or Joint Capital Accounts. From a process standpoint, the Board of Directors approves the Operating Budget. The Board reviews the capital budget as part of the Annual Budget process and the Financial Plan process. The Board approves contracts associated with capital projects.

FY 2018 Budget Comparisons to Other Periods

FY 2017 Budget – During FY 2017, the Board approved the use of $5.1 million of contingency budgeted outside of the rate base. The FY 2017 Budget as adjusted by contingency is summarized in the following table. Any reference to the FY 2017 Budget in this budget document relates to the FY 2017 Budget, as adjusted for the use of approved contingency.

	Millions
FY 2017 Approved Budget	$ 884.6
Approved Changes (and dates)	
Legal Exposures (Skylink/Inet) (March 9, 2017 adjusted June 29, 2017)	1.8
DPS Security Technology Consultant (March 9, 2017)	0.1
DPS Security Initiative-Project COBRA (March 9, 2017)	0.9
Skylink Payment for AA's re-banking schedule (June 29, 2017)	0.8
CNG Fuel Credit (March 9, 2017)	0.5
Ops Reserve (March 9, 2017)	1.0
FY2017 Budget with approved contingency	$ 889.7

FY 2017 Outlook – DFW employs continuous forecasting techniques to project revenues and expenses for the full 12 months of the fiscal year (called the Outlook). Most of the tables and charts in this budget document include FY 2017 Outlook comparisons to provide the best basis for comparison (rather than comparing to the FY 2017 Budget). The detailed Outlook in this Budget Book was developed in a bottoms-up process such that every account was reforecast. This was completed in March 2017.

Presentation of Amounts and Prior Years Actuals – The FY 2018 Budget is presented in tables and charts that are rounded to millions and thousands. Some columns and charts may not appear to add-up or foot due to rounding differences. Certain prior year amounts have been reclassified to reflect the FY 2018 presentation.

Budget Schedule

DFW's fiscal year begins October 1. The FY 2018 Expense Budget was compiled by the various DFW departments in May and then reviewed and modified by management in May and June. Presentations were made to representatives of the Signatory Airlines on May 19, 2017, with follow up information provided. A preview of the FY 2018 Budget was presented to the Finance Committee on June 27, 2017. The final recommended Budget was presented to and approved by the Board on June 29, 2017. The FY 2018 Budget must be submitted to the City Managers of Dallas and Fort Worth by August 15, 2017, with approval of the two City Councils by September 30, 2017.

FY 2018 Key Performance Indicators

The table below compares the Key Performance Indicators (KPIs) of the FY 2017 Outlook and the FY 2018 Budget.

Key Performance Indicators	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Total Passengers (Ms)	66.5	67.3	0.9	1.3%
Total Landed Weights (Bs)	42.9	43.4	0.4	1.0%
Total 102 Expenditure Budget (Ms)	$875.8	$954.2	$78.4	9.0%
Airline Costs (Ms)	$394.3	$479.3	$85.0	21.6%
Airline Cost Per Enplanement (CPE)	$11.57	$13.77	$2.20	19.1%
DFW Cost Center Net Revenues (Ms)	$128.4	$104.8	($23.6)	(18.4%)
Amount to DFW Capital Account	$80.8	$76.0	($4.8)	(6.0%)

The majority of the changes in the FY 2018 Budget when compared to the FY 2017 Outlook can be summarized by the following six items:

1. Debt service increases from completion of capital projects – The debt service increase of $21.4 million has been planned and is associated with the completion of the Terminal Renewal and Improvement Program (TRIP) and other capital projects.

2. FY 2016A Bonds – The issuance of the 2016A Bonds included accelerated principal and coverage payments of $27.1million in total. There will be a similar increase in FY 2019, then it will level off.

3. Decline in Passenger Facility Charges (PFCs) – In FY 2017, DFW established a PFC reserve policy of two months. This allowed the Airport to utilize $9 million of PFCs to pay for debt service. This was a one-time benefit. There is an additional $2 million impact in FY 2018 (for a total reduction of $11 million) to reestablish the PFC reserve to two months.

4. Operating expenses – Total operating expenses are up 2.6% from FY 2017 Budget significantly lower than prior two years increase of approximately 7%.

5. Flat DFW Cost Center revenues – Revenues are essentially flat, recoginizing the impact of Transportation Network Companies (TNCs) on parking and rental car revenues. This is occurring at all airports throughout the country

6. Strategic priorities funded – The budget includes $5.4 million of funding for strategic priorities, specifically for the Key Results of Customer Experience and Safe and Secure.

FY 2018 Budget Comparisons and Walkforward

The table below compares the Expenditure Budget for the FY 2017 Budget, FY 2017 Outlook and the FY 2018 Budget. The Expenditure Budget consists of operating expenses and debt service. The FY 2018 Budget is $954.2 million, a $78.4 million (9.0%) increase over the FY 2017 Outlook and a $64.4 million (7.2%) increase over the FY 2017 Budget. The total budget request that will be approved by the Cities of Dallas and Fort Worth also includes $10 million of

contingency outside of the rate base. This contingency may only be accessed with Board approval. The increase from Outlook results primarily from debt service associated with completed capital projects, increased debt service from the 2016A Bonds, which had expedited principal payments and an incremental $11.3 million of fixed budget increases. Excluding these items, the FY 2018 Budget increase is 1.6%.

Annual Budget (in Millions)	FY17 Budget	FY17 Outlook	FY18 Budget	FY18B v FY17B Inc (Dec) Amount	FY18B v FY17B Inc (Dec) Percent	FY18B v FY17OL Inc (Dec) Amount	FY18B v FY17OL Inc (Dec) Percent
Operating Expenses	$459.3	$446.6	$471.1	$11.8	2.6%	$24.5	5.5%
Gross Debt Service	430.4	429.1	483.1	52.6	12.2%	53.9	12.6%
Total 102 Expenditures Budget	$889.7	$875.8	$954.2	$64.4	7.2%	$78.4	9.0%
Contingency O/S Rate Base			10.0				
Total Budget w/Contingency			$964.2				

The FY 2018 Operating Expense Budget is 2.6% higher than the FY 2017 Budget and 5.5% higher than the FY 2017 Outlook. During FY 2017, management reduced the FY 2017 Outlook by $12.7 million to offset lower DFW Cost Center net revenues. The reductions were made to employee bussing, technology contracts and maintenance, hiring, winter weather expenses and other areas. Historically, the Operating Expense Outlook is very close to the budget since management usually plans to spend the full budget. Therefore, the comparison to the FY 2017 Budget is meaningful when compared to increases from the last two budget cycles, which were appoximately 7%.

Passengers and Landed Weights - Total passenger traffic is budgeted to be 67.3 million, a 0.9 million (1.3%) increase over the FY 2017 Outlook. This growth is in line with American Airlines announcement that they will be restraining capacity growth. DFW expects a 1.2%, 1.3% and 1.4% increase in originating, destination and connecting passengers, respectively, compared to the FY 2017 Outlook. International passengers are budgeted to increase to 8.7 million, 0.2 million (1.8%) over the FY 2017 Outlook. Landed weights increase 1.0% year over year primarily due to American Airlines replacing older, lighter MD80 aircraft with newer, heavier Boeing 737-800 airplanes.

Capital Program and Debt Service – The majority of the capital program for the past several years is related to the Terminal Renewal and Improvement Program (TRIP) for Terminals A, B and E, which is now approaching completion and under budget. TRIP began in FY 2011 and has phased construction through early FY 2018 (excluding Terminal C). All of Terminal A is complete with the final section of Terminal E finishing in the Summer of 2017. The final renovated section of Terminal B will be placed into service during the first quarter of FY 2018. In addition, the final section of the Terminal E parking garage was placed in service in the third quarter of FY 2017. As renovated sections of terminals and garages open, DFW begins to pay debt service on the facilities. Accordingly, debt service increases $53.9 million in FY 2018 compared to FY 2017 Outlook. The FY 2018 debt service includes the 2016A Bonds that are being repaid in five years beginning with FY 2017. An incremental $27.1 million of debt service expense will be incurred in FY 2018 on these bonds.

The table on the next page summarizes the major changes in operating expense between the FY 2017 Outlook and the FY 2018 Budget. Operating expenses increased $24.5 million (5.5%) from the FY 2017 Outlook, of which, $11.9 million relates to the DFW Cost Center and $12.5

million relates to the Airline Cost Centers. Operating expenses increased $11.8 million (2.6%) from the FY 2017 Budget. Explanations of the changes in the walkforward are addressed in the Operating Expenses section.

		Cost Center	
Operating Expenses (in Millions)	Total	DFW	Airline
FY 2017 Outlook	$446.6	$163.1	$283.5
Budget reductions	(8.6)	(1.7)	(6.8)
Customer experience	2.5	0.3	2.2
Safe and secure	1.8	0.5	1.3
Salary annualization and merit pool	10.7	4.6	6.1
Fixed contract increases	9.0	2.8	6.2
Restore CEO contingency and other items	6.6	1.7	4.9
Other increases, net	2.5	3.8	(1.4)
Net increase	24.5	11.9	12.5
FY 2018 Budget	$471.1	$175.0	$296.1

Revenue and Expense Budget Exposures

Revenues - The FY 2018 revenue budget includes an estimated $5.3 million of exposure items that could result in DFW not attaining its revenue budget targets.

Revenue Budget Exposures (in Millions)	
Parking revenues	$2.0
Department of Public Safety (DPS) revenues	1.3
Concessions revenues	1.0
Rental car revenues	1.0
Total revenue exposures	$5.3

The budget includes an estimated $2.0 million of parking revenue exposure due to the continued potential impact of TNCs. The TNCs have been operating at DFW for more than two years and transactions continue to increase each month although growth has slowed. The Department of Public Safety's revenue budget includes $1.3 million for a Federal reimbursement program for law enforcement officers. The President's proposed budget assumes that this program would be eliminated creating the budget exposure. Concessions has an estimated exposure of $1.0 million due to the continued movement of AA international flight departures from Terminal D to other terminals which have lower average spend per passenger. Rental car revenues have an estimated exposure of $1.0 million due to declines in average rental rates partially due to the competitive impact of TNCs. If rental car companies are unable to maintain pricing at FY 2017 levels, their percentage rent paid to DFW will decrease.

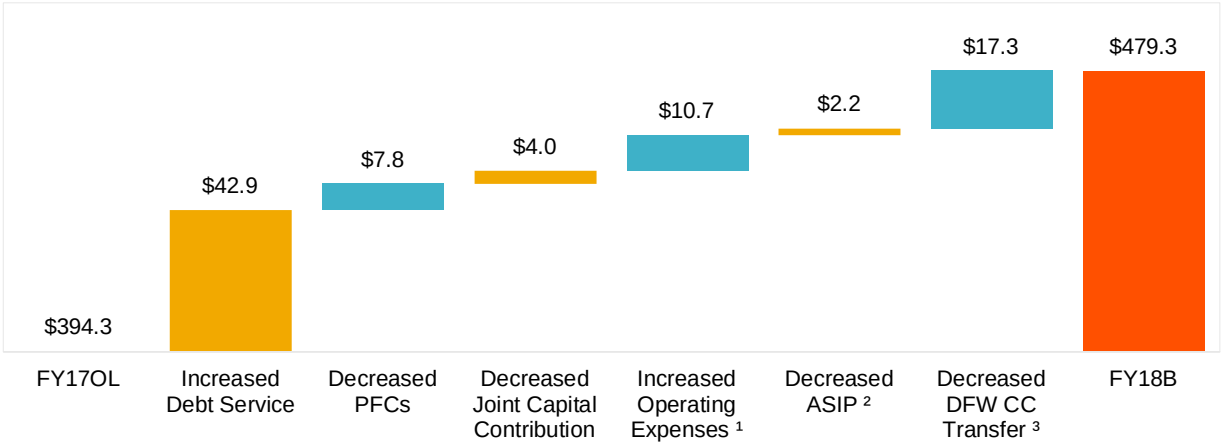
Expenses - Expense exposures exist due to winter storms, changing security requirements, and TSA and Customs and Border Protection (CBP) passenger facilitation costs. Unless these exposures result in substantial cost increases, management believes that the CEO Contingency of $4.0 million should be adequate to cover the exposures. The FY 2017 CEO contingency has been fully used for exposures related to security and other items. The budget also includes $10

million of Board-controlled contingency (outside of the rate base) to mitigate additional operating expense exposures or to fund new strategic priorities that arise during the fiscal year.

Airline Cost

Airline cost represents the fees paid to DFW by the passenger and air cargo carriers, primarily for landing fees and terminal rents. Cost per enplanement (explained below) is based solely on passenger airline cost. The FY 2018 Airline Cost Budget is $479.3 million, $85.0 million (21.6%) higher than the FY 2017 Outlook. Following is a walkforward of airline cost from the FY 2017 Outlook to the FY 2018 Budget. Approximately 66.1% of the increase is related to debt service and fixed Use Agreement items. Variances are explained in the Airline Cost Centers section.

Change in Airline Cost - $85.0 Million

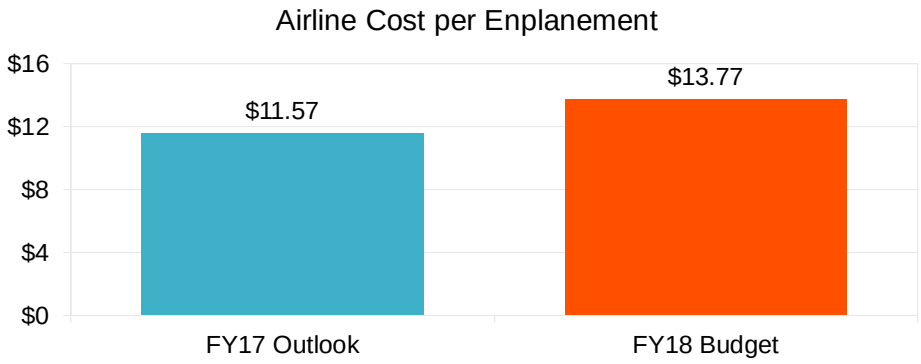


1 Net of increased other non-airline revenues
2 Air Service Incentive Program
3 Net of increased terminal contribution

The debt service increase is due to the completion of TRIP and the 2016A Bonds which have expedited principal retirements. The PFC decrease is due to the one-time PFC benefit received in FY 2017 and impact of adjusting to a two-month reserve balance. The joint capital contribution was eliminated in FY 2018 per the terms of the Use Agreement. Net Operating Expenses increases and are detailed in the operating expense section. The DFW Cost Center Transfer decreased due to lower DFW Cost Center net revenues.

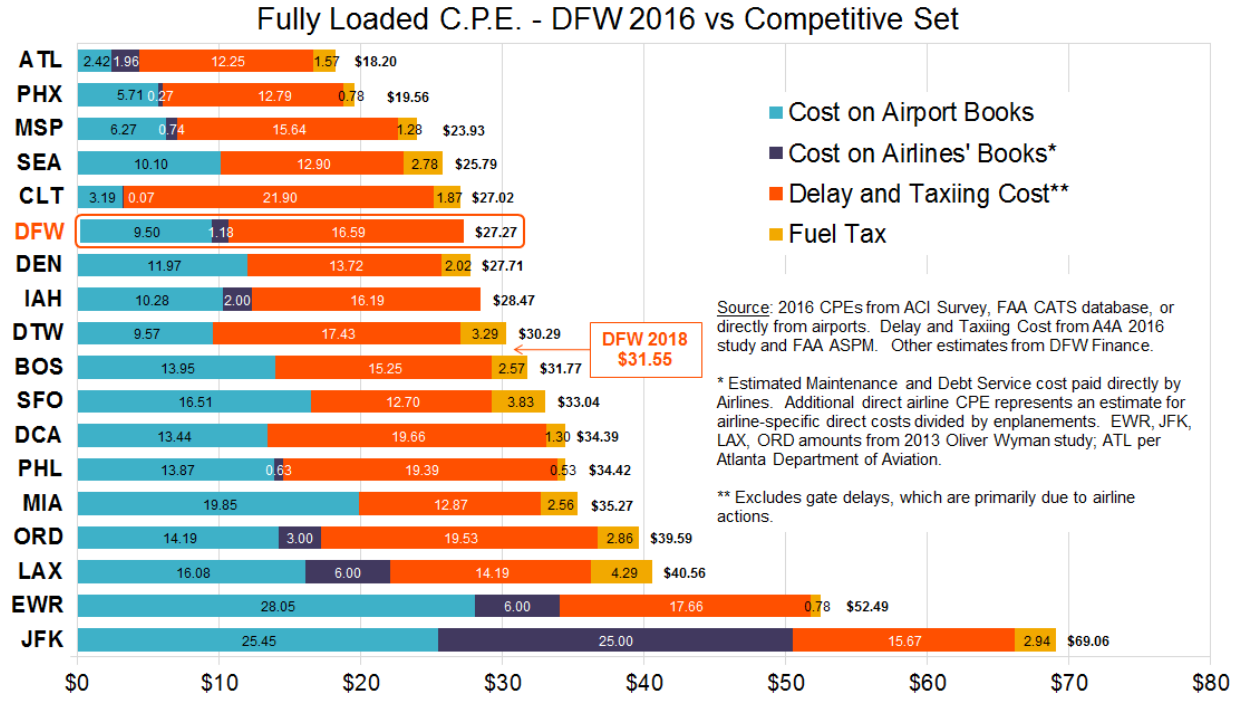
Passenger Airline Cost Per Enplanement

Cost Per Enplanement (CPE) – CPE is the total passenger airline cost paid to DFW divided by the number of enplaned passengers. CPE is a standard metric used by the airline industry. Enplaned passengers is used as the denominator because it is a key revenue/cost driver for the airlines; however, this is not the case for an airport. Airport costs are based on the cost to operate and maintain its facilities and runways. Notwithstanding this issue, DFW (and the industry) use this indicator as a cost performance metric. CPE increases in FY 2018 are due to the factors noted above.



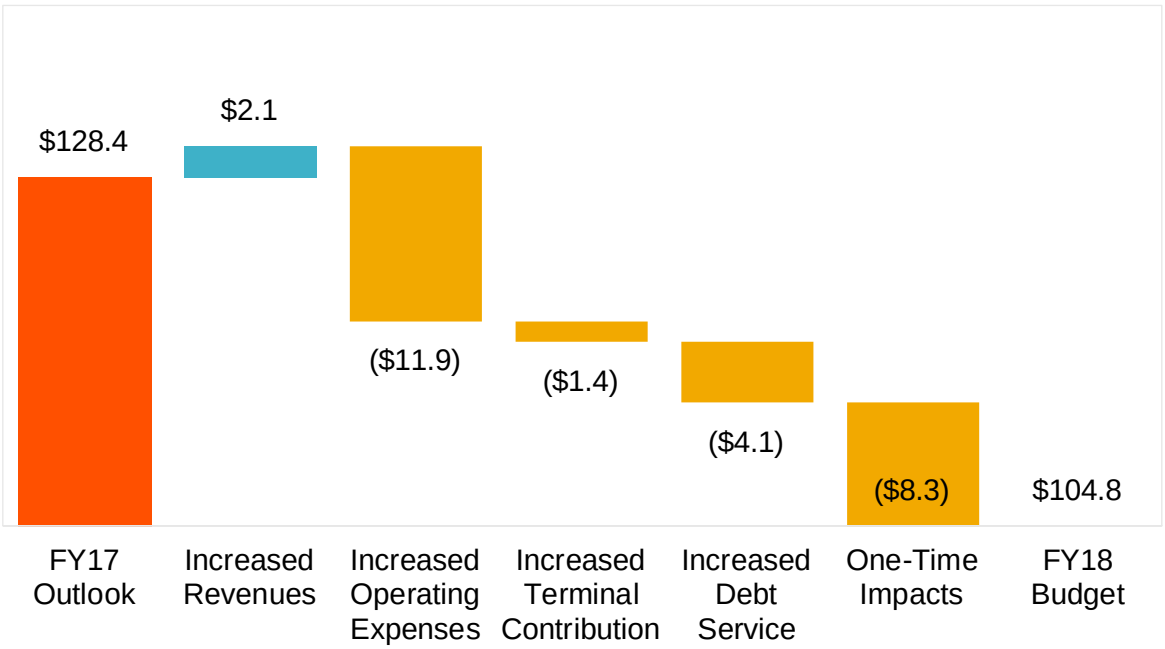
CPE Benchmarked to Other Airports – DFW's goal is to have a competitive CPE. The following chart benchmarks DFW's fully loaded CPE with the fully loaded CPE projections for DFW's competitive set of 17 large U.S. hub airports using the latest data available from Airports Council International (ACI) surveys from FY 2016. Fully-loaded cost is the most meaningful comparison because it includes most of the costs incurred by airlines to operate at an airport, including what they pay the airport (blue), what they pay directly for terminal maintenance and terminal debt service (purple), an estimate of what costs the airlines incur for delay and taxiing (orange) and an estimate for fuel taxes (yellow).

DFW's cost structure is projected to increase due to higher debt services costs. The graph illustrates that DFW is competitive from a cost standpoint compared to AA's other major hubs.



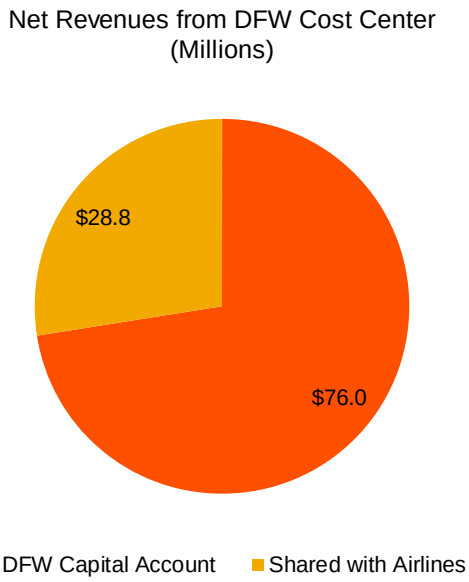
DFW Cost Center Net Revenues

The following chart is a walkforward of DFW Cost Center (DFWCC) net revenues. The FY 2018 net revenues budget is $104.8 million, a $23.6 million (18.4%) decrease from the FY 2017 Outlook. This represents the profit from non-airline business, such as Parking, Concessions, Rental Car and Commercial Development.



Operating expenses allocated to the DFWCC are explained in the walkforward of the Operating Expense section. Debt service increased primarily to the incremental existing debt and capital projects. The one-time increase result from the 2016A Bonds and the reduction of PFC's.

The following chart highlights the sharing of DFWCC net revenues with the airlines to reduce landing fees. The Use Agreement requires DFW to share 75% of revenues over the "upper threshold" of $66.4 million (in FY 2018) with the airlines.



In addition to the $28.8 million, the Use Agreement requires a terminal contribution from the DFW Cost Center to reduce terminal rates. The terminal contribution for FY 2018 is $3.1 million. The combined amount of $31.9 million reduces landing fees and terminal rates. The $31.9 million share to the airlines in FY 2018 is a decrease of $17.3 million compared to the FY 2017 Outlook.

Passengers

DFW projects a record number of passengers in FY 2018. The FY 2018 Budget for passengers is 67.3 million, an increase of 0.9 million (1.3%) more than the FY 2017 Outlook. Originating passengers begin their trip at DFW. Destination passengers live elsewhere and fly to DFW for business or leisure. People who travel through DFW to get to their final destination are connecting passengers. Enplanements represent all passengers boarding a plane at DFW.

	FY17	FY18	Increase (Decrease)	
Passengers (Millions)	Outlook	Budget	Amount	Percent
Origination	15.3	15.5	0.2	1.2%
Destination	12.2	12.4	0.2	1.3%
Connecting	39.0	39.5	0.5	1.4%
Total Passengers	66.5	67.3	0.9	1.3%
Enplanements	33.2	33.6	0.4	1.3%

Changes in these passenger metrics are important because they are the key revenue drivers for Parking (originating passengers), Concessions (enplanements) and Rental Car (destination passengers) revenues. See further detailed explanations in the DFW Cost Center section.

Revenues Overview

The table below summarizes revenues by cost center and compares the FY 2017 Outlook and the FY 2018 Budget.

Millions	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Revenues				
Airfield Cost Center	$172.4	$195.5	$23.0	13.4%
Terminal Cost Center	303.9	346.7	42.8	14.1%
DFW Cost Center	354.0	356.1	2.1	0.6%
PFCs/CFCs/Other	169.8	160.6	(9.2)	(5.4%)
Total Revenues	$1,000.2	$1,059.0	$58.8	5.9%

FY 2018 Airfield and Terminal Cost Center revenues are higher than the FY 2017 Outlook primarily due to increased landing fees and terminal rentals necessary to recover higher debt service and operating expenses attributable to these cost centers. FY 2018 DFWCC revenues increased from the FY 2017 Outlook primarily due to higher commercial development revenues and interest income.

PFCs)are collected from enplaned revenue passengers and are used to offset debt service on debt issued prior to TRIP. Customer Facility Charges (CFCs) are collected from rental car customers based on the number of transaction days, and are used to pay debt service on the Rental Car Center. Other Revenues relate to funds transferred from the Public Facility Improvement Corporation (PFIC) to pay debt service associated with the Grand Hyatt Hotel and funds transferred from the DFW Capital Account to pay for debt service associated with the Terminal E garage and DFW's headquarters facility. These revenues are lower than the FY 2017 Outlook primarily due a one-time use of incremental PFCs in FY 2017 and the need to maintain a two-month reserve of PFCs.

Capital Programs and Debt Financing

DFW has two capital accounts - the Joint Capital Account, which requires both DFW and airline approval to access funds; and the DFW Capital Account, which DFW may use at its sole discretion. The Joint Capital Account is funded from natural gas royalties, grants, debt proceeds, and interest income on the available cash balances. The DFW Capital Account is funded from net revenues from the DFW Cost Center, grants, debt proceeds (for commercial development) and interest income.

The largest component of DFW's capital program is TRIP, which is funded from the Joint Capital Account. TRIP is currently budgeted at $1.9 billion for Terminals A, B, and E. This excludes $817 million for Terminal C, which is currently on hold at the request of American Airlines. As of April 2017, DFW was 96% contractually committed/spent for Terminals A, B and E, and projects $30.4 million in savings at the end of the program. The Joint Capital Account includes funding for an additional $636 million of projects for which DFW has received airline approval. Additionally, DFW has $239 million of capital projects currently underway and funded from the DFW Capital Account. DFW's capital program is explained in more detail in the Capital section.

Airline Cost Centers



There are two airline cost centers, the Airfield and the Terminal. The airlines pay DFW landing fees to cover the net cost of the airfield, and terminal rents to cover the net cost to operate and maintain the terminals. At the end of each fiscal year, DFW performs a reconciliation or true-up of actual costs paid and revenues received. If there is a variance (i.e., if revenues collected exceed or are lower than the actual cost), then the Airport provides a credit or adds an incremental charge in the following fiscal year to settle the difference. In November 2016, DFW initiated an approximate $9 million rate reduction to adjust the Passenger Facility Charges (PFC's) reserve balance to a two-month balance. This one-time adjustment in the FY 2017 Outlook will not be made in FY 2018.

Airline Cost Walkforward

The following table is a walkforward of airline cost between the FY 2017 Outlook and the FY 2018 Budget.

Airline Cost Walkforward (in Millions)	Total
FY 2017 Adjusted Outlook	$394.3
Debt & Use Agreement Items	
Debt Service	42.9
Passenger Facility Charges (PFCs)	7.8
Joint Capital Contribution	4.0
Total Debt and Use Agreement	54.8
Net Operating Expenses	
Increased Airline Cost Centers O & M	12.5
Increased Other Non-Airline Revenues	(1.8)
Total Net Operating Expenses	10.7
Other Air Service	
Reduced Incentive Program Payments	2.2
Reduced DFW Cost Center Transfer, net*	17.3
Total Other Air Service	19.5
Total Increase	85.0
FY 2018 Budget	$479.3
* net of increased Terminal Contribution	

Summary of Airline Cost

The following table compares the summary of airline cost for the FY 2017 Outlook and the FY 2018 Budget. Payments to the airlines for the Air Service Incentive Program (ASIP) are made from the DFW Capital Account and are accounted as rebates to the airlines. Accordingly, these payments are shown as a reduction of airline cost.

Airline Revenue/Costs (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Landing Fees	$113.9	$155.4	$41.5	36.5%
Terminal Leases	229.7	267.9	38.2	16.6%
FIS Fees	25.3	25.5	0.2	0.6%
Turn Fees & Terminal Office Rents	30.7	33.7	2.9	9.6%
Aircraft Parking	0.3	0.3	0.0	0.0%
Sub-total Airline Revenue/Cost	399.9	482.8	82.8	20.7%
Less: ASIP	(5.6)	(3.4)	2.2	(38.8%)
Total Airline Cost/Revenue post ASIP	$394.3	$479.3	$85.0	21.6%

Airfield Cost Center

The table below compares the FY 2017 Outlook and the FY 2018 Budget for the Airfield Cost Center. Note that revenues equal expenses in this cost center in both periods. Revenue variances to the FY 2017 Outlook are explained below. See the Operating Expenses section for expenditure variances.

Airfield CC (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Revenues				
Landing Fees	$113.9	$155.4	$41.5	36.5%
Transfer from DFW CC	47.6	28.8	(18.8)	(39.4%)
Other	11.0	11.2	0.2	2.2%
Total Revenues	172.4	195.5	23.0	13.4%
Expenditures				
Operating Expenses	86.9	92.3	5.4	6.2%
Net Debt Service	85.5	103.2	17.7	20.6%
Total Expenditures	172.4	195.5	23.0	13.4%
Net Airfield Revenue	$0.0	$0.0	$0.0	n/a

Landing Fee Revenues

The FY 2018 landing fees budget is $155.4 million, an increase of $41.5 million (36.5%) from the FY 2017 Outlook due to the increases in operating expenses and debt service charged to the airfield and a decrease in the revenue sharing from the DFW Cost Center. The increase in debt service is primarily the result of the issuance of the 2016A Bonds which has accelerated principal payments.

Other Airfield Revenues

Other airfield revenues include threshold adjustments transferred from the DFW Cost Center, Corporate Aviation (CA) fees, Department of Public Safety (DPS) revenues and airline consortium rent for lease of the fuel farm. The airlines have formed a fuel consortium to operate and maintain the fuel farm. See the DFW Cost Center section for variance explanations.

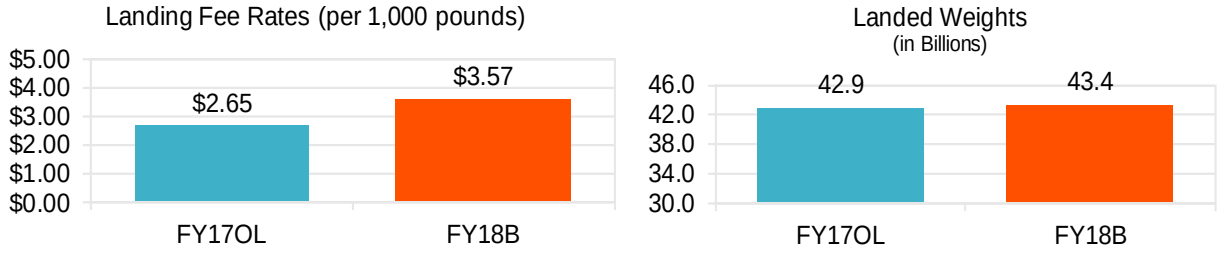
The Airfield is a residual cost center with landing fees as the balancer. The following table compares Airfield Cost Center revenues and expenditures for the FY 2017 Outlook and the FY 2018 Budget showing the landing fee revenues necessary to cover budgeted net airfield costs.

Airfield CC (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Expenditures				
Operating Expenses	$86.9	$92.3	$5.4	6.2%
Net Debt Service	85.5	103.2	17.7	20.6%
Total Expenditures	172.4	195.5	23.0	13.4%
Revenues				
Aircraft Parking	0.3	0.3	0.0	0.0%
Corporate Aviation	2.1	2.3	0.2	9.3%
Fuel Facility	5.6	5.7	0.0	0.7%
DPS	3.0	3.0	0.0	0.5%
Other	(0.0)	(0.0)	0.0	(2.3%)
Transfer from DFW Cost Center	47.6	28.8	(18.8)	(39.4%)
Revenues before Landing Fees	58.6	40.1	(18.5)	(31.6%)
Landing Fees	$113.9	$155.4	$41.5	36.5%

Landing Fees and Landed Weights

The following charts compare landing fees and landed weights for the FY 2017 Outlook and the FY 2018 Budget. The landing fee rate is assessed per 1,000 pounds of maximum approved landed weight for each specific aircraft as certified by the FAA. Changes in landed weights will not affect total landing fees because DFW must charge the airlines collectively for the cost to operate the airfield. Thus, an increase in landed weights will lower the average landing fee rate and a decrease in landed weights will cause the landing fee rate to increase.

Signatory landing fees are budgeted at $3.57 in FY 2018, a $0.92 (34.7%) increase from the FY 2017 Outlook. This will generate sufficient revenue to pay for budgeted airfield costs. Per the Use Agreement, non-signatory airlines are assessed a rate that is 25% greater than signatory airlines. Non-signatory landed weights are only 2.2% of total weights in FY 2018.



Cargo

DFW is recognized by the industry as one of the top cargo airports in the world. The Airport's prime location allows assorted cargo to reach millions of U.S. customers by road, while also reaching several continents by plane in a matter of hours. Ninety eight percent of the Continental U.S. population can be reached via truck within 48 hours from DFW Airport. Approximately 10.5% of all landing fees are budgeted to come from cargo aircraft for the FY 2018 Budget.



Terminal Cost Center

The table below compares the FY 2017 Outlook and the FY 2018 Budget for the Terminal Cost Center. Note that revenues equal expenses in this cost center in both periods. Revenue variances between the FY 2018 Budget and the FY 2017 Outlook are explained below. See the Operating Expense section for expenditure variations.

Terminal CC (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Revenues				
Operating Revenue				
Terminal Leases	$229.7	$267.9	$38.2	16.6%
FIS Fees	25.3	25.5	0.2	0.6%
Turn Fees & Office Rents	30.7	33.7	2.9	9.6%
Other	18.2	19.7	1.5	8.5%
Total Operating Revenue	303.9	346.7	42.8	14.1%
Transfers				
DFW Terminal Contribution	1.7	3.1	1.4	83.9%
Joint Capital Transfer	4.0	0.0	(4.0)	
Total Transfers	5.7	3.1	(2.6)	(45.6%)
Total Revenues	309.6	349.8	40.3	13.0%
Expenditures				
Operating Expenses	196.6	203.8	7.2	3.6%
Net Debt Service	112.9	146.0	33.1	29.3%
Total Expenditures	309.6	349.8	40.3	13.0%
Net Terminal Revenue	$0.0	$0.0	$0.0	n/a



The Terminal is a residual cost center with terminal leases as the balancer. The following table compares Terminal Cost Center revenues and expenditures for the FY 2017 Outlook and the FY 2018 Budget showing the terminal lease revenues necessary to cover budgeted net terminal costs.

Terminal CC (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Expenditures				
Operating Expenses	$196.6	$203.8	$7.2	3.6%
Net Debt Service	112.9	146.0	33.1	29.3%
Total Expenditures	309.6	349.8	40.3	13.0%
Revenues				
Operating Revenue				
FIS Fees	25.3	25.5	0.2	0.6%
Turn Fees & Office Rents	30.7	33.7	2.9	9.6%
Other	18.2	19.7	1.5	8.5%
Operating Revenues	74.2	78.8	4.6	6.3%
Transfers				
DFW Terminal Contribution	1.7	3.1	1.4	83.9%
Joint Capital Transfer	4.0	0.0	(4.0)	
Total Transfers	5.7	3.1	(2.6)	(45.6%)
Revenues before Leases	79.9	81.9	2.1	2.6%
Terminal Leases Needed	$229.7	$267.9	$38.2	16.6%

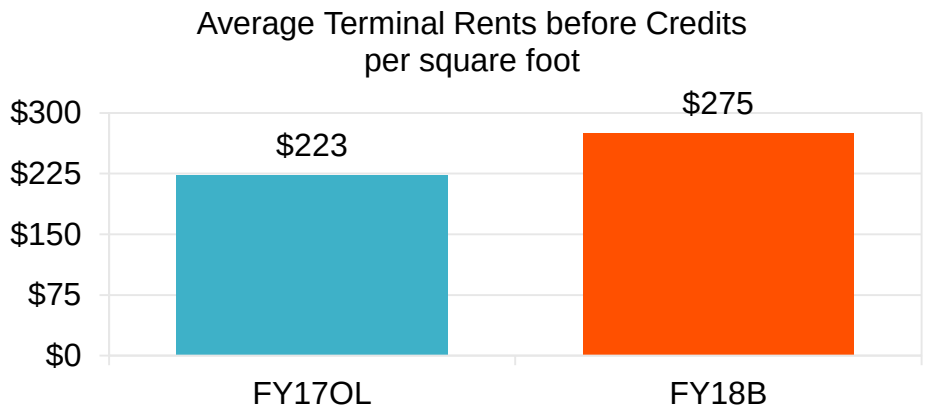
Terminal Leases



The FY 2018 Terminal Lease budget is $267.9 million, a $38.2 million (16.6%) increase from the FY 2017 Outlook due primarily to increases in net debt service charged to the terminals, operating costs and the phase out of the Joint Capital Transfer. The increase in debt service is the result of TRIP and the issuance of 2016A Bonds with accelerated principal. Terminal lease fees are charged to airlines based on the direct and allocated costs to operate the terminals. Total terminal operations, maintenance and debt service costs, including utilities for the five terminals, are divided by leasable square feet to calculate an average lease rate per square foot. American Airlines pays directly for the maintenance costs of Terminals A and C. These costs are added into the numerator of this formula to derive the fully loaded average rate. American Airlines receives rent credit for their costs. The amount of the rent credit was negotiated as part of the Use Agreement ($39.8 million in FY 2018).

Average Terminal Rents before Credits

The following chart compares average terminal rents before credits for the FY 2017 Outlook and the FY 2018 Budget. The increase in the FY 2018 Budget compared to the FY 2017 Outlook is due to increases in net debt service charged to the terminals, increases in operating costs and the phase out of the $4 million transfer credit from the Joint Capital Account compared to FY 2017 as described in the Use Agreement. FY 2017 is the last year of this credit.



Federal Inspection Services (FIS) Fees

Costs are allocated to the FIS based on its percent share of terminal square footage. The FIS budget for FY 2018 is $25.5 million, a $0.2 million (0.6%) increase from the FY 2017 Outlook. The FY 2018 rate is based upon terminal costs excluding new debt service. The rate for FIS per international passenger clearing customs at DFW is budgeted at $6.72. DFW expects 3.8 million International FIS passengers in FY 2018 compared to 3.6 million in FY 2017. FIS passengers do not include arriving passengers from a limited number of countries in which passengers clear U. S. Customs in the departing country (e.g., Canada and Abu Dhabi).

Turn Fees and Office Rents

Turn fees are paid by airlines for common use gates in Terminals D and E in lieu of permanently renting space. Per the terms of the Use Agreement, turn fee rates must change at the same percentage as terminal lease rates. The turn fees and office rents budget for FY 2018 is $33.7 million, a $2.9 million (9.6%) increase from the FY 2017 Outlook.

Other Terminal Revenues

Other terminal revenues include TSA rents, concessions O & M reimbursements, catering fees and allocable miscellaneous DPS revenues. Concessionaires are required to reimburse the Airport (for Terminals B, D and E) and American Airlines (for Terminals A and C) for the allocated maintenance cost per square foot of the terminals. The other terminal revenues budget for FY 2018 is $19.7 million, a $1.5 million (8.5%) increase from the FY 2017 Outlook primarily due to increases in catering fees and concessions O&M reimbursements.

Transfers - Joint Capital Account Transfer

Per the terms of the Use Agreement, an annual transfer is made from the Joint Capital Account to the Terminal Cost Center to subsidize terminal rates. The annual transfer of $28 million in FY 2011 was reduced by $4 million each year until it phased out completely in FY 2017.

Transfers - DFW Terminal Contribution



Per the terms of the Use Agreement, DFW pays for a portion of the terminal cost. This amount is based on DFW's proportionate share of expenses for common use and vacant space in the terminals. From a cost center standpoint, this contribution is shown as a source of cash in the Terminal Cost Center and a use of cash for the DFW Cost Center. DFW can reduce its contribution to the Terminal Cost Center by leasing more space to other airlines or tenants, increasing common use turn fees and by reducing costs in the terminals. The DFW terminal contribution is $3.1 million, a $1.4 million (83.9%) increase from the FY 2017 Outlook primarily due to net debt service offset by increased common use turn fees.

Cost Per Enplanement (CPE) Calculation

The following table shows the passenger airline cost per enplanement calculation and compares the CPE for the FY 2017 Outlook and the FY 2018 Budget. This KPI only includes passenger-related airline revenues (i.e., costs) and excludes cargo and general aviation revenues.

Cost Per Enplanement (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Enplanements [1]	33.2	33.6	0.4	1.3%
Passenger Airline Cost per Enplanement				
Airline Cost/Revenue	$399.9	$482.8	$82.8	20.7%
Less: Cargo	(10.4)	(16.3)	(5.9)	56.8%
Sub-total PAX Airline Revenue	389.6	466.5	77.0	19.8%
Less: ASIP - Passenger Airlines	(5.6)	(3.4)	2.2	(38.8%)
Total PAX Airline Revenue post ASIP	384.0	463.1	79.1	20.6%
Cost per Enplanement (CPE) [2]	$11.57	$13.77	$2.20	19.1%

[1] General Aviation enplanements are excluded from CPE calculation

[2] Actual rates, not in millions

DFW Cost Center

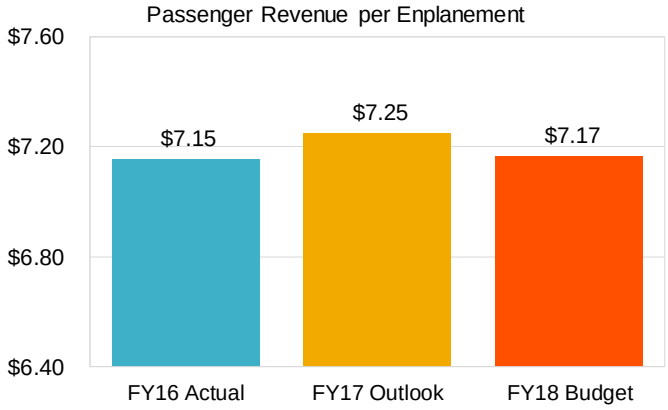
The table below compares the FY 2017 Outlook and the FY 2018 Budget for the DFW Cost Center. DFW Cost Center Net Revenues are shared between the airlines (to lower landing fees) and DFW Capital Account at the end of the fiscal year. For FY 2018, 75% of net revenues in excess of the "upper threshold" of $66.4 million are transferred to the Airfield Cost Center as a "threshold adjustment". Thus the net reduction in net revenues transferred to the DFW Capital Account is projected to be $76 million, $4.8 million (6%) less than in FY 2017.

DFW Cost Center (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Revenues				
Parking	$161.6	$164.3	$2.7	1.7%
Concessions	65.9	66.6	0.7	1.1%
Advertising	15.5	13.6	(1.9)	(12.3%)
Rental Car (RAC)	33.3	33.2	(0.1)	(0.3%)
Commercial Development	43.1	44.4	1.4	3.2%
Subtotal	319.3	322.1	2.8	0.9%
Employee Transportation	17.6	16.9	(0.7)	(4.0%)
Utilities & Miscellaneous	8.1	7.3	(0.8)	(9.4%)
DPS	1.5	1.5	0.0	0.5%
Interest Income	7.6	8.3	0.8	10.2%
Total Revenues	354.0	356.1	2.1	0.6%
Expenditures				
Operating Expenses	128.5	141.0	12.6	9.8%
Net Debt Service	54.8	65.9	11.1	20.3%
Total Expenditures and Debt Service	183.2	206.9	23.7	12.9%
Gross Margin - DFW Cost Center	170.8	149.3	(21.6)	(12.6%)
Less: Terminal Contribution	1.7	3.1	1.4	83.9%
Less: Skylink	40.7	41.4	0.6	1.5%
DFW Cost Center Net Revenues	128.4	104.8	(23.6)	(18.4%)
Transfer to Airfield Cost Center*	47.6	28.8	(18.8)	(39.4%)
Amount to DFW Capital Account	$80.8	$76.0	($4.8)	(6.0%)

* Threshold Adjustment

Revenue variances are explained in the rest of this section. Expenditure variances are covered in the Operating Expenses section.

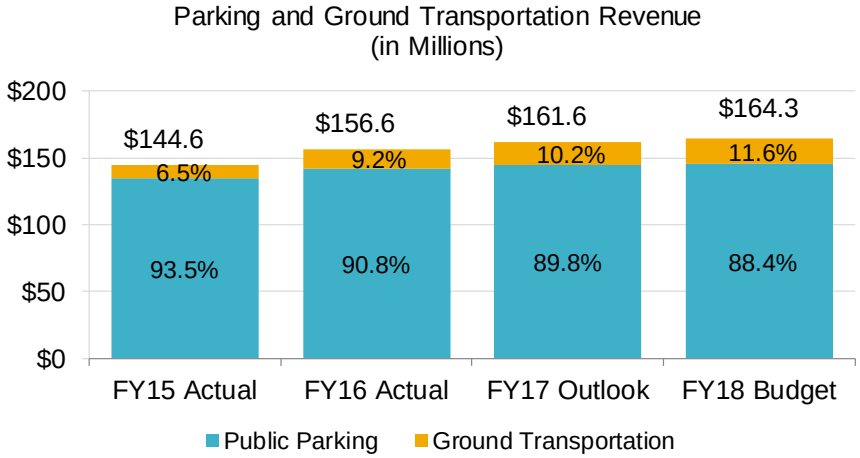
Passenger Revenues



DFW Cost Center has four business units that strive to maximize net revenues (Parking, Concessions, Rental Car Center and Commercial Development). Passenger Revenue per Enplanement measures passenger related revenues from business units that operate to make a profit (i.e. Parking, Concessions, Rental Car) but excludes revenue from other business units that are priced to break even (such as Employee Transportation and non-terminal utilities) and Commercial Development that is not correlated to passengers. The chart to the right compares Passenger Revenue per Enplanement. The FY 2018 Budget is $0.08 lower than the FY 2017 Outlook because of lower parking revenue with growing passengers.

Parking Business Unit

Beginning in FY 2017, DFW began to combine parking and ground transportation revenues into one revenue category to be consistent with FAA reporting and to reflect the fact that the two are very closely aligned. To get to the airport, originating passengers have the choice to park at the airport, get dropped off at the airport, or to take a taxi, limo or services provided by transportation network companies (TNCs), such as Uber and Lyft. The following table shows the composition of parking and ground transportation revenues.



Parking Background – Parking is DFW's most significant source of non-airline revenue. Customers are charged parking fees based on the length of stay and the parking product used. The table on the following page highlights DFW's parking products, spaces and parking rates. Ground transportation fees are paid by taxis, limos, TNCs and other shared-ride transportation companies that require airport access to drop-off and pick-up passengers. DFW also collects a

privilege fee of 10% (of sales) from off-airport parking and valet providers. The Airport contracts directly with a third party to provide a DFW branded valet service.

DFW Parking Space and Rate Summary

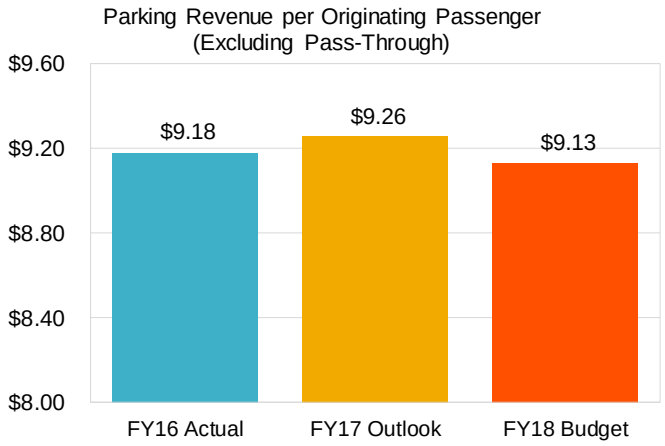
Parking Product	Available Space	Daily Parking Rate
Terminal	30,493	$24 all day parking
Express Lots	7,669	$12 uncovered; $15 covered
Remote	4,871	$10 uncovered
Intra-day	n/a	$9 to $10 (up to 6 hours)
Valet	n/a	$31 (uses existing parking facilities)
Meeter-Greeter	n/a	$3 (30 minutes-2 hours)
Drop-Off	n/a	$2 (8-30 minutes)
Pass-Throughs	n/a	$4 (0-8 minutes)
Taxi, Limos, TNCs	n/a	$4 (up to 2 hours)

Over the past few years, DFW has made substantial investments in new parking garages, systems and improvements. By the end of FY 2018, DFW will have spent over $470 million on such investments. These investments include new garages for Terminals A and E, a Parking Control System, new parking plazas, a new Parking Guidance System in Terminals A, D, and E and the expanded Express lots. These investments require an annual debt service of almost $31 million annually. The annual operating costs on the new parking control system and new parking guidance system will be $2.2 million in FY 2018.

FY 2018 Budget – The FY 2018 parking revenue budget is $164.3 million, an increase of $2.7 million (1.7%) from the FY 2017 Outlook due to the anticipated growth of TNCs. The FY 2018 Budget has an exposure of $2 million due to potential impact on DFW's other parking products that could result from TNC growth over what has been budgeted.

Parking Revenue per Originating Passenger

The primary drivers for parking revenues are originating passengers, parking prices, and average length of stay. The goal is to maximize revenue per originating passenger. The decrease in parking revenue per originating passenger for the FY 2018 Budget versus the FY 2017 Outlook is due to customers choice of parking product and shorter lengths of stay.



Concessions Business Unit

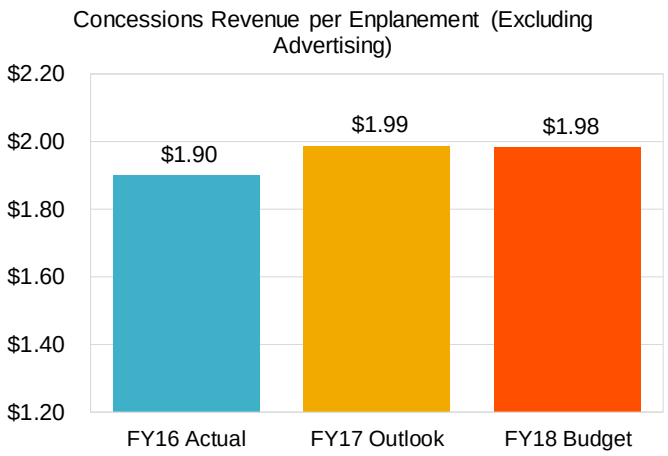


Background – Terminal concessions consist of food and beverage, retail and duty free, advertising, and various customer services/amenities. Concessions agreements consist of leases or contracts that range from 5 to 10 years and include a minimum annual guarantee and percentage rent. Concessions also issues short term permits for kiosks and storage location. As of May 31, 2017, the Airport had 208 total locations and 85% are currently paying percentage rent. Concessions revenues also include contracts for sponsorships, advertising and communications services which generally have periodic or one-time payments that may be amortized over the life of the contract. Concessions' goal is to optimize retail, services, and food and beverage options for customers to increase revenue per enplanement; and to grow new revenue streams from sponsorships, communications and advertising not tied directly to enplanements.

Concession offerings have continued to evolve to better align with customer preferences through the TRIP and Terminal D Master Plan efforts. In February 2017, DFW awarded a new contract for ATM's. DFW plans to release Requests For Proposals (RFPs) annually through 2018, which will include lounges, retails, and food and beverage, to ensure new offerings and a proper mixture of products to passengers.

FY 2018 Budget – The FY 2018 concessions budget is $80.2 million, a $1.2 million (1.5%) decrease from the FY 2017 Outlook due to a change in advertising contracts, net of an increase in enplanements. Construction in Terminal D and airline terminal utilization may impact FY 2018 revenues. There is an estimated $1 million of exposure.

Concessions Revenue per Enplanement – This is the Concession Business Unit's most significant KPI because it measures the amount of revenue earned by DFW from terminal concessions per enplaned passengers. This is also a standard metric used by the airport industry. The decrease in concessions revenue per enplanement in FY 2018 as compared to the FY 2017 Outlook is primarily due to slower revenue growth from delay in the opening of new concepts in Terminals C, D, and airline utilization of different terminals and faster passenger growth.



Rental Car Center (RAC) Business Unit

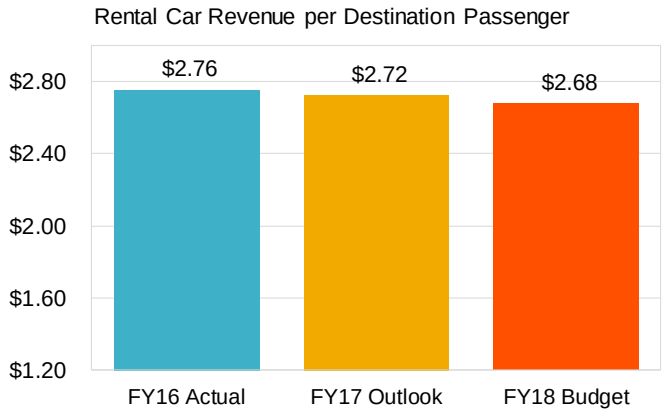


Background – The RAC covers 155 acres and includes a common building with individual counters and back office space for each rental car company. The facility also includes a parking garage for ready and return car spaces, a bus maintenance facility, overflow surface parking areas and individual rental company service sites including car wash racks, maintenance bays and fueling systems. The Airport collects ground lease, percentage rent (10% of sales), and O&M expenses from the rental car companies. The ground lease rate increases 3% each year. There are 5 rental car companies in the consolidated rental car facility with 13 brands operating from the RAC, providing a total available inventory of approximately 25,000 cars. The largest 3 rental car companies and their market share are Enterprise/Vanguard (35%), Avis/Budget/Payless/Zipcar (29%) and Hertz (29%). New rental car alternatives, such as TNCs (Uber and Lyft) and ridesharing from personal/fleet cars, could become a threat to the rental car business at DFW Airport.

DFW management has very little control over rental car company activities. It assists the RAC companies where possible and maintains the RAC facility to high standards. Most RAC patrons are business travelers. RAC sales and DFW revenues tend to follow the economy. RAC revenues can rise or fall based on the number of DFW destination passengers, the percentage of destination passengers renting cars, the average stay per renter, and the average daily price charged for the cars.

FY 2018 Budget – The FY 2018 rental car revenue budget is $33.2 million which is flat to the FY 2017 Outlook. All other factors are assumed to stay constant with the FY 2017 Outlook because management has no control over these factors. There is an estimated $1 million of exposure due to various market factors, such as off-airport shared ride options and TNCs.

RAC Revenues per Destination Passenger This KPI measures the amount of percentage rent paid by the rental car companies to DFW divided by destination passengers (i.e. passengers from other cities that fly to DFW for business or pleasure). The FY 2018 Budget for RAC revenues per destination passenger is projected to be lower than the FY 2017 Outlook primarily due to a lower daily rate assumption and other market factors due partially to the competitive impact from TNCs.



Commercial Development Business Unit



Background – The Airport has a total land mass of 17,207 acres. As of June 1, 2017, 2,233 acres have been commercially developed. Management estimates that approximately 4,146 acres of additional land is available for future development. A commercial development land use plan has been completed and approved by the Board. The Airport focuses primarily on developing land that has airport synergy such as logistics and warehousing.

Commercial development revenues include ground leases, foreign trade zone tariff and facility rents generated from non-terminal Airport facilities, and property and surface use fees primarily from natural gas drilling. Multi-year lease agreements are negotiated with tenants on a square foot or acre basis. Some facilities such as the Hyatt Regency Hotel and Bear Creek Golf Course also have percentage rent components.

Industrial space demand has been consistent in the northern part of the airport specifically in the Coppell Industrial, International Commerce Park and Northwest Logistics areas. Current construction in mixed-use developments close to Main Street and Highway 114 includes automobile dealerships. The airport is increasingly focused on the southern region in response to market driven space demand, particularly the Passport Park, Bear Creek and Walnut Hill areas.

The key drivers for commercial development revenues are acres developed and the average ground rental rate. Approximately 62% of the ground lease revenue is based on negotiated rates and 38% on the airport services ground rental rate which are primarily older leases that have airfield access. The airport services ground rental rate per acre changes with inflation and will be $27,653 in FY 2018.

FY 2018 Budget – The FY 2018 commercial development revenue budget is $44.4 million, a $1.4 million (3.2%) increase from the FY 2017 Outlook primarily due to lease rate increases.

Other DFW Revenues and Expenses

The fees charged in this category are established to recover costs (except interest income).

Employee Transportation – DFW charges fees for employees to access the transportation system that takes employees from the employee parking lots to the terminals. For most employees, the employer (airlines, concessionaires) pays these fees for their employees. The FY 2018 Budget is $16.9 million, a $0.7 million (4.0%) decrease from the FY 2017 Outlook due to a rate reduction due to lower cost to provide the service per employee.

Utilities & Miscellaneous – This revenue category represents fees charged to non-airline users of utilities, HVAC, trash removal, water, and certain permit and accounting fees. Utility charges to users are based on the cost to provide the services. The FY 2018 Budget is $7.3 million, a $0.8 million (9.5%) decrease from the FY 2017 Outlook primarily due to permit fees.

DPS Revenues – The Department of Public Safety (DPS) receives reimbursements from the TSA, badging, fire training and other services. The FY 2018 Budget is $7.3 million, flat to the FY 2017 Outlook. There is a $1.3 million exposure in Law Enforcement Officer (LEO) Program due to proposed reductions in funding from the Federal government.

Interest Income – Interest income includes interest earned on investments from the Operating Revenue and Expense Fund, the three-month Operating Reserve, and Debt Service Reserve Fund and the Rolling Coverage Account. The FY 2018 interest income budget is $8.3 million, a $0.8 million (10.2%) increase from the FY 2017 Outlook due to higher assumed interest rates and higher reserve balances.

Skylink – Expenses related to Skylink are covered in the DFW Cost Center so that bonds related to Skylink can remain non-AMT which lowers interest rate. The FY 2018 Budget is $41.4 million, a $0.6 million (1.5%) increase from the FY 2017 Outlook primarily due to debt and indirect cost allocation offset by lower bridge inspections that occur in alternating years.

Terminal Contributions – Per the terms of the Use Agreement, DFW pays terminal costs based on common use space and its share of vacant leasable space. The FY 2018 Budget is $3.1 million, a $1.4 million (83.9%) increase from the FY 2017 Outlook due to higher costs per square feet in the terminals.



FY 2018 Expense Budget by Major Cost Driver

The FY 2018 Budget is $954.2 million, an increase from the FY 2017 Budget of $64.4 million (7.2%) and an increase of $78.4 million (9.0%) from the FY 2017 Outlook.

Annual Budget (in Millions)	FY17 Budget	FY17 Outlook	FY18 Budget	FY18B v FY17B Inc (Dec) Amount	FY18B v FY17B Inc (Dec) Percent	FY18B v FY17OL Inc (Dec) Amount	FY18B v FY17OL Inc (Dec) Percent
Operating Expenses	$459.3	$446.6	$471.1	$11.8	2.6%	$24.5	5.5%
Gross Debt Service	430.4	429.1	483.1	52.6	12.2%	53.9	12.6%
Total 102 Expenditures Budget	$889.7	$875.8	$954.2	$64.4	7.2%	$78.4	9.0%
Contingency O/S Rate Base			10.0				
Total Budget w/Contingency			$964.2				

Operating Expense Budget Walkforward

The following tables are walkforwards between the FY 2017 Outlook and the FY 2018 Budget:

Operating Expenses (in Millions)	Total	DFW	Airline
FY 2017 Outlook	$446.6	$163.1	$283.5
Budget reductions	(8.6)	(1.7)	(6.8)
Customer experience	2.5	0.3	2.2
Safe and secure	1.8	0.5	1.3
Salary annualization and merit pool	10.7	4.6	6.1
Fixed contract increases	9.0	2.8	6.2
Restore CEO contingency and other items	6.6	1.7	4.9
Other increases, net	2.5	3.8	(1.4)
Net increase	24.5	11.9	12.5
FY 2018 Budget	$471.1	$175.0	$296.1

Detailed Operating Expense Budget Walkforward

	Budget Category (in Millions)	Total	DFW	Airline
	FY 2017 Outlook	$446.6	$163.1	$283.5
A.	Budget reductions	(8.6)	(1.7)	(6.8)
B.	Customer experience			
	Custodial	2.2	0.3	1.8
	Passenger services	0.3	0.0	0.3
	Total customer experience	2.5	0.3	2.2
C.	Safe and secure			
	DPS security	1.1	0.2	0.8
	ITS security/disaster recovery	0.7	0.2	0.5
	Total safe and secure	1.8	0.5	1.3
D.	Salary annualization and merit pool			
	Salary annualization	7.4	3.5	3.9
	Non DPS - merit	2.1	0.8	1.2
	DPS security - merit and tenure progression	1.2	0.3	1.0
	Total salary annualization and merit pool	10.7	4.6	6.1
E.	Fixed contract increases			
	Facility maintenance	3.4	0.0	3.3
	Technology	2.6	1.0	1.6
	Healthcare	2.1	0.9	1.1
	Terminal Link bussing contracts	0.8	0.8	0.0
	Insurance premiums	0.2	0.1	0.1
	Total fixed contract increases	9.0	2.8	6.2
F.	Restore budgets			
	CEO contingency	4.0	1.4	2.6
	Other maintenance contracts	1.4	0.2	1.2
	Winter weather	1.2	0.1	1.1
	Total restore budgets	6.6	1.7	4.9
G.	Other increases			
	Facility maintenance & janitorial supplies	1.6	1.1	0.5
	Marketing	0.5	0.4	0.1
	Capitalization	0.5	0.1	0.4
	Availability, Disparity and Economic study	0.3	0.1	0.2
	Terminal contribution, cost center shift	0.0	1.4	(1.4)
	Other, net	(0.4)	0.6	(1.1)
	Total other increases	2.5	3.8	(1.4)
	Net increase	24.5	11.9	12.5
	FY 2018 Budget	$471.1	$175.0	$296.1

Note: The reference letters in the previous table are cross-referenced to the variance explanations in the Expense Comparison by Summary Account explained further in this section.

A. Budget reductions **($8.6) million**

Budget reductions related to FY 2017 non-recurring, reimbursable and various other savings have been removed from the FY 2018 Budget.

- FY 2017 one-time projects ($2.5 million) were eliminated from the FY 2018 Budget. These projects were completed in FY 2017 and are non-recurring.
- Customs and Border Protection (CBP) reimbursement ($1.5 million).
- Supplies ($1.2 million) include miscellaneous maintenance and operating, computer software and general supplies.
- Marketing and rebranding ($0.9 million) due to completion of the rebranding effort.
- Other reductions ($2.5 million) are from a variety of projects, contracts and utilities.

B. Customer experience **$2.5 million**

The budget reflects the Airport's continued emphasis to invest in strategic priorities. Customer experience includes increases in contractual requirements for Terminals B and E custodial operations ($2.2 million), wheelchair assistance for Terminal D ($0.2 million) and an expansion of electrical seating contract for all terminals ($0.2 million). Management believes these changes will continue to keep DFW near the top of its competitive set for customer survey scores.



C. Safe and secure **$1.8 million**

Another important strategic priority is safe and secure. The Department of Public Safety budget includes six new officers to provide increased security presence in the terminals and to staff vendor dock screening at Terminals A and E, plus two additional positions to support new TSA initiatives ($1.1 million). The dock screening will allow concessionaires to bring in product downstairs, rather than through TSA lanes upstairs, which will improve passenger throughput. The budget also includes the addition of new ITS software and professional services that will enhance ITS security ($0.7 million).



D. Salary annualization and merit pool **$10.7 million**

In FY 2017, management intentionally held many positions open. The FY 2018 Budget assumes that these positions will be filled; although the assumed hire dates have been staggered throughout the fiscal year. Salary annualization accounts for $7.4 million of this increase. The budget also includes a 3.2% merit pool for nine months in FY 2018 (beginning the first pay period in January), the annualization of last year's merit increase (for the first quarter of the fiscal year), and a 3.2% DPS STEP table increase ($2.6 million) and DPS tenure step progression ($0.7 million).



E. Fixed contract increases **$9.0 million**

Contract increases in this category are fixed in nature due to, for example, annualization of partial year contracts from FY 2017, contracts with cost escalation and airline requests for new services and insurance premiums.



- Facility maintenance contracts ($3.4 million) include annualization of contracts related to baggage handling systems in Terminals B and E which were outsourced for a part of FY 2017, plus conveyances and other terminal facility maintenance contracts.
- Technology ($2.6 million) includes increased scope for automated access control, shoulder mounted cameras for DPS, ramp sign maintenance, incremental full year impact of new contracts and first year maintenance contracts on various new software systems placed in service, such as TSA managed screening lanes, ACMS software maintenance and parking yield management system.



- Healthcare costs are projected to increase 5% in FY 2018. The budget has been increased a total of $2.1 million for medical costs, long and short-term disability, life insurance plus the amount necessary to cover annualization of currently open positions that will be hired in FY 2018.
- Terminal Link bussing contracts ($0.8 million) primarily due to the impact of a full year of the new Terminal Link contract.
- Insurance premiums ($0.2 million) are increasing due to increased property values due to TRIP and new buildings.

F. Restore budgets **$6.6 million**

This category reflects increases for operating expenses being restored to FY 2017 Budget levels in the following areas:



- Restore CEO contingency ($4.0 million). CEO contingency is included in the rate base and may be used by the CEO without Board approval. Total requested contingency for FY 2018 is $4 million. Over the past eleven years, budgeted CEO contingency has ranged from $7.5 million to $1.75 million. The entire CEO contingency was utilized in FY 2017.
- Restore other maintenance contracts ($1.4 million) for landscaping, Infor training, perimeter fence repair, studies related to drainage and Terminal E satellite electrical, and other miscellaneous contracts related to fleet, energy, and heavy equipment repairs.
- Restore winter weather budgets ($1.2 million). FY 2017 was an extremely mild winter in the DFW area so these costs are not included in the Outlook. The FY 2018 Budget

restores deicing contract, winter weather and deicing supplies and equipment to slightly under FY 2017 Budget levels.

G. Other increases **$2.5 million**

Other increases include expenses that are non-recurring or variable in nature.

- Facility maintenance and janitorial supplies ($1.6 million) include pavement materials and supplies and reverse osmosis filters.
- Marketing ($0.5 million) for the new parking on-line booking/yield management system that will become operational early in FY 2018. This new system will allow customers to prepay for their parking at discount rates.
- Capitalization ($0.5 million) relates to costs no longer eligible for capitalization because of the TRIP completion and lower capitalization of ITS staff costs for capital projects.
- An Availability, Disparity and Economics Study ($0.3 million) is required to be completed every 5-10 years per federal guidelines. This study will be initiated in FY 2018 and completed in FY 2019.
- Other, net decrease ($0.4 million) includes the change in operating reserve offset by ITS consulting, other contract increases and one-time expense.

Operating Budget by Category

The table below compares the FY 2017 Outlook with the FY 2018 Budget by expense category. Variance explanations by major cost driver follow in the walkforward.

Annual Budget (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Salaries & Wages	$140.4	$150.0	$9.6	6.9%
Benefits	69.0	72.6	3.6	5.2%
Contract Services	166.2	174.2	8.0	4.8%
Utilities	26.2	25.6	(0.6)	(2.1%)
Equipment & Supplies	18.6	20.2	1.6	8.7%
Insurance	5.7	5.9	0.2	2.8%
Fuels	4.0	4.4	0.4	10.0%
General, Admin & Other	8.8	9.5	0.6	7.0%
Contingency*	0.0	4.0	4.0	0.0%
Subtotal	439.0	466.5	27.5	5.9%
Change in Operating Reserve	7.7	4.6	(3.0)	(65.6%)
Total Budget	$446.6	$471.1	$24.5	5.2%

* FY17 budgeted contingency of $4 million has been reallocated to the budget categories in which it was used.

Salaries and Wages



The FY 2018 salaries and wages budget is $150.0 million, a $9.6 million (6.9%) increase from the FY 2017 Outlook of $140.4 million due to annualization of unfilled positions planned to be hired, and 3 months of the FY 2017 merit ($6.3 million), a 3.2% merit pool and a 3.2% DPS STEP table increase ($2.6 million), DPS tenure step progression ($0.7 million), 8 new DPS positions ($0.8 million), and reduced capitalization ($0.5), offset by the deferral of vacant positions ($0.9 million) and overtime reduction ($0.4 million). The hiring of new and vacant positions has been staggered throughout FY 2018 based upon operational needs and strategic priority.

Benefits

The FY 2018 benefits budget is $72.5 million, a $3.6 million (5.2%) increase from the FY 2017 Outlook of $69.0 million. This is primarily the result of increases in healthcare costs (5%, approximately $1.3 million), benefits for new positions ($0.2 million) and annualization of benefits for unfilled and new positions to be hired in FY 2018 ($2.1 million).

Contract Services



The FY 2018 contract services budget is $174.2 million, a $8.0 million (4.8%) increase from the FY 2017 Outlook of $166.2 million due to restoring winter weather deicing contracts and other delayed spending in FY 2017 ($2.0 million); increases in customer experience for custodial contracts, wheelchair assistance, foreign language concierge and other customer experience improvements ($2.1 million); computer systems for security/disaster

recovery, fixed and variable contracts for hardware, software and maintenance ($3.8 million); enterprise contract for Terminals B and E baggage handling systems, mechanical, electrical, and plumbing services (MEPS), and conveyances ($3.2 million); contract reimbursable from capital fund due to TRIP completion ($1.1 million); contract labor in Parking to manage the new taxi overflow lot and curbside traffic ($0.5 million); and bussing costs for the new Terminal Link contract ($0.9 million). These increases are offset by one-time project savings ($2.7 million); legal contracts savings ($1.4 million); and Customs and Border Protection (CBP) reimbursement savings ($1.5 million).

Utilities

The FY 2018 utilities budget is $25.6 million, a $0.6 million (2.1%) decrease from the FY 2017 Outlook of $26.2 million. Decreases in electricity ($0.5 million), and communications costs ($0.5 million) were offset by increases in sanitary sewer and solid waste ($0.3 million) and water ($0.1 million). To lower energy rates DFW recently locked in favorable electric commodity rates through February FY 2020.

Equipment and Supplies

The FY 2018 equipment and supplies budget is $20.2 million, a $1.6 million (8.7%) increase from the FY 2017 Outlook of $18.6 million primarily due to increases related to the winter weather ($1.0 million) for deicing, winter weather supplies and equipment, pavement repair supplies ($0.9 million), reverse osmosis filters ($0.6 million), and DPS uniforms/equipment ($0.2 million), offset by reduction in facility maintenance supplies ($0.7 million), boarding bridges parts ($0.3 million) and janitorial supplies ($0.1 million).



Insurance

The FY 2018 insurance budget is $5.9 million, a $0.2 million (2.8%) increase from the FY 2017 Outlook of $5.7 million primarily due to increased premiums based on claims experience and the value of DFW's assets primarily due to TRIP improvements.

Fuels

The FY 2017 fuels budget is $4.4 million, a $0.4 million (10.0%) increase from the FY 2017 Outlook of $4.0 million due to increased fuel utilization for additional fleet for DPS and Parking.

General and Administrative (G&A)

The FY 2018 general and administrative budget is $9.5 million, a $0.6 million (7.0%) increase from the FY 2017 Outlook of $8.8 million due to increased business development ($0.2 million), board memberships and sponsorships ($0.1 million), staff training ($0.1 million) primarily related to new ITS systems, DPS, and Customer Experience, and other net increases ($0.2 million) such as fingerprinting, postage and other miscellaneous administrative expenses.

Contingency

The FY 2018 Budget includes $4.0 million of contingency inside the rate base to be spent at the CEO's discretion for projects and unforeseen events that come up during the fiscal year. The

FY 2017 Budget included $4.0 million for contingency. Over the last eleven years, the CEO contingency has ranged from $7.5 million to $1.75 million.

Operating Reserve

DFW is required to have a 90-day cash reserve for operating expenses. The FY 2018 Change in Operating Reserve budget of $4.6 million is the amount necessary to fund the reserve. This is a $3.0 million reduction from the FY 2017 Outlook.

Contingency Outside of Rate Base

Beginning in FY 2010, DFW began to add contingency outside of the rate base to the budget. This is done so that the airlines do not have to pay for the contingency during the year in the rate base, but provides management with flexibility should costs rise unexpectedly and as an incentive to budget costs more accurately. This also allows management to make investments in the DFW cost center or to pursue marketing initiatives if incremental revenues are generated. Management must obtain Board of Directors' approval prior to using this contingency. Contingency outside the rate base is recommended to be $10 million for FY 2018, consistent with the prior years.



Net Debt Service Budget

The FY 2018 Net Debt Service budget is $322.4 million, a $63.1 million (24.3%) increase from the FY 2017 as shown in the table below. The increase in Existing Debt Service has been scheduled to gradually increase through FY 2018 as agreed upon in the Use Agreement. New Debt Service increases result from the completion of TRIP and other capital projects in FY 2017 and FY 2018 and the accelerated principal reductions included in the FY 2016A Bonds.

Debt Service (in Millions)	FY17 Outlook	FY18 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Debt Service and Coverage				
Existing Debt Service	$274.5	$286.6	$12.1	4.4%
New Debt (TRIP) Service [1]	124.4	164.7	40.2	32.3%
PFIC Related Debt Service [2]	18.8	19.4	0.5	2.7%
DFW Capital Acct Debt Service [3]	11.3	12.4	1.1	9.6%
Less: Interest Income	(0.0)	0.0	0.0	(100.0%)
Gross Debt Service and Coverage	429.1	483.1	53.9	12.6%
Offets to Debt Service				
PFCs for Existing Debt Service	140.0	129.0	(11.0)	(7.9%)
PFIC Transfers [2]	18.5	19.3	0.8	4.2%
DFW Capital Acct Transfers [3]	11.3	12.4	1.1	9.6%
Total Offsets	169.8	160.6	(9.2)	(5.4%)
Net Debt Service Paid by Rate Base	$259.3	$322.4	$63.1	24.3%

[1] Shown net of Capitalized Interest
[2] Public Facility Improvement Corp for RAC, Grand Hyatt, and Hyatt Place Infrastructure
[3] AHQ and Terminal E Garage

Passenger Facility Charges (PFCs) are collected from revenue enplaned passengers and are used to offset debt service from debt issued prior to TRIP. The decrease is due to a one-time increase in excess PFCs used for debt service in FY 2017 ($9 million) and the amount necessary to collect to bring the PFC reserve back to 2 months ($2 million). PFC's are only used to help pay for Existing debt, not New Debt.

DFW issued $280 million of bonds in a private placement in September 2016 that will fully amortize over 5 years. Including coverage, debt service on this bond issue will be $57.7 million in FY 2018, an increase of $27.1 million over FY 2017. Additionally, DFW plans to issue approximately, $270 million of bonds in a private placement in the fall that is forecasted to increase FY 2018 debt service by $2.45 million (plus $0.6 million of coverage).

Public Facility Improvement Corporation (PFIC) debt service relates to debt associated with the RAC, Grand Hyatt Hotel, and Hyatt Place Hotel infrastructure. This debt service is funded from the PFIC so that the debt service does not impact the rate base. Similarly, DFW Capital Account Debt Service is related to the consolidated headquarters and Terminal E garage. This is funded with transfers from the DFW Capital Account so it does not impact the rate base.

The table below shows the categories of the $63.1 million Net Debt Service increase by major cost center.

Net Debt Service Variance (in Millions)	Cost Centers DFW	Airline Airfield	Airline Terminal	Airline Total	Total
Existing Debt Service	$1.0	$2.1	$0.4	$2.5	$3.6
New Debt Service	3.0	2.1	16.4	18.4	21.4
2016A Bonds	5.1	6.9	15.1	22.0	27.1
PFCs	3.2	6.6	1.2	7.8	11.0
Total Debt Service Variance	$12.3	$17.7	$33.1	$50.8	$63.1

Positions

The table below summarizes the total number of operating and capital positions assumed in the FY 2018 Budget. Operating positions are paid out of the 102 Fund. Salaries and benefits of capital positions are capitalized and paid from the capital accounts. A summary of positions by department is included at the end of the Department section.

	FY 2017 Budget	FY 2017 Changes*	FY 2017 Adjusted Budget	FY 2018 New positions	FY 2018 Budget
Operating	2,021	15	2,036	8	2,044
Capital	120	(9)	111	0	111
Total	2,141	6	2,147	8	2,155

* FY 2017 changes include 4 positions that will be filled by end of FY 2017 (2 ITS and 2 Parking)

Eight new positions have been added for FY 2018, all are funded in the Fund 102 Operations Expense Budget.

Position Summary by Division

Division	FY17 Adjusted Budget	FY18 Changes	FY18 Budget
Administration & Diversity	131	0	131
Finance and Information Technology	242	0	242
Revenue Management	461	0	461
Operations	822	8	830
Global Strategy & Development	20	0	20
Infrastructure and Development	441	0	441
Legal	3	0	3
Audit Services	15	0	15
Executive Office	12	0	12
Total DFW	2,147	8	2,155

Department Overview and Walkforwards

DFW is organized into Divisions, which are comprised of Departments. Each Division page includes a summary of the Division's major functions and a walkforward of the FY 2018 Budget by major cost driver. The table below is a budget comparison by Department, in thousands.

	FY17 Budget	FY17 Outlook	FY18 Budget	Increase (Decrease) FY18B vs FY17B		Increase (Decrease) FY18B vs FY17O	
Energy, Transportation & Asset Mgmt.	$120,529	$118,221	$123,032	$2,502	2.1%	$4,811	4.1%
Commercial Development	2,516	2,462	2,537	21	0.8%	75	3.0%
Planning Department	3,674	3,625	3,776	102	2.8%	151	4.2%
Design, Code, & Construction	3,891	3,891	3,891	0	0.0%	(0)	(0.0%)
Infrastructure and Development	130,610	128,198	133,235	2,625	2.0%	$5,037	3.9%
				0			
Parking	56,789	52,615	55,376	(1,414)	(2.7%)	2,760	5.2%
Concessions	3,526	3,243	3,405	(121)	(3.7%)	162	5.0%
Customer Experience	39,747	39,344	41,571	1,824	4.6%	2,227	5.7%
Marketing Services	7,705	7,248	6,901	(804)	(11.1%)	(346)	(4.8%)
Revenue Management	107,767	102,450	107,253	(515)	(0.5%)	4,802	4.7%
				0			
Public Safety	76,831	76,887	82,770	5,939	7.7%	5,883	7.7%
Operations	12,377	12,036	12,376	(1)	(0.0%)	340	2.8%
Environmental Affairs	8,577	8,178	8,527	(50)	(0.6%)	348	4.3%
Operations	97,784	97,101	103,673	5,888	6.1%	6,572	6.8%
				0		0	
Information Technology	53,492	50,987	56,271	2,778	5.4%	5,283	10.4%
Finance	6,856	6,689	6,662	(194)	(2.9%)	(27)	(0.4%)
Treasury/Cash Management	1,283	1,313	1,277	(6)	(0.5%)	(36)	(2.8%)
Aviation Real Estate	1,421	1,336	1,470	48	3.6%	134	10.0%
Finance & Technology	63,052	60,325	65,679	2,626	4.4%	5,354	8.9%
				0		0	
Business Diversity and Development	1,516	1,500	1,878	362	24.2%	378	25.2%
Human Resources	8,286	8,201	8,348	62	0.8%	147	1.8%
Procurement & Materials Management	4,841	4,727	4,898	57	1.2%	170	3.6%
Risk Management	8,733	8,472	8,925	192	2.3%	453	5.3%
Corporate Communications	4,534	4,430	4,746	213	4.8%	317	7.2%
Administration and Diversity	27,909	27,330	28,795	886	3.2%	1,465	5.4%
				0		0	
International Marketing/Public Affairs	3,385	3,411	3,632	246	7.2%	220	6.5%
Government Relations	1,067	1,129	1,001	(65)	(5.8%)	(128)	(11.4%)
Airline Relations	962	974	1,022	60	6.1%	48	5.0%
Cargo Business Development	611	464	591	(19)	(4.1%)	128	27.6%
Research & Analytics	715	740	792	78	10.5%	53	7.1%
Global Strategy & Development	6,740	6,718	7,039	299	4.5%	321	4.8%
				0		0	
Legal	4,780	4,796	3,412	(1,368)	(28.5%)	(1,385)	(28.9%)
Audit Services	2,667	2,667	2,693	26	1.0%	26	1.0%
Executive Office	5,329	5,276	5,656	327	6.2%	380	7.2%
Contingency	0	0	4,000	4,000	n/a	4,000	0.0%
Non Departmental	12,668	11,788	9,685	(2,983)	(25.3%)	(2,103)	(17.8%)
Total Operating Expenses	$459,307	$446,650	$471,119	11,812	2.6%	24,470	5.5%

Expense Budget Walkforward

	Budget Category (in Millions)	Total	DFW	Airline
	FY 2017 Outlook	$446.6	$163.1	$283.5
A.	Budget reductions	(8.6)	(1.7)	(6.8)
B.	Customer experience			
	Custodial	2.2	0.3	1.8
	Passenger services	0.3	0.0	0.3
	Total customer experience	2.5	0.3	2.2
C.	Safe and secure			
	DPS security	1.1	0.2	0.8
	ITS security/disaster recovery	0.7	0.2	0.5
	Total safe and secure	1.8	0.5	1.3
D.	Salary annualization and merit pool			
	Salary annualization	7.4	3.5	3.9
	Non DPS - merit	2.1	0.8	1.2
	DPS security - merit and tenure progression	1.2	0.3	1.0
	Total salary annualization and merit pool	10.7	4.6	6.1
E.	Fixed contract increases			
	Facility maintenance	3.4	0.0	3.3
	Technology	2.6	1.0	1.6
	Healthcare	2.1	0.9	1.1
	Terminal Link bussing contracts	0.8	0.8	0.0
	Insurance premiums	0.2	0.1	0.1
	Total fixed contract increases	9.0	2.8	6.2
F.	Restore budgets			
	Contingency	4.0	1.4	2.6
	Other maintenance contracts	1.4	0.2	1.2
	Winter weather	1.2	0.1	1.1
	Total restore budgets	6.6	1.7	4.9
G.	Other increases			
	Facility maintenance & janitorial supplies	1.6	1.1	0.5
	Marketing	0.5	0.4	0.1
	Capitalization	0.5	0.1	0.4
	Availability, Disparity and Economic Study	0.3	0.1	0.2
	Terminal contribution, cost center shift	0.0	1.4	(1.4)
	Other, net	(0.4)	0.6	(1.1)
	Total Other increases	2.5	3.8	(1.4)
	Net increase	24.5	11.9	12.5
	FY 2018 Budget	$471.1	$175.0	$296.1

Note: The reference letters in the previous table are cross-referenced to the variance explanations in the following budget comparison and walkforward tables in this section.

Infrastructure and Development Division

Energy, Transportation and Asset Management (ETAM)

ETAM manages the operation, maintenance, repair and renewal of DFW's infrastructure asset portfolio including energy & utility systems, passenger terminals, facilities, airfield, public works, vehicle fleet and the Skylink automated transit system.

Commercial Development

The Commercial Development Department plans, develops, markets and leases aviation-related industrial/warehouse, cargo/distribution facilities, mixed-use office, retail and hospitality spaces and available land at DFW. Commercial Development is responsible for investment analysis, development, cashflow management, operations and maintenance of the Airport's hotel assets that include the Grand Hyatt and Hyatt Place. Commercial Development also evaluates and implements business opportunities that diversify DFW's revenue stream such as the exploration and production of natural gas, the Bear Creek Golf Course, management of Foreign Trade Zones and negotiations of ROW for highway, utilities and passenger rail.

Planning

The Planning Department is responsible for guiding the development and growth of DFW Airport through strategic, holistic and proactive analysis developed in collaboration with Airport stakeholders. Planning's primary focus areas include Long-Range Master Planning and Tactical/ Implementation Planning for terminal facilities, airfield, landside, land use and wayfinding/signage.

Design, Code and Construction (DCC)

Design, Code and Construction (DCC) has overall responsibility for the efficient, economical delivery of design and construction of capital and O&M funded developments, improvements, and major rehabilitation projects at DFW such as the $2.7 billion TRIP program. DCC also provides technical support services and/or personnel to other DFW departments as needed to fulfill DFW's mission. With the exception of uncapitalized projects and Code Compliance activities related to third party building permits, all costs are funded by the capital funds.

Budget Comparison and Walkforward

Infrastructure and Development
(in thousands)

	FY17 Outlook	FY18 Budget
Energy, Transportation & Asset Mgmt.	$118,221	$123,032
Commercial Development	2,462	2,537
Planning Department	3,625	3,776
Design, Code, and Construction	3,891	3,891
Total Airport Development Division	$128,198	$133,235

Salaries & Wages	$21,140	$22,990
Benefits	10,861	11,618
Contract Services	63,441	63,434
Equipment & Supplies	10,566	13,039
Insurance	0	0
Utilities	21,776	21,506
Administrative	415	648
Total Airport Development Division	$128,198	$133,235

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$128,198	
Salaries and Wages	1,850	A, D
Benefits	757	A, D, E
Contract Services	(7)	A, E, F, G
Equipment & Supplies	2,473	F, G
Utilities	(270)	A, E, F, G
Administrative	233	G
Total FY 2018 Proposed Budget	$133,235	

Revenue Management Division

Parking Operations

Parking Operations consists of Operations, Customer Relations, Ground Transportation Service, and Busing. Parking Operations is responsible for parking products, pricing, service delivery and reporting, handling customer feedback, monitoring electronic parking transactions, billing, and providing transportation services to DFW Remote Lots, Trinity Railway Express, Terminal Link, Express Parking and the Employee Shuttle.

Concessions

The Concessions Department provides the public with high quality goods and services that are competitively priced, conveniently located, and reflects the needs and desires of the traveling public with the goal of exceeding customer expectations while maximizing revenue for the DFW Airport. This includes all of the passenger-related concessions and associated revenues within the airport terminals, Rental Car Center (RAC), telecommunications, and selected properties outside the terminals.

Customer Experience

The Customer Experience Department drives the day to day operation within the Terminals, ultimately aiming to provide all customers an elevated experience in a clean, working and friendly environment. It consists of the following three sections:

- Service Delivery – focuses on frontline staff including managing the custodial function, as well as, services provided by all business partners, based on agreed service standards which are measured and reported throughout the day.
- Experience Development – ensures each day is planned from a customer experience perspective, and there is a regular review function to ensure continuous improvement. This includes innovations and improvements proactively designed and implemented to drive overall Customer Experience excellence, and Terminal Managers to drive customer experience performance through stakeholder management, with a focus on relationship management.
- Customer Relations – provides a suite of products and services to streamline DFW's customer services to engage with customers to deliver moments of WOW. This includes the Ambassador Volunteer Program and Meet & Greet services.

Marketing Services

Marketing Services is responsible for increasing awareness of and loyalty for DFW's products and services, as well as creating an overarching positive brand image that strengthens the vision and mission of the airport. Efforts include the following:

- Creates and implements a comprehensive marketing strategy to drive increased revenue and customer satisfaction utilizing a combination of traditional and digital media, as well as experiential marketing programs.
- Defines and manages the Airport's brand to ensure that an enhanced brand image is portrayed to every one of DFW's audiences.

- Develops and manages innovative digital solutions, including, but not limited to, DFW's web site, mobile app and in-terminal touchscreens, to ensure a consistent message and brand are portrayed on these assets.

The Department is also responsible for measuring consumer insights to help DFW's leadership make strategic decisions about products and services that address the needs of our customers, as well as opportunities facing DFW Airport, in order to enhance the customer's experience at every stage of his/her visit.

Budget Comparison and Walkforward

Revenue Management Division
(in thousands)

	FY17 Outlook	BY18 Budget
Parking	$52,615	$55,376
Concessions	39,344	41,571
Customer Experience	3,243	3,405
Marketing Services	7,248	6,901
Total Revenue Mgmt Division	$102,450	$107,253
Salaries & Wages	$23,112	$24,959
Benefits	13,037	13,686
Contract Services	60,955	64,381
Equipment & Supplies	4,683	3,501
Utilities	1	1
Administrative	662	725
Total Revenue Mgmt Division	$102,450	$107,253

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$102,450	
Salaries & Wages	1,847	A, B, D
Benefits	649	A, B, D, E
Contract Services	3,426	B, E, G
Equipment & Supplies	(1,182)	A, G
Utilities	(0)	
Administrative	63	G
Total FY 2018 Proposed Budget	$107,253	

Operations Division

Public Safety (DPS)

It is the mission of the DFW Airport Department of Public Safety to provide the highest level of professional services to the Airport community through efficient planning, mitigation, response, and recovery from natural and manmade events that threaten lives, critical assets, or business continuity. Public Safety carries out this mission through three divisions of Police, Fire, and Security and Emergency Management.

Operations

The Airport Operations Department is responsible for ensuring compliance with Federal Aviation Regulation Part 139 – Airport Safety and Certification. The department manages daily airfield operations, airfield construction safety programs, the DFW Wildlife Management Program, and provides technical and simulated driver's training programs. The department also manages the Airport Operations Center, Corporate Aviation operations, and provides ramp control services at Terminal D and at Terminal E. The Airport Operations Department partners on a daily basis with local FAA air traffic control facilities and with air carrier tenants in efforts to maximize the efficiency of Dallas-Ft. Worth International Airport.

Environmental Affairs

DFW has committed to achieving environmental excellence by embedding the principles of sustainability throughout the corporate culture of the organization and by establishing environmental compliance as a priority in achieving sustainable economic growth. DFW's Environmental Affairs Department (EAD) implements a comprehensive environmental program by providing regulatory and technical guidance to DFW departments, tenants, and contractors, which ensures that airport activities and operations are conducted in a manner that conforms to various environmental laws, policies and requirements regulated by the Environmental Protection Agency, the Texas Commission on Environmental Quality, the Texas State Department of Health, the Federal Aviation Administration, and local governments. The comprehensive Environmental Management System (EMS) covers five major programs (Water Resources, Waste, Environmental Planning & Development, Environmental Design & construction, and Sustainability) that house a subset of 21 core, compliance-based programs.

Budget Comparison and Walkforward

Operations Division
(in thousands)

	FY17 Outlook	FY18 Budget
Public Safety	$76,887	$82,770
Operations	12,036	12,376
Environmental Affairs	8,178	8,527
Total Operations Division	$97,101	$103,673
Salaries & Wages	$56,981	$60,038
Benefits	27,859	29,195
Contract Services	6,698	7,915
Equipment & Supplies	2,873	3,309
Insurance	0	0
Utilities	1,373	1,623
Administrative	1,317	1,593
Total Operations Division	$97,101	$103,673

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$97,101	
Salaries and Wages	3,056	A, C, D
Benefits	1,336	A, C, D, E
Contract Services	1,217	A, G
Equipment & Supplies	436	G
Utilities	250	A, G
Administrative	276	G
Total Proposed FY 2018 Budget	$103,673	

Finance and Technology Division

Information Technology

Information Technology Services (ITS) is responsible for supporting the technical needs of the DFW Airport community by providing reliable systems, proactively responding to issues, and implementing a wide range of viable technologies that represent meaningful choices in terms of cost and functionality.

ITS is currently divided into 8 functional sections:

- The Technology Lab is responsible for future innovation and the research, development, and piloting of new technologies at the Airport.
- Customer Support manages the Help Desk, Field Technicians, and the frontline ITS Business Consultants.
- IT Programs is responsible for long running technology programs like Disaster Recovery, Asset Management, and Training.
- The IT Project Management Office manages new initiatives and projects to a successful completion.
- Development and Delivery is responsible for the software development and implementation of executive decision support systems, records management, CADD/GIS, web development, and the implementation of work-flow technologies.
- Enterprise Systems is responsible for the support and maintenance of the entire DFW Software Portfolio.
- Infrastructure Operations is responsible for the maintenance and administration of the voice and data communications infrastructure, desktop and server computing environments, databases, storage, and Terminal systems.
- Technology Security is responsible for the management and compliance of DFW's security programs and the analysis, management, and monitoring of the perimeter security devices.

Finance

Finance is comprised of 3 groups: Accounting, Financial Planning, and Capital Planning & Accounting. Accounting is responsible for financial reporting, general ledger accounting, internal controls, revenue collections, accounts payable, accounts receivable, payroll, and fixed assets. The Accounting group also mans a call center to interact with customers on parking related transactions. Financial Planning is responsible for developing and monitoring DFW's Operating Budget and Outlook for revenues and expenses. This group is also responsible for establishing DFW's rates, fees and charges, and performing departmental financial analysis. In addition, Financial Planning analyzes DFW's business units to determine profitability, implementation of activity based costing, project analysis, process improvement and management methodologies for proper allocations of revenues and expenses. Capital Planning and Accounting are responsible for developing and monitoring DFW's Capital Budget and forecast.

Treasury Management

Treasury/Cash Management is responsible for providing strategic financial management for the Airport. This includes overseeing debt issuance/management, cash management, banking relations, DFW investments, retirement fund investments, grants and PFC administration.

Aviation Real Estate

Aviation Real Estate (ARE) oversees and manages the contractual relationship and serves as the liaison between the Board and the Airlines and other tenants of passenger terminals and aviation-related facilities, including air cargo and hangars. ARE negotiates and drafts permits, leases, and other documents for aviation real estate property, is intricately involved in the development and implementation of the Board's Capital Improvement Program (CIP), and performs financial, operational, statistical, and business analysis related to terminal operations and aviation. ARE is responsible for aviation facilities' strategic planning, with the goal of maximizing efficiency within the terminals and other aviation facilities.

Budget Comparison and Walkforward

Finance & Technology
(in thousands)

	FY17 Outlook	FY18 Budget
Information Technology	$50,987	$56,271
Finance	6,689	6,662
Treasury/Cash Management	1,313	1,277
Aviation Real Estate	1,336	1,470
Total CFO Division	$60,325	$65,679
Salaries & Wages	$19,559	$20,888
Benefits	8,990	9,436
Contract Services	23,991	27,830
Equipment & Supplies	3,800	4,130
Utilities	3,035	2,503
Administrative	949	891
Total Finance & Technology Division	$60,325	$65,679

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$60,325	
Salaries and Wages	1,329	A, C, D
Benefits	446	A, C, D, E
Contract Services	3,838	A, E, G
Equipment & Supplies	330	G
Utilities	(532)	A, G
Administrative	(58)	A, G
Total FY 2018 Proposed Budget	$65,679	

Administration and Diversity Division

Business Diversity and Development

The Business Diversity & Development Department (BDDD) is responsible for administering the Board's Title VI, Disadvantaged, Small, Minority, and Women-owned Business Enterprise Programs. BDDD has the overall responsibility to administer, monitor and enforce the policies and procedures associated with the Programs and engage the diverse business community with airport contracting opportunities.

Human Resources

The Human Resources (HR) Department at DFW partners with line managers to identify, hire, train, and provide ongoing coaching and support to the employees. Specific functional areas of focus for HR include talent acquisition, talent development, diversity and inclusion, employee records and information, employee relations, compensation, benefits, and employee health and wellness. The department supports these functions through policy development and revision (where appropriate), extensive training (both online and in-person), and through one-on-one coaching with leaders, where appropriate.

Procurement & Materials Management

Procurement & Materials Management (PMM) provides DFW-wide centralized procurement, materials management, and reprographic services. PMM manages professional services contracts/procurements and P-card program, and prepares Official Board Actions (OBAs) for Board meetings. The Central Warehouse provides central receipt, financial and physical management of inventory, management of excess and obsolete property, and provides DFW-wide mail service. Print Services provides centralized reproduction, printing, and binding services for departments within the Airport.

Risk Management

Risk Management identifies, analyzes and evaluates exposures, develops and implements loss prevention measures that reduce costs, and ensures compliance with applicable laws and regulations and DFW Board Policies. Areas of general administration include incident and claims management, safety training, management of self-funded, and insured claims programs involving property and casualty liability, general liability, errors and omissions, employment liability, fiduciary/fidelity exposures, contractual review/interpretation, breach of contract, auto liability, driver safety and workers' compensation liability.

Corporate Communications

The Corporate Communications Department is responsible for elevating the reputation of DFW Airport. In this role, the Department will provide DFW Airport's collective voice through communications, outreach, engagement and collaboration to support the Airport in achieving its business objectives.

The Department is responsible for delivering impactful and results-oriented communications and creating advocacy among the audiences it serves. Corporate Communications consists of day-to-day media relations, social media, community engagement, business communications, Board and Owner city relations, and internal communications.

Budget Comparison and Walkforward

Administration and Diversity Division
(in thousands)

	FY17 Outlook	FY18 Budget
Business Diversity and Development	1,500	1,878
Human Resources	8,201	8,348
Procurement & Materials Management	4,727	4,898
Risk Management	8,472	8,925
Corporate Communications	4,430	4,746
Total Admin & Diversity Division	$27,330	$28,795
Salaries & Wages	$9,629	$10,204
Benefits	5,235	5,254
Contract Services	3,658	4,342
Equipment & Supplies	590	602
Insurance	5,726	5,889
Utilities	0	0
Administrative	2,493	2,505
Total Admin & Diversity Division	$27,330	$28,795

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$27,330	
Salaries and Wages	576	D
Benefits	19	D, E
Contract Services	685	A, G
Equipment & Supplies	12	A, G
Insurance	163	E
Administrative	11	A, G
Total FY 2018 Proposed Budget	$28,795	

Global Strategy and Development Division

International Marketing and Public Relations

International Marketing and Public Relations is responsible for developing and executing DFW's international strategy to drive airline and cargo business development and customer retention for international audiences. The group is responsible for both traditional and digital media, and also produces numerous trade shows, conferences, and trade missions that raise awareness of the DFW brand around the world.

Government Relations

Government Relations provides strategic expertise to airport staff and board members related to state and federal governmental issues; and serves as a point of contact for congressional and legislative representatives and staff, and state and federal agencies. The work involves monitoring and interpreting legislative and regulatory action at all levels, keeping executive staff informed of impact to DFW Airport and/or the aviation industry, and leading the Airport's educational and advocacy advocates to state and federal government entities.

Airline Relations

Airline Relations works to create an airport business environment where airline partners stay, succeed, and grow. The primary business goal is to position DFW as the airport of choice for passenger and cargo services. The Airline Relations group has two essential purposes: Retention, which focuses on the growth of existing carriers and New Business that focuses on developing new airline business. Airline Relations focuses on strengthening relationships with the airlines' Network, Sales, and Commercial departments and formulates strategies to increase airline services.

Cargo Business Development

The Cargo group oversees and coordinates DFW's multi-departmental effort to develop and execute the airport's cargo and logistics strategy. This group seeks to shift the airport's cargo business development efforts from a historical focus on airlines that supply cargo capacity, and instead concentrate DFW's efforts on persuading key decision-makers among freight forwarders, logistics companies, customs brokers, and shippers who can drive cargo traffic itself to and through the airport (i.e., a "demand side" business development approach).

Research and Analytics

The Research & Analytics group seeks to grow DFW's global brand through a targeted focus on KPIs, powered by advanced research and analytics. The group is responsible for providing actionable intelligence to support both internal and external customers. This includes supporting the growth of new air service by developing sophisticated quantitative and qualitative business cases to pitch new air service to target airlines.

Budget Comparison and Walkforward

Global Strategy & Development
(in thousands)

	FY17 Outlook	FY18 Budget
International Marketing/Public Affairs	$3,411	$3,632
Government Relations	1,129	1,001
Airline Relations	974	1,022
Cargo Business Development	464	591
Research & Analytics	740	792
Total Global Strategy Division	$6,718	$7,039
Salaries & Wages	$1,604	$1,911
Benefits	538	632
Contract Services	2,491	2,264
Equipment & Supplies	47	52
Insurance	0	0
Utilities	0	0
Administrative	2,039	2,180
Total Global Strategy Division	$6,718	$7,039

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$6,718	
Salaries and Wages	307	D
Benefits	94	D, E
Contract Services	(227)	A, G
Equipment & Supplies	6	G
Administrative	141	G
Total FY 2018 Proposed Budget	$7,039	

Legal

The Legal Department is responsible for providing advice and counsel to the Airport Board and Staff and for overseeing the prosecution and defense of litigation involving DFW Airport. Legal Department attorneys are provided by the Dallas and Fort Worth City Attorney's Offices in accordance with the 1968 Contract and Agreement.

Budget Comparison and Walkforward

Legal
(in thousands)

	FY17 Outlook	FY18 Budget
Salaries & Wages	$217	$212
Benefits	119	135
Contract Services	4,382	3,002
Equipment & Supplies	5	7
Insurance	0	0
Utilities	0	0
Administrative	74	56
Total Legal	$4,796	$3,412

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$4,796	
Salaries & Wages	(5)	D
Benefits	16	D, E
Contract Services	(1,380)	A, G
Administrative	(18)	A, G
Total FY 2018 Proposed Budget	$3,412	

Audit Services

The Department of Audit Services assists the Board of Directors and management by independently reviewing programs and activities and providing recommendations and advice as appropriate. The Department works to influence positive change related to achieving the Board's goals and objectives, using resources efficiently and effectively, complying with laws and regulations, safeguarding assets, providing relevant and reliable information to decision makers, and protecting the Board's brand and reputation.

Budget Comparison and Walkforward

Audit Services
(in thousands)

	FY17 Outlook	FY18 Budget
Salaries & Wages	$1,563	$1,545
Benefits	693	732
Contract Services	339	345
Equipment & Supplies	24	21
Insurance	0	0
Utilities	0	0
Administrative	49	51
Total Audit Services	$2,667	$2,693

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$2,667	
Salaries & Wages	(18)	D
Benefits	39	D, E
Contract Services	6	G
Equipment & Supplies	(3)	A, G
Administrative	2	G
Total FY 2018 Proposed Budget	$2,693	

Executive Office

The Chief Executive Officer, as the chief administrator and executive officer of the DFW Airport Board, recommends policies to the Board of Directors for the planning, constructing, maintaining, operating and regulating of DFW. The Chief Executive Officer, along with the Executive Staff (6 Executive Vice Presidents and support staff), oversees the implementation of adopted policies and is responsible for conducting monthly and special meetings with the Board of Directors. This budget also includes salaries and wages of support staff for the CEO and Executive Staff and the CEO Contingency.

Budget Comparison and Walkforward

Executive Office
(in thousands)

	FY17 Outlook	FY18 Budget
Salaries & Wages	$2,905	$2,988
Benefits	1,178	1,112
Contract Services	278	728
Equipment & Supplies	71	19
Administrative	844	809
CEO Contingency*	0	4,000
Total Executive Office	$5,276	$9,656

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$5,276	
Salaries & Wages	83	D
Benefits	(66)	D, E
Contract Services	450	G
Equipment & Supplies	(52)	A, G
Administrative	(35)	A, G
CEO Contingency	4,000	E
Total FY 2018 Proposed Budget	$9,656	

*FY17 budgeted contingency of $4M has been reallocated to the departments in which it was used.

Airport Non-Departmental

The Airport Non-Departmental budget reflects the change in operating reserve, payroll accruals, incentive compensation, affordable health care act fees, supplemental retirement costs, and any other expenses that are recognized at a Board-wide, rather than a departmental, level. These include Outlook adjustments made at a high level, medical insurance claims stop loss reimbursement, and medical claim overruns.

Budget Comparison and Walkforward

Airport Non-Departmental
(in thousands)

	FY17 Outlook	FY18 Budget
Salaries & Wages	$3,667	$4,288
Benefits	454	768
Contract Services	1	1
Equipment & Supplies	0	0
Insurance	0	0
Utilities	0	0
Administrative	0	(0)
Operating Reserve	7,991	4,628
Total Non-Departmental	$12,113	$9,685

Walkforward from FY 2017 Outlook		Reference
FY 2017 Outlook	$12,113	
Salaries & Wages	621	Management Incentive/Excellence Awards
Benefits	314	Benefit adjustments made in Outlook and LHD over/under
Contract Services	0	
Equipment & Supplies	0	
Administrative	(0)	
Operating Reserve	(3,362)	Operating Reserve requirement decrease
Total FY 2018 Proposed Budget	$9,685	

Capital Budget

DFW has two capital accounts in its Construction and Improvement Fund: the DFW Capital Account and the Joint Capital Account (JCA).

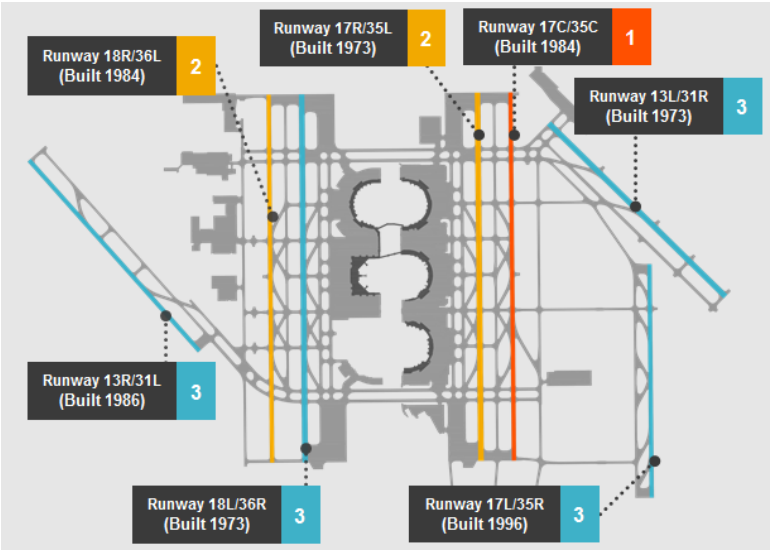
The DFW Capital Account is DFW's discretionary account. It may be used for any legal purpose and does not require airline approval. DFW uses this fund for renewals and replacements and other discretionary projects. Funding for the DFW Capital Account is from the DFW Cost Center net revenues, interest income, grants and bond proceeds primarily for commercial development projects. DFW has numerous capital projects currently underway and funded from the DFW Capital Account. (See detailed pages that follow.)



The JCA requires airline approval for capital projects and are typically funded through the sale of bonds. In addition to bond proceeds, the JCA is funded from natural gas royalties, sale of land proceeds, grants and interest income.

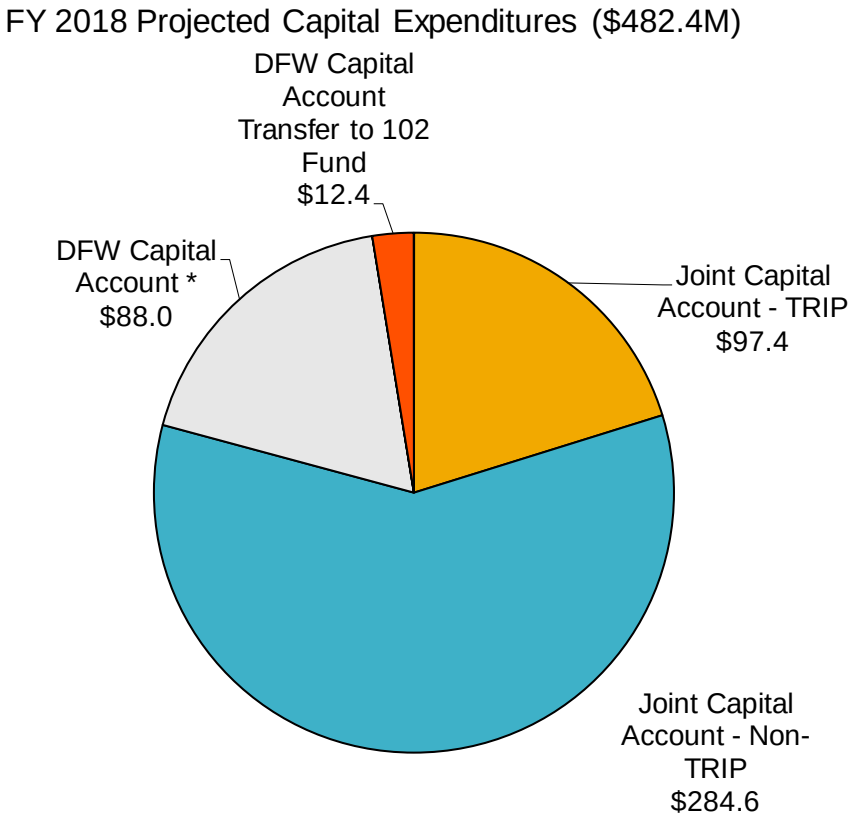
The largest component of DFW's capital program had previously been the Terminal Renewal and Improvement Program (TRIP) which is funded from the JCA. The TRIP program is currently budgeted at $1.9 billion for Terminals A, B, and E. This excludes $817 million for Terminal C, which is currently on hold at the request of American Airlines. Terminal A is already complete, leaving only the last sections of Terminals E and B to complete the program that is not currently on hold. As of April 2017, DFW was 96% contractually committed/spent for Terminals A, B and E and is currently forecasting approximately $30.4 million in savings at the end of the program. The final phase of TRIP is Terminal B – section B, which is scheduled to open in December 2017.

DFW's next largest capital program involves renewal of aging critical airside and landside infrastructure. Since DFW Airport is the 3rd largest airport in the world in terms of land mass, with 17.2K acres, there is a significant amount of infrastructure to maintain. Much of the airfield, landside, utilities and other infrastructure were constructed when the airport opened 43 years ago and is now approaching end of useful life. This program is discussed in more detail in the "*Major Capital Project Descriptions*" section.



Projected Capital – Uses of Cash by Capital Account

DFW projects to spend approximately $482.4 million on capital expenditures in FY 2018 as summarized in the following chart.



** Includes $8.9M debt financed for Commercial Development, excludes contingency*

The following table summarizes projected capital expenditures for projects to be in progress during FY 2018.

			Active Projects in FY 2018			
Capital Budget (Millions)	Actual FY 2016	Forecast FY 2017	Prior Years	Projected FY 2018	Future Years	Total Budget
DFW Capital Account	$116.0	$136.3	$174.1	$88.0	$330.3	$592.4
Joint Capital Acccount						
TRIP	277.0	187.2	1,778.6	97.4	30.4	1,906.4
Non-TRIP	223.3	255.7	72.8	284.6	1,157.5	1,514.9
Transfers to 102 *	15.0	13.7	132.4	12.4	92.5	237.3
Total Capital	$631.3	$592.9	$2,157.9	$482.4	$1,610.7	$4,251.0

* Debt service (including coverage) for Airport Headquarters & E Parking Garage

Capital Project Approval Process

DFW has a Financial Plan that includes a long term Capital Plan. In FY 2010, DFW management developed a 10-year capital plan as the basis for negotiating the Use Agreement. Some of the FY 2018 projects from the list on the prior page were derived from that plan. Many of the new projects highlighted in blue are new projects which are officially in a "planning status." When a project manager is ready to initiate one of the projects from the Capital Plan, a detailed capital worksheet is prepared including alternatives, and presented to the Capital Committee for review and approval. CEO approval is required for projects equal to or greater than $750,000. Projects on this list may be modified or eliminated if planning assumptions on costs and benefits do not materialize upon more detailed analysis. It is possible that new projects may arise during the fiscal year due to the dynamic nature of an airport. This "just-in-time" capital planning process provides flexibility to manage changes most effectively. From a process standpoint, the Board of Directors does not approve an overall capital budget. Instead, the Board generally reviews projects to be funded with bond proceeds before the bonds are sold and reviews individual capital projects as contracts for those projects are brought to the Board for approval.

Major Capital Project Descriptions

There are several major capital initiatives in the FY 2018 Capital Budget including:

- Terminal Renewal and Improvement Program (TRIP) – DFW's domestic Terminals A, B and E are nearing completion after several years of major rehabilitation/ redevelopment of terminal facilities which are at end-of-useful life. The current approved TRIP budget remains at $2.7 billion and includes $816.7 million for Terminal C, which remains on hold as previously described. Each TRIP terminal contains 3 sections, which are being reconstructed 1 terminal section at a time to maintain sufficient gate capacity to meet airline operational requirements. The first terminal section was completed in March 2013 with the final 2 terminal sections coming on line during FY 2017 and FY 2018. As of May 2017, an estimated $30.4 million of savings is forecasted for Terminals A, B, and E. Approximately $97 million is anticipated to be spent during FY 2018. This assumes no further capital expenditures for TRIP Terminal C.

- Airfield Reconstruction and Expansion – As part of the next major capital development program, DFW is reconstructing and expanding various areas of the airfield to renew end of life airfield infrastructure as well as continuation of a planned program to enhance airfield safety and capacity. Airline MII approval was received for $242 million to rehabilitate/reconstruct several areas of the east airfield which are approaching end-of-useful life. The major east airfield reconstruction involves Runway 17C and related airfield projects, including taxiway "L". The majority of the east airfield projects are currently in various stages of design with construction for much of these projects commencing in early FY 2018. FAA Airport Improvement Program (AIP) grants are programmed for these projects with reimbursement of 75% of eligible costs. The amount of FY 2018 AIP



grants projected to be awarded to DFW for these projects is in the $35M - $40M range. Approximately $124 million is anticipated to be spent during FY 2018 (gross of grants).

A $51 million expansion of the Terminal D - South aircraft ramp is currently underway with $20 million in AIP Discretionary grant funding awarded, for a total $31 million net of grants. This expansion is required to meet current and future demand for additional aircraft parking positions for hardstand operations. Approximately $22 million is anticipated to be spent in FY 2018.



A $14 million project to strengthen Taxiway "Y" bridge is also currently in design, with $8 million in AIP Discretionary grant funding awarded, for a $7M total cost net of grants. This is the north crossover taxiways for aircraft movements over International Parkway between the west and east sides of the airfield. This project is required to accommodate heavier Aircraft Design Group (ADG) VI aircraft, (i.e., A-380 and 747-800) which exceeds the load bearing capacity of the current crossover aircraft taxiway bridges. Approximately $6.7 million is anticipated to be spent in FY 2018.



DFW plans to continue expansion of the End-Around Taxiways (EAT) for the northeast and southwest quadrants to mirror the expansion in the previously constructed EAT in the southeast quadrant. This is part of an airfield safety and capacity program which will minimize the likelihood of runway incursions and increase runway capacity of the airfield. Airline MII approval has been granted for $14 million for design of both the southwest and northeast EAT, as well as $104 million for construction of the northeast EAT. The northeast EAT would be the next EAT to be constructed, followed by the southwest EAT, and eventually the northwest EAT to complete the entire EAT system. Additionally, DFW Airport has already submitted an FAA Letter of Intent (LOI) request for $310 million of AIP Discretionary LOI funding for the remaining three EAT's to complete the larger program for EAT's at DFW Airport. While currently unknown whether this level of funding would actually be granted to DFW Airport, this amount would represent 72% of the total anticipated EAT program cost.



- Landside Roads, Bridges, and Rail – Just as the airfield infrastructure is undergoing plans for major renewal, the landside infrastructure is also planned for major renewal and reconstruction as this infrastructure also approaches end-of-life. DFW has received airline MII approval for $9 million for design of roads and bridges reconstruction. Approximately $5 million is estimated to be spent on design during FY 2018. Additionally, as part of a larger regional surface transportation solution for the North

Central Texas Region, DFW will construct a rail station adjacent to Terminal B to accommodate the "T" Rail service from downtown Fort Worth. Design for this rail station is complete. DFW received airline MII approval for $43 million for this project. Approximately $20 million is anticipated to be spent during FY 2018 for this rail station which is scheduled to start passenger service by the end of 2018.

- Gate Expansion and Terminal Passenger Processing Capacity Expansion – Additional gate capacity is planned in D-South. Projects include programming and preliminary design for future gate expansion south of Terminal D which was pre-approved in the Use Agreement. Gate expansion is being analyzed as part of a holistic Central Terminal Area (CTA) study that includes expansion of passenger processing capacity in Terminal D, expansion of bag makeup units, Customs and Border Control (CBP) processing improvements for International passengers and the D-south airline ticket hall expansion to accommodate future planned capacity for new International carriers. DFW is currently using hardstand operations until additional contact gates can be constructed. Also planned for FY 2017 and early 2018 are 10 Automated Screening Lanes (2 lanes in each Terminal) to improve throughput time for passenger screening. Approximately $12 million is projected to be spent during FY 2018 on these various initiatives.



- Commercial Development and Other Facilities – Infrastructure to support several new planned Commercial Development projects including Passport Park in southeast quadrant of DFW, Walnut Hill Industrial, Coppell Industrial and others. Additionally, construction will continue into FY 2018 on Southgate development to complete the US Post Office. Approximately $14 million is anticipated to be spent on Commercial Development during FY 2018.



- Employee Parking Expansion – DFW has received airline MII funding approval to expand the existing employee surface lots to accommodate increased airlines and tenant headcount working in the Central Terminal Area (CTA). For a longer-term solution, DFW has also received airline MII for preliminary programming of employee parking garages that would be located in close proximity to the terminals. This would replace the three surface employee parking lots which require busing operations. Approximately $8 million is anticipated to be spent on Employee Parking programming, design, and buildout during FY 2018.

- Other projects include various reconstruction/consolidation projects for DFW facilities. Airline MII approval has been received for facilities as follows: DPS Station #1 to accommodate planned growth, expansion of Airport Operations Center/Emergency Operations Center (AOC/EOC) to expand the role of the AOC to more of an integrated operations center. Another project includes the reconstruction/consolidation of several end of life campuses currently encompassing Design/Code & Construction department and Energy Transportation & Asset Management, Environmental Affairs, and several other operations functions into a consolidated location in the southwest quadrant of the airport which has required airfield access. Airline MII approval was received for $12 million for design of this consolidated campus. Approximately $6 million is anticipated to be spent on this initiative during FY 2018.



The table on the following pages summarizes the airline MII approvals that DFW Airport has received thus far, including those projects in the new Use Agreement.

DFW Airport MII Approvals Since New Use Agreement Dated Oct 1, 2010

Item#	Project Name	$'s in Millions TRIP	Non-TRIP	Total
MII Approvals In New Use Agreement:				
1	TRIP (base scope - escalated)	1,922.0		1,922.0
2	$220M Pre-Approved Capital Projects		220.0	220.0
3	Term D South Extension (4 gates @ $20M/gate in 2010 $'s)		80.0	80.0
4	Term D North Extension (B/D Connector - B1, B2, B3)		10.0	10.0
5	Term B North Stinger (10 new gates) add'l MII approval		0.0	0.0
	Total Use Agreement MII Approved Projects	**$1,922.0**	**$310.0**	**$2,232.0**
MII Approvals Subsequent to New Use Agreement:				
6	TRIP (cost/scope increase to base - Term B BHS)	17.5		17.5
7	TRIP Programming & Schematic Design Cost (excluded from TRIP budget)		32.0	32.0
8	TRIP: Terminal A, B, C, & E Window Replacement	40.0		40.0
9	Funding of Design costs for add'l Add/Alt projects		2.0	2.0
10	TRIP: Natural Gas Lines (Term B, C, & E only)	3.9		3.9
11	N. Express Covered Parking Expansion (1,000 spaces) Ph 1		14.0	14.0
12	Term D North Extension (B/D Connector - B1, B2, B3) Budget Increase		11.0	11.0
13	Term B North Stinger (10 new gates) add'l MII approval		40.0	40.0
14	Aircraft Operation Area (AOA) Snow/Ice Removal Equipment		9.5	9.5
15	Skylink Bond Issuance		1.0	1.0
16	Terminal A Parking Garage Reconstruction (All sections)		176.7	176.7
17	1W/5E Employee Parking		0.0	0.0
18	D-South Expansion: D15/16 A-380 Jetbridge (Design Only)		0.5	0.5
19	FY11 ADE Overhead (JCA cash funded)		2.7	2.7
20	FY11 Natural Gas Reimbursables (JCA cash funded)		1.7	1.7
21	FY12 ADE Overhead (JCA cash funded)		2.7	2.7
22	FY12 Natural Gas Reimbusables (JCA cash funded)		1.5	1.5
23	FY13 - FY20 Natural Gas Reimbursables (annual NTE $1.4M) (JCA cash funded)		11.2	11.2
24	TRIP: Terminal Electric Vault Replacement	9.2		9.2
25	Snow & Ice Facility Modifications (old USPS facility)		0.9	0.9
26	N.Express Public Covered Parking Expansion (phase 2)		5.5	5.5
27	TRIP Annual Transition Costs (NTE $2M/yr through 2017)	14.0		14.0
28	TRIP: Terminal A Concession Loading Dock	4.0		4.0
29	D Hardstand Equip for International Ops		1.9	1.9
30	Central Terminal Area (CTA) Strategy Study (Phase 1 & 2)		2.0	2.0
31	FY13 - FY20 ADE Overhead ($3.5M annual NTE through FY20)		28.0	28.0
32	DPS Station #1 Rehab/Expansion (partial design only)		1.0	1.0
33	TRIP: Reimb TRIP Contingency for Term A & B (AA's AOF/Next Gen)	11.2		11.2
34	Automated Passport Control (APC) Phase 1 for U.S. Citizens		1.7	1.7
35	TRIP: AA Terminal (A, B, & C) Branding/Cust Service elements	14.0		14.0
36	Design B/D Sterile Corridor Extension (from B4 - ~B9)		2.8	2.8
37	TRIP: AA Reimb for TRIP Self-Perform Work (assumes new scope)	5.5		5.5
38	Design - Term E Roadway Improvements		2.9	2.9
39	TRIP Contracting Capacity - Terminal A		0.0	0.0
40	Terminal A Parking Garage - Additional funds to item #16		20.9	20.9
41	Project Re-allocation between Categories $220M Pre-approved & Taxiway "L"		0.0	0.0
42	D-South Expansion: D15/16 A-380 Jetbridge (construction only, design approved in #18)		3.8	3.8
43	TRIP - Terminal A Concessions Storage	2.3		2.3
44	TRIP - Passenger Information Centers (ph 1: 1st 7 of 21 locations)	1.2		1.2
45	Terminal E Roadway Improvements (construction only, design approved in #38)		30.5	30.5
46	TRIP - Budget Increase (A, B, E & C, w/$100M C-high gate buildback)	640.0		640.0

Item#	Project Name	TRIP	Non-TRIP	Total
47	TRIP - Concessions Storage Areas (Term B, E, and C)	6.1		6.1
48	TRIP: Enhanced Security Checkpoint (11 locations)	0.8		0.8
49	TRIP: Curbside Signage (upper+lower lvl) Term A Design Only	0.3		0.3
50	TRIP: Curbside Lighting (LED)-Lower Lvl (A, B, C, & E Design Only)	0.1		0.1
51	Winter Weather: Airside Deicing Equipment (3 snow blowers @ $735K ea)		2.2	2.2
52	Hardstand Equip & Associated GSE Storage/COBUS Canopy & A380 Hardstand Equip		4.6	4.6
53	Access Control Mgt System Automation (Badging Office in Term D)		3.0	3.0
54	DPS Station #1 (remaining design + construction). Partial design approved in #32.		24.8	24.8
55	TRIP: Term A Pax Tunnel between section B & A/C Connector	21.0		21.0
56	D-South Expansion: F Ramp Expansion (net of AIP grants) ~$51M gross of grants		16.5	16.5
57	D-South Expansion: D5 Bus Gate for Hardstand Operations		3.2	3.2
58	TRIP - Concessions Loading Dock @ Term E-North	5.2		5.2
59	Taxiway "Y" Bridge Strengthening for ADG VI (A-380) Net of 75% AIP Grant		4.6	4.6
60	FY15 Hardstand Equipment (1 NB/WB PCA + 1 NB/WB GPU + 1 Cobus)		0.8	0.8
61	"T" Rail Station @ Terminal B (Design drip-funding)		4.0	4.0
62	Deicing Equipment (Airside + Landside) (FY15/16) ($ ROM)		30.6	30.6
63	Deicing Facilities & Mat'l Maint/Storage Expansion **PRELIMINARY DESIGN**		0.9	0.9
64	Deicing Infrastructure Expansion **PRELIMINARY DESIGN**		1.1	1.1
65	East Airfield Rehab Projects (Design only - subject to LOA terms)		47.3	47.3
66	Southwest End Around Taxiway (Design only - subject to LOA terms)		9.0	9.0
67	Landside Rehab Projects (Design only - subject to LOA terms)		9.0	9.0
68	Consolidated AOC/EOC Center (Design only - subject to LOA terms)		6.0	6.0
69	Employee Parking Existing Lot Expansion (Design only)		0.3	0.3
70	Employee Parking Garage (Programming only)		0.3	0.3
71	North Cell Phone Lot (Design + Construction) & Design only for South Cell Ph Lot		1.8	1.8
72	Term D Pax Processing Expansion (Design) (Int'l bag claim, Customs, South ATO Optimiza		2.7	2.7
73	Term B & E PBB Improvements & Replacements (Design + Construction)		9.0	9.0
74	Terminal B "T" Rail Construction (Construction only) Design funded in #61 above		38.6	38.6
75	DPS Headquarters Expansion (Supplemental construction to item #54 & #32 above)		37.6	37.6
76	Rehab Water Pump Stations (Design Only)		2.0	2.0
77	Term B Baggage Makeup Unit (BMU) - additional unit (Design only)		0.2	0.2
78	Re-allocation of Funds within $220M Pre-approved project categories		0.0	0.0
79	Terminal-wide PCA/400Hz Assessment		0.5	0.5
80	Revision to Previous MII Terminal Branding to Include Term E		0.3	0.3
81	East Airfield Rehab Projects (Construction - subject to LOA terms)		242.0	242.0
82	Northeast End-Around-Taxiway and High Speed Exit (Design Only)		5.0	5.0
83	End-Around-Taxiway (NE or SW) Construction		104.3	104.3
84	DFW Facilities Relocation and Consolidation (Programming & Design)		12.0	12.0
85	Employee Parking - 5E/6E Expansion (Construction)		4.0	4.0
86	Term B BHS Bag Make-up Unit (Construction)		2.3	2.3
87	Term B Fuel Pit Relocation (Design & Construction)		3.5	3.5
88	Holistic Curbside Signage Program (Construction)		5.6	5.6
89	Consolidated Maintenance - Heavy Equipment & Materials Storage (Design Constructior		16.5	16.5
90	High Mast Light Poles Replacement (Design & Construction)		15.0	15.0
91	Debt Issuance for Term D BHS Upper Level Refresh		1.2	1.2
	MII APPROVALS SINCE NEW USE AGREEMENT	**$796.5**	**$1,080.6**	**$1,877.0**
	TOTAL MII APPROVALS INCLUDING NEW USE AGREEMENT PROJECTS	**$2,718.5**	**$1,390.6**	**$4,109.0**

The following table shows cash flow projections, gross of grant reimbursements, for the DFW capital projects.

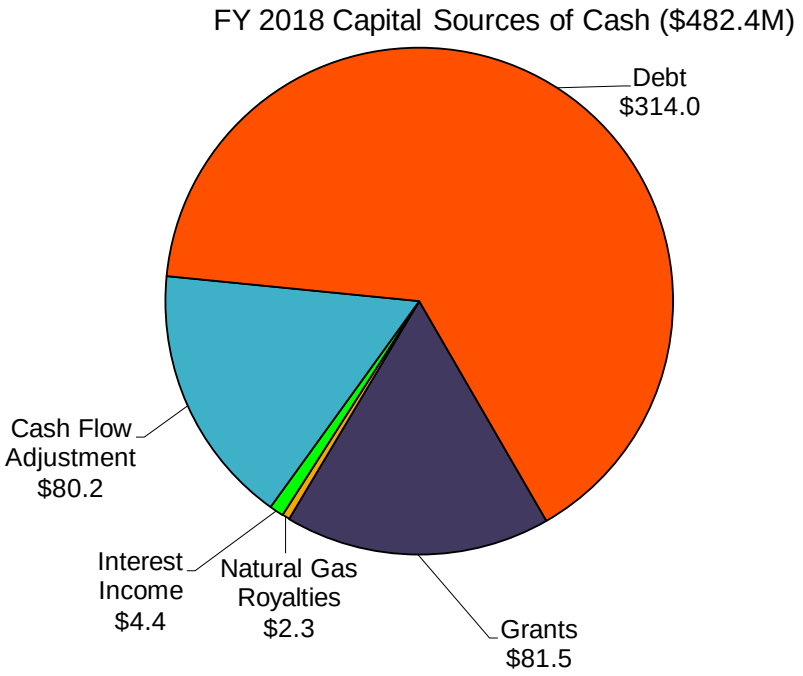
DFW CAPITAL ACCOUNT (In Millions) Project Name	Prior Years	FY18	Future Years
Rehabilitate Airfield Pavements FY15 (18R, F)	1.6	5.3	20.9
Passport Business Park East (20% JRB)	.2	4.6	3.8
Passport Business Park East (80% cash)	.0	3.8	30.5
Air Service Incentive Plan (ASIP) & Marketing Rebates	43.4	3.4	16.5
Replace General Purpose Vehicles	Annual	3.3	9.2
Term D Roadway and Sidewalks Expansion Joints	.1	3.0	9.0
Rehab Airfield Pavements FY14 (17R, A, B, G)	17.1	2.9	3.3
ITS Sys Ops Annual Technology Purchase	.6	2.8	36.3
Replace Heavy Equipment	Annual	2.5	10.0
Parking Yield Mgt (HPI)	4.1	2.1	1.7
Skylink Renewal Program - Skylink Car Overhaul	6.3	2.0	4.2
Replace TRE/Special Ops Buses (4 @ ~$427K ea)	.0	1.7	.5
Rehab Airfield Lighting Systems FY16 (LED E/W, lighting vaults)	4.8	1.6	3.2
IT/Parking Ops: PCS - "Chip & Pin" EMV, NFC & Bar Code	1.8	1.4	.0
Replace Parking/Other Canopies	.3	1.4	1.1
Southgate (24th Ave Widening & Innovation to Rental Car Dr)	.1	1.3	.3
Term E Parking Garage (section C)	52.2	1.3	.0
High Pole Lighting (Design + Critical Replacements)	.0	1.3	3.8
Parking Control Plaza Generators (N/S)	.0	1.2	.1
Development Preliminary Planning (Term Expansion)	.2	1.2	.6
IT Security: Disaster Recovery Plan (DRP) - Relocate CCTV	.1	1.1	4.6
ITS Sys Ops Annual Technology Purchase (FY16)	3.8	1.1	.1
Walnut Hill Industrial (Ph II) DD#13 (DFW Commerce Center)	.0	1.1	.7
IT Bus Solutions HPI: Bus Relationship Mgt (BRM)	5.5	1.0	1.5
Pavement Shop Equipment	.0	1.0	.2
Term D Concessions Master Plan "White Box" buildout	2.3	1.0	1.0
Term D Annual Capital Renewal	Annual	1.0	27.0
Future Safety/Security Projects	Annual	1.0	20.0
Projects <1M	**29.6**	**31.7**	**120.4**
TOTAL DFW CAPITAL ACCOUNT	$174.1	$88.0	$330.3
ADD: TRANSFER TO 102 (Debt Svc for AHQ and Term E	22.1	12.4	92.5
TOTAL USES OF DFW CAPITAL ACCOUNT	$196.2	$100.4	$422.8

The following projects will be funded from the Joint Capital Account during FY 2017. Spend amounts are gross of grant reimbursements.

JOINT CAPITAL ACCOUNT (In Millions) Project Name	Prior Years	FY18	Future Years
Terminal Renewal and Improvement Program (TRIP)	$1,778.6	$97.4	$30.4
TOTAL JOINT CAPITAL ACCOUNT (TRIP)	1,778.6	97.4	30.4
Non-TRIP:			
T/W "Lima" Reconstruction (Construction)	3.1	44.6	8.4
Runway 17C & Related Airfield - Reconstruction (Design)	3.7	40.6	3.0
Runway 17C - Reconstruction (Construction)	.0	39.2	117.6
D-South Expansion: F Ramp Expansion	18.1	22.1	10.8
"T" Rail Station @ Terminal B	8.2	19.5	14.9
Glade Road Road Reconstruction	.0	7.4	.0
SW Perimeter Taxiway (Design)	1.9	7.1	.0
Taxiway "Y" Bridge Strengthening	1.7	6.7	6.1
Rehabilitate Landside Roads & Bridges Ph 4a	.8	6.4	6.3
Facility Relocation/Consolidation (Design)	.1	5.9	6.0
Landside Roads/Bridges Reconstruction ($9M Design)	.1	5.0	3.9
Employee Parking Garage ($300K Programming)	.3	5.0	194.7
NE Perimeter Taxiway (Design & Construction)	.5	4.5	95.0
Term A, D, E - TSA Automated Screening Lanes (10)	1.0	3.8	1.1
Term B: Hydrant Fueling Expansion for Upgauged Aircraft	.2	3.3	.0
Runway 17C - T/W "M" Rehab	.0	3.3	9.8
Expand Employee Surface Parking (Design & Construction)	.3	3.0	1.0
Term D Additional Bag Makeup Unit (MU 6)	.0	2.5	3.5
ITS Radio System Expansion	8.1	2.4	.0
Term D Cx: Restrooms (D22 Proof of Concept)	.0	2.3	1.1
Runway 17C - New East High Speed Exit Taxiways	.0	2.2	6.6
Term B: Relocate ACO Badging D to Term B (Construction)	.0	2.1	2.1
Rehab E/W Pump Station Potable Water Storage Tanks	1.4	2.0	3.0
Runway 17C - T/W "M" High Speed Exit Fillet Modifications	.0	2.0	6.1
Term C Minimum Relife ($/Scope TBD)	.0	2.0	98.0
D-South Expansion: Gate expansion	.7	2.0	197.7
Term D - South Airline Ticket Office Optimization	.2	2.0	2.8
Rehabilitate Landside Roads & Bridges Ph 4d	.0	2.0	20.3
Integrated AOC/EOC	.0	2.0	64.7
Term B South Gate Electrification	2.7	1.9	.0
Term B: Expand Baggage Makeup Units from 4 to 5	.6	1.9	.0
Airside Deicing Facilities Expansion: Maint/Storage	.3	1.6	14.6
Term B & E PBB Improvements/Replacements	.1	1.6	2.8
Rehabilitate Deicing System Large Storage Areas	4.0	1.5	2.1
N.Airfield Bridge Reconstruction (Excl Clover Leaf Roads)	.2	1.5	13.2
Rehab Energy Plaza - Utility Tunnel	1.5	1.3	7.0
NE/NW Cargo VCP Remediation	.0	1.3	3.8
Rehab E/W Potable Water Pump Stations (Design)	.8	1.2	16.8
Term A Cx: Restrooms (A22 Proof of Concept)	.0	1.2	3.3
Rehabilitate Landside Roads & Bridges Ph 3a	.5	1.1	.0
Rehab E. Side Plant Chillers (Two 300 Ton Chillers)	2.4	1.0	.0
Term A Roof Replacement	.0	1.0	11.2
Term D Cx: Gate Hold Room Improvements (D12 - D14)	.0	1.0	3.0
Rehab Open Storm Channels FY16/17	.2	1.0	1.0
Access Control Mgt Sys (ACMS) Badging Office System	2.0	1.0	.0
Projects <1M	**7.3**	**10.8**	**194.5**
TOTAL JOINT CAPITAL ACCOUNT (NON-TRIP)	$72.8	$284.6	1,157.5
TOTAL JOINT CAPITAL ACCOUNT	1,851.4	382.0	1,187.9
ADD: USE AGREEMENT CAPITAL TRANSFER TO 102	112.0	0.0	0.0
TOTAL USES OF JOINT CAPITAL ACCOUNT	1,963.4	382.0	1,187.9
TOTAL USES OF JOINT + DFW CAPITAL ACCOUNT	$2,159.6	$482.4	$1,610.7

Capital Projects - Sources of Cash

DFW's capital programs are funded from a variety of sources as shown in the following chart.



The following table highlights the walkforward of DFW's capital funds.

Airport Capital Funds Walkforward
(In Millions)

Capital Walkforward	Joint Capital	DFW Capital	Total
Beginning Cash (10/1/17)	$380.5	$176.8	$557.3
Sources of Funds:			
Grants	76.9	4.6	81.5
Debt	305.1	8.9	314.0
Natural Gas Royalties	2.3	-	2.3
Interest Income	3.1	1.3	4.4
Cash Flow Adjustment	71.2	9.0	80.2
Total Sources	458.6	23.8	482.4
Less:			
Capital Uses	(382.0)	(88.0)	(470.0)
DFW Capital Account Transfer to 102	-	(12.4)	(12.4)
Joint Capital Account Transfer to 102	.0	-	.0
Total Uses	(382.0)	(100.4)	(482.4)
Total Ending Cash Balance	457.0	100.2	557.3
Add: Cash From DFW Cost Center *	.0	80.8	80.8
Ending Cash (9/30/18)	$457.0	$181.0	$638.1

** FY17 O&M DFW Cost Center Outlook to be received in DFW Capital Acct in first Quarter FY18*

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Intergovernmental Services

CMO: Kim Tolbert, 670-3302

MAPSCO: N/A

SUBJECT

Approval of the Fifty-Second Supplemental Concurrent Bond Ordinance authorizing the issuance of the Dallas Fort Worth International Airport Joint Revenue Bonds, subject to certain parameters - Financing: No cost consideration to the City

BACKGROUND

The Fifty-Second Supplemental Bond Ordinance will provide for the issuance of the Series 2017 Improvement Bonds in an amount not to exceed $350 million, with a final maturity not to exceed 2025, with an interest rate not to exceed the maximum allowed under the Texas Government Code.

The 2017 Bonds will provide funding for airfield improvements, including, but not limited to Runway 17C/35C, Taxiway Lima and Taxiway Mike. Funding will also be provided for various landside improvements. The 2017 Bonds will be sold through a Direct Bond Purchase Agreement with a large financial institution, who will hold the bonds until maturity. No offering documents will be provided. The bonds are expected to be issued in late fall 2017.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance and Financial Management Committee will be briefed regarding this item on August 21, 2017.

FISCAL INFORMATION

No cost consideration to the City.

DALLAS FORT WORTH INTERNATIONAL AIRPORT

FIFTY-SECOND SUPPLEMENTAL CONCURRENT BOND ORDINANCE

Passed concurrently by the City Councils of the
Cities of Dallas and Fort Worth, Texas
Authorizing One or More Series of

DALLAS FORT WORTH INTERNATIONAL AIRPORT JOINT REVENUE BONDS

_____

Passed by the City Council of the City of Dallas _____, 2017

Passed by the City Council of the City of Fort Worth _____, 2017

_____

Effective _____, 2017

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CITY OF DALLAS ORDINANCE

CITY OF FORT WORTH ORDINANCE

FIFTY-SECOND SUPPLEMENTAL CONCURRENT BOND ORDINANCE AUTHORIZING ONE OR MORE SERIES OF DALLAS FORT WORTH INTERNATIONAL AIRPORT JOINT REVENUE BONDS, FOR LAWFUL PURPOSES; PROVIDING THE SECURITY THEREFORE; PROVIDING FOR THE SALE, EXECUTION AND DELIVERY THEREOF SUBJECT TO CERTAIN PARAMETERS; AND PROVIDING OTHER TERMS, PROVISIONS AND COVENANTS WITH RESPECT THERETO

WHEREAS, prior to the adoption of this ordinance (herein defined and cited as the "Fifty-Second Supplemental Concurrent Bond Ordinance" or as the or this "Ordinance"), the City Councils of the Cities of Dallas and Fort Worth, Texas (the "Cities") passed the Master Bond Ordinance relating to the Dallas Fort Worth International Airport (the "Airport"); and

WHEREAS, the Master Bond Ordinance constitutes the controlling bond ordinance of the Cities that relates to the financing of the Airport and (i) prescribes the terms and conditions upon the basis of which the Additional Obligations, Credit Agreements, and Parity Credit Agreement Obligations may be issued and executed, and (ii) provides and establishes the pledge, security, and liens securing the Cities' special obligations to pay when due the Outstanding Obligations, any Parity Credit Agreement Obligations, and any Additional Obligations; and

WHEREAS, in accordance with the Master Bond Ordinance, the Cities have been requested by the Dallas Fort Worth International Airport Board (the "Board") to issue Additional Obligations pursuant to this Ordinance to pay costs of capital improvements at the Airport (including capitalized interest, if any), and for other purposes as further described in Section 3.1; and

WHEREAS, each City Council finds and determines that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by Applicable Law; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

ARTICLE I

DEFINITIONS AND OTHER PRELIMINARY MATTERS

Section 1.1. Short Title. This Ordinance may hereafter be cited in other documents and without further description as the "Fifty-Second Supplemental Concurrent Bond Ordinance."

Section 1.2. Definitions. The capitalized terms used herein, including in the preambles hereto, that are not otherwise defined herein shall have the same meanings and definitions as are applied to such terms, respectively, in, or incorporated into, the Master Bond Ordinance. Additionally, unless otherwise expressly provided or unless the context clearly requires otherwise, the following additional terms shall have the respective meanings specified below:

Authorized Officer - means each of the Chief Executive Officer, the Executive Vice President-Chief Financial Officer, or the Vice President-Treasury Management, each acting singly, and, in the event any of such positions is renamed or otherwise reorganized, including any person holding or exercising the duties of any comparable position.

Bond - means any of the Bonds.

Bond Date - means the date of such Bonds as designated in the Officer's Pricing Certificate.

Bonds - mean the bonds described in Section 3.1 as such series and titles are authorized by separate Officer's Pricing Certificates.

Closing Date - means the dates on which each series of Bonds are actually delivered to and paid for by the Purchaser.

Code - means the Internal Revenue Code of 1986, as amended.

Designated Payment/Transfer Office - means (i) with respect to the initial Paying Agent/Registrar named herein, its office in Dallas, Texas, or such other location as may be designated by the Paying Agent/Registrar, 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 Cities and such successor.

Direct Bond Purchase Agreement - means the Direct Bond Purchase Agreements hereafter entered into as contemplated and authorized in Section 3.2(b) and in the Officer's Pricing Certificates. Multiple Direct Bond Purchase Agreements may be entered into for multiple series of Bonds authorized pursuant to this Ordinance and separate Officer's Pricing Certificates.

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 such parties.

Initial Bond - means the Bonds described in Section 3.2 with the insertions required by Section 6.2(c) and an Officer's Pricing Certificate.

Insurer or Insurers - means the issuer of the Policy or of the Policies if more than one are issued, as certified by an Authorized Officer on the Closing Date.

Interest Payment Date - means the date or dates upon which interest on the Bonds is scheduled to be paid until the applicable Stated Maturity Date or Mandatory Redemption Date, as determined in the Officer's Pricing Certificate.

Investment Proceeds - is defined in section 1.148-1 (b) of the Treasury Regulations and generally consists of any amounts actually or constructively received from investing Proceeds.

Mandatory Redemption Dates - mean the dates on which the Cities are obligated to redeem Bonds in advance of their respective Stated Maturity Dates in accordance with Section 4.4 and the Officer's Pricing Certificate.

Master Bond Ordinance - means the Master Bond Ordinance approved by the City Councils of the Cities and consented to by the required parties.

Master Paying Agent Agreement - means the paying agent agreement previously executed by the Board and the Paying Agent/Registrar that specifies the duties and responsibilities of the Paying Agent/Registrar with respect to bonds or other obligations issued by the Cities in relation to the Airport.

Net Proceeds - means, with respect to any issue of Bonds, the Proceeds of such issue reduced by amounts in a reasonably required reserve or replacement fund.

Non-PAB Bond - shall mean any series of Bonds issued under this Ordinance that is, or was, as the case may be, issued and designated by the Cities in the Officer's Pricing Certificate or otherwise as "Non-PAB" or as a "non-private activity bond."

Officer's Pricing Certificate(s) - means the certificate(s) to be executed by one of the Authorized Officers pursuant to Section 3.2. Multiple Officer's Pricing Certificates for multiple series of Bonds may be executed pursuant to this Ordinance.

Ordinance - means this Ordinance and all amendments hereof and supplements hereto.

Original Issue Date - means the Closing Date of each series of Bonds.

PAB Bond - shall mean any series of Bonds issued under this Ordinance that is, or was, as the case may be, issued and designated by the Cities in the Officer's Pricing Certificate or otherwise as "PAB" or as a "private activity bond."

Paying Agent/Registrar - means The Bank of New York Mellon Trust Company, N. A., or any successor thereto as provided in this Ordinance.

Proceeds - is defined in section 1.148-1(b) of the Treasury Regulations and generally means any Sale Proceeds, Investment Proceeds and Transferred Proceeds of the Bonds.

Policy or Policies - means the policy or policies, if any, of municipal bond insurance relating to the Bonds issued on the Closing Date by the Insurer or the Insurers if more than one.

Purchaser - means the person, firm or entity or the group thereof, or the representative of such group, initially purchasing the Bonds issued hereunder from the Cities pursuant to each Direct Bond Purchase Agreement.

Rebate Fund - means the special fund required to be created and maintained in Section 8.9 and is the type of fund referred to in the definition of that term in the Master Bond Ordinance.

Record Date -means the 15th day of the month next preceding an Interest Payment Date.

Representation Letter - means the "Blanket Letter of Representations" between the Cities and DTC, as approved ratified in Section 3.9(c).

Sale Proceeds - is defined in section 1.148-1(b) of the Treasury Regulations and generally consists of any amounts actually or constructively received from the sale (or other disposition) of any Bond, including amounts used to pay underwriters' discount, if any, or compensation and accrued interest other than pre-issuance accrued interest. Sale Proceeds also include amounts derived from the sale of a right that is associated with any Bond and that is described in section l.148-4(b) (4) of the Treasury Regulations.

Stated Maturity Dates - mean the respective dates on which the Bonds are stated to mature in accordance with Section 3.2(b) and the Officer's Pricing Certificate.

Section 1.3. 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 1.4. 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) Article and Section references shall mean references to Articles and Sections of this Ordinance unless designated otherwise.

(c) If any one or more of the covenants, provisions or agreements contained herein should be contrary to Applicable Law, then such covenants, provisions or agreements shall be deemed separable from the remaining covenants, provisions, and agreements hereof, and shall in

no way affect the validity of the remaining covenants, provisions, and agreements contained in this Ordinance.

Section 1.5. Declarations and Additional Rights and Limitations Under Master Bond Ordinance. (a) For all purposes of the Outstanding Ordinances and the Master Bond Ordinance, as amended and supplemented, the Cities declare and provide as follows:

(i) The Bonds are Additional Obligations that are authorized by Section 3.1 of the Master Bond Ordinance.

(ii) The Bonds are not Interim Obligations.

(iii) Each Policy is a Credit Agreement, and each Insurer is a Credit Provider. However, a Policy does not create a Parity Credit Agreement Obligation. A Policy, if any, entered into for the purpose of providing all or a portion of the amount equal to the Debt Service Reserve Requirement is hereby declared to be a Credit Agreement that is on a parity with Subordinate Lien Obligations; provided however, the provisions of subsection 5.2(b) (iii) of the Master Bond Ordinance shall continue to apply with respect to any deficiencies in the Debt Service Reserve Fund, including any costs of a Policy with respect to the Debt Service Reserve Fund.

(iv) Administrative Expenses shall include the fees and expenses owed to the Paying Agent/Registrar.

(v) The amount of the Debt Service Reserve Requirement on account of the Bonds is an amount that is not less than the average annual Debt Service that will be required to be paid on or with respect to all Outstanding Obligations as of the date following the delivery of the Bonds. In the event that the amount on deposit in the Debt Service Reserve Fund is less than the amount required, the amount specified in the Officer's Pricing Certificate, pursuant to Section 8. 1 shall be deposited to the Debt Service Reserve Fund out of the proceeds of the Bonds or shall be used to enter into a Credit Agreement to satisfy the Debt Service Reserve Requirement.

(vi) The Stated Maturity Dates and the Mandatory Redemption Dates established in accordance with Articles III and IV as modified by the Officer's Pricing Certificate are Principal Payment Dates for the purposes of the Master Bond Ordinance.

(vii) Each Insurer, as a Credit Provider, that is not at such time in default under its Policy is authorized to give and withdraw notices of default under the provisions of Section 7. l(vii) of the Master Bond Ordinance.

(viii) Each of the Authorized Officers is designated and appointed as an "officer" of the Cities for the limited purposes of administering this Ordinance, including particularly the related documents and agreements described herein in accordance with Chapter 1371, Government Code, as amended, as applicable.

(ix) This Ordinance is an Additional Supplemental Ordinance.

(b) For all purposes of the Outstanding Ordinances and the Master Bond Ordinance, as amended and supplemented, the following additional rights and limitations are granted and imposed:

(i) No amendment to the Master Bond Ordinance or this Ordinance shall be approved or adopted pursuant to any of Sections 8.2, 8.3, 8.4, or 8.5 of the Master Bond Ordinance, whether with or without the consent of the Holders, unless and until the same is approved by the Insurer that at the time is not in default under its Policy and has a then current credit rating of at least investment grade by two nationally recognized rating agencies, to the extent required under the terms of the Credit Agreement.

(ii) The Cities shall have the right to amend the Outstanding Ordinances, the Master Bond Ordinance, and this Ordinance without the consent of or notice to the Holders, for any purpose not prohibited by Section 8.3 of the Master Bond Ordinance, if such amendment is approved by the Insurer that at the time is not in default under its Policy and has a then current credit rating of at least investment grade by two nationally recognized rating agencies and such other Credit Providers, if any, as may be required by an Additional Supplemental Ordinance.

(iii) Whenever in this Ordinance, or in the Master Bond Ordinance, the right is granted to redeem Bonds in advance of a Stated Maturity Date, any such redemption may be accomplished with any lawfully available money. The Bonds may be redeemed according to their respective terms, and pro rata redemptions are not required. All money delivered to the Paying Agent/Registrar for the purpose of paying the principal of and interest on Bonds shall be held uninvested by the Paying Agent/Registrar.

(iv) In the event of the occurrence of an Event of Default, the right of acceleration of the Stated Maturity Date or the Mandatory Redemption Date of any Bond or of any Parity Credit Agreement Obligation is not granted as a remedy, and the right of acceleration is expressly denied.

(v) Pursuant to the terms of Section 8.4 of the Master Bond Ordinance, Holders of the Bonds confirm that the Credit Providers, whether or not related to the Bonds, have the right to consent to amendments to the Master Bond Ordinance, this Ordinance and the Outstanding Ordinances without notice to or the consent of the Holders of the Bonds.

ARTICLE II

PURPOSES, PLEDGE AND SECURITY FOR BONDS

Section 2.1. Purposes of Ordinance. The purposes of this Ordinance are to prescribe the specific terms and provisions of the Bonds, to extend expressly the pledge, lien, security and provisions of the Master Bond Ordinance to and for the benefit of the Holders, to provide certain covenants to and for the benefit of each Insurer and/or Credit Provider, and to sell the Bonds to the Purchaser.

Section 2.2. Pledgee, Security for, Sources of Payments of Bonds. (a) The pledge, the security and the filing provisions of Sections 2.2 and 2.4, respectively, of the Master Bond Ordinance are hereby expressly restated, fixed, brought forward and granted to the Holders, and to each Insurer, as a Credit Provider.

(b) The Bonds, as "Additional Obligations" under the Master Bond Ordinance, are secured by a lien on and pledge of the Pledged Revenues and the Pledged Funds on a parity with the Prior Obligations, and any other Additional Obligations that are Outstanding, and with Parity Credit Agreement Obligations, if any, that are unpaid from time to time, as declared and provided in Section 2.2 of the Master Bond Ordinance.

ARTICLE III

AUTHORIZATION; GENERAL TERMS AND PROVISIONS REGARDING THE BONDS

Section 3.1. Authorization. Additional Obligations, to be designated as set forth in the Officer's Pricing Certificate, are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas, including specifically Chapter 1371, Texas Government Code, as amended and Chapter 22, Texas Transportation Code, as amended. The Authorized Officer is hereby authorized and directed to modify the title of each Series to the extent that, in the judgment of the Authorized Officer, it is necessary or appropriate. The final titles, the number of series and allocation of principal amount between each Series of Bonds shall be determined by the Authorized Officer based on market conditions in the discretion of the Authorized Officer and set forth in the Officer's Pricing Certificate for each series. The Authorized Officer shall also be authorized to issue and sell any series of Bonds as taxable obligations if the Authorized Officer determines that it is in the best interest of the Cities and the Airport to do so. The designation of any series of Bonds as taxable shall be set forth in the Officer's Pricing Certificate for that series. The Bonds shall be issued in the number of series and aggregate principal amount per series designated in the Officer's Pricing Certificate, provided that the aggregate principal amount of all of the Bonds shall not exceed $350,000,000, for the purpose of (1) paying the costs of capital improvements at the Airport (including capitalized interest, if any), (2) funding for the Debt Service Reserve Requirement through either the deposit of Bond proceeds or entering into a surety or such other agreement, if applicable, and (3) paying the Cities' and the Board's costs incurred in connection with the issuance of the Bonds including the costs of the Policy or Policies of Insurance or the surety or debt service reserve agreement.

Section 3.2. Initial Date, Denominations, Number, Maturity, Initial Registered Owner, Characteristics of the Initial Bond and Expiration Date of Delegation. (a) The Initial Bonds are hereby authorized to be issued, sold and delivered hereunder as a single fully registered Bond, without interest coupons, dated the dates designated in the Officer's Pricing Certificate, in the denomination and maximum aggregate principal amount as designated in the Officer's Pricing Certificate, numbered T-1 or as otherwise set forth in the Officer's Pricing Certificate, payable in annual installments of principal to the initial registered owner thereof (to be determined by the Authorized Officer, as hereinafter provided), or to the registered assignee or assignees of said Bond or any portion or portions thereof (in each case, the "registered owner"), with the annual

installments of principal of the Initial Bonds to be payable on the dates, respectively, and in the principal amounts, respectively, to be stated the Officer's Pricing Certificate, and as provided in this Ordinance, but with the final installment of principal (the maximum term) to be not later than November 1, 2025.

(b) As authorized by Chapter 1371, Texas Government Code, as amended, the Authorized Officers and the City Managers are hereby authorized, appointed, and designated as the officers or employees of the Cities authorized to act on behalf of the Cities in the selling and delivering of the Initial Bonds and carrying out the other procedures specified in this Ordinance, including the determination of the prices at which the Initial Bonds will be sold, the amount of each Principal Installment of each series issued hereunder, the due date of each Principal Installment of each series hereof, which shall be November 1 in each year in which a Principal Installment of each series is due unless modified by the Officer's Pricing Certificate, the rate of interest to be borne by each Principal Installment of each series issued hereunder, the redemption features, including any requirements of Mandatory Redemption, and all other matters relating to the issuance, sale, and delivery of the Initial Bonds and each series of the Bonds provided that:

(i) each series of Bonds shall not bear interest at a rate greater than the maximum rate allowed by Chapter 1204, Texas Government Code, as amended; and

(ii) the combined aggregate principal amount of all Bonds issued pursuant to this Ordinance authorized to be issued for the purposes described in Section 3.1 shall not exceed the maximum amount authorized in Section 3.1 hereof ($350,000,000) to provide for paying the costs of capital improvements at the Airport (including capitalized interest, if any), funding the Debt Service Reserve Fund Requirement, if applicable, and paying the Cities and the Board's costs incurred in connection with the issuance of the Bonds including the costs of the Policy or Policies of Insurance or the surety or debt service reserve agreement; and

(iii) all such terms and determinations pertaining to the pricing of each series of Bonds shall be based on bond market conditions and available interest rates for each series of Bonds on the date of the sale of each series of the Bonds, all as set forth in the Officer's Pricing Certificate for each series; and

(iv) prior to delivery of each series of Bonds to the Purchasers, each series of Bonds 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.

(v) The Authorized Officers are hereby authorized and directed to approve the final terms and provisions of each Direct Bond Purchase Agreement, including the selection of the Purchaser, in accordance with the terms of the Officer's Pricing Certificate and this Ordinance, such approval being evidenced by its execution thereof by any Authorized Officer. With regard to such terms and provisions of each Direct Bond Purchase Agreement, the Authorized Officer is hereby authorized to come to an agreement with the Purchasers of each series of Bonds on the following, among other matters:

1. The details of the purchase and sale of the Bonds;

2. The details of the placement of the Bonds by the Purchasers;

3. A security deposit for the Bonds, if any;

4. The representations and warranties of the Cities and the Airport to the Purchasers;

5. The details of the delivery of, and payment for, the Bonds;

6. The Purchasers' obligations under the Direct Bond Purchase Agreements, including the limitations with respect to any subsequent sales of the Bonds;

7. The certain conditions to the obligations of the Airport and the Cities under the Direct Bond Purchase Agreements;

8. Termination of the Direct Bond Purchase Agreements;

9. Particular covenants of the Airport and the Cities;

10. The survival of representations made in the Direct Bond Purchase Agreements;

11. The payment of any expenses relating to the Direct Bond Purchase Agreements;

12. Notices; and

13. Any and all such other details that are found by the Authorized Officer to be necessary and advisable for the purchase and sale of the Bonds.

Any Authorized Officer, acting singly, is hereby authorized and directed to execute each Direct Bond Purchase Agreement for and on behalf of the Board and the Cities and as the act and deed of the Board and the Cities.

(c) In connection with the issuance and delivery of the Bonds, the Authorized Officer, acting for and on behalf of the Cities, is authorized to set out in the Officer's Pricing Certificate such information as contemplated herein. The Officer's Pricing Certificate shall include such information as such Authorized Officer deem appropriate or is required by this Ordinance.

(d) The Authorized Officer is authorized to establish which maturity or maturities, if any, of each series of Bonds shall be insured based on recommendations of the Co-Financial Advisors of the Airport, and such Authorized Officer shall specify the name or names of the

Insurer or Insurers in each Direct Bond Purchase Agreement and shall specify therein which maturity or maturities, if any, will be insured.

(e) The Initial Bonds of each series (i) may be prepaid or redeemed prior to the respective scheduled due dates of installments of principal thereof as provided for in this Ordinance and in the Officer's Pricing Certificate, (ii) may be assigned and transferred, may be converted and exchanged for other Bonds, (iv) shall have the characteristics, and (v) shall be signed, and the principal of and interest on the Initial Bonds of each series shall be payable, all as provided, and in the manner required or indicated, in the FORM OF BOND set forth in this Ordinance and as determined by an Authorized Officer, as provided herein and in the Officer's Pricing Certificate, with such changes and additions as are required to meet the terms of each Direct Bond Purchase Agreement and the Officer's Pricing Certificate, including the names as to which the Initial Bond of each series shall be registered.

(f) The authority granted to the Authorized Officer under this Section 3.2 shall expire one year from the effective date of this Ordinance unless otherwise extended by the City Councils of each of the cities by separate action.

Section 3.3. Medium, Method and Place of Payment. (a) The principal of, premium, if any, and interest on the Bonds shall be paid in lawful money of the United States of America as provided in this Section.

(b) Interest on the Bonds shall be payable to the Holders whose names appear in the Obligation Register (as defined in Section 3.5) at the close of business on the Record Date; provided, however, that 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") will be established by the Paying Agent/Registrar if and when funds for the payment of such interest have been received from the Cities or the Board. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date," which shall be at least 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 Holder of a Bond appearing on the books of the Paying Agent/Registrar 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 Holder entitled to such payment, United States mail, first class postage prepaid, to the address of the Holder as it appears in the Obligation 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. Upon written request of a registered owner of at least $1,000,000 in principal amount of Bonds, all payments of the principal of, redemption premium, if any, and interest on the Bonds shall be paid by wire transfer in immediately available funds to an account designated by such registered owner.

(d) The principal of each Bonds shall be paid to the Holder 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 a date for the payment of the principal of or interest on a Bond is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the Cities or in the city in which 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 Business Day, and payment on such date shall have the same force and effect as if made on the original date payment was due.

(f) Subject to any applicable escheat, unclaimed property, or similar and Applicable Law, unclaimed payments remaining unclaimed by the Holders entitled thereto for three years after the applicable payment or redemption date shall be paid to the Board and thereafter neither the Cities, the Paying Agent/Registrar, nor any other person shall be liable or responsible to any Holders of such Bonds for any further payment of such unclaimed moneys or on account of any such Bonds.

(g) The unpaid principal balance of each Initial Bond shall bear interest as set forth in such Initial Bond to the respective scheduled due dates, or to the respective dates of prepayment or redemption, of the Principal Installments, and said interest shall be payable to the registered owner thereof, all in the manner provided and on the dates fixed by the Authorized Officers in accordance with this Ordinance and the Officer's Pricing Certificate for each series, and with interest rates as fixed by the Authorized Officer .in accordance with this Ordinance and the Officer's Pricing Certificate, and as set forth in the Direct Bond Purchase Agreements.

Section 3.4. Ownership. (a) The Cities, the Board, the Paying Agent/Registrar and any other person may treat each Holder as the absolute owner of such Bond for the purpose of making and receiving payment of the principal thereof and premium, if any, thereon, and 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 each Holder on the Record Date), and for all other purposes, whether or not such Bond is overdue, and neither the Cities, the Board, 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 Holder in accordance with this Section shall be valid and effectual and shall discharge the liability of the Cities, the Board, and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

Section 3.5. Registration, Transfer and Exchange. (a) So long as any Bonds remain outstanding, the Board shall cause the Paying Agent/Registrar to keep a register (the "Obligation Register") at its principal trust office 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) Ownership of any Bond may be transferred in the Obligation Register only upon the presentation and surrender thereof at the Paying Agent's 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 an authorized denomination of $100,000 or any integral multiple of $5,000 in excess thereof, 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. As provided in the Direct Bond Purchase Agreements the Purchaser covenants to not sell the Bonds unless such purchaser delivers a letter in the form attached to the Direct Bond Purchase Agreement. No transfer of any Bond shall be effective until entered in the Obligation 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 conversion and exchange for such transferred and assigned Bond. To the extent possible the Paying Agent/Registrar will issue such new Bond or Bonds in 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 converted and exchanged only upon the presentation and surrender thereof at the Designated Payment/Transfer Office of the Paying Agent/Registrar together with a written request therefor duly executed by the registered 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 scheduled 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 $100,000 or any integral multiple of $5,000 in excess thereof, at the request of the registered owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered 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 registered owner of the Bond or Bonds in 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, transferred or converted shall have the same principal maturity date and 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 convert and exchange the Bonds as provided herein, and each substitute Bond delivered in accordance with this Section shall constitute an original contractual obligation of the Cities 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 is delivered.

(e) The Board will pay, as Administrative Expenses, the Paying Agent/Registrar's reasonable and customary charge for the initial registration or any subsequent transfer, exchange or conversion of the Bonds, but the Paying Agent/Registrar will require the Holder 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, exchange or conversion of a Bond. In addition, the Cities hereby covenant with the Holders of the Bonds that the Board 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, conversion and exchange of Bonds as provided herein.

(f) Neither the Cities, the Board, nor the Paying Agent/Registrar shall be required to issue, transfer, or exchange any Bond called for redemption, in whole or in part, where such redemption is scheduled to occur within 45 calendar days after the transfer or exchange date; provided, however, such limitation shall not be applicable to an exchange by the Holder of the uncalled principal balance of a Bond.

Section 3.6. Cancellation and Authentication. All Bonds paid or redeemed before their Stated Maturity Dates 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 canceled upon the making of proper records regarding such payment, redemption, exchange or replacement. The Paying Agent/Registrar shall dispose of the canceled Bonds in accordance with Applicable Law.

Section 3.7. Temporary Bonds. (a) Following the delivery and registration of the Initial Bond issued hereunder and pending the preparation of definitive Bonds, the proper officers of the Cities may execute and, upon the Cities' or the Board'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 Cities 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 Cities or the Board, 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 there for a Bond or Bonds of the same maturity and series, 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 3.8. 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 there for a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding. The Cities, the Board, or the Paying Agent/Registrar may require the Holder 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 any Bond is lost, apparently destroyed or wrongfully taken, the Paying Agent/Registrar, pursuant to Subchapter D of Chapter 1201, Government Code, as amended, 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 Holder 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, the Board and the Cities 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 Cities 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 Cities, the Board, 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 Cities, the Board, 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, instead of issuing a replacement Bond, may pay such Bond.

(e) Each replacement Bond delivered in accordance with this Section shall constitute an original contractual obligation of the Cities 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 3.9. Book-Entry Only System. (a) The definitive Bonds for each series 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 3.10, 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 Cities, the Board, 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 Cities, the Board, 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 a Holder, as shown on the Obligation 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 a Holder, as shown in the Register of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the Cities, the Board, and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Obligation Register as the absolute owner of such Bond for the purpose of payment of principal of, premium, if any, 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, premium, if any, and interest on the Bonds only to or upon the order of the respective Holders, as shown in the Obligation Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Cities' obligations with respect to payment of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than a Holder, as shown in the register, shall receive a certificate evidencing the obligation of the Cities 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 "Blanket Representation Letter" setting respective duties with respect to the Bonds has been previously executed and delivered by an Authorized Officer of the Airport and made applicable to the Bonds delivered in book-entry-only form to DTC, as securities depository therefor, is hereby ratified and approved for the Bonds.

Section 3.10. Successor Securities Depository. In the event that the Cities, the Board, or the Paying Agent/Registrar determine 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 Cities, the Board, or the. Paying Agent/ Registrar shall (i) appoint a successor securities depository, qualified to act as such under Section l 7(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 Obligation 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 Holders transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

Section 3.11. 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, premium, if any, 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 4.1. Limitation on Redemption. The Bonds shall be subject to redemption before scheduled maturity only as provided in this Article IV and the Officer's Pricing Certificate.

Section 4.2. Optional Redemption. (a) The Authorized Officer shall specify in the Direct Bond Purchase Agreements, Officer's Pricing Certificates, Initial Bonds, and in the Bonds such rights of optional redemption, if any, and the Redemption Prices therefor that are to be reserved by the Cities.

(b) To the extent the Bonds are subject to optional redemption, the Board, 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 the Bonds to be redeemed.

Section 4.3. Partial Redemption. (a) If less than all of the Bonds are to be redeemed pursuant to Section 4.2, the Board shall have the right to determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call the Bonds, or portions thereof, within such maturity or maturities and in such principal amounts for redemption as determined by the Board in its sole discretion.

(b) A portion of a single Bond of a denomination greater than $100,000 may be redeemed, but only in a principal amount equal to $100,000 or any integral multiple of $5,000 in excess thereof. If such a Bond is to be partially redeemed, the Paying Agent/Registrar shall treat each $100,000 or integral multiple of $5,000 in excess thereof 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 3.5 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, such exchange being without charge.

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

Section 4.4. Mandatory Redemption of Certain Bonds. (a) The Authorized Officer shall specify in the Direct Bond Purchase Agreements, Officer's Pricing Certificates, Initial Bonds and in the Bonds such obligations to redeem the Bonds mandatorily, and the Redemption Prices therefor, as are to be imposed on the Cities.

(b) Subject to the provisions of subsection (c) of this Section, when less than all of the Bonds of a specified maturity on a specified Stated Maturity Date are required to be redeemed as determined in accordance with this Section, the Board, acting on behalf of the Cities, shall have the right and shall direct the Paying Agent/Registrar to call the Bonds, or portions thereof within a maturity, that are to be called for redemption. A portion of a single Bond of a denomination greater than $100,000 or integral multiple of $5,000 in excess thereof may be redeemed, but only in a principal amount equal to $100,000 or any integral multiple of $5,000 in excess thereof. The Paying Agent/Registrar shall treat each $100,000 or integral multiple of $5,000 in excess thereof of the Bond as though it were a single Bond for purposes of selection for redemption. Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar shall authenticate and deliver an exchange Bond or Bonds in an aggregate amount equal to the unredeemed portion of the Bond so surrendered.

(c) In lieu of the procedure described in subsection (b) of this Section, if less than all of the Bonds of a Stated Maturity Date are required to be redeemed, the Cities and the Board shall have the right to accept tenders of Bonds of the applicable Stated Maturity Date and to purchase Bonds of such maturity in the open markets at any price that is less than the applicable Redemption Price for the Bonds required to be redeemed.

Section 4.5. Notice of Redemption to Holders. (a) The Paying Agent/Registrar shall give notice of any redemption of Bonds by sending notice by first class United States mail, postage prepaid, or by such other means as is acceptable to such Holders, not less than 30 days before the date fixed for redemption, to the Holder of each Bond (or part thereof) to be redeemed, at the address shown on the Obligation Register.

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

Section 4.6. Conditional Notice of Redemption. With respect to any optional redemption of Bonds, unless certain prerequisites to such redemption required by the Master Bond Ordinance or this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Board, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent on or prior to the date fixed for such redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Board shall not redeem such Bonds and the Paying Agent shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

Section 4.7. Payment Upon Redemption. (a) Before or on each redemption date, the Board on behalf of the Cities shall deposit with the Paying Agent/Registrar money sufficient to pay all amounts due on the redemption date and 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 such amounts as are received by the Paying Agent/Registrar from the Board and shall use such funds solely for the purpose of paying the principal of, redemption premium, if any, and accrued interest on the Bonds being redeemed, or the tender or negotiated price in the case of Bonds tendered or purchased under Section 4.4(c).

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

Section 4.8. Effect of Redemption. (a) Notice of redemption having been given as provided in Section 4.5 of this Ordinance, the Bonds or portions thereof called for redemption shall become due and payable on the date fixed for redemption and, unless the Cities fail in their obligation to make provision for the payment of the principal thereof, redemption premium, if any, or accrued interest thereon on the date fixed for redemption, 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 the Cities shall fail to make provision for payment of all sums due on a redemption date, then any Bond or portion thereof called for redemption shall continue to bear interest at the rate stated on the Bond until due provision is made for the payment of same by the Cities.

ARTICLE V

PAYING AGENT/REGISTRAR

Section 5.1. Appointment of Initial Paying Agent/Registrar. The Bank of New York Mellon Trust Company, N.A., is hereby appointed as the initial Paying Agent/Registrar for the Bonds, under and subject to the terms and provisions of the Master Paying Agent Agreement.

Section 5.2. Qualifications. The Paying Agent/Registrar shall be a commercial bank, a trust company organized under applicable laws, or any other entity duly qualified and legally authorized to serve as and perform the duties and services of paying agent and registrar for the Bonds.

Section 5.3. Maintaining Paying Agent/Registrar. (a) At all times while any Bonds are Outstanding, the Cities will maintain a Paying Agent/Registrar that is qualified under Section 5.2 of this Ordinance.

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

Section 5.4. Termination. The Cities, acting through the Board, upon not less than 60 days' notice, reserves the right to terminate the appointment of any Paying Agent/Registrar by delivering to the entity whose appointment is to be terminated written notice of such termination,

provided that such termination shall not be effective until a successor Paying Agent/Registrar has been appointed and has accepted the duties of Paying Agent/Registrar for the Bonds.

Section 5.5. Notice of Change. Promptly upon each change in the entity serving as Paying Agent/Registrar, the Board will cause notice of the change to be sent to each Holder and Insurer by first class United States mail, postage prepaid, at the address in the Obligation Register, stating the effective date of the change and the name and mailing address of the replacement Paying Agent/Registrar.

Section 5.6. Agreement to Perform Duties and Functions. By accepting the appointment as Paying Agent/Registrar, the Paying Agent/Registrar acknowledges receipt of copies of the Master Bond Ordinance and this Ordinance, and is deemed to have agreed to the provisions thereof, and to perform the duties and functions of Paying Agent/Registrar prescribed therein and herein.

Section 5.7. 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 Obligation Register (or a copy thereof) and all other pertinent books and records relating to the Bonds to the successor Paying Agent/Registrar.

ARTICLE VI

FORM OF THE BONDS

Section 6.1. Form Generally. (a) The Bonds, including the Registration Certificate of the Comptroller of Public Accounts of the State, the Certificate of the Paying Agent/Registrar, and the Assignment form to appear on each of the Bonds, (i) shall be substantially 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 or the Officer's Pricing Certificates, 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 Board.

(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, including the Initial Bonds submitted to the Attorney General of Texas and any temporary Bonds, shall be typed, printed, lithographed, photocopied 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 6.2. Form of Bond. The forms of Bond, including the form of the Registration Certificate of the Comptroller of Public Accounts of the State, the form of Certificate of the Paying Agent/Registrar and the form of Assignment appearing on the Bonds, shall be substantially as follows for each Bond of each series:

(a) [Form of Bond]

THESE BONDS ARE RESTRICTED AS TO RESALE AND MAY NOT BE RESOLD IN AN OFFERING OR DISTRIBUTION AND MAY ONLY BE SOLD TO A QUALIFIED INSTITUTIONAL BUYER AS DEFINED IN RULE 144A UNDER THE SECURITIES ACT OF 1933 REPRESENTING TO THE SELLING HOLDER AND THE CITIES: (1) IT IS A QUALIFIED INSTITUTIONAL BUYER AS DEFINED BY RULE 144A UNDER THE SECURITIES ACT OF 1933; (2) IT IS PURCHASING THE BONDS FOR INVESTMENT ONLY FOR ITS OWN ACCOUNT AND NOT FOR RESALE OR DISTRIBUTION AND IT MAY ONLY RESELL THE BONDS TO A QUALIFIED INSTITUTIONAL BUYER MAKING THE SAME ACKNOWLEDGEMENT AND WRITTEN REPRESENTATIONS MADE IN THESE CLAUSES (1) THROUGH (4) OF THIS PARAGRAPH TO THE SELLER AND TO THE CITIES, IN A TRANSACTION NOT INVOLVING AN OFFERING OR DISTRIBUTION; (3) IT UNDERSTANDS AND ACKNOWLEDGES THAT NO PLACEMENT MEMORANDUM OR OTHER DISCLOSURE DOCUMENT OF THE CITIES HAS OR WILL BE PROVIDED TO IT; AND (4) IT HAS HAD THE OPPORTUNITY TO CONDUCT ITS OWN DUE DILIGENCE, EVALUATE THE MERITS AND RISKS OF THE PURCHASE OF THE BONDS WITHOUT RELIANCE ON THE CITIES OR, IN THE EVENT OF A RESALE, THE SELLER, AND RELIED EXCLUSIVELY ON ITS OWN DUE DILIGENCE.

REGISTERED
NO. _____

REGISTERED
$_____

United States of America State of Texas
Cities of Dallas and Fort Worth
DALLAS FORT WORTH INTERNATIONAL AIRPORT
JOINT REVENUE BOND, SERIES ____[1]

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

The Cities of Dallas and Fort Worth Texas (the "Cities"), for value received, hereby promise to pay to

_____

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

[1] To be completed pursuant to the Officer's Pricing Certificate for the Bonds.

_____ DOLLARS

unless this Bond shall have been sooner called for redemption and the payment of the principal hereof shall have been paid or provision for such payment shall have been made, and to pay interest on the unpaid principal amount hereof from the later of the Original Issue Date, or the most recent interest payment date to which interest has been paid or provided for until such principal amount shall have been paid or provided for, at the per annum rate of interest specified above, computed on the basis of a 360-day year of twelve 30-day months, such interest to be paid semiannually on May 1 and November 1 of each year, commencing _____, 2017[2].

Capitalized terms appearing herein that are defined terms in the Ordinances defined below, have the meanings assigned to them in the Ordinances. Reference is made to the Ordinances for such definitions and for all other purposes.

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 Dallas, Texas (the "Designated Payment/Transfer Office"), of The Bank of New York Mellon Trust Company, N. A. 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. Upon written request of a registered owner of at least $1,000,000 in principal amount of Bonds, all payments of the principal of, redemption premium, if any, and interest on the Bonds shall be paid by wire transfer in immediately available funds to an account designated by such registered owner. For the purpose of the 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 15th day of the month next preceding such interest payment date; provided, however, that 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") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received. 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 Holder 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 such notice.

If a date for the payment of the principal of or interest on the Bonds is a Saturday, Sunday, legal holiday, or a day on which banking institutions in the Cities or in the city in which 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 Business Day, and payment on such date shall have the same force and effect as if made on the original date payment was due.

[2] To be completed pursuant to the Officer's Pricing Certificate for the Bonds

This Bond is one of a series of fully registered bonds specified in the title hereof, dated _____[3], issued in the aggregate principal amount of $_____[4], issued pursuant to the authority of Chapter 22, Texas Transportation Code, as amended, Chapter 1371, Texas Government Code, as amended, and the "Master Bond Ordinance," as defined in the Fifty-Second Supplemental Concurrent Bond Ordinance adopted concurrently by the City Councils of the Cities (the "Fifty-Second Supplemental Ordinance"). The Master Bond Ordinance and the Fifty-Second Supplemental Ordinance are herein collectively referred to as the "Ordinances." This Bond is one of the Additional Obligations authorized by the Ordinances and is subject to the terms and provisions thereof. The Ordinances and their respective terms and provisions are incorporated herein for all purposes.

The Bonds are issued by the Cities for the purposes of obtaining funds to pay costs of capital improvements at the Airport (including capitalized interest, if any), to provide funding for the Debt Service Reserve Requirements through either the deposit of Bond proceeds or entering into a surety or such other agreements, and to pay the Cities' and the Board's costs incurred in connection with the issuance of the Bonds, including the costs of the Policy or Policies, if any, or the surety or debt service reserve agreement.

The Bonds and the interest thereon are payable from, and are secured by a first lien on and pledge of the Pledged Revenues and the Pledged Funds.

The lien on and pledge of the Pledged Revenues and Pledged Funds created and granted in the Ordinances in favor of the Bonds is on a parity with the lien and pledge thereof granted by the Cities in favor of the Holders of Outstanding Obligations and any Additional Obligations or Parity Credit Agreement Obligations that may be issued or executed pursuant to the Master Bond Ordinance, as defined and permitted therein. The Cities have reserved the right in the Ordinances to issue Additional Obligations and Parity Credit Agreement Obligations that, after issuance, may be secured by liens on and pledges of the Pledged Revenues and Pledged Funds on a parity with the lien thereon in favor of the Bonds.

The Cities have also reserved the right in the Ordinances to issue Subordinate Lien Obligations, and Net Revenue Obligations and Credit Agreement Obligations in connection therewith, provided the lien and pledge securing the same are expressly made junior and subordinate to the pledge and lien securing the Obligations and Parity Credit Agreement Obligations.

All covenants requiring the Cities to pay principal and interest or other payments on Obligations, Subordinate Lien Obligations, Net Revenue Obligations, and Credit Agreement Obligations shall be joint, and not several, obligations, and all monetary obligations shall be payable and collectible solely from the revenues and funds expressly pledged thereto by the Ordinances or by an Additional Supplemental Ordinance, such revenues and funds being owned in undivided interests by the City of Dallas (to the extent of $7/11^{th}$ thereof) and by the City of Fort Worth (to the extent of $4/11^{th}$ thereof); and, each and every Holder shall by his acceptance of this Bond consent and agree that no claim, demand, suit, or judgment for the payment of

[3] To be completed pursuant to the Officer's Pricing Certificate for the Bonds
[4] To be completed pursuant to the Officer's Pricing Certificate for the Bonds

money shall ever be asserted, filed, obtained or enforced against either of the Cities apart from the other City and from sources other than the funds and revenues pledged thereto; and no liability or judgment shall ever be asserted, entered or collected against either City individually, except out of such pledged revenues and exceeding in the case of Dallas an amount equal to $7/11^{th}$ of the total amount asserted or demanded, and in the case of Fort Worth an amount equal to $4/11^{th}$ of the total amount asserted or demanded. The Holders hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

[The Cities have reserved the right and option to redeem the Bonds maturing in the years _____ through _____, inclusive, in whole or part, in principal amounts equal to $100,000 or any integral multiple of $5,000 in excess thereof, before their respective maturity dates, on November 1, or on any date thereafter, at a price equal to the principal amount thereof, plus interest to the date fixed for redemption, without premium.][5]

[The Bonds maturing November 1, ____, November 1, ____, November 1, ____, November 1, ____ shall be redeemed prior to stated maturity in part at random on November 1 as indicated, in each of the years set forth below from moneys required to be deposited to the credit of the Debt Service Fund at the principal amount thereof and accrued interest to date of redemption, without premium. Such required sinking fund installments as to each maturity are as follows:

BONDS MATURING NOVEMBER 1, ____

Year	Annual
$_____	$_____

BONDS MATURING NOVEMBER 1, ____

Year	Annual
$_____	$_____

BONDS MATURING NOVEMBER 1, ____

Year	Annual
$_____	$_____

BONDS MATURING NOVEMBER 1, ____

Year	Annual
$_____	$_____

The Paying Agent/Registrar will select at random the specific Bonds (or with respect to Bonds having a denomination in excess of $100,000, each $100,000 or any integral multiple of $5,000 in excess thereof portion) to be redeemed by mandatory redemption. The principal

[5] Optional redemption provisions to be inserted to the Officer's Pricing Certificate for the Bonds.

amount of Bonds required to be redeemed on a redemption date pursuant to the foregoing mandatory sinking fund redemption provisions hereof shall be reduced, at the option of the Board on behalf of the Cities, by the principal amount of any Bonds having the same maturity which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the Board on behalf of the Cities 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.][6]

Notice of such redemption or redemptions shall be given by first class mail, postage prepaid, not less than 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. Notice having been so given, the Bonds or portions thereof designated for redemption shall become due and payable on the redemption date specified in such notice; from and after such date, notwithstanding that any of the Bonds or portions thereof so called for redemption shall not have been surrendered for payment, interest on such Bonds or portions thereof shall cease to accrue.

With respect to any optional redemption of Bonds, unless certain prerequisites to such redemption required by the Master Bond Ordinance or this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Board, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent on or prior to the date fixed for such redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Board shall not redeem such Bonds and the Paying Agent shall notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

As provided in the Ordinances, 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 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 Cities, the Board, nor the Paying Agent/Registrar shall be required to issue, transfer or exchange any Bond called for redemption where such redemption is scheduled to occur within 45 calendar days of the transfer or exchange date; provided, however, such limitation shall not be applicable to an exchange by the registered owner of the uncalled principal balance of a Bond.

The Cities, the Board, 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

[6] Optional redemption provisions to be inserted pursuant to the Officer's Pricing Certificate for the Bonds.

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 Cities, the Board, nor the Paying Agent/Registrar shall be affected by notice 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.

IN WITNESS WHEREOF, the City Council of the City of Dallas, Texas, has caused the facsimile seal of that City to be placed hereon and this Bond to be signed by the facsimile signature of its Mayor and countersigned by the facsimile signatures of its City Manager and City Secretary; and the City Council of the City of Fort Worth, Texas, has caused the facsimile seal of that City to be placed hereon and this Bond to be signed by the facsimile signature of its Mayor, countersigned by the facsimile signature of its City Secretary, and approved as to form and legality by its City Attorney.

COUNTERSIGNED:

City Manager, City of Dallas, Texas	Mayor, City of Dallas

City Secretary,
City of Dallas, Texas

[SEAL]

COUNTERSIGNED:

City Secretary, City of Fort Worth	Mayor, City of Fort Worth

APPROVED AS TO FORM AND
LEGALITY:

City Attorney,
City of Fort Worth, Texas

[SEAL]

[Form of Certificate of Paying Agent/Registrar]
CERTIFICATE OF PAYING AGENT/REGISTRAR

This is one of the Bonds referred to in the within mentioned Ordinances. The series of Bonds of which this Bond is a part was originally issued as one Initial Bond which was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., as Paying Agent/Registrar

Dated: _____ By: _____
Authorized Signatory

(b) [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:_____

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 in a manner satisfactory to the Paying Agent/Registrar.

_____
Authorized Signatory

(c) Initial Bond Insertions.

(i) The Initial Bond shall be in the form set forth in paragraph (a) 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 "CUSIP NO._" deleted;

B. in the first paragraph:

the words "on the Maturity Date" shall be deleted and the following will be inserted:

c. "on November 1 in the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

Principal Installments Interest Rates

C. (Information to be inserted m accordance with the Officer's Pricing Certificate; and

D. the Initial Bond shall be numbered TC-1.

(ii) The following Registration Certificate of Comptroller of Public Accounts shall appear on the Initial Bond in lieu of the Certificate of the Paying Agent/Registrar:

REGISTRATION CERTIFICATE OF COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER	§	REGISTER No.
OF PUBLIC ACCOUNTS	§	
THE STATE OF TEXAS	§	

I HEREBY CERTIFY THAT there is on file and of record in my office a certificate to the effect that the Attorney General of the State of Texas has examined and approved this Bond as required by law, and that he finds that it has been issued in conformity with the constitution and laws of the State of Texas, and that this Bond has been registered this day by me.

WITNESS MY SIGNATURE AND SEAL OF OFFICE this _____.

_____
Comptroller of Public Accounts
of the State of Texas

[SEAL]

Section 6.3. CUSIP Registration. The Cities 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 as regards the legality thereof and neither the Cities, the Board, nor the attorneys approving said Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the Bonds.

Section 6.4. Legal Opinion. The approving legal opinions of McCall, Parkhurst & Horton L.L.P. and Bracewell LLP, Co-Bond Counsel, shall be delivered to the Paying

Agent/Registrar and the delivery thereof shall be acknowledged by the Paying Agent/Registrar on behalf of the Holders of the Bonds.

ARTICLE VII

EXECUTION, APPROVAL, REGISTRATION, SALE AND DELIVERY OF BONDS AND RELATED DOCUMENTS

Section 7.1. Method of Execution. Delivery of Initial Bond. (a) Each of the Bonds shall be signed and executed on behalf of the City of Dallas by the manual or facsimile signature of its Mayor and countersigned by the manual or facsimile signatures of its City Manager and City Secretary, and the corporate seal of that City shall be impressed, printed, lithographed or otherwise reproduced or placed on each bond. Each of the Bonds shall be signed and executed on behalf of the City of Fort Worth by the manual or facsimile signature of its Mayor and countersigned by the manual or facsimile signature of its City Secretary; the same shall be approved as to form and legality by the manual or facsimile signature of the City Attorney of the City, and its corporate seal shall be impressed, printed, lithographed or otherwise reproduced or placed upon each bond. All manual or facsimile signatures placed upon the Bonds shall have the same effect as if manually placed thereon, all to be done in accordance with Applicable Law.

(b) In the event the Mayor, City Secretary, City Manager or City Attorney of either of the Cities is absent or otherwise unable to execute any document or take any action authorized herein, the Mayor Pro Tern, the Assistant City Secretary, an Assistant City Manager or an Assistant City Attorney, respectively, shall be authorized to execute such documents and take such actions, and the performance of such duties by the Mayor Pro Tern and the Assistant City Secretary, and an Assistant City Manager and an Assistant City Attorney shall, for the purposes of this Ordinance, have the same force and effect as if such duties were performed by the Mayor, City Secretary, City Manager and City Attorney, respectively. If any official from either City whose manual or facsimile signature shall appear on the Bonds, shall cease to be such official before the Authentication of the Bonds or before delivery of the Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purpose as if such official had remained in such office.

(c) On the Closing Date, one "Initial Bond," of each series representing the entire principal amount of all Bonds of such series and the terms set forth in each Officer's Pricing Certificate applicable thereto, payable in stated installments to the Purchasers or its designee, executed by manual or facsimile signatures of the Mayors and the City Manager of the City of Dallas and countersigned by the City Secretaries of the Cities and approved as to form and legality by the City Attorney of the City of Fort Worth, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State, will be delivered to the Purchaser of each series or its designee. Upon payment for the Initial Bonds, the Paying Agent/Registrar shall cancel the Initial Bonds and deliver to DTC on behalf of the Purchaser registered definitive Bonds for each maturity of each series as described in Section 3.7.

(d) 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 Bonds 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 or by his duly authorized agent, which certificate shall be evidence that the Initial Bonds have been duly approved by the Attorney General of the State and that it is a valid and binding obligation of the Cities, and has been registered by the Comptroller.

Section 7.2. Approval and Registration. The Board is hereby authorized to have control and custody of the Bonds and all necessary records and proceedings pertaining thereto pending their delivery, and the Chairman, and the officers and employees of the Board and of the Cities are hereby authorized and instructed to make such certifications and to execute such instruments as may be necessary to accomplish the delivery of the Bonds or the Initial Bond to the Attorney General of the State of Texas and to assure the investigation, examination and approval thereof by the Attorney General and their registration by the Comptroller of Public Accounts. Upon registration of the Bonds, the Comptroller of Public Accounts (or a deputy designated in writing to act for him) shall manually sign the Comptroller's Registration Certificate accompanying the Bonds and the seal of the Comptroller shall be impressed, or placed in facsimile, on such certificate. The Chairman of the Board and the Chief Executive Officer of the Airport shall be further authorized to make such agreements and arrangements with the purchasers of Bonds and with the Paying Agent/Registrar as may be necessary to assure that such Bonds will be delivered to such purchasers in accordance with the terms of sale.

Section 7.3. TEFRA Approval. An Authorized Officer is hereby appointed to be the designated Hearing Officer for a public hearing, if applicable, relating to the Bonds to be held for purposes of satisfying Section 147 of the Code and the Mayors are hereby authorized to approve the issuance of the Bonds and the use of the proceeds thereof for the purpose of satisfying the requirements of Section 147 of the Code.

Section 7.4. Approval of Credit Agreements. The Board is authorized to enter into Credit Agreements relating to the Bonds from time to time while the Bonds are Outstanding in accordance with Applicable Law.

Section 7.5. 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 of each City and such City Secretary shall insert such changes into this Ordinance as if approved on the date hereof.

Section 7.6. Further Action. The Authorized Officers and each of them are authorized, empowered and directed to execute such other documents in addition to those enumerated herein

and to take such other actions as they deem necessary or advisable in order to carry out and perform the purposes of this Ordinance.

ARTICLE VIII

GENERAL PROVISIONS

Section 8.1. Deposit and Uses of Bond Proceeds. The proceeds received from the sale of the Bonds, together with other available funds, if any, shall be applied as follows: (i) an amount as specified in the Officer's Pricing Certificate shall be deposited to the Construction Fund to pay costs of capital improvements at the Airport (including capitalized interest, if any); (ii) an amount as specified in the Officer's Pricing Certificate shall be deposited to the Debt Service Reserve Fund or shall be used to purchase a Credit Agreement, which together with the amount on deposit therein, is equal to the Debt Service Reserve Requirement; and (iii) an amount specified in the Officer's Pricing Certificate, equal to the Cities' and the Board's costs of issuance of the Bonds will be deposited into the Construction Fund.

Section 8.2. Payment of the Bonds. While any of the Bonds are outstanding and unpaid, the Board shall make available to the Paying Agent/Registrar, out of the Debt Service Fund or the Debt Service Reserve Fund, the amounts and at the times required by this Ordinance and the Master Bond Ordinance, money sufficient to pay when due all amounts required to be paid by this Ordinance, the Master Bond Ordinance and the Additional Supplemental Ordinances, if any, that authorize the issuance of Additional Obligations.

Section 8.3. Representations and Covenants. (a) The Cities and the Board will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in the Master Bond Ordinance and this Ordinance; the Cities will promptly pay or cause to be paid from Pledged Revenues the principal of, interest on, and premium, if any, with respect to, each Bond on the dates and at the places and manner prescribed in each Bond; and the Cities will, at the times and in the manner prescribed by this Ordinance, deposit or cause to be deposited the amounts of money specified by the Master Bond Ordinance and this Ordinance.

(b) The Cities are duly authorized by Applicable Law to issue the Bonds; all action on their part for the issuance of the Bonds has been duly and effectively taken; and the Bonds in the hands of the Holders are and will be valid and enforceable special obligations of the Cities and the Board in accordance with their terms.

(c) The Board, the officers, employees and agents are hereby directed to observe, comply with and carry out the terms and provisions of this Ordinance.

Section 8.4. General Tax Covenant Regarding Tax-Exemption. The Cities and the Board covenant to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. The Cities and the Board understand that the term "Proceeds" includes "disposition proceeds," as defined in the Treasury Regulations. It is the understanding of the Cities and the Board that the covenants contained in this Ordinance are intended to assure

compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify, or expand provisions of the Code, as applicable to the Bonds, the Cities and the Board will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the Cities and the Board agree to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bonds under section 103 of the Code.

Notwithstanding any other provision of this Ordinance, the terms, conditions and requirements of Section 8.4 through 8.10 of the Ordinance shall survive the defeasance and discharge of the Bonds and the Cities and the Board will continue to comply with such terms, conditions and requirements to the extent that a failure to do so would adversely affect the treatment of the Bonds as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. For purposes of making the foregoing determination, the Cities and the Board may rely on the advice of nationally-recognized bond counsel.

Section 8.5. Use of Proceeds of Non-PAB Bonds. The Cities and Board covenant and agree that they will make use of the Proceeds of Non-PAB Bonds, including interest or other investment income derived from such 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 Non-PAB Bonds will not be "private activity bonds" within the meaning of section 141 of the Code.

Section 8.6. Use of Proceeds Regarding PAB Bonds. The Cities and the Board covenant with respect to the PAB Bonds:

(a) that they have taken any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the PAB Bonds, if any, as "exempt facility bonds" as the term is defined in section 142 of the Code.

(b) that at least 95 percent of the Net Proceeds of the PAB Bonds, if any, actually expended have been and will be expended to finance or refinance costs of property (the "Financed Property") that (A) either (1) were paid or incurred after the issue date of the PAB Bonds, or (2) paid prior to the issue date of the PAB Bonds, if any, but meet the requirements of section 1.150-2 of the Treasury Regulations; (B) are properly chargeable for federal income tax purposes to the capital account of the Financed Property, or would be so chargeable either with a proper election or but for a proper election to deduct such amounts; and (C) were incurred to provide "airport facilities," which may include both an "airport" within the meaning of section 142 of the Code and property that is functionally related and subordinate thereto within the meaning of section 1.103-8(a)(3) of the Treasury Regulations or directly related and essential thereto within the meaning of Section 1.103-8(e)(2)(ii) of the Treasury Regulations (for purposes of this covenant a storage or training facility shall be an "airport facility" only if such facility is

directly related to the airport, and an "office" shall be considered an "airport facility" only if such office is located on the premises of an airport and all but a de minimis amount of the functions to be performed at such office are directly related to the day-to-day operations at such airport).

(c) that less than 25 percent of the Net Proceeds of the PAB Bonds, if any, will be used, directly or indirectly, for the acquisition of land or an interest therein and no portion of the Net Proceeds of the PAB Bonds, if any, has been or will be used, directly or indirectly, for the acquisition of land or an interest therein to be used for farming purposes (for purposes of this covenant, land acquired for noise abatement purposes or for future use as an airport shall not be taken into account, if there is no other significant use of such land).

(d) that no portion of the Net Proceeds of the PAB Bonds, if any, will be used for the acquisition of any existing property or an interest therein unless (A) the first use of such property is pursuant to such acquisition or (B) the rehabilitation expenditures with respect to any building and the equipment therefor equal or exceed 15 percent of the cost of acquiring such building financed with the Net Proceeds of the PAB Bonds, if any, (with respect to structures other than buildings, this covenant shall be applied by substituting 100 percent for 15 percent and the term "rehabilitation expenditures" shall have the meaning set forth in section 147(d)(3) of the Code).

(e) to take such action to assure at all times while the PAB Bonds remain outstanding, the Financed Property, will be owned by a governmental unit.

(f) that no part of the Financed Property, will constitute (i) any lodging facility, (ii) any retail facility (including food or beverage facilities) in excess of a size necessary to serve passengers and employees at the exempt facility, (iii) any retail facility (other than parking) for passengers or the general public located outside the exempt facility terminal, (iv) any office building for individuals who are not employees of a governmental unit or of the operating authority for the exempt facility, (v) any industrial park or manufacturing facility, (vi) any airplane, (vii) any skybox or other private luxury box, (viii) any health club facility, (ix) any facility primarily used for gambling, or (x) any store the principal business of which is the sale of alcoholic beverages for consumption off premises.

(g) that the maturity of the PAB Bonds does not exceed 120 percent of the economic life of the Financed Property, as more specifically set forth in section 147(b) of the Code; and

(h) that the costs of issuance to be financed with the Proceeds of the PAB Bonds do not exceed two (2) percent of the Sale Proceeds of the Bonds.

Section 8.7. No Federal Guarantee. The Cities and the Board covenant and agree to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section l49(b) of the Code.

Section 8.8. No Arbitrage. The Cities and the Board covenant and agree that they will make such use of the Proceeds of the Bonds, including interest or other investment income derived from Proceeds of the Bonds, 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. In furtherance thereof, the Cities and the Board covenant and agree as follows:

(a) to refrain from using any portion of the Proceeds of the Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of each issue of the Bonds, other than investment property acquired with --

(i) Proceeds of the Bonds invested for a reasonable temporary period, within the meaning of Section 148 of the Code,

(ii) Proceeds or amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(iii) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the stated principal amount (or, in the case of more than a "de minimis amount" of original issue discount, the issue price, within the meaning of section 1.148-l(b) of the Treasury Regulations) of the Bonds;

(b) to otherwise restrict the use of the Proceeds of the Bonds or amounts treated as Proceeds of the Bonds, as may be necessary, to satisfy the requirements of section 148 of the Code (relating to arbitrage);

(c) to create and maintain a Rebate Fund, as required below for each issue of the Bonds, to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the issue of the Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bonds of such issue have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(d) to maintain such records as will enable the Cities and the Board to fulfill their responsibilities under this section and section 148 of the Code and to retain such records for at least six years following the final payment of principal and interest on each issue of the Bonds.

In order to facilitate the requirements of subsection (c) of this Section, the Rebate Fund for each issue of the Bonds shall be established and maintained by the Board, on behalf of itself and the Cities, for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other Person, including Holders and Credit Providers. Amounts on deposit in the Rebate Fund in accordance with section 148 of the Code shall be paid periodically to the United States of America in such amounts and at such times as are required by said section.

Section 8.9. Record Retention. The Cities and the Board covenant and agree to retain all pertinent and material records relating to the use and expenditure of the Proceeds of each issue of the Bonds until three years after the last Bond is redeemed, or such shorter period as authorized by subsequent guidance issued by the Department of Treasury, if applicable. All

records will be kept in a manner that ensures their complete access throughout the retention period. For this purpose, it is acceptable that such records are kept either as hardcopy books and records or in an electronic storage and retrieval system, provided that such electronic system includes reasonable controls and quality assurance programs that assure the ability of the Cities and the Board to retrieve and reproduce such books and records in the event of an examination of the Bonds by the Internal Revenue Service.

Section 8.10. Disposition of Project. The Cities and the Board covenant that the property constituting the projects financed with the proceeds of the Bonds will not be sold or otherwise disposed in a transaction resulting in the receipt by the Cities or the Board of cash or other compensation, unless the Cities and the Board obtain an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Cities and the Board shall not be obligated to comply with this covenant if they obtain an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest on the Bonds.

Section 8.11. Bond Insurance. The Bonds may be offered with one or more commitments for bond insurance provided by the Insurer or Insurers, with the bond insurance to be evidenced by one or more of the then current legal forms of the Policy or Policies. The Cities may sell one or more maturities of the Bonds based on such insurance but are not required to obtain bond insurance from another source if the Insurer does not honor or is unable to honor its obligations to deliver the Policy or Policies on the Closing Date. In the event that any of the Bonds are insured, the covenants and representations of the Cities relating to insurance shall be set forth in the Officer's Pricing Certificates.

Section 8.12. Issuance of Taxable Bonds. In the event the Authorized Officer determines to issue any series of Bonds as taxable obligations pursuant to the authority granted in Section 3.1 of this Ordinance, all covenants and representations of the Cities regarding the tax-exempt status of the Bonds or any obligations relating to the issuance of tax-exempt Bonds shall be null and void, including the covenants contained in Sections 8.4 through 8.10 of this Article VIII.

Section 8.13. Allocation Of, And Limitation On, Expenditures For The Project. The Cities and the Board covenant to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in this Ordinance (the "Project") on its books and records in accordance with the requirements of the Internal Revenue Code. The Cities and the Board recognize that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Project is completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the Cities and the Board recognize that in order for proceeds to be expended under the Internal Revenue Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Bonds, or (2) the date the Bonds are retired. The Cities and the Board agree to obtain the advice of nationally-recognized bond

counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Bonds. For purposes hereof, the Cities and the Board shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

ARTICLE IX

OMITTED

ARTICLE X

REPEAL, SEVERABILITY, AND EFFECTIVE DATE

Section 10.1. Ordinance Irrepealable. After any of the Bonds shall be issued, this Ordinance shall constitute a contract between the Cities, the Holders, and each Insurer, and this Ordinance shall be and remain irrepealable until the Bonds and the interest thereon shall be fully paid, canceled, refunded or discharged or provision for the payment thereof shall be made.

Section 10.2. Severability. If any Section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or lack of enforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. If any Section, paragraph, clause or provision of the Contract and Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or lack of enforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of the Contract and Agreement, or of any other provisions of this Ordinance not dependent directly for effectiveness upon the provision of the Contract and Agreement thus declared to be invalid and unenforceable.

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PASSED BY THE FORT WORTH CITY COUNCIL THIS _____ DAY OF _____, 2017.

ATTEST:

Mayor City of Fort Worth, Texas	City Secretary City of Fort Worth, Texas

APPROVED AS TO FORM AND LEGALITY:

City of Fort Worth, Texas

THE STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF FORT WORTH §

I, Mary J. Kayser, City Secretary of the City of Fort Worth, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an Ordinance, duly presented and passed by the City Council of the City of Fort Worth, Texas, at a regular meeting held on _____, 2017, as same appears of record m the Office of the City Secretary.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and the Official Seal of the City of Fort Worth, Texas, this _____ day of _____, 2017.

_____
City Secretary,
City of Fort Worth, Texas

APPROVED AND ADOPTED BY THE DALLAS CITY COUNCIL THIS _____, 2017.

CITY OF DALLAS:
City Manager

By: _____

APPROVED AS TO FORM:

City Attorney

By: _____

THE STATE OF TEXAS §
COUNTY OF DALLAS §
CITY OF DALLAS §

I, Rosa Rios, City Secretary of the City of Dallas, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an excerpt from the minutes of the City Council of the City of Dallas, had in regular meeting, _____, 2017, confirming the passage of Dallas Fort Worth International Airport Fifty-Second Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas Fort Worth International Airport Joint Revenue Bonds which ordinance is duly of record in the minutes of said City Council.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and seal of the City of Dallas, Texas, this _____ day of _____, 2017.

_____
City Secretary,
City of Dallas, Texas

AGENDA ITEMS # 37,38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 1, 3

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 52D 53A B C D 54A B C D

SUBJECT

West Davis Street

* Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation in the design and construction of sidewalk enhancements and paving improvements for West Davis Street from North Clinton Avenue to Cedar Hill Avenue; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $840,000 for Dallas County's share of the project costs; and **(3)** an increase in appropriations in an amount not to exceed $840,000 in the Capital Projects Reimbursement Fund - Not to exceed $840,000 - Financing: Capital Projects Reimbursement Funds

* Authorize **(1)** a Funding Agreement with Dallas County for a study to evaluate the West Davis Street corridor's transportation needs from Cockrell Hill Road to East Seventh Street and preliminary design of Complete Street improvements; and **(2)** payment to Dallas County for the City's share of study cost - Not to exceed $300,000 - Financing: 2006 Bond Funds

BACKGROUND

The City of Dallas has a vision to improve West Davis Street with bicycle and pedestrian friendly facilities and has approved funds in the 2006 and 2012 Bond Program to provide improvements. Dallas County also desires to improve West Davis Street and partnered with the City by providing funds from their Major Capital Improvements Program (MCIP). West Davis Street was a state highway (State Highway 180) and in order to allow for the flexibility of utilizing local standards/procedures to implement the desired improvements, the City requested and worked with the Texas Department of Transportation (TxDOT) to remove West Davis Street from the state highway system.

BACKGROUND (continued)

The removal process has been completed and West Davis Street is now no longer on the state highway system. Prior to starting detailed design for the planned West Davis Street improvements, a comprehensive transportation study is planned for the West Davis Street Corridor.

The study will evaluate the multimodal transportation needs for the corridor and develop a comprehensive complete street plan for West Davis Street based on the transportation needs, available funding and community input. The estimated cost of the combined corridor study and preliminary engineering is $600,000, which is to be split 50/50 between the City and Dallas County. Dallas County will be the lead agency to administer the study and preliminary engineering. This action will authorize the Funding Agreement with Dallas County to outline the scope, funding obligation, responsibility of agencies for the study and preliminary engineering, and the payment to the Dallas County for the City's share of study cost.

West Davis Street from North Beckley Avenue to Hampton Road is a partnership project between the City of Dallas and Dallas County. In order to stay within budget and be consistent with the West Davis Street study conducted by the Office of Economic Development and the input received from the community during the conceptual planning phase, the original project limits, were modified to West Davis Street from North Clinton Avenue to Cedar Hill Avenue. This project was submitted and subsequently selected for implementation by the Dallas County's Major Capital Improvement Programs (MCIP) Sixth Call for Projects in 2014. This action will authorize a Project Specific Agreement with Dallas County for funding participation for the design and construction of sidewalk enhancements and paving improvements for West Davis Street from North Clinton Avenue to Cedar Hill Avenue.

The scope of the West Davis Street from North Clinton Avenue to Cedar Hill Avenue project entails sidewalk enhancements and paving improvements which will include asphalt overlay, crosswalks, sidewalks, barrier free ramps, as well as benches, trash receptacles, lighting and landscaping. The improvements will also include replacement of the existing water and wastewater mains. The City is the lead agency for this project and is responsible for administering the design and construction. The construction is estimated to commence fall 2017 and be complete in late 2018.

ESTIMATED SCHEDULE OF PROJECT

West Davis Street from North Clinton Avenue to Cedar Hill Avenue

Began Design	September 2014
Completed Design	February 2017
Begin Construction	November 2017
Complete Construction	June 2018

West Davis Street from Cockrell Hill Road to East Seventh Street

Begin Study	September 2017
Complete Study	September 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation Major Capital Improvement Projects by Resolution No. 01-0104.

On April 13, 2011, City Council authorized a new Master Agreement with Dallas County governing transportation Major Capital Improvement Projects by Resolution No. 11-0927.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Capital Projects Reimbursement Funds - $840,000
2006 Bond Funds - $300,000

Council District	Amount
1	$240,000
3	$ 60,000
Total	$300,000

FISCAL INFORMATION (continued)

West Davis Street from North Clinton Avenue to Cedar Hill Avenue (PSA)

Design (PBW/DWU)	$ 299,881
Construction (STS)	$2,352,700
Total	$2,652,581
City of Dallas' share of cost	$1,769,641
Dallas County's share of cost (this action)	$ 840,000

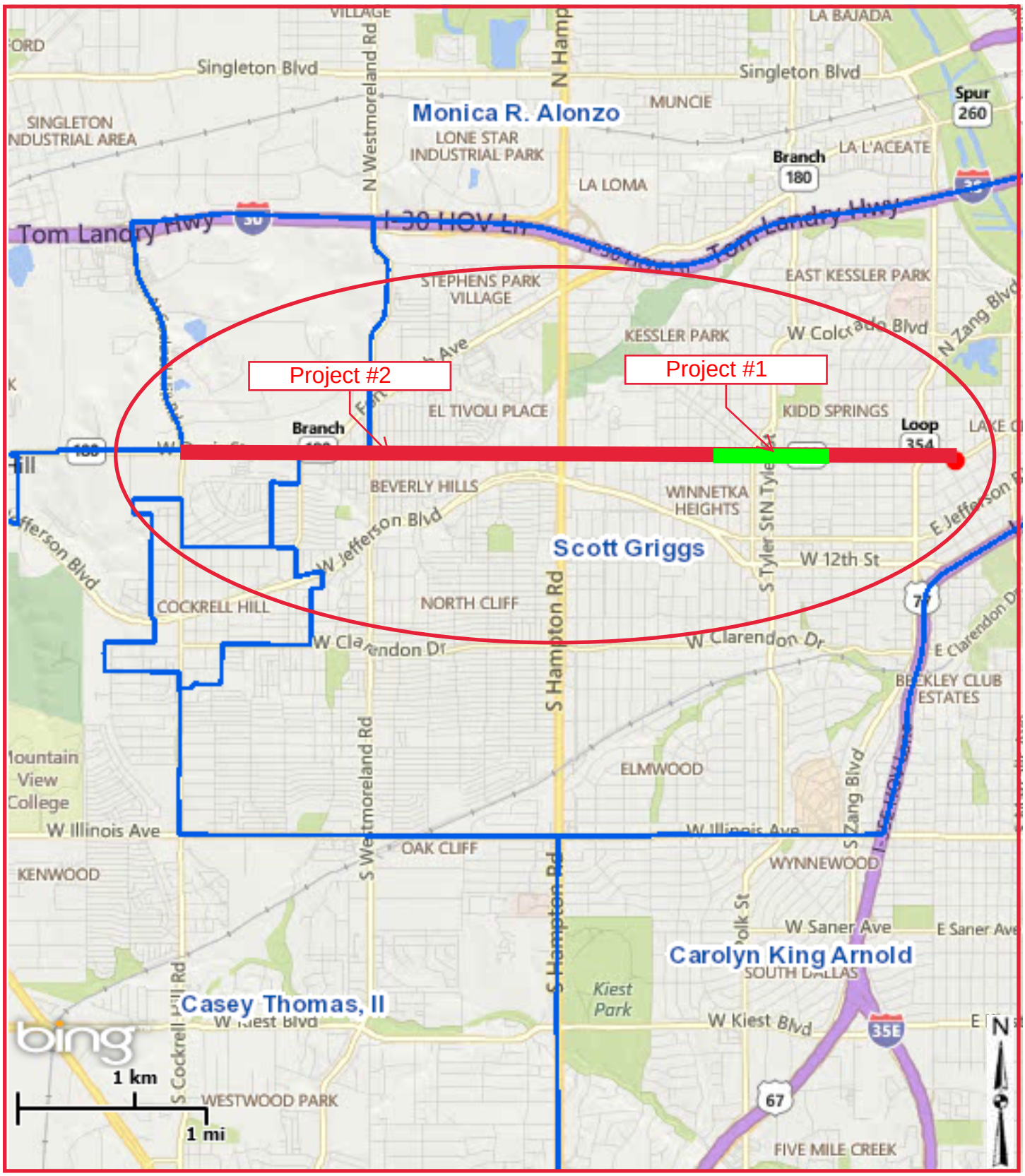
West Davis Street from Cockrell Hill Road to east Seventh Street (Funding Agreement)

Corridor Study and Preliminary Design	$600,000
City of Dallas' share of cost (this action)	$300,000
Dallas County's share of cost	$300,000

MAP

Attached

1. W. DAVIS STREET FROM N. CLINTON AVENUE TO CEDAR HILL AVENUE
2. W. DAVIS STREET FROM COCKRELL HILL ROAD TO E. SEVENTH STREET



MAPSCO 52D, 53A, B, C, D & 54A, B, C, D

August 23, 2017

WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing Major Capital Improvement Projects to be jointly funded and developed by Dallas County and the City of Dallas by Resolution No. 01-0104; and

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

WHEREAS, on April 13, 2011, City Council authorized a new Master Agreement with Dallas County governing Major Capital Improvement Projects with Dallas County by Resolution No. 11-0927; and

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

WHEREAS, Dallas County has agreed to participate with the project costs in the amount of $840,000; and

WHEREAS, on June 25, 2014, City Council authorized a professional services contract with Salcedo Group, Inc., for the engineering design services for West Davis Street from Zang Boulevard to Montclair Avenue, in an amount not to exceed $299,881, by Resolution No. 14-1013; and

WHEREAS, it is now necessary to authorize a Project Specific Agreement with Dallas County for funding participation in the design and construction of sidewalk enhancements and paving improvements for West Davis Street from North Clinton Avenue to Cedar Hill Avenue; and the receipt and deposit of funds from Dallas County, in an amount not to exceed $840,000 for Dallas County's share of the project costs.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Project Specific Agreement with Dallas County, approved as to form by the City Attorney, for funding participation in the design and construction of sidewalk enhancements and paving improvements for West Davis Street from North Clinton Avenue to Cedar Hill Avenue.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds for the design and construction from Dallas County, in an amount not to exceed $840,000 in the Capital Projects Reimbursement Fund, Fund 0556, Unit S405, Department STS, Activity THRF, Revenue Code 6511.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund, Fund 0556, Unit S405, Department STS, Activity THRF, Object 4599, in an amount not to exceed $840,000.

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

SECTION 5. That this contract is designated as Contract No. STS-2017-00002698.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

August 23, 2017

WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing Major Capital Improvement Projects to be jointly funded and developed by the Dallas County and the City of Dallas by Resolution No. 01-0104; and

WHEREAS, on April 13, 2011, City Council authorized a new Master Agreement governing transportation Major Capital Improvement Projects with Dallas County by Resolution No. 11-0927; and

WHEREAS, the City of Dallas has a vision to improve West Davis Street with bicycle and pedestrian friendly facilities and has approved funds in the 2006 and 2012 Bond Program to provide improvements; and

WHEREAS, Dallas County also desires to improve West Davis Street and has provided funds from their Major Capital Improvements Program (MCIP); and

WHEREAS, a transportation study is needed to evaluate the multimodal transportation needs for the West Davis Street corridor from Cockrell Hill Road to East Seventh Street to assist in developing a comprehensive complete street plan based on the available funding and community input; and

WHEREAS, the City of Dallas desires to enter into a Funding Agreement with Dallas County for a study to evaluate the West Davis Street corridor's transportation needs from Cockrell Hill Road to East Seventh Street and preliminary design of Complete Street improvements and payment to Dallas County for the City's share of the study cost, in an amount not to exceed $300,000.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Funding Agreement with Dallas County, approved as to form by the City Attorney, for a study to evaluate the West Davis Street corridor's transportation needs from Cockrell Hill Road to East Seventh Street and preliminary design of Complete Street improvements; and payment to Dallas County for the City's share of the study cost.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $300,000 to Dallas County from the Street and Transportation Improvements Fund, Fund 7T22, Department STS, Unit U209, Activity INGV, Object 4114, Program PB06U209, Encumbrance/Contract No. CX-STS-2017-00002564, Vendor 014003.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit any unused Bond Funds advanced to Dallas County pertaining to this project into Fund 7T22, Department STS, Unit U209, Object 4114.

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 # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 12, 13, 14

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 5R 14V 34L 35S 45F

SUBJECT

Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for the U. S. Department of Transportation - Federal Highway Administration 2016 Highway Safety Improvement Program Grant in an amount not to exceed $2,141,058 to design, upgrade, and construct six traffic signals and associated off-system intersection improvements at the Dallas North Tollway (Inwood Road) and Harvest Hill Road, Campbell Road and Hillcrest Road, Lemmon Avenue and Douglas Avenue, Lemmon Avenue and Airdrome Drive, Harry Hines Boulevard and Moody Street, and Lemmon Avenue and Welborn Street; **(2)** a required local match in an amount not to exceed $207,616 to be issued as a warrant check for State construction costs and other State direct costs; and **(3)** an additional required local match identified for design of the traffic signals in an amount not to exceed $143,912, previously approved on June 14, 2017, by Resolution No. 17-0931 - Total not to exceed $2,141,058 - Financing: Texas Department of Transportation Grant Funds ($1,789,531) and Current Funds ($207,616)

BACKGROUND

The City of Dallas was awarded grant funding totaling $8 million from the 2016 Highway Safety Improvement Program administered by the Texas Department of Transportation (TxDOT) to reconstruct and install several traffic signals at high-accident intersections in the city of Dallas.

This action will authorize local matching funds in the amount of $207,615.44 to be issued as a warrant check for State construction costs and State direct costs for City of Dallas' match for the $2,141,057.86 grant. A separate Resolution on June 14, 2017 authorized a payment for design engineering costs of $143,911.75, identified as an additional local match in this action. Total local match required is $351,527.19 to leverage the $2,141,057.86 grant.

BACKGROUND (continued)

TxDOT will be responsible for all the construction activities of the project and the U. S. Department of Transportation will provide the State with 90 percent Federal Participation in the amount of $1,683,375.70 while the State will be responsible for the indirect State costs in the amount of $106,154.97 for a total amount of $1,789,530.67 in Federal and State funds for construction and associated intersection improvements at six intersections with a total project cost not to exceed $2,141,057.86. Specifically, the City is required to pay State fees in the amount of $20,574.44, professional design services in the amount of $143,911.75 (through a separate contract with Kimley-Horn and Associates, Inc.), and 10 percent match for direct State engineering and construction costs for off-system intersections, totaling $187,041.00 bringing the City's portion of the project to $351,527.19.

Any change orders or overruns are the responsibility of the City of Dallas.

The traffic signals will be constructed over three years. Design will commence in FY 2017 and the six traffic signals will let in FY 2019.

- Dallas North Tollway (Inwood Road) and Harvest Hill Road (CSJ 0918-47-179), (Upgrade), (CD 13)
- Campbell Road and Hillcrest Road (CSJ 0918-47-185), (Upgrade), (CD 12)
- Lemmon Avenue and Douglas Avenue (CSJ 0917-47-186), (Upgrade), (CD 14)
- Lemmon Avenue and Airdrome Drive (CSJ 0918-47-187), (Upgrade), (CD 2)
- Harry Hines Boulevard and Moody Street (CSJ 0918-47-188), (Upgrade), (CD 14)
- Lemmon Avenue and Welborn Street (CSJ 0918-47-193), (Upgrade), (CD 14)

ESTIMATED SCHEDULE OF PROJECT

Begin Design	August 2017
Complete Construction	December 2023

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 14, 2017, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services for 75 traffic signals at various intersections and other related tasks by Resolution No. 17-0931.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Design (previously approved by Resolution No. 17-0931) - $143,911.75
Texas Department of Transportation Grant Funds (this action) - $1,789,530.67
Current Funds (this action) - $207,615.44

The total project cost of this funding agreement is $2,141,057.86 with the following components:

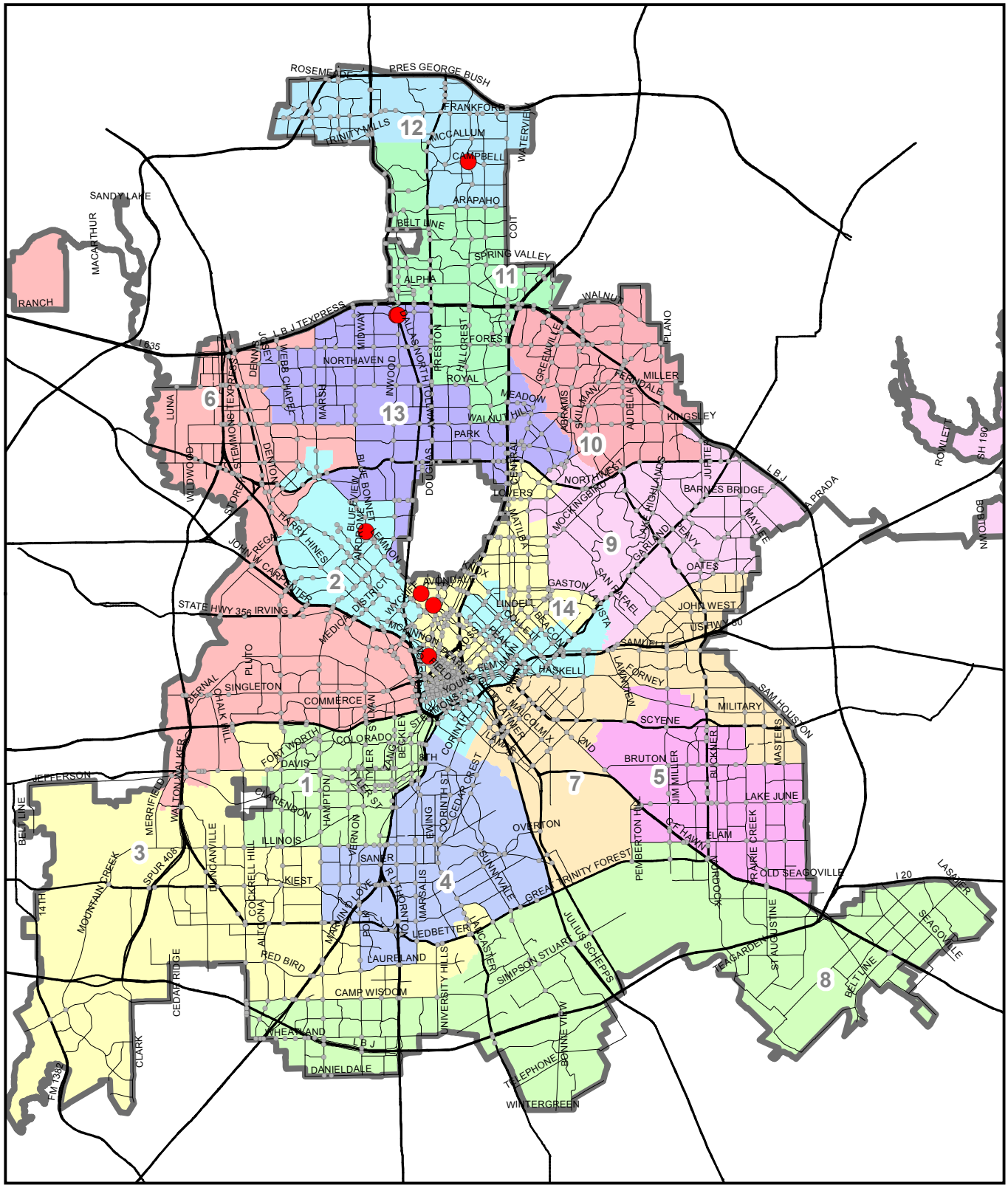
Federal and State Funds (TxDOT) $1,789,530.67
Local Match (City of Dallas) $ 351,527.19

Council District	Amount
2	$ 311,614.31
12	$ 378,531.31
13	$ 447,497.31
14	$1,003,414.93
Total	$2,141,057.86

MAP

Attached

HSIP 2016 Submittal
with Six Intersections (Group F)



Council Districts 2, 12, 13, 14
Mapsco Pages 5R, 14V, 34L, 35S, 45F

Map by Transportation GIS, February 2017

WHEREAS, on June 14, 2017, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services for 75 traffic signals at various intersections and other related tasks, which includes a portion of the local match for this project, in an amount not to exceed $143,911.75, by Resolution No. 17-0931; and

WHEREAS, the Federal/State portion of the project is $1,789,530.67 and the City of Dallas' local match is $351,527.19 ($207,615.44; 10 percent construction match and $143,911.75 design), in an amount not to exceed $2,141,057.86; and

WHEREAS, the City of Dallas will issue a warrant check at the beginning of the project for the off-system locations, in an amount not to exceed $207,615.44; and

WHEREAS, the City of Dallas will be responsible for any change orders or bid overruns; and

WHEREAS, the City of Dallas desires to enter into a Local Project Advance Funding Agreement with the Texas Department of Transportation for design, upgrade, and/or construction of six traffic signals and associated off-system intersection improvements at the Dallas North Tollway (Inwood Road) and Harvest Hill Road, Campbell Road and Hillcrest Road, Lemmon Avenue and Douglas Avenue, Lemmon Avenue and Airdrome Drive, Harry Hines Boulevard and Moody Street, and Lemmon Avenue and Welborn Street for a U.S. Department of Transportation - Federal Highway Administration 2016 Highway Safety Improvement Program Project.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for a U.S. Department of Transportation - Federal Highway Administration 2016 Highway Safety Improvement Program Grant (CFDA 20.205), approved as to form by the City Attorney, to design, upgrade, and construct six traffic signals and associated off-system intersection improvements, Agreement Nos. CSJ 0918-47-179 (Dallas North Tollway (Inwood Road) and Harvest Hill Road), CSJ 0918-47-185 (Campbell Road and Hillcrest Road), CSJ 0917-47-186 (Lemmon Avenue and Douglas Avenue), CSJ 0918-47-187 (Lemmon Avenue and Airdrome Drive), CSJ 0918-47-188 (Harry Hines Boulevard and Moody Street), and CSJ 0918-47-193 (Lemmon Avenue and Welborn Street), which may be terminated under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the project is inactive for thirty-six months or longer and no expenditures have been charged against federal funds.

SECTION 2. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT in an amount not to exceed $207,615.44, in accordance with the terms and conditions of the agreement from Contract No./Encumbrance No. STS-2017-00002716, Fund 0001, Department STS, Unit 3049, Object 4820, Vendor 020318.

SECTION 3. That the Chief Financial Officer is hereby authorized to reclassify the disbursement to a Prepaid Expense, Balance Sheet Account 032B, if required by Generally Accepted Accounting Principles.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused Current Funds advanced to TxDOT pertaining to this project into Fund 0001, Department STS, Balance Sheet Account 032B.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That 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 # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 1, 2, 4, 7, 10, 11, 13

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 3D 4Z 18W 33R 45W 46W 56S

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the U. S. Department of Transportation Federal Highway Administration for the Highway Safety Improvement Program (HSIP) to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at the following seven off-system locations: Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; **(2)** the receipt and deposit of funds in an amount not to exceed $145,693 in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund; and **(3)** the establishment of appropriations in an amount not to exceed $145,693 in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund - Not to exceed $145,693 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

The City of Dallas was awarded grant funding totaling $6.17 million from the 2015 Highway Safety Improvement Program administered by the Texas Department of Transportation (TxDOT) to upgrade several traffic signals at high-accident intersections in the City of Dallas.

TxDOT will begin construction at seven Off-System intersections: Arapaho Road and Montfort Drive/Knoll Trail Drive (CSJ 0918-47-152), Colorado Boulevard and Marsalis Avenue (CSJ 0918-47-154), Forest Lane and Plano Road (CSJ 0918-47-156), Harry Hines Boulevard and Empire Central Drive (CSJ 0918-47-158), Illinois Avenue and Bonnie View Road (CSJ 0918-47-159), Marsh Lane and Royal Lane (CSJ 0918-47-162), Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street (CSJ 0918-47-163). The intersection improvements at the seven Off-System intersections will include upgrades to pedestrian features, signage, pavement markings and reconstruction of traffic signals.

BACKGROUND (continued)

To remain consistent with other equipment in the city-wide system, the City of Dallas will provide labor and material for installation of traffic signal controllers, controller cabinets, traffic signs and other traffic control equipment for the project. TxDOT has agreed to reimburse the City for 100 percent of the above costs which includes labor and materials.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2016
Complete Design	August 2017
Begin Construction	August 2017
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

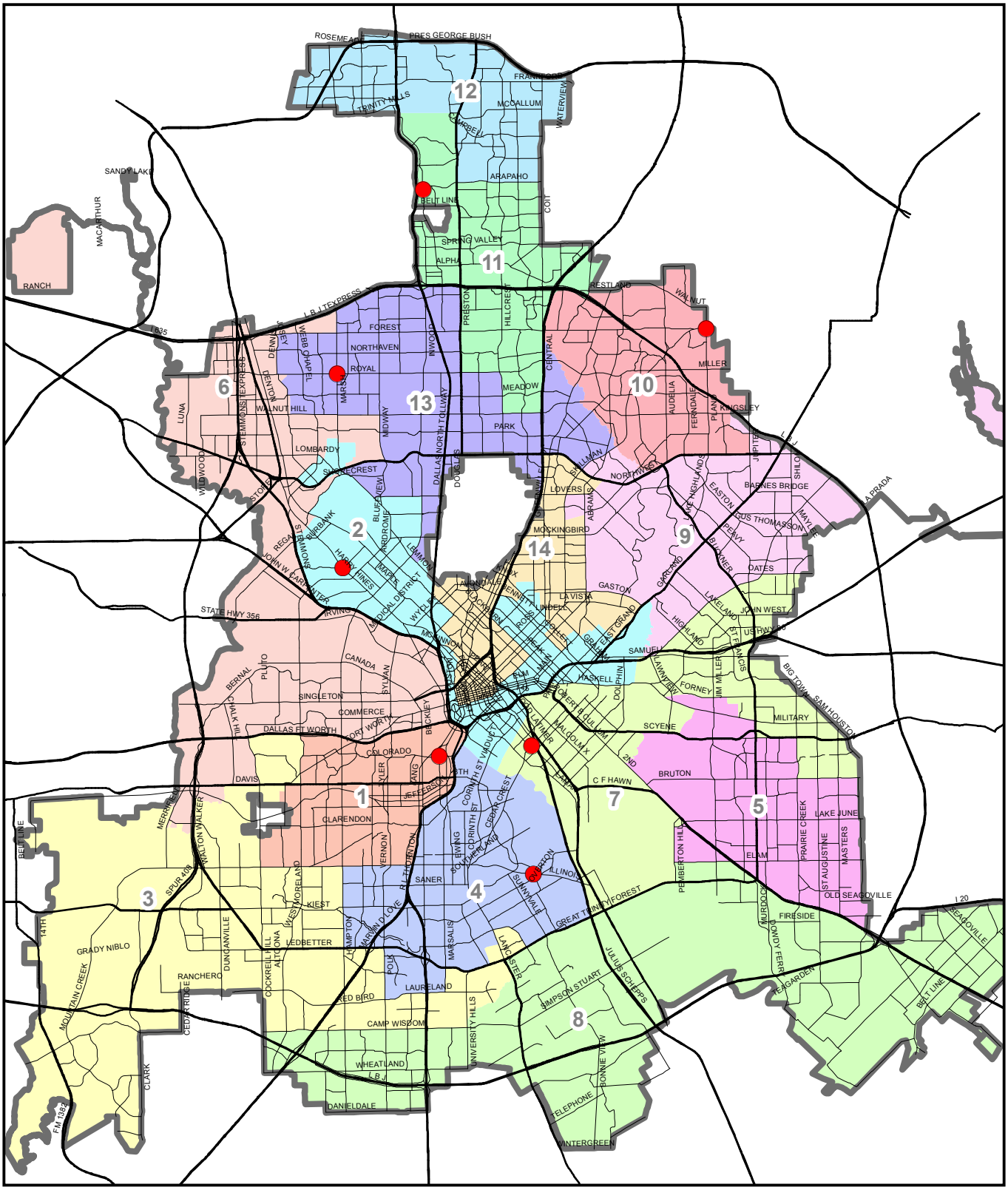
Texas Department of Transportation Grant Funds - $145,692.05

Council District	Amount
1	$ 20,813.15
2	$ 20,813.15
4	$ 20,813.15
7	$ 20,813.15
10	$ 20,813.15
11	$ 20,813.15
13	$ 20,813.15
Total	$145,692.05

MAP

Attached

HSIP 2015 Submittal
with Seven Intersections (CSJ 0918-47-152,etc)



Council Districts 1, 2, 4, 7, 10, 11, 13
Mapsco Pages 3D, 4Z, 18W, 33R, 45W, 46W, 56S

Map by Transportation GIS, March 2016

August 23, 2017

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for improvements at seven intersections, including upgrades to the traffic signals, specifically at: Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; and

WHEREAS, TxDOT will reimburse 100 percent of labor and material costs, in an amount not to exceed $145,692.05; and

WHEREAS, the City of Dallas desires to enter into an Interlocal Agreement with TxDOT to receive cost reimbursement for material and labor costs incurred for traffic signal improvements under the Highway Safety Improvement Program (HSIP).

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an Interlocal Agreement with TxDOT through a grant from the Department of Transportation Federal Highway Administration (CFDA 20.205), approved as to form by the City Attorney, for improvements at seven intersections, including upgrades to the traffic signals, Agreement Nos. CSJ 0918-47-152 (Arapaho Road and Montfort Drive/Knoll Trail Drive), CSJ 0918-47-154 (Colorado Boulevard and Marsalis Avenue), CSJ 0918-47-156 (Forest Lane and Plano Road), CSJ 0918-47-158 (Harry Hines Boulevard and Empire Central Drive), CSJ 0918-47-159 (Illinois Avenue and Bonnie View Road), CSJ 0918-47-162 (Marsh Lane and Royal Lane), and CSJ 0918-47-163 (Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street). The agreement remains effective as long as the project is incomplete or unless otherwise terminated or modified.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from TxDOT in an amount not to exceed $145,692.05, in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund, Fund F8FW, Department STS, Unit 88FW, Revenue Code 6506.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $145,692.05 in the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund, Fund F8FW, Department STS, Unit 88FW, Activity THRG, Object 4820, Major Program STSMJR, Program TPF8FW17.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $145,692.05 from the TxDOT Traffic Signal Improvement at Seven Off-System Intersections - HSIP Project Fund, Fund F8FW, Department STS, Unit 88FW, Activity THRG, Object 4820, Major Program STSMJR, Program TPF8FW17.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. STS-2017-00002712.

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 # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Mobility and Street Services
Water Utilities
Office of Economic Development

CMO: Majed Al-Ghafry, 670-3302
Raquel Favela, 670-3309

MAPSCO: 75C D

SUBJECT

Authorize a contract with Pavecon Public Works, L.P., lowest responsible bidder of six, for the construction of street paving, storm drainage, water and wastewater main improvements for Wheatland Road Phase 1B project from 1,745 feet east of the Dallas city limit to the city limit line - Not to exceed $3,885,799 - Financing: 2012 Bond Funds ($3,670,093), Water Utilities Capital Improvement Funds ($111,747) and Water Utilities Capital Construction Funds ($103,959)

BACKGROUND

On April 9, 2008, City Council authorized a professional services contract with Lockwood, Andrews & Newnam, Inc. for the engineering design of a thoroughfare project for Wheatland Road from the Lancaster city limits to Lancaster Road, in an amount not to exceed $399,397, by Resolution No. 08-1057.

On October 14, 2009, City Council authorized approval of the recommended alignment plan of Wheatland Road from the Dallas city limits to Lancaster Road, from its current alignment to the proposed alignment of Wheatland Road with the increased right-of-way width from 50 feet to 80 feet by Resolution No. 09-2532.

The construction for the Wheatland Road project is being implemented in two phases. Phase 1A includes the section of roadway from Wheatland Road to 1,745 feet east of the Dallas city limits to Lancaster Road; on April 26, 2017 City Council authorized a contract for the construction of street paving, storm drainage, streetscape, water and wastewater main improvements for Phase 1A by Resolution No. 17-0689. Phase 1B includes the section of roadway from 1,745 feet east of the Dallas city limit to the city limit line.

BACKGROUND (continued)

This action will authorize a contract with Pavecon Public Works, L.P. for the construction of street paving, storm drainage, water and wastewater main improvements for Wheatland Road Phase 1B project from 1,745 feet east of the Dallas city limit to the city limit line. The project scope consists of a four-lane undivided reinforced concrete roadway with dedicated bike lanes, barrier-free ramps, street lights, sidewalks, storm drainage, water and wastewater main improvements.

Pavecon Public Works, L.P. has no completed contractual activities with the City of Dallas within the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2008
Completed Design	June 2017
Begin Construction	November 2017
Complete Construction	February 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 9, 2008, City Council authorized a professional services contract with Lockwood, Andrews & Newnam, Inc. for engineering services by Resolution No. 08-1057.

On October 14, 2009, City Council authorized and established the alignment of Wheatland Road from the Dallas city limits to Lancaster Road, and increasing the right-of-way width from 50 feet to 80 feet by Resolution No. 09-2532.

On April 23, 2014, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for engineering services by Resolution No. 14-0674.

On April 26, 2017, City Council authorized a construction contract with Tiseo Paving Company for Wheatland Road from 1,745 feet east of city limit to Lancaster Road by Resolution No. 17-0689.

On April 26, 2017, City Council authorized a material testing contract with Alliance Geotechnical Group, Inc. for Wheatland Road from 1,745 feet east of city limit to Lancaster Road by Resolution No. 17-0690.

On May 10, 2017, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for engineering services by Resolution No. 17-0763.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

2012 Bond Funds - $3,670,092.62
Water Utilities Capital Improvement Funds - $111,746.79
Water Utilities Capital Construction Funds - $103,958.97

Design	$ 399,397.00
Supplemental Agreement No. 1	$ 6,534.00
Supplemental Agreement No. 2	$ 84,443.00
Supplemental Agreement No. 3	$ 33,972.06
Construction (this action)	
Paving & Drainage - ECO	$3,670,092.62
Water & Wastewater - DWU	$ 215,705.76
Total	$4,410,144.44

M/WBE INFORMATION

See attached.

BID INFORMATION

The following bids with quotes were received and opened on June 23, 2017:
*Denotes successful bidder(s)

Bidders	**Bid Amount**
*Pavecon Public Works, L.P. P.O. Box 535457 Grand Prairie, Texas 75053	$3,885,798.38
Texas Standard Construction, Ltd.	$4,103,368.06
Joe Funk Construction	$4,442,381.76
Tiseo Paving Company	$4,458,390.00
Lone Star Civil Construction	$4,836,850.00
FNH Construction, LLC	$5,022,245.50

Engineer's estimate: STS -	$3,522,184.00
DWU/ECO -	$1,105,270.00
Total	$4,627,454.00

OWNER

Pavecon Public Works, L.P.

Brian Cottle, Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Pavecon Public Works, L.P., lowest responsible bidder of six, for the construction of street paving, storm drainage, water and wastewater main improvements for Wheatland Road Phase 1B project from 1,745 feet east of the Dallas city limit to the city limit line - Not to exceed $3,885,799 - Financing: 2012 Bond Funds ($3,670,093), Water Utilities Capital Improvement Funds ($111,747) and Water Utilities Capital Construction Funds ($103,959)

Pavecon Public Works, L.P. 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

	Amount	Percent
Total local contracts	$908,618.00	23.38%
Total non-local contracts	$2,977,180.38	76.62%
TOTAL CONTRACT	$3,885,798.38	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
I & H Concrete	BMDB74961Y0717	$739,128.00	81.35%
Total Minority - Local		$739,128.00	81.35%

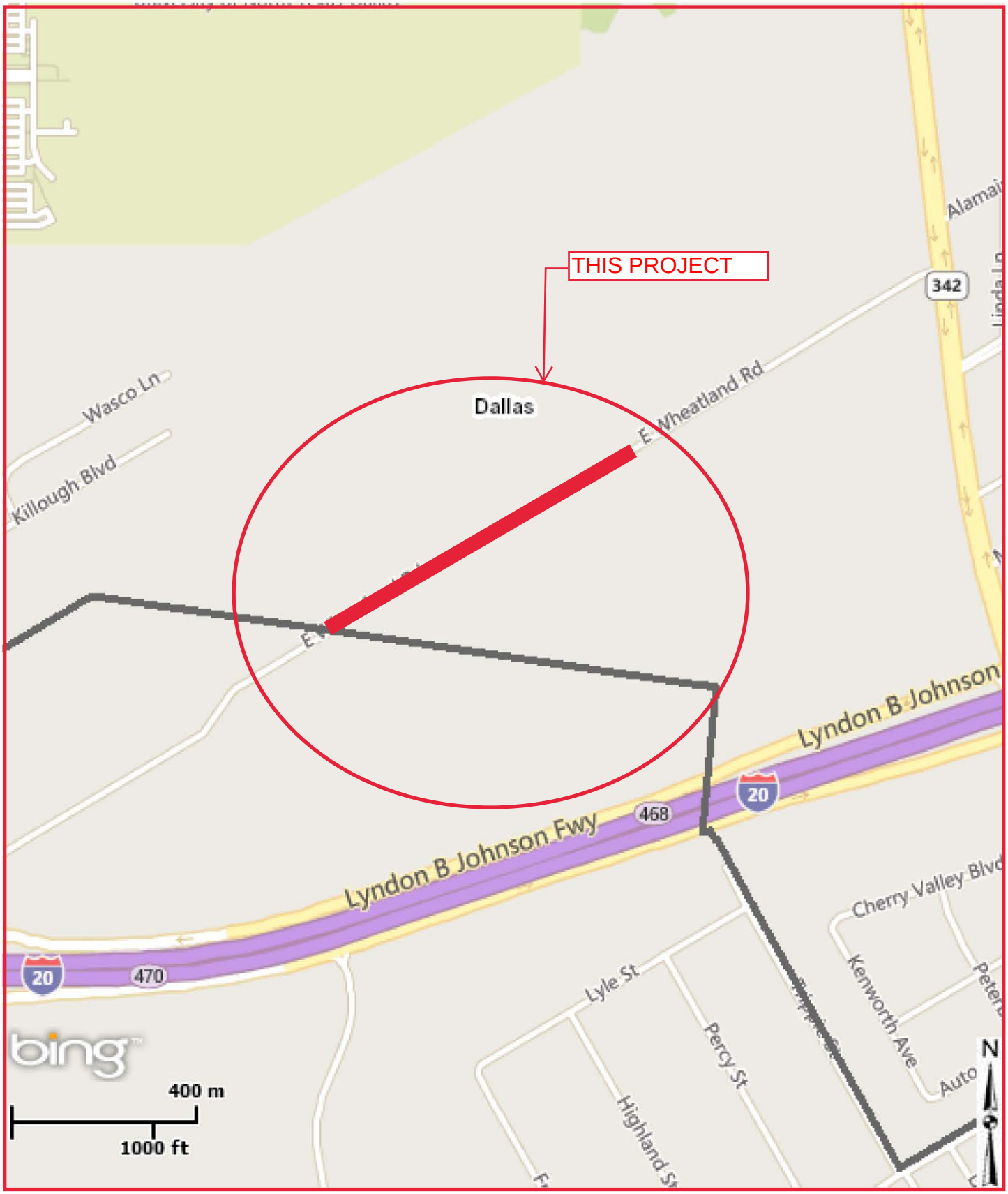
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Roadmaster Striping	HMDB21954Y0618	$19,212.75	0.65%
Ricochet Fuel	WFWB69066Y0219	$96,250.00	3.23%
L B Transportation	WFWB62992N1218	$85,477.00	2.87%
Buyers Barricades	WFDB46927Y0618	$27,525.00	0.92%
G J Seeding	WFWB64087N0719	$23,385.00	0.79%
Total Minority - Non-local		$251,849.75	8.46%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$739,128.00	81.35%	$739,128.00	19.02%
Hispanic American	$0.00	0.00%	$19,212.75	0.49%
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%	$232,637.00	5.99%
Total	$739,128.00	81.35%	$990,977.75	25.50%

WHEATLAND ROAD, PHASE 1B
FROM 1745 ft EAST OF THE DALLAS CITY LIMIT TO CITY LIMIT LINE



MAPSCO 75C & D
CITY OF DALLAS

WHEREAS, on April 9, 2008, City Council authorized a professional services contract with Lockwood, Andrews & Newnam, Inc. for engineering design of a thoroughfare project for Wheatland Road from the Lancaster city limits to Lancaster Road at Plaza Drive, in an amount not to exceed $399,397.00, by Resolution No. 08-1057; and

WHEREAS, on October 14, 2009, City Council authorized approval of a recommended alignment plan that increases the right-of-way width from 50 to 80 feet on Wheatland Road from the Dallas city limits to Lancaster Road, by Resolution No. 09-2532; and

WHEREAS, on June 14, 2010, Administrative Action No. 10-2200 authorized Supplemental Agreement No. 1 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for additional surveying work for Wheatland Road from Lancaster Road to city limit to monument corners for City of Dallas Right-of-Way acquisitions, in an amount not to exceed $6,534.00, from $399,397.00 to $405,931.00; and

WHEREAS, on April 23, 2014, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for additional surveying and engineering design services necessary for the realignment of Wheatland Road from the Lancaster city limits to Lancaster Road at Plaza, in an amount not to exceed $84,443.00, from $405,931.00 to $490,374.00, by Resolution No. 14-0674; and

WHEREAS, bids were received on March 3, 2017, for the construction of street paving, storm drainage, and water and wastewater main improvements for Wheatland Road from 1,745 feet east of the Dallas city limits to Lancaster Road; and

WHEREAS, on April 26, 2017, City Council authorized a contract with Tiseo Paving Company for the construction of street paving, storm drainage, and water and wastewater main improvements for Wheatland Road from 1,745 feet east of the Dallas city limits to Lancaster Road, in an amount not to exceed $4,970,133.30, by Resolution No. 17-0689; and

WHEREAS, on April 26, 2017, City Council authorized a contract with Alliance Geotechnical Group, Inc. to provide construction material testing for Wheatland Road from 1,745 feet east of City limit to Lancaster Road, in an amount not to exceed $74,420.00, by Resolution No. 17-0690; and

WHEREAS, on May 10, 2017, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for additional engineering design services to modify the project limits of Wheatland Road from the Lancaster city limits to Lancaster Road, in an amount not to exceed $33,972.06, from $490,374.00 to $524,346.06, by Resolution No. 17-0763; and

August 23, 2017

WHEREAS, on June 23, 2017, six bids were received for the construction of street paving, storm drainage, and water and wastewater main improvements for Wheatland Road Phase 1B project from 1,745 feet east of the Dallas city limit to the city limit line:

Bidders	**Bid Amount**
Pavecon Public Works, L.P.	$3,885,798.38
Texas Standard Construction, Ltd.	$4,103,368.06
Joe Funk Construction	$4,442,381.76
Tiseo Paving Company	$4,458,390.00
Lone Star Civil Construction	$4,836,850.00
FNH Construction, LLC	$5,022,245.50

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a construction contract with Pavecon Public Works, L.P., approved as to form by the City Attorney, for the construction of street paving, storm drainage, and water and wastewater main improvements for Wheatland Road Phase 1B project from 1,745 feet east of the Dallas city limit to the city limit line, in an amount not to exceed $3,885,798.38, this being the lowest responsive bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,885,798.38 to Pavecon Public Works, L.P., in accordance with the terms and conditions of the contract as follows:

Economic Development and Housing Development Program Fund
Fund 4U52, Department ECO, Unit W173
Object 4510, Program ECO12W173A
Encumbrance/Contract No. CX STS-2017-00002727
Vendor VS89455 $ 3,166,779.18

Economic Development and Housing Development Program Fund
Fund 4U52, Department ECO, Unit W173
Object 4550, Program ECO12W173A
Encumbrance/Contract No. CX STS-2017-00002727
Vendor VS89455 $ 236,197.15

SECTION 2. (continued)

Economic Development and Housing Development Program Fund Fund 4U52, Department ECO, Unit W173 Object 4560, Program ECO12W173A Encumbrance/Contract No. CX STS-2017-00002727 Vendor VS89455	$ 267,116.29
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4550, Program 717405 Encumbrance/Contract No. CX STS-2017-00002727 Vendor VS89455	$ 97,325.49
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 3221, Program 717405X Encumbrance/Contract No. CX STS-2017-00002727 Vendor VS89455	$ 3,901.86
Wastewater Capital Improvement Fund Fund 3116, Department DWU, Unit PS42 Object 4560, Program 717406 Encumbrance/Contract No. CX STS-2017-00002727 Vendor VS89455	$ 111,746.79
Wastewater Construction Fund Fund 0103, Department DWU Object 3222, Program 717406X Encumbrance/Contract No. CX STS-2017-00002727 Vendor VS89455	$ 2,731.62
Total amount not to exceed	$ 3,885,798.38

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 # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 9, 14

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 26Z

SUBJECT

Authorize **(1)** the receipt and deposit of funds in an amount not to exceed $23,204 from Ainbinder Northwest Highway, LLC for certain material, equipment, and labor costs associated with the construction of a new traffic signal at the intersection of Northwest Highway (State Highway Loop 12) and Quality Lane; and **(2)** an increase in appropriations in an amount not to exceed $23,204 in the Capital Projects Reimbursement Fund - Not to exceed $23,204 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

The intersection of Northwest Highway (State Highway Loop 12) and Quality Lane was previously studied by the City of Dallas in July 2016 and was found to meet traffic volume criteria for warranting a new traffic signal with projected development traffic volumes. This signal warrant study was also reviewed and approved by the Texas Department of Transportation (TxDOT) in December 2016. Ainbinder Northwest Highway, LLC will be responsible for 100 percent of the cost of the traffic signal for this location. Ainbinder Northwest Highway, LLC has agreed to reimburse the City of Dallas a sum of $23,203.55 for certain traffic signal construction and for labor costs incurred by City staff.

Ainbinder Northwest Highway, LLC understands that, upon City Council approval of the required funding, in an amount not to exceed $23,203.55 are to be deposited with the City of Dallas before any City supplied materials can be provided.

It is understood that the final construction costs will be determined by the City upon completion of the project, and that Ainbinder Northwest Highway, LLC will be refunded any unused funds.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	August 2017
Complete Construction	March 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

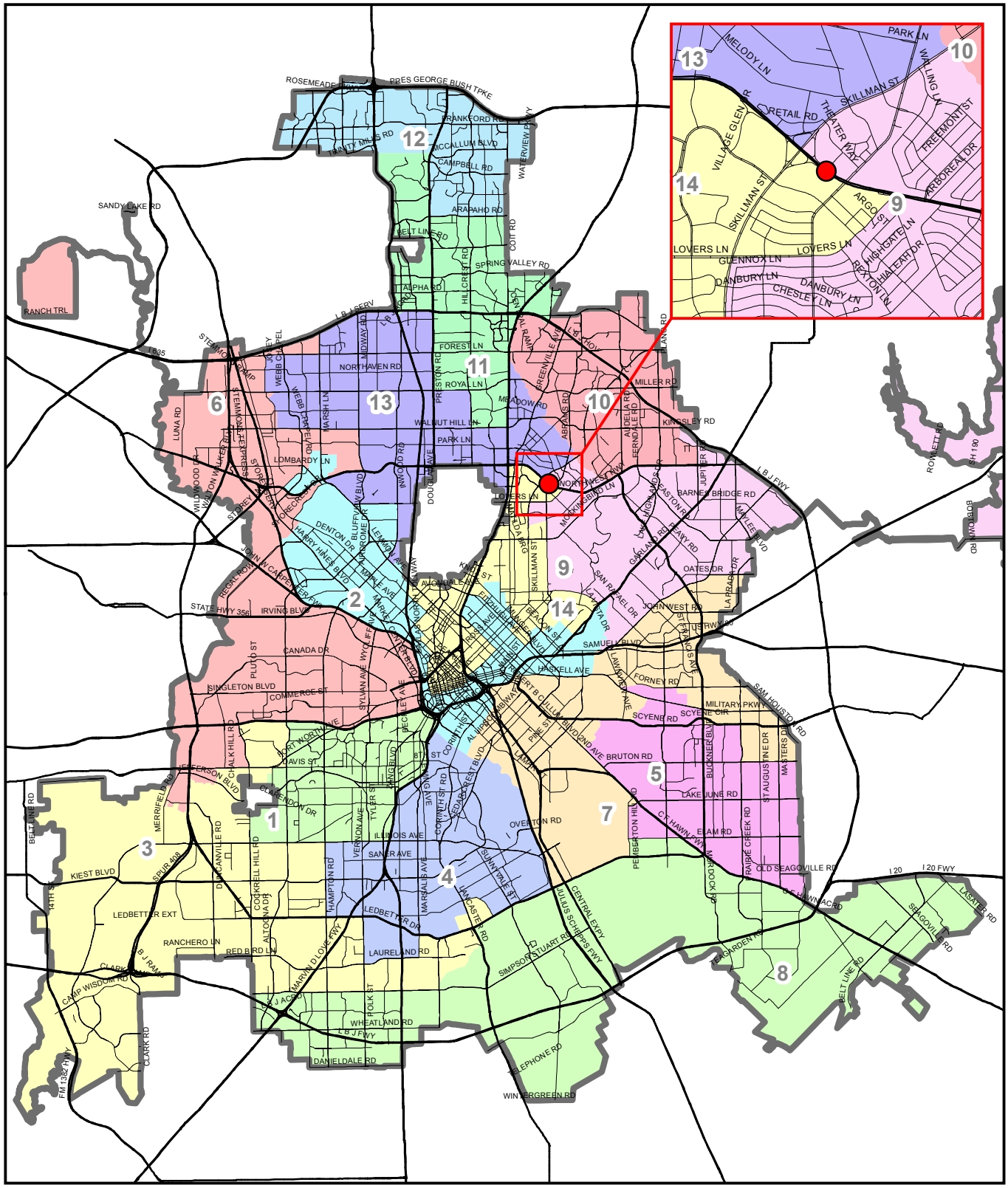
Capital Projects Reimbursement Funds - $23,203.55

Council District	Amount
9	$11,601.78
14	$11,601.77
Total	$23,203.55

MAP

Attached

New Traffic Signal
Northwest Highway (Loop 12) and Quality Lane



Council District 9, 14
Mapsco Page 26Z

Map by Transportation GIS, June 2017

WHEREAS, Ainbinder Northwest Highway, LLC is paying 100 percent of the design and construction costs for a new traffic signal at the intersection at Northwest Highway (State Highway Loop 12) and Quality Lane; and

WHEREAS, the intersection was studied by the City of Dallas in July 2016 and was found to meet the traffic volume criteria for warranting a new traffic signal; and

WHEREAS, Ainbinder Northwest Highway, LLC has agreed to reimburse the City of Dallas for material, equipment and labor costs related to the construction of a new traffic signal being built at the intersection of Northwest Highway (State Highway Loop 12) and Quality Lane, in an amount not to exceed $23,203.55.

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 Ainbinder Northwest Highway, LLC, in an amount not to exceed $23,203.55 in the Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W191, Revenue Code 8492.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $23,203.55 in the Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W191, Object 4820, Activity THRG, Program TP17W 191.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds received from Ainbinder Northwest Highway, LLC, in an amount not to exceed $23,203.55 from the Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W191, Object 4820, Activity THRG, Program TP17W191 for services related to the construction of the new traffic signal.

SECTION 4. That the Chief Financial Officer is hereby authorized to refund Ainbinder Northwest Highway, LLC any unused funds.

SECTION 5. That this contract is designated as Contract No. STS-2017-00002414.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 36J

SUBJECT

Authorize an increase to the construction services contract with Rebcon, Inc. for additional construction costs associated with design modifications and other miscellaneous items needed to complete the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street Project – Not to exceed $532,701, from $11,632,296 to $12,164,997 - Financing: 2006 Bond Funds ($231,968) and General Obligation Commercial Paper Funds ($300,733)

BACKGROUND

On August 12, 2015, City Council authorized a contract with Rebcon, Inc. for the Katy Trail Phase VI from Elsworth Avenue to Worcola Street Project, in an amount not to exceed $11,611,577.46, by Resolution No. 15-1482.

This action will authorize Change Order No. 2 to the construction services contract with Rebcon, Inc. for additional construction costs associated with design modifications and other miscellaneous items needed to complete the project in an amount not to exceed $532,700.55, increasing the contract amount from $11,632,296.46 to $12,164,997.01.

The Katy Trail Phase VI Project entails approximately 0.65 miles of hike and bike trail from Ellsworth Avenue to Worcola Street, including two pedestrian bridges with one over Mockingbird Lane and the other over the Dallas Area Rapid Transit (DART) light rail Red Line tracks near Twin Sixties Drive. The Mockingbird Lane Pedestrian Bridge is a cable-stay bridge with micro-pile foundations located in DART's right-of-way directly above the DART Red Line tunnel. Additionally, the right-of-way available to work in this area is constrained on both sides by the existing DART Mockingbird Station and existing multi-use buildings. With these constraints, the design and consequently the construction of the bridge is very complex and requires that special instrumentation be in place at all times to provide for continuous monitoring of DART's Red Line tunnel to ensure the Katy Trail Phase VI Project construction is not impacting its structural integrity.

BACKGROUND (continued)

During construction, the contractor has encountered several unforeseen site conditions and circumstances beyond their control that have increased the construction duration and the associated tunnel monitoring costs. The two primary unforeseen issues include contaminated ground water encountered when installing the micro-pile foundations for the bridge and delays associated with construction submittal approvals caused by the complex nature of the project. This change order will include funding for the additional tunnel monitoring costs, as well as the additional traffic control, stormwater pollution prevention and other costs incurred by the contractor. Additionally, several design modifications are needed due to unforeseen or changing site conditions. These changes include modifications to an existing retaining wall, differences in elevations associated with the Red Line Bridge details, and other revisions needed to improve constructability and trail safety.

The total project cost including design, construction, right-of-way, and utilities is an estimated $17,551,057.71 of which $10,071,057.71 is to be funded by the City. Regional Toll Revenue (RTR) funds and Dallas County are covering the remaining costs in the amounts of $6,480,000 and $1,000,000, respectively. Once completed, the Katy Trail Phase VI Project will be part of the Katy Trail system connecting the Victory Park area to the south with White Rock Lake to the east.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2009
Completed Design	March 2011
Began Construction	November 2015
Anticipated Trail Opening	October 2017
Complete Construction	November 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 28, 1999, City Council authorized the submission of the project list to the Regional Transportation Council for consideration in the Transportation Equity Act for the 21st Century Program First Call for projects by Resolution No. 99-1459.

On May 23, 2001, City Council authorized submission of the list of candidate projects for the Texas Department of Transportation Statewide Transportation Enhancement Program Call for Projects and authorized acceptance and implementation of the projects selected by the Texas Transportation Commission for this program by Resolution No. 01-1667.

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

On October 10, 2001, City Council authorized a professional services contract with Washington Infrastructure Services, Inc. for engineering services for bicycle and pedestrian enhancements on Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Lane just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street by Resolution No. 01-3024.

On October 10, 2001, City Council authorized an Interlocal Agreement with the Texas Department of Transportation for design, right-of-way acquisition, utility relocations and construction bicycle and pedestrian enhancements on Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Lane just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street by Resolution No. 01-3025.

On April 24, 2002, City Council authorized Supplemental Agreement No. 1 to the contract with Washington Infrastructure Services, Inc. for engineering services to provide engineering services for bicycle and pedestrian enhancements for Phase III of the KATY Trail extension by Resolution No. 02-1346.

On December 11, 2002, City Council authorized Supplemental Agreement No. 2 to the contract with Washington Infrastructure Services, Inc. to decrease engineering services for bicycle and pedestrian enhancements for Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Lane just west of Skillman Street from Lyte Street at North Houston Street to Levee Street at Manufacturing Street and provide engineering services for bicycle and pedestrian enhancements for Phase IV of the KATY Trail from Skillman Street to White Rock Station by Resolution No. 02-3488.

On December 11, 2002, City Council authorized an Interlocal Agreement with the Texas Department of Transportation for design, right-of-way acquisition, utility relocations, and construction of bicycle and pedestrian enhancements for Phase IV of the Katy Trail extension from Skillman Street to White Rock Station by Resolution No. 02-3489.

On November 8, 2006, City Council authorized a professional services contract with HNTB Corporation by Resolution No. 06-3064.

On November 8, 2006, City Council authorized a Local Project Advanced Funding Agreement with the Texas Department of Transportation by Resolution No. 06-3065.

On February 25, 2009, City Council authorized Supplemental Agreement No. 1 to the contract with HNTB Corporation to provide final engineering design services by Resolution No. 09-0548.

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

On August 11, 2010, City Council authorized Supplemental Agreement No. 2 to the professional services contract with HNTB Corporation to provide additional engineering design services by Resolution No. 10-1971.

On June 8, 2011, City Council authorized an agreement with Atmos Energy Corporation for relocation of a gas pipeline in the vicinity of the Katy Trail, Phase VI by Resolution No. 11-1523.

On June 22, 2011, City Council authorized a license agreement with Dallas Area Rapid Transit (DART) for the use of its right-of-way to construct and maintain the proposed Phase VI of the Katy Trail from Ellsworth Street to Worcola Street; and authorized Supplemental Agreement No. 9 to the Master Interlocal Agreement with DART for the use of its right-of-way to construct and maintain the pedestrian bridges over Mockingbird Lane and the DART Light Rail Red Line track near Twin Sixties Drive by Resolution No. 11-1697.

On June 22, 2011, City Council authorized the termination of the existing Interlocal Agreement with and payment to the Texas Department of Transportation for the Katy Trail, Phase VI, from Ellsworth Street to Worcola Street, previously approved on November 8, 2006, by Resolution No. 06-3065; and authorized a Local Project Advance Funding Agreement with TxDOT for the design and construction of the Katy Trail, Phase VI from Ellsworth Street to Worcola Street; and receipt and deposit of Regional Toll Revenue funds from the Texas Department of Transportation by Resolution No. 11-1698.

On June 22, 2011, City Council authorized a Project Specific Agreement with Dallas County and the receipt and deposit of funds from Dallas County by Resolution No. 11-1699.

On June 22, 2011, City Council authorized a contract with AUI Contractors, LLC for construction of the Katy Trail, Phase VI, from Ellsworth Street to Worcola Street by Resolution No. 11-1700.

On December 14, 2011, City Council authorized Supplemental Agreement No. 3 to the professional services contract with HNTB Corporation to provide additional engineering design services related to construction oversight of the Mockingbird Lane Bridge for Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street by Resolution No. 11-3258.

Information about this item was provided to the Transportation and Environment Committee on December 10, 2012.

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

On December 12, 2012, City Council authorized Supplemental Agreement No. 4 to the professional services contract with HNTB Corporation to provide additional engineering services related to partial realignment of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street by Resolution No. 12-3059.

On December 12, 2012, City Council authorized Change Order No. 1 to the contract with AUI Contractors, LLC for material and labor cost escalations associated with the construction of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street by Resolution No. 12-3060.

On April 10, 2013, City Council authorized an amendment to Resolution No. 11-1523, previously approved on June 8, 2011 which authorized an agreement with Atmos Energy Corporation for relocation of a gas pipeline for Katy Trail, Phase VI to revise the payment amount for utility relocation by Resolution No. 13-0672.

On April 10, 2013, City Council authorized an agreement with Oncor Electric Delivery Company, LLC for relocation of electric facilities for Katy Trail, Phase VI by Resolution No. 13-0673.

Information about this item was provided to the Transportation and Trinity River Project Committee on August 10, 2015.

On August 12, 2015, City Council authorized amendments to Resolution Nos. 11-1700, 11-3258, 12-3059 and 12-3060 to revise the source of funds for the contracts to design and construct the Katy Trail Phase VI; and the reallocation of the project specific funds from Dallas County and Regional Toll Revenue to the construction phase of the project by Resolution No. 15-1480.

On August 12, 2015, City Council authorized Supplemental Agreement No. 7 to the professional services contract with HNTB Corporation to provide engineering services during construction for the Katy Trail Phase VI Project from Ellsworth Avenue to Worcola Street by Resolution No. 15-1481.

On August 12, 2015, City Council authorized a contract with Rebcon, Inc. for construction of a concrete trail and pedestrian bridges for the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street by Resolution No. 15-1482.

Information about this item was provided to the Transportation and Trinity River Project Committee on June 23, 2017.

On June 28, 2017, City Council authorized Supplemental Agreement No. 9 to the professional services contract with HNTB Corporation to provide additional engineering services during construction for the Katy Trail Phase VI Project from Ellsworth Avenue to Worcola Street by Resolution 17-1059.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

2006 Bond Funds - $231,968.01
2012 Bond Program (General Obligation Commercial Paper Funds) - $300,732.54

Design	$ 3,204,850.00
Construction	$ 11,611,577.46
Change Order No. 1	$ 20,719.00
Change Order No. 2 (this action)	$ 532,700.55
Right-of-Way	$ 1,171,520.00
Dallas Area Rapid Transit	$ 100,000.00
Utilities (including billboard removal)	$ 734,283.39
Texas Department of Transportation	$ 175,407.31
Total Project Cost	$ 17,551,057.71

M/WBE INFORMATION

See attached.

OWNER

Rebcon, Inc.

Robert C. Bibby, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase to the construction services contract with Rebcon, Inc. for additional construction costs associated with design modifications and other miscellaneous items needed to complete the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street Project – Not to exceed $532,701, from $11,632,296 to $12,164,997 - Financing: 2006 Bond Funds ($231,968) and General Obligation Commercial Paper Funds ($300,733)

Rebcon, Inc. 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$494,301.95	92.79%
Non-local contracts	$38,398.60	7.21%
TOTAL THIS ACTION	$532,700.55	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

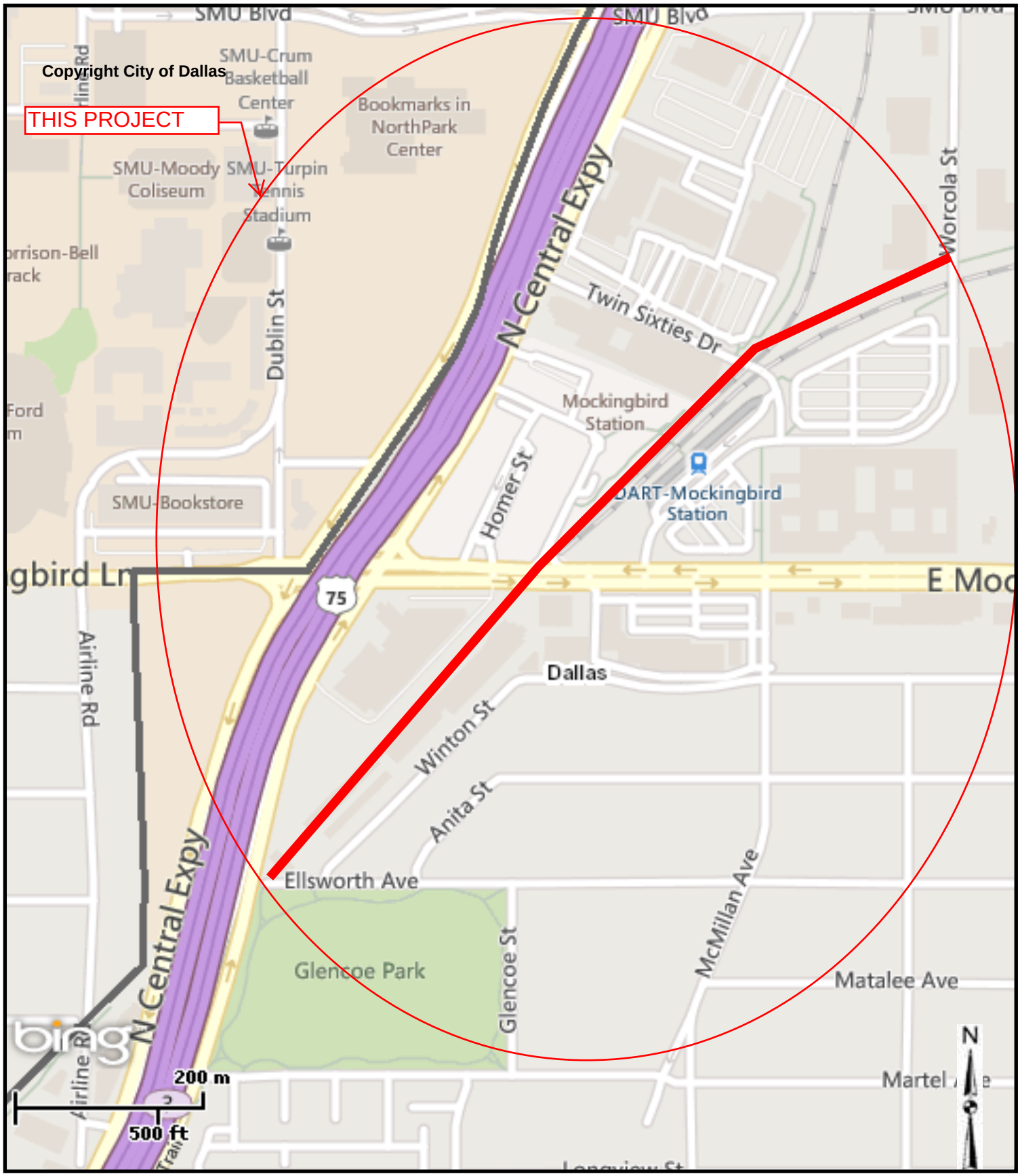
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Buyers Barricades	WFDB46927Y0618	$18,510.77	48.21%
Mobile enterprises	WFDB18329Y0817	$6,570.00	17.11%
Total Minority - Non-local		$25,080.77	65.32%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$2,401.50	0.02%
Asian American	$0.00	0.00%	$42,707.25	0.35%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$25,080.77	4.71%	$1,320,893.17	10.86%
Total	$25,080.77	4.71%	$1,366,001.92	11.23%

KATY TRAIL EXTENSION PHASE VI



MAPSCO 36J

WHEREAS, on April 28, 1999, City Council authorized the submission, acceptance and implementation of City of Dallas candidate projects for the Congestion Mitigation Air Quality Program (CMAQ) by Resolution No. 99-1459; and

WHEREAS, Katy Trail was accepted in March 2000 as a candidate project in the First Call for Projects in the CMAQ under the Transportation Equity Act of the 21st Century (TEA-21); and

WHEREAS, on May 23, 2001, City Council authorized submission of the list of candidate projects for the Texas Department of Transportation Statewide Transportation Enhancement Program Call for Projects and authorized acceptance and implementation of the projects selected by the Texas Transportation Commission for this program by Resolution No. 01-1667; and

WHEREAS, on October 10, 2001, City Council authorized a professional services contract with Washington Infrastructure Services, Inc. for engineering services for bicycle and pedestrian enhancements on Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Lane just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street, in an amount not to exceed $234,190.00, by Resolution No. 01-3024; and

WHEREAS, on October 10, 2001, City Council authorized an Interlocal Agreement with the Texas Department of Transportation for design, right-of-way acquisition, utility relocations, and construction of bicycle and pedestrian enhancements for Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Lane just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street, in an amount not to exceed $6,200.00, by Resolution No. 01-3025; and

WHEREAS, on April 24, 2002, City Council authorized Supplemental Agreement No. 1 to the contract with Washington Infrastructure Services, Inc. to provide engineering services for bicycle and pedestrian enhancements for Phase III of the KATY Trail extension, in an amount not to exceed $94,000.00, from $234,190.00 to $328,190.00, by Resolution No. 02-1346; and

WHEREAS, on December 11, 2002, City Council authorized Supplemental Agreement No. 2 to the contract with Washington Infrastructure Services, Inc., to decrease engineering services for bicycle and pedestrian enhancements for Phase III of the Katy Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Lane just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street, in an amount not to exceed ($35,979.00); and provide engineering services for bicycle and pedestrian enhancements for Phase IV of the Katy Trail extension from Skillman Street to White Rock Station, in an amount not to exceed $436,971.00, for a net amount not to exceed $400,992.00, from $328,190.00 to $729,182.00, by Resolution No. 02-3488; and

WHEREAS, on December 11, 2002, City Council authorized an Interlocal Agreement with the Texas Department of Transportation for design, right-of-way acquisition, utility relocations, and construction of bicycle and pedestrian enhancements for Phase IV of the Katy Trail extension from Skillman Street to White Rock Station, in an amount not to exceed $26,400.00, by Resolution No. 02-3489; and

WHEREAS, on November 8, 2006, City Council authorized a professional services contract with HNTB Corporation to provide preliminary engineering services for bicycle and pedestrian enhancements for Phase VI of the Katy Trail from Winton Street to Worcola Street, in an amount not to exceed $265,748.00, by Resolution No. 06-3064; and

WHEREAS, on November 8, 2006, City Council authorized a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisitions, and construction of bicycle and pedestrian enhancements for Phase VI of the Katy Trail from Winton Street to Worcola Street, in an amount not to exceed $20,000.00, by Resolution No. 06-3065; and

WHEREAS, on February 25, 2009, City Council authorized Supplemental Agreement No. 1 to the contract with HNTB Corporation to provide final engineering design services for Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street, in an amount not to exceed $1,109,612.00, from $265,748.00 to $1,375,360.00, by Resolution No. 09-0548; and

WHEREAS, on August 11, 2010, City Council authorized Supplemental Agreement No. 2 to the professional services contract with HNTB Corporation to provide additional engineering design services for Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street, by Resolution No. 10-1971; and

WHEREAS, the State of Texas has received money from the North Texas Tollway Authority for the SH 121 toll project, and, pursuant to the Transportation Code, 228.006, the State of Texas shall authorize the use of surplus revenue of a toll project for transportation project, highway project, or air quality project within the district of the Texas Department of Transportation (TxDOT) in which any part of the toll project is located; and

WHEREAS, the Regional Transportation Council (RTC), which is the transportation policy body of the North Central Texas Council of Governments and a federally designated metropolitan planning organization, was designated by the Texas Transportation Commission on October 26, 2006, to select and oversee projects to be financed using the Regional Toll Revenue (RTR) fund; and

WHEREAS, in June 2010, the RTC approved to replace the federal CMAQ funds for the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street with RTR funds; and

WHEREAS, the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street is now approved to receive $6,480,000.00 from the RTR fund to be matched by $1,620,000.00 of local funds from the City's 2006 Bond Program and Dallas County; and

WHEREAS, in order to accept the RTR funds, the existing Interlocal Agreement with TxDOT for the use of federal CMAQ funds needs to be terminated; and

WHEREAS, the City is required to pay TxDOT for their up-to-date engineering review cost at the termination of the agreement in the amount of $194,000.00; and

WHEREAS, on June 8, 2011, City Council authorized an agreement with Atmos Energy Corporation for the relocation of a gas pipeline in the vicinity of the Katy Trail Phase VI, and authorized payment to Atmos Energy Corporation in an amount not to exceed $37,573.68, by Resolution No. 11-1523; and

WHEREAS, on June 22, 2011, City Council authorized a license agreement with Dallas Area Rapid Transit (DART) for the use of its right-of-way to construct and maintain the proposed Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street, and authorized Supplemental Agreement No. 9 to the Master Agreement with DART for the use of its right-of-way to construct and maintain the pedestrian bridges over Mockingbird Lane and the DART Light Rail Red Line track near Twin Sixties Drive, by Resolution No. 11-1697; and

WHEREAS, on June 22, 2011, City Council authorized to terminate the existing Interlocal Agreement with and payment to the Texas Department of Transportation for the Katy Trail, Phase VI, from Ellsworth Avenue to Worcola Street, previously approved on November 8, 2006, by Resolution No. 06-3065; and authorized a Local Project Advance Funding Agreement with TxDOT for the design and construction of the Katy Trail, Phase VI from Ellsworth Avenue to Worcola Street; and receipt and deposit of Regional Toll Revenue funds from the Texas Department of Transportation, in an amount not to exceed $6,480,000.00, by Resolution No. 11-1698; and

WHEREAS, on June 22, 2011, City Council authorized a Project Specific Agreement with Dallas County for the Katy Trail, Phase VI from Ellsworth Avenue to Worcola Street; and the receipt and deposit of funds from Dallas County, in an amount not to exceed $1,000,00.00, by Resolution No. 11-1699; and

WHEREAS, on June 22, 2011, City Council authorized a contract with AUI Contractors, LLC for construction of the Katy Trail, Phase VI from Ellsworth Street to Worcola Street, in an amount not to exceed $6,974,628.44, by Resolution No. 11-1700; and

WHEREAS, on June 22, 2011, City Council authorized the reprogramming of eleven projects, associated with the City Lights development from the 2006 Bond Program to the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street in an amount not to exceed $2,499,998.00, as follows: Live Oak Street from Cantegral Street to Texas Street ($125,000.00), Texas Street from Bryan Street to Live Oak Street ($200,000.00), Cantegral Street reconstruction ($299,999.00), Cantegral Street / Texas Street traffic signalization ($175,000.00), Cantegral Street streetcaping ($360,000.00), Cantegral Street utility modifications ($125,000.00), Good Latimer Expressway deceleration lane ($250,000.00), Live Oak Street from Cantegral Street to Good Latimer Street ($290,000.00), Live Oak Street left turn lane ($175,000.00), Live Oak Street/ Good Latimer Expressway traffic signal modifications ($99,999.00), and City Lights streetscaping ($400,000.00), by Resolution No. 11-1700; and

WHEREAS, on December 14, 2011, City Council authorized Supplemental Agreement No.3 to the professional services contract with HNTB Corporation, to provide additional engineering design services related to construction oversight of the Mockingbird Lane Bridge for Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street, in an amount not to exceed $461,890.00, from $1,882,094.00 to $2,343,984.00, by Resolution No. 11-3258; and

WHEREAS, on December 12, 2012, City Council authorized Supplemental Agreement No. 4 to the professional services contract with HNTB Corporation to provide additional engineering services related to partial realignment of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street, in an amount not to exceed $138,842.00, from $2,343,984.00 to $2,482,826.00, by Resolution No. 12-3059; and

WHEREAS, on December 12, 2012, City Council authorized Change Order No.1 to the contract with AUI Contractors, LLC for material and labor cost escalations associated with the construction of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street, in an amount not to exceed $534,257.02, from $6,974,628.44 to $7,508,885.46, by Resolution No. 12-3060; and

WHEREAS, on April 10, 2013, City Council authorized an amendment to Resolution No. 11-1523, previously approved on June 8, 2011 which authorized an agreement with Atmos Energy Corporation for relocation of a gas pipeline for Katy Trail Phase VI to revise payment amount for utility relocation in an amount not to exceed $389,164.00, by Resolution No. 13-0672; and

WHEREAS, on April 10, 2013, City Council authorized an agreement with Oncor Electric Delivery Company LLC for relocation of electric facilities for Katy Trail Phase VI with payment in an amount not to exceed $235,427.00, by Resolution No. 13-0673; and

WHEREAS, the construction contract with AUI Contractors, LLC for the Katy Trail Phase VI, previously awarded on June 22, 2011, by Resolution No. 11-1700 was terminated due to prolonged right-of-way acquisition, at the request of the contractor; and

WHEREAS, on October 23, 2014, Administrative Action No. 14-1759 authorized Supplemental Agreement No. 5 to the professional services contract with HNTB Corporation for additional professional services in an amount not to exceed $49,989.00, from $2,482,826 to $2,532,815; and

WHEREAS, on July 20, 2015, Administrative Action No. 15-1278 authorized Supplemental Agreement No. 6 to the professional services contract with HNTB Corporation for additional professional services during the bidding process in an amount not to exceed $49,978.00, from $2,532,815 to $2,582,793; and

WHEREAS, on August 12, 2015, City Council authorized to amend Resolution Nos. 11-1700, 11-3258, 12-3059 and 12-3060 to revise the source of funds for the contracts to design and construct the Katy Trail Phase VI; and the reallocation of the project specific funds from Dallas County and Regional Toll Revenue to the construction phase of the project, by Resolution No. 15-1480; and

WHEREAS, on August 12, 2015, City Council authorized Supplemental Agreement No. 7 to the professional services contract with HNTB Corporation to provide engineering services during construction for the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street, in an amount not to exceed $422,703.00, from $2,582,793.00 to $3,005,496.00, by Resolution No. 15-1481; and

WHEREAS, on August 12, 2015, City Council authorized a contract with Rebcon, Inc. for the construction of a concrete trail and pedestrian bridges for the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street, in an amount not to exceed $11,611,577.46, by Resolution No. 15-1482; and

WHEREAS, on December 21, 2015, Administrative Action No. 15-2186 authorized Changed Order No. 1 to the contract with Rebcon, Inc. for additional insurance requirements by DART, in an amount not to exceed $20,719.00 from $11,611,577.46 to $11,632,296.46; and

WHEREAS, on May 30, 2017, Administrative Action No. 17-0667 authorized Supplemental Agreement No. 8 to the professional services contract with HNTB Corporation for engineering services during construction, in an amount not to exceed $49,968.00, from $3,005,496.00 to $3,055,464.00; and

WHEREAS, on June 28, 2017, City Council authorized Supplemental Agreement No. 9 to the professional services contract with HNTB Corporation to provide additional engineering services during construction for the Katy Trail Phase VI Project from Ellsworth Avenue to Worcola Street, in an amount not to exceed $149,986.00, from $3,0545,464.00 to $3,204,850.00, by Resolution No. 17-1059; and

WHEREAS, it is now necessary to authorize Change Order No. 2 to the construction services contract with Rebcon, Inc. for additional construction costs associated with design modifications and other miscellaneous items needed to complete the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street Project, in an amount not to exceed $532,700.55, increasing the contract amount from $11,632,296.46 to $12,164,997.01.

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with Rebcon, Inc. (Change Order No. 2) is authorized for additional construction costs associated with design modifications and other miscellaneous items needed to complete the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street Project, in an amount not to exceed $532,700.55, increasing the contract amount from $11,632,296.46 to $12,164,997.01.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $532,700.55 to Rebcon, Inc., as follows:

Street and Transportation Improvements Fund
Fund 1T22, Department STS, Unit P653, Object 4510
Activity INGV, Program PB06P653, Encumbrance CT PBW06P653K1
Vendor 243551 $47,137.29

Street and Transportation Improvements Fund
Fund 2T22, Department STS, Unit P653, Object 4510
Activity INGV, Program PB06P653, Encumbrance CT PBW06P653K1
Vendor 243551 $49,201.34

Street and Transportation Improvements Fund
Fund 8T22, Department STS, Unit P653, Object 4510
Activity INGV, Program PB06P653, Encumbrance CT PBW06P653K1
Vendor 243551 $135,629.38

SECTION 2. (continued)

Street and Transportation Improvements Fund	
Fund 4U22, Department STS, Unit P653, Object 4510	
Activity INGV, Program PB06P653, Encumbrance CT PBW06P653K1	
Vendor 243551	$300,732.54
Total amount not to exceed	$532,700.55

SECTION 3. That this contract is designated as Contract No. STS-2017-00002637.

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: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize the **(1)** acceptance of a grant from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $28,054 to operate the ambient air monitoring station in Rockwall County for the period September 1, 2017 through August 31, 2018; **(2)** receipt and deposit of funds in an amount not to exceed $28,054 from TCEQ in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $28,054 in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund; and **(4)** execution of the fourth amendment to the contract with TCEQ (Contract No. 582-15-50031) for the Rockwall Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $28,054, from $84,159 to $112,213 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

Since 1967, the City of Dallas has worked with TCEQ and its predecessor agencies to support clean air monitoring and enforcement of air quality regulations through a set of renewing contracts for services. There are currently four contracts under which TCEQ funds the City's Ambient Air Monitoring Group to monitor local air quality and also purchase and maintain necessary equipment.

This action addresses the fourth amendment to the contract with TCEQ (Contract No. 582-15-50031) for the Rockwall Ambient Air Monitoring Program. TCEQ requested that the City of Dallas operate the Rockwall (Rockwall County) continuous ambient air monitoring station as a part of the City's and Dallas/Fort Worth region's ambient air monitoring network. TCEQ purchased and installed major components of the station and will maintain these components at their expense, including all hardware and equipment required for the facility to be operational. Authorization of this contract will allow for the City to accept TCEQ funds for FY 2018, and enable the City to continue the Rockwall air monitoring program. TCEQ reimburses the City of Dallas 100 percent of the cost associated to maintain the program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized Contract No. 582-15-50031 with the Texas Commission on Environmental Quality (TCEQ) to accept state grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2014 through August 31, 2015, by Resolution No. 14-1021.

On August 10, 2015, information about this item was provided to the Quality of Life and Environment Committee.

On August 26, 2015, City Council authorized the first amendment to Contract No. 582-15-50031 with the Texas Commission on Environmental Quality to accept state grant funds in the amount of $28,054 to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2015 through August 31, 2016, by Resolution No. 15-1564.

Information about this item was provided to the Quality of Life and Environment Committee on June 13, 2016.

On June 15, 2016, City Council authorized the third amendment to Contract No. 582-15-50031 with the Texas Commission on Environmental Quality to accept additional state grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2016 through August 31, 2017, by Resolution No. 16-0984.

Information about this item was provided to the Transportation and Trinity River Project Committee on March 27, 2017.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $28,053.19

August 23, 2017

WHEREAS, there is a continuing need for an air pollution monitoring site in Rockwall County; and

WHEREAS, the City of Dallas Office of Environmental Quality has been approved by the Texas Commission on Environmental Quality to receive up to $28,053.19 to support the Rockwall Ambient Air Monitoring Program; and

WHEREAS, on June 25, 2014, City Council authorized Contract No. 582-15-50031 with the Texas Commission on Environmental Quality (TCEQ) to accept state grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2014 through August 31, 2015, with state grant funds in an amount not to exceed $28,053.19, by Resolution No. 14-1021; and

WHEREAS, on August 26, 2015, City Council authorized the first amendment to Contract No. 582-15-50031 with the Texas Commission on Environmental Quality to accept state grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2015 through August 31, 2016, in an amount not to exceed $28,053.19, from $28,053.19 to $56,106.38, by Resolution No. 15-1564; and

WHEREAS, on August 27, 2015, the Texas Commission on Environmental Quality authorized the second amendment to the Rockwall Ambient Air Monitoring Program Contract No. 582-15-50031 to extend the expiration date of the FY 2015 contract by 90 days; and

WHEREAS, on June 15, 2016, City Council authorized the third amendment to Contract No. 582-15-50031 with the Texas Commission on Environmental Quality to accept additional state grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2016 through August 31, 2017, in an amount not to exceed $28,053.19, from $56,160.38 to $84,159.57, by Resolution No. 16-0984; and

WHEREAS, it is now necessary to authorize the fourth amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-15-50031) to accept additional state grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2018, in an amount not to exceed $28,053.19, increasing the contract amount from $84,159.57 to $112,212.76.

Now, Therefore,

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

August 23, 2017

SECTION 1. That the City Manager is hereby authorized to sign the fourth amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-15-50031), approved as to form by the City Attorney, to accept grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2018, in an amount not to exceed $28,053.19, from $84,159.57 to $112,212.76.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund, Fund S315, Department MGT, Unit 3199, Revenue Code 6516, in an amount not to exceed $28,053.19.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $28,053.19 in the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund, Fund S315, Department MGT, Unit 3199, Object 3099.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer funds from the TCEQ 17-18 Rockwall Ambient Air Monitoring Program Fund, Fund S315, Department MGT, Unit 3199, Object 3099, to reimburse Fund 0001, Department MGT, Unit 4241, Object 5011, in an amount not to exceed $28,053.19.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of any expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. MGT-2017-00002137.

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 # 45

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Environmental Protection Agency passed through the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $67,587; **(2)** receipt and deposit of funds in an amount not to exceed $67,587 from TCEQ in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $67,587 in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund; and **(4)** execution of the fourth amendment to the contract with TCEQ (Contract No. 582-15-50039) for the Texas PM 2.5 Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $67,587, from $202,760 to $270,347 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

Since 1967, the City of Dallas has worked with TCEQ and its predecessor agencies to support clean air monitoring and enforcement of air quality regulations through a set of renewing contracts for services. There are currently four contracts under which TCEQ funds the City's Ambient Air Monitoring Group to monitor local air quality and also purchase and maintain necessary equipment.

This action addresses Contract No. 582-15-50039 for monitoring of Particulate Matter (PM) 2.5. The City's Air Specialists collect sample specimens from six PM samplers in Dallas County. This program is of importance because of the serious health effects associated with exposure to fine particulates. Authorization of this contract will allow for the City to accept TCEQ funds for FY 2018, and enable the City to continue the TCEQ 17-18 Texas PM 2.5 Monitoring Program. TCEQ reimburses the City of Dallas 100 percent of the cost associated to maintain the program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized Contract No. 582-15-50039 with the Texas Commission on Environmental Quality for air quality monitoring of the particulate matter 2.5 network for the period September 1, 2014 through August 31, 2015, by Resolution No. 14-1022.

On August 26, 2015, City Council authorized the first amendment to Contract No. 582-15-50039 with the Texas Commission on Environmental Quality to accept grant funds for air quality monitoring of the particulate matter 2.5 network for the period September 1, 2015 through August 31, 2016, by Resolution No. 15-1565.

Information about this item was provided to the Quality of Life and Environment Committee on June 13, 2016.

On June 15, 2016, City Council authorized the third amendment to Contract No. 582-15-50039 with the Texas Commission on Environmental Quality to accept additional grant funds for air quality monitoring of the particulate matter 2.5 network for the period September 1, 2016 through August 31, 2017, by Resolution No. 16-0985.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $67,586.52

WHEREAS, there is a continuing need for the City of Dallas to operate an air pollution control program; and

WHEREAS, the City of Dallas Office of Environmental Quality has been approved by the Texas Commission on Environmental Quality to receive up to $67,586.52 to support the air pollution control program and the particulate matter 2.5 network; and

WHEREAS, on June 25, 2014, City Council authorized Contract No. 582-15-50039 with the Texas Commission on Environmental Quality for air quality monitoring of the particulate matter 2.5 network for the period September 1, 2014 through August 31, 2015, in an amount not to exceed $67,586.52, by Resolution No. 14-1022; and

WHEREAS, on August 26, 2015, City Council authorized the first amendment to Contract No. 582-15-50039 with the Texas Commission on Environmental Quality to accept grant funds for air quality monitoring of the particulate matter 2.5 network for the period September 1, 2015 through August 31, 2016, in an amount not to exceed $67,586.52, from $67,586.52 to $135,173.04, by Resolution No. 15-1565; and

WHEREAS, on August 27, 2015, the Texas Commission on Environmental Quality authorized the second amendment to Contract No. 582-15-50039 to extend the expiration date of the FY 2015 contract by 90 days; and

WHEREAS, on June 15, 2016, City Council authorized the third amendment to Contract No. 582-15-50039 with the Texas Commission on Environmental Quality to accept additional grant funds for air quality monitoring of the particulate matter 2.5 network for the period September 1, 2016 through August 31, 2017, in an amount not to exceed $67,586.52, from $135,173.04 to $202,759.56, by Resolution No. 16-0985; and

WHEREAS, there is a continuing need for an air pollution control program for particulate matter 2.5; and

WHEREAS, it is now necessary to authorize the fourth amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-15-50039) to accept grant funds from the U.S. Environmental Protection Agency passed through the Texas Commission on Environmental Quality to conduct the Texas PM 2.5 Monitoring Program for the period September 1, 2017 through August 31, 2018, in an amount not to exceed $67,586.52, increasing the contract amount from $202,759.56 to $270,346.08.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the fourth amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-15-50039, CFDA No. 66.034), approved as to form by the City Attorney, to accept grant funds from the U.S. Environmental Protection Agency passed through the Texas Commission on Environmental Quality (TCEQ) to conduct the Texas PM 2.5 Monitoring Program for the period September 1, 2017 through August 31, 2018, in an amount not to exceed $67,586.52, increasing the contract amount from $202,759.56 to $270,346.08.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $67,586.52 in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund, Fund F524, Department MGT, Unit 3276, Revenue Code 6506.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $67,586.52 in the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund, Fund F524, Department MGT, Unit 3276, Object 3099.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer grant funds in an amount not to exceed $67,586.52 from the TCEQ 17-18 Texas PM 2.5 Monitoring Program Fund, Fund F524, Department MGT, Unit 3276, Object 3099 to reimburse Fund 0001, Department MGT, Unit 4241, Object 5011.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of any expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. MGT-2017-00002136.

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 # 46

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Environmental Protection Agency passed through Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $367,790 to monitor air sampling sites at six locations across the City for the period September 1, 2017 through August 31, 2018; **(2)** receipt and deposit of funds in an amount to exceed $367,790 from TCEQ in the TCEQ 17-19 Ambient Air Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $367,790 in the TCEQ 17-19 Ambient Air Monitoring Program Fund; **(4)** required local match in an amount not to exceed $181,151 over the two-year period; and **(5)** execution of a contract with TCEQ (Contract No. 582-18-80089) for the Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2019 - Not to exceed $548,941 - Financing: Texas Commission on Environmental Quality Grant Funds ($367,790) and Current Funds ($181,151) (subject to annual appropriations)

BACKGROUND

Since 1967, the City of Dallas has worked with TCEQ and its predecessor agencies, to support clean air monitoring and enforcement of air quality regulations through a set of renewing contracts for services. There are currently four contracts under which TCEQ funds the City's Ambient Air Monitoring Group to monitor local air quality and also purchase and maintain equipment.

This action addresses Contract No. 582-18-80089 for the Ambient Air Monitoring Program. The City's Air Specialists monitor air sampling sites at six locations across the City to check for levels of sulfur oxides, nitrous oxides, ozone, lead, carbon monoxide, and particulate matter (PM10). The data from these sampling sites is transmitted to the TCEQ, who compares the data with air quality standards and identifies trends in certain pollutants. Authorization of this contract will allow for the City to accept TCEQ funds for FY 18 and FY 19, and enable the City to continue the Ambient Air Monitoring Program. Funding for this program is split with TCEQ providing 67 percent of the cost of this program and the City of Dallas providing 33 percent of the cost.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized the acceptance of a grant from the Texas Commission on Environmental Quality (Contract No. 582-14-40015) for the Ambient Air Monitoring Program for the period September 1, 2013 through August 31, 2015 and a grant agreement by Resolution No. 13-1075.

On May 27, 2015, City Council authorized the first amendment to the Texas Commission on Environmental Quality (Contract No. 582-14-40015) for the acceptance of additional grant funds for the Ambient Air Monitoring Program for the period September 1, 2013 through August 31, 2015 and a grant agreement by Resolution No. 15-0966.

Information about this item was provided to the Quality of Life and Environment Committee on August 10, 2015.

On August 26, 2015, City Council authorized the second amendment to the contract with the Texas Commission on Environmental Quality for the Ambient Air Monitoring Program (Contract No. 582-14-4005) for the period September 1, 2015 through August 31, 2017, by Resolution No. 15-1562.

Information about this item was provided to the Transportation and Trinity River Project Committee on March 27, 2017.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $367,790.00
Current Funds - $181,150.30 (subject to annual appropriations)

WHEREAS, there is a continuing need for the City to monitor ambient air quality at a network of sites within and near the City of Dallas; and

WHEREAS, the City of Dallas Office of Environmental Quality has been approved by the Texas Commission on Environmental Quality (TCEQ) to receive up to $367,790.00 to monitor ambient air quality at a network of sites within and near the City of Dallas; and

WHEREAS, on June 26, 2013, City Council authorized the acceptance of a grant from the Texas Commission on Environmental Quality for the Ambient Air Monitoring Program for the period September 1, 2013 through August 31, 2015, by Resolution No. 13-1075; and

WHEREAS, on May 27, 2015, City Council authorized the first amendment to the Texas Commission on Environmental Quality Air Monitoring Contract No. 582-14-40015 for the acceptance of additional grant funds for the Ambient Air Monitoring Program for the period September 1, 2013 through August 31, 2015, by Resolution No. 15-0966; and

WHEREAS, on August 26, 2015, City Council authorized the second amendment to the contract with the Texas Commission on Environmental Quality for the Ambient Air Monitoring Program Contract No. 582-14-40015 for the period September 1, 2015 through August 31, 2017, by Resolution No. 15-1562; and

WHEREAS, it is now necessary to authorize a contract with the Texas Commission on Environmental Quality (Contract No. 582-18-80089) to accept grant funds from the U.S. Environment Protection Agency passed through Texas Commission on Environment Quality to conduct the Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2019, in an amount not to exceed $367,790.00; and provide a local match in an amount not to exceed $181,150.30 over the two-year period.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a contract with the Texas Commission on Environmental Quality (Contract No. 582-18-80089, CFDA No. 66.605), approved as to form by the City Attorney, to accept grant funds from the U.S. Environmental Protection Agency passed through Texas Commission on Environmental Quality (TCEQ) to conduct the Ambient Air Monitoring Program for the period September 1, 2017 through August 31, 2019, in an amount not to exceed $367,790.00; and provide a local match in an amount not to exceed $181,150.30 over the two-year period.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $367,790.00 in the TCEQ 17-19 Ambient Air Monitoring Program Fund, Fund F525, Department MGT, Unit 3277, Revenue Code 6506.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $367,790.00 in the TCEQ 17-19 Ambient Air Monitoring Program Fund, Fund F525, Department MGT, Unit 3277, Object 3099.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer funds in an amount not to exceed $367,790.00 from the TCEQ 17-19 Ambient Air Monitoring Program Fund, Fund F525, Department MGT, Unit 3277, Object 3099 to reimburse Fund 0001, Department MGT, Unit 4241, Object 5011.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse the required cash match from Fund 0001, Department MGT, Unit 4241, Object 1101 in an amount not to exceed $181,150.30 (subject to annual appropriations).

SECTION 6. That the City Manager is hereby authorized to reimburse the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of any 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 granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 8. That this contract is designated as Contract No. MGT-2017-00002135.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 47

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: NA

SUBJECT

Authorize the **(1)** acceptance of reimbursement funds from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $475,000 to conduct the Whole Air Monitoring Program for the period September 1, 2017 to August 31, 2018; **(2)** receipt and deposit of funds in an amount not to exceed $475,000 from TCEQ in the TCEQ 17-18 Whole Air Monitoring Program Fund; **(3)** establishment of appropriations in an amount not to exceed $475,000 in the TCEQ 17-18 Whole Air Monitoring Program Fund; and **(4)** execution of the second amendment to the contract with TCEQ (Contract No. 582-16-60016) for the Whole Air Monitoring Program for the period September 1, 2017 through August 31, 2018 - Not to exceed $475,000, from $961,132 to $1,436,132 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

Since 1967, the City of Dallas has worked with the Texas Commission on Environmental Quality (TCEQ) and its predecessor agencies, to support clean air monitoring and enforcement of air quality regulations through a set of renewing contracts for services. There are currently four contracts under which TCEQ funds the City's Ambient Air Monitoring Group to monitor local air quality and also purchase and maintain necessary equipment.

This action addresses Contract No. 582-16-60016 which ensures the monitoring of biological contaminants that could be associated with a bioterrorist attack on Dallas County. The TCEQ supports the Department of Homeland Security National's Whole Air Monitoring Network which began in February 2003 in Texas. The TCEQ in turn, contracts with the City to operate the Whole Air Monitoring Network of whole air samplers at various locations throughout the Dallas County. Authorization of this contract will allow for the City to accept TCEQ funds for FY 2018, and enable the City to continue the Whole Air Monitoring Program. TCEQ reimburses the City of Dallas 100 percent of the cost associated to maintain the program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2012, City Council authorized Contract No. 582-13-30015 with the Texas Commission on Environmental Quality to accept state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2013, by Resolution No. 12-1542.

On June 26, 2013, City Council authorized the first amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-13-30015) to accept state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2013 through August 31, 2014, by Resolution No. 13-1077.

On March 26, 2014, City Council authorized the second amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-13-30015) to accept additional state grant funds to operate and maintain the whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2013 through August 31, 2014, by Resolution No. 14-0516.

On June 25, 2014, City Council authorized the third amendment to Contract No. 582-13-30015 with the Texas Commission on Environmental Quality to accept additional grant funds to operate and maintain whole air samplers and to conduct air monitoring activities in Dallas County for the period September 1, 2014 through August 31, 2015, by Resolution No. 14-1024.

Information about this item was provided to the Quality of Life and Environment Committee on August 10, 2015.

On August 26, 2015, City Council authorized Contract No. 582-16-60016 with the Texas Commission on Environmental Quality to accept state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2015 to August 31, 2016, by Resolution No. 15-1563.

On June 13, 2016, the Quality of Life and Environment Committee was briefed regarding this matter.

On June 15, 2016, City Council authorized the first amendment to Contract No. 582-16-60016 with the Texas Commission on Environmental Quality to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2016 through August 31, 2017, by Resolution No. 16-0982.

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

Information about this item was provided to the Transportation and Trinity River Project Committee on March 27, 2017.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $475,000

WHEREAS, there is a continuing need to operate an air pollution control program and a network of whole air samplers monitoring biological contaminants; and

WHEREAS, the City of Dallas Office of Environmental Quality has been approved by the Texas Commission on Environmental Quality to receive up to $475,000.00 to conduct the Whole Air Monitoring Program; and

WHEREAS, on June 13, 2012, City Council authorized Contract No. 582-13-30015 with the Texas Commission on Environmental Quality to accept state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2012 through August 31, 2013, in an amount not to exceed $422,360.00, by Resolution No. 12-1542; and

WHEREAS, on June 26, 2013, City Council authorized the first amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-13-30015) to accept state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2013 through August 31, 2014, in an amount not to exceed $422,360.00, from $422,360.00 to $844,720.00, by Resolution No. 13-1077; and

WHEREAS, on March 26, 2014, City Council authorized the second amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-13-30015) to accept additional grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2013 through August 31, 2014, in an amount not to exceed $49,640.00, from $844,720.00 to $894,360.00, by Resolution No. 14-0516; and

WHEREAS, on June 25, 2014, City Council authorized the third amendment to Contract No. 582-13-30015 with the Texas Commission on Environmental Quality to accept additional grant funds to operate and maintain whole air samplers and to conduct air monitoring activities for the period September 1, 2014 through August 31, 2015, in an amount not to exceed $461,743.30, from $894,360.00 to $1,356,104.00, by Resolution No. 14-1024; and

WHEREAS, on August 26, 2015, City Council authorized Contract No. 582-16-60016 with the Texas Commission on Environmental Quality to accept state grant funds to operate and maintain whole air samplers and to conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2015 through August 31, 2016, in an amount not to exceed $477,811.30, by Resolution No. 15-1563; and

August 23, 2017

WHEREAS, on June 15, 2016, City Council authorized the first amendment to Contract No. 582-16-60016 with the Texas Commission on Environmental Quality to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2016 through August 31, 2017, in an amount not to exceed $483,320.62, from $477,811.30 to $961,131.92, by Resolution No. 16-0982; and

WHEREAS, it is now necessary to authorize the second amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-16-60016, CFDA No. 97.091) to accept reimbursement funds to conduct the Whole Air Monitoring Program for the period September 1, 2017 through August 31, 2018, in an amount not to exceed $475,000.00, increasing the contract amount from $961,131.92 to $1,436,131.92.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the second amendment to the contract with the Texas Commission on Environmental Quality (Contract No. 582-16-60016, CFDA No. 97.091), approved as to form by the City Attorney, to accept reimbursement funds to conduct the Whole Air Monitoring Program for the period September 1, 2017 through August 31, 2018, in an amount not to exceed $475,000.00, increasing the contract amount from $961,131.92 to $1,436,131.92.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $475,000.00 in the TCEQ 17-18 Whole Air Monitoring Program Fund, Fund F523, Department MGT, Unit 3200, Revenue Code 6526.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $475,000.00 in the TCEQ 17-18 Whole Air Monitoring Program Fund, Fund F523, Department MGT, Unit 3200, Object 3099.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer funds in an amount of $475,000.00 from the TCEQ 17-18 Whole Air Monitoring Program Fund, Fund F523, Department MGT, Unit 3200, Object 3099, to reimburse Fund 0001, Department MGT, Unit 4241, Object 5011.

SECTION 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of any expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. MGT-2017-00002134.

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 # 48

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize the **(1)** acceptance of a grant from the Texas Commission on Environmental Quality (TCEQ) in an amount not to exceed $525,117 to continue the Air Pollution Compliance Program to provide investigation services and complaint response within the City of Dallas for the period September 1, 2017 to August 31, 2018; **(2)** receipt and deposit of funds in an amount not to exceed $525,117 from TCEQ in the TCEQ 17-18 Air Pollution Compliance Program Fund; **(3)** establishment of appropriations in an amount not to exceed $525,117 in the TCEQ 17-18 Air Pollution Compliance Program Fund; **(4)** required local match in an amount not to exceed $258,640; and **(5)** execution of the third amendment to the contract with TCEQ (Contract No. 582-15-50121) for the Air Pollution Compliance Program for the period September 1, 2017 to August 31, 2018 - Not to exceed $783,757, from $2,351,271 to $3,135,028 - Financing: Texas Commission on Environmental Quality Grant Funds ($525,117) and Current Funds ($258,640) (subject to annual appropriations)

BACKGROUND

Since 1967, the City of Dallas has worked with the Texas Commission on Environmental Quality (TCEQ) to support clean air monitoring and enforcement of air quality regulations through a set of annually renewed contracts for services.

Under this contract, TCEQ funds the City's Air Pollution Compliance Program. In the City's Air Pollution Compliance Program, City environmental specialists conduct periodic inspections of industries and business in Dallas that have the potential to emit pollutants, as defined in the Dallas City Code. These may include manufacturing facilities, fueling stations, paint-and-body shops, and other industrial sites. The City's specialists respond to citizen complaints of odor, smoke or other airborne pollutants, and they also review air permit requests made by potential emitters in the city of Dallas.

BACKGROUND (continued)

This action will authorize the third amendment to the contract with TCEQ (Contract No.582-15-50121) for the Air Pollution Compliance Program, renewing the service agreement through FY 2018. The City and TCEQ share in the cost of this annual program, with TCEQ funding 67 percent of the cost and the City providing 33 percent subject to annual appropriations.

PRIOR ACTION/REVIEW (COUNCILS, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized Contract No. 582-15-50121 with the Texas Commission on Environmental Quality to accept state grant funds to continue the Air Pollution Compliance Program to provide investigation services and complaint responses, for a one-year period for the period September 1, 2014 through August 31, 2015 with the option to renew the contract for an additional three years by Resolution No. 14-1023.

Information about this item was provided to the Quality of Life Committee on August 10, 2015.

On August 26, 2015, City Council authorized Amendment No. 1 to Contract No. 582-15-50121 with the Texas Commission on Environmental Quality to accept additional state grant funds to continue the Air Pollution Compliance Program to provide investigative services and complaint responses within the City of Dallas for a one-year period, from September 1, 2015 through August 31, 2016, and a local annual match by Resolution No. 15-1566.

On June 15, 2016, City Council authorized the second amendment to Contract No. 582-15-50121 with Texas Commission on Environmental Quality to accept additional state grant funds to continue the Air Pollution Compliance Program to provide investigative services and complaint responses within the City of Dallas for a one-year period, from September 1, 2016 through August 31, 2017 by Resolution No. 16-0983.

Information about this item, including the City's local air programs funded by TCEQ, was provided to the Transportation and Trinity River Project Committee on March 27, 2017.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $525,117
Current Funds - $258,640 (subject to appropriations)

WHEREAS, there is a continuing need for the City of Dallas to provide investigation services and complaint responses within the City of Dallas; and

WHEREAS, the City of Dallas Office of Environmental Quality has been approved by the Texas Commission on Environmental Quality to receive grant funds not to exceed $525,117 per year to accomplish air pollution control investigations within the city of Dallas; and

WHEREAS, on June 25, 2014, City Council authorized Contract No. 582-15-50121 with the Texas Commission on Environmental Quality to accept state grant funds to continue the Air Pollution Compliance Program to provide investigation services and complaint responses, for a one-year period for the period September 1, 2014 through August 31, 2015 with the option to renew the contract for an additional three years by Resolution No. 14-1023.

WHEREAS, on August 26, 2015, City Council authorized Amendment No. 1 to Contract No. 582-15-50121 with the Texas Commission on Environmental Quality to accept additional state grant funds to continue the Air Pollution Compliance Program to provide investigative services and complaint responses within the City of Dallas for a one-year period, from September 1, 2015 through August 31, 2016, and a local annual match by Resolution No. 15-1566.

WHEREAS, on June 15, 2016, City Council authorized the second amendment to Contract No. 582-15-50121 with Texas Commission on Environmental Quality to accept additional state grant funds to continue the Air Pollution Compliance Program to provide investigative services and complaint responses within the City of Dallas for a one-year period, from September 1, 2016 through August 31, 2017 by Resolution No. 16-0983.

WHEREAS, the total amount to be reimbursed under this agreement shall not exceed 67 percent of the City's total cost for its local air pollution program investigations; and

WHEREAS, the remaining 33 percent of the Air Pollution Compliance Program costs are to be funded by the City as matching funds**,** not to exceed $258,640 per year; and

WHEREAS, it is now necessary to authorize the third amendment to the contract with Texas Commission on Environmental Quality (Contract No. 582-15-50121) to accept state grant funds in an amount not to exceed $525,117 to continue the Air Pollution Compliance Program to provide investigative services and complaint responses, and to extend the term for the period September 1, 2017 through August 31, 2018; and a local match in an amount not to exceed $258,640, increasing the contract amount from $2,351,271 to $3,135,028.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the third amendment to the contract with the Texas Commission on Environmental Quality (Contact No. 582-15-50121), approved as to form by the City Attorney, to accept state grant funds in an amount not to exceed $525,117 to continue the Air Pollution Compliance Program to provide investigation services and complaint response, for the period September 1, 2017 through August 31, 2018; and a required local match in an amount not to exceed $258,640, increasing the contract amount from $2,351,271 to $3,135,028.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $525,117 in the TCEQ 17-18 Air Pollution Compliance Program Fund, Fund S314, Department MGT, Unit 3198, Revenue Code 6516.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $525,117 in the TCEQ 17-18 Air Pollution Compliance Program Fund, Fund S314, Department MGT, Unit 3198, Object 3090.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer funds in an amount not to exceed $525,117 from the TCEQ 17-18 Air Pollution Compliance Program Fund, Fund S314, Department MGT, Unit 3198, Object 3090, to reimburse Fund 0001, Department MGT, Unit 4298, Object 5011.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse the required cash match from Fund 0001, Department MGT, Unit 4298, Object 1101 in an amount not to exceed $258,640 (subject to annual appropriations).

SECTION 6. That the City Manager is hereby authorized to reimburse the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of any expenditure 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 granting agency monitoring report not later than 30 days after receipt of the report.

SECTION 8. That this contract is designated as Contract No. MGT-2017-00002133.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 49

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

Ordinances amending Ordinance No. 30178 (FY 2016-17 Operating Budget Appropriation Ordinance) and Ordinance No. 30179 (FY 2016-17 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2016-17 for public improvements and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City

BACKGROUND

On September 21, 2016, the City Council passed Ordinance Nos. 30178 and 30179, which adopted the operating budget and capital budget appropriation ordinances for fiscal year 2016-17. Management has closely monitored revenues and expenses throughout the fiscal year and adjusted spending to ensure there are revenues (or available fund balance) to cover projected costs. In order to avoid exceeding authorized appropriations, adjustments to budgets are needed in various departments that are forecast to be exceeded and to capital improvement funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 21, 2016, City Council authorized the FY 2016-17 Operating Budget and Capital Budget Appropriation Ordinances by Resolution No. 16-1526; Ordinance Nos. 30178 and 30179.

The Government Performance & Financial Management Committee will be briefed regarding this item on August 21, 2017.

FISCAL INFORMATION

No cost consideration to the City.

8/10/17

ORDINANCE NO. _____

An ordinance amending Ordinance No. 30178 (2016-2017 FY Operating Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2016-17 for the maintenance and operation of various departments and activities and to authorize the city manager to implement those adjustments; providing a saving clause; and proving an effective date.

WHEREAS, on September 21, 2016, the city council passed Ordinance No. 30178, which adopted the operating budget appropriation ordinance for fiscal year 2016-2017; and

WHEREAS, shortages and excesses in various department and activity appropriations have created a need to adjust those appropriations; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 4, of the Dallas City Charter to transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose to any other department, division, or purpose, upon the written recommendation of the city manager; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 5, of the Dallas City Charter to appropriate, from time to time, excess revenues of the city to such uses as will not conflict with any uses for which such revenues specifically accrued; Now, therefore,

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

SECTION 1. That Section 1 of Ordinance No. 30178 (2016-2017 FY Operating Budget Appropriation Ordinance), passed by the city council on September 21, 2016, is amended by making adjustments to fund appropriations for fiscal year 2016-17 for maintenance and operation of various departments and activities, to read as follows:

"SECTION 1. That for the purpose of providing the funds to be expended in the budget for the fiscal year beginning October 1, 2016 and ending September

30, 2017, the available revenues of the city of Dallas are hereby appropriated for the maintenance and operation of the various city departments and activities as follows:

DEPARTMENTS AND ACTIVITIES	**PROPOSED 2016-17**
Building Services	25,311,983
Business Development and Procurement Services	3,040,515
City Attorney's Office	**16,659,590 [~~16,159,590~~]
City Auditor's Office	3,194,434
City Manager's Office	2,468,024 [~~1,965,631~~]
City Secretary's Office	2,029,306
Civil Service	2,887,337
Code Compliance	42,385,536
City Controller's Office	***5,441,481 [~~4,682,481~~]
Court and Detention Services	11,975,651
Elections	****2,980,201 [~~1,400,603~~]
Fire	254,602,513
Housing/Community Services	14,523,063 [~~14,403,063~~]
Human Resources	5,219,858
Independent Audit	865,200
Jail Contract – Lew Sterrett	7,812,862
Judiciary	3,295,676
Library	29,983,725
Mobility and Street Services	*****97,677,101[~~84,577,101~~]
Mayor and Council	4,515,390 [~~4,465,390~~]
Non-Departmental	*****64,312,439 [~~70,412,439~~]
Office of Cultural Affairs	19,604,511
Office of Economic Development	2,574,535
Office of Financial Services	2,956,619
Office of Management Services	*10,725,458 [~~10,235,231~~]
Park and Recreation	94,673,026
Planning and Urban Design	3,028,557
Police	*****477,003,576 [~~478,003,576~~]
Street Lighting	16,956,026
Sustainable Development and Construction	1,385,651
Trinity Watershed Management	1,317,717
Contingency Reserve	1,650,000
Salary and Benefits Reserve	1,497,607 [~~2,000,000~~]
Liability/Claims Fund	4,962,542

An increase to $10,725,458 was previously approved by Resolution No. 16-1987.
****An increase to $16,659,590 was previously approved by Resolution No. 17-0438.***
*****An increase to $5,441,481 was previously approved by Resolution No. 17-0483.***
******An increase to $1,730,201 was previously approved by Resolution No. 17-0889.***

********An increase to $97,677,101 was previously approved by Resolution No. 17-0954.***
********A decrease to $66,412,439 was previously approved by Resolution No. 17-0954.***
********A decrease to $477,003,576 was previously approved by Resolution No. 17-0954.***

GENERAL FUND TOTAL **$1,239,517,710 [~~1,229,338,885~~]**

GRANT FUNDS	**PROPOSED 2016-17**
Aviation	
FAA Airport Security Reimbursement (F005)	276,814
FAA Bio-Explosive Detect (F006)	439,365
FAA Grant Reconstruction Taxiway Delta 2 (F367)	15,861
Court and Detention Services	
State Law Enforcement Grant (S104)	4,346
Management Services	
Target Community Preparedness Program (P113)	5,124
Mobility and Street Services	
Freeway Traffic Signals (0670)	302,737
Park and Recreation	
TPWD Outdoor Adventures at Dallas Grant (S309)	******44,705
[~~NRPA Jr Angler Program Grant 16-17 (P118)~~	~~10,000~~
~~TPWD Outdoor Adventure Grant (S303)~~	~~49,672~~]

*********Establishment of this fund was previously approved by Resolution No. 17-0083.***

GRANT FUNDS TOTAL **$1,088,952 [~~64,018~~]**

TRUST AND OTHER FUNDS	**PROPOSED 2016-17**
Communication and Information Services	
Information Technology Equipment (0897)	9,432,880 [~~4,910,287~~]
Convention and Event Services	
Convention Center Hotel Tax Rebate Fund (0756)	10,565,500
Sports Arena Lease Fund (0A71)	7,000,000

Court and Detention Services	
Employee Morale Fund (0902)	13
Security Fund (0G88)	342,756
Technology Fund (0401)	434,209
Fire	
Paramedic Activity (0302)	25,372
Smoke Detector Program Donations (0230)	13,663
Housing/Community Services	
Alvin E. Moore Trust (0309)	87,770
Dallas Tomorrow Fund (0476)	386,952
Deerfield Housing Fund (0605)	1,500,000
Energy Emergency Assistance Fund (0312)	680,000
Housing Opportunity for Person with AIDS Fund (HW14)	47,693
Mayfair Gifts and Donation (0471)	56,500 [~~27,500~~]
MLK Center Trust (0305)	30,542
S108 Lancaster Urban Village Community (0J51)	9,452,049
S108 Continental Building (0J52)	8,856,363
S108 Atmos Loft Project (0J53)	12,568,533
S108 Plaza Hotel (0J55)	14,136,551
WDMPC Emergency Social Services (0T04)	74,436 [~~49,436~~]
West Dallas Multipurpose Trust (0T17)	50,000 [~~35,000~~]
Judiciary	
Juvenile Case Manager Fund (0396)	818,943
Library	
Dallas Theater (0646)	4,592
Genealogy Fund (0687)	8,771
Kahn Fund (0208)	229,319
Parrill Estate Fund (0716)	3,449
Office of Cultural Affairs	
Arts Endowment (0347)	83,437
Majestic Theater Gift & Trust Fund (0347)	193,084
OCA Hotel Occupancy Tax (0435)	1,530,267
Office of Economic Development	
City of Dallas Regional Center (0067)	288,410
Dallas Housing Finance Corporation (0068)	160,694
Economic Development Sales Tax Rebate Program (0680)	138,368 [~~65,000~~]
New Market Tax Credit (0065)	206,195 [~~100,000~~]
South Dallas/Fair Park Trust Fund (0351)	1,140,223 [~~1,122,486~~]
Park and Recreation	
Community Fund – Park Recreation Centers (0979)	12,477

Fair Park Improvement Fund (0448)	254,406
Fair Park Marketing (0G43)	51,984
Fair Park Special Maintenance (0329)	107,854
Ford Found Innovative Program (0T14)	913
Golf Improvement Trust (0332)	2,008,715
Mowmentum Park Improvement (0T80)	66,058
Outdoor Programs (0469)	87,829
Park Improvement Fund (0355)	87,065
PKR Program Fund Tracking (0395)	2,461,923
Recreation Program (0341)	816,660
Southern Skates (0327)	130,818
White Rock Endowment (0354)	6,852
W.W. Samuell Park Trust (0330)	674,017
Planning and Urban Design	
Neighborhood Vitality Project Fund (0297)	100,000
Police	
Confiscated Monies - Federal (0436)	1,500,000
Confiscated Monies - Federal (0412)	5,372,641
Confiscated Monies – State (0411)	4,416,234 [~~2,710,304~~]
Gifts and Donation (0321)	1,005,356
Law Enforcement Officer Standard Education (0S1N)	212,409 [~~151,390~~]
Various Police Task Forces (0T69)	767,307 [~~334,316~~]
Sustainable Development and Construction	
NAS Redevelopment Fund (0022)	438,221
Reforestation Fund (0T06)	224,440
TRUST AND OTHER FUNDS TOTAL	**$101,351,713 [~~38,306,135~~]**
GRANT, [~~AND~~] TRUST, AND OTHER FUNDS GRAND TOTAL	**$102,440,665 [~~38,370,153~~]**

ENTERPRISE/INTERNAL SERVICE/OTHER FUNDS	**PROPOSED 2016-17**
Aviation	
Airport Operations	*******107,431,667 [~~97,733,667~~]
Transportation Regulation	1,454,325
Communication and Information Services	
Information Technology	69,649,274
Radio Services	5,189,187
Convention and Event Services	97,478,329 [~~96,403,076~~]
Employee Benefits	
Benefits Administration	998,055

Wellness Program	349,354
Equipment Services	52,387,124 [~~50,837,124~~]
Express Business Center	3,780,050
Risk Management	2,710,314 [~~2,630,314~~]
Sanitation Services	100,541,054 [~~95,946,054~~]
Storm Water Drainage Management	54,657,769 [~~53,007,769~~]
Sustainable Development and Construction	36,090,295
Water Utilities	657,464,737
WRR - Municipal Radio	2,032,482
911 System Operations	16,388,652

**********An increase to $106,586,667 was previously approved by Resolution No. 17-1082.***

ENTERPRISE/INTERNAL SERVICE/ OTHER FUNDS TOTAL **$1,208,602,668 [~~1,189,954,415~~]"**

SECTION 2. That Section 4 of Ordinance No. 30178 (2016-2017 FY Operating Budget Appropriation Ordinance), passed by the city council on September 21, 2016, is amended by making adjustments to fund appropriations for fiscal year 2016-17 for maintenance and operation of various departments and activities, to read as follows:

"SECTION 4. That the city manager is hereby authorized, upon written notice to the city controller, to make the following adjustments:

(1) Transfer internal service fund equity from unanticipated excesses to contributing funds.

(2) Transfer funds, not to exceed $22,524,413, from the Convention Center Operating Fund 0080, Department CCT, Unit 7840, Object 3870, to the 2009 Convention Center Debt Service Fund 0980, Department CCT, Unit P505, Revenue Source 9219, for the payment of debt service on Series 2009 Revenue Refunding and Improvement Bonds for improvements to the Dallas Civic Center Convention Complex.

(3) Transfer funds, not to exceed $4,282,542, from the General Fund 0001, Department BMS, Unit 1996, Object 3621 to the Liability Reserve Fund 0192, Department

ORM, Unit 3890, Revenue Source 8525, for payment of small and large claims against the city.

(4) Transfer funds, not to exceed $8,600,000, to the General Fund 0001, Department BMS, Unit 1995, Revenue Source 9229, from the Sports Arena Lease Fund 0A71, Department CCT, Unit 8851, Object 3690, to support general fund operations.

(5) Transfer funds, not to exceed $24,067,707, from the Water Utilities Operating Fund 0100, Department DWU, Unit 7015, Object 3690, in the amounts not to exceed $10,500,000 to the Public/Private Partnership Fund 0352, Department ECO, Unit P151, Revenue Source 8219 and $13,567,707 to the General Fund 0001, Department BMS, Unit 1991, Revenue Source 9201, as payment in lieu of taxes by the water utilities department to support economic initiatives of the city.

(6) Transfer funds, not to exceed $6,354,707, from the Sanitation Services Fund 0440, Department SAN, Unit 3581, Object 3690, to the Sanitation Capital Improvement Fund 0593, Department SAN, Unit P309, Revenue Source 9201, for capital improvements for the McCommas Bluff Landfill.

(7) Transfer funds, not to exceed $100,000, from the General Fund 0001, Department PNV, Unit 1581, Object 3690, to the Neighborhood Vitality Project Fund 0297, Department PNV, Unit 1728, Revenue Source 9201, for GrowSouth Neighborhood Challenge grants.

(8) Transfer funds, not to exceed $5,237,237 [~~714,644~~], from the Information Technology Operating Fund 0198, Department DSV, Unit 1667 and 1622, Object 3690, to the Information Technology Equipment Fund 0897, Department DSV, Unit 3717 and 3718, Revenue Source 9201, for information technology servers, computers, storage, network and other IT equipment including related software, hardware, and implementation services.

(9) Transfer funds, not to exceed $1,530,267, from the Convention and Event Services Operating Fund 0080 Department CCT, Unit 7840, Object 3690 to the OCA Hotel Occupancy Fund 0435, Department OCA, Unit 1841, Revenue Source 9201, for the promotion of cultural arts.

(10) Transfer funds, not to exceed $138,368 [~~65,000~~], from the General Fund 0001 Department BMS, Unit 1991, Object 3690, to the Economic Development Sales Tax Rebate Program Fund 0680 Department ECO, Unit 6696, Revenue Source 9201, for sales tax rebates in accordance with the terms of the e-commerce sales tax grant agreement pursuant to Chapter 380 of the Texas Local Government Code.

(11) Transfer funds, not to exceed $2,660,161 from the Confiscated Monies Fund 0412 Department DPD, Unit 6368, Object 3690, to the Confiscated Monies Fund 0436 Department DPD, Unit 3289, Revenue Source 9201, for expenditures to be used solely for law enforcement purposes.

(12) Transfer funds, not to exceed $680,000, from the General Fund 0001, Department BMS, Unit 1996, Object 3621 to the Liability Reserve Fund 0192, Department ORM, Unit 3888, Revenue Source 8525, for payment of legal professional services.

(13[~~1~~]) Transfer and administer gifts and bequests to the city in accordance with the terms and conditions accompanying the gifts or bequests and, for this purpose, the appropriation of donated amounts is hereby made."

SECTION 3. That the city manager is hereby authorized, upon written notice to the city controller, to transfer funds to make the adjustments to appropriations set forth in this ordinance.

SECTION 4. That it is the intent of the city council, by passage of this ordinance, to appropriate the funds for the city departments and activities. No office or position is created by the appropriation.

SECTION 5. That Ordinance No. 30178 will remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That this ordinance will 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:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

8/10/17

ORDINANCE NO. _____

An ordinance amending Ordinance No. 30179 (2016-2017 FY Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2016-17 for public improvements to be financed from bond funds and other revenues of the City of Dallas and to authorize the city manager to implement those adjustments; providing a saving clause; and providing an effective date.

WHEREAS, on September 21, 2016, the city council passed Ordinance No. 30179, which adopted the capital budget appropriation ordinance for fiscal year 2016-2017; and

WHEREAS, shortages and excesses in various project appropriations have created a need to adjust those appropriations and to establish new appropriations; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 4, of the Dallas City Charter to transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose to any other department, division, or purpose, upon the written recommendation of the city manager; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 5, of the Dallas City Charter to appropriate, from time to time, excess revenues of the city to such uses as will not conflict with any uses for which such revenues specifically accrued; Now, therefore,

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

SECTION 1. That Section 2 of Ordinance No. 30179 (2016-2017 FY Capital Budget Appropriation Ordinance), passed by the city council on September 21, 2016, is amended by making adjustments to fund appropriations for fiscal year 2016-17 for public improvements to be financed from bond funds and other revenues of the City of Dallas, to read as follows:

"SECTION 2. (a) That the following amounts are hereby appropriated from the funds indicated for the projects listed in the FY 2016-17 Capital Budget:

CAPITAL FUNDS

From the Airport Revenue Fund (0130)	*8,853,000
From the Acquisition of Land in the Cadillac Heights Area for Future Location of City Facilities Fund (4T11)	1,000,000
From the Aviation Capital Construction Fund (0131)	*22,988,085 [~~14,135,085~~]
From the Capital Construction Fund (0671)	4,845,000
From the Capital Projects Reimbursement Fund (0556)	**2,200,000
From the Cedars Tax Increment Financing District Fund (0033)	906,499
From the City Center Tax Increment Financing District Fund (0035)	5,335,065
From the Collin County Grant Fund (P119)	***250,000
From the Convention Center Capital Construction Fund (0082)	14,600,000
From the Cypress Waters Tax Increment Financing District Fund (0066)	1,627,568
From the Davis Garden Tax Increment Financing District Fund (0060)	691,284
From the Deep Ellum Tax Increment Financing District Fund (0056)	1,482,029
From the Design District Tax Increment Financing District Fund (0050)	3,177,830
From the Downtown Connection Tax Increment Financing District Fund (0044)	2,254,422
From the Elgin B. Robertson Land Sale Proceeds Fund (0467)	28,587,468
From the Farmers Market Fund (1T40)	****51,218
From the Farmers Market Fund (7T40)	****72,038
From the Farmers Market Tax Increment Financing District Fund (0036)	1,809,966
From the Fort Worth Avenue Tax Increment Financing District Fund (0058)	1,095,479

From the General Capital Reserve Fund (0625)	4,000,000
From the Grand Park South Tax Increment Financing District Fund (0054)	118,262
From the Mall Area Redevelopment Tax Increment Financing District Fund (0049)	81,470
From the Maple/Mockingbird Tax Increment Financing District Fund (0064)	2,232,352
From the Oak Cliff Gateway Tax Increment Financing District Fund (0034)	1,764,792
From the Park & Recreation Gifts and Donation Fund (0530)	716,695
From the Public/Private Partnership Fund (0352)	14,000,000
From the Skillman Corridor Tax Increment Financing District Fund (0052)	2,738,707
From the Southwestern Medical Tax Increment Financing District Fund (0046)	1,142,287
From the Sports Arena Tax Increment Financing District Fund (0038)	5,572,426
From the Storm Water Drainage Management Capital Construction Fund (0063)	7,000,000
From the Street and Alley Improvement Fund (0715)	20,752,730
From the Street and Transportation Improvement Fund (5R22)	*****300,000
From the Street and Transportation Improvement Fund (1T22)	*****1,100,000
From the Street and Transportation Improvement Fund (2T22)	*****770,000
From the Street and Transportation Improvement Fund (3T22)	*****220,000
From the Street and Transportation Improvement Fund (4T22)	28,557,723
From the Street and Transportation Improvement Fund (6T22)	*****250,000
From the Street and Transportation Improvement Fund (7T22)	*****500,000
From the Street and Transportation Improvement Fund (8T22)	*****500,000

From the Street and Transportation Improvement Fund (1U22)	*****60,000
From the Street and Transportation Improvement Fund (2U22)	*****650,000
From the Street and Transportation Improvement Fund (3U22)	*****550,000
From the Street and Transportation Improvement Fund (4U22)	9,726,362
From the Streets and Thoroughfares Fund (3R22)	*****1,700,000
From the Streets and Thoroughfares Fund (4R22)	*****200,000
From the Texas Parks and Wildlife Grant Fund (S306)	******1,000,000
From the Transit Oriented Development Tax Increment Financing District Fund (0062)	2,349,221
From the Vickery Meadow Tax Increment Financing District Fund (0048)	845,282
From the Wastewater Capital Construction Fund (0103)	15,594,000
From the Wastewater Capital Improvement Fund (2116)	3,500,000 [~~500,000~~]
From the Wastewater Capital Improvement Fund (3116)	61,125,000 [~~64,125,000~~]
From the Water and Wastewater Public Art Fund (0121)	119,000
From the Water Capital Construction Fund (0102)	36,937,000
From the Water Capital Improvement Fund (2115)	87,088,000
From the Water Capital Improvement Fund (3115)	107,158,000
From the 06 Street and Transportation Improvements Fund (6R22)	*****200,000
From the 2017 Master Lease – Equipment Fund (ML17)	30,000,000
CAPITAL FUNDS TOTAL	**$552,946,260 [~~524,667,004~~]**

Increase was previously approved by Resolution No. 171082 dated June 28, 2017
****Increase was previously approved by Resolution No. 161997 dated December 14, 2016***
*****Increase was previously approved by Resolution No. 161807 dated November 9, 2016***
******Increase was previously approved by Resolution No. 161733 dated October 26, 2016***
*******Increase was previously approved by Resolution No. 170954 dated June 14, 2017***

*********Increase was previously approved by Resolution No. 161572 dated September 28, 2016***

(b) That the following amounts are hereby appropriated from the funds indicated for payment of the FY 2016-17 Debt Service Budget:

DEBT SERVICE FUNDS

From the General Obligation Debt Service Fund (0981)	261,865,145
DEBT SERVICE FUNDS TOTAL	**$261,865,145"**

(c) That these appropriations and all previous appropriated funds for these projects remain in force until each project is completed or terminated.

(d) That the appropriations listed in Subsections (a) and (b) may be increased by city council resolution upon the recommendation of the city manager."

SECTION 2. That Section 5 of Ordinance No. 30179 (2016-2017 FY Capital Budget Appropriation Ordinance), passed by the city council on September 21, 2016, is amended by making adjustments to fund appropriations for fiscal year 2016-17 for public improvements to be financed from bond funds and other revenues of the City of Dallas, to read as follows:

"SECTION 5. That the city manager is hereby authorized, upon written notice to the city controller, to make the following adjustments:

(1) "Transfer funds, not to exceed $2,095,000, to the General Fund 0001, in the amounts of $10,000 from the Cityplace Tax Increment Financing District Fund 0030; $10,000 from State-Thomas Tax Increment Financing District Fund 0032; $100,000 from the Cedars Tax Increment Financing District Fund 0033; $200,000 from the Oak Cliff Gateway Tax Increment Financing District Fund 0034; $175,000 from the City Center Tax Increment Financing District Fund 0035; $145,000 from

the Farmers Market Tax Increment Financing District Fund 0036; $185,000 from the Sports Arena Tax Increment Financing District Fund 0038; $225,000 from the Downtown Connection Tax Increment Financing District Fund 0044; $75,000 from the Southwestern Medical Tax Increment Financing District Fund 0046; $125,000 from the Vickery Meadow Tax Increment Financing District Fund 0048; $100,000 from the Design District Tax Increment Financing District Fund 0050; $100,000 from the Skillman Corridor Tax Increment Financing District Fund 0052; $30,000 from the Grand Park South Tax Increment Financing District Fund 0054; $125,000 from the Deep Ellum Tax Increment Financing District Fund 0056; $85,000 from the Fort Worth Avenue Tax Increment Financing District Fund 0058; $110,000 from the Davis Garden Tax Increment Financing District Fund 0060; $125,000 from the Transit-Oriented Development Tax Increment Financing District Fund 0062; $100,000 from the Maple/Mockingbird Tax Increment Financing District Fund 0064; and $70,000 from the Cypress Waters Tax Increment Financing District Fund 0066, for reimbursement of tax increment financing administration costs.

(2) Transfer funds, not to exceed $52,650,000, from the Water Utilities Operating Fund 0100, in the amounts of $36,937,000 to the Water Capital Construction Fund 0102; $15,594,000 to the Wastewater Capital Construction Fund 0103; and $119,000 to the Water and Wastewater Public Art Fund 0121, for projects listed in the FY 2016-17 Capital Budget.

(3) Transfer funds, not to exceed $5,000,000, from the Storm Water Drainage Management Operating Fund 0061 to the Storm Water Drainage

Management Capital Construction Fund 0063, for projects listed in the FY 2016-17 Capital Budget.

(4) Transfer funds, not to exceed $1,620,675, from the Sanitation Enterprise Fund 0440 to the General Obligation Debt Service Fund 0981, for payment of the 2003 General Obligation Bonds for flood protection and storm drainage facilities for the McCommas Bluff Landfill.

(5) Transfer funds, not to exceed $3,845,000, from the General Capital Reserve Fund 0625 to the Capital Construction Fund 0671, for the purpose of maintenance and repair of city facilities.

(6) Transfer funds, not to exceed $155,000, from the General Capital Reserve Fund 0625 to the Water Utilities Operating Fund 0100, to reimburse Dallas Water Utilities for an easement in the Madill Corridor area.

(7) Transfer funds, not to exceed $1,000,000, from the Convention Center Operating Fund 0080 to the Capital Construction Fund 0671, for the purpose of major maintenance and repair of cultural facilities.

(8) Transfer funds, not to exceed $5,289,391, from the Water Utilities Operating Fund 0100 to the Street and Alley Improvement Fund 0715, for the purpose of funding citywide street and alley improvement projects.

(9) Transfer funds, not to exceed $1,992,220, from the Sanitation Enterprise Fund 0440 to the Street and Alley Improvement Fund 0715, for the purpose of funding citywide street and alley improvement projects.

(10) Transfer funds, not to exceed $12,340,890, from the General Fund 0001 to the Street and Alley Improvement Fund 0715, for the purpose of funding citywide street and alley improvement projects.

(11) Transfer funds, not to exceed $16,012,510 [~~7,159,510~~], from the Aviation Operating Fund 0130 to the Aviation Capital Construction Fund 0131, for projects listed in the FY 2016-17 Capital Budget and the Checked Baggage Reconciliation Area (CBRA) expansion.

(12) Transfer funds, not to exceed $1,493,276, to the General Obligation Debt Service Fund 0981, from the Convention Center Operating Fund 0080, for payment of 2008 Certificates of Obligation for the acquisition of land for the Convention Center Hotel Development Project.

(13) Transfer funds, not to exceed $11,609,805, from the Convention Center Operating Fund 0080, to the Convention Center Capital Construction Fund 0082, for projects listed in the FY 2016-17 Capital Budget.

(14) Transfer funds, not to exceed $33,803,365, to the General Obligation Debt Service Fund 0981, from any general government, internal service, or enterprise fund incurring civilian payroll costs based on the pro-rata allocation of the actual civilian payroll costs incurred during fiscal year 2016-17, for payment of debt service on the Pension Obligation Bonds Series 600, 601, and 632.

(15) Transfer funds, not to exceed $2,551,915, from Building Inspection Fund 0150, Department DEV, Unit 3151, Object 3690, to the Fleet Capital Purchase Fund 0796, Dept. EBS, Unit 1772, Revenue Source 9201, for expenditures to be used for fleet.

(16) Transfer funds, not to exceed $3,500,000, from General Fund 0001, Department DPD, Unit 2121, Object 3690, to the Fleet Capital Purchase Fund 0796, Dept. EBS, Unit 1772, Revenue Source 9201, for expenditures to be used for fleet."

SECTION 3. That the city manager is hereby authorized, upon written notice to the city controller, to transfer funds to make the adjustments to appropriations set forth in this ordinance.

SECTION 4. That Ordinance No. 30179 will remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That this ordinance will 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:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

AGENDA ITEM # 50

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

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 5, 9

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a service contract for the purchase and installation of Musco Sports Lighting, LLC's Control Link System which will provide an automated athletic field lighting system at Samuell Grand Park located at 6200 East Grand Avenue, Samuell Garland Park located at 12200 Garland Road, and Crawford Park located at 8700 Elam Road and integrate with the Department's RecTrac Reservation System from Musco Sports Lighting, LLC through The Texas Association of School Boards - Not to exceed $83,320 - Financing: Samuell Park Expendable Funds

BACKGROUND

The Park and Recreation Department is prepared to implement Phase III of the automated athletic field lighting control system from Musco Sports Lighting, LLC (Musco). The Musco Control Link System will integrate with the Department's RecTrac Reservation System. Each day RecTrac will report to the Musco Control Center with the schedule for the athletic fields utilizing the system. If a field has a valid reservation, the Musco System will activate the field lights at the beginning of the reservation time and turn them off after the reservation has ended. The initial pilot system has helped greatly reduce the amount of unauthorized play on athletic fields, has eliminated the need for staff to manually turn lights on and off and has resulted in reduced electrical costs.

The controller unit (attachment) will be attached to the outside of the load center at each of these complexes. The controller will electronically tie into the complexes' power by a certified Musco installer along with a staff electrician from the Park and Recreation Department. The controller unit cost is $7,082 and the installation cost is $1,250. Phase III total cost is $83,320 (10 units & installations). Musco Sports Lighting, LLC is the manufacturer and only distributor.

The Texas Association of School Boards (BuyBoard) conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, BuyBoard receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June, 22, 2017, the Park and Recreation Board authorized the purchase and installation of Musco Sports Lighting, LLC's Control Link System.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

FISCAL INFORMATION

Samuell Park Expendable Funds - $83,320

Council District	Amount
2	$16,664
5	$33,328
9	$33,328
Total	$83,320

OWNER

Musco Sports Lighting, LLC

Musco Sports Lighting LLC, Owner
Joe P. Crookham, President
Christopher K. Hyland, Treasurer
James M. Hanson, Secretary

WHEREAS, it is necessary to award a service contract to Musco Sports Lighting, LLC for the purchase and installation of Musco's Control Link System which will provide an automated athletic field lighting system at Samuell Grand Park located at 6200 East Grand Avenue, Samuell Garland Park located at 12200 Garland Road and Crawford Park located at 8700 Elam Road and integrate with the Department's RecTrac Reservation System from Musco Sports Lighting, LLC through the Texas Association of School Boards, in an amount not to exceed $83,320.

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 sign a service contract with Musco Sports Lighting, LLC, through the Texas Association of School Boards, approved as to form by the City Attorney, for the purchase and installation of Musco's Control Link System at Samuell Grand Park, Samuell Garland Park and Crawford Park for the integration of the Department's RecTrac Reservation System, in an amount not to exceed $83,320.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a service contract with Musco Sports Lighting, LLC, approved as to form by the City Attorney's Office.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $83,320 to Musco Sports LIghting, LLC from the Samuell Park Expendable Fund, Fund 0330, Department PKR, Unit 6975, Object 3099, Activity COPK, Program 0330-17-6975-005, Encumbrance/Contract No. CX-PKR-2017-00002834, Commodity 98854, Vendor VS86283.

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: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 5, 11

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 47E 59W 15H

SUBJECT

Authorize a professional services contract with Alliance Geotechnical Group, Inc. for engineering inspection and testing services of three regional family aquatic centers at Crawford Memorial Park located at 8700 Elam Road; Fretz Park located at 6994 Belt Line Road; and Samuell Grand Park located at 6200 East Grand Avenue - Not to exceed $149,330 - Financing: Elgin B. Robertson Land Sale Funds

BACKGROUND

This action will authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services of the three regional family aquatic centers:

Crawford Memorial Park	$7,219,772
Fretz Park	$6,445,526
Samuell Grand Park	$6,896,999

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 14, 2015, Quality of Life and Environment Committee was briefed on the Aquatics Master Plan.

On October 7, 2015, City Council was briefed on the Aquatics Master Plan Update.

On October 8, 2015, the Park and Recreation Board authorized the Aquatics Master Plan Update.

On December 9, 2015, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. for schematic design through construction administration services of the Phase 1 Aquatics Master Plan - 2015 Update to include six aquatic facilities by Resolution No. 15-2272.

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

On March 10, 2016, the Park and Recreation Board was updated on the Dallas Aquatics Master Plan - Public Meeting Update.

On October 20, 2016, the Park and Recreation Board was briefed on the Aquatics Master Plan Phase I Implementation.

On November 2, 2016, City Council was briefed on the Aquatics Master Plan Phase I Implementation.

On December 1, 2016, the Park and Recreation Board authorized advertisement for construction procurement.

On May 18, 2017, the Park and Recreation Board authorized a contract for construction of three regional family aquatic centers for Package 1.

On June 21, 2017, City Council was briefed on the Aquatics Master Plan & Phase I Implementation.

On June 28, 2017, City Council authorize a contract with The Fain Group, Inc. for construction of three regional family aquatic centers for Package 1.

The Quality of Life, Arts and Culture Committee will be briefed regarding this matter on August 14, 2017.

FISCAL INFORMATION

Elgin B. Robertson Land Sale Funds - $149,330

Council District	Amount
2	$42,615
5	$55,165
11	$51,550
Total	$149,330

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Alliance Geotechnical Group, Inc. for engineering inspection and testing services of three regional family aquatic centers at Crawford Memorial Park located at 8700 Elam Road; Fretz Park located at 6994 Belt Line Road; and Samuell Grand Park located at 6200 East Grand Avenue - Not to exceed $149,330 - Financing: Elgin B. Robertson Land Sale Funds

Alliance Geotechnical Group, 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

	Amount	Percent
Total local contracts	$149,330.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$149,330.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

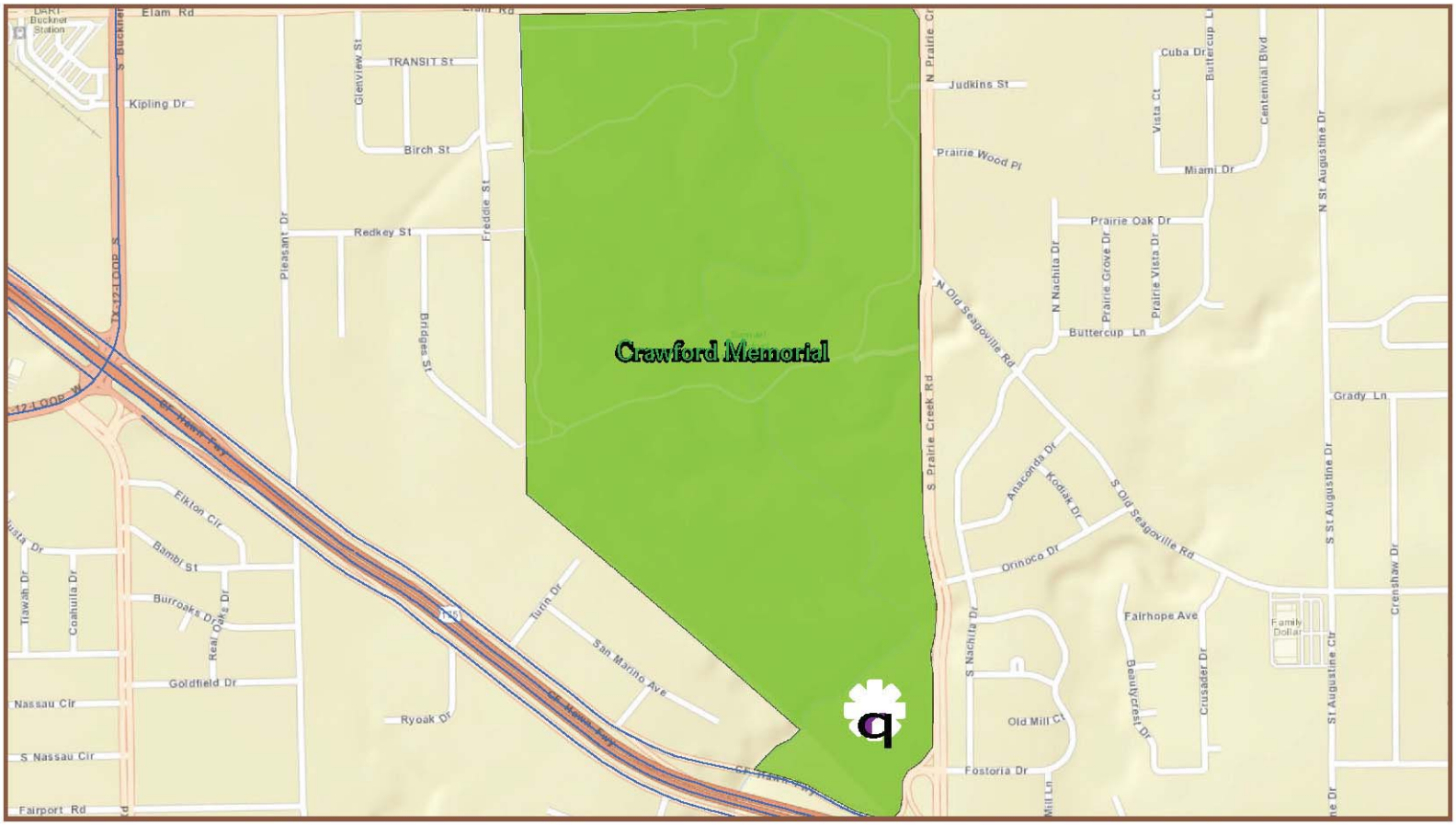
Local	Certification	Amount	Percent
Alliance Geotechnical Group, Inc.	BMDB15110Y0118	$94,986.38	63.61%
Weld Inspection & Certification	HMMB7117N0318	$5,960.70	3.99%
Terradyne Engineering	IMDB50816Y0817	$48,382.92	32.40%
Total Minority - Local		$149,330.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$94,986.38	63.61%	$94,986.38	63.61%
Hispanic American	$5,960.70	3.99%	$5,960.70	3.99%
Asian American	$48,382.92	32.40%	$48,382.92	32.40%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$149,330.00	100.00%	$149,330.00	100.00%



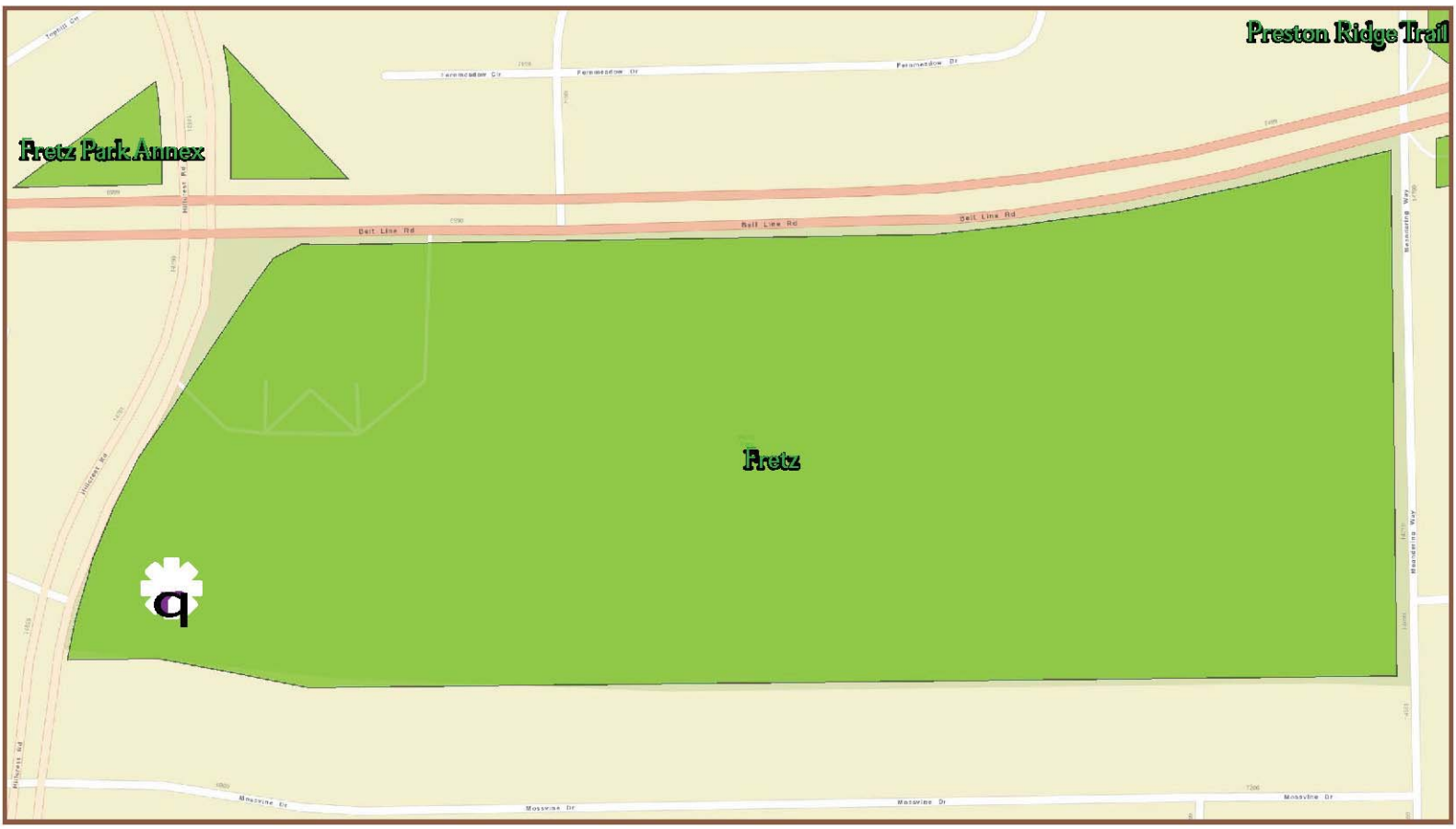
0 295 590 1,180 1,770 Feet

August 3, 2017

Aquatic Center: Crawford Memorial Park (8700 Elam Rd)

Mapsco 59W

District 5



0 65 130 260 390 Feet

August 3, 2017

Aquatic Center: Fretz Park
(6994 Belt Line Rd)

Mapsco
15 H

District
11



0 155 310 620 930 Feet

August 3, 2017

Aquatic Center: Samuell-Grand Park
(6200 E Grand Ave)

Mapsco
47 E

District
2

August 23, 2017

WHEREAS, the Park and Recreation Department has determined the need for construction materials testing at three construction sites for regional family aquatic centers; and

WHEREAS, engineering services are required to perform engineering inspection and materials testing services during construction; and

WHEREAS, Alliance Geotechnical Group, Inc. provided geotechnical investigation reports and recommendations for foundation systems at the three sites for regional family aquatic centers; and

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 sign a professional services contract with Alliance Geotechnical Group, Inc., approved as to form by the City Attorney, for engineering inspection and testing services of three regional family aquatic centers at Crawford Memorial Park located at 8700 Elam Road; Fretz Park located at 6994 Belt Line Road; and Samuell Grand Park located at 6200 East Grand Avenue, in an amount not to exceed $149,330.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Alliance Geotechnical Group, Inc. approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $149,330 to Alliance Geotechnical Group, Inc. in accordance with the terms and conditions of Contract No. PKR-2017-00002904, as follows:

Crawford Memorial Park
Elgin B. Robertson Land Sale Fund
Fund 0467, Department PKR, Unit W109
Object 4113, Activity AQFC, Program PKP945
Encumbrance/Contract No. PKR-2017-00002904
Commodity 92500, Vendor 338366 $ 55,165

Fretz Park
Elgin B. Robertson Land Sale Fund
Fund 0467, Department PKR, Unit W109
Object 4113, Activity AQFC, Program PKP945
Encumbrance/Contract No. PKR-2017-00002904
Commodity 92500, Vendor 338366 $ 51,550

SECTION 3. (continued)

Samuell Grand Park	
Elgin B. Robertson Land Sale Fund	
Fund 0467, Department PKR, Unit W109	
Object 4113, Activity AQFC, Program PKP945	
Encumbrance/Contract No. PKR-2017-00002904	
Commodity 92500, Vendor 338366	$ 42,615
Total amount not to exceed	$149,330

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: Quality of Life, Arts and Culture

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation
Mobility and Street Services

CMO: Willis Winters, 670-4071
Majed Al-Ghafry, 670-3302

MAPSCO: 23Z 33C D G

SUBJECT

Authorize an increase in the construction services contract with The Fain Group, Inc. to add increased scope of work associated with the Bachman Lake Park - Loop Trail Renovation Phase III, located between the 2800 to 3600 Block of Shorecrest Drive - Not to exceed $298,854, from $2,138,524 to $2,437,378 - Financing: 2012 Bond Funds ($199,534) and General Obligation Commercial Paper Funds ($99,320)

BACKGROUND

On September 28, 2016, City Council authorized a contract with The Fain Group, Inc. for trail renovations at Bachman Lake Park along Shorecrest Drive from Denton Drive to Webb Chapel, in an amount not to exceed $2,138,524.29, by Resolution No. 16-1572.

This action will authorize Change Order No. 1 to the contract with The Fain Group, Inc., in an amount not to exceed $298,853.04, from $2,138,524.29 to $2,437,377.33, for an increase in the contract to remove and replace the existing asphalt trail with a new concrete trail between the Dallas Water Utilities pump station and the intersection of Shorecrest and Denton Drive; remove and replace the existing asphalt trail along Denton Drive with approximately 620 linear feet of concrete trail north to the edge of the ONCOR substation; replace four existing light poles with four new LED light poles along Denton Drive; provide unclassified excavation, earthwork, grading, re-vegetation (grass), trail striping, bollards, and Stormwater and Pollution Prevention Best Management Practices associated with this additional scope of work.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	December 2016
Complete Construction	September 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 1, 2016, the Park and Recreation Board authorized award of the contract.

On September 28, 2016, City Council authorized award of the contract by Resolution No. 16-1572.

On June 22, 2017, the Park and Recreation Board authorized Change Order No. 1 to the construction services contract.

The Quality of Life, Arts and Culture Committee will be briefed by memorandum regarding this matter on August 18, 2017.

FISCAL INFORMATION

2012 Bond Funds - $199,533.02
2012 Bond Program (General Obligation Commercial Paper Funds) - $99,320.02

Construction Contract	$2,138,524.29
Change Order No. 1 (this action)	$ 298,853.04
Total not to exceed	$2,437,377.33

M/WBE INFORMATION

See attached.

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction services contract with The Fain Group, Inc. to add increased scope of work associated with the Bachman Lake Park - Loop Trail Renovation Phase III, located between the 2800 to 3600 Block of Shorecrest Drive - Not to exceed $298,854, from $2,138,524 to $2,437,378 - Financing: 2012 Bond Funds ($199,534) and General Obligation Commercial Paper Funds ($99,320)

The Fain Group, Inc., 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

	Amount	Percent
Local contracts	$0.00	0.00%
Non-local contracts	$298,853.04	100.00%
TOTAL THIS ACTION	$298,853.04	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
El Cala Construction	HMDB74824Y0418	$123,399.84	41.29%
Total Minority - Non-local		$123,399.84	41.29%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$123,399.84	41.29%	$661,099.84	27.12%
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	$123,399.84	41.29%	$661,099.84	27.12%



0 225 450 900 1,350 Feet

June 22, 2017

Bachman Lake Park Trail
(2800 to 3600 Shorecrest Dr)

Mapsco
23 Z
33 C,D,G

District
6

August 23, 2017

WHEREAS, on September 28, 2016, City Council authorized a construction services contract to The Fain Group, Inc. for trail renovations at Bachman Lake Park along Shorecrest Drive from Denton Drive to Webb Chapel Road, in an amount not to exceed $2,138,524.29; and

WHEREAS, this action will authorize Change Order No. 1 to the construction services contract with The Fain Group, Inc. to add increased scope of work associated with the Bachman Lake Park - Loop Trail Renovations Phase III, located between the 2800 to 3600 Block of Shorecrest Drive, in an amount not to exceed $298,853.04, increasing the contract amount from $2,138,524.29 to $2,437,377.33.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY OF COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with The Fain Group, Inc. (Change Order No. 1) is authorized to add increased scope of work associated with the trail renovations at Bachman Lake Park - Loop Trail Renovations Phase III, located between the 2800 to 3600 Block of Shorecrest Drive, in an amount not to exceed $298,853.04, increasing the contract amount from $2,138,524.29 to $2,437,377.33.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $298,853.04 to The Fain Group, Inc., as follows:

Street and Transportation Improvements Fund	
Fund 2U22, Department STS, Unit S614, Object 4599	
Activity SREC, Program PB12S614, Encumbrance CT-PKR16019959	
Commodity 91200, Vendor VS000040276	$199,533.02
General Obligation Commercial Paper Fund	
Fund 4U22, Department STS, Unit S614, Object 4599	
Activity SREC, Program PB12S614, Encumbrance CT-PKR16019959	
Commodity 91200, Vendor VS000040276	$ 99,320.02
	$298,853.04

SECTION 3. That this contract be designated as Contract No. PKR-2016-00001067.

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 # 53

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

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a public hearing to be held on September 13, 2017, to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with state law - Financing: No cost consideration to the City

BACKGROUND

Section 42.041(b)(14) of the Texas Human Resources Code, as amended, allows city-sponsored youth recreation programs to be exempted from the state's day care licensing laws if the city adopts standards of care for those programs and complies with other requirements of that legislation. One requirement is that the City Council hold a public hearing annually on the city's youth program standards of care and adopt an ordinance re-establishing and continuing in effect the standards.

Ordinance No. 23159, adopted by the City Council on June 11, 1997, created Chapter 12 of the Dallas City Code in order to exempt City of Dallas youth programs from State child-care licensing requirements and provide minimum standards by which the City operates youth programs. Chapter 12 was readopted on June 10, 1998, by Ordinance No. 23534, on June 9, 1999, by Ordinance No. 23907, on June 14, 2000, by Ordinance No. 24281, on May 23, 2001, by Ordinance No. 24611, on May 22, 2002, by Ordinance No. 24943, on May 28, 2003, by Ordinance No. 25269, on June 9, 2004, by Ordinance No. 25628, on May 25, 2005, by Ordinance No. 25998, on June 14, 2006, by Ordinance No. 26376, on June 13, 2007, by Ordinance No. 26800, on June 11, 2008, by Ordinance No. 27222, on June 10, 2009, by Ordinance No. 27565, on June 9, 2010, by Ordinance No. 27911, on May 25, 2011, by Ordinance No. 28217, on May 23, 2012, by Ordinance No. 28670, on June 12, 2013, by Ordinance No. 29036, on May 28, 2014, by Ordinance No. 29358; on May 28, 2016 by Ordinance No. 30106. Chapter 12 expired on June 16, 2017, it is now necessary for the City Council to readopt its standards of care for city-sponsored youth programs.

BACKGROUND (continued)

The Director of the Park and Recreation Department implements, administers, and enforces Chapter 12, which applies to youth programs sponsored by the City, whether offered after school, during the summer, or during holidays. A coordinator initiates an inspection report for each program to confirm that standards of care are being met.

The youth program coordinators and leaders must meet certain qualifications pertaining to age, education, and experience and are provided orientation and training relating to working with children.

Each program must operate with a participant to leader ratio of 20:1 and must follow guidelines pertaining to safety, fire, and health as set forth in the standards of care.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 5, 2016, the Park and Recreation Board authorized a public hearing.

On May 11, 2016, City Council authorized a public hearing on May 25, 2016, by Resolution No. 16-0730.

On May 25, 2016, City Council authorized a public hearing to receive comments on readopting and continuing in effect Chapter 12, “City Youth Program Standards of Care” and approval of an ordinance to readopt Chapter 12 by Resolution No. 16-0867; Ordinance No. 30106.

On August 3, 2017, the Park and Recreation Board authorized a public hearing.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, the City of Dallas has a long history of providing recreational programs for youths ages 5 through 13 years, which contribute to the overall well-being of the city's youth and their families; and

WHEREAS, the City Council finds it necessary to adopt standards of care for those youth programs in compliance with the requirements of Section 42.041(b)(14) of the Texas Human Resources Code, as amended, in order to exempt those programs from state child-care licensing requirements; and

WHEREAS, on June 11, 1997, the City Council, after holding a public hearing, adopted Ordinance No. 23159, which took effect on June 16, 1997, and added Chapter 12 to the Dallas City Code to establish standards of care for city-sponsored youth programs; and

WHEREAS, Section 42.041(b)(14) of the Texas Human Resources Code, as amended, requires that the city's youth program standards of care be readopted by ordinance annually after a public hearing; and

WHEREAS, Chapter 12 of the Dallas City Code, which establishes standards of care for city-sponsored youth programs, was readopted by the city council on June 10, 1998, by Ordinance No. 23534, on June 9, 1999, by Ordinance No. 23907, on June 14, 2000, by Ordinance No. 24281, on May 23, 2001, by Ordinance No. 24611, on May 22, 2002, by Ordinance No. 24943, on May 28, 2003, by Ordinance No. 25269, on June 9, 2004, by Ordinance No. 25628, on May 25, 2005, by Ordinance No. 25998, on June 14, 2006, by Ordinance No. 26376, on June 13, 2007, by Ordinance No. 26800, on June 11, 2008, by Ordinance No. 27222, on June 10, 2009, by Ordinance No. 27565, on June 9, 2010, by Ordinance No. 27911, on May 25, 2011, by Ordinance No. 28217, on May 23, 2012, by Ordinance No. 28670, on June 12, 2013, by Ordinance No. 29036, on May 28, 2014, by Ordinance No. 29358; on May 28, 2016 by Ordinance No. 30106; and

WHEREAS, Chapter 12 of the Dallas City Code expired on June 16, 2017, it is now necessary for the City Council to readopt its standards of care for city-sponsored youth programs.

Now, Therefore,

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

SECTION 1. That a public hearing on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Conde, which establishes standards to care for certain city youth programs sponsored by the City of Dallas, will be held Wednesday, September 13, 2017.

SECTION 2. That an ordinance readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city-sponsored youth programs in compliance with State law, will be considered by the Council on Wednesday, September 13, 2017, 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 # 54

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Police

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize a Memorandum of Understanding with the Highland Park Independent School District, by and through its Police Department to define duties and obligations involved with the coordination of law enforcement efforts within jurisdiction boundaries - Financing: No cost consideration to the City

BACKGROUND

This Memorandum of Understanding will grant authority for the Dallas Police Department to participate with the Highland Park Independent School District's Police Department to address law enforcement efforts in designated service areas of the City of Dallas that fall within the boundaries of the Highland Park Independent School District.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Public Safety and Criminal Justice Committee on August 14, 2017.

FISCAL INFORMATION

No cost consideration to the City.

August 23, 2017

WHEREAS, the City of Dallas desires to enter into a Memorandum of Understanding with the Highland Park Independent School District, by and through its Police Department to define duties and obligations involved with the coordination of law enforcement efforts within jurisdiction boundaries; and

WHEREAS, that this Memorandum of Understanding is a formal agreement defining the terms by which the Highland Park Independent School District's Police Department and the Dallas Police Department addresses law enforcement efforts in designated service areas of the City of Dallas that fall within the boundaries of the Highland Park Independent School District; and

WHEREAS, that the terms and conditions of this Memorandum of Understanding are in accordance with the provisions of the Texas Education Code, Section 37.081.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Memorandum of Understanding with the Highland Park Independent School District, by and through its Police Department to define duties and obligations involved with the coordination of law enforcement efforts within jurisdiction boundaries.

SECTION 2. That this agreement will grant authority for the Dallas Police Department to participate with the Highland Park Independent School District's Police Department to address law enforcement efforts in designated service areas of the City of Dallas that fall within the boundaries of the Highland Park Independent School District.

SECTION 3. That this agreement shall remain in effect until terminated by either party upon providing written notification to the other party.

SECTION 4. That this contract is designated as Contract No. DPD-2017-00003174.

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 resolved.

AGENDA ITEM # 55

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize the **(1)** application for and acceptance of the Texas School Safety Center 2017/2018 Tobacco Enforcement Grant in the amount of $65,025 from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2017 through August 31, 2018; **(2)** receipt and deposit of grant funds in an amount not to exceed $65,025 in the Tobacco Enforcement Program Grant Fund; **(3)** establishment of appropriations in an amount not to exceed $65,025 in the Tobacco Enforcement Program Grant Fund; and **(4)** execution of the grant agreement - Not to exceed $65,025 - Financing: Texas School Safety Center Tobacco Compliance Grant Funds

BACKGROUND

The Texas School Safety Center 2017/2018 Tobacco Enforcement Program provides funding to support the enforcement and the reporting of tobacco compliance activities for the purpose of reducing youth access to tobacco products. The grant activities include Retailer Controlled Buys ("stings"), to ensure compliance with the Health and Safety Code, Chapter 161.082 - Sale of cigarettes or tobacco products to persons younger than 18 years of age prohibited: Proof of age required.

Ongoing and consistent enforcement initiatives that involve on-site compliance inspections of cigarette or tobacco retail outlets will be required by law enforcement officers and may result in the issuance of citations.

The funding agency requires monthly enforcement activity reports and financial status reports to be provided to the Texas School Safety Center contractor for the Texas State University System.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 27, 2014, City Council authorized the application for and acceptance of the Texas School Safety Center 2014/2015 Tobacco Enforcement Grant from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2014 through August 31, 2015; and execution of the grant agreement by Resolution No. 14-1382.

On December 10, 2014, City Council authorized the acceptance of supplemental funding for the 2014/2015 Tobacco Enforcement Grant from the Texas School Safety Center at Texas State University - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2014 through August 31, 2015; and execution of the grant agreement by Resolution No. 14-2109.

On June 17, 2015, City Council authorized the acceptance of supplemental funding for the 2014/2015 Tobacco Enforcement Grant from the Texas School Safety Center at Texas State University - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2014 through August 31, 2015; and execution of the grant agreement by Resolution No. 15-1242.

On August 26, 2015, City Council authorized the application and acceptance of the Texas School Safety Center 2015/2016 Tobacco Enforcement Grant from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2015 through August 31, 2016; and execution of the grant agreement by Resolution No. 15-1552.

On August 24, 2016, City Council authorized the application and acceptance of the Texas School Safety Center 2016/2017 Tobacco Enforcement Grant from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2016 through August 31, 2017; and execution of the grant agreement by Resolution No. 16-1341.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on August 14, 2017.

FISCAL INFORMATION

Texas School Safety Center Tobacco Compliance Grant Funds - $65,025

WHEREAS, on August 24, 2016, City Council authorized the application and acceptance of the Texas School Safety Center 2016/2017 Tobacco Enforcement Grant from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2016 through August 31, 2017; and execution of the grant agreement by Resolution No. 16-1341; and

WHEREAS, it is in the best interest of the City of Dallas to accept funding for the next program period September 1, 2017 through August 31, 2018.

Now, Therefore,

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

SECTION 1. That the City Manager or designee is hereby authorized to apply for and accept the Texas School Safety Center 2017/2018 Tobacco Enforcement Grant funds in the amount of $65,025 from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2017 through August 31, 2018; and sign the grant agreement and other documents required by the grant.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in the Tobacco Enforcement Program Grant Fund, Fund S317, Department DPD, Unit 3293, Revenue Code 6516, in an amount not to exceed $65,025.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $65,025, in the Tobacco Enforcement Program Grant Fund, Fund S317, Department DPD, Unit 3293, Object 3099.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds from the Tobacco Enforcement Program Grant Fund, Fund S317, Department DPD, Unit 3293, Object 3099, in an amount not to exceed $65,025.

SECTION 5. That in the event of the loss or misuse of funds, the grantee will return the funds to the Texas School Safety Center, 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 final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. DPD-2017-00002730.

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 # 56

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Police

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize **(1)** the renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training; **(2)** the receipt and deposit of funds from El Centro College of the Dallas County Community College District; and **(3)** an increase in appropriations in an amount not to exceed $550,548 in the Texas Higher Education Coordinating Board Fund for the two-year period September 1, 2017 through August 31, 2019 - Not to exceed $550,548 - Financing: Texas Higher Education Coordinating Board Funds

BACKGROUND

The Texas Higher Education Coordinating Board in coordination with the Dallas County Community College Districts' Community Service Program will pay $19.24 to the City of Dallas for each certifiable instructional hour provided for basic training to the recruits (regular and reserve) and for in-service training provided to the veteran personnel. The City will also receive $11.10 for each certifiable instructional hour for instructional support related to training outside agencies, Citizen Police Academy training four (4) times per year, and staff development for certified instructors.

Payments received from El Centro College will be used by the Police Department for instructional and administrative costs in support of the academy training program. All expenditures by the Police Department shall be approved by El Centro College and the Chief of Police or designee of the Chief of Police.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2011, City Council authorized renewal of the contract with El Centro College of the Dallas County Community College District to place authorized Police Department training in the El Centro Community Service Program by Resolution No. 11-1692.

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

On May 22, 2013, City Council authorized renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training by Resolution No. 13-0829.

On August 26, 2015, City Council authorized renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training by Resolution No. 15-1554.

On November 09, 2016, City Council authorized an amendment to the Interlocal contract with Dallas County Community College District (dba El Centro College) to modify the clauses of the original contract by Resolution No. 16-1817.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on August 14, 2017.

FISCAL INFORMATION

Texas Higher Education Coordinating Board Funds - $550,548

WHEREAS, the City of Dallas owns and operates a police academy approved by the Texas Higher Education Coordinating Board and the Commission on Law Enforcement Officer Standards and Education; and

WHEREAS, El Centro College of the Dallas County Community College District (hereafter referred to as the "College") has agreed to place all basic training for police recruits, including regular and reserve, and in-service training for veteran officers, in its Community Service Program; and

WHEREAS, on June 22, 2011, City Council authorized renewal of the contract with El Centro College of the Dallas County Community College District to place authorized Police Department training in the El Centro Community Service Program, including receipt of payment from El Centro for the two-year period September 1, 2011 through August 31, 2013, in an amount not to exceed $406,125, by Resolution No. 11-1692; and

WHEREAS, on May 22, 2013, City Council authorized renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training, including receipt of payment from El Centro for the two-year period September 1, 2013 through August 31, 2015, in an amount not to exceed $400,548, by Resolution No. 13-0829; and

WHEREAS, on August 26, 2015, City Council authorized renewal of the contract with El Centro College of the Dallas County Community College District for instructional services for police academy training, including receipt of payment from El Centro for the two-year period September 1, 2015 through August 31, 2017, in an amount not to exceed $400,548, by Resolution No. 15-1554; and

WHEREAS, on November 9, 2016, City Council authorized an amendment to the Interlocal contract with Dallas County Community College District (dba El Centro College) to modify the clauses of the original contract and increase appropriations in an amount not to exceed $75,000, from $6,215,373 to $6,290,373, for the two-year period September 1, 2015 through August 31, 2017; and payment to Dallas County Community College District (dba El Centro College) for tuition costs for officers attending these classes by Resolution No. 16-1817.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a renewal contract with El Centro College of the Dallas County Community College District, approved as to form by the City Attorney, for the period September 1, 2017 through August 31, 2019.

SECTION 2. That the City Manager is hereby authorized to increase appropriations, in an amount not to exceed $550,548, in accordance with the attached Schedule A.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $550,548 in Fund 0699, Department DPD, Unit 6303, Revenue Code 6526.

SECTION 4. That the Chief Financial Officer is authorized to encumber and disburse funds in an amount not to exceed $550,548 in Fund 0699, Department DPD, Unit 6303, in accordance with the attached Schedule A.

SECTION 5. That this contract is designated as Contract No. DPD-2017-00003112.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A

Texas Higher Education Coordinating Board

Fund 0699, Unit 6303

September 1, 2017 - August 31, 2019

OBJT	Current Budget	Increase for 2017-2019 Budget	2017-2019 Budget
1202	70,000		70,000
2110	87,000		87,000
2120	57,000		57,000
2185	-		0
2200	-		0
2231	337,313		337,313
2232	-		0
2252	-		0
2261	41,000		41,000
2280	2,391,254	275,274	2,666,528
2590	0		0
2710	135,700		135,700
2720	-		0
2730	-		0
2731	265,203.53		265,204
2735	-		0
2760	-		0
2770	160,519.37		160,519
2780	100,725.36		100,725
2790	91,000.00		91,000
2860	1,000.00		1,000
2890	60,000.00		60,000
3030	3,000.00		3,000
3040	-		0
3050	25,000		25,000
3053	-		0
3060	20,000		20,000
3070	173,000		173,000
3085	9,560		9,560
3090	14,700		14,700
3099	177,200		177,200
3110	72,475		72,475
3150	1,000		1,000
3210	128,000		128,000
3320	-		0
3340	10,000		10,000
3341	13,000		13,000
3361	495,657.80	275,274	770,932
3363	-		0

SCHEDULE A

Texas Higher Education Coordinating Board

Fund 0699, Unit 6303

September 1, 2017 - August 31, 2019

OBJT	Current Budget	Increase for 2017-2019 Budget	2017-2019 Budget
3364	-		0
3420	15,000.00		15,000
3435	3,000.00		3,000
3450	4,000.00		4,000
3549	-		0
3610	5,000		5,000
4310	38,000		38,000
4420	8,000		8,000
4710	220,583		220,583
4720	63,000		63,000
4731	449,461		449,461
4735	-		0
4740	16,000		16,000
4760	11,000		11,000
4770	355,000		355,000
4780	40,000		40,000
4860	2,000		2,000
4890	120,021		120,021
5110	-		0
	$6,290,373.06	$550,548	$6,840,921.06

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize acquisition from Francisco Herrera and Bertha Herrera, of approximately 47,974 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $33,500 ($30,642, plus closing costs and title expenses not to exceed $2,858) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 47,974 square feet of land with a single family dwelling located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. The relocation benefits are estimated to be $20,600.

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 Lake Tawakoni and 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 the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $33,500 ($30,642, plus closing costs and title expenses not to exceed $2,858)

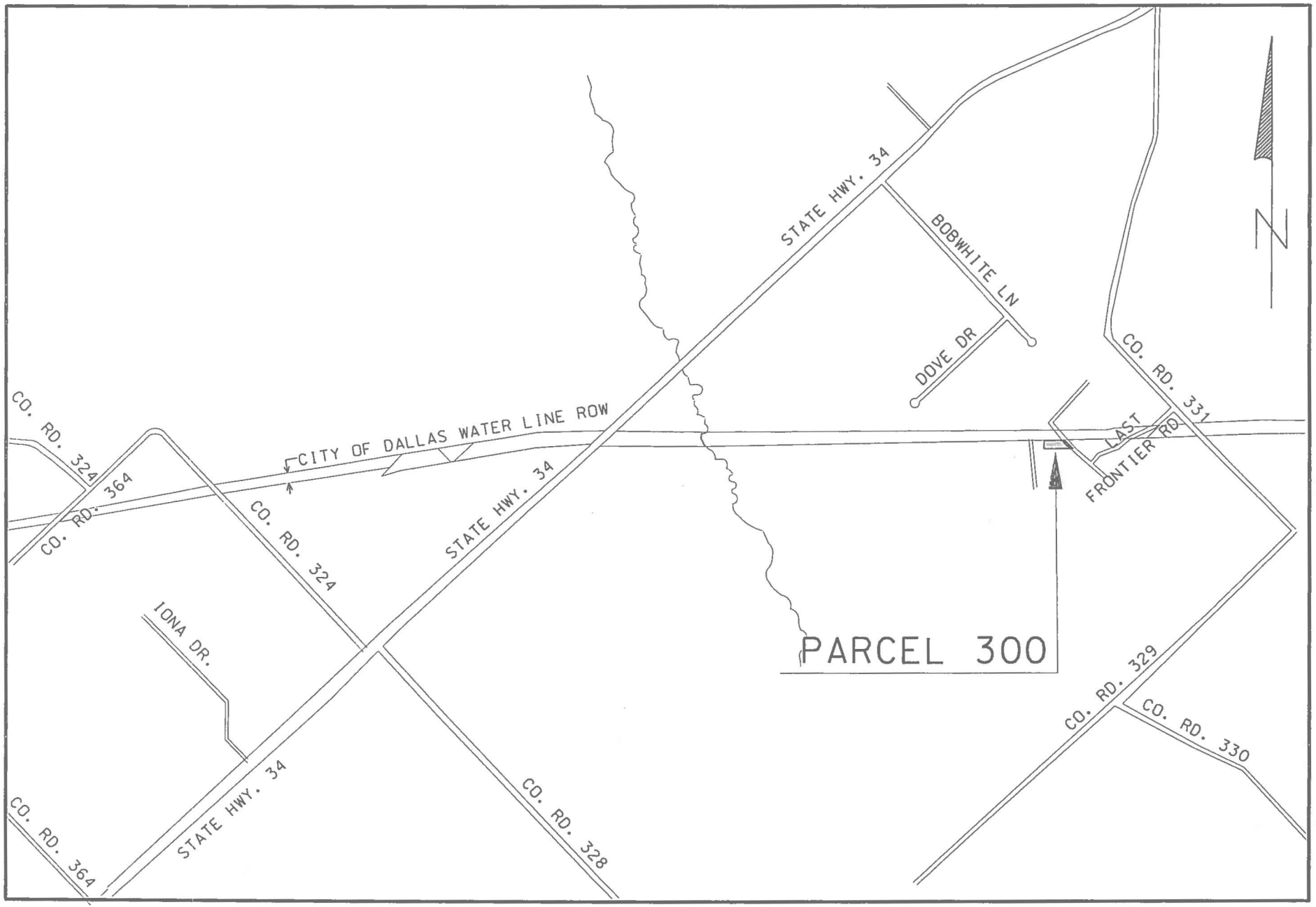
OWNERS

Francisco Herrera

Bertha Herrera

MAP

Attached



VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

P:\0515 Lake Tawakoni\Parcel\ParcelMap_300.dgn Plotted on 6/23/2014 at 1:26:49 PM By mahser ProjectCity Of Dallas Plot Driver: dwg to printer plotting For Topledate.tbl

August 23, 2017

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 47,974 square feet of land located in Kaufman County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch 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 here provided.

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

"OWNER": Francisco Herrera and Bertha Herrera, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $30,642

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,858

"AUTHORIZED AMOUNT": Not to exceed $33,500

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 CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002860. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit A

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: 300

BEING a 1.101 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 2.2082 acre tract of land described in Warranty Deed with Vendor's Lien to Jose Gloria Herrera and Francisco Javier Herrera, dated September 13, 1996, as recorded in Volume 1227, Page 399, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the northwest corner of said Herrera tract and the northeast corner of a called 1.00 acre tract of land described in Warranty Deed to Tommy Lee Brotherton, et ux Jacqueline Eve Brotherton, as recorded in Volume 710, Page 420, D.R.K.C.T., being in the south line of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way) as recorded in Volume 435, Page 507, D.R.K.C.T.;

THENCE North 85 degrees 59 minutes 31 seconds East, with the north line of said Herrera tract and the south line of said City of Dallas Water Line Right-of-Way, a distance of 302.58 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Herrera tract, being in the west line of a tract of land described in Warranty Deed with Vendor's Lien to James D. Willingham, Jr. and wife, Kim Willingham, dated August 30, 2001, as recorded in Volume 1823, Page 272, D.R.K.C.T.;

THENCE South 49 degrees 46 minutes 24 seconds East, departing the south line of said City of Dallas Water Line Right-of-Way and with the northeast line of said Herrera tract and the southwest line of said Willingham tract, a distance of 186.35 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, departing the northeast line of said Herrera tract and the southwest line of said Willingham tract, a distance of 435.49 feet to a 1/2-inch iron rod with cap set in the west line of said Herrera tract and the east line of said Brotherton tract;

THENCE North 04 degrees 16 minutes 29 seconds West, with the west line of said Herrera tract and the east line of said Brotherton tract, a distance of 130.00 feet to the POINT OF BEGINNING and containing 47,974 square feet or 1.101 acres of land.

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



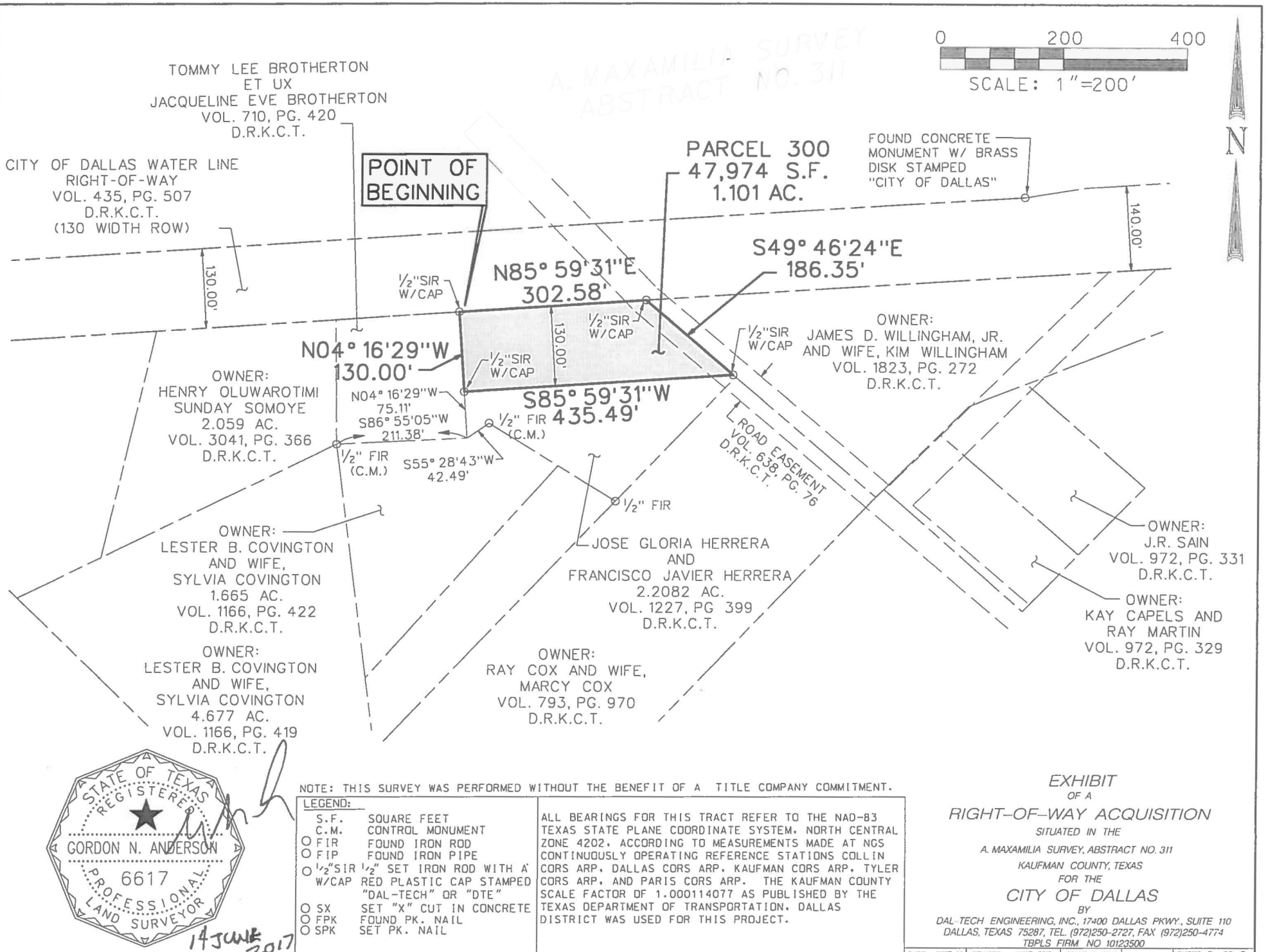
FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION
OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER
TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 300

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



By: _____ Date: 4 JUNE 2017

Gordon N. Anderson
Registered Professional Land Surveyor
Texas No. 6617
DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR

14 JUNE 2017

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMPANY COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

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.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
A. MAXAMILIA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO 10123500

DATE: JUNE 14	REVISED - JUNE 2017	SCALE: 1" = 200'		SHEET 2 OF 2

P:\0255\Lots\Covington\Parcel\PAR-300.dgn Plotted on 6/14/2017 at 12:36 PM By: rbraden Project:City Of Dallas Plot Driver: dtexas.ntb pltr:Jo Pen Table:tbl.tbl

EXHIBIT B

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

WARRANTY DEED

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

That we Francisco Herrera, and spouse, Bertha Herrera (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of THIRTY THOUSAND SIX HUNDRED FORTY TWO AND 00/100 DOLLARS ($30,642.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: This conveyance is made and accepted subject to the reservations provided in Exhibit B which is attached hereto and incorporated herein for all purposes.

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

EXECUTED this _____ day of _____, _____.

_____
Francisco Herrera

_____
Bertha Herrera

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF KAUFMAN '

This instrument was acknowledged before me on _____
by Francisco Herrera.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF KAUFMAN '

This instrument was acknowledged before me on _____
by Bertha Herrera.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

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

Warranty Deed Log No. 40838

Exhibit A

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: 300

BEING a 1.101 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 2.2082 acre tract of land described in Warranty Deed with Vendor's Lien to Jose Gloria Herrera and Francisco Javier Herrera, dated September 13, 1996, as recorded in Volume 1227, Page 399, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the northwest corner of said Herrera tract and the northeast corner of a called 1.00 acre tract of land described in Warranty Deed to Tommy Lee Brotherton, et ux Jacqueline Eve Brotherton, as recorded in Volume 710, Page 420, D.R.K.C.T., being in the south line of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way) as recorded in Volume 435, Page 507, D.R.K.C.T.;

THENCE North 85 degrees 59 minutes 31 seconds East, with the north line of said Herrera tract and the south line of said City of Dallas Water Line Right-of-Way, a distance of 302.58 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Herrera tract, being in the west line of a tract of land described in Warranty Deed with Vendor's Lien to James D. Willingham, Jr. and wife, Kim Willingham, dated August 30, 2001, as recorded in Volume 1823, Page 272, D.R.K.C.T.;

THENCE South 49 degrees 46 minutes 24 seconds East, departing the south line of said City of Dallas Water Line Right-of-Way and with the northeast line of said Herrera tract and the southwest line of said Willingham tract, a distance of 186.35 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, departing the northeast line of said Herrera tract and the southwest line of said Willingham tract, a distance of 435.49 feet to a 1/2-inch iron rod with cap set in the west line of said Herrera tract and the east line of said Brotherton tract;

THENCE North 04 degrees 16 minutes 29 seconds West, with the west line of said Herrera tract and the east line of said Brotherton tract, a distance of 130.00 feet to the POINT OF BEGINNING and containing 47,974 square feet or 1.101 acres of land.

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

FIELD NOTES APPROVED:
11/6/12

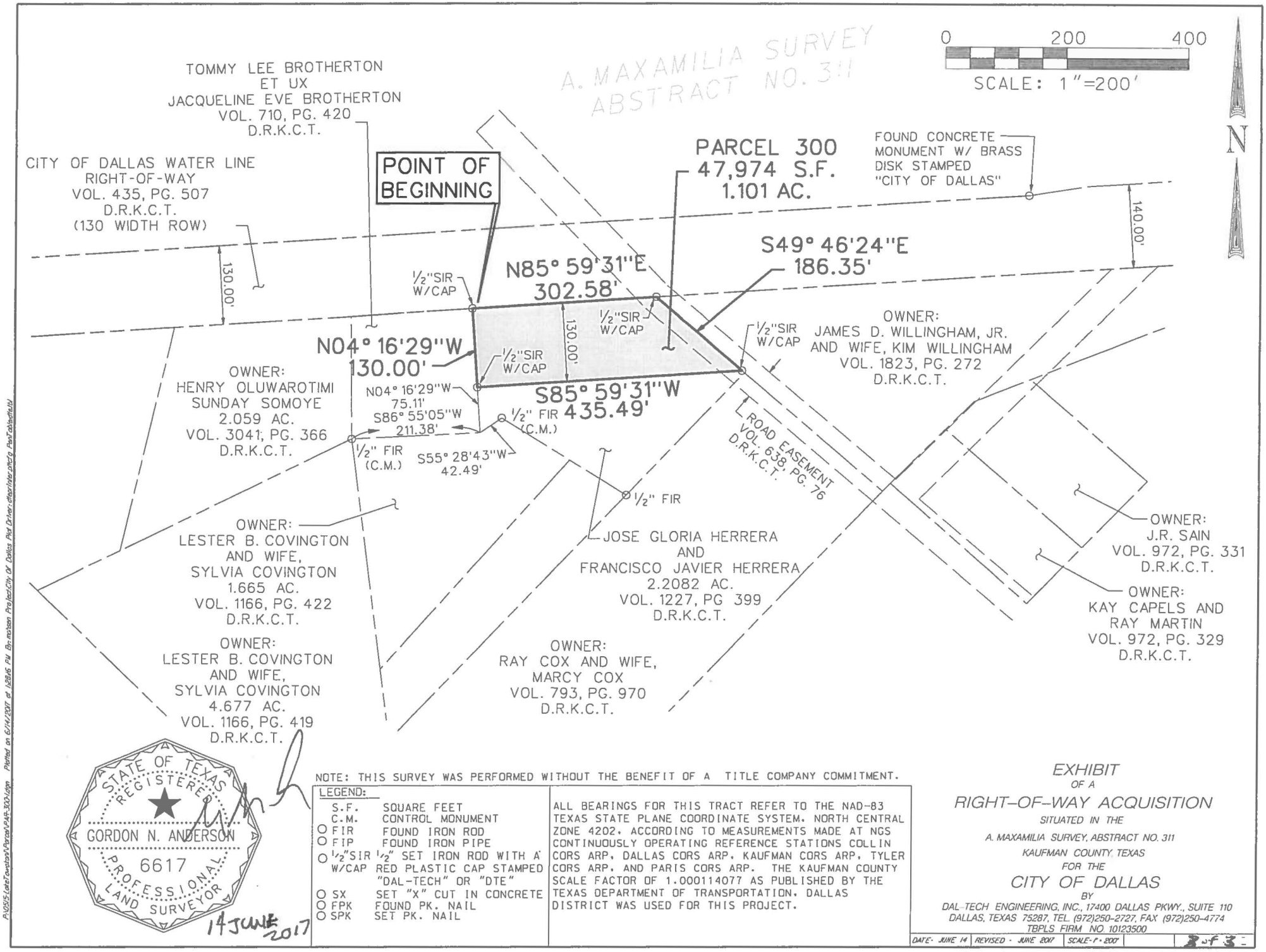
FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 300

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



By: _____ Date: 4 JUNE 2017

Gordon N. Anderson
Registered Professional Land Surveyor
Texas No. 6617
DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMPANY COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

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.

EXHIBIT

OF A

RIGHT-OF-WAY ACQUISITION

SITUATED IN THE

A. MAXAMILIA SURVEY, ABSTRACT NO. 311

KAUFMAN COUNTY, TEXAS

FOR THE

CITY OF DALLAS

BY

DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: JUNE 14	REVISED - JUNE 2017	SCALE: 1" = 200'		3 of 3

P:\DSIS\Data\Covington\Parcel\PAR-300\dgn Plotted on 6/14/2017 at 12:8:45 PM By: mohsen Project\City of Dallas Plot Driver: dtsprinter.pltcfg PenTable: dts.tbl

EXHIBIT B

EASEMENT – ACCESS
[Specific Location]

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve an easement over, on and across the property described in Attachment "1", attached hereto and made a part hereof by reference for all purposes, (the "Easement Area") to provide free and uninterrupted pedestrian, vehicular and utility access to and from Grantor's adjoining or abutting property, being more fully described in Attachment "2", attached hereto and made a part hereof by reference for all purposes, (the "Dominant Estate Property") and portions thereof, in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

The easement is appurtenant to and runs with the Dominant Estate Property and all portions of it, whether or not the easement is referenced in any conveyance of the Dominant Estate Property or any portion of it. The easement binds and inures to the benefit of Grantor and City and their respective heirs, successors, and assigns.

The easement is perpetual.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey the same or similar easement or other rights or easements to others. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the Easement Property, without any liability for damages, destruction or injury to any improvements located in the easement, from time to time.

Professionally engineered plans and specifications bearing the seal of a professional engineer currently registered in the State of Texas showing any and all improvements desired by the holder of the easement, including without limitation, fill or removal of soil within the easement, paving, support, protection of City's uses, utility lines, structures and facilities, must be submitted to and approved in writing by the City of Dallas Water Department ("DWU") in advance of any construction by the holder of the easement. No vehicle, equipment or machinery exceeding a total weight of 15,000 lbs may come on the easement or any use be allowed to exist that would exceed said weight limit at any time during normal use unless confined to the designated access points on improvements the plans and specifications for which are structurally designed and constructed with supporting appurtenances that meet or exceed H20 highway design capacity and that protect the City's facilities from all imposed loading. The parties acknowledge and agree that the paramount consideration in the evaluation of any proposed improvements is to fully and completely accommodate City's uses (current, anticipated, and/or potential) of the property described in Exhibit "A" and any facilities it may install. Consequently, City's determinations in this regard are conclusive and final. All such improvements and maintenance of the Easement Property will be at the sole expense of the holder of the easement and must be constructed in a good and workmanlike manner in

conformity with the approved plans and specifications. The holder of the easement will maintain the Easement Property in a neat, clean and safe condition at all times.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the Easement Property and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A 20' ACCESS EASEMENT FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN, KAUFMAN COUNTY, TEXAS
Parcel: 300ACE

BEING a 0.1436 acre tract of land in the A. Maxamilia Survey, Abstract No. 311, in Kaufman County, Texas, and being part of a called 2.2082 acre tract of land described in Warranty Deed with Vendor's Lien to Jose Gloria Herrera and Francisco Javier Herrera, dated September 13, 1996, as recorded in Volume 1227, Page 399, Deed Records of Kaufman County, Texas, (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the northwest corner of said Herrera tract and the northeast corner of tract of land described in Warranty Deed to Tommy Lee Brotherton, et ux Jacqueline Eve Brotherton, as recorded in Volume 710, Page 420, D.R.K.C.T., being in the south line of a City of Dallas Water Line Right-of-Way (variable width Right-of-Way) as recorded in Volume 435, Page 507, D.R.K.C.T.;

THENCE North 85 degrees 59 minutes 31 seconds East, with the north line of said Herrera tract and the south line of said City of Dallas Water Line Right-of-Way, a distance of 302.58 feet to a 1/2-inch iron rod with cap set at the northeast corner of said Herrera tract, being in the west line of a tract of land described in Warranty Deed with Vendor's Lien to James D. Willingham, Jr. and wife, Kim Willingham, dated August 30, 2001, as recorded in Volume 1823, Page 272, D.R.K.C.T.;

THENCE South 49 degrees 46 minutes 24 seconds East, departing the south line of said City of Dallas Water Line Right-of-Way and with the northeast line of said Herrera tract and the southwest line of said Willingham tract, a distance of 28.67 feet to a 1/2-inch iron rod with cap set;

THENCE South 85 degrees 59 minutes 31 seconds West, departing the northeast line of said Herrera tract and the southwest line of said Willingham tract, a distance of 323.03 feet to a 1/2-inch iron rod with cap set in the west line of said Herrera tract and the east line of said Brotherton tract;

THENCE North 04 degrees 16 minutes 29 seconds West, with the west line of said Herrera tract and the east line of said Brotherton tract, a distance of 20.00 feet to the POINT OF BEGINNING and containing 6,256 square feet or 0.1436 acres of land.

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.

FIELD NOTES APPROVED: 7/10/13

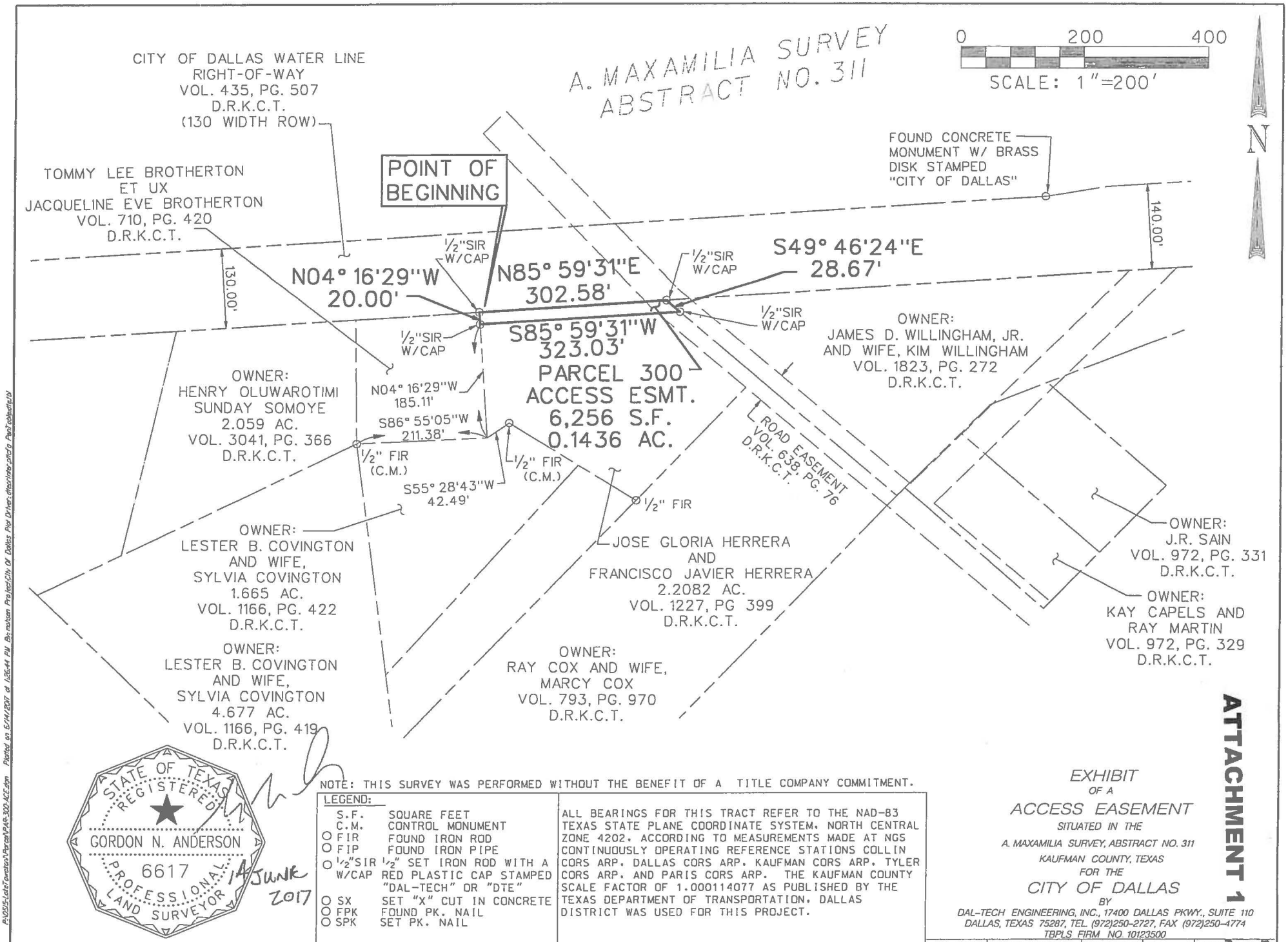
FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A 20' ACCESS EASEMENT FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN, KAUFMAN COUNTY, TEXAS
Parcel: 300ACE

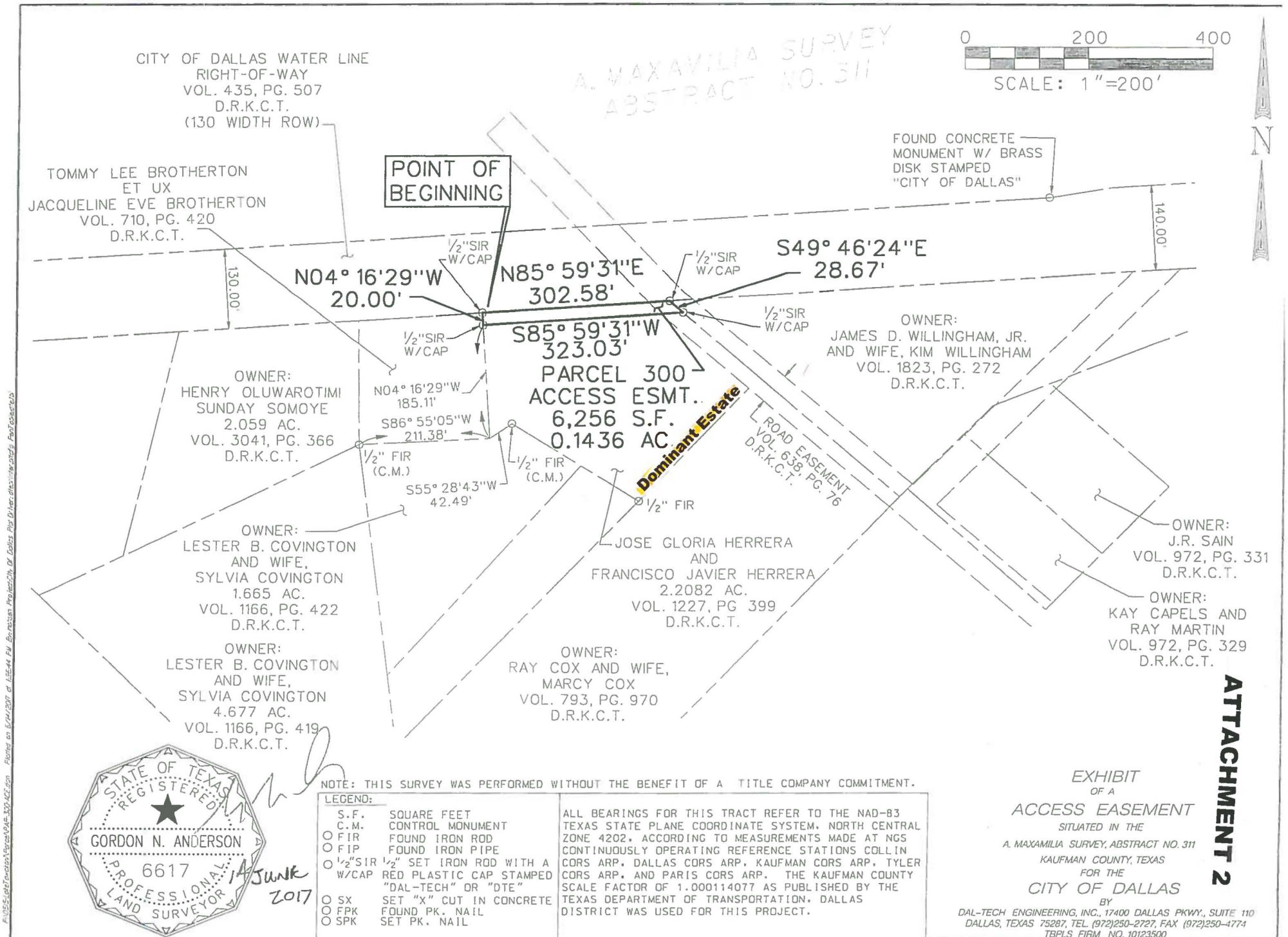
A plat of even survey date herewith accompanies this legal description.



By: _____ Date: 14 JUNE 2017

Gordon N. Anderson
Registered Professional Land Surveyor
Texas No. 6617
DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500


A. MAXAMILIA SURVEY
ABSTRACT NO. 311
0 200 400
SCALE: 1"=200'
N
CITY OF DALLAS WATER LINE
RIGHT-OF-WAY
VOL. 435, PG. 507
D.R.K.C.T.
(130 WIDTH ROW)
TOMMY LEE BROTHERTON
ET UX
JACQUELINE EVE BROTHERTON
VOL. 710, PG. 420
D.R.K.C.T.
POINT OF BEGINNING
FOUND CONCRETE MONUMENT W/ BRASS DISK STAMPED "CITY OF DALLAS"
140.00'
130.00'
1/2"SIR W/CAP
N04° 16'29"W
20.00'
N85° 59'31"E
302.58'
S49° 46'24"E
28.67'
S85° 59'31"W
323.03'
PARCEL 300
ACCESS ESMT.
6,256 S.F.
0.1436 AC.
OWNER:
JAMES D. WILLINGHAM, JR.
AND WIFE, KIM WILLINGHAM
VOL. 1823, PG. 272
D.R.K.C.T.
OWNER:
HENRY OLUWAROTIMI
SUNDAY SOMOYE
2.059 AC.
VOL. 3041, PG. 366
D.R.K.C.T.
N04° 16'29"W
185.11'
S86° 55'05"W
211.38'
1/2" FIR
(C.M.)
S55° 28'43"W
42.49'
ROAD EASEMENT
VOL. 638, PG. 76
D.R.K.C.T.
OWNER:
LESTER B. COVINGTON
AND WIFE,
SYLVIA COVINGTON
1.665 AC.
VOL. 1166, PG. 422
D.R.K.C.T.
JOSE GLORIA HERRERA
AND
FRANCISCO JAVIER HERRERA
2.2082 AC.
VOL. 1227, PG 399
D.R.K.C.T.
OWNER:
J.R. SAIN
VOL. 972, PG. 331
D.R.K.C.T.
OWNER:
KAY CAPELS AND
RAY MARTIN
VOL. 972, PG. 329
D.R.K.C.T.
OWNER:
LESTER B. COVINGTON
AND WIFE,
SYLVIA COVINGTON
4.677 AC.
VOL. 1166, PG. 419
D.R.K.C.T.
OWNER:
RAY COX AND WIFE,
MARCY COX
VOL. 793, PG. 970
D.R.K.C.T.
STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR
14 JUNE 2017
NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMPANY COMMITMENT.
LEGEND:
S.F. SQUARE FEET
C.M. CONTROL MONUMENT
O FIR FOUND IRON ROD
O FIP FOUND IRON PIPE
O 1/2"SIR W/CAP 1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX SET "X" CUT IN CONCRETE
O FPK FOUND PK. NAIL
O SPK SET PK. NAIL
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.
EXHIBIT
OF A
ACCESS EASEMENT
SITUATED IN THE
A. MAXAMILIA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500
DATE- JUNE 14 | REVISED - JUNE 2017 | SCALE-1"-200' | SHEET 3 OF 3
ATTACHMENT 1



NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMPANY COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
O FIR	FOUND IRON ROD
O FIP	FOUND IRON PIPE
O 1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O SX	SET "X" CUT IN CONCRETE
O FPK	FOUND PK. NAIL
O SPK	SET PK. NAIL

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.

ATTACHMENT 2

EXHIBIT
OF A
ACCESS EASEMENT
SITUATED IN THE
A. MAXAMILIA SURVEY, ABSTRACT NO. 311
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: JUNE 14 | REVISED - JUNE 2017 | SCALE: 1" = 200' | SHEET 2 OF 2

P:\105-Lot Division\Parcel\04-300-422.dgn Plotted on 6/14/2017 at 1:55:44 PM By: Brandon Prejean\Dh Of Calls Plot Driver: dtm.ctb Pen Table: dtb

AGENDA ITEM # 58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize acquisition from Mary E. Langford, of approximately 23,333 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $76,000 ($73,136, plus closing costs and title expenses not to exceed $2,864) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition from Mary E. Langford of approximately 23,333 square feet of land with a single family dwelling located in Van Zandt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. No relocation benefits are required.

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 the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

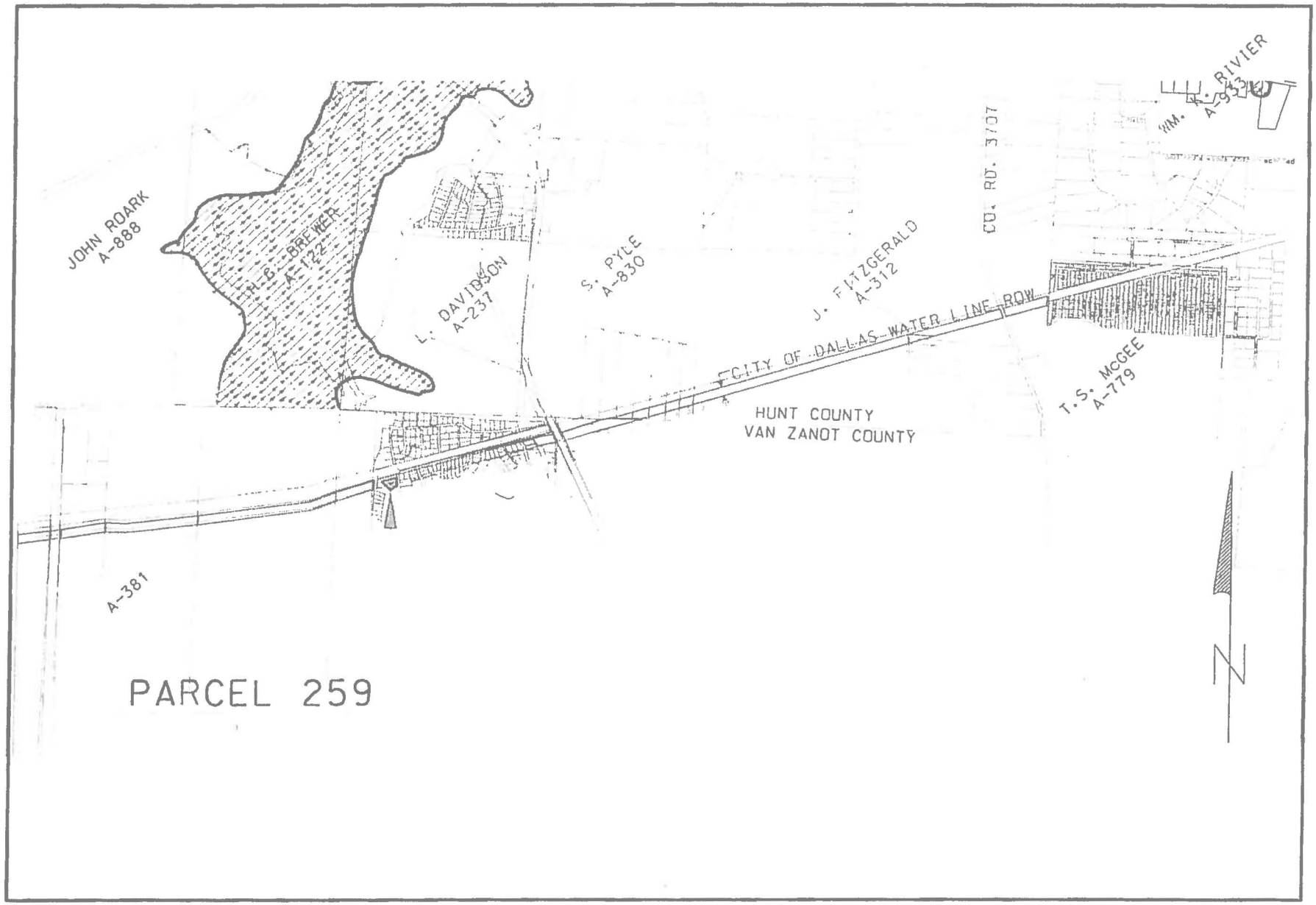
Water Utilities Capital Construction Funds - $76,000 ($73,136, plus closing costs and title expenses not to exceed $2,864)

OWNER

Mary E. Langford

MAP

Attached



P:\0515-LakeTawakoni\Parcel\ParcelsMap_259.dgn Plotted on 6/1/2015 at 3:04:13 PM By: jason Project: City Of Dallas Plot Driver: dieprinter.pltcfg Penfile: die.tbl

VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

August 23, 2017

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 23,333 square feet of land located in Van Zandt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch 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 Title, subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Mary E. Langford, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $73,136

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,864

"AUTHORIZED AMOUNT": Not to exceed $76,000

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002858. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: B. N. S. H
Assistant City Attorney

EXHIBIT A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 259

BEING a 23,333 square foot (0.5357 acre) tract of land in the J. McCown Survey, Abstract No. 527 being all of Lots 312 and 313 of the Retirement Village Revision No. 4, an Addition to Rolling Oaks Subdivision, as recorded in Slide 56-B of the Plat Records of Van Zandt County, Texas, said Lots 312, and 313 being described in Warranty Deed to Mary Hall, dated July 12 1987, as recorded in Volume 1150, Page 752, of the Real Records of Van Zandt County, Texas;

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.

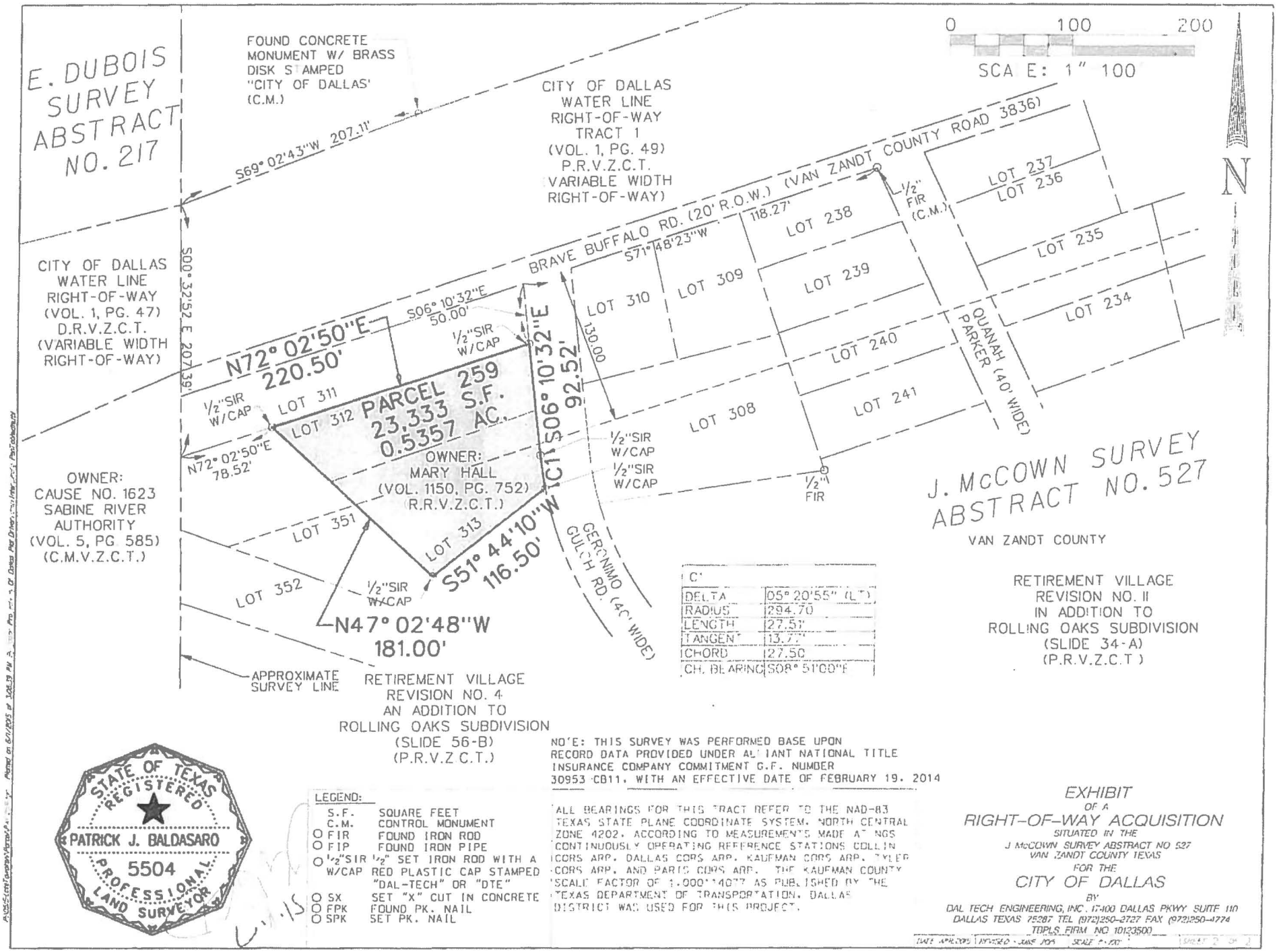
Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6/15/15

PATRICK J. BALDASARO 5504 REGISTERED LAND SURVEYOR

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

FIELD NOTES APPROVED 6/8/15



C1	
DELTA	05° 20'55" (LT)
RADIUS	294.70
LENGTH	27.51'
TANGENT	13.77'
CHORD	27.50
CH. BEARING	S08° 51'00"E

STATE OF TEXAS REGISTERED PATRICK J. BALDASARO 5504 PROFESSIONAL LAND SURVEYOR

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ALLIANT NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30953-CB11, WITH AN EFFECTIVE DATE OF FEBRUARY 19, 2014

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 1.000'14077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT OF A RIGHT-OF-WAY ACQUISITION
SITUATED IN THE J McCOWN SURVEY ABSTRACT NO 527 VAN ZANDT COUNTY TEXAS
FOR THE CITY OF DALLAS

BY
DAL TECH ENGINEERING, INC. 17400 DALLAS PKWY SUITE 110
DALLAS TEXAS 75287 TEL (972)250-2727 FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE APR 2015 | REVISED - JUNE 2014 | SCALE 1"=100' | SHEET 2 OF 3

EXHIBIT A

EXHIBIT B

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

WARRANTY DEED

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

That Mary E. Langford f/k/a Mary Hall, a single woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Van Zandt, State of Texas, for and in consideration of the sum of SEVENTY THREE THOUSAND ONE HUNDRED THIRTY SIX AND 00/100 DOLLARS ($73,136.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

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

EXECUTED this _____ day of _____, _____.

_____

Mary E. Langford f/k/a Mary Hall

* *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Mary E. Langford f/k/a Mary Hall.

_____
Notary Public, State of TEXAS

* *

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

Warranty Deed Log No. 42835

EXHIBIT A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 259

BEING a 23,333 square foot (0.5357 acre) tract of land in the J. McCown Survey, Abstract No. 527 being all of Lots 312 and 313 of the Retirement Village Revision No. 4, an Addition to Rolling Oaks Subdivision, as recorded in Slide 56-B of the Plat Records of Van Zandt County, Texas, said Lots 312, and 313 being described in Warranty Deed to Mary Hall, dated July 12 1987, as recorded in Volume 1150, Page 752, of the Real Records of Van Zandt County, Texas;

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.

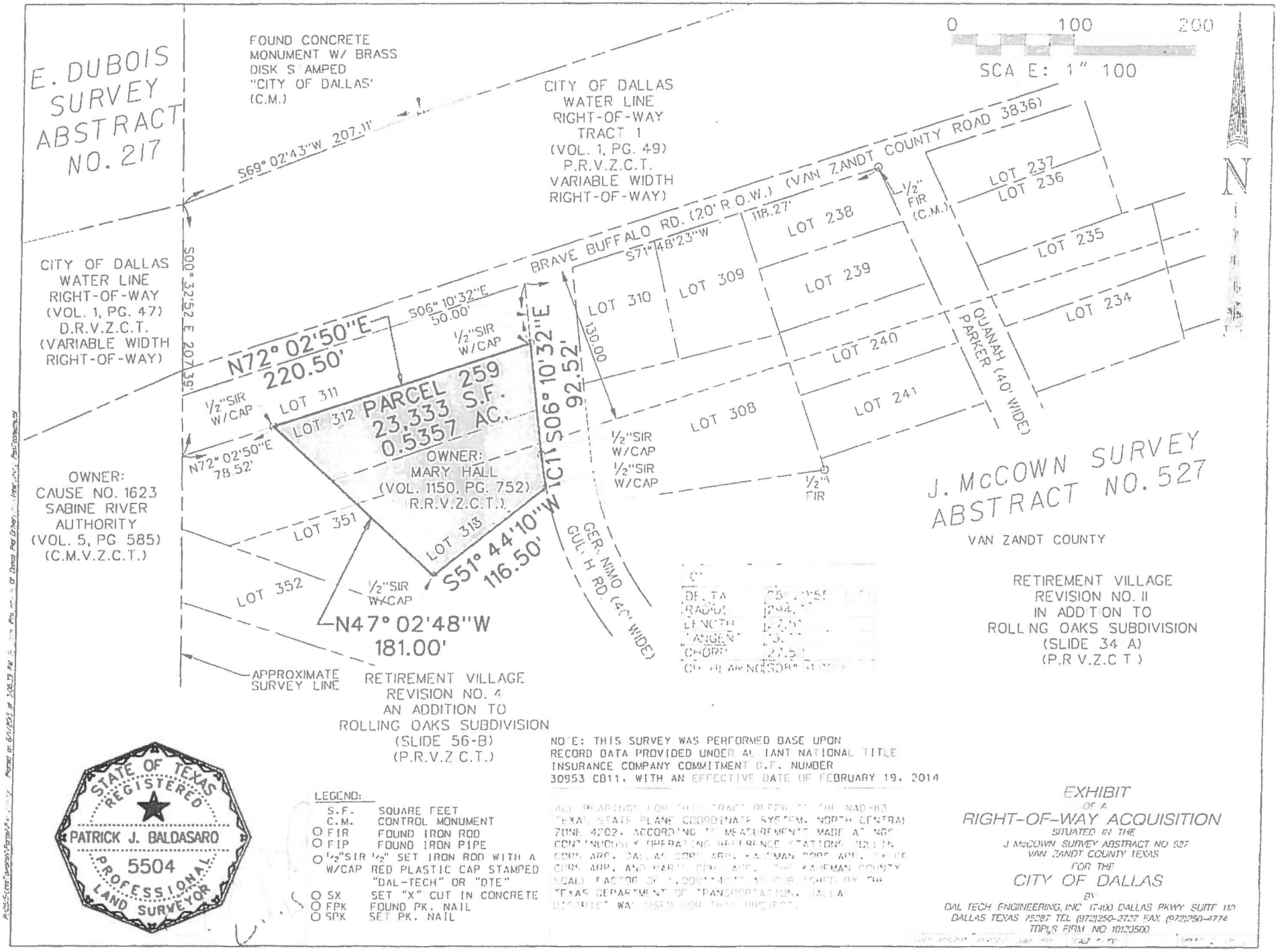
A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 6/16

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

FIELD NOTES APPROVED
6/8/16



LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
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O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER ATLANTIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT G.F. NUMBER 30953 CD11, WITH AN EFFECTIVE DATE OF FEBRUARY 19, 2014

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 (CORS) ARP, DALA CORS ARP, KAUFMAN CORS ARP, WISE CORS ARP, AND PARK CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.00013447 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT OF A RIGHT-OF-WAY ACQUISITION SITUATED IN THE J. McCOWN SURVEY ABSTRACT NO. 527 VAN ZANDT COUNTY, TEXAS FOR THE CITY OF DALLAS

BY
DAL TECH ENGINEERING, INC. 17400 DALLAS PKWY. SUITE 110
DALLAS, TEXAS 75287 TEL (972)250-2737 FAX (972)250-4774
TBPLS FIRM NO. 10120500

EXHIBIT A

AGENDA ITEM # 59

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	August 23, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize acquisition from Sandra Marie Nicodemus Witt, of approximately 23,829 square feet of land located in Van Zandt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $143,000 ($140,036, plus closing costs and title expenses not to exceed $2,964) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition from Sandra Marie Nicodemus Witt, of approximately 23,829 square feet of land with a single family dwelling located in Van Zandt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. The relocation benefits are estimated to be $91,000.

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 the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

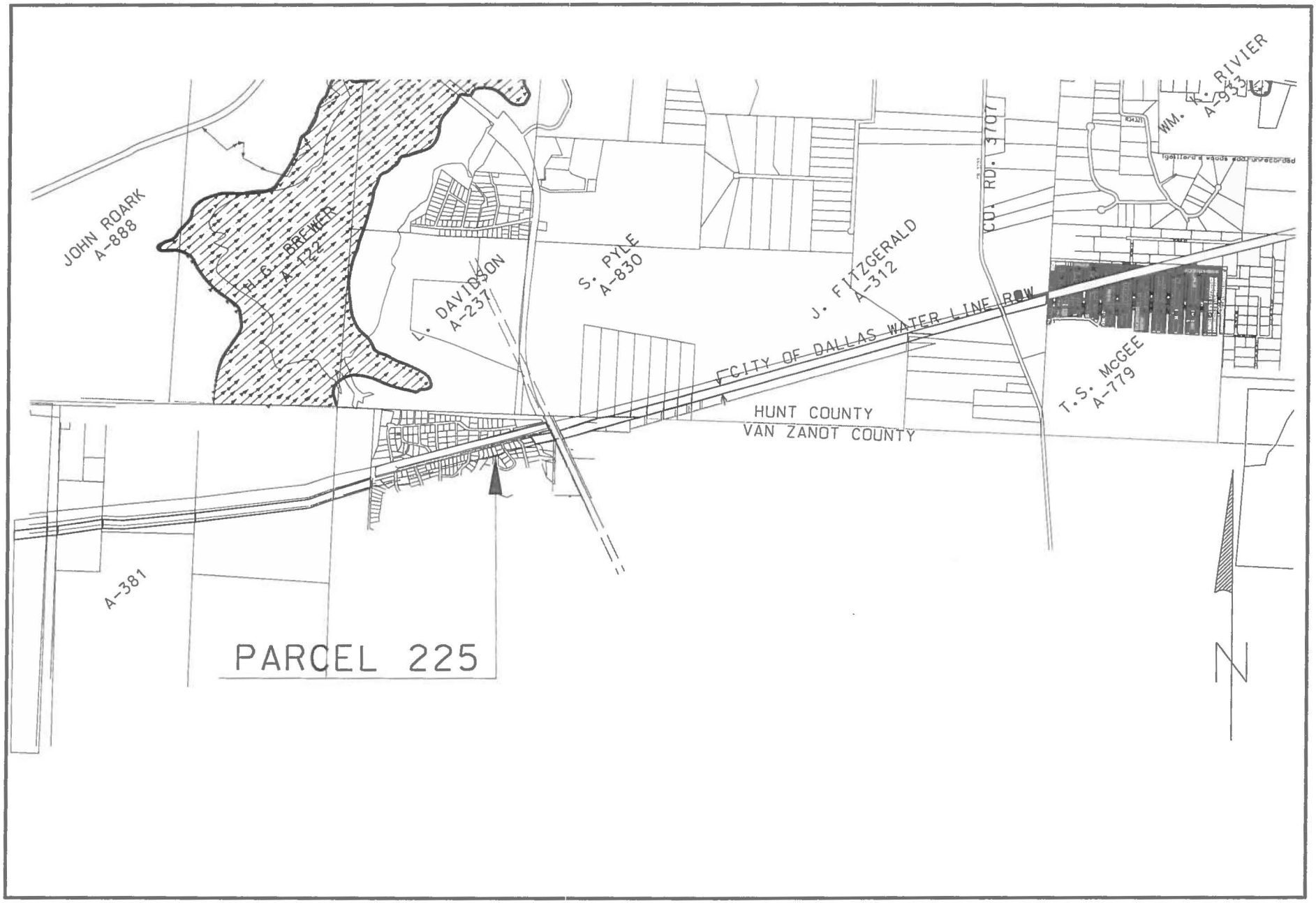
Water Utilities Capital Construction Funds - $143,000 ($140,036, plus closing costs and title expenses not to exceed $2,964)

OWNER

Sandra Marie Nicodemus Witt

MAP

Attached



VICINITY MAP

APPROXIMATE SCALE 1" = 2000'

P:\0515-LckeTawakoni\Parcel\ParcelsMap_225.dgn Plotted on 4/20/2015 at 2:58:44 PM By: jason Project: City Of Dallas Plot Driver: dieprinter.pltcfg PenTable: dte.tbl

August 23, 2017

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 23,829 square feet of land located in Van Zandt County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Lake Tawakoni 144-inch 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 here provided.

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

"OWNER": Sandra Marie Nicodemus Witt, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $140,036

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,964

"AUTHORIZED AMOUNT": Not to exceed $143,000

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002875. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 225

BEING a 23,829 square foot (0.5470 acre) tract of land in the J. McCown Survey, Abstract No. 527, being all of Lots 168, and 168-A of Rolling Oaks Addition as shown by plat recorded in Volume 1, Page 70, and on Glide 33-B, Plat Records of Van Zandt County, Texas, and being Lot 165 in a revision of Lots 164 and 165 of Rolling Oaks Addition as shown by plat, as recorded in Volume 3, Page 34, and on Glide 53A, Plat Records of Van Zandt County, Texas;

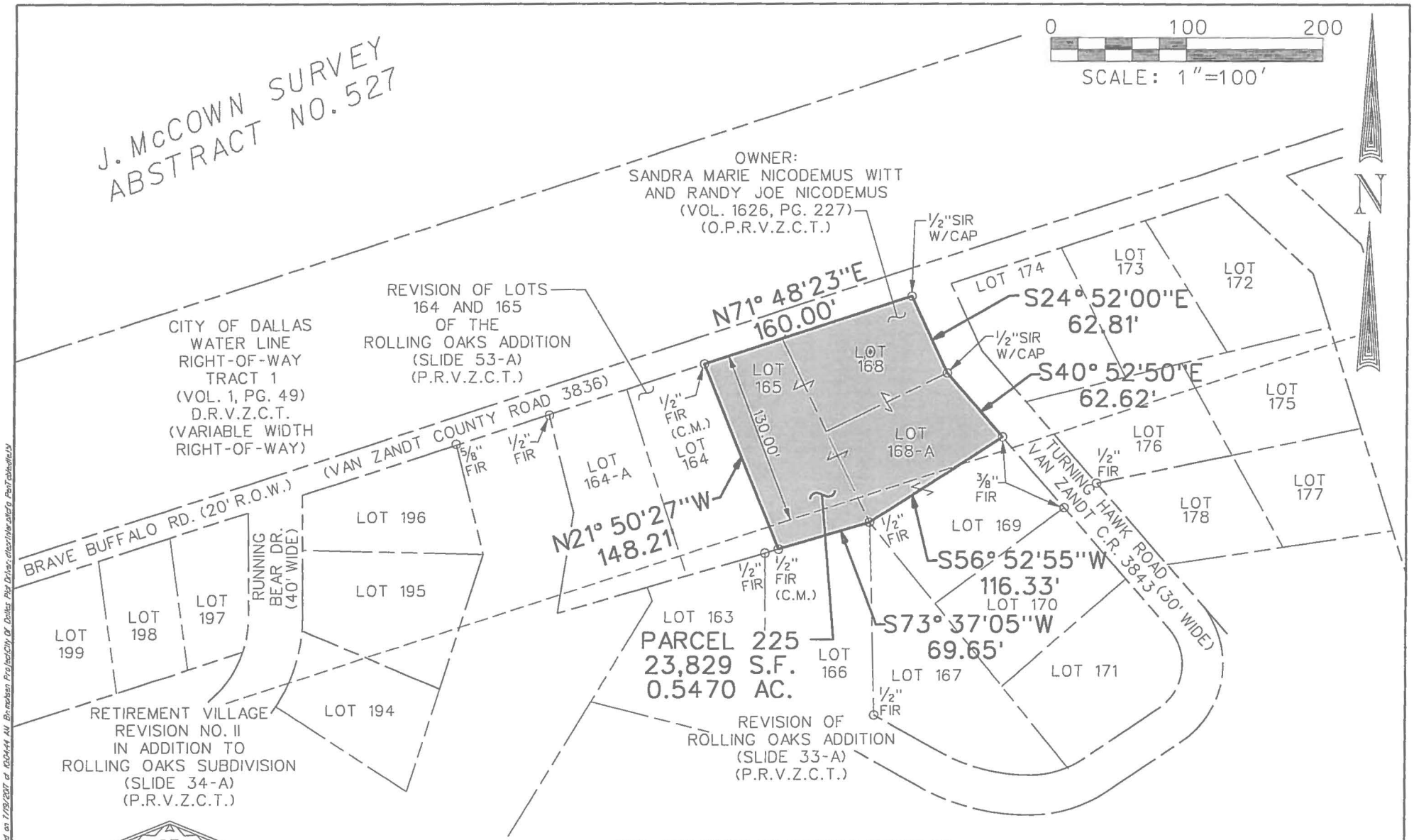
All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

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

This description is approved as to form.

By: Scott Holt Date: 7/19/17

Scott R. Holt
Survey Program Manager
City of Dallas



STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR

19 JULY 2017

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
○ FIR	FOUND IRON ROD
○ FIP	FOUND IRON PIPE
○ ½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
○ SX	SET "X" CUT IN CONCRETE
○ FPK	FOUND PK. NAIL
○ SPK	SET PK. NAIL

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.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J. McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: APR. 2015 | REVISED - JUNE 2017 | SCALE: 1" = 100' | SHEET 2 OF 2

P:\GIS\LotTowersTyler\Parcel\PAR-225.dgn Plotted on 7/19/2017 at 10:04:44 AM By mateen Project:\City Of Dallas Plat Driven drawings\Legal\Parcel\PAR-225.dgn

EXHIBIT B

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

WARRANTY DEED

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

That Sandra Marie Nicodemus Witt, a single woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Van Zandt, State of Texas, for and in consideration of the sum of ONE HUNDRED FORTY THOUSAND THIRTY SIX AND 00/100 DOLLARS ($140,036.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

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

EXECUTED this _____ day of _____, _____.

_____
Sandra Marie Nicodemus Witt

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF VAN ZANDT '

This instrument was acknowledged before me on _____
by Sandra Marie Nicodemus Witt.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

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

Warranty Deed Log No. 42837

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN VAN ZANDT COUNTY, TEXAS
Parcel: 225

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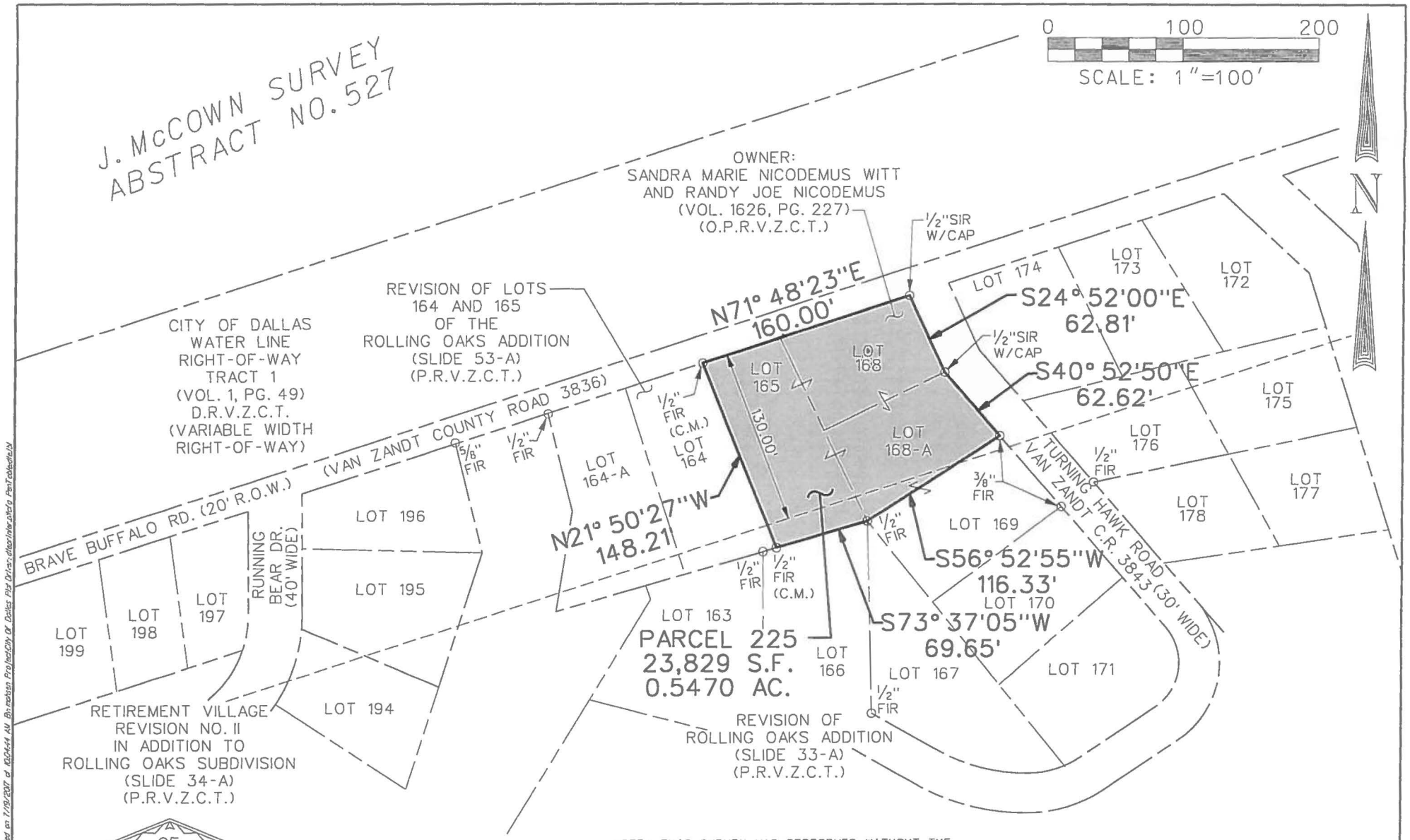
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A survey plat of even date herewith accompanies this legal description.

This description is approved as to form.

By: Scott Holt Date: 7/19/17

Scott R. Holt
Survey Program Manager
City of Dallas



STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR

19 JULY 2017

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
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O	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
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EXHIBIT
OF A
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J. McCOWN SURVEY, ABSTRACT NO. 527
VAN ZANDT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE- APR. 2015 | REVISED - JUNE 2017 | SCALE- 1"=100' | SHEET 2 OF 2

P:\025\dat\ZandtsVarca\PAR-225.dgn Plotted on 7/19/2017 at 10:04:44 AM By: nelsen Project\City Of Dallas Plat Drive: dtar\Interactive Pen Table.tbl

AGENDA ITEM # 60

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	August 23, 2017
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Majed Al-Ghafry, 670-3302
MAPSCO:	N/A

SUBJECT

Authorize acquisition from Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch and Michael Brewer Pringle, of approximately 92,191 square feet of land located in Hunt County for the Lake Tawakoni 144-inch Transmission Pipeline Project - Not to exceed $72,000 ($68,831, plus closing costs and title expenses not to exceed $3,169) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition from Vickey Green Crouch, Adminstratrix of the Estate of Hatley Crouch and Michael Brewer Pringle, of approximately 92,191 square feet of land with a single family dwelling located in Hunt County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni 144-inch Transmission Pipeline Project. The consideration is based on an independent appraisal. The relocation benefits are estimated to be $46,415.

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 the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $72,000 ($68,831, plus closing costs and title expenses not to exceed $3,169)

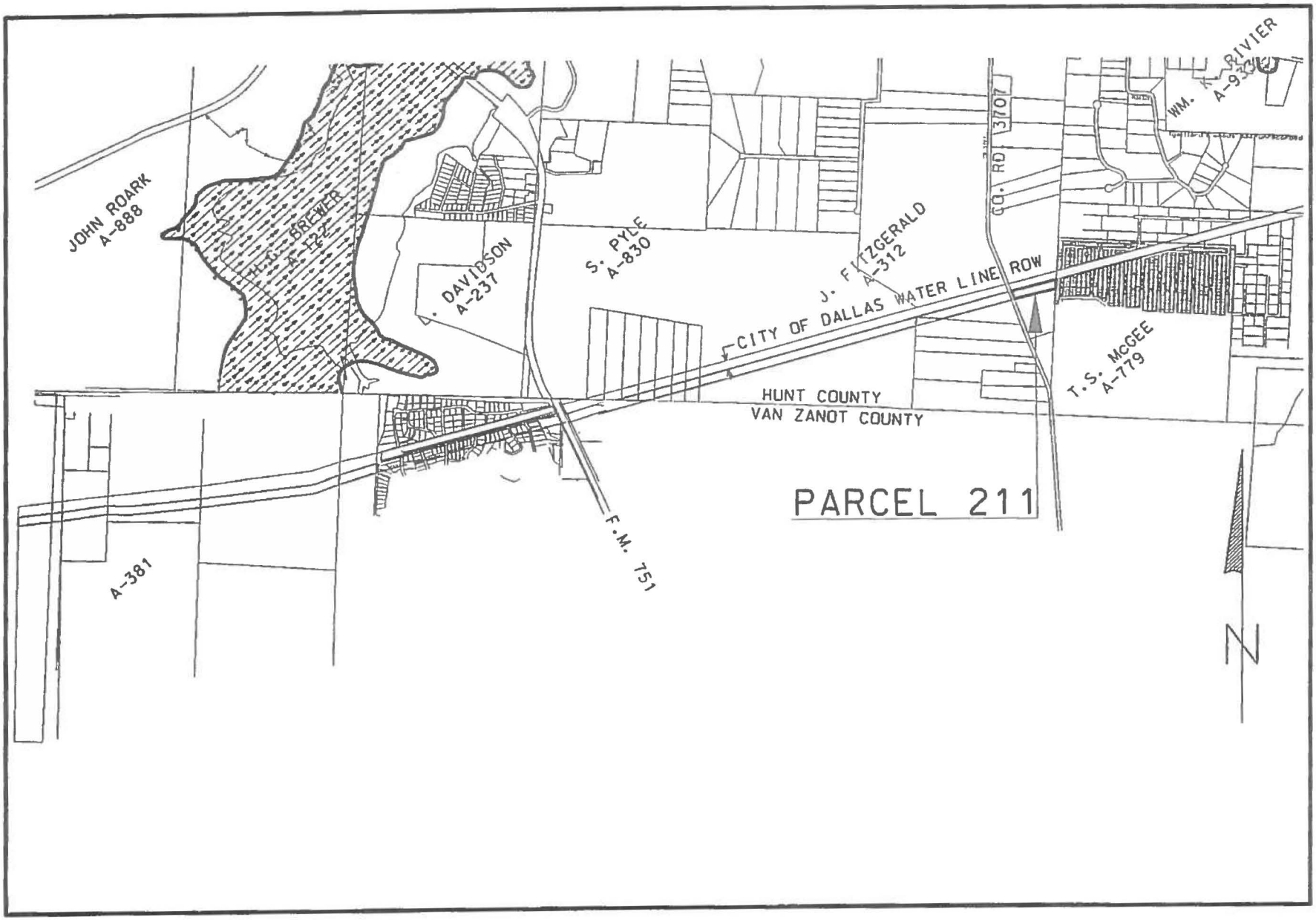
OWNERS

Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch

Michael Brewer Pringle

MAP

Attached



VICINITY MAP

APPROXIMATE SCALE 1"= 2000'

P:\0515-Lake Tawakoni\Parcels\Map_211.dgn Plotted on 9/22/2016 at 11:18:57 AM By Josh Projection: City Of Dallas Plot Driver: dwg printer plot: PenTable: dis.tbl

August 23, 2017

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

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

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“PROJECT”: Lake Tawakoni 144-inch 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 here provided.

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

"OWNER": Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch, and Michal Brewer Pringle, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $68,831

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,169

"AUTHORIZED AMOUNT": Not to exceed $72,000

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund 0102, Department DWU, Unit CW20, Activity RWPT, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2017-00002859. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Exhibit A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A FEE SIMPLE AQUISITION FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN HUNT COUNTY, TEXAS
Parcel: 211

BEING a 2.116 acre tract of land in the J. Fitzgerald Survey, Abstract No. 312, being all of called 2.000 acre tract of land described in Warranty Deed to Hatley Crouch, as recorded in Document No. 2009-7020, of the Deed Records of Hunt County, Texas (D.R.H.C.T.), and part of a called 2.000 acre tract of land described as Tract Four in Warranty Deed with Vendor's Lien to Hatley Crouch, as recorded in Volume 329, Page 903, (D.R.H.C.T.), and being more particularly described as follows:

BEGINNING at a PK nail set in asphalt at the northwest corner of said Crouch tract, being in the southeast line of a City of Dallas Water Line Right-of-Way (variable width), Judgment Cause No. 9241, as recorded in Volume 651, Page 46, D.R.H.C.T., and being in approximate center of a Public Road (variable width right-of-way, "by use and occupation");

THENCE North 71 degrees 52 minutes 43 seconds East, departing the approximate center of said Public Road and with the northwest line of said Crouch tract and the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 737.28 feet to a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set at the northeast corner of said Crouch tract and the southeast corner of said City of Dallas Water Line Right-of-Way, being in the west line of Block R of Waco Bay Estates Subdivision, as recorded in Volume 400, Page 631-633, of the Plat Records of Hunt County, Texas;

THENCE South 00 degrees 54 minutes 26 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the east line of said Crouch tract and the west line of said Block R, passing at a distance of 123.93 feet, the southeast corner of said Crouch tract, being the northeast corner of said Tract Four, and continuing with the east line of said Tract Four, a total distance of 136.10 feet to 1/2-inch iron rod with cap set;

THENCE South 71 degrees 52 minutes 43 seconds West, departing the east line of said Tract Four and the west line of said Block R, a distance of 681.04 feet PK nail set in asphalt in the southwest line of said Tract 4, being in the approximate center of said Public Road;

THENCE North 25 degrees 07 minutes 18 seconds West, with the southwest line of said Tract Four and along the approximate center of said Public, passing at a distance of 7.49 feet the northwest corner of said Tract Four, being the southwest corner of said Crouch tract, and continuing with the southwest line of said Crouch tract, a total distance of 130.98 feet to the POINT OF BEGINNING and containing 92,191 square feet or 2.116 acres of land, more or less.

FIELD NOTES APPROVED: 7/10/17

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR A FEE SIMPLE AQUISITION
FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
HUNT COUNTY, TEXAS
Parcel: 211

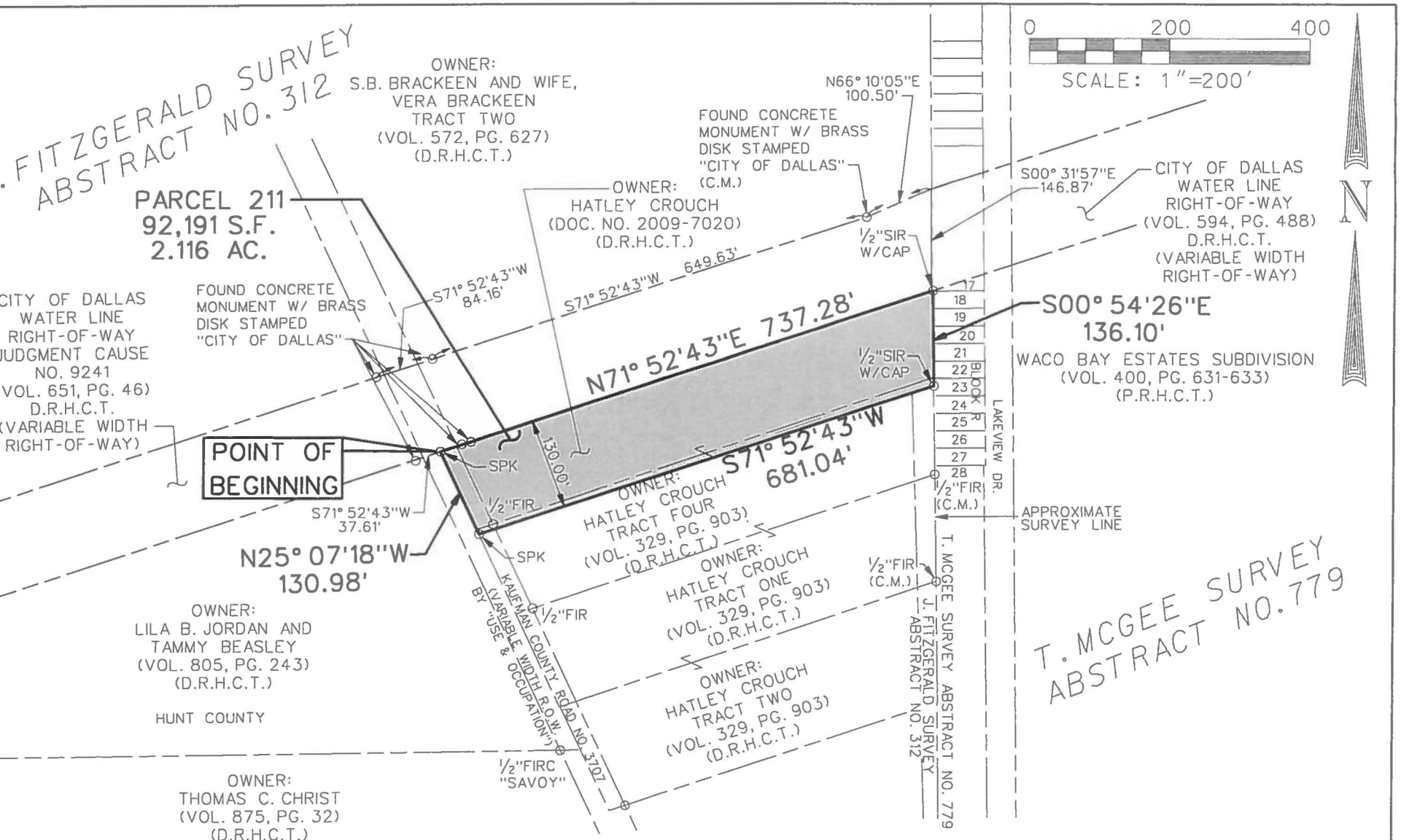
All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale 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.



By: _____ Date: 14 JUNE 2017

Gordon N. Anderson
Registered Professional Land Surveyor
Texas No. 6617
DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED BY TITLE RESOURCES GUARANTY COMPANY COMMITMENT G.F. NUMBER 1182833. WITH AN EFFECTIVE DATE OF JUNE 20, 2011

STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR
14 JUNE 2017

LEGEND:

S.F.	SQUARE FEET
C.M.	CONTROL MONUMENT
○ FIR	FOUND IRON ROD
○ FIP	FOUND IRON PIPE
○ ½"SIR W/CAP	½" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
○ SX	SET "X" CUT IN CONCRETE
○ FPK	FOUND PK. NAIL
○ SPK	SET PK. NAIL

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.

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
J. FITZGERALD SURVEY, ABSTRACT NO. 312
HUNT COUNTY, TEXAS
FOR THE
CITY OF DALLAS

BY
DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY., SUITE 110
DALLAS, TEXAS 75287, TEL. (972)250-2727, FAX (972)250-4774
TBPLS FIRM NO. 10123500

DATE: DEC. 2014	REVISED - JUNE 2017	SCALE: 1" = 200'	SHEET 3 OF 3

P:\2015\Left\Left\Exhibit\Parcel\PARCEL 211.dgn Plotted on 6/14/2017 at 14:14:38 PM By: Anderson Project: City Of Dallas Plot Driver: dtsplotter.ctb Pen Table: stb

EXHIBIT B

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

WARRANTY DEED

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

That Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch, and Michael Brewer Pringle, a widower (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Hunt, State of Texas, for and in consideration of the sum of SIXTY EIGHT THOUSAND EIGHT HUNDRED THIRTY ONE AND 00/100 DOLLARS ($68,831.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: NONE

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

EXECUTED this _____ day of _____, _____.

_____
Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch

_____
Michael Brewer Pringle

* *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____

by Vickey Green Crouch, Administratrix of the Estate of Hatley Crouch.

_____
Notary Public, State of TEXAS

* *

STATE OF TEXAS '
COUNTY OF HUNT '

This instrument was acknowledged before me on _____

by Michael Brewer Pringle.

_____
Notary Public, State of TEXAS

* *

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

Warranty Deed Log No. 42044

Exhibit A

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Parcel: 211

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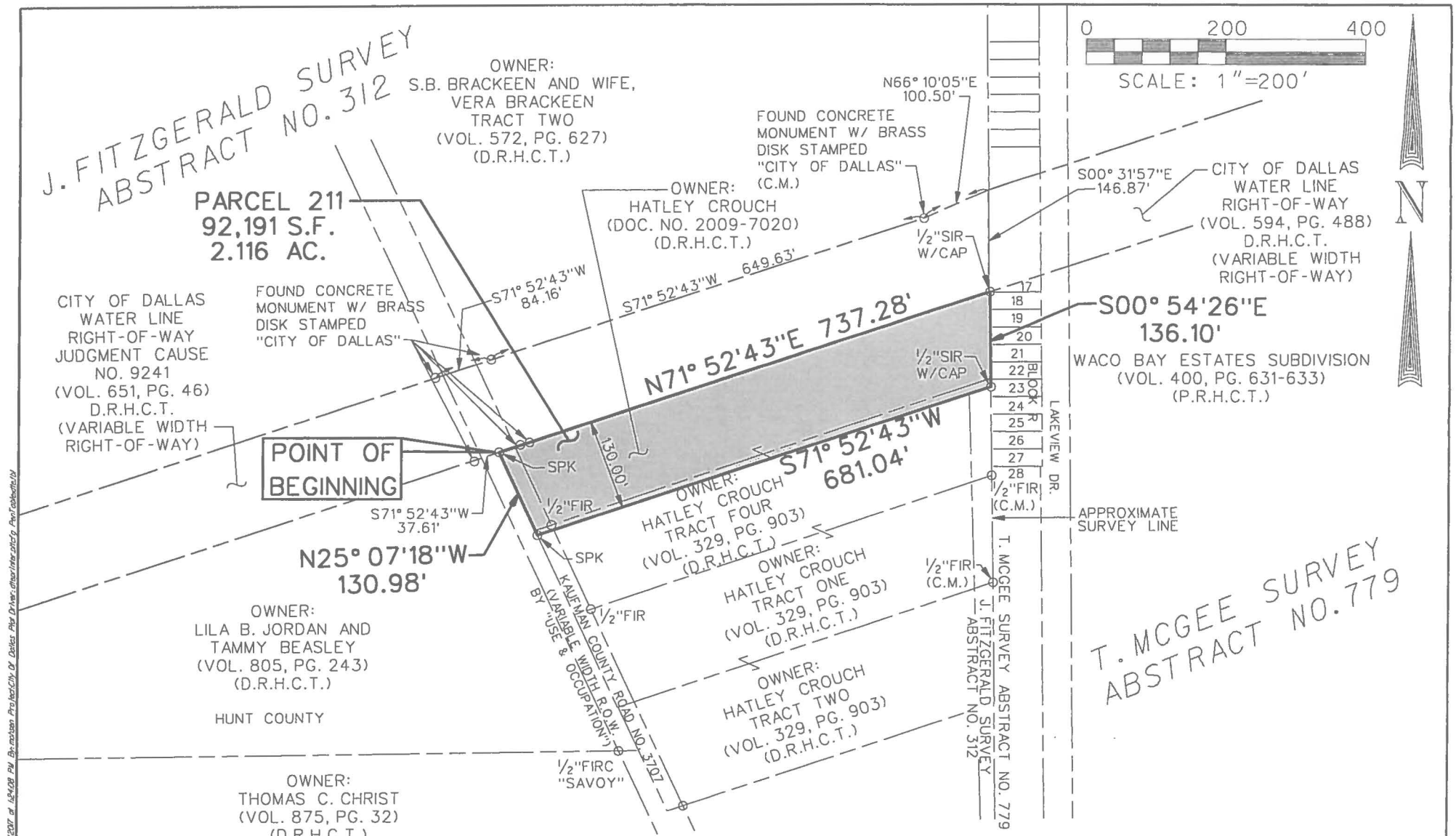
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A plat of even survey date herewith accompanies this legal description.



By: _____ Date: 14 JUNE 2017

Gordon N. Anderson
Registered Professional Land Surveyor
Texas No. 6617
DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500



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STATE OF TEXAS
REGISTERED
GORDON N. ANDERSON
6617
PROFESSIONAL
LAND SURVEYOR

14 JUNE 2017

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	C.M.	CONTROL MONUMENT
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TBPLS FIRM NO. 10123500

DATE- DEC. 2014 | REVISED - JUNE 2017 | SCALE- 1"=200' | SHEET 3 OF 3

P:\DSI\Late\Taxation\Parcel\PAR-2\dgn Plotted on 6/14/2017 at 4:24:08 PM By: rotsen ProNet\City Of Dallas Par Drives\Parlines.ctb\Fig Per\Tabletfet.tbl

AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 3, 4, 5, 6, 7, 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize **(1)** the quitclaim of 71 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale that will be sold to the highest qualified bidders; and **(2)** the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgement (list attached) - Estimated Revenue: $259,000

BACKGROUND

This item authorizes the quitclaim of 71 properties that were foreclosed by the Sheriff's Department for unpaid taxes pursuant to judgements or seizure warrants from a District Court and the release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgement. These properties will be sold to the highest qualified bidder and will return to the tax rolls upon conveyance.

Successful bidders will be required to sign a certification stating that they are not purchasing these properties on behalf of the foreclosed owners and that they have no debts owed to the City, no pending code violations, and are not chronic code violators.

All properties were reviewed by the Housing Department for infill houses and were not desired for that program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

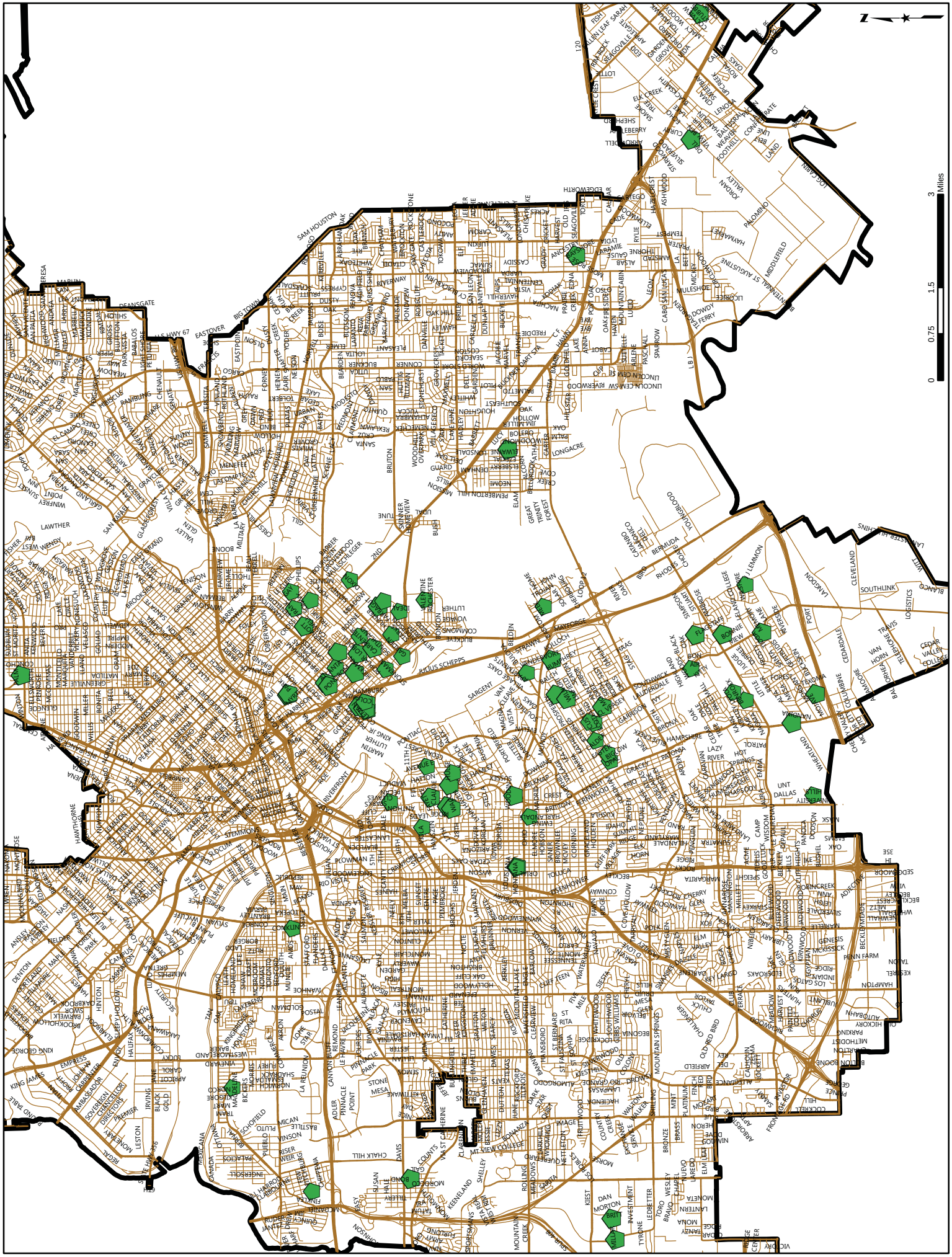
Estimated Revenue - $259,000

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
PROPERTY LIST

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	DCAD
1	917 E. 12TH	V	4	CS	.0732	$4,790.00	$4,790.00
2	2671 E. ANN ARBOR	V	4	CA-1(A)	.1560	$9,192.00	$7,000.00
3	3943 ATLANTA	V	7	PD-595	.0655	$6,000.00	$6,000.00
4	3019 BEAUCHAMP	V	4	R-7.5(A)	.1829	$20,140.00	$10,000.00
5	2830 BENROCK	V	8	R-5(A)	.2928	$4,000.00	$5,500.00
6	3707 BERNAL	I	6	R-5(A)	.1749	$71,020.00	$71,020.00
7	4151 BIGLOW	V	4	R-7.5(A)	.4126	$8,750.00	$8,750.00
8	5643 BON AIR	V	8	R-7.5(A)	.2788	$9,009.00	$12,000.00
9	3515 BRITT	V	3	R-7.5(A)	.2707	$28,331.00	$18,410.00
10	4205 CARDINAL	V	4	R-7.5(A)	.1656	$2,494.00	$6,900.00
11	3878 CASTLE HILLS	V	8	R-7.5(A)	.2121	$20,472.00	$12,000.00
12	402 CLEAVES	V	4	R-5(A)	.0921	$1,732.00	$7,500.00
13	3228 CLEVELAND	V	7	PD-595	.1549	$5,850.00	$16,880.00
14	3529 CLEVELAND	V	7	PD-595	.1922	$6,856.00	$20,940.00
15	1307 COLEMAN	I	7	PD-595	.1671	$22,920.00	$22,920.00
16	4215 COLONIAL	V	7	PD-595	.1721	$6,750.00	$6,750.00
17	952 S. CORINTH	V	4	CR	.3156	$13,760.00	$13,760.00
18	4325 CROZIER	V	7	PD-595	.1508	$22,840.00	$22,840.00
19	3049 DORRIS	V	7	D(A)	.1376	$980.00	$1,000.00
20	411 N. DWIGHT	V	6	R-7.5(A)	.2074	$34,750.00	$12,500.00
21	4166 EASTER	V	4	R-7.5(A)	.1116	$6,900.00	$6,900.00
22	1636 ELSIE FAYE HEGGINS	I	7	PD-595	.1205	$25,880.00	$25,880.00
23	2310 EXETER	V	4	R-7.5(A)	.1405	$6,900.00	$6,900.00
24	2722 EXLINE	V	7	PD-595	.1857	$1,596.00	$6,000.00
25	1410 FAYETTE	V	4	R-5(A)	.2376	$9,551.00	$7,500.00
26	2919 FORDHAM	V	4	CR	.1870	$7,990.00	$8,150.00
27	2739 FRAZIER	V	7	PD-595	.0994	$5,000.00	$5,000.00
28	2403 GARDEN	V	7	R-5(A)	.1230	$1,562.00	$2,750.00
29	14247 GREENHAW	V	8	R-7.5(A)	.1320	$10,195.00	$15,000.00
30	1339 HENDRICKS	V	4	R-5(A)	.1623	$9,069.00	$11,500.00
31	515 HIGH	V	4	R-5(A)	.1801	$9,500.00	$9,500.00
32	3221 HOLMES	V	7	PD-595	.1532	$10,020.00	$10,020.00
33	2623 HOOPER	V	7	R-5(A)	.1046	$4,559.32	$4,000.00
34	2126 HULSE	I	4	R-7.5(A)	.1645	$42,930.00	$29,441.78
35	3603 HUMPHREY	V	4	R-5(A)	.2747	$11,500.00	$11,500.00

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
PROPERTY LIST

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	DCAD
36	4111 JAMAICA	I	7	PD-595	.1386	$18,800.00	$29,130.00
37	2513 JEFFRIES	V	7	PD 363	.3442	$7,500.00	$7,500.00
38	2501 JEFFRIES	V	7	PD 363	.1721	$3,750.00	$3,750.00
39	2525 JEFFRIES	V	7	PD-363	.4476	$11,564.23	$9,760.00
40	12239 KLEBERG	V	8	R-7.5(A)	1.7590	$21,110.00	$21,110.00
41	7422 S. LANCASTER	V	8	R-7.5(A)	.2772	$15,409.00	$18,500.00
42	3550 S. LEDBETTER	V	3	MF-2(A)	1.2100	$15,130.00	$15,130.00
43	374 LEGACY	V	5	R-5(A)	.1385	$44,186.00	$9,000.00
44	1417 LENWAY	V	7	PD-595	.1686	$5,637.00	$18,380.00
45	3718 S. MALCOLM X	I	7	PD-595	.1262	$26,050.00	$26,050.00
46	4511 MEEK	V	7	CS	.6899	$9,857.34	$2,000.00
47	3610 METROPOLITAN	V	7	PD-595	.1396	$16,706.00	$5,000.00
48	2319 METROPOLITAN	V	7	PD-595	.1487	$18,910.00	$6,000.00
49	2826 MOJAVE	I	8	R-7.5(A)	.4622	$56,530.00	$54,460.00
50	937 MUNCIE	I	6	TH-3(A)	.1147	$12,017.19	$44,050.00
51	2840 OAKDALE	V	7	PD-595	.1192	$4,000.00	$4,000.00
52	1238 OHIO	V	4	R-7.5(A)	.3433	$11,000.00	$11,000.00
53	6500 PALM ISLAND	V	8	R-5(A)	1.4680	$12,750.00	$15,000.00
54	2528 PEABODY	V	7	PD-595	.1477	$6,000.00	$6,000.00
55	2601 PEABODY	V	7	PD-595	.0477	$17,613.00	$6,000.00
56	2839 PEARY	V	7	PD-595	.0781	$10,670.00	$3,200.00
57	3906 PINE	V	7	PS-595	.1249	$1,228.00	$5,000.00
58	623 RAYENELL	V	5	R-7.5(A)	.1787	$15,000.00	$15,000.00
59	3606 REESE	I	7	PD-595	.1663	$30,900.00	$30,900.00
60	2117 SEEVERS	V	4	R-7.5(A)	.1736	$33,050.00	$82,720.00
61	3808 STATE OAK	I	8	R-5(A)	.1598	$15,000.00	$35,110.00
62	1311 STRIKLAND	V	4	R-5(A)	.1695	$19,369.00	$11,500.00
63	2434 TALLYHO	V	6	R-5(A)	.1721	$10,158.00	$12,000.00
64	2636 TANNER	V	7	R-5(A)	.1147	$3,900.00	$6,000.00
65	3811 TIOGA	V	8	R-5(A)	.2369	$16,841.00	$9,000.00
66	6118 TRACY	V	8	R-5(A)	.2834	$9,366.00	$11,000.00
67	1415 WACO	V	4	R-5(A)	.1341	$11,500.00	$11,153.60
68	2631 WILHURT	V	4	R-7.5(A)	.1632	$6,900.00	$6,900.00
69	3512 WILHURT	V	4	R-7.5(A)	.4612	$12,000.00	$12,000.00
70	4278 WILSHIRE	I	8	R-5(A)	.1627	$31,930.00	$15,470.00
71	1531 E. WOODIN	V	4	R-7.5(A)	.1814	$11,500.00	$11,500.00


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WHEREAS, the City of Dallas ("City"), the State of Texas ("State"), the County of Dallas, ("County"), and/or Dallas Independent School District ("DISD") acquired Sheriff Deeds to properties ("Properties") at a sheriff tax sale ("the First Sale") authorized by a Judicial Foreclosure ("Judgment") in a District Court in Dallas County, Texas. The Sheriff's Deeds were recorded in the real property records of Dallas County, Texas as described on "Exhibit A," attached herein and incorporated by reference; and

WHEREAS, pursuant to the Texas Attorney General Opinion No. JM-1232 and Section 34.05(a) of the Texas Property Tax Code, the City may re-sell the Properties ("the Second Sale") subject to any right of redemption existing at the time of the Second Sale; and

WHEREAS, pursuant to the provisions of Chapter 34, Section 34.05 of the Texas Property Tax Code, a taxing entity is authorized to re-sell the Properties ("the Second Sale"); and

WHEREAS, by accepting its pro rata proceeds from the Second Sale, the State agrees to the transfer of Properties in which it has an interest; and

WHEREAS, the City Manager, acting on behalf of the County pursuant to a County Commissioner's Court Order, and acting on behalf of DISD pursuant to a School Board Resolution have the authority to execute Quitclaim Deeds to the purchasers of Properties at the Second Sale, and transfer any rights, title, or interests acquired or held by each taxing entity that was a party to the Judgment at the First Sale; and

WHEREAS, the Properties will be advertised in the Dallas Morning News to be offered for re-sale; and

WHEREAS, the City Council has previously approved the re-sale of other Properties where funds were not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County; and

WHEREAS, the distribution of the proceeds from the resale of the Properties will be in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code.

Now, Therefore,

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

SECTION 1. That upon receipt of the monetary consideration from the purchasers, and upon consent by the County and DISD, the City Manager after approval as to form by the City Attorney and attested by the City Secretary, is hereby authorized to execute

SECTION 1. (continued)

Quitclaim Deeds to the Properties to be sold to the highest qualified bidder, conveying to the purchasers the right, title, and interest acquired or held by each taxing entity that was a party to the Judgment, subject to any right of redemption, post-Judgment taxes and post Judgment non-municipal liens, and in accordance with the written agreement of the terms, conditions, and release of the taxing entities.

SECTION 2. That the consideration received from the Second Sale shall be distributed pursuant to Chapter 34, Section 34.06 of the Texas Property Tax Code, and applied to the payment of the court costs, interest, and cost of sale and applied to the amount of delinquent taxes, penalties, and non-tax municipal liens as set forth in the Judgment and pursuant to the order of the court.

SECTION 3. That all purchasers shall be responsible for the pro rata portion of property taxes for the remaining part of the current calendar year that will be assessed from the date of closing of the Second Sale. Purchasers shall also be responsible for any post-Judgment taxes, penalties and interest, pursuant to the Texas Property Tax Code, and post-Judgment non-municipal liens. The Properties shall be replaced on the tax rolls as of the date of execution of Quitclaim Deeds.

SECTION 4. That to the extent authorized by law, any liens securing taxes referenced in Section 2 above are hereby released. That the City Manager, after approval as to form by the City Attorney, is hereby authorized to execute a release(s) of lien for any non-tax municipal lien(s) which (i) are included in the Judgments issued in the foreclosure suits filed by the City on the lot(s) shown on Exhibit “A”; or (ii) arise or are filed of record post Judgment and prior to the Second Sale by the City on the lot(s) shown on Exhibit “A”.

SECTION 5. That any and all proceeds from the Second Sale, including funds not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County will be deposited to General Fund, Fund 0001, Department DEV, Balance Sheet 0519.

SECTION 6. That upon receipt of the consideration from the Second Sale, the Chief Financial Officer is hereby authorized to disburse the proceeds in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code. Calculations for disbursements shall be provided by the Director of Sustainable Development and Construction to the City of Dallas Land Based Receivables, the Dallas County District Clerk, and the Dallas County Tax Office from the account specified in Section 5, above.

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.

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
EXHIBIT A

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/IMP	OWNED BY TAXING ENTITIES
1	917 E. 12TH	Lot 1, Block 118/3101	V	1, 2, 3
2	2671 E. ANN ARBOR	Lot 15, Block 8/6028	V	1, 2, 3
3	3943 ATLANTA	Lot 1, Block A/1728	V	1, 2, 3
4	3019 BEAUCHAMP	Lot 5, Block A/6089	V	1, 2, 3
5	2830 BENROCK	Lot 20, Block 18/6890	V	1, 2, 3
6	3707 BERNAL	Lot 38, Block 3/7150	I	1, 2, 3
7	4151 BIGLOW	Lot 5, Block 1/4340	V	1, 2, 3
8	5643 BON AIR	Lot 33, Block 6875	V	1, 2, 3
9	3515 BRITT	Lot 25, Block 2/8028	V	1, 2, 3
10	4205 CARDINAL	Lot 43, Block 7/6083	V	1, 2, 3
11	3878 CASTLE HILLS	Lot 19, Block 11/6866	V	1, 2, 3
12	402 CLEAVES	Lot 2, Block 2/7676	V	1, 2, 3
13	3228 CLEVELAND	Lot 13, Block 12/1163	V	1, 2, 3
14	3529 CLEVELAND	Lot 8, Block 5/1182	V	1, 2, 3
15	1307 COLEMAN	Lot 13, Block A/1162	I	1, 2, 3
16	4215 COLONIAL	Lot 2, Block C/1604	V	1, 2, 3
17	952 S. CORINTH	Tract 6, Block A/5898	V	1, 2, 3
18	4325 CROZIER	Lot 7, Block A/1754	V	1, 2, 3
19	3049 DORRIS	Lot 22, Block 7068	V	1, 2, 3
20	411 N. DWIGHT	Lot 18, Block 1/8340	V	1, 2, 3
21	4166 EASTER	Lot 9, Block 3/5018	V	1, 2, 3
22	1636 ELSIE FAYE HEGGINS	Lot 10, Block 3/1693	I	1, 2, 3
23	2310 EXETER	Lot 3, Block 4/5853	V	1, 2, 3
24	2722 EXLINE	Lot 4, Block 4/1748	V	1, 2, 3
25	1410 FAYETTE	Lots 3 and 4, Block F/4714	V	1, 2, 3
26	2919 FORDHAM	Lot 80-B, Block 6080	V	1, 2, 3
27	2739 FRAZIER	Lot 6, Block A/1854	V	1, 2, 3
28	2403 GARDEN	Lot 6, Block A/2246	V	1, 2, 3
29	14247 GREENHAW	Lot 6, Block E/8813	V	1, 2, 3
30	1339 HENDRICKS	Lot 22, Block 16/3576	V	1, 2, 3
31	515 HIGH	Lot 4, Block 5/5893	V	1, 2, 3
32	3221 HOLMES	Lot 6, Block 12/1163	V	1, 2, 3
33	2623 HOOPER	Lot 12, Block 7/2511	V	1, 2, 3
34	2126 HULSE	Block B/5895	I	1, 2, 3
35	3603 HUMPHREY	Lot 25, Block G/6094	V	1, 2, 3
36	4111 JAMAICA	Lot 8, Block F/1846	I	1, 2, 3
37	2513 JEFFRIES	Lots 4 and 5, Block 8/0854	V	1, 2, 3
38	2501 JEFFRIES	Lot 7, Block 8/854	V	1, 2, 3

*1=CITY, 2=DISD, 3=COUNTY, 4=STATE (All properties are located in the City of Dallas, Dallas County, Texas)

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
EXHIBIT A

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/IMP	OWNED BY TAXING ENTITIES
39	2525 JEFFRIES	Lots 1 and 2, Block 8/0854	V	1, 2, 3
40	12239 KLEBERG	Tract 32, Block 8792	V	1, 2, 3
41	7422 S. LANCASTER	Lot 2, Block A/6885	V	1, 2, 3
42	3550 S. LEDBETTER	A 1.215 acre tract, Block 8029	V	1, 2, 3
43	374 LEGACY	Lot 2, Block 1/7882	V	1, 2, 3
44	1417 LENWAY	Part of Lots 1, 2 and 3, Block 1/1175	V	1, 2, 3
45	3718 S. MALCOLM X	Lot 24, Block A/1969	I	1, 2, 3
46	4511 MEEK	Lot 42, Block B/7636	V	1, 2, 3
47	3610 METROPOLITAN	Lot 8, Block A/1824	V	1, 2, 3
48	2319 METROPOLITAN	Part of Lots 1 and 2, Block B/1711	V	1, 2, 3
49	2826 MOJAVE	Part of Lots 3 and 4, Block 16/7614	I	1, 2, 3
50	937 MUNCIE	Lot 13, Block 5/7265	I	1, 2, 3
51	2840 OAKDALE	Lot 9, Block 2/4434	V	1, 2, 3
52	1238 OHIO	Lot 2, Block 27/4226	V	1, 2, 3
53	6500 PALM ISLAND	Block 6870	V	1, 2, 3
54	2528 PEABODY	Lot 15 and 16, Block 25/1306	V	1, 2, 3
55	2601 PEABODY	Part of Lots 19 and 20, Block 1292	V	1, 2, 3
56	2839 PEARY	Lot 29, Block 3/4432	V	1, 2, 3
57	3906 PINE	Lot 7, Block 2/1836	V	1, 2, 3
58	623 RAYENELL	Lot 11, Block 8/6252	V	1, 2, 3
59	3606 REESE	Lot 11, Block 3/4455	I	1, 2, 3
60	2117 SEEVERS	Lot 15, Block 21/3612	V	1, 2, 3
61	3808 STATE OAK	Lot 11, Block H/6869	I	1, 2, 3
62	1311 STRIKLAND	Lot 27, Block 17/3577	V	1, 2, 3
63	2434 TALLYHO	Lot 10, Block 32/7180	V	1, 2, 3
64	2636 TANNER	Lot 3, Block 0E/1696	V	1, 2, 3
65	3811 TIOGA	Lot 33, Block 3/8294	V	1, 2, 3
66	6118 TRACY	Lot 10, Block 24/6890	V	1, 2, 3
67	1415 WACO	Lot 11, Block 23/3584	V	1, 2, 3
68	2631 WILHURT	Lot 17, Block 4/5852	V	1, 2, 3
69	3512 WILHURT	Part of Lot 3, Block 4/8617	V	1, 2, 3
70	4278 WILSHIRE	Lot 13, Block F/8262	I	1, 2, 3
71	1531 E. WOODIN	Lot 19, Block 52/3726	V	1, 2, 3

*1=CITY, 2=DISD, 3=COUNTY, 4=STATE (All properties are located in the City of Dallas, Dallas County, Texas)

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45Q

SUBJECT

An ordinance granting a private license to Butler Brother Hospitality Group, LLC for the use of approximately 300 square feet of land to install, maintain, and utilize nineteen tree wells, on a portion of Ervay and Marilla Streets rights-of-way, near its intersection with Marilla Street - Revenue: $200 one-time fee, plus the $20 ordinance publication fee

BACKGROUND

This item grants a private license to Butler Brother Hospitality Group, LLC for the use of approximately 300 square feet of land to install, maintain, and utilize nineteen tree wells, on a portion of Ervay and Marilla Streets rights-of-way, near its intersection with Marilla Street. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Revenue - $200 one-time fee, plus the $20 ordinance publication fee

OWNER

Butler Brother Hospitality Group, LLC

Alterra 500 South Ervay, LLC

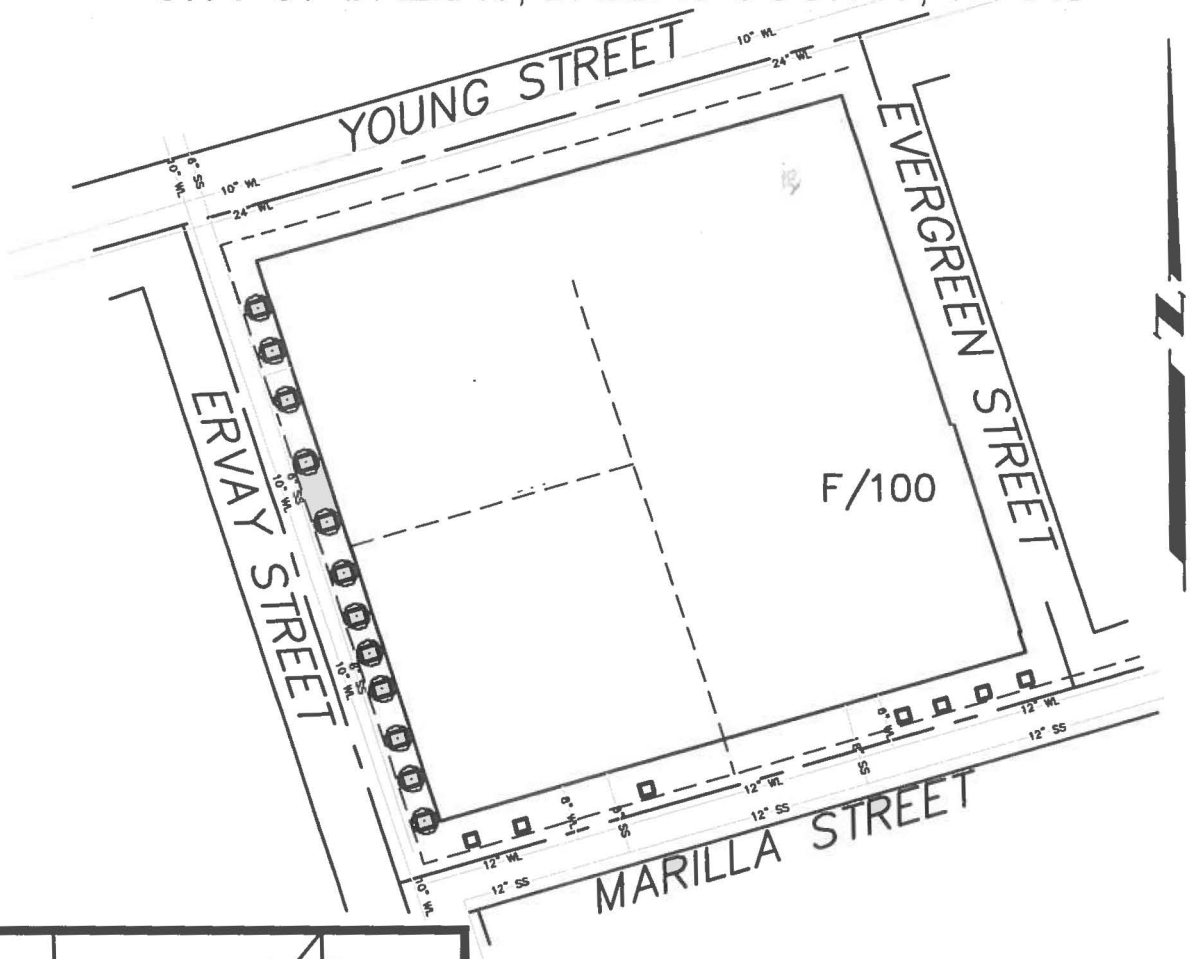
Mukemmel Sarimsakci, Manager

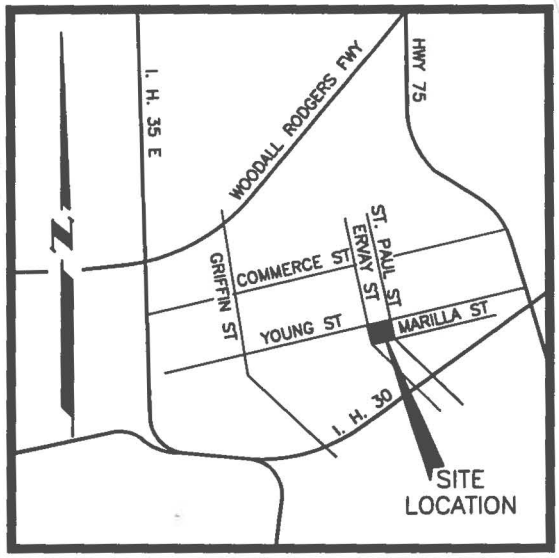
MAP

Attached

LICENSE AGREEMENT

PART OF ERVAY
& MARILLA STREET
ADJACENT TO
CITY BLOCK F/100 AND LOT 2, BLOCK F
CITY OF DALLAS, DALLAS COUNTY, TEXAS





LEGEND

12–5'x5' PROPOSED TREE WELL	25 S.F.	EACH
7–5'x5' EXISTING TREE WELL	25 S.F.	EACH

VOTEX SURVEYING COMPANY 12305 Capella Trail, Austin, Texas 78732–1940 Ph. (512) 953–8112

ORDINANCE NO. _____

An ordinance granting a private license to Butler Brother Hospitality Group, LLC to occupy, maintain and utilize portions of Ervay and Marilla Streets rights-of-way located near its intersection with Marilla Street, adjacent to City Block F/100 within the limits hereinafter more fully described, for the purpose of installing, maintaining, and utilizing nineteen tree wells; providing for the terms and conditions of this license; providing for the one-time fee to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Butler Brother Hospitality Group, LLC a Texas limited liability corporation, its successors and assigns, hereinafter referred to as **"GRANTEE"**, to occupy, maintain and utilize nineteen tree wells for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as "licensed areas" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas a one-time license fee of **TWO HUNDRED AND NO/100 ($200.00) DOLLARS** for the license herein granted, said sum to be become due and payable on the final passage of this ordinance and shall cover the consideration for the license term, in accordance with special fees established by Section 43-115.1 of the Dallas City Code. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in the General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to

SECTION 3. (continued)

the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: install, use and maintain nineteen tree wells.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

a) **GRANTEE** must adhere to the Complete Streets Manual requirement of a pedestrian clear zone of a minimum of five feet.

SECTION 7. (continued)

b) **GRANTEE** must contact City of Dallas Traffic Safety Engineer before any street signs (including “No Parking” signs) can be removed (even on a temporary basis) during construction of the tree wells, so that they can be placed appropriately for visibility should a conflict arise.

c) **GRANTEE** acknowledges that Atmos has active facilities within the right-of-way of Young Street. If conflicts exist, Developer would be responsible for cost to relocate those facilities otherwise Exhibit B would apply.

d) **GRANTEE** acknowledges that AT&T has a fiber cable servicing this building entering from Young Street near the northwest corner. Developer will need to locate cable and avoid damage when placing boxes.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restriction and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee’s written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required

SECTION 10. (continued)

written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this contract is designated as Contract No. DEV-2017-00001872.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

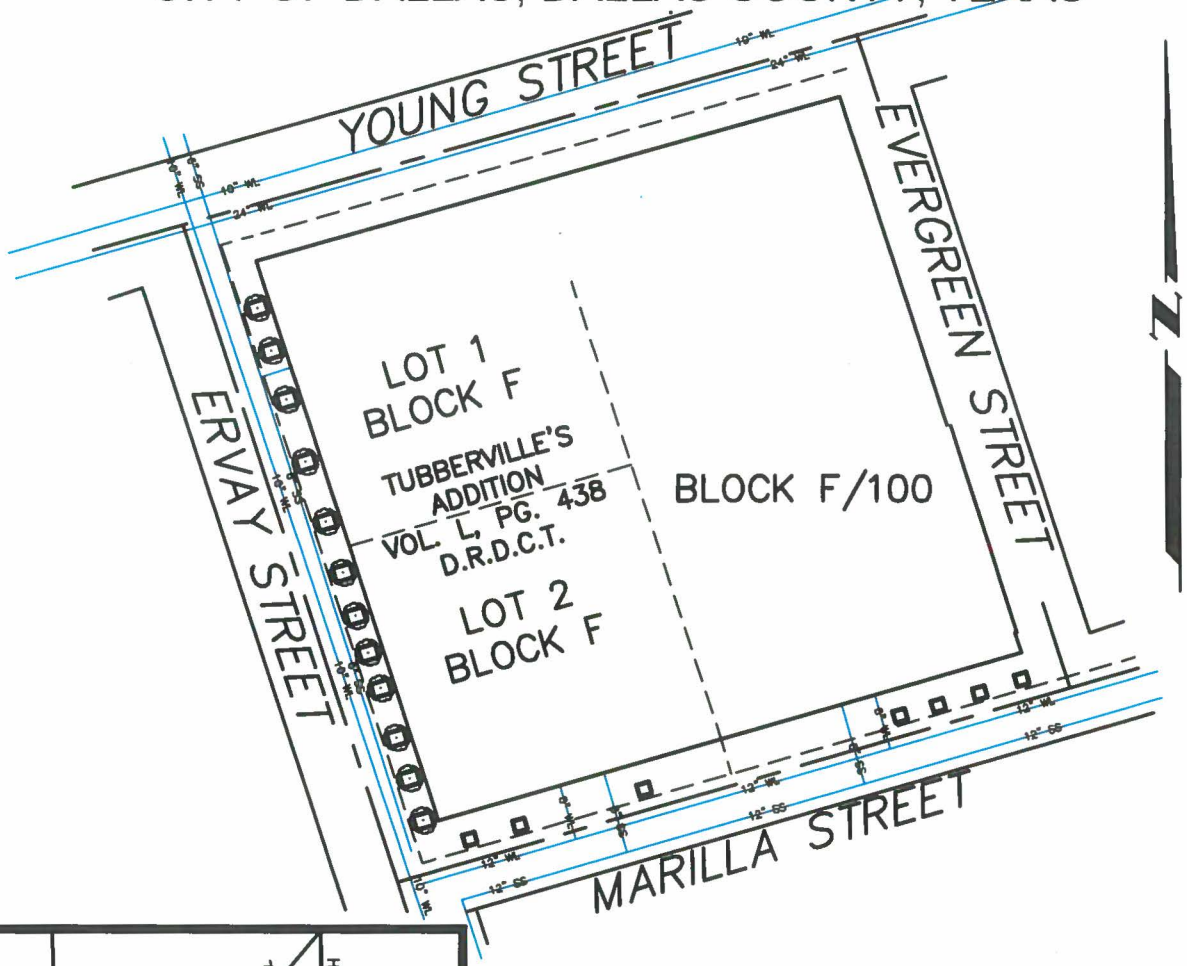
BY: _____
Assistant Director

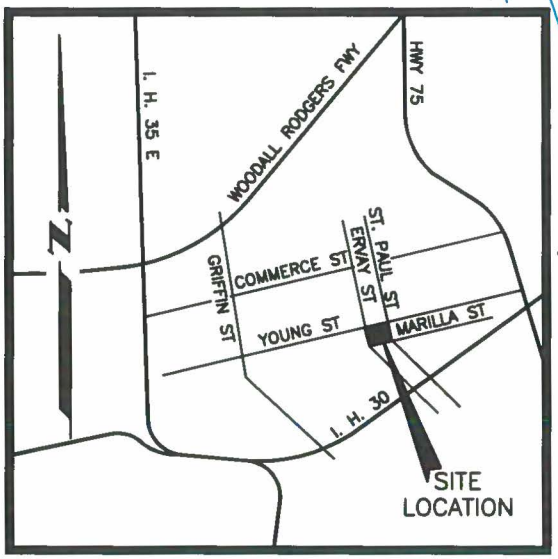
Passed _____.

LICENSE AGREEMENT

PART OF ERVAY & MARILLA STREET ADJACENT TO CITY BLOCK F/100 AND LOT 2, BLOCK F CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A





LEGEND

12–5'x5' PROPOSED TREE WELL	⊡	25 S.F.	EACH
7–5'x5' EXISTING TREE WELL	□	25 S.F.	EACH

VOTEX SURVEYING COMPANY 12305 Capella Trail, Austin, Texas 78732–1940 Ph. (512) 953–8112

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45L

SUBJECT

An ordinance granting a private license to Elm at Stoneplace Holdings, LLC for the use of approximately 34 square feet of aerial space to install, maintain, and utilize 12 canopies without premise signs, over and above a portion of Main Street right-of-way, near its intersection with Elm Street - Revenue: $1,200 one-time fee, plus the $20 ordinance publication fee

BACKGROUND

This item grants a private license to Elm at Stoneplace Holdings, LLC for the use of approximately 34 square feet of aerial space to install, maintain, and utilize 12 canopies without premise signs, over and above a portion of Main Street right-of-way, near its intersection with Elm Street. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Revenue - $1,200 one-time fee, plus the $20 ordinance publication fee

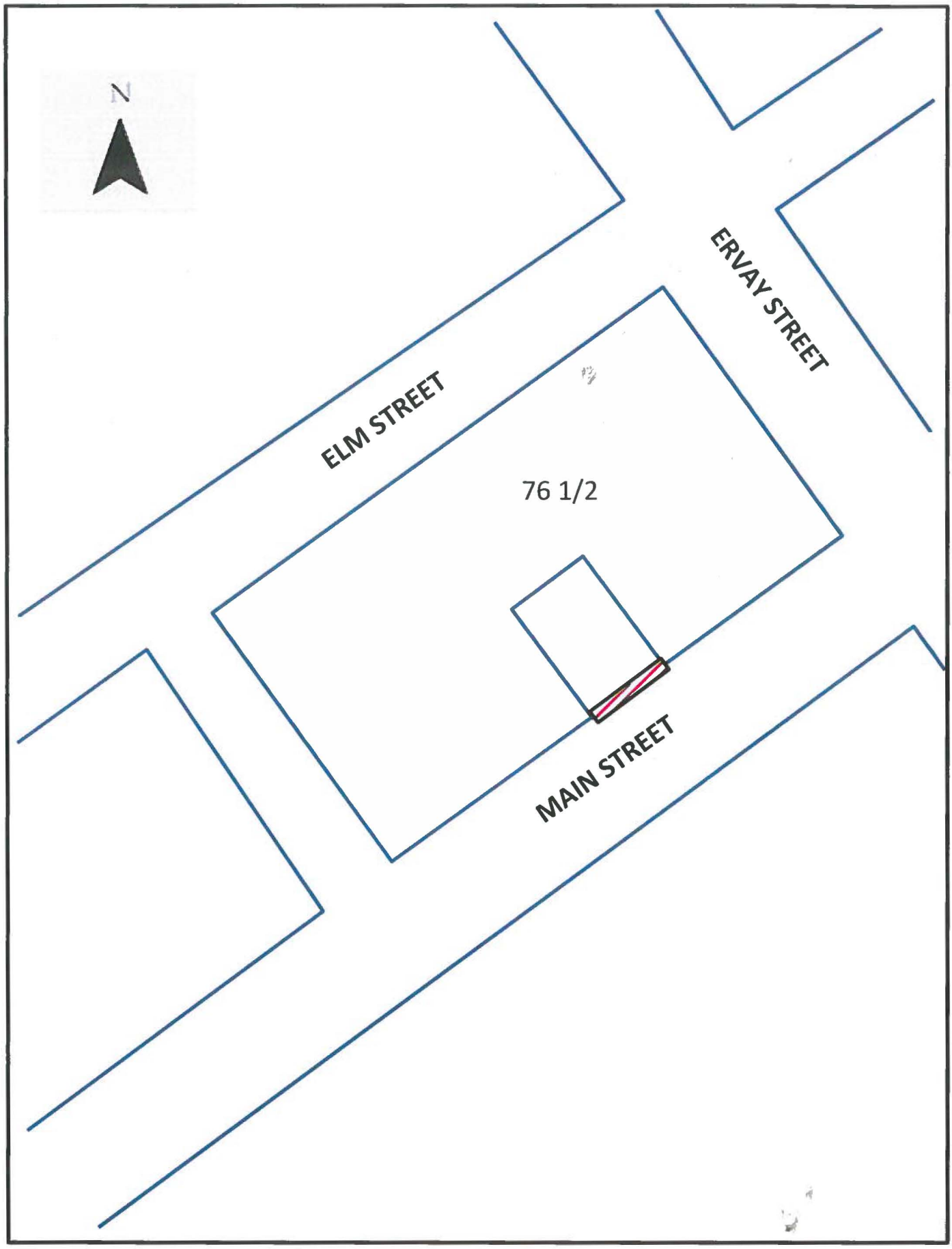
OWNER

Elm at Stoneplace Holdings, LLC

Timothy C. Headington, Chief Executive Officer

MAP

Attached



LICENSE AREA

ORDINANCE NO. _____

An ordinance granting a private license to Elm at Stoneplace Holdings, LLC, to occupy, maintain and utilize aerial space over and above a portion of Main Street right-of-way located near its intersection with Elm Street, adjacent to City Block 76 1/2 within the limits hereinafter more fully described, for the purpose of installing, maintaining and utilizing 12 canopies without premise signs; providing for the terms and conditions of this license; providing for the one-time fee compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Elm at Stoneplace Holdings, LLC, a Texas limited liability company, its successors and assigns, hereinafter referred to as **"GRANTEE"**, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas a one-time license fee of **ONE THOUSAND TWO HUNDRED AND NO/100 ($1,200.00) DOLLARS** for the license herein granted, said sum to be paid prior to final passage of this ordinance and shall cover the consideration for the license term, in accordance with special fees established by Section 43-115.1 of the Dallas City Code such consideration shall be in addition to and exclusive of any other taxes or special assessments required by land to be paid by **GRANTEE**. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in the General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200.

SECTION 3. (continued)

In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: to install, maintain and utilize 12 canopies without premise signs.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 8. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 9. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restriction and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 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 fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this contract is designated as Contract No. DEV-2017-00001320.

SECTION 12. 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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____

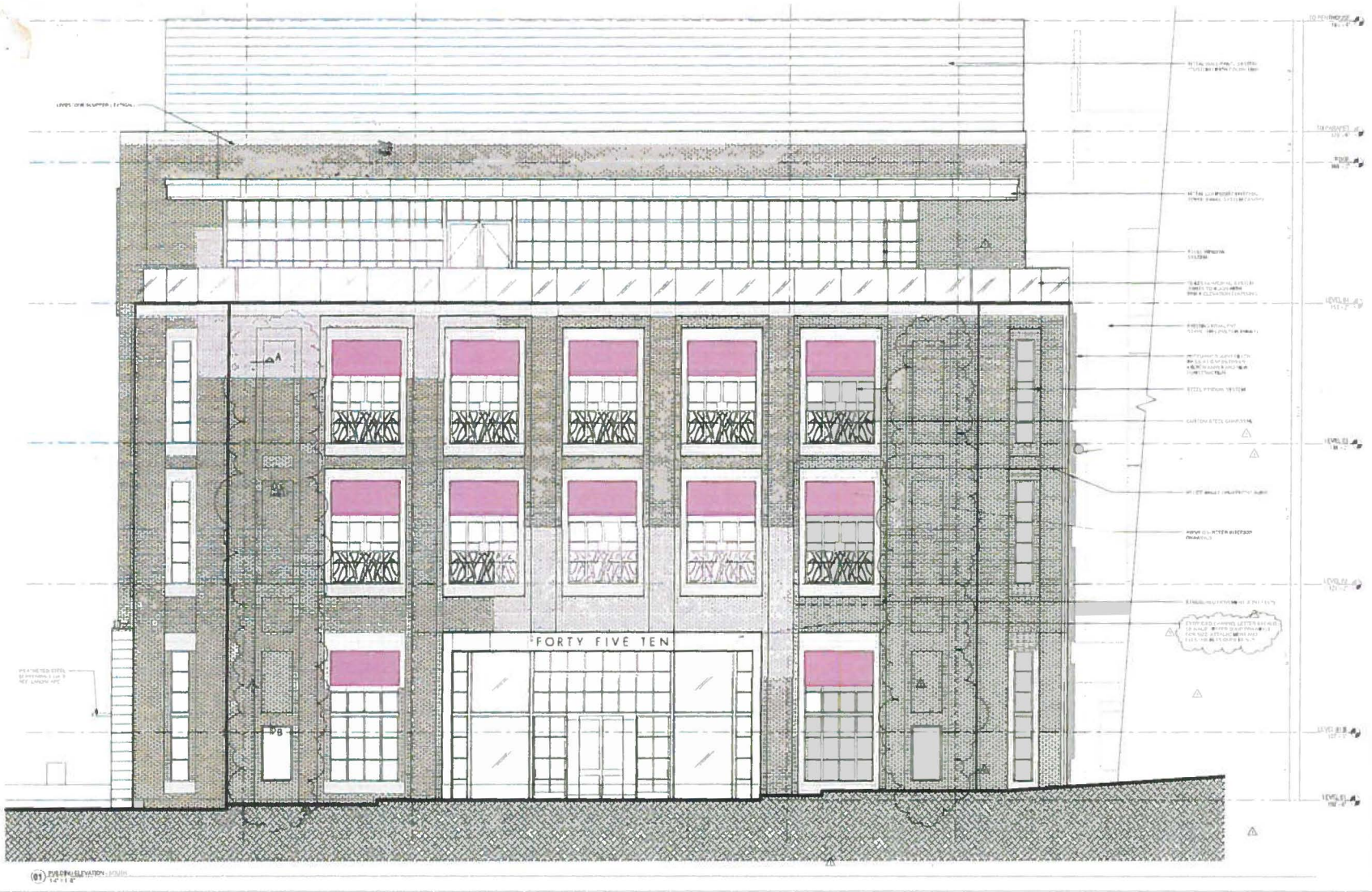
Exhibit A

LEGEND:

AWNING IN FRONT ELEVATION

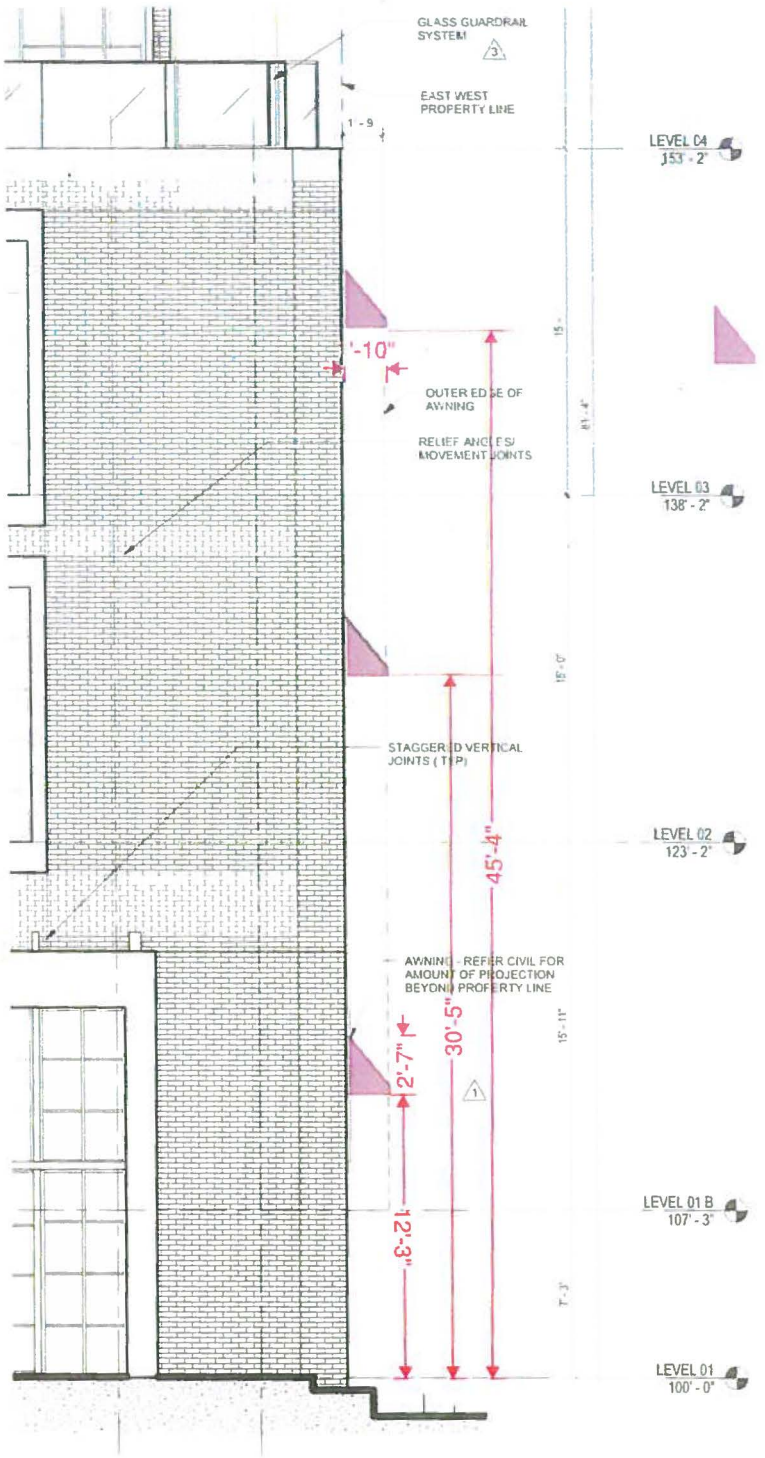
BLOCK 76 ½

34 square feet



BLOCK 76 ½

Exhibit A



LEGEND:

AWNING IN SIDE ELEVATION

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46E

SUBJECT

An ordinance abandoning a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner, containing approximately 17,700 square feet of land, located near the intersection of Haskell Avenue and Bird Street; and authorizing the quitclaim and providing for the dedication of approximately 17,700 square feet of land needed for a wastewater easement - Revenue: $212,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Bird Street to Criswell Center for Biblical Studies, Inc. the abutting owner. The area will be included with the property of the abutting owner to expand the school campus. The owner will dedicate approximately 17,700 square feet of land needed for a wastewater easement. The abandonment fee is based on an independent appraisal.

Notices were sent to 21 property owners located within 300 feet of the proposed abandonment area. There were 2 responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Revenue - $212,400, plus the $20 ordinance publication fee

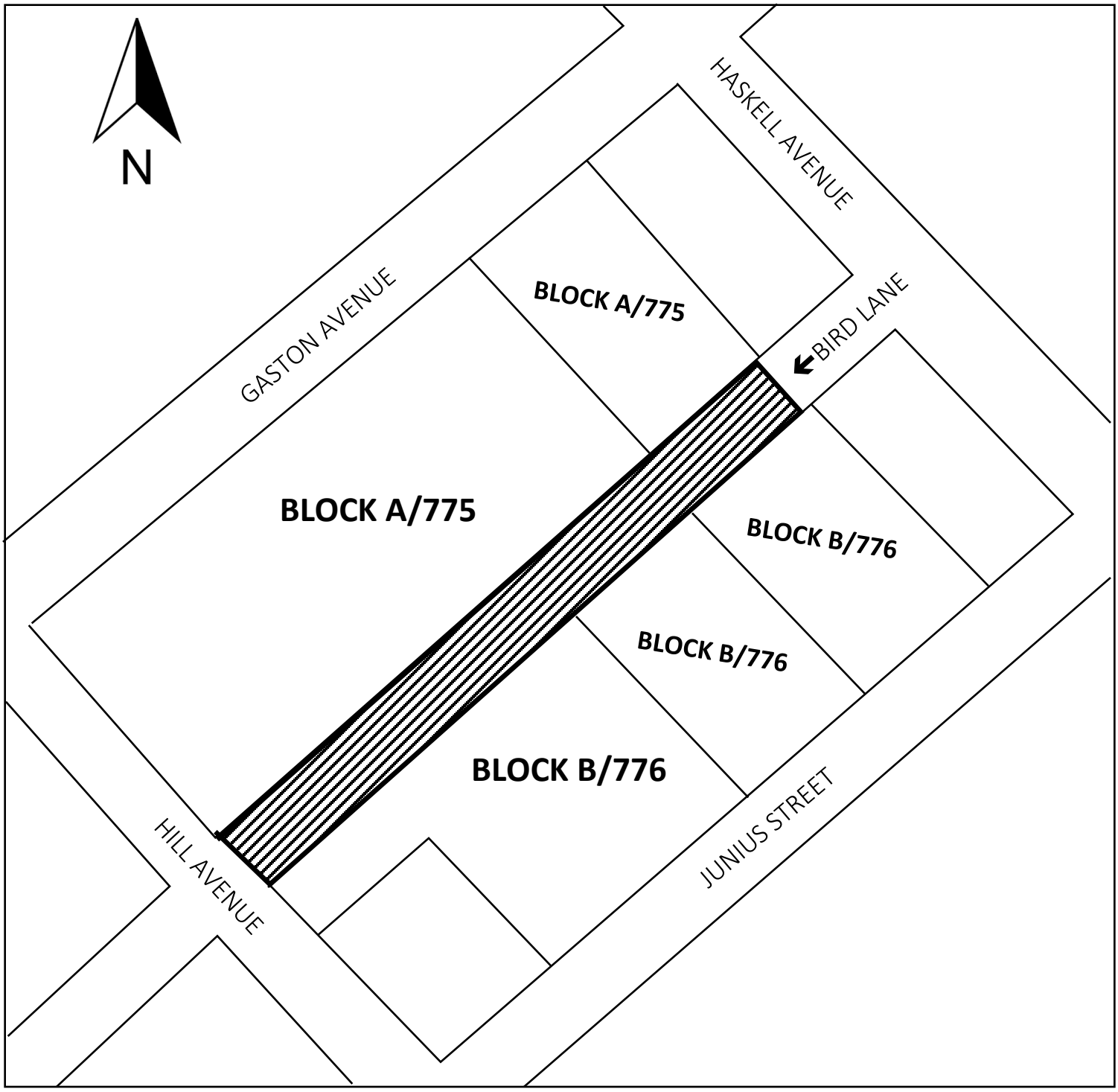
OWNER

Criswell Center for Biblical Studies, Inc.

Jerry A. Johnson, President

MAP

Attached



ABANDONMENT AREA

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Bird Street located adjacent to City Blocks A/775 and B/776 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Criswell Center for Biblical Studies, Inc.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing for the waiver of certain provisions of the Dallas City Code; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Criswell Center for Biblical Studies, Inc., a Texas non-profit corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of Bird Street is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That those certain provisions of section 51A-8.506(b) of the Dallas City Code regarding dead-end streets to the extent, not required by state law or City Charter, are hereby waived with respect to this ordinance.

SECTION 2. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and

SECTION 2. (continued)

closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 3. That for and in monetary consideration of the sum of **TWO HUNDRED TWELVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($212,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11, 12, 13 and 14, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **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 4. That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 5. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 6. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 7. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 8. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery

SECTION 9. (continued)

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 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

a) ensure that public pedestrian access is maintained between Haskell Avenue and Hill Avenue through a public easement on a plat.

b) ensure that nothing may restrict pedestrian access.

c) dedicate a wastewater main easement for the existing wastewater main in accordance with DWU standards for wastewater easements.

d) shall be responsible for any costs associated with relocation of Atmos facilities within the abandonment.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by separate instrument a wastewater easement to the City of Dallas, within 90 days of the effective date of this ordinance, in, under, through, across and along certain properties located in City Blocks A/775 and B/776 and containing approximately 17,700 square feet of land, a description is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described easement as set forth shall render this ordinance null and void and of no further effect.

SECTION 13. That at such time as the instrument described in Section 11 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the Deed Records of Dallas County, Texas; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 14. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, it's successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 15. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 3, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and completion of the dedication set forth in Section 11, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 16. That this contact is designated as Contract No. DEV-2017-00002467.

SECTION 17. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

Exhibit A

STREET RIGHT OF WAY ABANDONMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 17,700 square feet or 0.406 acre tract situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, being part of Bird Street formerly known as Minnie Street being adjacent to City of Dallas Blocks A/775 and B/776 between Haskell Avenue and North Hill Avenue, as created by WB Miller's Addition Revised, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 84, Page 597 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod (controlling monument) at the intersection of the southeast Right Of Way line of Bird Street (50' ROW) and the northeast Right Of Way line of North Hill Avenue (50' ROW), said iron rod being the west corner of Block B/776 from which a 1/2" iron rod found at the intersection of the said northeast Right Of Way line of North Hill Avenue and the northwest Right Of Way line of Junius Street (50' ROW) created in Volume 84, Page 597, Deed Records of Dallas County, Texas and bears S 45°41'39" E a distance of 175.00';

THENCE N 45°41'39" W a distance of 50.00' to a capped 1/2" iron rod stamped "4613" set for corner at the intersection of the northwest Right Of Way line of Bird Street and the northeast Right Of Way line of North Hill Avenue, said iron rod being the south corner of Block A/775;

THENCE N 44°18'21" E following the northwest Right Of Way line of Bird Street and the southeast line of Block A/775 a distance of 354.00' to a "X" cut set for corner at the southeast line of said Block A/775;

THENCE S 45°41'39" E a distance of 50.00' to a "X" cut set for corner in the southeast Right Of Way line of Bird Street and the northwest line of Block B/776;

THENCE S 44°18'21" W following the southeast Right Of Way line of Bird Street and the northwest line of Block B/776 a distance of 354.00' to the POINT OF BEGINNING and containing 17,700 Square Feet or 0.4063 Acres of land.

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 3937

STATE OF TEXAS
REGISTERED
DAVID J. SURDUKAN
4613
PROFESSIONAL
LAND SURVEYOR

July, 7, 2017

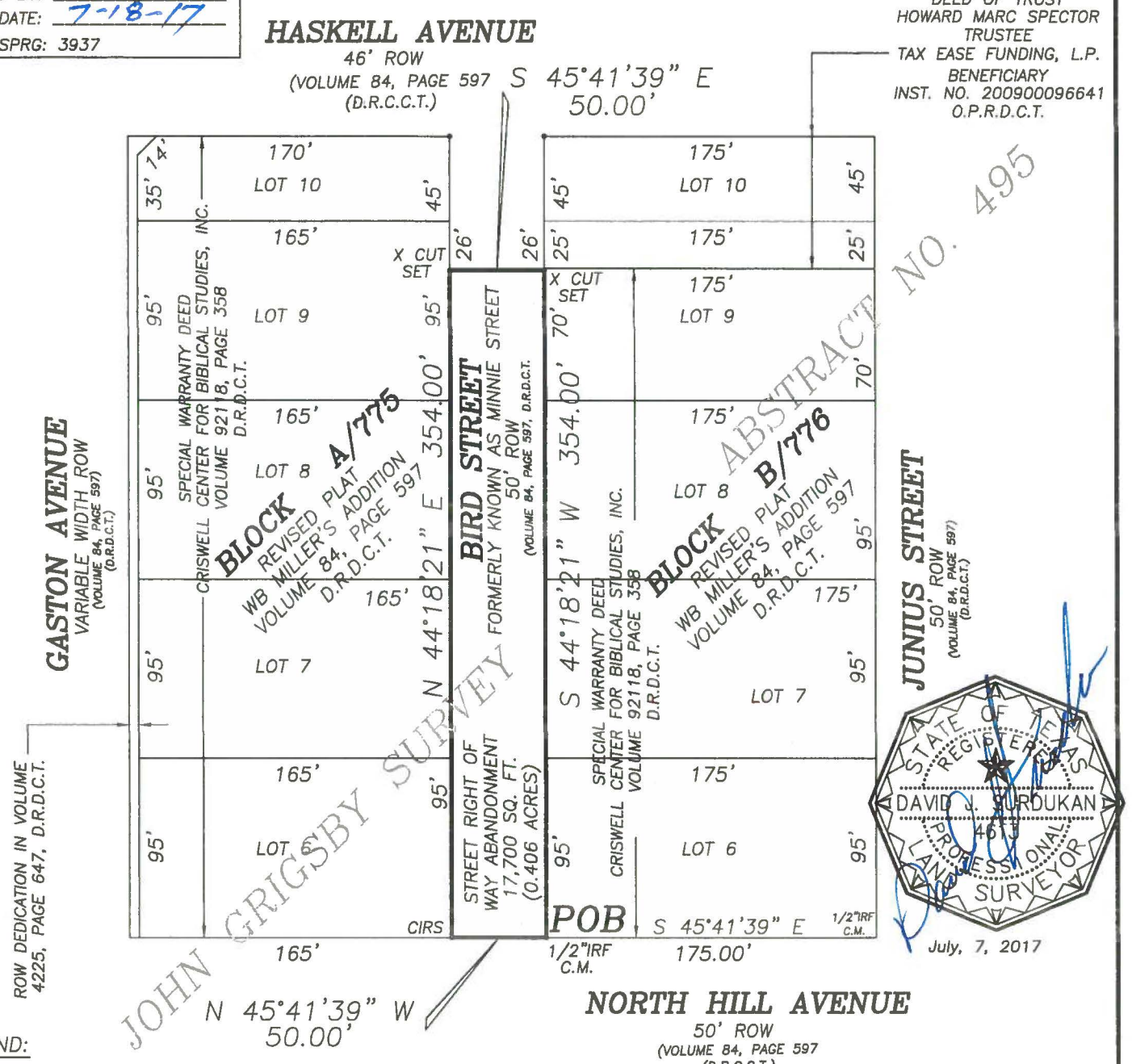
STREET RIGHT OF WAY ABANDONMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: AUGUST 19, 2016

SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

Exhibit A

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 3937



LEGEND:

INST. NO. = INSTRUMENT NUMBER
C.M. = CONTROLLING MONUMENT
M.R.C.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
CIRS = 1/2" IRON ROD W/CAP STAMPED "4613" SET
IRF = IRON ROD FOUND
POB = POINT OF BEGINNING
D.R.D.C.T. = DEED RECORDS DALLAS COUNTY, TEXAS
SQ. FT. = SQUARE FEET
ROW = RIGHT OF WAY

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

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SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

STREET RIGHT OF WAY ABANDONMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: AUGUST 19, 2016

SHEET 2 OF 2 JOB NO. 2016-87

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

Exhibit C

WASTEWATER EASEMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 17,700 square feet or 0.406 acre tract situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, being part of Bird Street formerly known as Minnie Street being adjacent to City of Dallas Blocks A/775 and B/776 between Haskell Avenue and North Hill Avenue, as created by WB Miller's Addition Revised, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 84, Page 597 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod (controlling monument) at the intersection of the southeast Right Of Way line of Bird Street (50' ROW) and the northeast Right Of Way line of North Hill Avenue (50' ROW), said iron rod being the west corner of Block B/776 from which a 1/2" iron rod found at the intersection of the said northeast Right Of Way line of North Hill Avenue and the northwest Right Of Way line of Junius Street (50' ROW) created in Volume 84, Page 597, Deed Records of Dallas County, Texas and bears S 45°41'39" E a distance of 175.00';

THENCE N 45°41'39" W a distance of 50.00' to a capped 1/2" iron rod stamped "4613" set for corner at the intersection of the northwest Right Of Way line of Bird Street and the northeast Right Of Way line of North Hill Avenue, said iron rod being the south corner of Block A/775;

THENCE N 44°18'21" E following the northwest Right Of Way line of Bird Street and the southeast line of Block A/775 a distance of 354.00' to a "X" cut set for corner at the southeast line of said Block A/775;

THENCE S 45°41'39" E a distance of 50.00' to a "X" cut set for corner in the southeast Right Of Way line of Bird Street and the northwest line of Block B/776;

THENCE S 44°18'21" W following the southeast Right Of Way line of Bird Street and the northwest line of Block B/776 a distance of 354.00' to the POINT OF BEGINNING and containing 17,700 Square Feet or 0.4063 Acres of land.

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 4092

STATE OF TEXAS
REGISTERED
DAVID J. SURDUKAN
4613
PROFESSIONAL
LAND SURVEYOR

July, 7, 2017

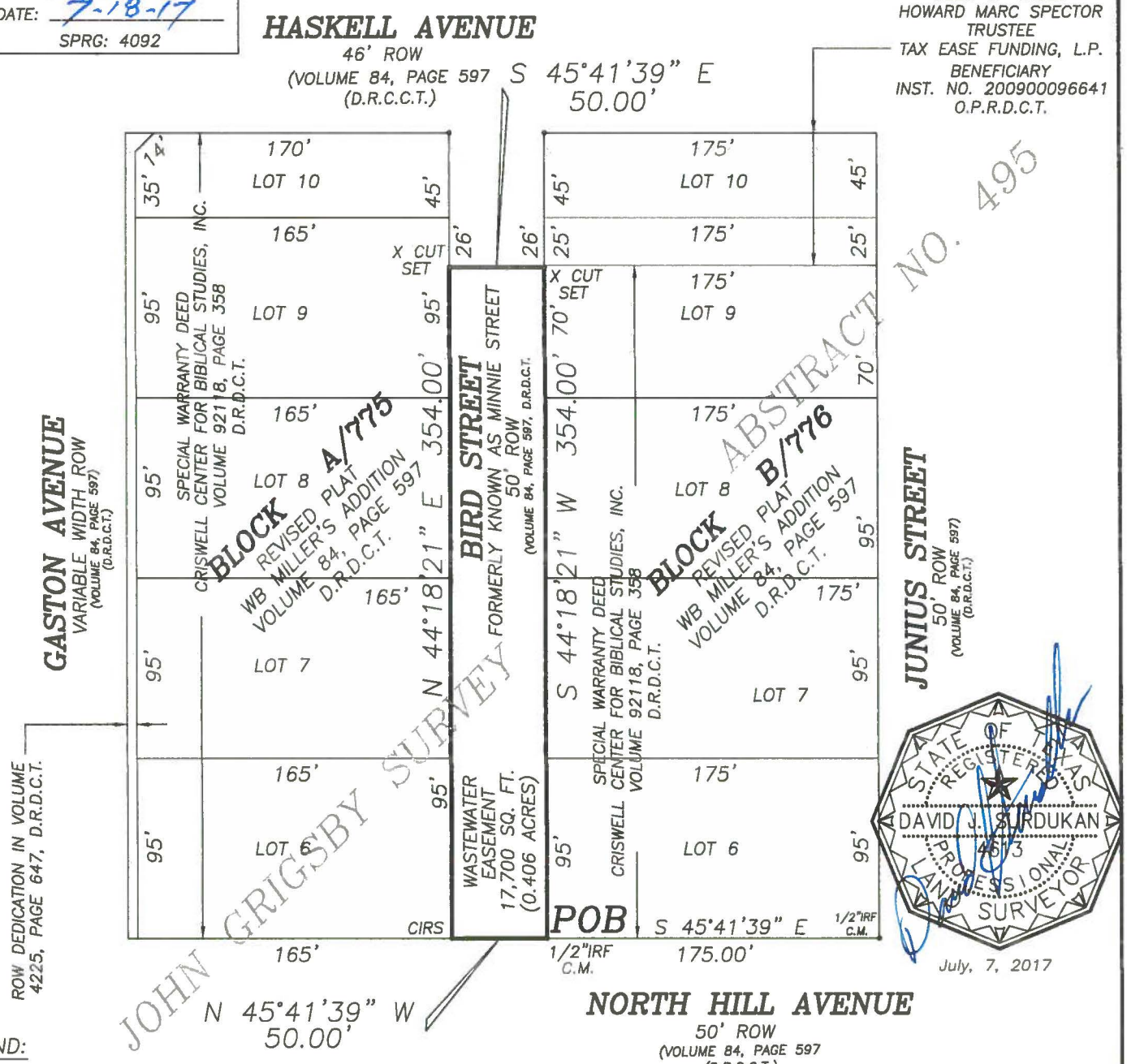
WASTEWATER EASEMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: MARCH 21, 2017

SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

Exhibit C

REVIEWED BY: G.S.
DATE: 7-18-17
SPRG: 4092



LEGEND:

INST. NO. = INSTRUMENT NUMBER
C.M. = CONTROLLING MONUMENT
M.R.C.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
CIRS = 1/2" IRON ROD W/CAP STAMPED "4613" SET
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POB = POINT OF BEGINNING
D.R.D.C.T. = DEED RECORDS DALLAS COUNTY, TEXAS
SQ. FT. = SQUARE FEET
ROW = RIGHT OF WAY

The basis of bearings, horizontal position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, Nad83, North Central Zone (4202) Nad 83 (CORS96) Epoch 2002.0.

0 80 160 240

SURDUKAN SURVEYING, INC.
P.O. BOX 126
ANNA, TEXAS 75409
(972) 924-8200
TEXAS FIRM NO. 10069500

WASTEWATER EASEMENT
W. B. MILLER'S ADDITION REVISED
PART OF BIRD STREET FORMERLY MINNIE STREET
ADJACENT TO BLOCK A/775 & B/776
JOHN GRIGSBY SURVEY
ABSTRACT NO. 495
CITY OF DALLAS
DALLAS COUNTY, TEXAS

DATE: MARCH 21, 2017

SHEET 2 OF 2 JOB NO. 2016-87

AGENDA ITEM # 65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 34D H

SUBJECT

An ordinance abandoning a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner, containing a total of approximately 7,446 square feet of land, located near the intersection of Inwood Road and Newmore Avenue, and authorizing the quitclaim; and providing for the dedication of a total of approximately 16,388 square feet of land needed for street rights-of-way and wastewater easement - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of an alley, alley easement, and a utility and access easement to Inwood National Bank of Dallas, the abutting owner. The area will be included with the property of the abutting owner for construction of an additional parking lot. The owner will dedicate a total of approximately 16,388 square feet of land needed for street rights-of-way and a wastewater easement. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

Notices were sent to 36 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

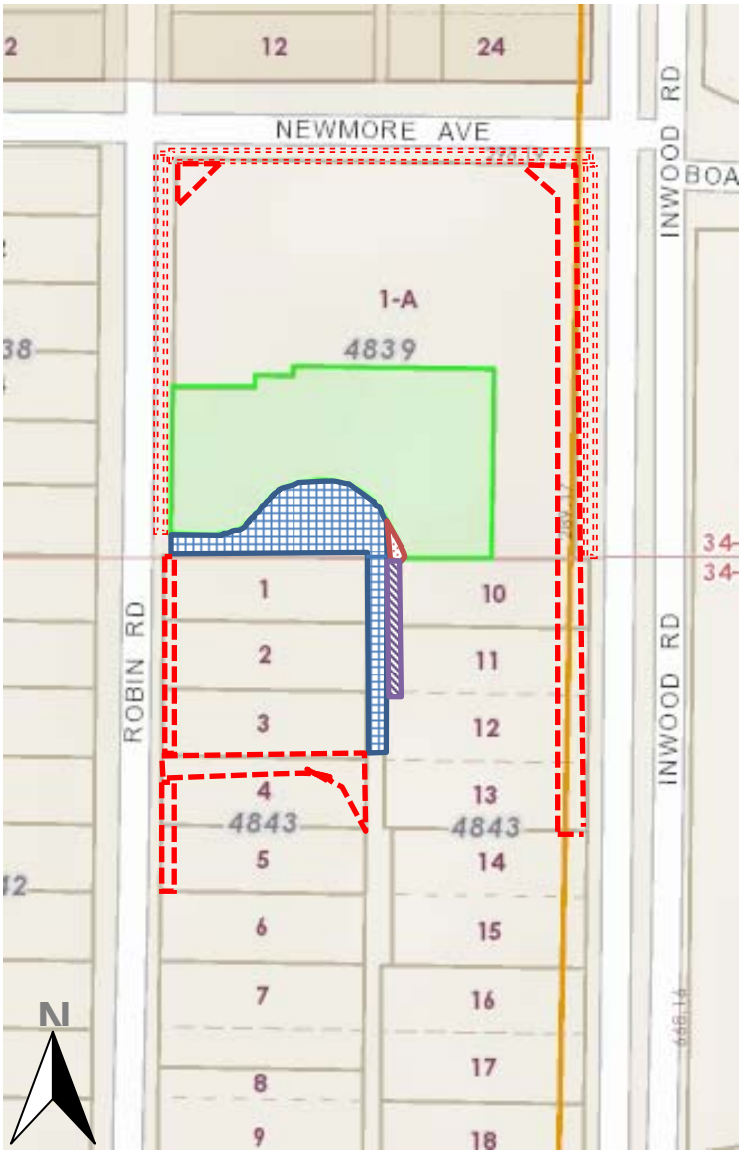
OWNER

Inwood National Bank of Dallas

Dennis Lorch, Executive Vice President

MAP

Attached



Log: 42495

Applicant: Inwood National Bank of Dallas

Abandonments: Alley: Alley Easement: Utility & Access Easement:

Dedications:

Re-dedication:

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of an alley, alley easement, and utility and access easement located adjacent to City Blocks 8/4839 and 12/4839 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Inwood National Bank of Dallas; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Inwood National Bank of Dallas, a Texas corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of an alley, alley easement, and a utility and access easement are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms 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 tracts of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 13, 14, and 15, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A. **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, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the 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.

SECTION 8. (continued)

References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the dedication of a wastewater easement of not less than 3,633 square feet of needed land in City Blocks 8/4839 and 12/4843. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall 1) convey land for street right-of-way, by General Warranty Deed to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain properties located in City Blocks 12/4843 and 8/4849, containing approximately 10,413 square feet of land, collectively, a description of which is attached hereto and made a part hereof as Exhibit C; and 2) **GRANTEE** shall re-dedicate in same, General Warranty Deed described in (1) herein, fee simple interest in certain properties located in City Block 8/4843, containing a total of 5,975 square feet of land formerly dedicated to the city by street easement for street right-of-way, a description of which is attached hereto and made a part hereof as Exhibit D. This abandonment shall not be effective unless and until the dedication and re-dedication are completed as herein provided and failure

to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 11. That at such time as the instrument described in Section 10 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 12. That this ordinance and properly executed General Warranty Deed, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying real estate interests to the City of Dallas shall be recorded in the official real property records of the county in which the subject property is located and thereafter returned to the City Secretary for permanent record.

SECTION 13. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall pay all closing costs and title expenses associated with the acquisition of the property described in Section 10 above.

SECTION 14. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 15. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the

SECTION 15. (continued)

Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Sections 2 and 13, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 9, and completion of the dedications and re-dedications set forth in Sections 9 and 10, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 16. That this ordinance is designated as Contract No. DEV-2017-00001871.

SECTION 17. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
SOR Assistant Director

Passed _____.

ALLEY ABANDONMENT

LOVERS LANE HEIGHTS AND
RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

DALLAS CITY BLOCKS 8/4839 AND 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

BEING a 6,981 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Blocks 12/4843 and 8/4839, being part of a 10-foot alley dedicated by plat of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, also being all of a dedication for alley as shown on plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a MAG nail with shiner set for the Southwest corner of Lot 1-A, Block 8/4839, of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition on the East right-of-way of Robin Road (formerly known as Minier Road), a variable width right-of-way as established by 5-foot dedication for Robin Road widening per said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, at its intersection with the Southerly line of said dedication for alley, said iron rod being in the North line of Lot 1, Block 12/4843 of said Lovers Lane Heights;

THENCE departing the East right-of-way of said Robin Road, along the Northerly line of said dedication for alley, the following courses and distances:

North 89 deg 34 min 58 sec East, a distance of 32.33 feet to a MAG nail with shiner set for corner, said iron rod being the beginning of a tangent curve to the left having a radius of 40.00 feet, a central angle of 54 deg 46 min 36 sec, a chord bearing of North 62 deg 11 min 53 sec East, and a chord length of 36.80 feet;

Along said tangent curve to the left, an arc distance of 38.24 feet to an "X" cut in concrete found for corner, said "X" being the beginning of a tangent curve to the right having a radius of 55.00 feet, a central angle of 109 deg 53 min 57 sec, a chord bearing of North 89 deg 45 min 12 sec East, and a chord length of 90.05 feet;

THENCE continuing along the Northerly line of said dedication for alley and along said tangent curve to the right, an arc distance of 105.50 feet to a MAG nail with shiner set for corner on the East line of said 10-foot alley;

THENCE South 00 deg 12 min 02 sec East, along the East line of said 10-foot alley, 181.66 feet to a 1/2 inch iron rod with red plastic cap stamped "W.A.I." set for corner from which a 5/8-inch iron rod found for the southeast corner of Lot 12, Block 12/4843 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet, said iron rod set being the Southwest corner of Lot 12, and the Northwest corner of Lot 13, Block 12/4843, of said Lovers Lane Heights;

(Continued on Sheet 2)

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/license No. 10086500 Expires 12-31-15
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Scale :	N/A
Date :	01.24.14
Dwg. File :	00616-ALLEY-ABAND
Project No. :	00616

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

(For SPRG use only)
Reviewed by: JL
Date: 7-6-17
SPRG No. 3877

SHEET 1 OF 3

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ALLEY ABANDONMENT

LOVERS LANE HEIGHTS AND
RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

DALLAS CITY BLOCKS 8/4839 AND 12/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

(Continued from Sheet 1)

THENCE South 89 deg 34 min 58 sec West, departing the East line of said 10-foot alley and over and across said 10-foot alley, a distance of 10.00 feet to a 1/2-inch iron rod found for corner on the West line of said 10-foot alley and being the Southeast corner of Lot 3, Block 12/4843 of said Lovers Lane Heights and the Northeast corner of Lot 4, Block 12/4843 of said Lovers Lane Heights;

THENCE North 00 deg 12 min 02 sec West, along the West line of said 10-foot alley, a distance of 150.00 feet to a MAG nail with shiner set for corner at the intersection of the West line of said 10-foot alley with the South line of said dedication for alley, said MAG nail also being the Northeast corner of said Lot 1, Block12/4843 of said Lovers Lane Heights;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 1, Block 12/4843, and the South line of said dedication for alley, a distance of 145.00 feet to a MAG nail with shiner set for corner;

THENCE North 00 deg 12 min 02 sec West, departing the North line of said Lot 1, Block 12/4843 and along the East right-of-way of said Robin Road, a distance of 15.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 6,981 square feet or 0.160 acres of land, more or less.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N00°12'02"W	15.00'
L2	N89°34'58"E	32.33'
L3	S89°34'58"W	10.00'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	54°46'36"	40.00'	38.24'	36.80'	N62°11'53"E
C2	109°53'57"	55.00'	105.50'	90.05'	N89°45'12"E

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, D.R.D.C.T.

LEGEND

IRF	Iron Rod Found
XCF	"X" in Concrete Found
CM	Controlling Monument
CIRS	1/2-inch iron rod with red plastic cap stamped "WAI" set
CC #	County Clerks' Instrument No.
D.R.D.C.T.	Deed Records, Dallas County, Texas
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
MAG	MAG nail with shiner set

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Dwg. File : 00616-ALLEY-ABAND
Project No. : 00616

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ALLEY ABANDONMENT

EXHIBIT A-TRACT 1

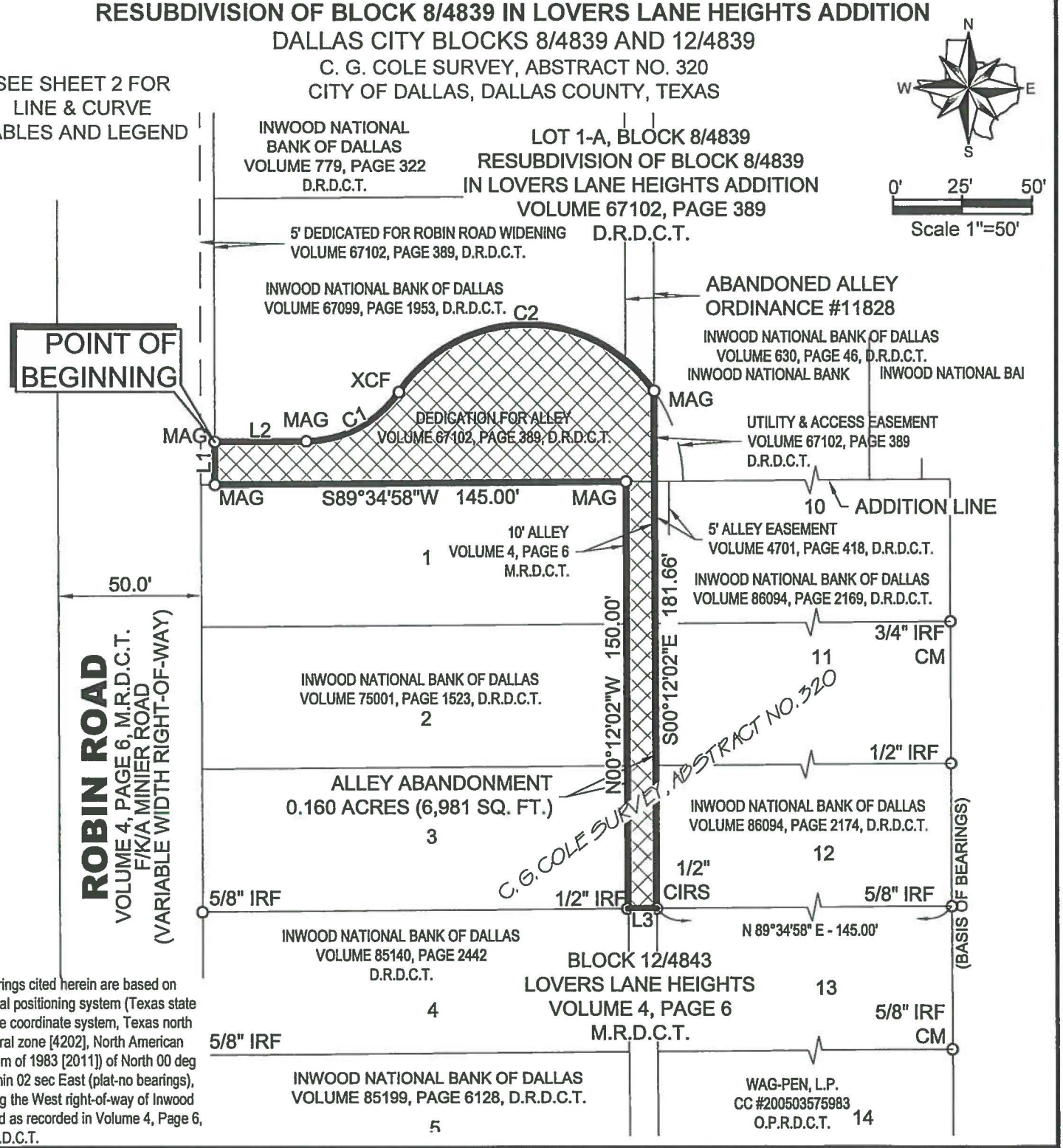
LOVERS LANE HEIGHTS AND RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

DALLAS CITY BLOCKS 8/4839 AND 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

SEE SHEET 2 FOR LINE & CURVE TABLES AND LEGEND



Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, M.R.D.C.T.

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Texas Engineers Registration No. 89

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Date :	01.24.14
Dwg. File :	00616-ALLEY-ABAND
Project No. :	00616

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

7/7/17

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Reviewed by: JL

Date: 7-6-17

SPRG No. 3877

SHEET 3 OF 3

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ALLEY EASEMENT ABANDONMENT

LOVERS LANE HEIGHTS

PART OF LOT 10, DALLAS CITY BLOCK 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

BEING 250 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 12/4843, being part of Lot 10, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and a portion of a tract of land described in Special Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 86094, Page 2169, Deed Records, Dallas County, Texas, and being all of an easement to the City of Dallas for alley purposes described in Warranty Deed as recorded in Volume 4701, Page 418, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner at the Southwest corner of said Inwood National Bank of Dallas tract, at its intersection with the East line of a 10-foot alley dedicated by said Lovers Lane Heights plat, said point being the Southwest corner of said Lot 10 and the Northwest corner of Lot 11, Block 12/4839, of said Lovers Lane Heights;

THENCE North 00 deg 12 min 02 sec West, along the East line of said 10-foot alley and the West line of said Lot 10, a distance of 50.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for the northwest corner of said Lot 10 on the South line of Lot 1-A, Block 8/4839, of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in 67102. Page 389, Deed Records, Dallas County, Texas;

THENCE North 89 deg 34 min 58 sec East, departing said 10-foot alley and the West line of said Lot 10 and along the North line of said Lot 10 and the South line of said Lot 1-A, a distance of 5.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner from which a 5/8 inch iron rod found for the Northeast corner of said Lot 10 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet;

THENCE South 00 deg 12 min 02 sec East, departing the North line of said Lot 10 and over and across said Lot 10, a distance of 50.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner from which a 3/4 inch iron rod found for the Southeast corner of said Lot 10 bears North 89 deg 34 min 58 sec East, a distance of 145.00 feet, said iron rod set being situated in the south line of said Lot 10 and the north line of Lot 11 of said Lovers Lane Heights Addition;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 11 and the South line of said Lot 10, a distance of 5.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 250 square feet or 0.006 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

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DALLAS, TEXAS 75230 (972) 490-7099 FAX

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Scale :	N/A
Date :	06.22.16
Dwg. File :	00616-ALLEY-ABAND2
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

10/11/16

(For SPRG use only)

Reviewed by: JL

Date: 10-12-16

SPRG No. 3878

SHEET 1 OF 2

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ALLEY EASEMENT ABANDONMENT

LOVERS LANE HEIGHTS

PART OF LOT 10, DALLAS CITY BLOCK 12/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

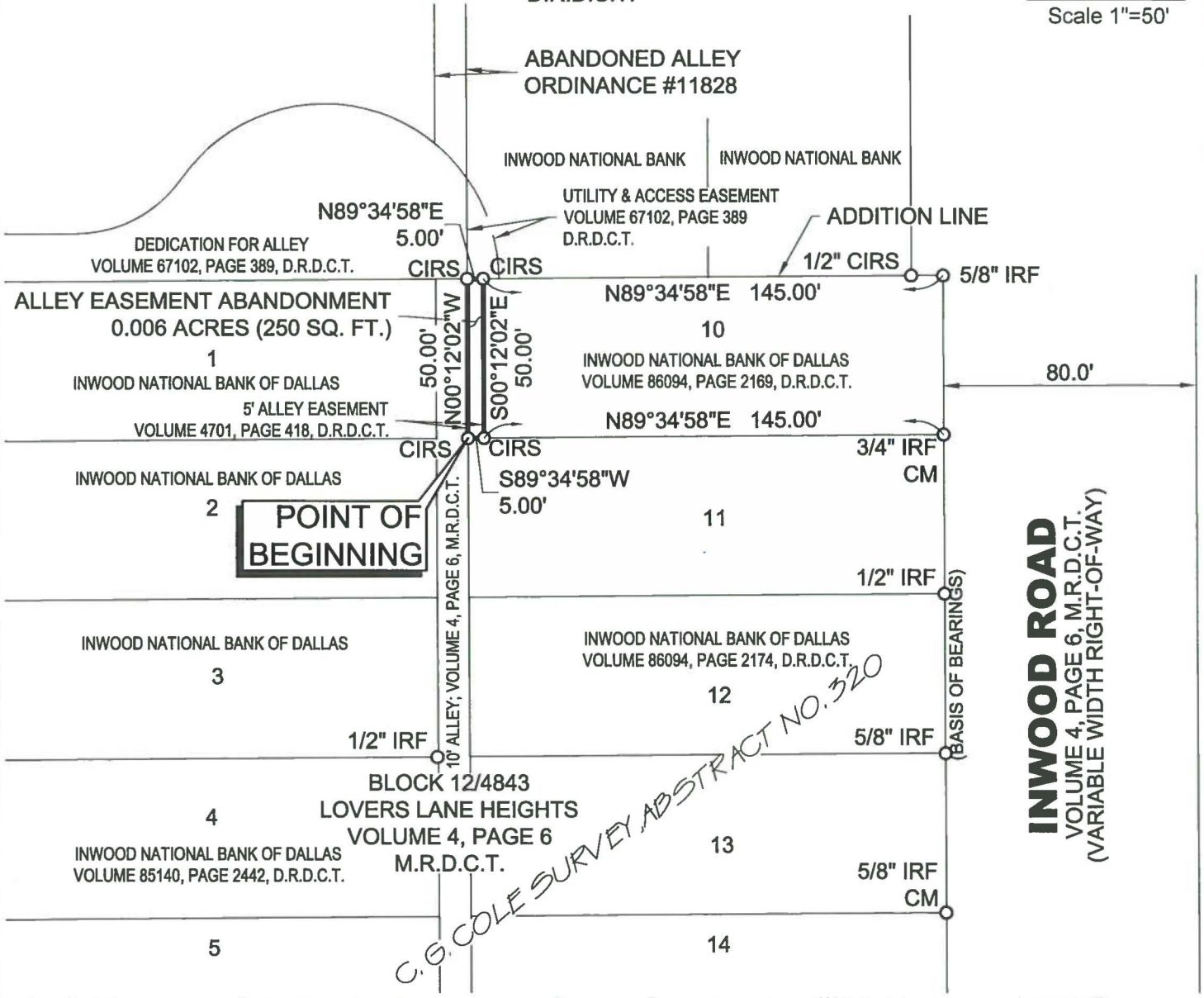
LEGEND

IRF	Iron Rod Found
XCF	"X" in Concrete Found
C.M.	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
CIRS	1/2 inch iron rod with red plastic cap stamped "WAI" set

LOT 1-A, BLOCK 8/4839
RESUBDIVISION OF BLOCK 8/4839
IN LOVERS LANE HEIGHTS ADDITION
VOLUME 67102, PAGE 389
D.R.D.C.T.

N
W E
S

0' 25' 50'
Scale 1"=50'



Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

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Project No. :	00616

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SHEET 2 OF 2

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UTILITY & ACCESS EASEMENT ABANDONMENT

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PART OF LOT 1-A, DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 5

BEING 215 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 8/4839, being all of a utility & access easement reserved by Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being a portion of a tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 630, Page 46, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a MAG nail with shiner set for corner on the South line of Lot 1-A, Block 8/4839, said MAG nail being the Northwest corner of Lot 10, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and the Southwest corner of said utility & access easement;

THENCE North 00 deg 12 min 02 sec West, along the West line of said utility & access easement and the East line of said dedication for alley, a distance of 31.66 feet to a MAG nail with shiner set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 55.00 feet, a central angle of 35 deg 05 min 46 sec, a chord bearing of South 17 deg 44 min 57 sec East, and a chord length of 33.17 feet;

THENCE along said non-tangent curve to the right, in a Southeasterly direction, along the Easterly side of said utility & access easement, over and across said Lot 1-A and said Inwood National Bank of Dallas tract (Volume 630, Page 46), an arc distance of 33.69 feet to a MAG nail with shiner set for corner on the North line of said Lot 10, from which a 5/8 inch iron rod found for the Northeast corner of said Lot 10 bears, North 89 deg 34 min 58 sec East, a distance of 140.00 feet;

THENCE South 89 deg 34 min 58 sec West, along the North line of said Lot 10 and the South line of said Lot 1-A, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 215 square feet or 0.005 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Map Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

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DALLAS, TEXAS 75230 (972) 480-7099 FAX

Texas Engineers Registration No. 89
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Date :	06.22.16
Dwg. File :	00616-UTIL-ABAND
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
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PROFESSIONAL
LAND SURVEYOR
10/10/16

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Reviewed by: JL
Date: 10-12-16
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UTILITY & ACCESS EASEMENT ABANDONMENT

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION

PART OF LOT 1-A, DALLAS CITY BLOCK 8/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3



0' 25' 50'

Scale 1"=50'

LEGEND	
IRF	Iron Rod Found
XCF	"X" in Concrete Found
C.M.	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
CIRS	1/2 inch iron rod with red plastic cap stamped "WAI" set
MAG	MAG nail with shiner set

LOT 1-A, BLOCK 8/4839
RESUBDIVISION OF BLOCK 8/4839
IN LOVERS LANE HEIGHTS ADDITION
VOLUME 67102, PAGE 389
D.R.D.C.T.

ABANDONED ALLEY
ORDINANCE #11828

INWOOD NATIONAL BANK OF DALLAS
VOLUME 630, PAGE 46, D.R.D.C.T.

UTILITY & ACCESS
EASEMENT ABANDONMENT
0.005 ACRES (215 SQ. FT.)

Δ=35°05'46"
R=55.00'; L=33.69'
CB=S17°44'57"E; CL=33.17'

N00°12'02"W 31.66'

DEDICATION FOR ALLEY
VOLUME 67102, PAGE 389, D.R.D.C.T.

UTILITY & ACCESS EASEMENT
VOLUME 67102, PAGE 389; D.R.D.C.T.

N89°34'58"E 140.00'

1/2" IRF

155.00'

MAG

MAG

S89°34'58"W
10.00'

5/8" IRF

1/2" CIRS

ADDITION LINE

10

1

POINT OF BEGINNING

INWOOD NATIONAL BANK OF DALLAS
VOLUME 86094, PAGE 2169, D.R.D.C.T.

ROBIN ROAD
F/K/A MINIER ROAD
VARIABLE WIDTH RIGHT-OF-WAY

10' ALLEY; VOLUME 4, PAGE 6, M.R.D.C.T.

5' ALLEY EASEMENT
VOLUME 4701, PAGE 418, D.R.D.C.T.

3/4" IRF
CM

2

INWOOD NATIONAL BANK OF DALLAS
VOLUME 75001, PAGE 1523, D.R.D.C.T.

11

C. G. COLE SURVEY, ABSTRACT NO. 320

3

INWOOD NATIONAL BANK OF DALLAS
VOLUME 86094, PAGE 2174, D.R.D.C.T.

12

1/2" IRF

5/8" IRF

BLOCK 12/4843
LOVERS LANE HEIGHTS
VOLUME 4, PAGE 6
M.R.D.C.T.

(BASIS OF BEARINGS)

4

INWOOD NATIONAL BANK OF DALLAS
VOLUME 85140, PAGE 2442, D.R.D.C.T.

13

5/8" IRF
CM

5/8" IRF

5

14

Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

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Date :	06.22.16
Dwg. File :	00616-UTIL-ABAND
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

10/11/16

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Reviewed by: JL

Date: 10-12-16

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SHEET 2 OF 2

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EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 4 AND 5
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C TRACT 1

BEING a 255 square feet or 0.006 acre tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, and being a portion of Lots 4, and 5, City of Dallas Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being a portion of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 85199, Page 6128 and Volume 85140, Page 2442, Deed Records, Dallas County , Texas, and being more particularly describe as follows:

BEGINNING at a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the East right-of-way of Robin Road, a 50-foot right-of-way at this point, formerly known as Minier Street, dedicated by said Lovers Lane Heights, said point being the Southwest corner of said Lot 5 and the Northwest corner of Lot 6, Block 12/4843, of said Lovers Lane Heights Addition;

THENCE North 00 degrees 12 minutes 02 seconds West, along the East right-of-way of said Robin Road and the West lines of said Lots 5 and 4, passing at a distance of 50.00 feet, a 5/8-inch iron rod found for the Northwest corner of said Lot 5 and the Southeast corner of said Lot 4, in all a total distance of 85.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner, said point being South 00 deg 12 min 02 sec East, 15.00 feet from a 5/8-inch iron rod found for the Northwest corner of said Lot 4 and the Southwest corner of Lot 3, Block 12/4843, of said Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, departing the East right-of-way of said Robin Road, over and across said Lot 4, a distance of 3.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 00 degrees 12 minutes 02 seconds East, over and across said Lots 4 and 5, a distance of 85.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the South line of said Lot 5 and the North line of Lot 6 of said Lovers Lane Heights Addition;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said Lot 5 and the North line of said Lot 6, a distance of 3.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 255 square feet or 0.006 acres of land, more or less.

Bearings cited herein are based on global positioning system (state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

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CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

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Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED2
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4043

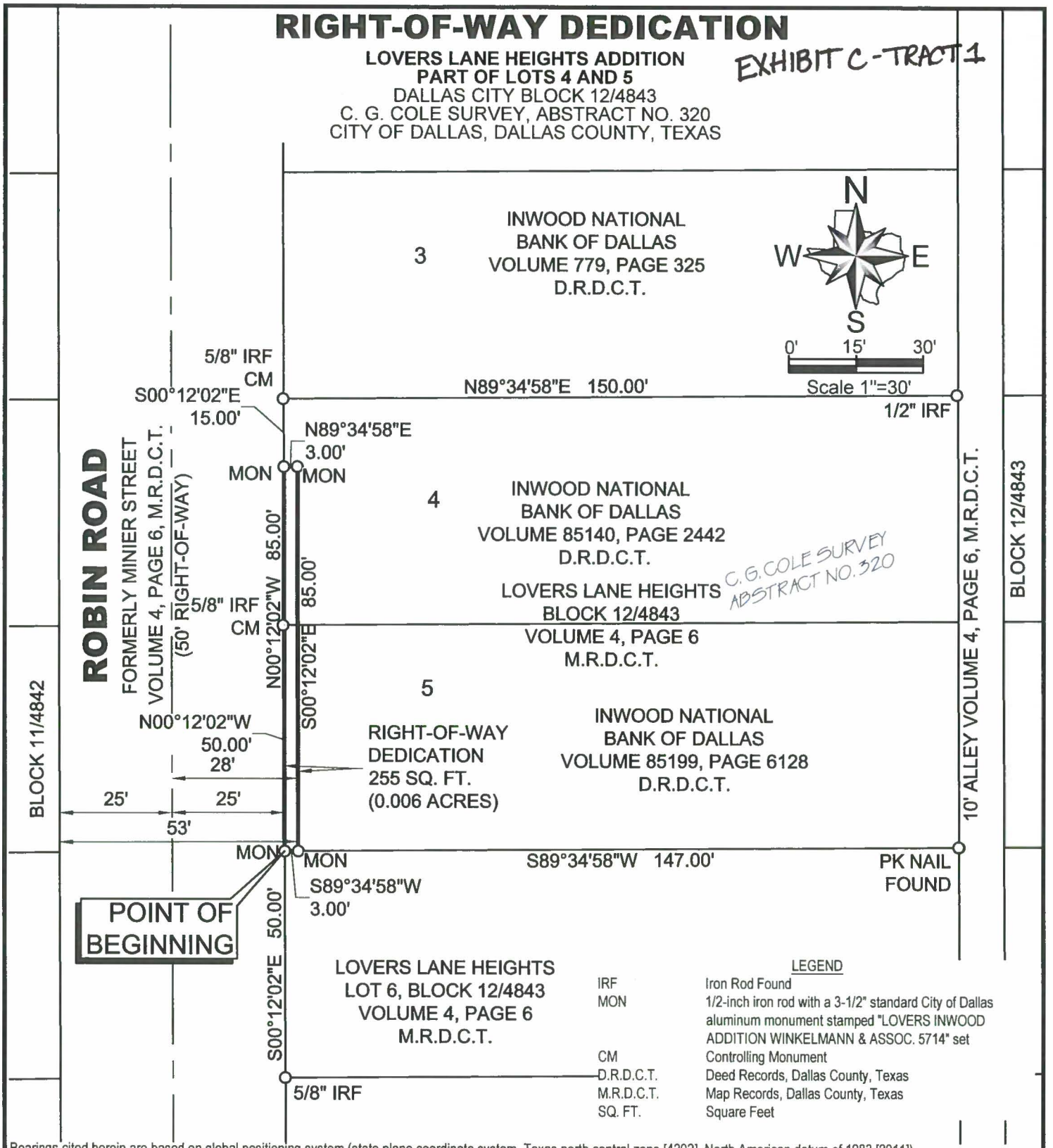
SHEET 1 OF 2

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RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 4 AND 5
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 1



LEGEND	
IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set
CM	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

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DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

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Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED2
Project No. :	00616.0A

STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

4/21/17

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Date: 5/1/17
SPRG No. 4043

SHEET 2 OF 2

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ALLEY RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS

PART OF LOTS 4 & 5, DALLAS CITY BLOCK 12/4839 EXHIBIT C-TRACT 2

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING 2,596 square foot tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, City of Dallas Block 12/4843, being part of Lots 4 and 5, Block 12/4843, of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and a portion of a tract of land described in Special Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 85140, Page 2442, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod found for corner at the Northwest corner of said Inwood National Bank of Dallas tract, at its intersection with the East right-of-way line of Robin Road (variable width right-of-way), said point being the Southwest corner of Lot 3 and the Northwest corner of said Lot 4, Block 12/4839, of said Lovers Lane Heights;

THENCE North 89 deg 34 min 58 sec East, departing the East right-of-way line of said Robin Road and along the common lot line between said Lots 3 and 4, a distance of 150.00 feet to a 1/2-inch iron rod found for the Southeast corner of said Lot 3, the Northeast corner of said Lot 4 and being situated in the west right-of-way line of a 10 foot alley as shown on plat of said Lovers Lane Heights;

THENCE South 00 deg 12 min 02 sec East, departing said common line between said Lots 3 and 4 and along the east line of said Lot 4 and Lot 5 of said Lovers Lane Heights and along the west right-of-way line of said 10 foot alley, a distance of 55.15 feet to a1/2 inch iron rod with red plastic cap stamped "WAI" set for corner and situated in the east line of said Lot5, said iron rod being the beginning of a non-tangent curve to the left having a radius of 40.00 feet, a central angle of 90 deg 13 min 00 sec, a chord bearing of North 45 deg 18 min 32 sec West and a chord length of 56.68 feet;

THENCE departing the East line of said Lot 5 and over and across said Lot 5 and Lot 4 and along said non-tangent curve to the left, an arc distance of 62.98 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 89 deg 34 min 58 sec West, continuing over and across said Lot 4, a distance of 109.85 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner and situated in the East right-of-way line of said Robin Road;

THENCE North 00 deg 12 min 02 sec West, along said East right-of-way line, a distance of 15.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 2,596 square feet or 0.060 acres of land, more or less. Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) of North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

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DALLAS, TEXAS 75230 (972) 490-7099 FAX

Texas Engineers Registration No 89
Firm Registration/license No. 10086600 Expires 12-31-15

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Date :	06 22 16
Dwg. File :	00616-ALLEY-DED
Project No. :	00616

STATE OF TEXAS
REGISTERED
LEONARD JAY LUSKER
5711
PROFESSIONAL
LAND SURVEYOR
6/17

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SHEET 1 OF 2

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ALLEY RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS

EXHIBIT C-TRACT 2

PART OF LOTS 4 & 5, DALLAS CITY BLOCK 12/4839

C. G. COLE SURVEY, ABSTRACT NO. 320

CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGEND

IRF	Iron Rod Found
XCF	"X" in Concrete Found
C.M.	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet
CIRS	1/2 inch iron rod with red plastic cap stamped "WAI" set

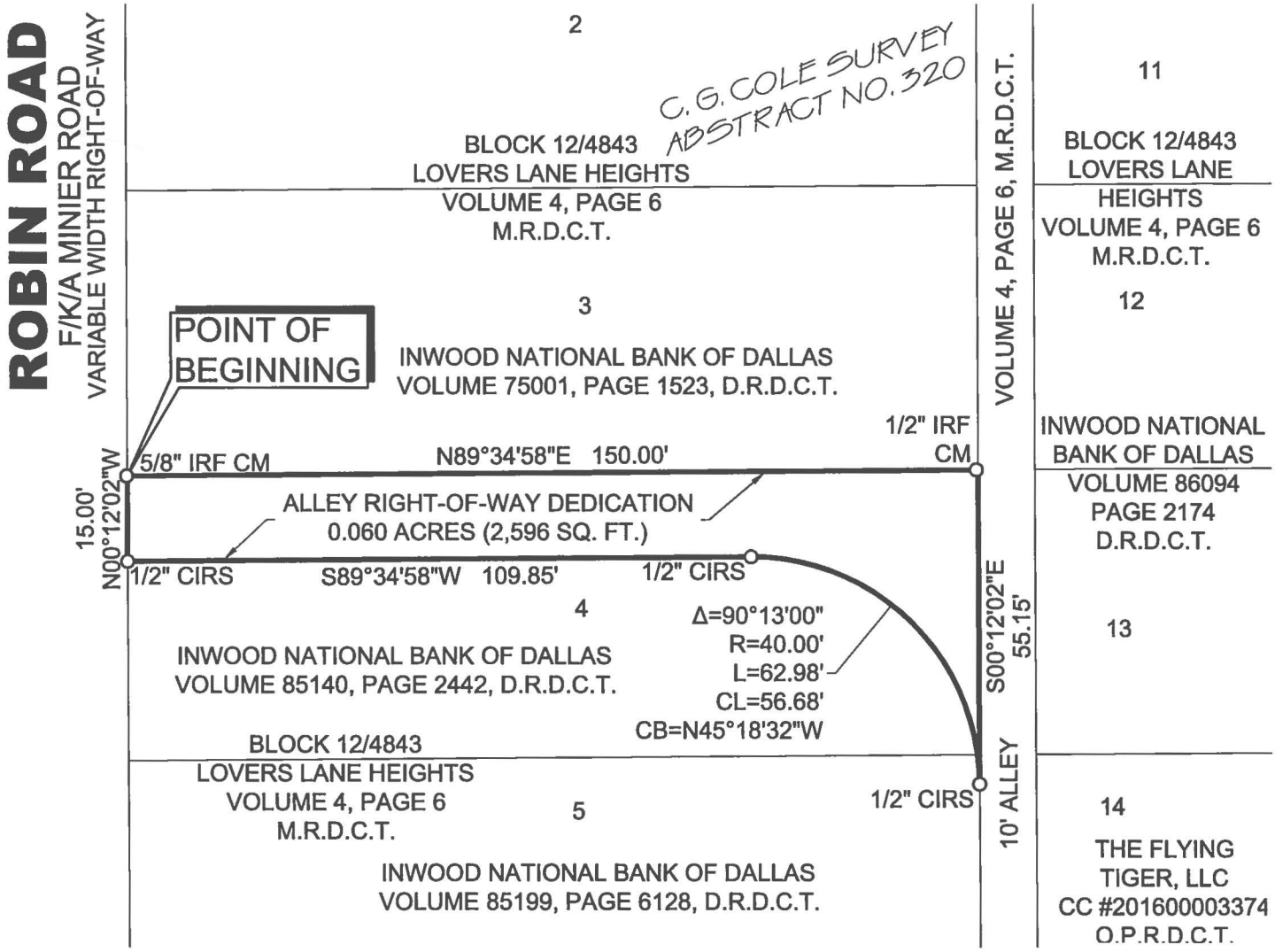
N

W E

S

0' 25' 50'

Scale 1"=50'



Bearings cited herein are based on global positioning system (Texas state plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011]) off North 00 deg 12 min 02 sec East (plat-no bearings), along the West right-of-way of Inwood Road as recorded in Volume 4, Page 6, Deed Records, Dallas County, Texas.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS ■ SURVEYORS

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DALLAS, TEXAS 75230 (972) 490-7099 FAX

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Firm Registration/license No. 10086600 Expires 12-31-15

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Date :	06.22.16
Dwg. File :	00616-ALLEY-DED
Project No. :	00616

STATE OF TEXAS REGISTERED LEONARD JAY UJEKE 5714 PROFESSIONAL LAND SURVEYOR

1/6/17

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Reviewed by: _____

Date: _____

SPRG No. _____

SHEET 2 OF 2

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RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS, PART OF LOTS 1, 2, AND 3
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 3

BEING a 450 square feet or 0.010 acre tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, being part of Lots 1, 2, and 3, Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being part of a tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 75001, Page 1523, Deed Records, Dallas County, Texas, and being more particularly describe as follows:

BEGINNING at a 5/8-inch iron rod found for corner on the East right-of-way of Robin Road, a 50-foot right-of-way at this point, formerly known as Minier Street, created by said Lovers Lane Heights addition, said point being the Southwest corner of said Lot 3 and the Northwest corner of Lot 4, Block 12/4843, of said Lovers Lane Heights;

THENCE North 00 degrees 12 minutes 02 seconds West, along the West right-of-way of said Robin Road and the West lines of said Lot 1, 2, and 3, a distance of 150.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for the Northwest corner of said Lot 1 and the Southwest corner of Lot 1-A, Block 8/4839, Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and "5' dedicated for Robin Road widening" per said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, along the North line of Lot 1 and the South line of said Lot 1-A and said "5' dedicated for Robin Road widening", a distance of 3.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 00 degrees 12 minutes 02 seconds East, departing the South line of said Lot 1-A and said "5' dedicated for Robin Road widening, over and across said Lots 1, 2, and 3, a distance of 150.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner on the South line of said Lot 3 and the North line of said Lot 4;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said Lot 1-A and the North line of said Lot 4, a distance of 3.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 450 square feet or 0.010 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
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DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

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Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED3
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4042

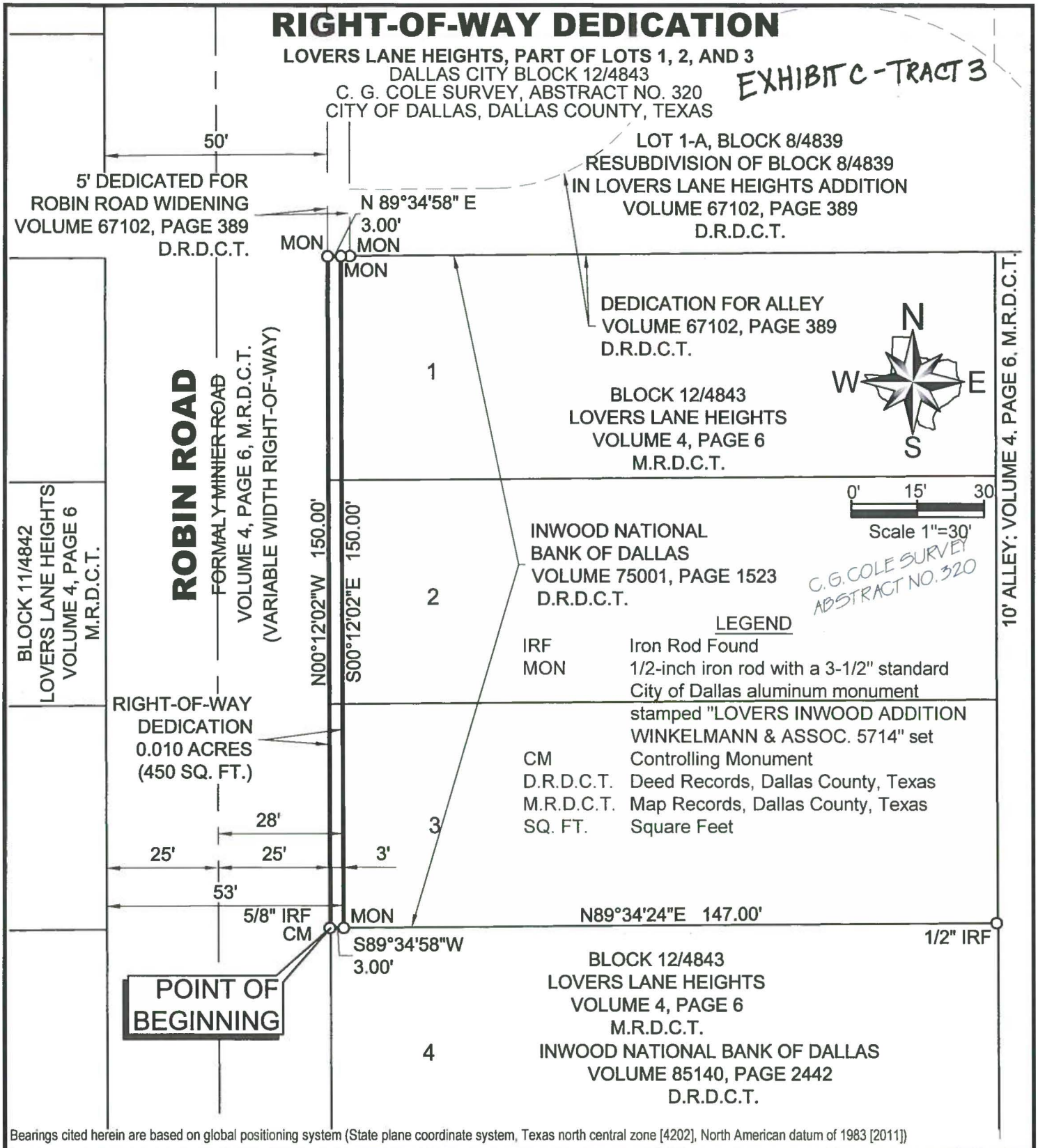
SHEET 1 OF 2

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RIGHT-OF-WAY DEDICATION

LOVERS LANE HEIGHTS, PART OF LOTS 1, 2, AND 3
DALLAS CITY BLOCK 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C - TRACT 3



LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set
CM	Controlling Monument
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

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6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

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Date :	03.27.17
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Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/21/17

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Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4042

SHEET 2 OF 2

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RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839, LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 8/4839
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C -TRACT 4

BEING a 50 square feet (0.001 Acres) tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320, in the City of Dallas, Dallas County, Texas, being a portion of Lot 1-A, Resubdivision of Block 8/4839, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, City of Dallas Block 8/4839 and being part of the tract of land described in Warranty Deed to Inwood National Bank of Dallas as recorded in Volume 779, Page 318, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod found for the Northwest corner said Lot 1-A, said point being the intersection of the South line of "5' dedicated for Newmore Avenue widening" as shown on said Resubdivision of Block 8/4839, Lovers Lane Heights Addition, with the East line of the "5' dedicated for Robin Road widening" as shown on said Resubdivision of Block 8/4839, Lovers Lane Heights Addition;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "5' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 10.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner;

THENCE South 44 degrees 41 minutes 28 seconds West, departing the South line of said "5' dedicated for Newmore Avenue widening", over and across said Lot 1-A, a distance of 14.17 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set for corner, from which a 5/8 inch iron rod found for the southwest corner of Lot 3, Block 12/4843, Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 4, Page 6. Map Records, Dallas County, Texas, bears South 00 degrees 12 minutes 02 seconds East, a distance of 435.00 feet and South 89 degrees 34 minutes 58 seconds West, a distance of 5.00 feet, said monument being situated in the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A;

THENCE North 00 degrees 12 minutes 02 seconds West, along the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 50 square feet or 0.001 acres of land, more or less.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°34'58"E	10.00'
L2	S44°41'28"W	14.17'
L3	N00°12'02"W	10.00'

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

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DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

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Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED1
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/11/17
SPRG No. 4044

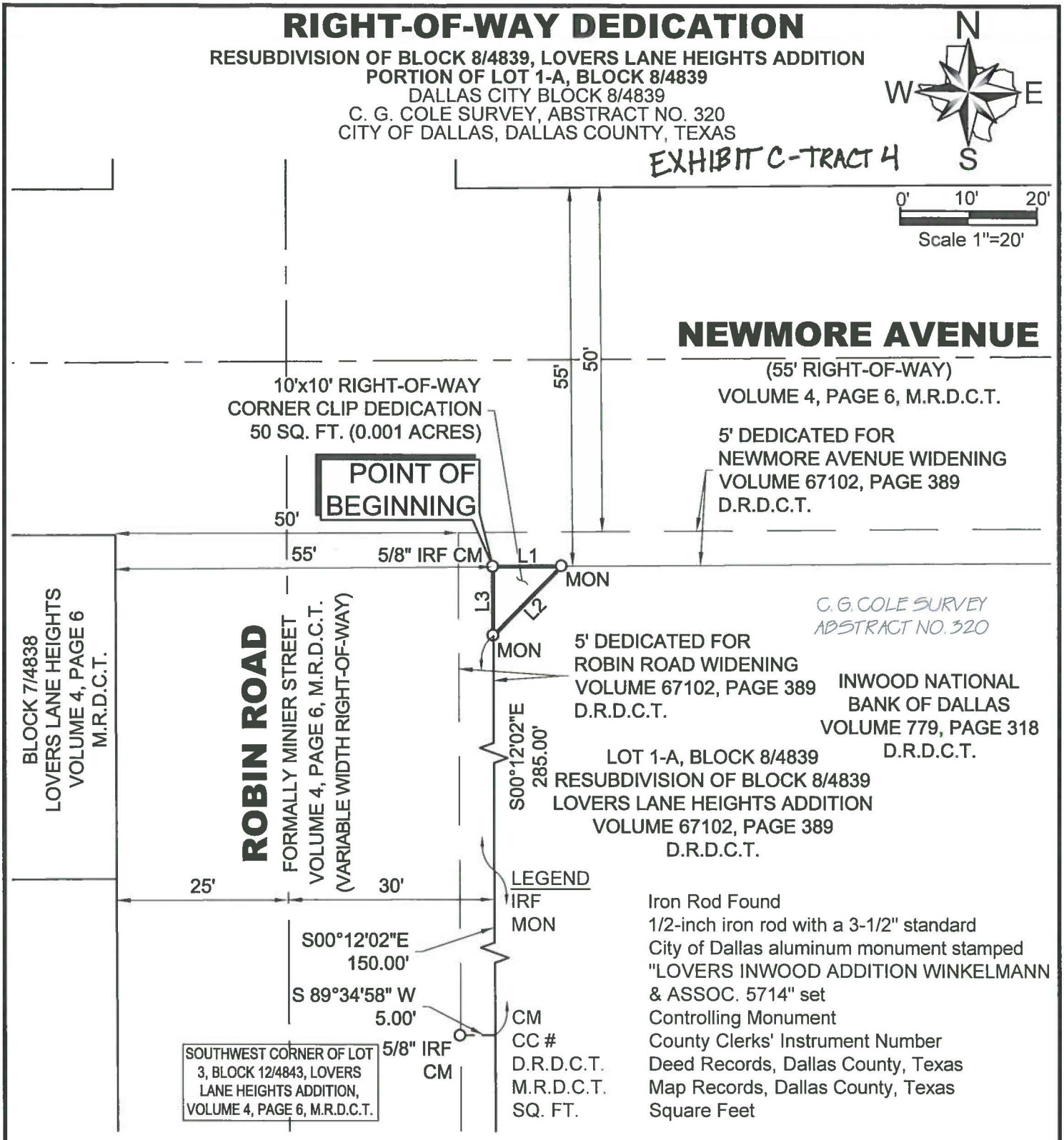
SHEET 1 OF 2

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RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839, LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 8/4839
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT C-TRACT 4



LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
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DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-17

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Scale :	1" = 20'
Date :	03.27.17
Dwg. File :	00616.0A-ROW-DED1
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

4/21/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4044

SHEET 2 OF 2

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RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843 EXHIBIT C - TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 7,062 square feet (0.162 Acres) tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88, in the City of Dallas, Dallas County, Texas, being a portion of Lot 1-A, City of Dallas Block 8/4839, Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being a portion of Lots 10-13, City of Dallas Block 12/4843, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, and being a portion of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 815, Page 400; Volume 76084, Page 2135; Volume 630, Page 46; Volume 86094, Page 2174; Volume 86094, Page 2169, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron found for corner on the Westerly right-of-way of Inwood Road, a 90' width right-of-way (County Road No. 79), said point being the Northeast corner of said Lot 10 and the Southeast corner of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, said point also being the Southeast corner of "10' dedicated for Inwood Road widening" as shown on said Plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the Westerly right-of-way of said Inwood Road and the East line of Block 12/4843, a distance of 200.00 feet to a 5/8-inch iron rod found for corner, said iron rod being the Southeast corner of said Lot 13;

THENCE South 89 degrees 34 minutes 58 seconds West, departing the West right-of-way of said Inwood Road, along the South line of said Lot 13 and the North line of Lot 14, Block 12/4843 described in Special Warranty Deed to The Flying Tiger, LLC as recorded in County Clerk's Instrument No. 201600003374, Official Public Records, Dallas County, Texas, a distance of 20.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner;

THENCE North 00 degrees 12 minutes 02 seconds West, departing the North line of said Lot 14, over and across Blocks 12/4843 and 8/4839, and said Inwood National Bank of Dallas tracts, a distance of 480.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner ;

(continued on Sheet 2)

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
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Texas Engineers Registration No. 89
Texas Surveyors No. 10085600 Expires 12-31-17
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Scale :	N/A
Date :	04.03.17
Dwg. File :	00616.0A-ROW-DED4
Project No. :	00616.0A

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
4/3/17

(For SPRG use only)
Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4045

SHEET 1 OF 5

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RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843

EXHIBIT C-TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(continued from Sheet 1)

THENCE North 45 degrees 18 minutes 32 seconds West, departing the West line of said "10' dedicated for Inwood Road widening", over and across said Lot 1-A, a distance of 21.17 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the South line of a "5' dedicated for Newmore Avenue widening" as shown on said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and the North line of said Lot 1-A;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "5' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 25.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner at the intersection of the West line of said "10' dedicated for Inwood Road widening" with the South line of said "5' dedicated for Newmore Avenue widening", said point being the Northeast corner of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the West line of said "10' dedicated for Inwood Road widening" and the East line of said Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Southwest corner of said "10' dedicated for Inwood Road widening" and the Southeast corner of said Lot 1-A on the North line of said Lot 10;

THENCE North 89 degrees 34 minutes 58 seconds East, along the South line of said "10' dedicated for Inwood Road widening" and the North line of said Lot 10, a distance of 10.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 7,062 square feet or 0.162 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
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Texas Surveyors No. 10085600 Expires 12-31-17
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Project No. :	00616.0A

STATE OF TEXAS
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LEONARD JAY WEKER
5714
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4/13/17

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SHEET 2 OF 5

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RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843 EXHIBIT C- TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PROPERTY INFORMATION				
TRACT	OWNERS NAME	RECORDING INFORMATION	LOT/BLOCK	SOURCE
1	INWOOD NATIONAL BANK OF DALLAS	VOLUME 815, PAGE 400	LOT 7, BLOCK 8/4839	D.R.D.C.T.
2	INWOOD NATIONAL BANK OF DALLAS	VOLUME 76084, PAGE 2135	LOT 8, BLOCK 8/4839	D.R.D.C.T.
3	INWOOD NATIONAL BANK OF DALLAS	VOLUME 630, PAGE 46	LOTS 9-12, BLOCK 8/4839	D.R.D.C.T.
4	INWOOD NATIONAL BANK OF DALLAS	VOLUME 86094, PAGE 2174	LOTS 10, BLOCK 12/4843	D.R.D.C.T.
5	INWOOD NATIONAL BANK OF DALLAS	VOLUME 86094, PAGE 2169	LOTS 11-13, BLOCK 12/4843	D.R.D.C.T.
6	THE FLYING TIGER, LLC	INST. NO. 201600003374	LOTS 14-15, BLOCK 12/4843	O.P.R.D.C.T.

(#) INDICATES TRACT NUMBER

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S89°34'58"W	20.00'
L2	N45°18'32"W	21.17'
L3	N89°34'58"E	25.00'
L4	N89°34'58"E	10.00'

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SHEET 3 OF 5

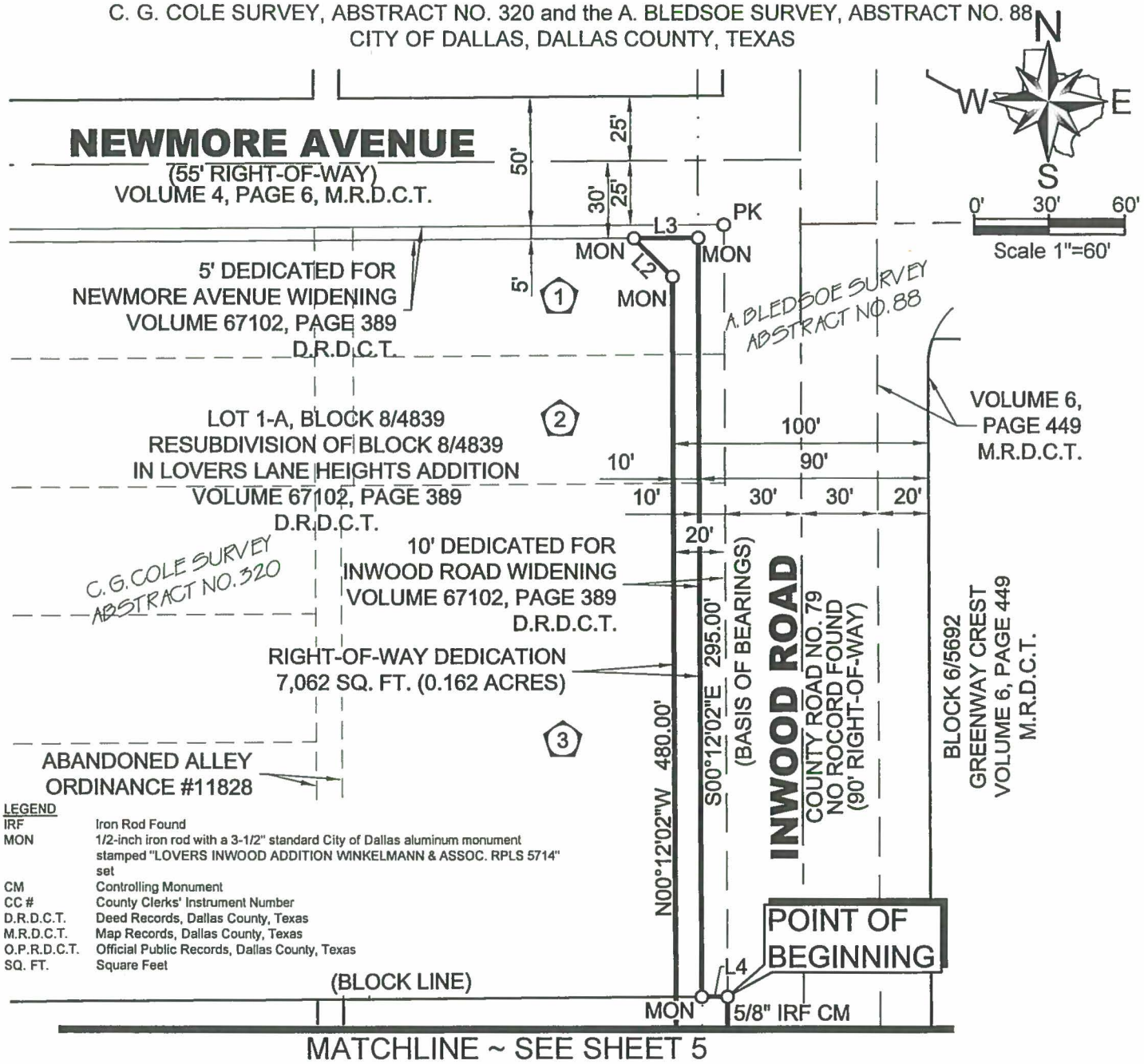
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RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843

EXHIBIT C - TRACTS

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS



MATCHLINE ~ SEE SHEET 5

LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

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STATE OF TEXAS
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SHEET 4 OF 5

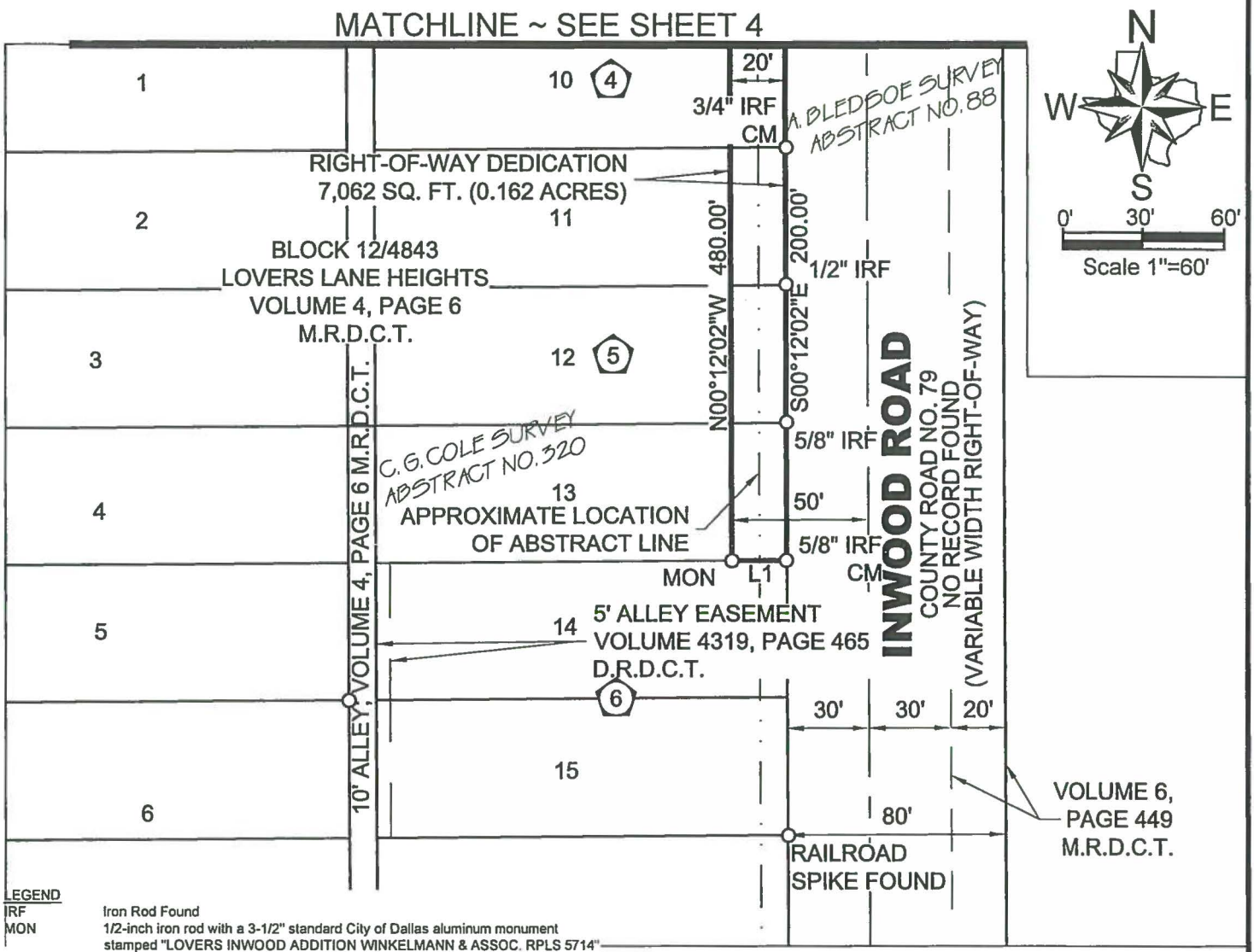
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RIGHT-OF-WAY DEDICATION

RESUBDIVISION OF BLOCK 8/4839 IN LOVERS LANE HEIGHTS ADDITION
PORTION OF LOT 1-A, BLOCK 12/4843 and
LOVERS LANE HEIGHTS ADDITION
PART OF LOTS 10-13, BLOCK 12/4843

EXHIBIT C - TRACT 5

DALLAS CITY BLOCKS 8/4839 and 12/4843
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND

IRF	Iron Rod Found
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
SQ. FT.	Square Feet

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

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5/3/17

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SHEET 5 OF 5

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RIGHT-OF-WAY REDEDICATION

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING EXHIBIT D
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828
DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 5,975 square feet (0.137 Acres), tract of land situated in the C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88, in the City of Dallas, Dallas County, Texas, City of Dallas Block 8/4839, being a portion of Lot 1A, Resubdivision of Block 8/4839, Lovers Lane Heights Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 67102, Page 389, Deed Records, Dallas County, Texas, and being 5.00 foot dedicated for Robin Road widening, 5.00 foot dedicated for Newmore Avenue widening, and 10.00 foot dedicated for Inwood Road widening, and being portions of the tracts of land described in Warranty Deeds to Inwood National Bank of Dallas as recorded in Volume 779, Page 318; Volume 779, Page 316; Volume 779, Page 325; Volume 779, Page 322; Volume 67099, Page 1953; Volume 815, Page 400; Volume 76084, Page 2135; and Volume 630, Page 46, Deed Records, Dallas County, Texas, and part of an abandoned alley provided for by City of Dallas Ordinance No. 11828, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Northwest corner of Lot 1-A, Block 8/4839 of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, said point being the intersection of the South line of said "5' dedicated for Newmore Avenue widening", with its intersection of the East "5' dedicated for Robin Road widening";

THENCE South 00 degrees 12 minutes 02 seconds East, along the East line of said "5' dedicated for Robin Road widening" and the West line of said Lot 1-A, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the North line of Lot 1, Block 12/4843 of Lovers Lane Heights, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 4, Page 6, Map Records, Dallas County, Texas, said point being the Southeast corner of said "5' dedicated for Robin Road widening"

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "5' dedicated for Robin Road widening" and the North line of said Lot 1, a distance of 5.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for the Northwest corner of said Lot 1 and the Southwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and said "5" dedicated for Robin Road widening;

THENCE North 00 degrees 12 minutes 02 seconds West, along the West line of said "5' dedicated for Robin Road widening" and said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 300.00 feet to a PK nail with a washer stamped "WAI 5714" set for corner at the intersection of said "5' dedicated for Robin Road widening" with the North line of said "5' dedicated for Newmore Avenue widening", said point being the Northwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

(continued on Sheet 2)

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Texas Surveyors No. 10086600 Expires 12-31-17
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SHEET 1 OF 4

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RIGHT-OF-WAY REDEDICATION

EXHIBIT D

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828
DALLAS CITY BLOCK 8/4839
C.G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(continued from Sheet 1)

THENCE North 89 degrees 34 minutes 58 seconds East, along the North line of said "5' dedicated for Newmore Avenue widening" and said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 310.00 feet to a PK nail with a washer stamped "WAI 5714" set for corner at the intersection of the North line of said "5' dedicated for Newmore Avenue widening" with the East line of said "10' dedicated for Inwood Road widening", said point being the Northwest corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition;

THENCE South 00 degrees 12 minutes 02 seconds East, along the East line of said "10' dedicated for Inwood Road widening" and the East line of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition, a distance of 300.00 feet to a 5/8-inch iron rod found for the Southeast corner of said plat of Resubdivision of Block 8/4839 in Lovers Lane Heights Addition and said "10' dedicated for Inwood Road widening" and the Northeast corner of Lot 10, Block 12/4843, of said Lovers Lane Heights, said iron rod being North 00 degrees 12 minutes 02 seconds West, 50.00 feet from a 3/4-inch iron rod found for the Southeast corner of said Lot 10, Block 12/4843, of said Lovers Lane Heights and the Northeast corner of Lot 11, Block 12/4843, of said Lover Lane Heights;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "10' dedicated for Inwood Road widening" and the North line of said Lot 10, a distance of 10.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner on the North line of said Lot 10, said point being the Southeast corner of said Lot 1-A and the Southwest corner of said "10' dedicated for Inwood Road widening";

THENCE North 00 degrees 12 minutes 02 seconds West, along the West line of said "10' dedicated for Inwood Road widening" and the East line of said Lot 1-A, a distance of 295.00 feet to a 1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set for corner at the intersection of the South line of said "5' dedicated for Newmore Avenue widening" with the West line of said "10' dedicated for Inwood Road widening", said point being the Northeast corner of said Lot 1-A;

THENCE South 89 degrees 34 minutes 58 seconds West, along the South line of said "10' dedicated for Newmore Avenue widening" and the North line of said Lot 1-A, a distance of 295.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 5,975 square feet or 0.137 acres of land, more or less.

Bearings cited herein are based on global positioning system (State plane coordinate system, Texas north central zone [4202], North American datum of 1983 [2011])

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SPRG No. 4047

SHEET 2 OF 4

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RIGHT-OF-WAY REDEDICATION

EXHIBIT D

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
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DALLAS CITY BLOCK 8/4839
C. G. COLE SURVEY, ABSTRACT NO. 320 and the A. BLEDSOE SURVEY, ABSTRACT NO. 88
CITY OF DALLAS, DALLAS COUNTY, TEXAS

PROPERTY INFORMATION

TRACT	OWNERS NAME	RECORDING INFORMATION	LOT/BLOCK	SOURCE
1	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 318	LOT 1, BLOCK 8/4839	D.R.D.C.T.
2	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 316	LOT 2, BLOCK 8/4839	D.R.D.C.T.
3	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 325	LOT 3, BLOCK 8/4839	D.R.D.C.T.
4	INWOOD NATIONAL BANK OF DALLAS	VOLUME 779, PAGE 322	LOT 4, BLOCK 8/4839	D.R.D.C.T.
5	INWOOD NATIONAL BANK OF DALLAS	VOLUME 67099, PAGE 1953	LOTS 5 & 6, BLOCK 8/4839	D.R.D.C.T.
6	INWOOD NATIONAL BANK OF DALLAS	VOLUME 815, PAGE 400	LOT 7, BLOCK 8/4839	D.R.D.C.T.
7	INWOOD NATIONAL BANK OF DALLAS	VOLUME 76084, PAGE 2135	LOT 8, BLOCK 8/4839	D.R.D.C.T.
8	INWOOD NATIONAL BANK OF DALLAS	VOLUME 630, PAGE 46	LOTS 9-12, BLOCK 8/4839	D.R.D.C.T.

(#) INDICATES TRACT NUMBER

LEGEND

IRF	Iron Rod Found
PK	PK nail with washer stamped "WAI 5714" set
MON	1/2-inch iron rod with a 3-1/2" standard City of Dallas aluminum monument stamped "LOVERS INWOOD ADDITION WINKELMANN & ASSOC. RPLS 5714" set
CM	Controlling Monument
CC #	County Clerks' Instrument Number
D.R.D.C.T.	Deed Records, Dallas County, Texas
M.R.D.C.T.	Map Records, Dallas County, Texas
SQ. FT.	Square Feet

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STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

4/21/17

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Reviewed by: A. Rodriguez
Date: 5/1/17
SPRG No. 4047

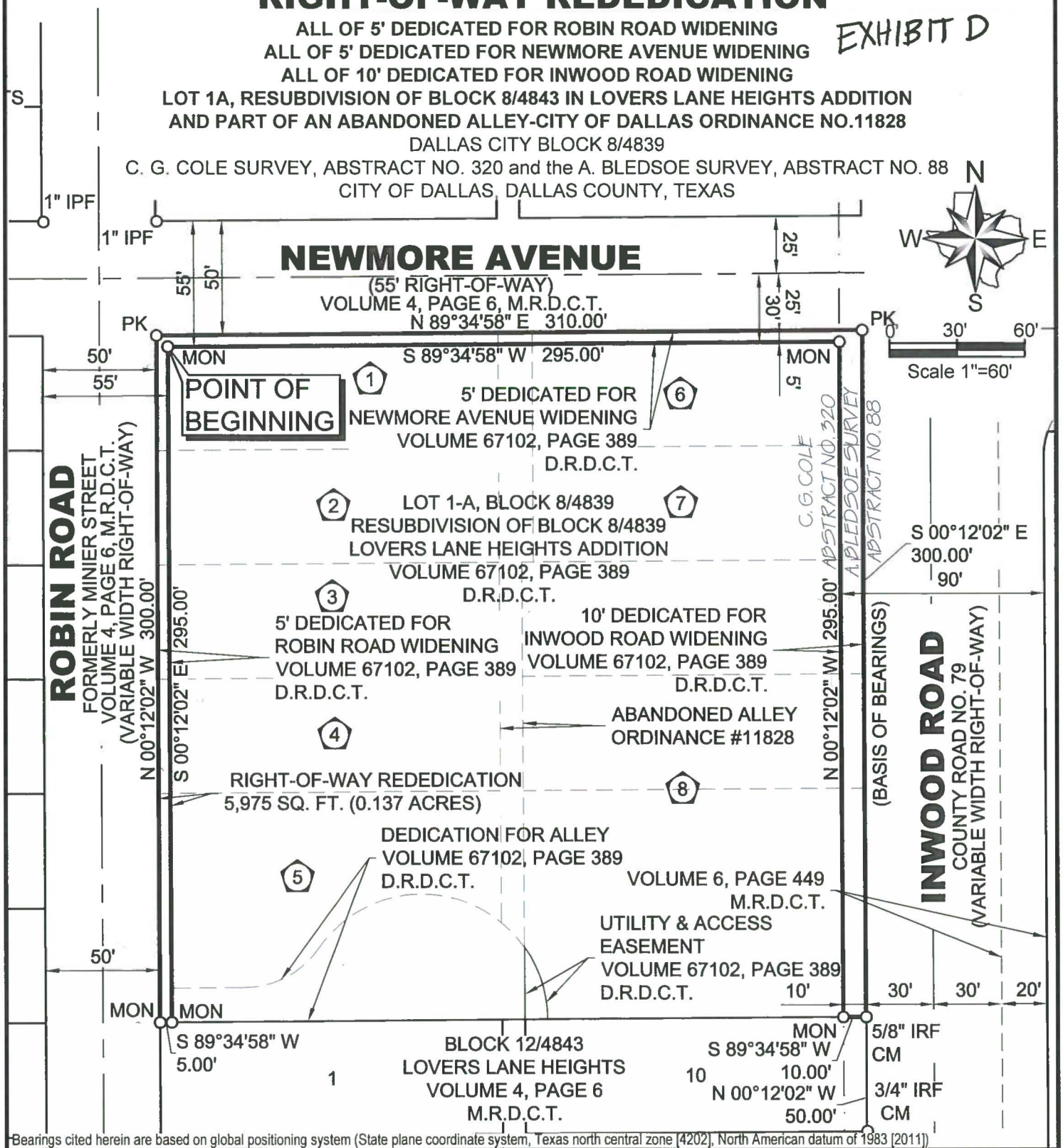
SHEET 3 OF 4

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RIGHT-OF-WAY REDEDICATION

EXHIBIT D

ALL OF 5' DEDICATED FOR ROBIN ROAD WIDENING
ALL OF 5' DEDICATED FOR NEWMORE AVENUE WIDENING
ALL OF 10' DEDICATED FOR INWOOD ROAD WIDENING
LOT 1A, RESUBDIVISION OF BLOCK 8/4843 IN LOVERS LANE HEIGHTS ADDITION
AND PART OF AN ABANDONED ALLEY-CITY OF DALLAS ORDINANCE NO.11828
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STATE OF TEXAS
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9/21/17

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SHEET 4 OF 4

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AGENDA ITEM # 66

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 34V

SUBJECT

An ordinance abandoning a water easement and a utility and access easement to 5033 Lemmon Limited Partnership, the abutting owner, containing a total of approximately 17,368 square feet of land, located near the intersection of Lemmon Avenue and Mahanna Street and authorizing the quitclaim; and providing for the dedication of approximately 26,370 square feet of land needed for right-of-way - Revenue: $10,800, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a water easement and a utility and access easement to 5033 Lemmon Limited Partnership, the abutting owner. The area will be included with the property of the abutting owner for the re-development of an auto dealership. The owner will dedicate approximately 26,370 square feet of land needed for a utility and access easement. The cost for this abandonment is the minimum processing fee for each tract pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Revenue - $10,800, plus the $20 ordinance publication fee

OWNER

5033 Lemmon Limited Partnership

Sally Levy Rosen, Director

MAP

Attached



Log: 42533 Abandonments:

Applicant: 5033 Lemmon Limited Partnership

Mapsco: 34-V

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a water easement and utility and access easement located in City Block B/2343 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to 5033 Lemmon Limited Partnership; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment, relinquishment and quitclaim made herein; 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 5033 Lemmon Limited Partnership, a Texas limited partnership, 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 water easement, and utility and access easement 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 public 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

SECTION 1. (continued)

made a part hereof; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **TEN THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS ($10,800.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9,10, and 11 the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to those certain tracts 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, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in the General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 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"

SECTION 8. (continued)

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 relinquishment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall install a fire lockbox off the entrance access of Mahanna Street, in accordance with Dallas Fire and Rescue safety codes and compliance.

SECTION 10. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said water easement, and utility and access easement shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to the new easement to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. **GRANTEE** will grant the new easement at no cost consideration to the City and all work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction. Failure to relocate to the new easement in accordance with the terms of this section shall render this ordinance null and void and of no further effect.

SECTION 11. That the abandonment, relinquishment and quitclaim made herein shall be subject to **GRANTEE** conveying property to the City of Dallas a utility and access easement for vehicular and utility purposes, within 90 days of the effective date of this ordinance, in, under, through, across and along certain properties located in City Block B/2343 as part of the consideration for the property herein abandoned by the City of

SECTION 11. (continued)

Dallas and QUITCLAIMED to the **GRANTEE**. Said property to be conveyed shall be acceptable to the Director of Department of Sustainable Development and Construction of the City of Dallas and contain approximately 26,370 square feet of land, a description is attached hereto and made a part hereof as Exhibit B. Failure to convey the above described easement as set forth shall render this ordinance null and void and of no further effect.

SECTION 12. That at such time as the instrument described in Section 11 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the Deed Records of Dallas County, Texas; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 13. 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, and completion of the dedication set forth in Section 11, 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 14. That this contract is designated as Contract No. DEV-2017-00002961.

SECTION 15. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

FOR SPRG USE ONLY

REVIEWED BY: Daniel Scott
DATE: 5-26-16
SPRG NO. 3644

25' UTILITY & ACCESS EASEMENT ABANDONMENT UNIVERSITY PARK AUDI LOT 1, BLOCK B/2343 CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

Being an 17,240 square foot tract of land, situated in the Crawford Grigsby Survey, Abstract No. 532, and being a portion of Lot 1, Official City Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas, and being a portion of that certain tract of land conveyed to 5033 Lemmon Limited Partnership, by Special Warranty Deed recorded in Volume 2003194, Page 2424, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with "WAI" cap found (controlling monument) for the most easterly Northeast corner of said Lot 1, same being the East end of a corner clip in the South intersection of Mahanna Street (variable width right-of-way) and Lemmon Avenue (110' right-of-way);

THENCE South 45 deg. 10 min. 00 sec. East, along the common line of said Lot 1 and said Lemmon Avenue, a distance of 176.53 feet to a point for angle point;

THENCE through the interior of said Lot 1 as follows:

South 44 deg. 50 min. 00 sec. West, a distance of 15.44 feet to a point for a northerly corner of the herein described tract, same being the POINT OF BEGINNING;

South 45 deg. 10 min. 00 sec. East, a distance of 25.00 feet to a point for the most easterly corner of the herein described tract;

South 45 deg. 50 min. 00 sec. West, a distance of 44.50 feet to a point for angle point;

South 00 deg. 09 min. 57 sec. East, a distance of 137.90 feet to a point for angle point;

South 45 deg. 50 min. 00 sec. West, a distance of 117.46 feet to a point for the beginning of a tangent curve to the right, having a radius of 44.50 feet, a central angle of 89 deg. 47 min. 53 sec., and a chord bearing and distance of South 89 deg. 45 min. 04 sec. West, 62.82 feet;

Along said tangent curve to the right, an arc distance of 69.74 feet to a point for angle point;

North 45 deg. 20 min. 49 sec. West, non-tangent to the previous curve, a distance of 58.72 feet to a point for angle point;

North 57 deg. 35 min. 56 sec. West, a distance of 37.20 feet to a point for angle point;

North 45 deg. 10 min. 00 sec. West, a distance of 132.39 feet to a point for the most westerly corner of the herein described tract;

North 45 deg. 50 min. 00 sec. East, a distance of 77.34 feet to a point for internal corner;

North 45 deg. 10 min. 00 sec. West, a distance of 35.76 feet to a point for corner, same being in the northwesterly line of said Lot 1, same being in the southeasterly right-of-way line of aforesaid Mahanna Street;

THENCE North 44 deg. 39 min. 11 sec. East, along the common line of said Lot 1 and said Mahanna Street, a distance of 25.00 feet to a point for the most northerly corner of the herein described tract, from which a 1/2 inch iron rod found with "WAI" cap bears North 44 deg. 39 min. 11 sec. East, 215.24 feet;

GENERAL NOTES:

1. Basis of Bearing - Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Plat Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the easement tract described.

TIMOTHY R. MANKIN 6122 REGISTERED PROFESSIONAL LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-0624
DATE:	4/8/2016
REV:	5/26/2016
DRAWN:	J.B.W.

PEISER & MANKIN SURVEYING, LLC

www.peisersurveying.com

623 E. DALLAS ROAD
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817-481-1806 (O)
817-481-1809 (F)
FIRM NO. 100999-00

Texas Society of Professional Surveyors
Member Since 1977

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MORTGAGE

FOR SPRG USE ONLY

REVIEWED BY: David Scott
DATE: 5.26.16
SPRG NO. 3644

25' UTILITY & ACCESS EASEMENT ABANDONMENT
UNIVERSITY PARK AUDI
LOT 1, BLOCK B/2343
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

THENCE through the interior of said Lot 1 as follows:

South 45 deg. 10 min. 00 sec. East, a distance of 61.01 feet to a point for corner;

South 45 deg. 50 min. 00 sec. West, a distance of 77.34 feet to a point for internal corner;

South 45 deg. 10 min. 00 sec. East, a distance of 104.67 feet to a point for angle point;

South 57 deg. 35 min. 56 sec. East, a distance of 37.16 feet to a point for angle point;

South 45 deg. 20 min. 49 sec. East, a distance of 61.40 feet to a point for the beginning of a tangent curve to the left, having a radius of 19.50 feet, a central angle of 89 deg. 48 min. 15 sec., and a chord bearing and distance of North 89 deg. 44 min. 36 sec. East, 27.53 feet;

Along said tangent curve to the left, an arc distance of 30.56 feet to a point for angle point;

North 45 deg. 50 min. 00 sec. East, non-tangent to the previous curve, a distance of 107.10 feet to a point for angle point;

North 00 deg. 09 min. 57 sec. West, a distance of 137.89 feet to a point for angle point;

North 44 deg. 50 min. 00 sec. East, a distance of 54.85 feet to the POINT OF BEGINNING and containing 17,240 square feet or 0.396 acre of computed land, more or less.

LINE TABLE

LINE	LENGTH	BEARING
L1	176.53'	S 45°10'00" E
L2	25.00'	S 45°10'00" E
L3	44.50'	S 44°50'00" W
L4	137.90'	S 00°09'57" E
L5	117.46'	S 45°50'00" W
L6	58.72'	N 45°20'49" W
L7	37.20'	N 57°35'56" W
L8	132.39'	N 45°10'00" W
L9	77.34'	N 45°50'00" E
L10	35.76'	N 45°10'00" W
L11	25.00'	N 44°39'11" E
L12	61.01'	S 45°10'00" E
L13	77.34'	S 45°50'00" W
L14	104.67'	S 45°10'00" E
L15	37.16'	S 57°35'56" E
L16	61.40'	S 45°20'49" E
L17	107.10'	N 45°50'00" E
L18	137.89'	N 00°09'57" W
L19	54.85'	N 44°50'00" E

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	69.74'	44.50'	89°47'53"	S 89°45'04" W	62.82'
C2	30.56'	19.50'	89°48'15"	N 89°44'36" E	27.53'

GENERAL NOTES:
1. Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Plat Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the easement tract described.

STATE OF TEXAS
TIMOTHY R. MANKIN
6122
REGISTERED PROFESSIONAL LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-0624
DATE:	4/8/2016
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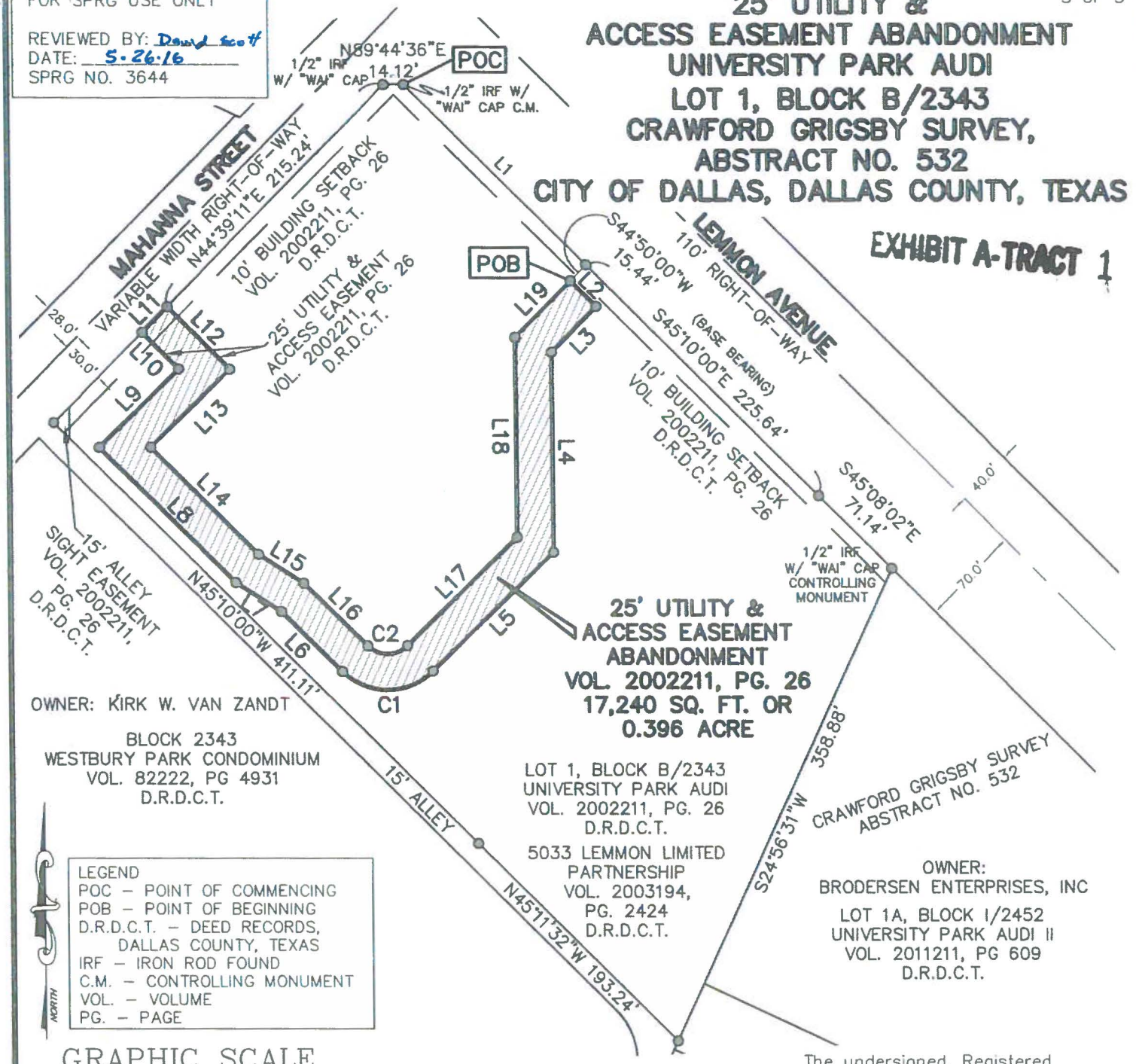
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FOR SPRG USE ONLY

REVIEWED BY: David Scott
DATE: 5.26.16
SPRG NO. 3644

25' UTILITY & ACCESS EASEMENT ABANDONMENT UNIVERSITY PARK AUDI LOT 1, BLOCK B/2343 CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532 CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1



LEGEND
POC – POINT OF COMMENCING
POB – POINT OF BEGINNING
D.R.D.C.T. – DEED RECORDS, DALLAS COUNTY, TEXAS
IRF – IRON ROD FOUND
C.M. – CONTROLLING MONUMENT
VOL. – VOLUME
PG. – PAGE

NORTH

GRAPHIC SCALE

0 50 100

(IN FEET)
1 inch = 100 ft.

Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

TIMOTHY R. MANKIN 6122 REGISTERED PROFESSIONAL LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-0624
DATE:	4/8/2016
REV:	5/26/2016
SCALE:	1" = 100'
DRAWN:	J.B.W.

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WATER EASEMENT ABANDONMENT
UNIVERSITY PARK AUDI
LOT 1, BLOCK B/2343
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

Being a 128 square foot tract of land, situated in the Crawford Grigsby Survey, Abstract No. 532, and being a portion of Lot 1, Official City Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, created by the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas, and being a portion of that certain tract of land conveyed to 5033 Lemmon Limited Partnership, by Special Warranty Deed recorded in Volume 2003194, Page 2424, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with "WAI" cap found (controlling monument) for the most easterly Northeast corner of said Lot 1, same being the East end of a corner clip in the South intersection of Mahanna Street (variable width right-of-way) and Lemmon Avenue (110' right-of-way), from which a 1/2 inch iron rod with "WAI" cap found bears South 89 deg. 44 min. 36 sec. West, 14.12 feet for the west end of said corner clip;

THENCE South 45 deg. 10 min. 00 sec. East, along the common line of said Lot 1 and said Lemmon Avenue, a distance of 176.53 feet to a point;

THENCE through the interior of said Lot 1 as follows:

South 45 deg. 50 min. 00 sec. West, a distance of 70.29 feet to a point for angle point;

South 00 deg. 09 min. 57 sec. East, a distance of 105.96 feet to a point for the most northerly corner of the herein described tract, same being the POINT OF BEGINNING;

South 00 deg. 09 min. 59 sec. East, a distance of 14.14 feet to a point for corner;

South 44 deg. 50 min. 01 sec. West, a distance of 7.85 feet to a point for the most southerly corner of the herein described tract;

North 45 deg. 09 min. 59 sec. West, a distance of 10.00 feet to a point for the most westerly corner of the herein described tract;

North 44 deg. 50 min. 01 sec. East, a distance of 17.85 feet to the POINT OF BEGINNING and containing 128 square feet or 0.003 acre of computed land, more or less.

LINE TABLE		
LINE	LENGTH	BEARING
L1	176.53'	S 45°10'00" E
L2	70.29'	S 44°50'00" W
L3	105.96'	S 00°09'57" E
L4	14.14'	S 00°09'59" E
L5	7.85'	S 44°50'01" W
L6	10.00'	N 45°09'59" W
L7	17.85'	N 44°50'01" E

GENERAL NOTES:
1. Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

FOR SPRG USE ONLY

REVIEWED BY: David Scott
DATE: 5.17.16
SPRG NO. 3548

LEGEND
POC – POINT OF COMMENCING
POB – POINT OF BEGINNING
D.R.D.C.T. – DEED RECORDS, DALLAS COUNTY, TEXAS
IRF – IRON ROD FOUND
C.M. – CONTROLLING MONUMENT
VOL. – VOLUME
PG. – PAGE

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the easement tract described.

REGISTERED PROFESSIONAL LAND SURVEYOR
TIMOTHY R. MANKIN
6122

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.: 15-0624
DATE: 9/18/2015
REV: 2/26/2016
4/28/2016
5/11/2016
DRAWN: J.B.W.

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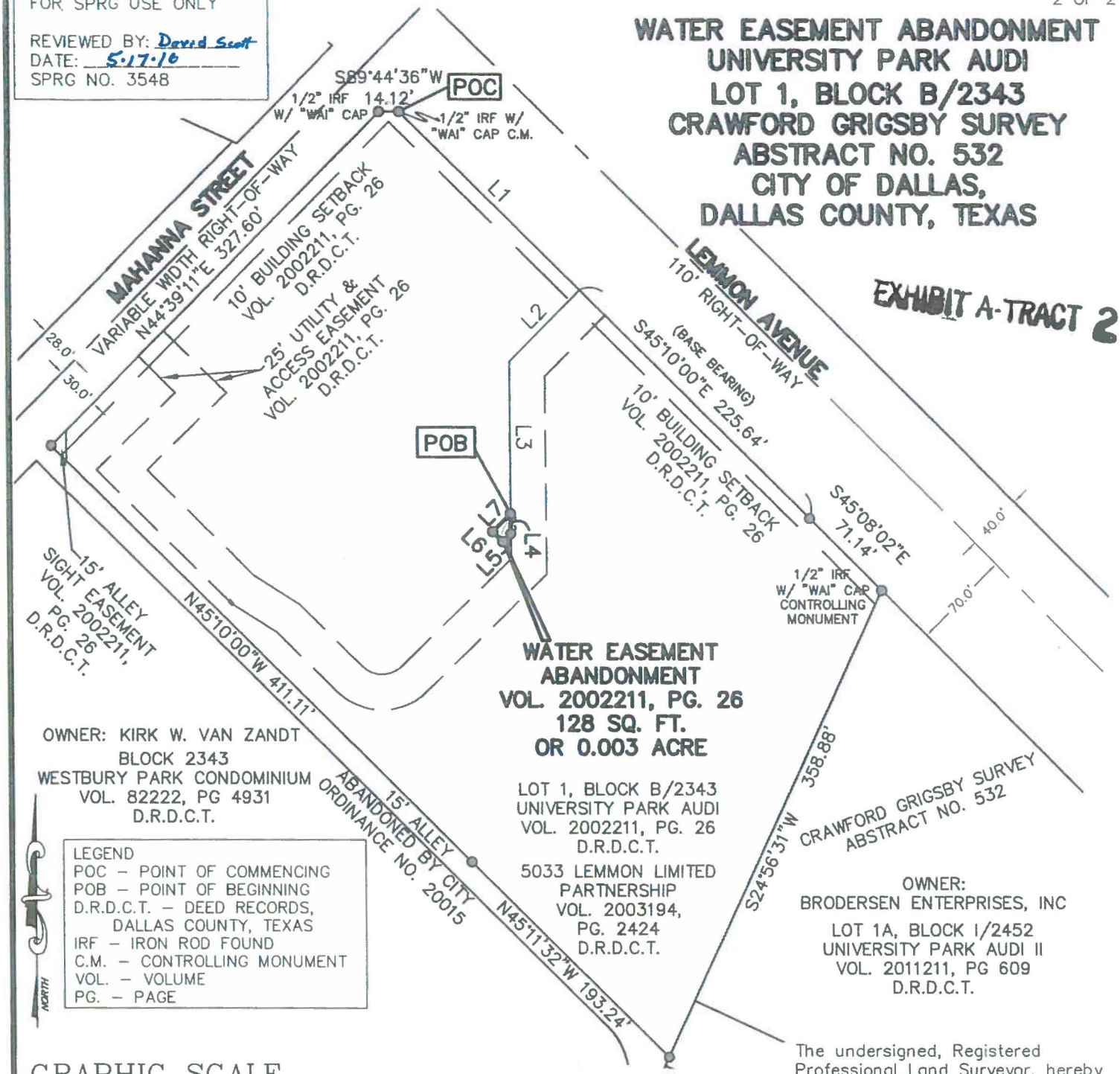
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FOR SPRG USE ONLY

REVIEWED BY: David Scott
DATE: 5-17-16
SPRG NO. 3548

WATER EASEMENT ABANDONMENT
UNIVERSITY PARK AUDI
LOT 1, BLOCK B/2343
CRAWFORD GRIGSBY SURVEY
ABSTRACT NO. 532
CITY OF DALLAS,
DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2



WATER EASEMENT ABANDONMENT
VOL. 2002211, PG. 26
128 SQ. FT.
OR 0.003 ACRE

LOT 1, BLOCK B/2343
UNIVERSITY PARK AUDI
VOL. 2002211, PG. 26
D.R.D.C.T.

5033 LEMMON LIMITED PARTNERSHIP
VOL. 2003194,
PG. 2424
D.R.D.C.T.

OWNER: KIRK W. VAN ZANDT
BLOCK 2343
WESTBURY PARK CONDOMINIUM
VOL. 82222, PG 4931
D.R.D.C.T.

OWNER:
BRODERSEN ENTERPRISES, INC
LOT 1A, BLOCK I/2452
UNIVERSITY PARK AUDI II
VOL. 2011211, PG 609
D.R.D.C.T.

LEGEND
POC – POINT OF COMMENCING
POB – POINT OF BEGINNING
D.R.D.C.T. – DEED RECORDS, DALLAS COUNTY, TEXAS
IRF – IRON ROD FOUND
C.M. – CONTROLLING MONUMENT
VOL. – VOLUME
PG. – PAGE

NORTH

GRAPHIC SCALE

0 50 100

(IN FEET)
1 inch = 100 ft.

Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

STATE OF TEXAS
REGISTERED
TIMOTHY R. MANKIN
6122
PROFESSIONAL
LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-0624
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623 E. DALLAS ROAD
GRAPEVINE, TEXAS 76051
817-481-1806 (O)
817-481-1809 (F)
FIRM NO. 100999-00

Texas Society of Professional Surveyors
Member Since 1977

PMS LLC
COMMERCIAL • RESIDENTIAL
BOUNDARIES • TOPOGRAPHY
MORTGAGE

EXHIBIT B

FOR SPRG USE ONLY

REVIEWED BY: David Scott
DATE: 12.9.16
SPRG NO. 3549

UTILITY AND ACCESS EASEMENT
UNIVERSITY PARK AUDI
LOT 1, BLOCK B/2343
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 26,370 square foot tract of land situated in the Crawford Grigsby Survey, Abstract No. 532, and being a portion of Lot 1, Official City Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, created by the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas, and being a portion of that certain tract of land conveyed to 5033 Lemmon Limited Partnership, by Special Warranty Deed recorded in Volume 2003194, Page 2424, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with "WAI" cap found (controlling monument) for the most easterly corner of said Lot 1, same being in the southerly right-of-way line of Lemmon Avenue (110' right-of-way), same being the North corner of Lot 1A, Block 1/2452, University Park Audi II, an addition to the City of Dallas, Dallas County, Texas, created by the plat thereof recorded in Volume 2003211, Page 609, Deed Records, Dallas County, Texas and being all the certain tract of land conveyed to Brodersen Enterprises, Inc., a corporation, by Special Warranty Deed recorded in Instrument Number 20070144799, Official Public Records, Dallas County, Texas;

THENCE North 45 deg. 08 min. 02 sec. West, along the common line of said Lot 1 and said Lemmon Avenue, a distance of 44.95 feet to a point for the most easterly northeast corner of the herein described tract, same being the POINT OF BEGINNING;

THENCE through the interior of said Lot 1 as follows:

South 43 deg. 23 min. 22 sec. West, a distance of 13.34 feet to a point for the beginning of a tangent curve to the left, having a radius of 14.50 feet, a central angle of 80 deg. 59 min. 27 sec., and a chord bearing and distance of South 03 deg. 22 min. 19 sec. West, 18.83 feet;

Along said tangent curve to the left, an arc distance of 20.50 feet to a point for the beginning of a reverse tangent curve to the right, having a radius of 29.65 feet, a central angle of 63 deg. 07 min. 29 sec., and a chord bearing and distance of South 08 deg. 06 min. 37 deg. East, 31.04 feet;

Along said reverse tangent curve to the right, an arc distance of 32.67 feet to a point for angle point;

South 25 deg. 01 min. 48 sec. West, a distance of 263.23 feet to a point for angle point;

South 35 deg. 36 min. 52 sec. East, a distance of 26.45 feet to a point for corner in the easterly line of said Lot 1, same being in the westerly line of Lot 8, Block 1/2452, Lemmon Avenue Place, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 1, Page 213, aforesaid Plat Records, same being that certain tract of land conveyed to Todd Forbest Automotive II, LLC by deed recorded in Instrument Number 201200021198, aforesaid Official Public Records;;

THENCE South 24 deg. 56 min. 31 sec. West, along the common line of said Lot 1 and said Lot 8, a distance of 29.29 feet to a point for the most southerly corner of the herein described tract;

THENCE through the interior of said Lot 1 as follows:

North 35 deg. 37 min. 27 sec. West, a distance of 37.89 feet to a point for angle point;

North 45 deg. 01 min. 50 sec. West, a distance of 48.64 feet to a point for angle point;

North 45 deg. 18 min. 55 sec. West, a distance of 311.61 feet to a point for the beginning of a tangent curve to the left, having a radius of 29.07 feet, a central angle of 24 deg. 18 min. 43 sec., and a chord bearing and distance of North 56 deg. 50 min. 13 sec. West, 12.24 feet;

GENERAL NOTES:
1. Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the easement tract described.

12/09/2016

TIMOTHY R. MANKIN
6122
REGISTERED PROFESSIONAL LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-0624
DATE:	11/19/2015
REV:	04/28/2016
	05/11/2016
	11/16/2016
	12/09/2016
DRAWN:	J.B.W.

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EXHIBIT B

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DATE: 12.9.16
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UTILITY AND ACCESS EASEMENT
UNIVERSITY PARK AUDI
LOT 1, BLOCK B/2343
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Along said tangent curve to the left, an arc distance of 12.33 feet to a point for the beginning of a reverse curve to the right, having a radius of 66.91 feet, a central angle of 13 deg. 27 min. 03 sec., and a chord bearing and distance of North 62 deg. 11 min. 46 sec. West, 15.67 feet;

Along said reverse curve to the right, an arc distance of 15.71 feet to a point for angle point;

North 46 deg. 50 min. 57 sec. West, a distance of 11.40 feet to a point for angle point;

North 45 deg. 10 min. 30 sec. West, a distance of 129.94 feet to a point for corner;

North 45 deg. 47 min. 55 sec. East, a distance of 62.36 feet to a point for internal corner;

North 45 deg. 10 min. 00 sec. West, a distance of 35.45 feet to a point for corner, same being in the northwesterly line of said Lot 1, same being in the southeasterly right-of-way line of Mahanna Street (variable width right-of-way);

THENCE North 44 deg. 39 min. 11 sec. East, along the common line of said Lot 1 and said Mahanna Street, a distance of 40.00 feet to a point for the most northerly corner of the herein described tract, from which a 1/2 inch iron rod with "WAI" cap found bears North 44 deg. 39 min. 11 sec. East, 215.24 feet for the west end of a corner clip of said Lot 1;

THENCE through the interior of said Lot 1 as follows:

South 45 deg. 10 min. 00 sec. East, a distance of 61.01 feet to a point for corner;

South 45 deg. 50 min. 00 sec. West, a distance of 77.34 feet to a point for internal corner;

South 45 deg. 10 min. 00 sec. East, a distance of 104.67 feet to a point for angle point;

South 46 deg. 50 min. 57 sec. East, a distance of 8.82 feet to a point for the beginning of a tangent curve to the left, having a radius of 42.91 feet, a central angle of 11 deg. 17 min. 08 sec., and a chord bearing and distance of South 63 deg. 15 min. 50 sec. East, 8.44 feet;

Along said tangent curve to the left, an arc distance of 8.45 feet to a point for the beginning of a reverse tangent curve to the right, having a radius of 53.07 feet, a central angle of 24 deg. 07 min. 37 sec., and a chord bearing and distance of South 56 deg. 54 min. 34 sec. East, 22.18 feet;

Along said reverse tangent curve to the right, an arc distance of 22.35 feet to a point for angle point;

South 45 deg. 18 min. 55 sec. East, a distance of 310.68 feet to a point for the beginning of a tangent curve to the left, having a radius of 20.00 feet, a central angle of 98 deg. 43 min. 23 sec., and a chord bearing and distance of North 74 deg. 22 min. 43 sec. East, 30.34 feet;

Along said tangent curve to the left, an arc distance of 34.44 feet to a point for angle point;

North 25 deg. 01 min. 48 sec. East, a distance of 121.54 feet to a point for angle point;

North 45 deg. 16 min. 24 sec. West, a distance of 20.00 feet to a point for angle point;

North 44 deg. 43 min. 33 sec. East, a distance of 38.47 feet to a point for angle point;

GENERAL NOTES:
1. Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas.
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12/09/2016

TIMOTHY R. MANKIN
6122
PROFESSIONAL
LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-0624
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DRAWN:	J.B.W.

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LOT 1, BLOCK B/2343
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532
CITY OF DALLAS, DALLAS COUNTY, TEXAS

South 65 deg. 07 min. 08 sec. East, a distance of 5.81 feet to a point for angle point;

North 24 deg. 53 min. 23 sec. East, a distance of 62.13 feet to a point for the beginning of a tangent curve to the left, having a radius of 4.14 feet, a central angle of 64 deg. 58 min. 23 sec., and a chord bearing and distance of North 11 deg. 23 min. 55 sec. West, 4.45 feet;

Along said tangent curve to the left, an arc distance of 4.70 feet to a point for the beginning of a reverse curve to the right, having a radius of 39.50 feet, a central angle of 82 deg. 06 min. 14 sec., and a chord bearing and distance of North 02 deg. 37 min. 38 sec. East, 51.88 feet;

Along said reverse curve to the right, an arc distance of 56.60 feet to a point for angle point;

North 43 deg. 23 min. 22 sec. East, a distance of 13.91 feet to a point for corner, same being in the northeasterly line of said Lot 1, same being in the southwesterly right-of-way line of aforesaid Lemmon Avenue;

THENCE South 45 deg. 08 min. 02 sec. East, along the common line of said Lot 1 and said Lemmon Avenue, a distance of 25.00 feet to the POINT OF BEGINNING and containing 26,370 square feet or 0.605 acre of computed land, more or less.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT 5033 LEMMON LIMITED PARTNERSHIP, ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, AND ALLEYS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE SAME. ALL, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM AND UPON THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY).

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 CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANOUTS, FIRE HYDRANTS, WATER SERVICES AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE, AND DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

GENERAL NOTES:
1. Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Plat Records, Dallas County, Texas.
2. A plat of survey of even survey date herewith accompanies this legal description.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the easement tract described.

12/09/2016

STATE OF TEXAS
TIMOTHY R. MANIKIN
6122
PROFESSIONAL
LAND SURVEYOR

TIMOTHY R. MANIKIN
Registered Professional Land Surveyor No. 6122

JOB NO.:	15-0624
DATE:	11/19/2015
REV:	04/28/2016
	05/11/2016
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DRAWN:	J.B.W.

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UTILITY AND ACCESS EASEMENT
UNIVERSITY PARK AUDI
LOT 1, BLOCK B/2343
CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT B

LINE TABLE		
LINE	LENGTH	BEARING
L1	44.95'	N 45°08'02" W
L2	13.34'	S 43°23'22" W
L3	263.23'	S 25°01'48" W
L4	26.45'	S 35°36'52" E
L5	29.29'	S 24°56'31" W
L6	37.89'	N 35°37'27" W
L7	48.64'	N 45°01'50" W
L8	311.61'	N 45°18'55" W
L9	11.40'	N 46°50'57" W
L10	129.94'	N 45°10'30" W
L11	62.36'	N 45°47'55" E
L12	35.45'	N 45°10'00" W
L13	40.00'	N 44°39'11" E
L14	61.01'	S 45°10'00" E
L15	77.34'	S 45°50'00" W
L16	104.67'	S 45°10'00" E
L17	8.82'	S 46°50'57" E
L18	310.68'	S 45°18'55" E
L19	121.54'	N 25°01'48" E
L20	20.00'	N 45°16'24" W
L21	38.47'	N 44°43'33" E
L22	5.81'	S 65°07'08" E
L23	62.13'	N 24°53'23" E
L24	13.91'	N 43°23'22" E
L25	25.00'	S 45°08'02" E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	20.50'	14.50'	80°59'27"	S 03°22'19" W	18.83'
C2	32.67'	29.65'	63°07'29"	S 08°06'37" E	31.04'
C3	12.33'	29.07'	24°18'43"	N 56°50'13" W	12.24'
C4	15.71'	66.91'	13°27'03"	N 62°11'46" W	15.67'
C5	8.45'	42.91'	11°17'08"	S 63°15'50" E	8.44'
C6	22.35'	53.07'	24°07'37"	S 56°54'34" E	22.18'
C7	34.44'	20.00'	98°43'23"	N 74°22'43" E	30.34'
C8	4.70'	4.14'	64°58'23"	N 11°23'55" W	4.45'
C9	56.60'	39.50'	82°06'14"	N 02°37'38" E	51.88'

The undersigned, Registered Professional Land Surveyor, hereby certifies that this legal description accurately sets out the metes and bounds of the easement tract described.

12/09/2016

STATE OF TEXAS
REGISTERED
TIMOTHY R. MANKIN
6122
PROFESSIONAL
LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

GENERAL NOTES:
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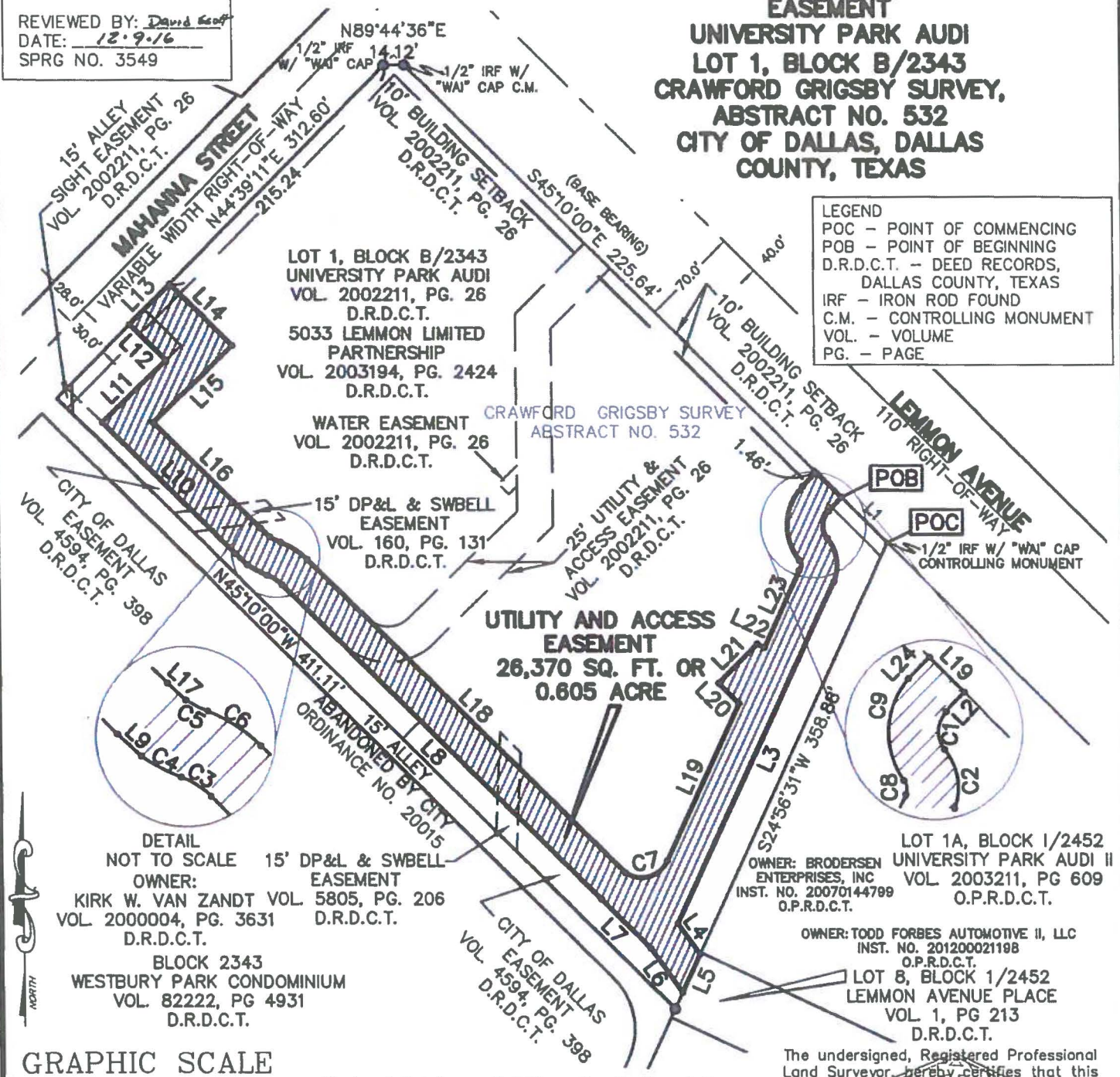
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LEGEND
POC – POINT OF COMMENCING
POB – POINT OF BEGINNING
D.R.D.C.T. – DEED RECORDS, DALLAS COUNTY, TEXAS
IRF – IRON ROD FOUND
C.M. – CONTROLLING MONUMENT
VOL. – VOLUME
PG. – PAGE

DETAIL
NOT TO SCALE

OWNER:
KIRK W. VAN ZANDT
VOL. 2000004, PG. 3631
D.R.D.C.T.

BLOCK 2343
WESTBURY PARK CONDOMINIUM
VOL. 82222, PG 4931
D.R.D.C.T.

15' DP&L & SWBELL EASEMENT
VOL. 5805, PG. 206
D.R.D.C.T.

CITY OF DALLAS EASEMENT VOL. 4594, PG. 398 D.R.D.C.T.

OWNER: BRODERSEN ENTERPRISES, INC
INST. NO. 20070144799
O.P.R.D.C.T.

LOT 1A, BLOCK I/2452
UNIVERSITY PARK AUDI II
VOL. 2003211, PG 609
O.P.R.D.C.T.

OWNER: TODD FORBES AUTOMOTIVE II, LLC
INST. NO. 201200021198
O.P.R.D.C.T.

LOT 8, BLOCK 1/2452
LEMMON AVENUE PLACE
VOL. 1, PG 213
D.R.D.C.T.

GRAPHIC SCALE

0 50 100

(IN FEET)
1 inch = 100 ft.

Basis of Bearing – Based on the Northeast line (South 45 deg. 10 min. 00 sec. East) of Lot 1, Block B/2343, University Park Audi, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2002211, Page 26, Deed Records, Dallas County, Texas.

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11/28/2016

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REGISTERED PROFESSIONAL LAND SURVEYOR

TIMOTHY R. MANKIN
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JOB NO.:	15–0624
DATE:	11/19/2015
REV:	04/28/2016
	05/11/2016
	11/16/2016
	12/09/2016
SCALE:	1" = 100'
DRAWN:	J.B.W.

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AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 25T

SUBJECT

An ordinance abandoning two utility and access easements to Preston Hollow Place Property Owner, L.P., the abutting owner, containing a total of approximately 37,959 square feet of land, located near the intersection of Preston Road and Northwest Highway - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of two utility and access easements to Preston Hollow Place Property Owner, L.P., the abutting owner. The area will be included with the property of the abutting owner for the construction of an apartment development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Revenue - $5,400, plus the $20 ordinance publication fee

OWNER

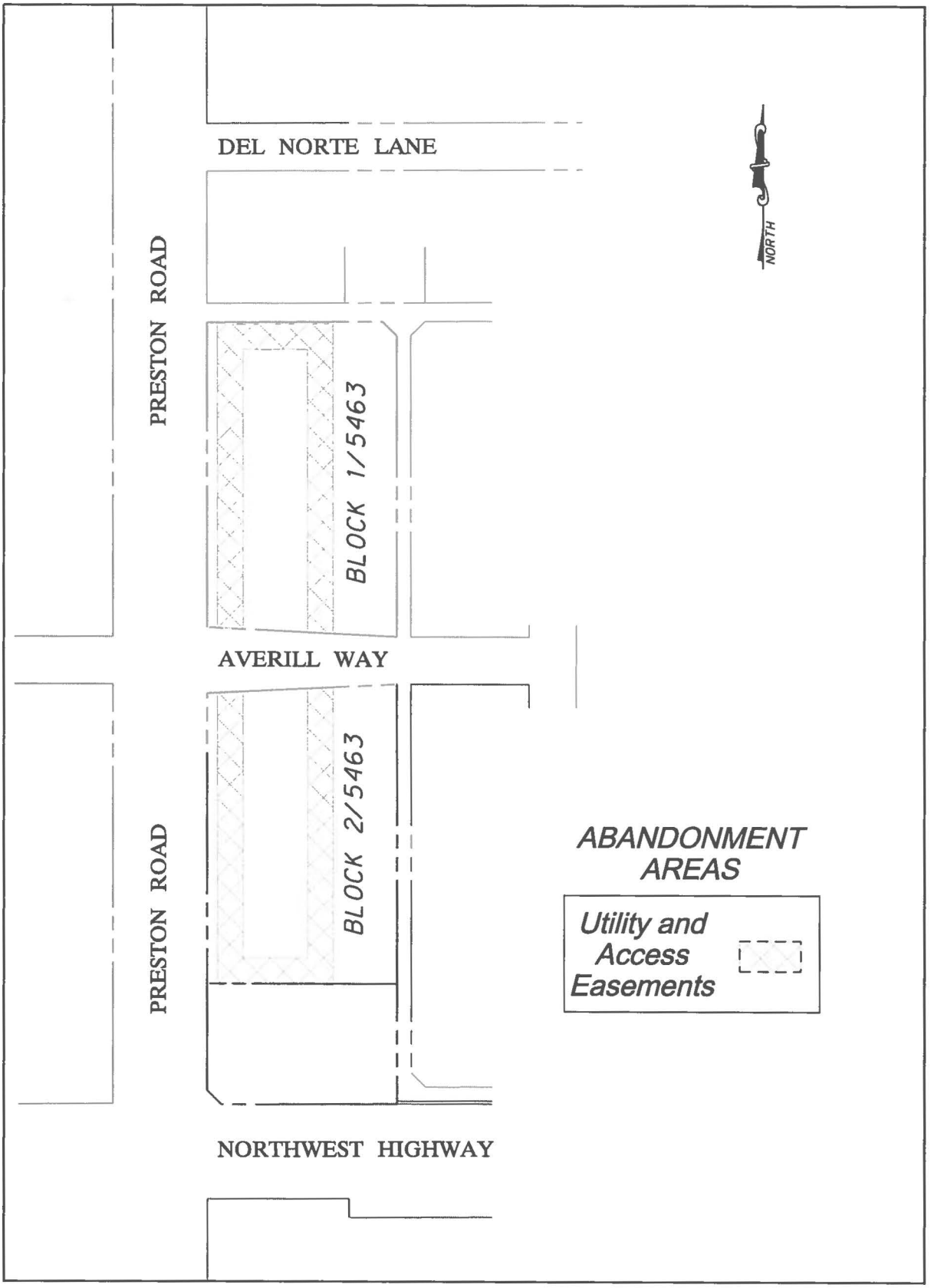
Preston Hollow Place Property Owner, L.P.

Preston Hollow Place GP, L.L.C.

Mark Culwell, Jr., Managing Director

MAP

Attached


DEL NORTE LANE
PRESTON ROAD
BLOCK 1/5463
AVERILL WAY
BLOCK 2/5463
PRESTON ROAD
NORTHWEST HIGHWAY
NORTH
ABANDONMENT AREAS
Utility and Access Easements

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of two utility and access easements, located in City Blocks 1/5463 and 2/5463 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Preston Hollow Place Property Owner, L.P.; 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; 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 Preston Hollow Place Property Owner, L.P., a Delaware limited partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said 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 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 Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain 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 hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, 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 the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance.

The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this contract is designated as Contract No. DEV-2017-00002298.

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:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
For-Assistant Director

Passed _____.

EXHIBIT A-TRACT I

UTILITY AND ACCESS EASEMENT ABANDONMENT
NORTHWEST PARK NO. 1
PART OF LOT 1-A, TRACT NO. 1
BLOCK 1/5463
JOHN McDOWELL SURVEY, ABSTRACT NO. 922
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 19,350 square feet or a 0.444 acre tract of land in the John McDowell Survey, Abstract No. 922, City of Dallas, Dallas County, Texas, said tract being a part of Lot 1-A, Tract No. 1, Block 1/5463 of the Northwest Park Addition No. 1, an addition to the City of Dallas, Dallas County, Texas according to the map recorded in Volume 51, Page 57, Map Records, Dallas, Dallas County, Texas, an existing easement created by the map of Northwest Park No. 1 & 2, an addition to the City of Dallas according to the map thereof recorded in Volume 26, Page 77, Map Records of Dallas County, Texas and by the map of said Northwest Park Addition No. 1 and a Utility and Private Access Easement granted in document recorded in Volume 5898, Page 48, Deed Records of Dallas County, Texas said tract conveyed to Preston Hollow Place Property Owner, L.P. Ltd. by Warranty Deeds in Instrument Numbers 201500330392, 201500330432, 201500330435, 201500330438, 201500330394 and 201500330440, Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a found 5/8 inch iron rod at the southwest corner of said Lot 1-A, Tract No. 1, said Northwest Park Addition No. 1, said point being the intersection of the east line of Preston Road (a 100' Right-of-Way) and the north line of Averill Way (a variable width Right-of-Way);

-Thence, S87°08'00"E, with the north line of Averill Way and with the south line of said Lot 1-A, Tract No. 1, a distance of 11.01 feet to the Point of Beginning;

THENCE, N00°00'00"W, departing the south line of Averill Way, over and across Lot 1A, Tract No. 1, and parallel to the east line of Preston Road, a distance of 320.88 feet to a point for a corner;

THENCE, N89°38'00"E, parallel and 2.00 feet off of the south line of a 20 foot alley, a distance of 122.00 feet to a point for a corner;

(For SPRG Use Only)
Reviewed By: JL
Date: 8-9-16
SPRG No 3769

EXHIBIT A-TRACT I

UTILITY AND ACCESS EASEMENT ABANDONMENT
NORTHWEST PARK NO. 1
PART OF LOT 1-A, TRACT NO. 1
BLOCK 1/5463
JOHN McDOWELL SURVEY, ABSTRACT NO. 922
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE, N87°08'00"W, with the north line of Averill Way and the south line of said Lot 1-A, Tract No. 1, a distance of 27.03 feet to a point for a corner;

THENCE, N00°00'00"W, departing the south line of Averill Way, a distance of 299.25 feet to a point for a corner;

THENCE, S89°38'00"W, a distance of 68.00 feet to a point for a corner;

THENCE, S00°00'00"E, a distance of 295.41 feet to a point for a corner on the north line of Averill Way and the south line of said Lot 1-A, Tract No. 1;

THENCE, N87°08'00"W, with the north line of Averill Way and the south line of said Lot 1-A Tract No. 1, a distance of 27.03 feet to the POINT OF BEGINNING and containing 19,350 square feet or 0.444 of land.

(The bearing basis for this survey is a bearing of N 00°00'00" E for the east line of Preston Road as indicated on the map of Northwest Park Addition No. 1 as recorded in Volume 51, Page 57, Deed Records of Dallas County, Texas.)

Dated: July 5, 2016



L. Lynn Kadleck
Registered Professional
Land Surveyor No. 3952

(For SPRG Use Only)
Reviewed By: JL
Date: 8-9-16
SPRG No 3769

EXHIBIT A-TRACT I

UTILITY AND ACCESS EASEMENT ABANDONMENT
NORTHWEST PARK NO. 1
LOT 1-A, TRACT 1
BLOCK 1/5463
JOHN McDOWELL SURVEY, ABSTRACT NO. 922
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE: 1"=50'
0 25 50
July 5, 2016
(K&A Job No. 15752)
WPS Job No. 8324

LEGEND

ROW	Right of Way
FIR	Found Iron Rod
MON	3 Inch Aluminum Disk
CM	Controlling Monument
D.R.D.C.T.	Deed Records Dallas County, Texas
M.R.D.C.T.	Map Records Dallas County, Texas
	Easement Abandonmer

(For SPRG Use Only)
Reviewed By: JZ
Date: 8-9-16
SPRG No. 3769

BLOCK B/5463
NORTH RIDGE ADDITION
VOL. 12, PG. 139
M.R.D.C.T.

20' ALLEY
VOL. 12, PG. 39, M.R.D.C.T.
N89°38'00"E 185.00'
2.00' 2.00'

5/8"FIR CM

MON

N89°38'00"E 122.00'

S43°11'30"E
21.15'

MON

RIGHT OF WAY EASEMENT
VOL. 51, PG. 57
D.R.D.C.T.

11.00'

S89°38'00"W
68.00'

UTILITY AND ACCESS EASEMENT ABANDONMENT
19,350 SF/ 0.444 AC

318.55'

Owner: Preston Hollow Place Property Owner, L.P. Ltd.
Inst. No. 201500330392,
Inst No. 201500330432,
Inst. No. 201500330435,
Inst. No. 201500330438,
Inst. No. 201500330394,
Inst. No. 201500330440,
O.P.R.D.C.T.

PRESTON ROAD
100' Public Right of Way
STATE HIGHWAY NO 289
N00°00'00"W 322.26'

N00°00'00"W 320.88'

295.41'

LOT 1-A, TRACT NO. 1
BLOCK 1/5463
NORTHWEST
PARK ADDITION
NO. 1
VOL. 51, PG. 57
D.R.D.C.T.

S00°00'00"E

27' UTILITY AND ACCESS EASEMENT
VOL. 51, PG. 57 M.R.D.C.T.
VOL. 5898, PG. 48 D.R.D.C.T.
VOL. 26, PG. 77, M.R.D.C.T.

N00°00'00"W

299.25'

S00°00'00"E 327.77'

27' UTILITY AND ACCESS EASEMENT
VOL. 51, PG. 57 M.R.D.C.T.
VOL. 5898, PG. 48, M.R.T.C.T.

15' ALLEY
(Vol. 26, Pg. 77, D.R.D.C.T.)

LOT 1
BLOCK A/5463
NORTHWEST PARK NO 1 & 2
VOL. 26, PG. 77
M.R.D.C.T

15'
ROW

S00°01'00"

11.00'

S87°08'00"E
11.01'

POINT OF COMMENCING

POINT OF BEGINNING

N87°08'00"W
27.03'

N87°08'00"W
27.03'

5/8"FIR
CM

68.09'

N87°08'00"W 200.35'

MON

AVERILL WAY
VARIABLE WITH RIGHT OF WAY

STATE OF TEXAS
REGISTERED
L. LYNN KADLECK
3952
PROFESSIONAL
LAND SURVEYOR

July 5, 2016

L. Lynn Kadleck
Registered Professional
Land Surveyor No. 3952

The bearing basis for this survey is a bearing of N00°00'00"W for the west line of Block 1/5463 and Block 2/5463, Northwest Park No. 1, as recorded in Volume 51, Page 57, Map Records, Dallas County, Texas.

KADLECK & ASSOCIATES
a Division of Westwood
Westwood Professional Services, Inc. westwoodps.co
2740 North Dallas Pkwy., Ste. 280 Plano, TX 750
Phone (214) 473-4640 Toll Free (888) 937-51
TBPE Firm Reg. No. 11756 TBPLS Firm Reg. No. 100743

EXHIBIT A-TRACT II

UTILITY AND ACCESS EASEMENT ABANDONMENT
NORTHWEST PARK NO. 1
PART OF LOT 1-A, TRACT NO. 2
BLOCK 2/5463
JOHN McDOWELL SURVEY, ABSTRACT NO. 922
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 18,609 square foot or a 0.427 acre tract of land in the John McDowell Survey, Abstract No. 922, City of Dallas, Dallas County, Texas, said tract being a part of Lot 1-A, Tract No. 2, City Block 2/5463 situated in the Northwest Park Addition No. 1, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 51, Page 57, Map Records, Dallas, Dallas County, Texas, said tract being an existing easement created by the map of Northwest Park No. 1 & 2, an addition to the City of Dallas according to the map thereof recorded in Volume 26, Page 77, Map Records of Dallas County, Texas, by the map of said Northwest Park Addition No. 1 and a Utility and Private Access Easement granted in document recorded in Volume 5898, Page 48, Deed Records of Dallas County, Texas, said tract conveyed to Preston Hollow Place Property Owner, L.P. Ltd. by Warranty Deeds in Instrument Numbers 201500330026, 201500330406, 201500330437, 201500330439, 201500330442, 201500330502, Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a set 5/8 inch iron rod at the northwest corner of said Lot 1-A, Tract No. 2, said point being the intersection of the east line of Preston Road (a 100' Right-of-Way) and the south line of Averill Way (a variable width Right-of-Way);

- Thence, N87°08'00"E, with the south line of Averill Way and with the north line of said Lot 1-A, Tract No. 2, City Block 2/5463, a distance of 11.01 feet to the Point of Beginning;

THENCE, N87°08'00"E, continuing with the south line of Averill Way and with the north line of said Lot 1-A, Tract No. 2, a distance of 27.03 feet to a point for a corner;

THENCE, S00°00'00"W, departing the south line of said Averill Way over and across said Lot 1A, Tract No. 2, a distance of 281.91 feet to a point for a corner;

THENCE, N90°00'00"E, a distance of 68.00 feet to a point for a corner;

(For SPRG Use Only)
Reviewed By: JL
Date: 8-9-16
SPRG No 3736

EXHIBIT A-TRACT II

UTILITY AND ACCESS EASEMENT ABANDONMENT
NORTHWEST PARK NO. 1
PART OF LOT 1-A, TRACT NO. 2
BLOCK 2/5463
JOHN McDOWELL SURVEY, ABSTRACT NO. 922
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE, N00°00'00"E, a distance of 285.31 feet to a point in the south line of Averill Way for a corner;

THENCE, N87°08'00"E, with the south line of Averill Way and with the north line of said Lot 1-A, Tract No. 2, a distance of 27.03 feet to a point for a corner;

THENCE, S00°00'00"W, departing the south line of Averill Way, a distance of 313.66 feet to a point for a corner in the south line of said Lot 1-A, Tract No. 2, said point also being in the north line of Lot 4, Block 2/5463 in Gale Place, recorded in Volume 77132, Page 40, Deed Records, Dallas County, Texas;

THENCE, S90°00'00"W, with the south line of said Lot 1-A, Tract No. 2, and the north line of said Lot 4, a distance of 122.00 feet to a point for a corner;

THENCE, N00°00'00"E, departing the south line of said Lot 1-A, Tract No. 2, and parallel to the east line of Preston Road , a distance of 307.56 feet to the POINT OF BEGINNING and containing 18,609 square feet or 0.427 of land.

(The bearing basis for this survey is a bearing of N 00°00'00" E for the east line of Preston Road as indicated on the map of Northwest Park No. 1 Addition as recorded in Volume 51, Page 57, Map Records of Dallas County, Texas.)

Dated: July 5, 2016



L. Lynn Kadleck
Registered Professional
Land Surveyor No. 3952

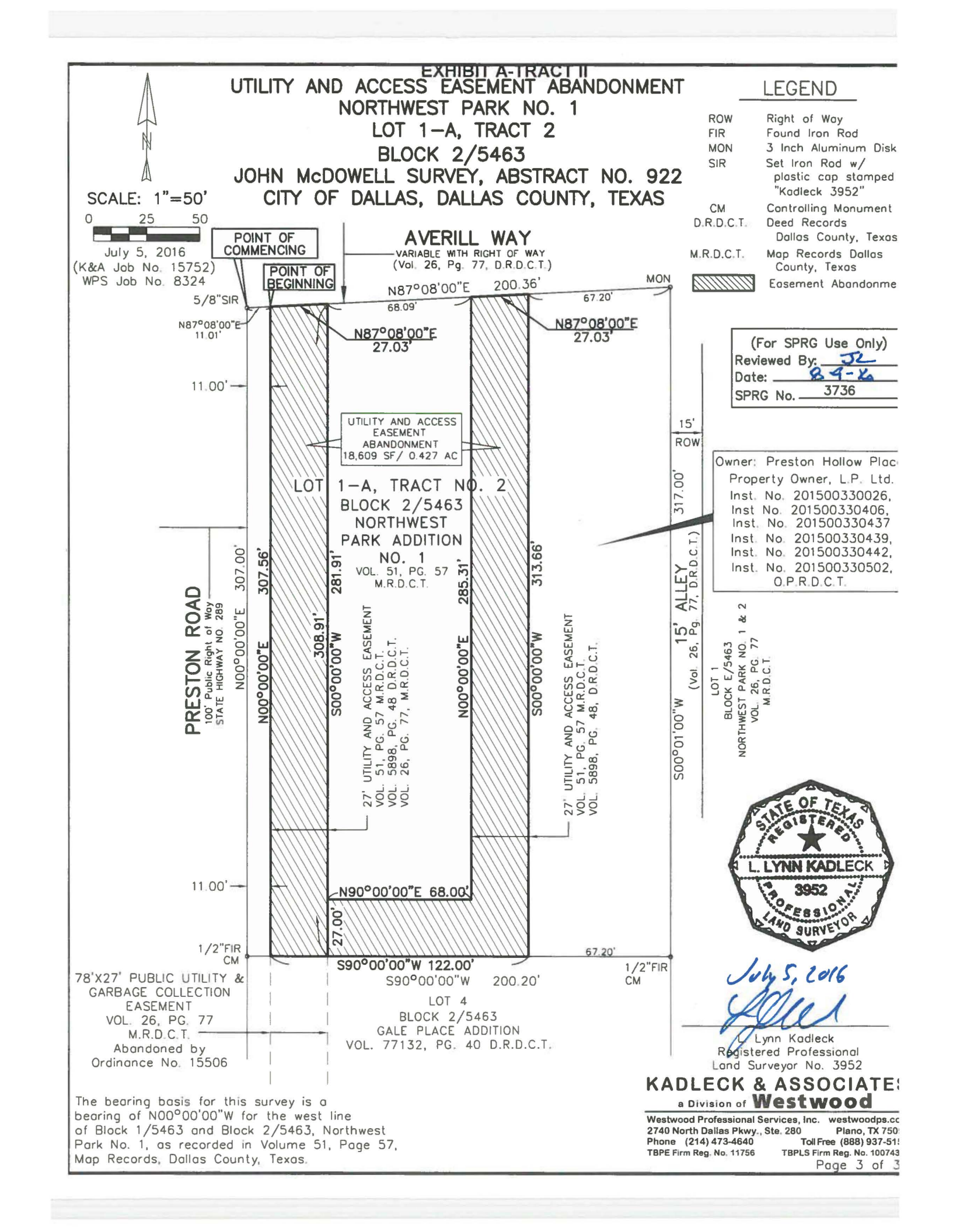
(For SPRG Use Only)
Reviewed By: JL
Date: 8-9-16
SPRG No 3736

EXHIBIT A-TRACT II
UTILITY AND ACCESS EASEMENT ABANDONMENT
NORTHWEST PARK NO. 1
LOT 1-A, TRACT 2
BLOCK 2/5463
JOHN McDOWELL SURVEY, ABSTRACT NO. 922
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE: 1"=50'

0 25 50

July 5, 2016
(K&A Job No. 15752)
WPS Job No. 8324



LEGEND

ROW	Right of Way
FIR	Found Iron Rod
MON	3 Inch Aluminum Disk
SIR	Set Iron Rod w/ plastic cap stamped "Kadleck 3952"
CM	Controlling Monument
D.R.D.C.T.	Deed Records Dallas County, Texas
M.R.D.C.T.	Map Records Dallas County, Texas
	Easement Abandonme

(For SPRG Use Only)
Reviewed By: JL
Date: 8-9-16
SPRG No. 3736

Owner: Preston Hollow Plac
Property Owner, L.P. Ltd.
Inst. No. 201500330026,
Inst No. 201500330406,
Inst. No. 201500330437
Inst. No. 201500330439,
Inst. No. 201500330442,
Inst. No. 201500330502,
O.P.R.D.C.T.

STATE OF TEXAS
REGISTERED
L. LYNN KADLECK
3952
PROFESSIONAL
LAND SURVEYOR

July 5, 2016

L. Lynn Kadleck
Registered Professional
Land Surveyor No. 3952

The bearing basis for this survey is a bearing of N00°00'00"W for the west line of Block 1/5463 and Block 2/5463, Northwest Park No. 1, as recorded in Volume 51, Page 57, Map Records, Dallas County, Texas.

KADLECK & ASSOCIATES
a Division of Westwood
Westwood Professional Services, Inc. westwoodps.cc
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Phone (214) 473-4640 Toll Free (888) 937-51
TBPE Firm Reg. No. 11756 TBPLS Firm Reg. No. 100743

AGENDA ITEM # 68

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity Watershed Management

CMO: Jody Puckett, 670-3390

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 8 to the professional services contract with Halff Associates, Inc. for additional professional services for technical support in preparation for the Federal Emergency Management Agency Community Rating System 2017 Recertification Cycle Visit - Not to exceed $150,000, from $1,668,789 to $1,818,789 - Financing: Stormwater Drainage Management Current Funds

BACKGROUND

The Federal Emergency Management Agency (FEMA) Community Rating System (CRS) is a voluntary incentive program for communities participating in the National Flood Insurance Program (NFIP). This program recognizes and encourages communities to enact floodplain management activities that exceed the minimum NFIP requirements. The City of Dallas has been participating in the CRS since October 1, 1991 and is one of five communities with the highest rating in Texas, with a rating of Class 5. The Class 5 rating currently gives a 25 percent discount on flood insurance premiums to the citizens of Dallas. No community in Texas has ever received a rating higher than Class 5.

As part of the professional services contract, Halff Associates, Inc. assisted Trinity Watershed Management during the 2009, 2011, and 2014 CRS Recertification Cycle Visits. During these visits, the City of Dallas rating increased from Class 7 to the current rating of Class 5, increasing the flood insurance premium discount from 15 percent to 25 percent. Earlier this year, Insurance Services Office, Inc. notified the City of Dallas that a CRS Recertification Cycle Visit would occur this October.

This action will authorize Supplemental Agreement No. 8 with Halff Associates, Inc. to provide additional professional services for technical support in preparation for the FEMA CRS 2017 Recertification Cycle Visit.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 10, 2008, City Council authorized a professional services contract with Halff Associates, Inc. for engineering services by Resolution No. 08-3078.

On June 22, 2011, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. for additional floodplain management assistance by Resolution No. 11-1729.

On August 8, 2012, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. for additional floodplain management assistance for an integrated floodplain database by Resolution No. 12-1931.

On June 12, 2013, City Council authorized Supplemental Agreement No. 6 to the professional services contract for the physical removal and relocation of threatened freshwater river mussels from the Trinity River within the construction footprint of the Continental Bridge Improvements by Resolution No. 13-0977.

On March 25, 2015, City Council authorized Supplemental Agreement No. 7 to the professional services contract for the Community Rating System 2014 Recertification effort and the Dallas Dams Emergency Action Plan and Operation and Maintenance Plan Updates by Resolution No. 15-0509.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Stormwater Drainage Management Current Funds - $150,000

Original Contract	$ 142,000
Supplemental Agreement No. 1	$ 24,800
Supplemental Agreement No. 2	$ 505,900
Supplemental Agreement No. 3	$ 310,000
Supplemental Agreement No. 4	$ 319,000
Supplemental Agreement No. 5	$ 46,604
Supplemental Agreement No. 6	$ 147,512
Supplemental Agreement No. 7	$ 172,973
Supplemental Agreement No. 8 (this action)	$ 150,000
Total Project Cost	$1,818,789

M/WBE INFORMATION

See attached.

OWNER

Halff Associates, Inc.

Jessica Baker, P.E., Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 8 to the professional services contract with Halff Associates, Inc. for additional professional services for technical support in preparation for the Federal Emergency Management Agency Community Rating System 2017 Recertification Cycle Visit - Not to exceed $150,000, from $1,668,789 to $1,818,789 - Financing: Stormwater Drainage Management Current Funds

Halff Associates, Inc. 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

	Amount	Percent
Local contracts	$150,000.00	100.00%
Non-local contracts	$0.00	0.00%
	$150,000.00	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

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$189,318.00	9.83%
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%	$140,151.00	7.27%
Total	$0.00	0.00%	$329,469.00	17.10%

WHEREAS, on November 10, 2008, City Council authorized a professional services contract with Halff Associates, Inc. to create an integrated floodplain database, analyzing flood control alternatives for site specific locations, provide public outreach in flood prone areas, staff training, floodplain reviews and coordination with various entities regarding drainage, floodplain and permitting activities, in an amount not to exceed $142,000, by Resolution No. 08-3078; and

WHEREAS, on April 17, 2010, Administrative Action No. 10-1373 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. for the Dallas Floodway System Emergency Action Plan, in an amount not to exceed $24,800, from $142,000 to $166,800; and

WHEREAS, on June 9, 2010, City Council authorized Supplemental Agreement No. 2 to the contract with Halff Associates, Inc., for additional design and analysis for floodplain management assistance, in an amount not to exceed $505,900, from $166,800 to $672,700, by Resolution No. 10-1507; and

WHEREAS, on June 22, 2011, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc., for additional floodplain management assistance, in an amount not to exceed $310,000, from $672,700 to $982,700, by Resolution No. 11-1729; and

WHEREAS, on August 8, 2012, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional floodplain management assistance for an integrated floodplain database, in an amount not to exceed $319,000, from $982,700 to $1,301,700, by Resolution No. 12-1931; and

WHEREAS, on May 6, 2013, Administrative Action No. 13-0588 authorized Supplemental Agreement No. 5 to the professional services contract with Halff Associates, Inc., for preparation and submittal of an Aquatic Resource relocation plan to Texas Parks and Wildlife for the relocation of threatened species river mussels from the Trinity River to facilitate Continental Bridge pier improvements, in an amount not to exceed $46,604, from $1,031,700 to $1,348,304; and

WHEREAS, on June 12, 2013, City Council authorized Supplemental Agreement No. 6 to the professional services contract with Halff Associates, Inc., to investigate, identify and potentially relocate threatened fresh water mussels from a section of the Trinity River within the construction impact limits of the Continental Avenue Bridge, in an amount not to exceed $147,512.00, from $1,348,304 to $1,495,816, by Resolution No. 13-0977; and

August 23, 2017

WHEREAS, on March 25, 2015, City Council authorized Supplemental Agreement No. 7 to the professional services contract with Halff Associates, Inc., for the Community Rating System 2014 Recertification and the Dallas Dams Emergency Action Plan and Operation and Maintenance Plan Updates, in an amount not to exceed $172,973, from $1,495,816 to $1,668,789, by Resolution No. 15-0509; and

WHEREAS, it is necessary to authorize Supplemental Agreement No. 8 to the professional services contract with Halff Associates, Inc. for additional professional services for technical support in preparation for the Federal Emergency Management Agency (FEMA) Community Rating System 2017 Recertification Cycle Visit, in an amount not to exceed $150,000, from $1,668,789 to $1,818,789.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 8 to the professional services contract with Halff Associates, Inc., approved as to form by the City Attorney, for additional professional services for technical support in preparation for the Federal Emergency Management Agency Community Rating System 2017 Recertification Cycle visit, in an amount not to exceed $150,000, increasing the contract amount from $1,668,789 to $1,818,789.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $150,000 to Halff Associates, Inc. from Stormwater Drainage Management Current Fund, Fund 0061, Department SDM, Unit 4791, Activity SD01, Program PBCUR011, Object 3070, Encumbrance/Contract No. CX TWM-2017-00001961, Vendor 089861.

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 # 69

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 11

DEPARTMENT: Water Utilities

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 25 R

SUBJECT

Authorize an increase in the construction services contract with Webber, LLC for additional work associated with the improvements to the Walcrest Pump Station and reservoir - Not to exceed $558,605, from $36,850,500 to $37,409,105 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The Walcrest Pump Station and reservoir located at the northeast corner of Hillcrest Road and Walnut Hill Lane was constructed and placed in service in 1954. The original facility had a pumping capacity of 85 million gallons per day (MGD) and potable water storage capacity of 20 million gallons. Due to its age, improvements are necessary to address aging infrastructure as well as operational and regulatory deficiencies.

On September 22, 2015, City Council authorized a construction contract with Webber, LLC for improvements to the Walcrest Pump Station and reservoir. These improvements included the demolition of the existing pump station at the Walcrest site and construction of a new 85 MGD pump station. The new pump station will incorporate newer, more efficient technology and provide greater reliability for the distribution system. The work also included the construction of two 10 million gallon storage reservoirs to replace the existing 20 million gallon reservoir. The individual reservoir cells will increase flexibility and reduce maintenance costs.

This action will authorize additional work identified during the construction of the Walcrest facility. This work includes additional underground excavation to remove and replace approximately 2,500 cubic yards of unsuitable material to provide for a more stable reservoir foundation. Also included are upgrades to the pump station's Supervisory Control and Data Acquisition network necessary to meet updated security requirements from the National Institute of Standards and Technology and the United States Department of Homeland Security. This additional work also includes valve improvements necessary to keep the existing pump station in service during the construction of the work.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2009
Completed Design	May 2015
Began Construction	November 2015
Complete Construction	November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 25, 2009, City Council authorized a professional services contract to provide engineering services for design improvements to the Walcrest Pump Station by Resolution No. 09-0842.

On June 13, 2012, City Council authorized Supplemental Agreement No. 1 to the professional services contract to provide additional engineering services for design improvements to the Walcrest Pump Station by Resolution No. 12-1559.

On January 28, 2015, City Council authorized Supplemental Agreement No. 2 to the professional services contract for additional engineering design services related to improvements to the Walcrest Pump Station and reservoir by Resolution No. 15-0193.

On September 22, 2015, City Council authorized a contract for the construction of improvements to the Walcrest Pump Station and reservoir by Resolution No. 15-1782.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $558,604.31

Design	$ 2,051,750.00
Supplemental Agreement No. 1	$ 379,081.28
Supplemental Agreement No. 2	$ 1,234,116.08
Construction Contract	$36,850,500.00
Change Order No. 1 (this action)	$ 558,604.31
Total Project Cost	$41,074,051.67

M/WBE INFORMATION

See attached.

OWNER

Webber, LLC

Tim Creson, President and Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction services contract with Webber, LLC for additional work associated with the improvements to the Walcrest Pump Station and reservoir - Not to exceed $558,605, from $36,850,500 to $37,409,105 - Financing: Water Utilities Capital Improvement Funds

Webber, LLC 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$201,014.00	35.99%
Non-local contracts	$357,590.31	64.01%
TOTAL THIS ACTION	$558,604.31	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

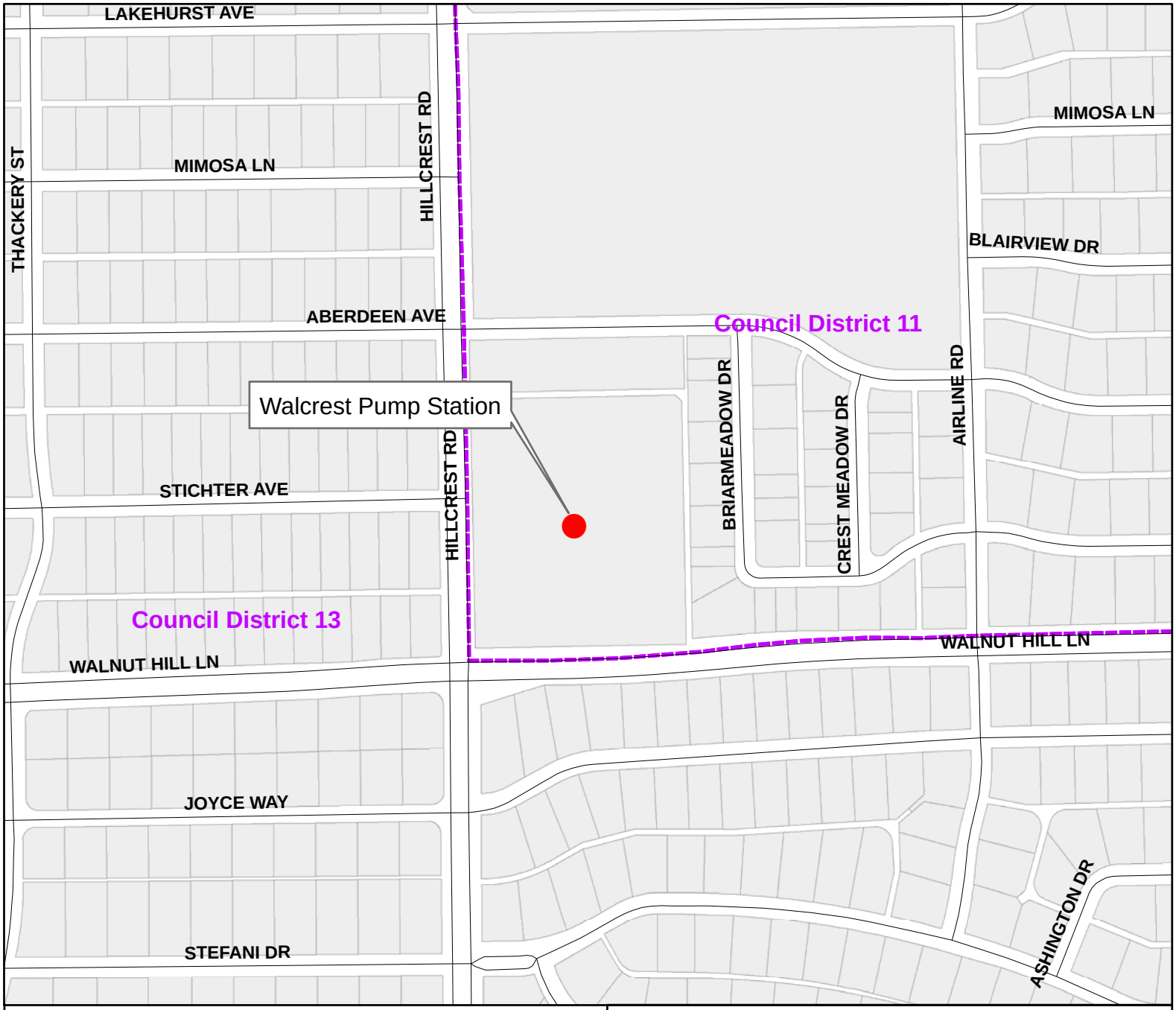
Local	Certification	Amount	Percent
North Texas Trucking, Inc.	HMDB94180Y1117	$23,450.00	11.67%
Total Minority - Local		$23,450.00	11.67%

Non-Local Contractors / Sub-Contractors

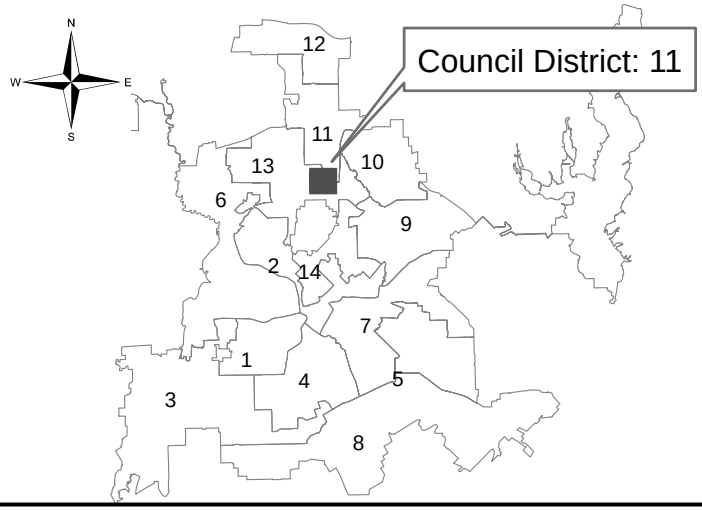
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$23,450.00	4.20%	$5,148,760.00	13.76%
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%	$4,364,515.00	11.67%
Total	$23,450.00	4.20%	$9,513,275.00	25.43%



Mapsco: 25 R



Dallas Water Utilities
Contract No. 15-299, Change Order No. 1
Walcrest Pump Station and Reservoir Improvements

August 23, 2017

WHEREAS, on September 22, 2015, City Council authorized a construction services contract with Webber, LLC for the construction of improvements to the Walcrest Pump Station and reservoir, in an amount not to exceed $36,850,500.00, by Resolution No. 15-1782; and

WHEREAS, it is necessary to authorize Change Order No. 1 for additional work identified during the construction of the Walcrest Pump Station and reservoir; and

WHEREAS, Webber, LLC, 1725 Hughes Landing Boulevard, Suite 1200, The Woodlands, Texas 77380, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 15-299 be increased by $558,604.31, from $36,850,500.00 to $37,409,104.31.

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with Webber, LLC (Change Order No. 1) is authorized for additional work associated with the improvements to the Walcrest Pump Station and reservoir, in an amount not to exceed $558,604.31, increasing the contract from $36,850,500.00 to $37,409,104.31.

SECTION 2. That the proposed Change Order No. 1 be accepted with Webber, LLC and that Contract No. 15-299 be revised accordingly.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $558,604.31, from $36,850,500.00 to $37,409,104.31 to Webber, LLC from the Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW40, Object 4420, Program 715299, Contract No./Encumbrance CT DWU715299CP, Vendor VS85843.

SECTION 4. That this contract is designated as Contract No. DWU-2017-00002699.

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 # 70

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Majed Al-Ghafry, 670-1875

MAPSCO: All

SUBJECT

Authorize an increase in the twenty-four month service contract with NPL Construction Co. for additional paving and infrastructure repairs at various locations throughout the City to extend the term of the service contract by twelve months from September 2017 to September 2018 - Not to exceed $3,760,532, from $57,449,171 to $61,209,703 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

On August 26, 2015, City Council authorized a twenty-four month service contract with NPL Construction Co. for pavement and infrastructure repairs at various locations throughout the City supporting Dallas Water Utilities, Street Services, Aviation, and Trinity Watershed Management by Resolution No. 15-1577.

On September 14, 2016 City Council authorized an increase in the contract with NPL Construction Co. for additional paving and infrastructure repairs at various locations throughout the City in support of the Department of Street Services by Resolution No. 16-1460.

This action will authorize an additional increase in funding of the service contract and extend the term of the contract by twelve months in order to support Dallas Water Utilities repair work. This authorization includes funding for additional pavement and surface repairs to streets, alleys, sidewalks, medians, parkways, parking lots and other areas impacted by water and wastewater main repairs. NPL Construction Co. has agreed to extend the contract term by twelve months and increase the capacity of the contract at the same unit prices in the existing contract. Given the trend of escalating paving costs on recently bid projects, Dallas Water Utilities anticipates saving at least five percent on the cost of this work versus bidding a new service contract.

ESTIMATED SCHEDULE OF PROJECT

Began Services	September 2015
Complete Services	September 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 26, 2015, City Council authorized a twenty-four month service contract for pavement and infrastructure repairs at various locations throughout the city by Resolution No. 15-1577.

On September 14, 2016, City Council authorized an increase in the contract for additional paving and infrastructure repairs at various locations throughout the city by Resolution No. 16-1460.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $3,760,531.07

Service Contract	$50,716,526.57
Change Order No. 1	$ 6,732,644.96
Change Order No. 2 (this action)	$ 3,760,531.07
Total Project Cost	$61,209,702.60

M/WBE INFORMATION

See attached.

OWNER

NPL Construction Co.

Mark Wombach, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the twenty-four month service contract with NPL Construction Co. for additional paving and infrastructure repairs at various locations throughout the City to extend the term of the service contract by twelve months from September 2017 to September 2018 - Not to exceed $3,760,532, from $57,449,171 to $61,209,703 - Financing: Water Utilities Capital Construction Funds

NPL Construction Co. 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$3,448,531.07	91.70%
Non-local contracts	$312,000.00	8.30%
TOTAL THIS ACTION	$3,760,531.07	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
RBTS, LLC	HMDFW021431217	$628,132.75	18.21%
Total Minority - Local		$628,132.75	18.21%

Non-Local Contractors / Sub-Contractors

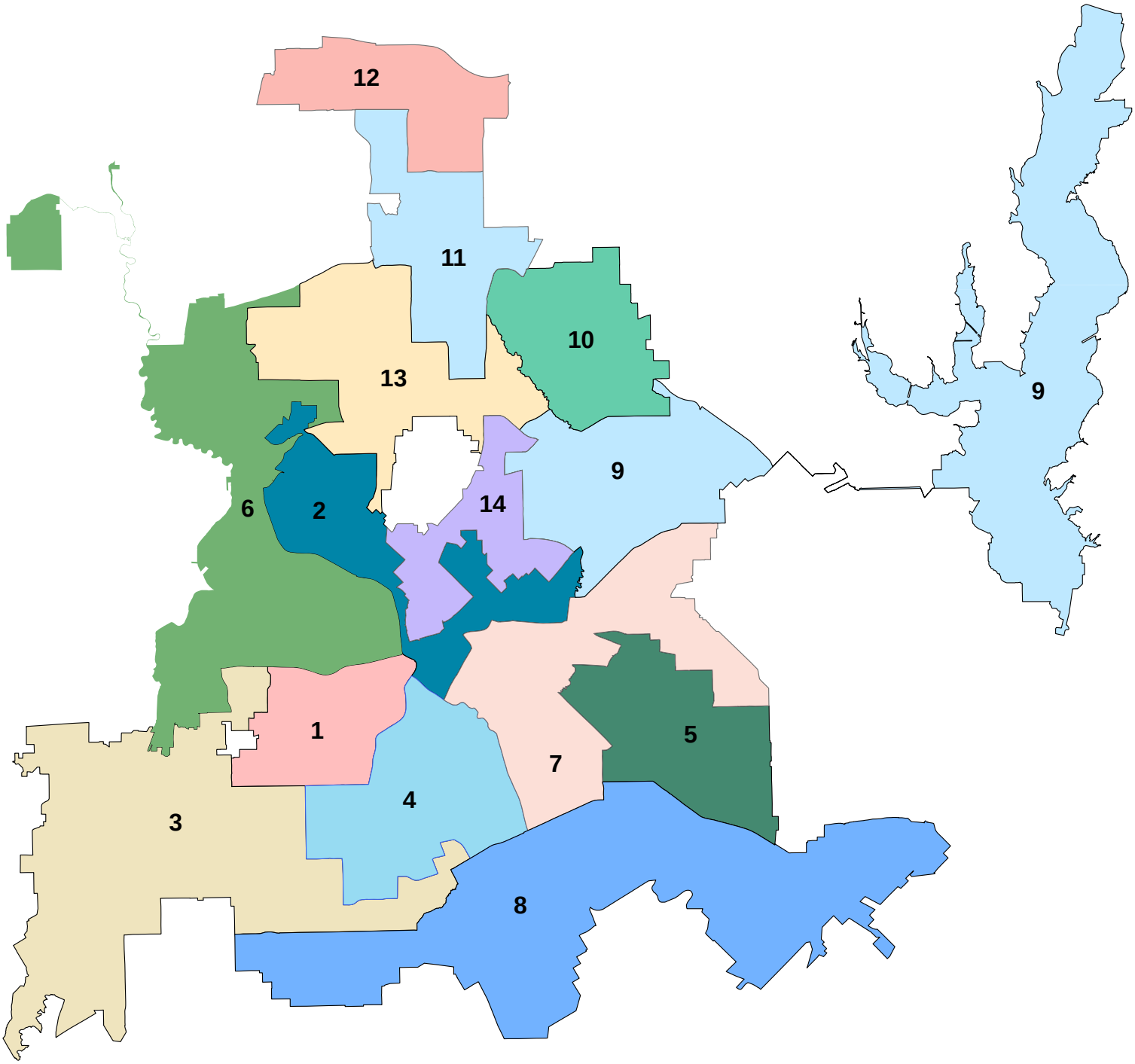
Non-local	Certification	Amount	Percent
Ram Tool & Supply Co., Inc.	WFWB10044N0518	$312,000.00	100.00%
Total Minority - Non-local		$312,000.00	100.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$3,503,000.00	5.72%
Hispanic American	$628,132.75	16.70%	$10,550,293.99	17.24%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$312,000.00	8.30%	$1,318,000.00	2.15%
Total	$940,132.75	25.00%	$15,371,293.99	25.11%



Dallas Water Utilities
Contract No. 8, Change Order No. 2
Paving and Infrastructure Repairs
on City of Dallas Infrastructure at
Various Locations

August 23, 2017

WHEREAS, on August 26, 2015, City Council authorized a twenty-four month service contract with NPL Construction Co. for pavement and infrastructure repairs at various locations throughout the city, in an amount not to exceed $50,716,526.57, by Resolution No. 15-1577; and

WHEREAS, on September 14, 2016, City Council authorized Change Order No. 1 to the twenty-four month service contract for additional paving and infrastructure repairs at various locations throughout the city, in an amount not to exceed $6,732,644.96, from $50,716,526.57 to $57,449,171.53, by Resolution No. 16-1460; and

WHEREAS, Dallas Water Utilities has requested that the service contract be increased to extend the term of the contract by twelve months to perform additional pavement and infrastructure repairs resulting from water and wastewater pipeline maintenance at various locations throughout the City; and

WHEREAS, NPL Construction Co., 2159 South Shiloh Road, Suite 4, Garland, Texas 75041, has submitted an acceptable proposal for this additional work; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 8 be increased by $3,760,531.07, from $57,449,171.53 to $61,209,702.60.

Now, Therefore,

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

SECTION 1. That an increase in the service contract with NPL Construction Co. (Change Order No. 2) is authorized to extend the term of the contract by twelve months to perform additional pavement and infrastructure repairs resulting from water and wastewater pipeline maintenance at various locations throughout the City, in an amount not to exceed $3,760,531.07, increasing the contract amount from $57,449,171.53 to $61,209,702.60.

SECTION 2. That the proposed Change Order No. 2 be accepted with NPL Construction Co. and that Contract No. 8, be revised accordingly.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,760,531.07, from $57,449,171.53 to $61,209,702.60 to NPL Construction Co., as follows:

Contract No. 8	
Water Construction Fund	
Fund 0102, Department DWU, Unit CW50	
Object 3221, Program 7WPAVING, Vendor 335435	$2,820,420.80

SECTION 3. (continued)

Contract No. 8	
Wastewater Construction Fund	
Fund 0103, Department DWU, Unit CS50	
Object 3222, Program 7TPAVING, Vendor 335435	$ 940,110.27
Total amount not to exceed	$3,760,531.07

SECTION 4. That this contract is designated as Contract No. DWU-2017-00001953.

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.

DEPARTMENT: City Secretary

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): N/A

SUBJECT

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

AGENDA ITEM # 72

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services
Mobility and Street Services

CMO: Elizabeth Reich, 670-7804
Jody Puckett, 670-3390
Majed Al-Ghafry, 670-3302

MAPSCO: N/A

SUBJECT

Authorize **(1)** an acquisition contract for the purchase and implementation of an Advanced Traffic Management System (ATMS) for Mobility and Street Services in the amount of $6,352,990; and **(2)** a five-year service contract, with a five-year renewal option, for maintenance and support of the ATMS in the amount of $3,523,538 - Ericsson, Inc., most advantageous proposer of five - Total not to exceed $9,876,528 - Financing: Texas Department of Transportation Grant Funds ($5,744,477), General Obligation Commercial Paper Funds ($2,007,091), 2006 Bond Funds ($1,252,000), and 2003 Bond Funds ($872,960)

BACKGROUND

These contracts will allow for the purchase, implementation, maintenance, and support of an Advanced Traffic Management System (ATMS) with enhanced capabilities that are compatible with modern digital devices and the City's network. The City's current analog traffic management system is obsolete. It is not supported by the manufacturer. Additionally, the current system is no longer compatible with the City's network, Microsoft Windows platform, and modern (digital) communication equipment, cameras, and similar devices.

The new ATMS will be critical to the success of the City's efforts to enhance mobility and incident management capabilities along major corridors through a proposed "Traffic Signal Synchronization" project, which is included in the 2017 Bond Package. The ATMS is crucial to future traffic signal system operations and will be coupled with the proposed Bond project to comprehensively equip traffic signals along high volume corridors with advanced traffic signal controllers, state of the art radar detectors, digital cellular modems, and video cameras. The addition of this equipment will optimize traffic flow and provide capabilities for real time responses to incidents along corridors and special events traffic.

BACKGROUND (continued)

In addition, the ATMS includes advanced features such as adaptive control, which allows the traffic signal system to adjust timing automatically to changing traffic patterns. Its advanced diagnostic features will notify staff of malfunctions as well as the type of iss ues, so appropriate staff and equipment can be dispatched to troubleshoot and repair more expeditiously.

Furthermore, the new system will create a unified user platform to manage other traffic related devices, including cameras, dynamic message signs, and asset management to increase staff productivity and efficiency. It will allow for remote operations during emergencies and special events. The system's cloud based design will also allow for more efficient data sharing with surrounding cities, Dallas Area Rapid Transit, North Central Texas Council of Governments, and other third party vendors. It will also support advanced applications such as autonomous and connected vehicles.

The acquisition contract will be utilized to purchase and implement all software and hardware necessary for the City to replace the current obsolete traffic management system. The maintenance contract will provide maintenance for the new system for a period of five years, with one five-year renewal option, and includes software patches and updates, compliance with any new state or federal requirements, and technical and customer service support.

A ten member committee from the following, reviewed and evaluated the qualifications:

- Mobility and Street Services (4)
- Communication and Information Services (2)
- City of Richardson (1)
- City of Irving (1)
- Business Development & Procurement Services (BDPS) (2)*

*BDPS only evaluated cost and the Business Inclusion and Development (BID) Plan.

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

- Cost 30%
- Proposed solution 25%
- Technical match 25%
- Business Inclusion and Development Plan 15%
- Quality of response 5%

BACKGROUND (continued)

As part of the solicitation process and in an effort to increase competition, BDPS used its procurement system to send out 2,427 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, the Office of Business Diversity's ResourceLINK Team sent notifications to 25 chambers of commerce, the DFW Minority Business Council, and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.37, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 9, 2013, the Transportation and Trinity River Project Committee was briefed on the Advanced Traffic Management System Project.

On November 20, 2013, City Council was briefed on the Traffic Signal System Upgrade Needs.

On June 25, 2014, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation (CSJ No. 0918-45-888) for the design, test and implementation of new communication technologies at various city-wide locations for a period of ten years by Resolution No. 14-1033.

On September 10, 2014, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation (CSJ Nos. 0918-47-094 and 0918-47-095) for the acquisition of hardware, software and communication equipment for a central computer system for the City's Advanced Traffic Management System upgrade project; the establishment of appropriations in the Texas Department of Transportation Grant Fund; and a required local match by Resolution No. 14-1471.

On June 10, 2015, City Council authorized an amendment to the Local Project Advance Funding Agreement (CSJ No. 0918-45-888; Resolution No. 14-1033) with the Texas Department of Transportation for the design, testing, and implementation of new communication technologies at various citywide locations; an increase in appropriations in the Texas Department of Transportation Grant Fund; and an increase in local match by Resolution No. 15-1061.

On February 27, 2017, the Transportation and Trinity River Project Committee was briefed on the Advanced Traffic Management System Project Update.

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

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

Texas Department of Transportation Grant Funds (2 Grants) - $5,744,477.00
2006 Bond Program (General Obligation Commercial Paper Funds) - $2,007,091.19
2006 Bond Funds - $1,252,000.00
2003 Bond Funds - $872,959.55

M/WBE INFORMATION

406 - Vendors contacted
406 - No response
0 - Response (Bid)
0 - Response (No Bid)
0 - Successful vendor

The awardee has fulfilled the good faith effort requirements set forth in the BID Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended.

PROPOSAL INFORMATION

BDPS received the following proposals from solicitation number BUZ1512. We opened them on August 5, 2015. We recommend the City Council award these contracts in their entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	**Address**	**Score**	**Amount**
*Ericsson, Inc.	6300 Legacy Dr. Plano, TX 75024	83.38%	$ 9,876,527.74
Cubic Transportation Systems, Inc.	5650 Kearny Mesa Rd. San Diego, CA 92111	73.26%	$13,619,251.65
Kimley-Horn and Associates, Inc.	12750 Merit Dr. Suite 1000 Dallas, TX 75251	69.02%	$24,908,000.00

Note: The above vendor scores and pricing are based on fully negotiated systems and pricing.

PROPOSAL INFORMATION (continued)

Vendor scores listed below are based on initial proposals.

TransCore ITS, LLC	3721 TecPort Dr. Suite 102 Harrisburg, PA 17111	59.67%
Peek Traffic Corporation	5401 N. Sam Houston Pkwy. W. Houston, TX 77086	35.00%

OWNER

Ericsson, Inc.

Niklas Heuveldop, President
Jurgen Arts, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** an acquisition contract for the purchase and implementation of an Advanced Traffic Management System (ATMS) for Mobility and Street Services in the amount of $6,352,990; and **(2)** a five-year service contract, with a five-year renewal option, for maintenance and support of the ATMS in the amount of $3,523,538 - Ericsson, Inc., most advantageous proposer of five - Total not to exceed $9,876,528 - Financing: Texas Department of Transportation Grant Funds ($5,744,477), General Obligation Commercial Paper Funds ($2,007,091), 2006 Bond Funds ($1,252,000), and 2003 Bond Funds ($872,960)

Ericsson, 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: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$67,996.46	0.69%
Total non-local contracts	$9,808,531.28	99.31%
TOTAL CONTRACT	$9,876,527.74	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
World Wide Technology, Inc.	IMDFW016080118	$67,996.46	100.00%
Total Minority - Local		$67,996.46	100.00%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Global IP Netowrks, Inc.	PFDFW028520517	$177,755.00	1.81%
KBH Traffic Engineering	WFWBC278031117	$187,000.00	1.91%
Total Minority - Non-local		$364,755.00	3.72%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$67,996.46	100.00%	$245,751.46	2.49%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$187,000.00	1.89%
Total	$67,996.46	100.00%	$432,751.46	4.38%

WHEREAS, on June 25, 2014, City Council authorized a Local Project Advance Funding Agreement (Contract No. STS-2017-00002613) with the Texas Department of Transportation (CSJ No. 0918-45-888) for a period of ten years for the design, test and implementation of new communication technologies at various city-wide locations; the establishment of appropriations in the amount of $2,000,000.00 in Texas Department of Transportation Grant Funds; and a required local match in an amount not to exceed $500,000.00, in a total not to exceed $2,500,000.00, with a total not to exceed $2,500,000.00, by Resolution No. 14-1033; and

WHEREAS, on September 10, 2014, City Council authorized a Local Project Advance Funding Agreement (Contract No. STS-2017-00002612) with the Texas Department of Transportation (CSJ Nos. 0918-47-094 and 0918-47-095) for the acquisition of hardware, software and communication equipment for a central computer system for the City's Advanced Traffic Management System upgrade project; the establishment of appropriations in the amount of $3,318,877.00 in the Texas Department of Transportation Grant Fund; and a required local match in an amount not to exceed $538,782.00 including $10,564.00 to be paid by warrant check at the beginning of the project by Resolution No. 14-1471; and

WHEREAS, on June 10, 2015, City Council authorized an amendment to the Local Project Advance Funding Agreement (Contract No. STS-2017-00002613) with the Texas Department of Transportation (CSJ No. 0918-45-888) for the design, testing, and implementation of new communication technologies at various citywide locations; an increase in appropriations in the amount of $425,600.00 in the Texas Department of Transportation Grant Fund; and an increase in a required local match in the amount of $106,400.00, by Resolution No. 15-1061.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an acquisition contract with Ericsson, Inc. (VS88446), approved as to form by the City Attorney, for the purchase and implementation of an Advanced Central Traffic Management System (ATMS) in an amount not to exceed $6,352,990.03; and a five-year service contract, with a five-year renewal option, for maintenance and support of the ATMS in an amount not to exceed $3,523,537.71, for a total amount not to exceed $9,876,527.74. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Ericsson, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Ericsson, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $6,352,990.03 to Ericsson, Inc. from Acquisition Service Contract No. DSV-2017-00001902, as follows:

Texas Department of Transportation Fund (CSJ Nos. 0918-47-094, 0918-47-095) Fund F8FH, Department STS, Unit 88FH, Object 4735 Activity THRG, Program TP88FH14, Major Program TxDOT Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$3,318,877.00
Street and Transportation Improvements Fund Fund 2T22, Department STS, Unit R090, Object 4735 Activity THRG, Program PB03R090 Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$ 538,782.14
Texas Department of Transportation Fund (CSJ No. 0918-45-888) Fund S8FI, Department STS, Unit 88FI, Object 4735 Activity THRG, Program TP88FI14, Major Program TxDOT Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$1,996,264.71
Street and Transportation Improvements Fund Fund 2T22, Department STS, Unit R090, Object 4735 Activity THRG, Program PB03R090 Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$ 499,066.18
Total not to exceed	$6,352,990.03

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,523,537.71 to Ericsson, Inc., from Maintenance and Support Service Contract No. DSV-2017-00001902, as follows:

Texas Department of Transportation Fund (CSJ No. 0918-45-888) Fund S8FI, Department STS, Unit 88FI, Object 3438 Activity THRG, Program TP88FI14, Major Program TxDOT Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$ 429,335.29

SECTION 3. (continued)

Street and Transportation Improvements Fund Fund 2T22, Department STS, Unit R090, Object 3438 Activity THRG, Program PB03R090 Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$ 107,333.82
Street and Transportation Improvements Fund Fund 5R22, Department STS, Unit R090, Object 3438 Activity THRG, Program PB03R090 Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$ 264,446.52
Street and Transportation Improvements Fund Fund 2T22, Department PBW, Unit R090, Object 3438 Activity THRG, Program PB03R090 Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$ 106,817.86
Street and Transportation Improvements Fund Fund 4T22, Department PBW, Unit R090, Object 3438 Activity THRG, Program PB03R090 Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$2,007,091.19
Street and Transportation Improvements Fund Fund 6R22, Department PBW, Unit R090, Object 3438 Activity THRG, Program PB03R090 Encumbrance MASC DSV-2017-00001902 Commodity 55080, Vendor VS88446	$ 608,513.03
Total not to exceed	$3,523,537.71

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 # 73

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

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 3, 8

DEPARTMENT: Park & Recreation
Mobility and Street Services

CMO: Willis Winters, 670-4071
Majed Al-Ghafry, 670-3302

MAPSCO: 65 L, Q, U

SUBJECT

Authorize an increase in the contract with Northstar Construction, LLC to add increased scope of work associated with the Runyon Creek Trail located between Glendale Park to the new Singing Hills Recreation Center – Not to exceed $213,626, from $2,354,100 to $2,567,726 – Financing: General Obligation Commercial Paper Funds

BACKGROUND

On April 27, 2016, City Council authorized a contract award to Northstar Construction, LLC for trail improvements at Runyon Creek Trail located between Glendale Park and Camp Wisdom Road, in an amount not to exceed $2,497,700, by Resolution No. 16-0638.

On September, 14, 2016, City Council authorized Change Order No. 1 to delete a section of the trail from Crouch Road to Runyon Springs Branch and add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work for the Runyon Creek Trail located between Glendale Park and Camp Wisdom Road, in an amount not to exceed ($-143,600), decreasing the contract amount from $2,497,700 to $2,354,100, by Resolution No. 16-1454.

This action will authorize Change Order No. 2 to the contract with Northstar Construction, LLC, in an amount not to exceed $112,763, from $2,354,100 to $2,567,726 for an increase in the contract to replace a section of existing deteriorated trail at Glendale South, relocate the existing sidewalk around football field at Singing Hills Park, and install “In-Pavement” flashing crosswalk lighting at Wagon Wheel and Crouch Road trail crossings and other miscellaneous trail related items.

ESTIMATED SCHEDULE OF PROJECT

Began Construction June 2016
Complete Construction September 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 6, 2015, the Park and Recreation Board authorized proceeding with advertisement for construction procurement.

On March 10, 2016, the Park and Recreation Board deferred this item.

On April 7, 2016, the Park and Recreation Board authorized award of the contract.

On April 27, 2016, City Council authorized award of the contract by Resolution No. 16-0638.

On August 18, 2016, the Park and Recreation Board authorized Change Order No. 1.

On September 12, 2016, information about this item was provided to the Quality of Life, Arts and Culture Committee.

On September 14, 2016, City Council authorized Change Order No. 1.

On May 18, 2017, the Park and Recreation Board authorized Change Order No. 2.

The Quality of Life, Arts and Culture Committee will be briefed by memorandum regarding this matter on June 16, 2017.

On June 28, 2017, this item was deferred by Councilmember Sandy Greyson.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - $213,626

Construction Contract	$ 2,497,700
Change Order No. 1	$ (143,600)
Change Order No. 2 (this action)	$ 213,626
Total not to exceed	$ 2,567,726

Council District	Amount
3	$133,872
8	$ 79,754

Total	$ 213,626

M/WBE INFORMATION

See attached.

OWNER

Northstar Construction, LLC

Michael A. Heimlich, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Northstar Construction, LLC to add increased scope of work associated with the Runyon Creek Trail located between Glendale Park to the new Singing Hills Recreation Center – Not to exceed $213,626, from $2,354,100 to $2,567,726 – Financing: General Obligation Commercial Paper Funds

Northstar Construction, LLC, 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 - THIS ACTION ONLY

	Amount	Percent
Local contracts	$32,255.00	15.10%
Non-local contracts	$181,371.00	84.90%
TOTAL THIS ACTION	$213,626.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

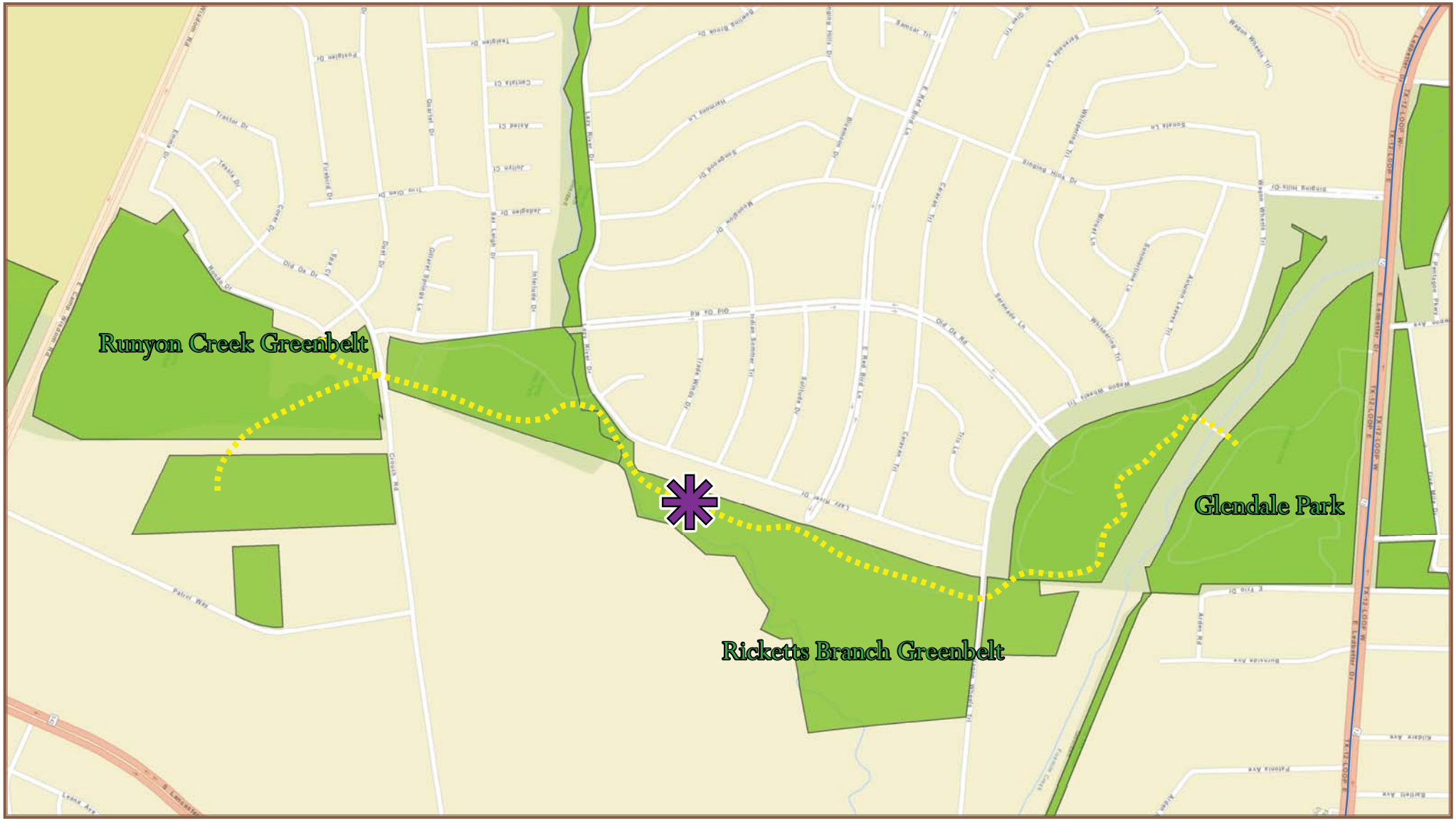
Local	Certification	Amount	Percent
Logan Trucking	BMMB13960N0119	$5,000.00	15.50%
CT & S Metalworks	WFDB80075Y0218	$27,255.00	84.50%
Total Minority - Local		$32,255.00	100.00%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Cowtown Redimix	WFWB06682Y0917	$31,530.00	17.38%
Total Minority - Non-local		$31,530.00	17.38%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$5,000.00	2.34%	$20,000.00	0.78%
Hispanic American	$0.00	0.00%	$146,040.00	5.69%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$58,785.00	27.52%	$498,385.00	19.41%
Total	$63,785.00	29.86%	$664,425.00	25.88%



0 265 530 1,060 1,590 Feet

June 22, 2017

Runyon Creek Trail
(Glendal Park to "New" Singing Hills Recreation Center)

Mapsco
65 L,Q,U

District
3,8

August 23, 2017

WHEREAS, on April 27, 2016, City Council authorized a contract award to Northstar Construction, LLC for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road, in an amount not to exceed $2,497,700, by Resolution No. 16-0683; and

WHEREAS, on September, 14, 2016, City Council authorized Change Order No. 1 to this contract to delete a section of the trail from Crouch Road to Runyon Springs Branch and add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work for the Runyon Creek Trail located between Glendale Park and Camp Wisdom Road, in an amount not to exceed ($-143,600), decreasing the contract amount from $2,497,700 to $2,354,100, by Resolution No. 16-1454; and

WHEREAS, this action will authorize Change Order No. 2 to the contract with Northstar Construction, LLC, in an amount not to exceed $213,626, from $2,354,100 to $2,567,726 for an increase in the contract toreplace a section of existing deteriorated trail at Glendale South, relocate the existing sidewalk around football field at Singing Hills Park, and install “In-Pavement” flashing crosswalk lighting at Wagon Wheel and Crouch Road trail crossings and other miscellaneous trail related items.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY OF COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That an increase in the construction services contract with Northstar Construction, LLC (Change Order No. 2) is authorized to add increased scope of work associated with the Runyon Creek Trail located between Glendale Park and the new Singing Hills Recreation Center, in an amount not to exceed $213,626, increasing the contract amount from $2,354,100 to $2,567,726.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $213,626 to Northstar Construction, LLC from General Obligation Commercial Paper Fund, Fund 4U22, Department STS, Unit S619, Object 4599, Activity HIBT, Program PB12S619, Contract No./Encumbrance CX-PKR16019537, Commodity 91200, Vendor VS0000060205.

SECTION 3. That this contract be designated as Contract No. PKR-2016-00000386.

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 # 74

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46 G; H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1601 for a commercial amusement (inside) use, limited to a Class A dance hall, on property zoned a CS Commercial Service District, on the west corner of East Grand Avenue and South St. Mary Avenue
Recommendation of Staff and CPC: Approval for a three-year period, subject to a site plan and conditions
Z156-260(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z156-260(SM) **DATE FILED:** May 4, 2016

LOCATION: West corner of East Grand Avenue and South St. Mary Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 46 G; H

SIZE OF REQUEST: Approx. 20,000 Sq. Ft. **CENSUS TRACT:** 25.00

APPLICANT/REPRESENTATIVE: Jaime Tamayo

OWNER: Tamex Investments, Inc. – Jaime Tamayo, Sole Officer

REQUEST: An application to renew Specific Use Permit No. 1601 for a commercial amusement (inside) use, limited to a Class A dance hall, on property zoned a CS Commercial Service District.

SUMMARY: The applicant is proposing to continue the operation of a banquet hall and ballroom.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to a site plan and revised conditions.

BACKGROUND INFORMATION:

- The site is developed with an 18,700 square foot commercial structure, which includes two, 400 square foot dance floors. Required off-street parking is located across S. St. Mary Avenue via a City approved parking agreement.

- On January 11, 2006, the City Council approved SUP No. 1601 for a two-year period. The SUP has been renewed twice (February 13, 2008 and February 10, 2010), for two-year and three-year periods, respectively and was renewed for a third time for a three year period on May 22, 2013.

- On August 18, 2016, the City Plan Commission recommended approval of the extension of the time period. On February 16 and May 4, 2017, the site returned to City Plan Commission to extend the six month time period to appear before Council due to additional information required to be provided for a new certificate of occupancy.

- In conjunction with this request, the operator has applied for a new certificate of occupancy through Building Inspection that accounts for the dance floor. Final approval of the certificate of occupancy application and final inspections will be required before the use may legally continue.

Zoning History: There has been no recent zoning activity in the vicinity relevant to this request.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested amendment and has no objection to the request.

Thoroughfare/Street	Designation; Existing & Proposed ROW
East Grand Avenue	Collector; 60’ & 60’ ROW
S. St. Mary Avenue	Local; 50’ ROW

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 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 Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominate land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

The existing CS zoning district is not typically a zoning district that is envisioned for Residential Neighborhood Building Blocks. However, given that CS is the existing zoning on the property and the use has been in operation since 2006, the request can be supported.

Land Use Compatibility:

The request site is developed with an approximate 17,200 square feet of floor area, inclusive of two, 400 hundred square foot dance floors. Required parking is provided across S. St. Mary Avenue.

Surrounding land use consists of residential uses (single family and duplex structures) to the west, with a mix of nonresidential uses to the north (north of the surface parking area for this use), across East Grand Avenue, and south.

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 tenant has operated in a responsible manner since the creation of the SUP and during the most recent three year period, there has been one reported offense for the past three years (time period for the most recent renewal of SUP No. 1601).

Staff supports the continued operation of the use, however due to the existing residential adjacency, a recommendation of three years is being made, consistent with the time period of the most recent ordinance governing the SUP.

Off-Street Parking:

The overall commercial amusement (inside) use is 18,700 square feet. The applicant will provide 211 off-street parking spaces via City approved parking agreements. 32 spaces are required for 800 square feet of dance floor and 179 spaces are required for the remaining 17,900 square feet of commercial amusement (inside).

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements as no new construction is proposed on the site.

Changes After CPC Approval:

Although the original SUP was approved on January 11, 2006, the current certificates of occupancy (CO) for the property state there is no dance floor. Therefore, the site has not been operating under the correct CO. Upon receiving the application, staff directed the applicant to coordinate with Building Inspection to obtain a new certificate of occupancy that denotes the existence of a dance floor. Building Inspections accepted the applicant's application for a new CO on October 13, 2016 and, upon further review, discovered the commercial amusement (inside) use had expanded and therefore required a new permit and an amendment to the SUP conditions[1] and consequently the SUP site plan because the floor area limitations are noted on the site plan.

Since this discovery took place after the original City Plan Commission hearing but does not affect the size of the dance floor, which is the land use that requires a specific use permit, staff recommends approval of the revised SUP conditions that increase the overall size of the commercial amusement (inside) use, but maintains the size of the dance floor, and a revised site plan.

[1] A general commercial amusement (inside) use does not require a specific use permit in this zoning district. However, the subcategory "dance hall" requires a specific use permit.

CPC ACTION – AUGUST 18, 2016:

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1601 for a commercial amusement (inside) use limited to a Class A dance hall for a three-year period, subject to a site plan and conditions on property zoned a CS Commercial Service District, at the west corner of East Grand Avenue and South St. Mary Avenue.

Maker: Rieves
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley
Against: 0
Absent: 0
Vacancy: 1 - District 7

Notices: Area: 300 Mailed: 20
Replies: For: 1 Against: 0

Speakers: None

CPC ACTION – FEBRUARY 16, 2017:

Motion: It was moved to **approve** an extension of the six month time period for a three-month extension period for scheduling a zoning request for City Council consideration of an application for the renewal of Specific Use Permit No. 1601 for a commercial amusement (inside) use, limited to a Class A dance hall for a three-year period, subject to a site plan and conditions on the west corner of East Grand Avenue and South St. Mary Avenue.

Maker: Rieves
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Haney, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley
Against: 0
Absent: 2 - Anantasomboon, Tarpley
Vacancy: 0

Notices: Area: 300 Mailed: 20
Replies: For: 2 Against: 0

Speakers: None

CPC ACTION – May 4, 2017:

Motion: It was moved to **approve** an extension of the six month time period to place the item on the City Council agenda no later than August 23, 2017 for a zoning request for City Council for consideration of an application to renew Specific Use Permit No. 1601 for a commercial amusement (inside) use, limited to a Class A dance hall for a three-year period, subject to a site plan and conditions on the west corner of East Grand Avenue and South St. Mary Avenue.

Maker: Rieves
Second: Schultz
Result: Carried: 15 to 0

For: 15 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 20
Replies: For: 2 Against: 0

Speakers: None

CPC Approved
SUP 1601 Proposed Amending Conditions

1. USE: The only use authorized by this specific use permit is a commercial amusement (inside) use limited to a Class A dance hall.

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 (three years) [~~May 22, 2016~~].

4. FLOOR AREA: The maximum floor area for the commercial amusement (inside) use, including dance floors, is 17,200 square feet. The maximum floor area of the combined dance floors is 800 square feet.

5. HOURS OF OPERATION: The commercial amusement (inside) use may only operate between 9:00 a.m. and 9:00 p.m. on Monday through Wednesday; between 9:00 a.m. and 2:00 a.m. (the next morning) on Thursday through Saturday; and between 12:00 p.m. (noon) and 2:00 a.m. (the next morning) on Sunday. The commercial amusement (inside) use may not operate after these hours even with a late hour permit.

6. PARKING: A minimum of 196 off-street parking spaces must be provided.

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.

Staff Recommended Revised
SUP 1601 Proposed Amending Conditions

1. USE: The only use authorized by this specific use permit is a commercial amusement (inside) use limited to a Class A dance hall.

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 (three years) [~~May 22, 2016~~].

4. FLOOR AREA: The maximum floor area for the commercial amusement (inside) use, including dance floors, is 18,700 [~~17,200~~] square feet. The maximum floor area of the combined dance floors is 800 square feet.

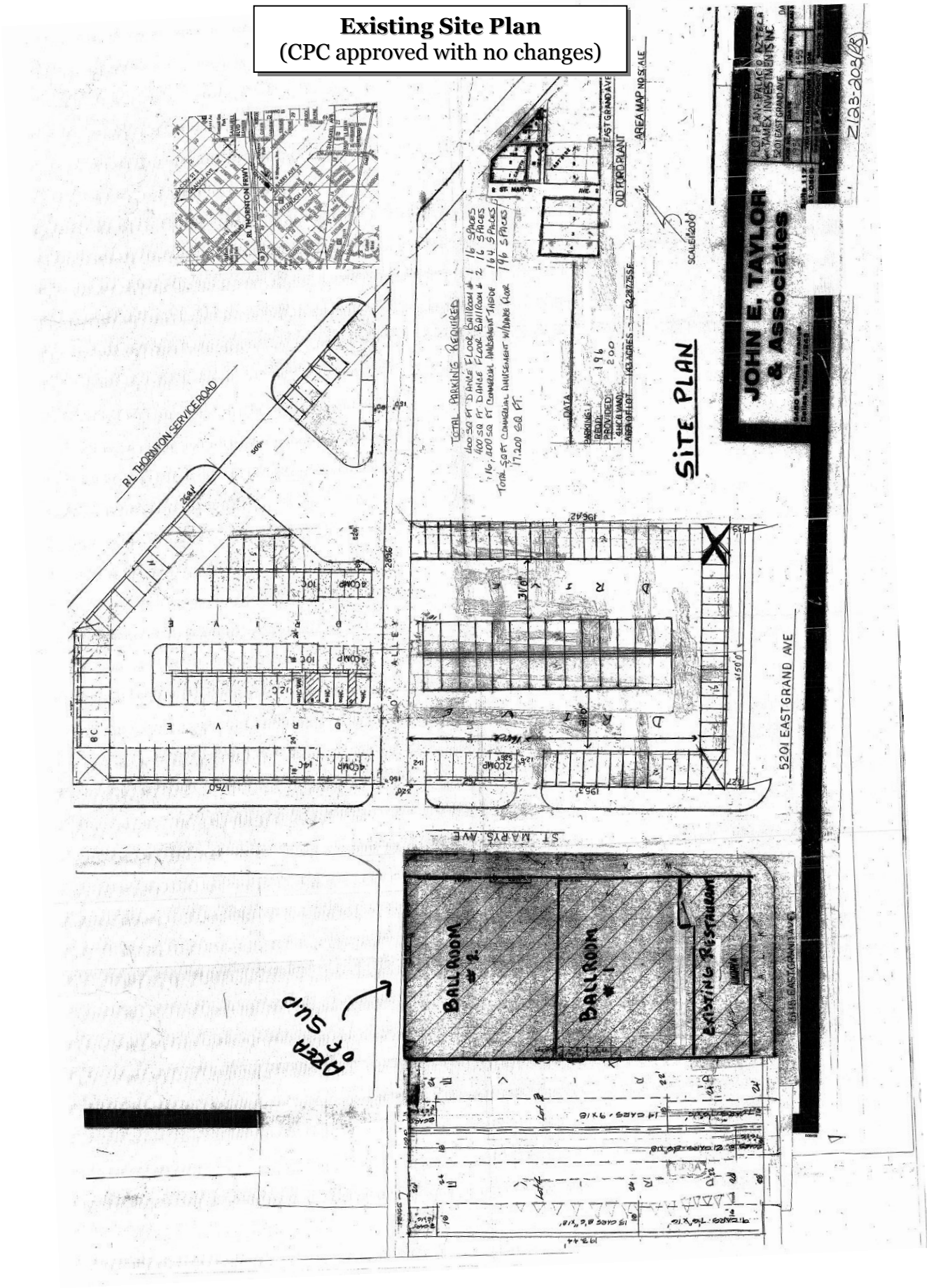
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6. PARKING: A minimum of 196 off-street parking spaces must be provided.

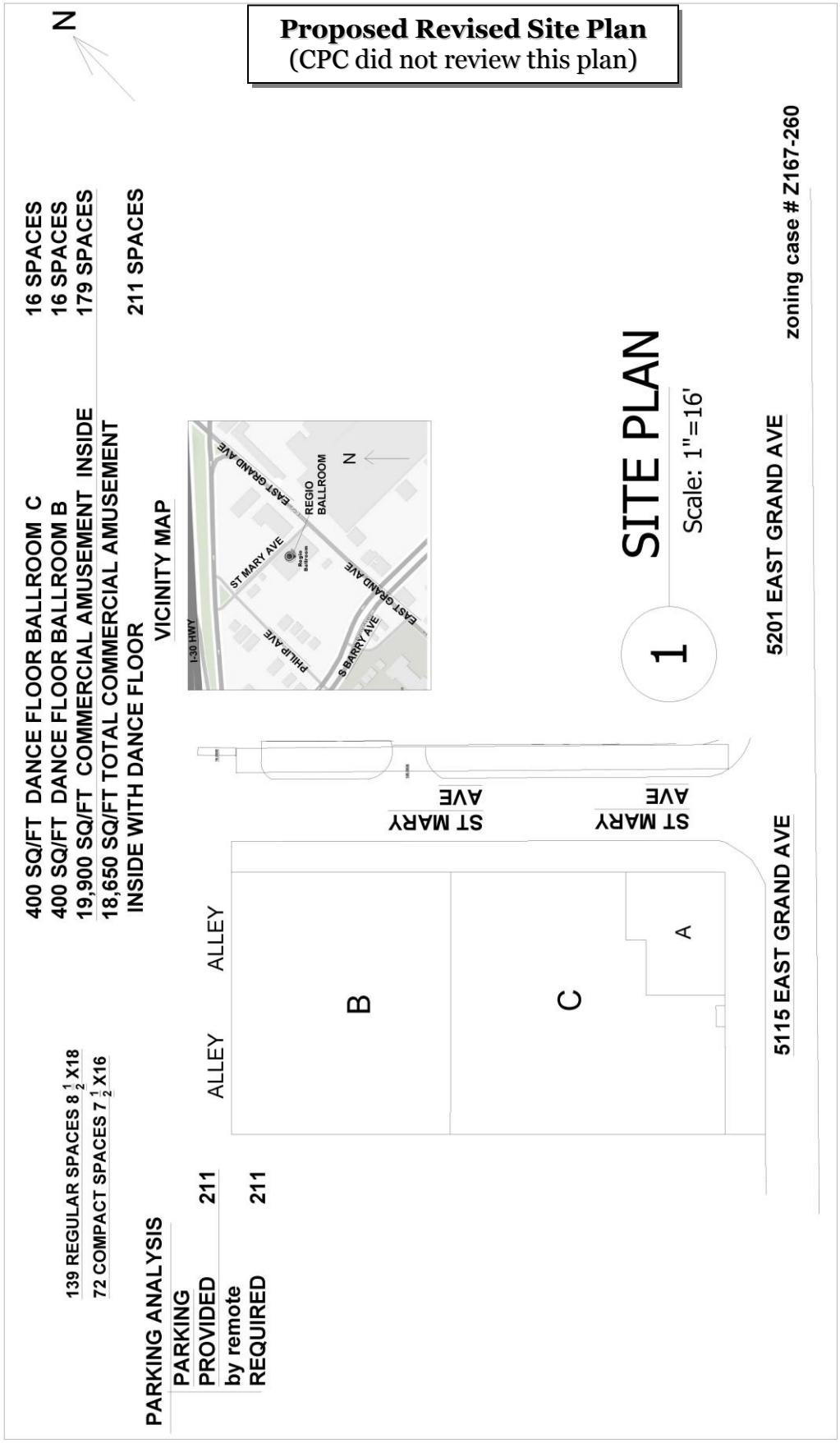
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

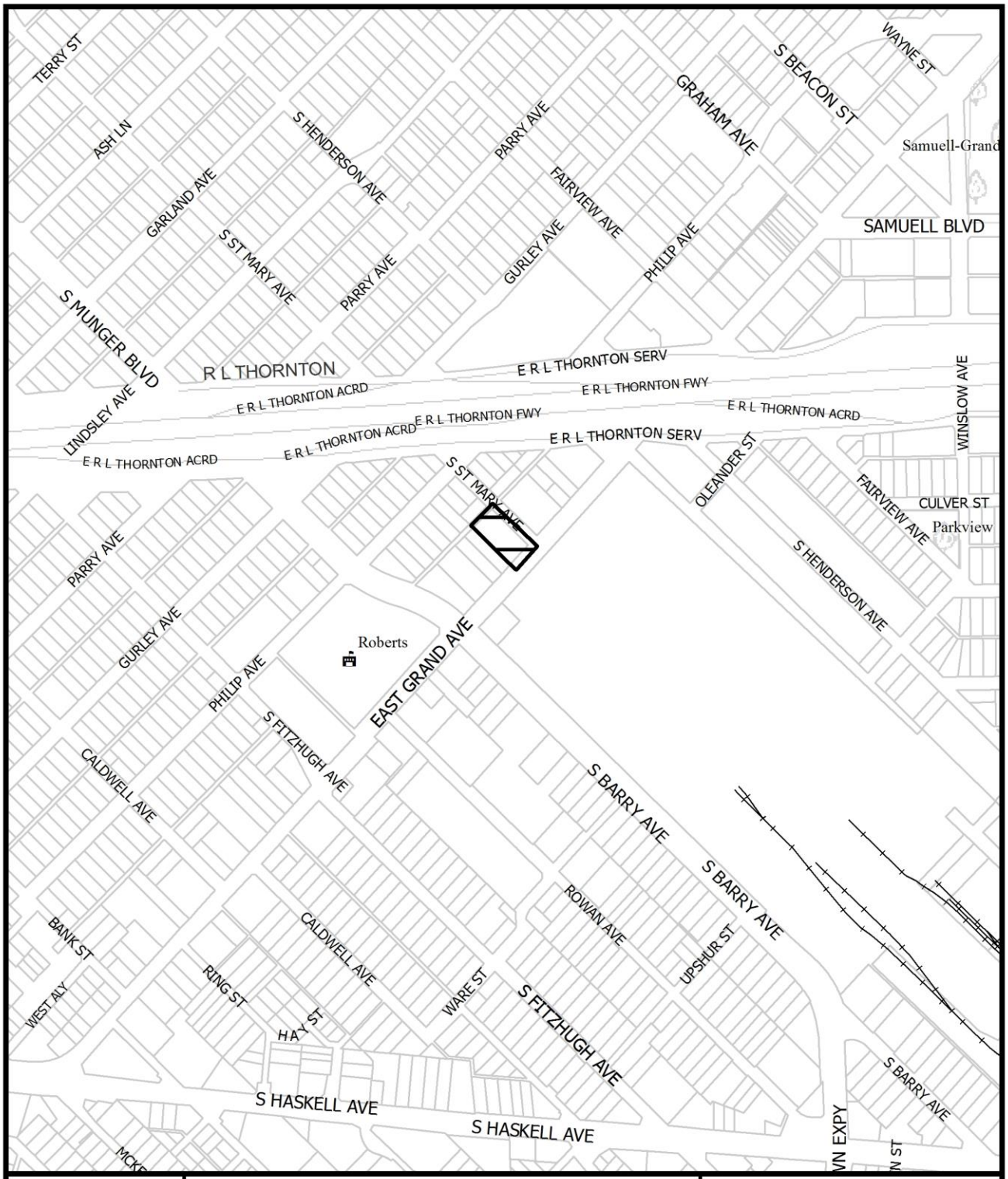
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas."

Existing Site Plan
(CPC approved with no changes)



Proposed Revised Site Plan
(CPC did not review this plan)



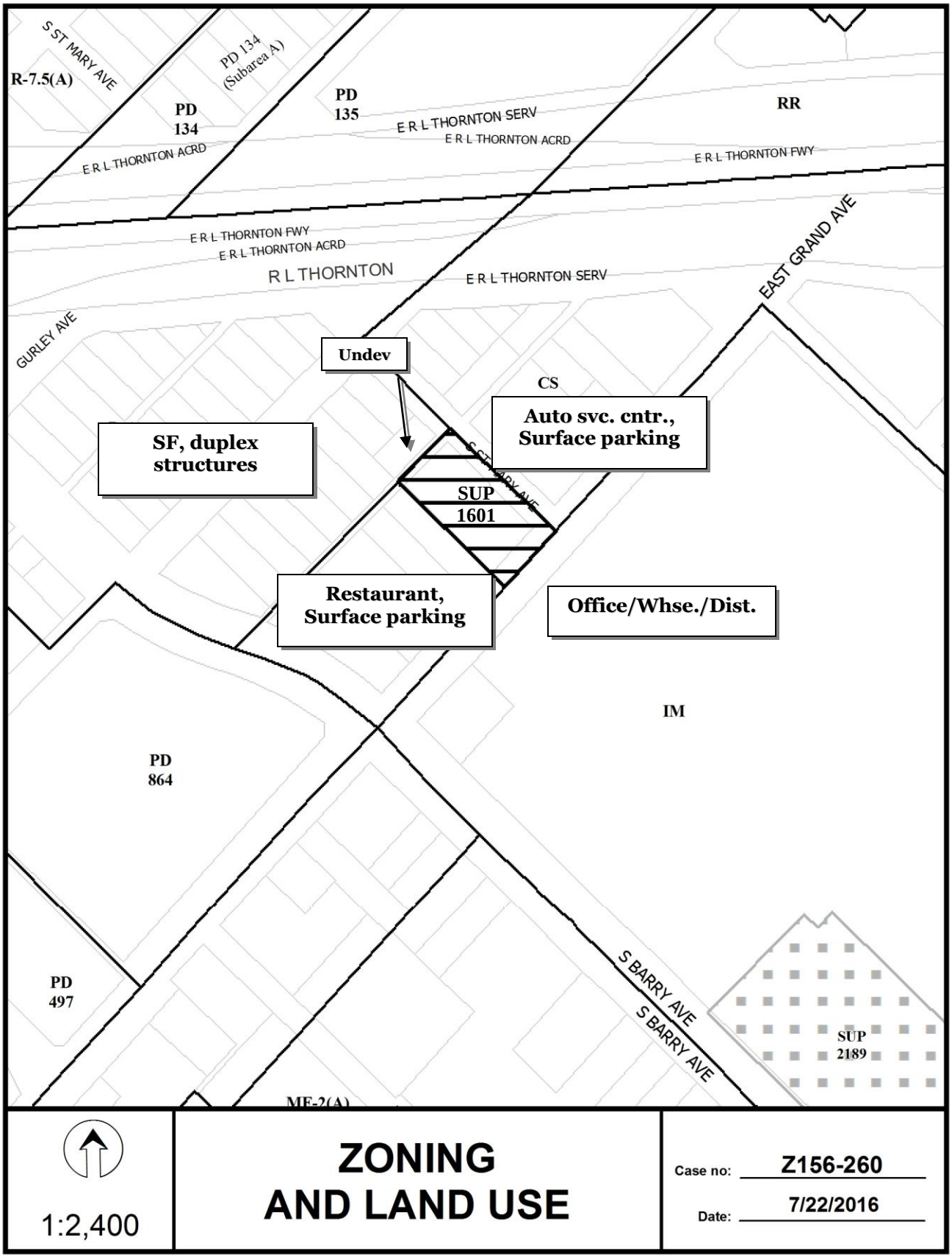


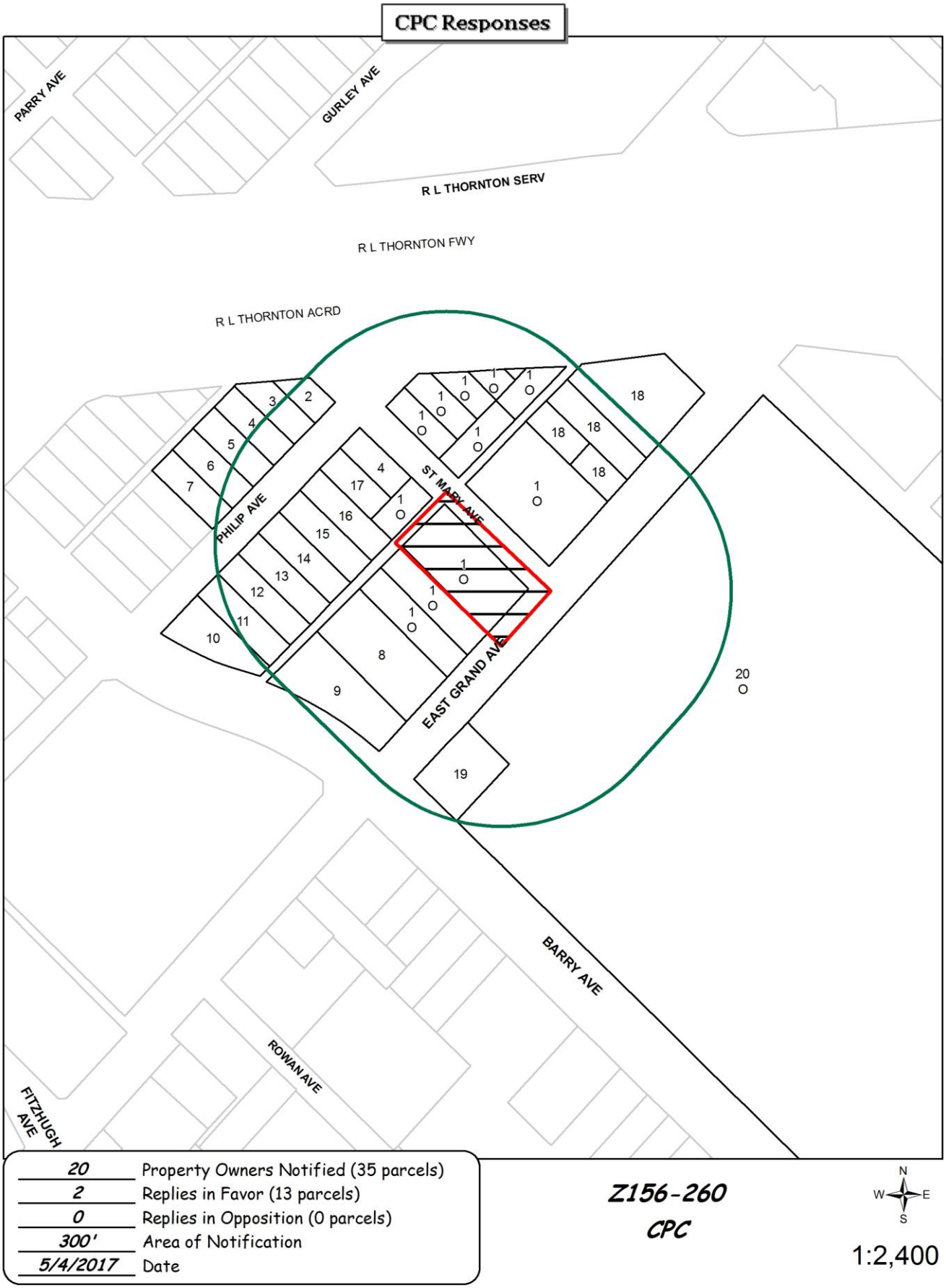
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VICINITY MAP

Case no: Z156-260

Date: 7/22/2016


S ST MARY AVE
R-7.5(A)
PD 134 (Subarea A)
PD 134
PD 135
RR
E R L THORNTON SERV
E R L THORNTON ACRD
E R L THORNTON FWY
E R L THORNTON ACRD
E R L THORNTON FWY
E R L THORNTON ACRD
R L THORNTON
E R L THORNTON SERV
EAST GRAND AVE
GURLEY AVE
Undev
CS
Auto svc. cntr., Surface parking
SF, duplex structures
SUP 1601
Restaurant, Surface parking
Office/Whse./Dist.
IM
PD 864
PD 497
S BARRY AVE
S BARRY AVE
SUP 2189
MF-2(A)
1:2,400
ZONING AND LAND USE
Case no: Z156-260
Date: 7/22/2016


CPC Responses
PARRY AVE
GURLEY AVE
R L THORNTON SERV
R L THORNTON FWY
R L THORNTON ACRD
PHILIP AVE
ST MARY AVE
EAST GRAND AVE
BARRY AVE
ROWAN AVE
FITZHUGH AVE
20 Property Owners Notified (35 parcels)
2 Replies in Favor (13 parcels)
0 Replies in Opposition (0 parcels)
300' Area of Notification
5/4/2017 Date
Z156-260
CPC
N
W
E
S
1:2,400

05/03/2017

Reply List of Property Owners

Z156-260

20 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	5115	EAST GRAND AVE	TAMEX INVESTMENTS INC
	2	5119	PHILIP AVE	JOBINAN ENTERPRISES INC
	3	5115	PHILIP AVE	LAKES EDWARD R
	4	5111	PHILIP AVE	GILMORE RALPH C
	5	5107	PHILIP AVE	BARRIOS CARLOS MORALES &
	6	5103	PHILIP AVE	DAVILA VICTOR
	7	5023	PHILIP AVE	RAMIREZ JOSE &
	8	5021	EAST GRAND AVE	SANTANA EFREN
	9	5019	EAST GRAND AVE	VILLANUEVA ROBERTO &
	10	5002	PHILIP AVE	GUZMAN DANIEL ROBLES
	11	5014	PHILIP AVE	OEUR POV &
	12	5018	PHILIP AVE	ANDRADE GERARDO & MARIA G
	13	5022	PHILIP AVE	ESPARZA LORENZO &
	14	5102	PHILIP AVE	HOGG WILL
	15	5106	PHILIP AVE	WILSON LATINA D
	16	5110	PHILIP AVE	OLIVA ANTONIO
	17	5114	PHILIP AVE	ESTRELLO RAYMOND C
	18	5225	EAST GRAND AVE	CASTELAN JOSE MANUEL &
	19	5002	EAST GRAND AVE	REFA INVESTMENT LLC
O	20	5200	EAST GRAND AVE	CITY WAREHOUSE LP

AGENDA ITEM # 75

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 62 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking on property zoned an MF-2(A) Multifamily District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive
Recommendation of Staff and CPC: Approval for an IR Industrial Research District and approval of a Specific Use Permit for a commercial motor vehicle parking for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z167-137(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-137(WE) **DATE FILED:** November 18, 2016

LOCATION: South line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive

COUNCIL DISTRICT: 3 **MAPSCO:** 62 E

SIZE OF REQUEST: Approx. 5 acres **CENSUS TRACT:** 165.20

APPLICANT / OWNER: Hagwood Transportation

REPRESENTATIVE: James Hagwood

REQUEST: An application for an IR Industrial Research District and a Specific Use Permit for a commercial motor vehicle parking on property zoned an MF-2(A) Multifamily District.

SUMMARY: The property owner owns and operates a transportation service company on the adjacent lot [east side of the request site]. The purpose of the request is to expand the existing transportation service operation [companion case Z167-269].

CPC RECOMMENDATION: **Approval** for an IR Industrial Research District and **approval** of a Specific Use Permit for a commercial motor vehicle parking for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for an IR Industrial Research District and **approval** of a Specific Use Permit for a commercial motor vehicle parking for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is developed with a single family dwelling that is being used as an office. The office use will be razed and will be relocated on the adjacent property.

- The applicant's request for an IR Industrial Research District and an SUP for a commercial motor vehicle parking use will allow for an expansion of their transportation service company. The request site will be used as a parking area for the semi-trucks and semi-trailers. The MF-2(A) Multifamily District does not permit the operation of a commercial motor vehicle parking use.

- The applicant has been operating at this location for approximately 24 years.

- The surrounding land uses consist primarily of undeveloped land to the south and west of the site, and a single family use to the north, across West Ledbetter Drive. The single family dwelling is located within a CR Community Retail District. Properties east of the site consist of several transportation service companies.

Zoning History: There has been one zoning case in the area within the past five years.

1. Z167-269 On July 20, 2017, the City Plan Commission will consider a Specific Use Permit for a commercial motor vehicle parking on property zoned an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Ledbetter Drive	Principal Arterial	100 ft.	107 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	MF-2(A)	Single Family
North	CR	Single Family
South	TH-3(A)	Undeveloped
East	IR	commercial motor vehicle parking
West	MF-2(A)	Undeveloped

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request site is located within a part of the city where the development pattern in the immediately vicinity is comprised of a mix of land uses including industrial uses, undeveloped tracts of land, and a single family dwelling. There are several transportation service companies that are located on the south side of West Ledbetter Drive. Extending the IR District by one parcel should not create a negative impact on the adjacent properties. The applicant is in the process of expanding their commercial motor vehicle parking use.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.4 Promote the safe and efficient movement of goods.

STAFF ANALYSIS:

Land Use Compatibility: The 5-acre site is developed with a single family dwelling that is being used as an office. The applicant's request for an IR Industrial Research District will allow the operation and expansion of a commercial motor vehicle parking use for their transportation service company. The applicant has been operating a transportation service company on the adjacent property for approximately 24 years. The zoning change, with a Specific Use Permit, will allow the site to be used as a parking area for the semi-trucks and semi-trailers.

In December 1968, the request site was annexed into the City and was zoned an Agricultural District. During the pre-transitional phase of Chapter 51, the property was zoned an MF-2 District. The zoning district carried over during the transition period of Chapter 51A in 1989 to an MF-2(A) District. The portion of the site that is zoned an MF-2(A) Multifamily District will be changed to an IR District to allow for commercial motor vehicle parking, by a Specific Use Permit. The Development Code defines a commercial motor vehicle facility as a facility for the temporary, daily, or overnight

parking of commercial motor vehicles as defined regulations for a truck stop, and /or motor vehicles with two or more rear axles such as trucks, truck tractors, and similar vehicles, for no charge or for a fee, regardless of other use on the lot. The proposed use is permitted by right in a CS, LI, IR and IM district, except by SUP if located within 500 feet of a residential district, measured in a straight line. The request site abuts a TH-3(A) Townhouse District, which is south of the property's boundary.

The surrounding land uses consist primarily of undeveloped land to the south and west of the site, and a single family use to the north, across West Ledbetter Dr. The single family dwelling is located within a CR Community Retail District. Properties east of the site consist of several transportation service companies.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
MF-2(A) - existing 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
IR - proposed Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping must be in accordance with the landscaping in Article X, as amended.

Parking: There is no requirement for off-street parking and loading for a commercial motor vehicle parking use.

Screening/Buffer: When a non-residential use is adjacent to a residential district, a 10-foot landscape buffer strip will need to be provided along the entire portion of the property that is adjacent to a residential district.

Site Plan: There is a single family structure that is shown on the site plan that is currently being used as an office. The applicant will raze the structure in the near future and relocate the office on the adjacent property.

CPC Action (July 20, 2017)

Motion: It was moved to recommend **approval** of an IR Industrial Research District and **approval** of a Specific Use Permit for a commercial motor vehicle parking for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions with the following modifications: 1) require a fence on the southern boundary around each area of request and 2) provide a provision to indicate existing improvements south of the request site not be used as part of the specific use permit operation on property zoned an MF-2(A) Multifamily District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive.

Maker: Houston
Second: Anglin
Result: Carried: 13 to 1

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Peadon, Murphy, Ridley, Tarpley

Against: 1 - Schultz
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 300 Mailed: 7
Replies: For: 2 Against: 0

Speakers: For: James Hagwood, 5724 W. Ledbetter Dr., Dallas, TX, 75216
Against: None

CPC PROPOSED SPECIFIC USE PERMIT CONDITIONS

1. USE: The only use authorized by this specific use permit is a commercial motor vehicle parking.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

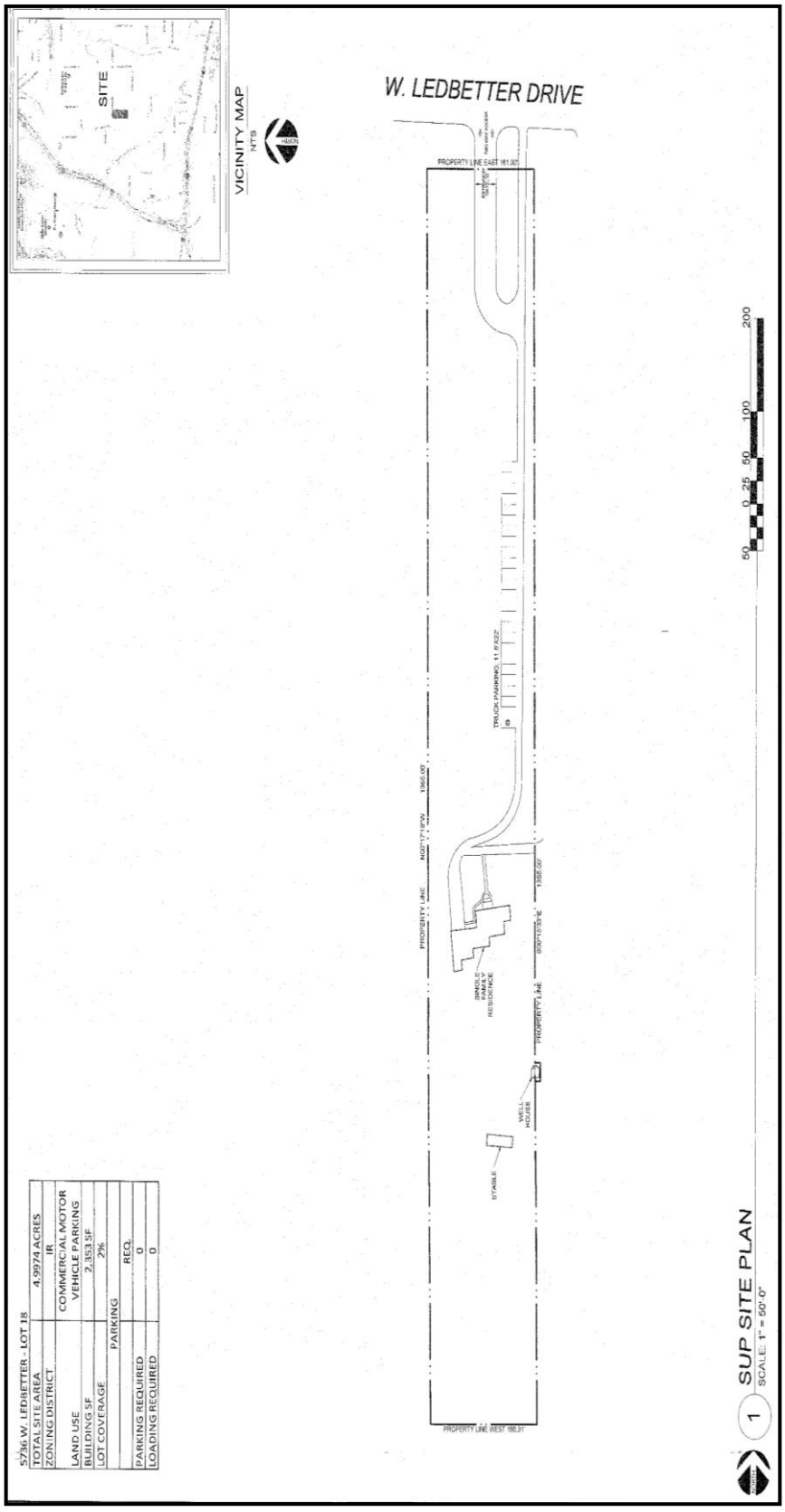
3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.

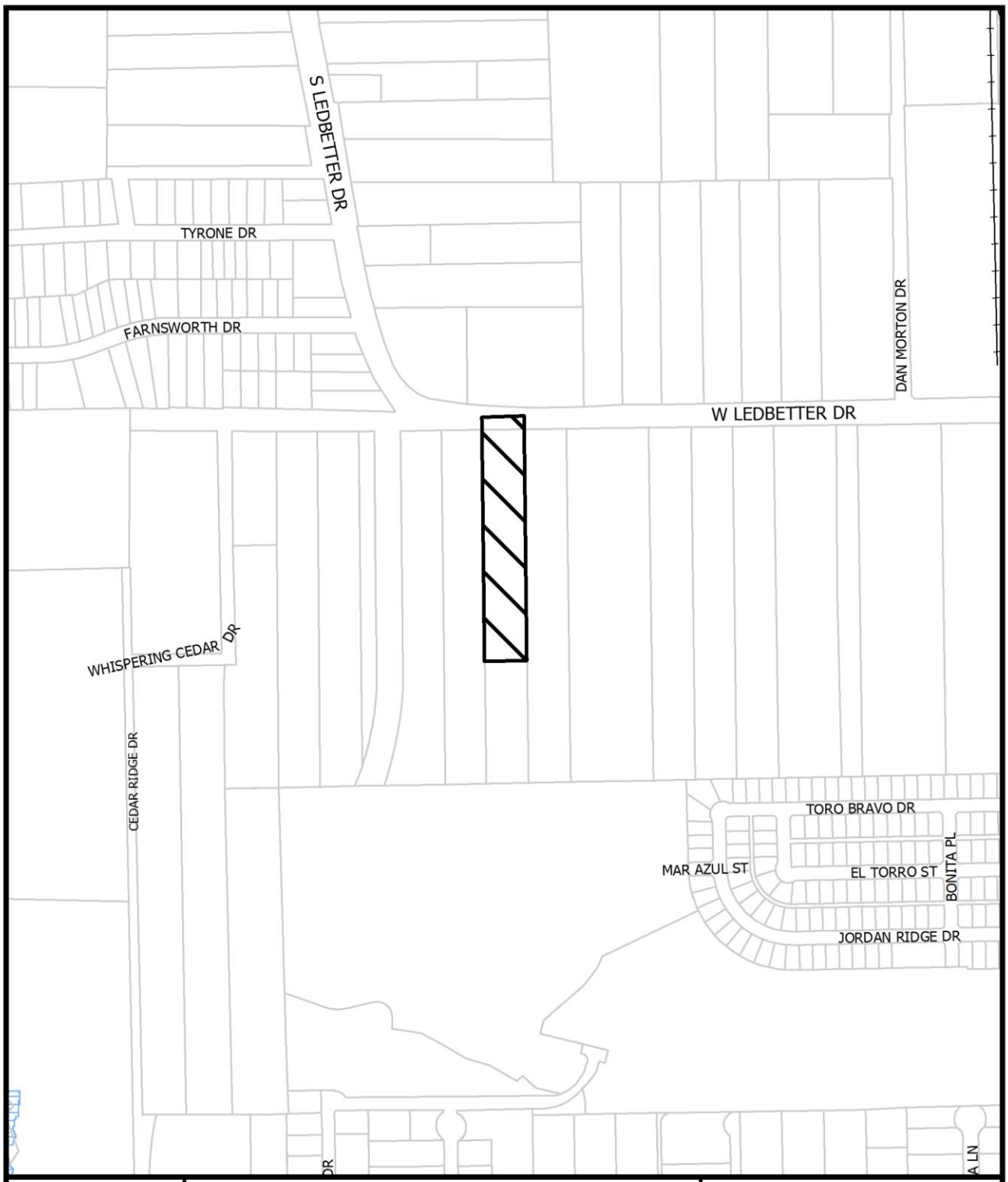
4. FENCE: A minimum 6-foot high chain link fence is required along the Property line adjacent to West Ledbetter Drive and to the rear of the property in the location shown on the attached site plan.

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.

PROPOSED SITE PLAN



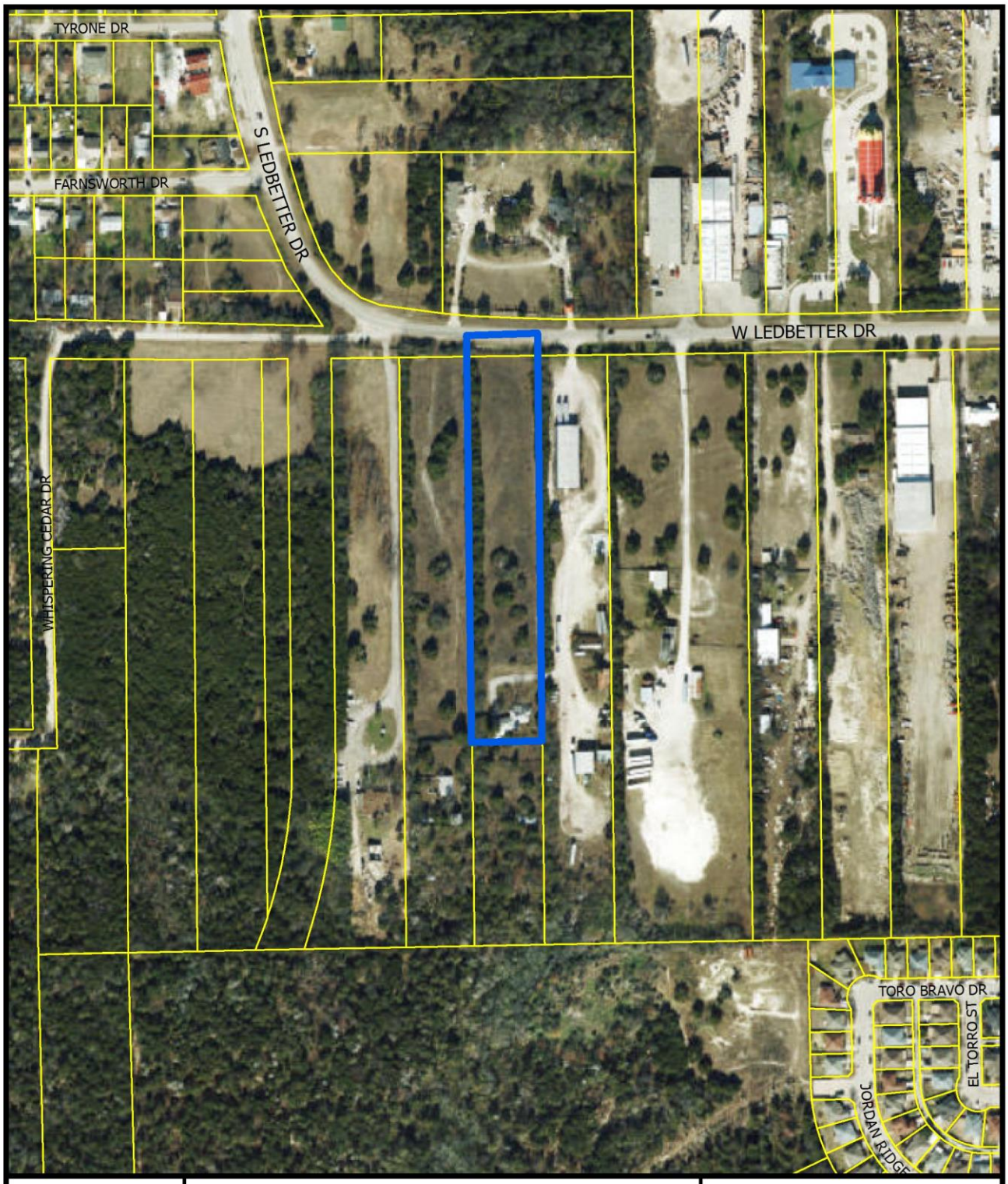


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VICINITY MAP

Case no: Z167-137

Date: 1/18/2017

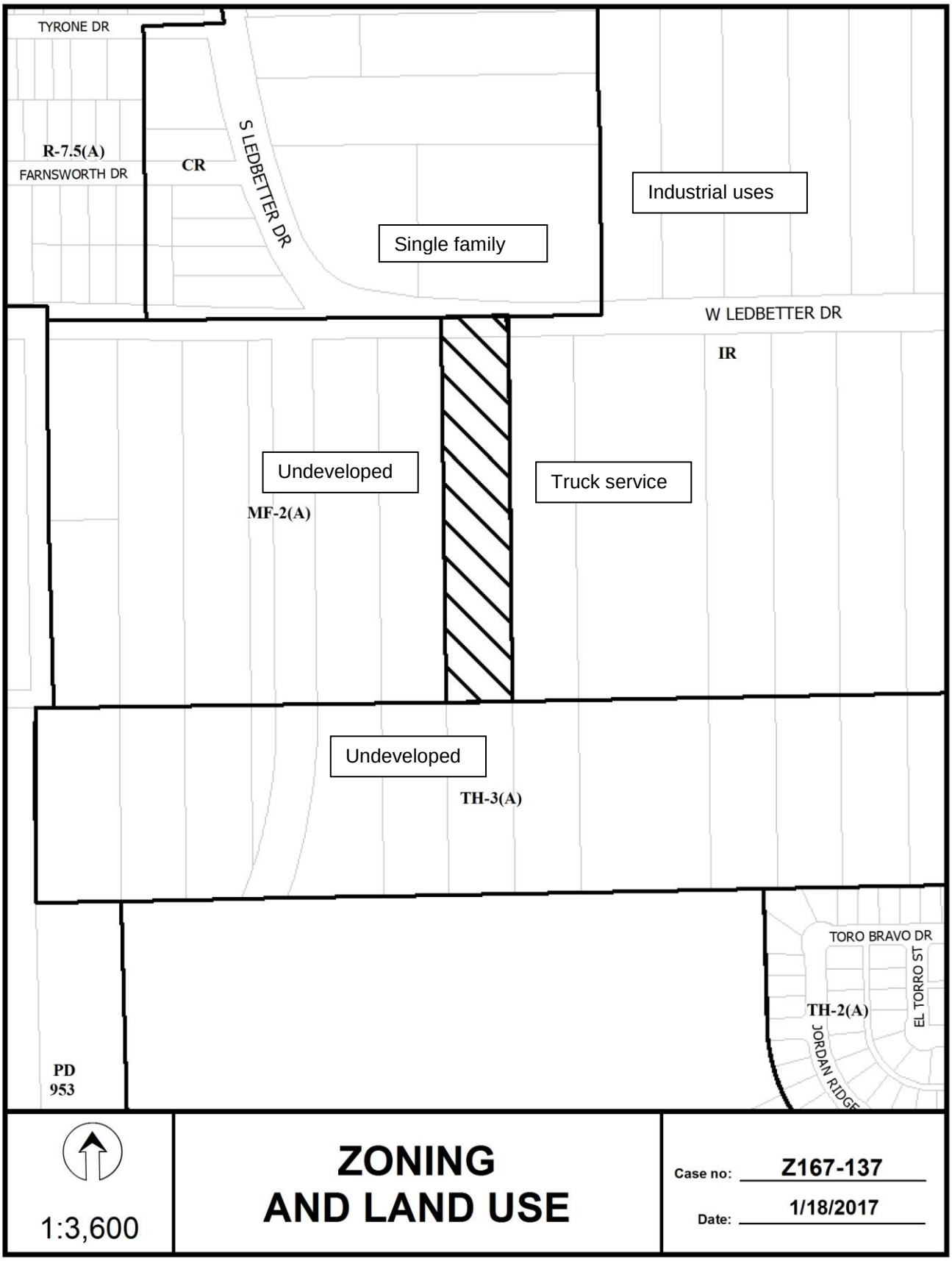


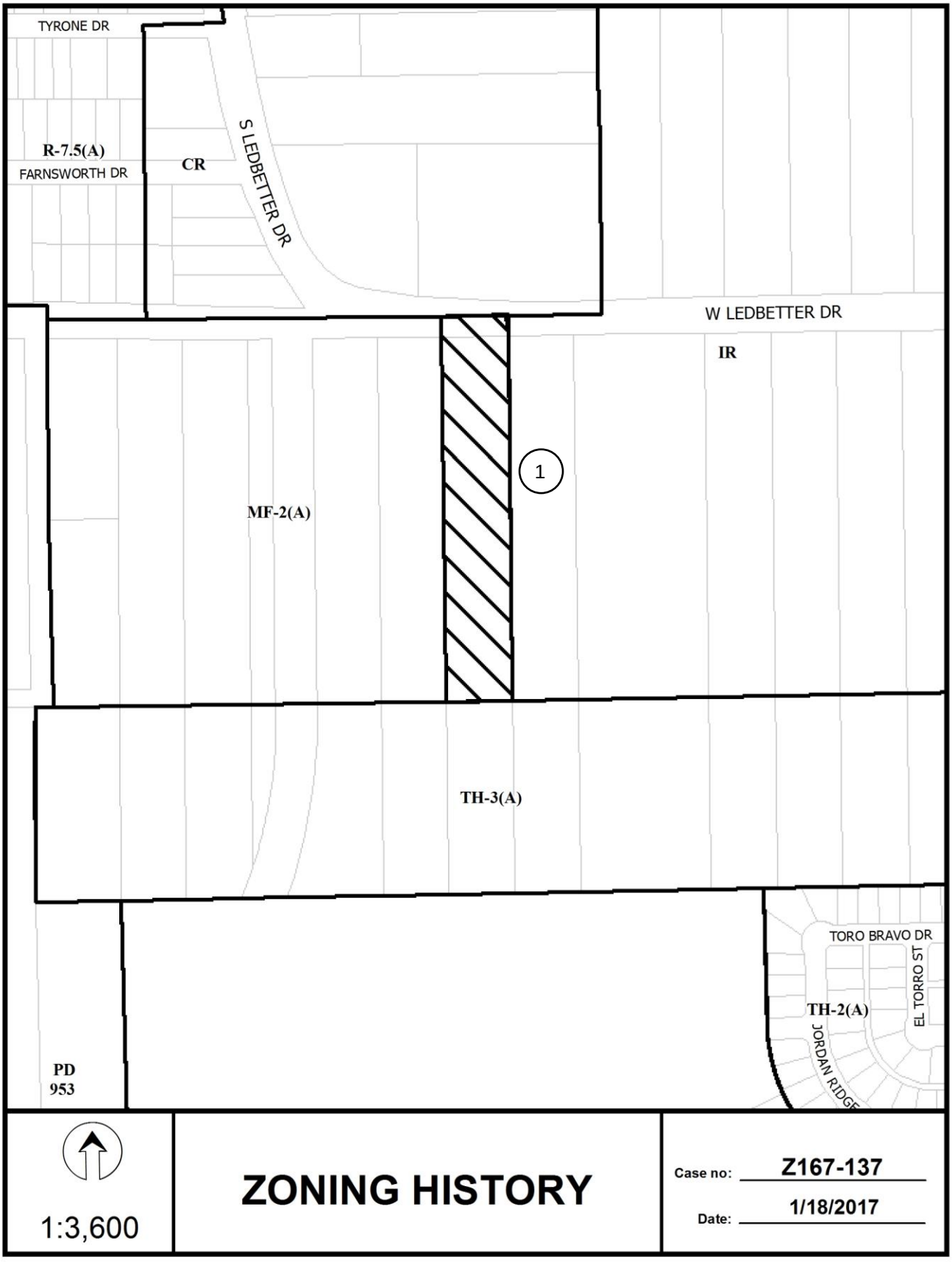
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AERIAL MAP

Case no: Z167-137

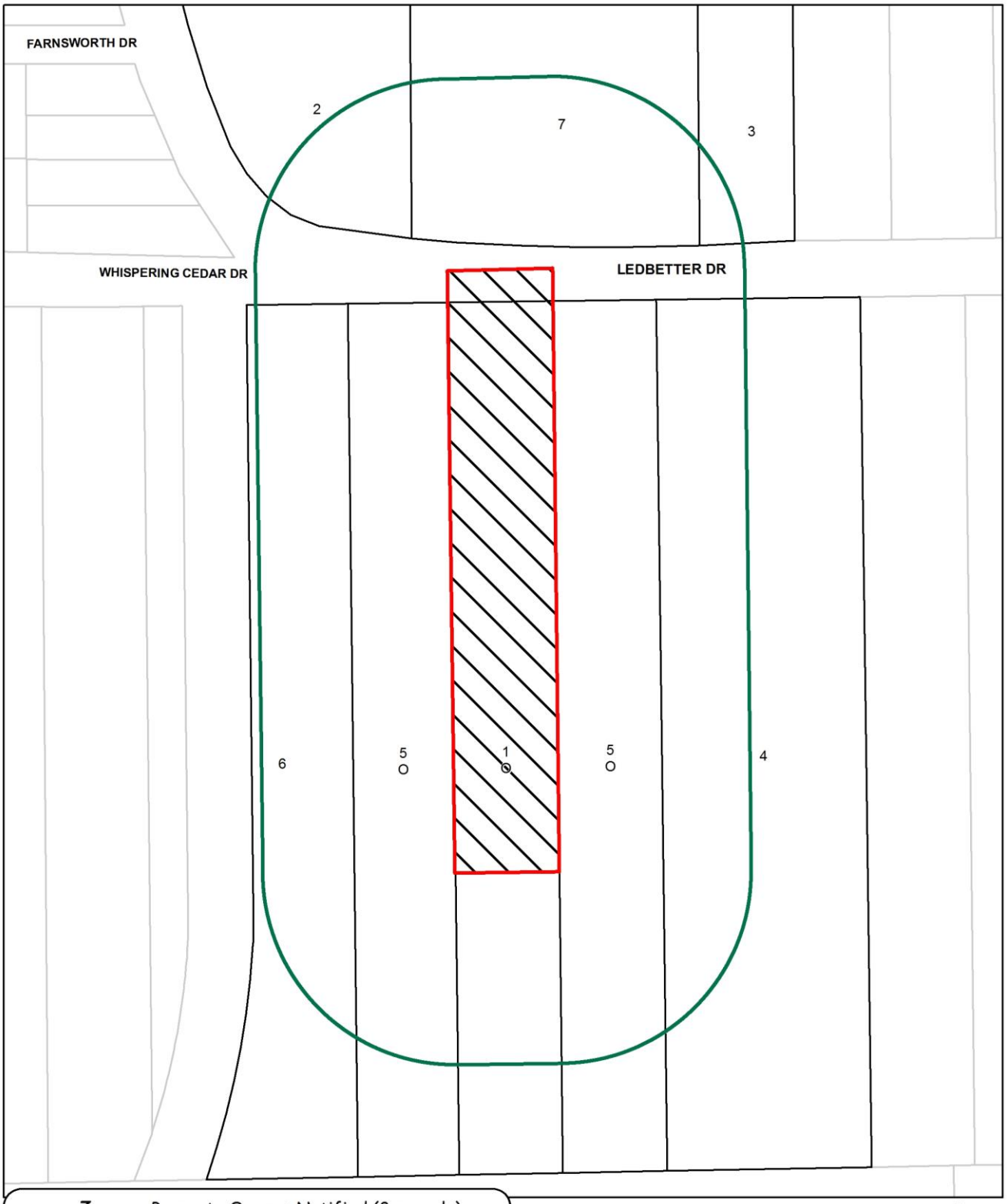
Date: 1/18/2017


TYRONE DR
R-7.5(A)
FARNSWORTH DR
CR
S LEDBETTER DR
Industrial uses
Single family
W LEDBETTER DR
IR
Undeveloped
MF-2(A)
Truck service
Undeveloped
TH-3(A)
TORO BRAVO DR
EL TORRO ST
TH-2(A)
JORDAN RIDGE
PD
953
1:3,600
ZONING
AND LAND USE
Case no: Z167-137
Date: 1/18/2017


TYRONE DR
R-7.5(A)
FARNSWORTH DR
CR
S LEDBETTER DR
W LEDBETTER DR
IR
1
MF-2(A)
TH-3(A)
TORO BRAVO DR
EL TORRO ST
TH-2(A)
JORDAN RIDGE
PD
953
1:3,600
ZONING HISTORY
Case no: Z167-137
Date: 1/18/2017

Z167-137(WE)

CPC RESPONSES



7	Property Owners Notified (8 parcels)
2	Replies in Favor (3 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
7/20/2017	Date

Z167-137
CPC

N
W E
S

1:2,400

Notification List of Property Owners

Z167-137

7 Property Owners Notified 2 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*	*Owner*
O	1 5736	W LEDBETTER DR	HAGWOOD TRANSPORTATION
	2 4100	S LEDBETTER DR	SENESOURY BOUNSEEUM ET AL
	3 5711	W LEDBETTER DR	M & H METAL SPECIALTIES
	4 5712	W LEDBETTER DR	ATS UTAH PPTIES LLC
O	5 5724	W LEDBETTER DR	HAGWOOD TRANSPORTATION
	6 5812	WHISPERING CEDAR DR	DIAZ ELFEGO VALDEZ &
	7 5747	W LEDBETTER DR	MENDOZA EFREN

AGENDA ITEM # 76

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 76 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting CS Commercial Services District on property zoned an A(A) Agricultural District, south of Telephone Road, east of Travis Trail
Recommendation of Staff: Approval
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-243(KK)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-243(KK) **DATE FILED:** March 8, 2017

LOCATION: South of Telephone Road, east of Travis Trail

COUNCIL DISTRICT: 8 **MAPSCO:** 76 L

SIZE OF REQUEST: Approx. 13.39 acres **CENSUS TRACT:** 167.03

APPLICANT/ OWNER: Quincy Roberts/Q. Roberts Trucking Inc.

REPRESENTATIVE: Land Use Planning & Zoning Services, Elsie Thurman

REQUEST: An application for a CS Commercial Services District on property zoned an A(A) Agricultural District.

SUMMARY: The applicant proposes to operate a contractor's maintenance yard on a portion of the area of request. The remainder of the site will remain undeveloped. The applicant volunteered deed restriction at the City Plan Commission public hearing to prohibit commercial truck ingress and egress to the Property from Travis Trail.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The request site is currently zoned an A(A) Agricultural District and is generally located at Telephone Road and Travis Trail, north of Wintergreen Road, east of Bonnie View Road, and west of Van Horn Drive.

- The reason for this request is the applicant proposes to legalize the current operation of a commercial motor vehicle parking lot. The applicant has been operating on this site since 2014 without a Certificate of Occupancy.

- The land use of contractor's maintenance yard is defined as a wholesale use in the Dallas Development code. This land use is allowed by right in the CS Commercial Services District.

- The proposed CS Commercial Services District would add a multitude of new uses, most notably including office, lodging, and retail and personal service uses.

- The applicant volunteered deed restriction to prohibit commercial truck ingress and egress to the Property from Travis Trail.

Zoning History:

1. Z167-253: On June 28, 2017, the City Council approved an IM Industrial Manufacturing District and an SUP for a commercial motor vehicle parking lot on property zoned an A(A) Agricultural District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Telephone Road	Substandard	40 ft.
Travis Trail	Substandard	40 ft.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed zoning change will not have a detrimental impact on the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	A(A)	Commercial Motor Vehicle Parking
North	A(A)	Undeveloped and Single Family
South	PDD No. 761 (LI)	Undeveloped
East	A(A)	Undeveloped and Illegal Commercial Use
West	A(A)	Single Family and Undeveloped

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

1.2.1.1 Use the Vision Illustration and Building Blocks as a general guide to shape zoning and land use concepts, while also considering site specific and area specific issues. Site specific zoning cases must consider relevant policy statements contained within the Policy Plan, such as environmentally sensitive land, the site's proximity to the edge of a Building Block and appropriate transitions between Building Blocks.

The Vision identifies the area as an Industrial Building Block. Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. This request is characteristic of the building block in that it will provide a service to the mix of low- and medium-density industrial buildings and industrial yards supporting the Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area.

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

> Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.
>
> Policy 2.2.4 Focus on logistics-related jobs for the expansion of employment opportunities, particularly in the Southern Sector.

Dallas' future development opportunities and much of the projected growth capacity lie in the Southern Sector, offering a great opportunity to guide development and direct economic activity. The vast majority of vacant land in the city is located in the Southern Sector. As such, developments similar to this are necessary in order to promote and encourage efforts for continued investment in these underutilized areas of the city.

Land Use Compatibility:

The applicant's request to change the zoning is to legalize the current operation of a commercial motor vehicle parking lot. The applicant stated that this use has been operating on this site beginning in 2014 without a Certificate of Occupancy.

The area of request is currently zoned an A(A) Agricultural District. This purpose of this district as defined in the Dallas Development Code, Section 51A-4.111(1), states that there exists in certain fringe areas of the city, land which is presently used for agricultural purposes and to which urban services are not yet available. These lands should appropriately continue to be used for agricultural purposes until needed for urban purposes in conformity with the orderly growth of the city. It is anticipated that all of the A(A) district area will be changed to other urban zoning categories as the area within the corporate limits of Dallas becomes fully developed.

The proposed CS Commercial Services District is described as being for the development of commercial and business serving uses that may involve outside storage, service, or display. This district is not intended to be located in areas of low and medium density residential development

The proposed CS Commercial Service District would allow by right the land use of commercial motor vehicle parking. This land use is defined in the Dallas Development Code, Section 51A-4.210(8.1), as a facility for the temporary, daily, or overnight parking of commercial motor vehicles as defined in the use regulations for a truck stop, and/or motor vehicle with two or more rear axles such as trucks, truck tractors, and similar vehicles, for no charge or for a fee, regardless of whether that fee is charge independently of any other use on the lot, if the parking is not accessory to a main use on the lot. This land use is allowed by right in CS, LI, IR, and IM districts.

The proposed CS Commercial Service District is complimentary to the existing LI Light Industrial District to the northwest and the light industrial planned development to the south, PDD No. 761 (LI), The Dallas Logistics Port Special Purpose District. The property to the east of the area of request has applied for a general zoning change for the same land use. The Building Inspection Division of Sustainable Development and Construction is currently reviewing plans and permits for a 700,000 square foot warehouse complex located in PDD No. 761 (LI), The Dallas Logistics Port Special Purpose District. The surrounding zoning changes, established zoning districts, current land uses, and proposed development would all be agreeable to the CS Commercial Services District and the current illegal land use.

The surrounding land uses consist of a single family dwelling to the north, undeveloped land and an illegal commercial use to the east, undeveloped land to the south, single family dwellings, undeveloped land, and another illegal commercial use to the west. The area of request is fully surrounded by A(A) Agricultural District with LI Light Industrial District to the northwest, and PDD No. 761 (LI), The Dallas Logistics Port Special Purpose District, to the south.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
A(A) Agricultural	50'	20' SY 50' RY for Single Family 10' RY for Other	N/A	24'	10% for res structure; 25% for non-res	N/A	Residential, Agricultural, Utility and Public Service
Proposed							
CS Commercial Service	15' where adj to expressway or thorughfare	No Min.; adj to res 20'	0.5 for office, lodging, retail; 0.75 for all uses combined	45' RPS	80%	Residential Proximity Slope	Institutional, Lodging, Office, Retail, Wholesale uses

Parking:

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. There is no required parking for the land use of a commercial motor vehicle parking. Any accessory or other main uses established on the site will have to meet the requirements for those specific land uses per the Dallas Development Code.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

CPC Action

July 20, 2017

Motion: It was moved to recommend **approval** of a CS Commercial Services District, subject to deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District, south of Telephone Road, east of Travis Trail.

Maker: Haney
Second: Rieves
Result: Carried: 14 to 0

For: 14 – Anglin, Rieves, Houston*, Davis*, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 400 Mailed: 21
Replies: For: 2 Against: 0

Speakers: For: Elsie Thurman, 9406 Biscayne Blvd., Dallas, TX, 75218
For (Did not speak): Quincy Roberts, 9600 Travis Trail, Dallas, TX, 75241
Against: None

List of Partners/Principals/Officers

Officer/Owner:

Q. Roberts Trucking Incorporated
Quincy Roberts

APPLICANT VOLUNTEERED DEED RESTRICTIONS

DEED RESTRICTIONS

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

I.

The undersigned, Quincy Roberts ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the William H. Newton Survey, Abstract No. 1074, City Block 2/8317, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Frederick C. Anderson, Instrument Numbers: 201400117943 by deed dated May 14, 2014, and recorded in Volume 13, Page 1, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BLOCK 2/8317, LOTS 1-29 AND 31 AND ADJACENT TRACT IN BLOCK 8317, WILLIAM H. NEWTON SURVEY, ABSTRACT NO. 1074 OF THE PIONEER ESTATES OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13, PAGE 1, MAP RECORDS, DALLAS COUNTY, TEXAS.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

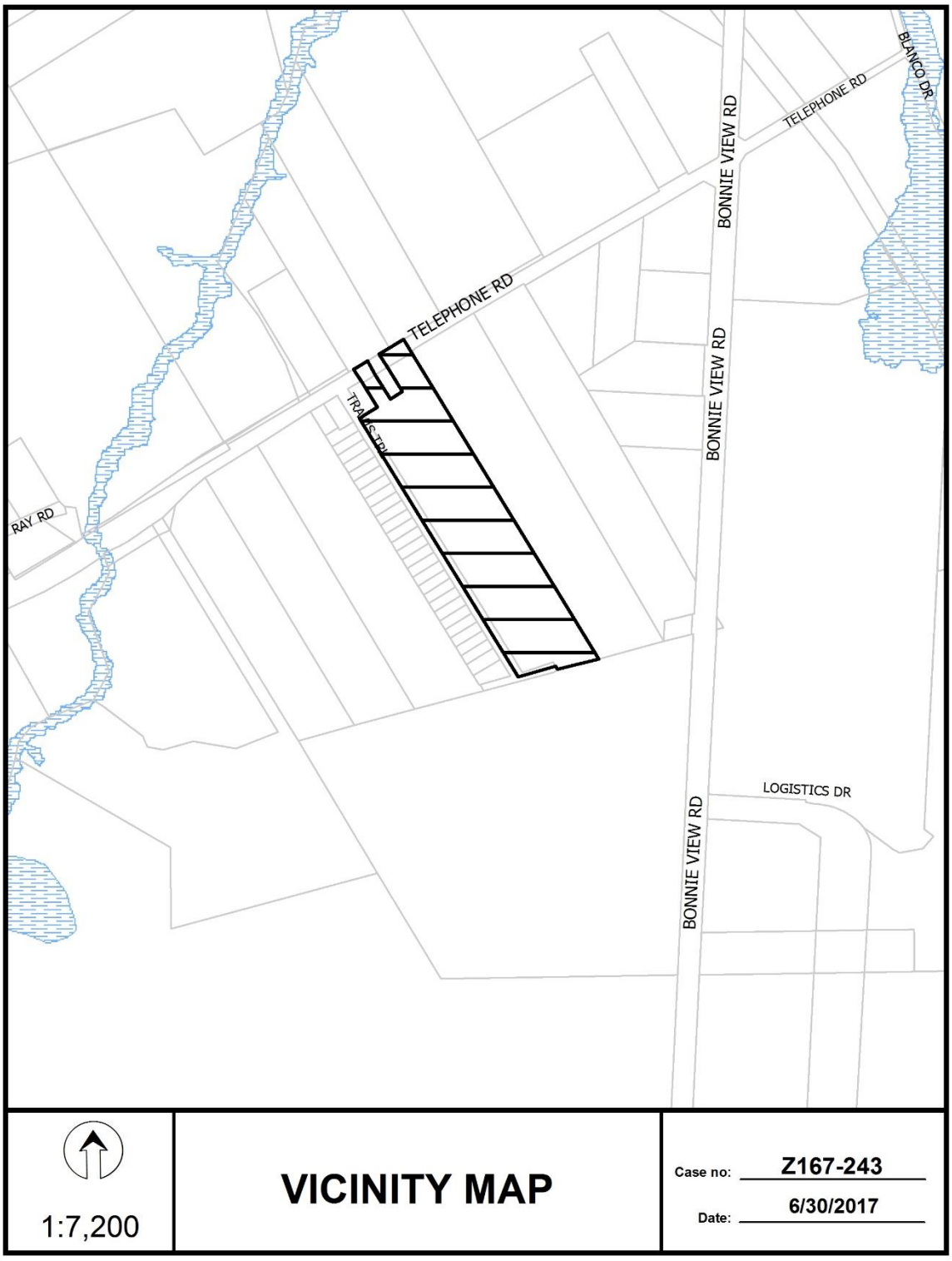
Commercial truck ingress to and egress from the Property off Travis Trail is prohibited.

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.


BLANCO DR
TELEPHONE RD
BONNIE VIEW RD
TELEPHONE RD
BONNIE VIEW RD
RAY RD
LOGISTICS DR
BONNIE VIEW RD
1:7,200
VICINITY MAP
Case no: Z167-243
Date: 6/30/2017

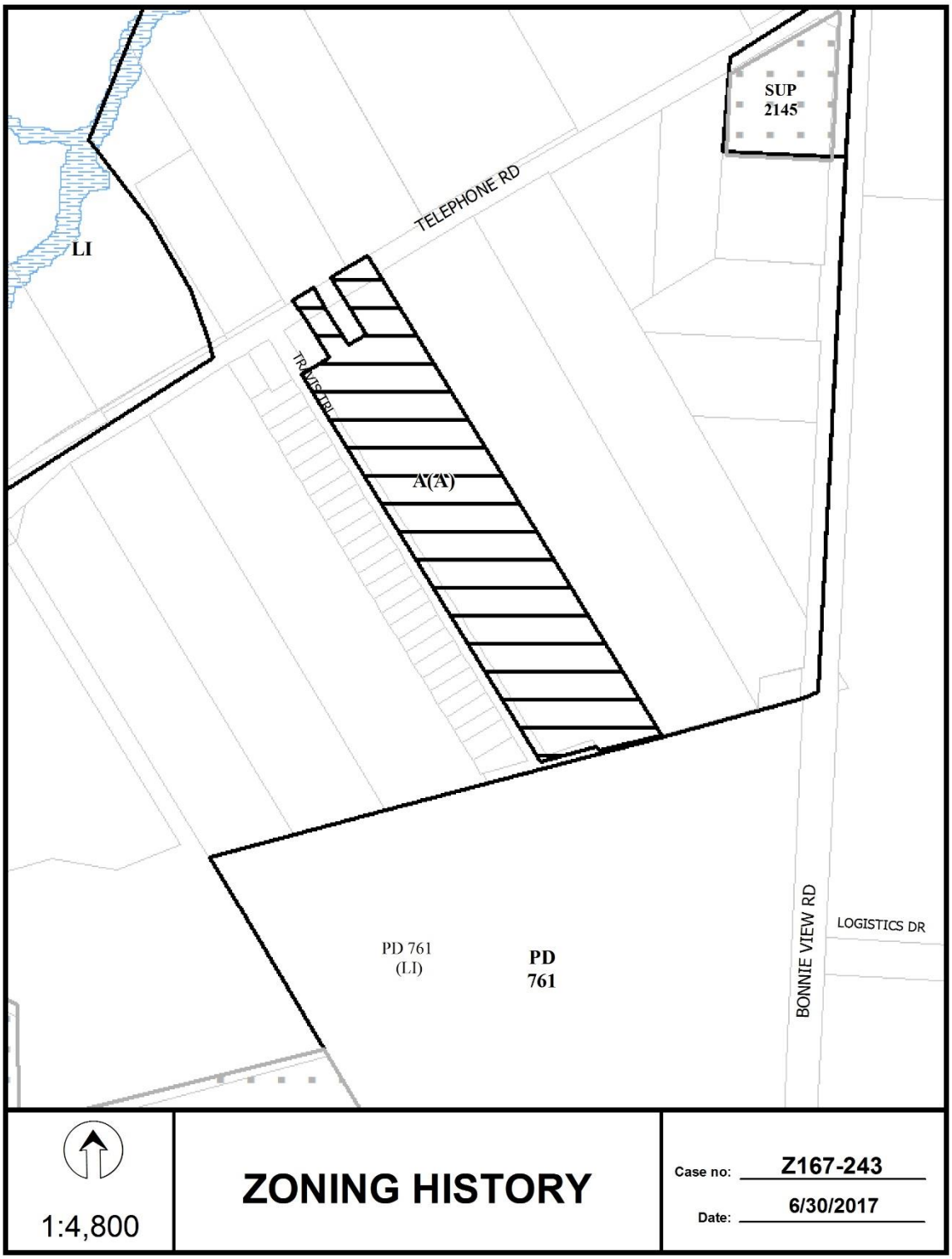


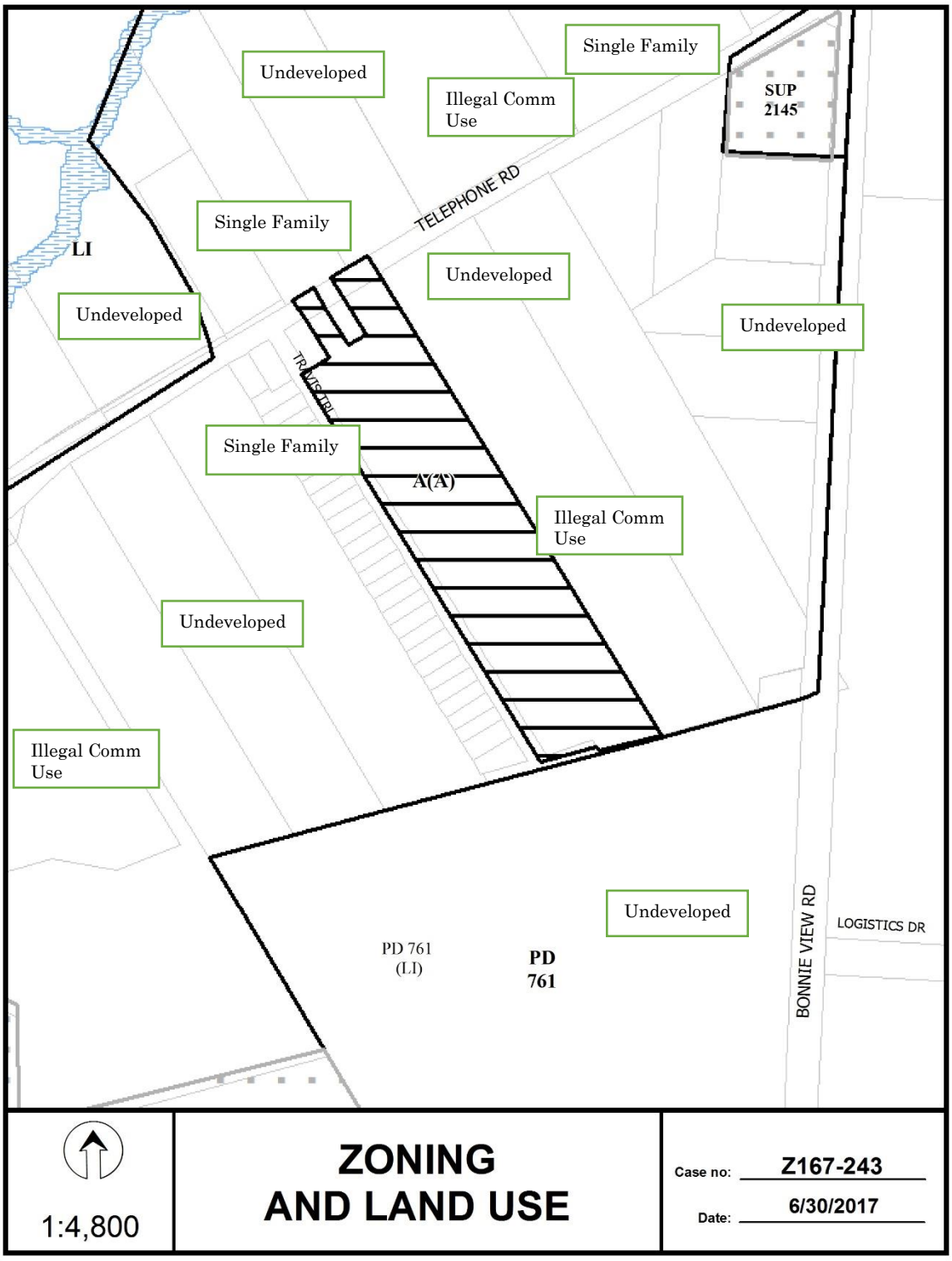
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AERIAL MAP

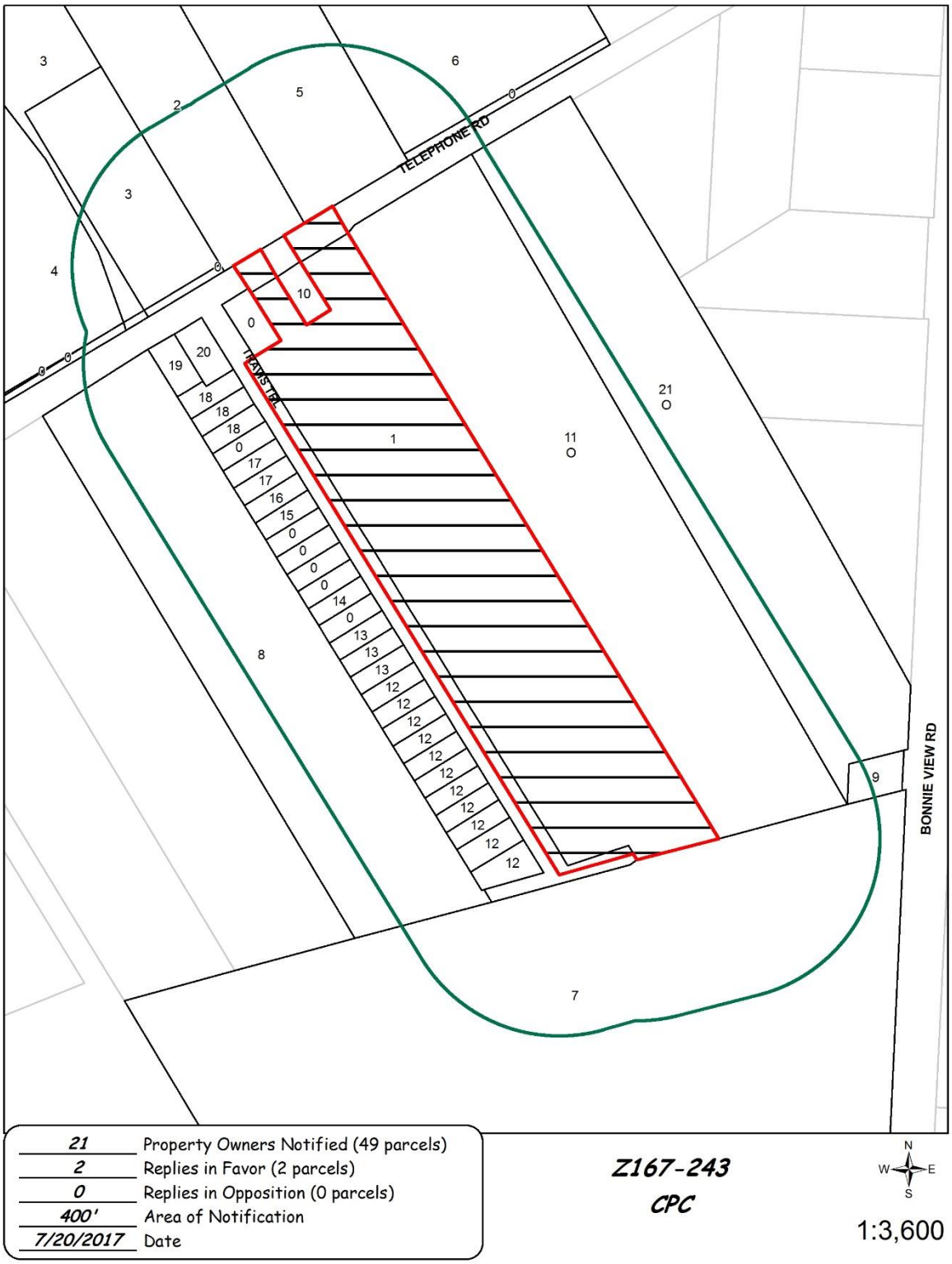
Case no: Z167-243

Date: 6/30/2017


SUP
2145
TELEPHONE RD
LI
TRANSTRL
A(A)
PD 761
(LI)
PD
761
BONNIE VIEW RD
LOGISTICS DR
1:4,800
ZONING HISTORY
Case no: Z167-243
Date: 6/30/2017


Undeveloped
Illegal Comm Use
Single Family
SUP 2145
TELEPHONE RD
Single Family
LI
Undeveloped
Undeveloped
Undeveloped
TRANSTRL
Single Family
A(A)
Illegal Comm Use
Undeveloped
Illegal Comm Use
Undeveloped
PD 761 (LI)
PD 761
BONNIE VIEW RD
LOGISTICS DR
1:4,800
ZONING AND LAND USE
Case no: Z167-243
Date: 6/30/2017

CPC RESPONSES



07/19/2017

Reply List of Property Owners

Z167-243

21 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	9600	TRAVIS TRL	ROBERTS QUINCY
	2	3925	TELEPHONE RD	FONSECA GUILLERMO & ELVA J TORRES
	3	3901	TELEPHONE RD	CURRIE JULIAN & GLORIA
	4	3845	TELEPHONE RD	TEJAS INVESTORS
	5	3935	TELEPHONE RD	GIDDENS DONNIE L
	6	4041	TELEPHONE RD	ADAMS JOHN H
	7	9901	BONNIE VIEW RD	DLH MASTER LAND HOLDING LLC
	8	3800	TELEPHONE RD	ARCHIBALD GARY &
	9	9867	BONNIE VIEW RD	CLEMONS JOHN R
	10	3918	TELEPHONE RD	HENDERSON MARGAREE EST OF
O	11	4100	TELEPHONE RD	FENNER PAT &
	12	9927	TRAVIS TRL	MARTINEZ FERNANDO &
	13	9811	TRAVIS TRL	JOHNSON DON JR
	14	9727	TRAVIS TRL	CUNNINGHAM SALLY A
	15	9707	TRAVIS TRL	QUINTANILLA LETICIA
	16	9703	TRAVIS TRL	LOPEZ GAUDENCIO
	17	9635	TRAVIS TRL	MARTINEZ MARIA DE JESUS &
	18	9623	TRAVIS TRL	RODRIGUEZ BLANCA H &
	19	3830	TELEPHONE RD	CASTILOW LENA
	20	3838	TELEPHONE RD	RODRIGUEZ ISRAEL PAZ &
O	21	4050	TELEPHONE RD	FENNER PAT

AGENDA ITEM # 77

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 62 E

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial motor vehicle parking on property zoned an IR Industrial Research District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z167-269(WE)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 23, 2017
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-269(WE) **DATE FILED:** April 12, 2017

LOCATION: South line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive

COUNCIL DISTRICT: 3 **MAPSCO:** 62 E

SIZE OF REQUEST: Approx. 5 acres **CENSUS TRACT:** 165.20

APPLICANT / OWNER: Hagwood Transportation

REPRESENTATIVE: James Hagwood

REQUEST: An application for a Specific Use Permit for a commercial motor vehicle parking on property zoned an IR Industrial Research District.

SUMMARY: The property owner owns and operates a transportation service company on the adjacent lot [west side of the request site]. The purpose of the request is to continue to use the property for a commercial motor vehicle parking use for their existing transportation service company [companion case Z167-137].

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is developed with a vacant 7,000 square foot structure.
- The applicant's request for a Specific Use Permit will allow for the continued operation of a commercial motor vehicle parking use. The request site is being used as a parking area for the semi-trucks and semi-trailers.
- The applicant has been operating at this location for approximately 24 years.
- The surrounding land uses consist primarily of undeveloped land to the south and west of the site, and a single family use to the north, across West Ledbetter Dr. The single family dwelling is located within a CR Community Retail District. Properties east of the site consist of several transportation service companies.

Zoning History: There has been one zoning case in the area within the past five years.

1. Z167-137 On July 20, 2017, the City Plan Commission will consider an IR Industrial Research District and a Specific Use Permit for a commercial motor vehicle parking on property zoned an MF-2(A) Multifamily District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Ledbetter Drive	Principal Arterial	100 ft.	107 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	MF-2(A)	Undeveloped
North	CR	Single Family
South	TH-3(A)	Undeveloped
East	IR	Commercial motor vehicle parking
West	MF-2(A)	Undeveloped

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request site is located within a part of the city where the development pattern in the immediately vicinity is comprised of a mixed of industrial uses, undeveloped tracts of land, and a single family dwelling. There are several transportation service companies that are located on the south side of West Ledbetter Drive. Extending the IR District by one parcel should not create a negative impact on the adjacent properties. The applicant is in the process of expanding their commercial motor vehicle parking use.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.4 Promote the safe and efficient movement of goods.

STAFF ANALYSIS:

Land Use Compatibility: The 3.3-acre site is developed with a 7,000 square foot structure and several smaller structures on site. The applicant's request for a Specific Use Permit will allow for the continued operation of a commercial motor vehicle parking. The SUP will permit semi-trucks and semi-trailers to be parked on site. The applicant has been operating a transportation service company on the Property for approximately 24 years.

In December 1968, the request site was annexed into the City and was zoned an Agricultural District. During the pre-transitional phase of Chapter 51, the property was zoned an I-1 Industrial District. The zoning district carried over during the transition period of Chapter 51A in 1989 to an IR District. The Development Code defines a commercial motor vehicle facility as a facility for the temporary, daily, or overnight parking of commercial motor vehicles as defined regulations for a truck stop, and /or motor vehicles with two or more rear axles such as trucks, truck tractors, and similar vehicles, for no charge or for a fee, regardless of other use on the lot. The proposed use is permitted by right in a CS, LI, IR and IM district, except by SUP if located within 500 feet of a residential district, measured in a straight line. The request site abuts a TH-3(A) Townhouse District, which is south of the property's boundary.

The surrounding land uses consist primarily of undeveloped land to the south and west of the site, and a single family use to the north, across West Ledbetter Drive. The single family dwelling is located within a CR Community Retail District and is a legal non-conforming use. Properties east of the site consist of several transportation service companies.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping must be in accordance with the landscaping in Article X, as amended.

Parking: There is no off-street requirement for off-street parking and loading for a commercial motor parking.

Screening/Buffer: When a non-residential use is adjacent to a residential district, a 10-foot landscape buffer strip will need to be provided along the entire portion of the property that is adjacent to a residential district.

CPC Action (July 20, 2017)

Motion: It was moved to recommend **approval** of a Specific Use Permit for a commercial motor vehicle parking for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions with the following modifications: 1) require a fence on the southern boundary around each area of request and 2) provide a provision to indicate existing improvements south of the request site not be used as part of the specific use permit operation on property zoned an IR Industrial Research District on the south line of West Ledbetter Drive, east of the intersection of West Ledbetter Drive and Whispering Cedar Drive.

Maker: Houston
Second: Anglin
Result: Carried: 13 to 1

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Peadon, Murphy, Ridley, Tarpley

Against: 1 - Schultz
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 300 Mailed: 7
Replies: For: 2 Against: 0

Speakers: For: James Hagwood, 5724 W. Ledbetter Dr., Dallas, TX, 75216
Against: None

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a commercial motor vehicle parking.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

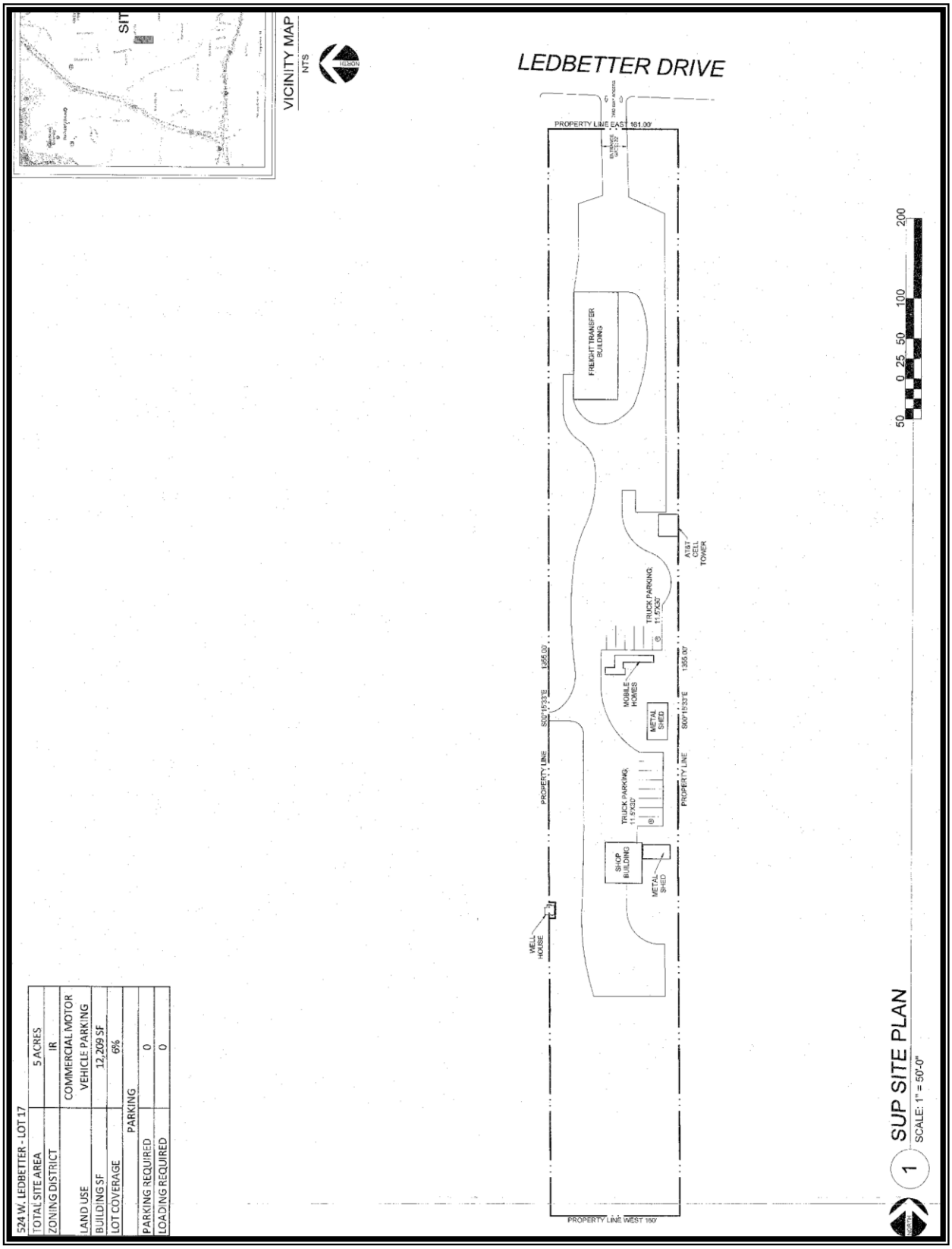
3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.

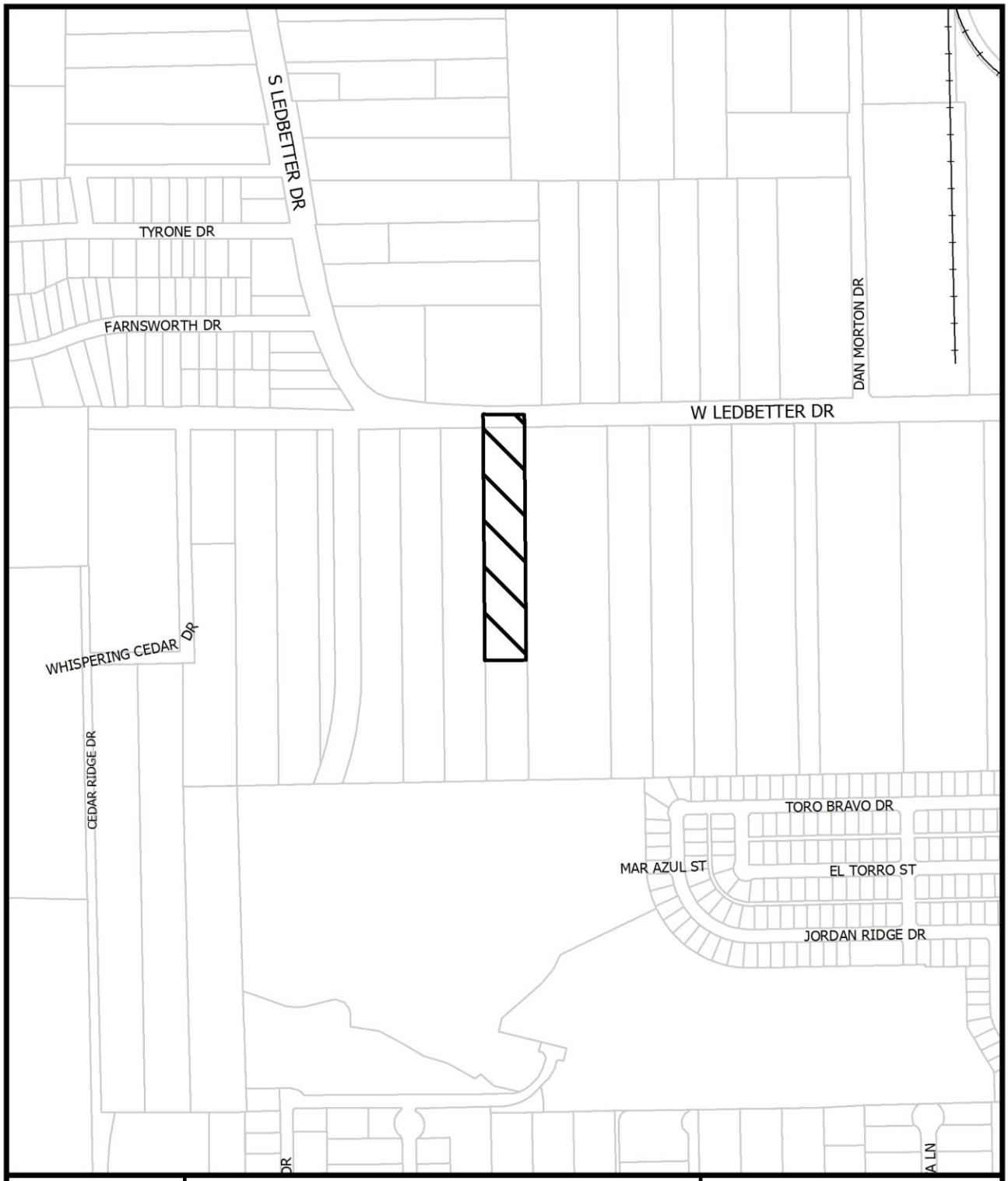
4. FENCE: A minimum 6-foot high chain link fence is required along the Property line adjacent to W. Ledbetter Drive and to the rear of the property in the location shown on the attached site plan.

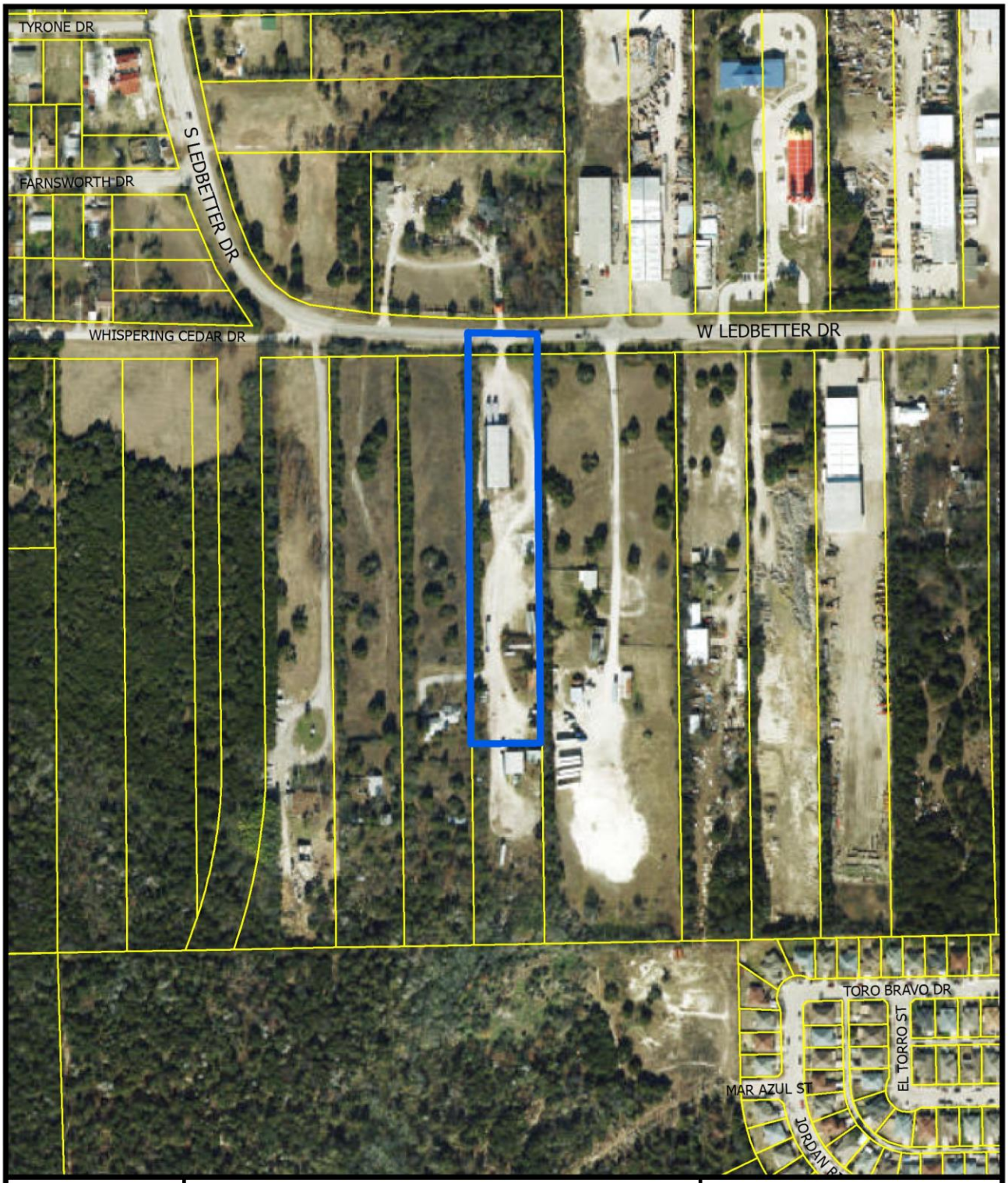
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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.

PROPOSED SITE PLAN




S LEDBETTER DR
TYRONE DR
FARNSWORTH DR
DAN MORTON DR
W LEDBETTER DR
WHISPERING CEDAR DR
CEDAR RIDGE DR
TORO BRAVO DR
MAR AZUL ST
EL TORRO ST
JORDAN RIDGE DR
1:6,000
VICINITY MAP
Case no: Z167-269
Date: 5/10/2017

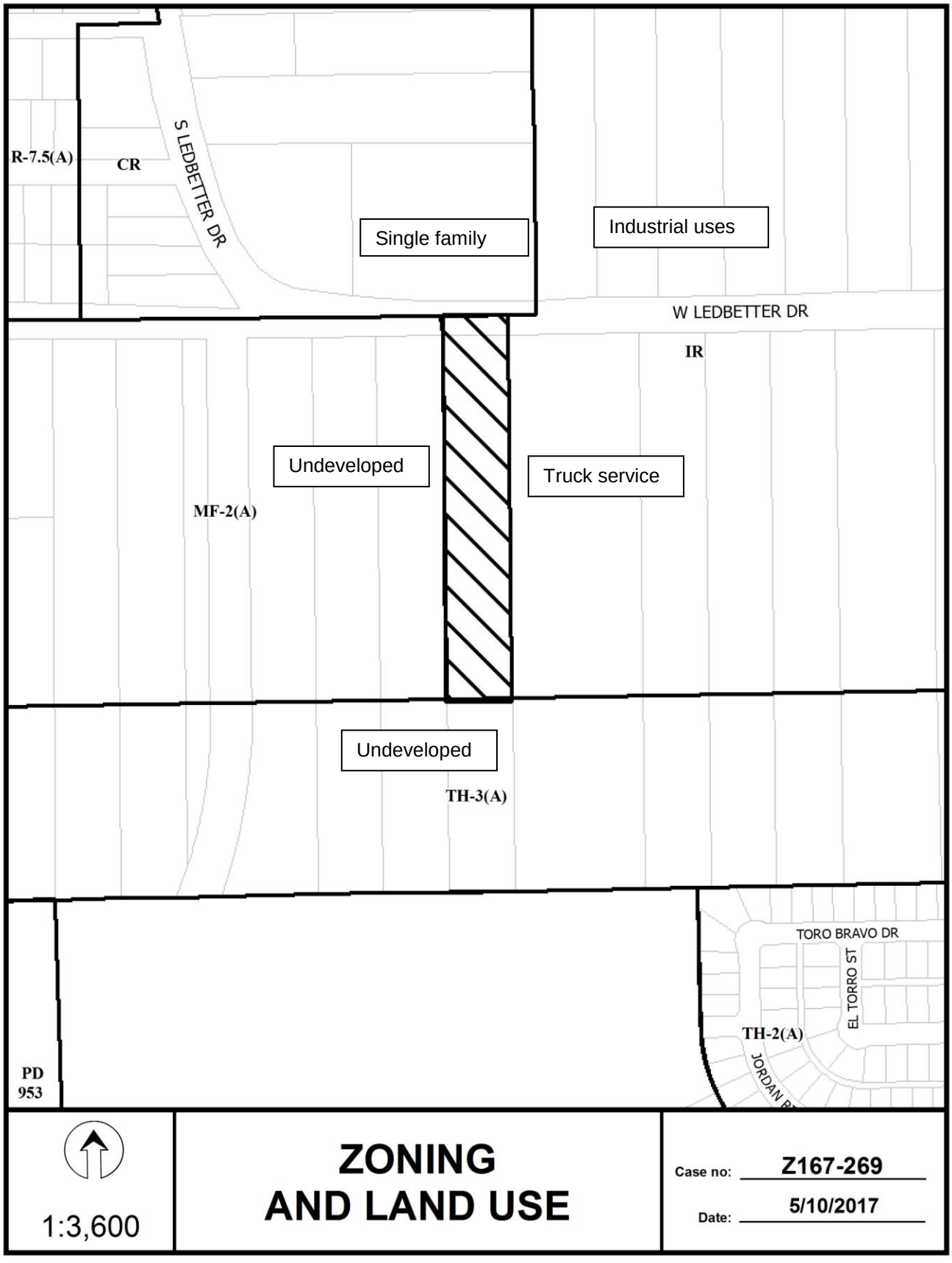


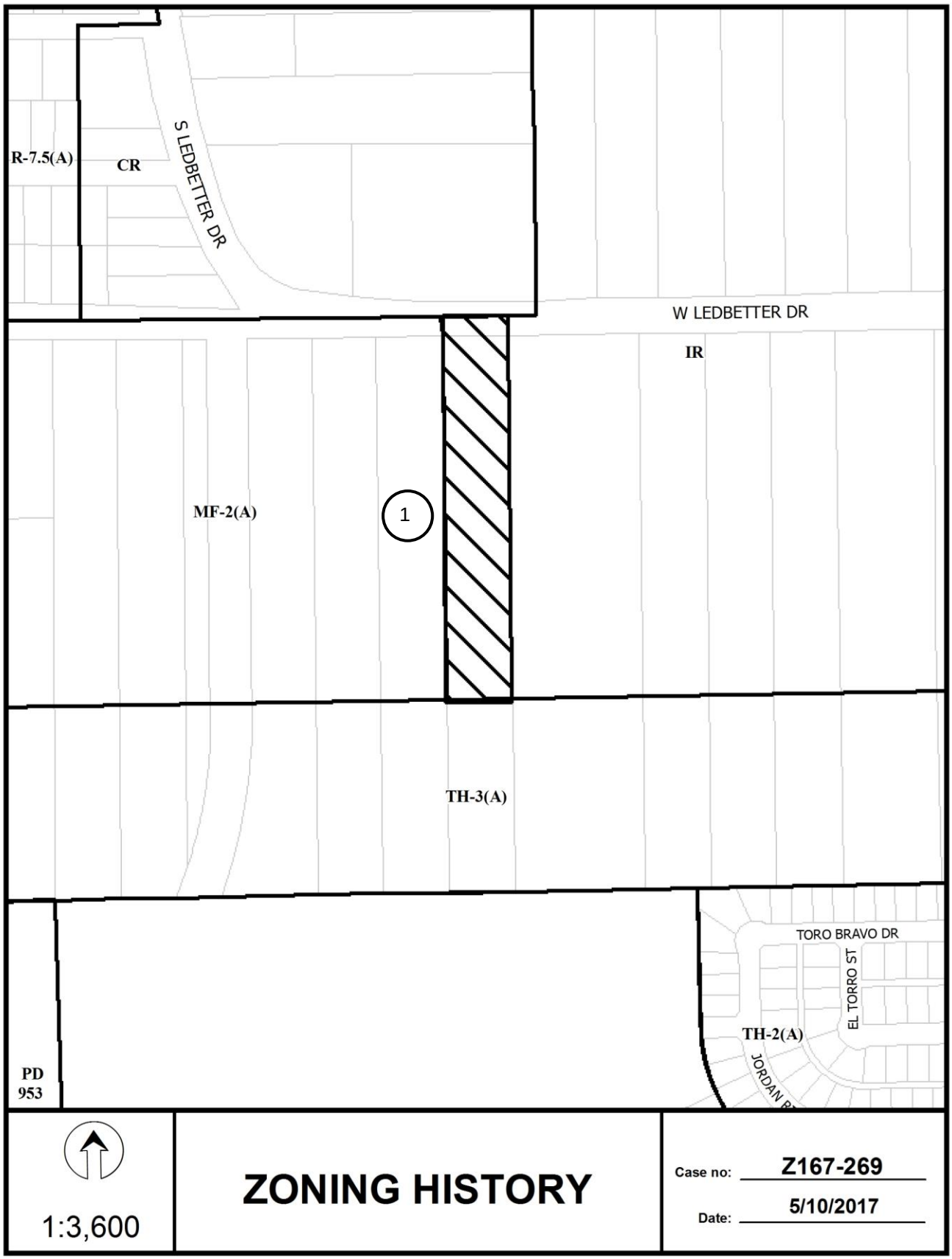
1:3,600

AERIAL MAP

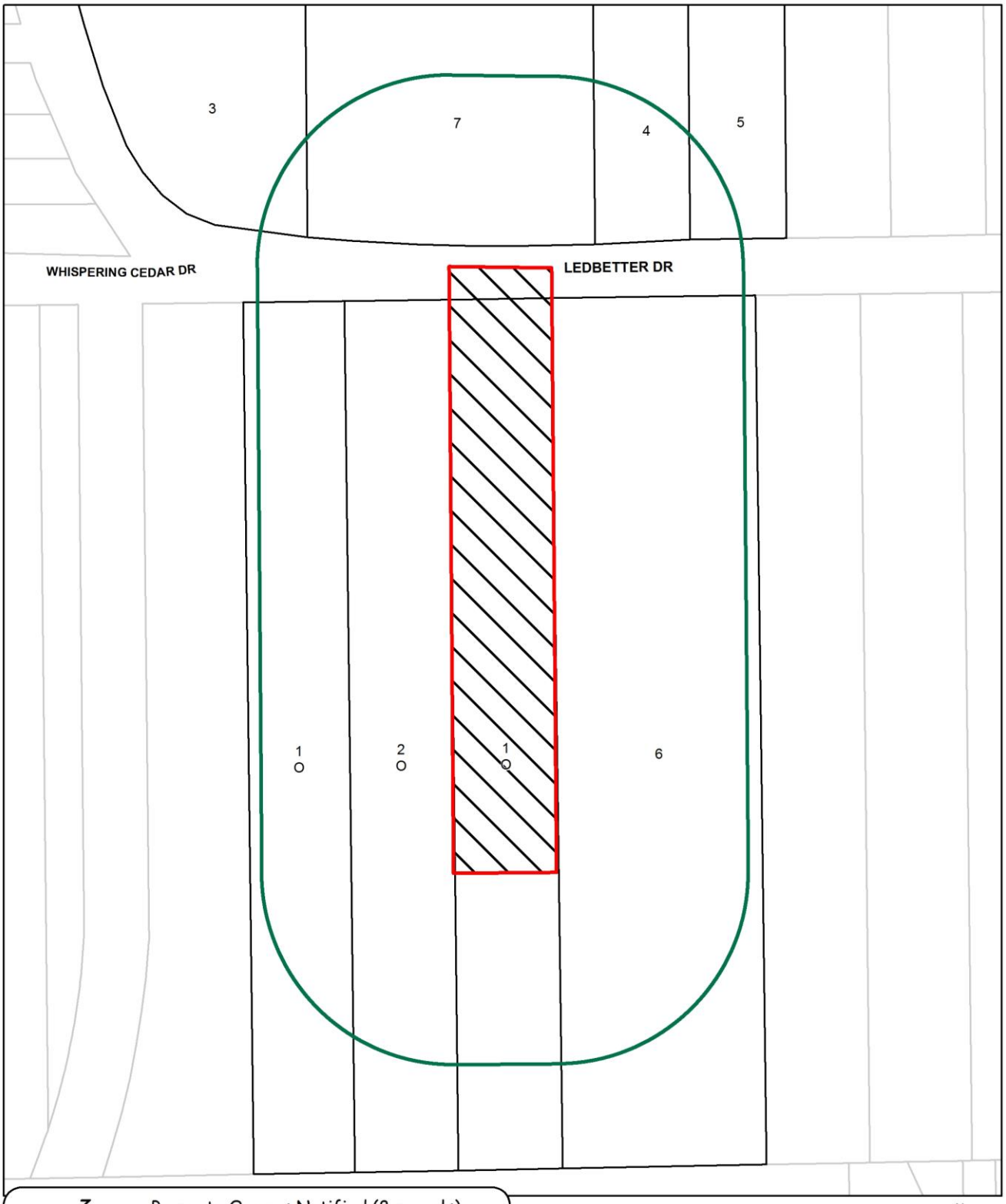
Case no: Z167-269

Date: 5/10/2017


R-7.5(A)
CR
S LEDBETTER DR
Single family
Industrial uses
W LEDBETTER DR
IR
Undeveloped
Truck service
MF-2(A)
Undeveloped
TH-3(A)
TORO BRAVO DR
EL TORRO ST
TH-2(A)
JORDAN
PD
953
1:3,600
ZONING
AND LAND USE
Case no: Z167-269
Date: 5/10/2017


R-7.5(A)
CR
S LEDBETTER DR
W LEDBETTER DR
IR
MF-2(A)
1
TH-3(A)
TORO BRAVO DR
EL TORRO ST
TH-2(A)
JORDAN
PD
953
1:3,600
ZONING HISTORY
Case no: Z167-269
Date: 5/10/2017

CPC RESPONSES



7	Property Owners Notified (8 parcels)
2	Replies in Favor (3 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
7/20/2017	Date

Z167-269
CPC

N
W E
S

1:2,400

Notification List of Property Owners

Z167-269

7 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
O	1 5724	W LEDBETTER DR	HAGWOOD TRANSPORTATION
O	2 5736	W LEDBETTER DR	HAGWOOD TRANSPORTATION
	3 4100	S LEDBETTER DR	SENESOURY BOUNSEEUM ET AL
	4 5711	W LEDBETTER DR	M & H METAL SPECIALTIES
	5 5623	W LEDBETTER DR	GWINN ROBERT D
	6 5712	W LEDBETTER DR	ATS UTAH PPTIES LLC
	7 5747	W LEDBETTER DR	MENDOZA EFREN

AGENDA ITEM # 78

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 65 C

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school use, on property zoned an R-7.5(A) Single Family District and a CR Community Retail District, in an area bounded by Paducah Avenue to the north, South Lancaster Road to the east, Ann Arbor Avenue to the south, and South Denley Drive to the west

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

Z167-295(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-295(JM) **DATE FILED:** May 9, 2017

LOCATION: Area bounded by Paducah Avenue to the north, South Lancaster Road to the east, Ann Arbor Avenue to the south, and South Denley Drive to the west.

COUNCIL DISTRICT: 4 **MAPSCO:** 65 C

SIZE OF REQUEST: ±7.758 acres **CENSUS TRACT:** 57.00

APPLICANT/OWNER: Dallas Independent School District

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application for a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school use, on property zoned an R-7.5(A) Single Family District and a CR Community Retail District.

SUMMARY: The applicant proposes to construct an addition including two classrooms, a playground shade structure, and additional parking. A planned development district is requested to allow a public school use [H.I. Holland Elementary School at Lisbon] by right, to allow structures for a public school other than an open enrollment charter school a maximum height of 40 feet, to allow parking in the required front yard along Paducah Avenue with screening, to allow baseball backstops up to 10-feet in height to encroach into the required setback, to not require screening of parking and loading spaces, and to allow up to six-feet in height fencing in the required front yards and within the required visibility triangles.

CPC RECOMMENDATION: **Approval**, subject to a development plan, traffic management plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, traffic management plan and conditions.

BACKGROUND INFORMATION:

- According to DISD staff, the original Lisbon Elementary School was constructed in 1938. The school was renamed H.I. Holland Elementary School at Lisbon in 2011. The existing enrollment is 352 students with 28 classrooms.

- The applicant would like to construct an addition including two classrooms, a playground shade structure, and an expansion of an existing parking lot to add three parking spaces (to meet parking required for the classroom addition). The existing zoning of the site is split. The portion zoned an R-7.5(A) Single Family District requires a specific use permit to operate a public school other than an open-enrollment charter school use, while the portion zoned a CR Community District allows the use by right, with an RAR Residential Adjacency Review.

- In lieu of complying with the split zoning requirements, a new PD is requested to allow a public school other than an open-enrollment charter school use by right, rather than by SUP, with the following provisions:
    - To allow structures for a public school other than an open enrollment charter school a maximum height of 40 feet;
    - To allow parking in the required front yard along Paducah Avenue with screening;
    - To allow baseball backstops up to 10-feet in height to encroach into the required setback;
    - To not require screening of parking and loading spaces; and,
    - To allow up to six-feet in height fencing in the required front yards and within the required visibility triangles.
- For any other allowable uses, the proposed PD would refer to the R-7.5(A) Single Family District for all provisions.

Zoning History:

There have been no zoning cases in the area within the last five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
S. Lancaster Road	Principal Arterial	Variable
Ann Arbor Avenue	Collector	Variable
S. Denley Drive	Local	50 feet
Paducah Avenue	Local	Variable

Land Use:

Area	Zoning	Land Use
Site	R-7.5(A) & CR Community Retail	Public School
North	R-7.5(A) & CR Community Retail	Single Family, Church, and Retail & Personal Service
East	CR Community Retail	Laundromat, Auto-related, Flower Shop, & Retail
South	R-7.5(A) & CR Community Retail w/SUP 173	Church, Undeveloped, Retail, Vacant, and Veteran's Hospital
West	R-7.5(A) & TH-3(A) Townhouse w/ SUP No. 930	Single Family & Child Care Center

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and traffic management plan. The plan has been approved. The City Engineer determined the zone change will not have a negative impact on the existing street system.

The TMP provided the following for Traffic Queue Operations:
As shown on Exhibit 1 (the TMP), parents picking up students in Pre-K through 3rd grade should immediately proceed to form a double queue upon arriving at the school during the afternoon pick-up period. The north end lot provides 729 linear feet of on-site queuing—enough capacity for a double queue for more than 31 vehicles. Parents for grades 4 and 5 should proceed to form a double queue in the staff lot on S. Lancaster Road in a clockwise direction.

Finally, a provision allowing the existing perimeter fence exemption from the visual obstruction regulations (visibility triangles) was reviewed by the Engineering Division and found not to be a traffic safety issue.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools.

Land Use Compatibility:

Surrounding land uses consist of single family, institutional, and retail & personal service to the north, retail & personal service and auto-related uses to the east, a church, undeveloped land, a hospital, and retail to the south, and a child-care facility, and single family uses to the west. The school has been serving the community for nearly 80 years. The use continues to be compatible with surrounding mix of uses in the area.

While the classroom total will increase from 28 to 30, there is not an expected increase in enrollment from the total of 352 students. The classroom addition serves to separate Pre-K students previously sharing a classroom with kindergarteners.

Proposed provisions amend conditions for a public school other than an open-enrollment charter school use, but not for other allowable uses. This protects the neighborhood in the event of a possible replat or change of use in the property.

Development Standards:

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing: R-7.5(A)	25'	5' single family 10' others 5' single family 15' others	30'	45% res. 25% nonres.	RPS	Single Family
Existing: CR	15'	0'	54'	60%	RPS	Retail & Personal Service, Office
Proposed: PDD	25'	5' single family 10' others 5' single family 15' others	40'	45% res. 25% nonres.	41,000 sq. ft. Max. Floor Area for public school.	Public school & R-7.5(A) uses

The proposed PD would amend conditions to allow structures for a public school other than an open enrollment charter school a maximum height of 40 feet, to allow parking in the required front yard along Paducah Avenue with screening, to allow baseball backstops up to 10-feet in height to encroach into the required setback, to not require screening of parking and loading spaces, and to allow up to six-feet in height fencing in

the required front yards and within the required visibility triangles. An existing chain-link perimeter fence, up to six-feet tall in some areas, obstructs the visibility triangles. The obstruction was deemed not to cause a traffic safety concern. Future fences would have to comply with the visual obstruction and visibility triangle regulations. The proposed conditions would make the existing school compliant, while adding the provision for parking in the front yard to provide new parking for the proposed addition. The existing school is 39 feet, 8 inches in height, per the development plan submitted. The floor area is being restricted to the existing and the proposed addition for a total of 41,000 square feet. Any future expansions of the school would require an amended development plan AND conditions to increase the maximum floor area. A minor amendment to add-on square footage wouldn't be allowed due to the maximum floor area placed on the site for this use.

The only other allowable uses are those found within the R-7.5(A) Single Family District and would be subject to the provisions of that district.

Finally, the applicant has provided an additional provision where for a public school other than an open-enrollment charter school, at each intersection of driveway and sidewalk, sidewalks must be constructed of a material that differs in color from that of vehicular ingress and egress driveways.

Parking:

No modifications to the minimum off-street parking requirements of the Dallas Development Code are requested with this application. A public school other than an open-enrolment charter school use is required to provide one and one-half parking spaces for each elementary school classroom. The school has 28 classrooms and has proposed a two-classroom addition; therefore, 45 parking spaces are required. The proposed development plan indicates that the site will provide 46 parking spaces.

Landscaping:

Landscaping must be provided in accordance with Article X.

CPC Action:
July 20, 2017

Motion: It was moved to recommend **approval** of a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school use, subject to a development plan, traffic management plan, and conditions to include the following modifications: 1) parking in the front yard setback be limited to Paducah Avenue and 2) parking facing any residential use on Paducah require appropriate screening to prevent light into residential uses on property zoned an R-7.5(A) Single Family District and a CR Community Retail District, in an area bounded by Paducah Avenue to the north, South Lancaster Road to the east, Ann Arbor Avenue to the south, and South Denley Drive to the west.

Maker: Davis
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley*, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 130
Replies: For: 1 Against: 2

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: Lois Johnson, 1913 E. Ann Arbor Ave., Dallas, TX, 75216

List of Officers/Board Members

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores, 1st Vice President
District 2	Dustin Marshall
District 3	Dan Micciche, President
District 4	Jaime Resendez, Board Secretary
District 5	Lew Blackburn, Ph.D.
District 6	Joyce Foreman
District 7	Audrey Pinkerton, 2nd Vice President
District 8	Miguel Solis
District 9	Bernadette Nutall

CPC Approved PD Conditions

ARTICLE _____

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 generally located in an Area bounded by Paducah Avenue to the north, South Lancaster Road to the east, Ann Arbor Avenue to the south, and South Denley Drive to the west. The size of PD _____ is approximately 7.758 acres.

SEC. 51P-_____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. 27296)

SEC. 51P-_____.104. EXHIBITS.

The following exhibit is incorporated into this article:

(1) Exhibit _____A: development plan.

SEC. 51P-_____.105. DEVELOPMENT PLAN.

(a) For a public school other than an open-enrollment charter school development and use of the Property must comply with the development plan (Exhibits _____A). If there is a conflict between the text of this article and the development plans, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-_____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP. A use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district, etc.

(b) A public school, other than an open-enrollment charter school, is allowed by right.

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 types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

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 51A4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) .Floor area: Maximum floor area for a public school other than an open-enrollment charter school use is 41,000 square feet.

(c) Height: Maximum height for a public school other than an open-enrollment charter school is 40 feet.

SEC. 51P-_____.109. OFF STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Parking for a public school other than an open-enrollment charter school is allowed in the required front yard along Paducah Avenue.

(c) Screening is required for parking spaces located within the required front yard along Paducah Avenue. No other screening of parking lots or loading areas is required.

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.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P-_____.113. ADDITIONAL PROVISIONS.

(a) For a public school other than open-enrollment charter school, at each intersection of driveway and sidewalk, sidewalks must be constructed of a material that differs in color from that of vehicular ingress and egress driveways.

(b) Fencing for a public school other than an open-enrollment charter school.

(1) Fences up to six feet in height are allowed within the required front yard.

(2) Baseball backstops up to 10 feet in height are allowed within the required front yard.

(3) Existing fences shown on Exhibit _____A are allowed within the visibility triangle.

(c) Maintenance. The Property must be properly maintained in a state of good repair and neat appearance.

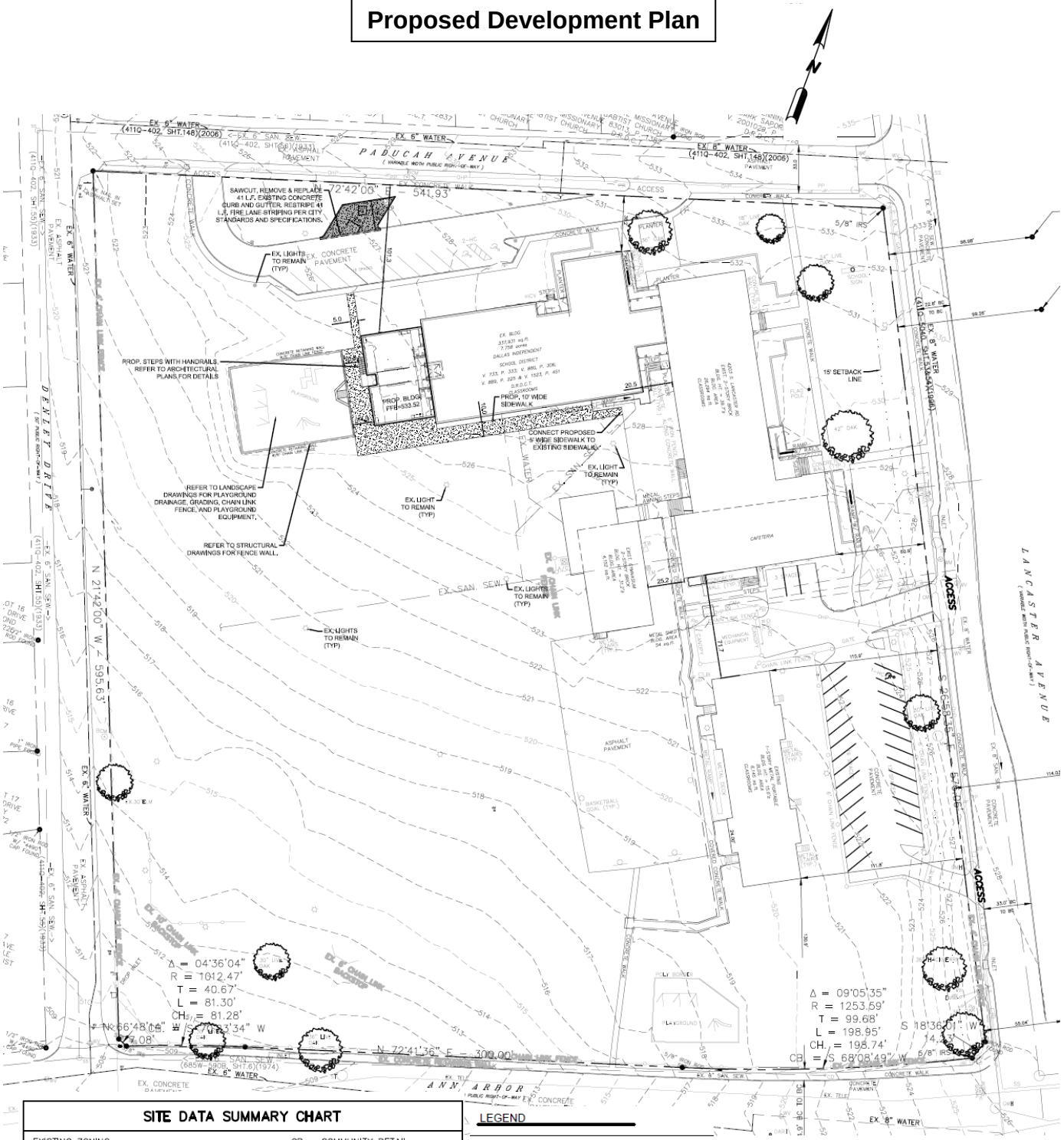
(d) Compliance. Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-_____.1154 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.

Proposed Development Plan



SITE DATA SUMMARY CHART

EXISTING ZONING:	CR – COMMUNITY RETAIL R7.5 – SINGLE FAMILY
PROPOSED LAND USE:	PUBLIC SCHOOL
SITE ACREAGE:	7.758 ACRES (337,931 SQ FT)
TOTAL BUILDING AREA:	
EXISTING – 1ST FLOOR	26,158 SQ FT
EXISTING – 2ND FLOOR	11,794 SQ FT
PROPOSED	2,617 SQ FT
OPEN SPACE:	225,923 / 337,931 : 68%
TOTAL IMPERVIOUS AREA:	79,125 / 337,931 : 23%
BUILDING HEIGHT:	2 STORY, (39'–8" HEIGHT)
PARKING REQUIRED (1.5 SPACES PER CLASSROOM):	45 SPACES
PARKING PROVIDED TOTAL (3 + EXISTING 43):	46 SPACES
PARKING PROVIDED (ACCESSIBLE):	3 SPACES

LEGEND

- EXISTING ASPHALT
- PROPOSED CURB
- 9 — PARKING SPACES IN A ROW
- PROPOSED 6" REINFORCED, MEDIUM DUTY CONCRETE PAVEMENT PER DETAIL, THIS SHEET
- PROPOSED SIDEWALK PAVEMENT

DeShazo Group

Traffic. Transportation Planning. Parking. Design.



Technical Memorandum

To: Karl Crawley — Masterplan Consultants

From: David Nevarez, PE, PTOE — DeShazo Group, Inc.

Date: April 19, 2017

Re: Traffic Management Plan for H. I. Holland Elementary School at Lisbon in Dallas, Texas
DeShazo Project Number 17046

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing professional services in traffic engineering, transportation planning and related fields. Masterplan Consultants retained the services of DeShazo on behalf of the Dallas Independent School District (DISD) to provide a requisite Traffic Management Plan (TMP) for H. I. Holland Elementary School at Lisbon. The school is located at 4203 S Lancaster Road in Dallas, Texas.

At the time of this study, the school had an enrollment of 352 students in Pre-K through 5th grade. The school is undergoing renovations mainly attributed to additional classroom space with no change to student capacity. A proposed site plan showing proposed building modifications is attached as reference.

The school site is zoned Commercial Retail (CR) and Single Family Residential [R-7.5(A)]. In order to gain entitlements for the proposed improvements, the school administration is seeking approval of a change to the development plan. As part of the approval process, the City of Dallas requires a TMP as a record of the preferred traffic control strategies and to ensure overall traffic safety and efficient 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.

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. By properly managing vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel — including walking — will also inherently improve while the operational impact on the public street system is minimized. **The TMP is a tool a tool to facilitate a safer and more efficient environment; it should not be considered a comprehensive set of instructions to ensure adequate safety.**

The analysis summarized below utilizes the existing school site plan to evaluate aspects such parking and vehicle queuing (i.e., stacking) that occur at the school in order to accommodate the observed peak demands. A concerted effort and full participation by the school administration, staff, students, and parents are essential to maintain safe and efficient traffic operations.

School Operational Characteristics

Table 1 provides a summary of the known operational characteristics for the school.

Table 1. School Operational Characteristics

Enrollment:	Pre-K: 44 students Kindergarten: 47 students 1st Grade: 63 students 2nd Grade: 58 students 3rd Grade: 53 students 4th Grade: 48 students 5th Grade: 39 students *Total: 352 students*
Daily Start/End Schedule	>Start: 7:55 AM >End: 2:55 PM
Approximate Percentage of Students Travelling by Mode Other Than Drop-off/Pick-up:	By Daycare/Van: ≅ 5% (~19 Students) By Walking: ≅ 5% (Observed)

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 conditions and from personal interviews of school representatives.

Existing Site Access and Circulation

The school provides parking lots for faculty and staff only on S Lancaster Road and Paducah Avenue. During afternoon peak hours, a third parking lot located at the east corner of the school provides parking for parents. Traffic operations concentrate in the perimeter of the school with a significant number of vehicles parked on both sides of Paducah Avenue. The majority of parents arrive from the south of the school traveling northbound on S Denley Drive and turning left on Paducah Avenue, a one-way (eastbound) street during school arrival and dismissal periods. Once the parents park, they either cross the street to pick up students or wait for students to be dismissed. A school van parks eastbound on Paducah Avenue without a designated loading area.

Passenger Unloading/Loading and Vehicle Queuing

DeShazo conducted field observations during typical school-day conditions on Wednesday, April 12, 2017. The peak number of parent-vehicles on site was quantified during the afternoon pick-up period. The total maximum vehicular accumulation peaked with 55 vehicles around the school.

The school provides enough on-site capacity for a maximum accumulation of 46 vehicles as depicted in **Exhibit 1**. The designated areas for queuing operations is considered adequate upon enforcement of an active traffic management plan based on studies of other schools with similar enrollment characteristics.

Recommendations to Facilitate Queueing Operations

The school administration should immediately implement an active management of student loading to expedite queueing operations and reduce the maximum accumulation of traffic. Queue pick-up participation is a challenge that schools in our community face constantly. Full cooperation of all school staff members, students and parents is crucial for the success of the systematic queue. Proper training of school staff 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 recommended.

The following recommendations are provided to school administration for the management of vehicular traffic generated by the school during peak traffic conditions. Generally, traffic delays and congestion that occurs during pick-up periods is notably greater than the traffic generated during the morning drop-off period due to timing and traffic concentration. In most instances, achieving efficiencies during the afternoon period is most critical, while the morning traffic operations require nominal active management.

Traffic Queue Operations

- As shown on **Exhibit 1**, parents picking up students in Pre-K through 3rd grade should immediately proceed to form a double queue upon arriving at the school during the afternoon pick-up period. The north end lot provides 729 linear feet of on-site queuing—enough capacity for a double queue for more than 31 vehicles. Parents for grades 4 and 5 should proceed to form a double queue in the staff lot on S Lancaster Road in a clockwise direction.

Student Safety

- Student safety should remain paramount at all times. School administration should remind students, parents and staff of their expectations relative to this traffic management plan continuously throughout the school year.

- School administration should review traffic operations and address any problems concerning this traffic management plan and identify solutions in the interest of student safety.

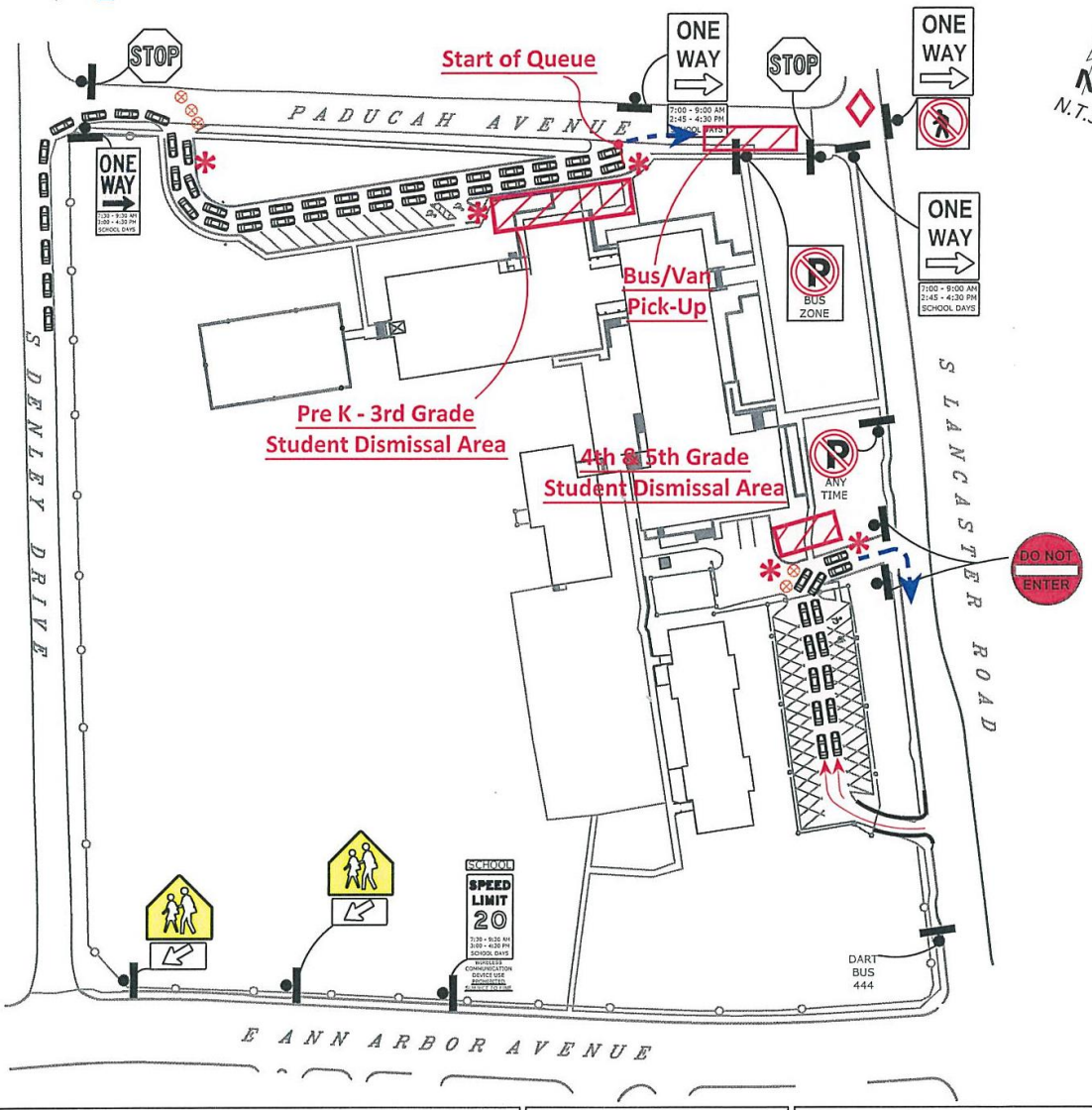
- There is no evidence of any students walking home after school. School administration should investigate *A Safe Routes to School* program for students to walk home or ride bikes safely.

- In accordance with the Transportation Code, Section 545.4252, State law prohibits the use of wireless communication devices while operating a motor vehicle during the time a school zone is in effect. Restrictions do not apply to stopped vehicles or the use of handheld free devices.

School Bus/Daycare Vans Operations

- All school and daycare bus/van pick-up activities should be designated at the loading zone located at the northeast corner of the school site as shown in **Exhibit 1**.

DeShazo Group



Queuing Summary

Student Group	Student Enrollment	Dismissal Time	Vehicular Traffic Demand	Queue
Pre K- 3rd	265 Students 0% Bus 0% Walk	2:55 PM	Provided*	729 LF (31 cars)
			Projected	964 LF (41 cars)
			On-Street	235 LF (10 cars)
4th- 5th	87 Students 5% Bus 5% Walk	2:55 PM	Provided*	376 LF (16 cars)
			Projected	329 LF (14 cars)
			Surplus	47 LF (2 cars)

** Calculated upon enforcement of managed traffic operations*
Vehicular queue calculated at 23.5 feet/passenger car based on field observations.

Legend

- School Staff
- Student Pick - Up
- School Crossing Guard
- Traffic Signs (Existing)
- Outbound Queue
- Inbound Queue
- Traffic Cones

The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

I, David Nevarez, P.E. #106200, certify that site constraints preclude the school's ability to accommodate vehicular queue on-site. While it may not be feasible to eliminate queuing in public rights-of-way, establishing a designated school route will lessen impact to neighborhood as well as background traffic on the main roads. This option is subject to approval by the City of Dallas Mobility and Street Services Department.

EXHIBIT 1

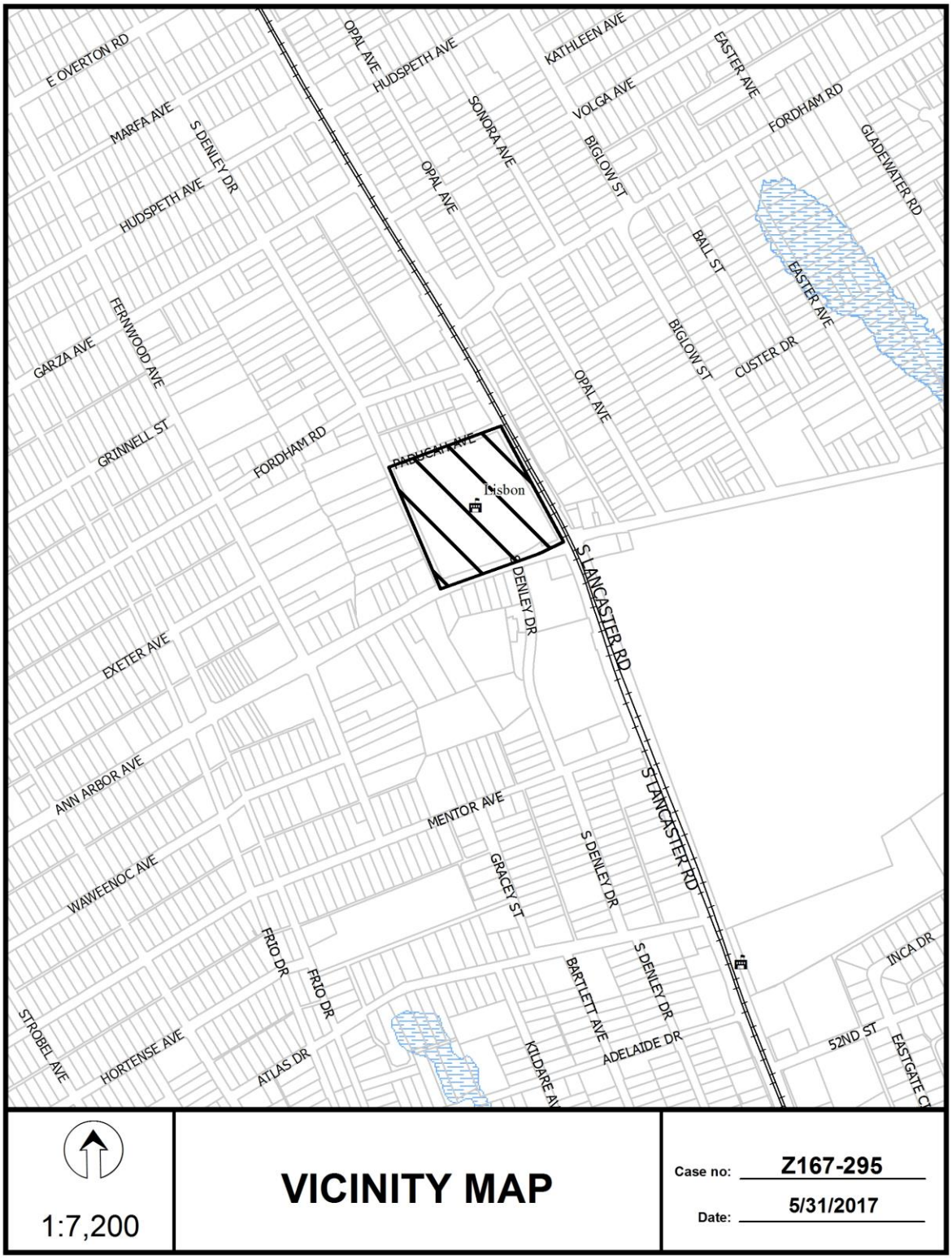
Traffic Management Plan

DISD H. I. Holland Elementary School at Lisbon
4203 S Lancaster Road, Dallas, TX 75216

DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748.6740

DeShazo Group, Inc. Job No. 17046 Exhibit Created on 04-19-2017

Z167-295


E OVERTON RD
MARFA AVE
S DENLEY DR
HUDSPETH AVE
OPAL AVE
HUDSPETH AVE
SONORA AVE
KATHLEEN AVE
VOLGA AVE
EASTER AVE
FORDHAM RD
GLADEWATER RD
BIGLOW ST
OPAL AVE
BALL ST
EASTER AVE
GARZA AVE
FERNWOOD AVE
GRINNELL ST
FORDHAM RD
PADUCAH AVE
Lisbon
OPAL AVE
BIGLOW ST
CUSTER DR
S LANCASTER RD
DENLEY DR
EXETER AVE
ANN ARBOR AVE
MENTOR AVE
WAWEENOC AVE
GRACEY ST
S DENLEY DR
S LANCASTER RD
FRIO DR
FRIO DR
BARTLETT AVE
S DENLEY DR
INCA DR
STROBEL AVE
HORTENSE AVE
ATLAS DR
KILDARE AV
ADELAIDE DR
52ND ST
EASTGATE CI
1:7,200
VICINITY MAP
Case no: Z167-295
Date: 5/31/2017

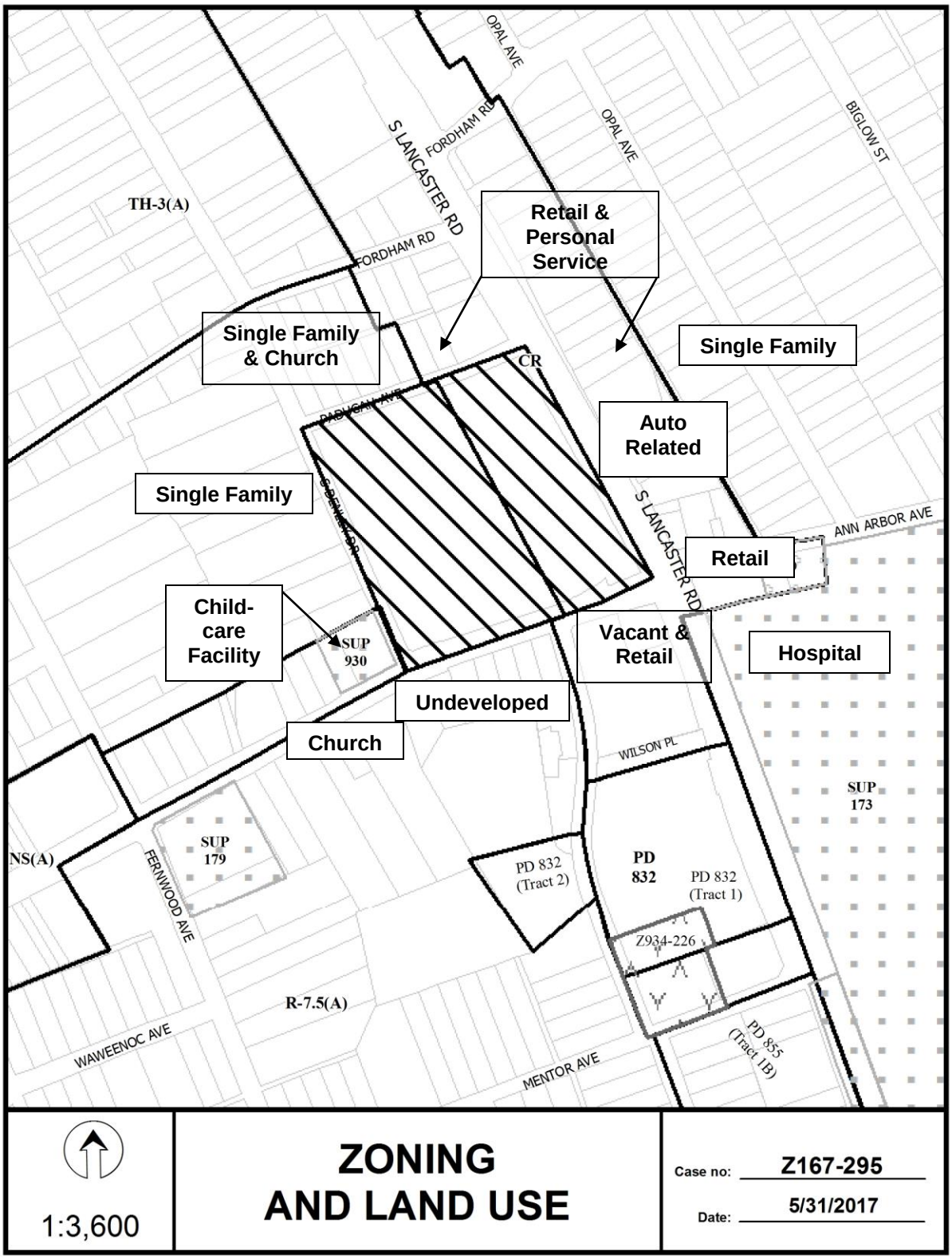


1:3,600

AERIAL MAP

Case no: Z167-295

Date: 5/31/2017


OPAL AVE
S LANCASTER RD
FORDHAM RD
OPAL AVE
BIGLOW ST
TH-3(A)
Retail & Personal Service
Single Family & Church
Single Family
CR
Auto Related
Single Family
S LANCASTER RD
ANN ARBOR AVE
Retail
Child-care Facility
SUP 930
Vacant & Retail
Hospital
Undeveloped
Church
WILSON PL
SUP 173
NS(A)
SUP 179
FERNWOOD AVE
PD 832 (Tract 2)
PD 832
PD 832 (Tract 1)
Z934-226
R-7.5(A)
WAWEENOC AVE
MENTOR AVE
PD 855 (Tract 1B)
1:3,600
ZONING AND LAND USE
Case no: Z167-295
Date: 5/31/2017

CPC Responses



07/19/2017

Reply List of Property Owners

Z167-295

130 Property Owners Notified ***1 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4203	S LANCASTER RD	Dallas ISD
	2	4021	S DENLEY DR	CONEY ELMO & CLARA
	3	1747	FORDHAM RD	BETTS BETHEL L
X	4	4031	S DENLEY DR	JACKSON PATRICIA A
	5	1739	FORDHAM RD	CASTELAN ENRIQUE
	6	1717	E ANN ARBOR AVE	ALBARRAN EFRAIN MONDRAGON &
	7	1719	E ANN ARBOR AVE	HAWKINS DAVID R II
	8	4214	FERNWOOD AVE	MARTINEZ JOSE LOPEZ
	9	4210	FERNWOOD AVE	POWELL CHRISTINE
	10	4202	FERNWOOD AVE	REYES BYRON
	11	4130	FERNWOOD AVE	NEXTLOTS NOW LLC
	12	4122	FERNWOOD AVE	TUCK MACKEROY TR
	13	4114	FERNWOOD AVE	WHITLEY ALICE PARHAM
	14	4120	FERNWOOD AVE	PERKINS MAXINE
	15	1722	FORDHAM RD	JACKSON MATTIE
	16	4107	S DENLEY DR	CRAWFORD CURTIS
	17	1746	FORDHAM RD	HARRISON CORA L
	18	1738	FORDHAM RD	UNION HOPE INSTITUTIONAL
	19	4101	S DENLEY DR	BEECHUM ORANGE J
	20	4113	S DENLEY DR	SPURLOCK MARY JANET
	21	4119	S DENLEY DR	MORNING STAR PRIMITIVE
	22	4129	S DENLEY DR	MORNING STAR PRIMITIVE BAPTIST CH & TRUSTEE
	23	4135	S DENLEY DR	MAGAHIDA BLANCA
	24	4207	S DENLEY DR	ALEXANDER LENA M &
	25	4215	S DENLEY DR	LANG SAMUEL
	26	4211	S DENLEY DR	HAMMOND RONNIE

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	27	1731	E ANN ARBOR AVE	MASON YVONNE M
	28	4223	S DENLEY DR	CONWAY DWIGHT
	29	1739	E ANN ARBOR AVE	HENDERSON CLARENCE
	30	1733	E ANN ARBOR AVE	CUEVAS ELADIO JR
	31	1823	FORDHAM RD	SAAHIR VENITA L
	32	4033	S LANCASTER RD	ROUSAN INVESTMENTS INC
	33	1827	FORDHAM RD	NPOT PTNRS I LP
O	34	1815	FORDHAM RD	MCELROY E W
	35	4030	S DENLEY DR	TURNER NORA L & HENREY
	36	4022	S DENLEY DR	ORTIZ MARIA E VALVERDE
	37	4020	S DENLEY DR	HAYNES LILY FAY
	38	4023	S LANCASTER RD	FOCUS MATTERS MOSELEY LLC
	39	4123	S LANCASTER RD	PENNINGTON ROBERT &
	40	1802	FORDHAM RD	PRESTON MICHELLE ROBB
	41	1806	FORDHAM RD	LIFE LIGHT DELIVERANCE
	42	1810	FORDHAM RD	LIFE LIGHT DELIVERANCE CH
	43	1818	FORDHAM RD	JENNINGS GLADYS M LF EST
	44	1822	FORDHAM RD	YOUNG WANDA JEAN
	45	1826	FORDHAM RD	CLAYBORNE OTIS B
	46	1830	FORDHAM RD	JACKSON RONALD EARL &
	47	4103	S LANCASTER RD	MOODY KATHY & CLINTON
	48	4111	S LANCASTER RD	MOODY CLINTON
	49	1803	PADUCAH AVE	AGUILAR ELIZABETH
	50	1807	PADUCAH AVE	MOORE DAVID
	51	1811	PADUCAH AVE	CAMERON LEE F EST OF
	52	1815	PADUCAH AVE	F & S PROPERTIES LLC
	53	1819	PADUCAH AVE	RILEY GEORGE & CYNTHIA
	54	1823	PADUCAH AVE	MT GROVE MISSIONARY BAPT
	55	1831	PADUCAH AVE	MT GROVE MISSIONARY
	56	4325	S DENLEY DR	LISBON CEMETERY
	57	4303	S LANCASTER RD	URBAN LEAGUE OF GREATER DALLAS AND NORTH CENTRAL

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	58	1802	E ANN ARBOR AVE	TRUE GOSPEL MISSIONARY
	59	1816	E ANN ARBOR AVE	URBGAN LEAGUE OF GREATER DALLAS &
	60	1820	E ANN ARBOR AVE	URBAN LEAGUE OF GREATER DALLAS & NORTH CENTRAL
	61	1722	E ANN ARBOR AVE	MOODY CLINTON J & KATHY
	62	1728	E ANN ARBOR AVE	MOODY CLINTON JR
	63	1730	E ANN ARBOR AVE	TRUTEES OF GODS GOSPEL
	64	4300	FERNWOOD AVE	BETHEL A M E CHURCH
	65	1712	E ANN ARBOR AVE	CHORA CIRILO MORALES
	66	1718	E ANN ARBOR AVE	MALDONALDO GILBERT &
	67	4318	FERNWOOD AVE	HERNANDEZ RAMIRO &
	68	4240	S LANCASTER RD	RLE PPTIES LLC
	69	4244	S LANCASTER RD	ALBUSTAMI SABRI & LIASARI R GUPANA
	70	1913	E ANN ARBOR AVE	JOHNSON LOIS
	71	4130	S LANCASTER RD	MOODY CLINTON J ETAL
	72	4122	S LANCASTER RD	JEM ENTERPRISES LLC
	73	4102	S LANCASTER RD	BRIAN FAMKAR I LLC
	74	1917	E ANN ARBOR AVE	COLER TERRENCE T
	75	4110	S LANCASTER RD	DALLAS AREA RAPID TRANSIT
	76	4228	S LANCASTER RD	JEANETTE INV IV LTD
	77	4114	S LANCASTER RD	MITCHELL JAMES SR
	78	4138	S LANCASTER RD	MOODY CLINTON J
	79	4202	S LANCASTER RD	MOODY CLINTON JUNIOR
	80	4208	S LANCASTER RD	MOODY CLINTON JR &
	81	4214	S LANCASTER RD	HARRAL ARTHUR JR &
	82	4220	S LANCASTER RD	KAMY REAL PPTY TRUST
	83	4251	OPAL AVE	WILSON REDELL
	84	4247	OPAL AVE	RIOS ESTELLA DELTORO
	85	4243	OPAL AVE	SCHNEIDER MARIA
	86	4239	OPAL AVE	AVILA JOSE A
	87	4235	OPAL AVE	WILLIAMS SYLVESTER
	88	4231	OPAL AVE	HUAPEO FRANCISCO & RAQUEL

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	89	4227	OPAL AVE	SMITH PATRICIA
	90	4223	OPAL AVE	AMF CONNECTIONS INC
	91	4215	OPAL AVE	TURNER AUBRA
	92	4211	OPAL AVE	TURNER AUBRA O
	93	4203	OPAL AVE	IGLESIA MISION LA ROCA &
	94	4151	OPAL AVE	FIRST HOME GROUP LLC
	95	4147	OPAL AVE	TAULTON LEWIS JR
	96	4143	OPAL AVE	SIGALA GUADALUPE
	97	4139	OPAL AVE	ROCKWELL BETTY L
	98	4135	OPAL AVE	RANSOM TONI
	99	4131	OPAL AVE	LEARY CURTIS ETAL
	100	4127	OPAL AVE	FAGAN LEONARD L SR
	101	4123	OPAL AVE	HERNANDEZ ANASTACIO &
	102	4117	OPAL AVE	HERNANDEZ ANASTACIO
	103	4113	OPAL AVE	WATSON IMA J
	104	4111	OPAL AVE	GUTIERREZ EVELYN
	105	4230	OPAL AVE	VILLANUEVA LETICIA
	106	4226	OPAL AVE	CHAMPAGNE IRA H JR
X	107	4210	OPAL AVE	BROWN ARMADA THOMPSON
	108	4150	OPAL AVE	BOOKER ALFRED J EST OF
	109	4138	OPAL AVE	HERNANDEZ MIGUEL &
	110	4214	OPAL AVE	CHAFFIN PORTER
	111	4142	OPAL AVE	ADVANCED INVESTMENT INC
	112	4146	OPAL AVE	KANTERING LLC
	113	4202	OPAL AVE	MORALES JESUS & JULIETA
	114	4206	OPAL AVE	CHILDERS ROY & LINDA
	115	4222	OPAL AVE	PERRY SEKIETHIA
	116	4218	OPAL AVE	MALDONADO CLAUDIA &
	117	1916	E ANN ARBOR AVE	UNITED STATES DEPARTMENT OF VETERANS
	118	4500	S LANCASTER RD	U S VETERANS HOSPITAL
	119	1755	E ANN ARBOR AVE	CHRISTIAN HOLY TEMPLE

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	120	1747	E ANN ARBOR AVE	COMMUNITY ACADEMY DAYCARE
	121	4315	S LANCASTER RD	DALLAS URBAN LEAGUE
	122	4345	S DENLEY DR	CITY WIDE COMMUNITY DEVELOPMENT CORPORATION
	123	4345	S DENLEY DR	LANCASTER URBAN VILLAGE COMMERCIAL LLC
	124	4345	S DENLEY DR	URBAN LEAGUE OF GREATER DALLAS &
	125	1734	E ANN ARBOR AVE	TRUE GOSPEL MISSIONARY BAPTIST CHURCH
	126	4302	S LANCASTER RD	COSMO W & D INC
	127	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	128	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	129	4417	S LANCASTER RD	LANCASTER URBAN VILLAGE RESIDENTIAL
	130	4417	S LANCASTER RD	LANCASTER URBAN VILLAGE COMMERCIAL LLC

AGENDA ITEM # 79

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 36 J

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 1 within Planned Development District No. 740, on the southeast corner of North Central Expressway and East Mockingbird Lane
Recommendation of Staff and CPC: Approval, subject to revised development plan and conditions
Z167-301(KK)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-301(KK) **DATE FILED:** May 23, 2017

LOCATION: Southeast corner of North Central Expressway and East Mockingbird Lane

COUNCIL DISTRICT: 14 **MAPSCO:** 36 J

SIZE OF REQUEST: Approx. 5.33 acres **CENSUS TRACT:** 0003.00

APPLICANT/ OWNER: THI VI Dallas Mockingbird, LLC

REPRESENTATIVE: Jonathan Vinson, Jackson Walker L.L.P.

REQUEST: An application to amend Tract 1 within Planned Development District No. 740.

SUMMARY: The purpose of this request is to amend Tract 1 of the planned development district to allow for the increase of the maximum allowable floor area of hotel meeting area from 8,610 square feet to 13,500 square feet. The applicant is not proposing any new structures of floor area to the site. This increase would happen internal to the existing structure by reducing the existing number of hotel guest rooms.

CPC RECOMMENDATION: **Approval**, subject to revised development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to revised development plan and conditions.

BACKGROUND INFORMATION:

- Historical aerial photography shows the site was developed between 1958 and 1968.

- PDD No. 740 was established by Ordinance No. 26268, passed by the Dallas City Council on February 22, 2006.

- Palomar Hotel occupied the majority of the site in 2007. Permits were issued to renovate, construct additions, and demolish the structure located on Tract 2 of this planned development district. Other complementary uses also occupied the tenant suites around this time period.

- The Highland Dallas hotel was issued a certificate of occupancy in December of 2014, after the Palomar Hotel vacated the site.

- The purpose of this request is to amend Tract 1 of the planned development district to allow for up to nine guest rooms, a maximum of 4,890 square feet, to be converted to meeting space for the hotel. The maximum total number of hotel guest rooms in not proposed to change.

Zoning History: There have been two recent zoning change requests in the area within the last five years.

1. **Z145-135** On April 22, 2015, the City Council approved an application for a Planned Development District for D(A) Duplex District uses and a modified duplex use on property zoned a D(A) Duplex District.

2. **Z156-176** On August 10, 2016, the City Council approved an application for the amendment to Planned Development District No. 740.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
North Central Expressway	Highway	Variable ROW
East Mockingbird Lane	Principal Arterial	Minimum 6 lanes, divided, 100 ft ROW

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed amendment will not have a negative impact on the surrounding street system. The applicant obtained a waiver of

traffic impact analysis that states that a traffic impact analysis is not required because the proposal generates fewer than 1,000 trips per day, and is not a school.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 740 (Tract 1)	Hotel, Multifamily, Retail
North	MU-3	Retail, Lodging, Mockingbird Dart Station
East	MU-3, SUP No. 1227, PDD No. 445	Mini-warehouse
South	PDD No. 740 (Tract 2)	Undeveloped land
West	MU-3	SMU Tennis Complex

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.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

The request is characteristic of an Urban Mixed-Use Building Block because it compromises a vibrant mix of office and retail uses to support adjacent and surround residential uses. The request site will provide additional uses for residents to work, shop, and play within a closely defined area. People on foot or bike can enjoy interesting storefronts and building facades at ground level with wide sidewalks. This aids in creating an appealing streetscape. By encouraging better design quality and convenience in retail centers, business parks and industrial parks, the city takes on a more notable look. The request is consistent with this building block.

Land Use Compatibility:

The site is approximately 5.339 acres and located along a principal arterial, East Mockingbird Lane, to the north and a highway, North Central Expressway, to the west. The area of request contains a mixture of hotel, residential, restaurant, office, and personal service uses. The adjacent property to the north, across Mockingbird Lane, is developed with the Mockingbird Station mixed-use development. To the east and southeast of the site is a self-storage facility and a retail center. This area is zoned MU-3 Mixed Use District, SUP No. 1227, and PDD No. 445. This development separates the request site from the residential properties in the nearby vicinity. Directly south of the area of request is an undeveloped tract of land located in PDD No. 740 Tract 2 zoning district. To the northwest and west, across North Central Expressway, is the Southern Methodist University Tennis Complex and other various university facilities that are operated by Southern Methodist University, and a retail center. The properties that are located within the city of Dallas are zoned MU-2 and MU-3 Mixed Use District. The other SMU facilities reference are located in the city of University Park. The site has housed mixed uses for decades; therefore, the modest amendments of this request are seen as compatible with surrounding land uses.

The applicant proposes the following amendments with this request:

(1) Increase the maximum allowable floor area of hotel meeting area from 8,610 square feet to 13,500 square feet. This is an increase of 4,890 square feet. The applicant is not proposing any new structures or floor area with this zoning request. The floor area will be obtained by converting existing hotel guest rooms. The existing maximum number of hotel guest rooms is 208 units, this is not proposed to change. As the floor area of hotel meeting area increases, not to exceed 13,500 square feet in totality, the hotel guest rooms will decrease. The increase in hotel meeting area is proposed as a reduction in hotel guest rooms as no new floor area is proposed.

(2) Amend the development plan site data table to reflect this floor area increase for hotel meeting area. The only change to both of these plans is the site data table. No new floor area or structures are being proposed with this zoning request.

The requested amendments to the existing planned development district are generally modest in scale, increasing the maximum allowable floor area of the hotel meeting area by 57 percent while also reducing the number of hotel guest rooms provided in order to accommodate this remodel.

Parking:

The parking detailed in the current planned development is not proposed to change. The hotel meeting area is considered accessory to the land use of a hotel development. Therefore, it does not trigger any additional parking. Because the hotel guest rooms cannot exceed the maximum of 208 dwelling units, the minimum required parking of 500 off-street spaces per the PD ordinance remains unchanged.

Landscaping:

No landscaping amendments are proposed with this zoning request. No new floor area of structures are proposed as part of this request; therefore, no landscaping will be triggered by this scope of work.

CPC Action

July 20, 2017

Motion: It was moved to recommend **approval** of an amendment to Tract 1, subject to revised development plan and revised conditions (as briefed) within Planned Development District No. 740, on the southeast corner of North Central Expressway and East Mockingbird Lane.

Maker: Rieves
Second: Houston
Result: Carried 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices:	Area:	500	Mailed:	116
Replies:	For:	2	Against:	0

Speakers: None

List of Partners/Principals/Officers

THI VI Dallas Mockingbird, LLC

Bruce Wiles	President and LLC Manager
George Dabney	Vice President/Assistant Treasurer and LLC Manager
Sun Do	Vice President/Assistant Treasurer and LLC Manager

PROPOSED CONDITIONS

ARTICLE 740.
PD 740.

SEC.51P-740.101. LEGISLATIVE HISTORY.

PD 740 was established by Ordinance No. 26268, passed by the Dallas City Council on February 22, 2006. (Ord. 26268)

SEC.51P-740.102. PROPERTY LOCATION AND SIZE.

PD 740 is established on property located at the southeast corner of North Central Expressway and Mockingbird Lane. The size of PD 740 is approximately 5.3 acres. (Ord 26268)

SEC.51P-740.103. DEFINTIONS AND INTERPRETATIONS.
Omitted for brevity.

SEC.51P-740.103.1 EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 740A: Tract 1 development/Tract 2 conceptual plan.

(2) Exhibit 740B: Tract 1 landscape plan.

(3) Exhibit 740C: Mockingbird Lane sidewalk plan. (Ord. 30148)

SEC.51P-740.104. CONCEPTUAL PLAN.

Development and use of Tract 2 must comply with the Tract 2 portion of the Tract 1 development/Tract 2 conceptual plan. In the event of a conflict between the text of this article and the Tract 1 development/Tract 2 conceptual plan, the text of this article controls. (Ord. Nos. 26268; 27329)

SEC.51P-740.105. DEVELOPMENT PLAN.

(a) Development and use of Tract 1 must comply with the Tract 1 portion of the Tract 1 development/Tract 2 conceptual plan. In the event of a conflict between the text of this article and the Tract 1 development/Tract 2 conceptual plan, the text of this article controls.

(b) For Tract 2, a development plan that complies with the Tract 2 portion of the Tract 1 development/Tract 2 conceptual plan must be approved by the city plan commission before the issuance of any building permit to authorize work in Tract 2. (Ord. 26268)

SEC.51P-740.106. MAIN USES PERMITTED.
Omitted for brevity.

SEC.51P-740.107. ACCESSORY USES.
Omitted for brevity.

SEC.51P-740.108. 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. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front Yard. Minimum front yard is 15 feet.

(b) Side and read yard.

(1) Tract 1. Minimum side and rear yard is as shown on the Tract 1 development/Tract 2 conceptual plan.

(2) Tract 2. No minimum side and rear yard.

(c) Density.

(1) Tract 1. Maximum number of dwelling units is 77.

(2) Tract 2. Maximum dwelling unit density is 150 units per acre.

(d) Floor area.

(1) Tract 1.

(A) Maximum number of hotel guest rooms is 208, and there is no maximum floor area for the hotel guest rooms.

(B) Maximum floor area is ~~42,710~~ 47,600 square feet for all nonresidential uses other than hotel guest rooms, and the floor area of certain of these nonresidential uses is further limited as follows.

(C) Maximum floor area for hotel meeting rooms is ~~8,610~~ 13,500 square feet.

(D) Maximum floor area for a restaurant without drive-in or drive through-service as a main use is 8,300 square feet.

(E) Maximum floor area for a restaurant without drive-in or drive through-service as an accessory use to a hotel is 7,500 square feet.

(F) Maximum floor area for a spa is 9,300 square feet.

(G) Maximum floor area for all retail and personal service uses not listed in Subparagraphs (D), (E), and (F) is 9,000 square feet.

(H) No maximum floor area for residential uses.

(2) Tract 2. Maximum floor area for all uses is 200,000 square feet with retail and personal service uses limited to no more than 20,000 square feet of floor area.

(e) Height.

(1) Tract 1.

(A) Maximum structure height for the existing hotel building is 115 feet in the location shown on the Tract 1 development/Tract 2 conceptual plan.

(B) Unless further restricted under Subparagraph (1)(A), maximum structure height is 128 feet.

(2) Tract 2. Maximum structure height is 133 feet.

(f) Lot coverage.

(1) Tract 1. Maximum lot coverage is 8- percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) Tract 2. Maximum lot coverage is 90 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. No maximum number of stories. (Ord. Nos. 26268; 27329; 30148)

SEC.51P-740.109. 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/loading requirements for each use.

(b) The following parking regulations apply to Tract 1 for a combination of hotel, retail and personal service, and multifamily uses on Tract 1:

(1) A minimum of 500 off-street parking spaces must be provided.

(2) For multifamily uses, required off-street parking may be configured as packed parking. A special parking license is not required for packed parking. Packed parking stall dimensions must be shown on an approved development plan. The packed parking standards in Subsection 51A-4.329(c) apply.

(3) Required off-street parking for multifamily uses must be reserved for residents.

(c) Aboveground parking structures located on Tract 2 are limited to two stories and must have a façade that is similar in materials and appearance to the façade of the main structure the parking serves. Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property to the east and shining into the airspace above North Central Expressway by a minimum four foot wall. Above the first floor, and on the first floor facing the Katy Trail, all openings in the aboveground parking structure façade must be screened except for vehicle access ways. Screening may include architectural grill work or other materials that provide ventilation

(d) Loading facilities and service areas in Tract 2 must be located within the parking structure and screened from view from the Katy Trail.

(e) For purposes of off-street parking regulations, Tract 1 and Tract 2 are considered to be one lot. (Ord. Nos. 26268; 27329; 30148)

SEC.51P-740.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 26268)

SEC.51P-740.111. INGRESS/EGRESS.
Omitted for brevity.

SEC.51P-740.112. LANDSCAPING.
Omitted for brevity.

SEC.51P-740.113. ALTERNATIVE TREE MITIGATION FOR A SPECIFIC SET OF USES.

Omitted for brevity.

SEC.51P-740.114. SIGNS.
Omitted for brevity.

SEC.51P-740.115. ROADWAY IMPROVEMENTS.
Omitted for brevity.

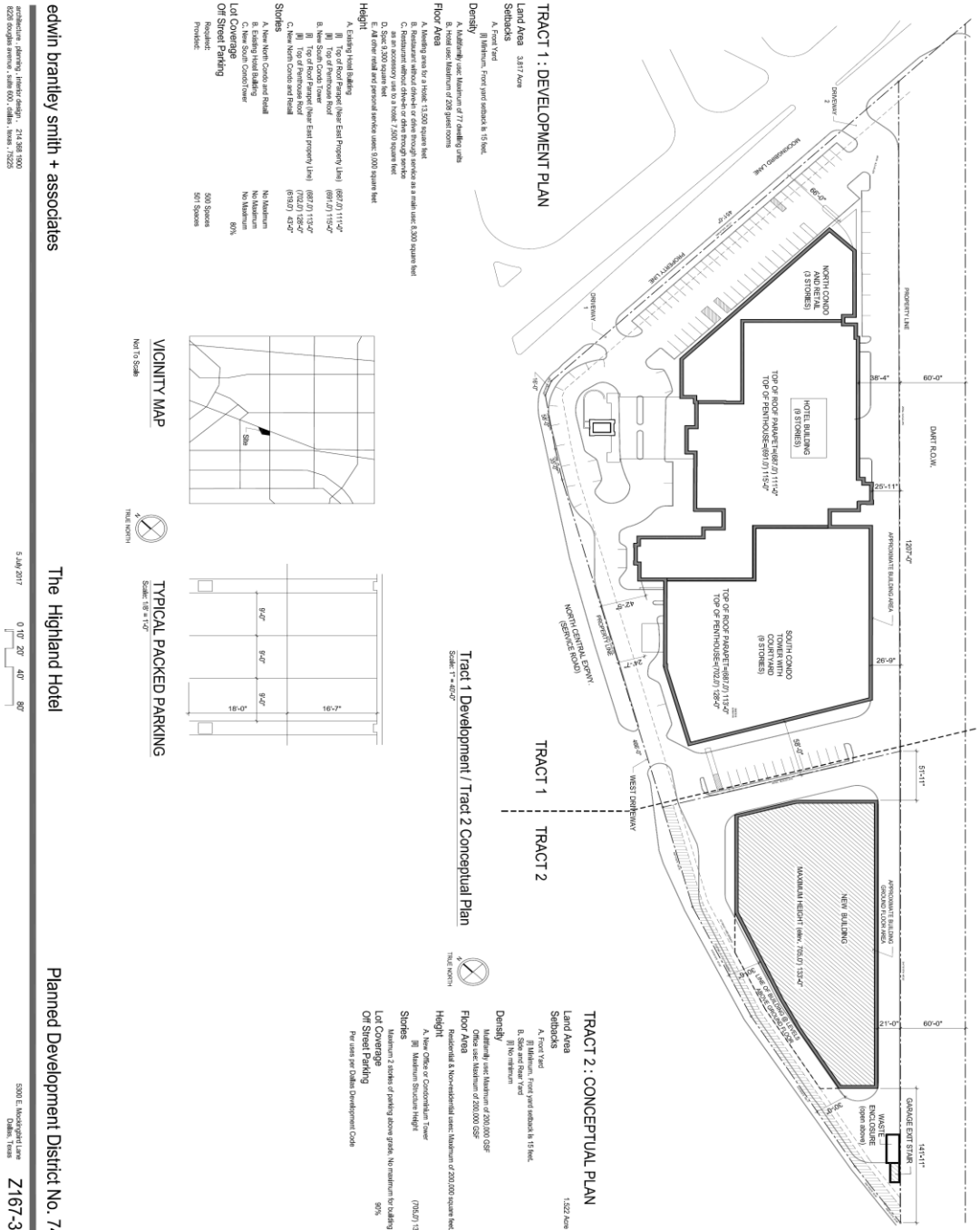
SEC.51P-740.116. SIDEWALKS.
Omitted for brevity.

SEC.51P-740.117. ADDITIONAL PROVISIONS.
Omitted for brevity.

SEC.51P-740.118. COMPLIANCE WITH CONDITIONS.
Omitted for brevity.

SEC.51P-740.119. ZONING MAP.
Omitted for brevity.

PROPOSED DEVELOPMENT PLAN



edwin brantley smith + associates

The Highland Hotel

Planned Development District No. 740

5 July 2017

0 10' 20' 40' 80'

architecture planning interior design 214.368.1900
8226 douglas avenue, suite 800, dallas, texas 75225

5300 E. Mockingbird Lane
Dallas, Texas

Z167-301

ENLARGED DATA TABLE

TRACT 1 : DEVELOPMENT PLAN

Land Area 3.817 Acre

Setbacks

A. Front Yard

[i] Minimum. Front yard setback is 15 feet.

Density

A. Multifamily use: Maximum of 77 dwelling units

B. Hotel use: Maximum of 208 guest rooms

Floor Area

A. Meeting area for a Hotel: 13,500 square feet

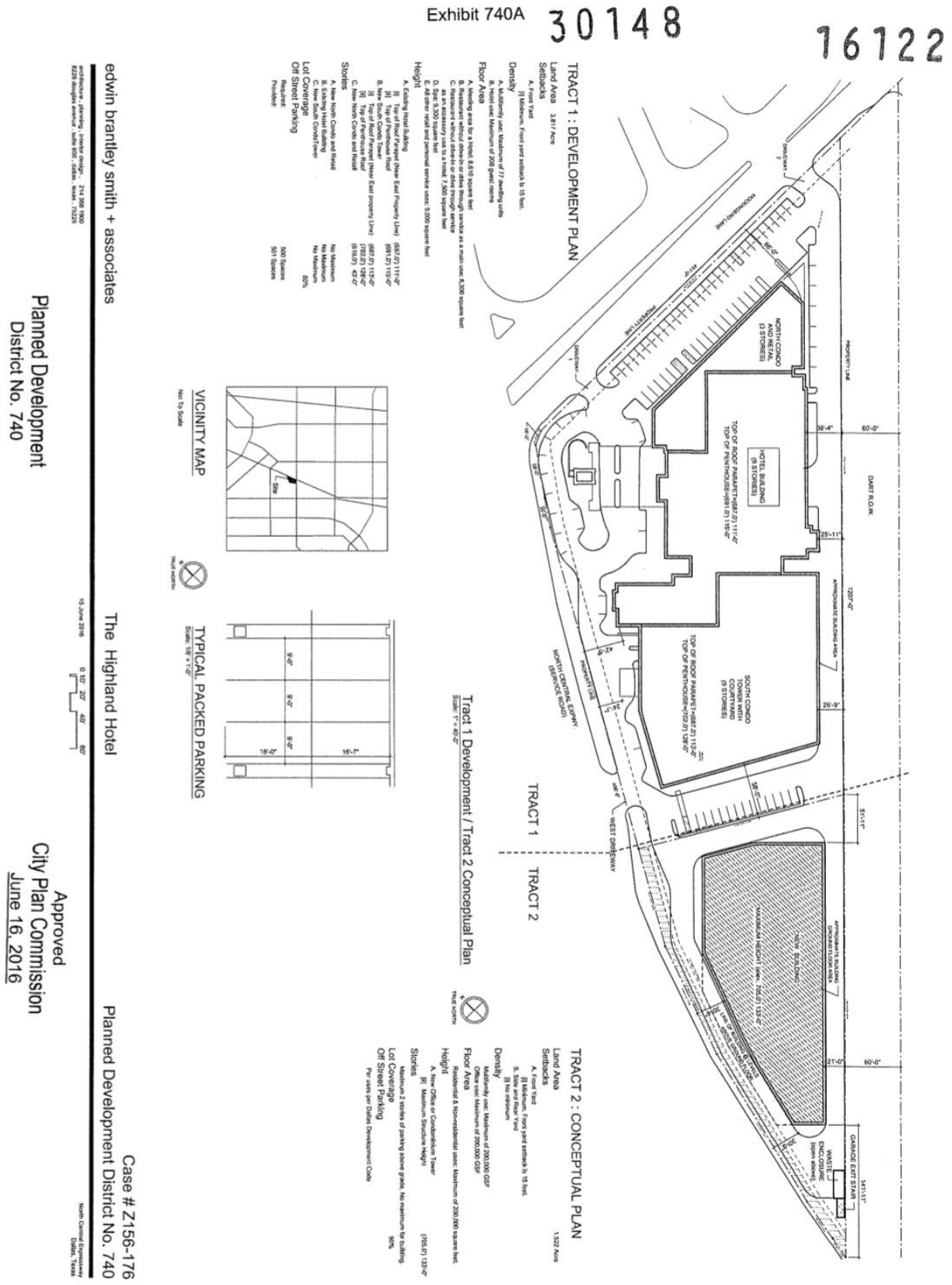
B. Restaurant without drive-in or drive through service as a main use: 8,300 square feet

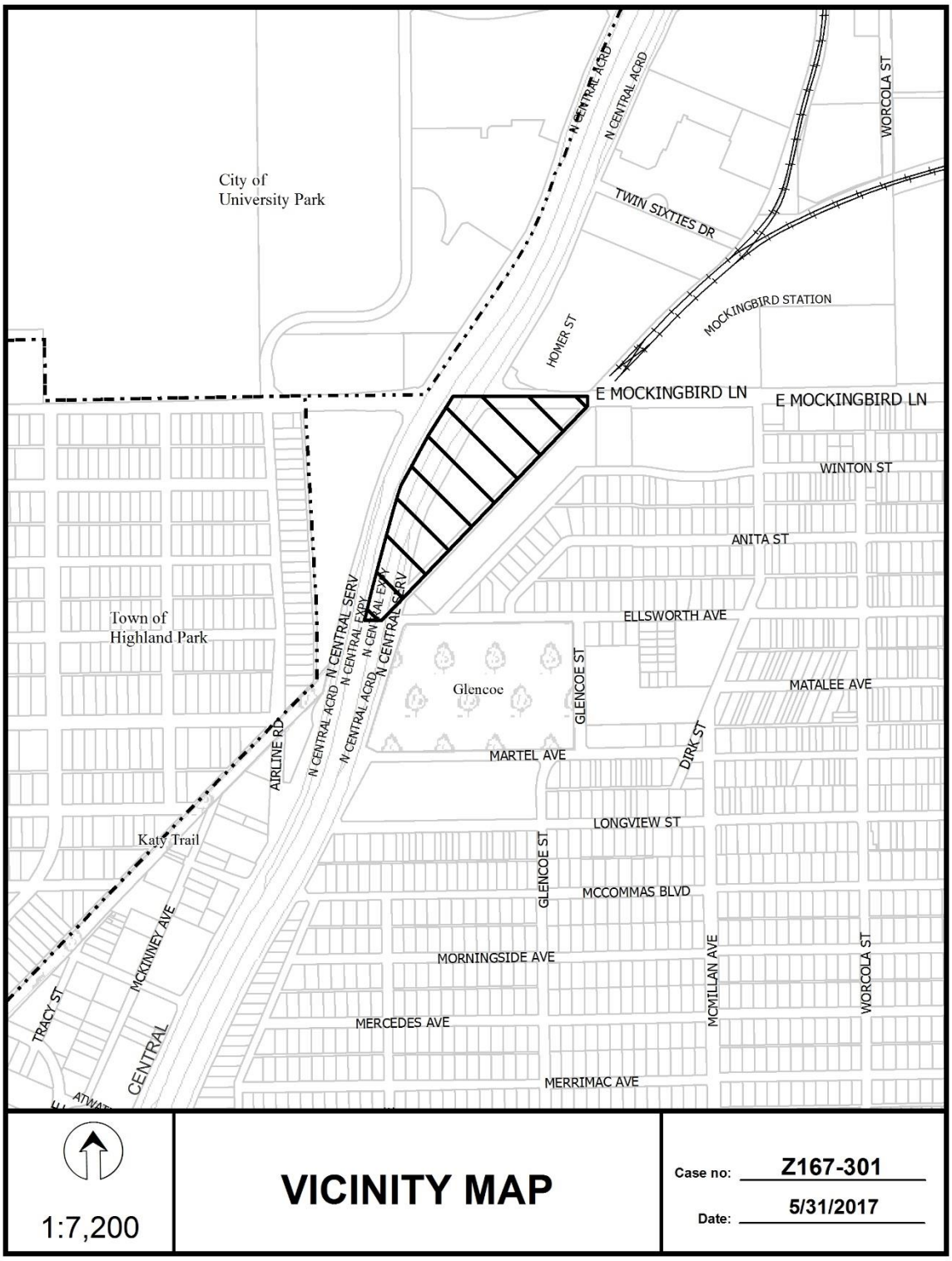
C. Restaurant without drive-in or drive through service as an accessory use to a hotel: 7,500 square feet

D. Spa: 9,300 square feet

E. All other retail and personal service uses: 9,000 square feet

EXISTING DEVLEOPMENT PLAN




City of
University Park
Town of
Highland Park
Glencoe
Katy Trail
N CENTRAL ACRD
N CENTRAL EXPY
N CENTRAL SERV
E MOCKINGBIRD LN
E MOCKINGBIRD LN
TWIN SIXTIES DR
MOCKINGBIRD STATION
HOMER ST
WORCOLA ST
WINTON ST
ANITA ST
ELLSWORTH AVE
MATALEE AVE
GLENCOE ST
DIRK ST
MARTEL AVE
LONGVIEW ST
MCCOMMAS BLVD
MORNINGSIDE AVE
MERCEDES AVE
MERRIMAC AVE
MCMILLAN AVE
AIRLINE RD
MCKINNEY AVE
TRACY ST
CENTRAL
1:7,200
VICINITY MAP
Case no: Z167-301
Date: 5/31/2017

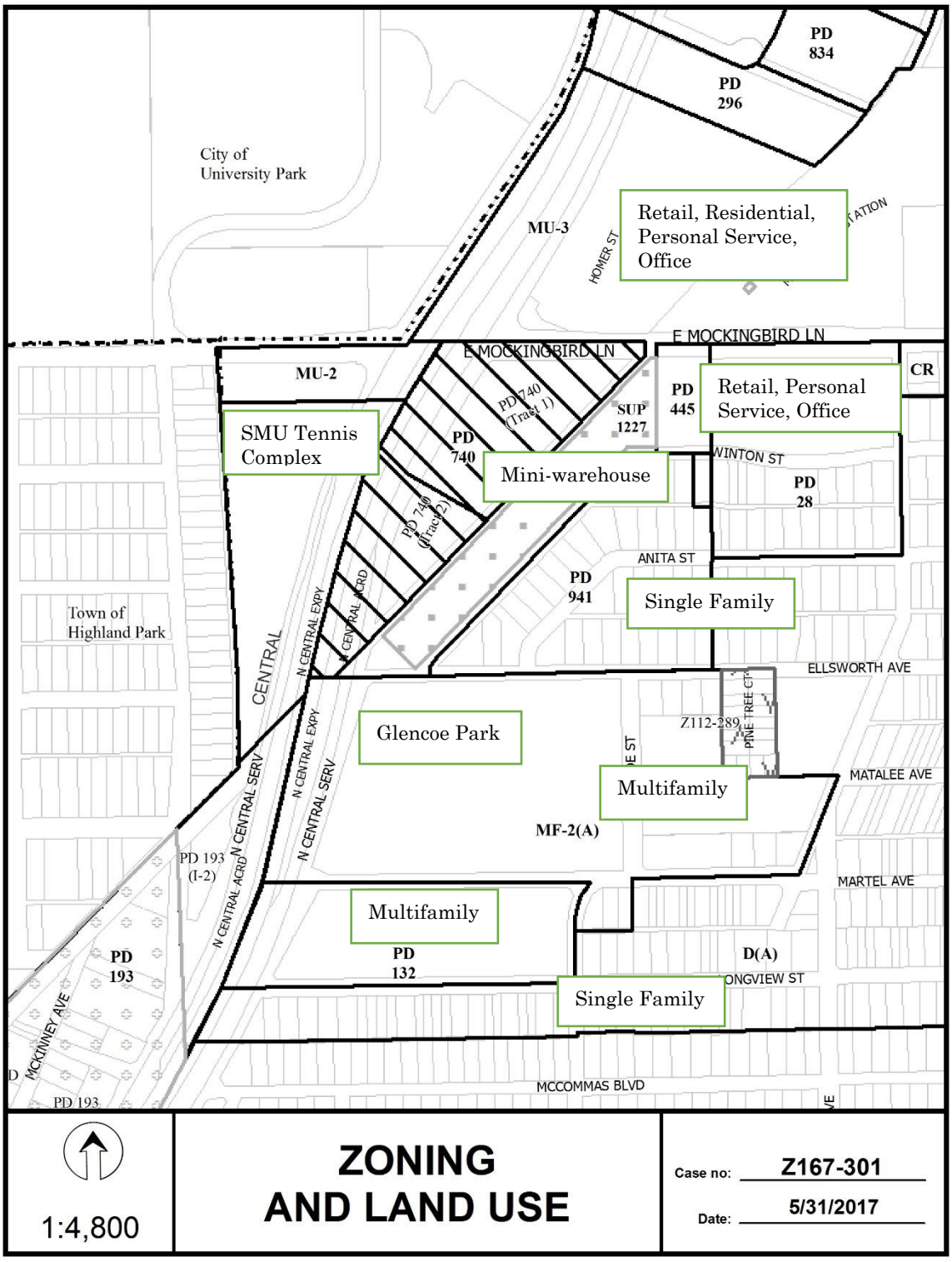


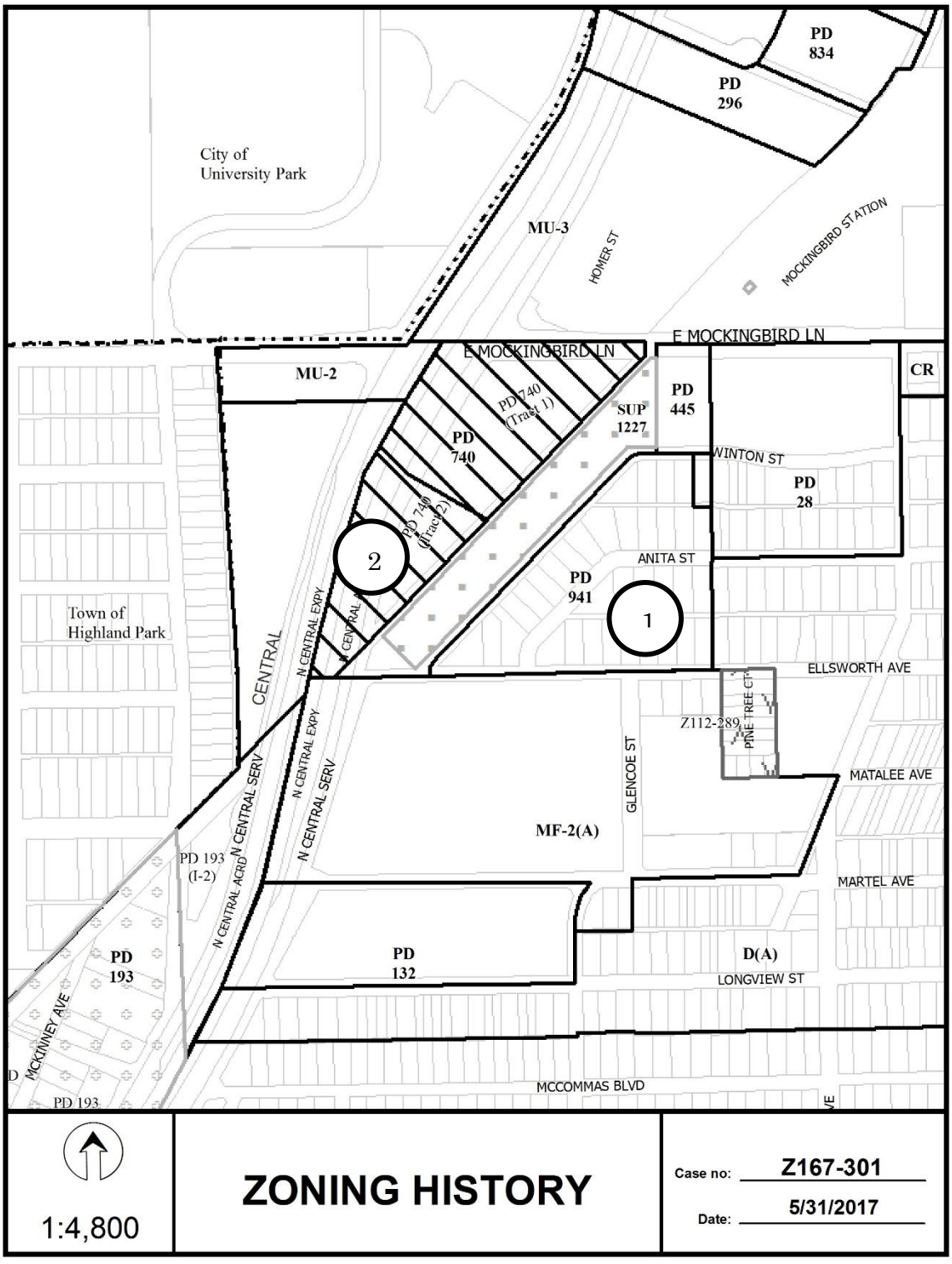
1:4,800

AERIAL MAP

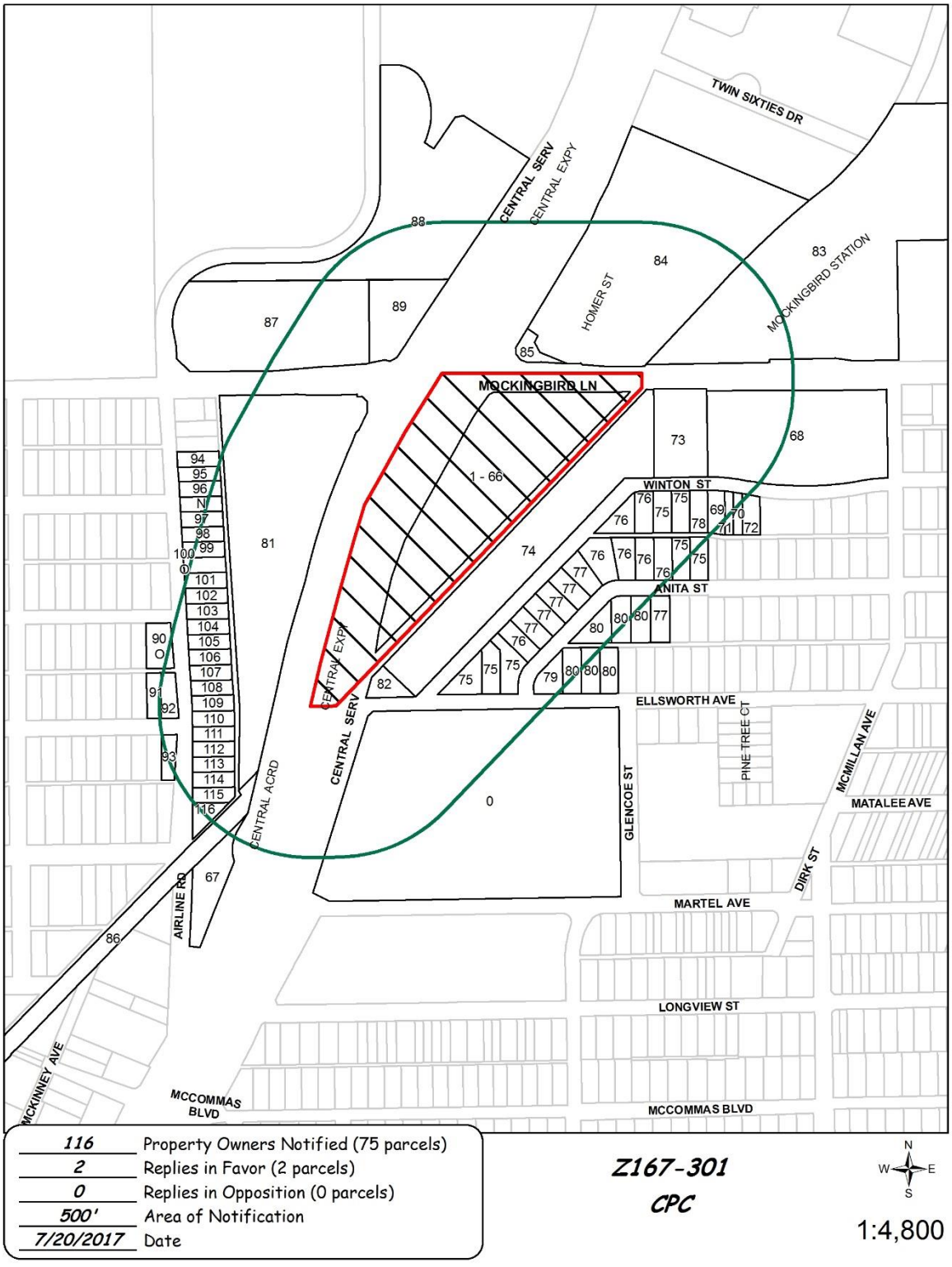
Case no: Z167-301

Date: 5/31/2017


PD 834
PD 296
City of University Park
MU-3
Retail, Residential, Personal Service, Office
HOMER ST
E MOCKINGBIRD LN
MU-2
SMU Tennis Complex
PD 740 (Tract 1)
PD 740
SUP 1227
PD 445
Retail, Personal Service, Office
CR
WINTON ST
Mini-warehouse
PD 740 (Tract 2)
PD 28
ANITA ST
PD 941
Single Family
Town of Highland Park
CENTRAL
N CENTRAL EXPY
CENTRAL ACRD
ELLSWORTH AVE
PINE TREE CT
Z112-289
Glencoe Park
N CENTRAL SERV
MATALEE AVE
Multifamily
MF-2(A)
PD 193 (I-2)
MARTEL AVE
Multifamily
PD 132
D(A)
PD 193
MCKINNEY AVE
Single Family
MCCOMMAS BLVD
1:4,800
ZONING AND LAND USE
Case no: Z167-301
Date: 5/31/2017


PD 834
PD 296
City of University Park
MU-3
HOMER ST
MOCKINGBIRD STATION
E MOCKINGBIRD LN
MU-2
PD 740 (Tract 1)
SUP 1227
PD 445
CR
PD 740
WINTON ST
PD 28
PD 740 (Tract 2)
2
ANITA ST
PD 941
1
Town of Highland Park
N CENTRAL EXPY
CENTRAL
ELLSWORTH AVE
Z112-289
PINE TREE CT
GLENCOE ST
MATALEE AVE
N CENTRAL SERV
MF-2(A)
PD 193 (I-2)
N CENTRAL ACRD
MARTEL AVE
PD 193
PD 132
D(A)
LONGVIEW ST
MCKINNEY AVE
MCCOMMAS BLVD
1:4,800
ZONING HISTORY
Case no: Z167-301
Date: 5/31/2017

CPC RESPONSES



07/19/2017

Reply List of Property Owners

Z167-301

116 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	5656 N CENTRAL EXPY	BEHRINGER HARVARD
	2	5656 N CENTRAL EXPY	WESTDALE PALOMAR LP
	3	5656 N CENTRAL EXPY	FOLEY NICHOLAS & MANJULA S FOLEY
	4	5656 N CENTRAL EXPY	GREEN SET LLC
	5	5656 N CENTRAL EXPY	BROWN LARRY H & SHELLY
	6	5656 N CENTRAL EXPY	CAMERON STEPHEN F
	7	5656 N CENTRAL EXPY	CHANG IRIS W
	8	5656 N CENTRAL EXPY	DAVIS SPENCER S &
	9	5656 N CENTRAL EXPY	MOCK 5656 LLC
	10	5656 N CENTRAL EXPY	EIGHT OAKS INVESTMENTS II LLC
	11	5656 N CENTRAL EXPY	TOLIVER BRIAN & LEESA TOLIVER
	12	5656 N CENTRAL EXPY	RICHIE BOYD LYNN & BETTY ZOE
	13	5656 N CENTRAL EXPY	GIDEON CECILE & CJ JR
	14	5656 N CENTRAL EXPY	CASSULLO JOANNE
	15	5656 N CENTRAL EXPY	RICHEY PROPERTIES INC
	16	5656 N CENTRAL EXPY	TOMPSON JERRY
	17	5656 N CENTRAL EXPY	TRIMARCHI DENNIS M
	18	5656 N CENTRAL EXPY	HARRISON FIELD
	19	5656 N CENTRAL EXPY	ALI AMAR BARKAT &
	20	5656 N CENTRAL EXPY	BUCHANAN MOREAS
	21	5656 N CENTRAL EXPY	ZISSIS FAMILY TRUST
	22	5656 N CENTRAL EXPY	WILLIAMS DEBORAH A & ROBERT M GOLDSTEIN
	23	5656 N CENTRAL EXPY	YARTO ROBERTO & JENNIFER
	24	5656 N CENTRAL EXPY	BARTELS ANN M
	25	5656 N CENTRAL EXPY	MCLANE DAVID J &
	26	5656 N CENTRAL EXPY	EDWARDS STAN &

07/19/2017

Reply	*Label #*	*Address*	*Owner*
	27	5656 N CENTRAL EXPY	YAMINI SALLY
	28	5656 N CENTRAL EXPY	KNUBOWITZ JOEL
	29	5656 N CENTRAL EXPY	YAMINI SARA M
	30	5656 N CENTRAL EXPY	MAJORS DECENDANTS TRUST
	31	5656 N CENTRAL EXPY	KOERNER GARY & KAY
	32	5656 N CENTRAL EXPY	TALLEY JUDITH OLSEN
	33	5656 N CENTRAL EXPY	WALTON LARRY E & LINDA
	34	5656 N CENTRAL EXPY	CARSON TED J & DEBORAH J
	35	5656 N CENTRAL EXPY	CARSON DEBBIE &
	36	5656 N CENTRAL EXPY	HARRISON FIELD
	37	5656 N CENTRAL EXPY	BARNES SUSAN
	38	5656 N CENTRAL EXPY	RUFF PARTNERS LTD
	39	5656 N CENTRAL EXPY	HARRISON FIELD
	40	5656 N CENTRAL EXPY	WEAR CHARLES AND JANET WEAR
	41	5656 N CENTRAL EXPY	GANCARZ CHRISTINE P
	42	5656 N CENTRAL EXPY	HARRISON FIELD
	43	5656 N CENTRAL EXPY	HAINES DALE & JANE
	44	5656 N CENTRAL EXPY	WEBB BARBARA J & GREGORY E
	45	5656 N CENTRAL EXPY	GANCARZ DORIS
	46	5656 N CENTRAL EXPY	BERAN DIANA
	47	5656 N CENTRAL EXPY	HARRISON HARRY H JR &
	48	5656 N CENTRAL EXPY	KING WAYNE E & TINA M
	49	5656 N CENTRAL EXPY	ANDERSON GARY A &
	50	5656 N CENTRAL EXPY	MULLANEY TERI L & DANIEL P
	51	5656 N CENTRAL EXPY	WOMACK MORRIS K & MAUREEN M
	52	5656 N CENTRAL EXPY	CROWN JODY H
	53	5656 N CENTRAL EXPY	HARRISON FIELD
	54	5320 E MOCKINGBIRD LN	NEE EUGENE P
	55	5320 E MOCKINGBIRD LN	OTRADOVEC PETER J & SHIRLEY WALTER
	56	5320 E MOCKINGBIRD LN	MOORE KEVIN BRENT
	57	5320 E MOCKINGBIRD LN	CURTIS THOMAS D &

07/19/2017

Reply	*Label #*	*Address*	*Owner*
	58	5320 E MOCKINGBIRD LN	SKINNER DAVID L & SUSAN S
	59	5320 E MOCKINGBIRD LN	HIRSCH LINDA M FAMILY TRUST
	60	5320 E MOCKINGBIRD LN	MURPHY SUSAN W
	61	5320 E MOCKINGBIRD LN	MURPHY SUSAN W
	62	5320 E MOCKINGBIRD LN	TOMLIN FRANCIS G JR
	63	5320 E MOCKINGBIRD LN	BEHRINGER BRADLEY
	64	5320 E MOCKINGBIRD LN	5320 E MOCKINGBIRD LN L304 LLC
	65	5320 E MOCKINGBIRD LN	MAWK THOMAS
	66	5300 N CENTRAL EXPY	THI VI DALLAS MOCKINGBIRD LLC
	67	5401 N CENTRAL EXPY	5401 N CENTRAL EXPWY LP
	68	5400 E MOCKINGBIRD LN	MOCKINGBIRD CENTRAL PLAZA
	69	5420 WINTON ST	MCMILLIN KIMBERLY ANNE &
	70	5426 WINTON ST	POLLOCK BRIAN
	71	5424 WINTON ST	POLLOCK KEVIN
	72	5428 WINTON ST	MCFALLS GEOFFREY A & ELENA A
	73	5342 E MOCKINGBIRD LN	PS TEXAS HOLDINGS LTD
	74	5340 E MOCKINGBIRD LN	SHURGARD TEXAS LTD PS
	75	5309 ELLSWORTH AVE	GLENCOE LAND LP
	76	5311 ANITA ST	PSW URBAN HOMES LP
	77	5315 ANITA ST	ELLSWORTH RENTALS LLC
	78	5416 WINTON ST	MCCRACKEN THOMAS W JR
	79	5327 ELLSWORTH AVE	GLENCOE LAND LP
	80	5335 ELLSWORTH AVE	PSW URBAN HOMES LP
	81	5555 N CENTRAL EXPY	SOUTHERN METHODIST
	82	5301 ELLSWORTH AVE	WESTDALE PROPERTIES AMERICA I LTD
	83	5465 E MOCKINGBIRD LN	DALLAS AREA RAPID TRANSIT
	84	5307E MOCKINGBIRD LN	CPUS MOCKINGBIRD LP
	85	5307 E MOCKINGBIRD LN	CPUS MOCKINGBIRD LP
	86	401 S BUCKNER BLVD	DART
	87	3072 MOCKINGBIRD LN	PERUNA HOLDINGS CORP
	88	5900 BUSH AVE	SOUTHERN METHODIST UNIVERSITY

07/19/2017

Reply	*Label #*	*Address*	*Owner*
	89	2900 MOCKINGBIRD LN	SOUTHERN METHODIST UNIVERSITY
O	90	3101 ST JOHNS DR	PRATT M SHANNAN & DIANNE E
	91	3102 CORNELL AVE	DUNLEAVY KEVIN & CANDISE
	92	3100 CORNELL AVE	HOLLIFIELD JAMES F &
	93	3101 CORNELL AVE	ALEXANDER A NICHOLAS &
	94	5048 AIRLINE RD	BOURY FADI C
	95	5046 AIRLINE RD	CHEN SI &
	96	5044 AIRLINE RD	SINCLAIR DAVID &
	97	5040 AIRLINE RD	SESTAK MICHAEL &
	98	5038 AIRLINE RD	GOLDEN MATTHEW &
	99	5036 AIRLINE RD	COHEN JEFFREY
O	100	5034 AIRLINE RD	SMITH JOHN K & SHIRLEY C TR
	101	5032 AIRLINE RD	MENEGAZZO ERICK R
	102	5030 AIRLINE RD	ALEXANDER DAVID & LORI
	103	5028 AIRLINE RD	ESTRADA EDUARDO C &
	104	5026 AIRLINE RD	BELL JASON RANDALL & ALYSON M
	105	5024 AIRLINE RD	RESTREPO ALLAN & KATHY
	106	5022 AIRLINE RD	SNYDER ROBERT F
	107	5020 AIRLINE RD	JACKSON PARTNERS PROPERTIES LTD
	108	5018 AIRLINE RD	WU WEILI &
	109	5016 AIRLINE RD	DAVIS JORDAN &
	110	5014 AIRLINE RD	ZARUBIAK DARCY C Z & ROCIO I
	111	5012 AIRLINE RD	BURNS RUSSELL J & DEBRA S
	112	5010 AIRLINE RD	KEARNY HENRY JOSEPH & D DEE C
	113	5008 AIRLINE RD	TREVINO ALBERTO GALVAN
	114	5006 AIRLINE RD	ROEHM DAVID O
	115	5004 AIRLINE RD	WATERS LINDSLEY III
	116	5000 AIRLINE RD	WARFIELD RICHARD & ANGELA

AGENDA ITEM # 80

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46 K

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1691 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, east of Ash Lane
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z167-302(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-302(JM) **DATE FILED:** May 16, 2017

LOCATION: South side of Exposition Avenue, east of Ash Lane

COUNCIL DISTRICT: 7 **MAPSCO:** 46 K

SIZE OF REQUEST: ±6,500 square feet **CENSUS TRACT:** 203.00

APPLICANT/REPRESENTATIVE: Timothy L. Austin

OWNER: John S. Roberts

REQUEST: An application for the renewal of Specific Use Permit No. 1691 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The applicant proposes to continue the use of the property as an alcoholic beverage establishment limited to a bar, lounge, or tavern [Sandaga 813]. The existing conditions and site plan will not be changed.

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

BACKGROUND INFORMATION:

- The request site is an existing one-story bar with 3,550 square feet of floor area and a 2,959-square-foot uncovered patio.

- SUP No. 1691 was originally granted by City Council on December 12, 2007 for a bar, lounge or tavern use. The SUP expires on September 10, 2017.

- The current request is to renew the SUP for a three-year period. No changes are requested on the site plan or conditions.

Zoning History:

1. **Z167-218** On June 14, 2017, City Council approved renewal of Specific Use Permit No. 1692 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District located on the southwest side of Exposition Avenue, west of Parry Avenue, and containing approximately 6,500 square feet of land.

2. **Z134-189** On June 11, 2014, City Council approved renewal of Specific Use Permit No. 1692 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District located on the southwest side of Exposition Avenue, west of Parry Avenue, and containing approximately 6,500 square feet of land.

3. **Z123-267** On May 28, 2014, City Council approved a City Council authorized hearing to determine proper zoning on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side District, with consideration given to amending certain use regulations and development standards in an area generally bounded by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Exposition Avenue	Collector	80 feet

Land Use:

	Zoning	Land Use
Site	PD No. 269, Tract A	Bar, lounge or tavern
North	PD No. 269, Tract A	Mixed use (office and residential)
East	PD No. 269, Tract A	Retail and personal service
South	PD No. 269, Tract A	Surface parking
West	PD No. 269, Tract A	Surface parking

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning. The city engineer determined the zone change will not have a negative impact on the existing street system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The proposed zoning request meets the following goals and objectives of the comprehensive plan:

LAND USE ELEMENT

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

ECONOMIC ELEMENT

GOAL 2.5 Foster a City of Great Neighborhoods

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Land Use Compatibility:

The request site consists of a one-story structure and an uncovered patio. The applicant is requesting renewal of SUP No. 1691 to continue operation of an existing bar, lounge, or tavern use.

The site is surrounded by a mix of office, retail, and bar, lounge, or tavern uses served by various surface parking lots and metered spaces along Exposition Avenue. In

addition to these uses, residential lofts are developed on property to the north/northwest along Exposition 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's request, subject to conditions, is compatible to the surrounding mix of uses. The continuation of a bar in Deep Ellum enhances the entertainment character of the area. The short time frame allows for staff and CPC to evaluate whether the use is a detriment to the area over time.

Parking:

PD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge or tavern located within an original building. Otherwise, one space for each 100 square feet of floor area is required. Since the 3,550-square foot bar is in an original building, the applicant is only required to provide parking for 1,050 square feet of floor area, which equates to 11 spaces.

It is noted that a significant number of metered on-street parking spaces and surface parking lots are located immediately adjacent to and south of the subject site.

A parking agreement at 712 2nd Avenue is in place to provide the 11 required off-street parking spaces.

Landscaping:

There are no landscaping requirements triggered by the request.

Dallas Police Department: A copy of the police report of the offenses is provided below for the SUP permit period of May 25, 2014 to June 16, 2017 (date report was run).

	A	B	C	D	E	F	G	H
1				Crime Part 1, January 1 2016-June 14 2017				
2								
3	IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode	
4	171231-2016	2016	7/15/2016	21:30	813 EXPOSITION AVE	UUMV	75226	
5								
6				Crime Part 2, January 1 2016 - June 14 2017				
7								
8	IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode	
9	276656-2016	2016	11/19/2016	0:36	813 EXPOSITION AVE	ASSAULT	75226	
10								
11				Crime Part 2 , June 1 2014 - December 31 2014				
12								
13	IncidentNum	ServYr	Date1	Time1	Address	UCR_Offense	ZipCode	
14	134615-2014	2014	6/3/2014	22:15	813 EXPOSITION AVE	CRIMINAL MISCHIEF/VANDALI	75226	
15								
16				Calls, June 1 2014 - June 14 2017				
17								
18	Master_Incident_Number	Response_Date	Response_Time	Problem	Priority_Number	Priority_Description	Address	ZipCode
19	17-1049965	6/3/2017	1:40	20 - Robbery	2	2 - Urgent	813 Exposition Ave	75226
20	17-0908116	5/14/2017	1:34	31 - Criminal Mischief	4	4 - Non Critical	813 Exposition Ave	75226
21	17-0804087	4/29/2017	1:30	6X - Major Dist (Violence)	2	2 - Urgent	813 Exposition Ave	75226
22	16-2298468	11/19/2016	0:33	6X - Major Dist (Violence)	2	2 - Urgent	813 Exposition Ave	75226
23	16-2112810	10/23/2016	2:02	6X - Major Dist (Violence)	2	2 - Urgent	813 Exposition Ave	75226
24	16-1957117	10/1/2016	8:57	40/01 - Other	2	2 - Urgent	813 Exposition Ave	75226
25	16-1401328	7/16/2016	7:14	09V - UUMV	4	4 - Non Critical	813 Exposition Ave	75226
26	16-0766540	4/22/2016	21:47	6X - Major Dist (Violence)	2	2 - Urgent	813 Exposition Ave	75226
27	16-0058850	1/10/2016	0:25	40 - Other	3	3 - General Service	813 Exposition Ave	75226
28	15-2208533	11/1/2015	0:10	6X - Major Dist (Violence)	2	2 - Urgent	813 Exposition Ave	75226
29	15-2016618	10/4/2015	2:48	08 - Intoxicated Person	3	3 - General Service	813 Exposition Ave	75226
30	15-1750125	8/28/2015	23:31	6X - Major Dist (Violence)	2	2 - Urgent	813 Exposition Ave	75226
31	15-1497426	7/26/2015	16:58	40/01 - Other	2	2 - Urgent	813 Exposition Ave	75226
32	15-1442914	7/19/2015	16:25	11B/01 - Burg of Bus	2	2 - Urgent	813 Exposition Ave	75226
33	14-2051905	10/19/2014	22:28	31 - Criminal Mischief	4	4 - Non Critical	813 Exposition Ave	75226
34	14-1383709	7/18/2014	10:17	32 - Suspicious Person	2	2 - Urgent	813 Exposition Ave	75226
35	14-1060178	6/3/2014	23:53	07 - Minor Accident	3	3 - General Service	813 Exposition Ave	75226
36								
37				Arrests, June 1 2014 - June 14 2017				
38								
39	IncidentNum	ArrestYr	ArrestNumID	ArArrestDate	ArArrestTime	ArLAddress	ChargeDesc	
40	276657-2016	2016	0049009-2016	11/19/2016	1:05	813 EXPOSITION AVE	Public Intoxication	

CPC Action:
July 20, 2017

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1691 for an alcoholic beverage establishment limited to a bar, lounge, or tavern for a three-year period, subject to conditions on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, east of Ash Lane.

Maker: Rieves
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 200 Mailed: 13
Replies: For: 0 Against: 0

Speakers: None

Existing SUP No. 1691 Conditions

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge, or tavern.

2. SITE PLAN: Use and development of the property must comply with the attached site plan.

3. TIME PERIOD: This specific use permit automatically terminates on (three-years from passage of the ordinance).

4. FLOOR AREA:

   A. The maximum floor area is 3,550 square feet in the location shown on the attached site plan.

   B. The maximum area for the uncovered patio is 2,950 square feet in the location shown on the attached site plan.

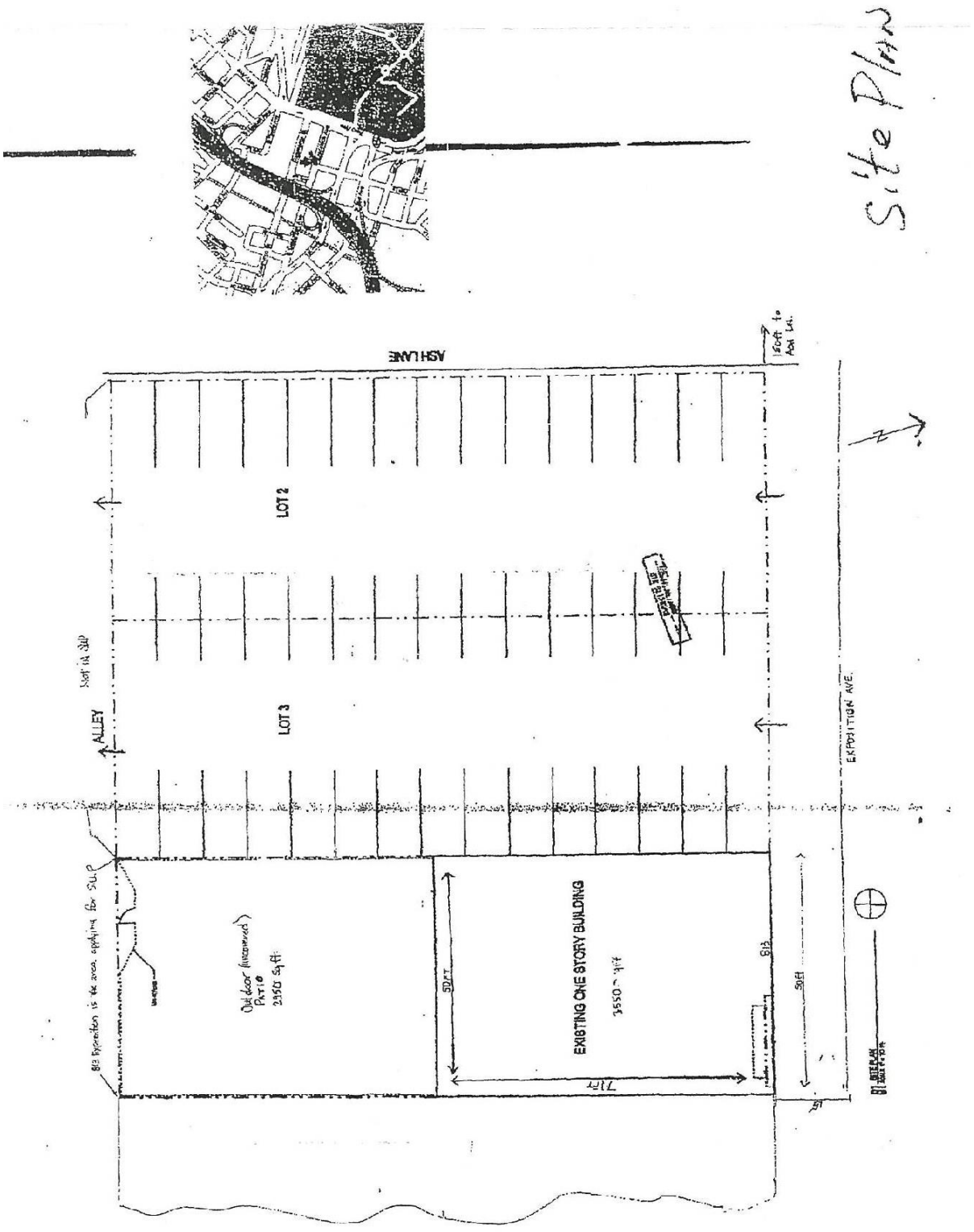
5. HOURS OF OPERATION: The bar, lounge or tavern may only operate between 12:00 p.m. (noon) and 1:00 a.m. (the next day), Monday through Wednesday and between 8:00 p.m. and 2:00 a.m. (the next day), Thursday through Sunday.

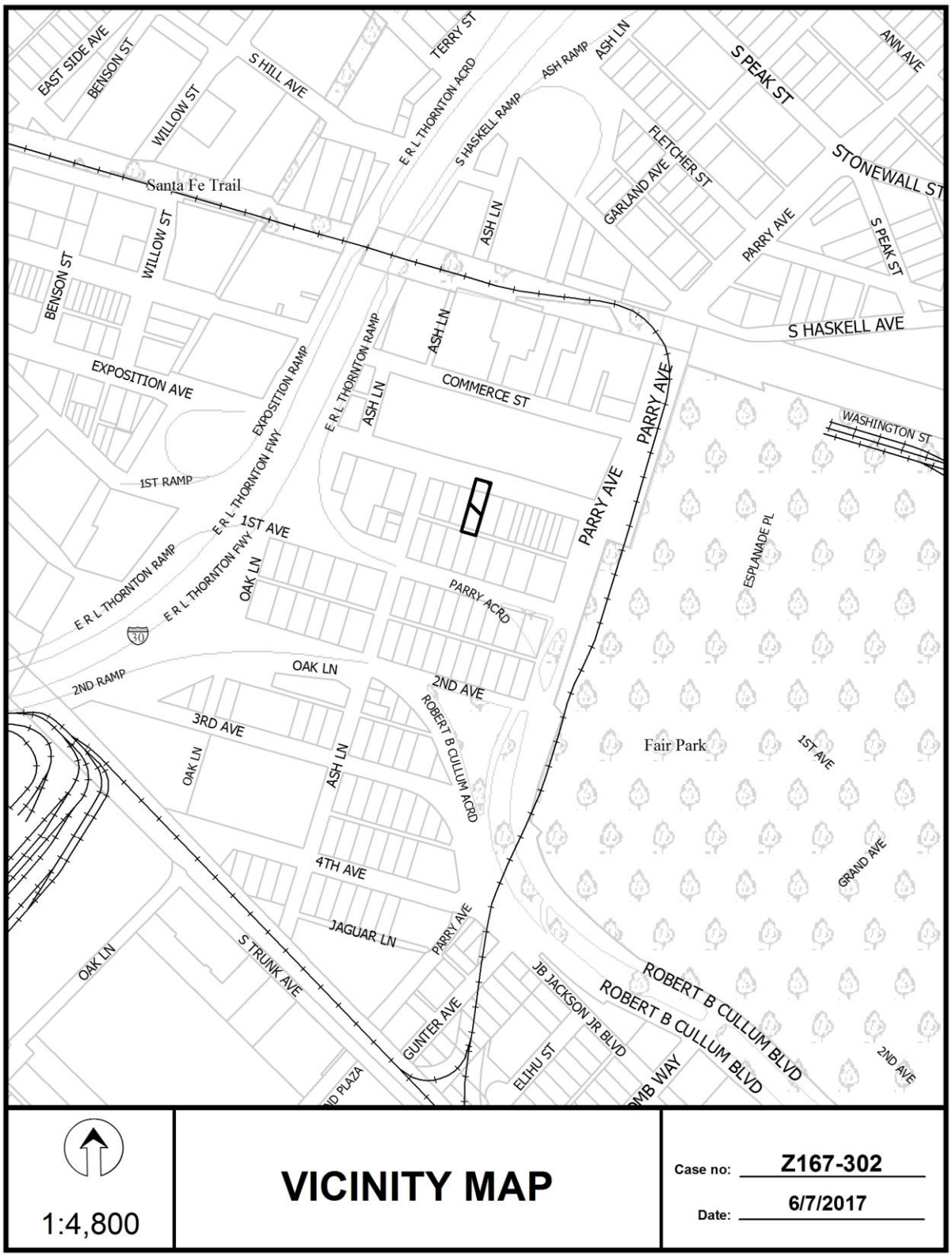
6. OFF-STREET PARKING: Parking must be provided in accordance with the remote and special parking requirements of Planned Development District No. 269 (the Deep Ellum/Near East Side District). Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirement.

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.

Existing Site Plan




EAST SIDE AVE
BENSON ST
WILLOW ST
S HILL AVE
TERRY ST
E R L THORNTON ACRD
S HASKELL RAMP
ASH RAMP
ASH LN
S PEAK ST
ANN AVE
STONEWALL ST
FLETCHER ST
GARLAND AVE
PARRY AVE
S PEAK ST
Santa Fe Trail
S HASKELL AVE
EXPOSITION AVE
EXPOSITION RAMP
E R L THORNTON RAMP
COMMERCE ST
WASHINGTON ST
1ST RAMP
E R L THORNTON FWY
1ST AVE
PARRY ACRD
ESPLANADE PL
OAK LN
2ND RAMP
2ND AVE
3RD AVE
ROBERT B CULLUM ACRD
Fair Park
4TH AVE
GRAND AVE
JAGUAR LN
S TRUNK AVE
GUNTER AVE
JB JACKSON JR BLVD
ROBERT B CULLUM BLVD
ELIHU ST
1:4,800
VICINITY MAP
Case no: Z167-302
Date: 6/7/2017

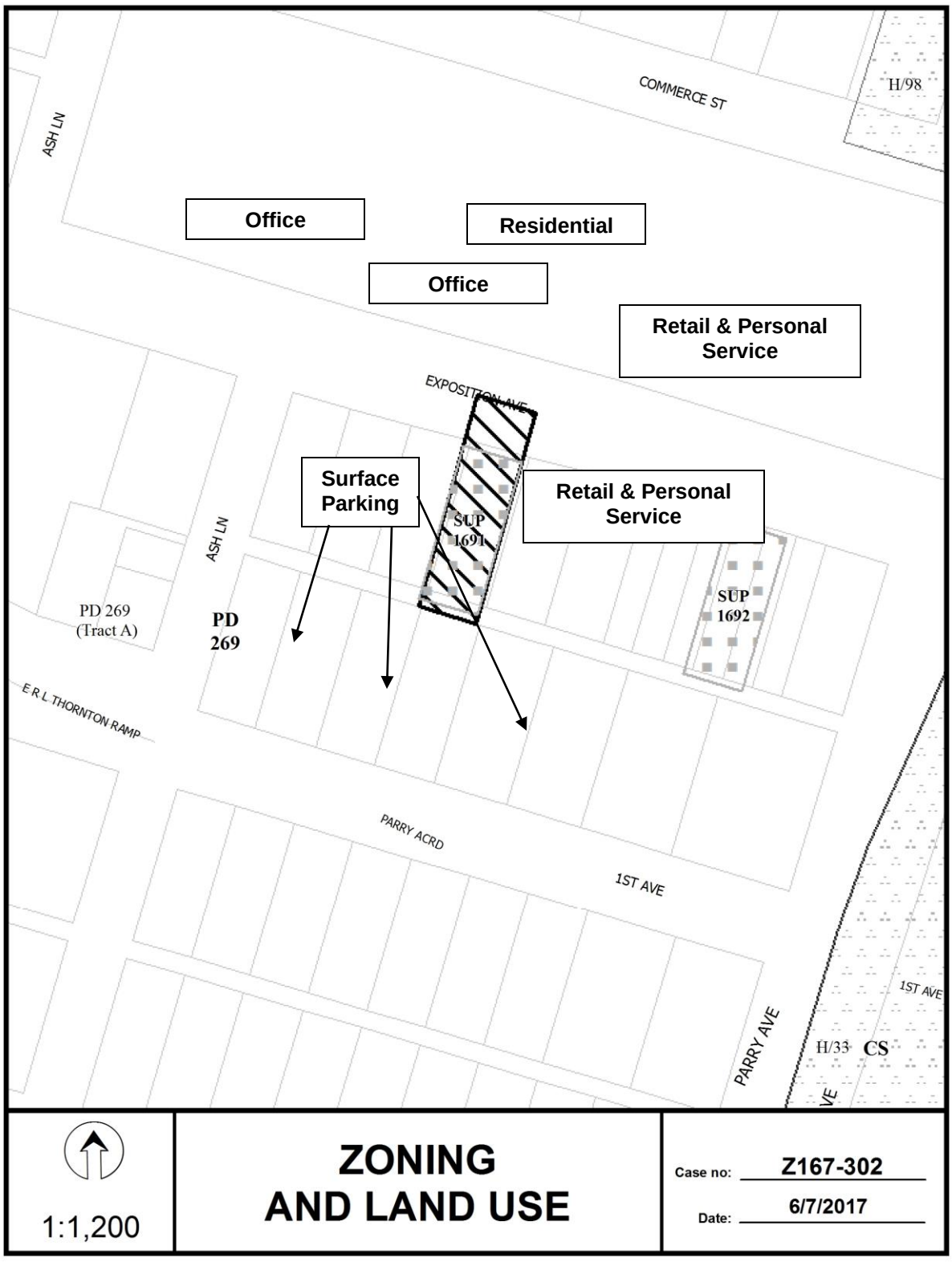


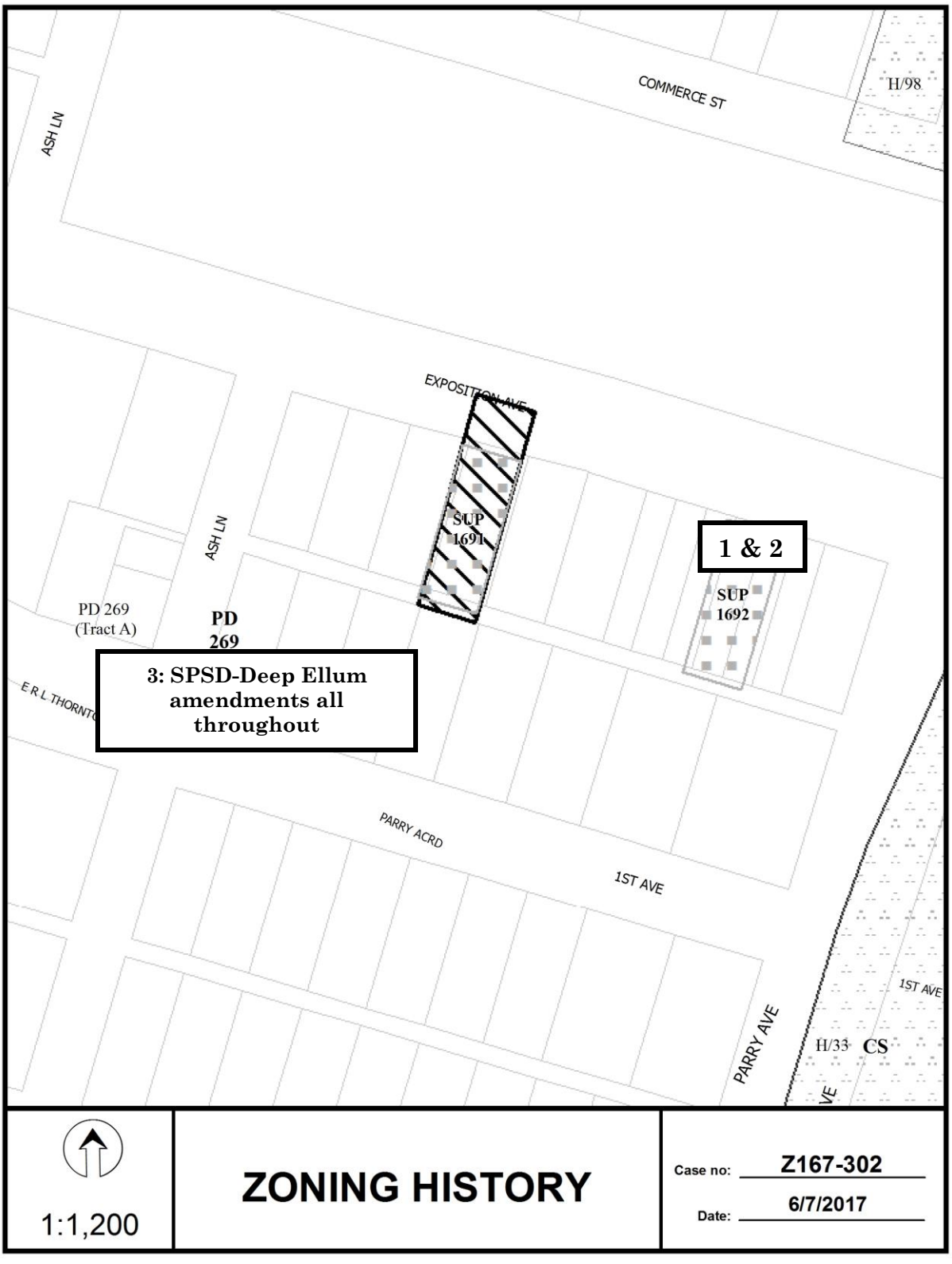
1:1,200

AERIAL MAP

Case no: Z167-302

Date: 6/7/2017


COMMERCE ST
H/98
ASH LN
Office
Residential
Office
Retail & Personal Service
EXPOSITION AVE
Surface Parking
SUP 1691
Retail & Personal Service
SUP 1692
ASH LN
PD 269 (Tract A)
PD 269
E R L THORNTON RAMP
PARRY ACRD
1ST AVE
PARRY AVE
1ST AVE
H/33
CS
1:1,200
ZONING AND LAND USE
Case no: Z167-302
Date: 6/7/2017


COMMERCE ST
H/98
ASH LN
EXPOSITION AVE
SUP 1691
ASH LN
1 & 2
SUP 1692
PD 269 (Tract A)
PD 269
3: SPSD-Deep Ellum amendments all throughout
PARRY ACRD
1ST AVE
1ST AVE
PARRY AVE
H/33
CS
1:1,200
ZONING HISTORY
Case no: Z167-302
Date: 6/7/2017

CPC Responses



07/19/2017

Reply List of Property Owners

Z167-302

13 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	805	EXPOSITION AVE	EXPO PARK PARTNERS LTD
	2	811	EXPOSITION AVE	ROBERTS JOHN STEVEN
	3	729	EXPOSITION AVE	BERT CONCESSIONS INC
	4	3609	ASH LN	BELCLAIRE REALTY LTD
	5	801	EXPOSITION AVE	GIBSON DAVID H
	6	821	EXPOSITION AVE	MCNEILL ROBERT K
	7	827	EXPOSITION AVE	GREENE PATRICK
	8	829	EXPOSITION AVE	EXPO TRUST NO 1
	9	820	1ST AVE	FOREMOST PREOPERTY HOLDINGS LLC
	10	808	1ST AVE	MOXIE INVESTMENTS LTD
	11	804	1ST AVE	PARK LINK LTD
	12	809	1ST AVE	TEXAS STATE OF
	13	4115	COMMERCE ST	BLOCK 811 LTD

AGENDA ITEM # 81

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 34 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval
Z167-304(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-304(PD) **DATE FILED:** May 19, 2017

LOCATION: Northwest line of Kimsey Drive, northeast of Maple Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 34 P

SIZE OF REQUEST: ±7,500 sq. ft. **CENSUS TRACT:** 4.06

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

OWNERS: D. Pecina and Sandra Pecina

APPLICANT: Ruben Bravo

REQUEST: An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to construct a 4-unit multifamily building.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The request site is developed with a single-family structure at 2711 Kimsey Drive.
- The applicant's request for an MF-2(A) Multifamily District will allow for the construction of one 4-unit multifamily structure.
- The surrounding land uses primarily consist of single family uses to the south and east of the site, with a warehouse use to the north. The property immediately adjacent to the west of the site is zoned MF-2(A) and is undeveloped.
- A companion case referenced below is also being requested to allow for an MF-2(A) zoning on property zoned an IR Industrial Research District at 2627 Kimsey Drive.

Zoning History: There have been five zoning changes requested in the area in the last five years.

1. **Z167-305** On July 20, 2017, the City Plan Commission will consider a request for an MF-2(A) Multifamily on property zoned an IR Industrial Research District.

2. **Z167-223** On June 28, 2017, the City Council approved an MF-2(A) Multifamily District in lieu of the requested Planned Development District on property zoned an IR Industrial Research District.

3. **Z145-208** On June 10, 2015, the City Council approved a Planned Form District and to repeal Shopfront Overlay No. 2 on property zoned a WMU-8 Walkable Mixed Use District.

4. **Z145-172** On October 28, 2015, the City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

5. **Z123-339** On March 26, 2014, City Council approved a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Kimsey Drive	Local	50 ft.

Traffic:
The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	IR	Single Family
North	IR	Warehouse
South	IR	Single Family
East	IR	Single Family
West	MF-2(A)	Undeveloped

Comprehensive Plan:
The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request site is located within a part of the city where the development pattern has transitioned from a mix of light and heavy industrial (inside) uses with scattered single-family uses to primarily multifamily uses, with pockets of medical related office uses. Although Kimsey Drive is zoned an IR Industrial Research District several multifamily uses exist. Therefore, extending the MF-2(A) District by one parcel should not create a negative impact on the adjacent properties.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

> Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Economic Element

Goal 2.1 Promote balanced growth

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Urban Design

Goal 5.1 Promote a sense of place, safety and walkability

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Neighborhood Plus

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety

Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Stemmons Corridor - Southwestern Medical District Area Plan:

The request site is within the Stemmons Corridor - Southwestern Medical District Area Plan and primarily complies with the intent of this plan, adopted June 2010. The Plan identifies the request site as being in the Medium Urban Residential Development Block. The Plan intends that this development block encourage a predominance of residential development at a range of urban scales in walkable format and are areas important for increasing the residential base of the area within easy access to jobs. The plan also identifies this development block to contain a diversity of housing options ranging from town homes to medium density apartments/condominiums that range in scale from 2 to 7 stories.

STAFF ANALYSIS:

Land Use Compatibility:

The 7,500-square foot site is currently developed with a single-family dwelling. The applicant's request for an MF-2(A) Multifamily District will allow for the construction of one 4-unit structure consisting of two bedrooms per unit with attached two-car garages. Per the representative, the proposed structure will reflect a townhouse-style design like the new construction on the corner of Maple Avenue and Kimsey Drive. An MF-2(A) zoning limits the lot coverage to 60% with a maximum height of 36-feet as opposed to the 80% lot coverage allowed by the IR Industrial Research District with 200-foot maximum height. Kimsey Drive is developed with a mix of light industrial/office uses, single family uses, and newly constructed multifamily uses. The area further northwest and southwest of the request site along Maple Avenue between Bomar Avenue and

Stutz Drive, have been predominately redeveloped with multifamily uses. Developments of light and heavy industrial (inside) uses with scattered single-family uses had been predominate prior to 2003. The site is within a half-mile walking distance of the Inwood DART rail station. Thus, the need for these multifamily developments as additional housing options arise due in part to the proximity of the DART rail station and the UT Southwestern Medical campus.

Upon review of the recommendations in the area plan and the existing development pattern of the surrounding properties, staff recognizes the positive benefits of an MF-2(A) Multifamily District. Therefore, staff recommends approval of an MF-2(A) Multifamily District.

Development Standards:

DISTRICT	SETBACKS Front	SETBACKS Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
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
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping:
Landscaping is required in accordance with Article X of the Dallas Development Code.

JULY 20, 2017 CPC MINUTES

Z167-304(PD) Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue.

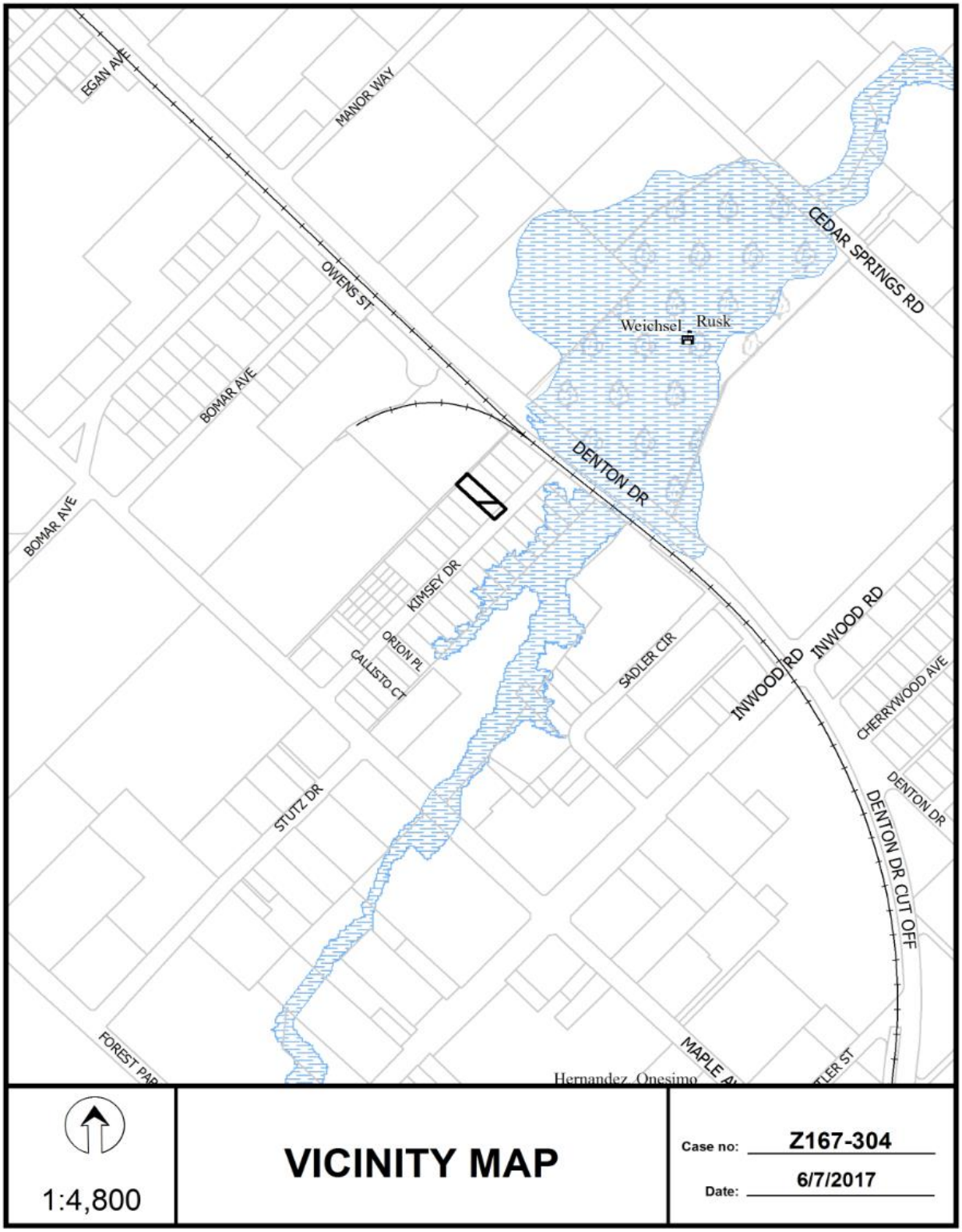
Maker: Rieves
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 200 Mailed: 20
Replies: For: 0 Against: 0

Speakers: None


EGAN AVE
MANOR WAY
CEDAR SPRINGS RD
OWENS ST
Weichsel
Rusk
BOMAR AVE
DENTON DR
BOMAR AVE
KIMSEY DR
ORION PL
CALLISTO CT
SADLER CIR
INWOOD RD
INWOOD RD
CHERRYWOOD AVE
DENTON DR
DENTON DR CUT OFF
STUTZ DR
FOREST PAR
MAPLE A
Hernandez, Onesimo
1:4,800
VICINITY MAP
Case no: Z167-304
Date: 6/7/2017

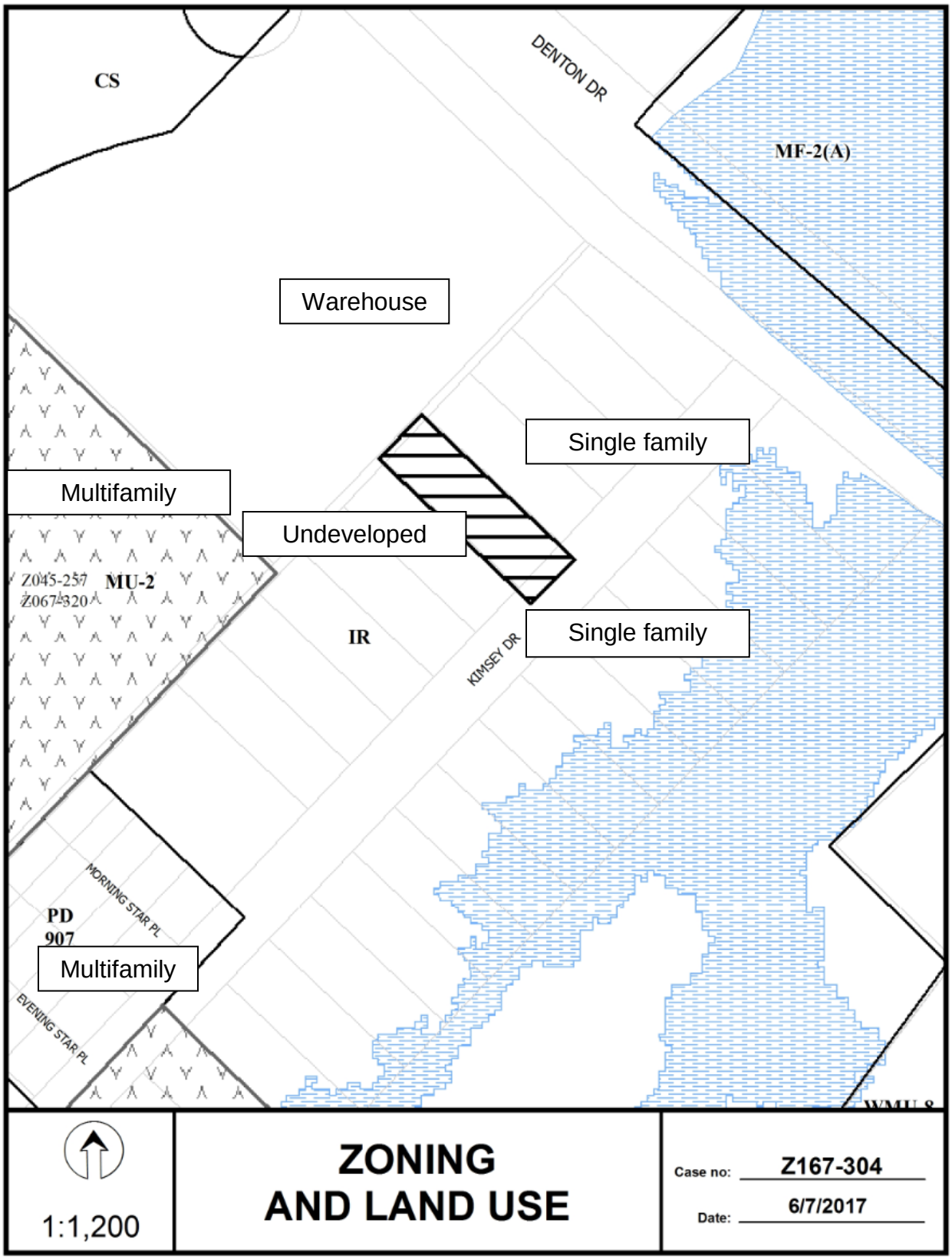


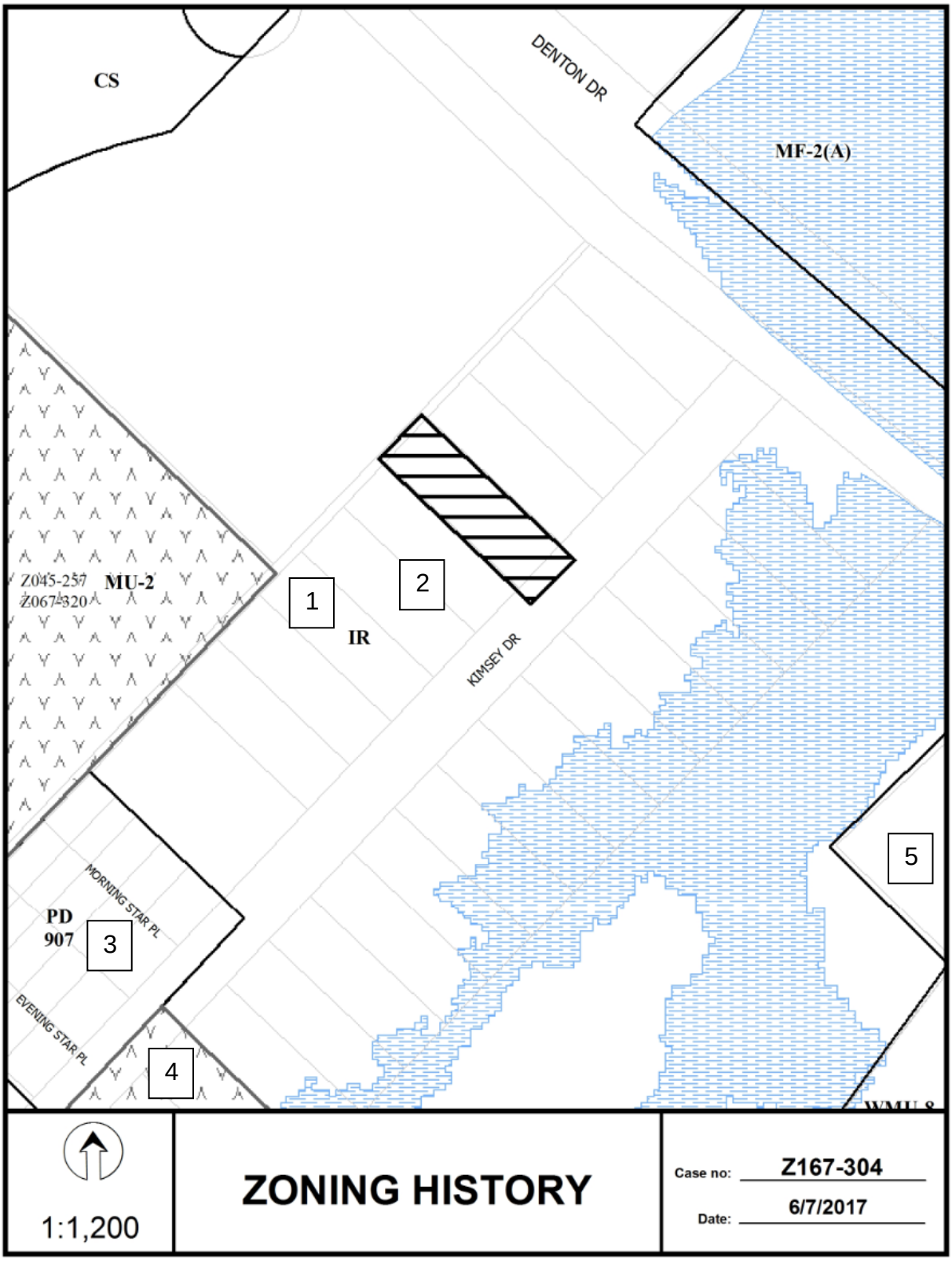
1:1,200

AERIAL MAP

Case no: Z167-304

Date: 6/7/2017


CS
DENTON DR
MF-2(A)
Warehouse
Single family
Multifamily
Undeveloped
Z045-257
Z067-320
MU-2
IR
KIMSEY DR
Single family
MORNING STAR PL
PD
907
Multifamily
EVENING STAR PL
1:1,200
ZONING
AND LAND USE
Case no: Z167-304
Date: 6/7/2017


CS
DENTON DR
MF-2(A)
Z045-257
Z067-320
MU-2
1
IR
2
KIMSEY DR
5
PD
907
3
MORNING STAR PL
EVENING STAR PL
4
1:1,200
ZONING HISTORY
Case no: Z167-304
Date: 6/7/2017

CPC Responses



07/19/2017

Reply List of Property Owners

Z167-304

20 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2707	KIMSEY DR	MADISON KIMSEY LTD
	2	2711	KIMSEY DR	PECINA DAGOBERTO &
	3	2622	KIMSEY DR	MARTINEZ ALEXANDER C &
	4	2626	KIMSEY DR	MACMAHON PAUL
	5	2702	KIMSEY DR	PATTERSON DAVID C ETAL
	6	2706	KIMSEY DR	PORTILLO SOCORRO H LIFE ESTATE
	7	2710	KIMSEY DR	CORONADO JOSE & ANA M
	8	2714	KIMSEY DR	PECINA DAGOBERTO R &
	9	2718	KIMSEY DR	SOTO GERARDO
	10	2722	KIMSEY DR	WHITE ORCHID HOLDING CO
	11	2724	KIMSEY DR	WHITE ORCHID HOLDING CO
	12	2619	KIMSEY DR	RUBIN CANDACE &
	13	2623	KIMSEY DR	VASQUEZ ALICIA GLAFIRA
	14	2627	KIMSEY DR	ALDAPE GABRIELA
	15	2703	KIMSEY DR	MADISON KIMSEY LTD
	16	2727	KIMSEY DR	DALLAS AREA RAPID TRANSIT
	17	5760	MAPLE AVE	ADLER PROPERTY CO LLP
	18	6025	OWENS ST	CALVARY BEN
	19	6008	MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC
	20	555	2ND AVE	DART

AGENDA ITEM # 82

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 34 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval
Z167-305(PD)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-305(PD) **DATE FILED:** May 19, 2017

LOCATION: Northwest line of Kimsey Drive, northeast of Maple Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 34 P

SIZE OF REQUEST: ±7,500sq. ft. **CENSUS TRACT:** 4.06

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

OWNER: Gabriela Aldape

APPLICANT: Ruben Bravo

REQUEST: An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to construct a 4-unit multifamily building.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The request site is developed with a single-family structure at 2627 Kimsey Drive.
- The applicant's request for an MF-2(A) Multifamily District will allow for the construction of one 4-unit multifamily structure.
- The surrounding land uses primarily consist of single family uses to the south and west of the site, with a warehouse use to the north. The property immediately adjacent to the east of the site is zoned MF-2(A) and undeveloped.
- A companion case referenced below is also being requested to allow for an MF-2(A) zoning on property zoned an IR Industrial Research District at 2711 Kimsey Drive.

Zoning History: There have been five zoning changes requested in the area in the last five years.

1. **Z167-304** On July 20, 2017, the City Plan Commission will hear a request for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.

2. **Z167-223** On June 28, 2017, the City Council approved an MF-2(A) Multifamily District in lieu of the requested Planned Development District on property zoned an IR Industrial Research District.

3. **Z145-208** On June 10, 2015, the City Council approved a Planned Form District and to repeal Shopfront Overlay No. 2 on property zoned a WMU-8 Walkable Mixed Use District.

4. **Z145-172** On October 28, 2015, the City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

5. **Z123-339** On March 26, 2014, City Council approved a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Kimsey Drive	Local	50 ft.

Traffic:
The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	IR	Single Family
North	IR	Warehouse
South	IR	Single Family
East	MF-2(A)	Undeveloped
West	IR	Single Family

Comprehensive Plan:
The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request site is located within a part of the city where the development pattern has transitioned from a mix of light and heavy industrial (inside) uses with scattered single-family uses to primarily multifamily uses, with pockets of medical related office uses. Although Kimsey Drive is zoned an IR Industrial Research District several multifamily uses exist. Therefore, extending the MF-2(A) District by one parcel should not create a negative impact on the adjacent properties.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

> Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Economic Element

Goal 2.1 Promote balanced growth

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Urban Design

Goal 5.1 Promote a sense of place, safety and walkability

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Neighborhood Plus

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety

Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

Stemmons Corridor - Southwestern Medical District Area Plan:

The request site is within the Stemmons Corridor - Southwestern Medical District Area Plan and primarily complies with the intent of this plan, adopted June 2010. The Plan identifies the request site as being in the Medium Urban Residential Development Block. The Plan intends that this development block encourage a predominance of residential development at a range of urban scales in walkable format and are areas important for increasing the residential base of the area within easy access to jobs. The plan also identifies this development block to contain a diversity of housing options ranging from town homes to medium density apartments/condominiums that range in scale from 2 to 7 stories.

STAFF ANALYSIS:

Land Use Compatibility:

The 7,500-square foot site is currently developed with a single-family dwelling. The applicant's request for an MF-2(A) Multifamily District will allow for the construction of one 4-unit structure consisting of two bedrooms per unit with attached two-car garages. The proposed structure will reflect a townhouse-style design. An MF-2(A) zoning limits the lot coverage to 60% with a maximum height of 36-feet as opposed to the 80% lot coverage allowed by the IR Industrial Research District with 200-foot maximum height. Kimsey Drive is developed with a mix of light industrial/office uses, single family uses, and newly constructed multifamily uses. The area further northwest and southwest of the request site along Maple Avenue between Bomar Avenue and Stutz Drive, have been predominately redeveloped with multifamily uses. Developments of light and heavy industrial (inside) uses with scattered single-family uses had been predominate

prior to 2003. The site is within a half-mile walking distance of the Inwood DART rail station. Thus, the need for these multifamily developments as additional housing options arise due in part to the proximity of the DART rail station and the UT Southwestern Medical campus.

Upon review of the recommendations in the area plan and the existing development pattern of the surrounding properties, staff recognizes the positive benefits of an MF-2(A) Multifamily District. Therefore, staff recommends approval of an MF-2(A) Multifamily District.

Development Standards:

DISTRICT	SETBACKS Front	SETBACKS Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
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
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping:
Landscaping is required in accordance with Article X of the Dallas Development Code.

JULY 20, 2017 CPC MINUTES

Z167-305(PD) Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned an IR Industrial Research District, on the northwest line of Kimsey Drive, northeast of Maple Avenue.

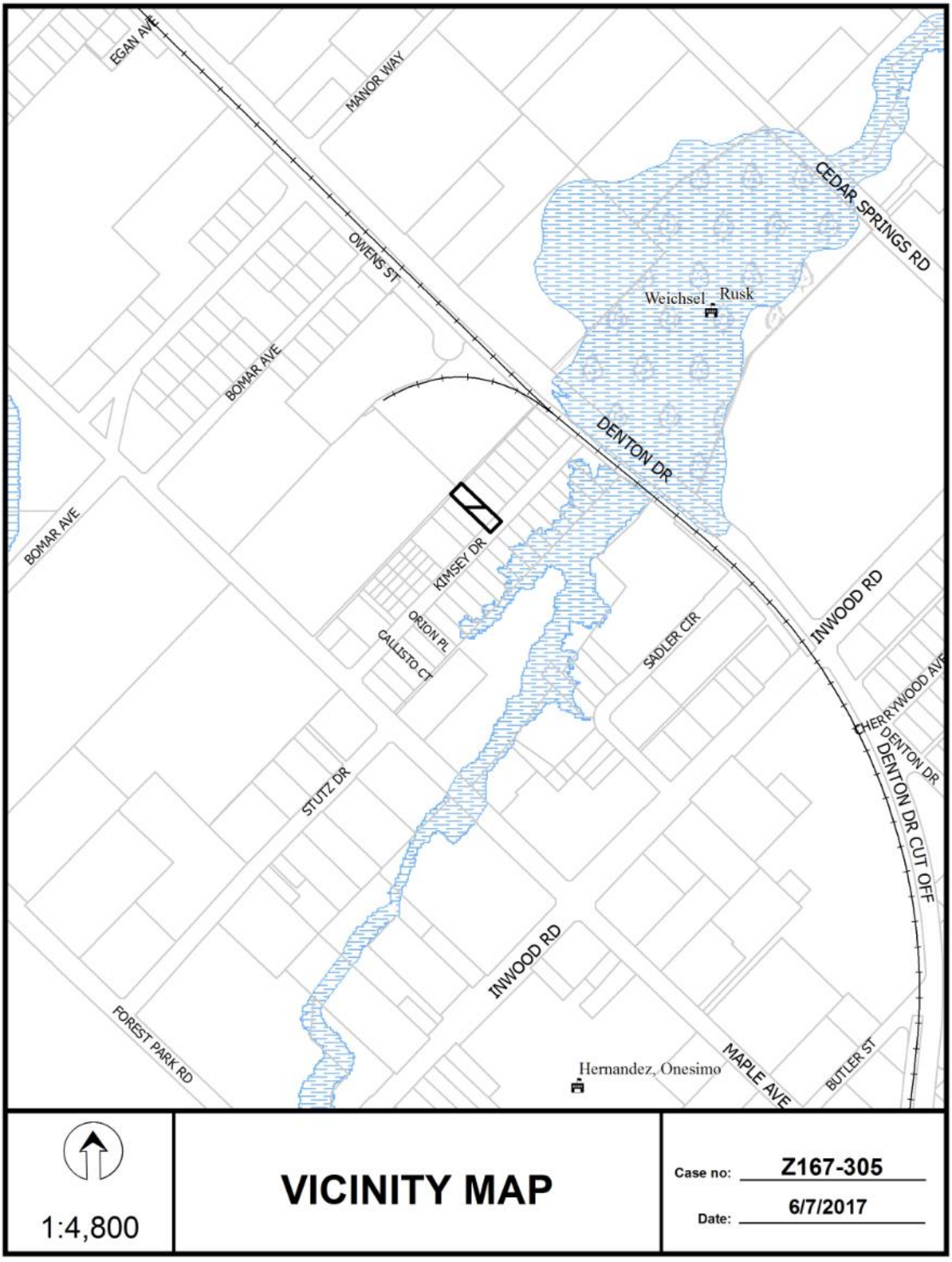
Maker: Rieves
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

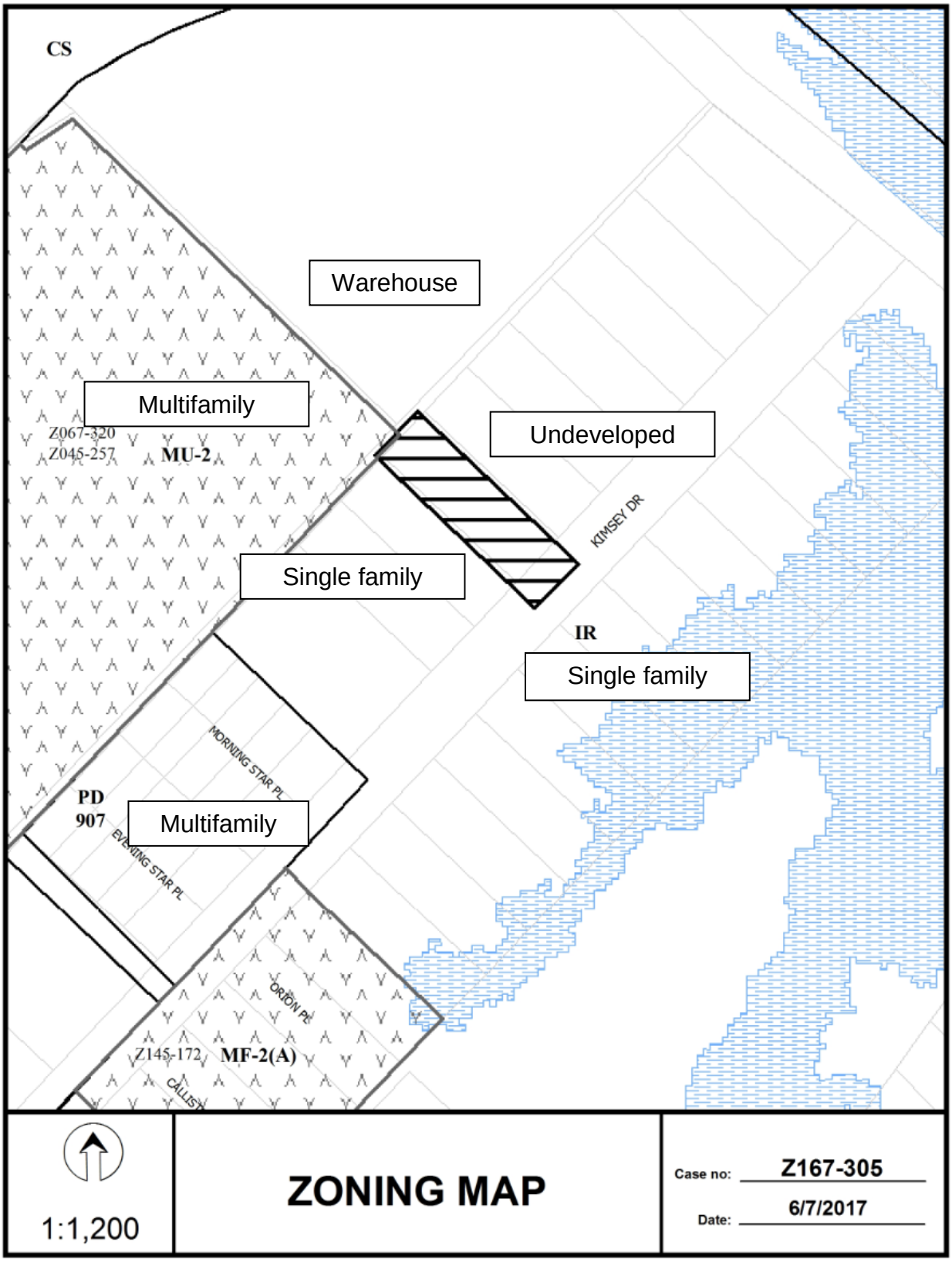
Against: 0
Absent: 1 - Housewright
Vacancy: 0

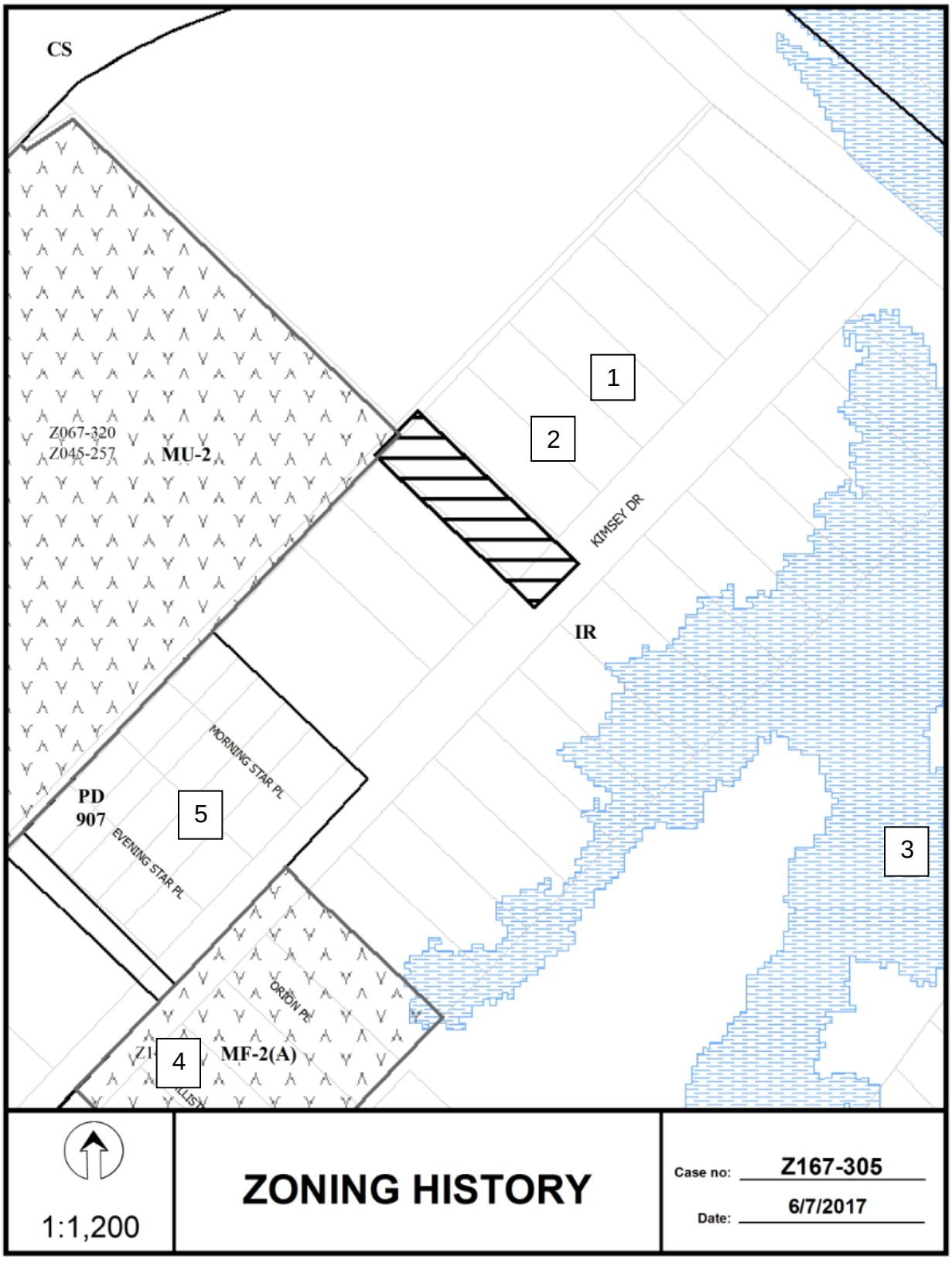
Notices: Area: 200 Mailed: 21
Replies: For: 0 Against: 0

Speakers: None


EGAN AVE
MANOR WAY
OWENS ST
CEDAR SPRINGS RD
Weichsel
Rusk
BOMAR AVE
DENTON DR
BOMAR AVE
KIMSEY DR
ORION PL
CALLISTO CT
SADLER CIR
INWOOD RD
CHERRYWOOD AVE
DENTON DR
DENTON DR CUT OFF
STUTZ DR
INWOOD RD
FOREST PARK RD
Hernandez, Onesimo
MAPLE AVE
BUTLER ST
1:4,800
VICINITY MAP
Case no: Z167-305
Date: 6/7/2017


DENTON DR
KIMSEY DR
MORNING STAR PL
EVENING STAR PL
ORION PL
1:1,200
AERIAL MAP
Case no: Z167-305
Date: 6/7/2017


CS
Warehouse
Multifamily
Z067-320
Z045-257
MU-2
Undeveloped
KIMSEY DR
Single family
IR
Single family
MORNING STAR PL
PD
907
Multifamily
EVENING STAR PL
ORION PL
Z145-172
MF-2(A)
CALLISTO
1:1,200
ZONING MAP
Case no: Z167-305
Date: 6/7/2017


CS
1
2
Z067-320
Z045-257
MU-2
KIMSEY DR
IR
MORNING STAR PL
PD
907
5
EVENING STAR PL
3
ORION PL
4
MF-2(A)
1:1,200
ZONING HISTORY
Case no: Z167-305
Date: 6/7/2017

CPC Responses



07/19/2017

Reply List of Property Owners

Z167-305

21 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2623	KIMSEY DR	VASQUEZ ALICIA GLAFIRA
	2	2627	KIMSEY DR	ALDAPE GABRIELA
	3	2606	KIMSEY DR	COPELAND D K
	4	2610	KIMSEY DR	MADISON KIMSEY TLD
	5	2614	KIMSEY DR	SOLIS MARTHA M
	6	2618	KIMSEY DR	HEED CYNTHIA LOUISE
	7	2622	KIMSEY DR	MARTINEZ ALEXANDER C &
	8	2626	KIMSEY DR	MACMAHON PAUL
	9	2702	KIMSEY DR	PATTERSON DAVID C ETAL
	10	2706	KIMSEY DR	PORTILLO SOCORRO H LIFE ESTATE
	11	2710	KIMSEY DR	CORONADO JOSE & ANA M
	12	2714	KIMSEY DR	PECINA DAGOBERTO R &
	13	2619	KIMSEY DR	RUBIN CANDACE &
	14	2703	KIMSEY DR	MADISON KIMSEY LTD
	15	2707	KIMSEY DR	MADISON KIMSEY LTD
	16	2711	KIMSEY DR	PECINA DAGOBERTO &
	17	5760	MAPLE AVE	ADLER PROPERTY CO LLP
	18	5916	MORNING STAR PL	WEEKLEY HOMES LLC
	19	2611	KIMSEY DR	WINE MAISON LLC
	20	6025	OWENS ST	CALVARY BEN
	21	6008	MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC

AGENDA ITEM # 83

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44 Q; U

SUBJECT

A public hearing to receive comments regarding an application for and **(1)** an ordinance granting a new subdistrict for mixed uses; and **(2)** an ordinance granting a Specific Use Permit for an alcoholic beverage manufacturing use on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the southwest corner of Powell Street and Sulphur Street, and the southeast corner of Powell Street and Haslett Street

Recommendation of Staff and CPC: Approval of a new subdistrict, subject to a revised development plan and conditions; and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions

Z167-315(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-315(JM) **DATE FILED:** May 26, 2017

LOCATION: Southwest corner of Powell Street and Sulphur Street, and the southeast corner of Powell Street and Haslett Street

COUNCIL DISTRICT: 6 **MAPSCO:** 44 Q; U

SIZE OF REQUEST: Approx. 0.98 acres **CENSUS TRACT:** 43.00

OWNER: Gordana Djumic

APPLICANT: Karl Sanford

REQUEST: An application for 1) a new subdistrict for mixed uses and 2) a Specific Use Permit for an alcoholic beverage manufacturing use on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District.

SUMMARY: The purpose of this request is to create a new subdistrict within the planned development district to allow an alcoholic beverage manufacturing use by Specific Use Permit with amended conditions to allow structures constructed in or before 1984 the following: 1) exemption from the minimum front yard setback; 2) exemption from street trees; 3) to allow loading to occur inside of the warehouse; 4) to allow the primary entrance to be located 20 feet from a primary façade; 5) to omit façade requirements; 6) to reduce the parapet to 12 inches in height; and, 7) to allow floor-to-floor heights of 7.5 feet for up to 30 percent of the total floor area. The following are also proposed: to amend conditions to consider the entire subdistrict as one lot for parking and lot coverage purposes; to omit the requirement to provide parking to the rear of the main structure; to allow access from an alleyway; and, to amend façade requirements and parapet materials.

CPC RECOMMENDATION: **Approval** of a new subdistrict, subject to a revised development plan and conditions; and **approval** of a Specific Use Permit for a three-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of a new subdistrict, subject to a revised development plan and conditions; and **approval** of a Specific Use Permit for a three-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- On February 23, 2005, PDD No. 714 was approved by City Council. There have been several amendments including the creation of new subdistricts. The subject site is located within Subdistrict 1A for medium density mixed-use.

- The proposed amendment would create a new subdistrict mimicking many of the existing standards within Subdistrict 1A, while amending the following to allow for the adaptive re-use of an existing structure (built in or before 1984 according to building permit records) within the area:
    - A development plan (not currently required).
    - Allowing an alcoholic beverage manufacturing use by SUP.
    - Exceptions to make the existing structure built in or before 1984 conforming including:
        - Exemption from the minimum required front yard;
        - Exemption from street tree requirements;
        - Exemption from 100% parking in rear of the main structure; and,
        - Amended architectural design elements including primary entrance; change of plane; materials; three-part-division; and minimum story height (7.5 feet proposed).
    - Additional exceptions sought include:
        - Consideration of the entire subdistrict as one lot for parking and lot coverage purposes;
        - To allow one small loading space within the interior of the building;
        - Exemption from parallel parking for 30-and-40-foot rights-of-way;
        - To allow a 9.5-foot sidewalk along Sulphur Street and Haslett Street and a 7.5-foot sidewalk along Powell Street unless additional right-of-way is dedicated;
        - Amended architectural design elements including counting metal roll-up doors as doors and glass roll-up doors as windows; allowing painted pre-cast concrete tilt walls; not counting roll-up metal doors in total allowable metal; and, allowing a 12-inch parapet wall of the same material along three sides of the building, not visible from the ground level of the opposite side of the right-of-way adjacent to the primary façade.
- The proposed SUP is for an alcoholic beverage manufacturing use. According to the proposed site plan, a mezzanine would be added to the existing 10,000 square-foot structure, bringing the floor area up to approximately 12,000 square feet.

Zoning History: There has been one recent zoning change request in the area.

1. **Z167-250** An application for a new subdistrict for mixed uses within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, located on the south side of West Commerce, between May Street and Sulphur Street. *Pending CPC on 8/17.*

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Sulphur Street	Local	40 feet
Powell Street	Local	30 feet
Haslett Street	Local	40 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that surrounding streets are not up to minimum standards for pavement width for commercial uses due to insufficient right-of-way. The applicant will have to replat to create a legal build site. Upon replatting, additional right-of-way will be required. Conditions for the proposed subdistrict reflect the existing conditions (reduced right-of-way) with the possibility for greater right-of-way widths. The applicant has agreed to comply with the existing Exhibit F Street Diagram. The Engineering Division approves of the future dedication of right-of-way to bring the streets into compliance, although additional right-of-way is not being dedicated through the zoning process. Dedication occurs at the time of replatting. The purposed use is approved subject to the future dedication of right-of-way.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 714 (Subdistrict 1A)	Vacant & Undeveloped
North	PDD No. 714 (Subdistrict 1A)	Single Family, Auto-related, and Undeveloped
East	PDD No. 714 (Subdistrict 1A)	Office showroom/warehouse
South	PDD No. 714 (Subdistrict 1A)	Office, Distribution Center, and Storage
West	PDD No. 714 (Subdistrict 1A)	Cell Tower and Multifamily

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request site lies within an area designated an Urban Mixed-Use Building Block. The request is characteristic of an Urban Mixed-Use Building Block because it will create a unique opportunity to experience the manufacturing and sale of alcoholic beverages on premise. The new use will add to the existing mix of residential and employment uses to provide a more vibrant blend of opportunities to live, work, shop, and play. People on foot or bike can enjoy interesting storefronts and building facades including updated existing buildings at ground level with wide sidewalks. This aids in creating an appealing streetscape. By encouraging adaptive re-use of existing buildings combined with better design quality and convenience in retail centers, business parks and industrial parks, the city takes on a more notable look.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

Implementation Measure 4.2.2.3 Use "Context Sensitive Design" standards for public street improvements to ensure safe and convenient bike and pedestrian movement.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Designing pedestrian-friendly streetscapes and encouraging new developments to provide pedestrian-oriented amenities and enhancements would encourage people to walk.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

Land Use Compatibility:

PDD No. 714 was approved by the City Council on February 23, 2005, and encompasses approximately 248 acres along the north and south lines of West Commerce Street and Fort Worth Avenue, between North Beckley Avenue and Westmoreland Road. Recent developments in the immediate area, both north and south of the Fort Worth Avenue alignment through this part of the PDD, have begun to transition the area by providing residential options, both multifamily and single family dwellings. Specifically, a multifamily development now faces the subject site across Haslett Street to the west. Due to the demand for services to accommodate the spur in residential activity, various retail and entertainment options have developed along this thoroughfare.

In creating the vision for PDD No. 714, various subdistricts were created to establish a basis for the balance of development and the co-existence with the built environment along the corridor. Subdistrict 1 is a medium density mixed-use subdistrict that respects existing businesses but gives incentive for new mid-rise commercial and residential development. Preserving historic buildings through adaptive re-use is a priority. 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. Buildings should have minimum or no setbacks, with commercial and retail uses at the ground level and office and residential above.

The subject site consists of six lots partitioned into three tracts (two-lot sections). The two lots to the southeast face Sulphur Street and contain a structure built in or before 1984, per building permit records. The structure operated as a warehouse as late as 2007, but is currently vacant. The two lots to the northeast contain a small trailer. No permits were found for this structure. The remaining two lots are undeveloped and face Haslett Street to the west and Powell Street to the north; separated from the two lots to the east by a 14-foot unimproved alley.

Surrounding land uses consist of a mix of uses including single family, auto-related, and undeveloped to the north; office showroom/warehouse to the east; office, distribution center, and storage to the south; and, cell tower and multifamily to the west.

Currently, Subdistrict 1A allows an industrial inside [not potentially incompatible] use by SUP. While the proposed alcoholic beverage manufacturing use is similar, they are defined as separate uses in Chapter 51A - to which this PDD refers for all uses not defined by the PDD. An alcoholic beverage manufacturing use is defined as an establishment for the manufacture, blending, fermentation, processing, and packaging of alcoholic beverages with a floor area exceeding 10,000 square feet that takes place wholly inside a building. Retail sales of alcoholic beverages and related items and tastings or sampling are allowed in accordance with Texas Alcoholic Beverage Commission regulations. The applicant plans to manufacture alcohol and provide a tasting area, as allowed by TABC. Additionally, PDD No. 714 specifically defines a microbrewery use, which is similar to what is proposed, but with the added production cap of 15,000 barrels per year. The applicant does not want to limit barrel production.

The applicant has proposed amended conditions to bring the existing structure into compliance on a few requirements, as well as to make the adaptive re-use of the structure more attainable. Additional amendments are sought in consideration of the existing rights-of-way, multiple street frontages, and required parking to allow re-use of the existing structure. Staff supports the requests that are tied to the existing structure.

1. **Exceptions to make the existing structure built in or before 1984 conforming include:**

    a. Exemption from the minimum required front yard:

The existing structure at the southeast end of the request area provides up to two-feet of front yard. The existing requirement is a minimum of six-feet. An exemption for structures built in or before 1984 would allow the existing structure conformity.

    b. Exemption from street tree requirements;

The addition of a mezzanine within the existing structure would subject the site to compliance with street tree requirements. To comply, a portion of the building would have to be demolished, thereby hindering the adaptive re-use.

    c. Exemption from 100% parking in rear of the main structure:

Since the structure currently exists and the entire site has frontage along three streets, identifying the rear and redesigning the area is impossible without demolition of the existing structure.

    d. Amended architectural design elements including primary entrance; change of plane; materials; three-part-division; and minimum story height (7.5 feet proposed).

The existing building has three roll-up metal doors along the primary street-facing façade (Sulphur Street). The PD requires primary entrances to be located along the street-facing façade. The applicant has proposed for the primary entrance to business to face the interior of the lot, 20 feet from the street-facing façade. Due to the openness of the glass roll-up door being considered a window, staff supports the modification to

allow the official primary entrance 20 feet from the street-facing façade. Although, with no tie to elevations, the glass roll-up door is not a requirement and not guaranteed.

2. Additional exceptions sought include:

a. Consideration of the entire subdistrict as one lot for parking and lot coverage purposes:

The subject site currently contains six platted lots separated by a 14-foot unimproved alley and fronting three streets. There are several complexities associated with trying to conform to the PDD standards with an adaptive re-use of the existing structure. By considering the entire subdistrict as one lot, the applicant is offered flexibility without having to perform additional measures like parking agreements with himself (since he will be the owner of all the lots even though parking will be provided on separate lots). This is consistent with the PDD intent of providing off-street parking shared between adjacent lots, although it would not be serving more than the proposed alcoholic beverage manufacturing use.

b. To allow one small loading space within the interior of the building:

This request was reviewed by the Engineering Division and found to be sufficient.

c. Exemption from parallel parking for 30-and-40-foot rights-of-way:

This request was approved by the Engineering Division. Compliance with the existing Exhibit F Street Diagram would require parallel parking upon the expansion of right-of-way.

d. To allow a 9.5-foot sidewalk along Sulphur Street and Haslett Street; and, to allow a 7.5-foot sidewalk along Powell Street:

The Engineering Division has agreed to the proposed sidewalk widths, inclusive of tree wells. These sidewalk widths would be required on both the existing 30- and 40-foot rights-of-way; however, if the right-of-way is expanded, 11-foot sidewalks are required.

e. Amended architectural design elements including counting metal roll-up doors as doors and glass roll-up doors as windows; allowing painted pre-cast concrete tilt walls; not counting roll-up metal doors in total allowable metal; and, allowing a 12-inch parapet wall of the same material along three sides of the building, not visible from the ground level of the opposite side of the right-of-way adjacent to the primary façade.

Considering the recent development in the area, the addition of this alcoholic beverage manufacturing use with the proposed retail and seating area for tasting will provide a unique new use to the neighborhood and contributing to the shift from commercial service and industrial uses to more mixed uses as intended by the PDD. In consideration of the adjacent residential uses to the north and west, the SUP conditions associated with the proposed use would limit the operating hours to the following: for the “taproom” retail and seating area from 11:00 am to 10:00 pm Sunday to Thursday and 11:00 am to 12:00 am (midnight) on Friday and Saturday. For the manufacturing use from 6:00 am to 10:00 pm Sunday to Thursday and 6:00 am to 12:00 am (midnight) Friday and Saturday. Limiting the hours will offer adequate hours for the operation of the

business, while providing consideration of the residential nature of the neighborhood to the north and west of the site. Overall, the new business could be considered an asset in the redevelopment of the neighborhood.

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		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/ Rear				
Existing: Subdistrict 1A, w/in PD No. 714	6' to 15' 20' if taller than 45'	0' Setback if taller than 45'	145' 11 stories	80%	--	Medium density mixed-use
Proposed: New Subdistrict w/in Subdistrict 1 of PD No. 714	6' to 15' 20' if taller than 45' Existing structure exempt (along Sulphur Street)	0' Setback if taller than 45'	145' 11 stories	80% Entire subdistrict considered one lot.	--	Medium density mixed-use; added alcoholic beverage manufacturing use by SUP.

Parking:

An alcoholic beverage manufacturing use is required to provide one parking space per: 1,000 square feet of storage floor area; 100 square feet of retail sales and seating floor area; and 600 square feet of all remaining floor area.

According to the development/site plan provided for the PDD amendment and SUP request, 7,303 square feet will be used for storage - requiring seven parking spaces; 2,053 square feet will be used as a "taproom" for the retail sales and seating element of the business and restrooms - requiring 21 parking spaces; and, 2,644 square feet of floor area is used to provide an office and for manufacturing - requiring four parking

spaces. Per staff calculations, the total number of required parking is 32, but this is not reflective of an interior site plan review. The applicant failed to provide an interior site plan to ensure compliance with the mix of parking requirements; therefore, compliance is not guaranteed. The applicant has provided a development/site plan indicating 32 parking spaces are required and 33 are provided.

Landscaping:

Landscaping must be installed per Sec.51P-714.114 with consideration of the current request to exempt the existing structure's Sulphur Street frontage from street tree requirements.

CPC Action:
July 20, 2017

Motion: It was moved to recommend **approval** of a new subdistrict for mixed uses, subject to a revised development plan with the following modifications: i) remove of all landscaping and adjoining property structures, and ii) remove proposed Exhibit F for 30-and 40 –foot rights –of-way, and staff's recommended conditions (as briefed to remove the provision considering the entire subdistrict as one lot for landscaping purposes; and 2) **approval** of a Specific Use Permit for an alcoholic beverage manufacturing use for a three-year period, subject to revised site plan with the following modifications: i) remove of all landscaping and adjoining property structures, and staff's recommended conditions with the following revision: to allow up to 12,000 square feet of floor area on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the southwest corner of Powell Street and Sulphur Street, and the southeast corner of Powell Street and Haslett Street.

Maker: Anantasomboon
Second: Schultz
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 500 Mailed: 41
Replies: For: 5 Against: 1

Speakers: For: Karl Sanford, 444 W. Commerce St., Dallas, TX, 75208
Deborah Carpenter, 2009 Neal St., Dallas, TX, 75208
For (Did not speak): Jeremy Brodt, 4911 W. Amherst Ave., Dallas, TX, 75209
Against: None

Applicant's Proposed PDD Conditions

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.

Omitted for brevity.

SEC. 51P-714.104. DEFINITIONS.

Omitted for brevity.

SEC. 51P-714.105. INTERPRETATIONS.

Omitted for brevity.

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)

(10) Exhibit 714J: Subdistrict XX development plan.

SEC. 51P-714.106. CONCEPTUAL PLAN.

Omitted for brevity.

SEC. 51P-714.107. DEVELOPMENT PLAN.

(a) Except for Subdistricts 1C and XX, 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 Subdistricts 1C and XX. 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, AND XX.

(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.

-- Building repair or maintenance shop.

-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction, or repair.
-- Electronics service center.
-- Job or lithographic printing.
-- Machine or welding shop.
-- Medical or scientific laboratory.
-- Tool or equipment rental. *[Limited to 3,500 square feet.]*
-- Vehicle or engine repair or maintenance. *[SUP]*

(3) Industrial uses.

-- Alcoholic Beverage Manufacturing. *[by SUP in Subdistrict XX only.]*
-- Industrial (inside) not potentially incompatible. *[SUP]*
-- Industrial (inside) for light manufacturing.
-- 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. *[RAR]*
-- Convent or monastery.
-- Hospital. *[RAR]*
-- 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]*
-- Hotel or motel. *[SUP if 60 or fewer guest rooms.]*

(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.
-- Multifamily. *[Only as a component of a mixed-use project.]*
-- 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.]*

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside runs. *[RAR]*
-- Auto service center. *[SUP]*
-- Business school.
-- Commercial amusement (inside). *[SUP] [Bingo parlor, billiard hall, class E dance hall, and motor track prohibited.]*
-- Commercial parking lot or garage. *[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.
-- Home improvement center, lumber, brick, or building materials sales yard. *[SUP]*
-- Household equipment and appliance repair.
-- Motor vehicle fueling station.
-- 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]*
-- Restaurant with drive-in or drive-through service. *[DIR]*
-- Temporary retail use.
-- Theater.

(11) Transportation uses.

-- Private street or alley. *[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.

-- Electrical substation.
-- Local utilities. *[Local utilities by right. Communication exchange facility by SUP.]*
-- Police or fire station.
-- Post office.
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Office showroom/warehouse.
-- 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. *[SUP]*
-- Warehouse.
-- 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 permitted only by SUP:

-- Accessory helistop.

(3) In this subdistrict, the following accessory uses are not permitted:

-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(4) In this subdistrict, the following accessory use is permitted only with a fully sight-obscuring fence or a high screen on any side visible from a street:

-- Accessory outside storage.

(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 is six feet. In Subdistrict XX, this provision does not apply to structures built in or before 1984. At least 50 percent of the front facade must be at the minimum front yard setback.

(B) Maximum front yard is 15 feet.

(C) An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(2) Side and rear yard.

(A) Except as provided in Subparagraph (B), no minimum side and rear yard.

(B) 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.

(3) Density.

(A) No maximum dwelling unit density.

(B) Minimum dwelling unit size is 450 square feet.

(4) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no 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**

(5) Height.

(A) Maximum structure height in Subdistricts 1A and XX is 145 feet.

(B) Maximum structure height in Subdistrict 1B is 40 feet.

(6) Lot coverage.

(A) Maximum lot coverage is 80 percent. For lot coverage requirements, Subdistrict XX is considered one lot.

(B) 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 in Subdistricts 1A and XX is 11.

(B) Maximum number of stories above grade in Subdistrict 1B is three.

(C) 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. 25898)

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.

Omitted for brevity.

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. For parking purposes, Subdistrict XX is considered one lot.

(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 publicly 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 x 1.00) + (80 x .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 x 1.00) + (80 x .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 ÷ 24 = one-third). The total of the limited availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(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 ÷ 24 = one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(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 ÷ 24 = one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(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. In Subdistrict XX, compliance with this provision is only required upon the demolition of the existing structure built in or before 1984.

(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.

(m) Loading.

(1) In Subdistricts 4A, ~~and~~ 4B, and XX 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.

(3) Structures in Subdistrict XX built in or before 1984 may provide loading within interior floor area.

(n) Parking lanes and private drives. In Subdistricts 4B and XX, parking lanes and private drives may be accessed from an alley. (Ord. Nos. 25898; 26876; 27820; 28505)

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.

~~(3) For landscaping purposes, Subdistrict XX is considered one lot.~~

(b) Street trees.

(0) In Subdistrict XX, this provision does not apply to the Sulphur Street frontage of the structure established in or before 1984.

(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:

Scientific name	**Common name**	**Tree type**
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**
Diospyros virginiana (male only)	**Common persimmon**	**Large canopy**
Fraxinus americana	**White ash**	**Large canopy**
Fraxinus pennsylvanica	**Urbanite ash**	**Large canopy** ***[Subdistrict 1C only]***
Gymnocladus dioicus	**Kentucky coffee tree**	**Large canopy**
Liquidambar styraciflua	**Sweetgum**	**Large canopy**
Pistachia chinensis	**Chinese pistachio**	**Large canopy**
Prosopis glandulosa	**Maverick mesquite**	**Large canopy** ***[Subdistrict 4A and 4B only]***
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 1C only]***
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**

(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:

Scientific name	**Common name**	**Tree type**
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]***
Fraxinus pennsylvanica	**Urbanite ash**	**Large canopy** ***[Subdistrict 1C only]***
Liquidambar styraciflua	**Sweetgum**	**Large canopy**
Pistachia chinensis	**Chinese pistachio**	**Large canopy**
Prosopis glandulosa	**Maverick mesquite**	**Large canopy** ***[Subdistrict 4A and 4B only]***
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 1C only]***
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.

Scientific name	Common name	Tree type
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**
Aesculus glaba v. arguta	**Texas buckeye**	**Small**
Aesculus pavia	**Red buckeye**	**Small**
Carya illinoinensis	**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** ***[Subdistrict 1C only]***
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**

		[Subdistrict 4A and 4B only]
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** ***[Subdistrict 1C only]***
Quercus virginiana "QVTIA"	**High-rise live oak**	**Large canopy** ***[Subdistricts 1C,4A and 4B only]***
Rhamnus caroliniana	**Carolina buckthorn**	**Small**
Rhus lanceolata	**Flameleaf sumac**	**Small**
Rhus virens	**Evergreen sumac**	**Small**
Sophora affinis	**Eve's necklace**	**Small**
Taxodium ascandens	**Pond cypress**	**Large noncanopy**
Taxodium distichum	**Bald cypress**	**Large noncanopy**
Ulmus crassifolia	**Cedar elm**	**Large canopy**
Ulmus parvifolia	**Bosque elm**	**Large canopy** ***[Subdistricts 4A and 4B only]***
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:

Scientific name	**Common name**
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, and XX 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.

(G) The Powell Street frontage in Subdistrict XX as it remains a 30-foot right-of-way.

(H) The Sulphur Street frontage in Subdistrict XX as it remains a 40-foot right-of-way.

(I) The Haslett Street frontage in Subdistrict XX as it remains a 40-foot right-of-way.

(c) Sidewalk standards.

(1) In Subdistricts 1A, ~~and~~ 1B, and XX 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. In subdistrict XX, if the right-of-way width is 40 feet or less a minimum 9'6" sidewalk (as measured from back of curb perpendicular to property edge, exclusive of tree wells) is required adjacent to Sulphur Street and Haslett Street and a minimum of 7'6" sidewalk (as measured from back of curb perpendicular to property edge exclusive of tree wells) is required adjacent to Powell Street. Frontage adjacent to structures built in or before 1984 are exempt from this requirement.

(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 Subdistricts 1C and XX.

(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.

(2) 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.

Omitted for brevity.

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).

(4) For structures built in or before 1984 in Subdistrict XX, the primary entrance may be located on the side of a building no more than 20 feet from the street facing façade, and must require one architectural element.

(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. Structures in Subdistrict XX built in or before 1984 with facades up to 101 feet may contain metal or glass overhead roll up doors and are exempt from the requirements in the following list.

(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) Except for structures built in or before 1984 in Subdistrict XX, ~~T~~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 Subdistricts 1C and XX, 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 XX, the entire square footage of metal overhead rollup doors are counted as door area and the entire square footage of glass overhead rollup doors are counted as window area. 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
Mimimum 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. For structures built in or before 1984 in Subdistrict XX, painted pre-cast concrete walls are allowed.

(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. In Subdistrict XX, neither passage doors nor overhead doors count towards the calculation of flat or corrugated 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) Except in Subdistrict XX, ~~T~~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.

(D) Structures built in or before 1984 in Subdistrict XX must have a minimum 12-inch-high parapet on at least three sides.

(3) Except as allowed in Subdistricts 1C and XX, 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." In Subdistrict XX, mechanical equipment must not be visible to a person standing at ground level on the opposite side of the right-of-way adjacent to the primary façade.

(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.

(5) 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)

(7) For structures built in or before 1984 in Subdistrict XX, a building two stories or less may have floor-to-floor heights of 7 feet 6 inches for up to 30 percent of the total floor area.

SEC. 51P-714.119. ADDITIONAL PROVISIONS.

Omitted for brevity.

SEC. 51P-714.120. COMPLIANCE WITH CONDITIONS.

Omitted for brevity.

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is an alcoholic beverage manufacturing use.

2. SITE PLAN: Use and development of the property must comply with the attached site plan.

3. TIME PERIOD: This specific use permit expires on (three-years from passage of the ordinance).

4. FLOOR AREA:

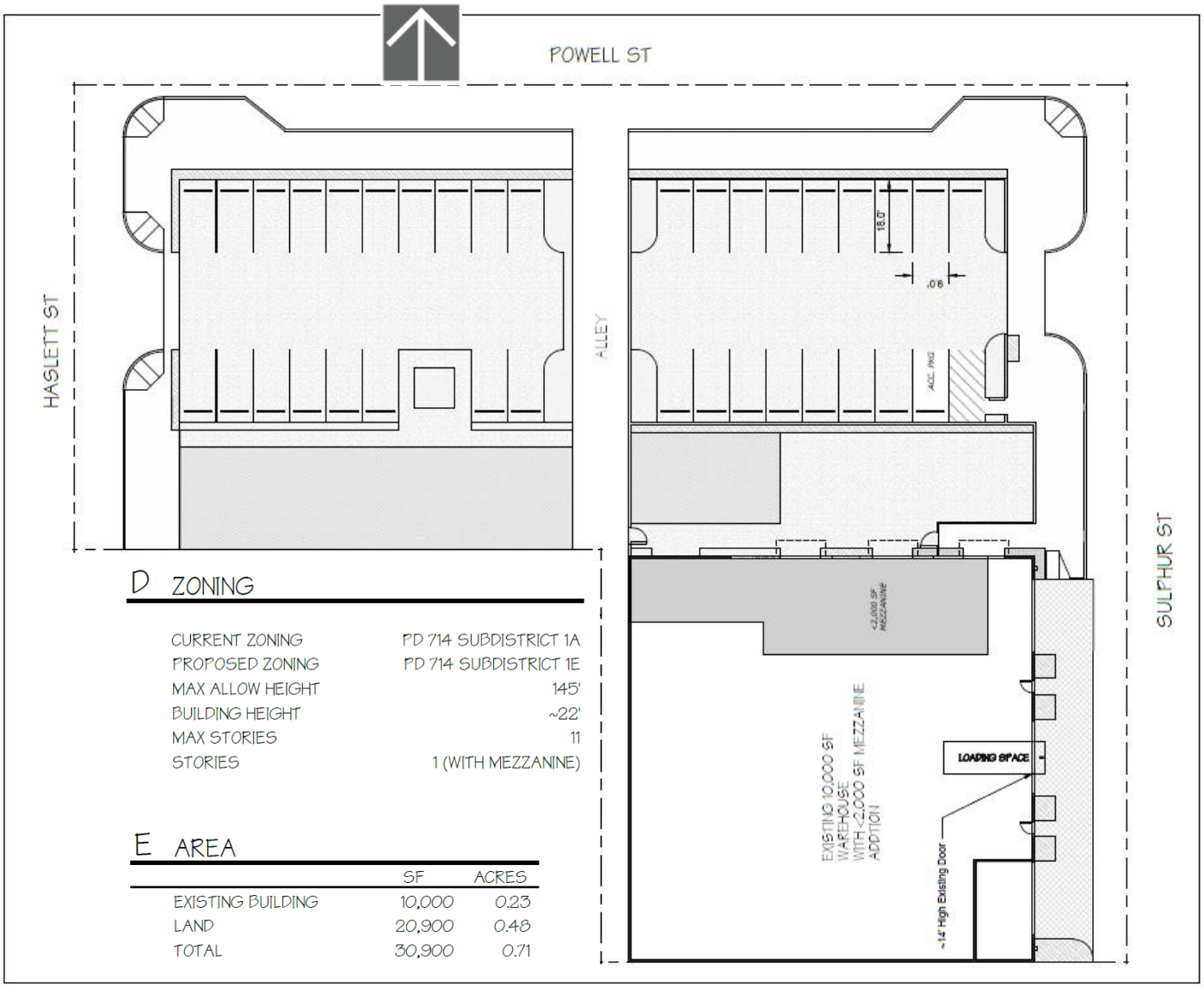
   A. The maximum floor area is up to 12,000 square feet in the location shown on the attached site plan.

5. HOURS OF OPERATION: The alcoholic beverage manufacturing retail and seating area may only operate between 11:00 am and 10:00 pm Sunday to Thursday and 11:00 am and 12:00 am (midnight) on Friday and Saturday. The manufacturing use may only operate between 6:00 am and 10:00 pm Sunday to Thursday and 6:00 am and 12:00 am (midnight) Friday and Saturday.

6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Development/Site Plan



D ZONING

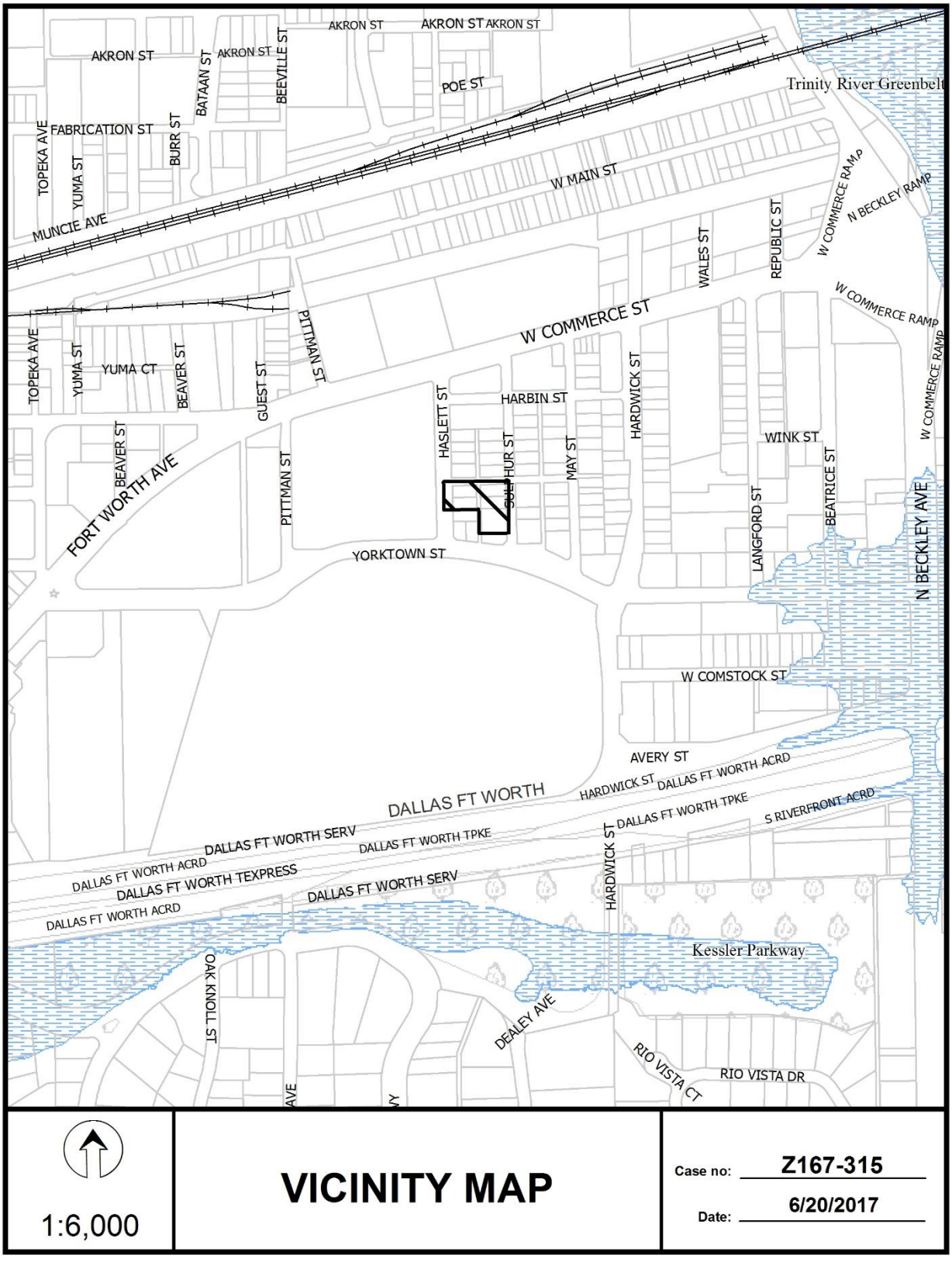
CURRENT ZONING	PD 714 SUBDISTRICT 1A
PROPOSED ZONING	PD 714 SUBDISTRICT 1E
MAX ALLOW HEIGHT	145'
BUILDING HEIGHT	~22'
MAX STORIES	11
STORIES	1 (WITH MEZZANINE)

E AREA

	SF	ACRES
EXISTING BUILDING	10,000	0.23
LAND	20,900	0.48
TOTAL	30,900	0.71

C PARKING REQUIREMENTS

USE		SF	SF/PARKING	REQUIRED	PROVIDED
FIRST FLOOR					
	TAPROOM	1,484	100	14.8	
	STORAGE	6,716	1,000	6.7	
	MANUFACTURING	1,231	600	2.1	
	RESTROOMS	569	100	5.7	
		10,000			
MEZZANINE					
	OFFICE	1,413	600	2.4	
	UPSTAIRS STORAGE	587	1,000	0.6	
		2,000		32.2	33
	TOTAL	12,000			

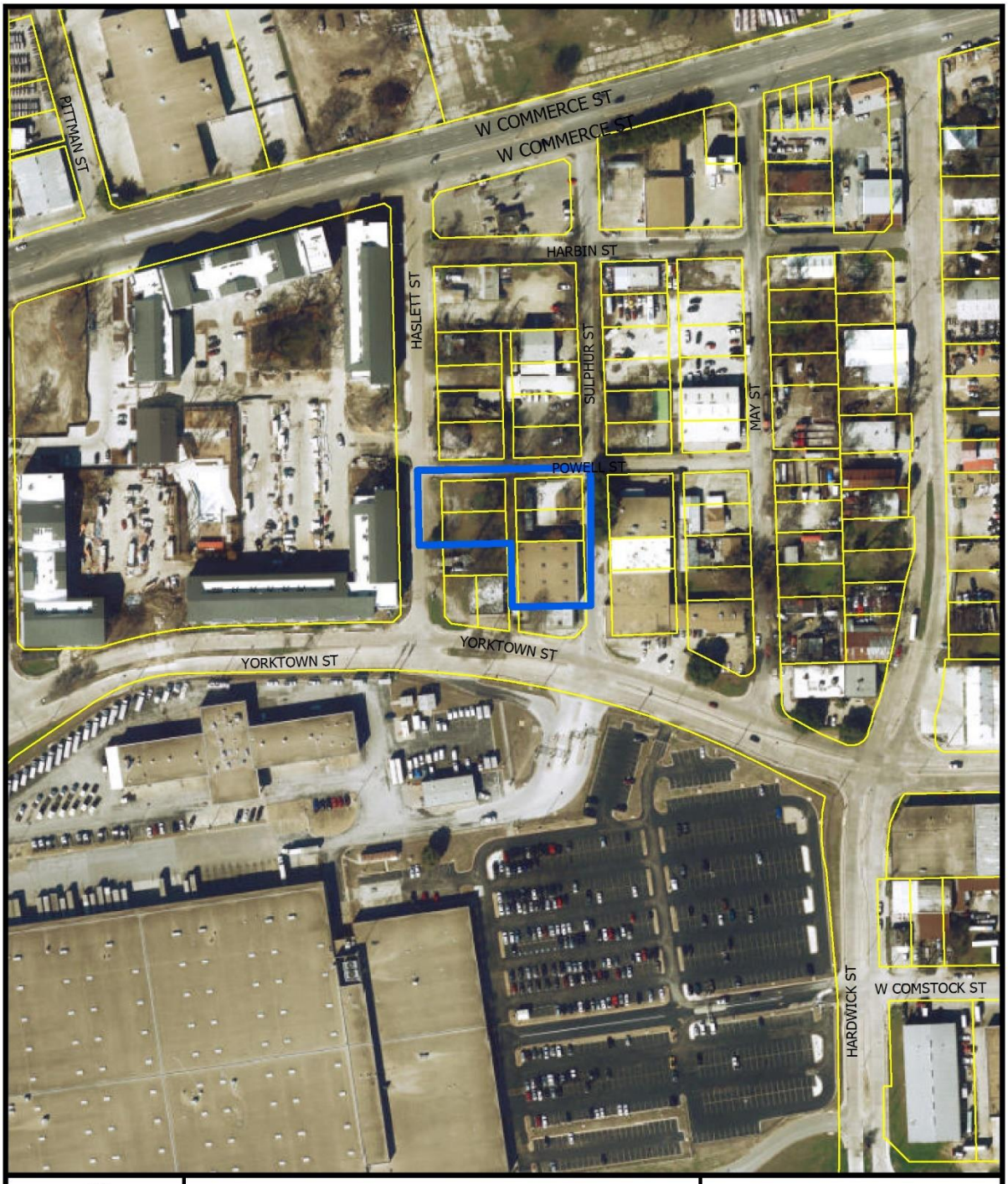


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VICINITY MAP

Case no: Z167-315

Date: 6/20/2017

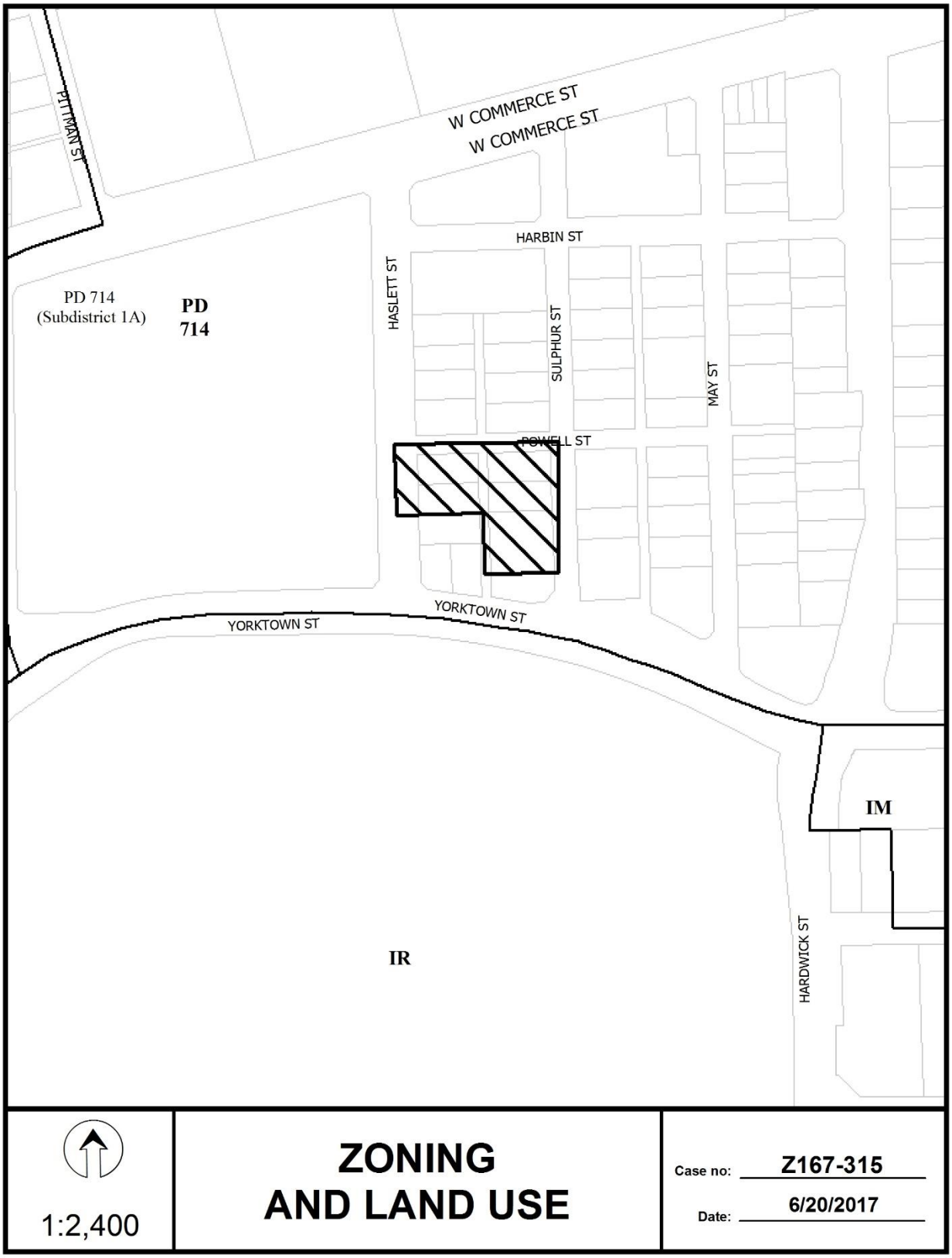


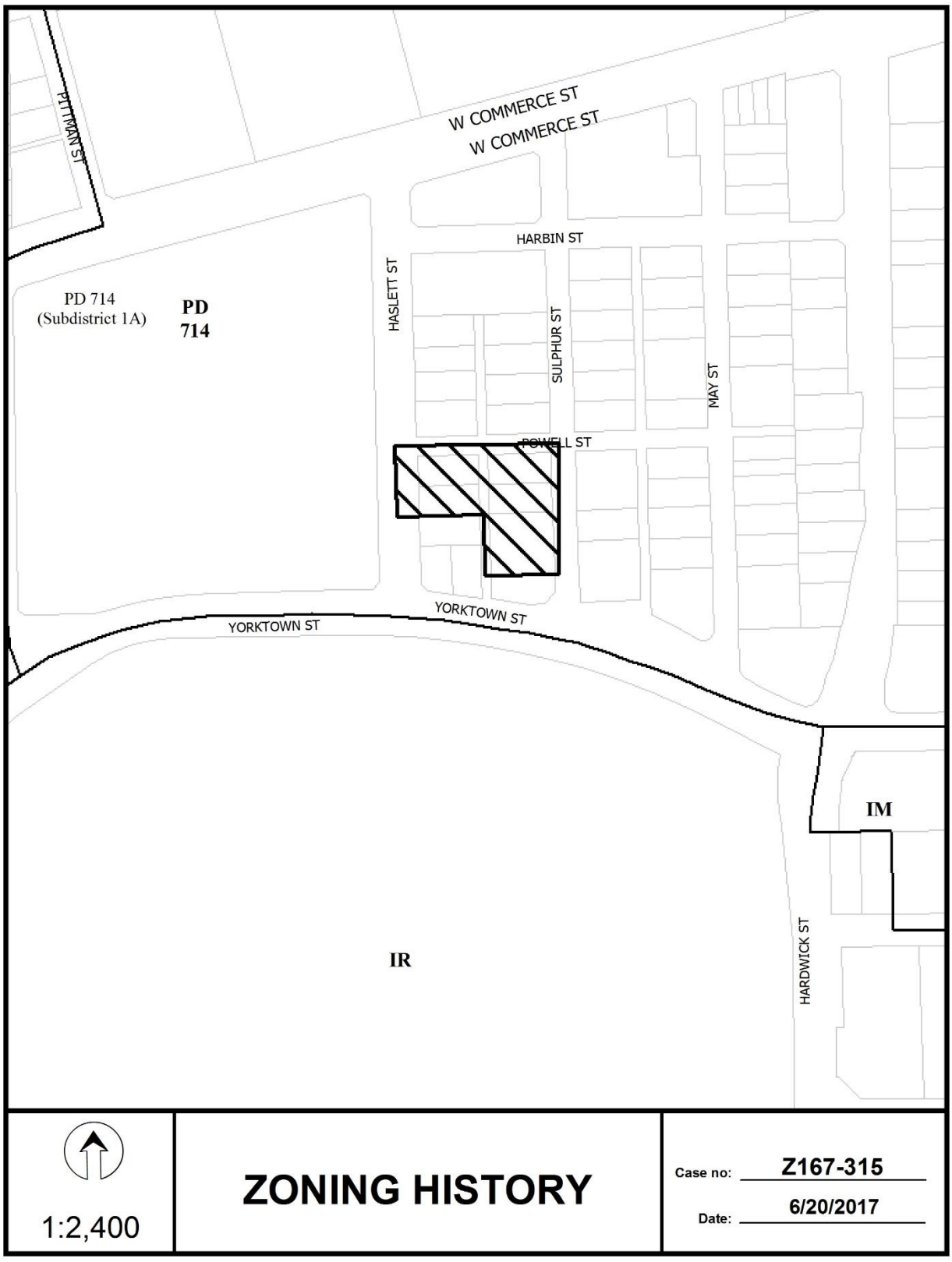
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AERIAL MAP

Case no: Z167-315

Date: 6/20/2017


W COMMERCE ST
W COMMERCE ST
PITTMAN ST
HARBIN ST
HASLETT ST
SULPHUR ST
MAY ST
POWELL ST
PD 714
(Subdistrict 1A)
PD
714
YORKTOWN ST
YORKTOWN ST
IM
IR
HARDWICK ST
1:2,400
ZONING
AND LAND USE
Case no: Z167-315
Date: 6/20/2017


PITTMAN ST
W COMMERCE ST
W COMMERCE ST
HARBIN ST
HASLETT ST
SULPHUR ST
MAY ST
POWELL ST
PD 714
(Subdistrict 1A)
PD
714
YORKTOWN ST
YORKTOWN ST
IM
IR
HARDWICK ST
1:2,400
ZONING HISTORY
Case no: Z167-315
Date: 6/20/2017

CPC Responses



41	Property Owners Notified (65 parcels)
5	Replies in Favor (9 parcels)
1	Replies in Opposition (1 parcels)
500'	Area of Notification
7/20/2017	Date

Z167-315
CPC

N
W E
S

1:2,400

07/19/2017

Reply List of Property Owners

Z167-315

41 Property Owners Notified ***5 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	2212	HASLETT ST	DJUMIC GORDANA
	2	325	YORKTOWN ST	BOLTEX HOLDINGS LTD
	3	2311	HARDWICK ST	NWONUMA JEROME N
	4	2317	HARDWICK ST	NWONUMA JEROME
X	5	2321	HARDWICK ST	WING CLAIRE M
	6	2325	HARDWICK ST	NWAKIBU OJUKWUH S &
	7	2331	HARDWICK ST	DESROCHERS MARK &
	8	2333	HARDWICK ST	DESROCHERS PROPERTY
	9	2341	HARDWICK ST	HARDWICK YARDS LLC &
O	10	219	HARBIN ST	COOPER DEWAYNE
	11	310	W COMMERCE ST	BROWN GUY III
	12	2302	HASLETT ST	MARTINEZ FERNANDO &
	13	2306	HASLETT ST	RIOS PABLO
	14	2310	HASLETT ST	MARTINEZ FERNANDO
	15	2314	HASLETT ST	MARTINEZ ISIDORO G
	16	2315	SULPHUR ST	VAFAEE ABDOL H
	17	2300	SULPHUR ST	KUMAR AND WHITE WORLDWIDE INV LLC
	18	2306	SULPHUR ST	3108 FW LLC
	19	2310	SULPHUR ST	RAMOS SAMUEL
	20	314	HARBIN ST	NINO ISMAEL
	21	2323	MAY ST	D & A ALVAREZ GROUP LLC
	22	2301	MAY ST	BIGA INCORPORATED
	23	2306	MAY ST	CUEVAS PEDRO
	24	2308	MAY ST	CUEVAS VERONICA
	25	2314	MAY ST	YBARRA ELISA RODRIGUEZ
	26	2318	MAY ST	YBARRA MANUEL P ET AL

07/19/2017

Reply	*Label #*	*Address*		*Owner*
O	27	2320	MAY ST	COOPER L DEWAYNE
	28	2204	MAY ST	VAFAEE ABDOL H
	29	2208	MAY ST	CASAREZ MARY &
	30	2214	MAY ST	RODRIGUEZ ELIAS
	31	2220	MAY ST	DESROCHERS MARK &
	32	2223	MAY ST	SCOTT WILLIAM MICHAEL
	33	2215	MAY ST	GAYTON GLORIA ELSA
	34	2211	MAY ST	ENSINIA LECHUGA GLORIA &
	35	339	YORKTOWN ST	USA ENVIRONMENTAL GROUP
O	36	335	YORKTOWN ST	YORKTOWN JOINT VENTURE
	37	2208	HASLETT ST	EXECUTIVE COFFEE SERV
	38	2121	HARDWICK ST	U S POSTAL SERVICE
O	39	233	YORKTOWN ST	REISCH JAMES M & SANDRA J
	40	332	W COMMERCE ST	AGESHEN MALCOM
	41	444	W COMMERCE ST	ALTA WEST COMMERCE APARTMENTS

AGENDA ITEM # 84

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 36 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z145-300(SH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z145-300(SH) **DATE FILED:** July 15, 2015

LOCATION: Northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street

COUNCIL DISTRICT: 2 **MAPSCO:** 36 W

SIZE OF REQUEST: Approx. 5.75 acres **CENSUS TRACT:** 0010.02

OWNER/APPLICANT: See attached list

REPRESENTATIVE: Tommy Mann & Laura Hoffman, Winstead PC

REQUEST: An application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District.

SUMMARY: The applicant proposes to develop the site with retail, office, and restaurant uses. The conditions propose to limit the overall square footage for restaurant uses to 12,000 square feet and a minimum of 50 percent food sales will be required in order for a use to be deemed a restaurant. The development will be served by an underground parking structure with limited access to North Henderson Avenue.

CPC RECOMMENDATION: **Approval**, subject to a development plan, landscape plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, landscape plan and conditions.

BACKGROUND INFORMATION:

- The subject site is comprised of approximately 5.75 acres of undeveloped land and is currently zoned Subdistricts 4 and 5 within Planned Development District No. 462, with a small portion zoned an MF-2(A) Multifamily District.

- On December 11, 1996, the City Council established Planned Development District No. 462. It is currently divided into six districts and extends along both sides of North Henderson Avenue between Central Expressway and Ross. PDD No. 462 possesses approximately 41 acres and allows for a wide variety of land uses.

- The applicant proposes to create a new subdistrict and develop the subject site with retail, office, and restaurant uses. The conditions propose to limit the overall square footage for restaurant uses to 12,000 square feet and a minimum of 50 percent food sales will be required in order for a use to be deemed a restaurant. The development will be served by an underground parking structure with limited access to North Henderson Avenue.

- The surrounding properties are primarily retail and restaurant uses along North Henderson Avenue with residential uses along Madera Street to the northeast and Moser Street to the southwest.

- The zoning request is accompanied by a development plan, landscape plan, and PDD conditions. The applicant has also provided an alternate development plan and landscape plan to address staff's concerns with parking along North Henderson Avenue.

- On January 5; February 16; April 6; and May 4, 2017, the City Plan Commission held this case under advisement to allow additional time for the applicant to collaborate with neighborhood stakeholders and further analyze the details of the case. A neighborhood meeting was held on March 20, 2017. The applicant has subsequently submitted revised PD conditions, Development Plan, and Landscape Plan that seek to address some of the concerns that were raised at this meeting.

Zoning History: There have been four zoning cases in the area over the past five years.

1. **Z101-321** On January 25, 2012, the City Council approved a Planned Development District for Multifamily District uses for 316 dwelling units on the southeast side of Capitol Avenue between Garrett Avenue and Bennett Avenue.

2. **Z123-365** On June 11, 2014, the City Council approved a Planned Development District for MF-2(A) Multifamily District uses for 305 units on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

3. **Z145-238** On November 10, 2015, City Council approved an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street.

4. **Z156-202** On August 24, 2016, City Council approved a Planned Development District for MF-2(A) Multifamily District Uses on the northwest line of Capitol Avenue, southwest of North Henderson Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
N. Henderson Avenue	Local	60 ft.
Glencoe Street	Local	55 ft.
Fuqua Street	Local	55 ft.
McMillan Avenue	Minor Arterial	60 ft.

Traffic: According to the Traffic Impact Analysis (TIA) that was submitted with the application, the proposed development is expected to generate approximately 6,651 daily one-way trips, which is 457 more trips than what a fully developed site based on existing zoning would generate. In order to improve access throughout the study area, the following roadway improvements were recommended (see attached TIA exhibit for drive locations):

General

1. North Henderson Avenue will be improved to provide for a Two-Way Left Turn Lane (TWLTL) starting from just west of Glencoe Street and ending at McMillan Avenue. The TWLTL will provide for easier access to the driveways in and out of the site, while minimizing delays resulting from drivers turning left from North Henderson Avenue. By contrasting the pavement color of the TWLTL and decreasing the width of the eastbound and westbound travel lanes, the resulting three lane configuration will encourage slower driving.

Drive A and North Henderson Avenue

2. Although the available storage for this turn lane is minimal due to proximity of Glencoe Street, the 95th percentile queue is very minimal (1-2 cars).
3. Provide for a one-lane exiting approach (shared left/right lane).

Drive B and North Henderson Avenue

4. No intersection improvements are recommended at this driveway.
5. Drive will operate as inbound only.

Drive C and North Henderson Avenue

6. No Intersections improvements are recommended at this driveway.
7. Drive will operate as outbound only. Provide for a one-lane exiting approach (shared left/right lane).

Drive D and North Henderson Avenue

8. Provide for a two-lane exit consisting of a right-turn only lane and a shared through/left turn lane.

Drive E and North Henderson Avenue

9. Provide for a one-lane exiting approach (shared left/right lane)

Capitol Avenue and North Henderson Avenue

10. Re-stripe northbound Capitol Avenue to include a left-turn storage bay.

The applicant's proposed development plan and corresponding landscape plan demonstrates compliance with these proposed recommendations.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 462 (Subdistricts 4 and 5) & MF-2(A)	Undeveloped
Northeast	R-7.5(A)	Residential
South	PDD No. 462 (Subdistrict 4 and 5)	Retail and Restaurant
Southwest	MF-2(A)	Residential
Northwest	PDD No. 462 (Subdistricts 3 and 3A)	Retail and Restaurant

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.1.5 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

The Comprehensive Plan classifies the area as an Urban Neighborhood Building Block. 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. Urban Neighborhood streets should be designed to be very pedestrian friendly, providing excellent connectivity to shopping and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures.

The proposed mixed-use development meets the intent of the Urban Neighborhood Building Block by providing additional retail and restaurant opportunities within close proximity to established residential areas. In addition, the alternate development plan with the proposed parallel parking will serve as a desired traffic calming measure that can slow traffic along North Henderson Avenue.

Planned Development District No. 462

Planned Development District No. 462, when established, was designated as an area of historical, cultural, and architectural importance and significance, with the following objectives:

(1) Accommodate the existing mix of uses in the area.

The proposed development provides for an array of land uses that are compatible with the surrounding area and will provide the residents in the adjacent communities with additional shopping and dining prospects within a walkable distance. Office uses are also proposed which will provide necessary services and employment opportunities.

(2) Protect the internal and adjacent stable residential neighborhoods.

In an attempt to minimize any adverse impact to the adjacent residential homes along Madera Street, the applicant is proposing an underground

parking structure; a masonry screening wall and landscaping along the north property line; an increased setback from the residential uses; and, maximum height restrictions and specific building orientations to avoid the new development from directly imposing upon the adjacent residential structures.

(3) Preserve and enhance the architectural and cultural significance of the area.

All new construction will be subject to urban design guidelines, which provides specific standards for exterior building materials and colors, façade openings, exterior lighting, pedestrian amenities, and design options.

(4) Strengthen neighborhood identity.

The PDD conditions propose to limit the square footage of individual retail stores as a way to encourage development of boutique-like, unique, community-serving retail stores, which has become a distinguishable characteristic of the North Henderson Avenue corridor in recent development.

(5) Create a more desirable pedestrian environment.

A minimum 10-foot wide sidewalk zone will be provided along the North Henderson Avenue frontage. As depicted on the landscape plan, community open space areas, urban gardens, and pedestrian amenities, including benches, trash cans, and bicycle parking spaces will be incorporated into the development.

STAFF ANALYSIS:

Land Use Compatibility:

The 5.75-acre site is located along the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street and is currently undeveloped. The adjacent properties along the North Henderson Avenue corridor are primarily developed with retail and restaurant uses, with residential uses extending further north and south of the site, along Madera Street and Moser Street, respectively.

The applicant proposes to create a new subdistrict within PDD No. 462 to accommodate a mixed-use development consisting of a variety of retail, office, and restaurant uses with a combined maximum floor area of 190,000 square feet. The development will be divided into two separate tracts, with the 3.553-acre Tract I being located on the northwest side of North Henderson Avenue. It will include a total building area of 170,000 square feet which will be comprised of a maximum of 12,000 square feet of restaurant use, 70,000 square feet of retail and 100,000 square feet of office. Tract II, which consists of 0.775 acres of land, will be located on the southeast side of North Henderson Avenue and will provide for 20,000 square feet of retail and office/showroom uses.

In addition to the referenced mix of uses, the applicant is also proposing commercial greenhouses that will be used for crop production. These commercial greenhouses will be located on rooftops within both tracts in the specific locations shown on the development plan.

The PDD conditions propose to prohibit specific personal service uses within the new subdistrict including massage establishments, tattoo studios, and body piercing studios. In addition, the square footage for all restaurant uses combined will be limited to a maximum of 12,000 square feet and no restaurant may be located in the building adjacent to McMillan Avenue as depicted on the development plan.

The applicant is further restricting restaurant use by requiring that it derive 50 percent or more of its gross revenue on a quarterly basis from the sale or service of food. Since the applicant cannot regulate the quantity of alcohol sales within the development, staff is supportive of the method that the applicant is proposing to try to ensure that the restaurant uses function as intended. Lastly, the square footage allotted to individual retail stores will be restricted to encourage the development of more boutique-like establishments.

In order to promote a more walkable, pedestrian-friendly development, a sidewalk will be provided along North Henderson Avenue with a minimum width of 10 feet, and a minimum eight-foot unobstructed tree planting zone between the back of curb and the sidewalk. The North Henderson Avenue frontage will be enhanced with required pedestrian amenities as outlined in the proposed PDD conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Max FAR	PRIMARY Uses
	Front	Side/Rear					
Existing MF-2(A)	15’	15’	Min 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%	None	Multifamily, duplex, single family
Existing PDD 462 (Sub 4)	15’	0’/0’	30 dua	36’	45%	None	Mixed Uses
Existing PDD 462 (Sub 5)	Min 15’/ Max 30’	0’/0’	30 dua	54’	60%	0.75:1	Mixed Uses
Applicant Request PDD 462 (Sub 5A) Tract I	10’*	40’/40’	170,000 sq. ft. max floor area	48’	55%	1.10:1	Mixed Uses
Applicant Request PDD 462 (Sub 5A) Tract II	10’*	24’/85’	20,000 sq. ft. max floor area	36’	55%	3.5:1	Mixed Uses

**Along N. Henderson Ave, 75 percent of any front building façade must meet max of 30 feet*

Height and Setback:

In Tract I of the mixed-use development, the applicant is requesting a maximum building height of 48 feet, with a minimum setback of 40 feet along the northern portion of the site that is adjacent to residentially-zoned properties. An existing 11-foot alley will provide additional separation and serve as a further buffer between the proposed development and the residential lots.

Tract II will be subject to a maximum building height of 36 feet. The property will be buffered from adjacent uses by a minimum rear yard setback of 85 feet and a minimum side yard setback of 24 feet. Staff believes that the proposed width of the setbacks, combined with the limitations on maximum building height are sufficient measures to ensure that the proposed development does not infringe significantly upon the adjacent land uses.

Landscaping and Screening:

Landscaping for the mixed-use development will be provided as shown on the proposed landscape plan. Street trees will be planted within an eight-foot tree planting zone between the back of curb and the sidewalk at a ratio of one tree per every 30 linear feet of street frontage. The landscape plan depicts designated community open space areas as well as private and public urban gardens within the boundary of the development. In an effort to provide adequate privacy and safety to the adjacent residential properties, the applicant is proposing to install an eight-foot solid screening wall along the full length of the northern property line of Tract I and along the side yard and rear yard property lines of Tract II. Staff is recommending that the required screening be constructed of brick, stone, or concrete masonry material.

Parking:

The PDD conditions stipulate that off-street parking located in Subdistrict 5A may not be used to satisfy the required off-street parking of any alcoholic beverage establishment, except for remote parking agreements in existence on or prior to the date of the most recent remote parking agreement. Staff is working with the applicant to research and finalize this date. Lastly, with respect to parking, the PDD conditions originally proposed to limit the number of tandem parking spaces within the parking garage to no more than 50 percent of the required off-street parking spaces. In response to the concern that this amount was excessive, the applicant is now proposing to limit the maximum number of tandem parking to 150 spaces.

Staff supports the proposed mixed-use development since it will be consistent with the objectives of PDD No. 462 and will provide opportunities for new and unique retail and restaurant uses that currently do not exist in the area and will enhance the overall North Henderson Avenue corridor.

Prior CPC Action – June 8, 2017:

Motion I: It was moved to recommend **denial without prejudice** of a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of Henderson Avenue, east of Glencoe Street.

Maker: Rieves
Second: Jung
Result: Failed: 4 to 8

For: 4 - Rieves, Davis, Jung, Ridley

Against: 8 - Anglin, Houston, Shidid, Haney, Housewright, Peadon, Murphy, Tarpley
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Motion II: It was moved to recommend **approval** of a new subdistrict, subject to an applicant's development plan, applicant's landscape plan, and staff's recommended conditions on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street.

Maker: Housewright
Second: Anglin
Result: Carried: 8 to 4

For: 8 - Anglin, Houston, Shidid, Haney, Housewright, Peadon, Murphy, Tarpley

Against: 4 - Rieves, Davis, Jung, Ridley
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Amending Motion I: It was moved to **approve** an amendment to the motion to allow center left-turn lane and not allow on-street parallel parking.

Maker: Anglin
Second: Ridley
Result: Carried: 9 to 3

For: 9 - Anglin, Houston, Shidid, Haney, Jung, Peadon, Murphy, Ridley, Tarpley
Against: 3 - Rieves, Davis, Housewright
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Amending Motion II: It was moved to **approve** an amendment to the motion to restrict all office parking spaces for public use from 7:00 p.m. to 6:00 a.m.

Maker: Rieves
Second: Davis
Result: Failed: 3 to 9

For: 3 - Rieves, Haney, Jung

Against: 9 - Anglin, Houston, Davis, Shidid, Housewright, Peadon, Murphy, Ridley, Tarpley
Absent: 3 - Anantasomboon, Mack, Schultz
Vacancy: 0

Notices: Area: 500 Mailed: 214
Replies: For: 96 Against: 22

Speakers: For: Mark Masinter, 5410 Surrey Cir., Dallas, TX, 75209
Daniel Hernandez, 1929 McMillan Ave., Dallas, TX, 75206
Phillip Long, 1811 Euclid Ave., Dallas, TX, 75206
George Goodenow, 2002 Moser Ave., Dallas, TX, 75206
Robert Hunt, 5811 Gaston Ave., Dallas, TX, 75214
Dennis Craig, 5200 Capitol Ave., Dallas, TX, 75206
Ian Blair, 1830 Moser Ave., Dallas, TX, 75206
Lee Small, 2737 N. Fitzhugh Ave., Dallas, TX, 75204
Tommy Mann, Address not given
Mr. Good, Address not given
Evan Beattie, 2808 Fairmont St., Dallas, TX, 75243
For (Did not speak): Marla Brandt, 5331 Tremont St., Dallas, TX, 75214
Stephen Merkle, 2817 Amherst Ave., Dallas, TX, 75225
Randal Baker, 2305 Cedar Springs Rd., Dallas, TX, 75201
Against: Fonya Mondell, 1918 Moser Ave., Dallas, TX, 75206
Rick Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Against (Did not speak): Judith Tichansky, 1912 Moser Ave., Dallas, TX, 75206
Staff: Lloyd Denman, Assistant Director, Engineering, City of Dallas

Prior CPC Action – May 4, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until June 8, 2017.

Maker: Rieves
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston*, Davis, Shidid, Anantasomboon, Haney, Mack, Jung*, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 214
Replies: For: 99 Against: 19

Speakers: None

Prior CPC Action – April 6, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until May 4, 2017.

Maker: Rieves
Second: Housewright
Result: Carried: 15 to 0

For: 15 - Anglin, Rieves, Houston*, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 214
Replies: For: 99 Against: 19

Speakers: None

Prior CPC Action – February 16, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until April 6, 2017.

Maker: Rieves
Second: Ridley
Result: Carried: 12 to 0

For: 12 - Anglin, Rieves, Houston, Davis, Shidid*, Haney, Mack, Jung, Housewright*, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Anantasomboon, Schultz, Tarpley
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 214
Replies: For: 96 Against: 22

Speakers: None

Prior CPC Action – January 5, 2017:

Motion: In consider an application for a new subdistrict on property zoned Subdistricts 4 and 5 within Planned Development District No. 462, and an MF-2(A) Multifamily District, on the northeast side of North Henderson Avenue, between McMillan Avenue and Glencoe Street, and the southwest side of North Henderson Avenue, east of Glencoe Street, it was move to **hold** this case under advisement until February 16, 2017.

Maker: Rieves
Second: Houston
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 500 Mailed: 214
Replies: For: 98 Against: 20

Speakers: For: Mark L. Masinter, 5410 Surrey Cir., Dallas, TX, 75209
Evan Beattie, 2808 Fairmount St., Dallas, TX, 75201
Spencer Bryson, 2025 Glencoe St., Dallas, TX, 75206
Crystal Nolan, 1833 McMillian Ave., Dallas, TX, 75206
Tommy Mann, 2728 N. Harwood St., Dallas, TX, 75201
Brooks Anderson, 5624 Goodwin Ave., Dallas, TX, 75206
For (Did not speak): Daniel Hernandez, 5321 Belmont Ave., Dallas, TX, 75206
Debora Gonzales, 5308 & 5310 Belmont Ave., Dallas, TX, 75206
Brian Payne, 1929 McMillan Ave., Dallas, TX, 75206
Ian Blair, 1830 Moser Ave., Dallas, TX, 75206
Tommy Dealano, 5237 Vickery Blvd., Dallas, TX, 75206
Neal Zurbriggen, 1833 McMillan Ave., Dallas, TX, 75206
Against: Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Robert Irvin, 5234 Goodwin Ave., Dallas, TX, 75206
Richard Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Susana Infante, 2023 Cullen Dr., Dallas, TX, 75206
David McCullough, 1914 Moser Ave., Dallas, TX, 75206
Against (Did not speak): Fonya Mondell, 1918 Moser Ave., Dallas, TX, 75206
Staff: Hamid Fard, Traffic Engineering Division

Officers and Directors

Owner: **HENDERSON LOTS OWNER (DALLAS), LLC**

David Thompson Chief Financial Officer

HENDERSON MAIN (DALLAS), LLC

David Thompson Chief Financial Officer

HENDERSON RESIDENTIAL LANDS (DALLAS), LLC

David Thompson Chief Financial Officer

HENDERSON RETAIL LANDS (DALLAS), LLC

David Thompson Chief Financial Officer

CPC RECOMMENDED CONDITIONS

ARTICLE 462.

PD 462.

SEC. 51P-462.101. LEGISLATIVE HISTORY.

PD 462 was established by Ordinance No. 22969, passed by the Dallas City Council on December 11, 1996. Ordinance No. 22969 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 22969 was amended by Ordinance No. 23010, passed by the Dallas City Council on January 22, 1997, and Ordinance No. 23976, passed by the Dallas City Council on August 11, 1999. (Ord. Nos. 19455; 22969; 23010; 23976; 25423)

SEC. 51P-462.102. PROPERTY LOCATION AND SIZE.

PD 462 is established on property generally located along both sides of Henderson Avenue between Central Expressway and Ross Avenue. The size of PD 462 is approximately 41.84 acres. (Ord. Nos. 22969; 23010; 25423)

SEC. 51P-462.103. PURPOSE.

This article provides standards specifically tailored to meet the needs of the Henderson Avenue Area, between North Central Expressway and Ross Avenue, which is hereby designated as an area of historical, cultural, and architectural importance and significance to the citizens of the City of Dallas. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

(1) Accommodate the existing mix of uses in the area.

(2) Protect the internal and adjacent stable residential neighborhoods.

(3) Preserve and enhance the architectural and cultural significance of the area.

(4) Strengthen neighborhood identity.

(5) Create a more desirable pedestrian environment. (Ord. Nos. 22969; 25423)

SEC. 51P-462.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations contained in Chapter 51A apply to this article.

(b) Unless the context clearly indicates otherwise, in this article:

(0.1) BLADE SIGN means a sign projecting perpendicular from the building façade or corner of the building.

(0.2) BODY PIERCING STUDIO means a facility in which a perforation is created in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(0.3) COFFEE-ROASTING SHOP means a retail use that (i) prepares coffee beans for use by roasting them; (ii) sells coffee and coffee-based beverages for consumption on or off the premises; and (iii) in which limited food service may be accessory to the sale of these beverages. Coffee roasters, rotary cylinders, and similar specialty equipment may be used for the roasting and preparation of coffee-beans.

(1) FACING A STREET means parallel to or within 45 degrees of being parallel (excluding ornamental features) to a street, and marking the extent of a front yard.

(2) FLUORESCENT COLOR means any color defined by the Munsell Book of Color as having a minimum value of eight and a minimum chroma of ten.

(3) MAJOR MODIFICATION means modifications to an original building within an one-year period where the value of the modifications as stated on applications for building permits exceeds 50 percent of the building's assessed value as determined by the Dallas Central Appraisal District.

(3.1) MASSAGE ESTABLISHMENT means a massage establishment as defined by Section 25A-1 of Chapter 25A of the Dallas City Code, as amended.

(4) NEW CONSTRUCTION means construction of a structure that is not an original building.

(5) OPENING means a door, window, passageway, or any other feature through which light or solid objects may pass.

(6) ORIGINAL BUILDING means a building constructed on or before the date of passage of Ordinance No. 22969.

(7) RETAIL USE means any use listed in Section 51P 462.108(a)(8) of this article.

(8) TATTOO STUDIO means an establishment or facility in which 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 is performed.

(9) TANDEM PARKING SPACE means a parking space that is only accessed by passing through another parking space.

(10) UNDER AWNING SIGN means a sign plate with tenant letters and graphics limited to eight square feet attached (i) from a canopy or awning above with rigid support, or (ii) perpendicular from the vertical face of a building.

(11) VISIBLE REFLECTANCE means the percentage of available light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

(c) Unless otherwise stated, all code references are to Chapter 51A.

(d) Except as otherwise provided for Subdistrict 5A, the provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans, conceptual plans, and development plans do not apply to this district.

(e) 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 *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) 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. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, 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.)

(f) Unless the context clearly indicates otherwise, this district is considered to be a residential district for purposes of interpreting Chapter 51A. (Ord. Nos. 22969; 25423; 26352)

SEC. 51P-462.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 462A: Tract map.

(2) Exhibit 462B: Approved list of plant materials.

(3) Exhibit 462C: Subdistrict 5A development plan.

(4) Exhibit 462D: Subdistrict 5A landscape plan.

SEC. 51P-462.105. ZONING CLASSIFICATION CHANGE.

Chapter 51A is amended by changing the zoning classification from an MF-2(A) Multifamily District, a CR Community Retail District, a CR-D Community Retail-Dry District, an NO(A) Neighborhood Office District, and an MU-1 Mixed Use District to Planned Development District No. 462 and Planned Development District No. 462-Dry (the Henderson Avenue Special Purpose District) on the property described in Ordinance No. 22969, as amended by Ordinance No. 23010. (Ord. Nos. 22969; 23010; 25423)

SEC. 51P-462.106. CREATION OF SUBDISTRICTS.

(a) A map, Exhibit 462A, shows the boundaries of the district and the seven subdistricts. Property descriptions of the subdistricts are provided as Exhibit A of Ordinance No. 22969, as amended. In the event of a conflict between Exhibit A of Ordinance No. 22969 and Exhibit 462A, Exhibit A of Ordinance No. 22969 controls.

(b) The subdistricts are hereby established for purposes of this article. Use regulations and development standards for each subdistrict are set out below. (Ord. Nos. 22969; 23010; 25423; 25441; 26352; 26723)

SEC. 51P-462.107. DEVELOPMENT PLAN.

(a) In general. Except as provided in this section, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. Nos. 22969; 25423)

(b) Subdistrict 5A. Development and use of the Property must comply with the Subdistrict 5A development plan (Exhibit 486C). If there is a conflict between this article and the development plan, the text of this article controls.

SEC. 51P-462.108. SUBDISTRICTS 1, 3, 3A, AND 5.

(a) Main uses permitted in Subdistricts 1, 3, and 5.

(1) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.
-- Medical or scientific laboratory.

(2) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child-care facility. *[SUP]*
-- Church.
-- College, university, or seminary.
-- Community service center. *[SUP]*
-- Hospital. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school.

(3) Lodging uses.

-- Hotel or motel. *[SUP]*
-- Lodging or boarding house. *[SUP]*

(4) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(5) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[SUP]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(6) Recreation uses.

-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(7) Residential uses.

-- Duplex.
-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
-- Multifamily.
-- Single family.

(8) Retail and personal service uses.

-- Ambulance service.
-- Animal shelter or clinic without outside run.
-- Auto service center.
-- Bar, lounge, or tavern.
-- Business school.
-- Car wash. *[SUP]*
-- Commercial amusement (inside).
-- Commercial amusement (outside). *[SUP]*
-- Commercial parking lot or garage. *[RAR]*
-- 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.
-- 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.
-- Temporary retail use.
-- Theater.

(9) Transportation uses.

-- Transit passenger shelter.
-- Transit passenger station or transfer center.

(10) Utility and public service uses.

-- Electrical substation.
-- Local utilities.
-- Police or fire station.
-- Post office.
-- Radio, television, or microwave tower. *[SUP]*
-- Tower/antenna for cellular communication.
-- Utility or government installation other than listed.

(11) Wholesale, distribution, and storage uses.

-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.

(b) Main uses permitted in Subdistrict 3A.

(1) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.

(2) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child-care facility. *[SUP]*
-- Library, art gallery, or museum.

(3) Miscellaneous uses.

-- Temporary construction or sales office.

(4) Office uses.

-- Financial institution without drive-in window.
-- Financial institution with drive-in window. *[SUP]*
-- Medical clinic or ambulatory surgical center.
-- Office.

(5) Residential uses.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
-- Multifamily.

(6) Retail and personal service uses.

-- Animal shelter or clinic without outside run.
-- Commercial parking lot or garage. *[RAR]*
-- 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.
-- Household equipment and appliance repair.
-- Nursery, garden shop, or plant sales.

-- Personal service uses. *[Barber/beauty shop and nail salon allowed by right. Massage establishments, tattoo studios, and body piercing studios prohibited. Massage establishments, tattoo studios, and body piercing studios must be treated as a separate main use and cannot be an accessory use. SUP required for all other personal service uses.]*
-- Restaurant without drive-in or drive-through service.
-- Temporary retail use.

(7) Transportation uses.

-- Transit passenger shelter.

(8) Utility and public service uses.

-- Local utilities.

(c) Accessory uses.

(1) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory uses are not permitted in Subdistricts 1, 3, 3A, and 5:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological waste incinerator.
-- Private stable.

(d) Yard, lot, and space regulations. Except as provided in the urban design guidelines, the following yard, lot, and space regulations apply to all properties within Subdistricts 1, 3, 3A, and 5. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51-4.400. In the event of a conflict between this subsection and Division 51-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet. Maximum front yard is 30 feet.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. Maximum dwelling unit density is 30 dwelling units per acre.

(4) Floor area. Maximum floor area ratio is .75:1.

(5) Height. Maximum structure height is 54 feet.

(6) Lot coverage. Maximum lot coverage is 60 percent.

(7) Lot size. No minimum lot size.

(8) Stories. Maximum number of stories is four.

(e) Off-street parking and loading. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(f) Environmental performance standards. See Article VI.

(g) Landscaping.

(1) All landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

(2) Plant material must be maintained in a healthy, growing condition.

(h) Street trees.

(1) Except in Subdistrict 1, a tree must be planted within the right-of-way at a density of one tree for each 30 linear feet of frontage, exclusive of driveways.

(2) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating the trees in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by that director and accompanied by plans or drawings showing the area of the parkway affected and the planting proposed.

(3) Upon receipt of the application and any required fees, the director of public works and transportation shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, that director determines that the planting proposed will not be inconsistent with or unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise he shall deny the permit.

(4) A property owner is not required to comply with the street tree planting requirement of this subsection if compliance is made impossible due to the denial of a parkway landscape permit by the director of public works and transportation.

(5) A parkway landscape permit issued by the director of public works and transportation is subject to immediate revocation upon written notice if at any time the director 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 requirements of this section if compliance is made impossible due to that director's revocation of the parkway landscape permit.

(6) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees in the public right-of-way.

(i) Signs. Signs must comply with the provisions for business zoning districts contained in Article VII.

(j) Urban design guidelines for new construction or major modifications. Plans for new construction or a major modification of a structure must incorporate the following mandatory requirements and at least one-half of the following design options.

(1) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Development Services, or contact the Building Official Plans Examiner for information on CPTED review standards. The Building Official, or his designee, will review for compliance.

(2) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure in Subdistricts 1, 3, 3A, and 5.

(3) Use of metals on facades. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area.

(4) Façade openings. The percentage of a front façade containing openings must be between 10 and 90 percent. For purposes of this paragraph, "front façade" means any façade facing a street.

(5) Reflective glass. The maximum permitted visible reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The visible reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The visible reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.

(6) Façade materials. Excluding openings, all building facades must be constructed of stone, brick, glass block, tile, cast metal, concrete, stucco, materials giving the appearance of concrete or stucco, or cast stone. Any façade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete or stucco as a primary façade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that façade area, excluding windows and doors.

(7) Lighting. Exterior lighting must be oriented onto the property they light and directed away from adjacent properties.

(8) Design options. A minimum of one-half of the following requirements must be met:

(A) Retail uses. Allocate a minimum of one-half of the ground floor area to retail uses.

(B) Awning or arcade. Provide an awning or arcade which covers a minimum of one-half of the façade facing a street. To qualify, the arcade or awning must have a minimum depth of three and one-half feet.

(C) Public art. Allocate a minimum of one and one-half percent of the value of the improvements stated in the building permit application to public art. Public art must be visible from the street at all times.

(D) Seasonal color. Provide a landscape area for seasonal color which is the size of a minimum of one-half of a square foot multiplied by the number of feet of frontage the property has. The plants in the landscape area must be changed at least twice a year with the appropriate seasonal colors indicated in Exhibit 462B. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(E) Water features. Allocate five percent of the value of the improvements stated in the building permit application to a water feature, such as a fountain, pool, mechanical water jet, or similar water device. The water feature must be visible from a public right-of-way.

(F) Flags and banners. Allocate 10 percent of the building façade area to an equivalent area of either flags or banners. To qualify, the flags or banners may not fall within the definition of "sign" contained in Article VII of the Dallas Development Code, as amended.

(G) Ground floor light fixtures. Provide decorative light fixtures that frame a ground floor entry or create a repeating motif along the facade of the ground floor.

(H) Pedestrian seating. Provide pedestrian seating in an area which covers one-half of the width of the building.

(I) Paving materials. Cover 50 percent of the outdoor walkway area accessible to the public with decorative pavement. For purposes of this subparagraph, decorative pavement means pavers of colored concrete, brick, or stone.

(J) Open space. Allocate 100 square feet of the required front yard to open space. For purposes of this subparagraph, open space means a space containing no structures or pavement at or above grade. Open space must contain, at a minimum, grass or other natural vegetation.

(k) Urban design guidelines for all other exterior structure modifications. All exterior structure modifications, of whatever kind, must comply with the following regulations.

(1) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent

possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Development Services, or contact the Building Official Plans Examiner for information on CPTED review standards.

(2) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure in Subdistricts 1, 3, 3A, and 5.

(3) Use of metals on facades. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area.

(4) Façade openings. The percentage of a front façade containing openings must be between 10 and 90 percent. For purposes of this paragraph, "front facade" means any façade facing a street.

(5) Reflective glass. The maximum permitted visible reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The visible reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The visible reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.

(6) Façade materials. Excluding openings, all building facades must be constructed of stone, brick, glass block, tile, cast metal, concrete, stucco, materials giving the appearance of concrete or stucco, or cast stone. Any façade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete or stucco as a primary façade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that façade area, excluding windows and doors.

(7) Lighting. Exterior lighting must be oriented onto the property they light and directed away from adjacent properties.

(l) Commercial alley access. Commercial alley access is prohibited in Subdistrict 3A. (Ord. Nos. 22969; 23976; 25423; 26340; 26352)

SEC. 51P-462.109. SUBDISTRICTS 2 AND 4.

(a) Main uses permitted.

(1) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child care facility. *[SUP]*
-- Church.
-- Public or private school.

(2) Residential uses.

-- Duplex.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
-- Multifamily.
-- Single family.

(3) Transportation uses.

-- Transit passenger shelter.

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory uses are not permitted in Subdistricts 2 and 4:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory outside display of merchandise.
-- Accessory outside sales.
-- Accessory pathological waste incinerator.
-- Private stable.

(c) Yard, lot, and space regulations. Except as provided in the urban design guidelines, the following yard, lot, and space regulations apply to all properties within Subdistricts 2 and 4. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51-4.400. In the event of a conflict between this subsection and Division 51-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. Maximum dwelling unit density is 30 dwelling units per acre.

(4) Floor area. No maximum floor area ratio.

(5) Height. Maximum structure height is 36 feet.

(6) Lot coverage. Maximum lot coverage is 45 percent.

(7) Lot size. No minimum lot size.

(8) Stories. No maximum number of stories.

(d) Off-street parking and loading. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(e) Environmental performance standards. See Article VI.

(f) Landscaping.

(1) Except as provided in Subsection (f)(2) below, all landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

(2) A minimum of three three-inch caliper trees, two of which must be located in the required front yard, must be planted on the lot containing a new single family use.

(3) Plant material must be maintained in a healthy, growing condition.

(g) Signs. Signs must comply with the provisions for non-business zoning districts contained in Article VII.

(h) Urban design guidelines. All new construction and exterior structure modifications must comply with the following design guidelines.

(1) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Development Services, or contact the Building Official Plans Examiner for information on CPTED review standards. The Building Official, or his designee, will review for compliance.

(2) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure in Subdistricts 2 and 4.

(3) Façade materials. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area. (Ord. Nos. 22969; 25423)

SEC. 51P-462.109.1. SUBDISTRICT 5A

(a) Creation of tracts. Subdistrict 5A is divided into two tracts: Tract I and Tract II as shown on the Subdistrict 5A development plan.

(b) Main uses permitted. The following uses are the only main uses permitted:

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.

(3) Industrial uses.

None permitted

(4) Institutional and community service uses.

-- Adult day care facility. *[SUP]*
-- Child-care facility. *[SUP]*
-- Library, art gallery, or museum.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

None permitted.

(9) Residential uses.

None permitted.

(10) Retail and personal service uses.

-- Animal shelter or clinic without outside run.
-- Coffee-roasting shop
-- Commercial parking lot or garage. *[RAR]*
-- 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.
-- Household equipment and appliance repair.
-- Nursery, garden shop, or plant sales.
-- Personal service uses. *[Barber/beauty shop, nail salon, shoe repair, tailor, instructional arts studio, photography studio, laundry or cleaning pick up and receiving station, handcrafted artwork studio, safe deposit boxes, travel bureau, and custom painting or duplicating shop allowed by right. Massage establishments, tattoo studios, and body piercing studios prohibited. Massage establishments, tattoo*

studios, and body piercing studios cannot be an accessory use. SUP required for all other personal service uses.]

-- Restaurant without drive-in or drive-through service *[minimum 50% food sales per SEC. 51P-462.110(l)(2); total maximum of 12,000 square feet for all restaurant uses combined].*

-- Temporary retail use.

-- Theater *[SUP]*

(11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Local utilities.

(c) Accessory uses.

(1) 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.

(2) The following accessory uses are not permitted:

-- Accessory helistop.

-- Accessory medical/infectious waste incinerator.

-- Accessory outside display of merchandise.

-- Accessory outside sales.

-- Accessory pathological waste incinerator.

-- Private stable.

(e) Yard, Lot and Space Regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. If there is a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) In general. Except as provided in the urban design guidelines, the yard, lot, and space regulations in this paragraph apply to all properties within Subdistrict 5A.

(2) Front yard.

(A) Minimum front yard is 10 feet.

(B) Along Henderson Avenue, 75 percent of any front building façade must meet a maximum front yard of 30 feet.

(C) Underground parking structures may extend to the property line.

(D) The following may project to the property line: awnings and canopies (minimum 12 foot clearance above sidewalk), retaining walls, stoops, and stairs.

(E) In Tract II, buildings may encroach into the front yard in those areas shown on the Subdistrict 5Adevelopment plan.

(3) Side yard.

(A) Tract I. Minimum side yard is the greater of 40 feet or as shown on the development plan. Underground parking structures may extend to the property line.

(B) Tract II. Minimum side yard is 24 feet.

(4) Rear yard.

(A) Tract I. Minimum rear yard is 40 feet.

(B) Tract II. Minimum rear yard is 85 feet.

(5) Floor area.

(A) Maximum ground level floor area for any use is 14,000 square feet. Contiguous retail uses with separate certificates of occupancy are considered separate uses.

(B) Tract I: Maximum total floor area is 170,000 square feet. Maximum floor area for retail, personal service, and restaurant uses is 82,000 square feet subject to the following additional restrictions:

(i) Except as otherwise provided in this subparagraph, no retail or personal service use may be greater than 11,000 square feet.

(ii) Two retail and personal service uses may be greater than 11,000 square feet subject to the following:

(aa) One retail and personal service use between 11,000 and 21,000 square feet is permitted.

(bb) One retail and personal service use between 11,000 and 15,000 square feet is permitted.

(C) Tract II: Maximum total floor area is 20,000 square feet.

(6) Height. Maximum structure heights are as indicated on the development plan.

(A) Only the following projections above the maximum structure height are allowed:

(i) Parapet walls: up to one foot above the maximum

structure height.

(ii) Mechanical equipment, surrounding screening walls, and elevator overruns: a maximum of 10 feet above the maximum structure height only if placed a minimum of 20 feet from the building perimeter as designated on the development plan.

(7) Lot coverage. Maximum lot coverage is 55 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots, and underground parking structures are not.

(8) Minimum lot size. No minimum lot size.

(9) Stories. Except as further restricted on the Subdistrict 5A development plan, maximum number of stories above grade is three.

(f) Off-street parking and loading.

(1) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(2) Off-street parking located in Subdistrict 5A may not be used to satisfy the required off-street parking of any use, except for remote parking agreements in existence on or prior to [date of most recent remote parking agreement], as may be amended in the future. The maximum number of off-street parking spaces that may be provided pursuant to remote parking agreements is 42 spaces.

(3) Valet service may only park vehicles in a below grade parking structure.

(4) Subarea 5A is considered one lot for purposes of off-street parking.

(5) The maximum number of parking spaces located in a below grade parking structure is 755, with a maximum of 150 tandem parking spaces. For tandem parking spaces, an attendant must be provided to park vehicles during business hours of the main uses.

(6) Required off-street parking for a coffee roasting shop is one space per 200 square feet of floor area.

(g) Environmental performance standards. See Article VI.

(h) Landscaping.

(1) In general. Except as provided in this subsection, landscaping must be provided as shown on the Subdistrict 5A landscape plan (Exhibit 462D).

(2) Minor deviations. At time of building permit, the building official may approve minor deviations in the location of trees and other plantings due to conflicts with utilities, driveways, or other infrastructure.

(3) Street trees. A tree must be planted within the right-of-way at a density of one tree for each 30 linear feet of frontage, exclusive of driveways and required visibility triangles.

(i) Signs.

(1) In general. Except as provided in this subsection, signs must comply with the provisions for business zoning districts in Article VII

(2) Attached signs.

(A) On the primary façade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary façade. On each secondary façade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary façade.

(B) Blade signs may project no more than 48 inches from the surface of a structure. The lowest part of a blade sign must be located at least eight feet above grade.

(C) Under awning signs are permitted for each ground-level premise or each individual non-residential occupancy. The maximum effective area for an under awning sign is eight square feet. The lowest part of an under awning sign must be located at least eight feet above grade.

(D) The combined effective area of all signs attached to any window or any glass door may not exceed 10 percent of the area of that window or glass door.

(3) Detached signs.

(A) One monument sign may be located at the driveway entrance in the location shown on the Subdistrict 5A development plan. The monument sign may be a multi-tenant sign. The highest part of the monument sign may not exceed 10 feet in height. The maximum effective area of the monument sign is 150 square feet. The monument sign must be set back at least 10 feet in a front yard and at least five feet in a side yard.

(B) One monument sign may be located at the intersection of Henderson Avenue and Glencoe Street and one monument sign may be located at the intersection of Henderson Avenue and McMillan Avenue in the locations shown on the Subdistrict 5A development plan. These monument signs may be multi-tenant signs. The highest part of these monument signs may not exceed four feet in height. The maximum effective area for these monument signs if 32 square feet. These monument signs must be setback at least 10 feet from the street.

(4) Additional Provisions.

(A) Rooftop signs are prohibited.

(B) Illumination of signs is only permitted on a building façade facing Henderson Avenue.

(j) Urban design guidelines for new construction or major modifications.

(1) Plans for new construction or a major modification of a structure must incorporate the following mandatory requirements:

(A) Crime Prevention Through Environmental Design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained in the Department of Sustainable Development and Construction, or contact the building official plans examiner for information on CPTED review standards. The Building Official, or his designee, will review for compliance.

(B) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure.

(C) Use of metals on facades. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total façade area.

(D) Façade openings. The percentage of a front façade containing openings must be between 10 and 90 percent. For purposes of this paragraph, "front façade" means any façade facing a street.

(E) Reflective glass. The maximum permitted visible reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The visible reflectance of glass used on the exterior of the first story of a building may not exceed 15 percent. The visible reflectance of exterior glass used above the first story of the building may not exceed 25 percent.

(F) Façade materials. Excluding openings, all building facades must be constructed of stone, brick, glass block, tile, cast metal, concrete, stucco, materials giving the appearance of concrete, or cast stone and for buildings less than 5,000 square feet in floor area, cementitious siding may also be used as a primary façade material. Any façade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete as a primary façade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that façade area, excluding windows and doors. EIFS and other simulated stucco products are prohibited.

(G) Lighting. Exterior lighting must be oriented onto the property it lights and directed away from adjacent properties. Light standards, excluding wall packs on structures, may be a maximum of 16 feet in height to the top of the fixture.

(H) Pedestrian amenities. The following pedestrian amenities must be provided along the Henderson Avenue frontage:

(i) a minimum of 10 and a maximum of 21 benches;

(ii) a minimum of eight and a maximum of 10 trash cans; and

(iii) a minimum of 16 bicycle parking spaces within 75 feet of the Henderson Avenue frontage.

(2) Design options. A minimum of five of the following requirements must be met:

(A) Retail uses. Allocate a minimum of one-half of the ground floor area to retail uses.

(B) Awning or arcade. Provide an awning or arcade which covers a minimum of one-half of the façade facing a street. To qualify, the arcade or awning must have a minimum depth of three and one-half feet.

(C) Public art.

(i) Provide public art that is visible from public right-of-way. Examples of public art include art that is incorporated into the sidewalk or building façade, or freestanding art.

(ii) The public art must be located in exterior open space that contains a minimum of 500 square feet of land area and contains a minimum of two of the following:

(aa) benches, seat walls, or seating areas;

(bb) trash receptacles;

(cc) drinking fountains;

(dd) shade structures, understory shade trees, or awnings.

(iii) The public art may be located in the same exterior open space as a water feature allowed by this section.

(D) Seasonal color. Provide a landscape area for seasonal color which is the size of a minimum of one-half of a square foot multiplied by the number of feet of frontage the property has. The plants in the landscape area must be changed at least twice a year with the appropriate seasonal colors indicated in Exhibit 462B. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season

(E) Water features.

(i) Provide a water feature, such as a fountain, pool, mechanical water jet, or similar water device. The water feature must be visible from a public right-of-way.

(ii) The water feature must be located in exterior open space that contains at least 500 square feet of land area and contains a minimum of two of the following:

(aa) benches, seat walls, or seating areas;

(bb) trash receptacles;

(cc) drinking fountains;

(dd) shade structures, understory shade trees, or awnings.

(iii) The water feature may be located in the same exterior open space as public art required by this section.

(F) Flags and banners. Allocate 10 percent of the building façade area to an equivalent area of either flags or banners. To qualify, the flags or banners may not fall within the definition of "sign" contained in Article VII.

(G) Ground floor light fixtures. Provide decorative light fixtures that frame a ground floor entry or create a repeating motif along the facade of the ground floor.

(H) Pedestrian seating.

(i) Provide pedestrian seating in an area which covers one-half of the width of the building.

(ii) The pedestrian seating area may be contained in the same exterior open space as public art or a water feature required by this section.

(I) Paving materials. Cover 50 percent of the outdoor walkway area accessible to the public with decorative pavement. For purposes of this subparagraph, decorative pavement means pavers of colored concrete, brick, or stone.

(J) Open space. Allocate a minimum of 5,000 square feet of the required front yard on Glencoe and 2,000 square feet of the required front yard on McMillan to open space. For purposes of this subparagraph, open space means a space containing no enclosed structures at or above grade. Open space must contain, at a minimum, grass or other natural vegetation and a minimum of two of the following:

(i) benches, seat walls, or seating areas;

(ii) trash receptacles;

(iii) drinking fountains;

(iv) shade structures, understory shade trees, or awnings.

(k) Additional Provisions.

(1) Rooftop use.

(A) Commercial greenhouses used for crop production may be located on a rooftop in the locations shown on the development plan.

(B) Restaurant uses may not locate dining areas on a rooftop. For all other uses, outdoor gathering areas must be screened so as not to be visible from grade of an abutting property located in an R, R(A), D, D(A), TH, or TH(A) zoning district.

(2) Restaurant use.

(A) Outdoor dining is prohibited after midnight.

(B) No restaurant may be located in the building adjacent to McMillan Avenue as indicated on the Subdistrict 5A development plan.

(C) A restaurant must derive 50 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of food.

(i) The person owning or operating the use shall, upon request, supply the building official with any records needed to document the percentage of gross revenue for the previous 12 month period derived from the sale or service of food.

(3) No balconies or outdoor seating areas may face an abutting residential district.

(4) After 6:00pm, a minimum of one peace officer or security personnel must be provided on the Property to monitor activity of the retail parking area.

(5) Use of outdoor speakers or other outdoor amplified sound equipment is prohibited.

SEC. 51P-462.110. MAINTENANCE OF THE PROPERTY.

The Property must be maintained in a state of good repair and neat appearance. (Ord. Nos. 22969; 25423)

SEC. 51P-462.111. COMPLIANCE WITH ALL OTHER LAWS.

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. Nos. 22969; 25423)

SEC. 51P-462.112. CONSTRUCTION STANDARDS.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 22969; 25423; 26102)

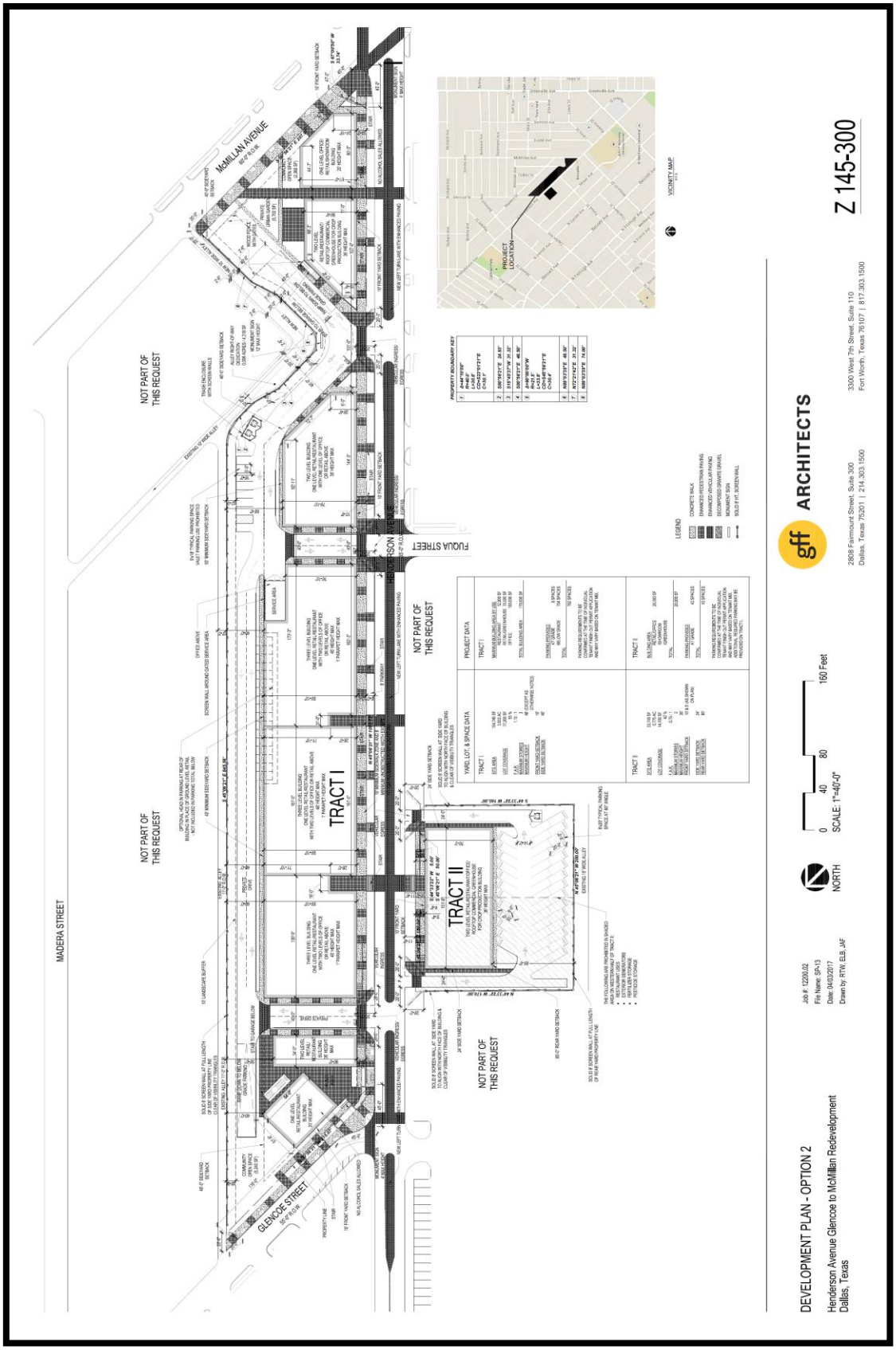
SEC. 51P-462.113. COMPLIANCE REQUIRED.

The building official shall not issue a building permit or a certificate of occupancy for a use ion this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all of other ordinances, rules, and regulations of the city. (Ord. Nos. 22969; 25423; 26102)

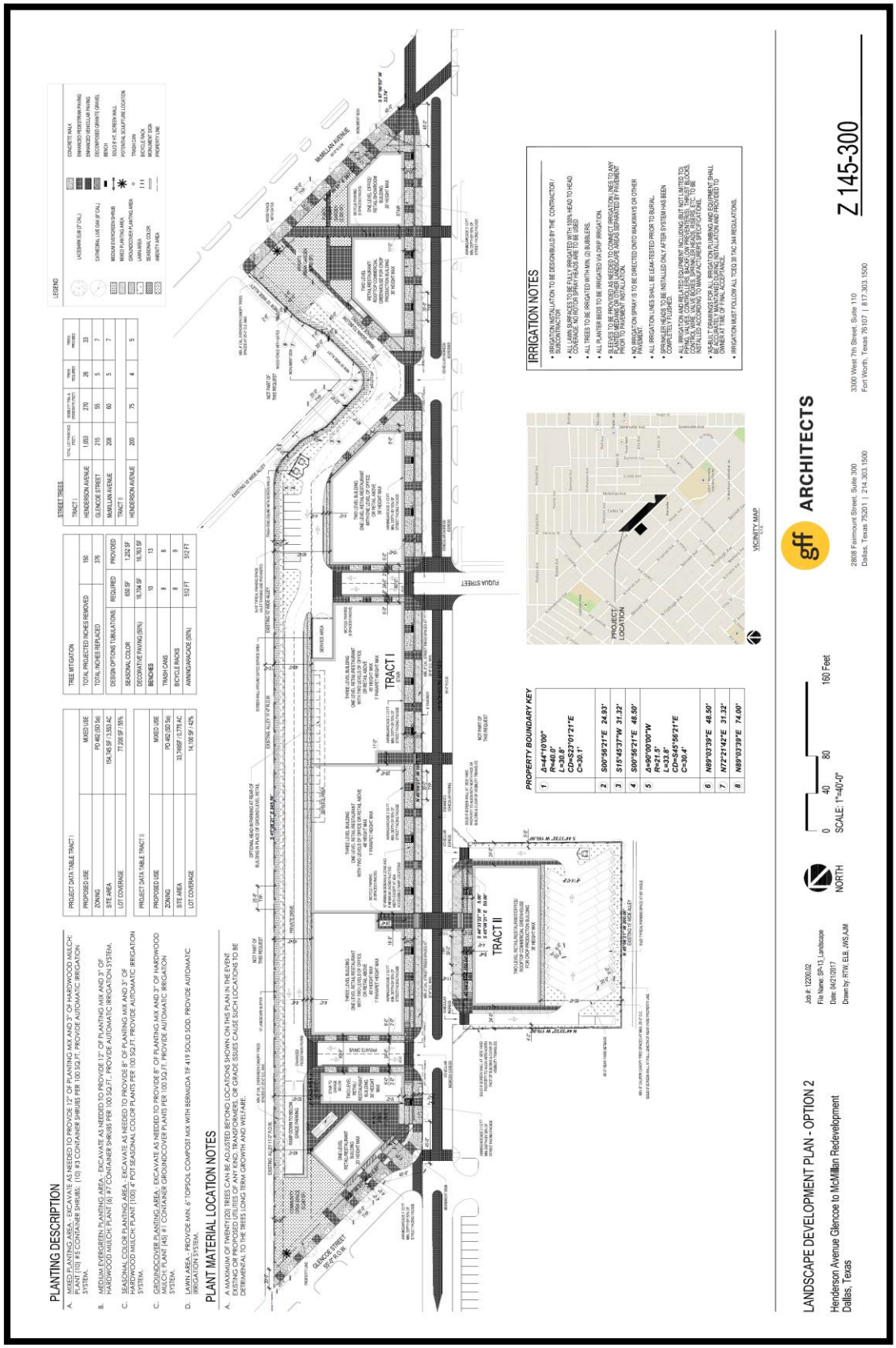
[~~**SEC. 51P-462.114. ZONING MAP.**~~

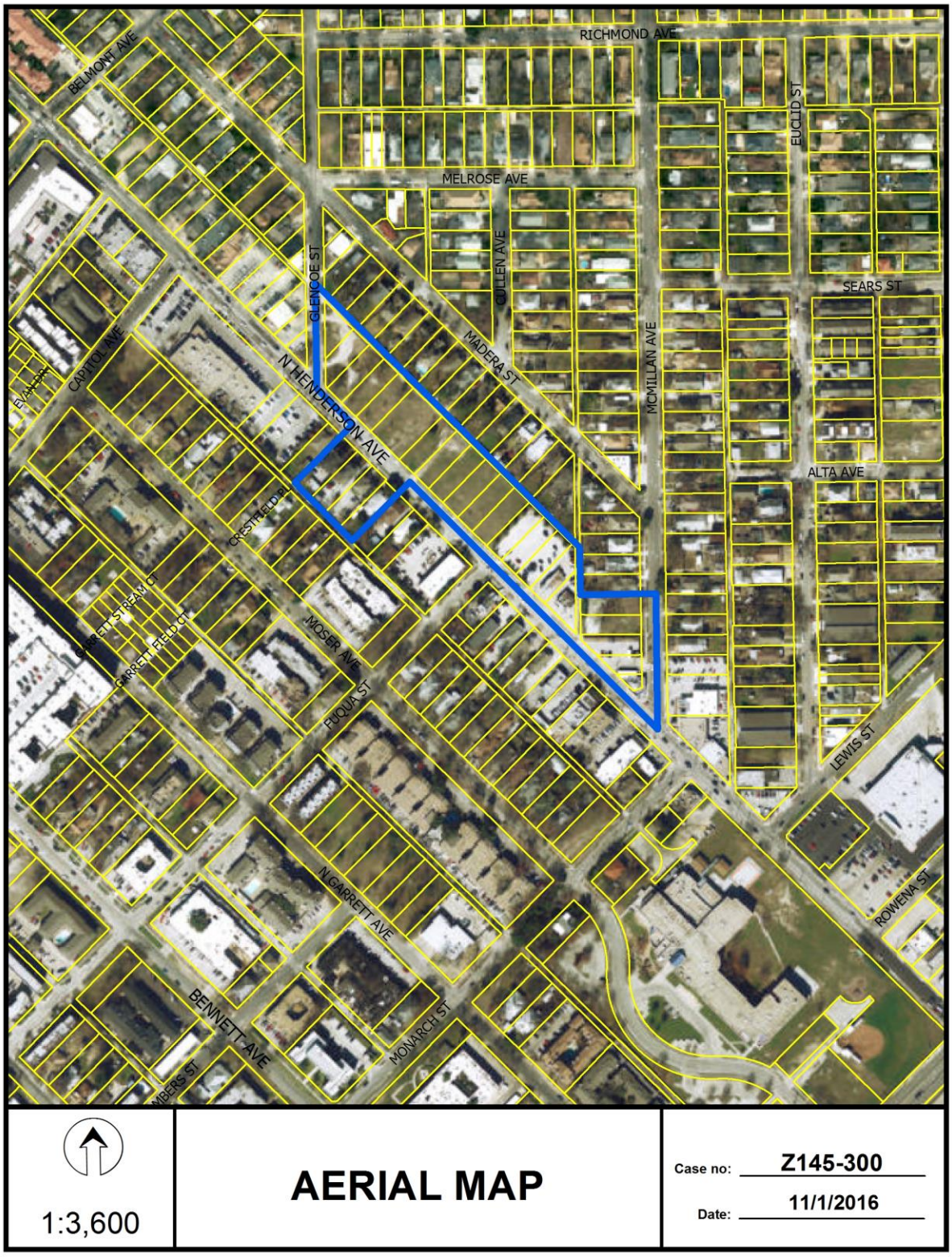
~~PD 462 is located on Zoning Map Nos. H-7, H-8, I-7, and I-8.~~] (Ord. Nos. 22969; 25423

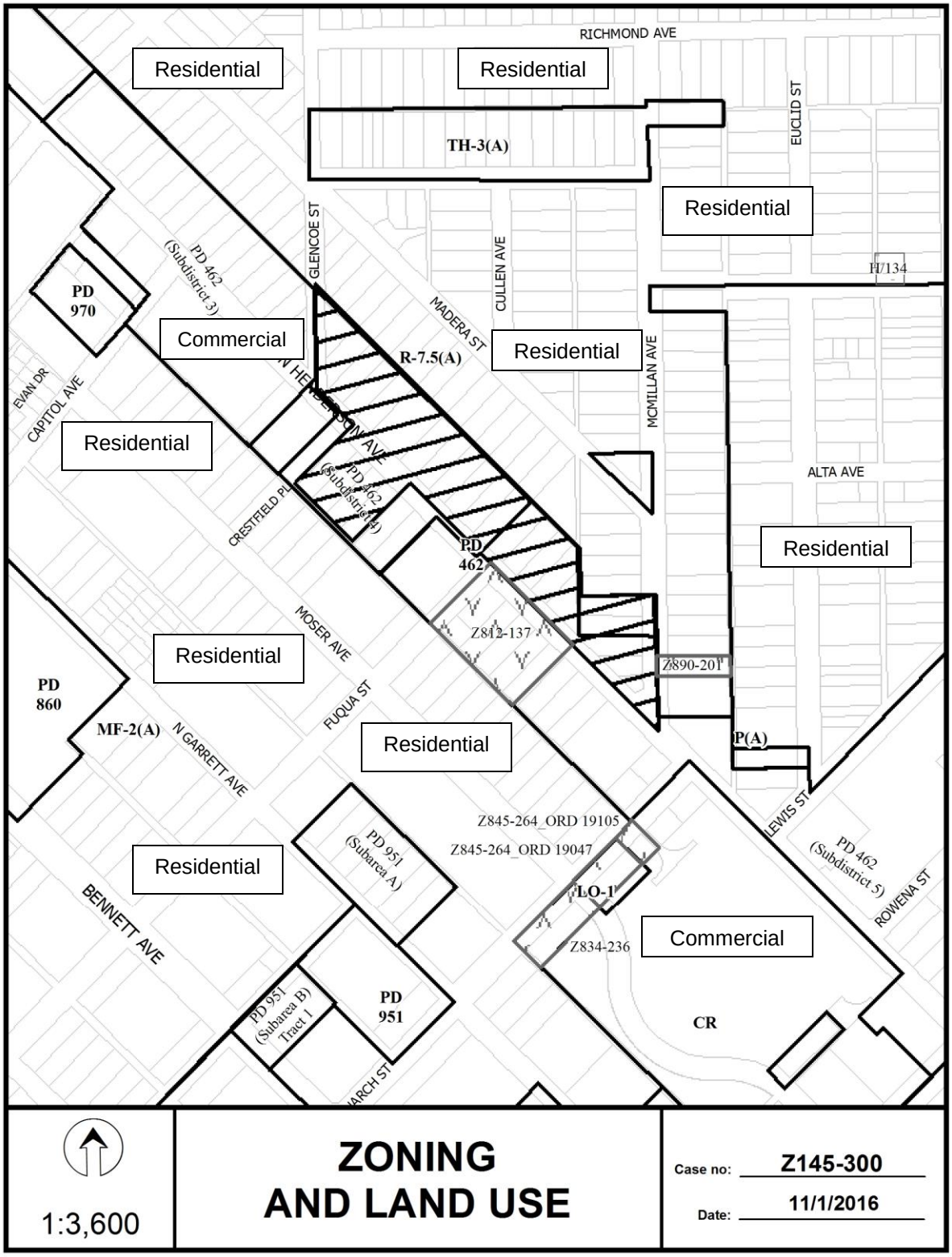
PROPOSED DEVELOPMENT PLAN

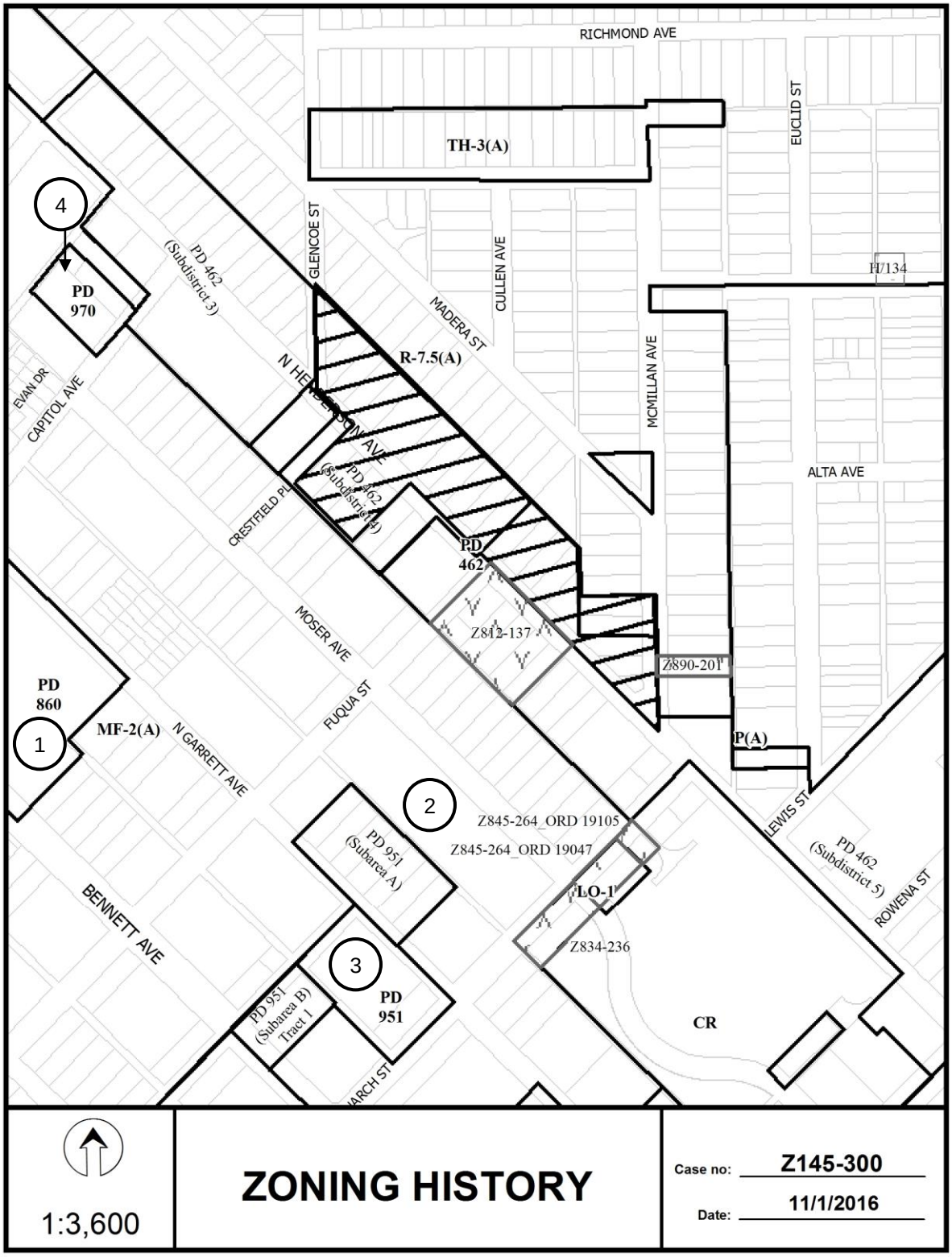


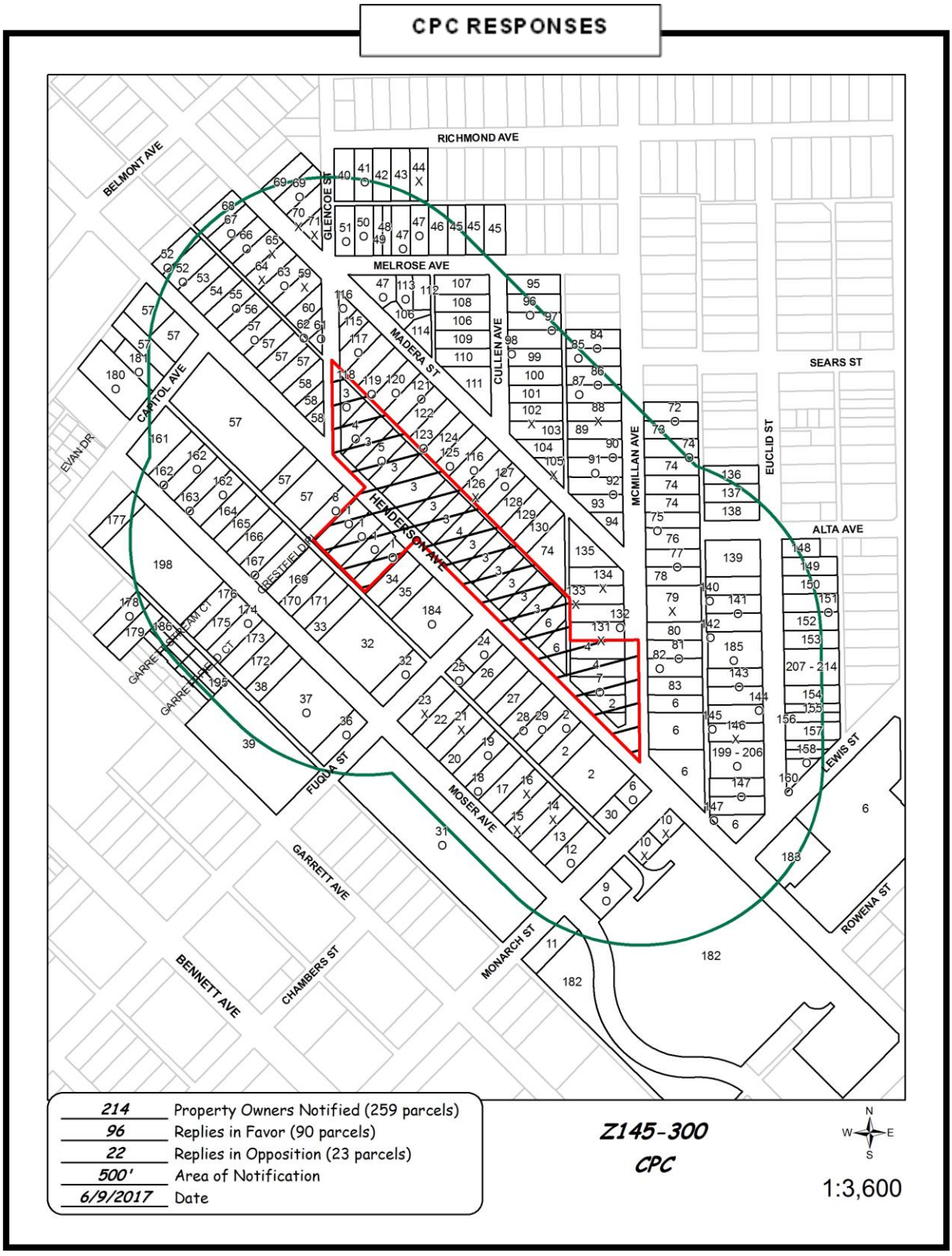
PROPOSED LANDSCAPE PLAN




RICHMOND AVE
BELMONT AVE
EUCLID ST
MELROSE AVE
GLENCOE ST
CULLEN AVE
SEARS ST
MADERA ST
MCMILLAN AVE
CAPITOL AVE
N HENDERSON AVE
ALTA AVE
CRESTFIELD
GARRETT STREAM CT
GARRETT FIELD CT
MOSER AVE
EUQUA ST
LEWIS ST
ROWENA ST
N GARRETT AVE
BENNETT AVE
MONARCH ST
1:3,600
AERIAL MAP
Case no: Z145-300
Date: 11/1/2016


RICHMOND AVE
Residential
Residential
TH-3(A)
EUCLID ST
Residential
GLENCOE ST
CULLEN AVE
H/134
PD 462 (Subdistrict 3)
PD 970
Commercial
MADERA ST
R-7.5(A)
Residential
MCMILLAN AVE
EVAN DR
CAPITOL AVE
Residential
ALTA AVE
PD 462 (Subdistrict 4)
CRESTFIELD PL
PD 462
Residential
Z812-137
MOSER AVE
Z890-201
Residential
PD 860
MF-2(A)
N GARRETT AVE
FUQUA ST
Residential
P(A)
LEWIS ST
Z845-264_ORD 19105
Z845-264_ORD 19047
PD 462 (Subdistrict 5)
PD 951 (Subarea A)
Residential
LO-1
ROWENA ST
BENNETT AVE
Z834-236
Commercial
PD 951 (Subarea B) Tract 1
PD 951
CR
MARCH ST
1:3,600
ZONING
AND LAND USE
Case no: Z145-300
Date: 11/1/2016


RICHMOND AVE
EUCLID ST
TH-3(A)
4
PD 970
PD 462 (Subdistrict 3)
GLENCOE ST
CULLEN AVE
MADERA ST
H/134
MCMILLAN AVE
R-7.5(A)
EVAN DR
CAPITOL AVE
N HENDERSON AVE
PD 462 (Subdistrict 4)
ALTA AVE
CRESTFIELD PL
PD 462
Z812-137
Z890-201
MOSER AVE
PD 860
MF-2(A)
1
N GARRETT AVE
FUQUA ST
P(A)
2
Z845-264_ORD 19105
Z845-264_ORD 19047
LEWIS ST
PD 462 (Subdistrict 5)
PD 951 (Subarea A)
LO-1
ROWENA ST
BENNETT AVE
Z834-236
3
PD 951
PD 951 (Subarea B) Tract 1
CR
1:3,600
ZONING HISTORY
Case no: Z145-300
Date: 11/1/2016


CPC RESPONSES
RICHMOND AVE
BELMONT AVE
GLENCOE ST
MELROSE AVE
MADERA ST
CULLEN AVE
SEARS ST
CAPITOL AVE
EVAN DR
MCMILLAN AVE
EUCLID ST
ALTA AVE
HENDERSON AVE
CRESTFIELD DR
GARRETT TERRACE CT
GARRETT TERRACE DR
FUQUA ST
MOSER AVE
LEWIS ST
ROWENA ST
GARRETT AVE
BENNETT AVE
CHAMBERS ST
MONARCH ST
214 Property Owners Notified (259 parcels)
96 Replies in Favor (90 parcels)
22 Replies in Opposition (23 parcels)
500' Area of Notification
6/9/2017 Date
Z145-300
CPC
N
W
E
S
1:3,600

06/08/2017

Reply List of Property Owners

Z145-300

214 Property Owners Notified ***96 Property Owners in Favor*** ***22 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	2	1921	N HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
	3	2218	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS DALLAS LLC
	4	2114	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
	6	1900	N HENDERSON AVE	HENDERSON MAIN DALLAS LLC
X	10	1839	N HENDERSON AVE	CANELAKES LOUIS
	11	1833	MOSER AVE	BURNS ROBERT W
	13	1906	MOSER AVE	STELLMACHER RICHARD &
X	14	1912	MOSER AVE	TICHANSKY MICHAEL S &
X	16	1918	MOSER AVE	MONDELL FONYA NAOMI
	17	1922	MOSER AVE	MONDELL CYNTHIA & ALLEN
	20	2008	MOSER AVE	DALLAS SUNDOWN PROPERTY
X	21	2014	MOSER AVE	CUELLAR- VALDEZ ROSANN
	22	2018	MOSER AVE	FAIFAR RIBEIRO PATRICIA X
	26	2019	N HENDERSON AVE	PEDRO PROPERTIES LLC
	27	2011	N HENDERSON AVE	NGUYEN CUNG LUONG 2010 TRUST
	30	5217	MONARCH ST	MUELLER MARK C
	32	2110	MOSER AVE	MPC MOSER II LLC
	33	2122	MOSER AVE	GARCIA JOSE
	34	2117	N HENDERSON AVE	SMITH ISABELLE M
	35	2115	N HENDERSON AVE	AVILA PASTORA MARIA
	38	2123	MOSER AVE	DALLAS SUNDOWN PPTY INVESTMENTS LLC
	39	2116	N GARRETT AVE	MONTANA & CHANCE 21152116 GARRETT LP
	40	5402	RICHMOND AVE	MCCRUMMEN JENNIFER &
O	41	5406	RICHMOND AVE	CARSON CHRIS A
	42	5410	RICHMOND AVE	GARRETT BRECK &
	43	5414	RICHMOND AVE	QUAIL ASSETS LP

06/08/2017

Reply	*Label #*	*Address*		*Owner*
X	44	5418	RICHMOND AVE	WIGGINS ANNA FRANCES
	45	5435	MELROSE AVE	ESTRELLO MARIA
	46	5423	MELROSE AVE	MAJORS JOHN A IV
	48	5411	MELROSE AVE	WINDLER MONTE & PATRICIA ANNE
	49	5409	MELROSE AVE	SHABAN ALI HUSSAIN
	53	2406	N HENDERSON AVE	COHEN CLARA JO
	54	2400	N HENDERSON AVE	MOORE MARGARITA O
O	55	2336	N HENDERSON AVE	CANDLER RUSSELL E JR
	56	2332	N HENDERSON AVE	BUSTAMANTE VINCENT & ANGELES
	57	2324	N HENDERSON AVE	HENDERSON SHOPS DALLAS LLC
	58	2310	N HENDERSON AVE	SPANISH BUSINESS SERVICES
	60	2031	GLENCOE ST	NEW DIRECTION IRA INC
	68	2407	MADERA ST	RUBIO SCOTT H
	69	2402	MADERA ST	HEPWORTH WESLEY W
	73	1922	MCMILLAN AVE	WRIGHT DAVID ASHLEY
	74	1912	MCMILLAN AVE	MATA RENE RAMOS
O	75	1902	MCMILLAN AVE	JDAL PROPERTIES INC
	76	1848	MCMILLAN AVE	GOOD EARTH FUNDING INC
	78	1840	MCMILLAN AVE	HERNANDEZ PAULINA
X	79	1836	MCMILLAN AVE	ADAMS VALERIE DAWN
	80	1828	MCMILLAN AVE	MATA HILARIO O & VIVIANA
	83	1816	MCMILLAN AVE	CISNEROS JUAN J &
O	86	2007	MCMILLAN AVE	NIETO PORFIRIO ORTEGA &
	89	1919	MCMILLAN AVE	LONGORIA MARY ELLEN
	93	1907	MCMILLAN AVE	SPRINGER MAJENICA
	94	1901	MCMILLAN AVE	BARBER PAULA L
	95	2034	CULLEN AVE	PATOLIA FAMILY REVOCABLE
O	98	2020	CULLEN AVE	KORPONAI SANDOR G
	99	2018	CULLEN AVE	INFANTE GUMERCIDA &
	100	2014	CULLEN AVE	BARRAZA GLORIA P
	101	2010	CULLEN AVE	REYES JUAN G ETAL

06/08/2017

Reply	*Label #*	*Address*		*Owner*
X	102	2006	CULLEN AVE	MARTINEZ JOSE L JR &
	103	2002	CULLEN AVE	HEPWORTH WESLEY W &
	104	2110	MADERA ST	GUANAJUATO PEDRO &
	106	2232	MADERA ST	CULLEN EDWARD V
	107	2035	CULLEN AVE	SKAGGS KENNETH LEE &
	108	2031	CULLEN AVE	CRUZ SAUL & GABRIELA
	109	2023	CULLEN AVE	LOPEZ LAZARO S &
	110	2019	CULLEN AVE	SANDOVAL JOSE
	111	2015	CULLEN AVE	HURLEY SOFIA &
	112	5418	MELROSE AVE	GASCA GILBERT JR &
	114	2228	MADERA ST	GAYTAN GUADALOPE
	115	2237	MADERA ST	WILLIAMS HERBERT S III
	118	2231	MADERA ST	ANTILLON MANUEL
	122	2215	MADERA ST	MCCOLLEY JEFFREY W &
	124	2207	MADERA ST	SHIELDS WILLIAM O
O	127	2115	MADERA ST	TAMEZ LORENA FIERRO
	128	2111	MADERA ST	SEGURA LUIS A & IRMA V MARTINEZ &
	129	2107	MADERA ST	WORLDALLAS PPTIES INC
	130	2103	MADERA ST	BAUGH HARBOR SERIES H LLC
X	131	1829	MCMILLAN AVE	CRUZ ESTEFANA B
	135	2003	MADERA ST	SHAMPAIN RICHARD H
	136	1911	EUCLID AVE	ALANIZ MARIE
	137	1905	EUCLID AVE	RANKIN BENJAMIN L &
	138	1903	EUCLID AVE	LEWELLON LABELLE &
	139	1855	EUCLID AVE	CROFT CARL E & LARA C
O	143	1829	EUCLID AVE	DALLAS SUNDOWN PPTY INV LLC
X	146	1819	EUCLID AVE	SINGER SUSAN E
O	147	1805	EUCLID AVE	1834 N HENDERSON LLC
	148	1856	EUCLID AVE	SMITH MARK
	149	1854	EUCLID AVE	ZAHRA EDWARD H JR
	150	1848	EUCLID AVE	HOWARD CHRISTOPHER

06/08/2017

Reply	*Label #*	*Address*		*Owner*
	152	1842	EUCLID AVE	MATA RENE R
	153	1836	EUCLID AVE	BAILEY DAVID D
	154	1824	EUCLID AVE	EUCLID ELEMENTS LLC
	155	1822	EUCLID AVE	THOMAS JAMES
	156	1820	EUCLID AVE	RANA HUMAIR
	157	1816	EUCLID AVE	ENRIQUEZ ARMANDO &
O	158	1812	EUCLID AVE	NELSON NATHAN &
	159	1814	EUCLID AVE	BROWN CASSANDRA S
	161	2322	MOSER AVE	NGUYEN NHON
	164	2302	MOSER AVE	CRAVER SADIE B ESTATE OF
	165	2226	MOSER AVE	MONETA DAREN
	166	2222	MOSER AVE	PEREZ SALVADOR &
	168	2214	MOSER AVE	COG DALLAS HOMES LLC
	169	2208	MOSER AVE	FOUR MAD OX LLC
	170	2206	MOSER AVE	CHEFCHIS AMELIA
	171	2202	MOSER AVE	NEGRETE BLANCA G
	172	2203	MOSER AVE	DALLAS SUNDOWN PPTY INVESTMENTS LLC
	173	2207	MOSER AVE	NILASENA NANCY
	175	2215	MOSER AVE	KHAN IRFAN A &
	176	2217	MOSER AVE	KHAN IRFAN A & SABOOHI I
	177	2317	MOSER AVE	BAILEY DAVID D & IDA J
	179	2226	N GARRETT AVE	MARTINEZ JOSEPHINE LIFE ESTATE
	182	1802	MOSER AVE	Dallas ISD
	183	1800	N HENDERSON AVE	HENDERSON RETAIL LANDS
O	185	1839	EUCLID ST	SUBDIVISION REALTY 2 LLC
	186	5185	GARRETT STREAM CT	LIU PATRICK
	187	5169	GARRETT STREAM CT	TILLETT BRADLEY & JAYNE
X	188	5153	GARRETT STREAM CT	VICTOROV VICTOR
	189	5186	GARRETT STREAM CT	NOWACKI SARAH A &
	190	5170	GARRETT STREAM CT	SINGAPURA KARTIK &
	191	5154	GARRETT STREAM CT	PATEL AKSHAR C

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	192	5171	GARRETT FIELD CT	GRUBER BRIAN &
	193	5155	GARRETT FIELD CT	ALLISON GEORGE THOMAS IV &
	194	5139	GARRETT FIELD CT	NOORANI IMRAN & SHEZILA ALI
	195	5188	GARRETT FIELD CT	ADAMANY MARISSA L
	196	5172	GARRETT FIELD CT	DEYOUNG WILLIAM A IV &
	197	5156	GARRETT FIELD CT	CARTER DEBRA
	198	2315	MOSER AVE	JOSSELSON BARRY H &
O	201	1811	EUCLID AVE	KIDD KYLE &
O	202	1811	EUCLID AVE	BOYER ERIC
O	203	1811	EUCLID AVE	KNIGGE ANEMONE E
O	204	1811	EUCLID AVE	STRONG BRENT M
O	205	1811	EUCLID AVE	SINHA RAVI R
O	206	1811	EUCLID AVE	MESSER AMY
	207	1828	EUCLID AVE	LUCERO MILES
	208	1828	EUCLID AVE	TRANG QUYNHCHI NGOC
	209	1828	EUCLID AVE	JOHNSON CHARLES BRENT &
	210	1828	EUCLID AVE	SLECHTEN SARA M
	211	1828	EUCLID AVE	LESHER BRIDGET MARY
	212	1828	EUCLID AVE	SHORES SUSAN V & STEVEN LEE
	213	1828	EUCLID AVE	CLARK GREGORY PHILLIP
	214	1828	EUCLID AVE	WILLIAMS ARON THOMAS
O	A1	1811	EUCLID AVE	MATHEW TIM G
O	A2	1830	MOSER AVE	BLAIR IAN
O	A3	2217	MADERA ST	ZYLKA JOE &
O	A4	2123	MADERA ST	HOLMES JOHN B
O	A5	2239	MADERA ST	HOLMES JOHN B
O	A6	2100	MOSER AVE	MPC MOSER II LLC
O	A7	2103	MOSER AVE	MPC MOSER I LLC
O	A8	2107	MOSER AVE	MPC MOSER I LLC
O	A9	5419	MELROSE AVE	HUNT ROBERT V
O	A10	5403	MELROSE AVE	RVH REAL ESTATE

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	A11	2235	MADERA ST	RVH REAL ESTATE OPPORTUNITY FUND LLC
O	A12	5415	MELROSE AVE	HUNT ROBERT V
O	A13	2121	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A14	2008	GLENCOE ST	HENDERSON RESIDENTIAL LANDS DALLAS LLC
O	A15	2222	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
O	A16	2212	N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
O	A17	1925	N HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
O	A18	2023	N HENDERSON AVE	PEDRO PPTIES LLC
O	A19	5216	FUQUA ST	PEDRO PROPERTIES LLC
O	A20	2326	N HENDERSON AVE	HENDERSON SHOPS DALLAS LLC
O	A21	1815	MCMILLAN AVE	HENDERSON RESIDENTIAL LANDS
O	A22	2201	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A23	2205	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A24	2213	N HENDERSON AVE	HENDERSON TRIPOLI INV PPTY LLC
O	A25	1901	N HENDERSON AVE	HENDERSON MAIN DALLAS LLC
O	A26	2211	MOSER AVE	2211 MOSER AVE LLC
O	A27	2304	N GARRETT AVE	2304 GARRETT AVE LLC
O	A28	2003	N HENDERSON AVE	MUNTZEL MARK SR LIVING TRUST
O	A29	2007	N HENDERSON AVE	NORTH HENDERSON AVENUE LLC
O	A30	5209	CAPITOL AVE	LARKSPUR CAPITOL AVENUE LP
O	A31	2015	MCMILLAN AVE	1700 TREEHOUSE LLC
O	A32	1911	MCMILLAN AVE	WALLER HALLIE
O	A33	2414	N HENDERSON AVE	NHA HOLDINGS LLC
O	A34	1926	MCMILLAN AVE	SMITH MARY E P
O	A35	5414	MELROSE AVE	CLARK EDWARD L JR
O	A36	1841	EUCLID ST	CARRILLO BENITA P
X	A37	2310	MADERA ST	CEJA JOSE NAVA & MAIJA S
O	A38	2221	MADERA ST	DAVIS RICHARD & CHERYL
O	A39	1827	EUCLID AVE	LARA RAMONA RAMIREZ

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	A40	1821	EUCLID ST	GARCIA JESUS &
O	A41	2227	MADERA ST	GRIFFIN MATTHEW KEITH
O	A42	2319	MADERA ST	GONZALEZ OLGA
O	A43	2030	CULLEN AVE	GONZALEZ JESUS E
O	A44	2026	CULLEN AVE	GONZALEZ JESUS ESTRELLO
	A45	1840	EUCLID AVE	MATA RENE R
O	A46	1909	MCMILLAN AVE	MATA RENE R
O	A47	1918	MCMILLAN AVE	MATA RENE RAMOS
O	A48	1811	EUCLID AVE	JACKSON KATIE L
O	A49	2107	N HENDERSON AVE	2107 N HENDERSON AVENUE LLC
O	A50	5410	MELROSE AVE	HUNT ROBERT V
O	A51	2314	MADERA ST	HEPWORTH WESLEY W
O	A52	2403	MADERA ST	MEYER MARK D
O	A53	1844	MCMILLAN AVE	CHUC MARY JANE &
O	A54	5219	CAPITOL AVE	LARKSPUR CAP AVE II LLC
X	A55	2303	MADERA ST	LEIGH GRANT W & KRISTI D
X	A56	1914	MOSER AVE	MCCULLOUGH DAVID W &
X	A57	2315	MADERA ST	KUBIN JOHN W
X	A58	2119	MADERA ST	KUBIN JOHN
X	A59	2311	MADERA ST	KUBIN MARY FRANCES
X	A60	1925	MCMILLAN AVE	GUTIERREZ SYLVIA ANN &
X	A61	1841	MCMILLAN AVE	LEYVA JOSE
X	A62	1837	MCMILLAN AVE	ZAVALA MARY
X	A63	2104	MADERA ST	MEDRANO RANDY I
X	A64	2304	MADERA ST	NAVA HECTOR & CLAUDIA MARIA GUERRERO
X	A65	2022	MOSER AVE	ESCARCEGA CARLOS
O	A66	2209	N HENDERSON AVE	HENDERSON RETAIL LANDS DALLAS LLC
O	A67	1833	MCMILLAN AVE	NOLAN CRYSTAL
O	A68	2314	MOSER AVE	MOSER HOMES LLC
O	A69	2318	MOSER AVE	MOSER HOMES LLC
O	A70	1808	EUCLID AVE	SMITH O DARWIN &
O	A71	1902	MOSER AVE	BOSWELL BRADLY

06/08/2017

Reply	*Label #*	*Address*		*Owner*
O	A72	2002	MOSER AVE	GOODENOW GEORGE
O	A73	2006	MOSER AVE	SUBDIVISIONS REALTY 7 LLC
O	A74	2410	N HENDERSON AVE	NHA HOLDINGS LLC
O	A75	2021	GLENCOE ST	SMITH SKYE
O	A76	2025	GLENCOE ST	BRYSON SPENCER A &
O	A77	2307	MADERA ST	DIMENSION D+B LLC
O	A78	1824	MCMILLAN AVE	TABOR MICHELLE CAROLINE
O	A79	1820	MCMILLAN AVE	BROADHURST ZACHARY C
O	A80	2011	MCMILLAN AVE	LEYVA SAMUEL
O	A81	1929	MCMILLAN AVE	PAYNE WILLIAM BRIAN
O	A82	1915	MCMILLAN AVE	MENDEL MARK A
O	A83	2201	MADERA ST	HERNANDEZ MARTIN &
O	A84	1844	EUCLID ST	ROYAL SUPREME LLC
O	A85	2310	MOSER AVE	MOSER TOWNHOMES LLC
O	A86	2218	MOSER AVE	DIMENSION D B LLC
O	A87	2306	MOSER AVE	MOSER HOMES LLC
O	A88	1925	MOSER AVE	LH MOSER LLC
O	A89	5407	MELROSE AVE	PIECE JORDAN DEVELOPMENT LLC
O	A90	1849	EUCLID AVE	PIERCE JORDAN DEVELOPMENT LLC
O	A91	1845	EUCLID AVE	CAPITAL PARTNERS LLC
O	A92	2211	MADERA ST	BARNETT SAMUEL L & RAMONA S

AGENDA ITEM # 85

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 23 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and an ordinance granting a Specific Use Permit for an industrial (inside) potentially incompatible use limited to the manufacture, blending, and packaging of chemicals on property zoned an IR Industrial Research District on the southwest corner of Grissom Lane and Rodney Lane

Recommendation of Staff: Approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for an industrial (inside) potentially incompatible use for the manufacture, blending, and packaging of chemicals for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for an industrial (inside) potentially incompatible use for the manufacture, blending, and packaging of chemicals for a five-year period with eligibility for automatic renewal for one additional five-year periods, subject to a site plan and conditions

Z167-136(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-136(SM) **DATE FILED:** November 17, 2016

LOCATION: Southwest corner of Grissom Lane and Rodney Lane

COUNCIL DISTRICT: 6 **MAPSCO:** 23 A

SIZE OF REQUEST: Approx. 2.6 acres **CENSUS TRACT:** 96.10

APPLICANT/OWNER: Arrow-Magnolia International, Inc.

REPRESENTATIVE: Curtis Shaw, Arrow-Magnolia International, Inc.

REQUEST: An application for an IM Industrial Manufacturing District and a Specific Use Permit for an industrial (inside) potentially incompatible use limited to the manufacture, blending, and packaging of chemicals on property zoned an IR Industrial Research District.

SUMMARY: The applicant [Arrow-Magnolia International, Inc.] requests to continue the operation of blending, manufacturing, and distributing chemicals for cleaning and maintenance of buildings and equipment in the existing 68,560 square foot building and the existing storage tank areas that are located outside.

CPC RECOMMENDATION: **Approval** of an IM Industrial Manufacturing District and **approval** of a Specific Use Permit for an industrial (inside) potentially incompatible use for the manufacture, blending, and packaging of chemicals for a five-year period with eligibility for automatic renewal for one additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of an IM Industrial Manufacturing District and **approval** of a Specific Use Permit for an industrial (inside) potentially incompatible use for the manufacture, blending, and packaging of chemicals for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- On August 26, 1964, a certificate of occupancy was issued to Magnolia Chemical Company for a "manufacture and storage of cleaning compounds" use in the original 40,300 square-foot building.

- On May 16, 2001, a certificate of occupancy was issued to Magnolia Chemical Company for a warehouse use for the construction of a 28,361 square-foot warehouse addition.

- On June 21, 2017, the Board of Adjustment approved a parking reduction special exception (BDA167-066) to reduce the required parking for the site by 45 parking spaces.

Zoning History: There have been three zoning changes requested in the vicinity within the past five years.

1. **Z123-238**: On December 11, 2013, City Council approved a Planned Development District for MU-2 Mixed Use District uses and a Specific Use Permit for outside sales on property zoned an IR Industrial Research District and Planned Development District No. 498, the Harry Hines Corridor Special Purpose District, on a portion.

2. **Z134-146**: On June 11, 2014, City Council approved a new tract within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District to allow a contractor's maintenance yard use.

3. **Z167-199**: On May 10, 2017, City Council approved a new subarea within Planned Development District No. 899 for RaceTrac.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Grissom Lane	Local	60 feet
Rodney Lane	Local	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not negatively impact the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request complies with the following goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.2 Promote desired development

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The Plan identifies the request site as being within an Industrial Area Building Block. The proposed zoning change and SUP to allow for the continued operation of an existing industrial use is characteristic of the Industrial Area Building Block because it allows for industrial operations in an industrially developed area.

ECONOMIC ELEMENT

GOAL 2.1 Promote Balanced Growth

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Surrounding Land Uses:

	Zoning	Land Use
North	IR	Office/showroom/warehouse
East	IR	Office/showroom/warehouse
South	IR	Office/showroom/warehouse
West	IR	Office/showroom/warehouse
Northwest	IM and SUP No. 1320	Office/showroom/warehouse and Industrial (inside) potentially incompatible use

Land Use Compatibility: The request site consists of an approximately 70,000 square-foot commercial building that has been blending and manufacturing chemicals since at least 1964. The site is also located adjacent to a 30-foot wide drainage easement to the south. The site was in the City's Municipal Setting Designation (MSD) Program, however a previous release of chemicals have been addressed through the

Texas Commission on Environmental Quality. Since, the Office of Environmental Quality (OEQ) has researched the applicant on the federal and state databases, and no violations have been found regarding the storage and manufacturing of chemicals. OEQ also participated in a site visit to the facility in 2008 and found the facility to be in good standing with best management practices that are in place to prevent or minimize future chemical releases. OEQ has reviewed the request and has no objections.

The predominant land use in the immediate area consists of office/showroom/warehouse and commercial/inside industrial uses. A woodworking mill and cabinetry warehouse is located to the northwest of the site. An office use is located to the south, across from the 30-foot wide drainage easement. The majority of structures provide for at-grade and dock level doors for the industrial/distribution component of the respective operations.

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.

Staff supports the applicant's request for an IM District and of the requested SUP, subject to the attached site plan and conditions because it is consistent with surrounding land uses and allows the site to continue operations.

Landscaping: The request does not trigger Article X landscaping of the property.

Parking: An industrial (inside) use is required to provide parking at a ratio of one space for every 500 square feet in floor area. Since the facility has 68,560 square feet of floor area, 114 spaces would be required. However, the Board of Adjustments granted an appeal to reduce the parking requirements for the site by 45 spaces and therefore, the parking requirement is reduced to 69 spaces. The site plan shows that 69 spaces are provided on site.

Prior CPC Action – July 20, 2017:

Motion: It was moved to recommend **approval** of an IM Industrial Manufacturing District and **approval** of a Specific Use Permit for an industrial (inside) potentially incompatible use limited to the manufacture, blending, and packaging of chemicals for a five-year period with eligibility for one automatic renewal for an additional five-year period, subject to a site plan and conditions on property zoned an IR Industrial Research District on the southwest corner of Grissom Lane and Rodney Lane.

Maker: Anantasomboon
Second: Shidid
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley*

Against: 0
Absent: 1 - Housewright
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 18
Replies: For: 2 Against: 0

Speakers: For (Did not speak): Tyrone Davis, 2646 Rodney Ln., Dallas, TX, 75229
Against: None

List of Partners

ARROW-MAGNOLIA
INTERNATIONAL, INC.
2646 Rodney Lane, Dallas, Tx 75229
800.527.2101
www.arrowmagnolia.com

List of Owners & Officers

Owners
Tanya Shaw
Curtis Shaw
Dave Tippeconnic
Lynda Tippeconnic
Marylyn Tippeconnic

Board
Tanya Shaw, Chairman
Dave Tippeconnic, Vice Chair
Lynda Tippeconnic

Officers
Curtis Shaw, Chief Executive Officer
Jim Purcell, Vice President of Sales

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a industrial (inside) potentially incompatible use limited to the manufacture, blending, and packaging of chemicals.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Staff recommended:

3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

CPC recommended:

3. TIME LIMIT: This specific use permit expires on (five years), but is eligible for automatic renewal for one additional five-year period 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. CHEMICALS: The manufacture, blending, and packaging of chemicals allowed by this specific use permit are limited to hydrochloric and sulphuric acids, denatured alcohol, caustic potash (potassium hydroxide) 45% (liquid), caustic soda (sodium hydroxide) 50% (liquid), bleach 10.5%, soaps and detergents, insecticides, fungicides, disinfectants, or related industrial or household chemical compounds.

5. FLOOR AREA: The maximum floor area for the industrial (inside) potentially incompatible use is 5,952 square feet. The maximum floor area of all combined uses on site is 68,560 square feet.

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

UNIFORM BUILDING CODE 1991

B 2- OCCUPANCY
F.R. OF EXTERIOR WALLS - 1HR LESS THAN 20'
OPENING IN EXTERIOR NOT PERMITTED LESS THAN 5'. PROTECTED LESS THAN 10'.
TABLE - 5A

TYPE IIN
ALLOWABLE AREA - 12,000SF.
TABLE - 5C

NO GENERAL REQUIREMENTS FOR FRAMING
TABLE - 17A

ALLOWABLE FLOOR AREA. 2HR SEPARATION WALLS REQUIRED. OPENINGS IN WALL SHALL NOT EXCEED 25% OF THE WALL. SECTION 505.
TERMINATING WALLS SHALL EXTEND 30" ABOVE ROOF OR CAN TERMINATE BELOW IF FRAMING IS AT LEAST FIVE FEET AWAY.

IR- ZONING

PARKING TABULATIONS

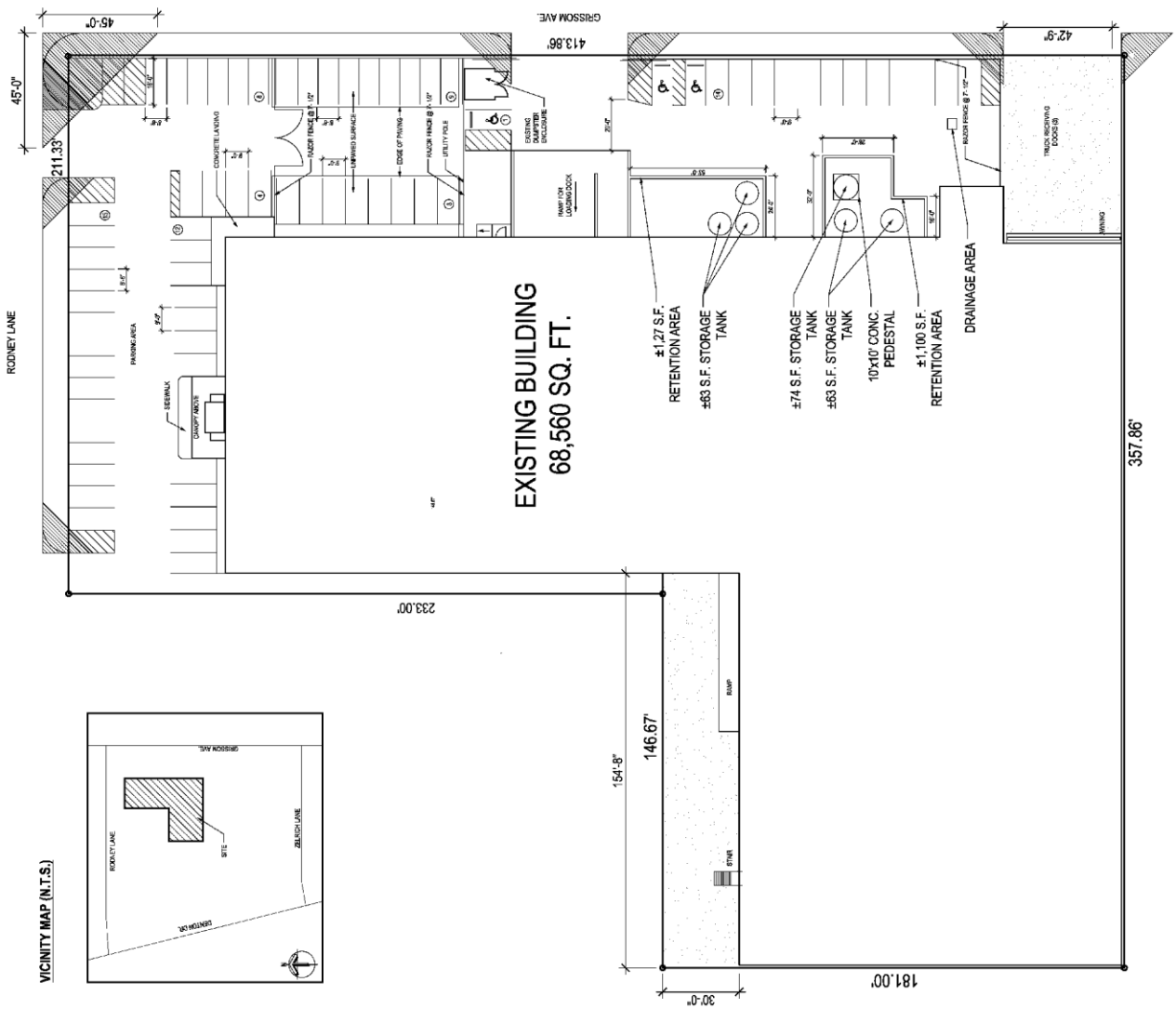
TOTAL MANUFACTURING GROSS AREA	68,560 SQ.FT.
5,952 SQ.FT. INDUSTRIAL	
51,228 SQ.FT WAREHOUSE	
11,380 SQ.FT OFFICE	
MANUFACTURING CARS REQUIRED 1/600	**114 CARS**
CARS PROVIDED ON SITE	**69 CARS**
BDA167-066 FOR A PARKING SPECIAL EXCEPTION WAS APPROVED ON JUNE 21, 2017	**45 CARS**
TOTAL PARKING SPACES PROVIDED	**114 CARS**

BUILDING HEIGHT: 27' - 6"
EXISTING STORIES: 1

LOT COVERAGE: 68,982 SF / 113,950 SF = 60.5%

LOT SIZE: 113,950 SF

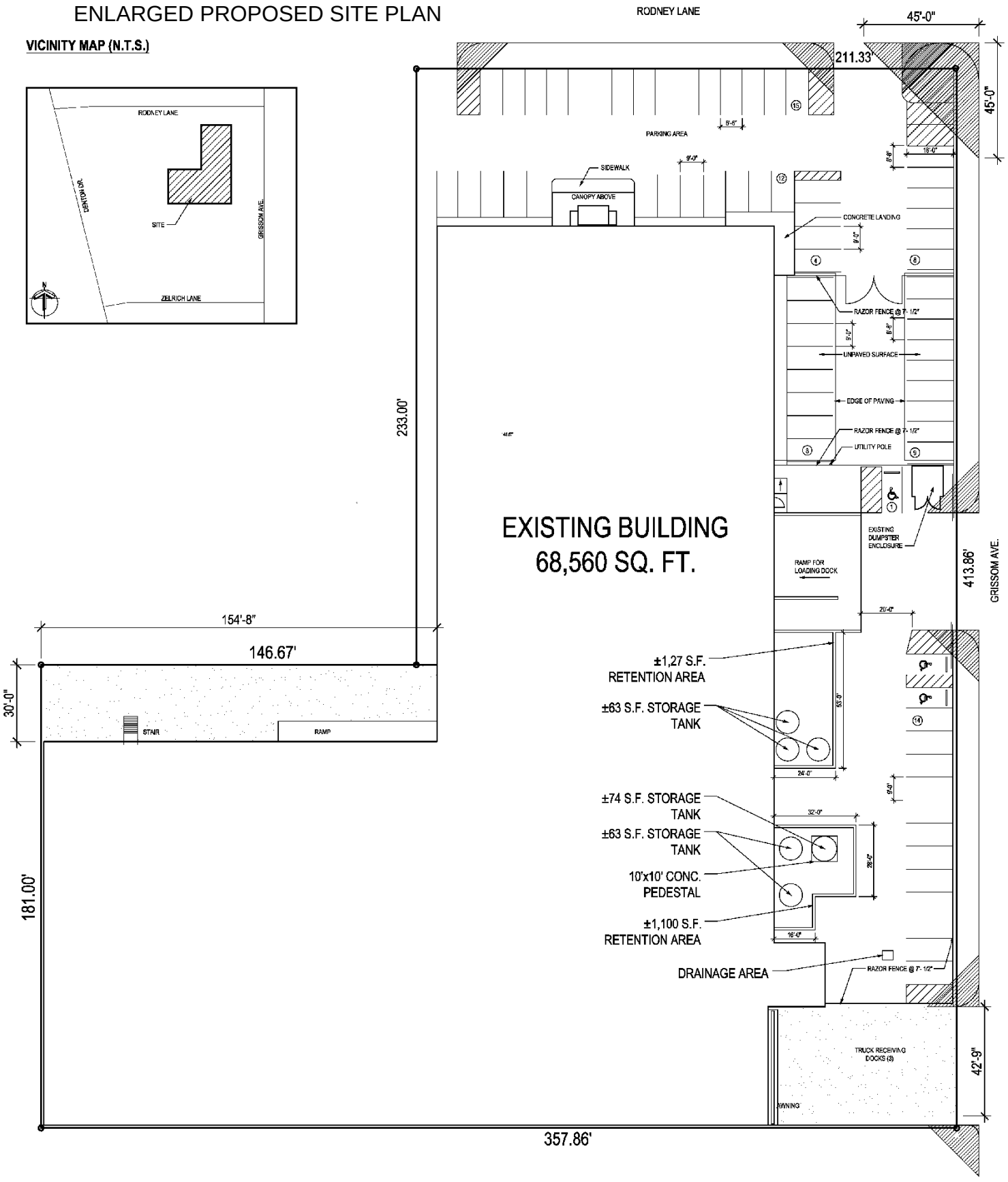
01 SITE PLAN

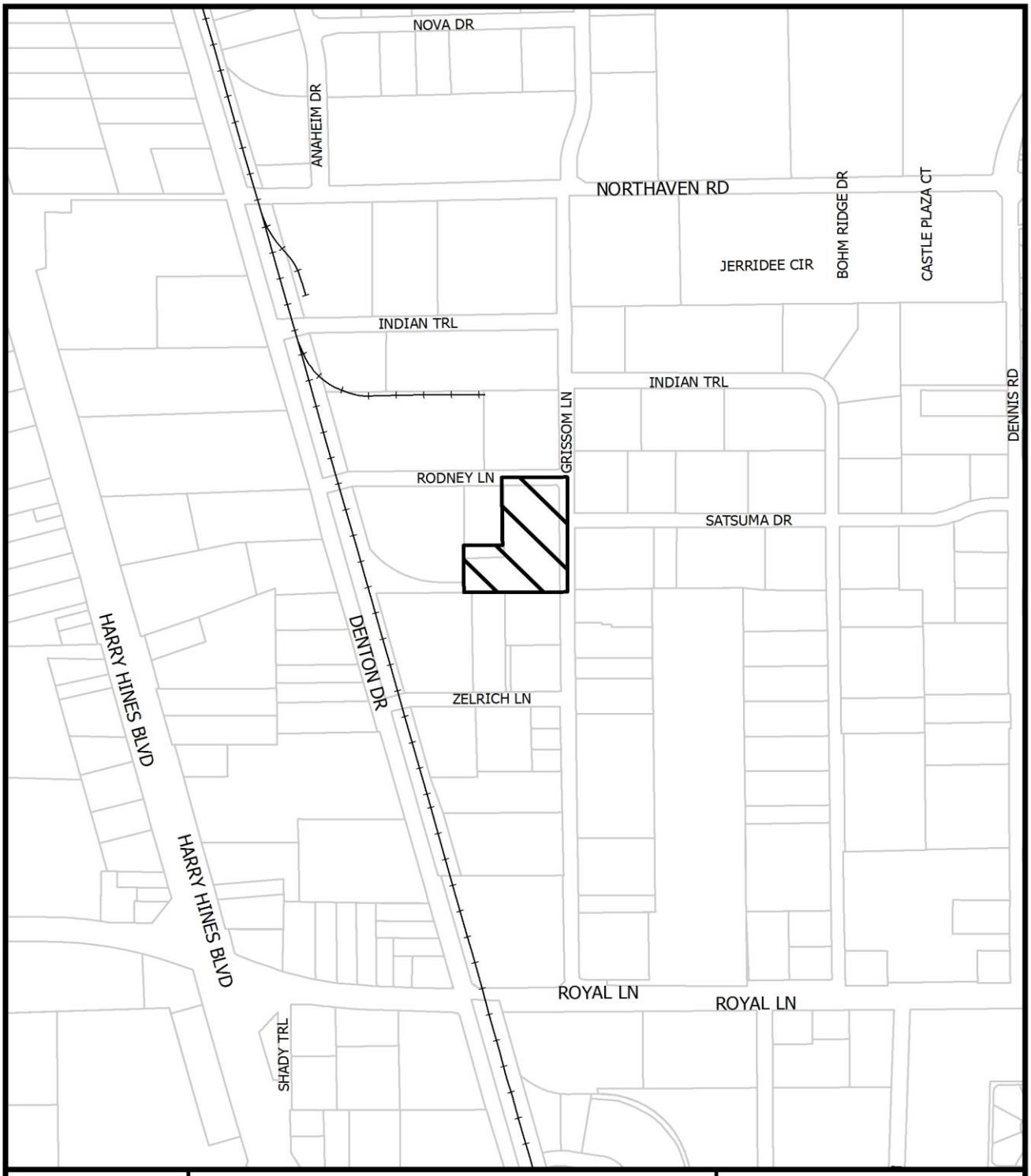


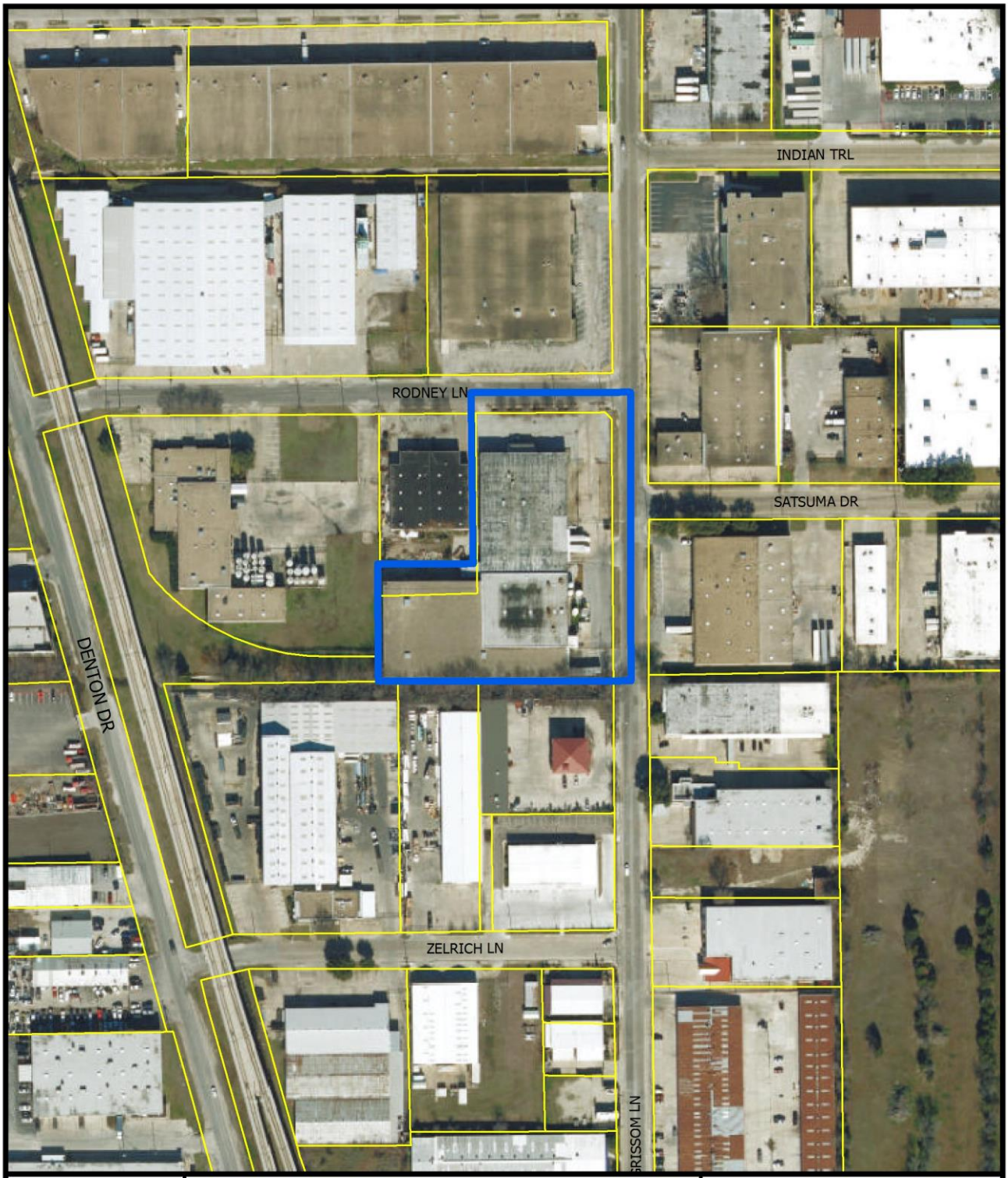
VICINITY MAP (N.T.S.)

Z167-136(SM)

ENLARGED PROPOSED SITE PLAN




NOVA DR
ANAHEIM DR
NORTHAVEN RD
BOHM RIDGE DR
CASTLE PLAZA CT
JERRIDEE CIR
INDIAN TRL
INDIAN TRL
GRISSOM LN
DENNIS RD
RODNEY LN
SATSUMA DR
HARRY HINES BLVD
DENTON DR
ZELRICH LN
HARRY HINES BLVD
ROYAL LN
ROYAL LN
SHADY TRL
1:6,000
VICINITY MAP
Case no: Z167-136
Date: 12/22/2016

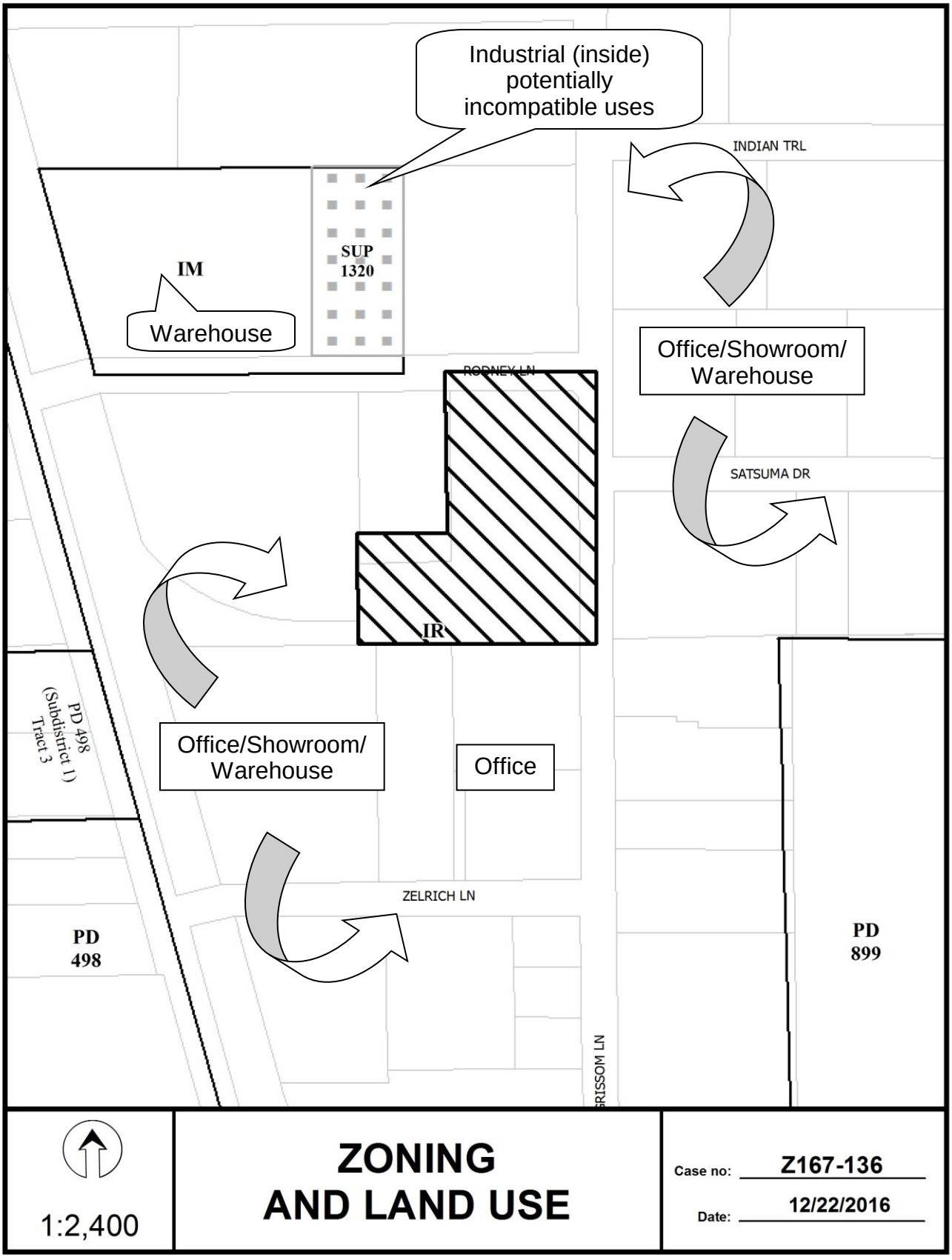


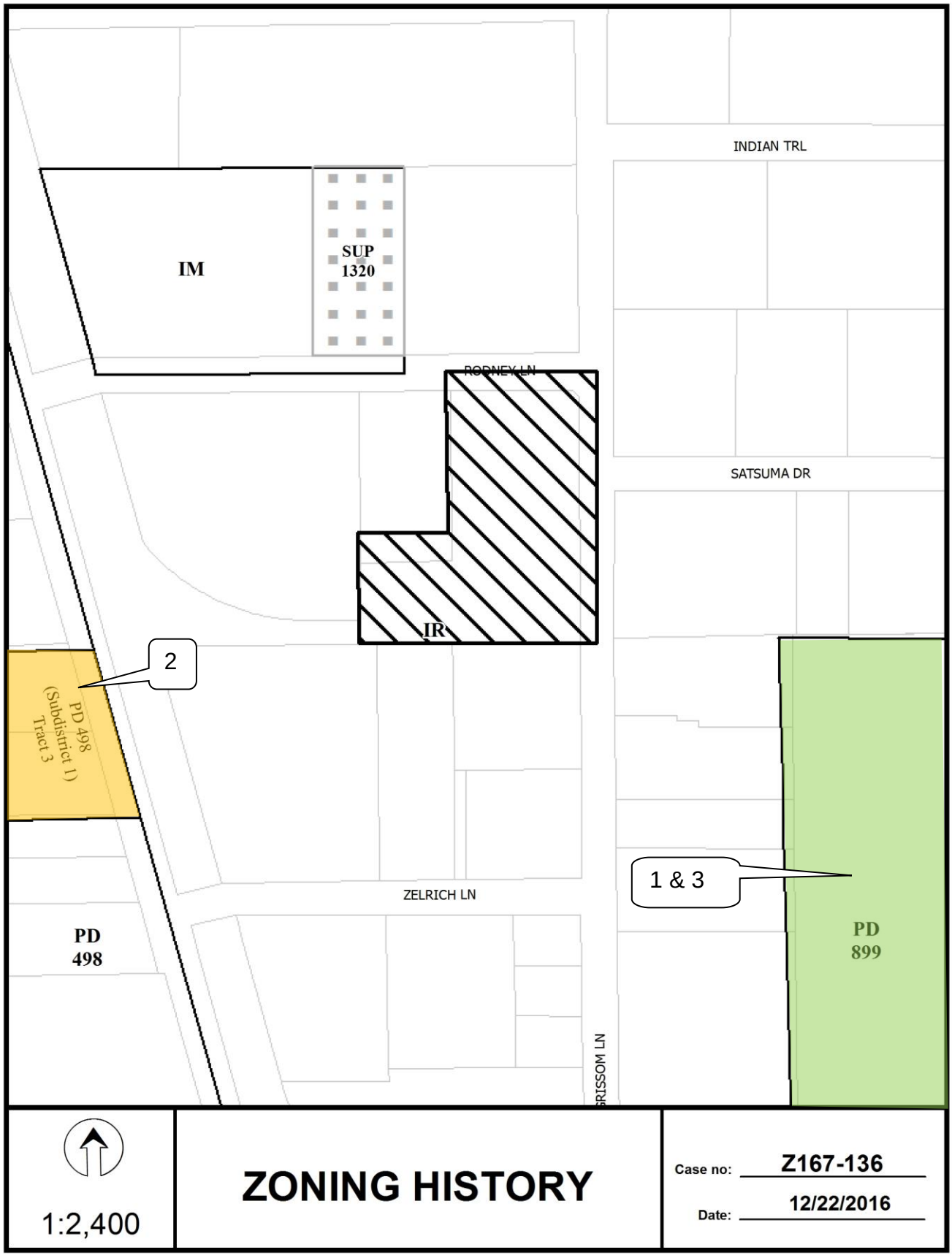
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AERIAL MAP

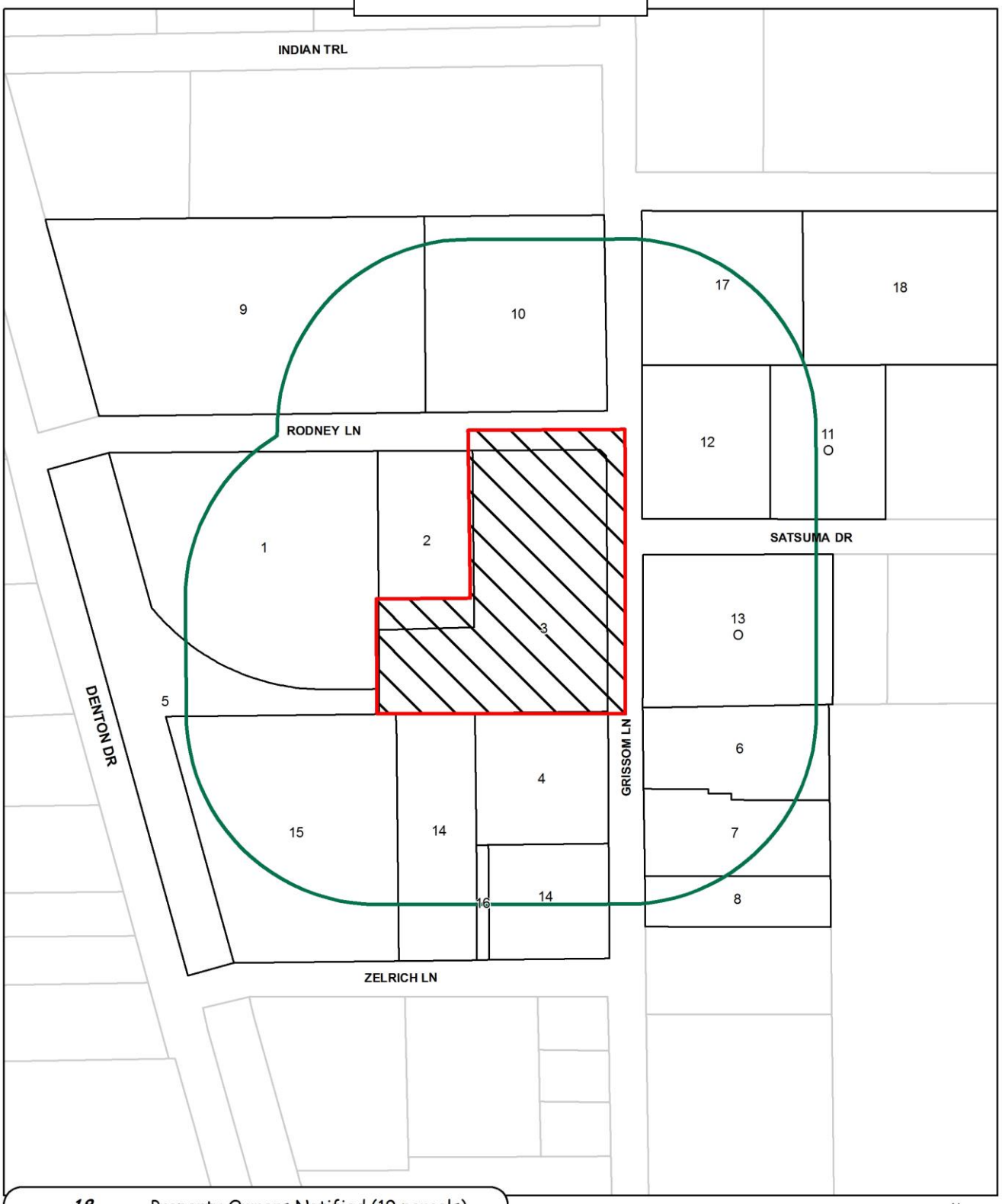
Case no: Z167-136

Date: 12/22/2016


Industrial (inside) potentially incompatible uses
INDIAN TRL
SUP 1320
IM
Warehouse
Office/Showroom/ Warehouse
RODNEY LN
SATSUMA DR
IR
PD 498 (Subdistrict 1) Tract 3
Office/Showroom/ Warehouse
Office
ZELRICH LN
PD 498
PD 899
PRISSOM LN
1:2,400
ZONING AND LAND USE
Case no: Z167-136
Date: 12/22/2016


INDIAN TRL
IM
SUP
1320
RODNEY LN
SATSUMA DR
IR
2
PD 498
(Subdistrict 1)
Tract 3
1 & 3
ZELRICH LN
PD
498
PD
899
RISSOM LN
1:2,400
ZONING HISTORY
Case no: Z167-136
Date: 12/22/2016

CPC RESPONSES



18	Property Owners Notified (19 parcels)
2	Replies in Favor (2 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
7/20/2017	Date

Z167-136
CPC

N
W E
S

1:2,400

07/19/2017

Reply List of Property Owners

Z167-136

18 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	11444	DENTON DR	BRIN JOHN M
	2	2624	RODNEY LN	KEANE MAURICE & JOAN
	3	2646	RODNEY LN	MAGNOLIA CHEMICAL CO
	4	11031	GRISSOM LN	MCGRAY GROUP II LLC
	5	401	S BUCKNER BLVD	DART
	6	11036	GRISSOM LN	VAN NEST KEVIN H &
	7	11034	GRISSOM LN	TENNINGTON INV LLC
	8	11018	GRISSOM LN	SOHN STEVEN
	9	2605	RODNEY LN	VICEROY RODNEY LP
	10	2643	RODNEY LN	SHAW VAN L
O	11	2717	SATSUMA DR	P & H INVESTMENTS
	12	2707	SATSUMA DR	SATSUMA PROPERTIES LLC
O	13	11048	GRISSOM LN	TJC PROPERTIES
	14	2625	ZELRICH LN	E INVESTMENTS
	15	11430	DENTON DR	JAMES JEROME
	16	2627	ZELRICH LN	County of Dallas
	17	11281	INDIAN TRAIL	NORTHAVEN ENTERPRISES LLC
	18	11261	INDIAN TRAIL	CROSS DEVELOPMENT CC DALLAS

AGENDA ITEM # 86

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 35 W; 45 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue

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

Z167-190(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-190(SM) **DATE FILED:** January 23, 2017

LOCATION: South corner of Welborn Street and Congress Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 35 W; 45 A

SIZE OF REQUEST: Approx. 1.37 acres **CENSUS TRACT:** 5.00

OWNER: Point Two Turtle Creek Condominium

APPLICANT: Toll Brothers, Inc.

REPRESENTATIVE: Dallas Cothrum, Masterplan Consultants

REQUEST: An application for a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay.

SUMMARY: The applicant proposes to construct a multifamily development and requests the ability to mount cellular antennas atop the structure in the future. The purpose of the PD subdistrict is to require enhanced streetscape and architectural elements to allow relief from floor area ratio and lot coverage maximums, side yard setbacks for the portions of the building over 36 feet in height, and landscaping requirements.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a multifamily condominium development that was constructed in 1971 according to permit records.

- The applicant proposes to construct a 271 unit multifamily building with a maximum height of 270 feet.

- The item was originally noticed for the May 18, 2017 City Plan Commission hearing, however the item was postponed by a property owner to the June 22, 2017 City Plan Commission hearing.

- On June 22, 2017, the City Plan Commission held this case under advisement until July 20, 2017.

Zoning History: There have been four recent zoning requests in the vicinity in the last five years.

1. **Z134-202**: On June 25, 2014, the City Council approved SUP No. 2085 for a bank or saving and loan office on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

2. **Z167-119**: On May 24, 2017 City Council approved Specific Use Permit No. 2243 for a drive-through restaurant for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

3. **Z167-224**: On May 4, 2017, the City Plan Commission recommended approval of an application for a GR General Retail Subdistrict on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District. City Council will consider the item on June 14, 2017.

4. **Z134-156**: On October 8, 2014, City Council denied an application for the removal of the D Liquor Control Overlay on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Planned ROW
Welborn Street	Local	40 ft.	50 ft.
Congress Avenue	Local	40 ft.	50 ft.

Traffic:

The expected number of weekday trips generated by 304 dwelling units in the Traffic Impact Analysis is 1,401 trips per day according to the trip rate for the maximum number of multifamily dwelling units proposed. A Traffic Impact Study was submitted and reviewed by the Engineering Division of the Department of Sustainable Development and Construction who determined that it will not significantly impact the surrounding street system for the proposed development. Additionally, the rights-of-way of Welborn Street and Congress Avenue are controlled by the Mobility and Streets Services Department who also reviewed the applicant's Traffic Impact Study and determined that no traffic improvements are necessitated by the proposed development. Both rights-of-way contain no parking signs along the majority of the surrounding street curbs to facilitate traffic flow and prohibit on-street parking as the pavement widths are narrow.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because the proposed development will add residential units to an area of Oak Lawn designated for higher density multifamily uses and will enhance the streetscape and pedestrian environment adjacent to the building.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

Area Plans:

Oak Lawn. The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request complies with items 1, 3, 4, 5, and 7 of the above listed objectives. The applicant is requesting to vary the "wedding cake setback" that is the PDD No. 193 version of an urban form setback. The proposed PD conditions enhance the streetscape and architectural elements that will improve the urban form of the proposed development. Overall, staff finds that the applicant's request is consistent with the objectives of the Oak Lawn Plan.

Land Use Compatibility:

The request site is zoned an MF-3 Multiple Family Subdistrict within PDD No. 193, the Oak Lawn Special Purpose District, and is currently developed with a multifamily use. The applicant is proposing to construct approximately 271 multifamily dwellings on the property, but is seeking relief to the development standards of the MF-3 Multiple Family Subdistrict.

The surrounding land uses are multifamily to the northeast and southeast and single family attached to the northwest and southwest.

The request site is situated in an area of MF-3 subdistrict zoning that covers approximately 35 acres or 11 blocks. The MF-3 subdistrict zoning allows for a maximum density that exceeds 200 dwelling units per acre. The applicant is requesting a maximum

density of 271 dwelling units. The immediate neighborhood is generally developed with two and three-story structures. The applicant proposes a three-story podium where street-fronting, ground-level dwelling units must have individual entries that face the street and have an improved path connecting to the public sidewalk. This additional provision limits the immediate street facing development in order to maintain a compatible street-level presence along Welborn Street with the surrounding properties.

The applicant also proposes to add a mounted cellular antenna use with the request. In PDD No. 193, tower/antenna for cellular communication are categorized as radio, television, or microwave tower uses and require a specific use permit. Outside of PDD No. 193, the City of Dallas generally allows mounted cellular antenna by right as it provides a public utility service to surrounding properties and facilitates cellular service without having to erect a monopole cellular tower. Therefore, since the applicant proposes to maintain the permitted uses of the existing zoning and add a provision to allow a mounted cellular antenna, staff supports the request because it is compatible with surrounding properties.

Development Standards:

SUBDISTRICT	SETBACKS		MF Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
MF-3 Existing	10' for first 36 ft 25' for higher	10' for first 36 ft +Half total height for higher, max 50 ft	Minimum Lot Size: 100 sq ft – E 125 sq. ft – 1 BR 150 sq ft – 2 BR +25 sq ft each add BR	Any legal height	60%	Multifamily
MF-3 Staff proposed	10' for first 36 ft 43' on Welborn 30' on Congress	10' for first 36 ft +Half total height for higher, max 50 ft **Adjacent to alley**: 5' for first 36 ft 50' above 56 ft	Max 271 dwelling units	Any legal height	60% 72% when urban design standards met	Multifamily
MF-3 Applicant proposed	10' for first 36 ft 43' on Welborn 30' on Congress	10' for first 36 ft 60' for higher **Adjacent to alley**: 5' for first 36 ft 22' between 36-56 ft 46' above 56 ft	Max 271 dwelling units	Any legal height	60% 72% when urban design standards met	Multifamily

The request site has two front yards: one parallel to Welborn Street and the other parallel to Congress Avenue. The other two bounding property lines are considered side yards because they connect to a front yard. PDD No. 193 generally has front, side, and rear yard setbacks for the first 36 feet of a building, and then an additional setback for the portion of the building that is above 36 feet. In this report, the additional setback for the portion of the building above 36 feet will be referred to as a "tower setback". The tower setback creates a two-tier effect to the overall massing of the building, intended to allow light and air flow to the street and surrounding properties by allowing a street wall that has a small front yard for the lower portion of the building, or the podium, and a greater setback for the taller portion of the building, or the tower.

Front Yard: The MF-3 Subdistrict requires a front yard setback of 10 feet for the first 36 feet in height and 25 feet for all portions of a building above 36 feet in height. Flat roofed

buildings often have parapets, sky lights, mechanical equipment, and other projections above each tiered roofline. Historically, these projections were allowed by policy within the additional setback however, the conditions propose to specify these projections are allowed within the front yard setback when located atop a building to ensure clarity and consistency.

The request proposes an increased tower setback for both front yards, 43 feet on Welborn Street and 30 feet on Congress Avenue, as compared to 25 feet in the MF-3 Subdistrict. Staff supports the proposed front yard setback.

Side and Rear Yards: The MF-3 Subdistrict requires a side yard setback of 10 feet for the first 36 feet of a building and a tower setback that is equal to one-half of the total height of the building, up to 50 feet. This standard MF-3 provision creates a two-tier podium and tower massing of the building because the additional setback is based on the total height of the building, not the height each portion of the building, or a sloping setback. This setback is the same for the rear yard setback. As discussed in the front yard setback paragraph above, historically, the projections atop a building were allowed in tower setbacks by policy but are proposed in the conditions for clarity and consistency.

The applicant has proposed an increased tower setback for the side not adjacent to the alley and a decreased overall setback for the side yard adjacent to the alley because the applicant is required to dedicate five feet to the Welborn Street and Congress Avenue rights-of-way by plat. The applicant proposes to decrease the 10-foot setback to five feet along the alley rather than decreasing the footprint of the building and because the alley separation creates additional separation. Additionally, the applicant proposes a projection of parking garage and amenity deck into the tower setback along the alley. In order to accommodate the shifting of the building five feet closer to the alley and the amenity deck, the applicant proposes a 22-foot tower setback for all portions of a structure above 36 feet in height and less than 56 feet in height and 46 feet for all portions of a structure above 56 feet in height. Staff does not support the decreased tower setbacks.

The purpose of the tower setbacks above 36 feet in PD 193 are to provide for light and air between taller buildings between adjacent lots and reduce the canyon effect along streets. The setbacks are meeting or exceeding the minimum requirements on the front and southwestern side setbacks and therefore staff supports those requests. However, staff does not support the proposed modifications to the side yard setback along the alley because the parking garage and amenity deck encroach into the standard tower setback and bring structures that could create additional noise closer to the adjacent property.

The MF-3 Subdistrict also prohibits balconies from encroaching into a side or rear yard setback. The applicant also requests to allow balconies to encroach up to five feet into the required side yard. Staff does not support the requested balcony encroachment into the side yard setback.

Floor area ratio and lot coverage: The applicant also requests to increase floor area ratio (FAR) from 4.0:1 to 5.5:1 and lot coverage from 60 percent to 72 percent when the following conditions are met:

1. All required parking is located within a parking structure. Any excess surface parking is located a minimum 30 feet from Welborn Street, five feet from Congress Avenue, and five feet from abutting properties;
2. Minimum 30 percent transparency on the ground-story street-facing facades;
3. Minimum 20 percent transparency on the facades above the ground story facing Welborn Street; and
4. No more than 20 linear feet of blank wall on Welborn Street.

The above criteria are based on apartment development type standards of the City's Form Based Codes. The first criterion is not explicitly required in Form Based Codes, but a maximum setback normally applies. When a maximum setback applies, parking naturally occurs behind or inside of a structure and therefore, staff considers the first criterion as an alternative to a maximum setback. The other three criteria create minimum standards for facades that prevent blank walls. Because the above criteria elicits an urban facade and because the applicant has provided increased setbacks, with the exception of the side yard adjacent to the alley, staff supports the conditional increased floor area and lot coverage.

Parking: For a multifamily use in PDD No. 193, the parking requirement is one space per 500 square feet of floor area, with a minimum of 1.5 spaces for structures that exceed 36 feet in height. The applicant is proposing to meet this minimum requirement. Additionally, PDD No. 193 requires that parking garage facades be constructed to appear similar in appearance to the facade of the main non-parking building with a maximum of 52 percent of the total facade area contains openings. No changes to the existing parking structure facade standards of PDD No. 193 are proposed with this application.

Landscaping: Landscaping is required in accordance with PDD No. 193 with two exceptions to facilitate a five-foot street dedication on both Welborn Street and Congress Avenue. Because the aboveground parking structure is proposed with a minimum five-foot landscaping buffer rather than a ten-foot landscaping buffer, trees are proposed to be replaced with evergreen shrubs in the alley and five large trees are proposed to be added to the front yard, along Welborn Street. Staff supports the requested modification as it is seen to be in kind to the spirit and intent of the landscaping requirements of PDD No. 193.

Prior CPC Action – June 22, 2017:

Motion: In considering an application of a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue, it was moved to **hold** this case under advisement until July 20, 2017.

Maker: Jung
Second: Mack
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves*, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley

Against: 0
Absent: 1 - Ridley
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 453
Replies: For: 38 Against: 41

Speakers: For: None
For (Did not speak): Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: Bernard Bortnick, 1260 Breckenridge Dr., Dallas, TX, 75230

Prior CPC Action – July 20, 2017:

***De minimus* Significate Change Motion:** In considering the requirement in Section 5(m)(1)(B) of the CPC Rules of Procedure, the finding is it does not apply because the impact of the proposed change in the Commission's judgment is *de minimus* in nature.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney*, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0

Absent: 1 - Housewright
Vacancy: 0

*out of the room, shown voting in favor

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for MF-3 Multiple Family and tower/antenna for cellular communication uses, subject to a revised development plan and revised staff's recommended conditions with the following exceptions: 1) Section 106(b), to read as follows: Tower/antenna for cellular communication is permitted by right, limited to a mounted cellular antenna; mounted on the tower portion of the building., 2) Section 108, adopt applicant's request with regard to side yard setbacks, and 3) Section 108, adopt applicant's request with regard to balconies to allow to encroach up to five feet into the required side yard, only above 36 feet in height and cannot encroach into the required side yard below 36 feet in height on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the south corner of Welborn Street and Congress Avenue.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 500 Mailed: 453
Replies: For: 84 Against: 44

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Brenda Marks, 3926 Gilbert Ave., Dallas, TX, 75219
Jim Blagg, 3704 Brown St., Dallas, TX, 75219
Herschel Weisfeld, P.O. Box 191002, Dallas, TX, 75219
Randy Greenberg, 4210 Fairmount St., Dallas, TX, 75219
Todd Dubbelde, 2728 Welborn St., Dallas, TX, 75219
For (Did not speak): Christopher Janson, 2723 Welborn St., Dallas, TX, 75219
Against: Angela Hunt, 500 N. Akard St., Dallas, TX, 75201
Charles Womack, 3629 Brown St., Dallas, TX, 75219
Donald Sullivan, 2811 Hood St., Dallas, TX, 75219

List of Partners/Principals/Officers

Toll Bros., Inc. is a subsidiary of Toll Brothers, Inc., a publicly-traded Delaware corporation. It has a slate of hundreds of officers that are responsible for different areas of operations among 20 states.

Listed below are the principal officers and those officers that oversee operations in Dallas:

Chief Executive Officer	Douglas C. Yearley, Jr.
President and Chief Operating Officer	Richard T. Hartman
Senior Vice President & Chief Financial Officer	Martin P. Connor
Senior Vice President & Treasurer	Gregg L. Ziegler
Senior Vice President & Assistant Treasurer	Joseph R. DeSanto
Senior Vice President, General Counsel and Chief Compliance Officer	John K. McDonald
Senior Vice President and Secretary	Michael I. Snyder
Senior Vice President, Chief Accounting Officer and Assistant Secretary	Joseph R. Sicree
Senior Vice President, Controller and Assistant Secretary	Kevin J. McMaster
Senior Vice Presidents	Charles Elliott John A. McCullough
Regional President	Barry A. Depew
Group President	Thomas J. Murray
Division President	Robert G. Paul
Division Vice Presidents	Ryan M. Bashaw John D. (Jay) Saunders III

Point 2 Turtle Creek Condominiums

President – Diane Linn

Brett Ormsby

Patty Ysasaga

Mark Cullen

Lucy Somes

CPC Recommended New PDS Conditions

Division S-_____. PD Subdistrict _____.

SEC. S-_____.101. LEGISLATIVE HISTORY.

PD Subdistrict _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. S-_____.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict _____ is established on property located at the south corner of Welborn Street and Congress Avenue. The size of PD Subdistrict _____ is 1.37 acres.

SEC. S-_____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division,

(1) BLANK WALL AREA means any portion of the exterior of a building that does not include a material change, windows or doors, or columns, pilasters, or other articulation greater than 12 inches in depth. Blank wall area is measured horizontally on each story.

(2) SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a residential zoning district.

SEC. S- ____.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit ___A: development plan.

SEC. S-_____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-_____). If there is a conflict between the text of this division and the development plan, the text of this division controls.

SEC. S-_____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the MF-3 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-3 Multiple Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-3 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-3 Multiple Family Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following additional main use is permitted by right:

-- Tower/antenna for cellular communication, limited to a mounted cellular antenna that must be mounted to the tower portion of the building identified on the development plan.

SEC. S-_____.107. ACCESSORY USES.

(a) 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.

(b) The following accessory uses are prohibited:

-- Amateur communication tower.
-- Open storage.
-- Private stable.

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.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-3 Multiple Family Subdistrict apply.

(b) Multiple-family.

(1) Front yard.

(A) Welborn Street.

(i) Minimum front yard is 10 feet for the first 36 feet in structure height.

(ii) Minimum front yard is 43 feet for all portions of a structure above 36 feet in height.

(iii) Retaining walls, stoops, porches, steps, benches, landscape features, fences, and planters are permitted in the front yard when less than four feet in height.

(iv) Structures in Section 51P-193.123(a)(2) are allowed within the front yard setback when located atop portions of a building that is 36 feet or less in height.

(B) Congress Avenue.

(i) Minimum front yard is 10 feet for the first 36 feet in structure height.

(ii) Minimum front yard is 30 feet for all portions of a structure above 36 feet in height.

(iii) Retaining walls, stoops, porches, steps, benches, landscape features, fences, and planters are permitted in the front yard when less than four feet in height.

(iv) Structures in Section 51P-193.123(a)(2) are allowed within the front yard setback when located atop portions of a building that is 36 feet or less in height.

CPC and Applicant requested:

(2) Side yard.

(A) Minimum side yard is 10 feet for the first 36 feet in height.

(B) Except as provided in this subparagraph, minimum side yard is 60 feet for all portions of a structure above 36 feet in height.

(C) Where adjacent to an alley, minimum side yard is

(1) 22 feet for all portions of a structure above 36 feet in height and less than 56 feet in height.

(2) 46 feet for all portions of a structure above 56 feet in height.

(D) Balconies may encroach five feet into the side yard setback when located above 36 feet in height.

(E) Structures in Section 51P-193.123(a)(2) are allowed within the side yard setback when located atop portions of a building that are 36 feet or less in height.

Staff recommended:

Staff recommends the side yard setback for MF-3 is applied with the additional provision in subparagraph (2) below:

Minimum side yard in MF-3 is:
-- *10 feet for the first 36 feet in height.*
-- *An additional setback must be provided that is equal to one-half of the* **total** *height of the building, up to a maximum setback of 50 feet, for all portions of a building above 36 feet in height.*
-- *Balconies may* not *encroach into the side yard setback.*

(2) Side yard. Structures in Section 51P-193.123(a)(2) are allowed within the side yard setback when located atop portions of a building that are 36 feet or less in height.

(3) Density. Maximum number of dwelling units is 271.

(4) Floor area ratio. Maximum floor area ratio is 4:1. An additional 1.5:1 FAR is allowed when the following criteria are met:

(A) All required parking is located within a parking structure. Any excess surface parking is located a minimum 30 feet from Welborn Street, five feet from Congress Avenue, and five feet from abutting properties;

(B) Minimum 30% transparency on the ground-story street-facing facades;

(C) Minimum 20% transparency on the facades above the ground story facing Welborn Street; and

(D) No more than 20 linear feet of blank wall allowed on Welborn Street.

(5) Lot coverage.

(A) Except as provided in this paragraph, maximum lot coverage is 60 percent.

(B) Maximum lot coverage is 72 percent when the criteria listed in subparagraphs (4)(A) through (4)(D) of this subsection are met.

(C) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(6) Lot size. No minimum lot size.

SEC. S-_____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) For an accessory community center (private) that is accessory to a multiple-family use and is used primarily by residents, one space per 1,000 square feet of floor area is required.

(c) No parking is required for a mounted cellular antenna.

(d) Except as provided in this paragraph, consult Section 51P-193.127 for structure facade standards. Aboveground parking structures must have a solid wall or panel on each level with a minimum height of 36 inches to shield vehicular headlights.

SEC. S-_____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-_____.111. LANDSCAPING.

(a) Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) Garage screening and landscaping. Aboveground parking structures facing the alley off Congress Avenue must have a minimum 5-foot landscaping buffer on the side facing the alley. The landscape buffer must contain large evergreen shrubs planted three feet on center. Initial plantings must be capable of obtaining a solid appearance within three years.

(c) Ten large trees must be planted within the front yard along Welborn Street.

(d) Plant materials must be maintained in a healthy, growing condition.

SEC. S-_____.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. S-_____.113. ADDITIONAL PROVISIONS.

(a) Multiple family.

(1) Street-fronting, ground-level dwelling units must have individual entries that face the street and have an improved path connecting to the public sidewalk. Individual sidewalks may be constructed of concrete or a permeable hardscape material such as decomposed granite.

(2) Amplified sound is prohibited in the outdoor pool area.

(b) Front yard fences. A maximum three-foot-high fence is allowed in a front yard. A maximum three-foot-high handrail may be located on retaining walls in a front yard.

(c) Pedestrian crossings. At each intersection of driveway and sidewalk, sidewalks must be constructed of a material that differs in finish and color from that of vehicular ingress and egress driveways.

(d) Maintenance. The Property must be properly maintained in a state of good repair and neat appearance.

(e) Compliance.

(1) 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.

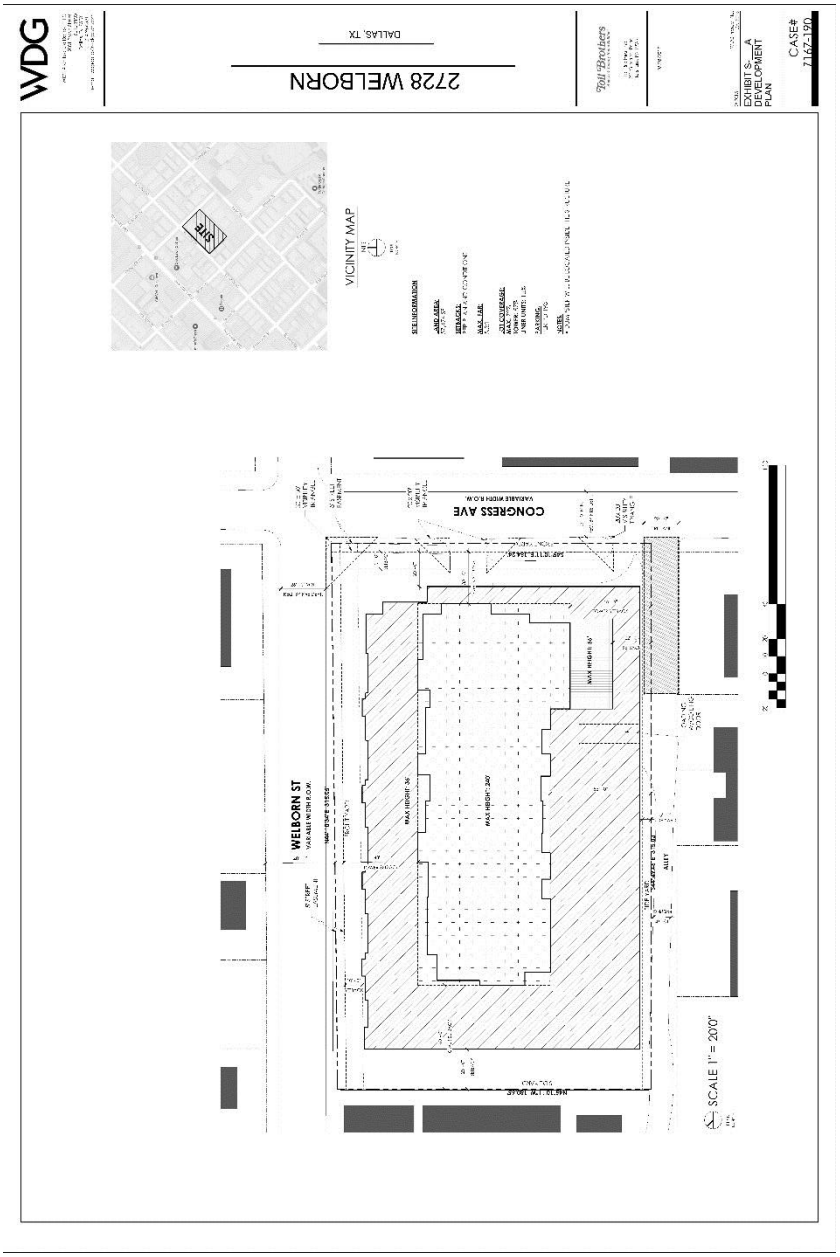
(2) Development and use of the Property must comply with Part I of this article.

SEC. S-_____.114. COMPLIANCE WITH CONDITIONS.

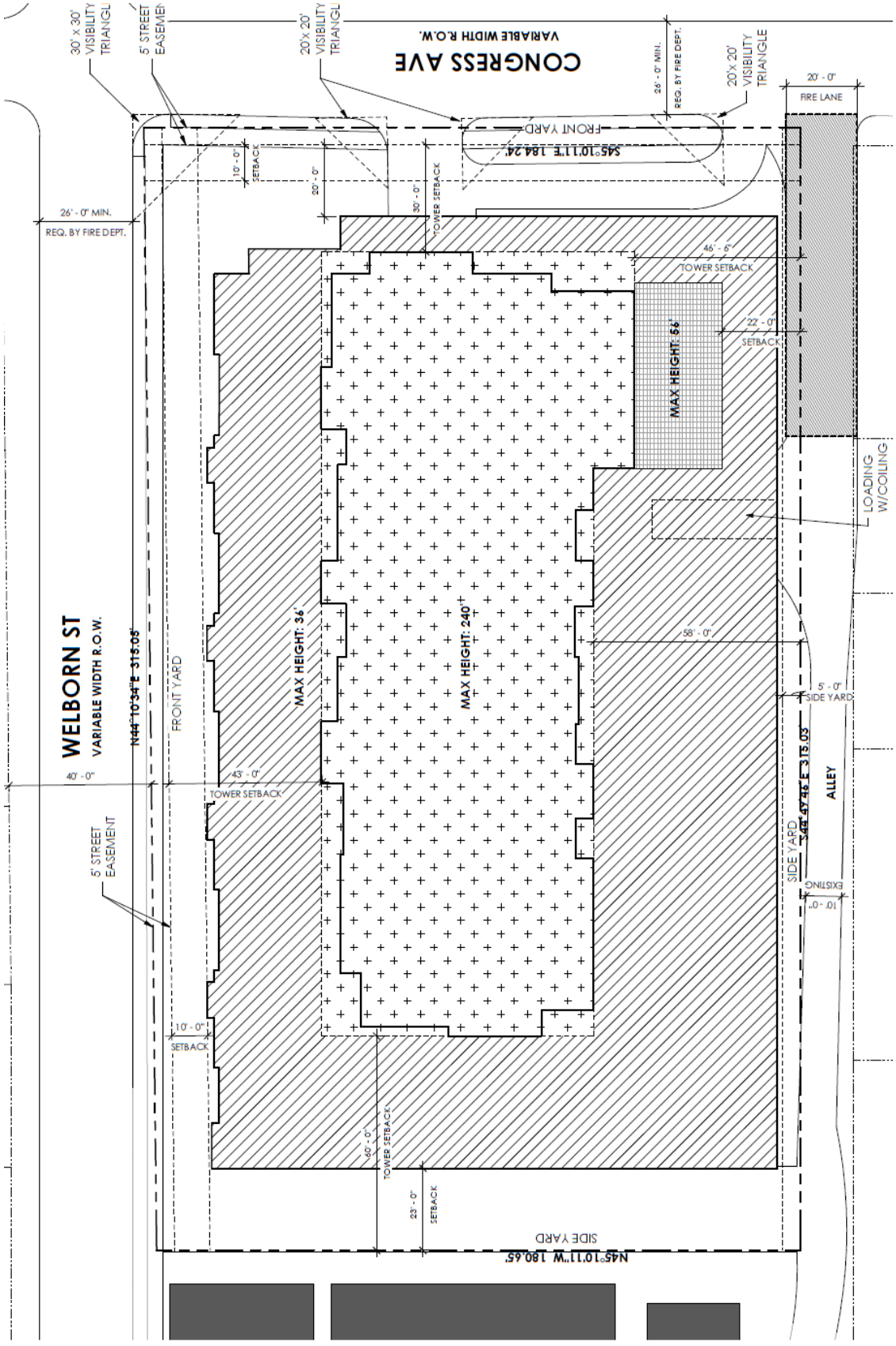
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

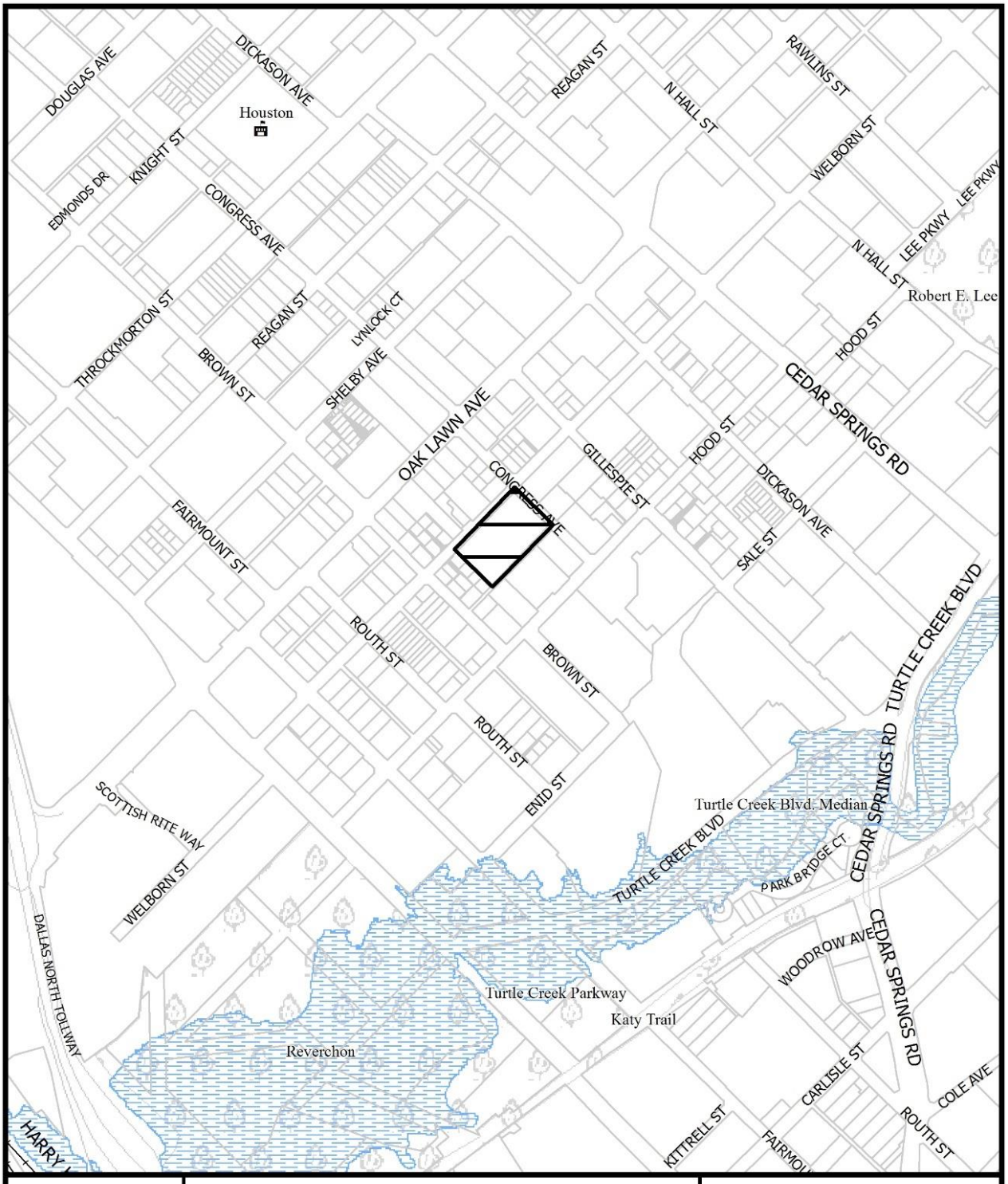
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

DEVELOPMENT PLAN



ENLARGED DEVELOPMENT PLAN



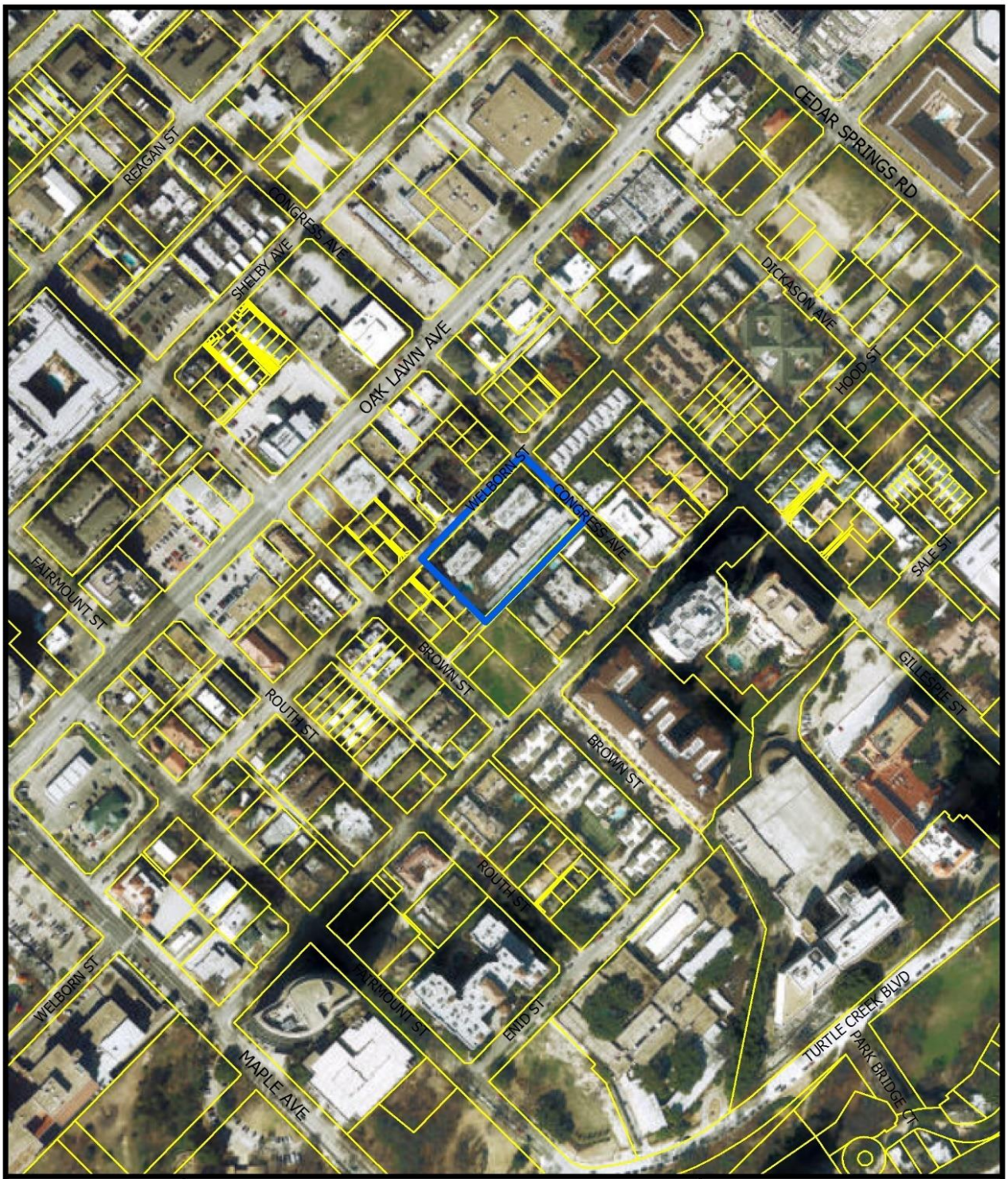


1:6,000

VICINITY MAP

Case no: Z167-190

Date: 2/15/2017

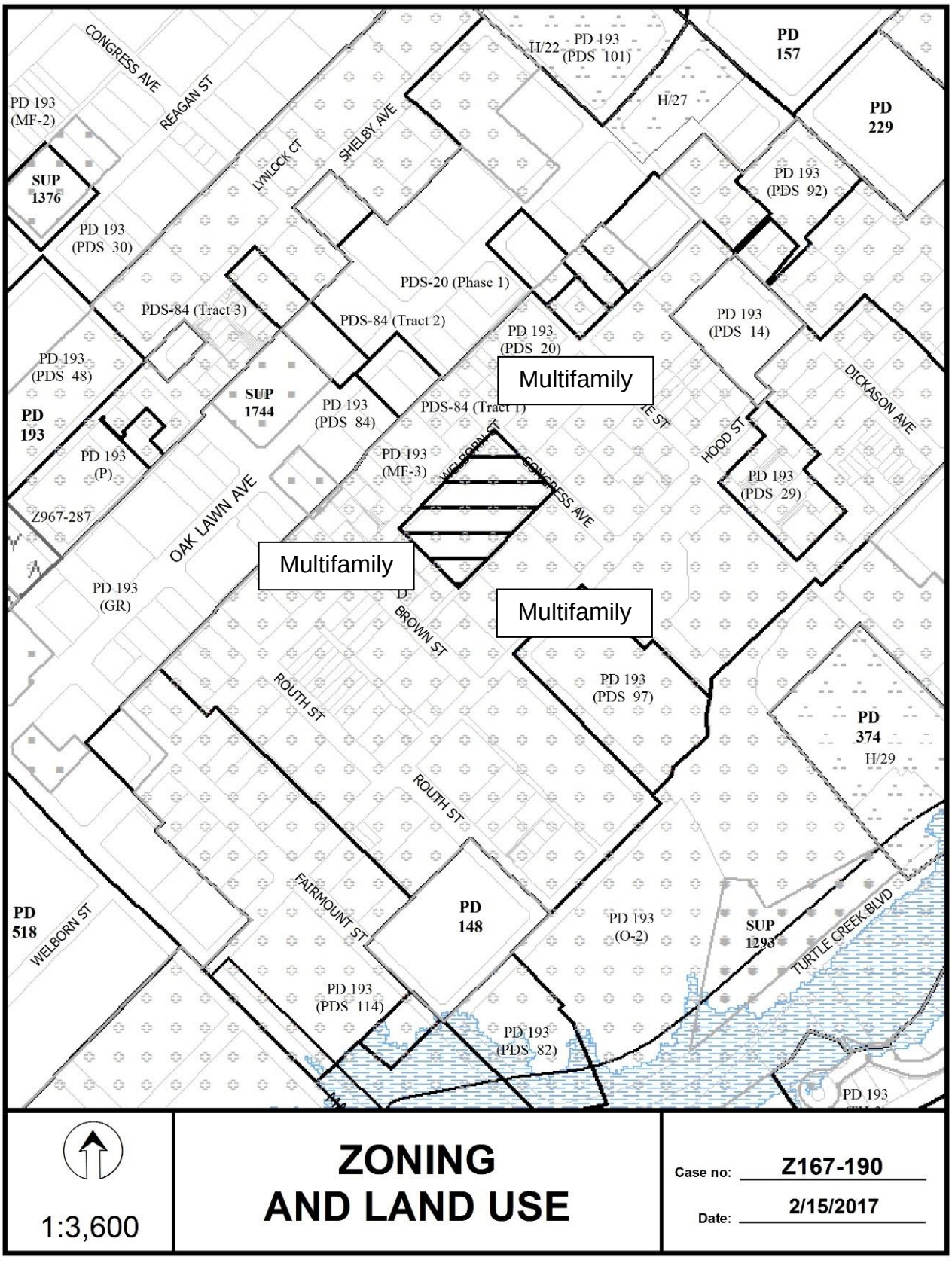


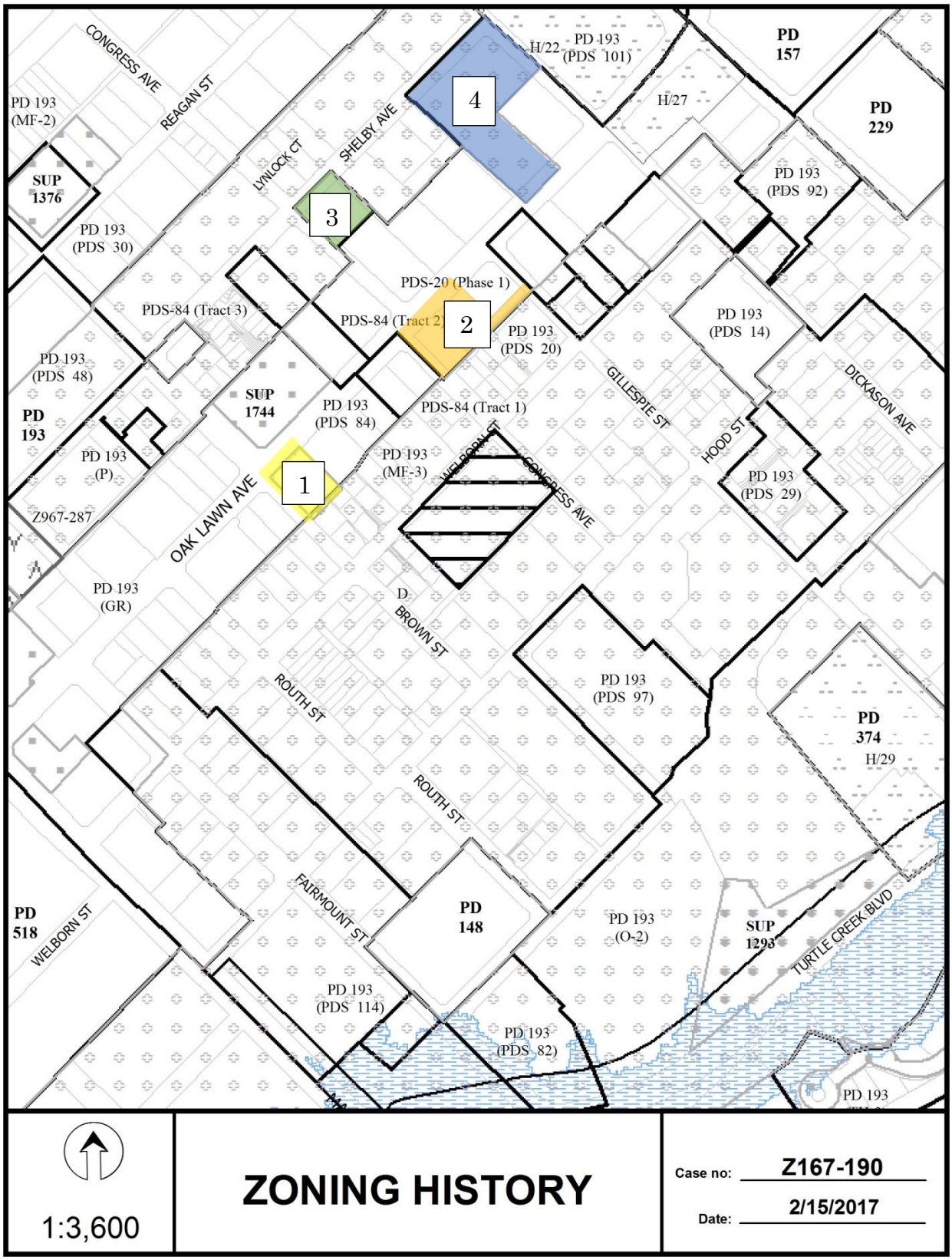
1:3,600

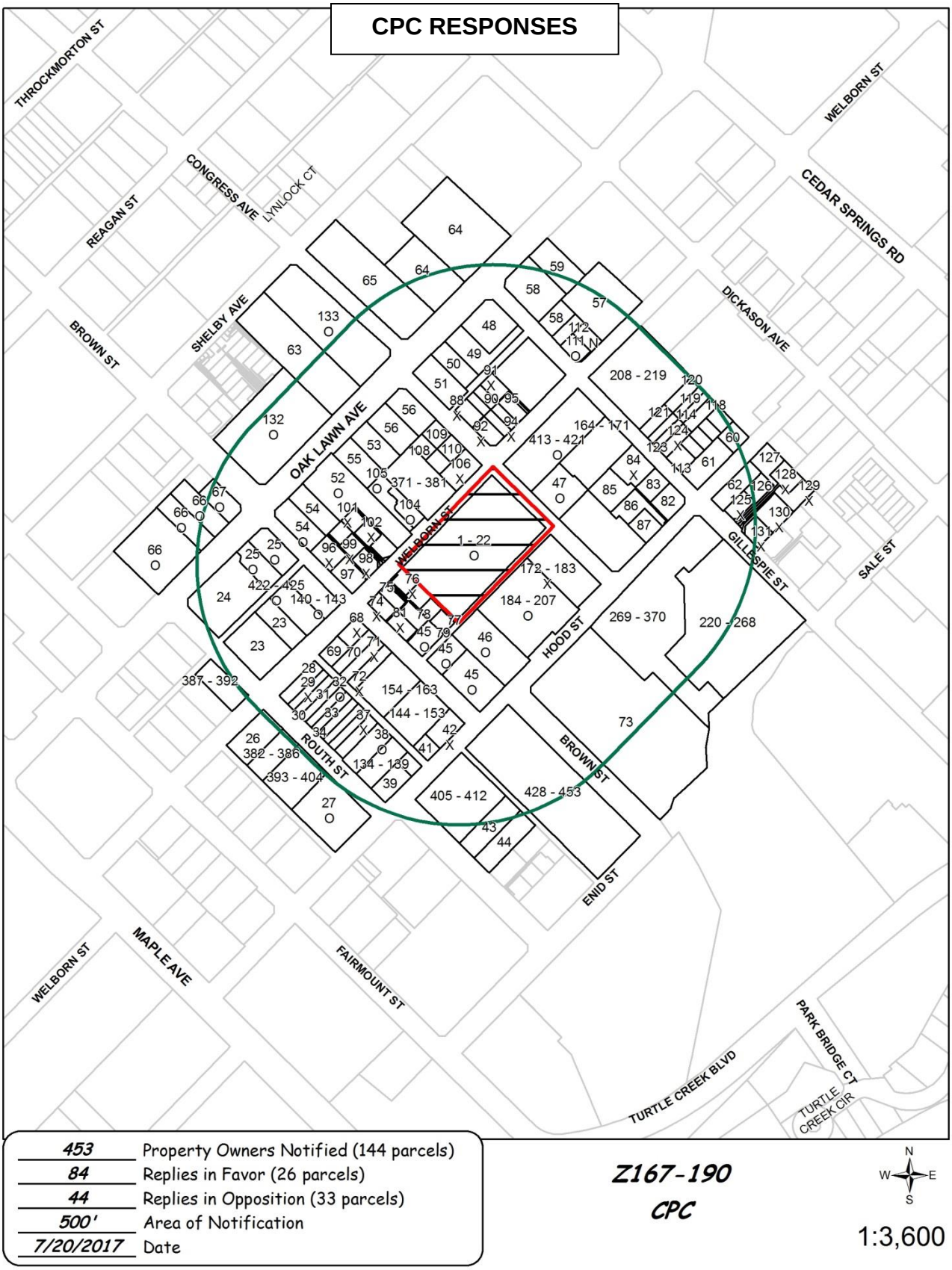
AERIAL MAP

Case no: Z167-190

Date: 2/15/2017


CONGRESS AVE
REAGAN ST
LYNLOCK CT
SHELBY AVE
H/22
PD 193 (PDS 101)
PD 157
H/27
PD 229
PD 193 (MF-2)
SUP 1376
PD 193 (PDS 92)
PD 193 (PDS 30)
PDS-20 (Phase 1)
PDS-84 (Tract 3)
PDS-84 (Tract 2)
PD 193 (PDS 14)
PD 193 (PDS 20)
PD 193 (PDS 48)
Multifamily
SUP 1744
PD 193 (PDS 84)
PDS-84 (Tract 1)
DICKASON AVE
PD 193
PD 193 (P)
PD 193 (MF-3)
HOOD ST
PD 193 (PDS 29)
Z967-287
OAK LAWN AVE
Multifamily
PD 193 (GR)
Multifamily
BROWN ST
ROUTH ST
PD 193 (PDS 97)
PD 374
H/29
ROUTH ST
FAIRMOUNT ST
PD 518
WELBORN ST
PD 148
PD 193 (O-2)
SUP 1293
TURTLE CREEK BLVD
PD 193 (PDS 114)
PD 193 (PDS 82)
PD 193
1:3,600
ZONING AND LAND USE
Case no: Z167-190
Date: 2/15/2017


CONGRESS AVE
REAGAN ST
LYNLOCK CT
SHELBY AVE
PD 193 (MF-2)
SUP 1376
PD 193 (PDS 30)
PD 193 (PDS 101)
H/22
PD 157
H/27
PD 229
PD 193 (PDS 92)
4
3
PDS-20 (Phase 1)
PDS-84 (Tract 3)
PDS-84 (Tract 2)
2
PD 193 (PDS 20)
PD 193 (PDS 14)
PD 193 (PDS 48)
SUP 1744
PD 193 (PDS 84)
PDS-84 (Tract 1)
GILLESPIE ST
DICKASON AVE
HOOD ST
PD 193
PD 193 (P)
1
PD 193 (MF-3)
WELBORN ST
CONGRESS AVE
PD 193 (PDS 29)
Z967-287
OAK LAWN AVE
PD 193 (GR)
D
BROWN ST
ROUTH ST
PD 193 (PDS 97)
PD 374
H/29
ROUTH ST
FAIRMOUNT ST
PD 148
PD 193 (O-2)
SUP 1293
TURTLE CREEK BLVD
PD 518
WELBORN ST
PD 193 (PDS 114)
PD 193 (PDS 82)
PD 193
1:3,600
ZONING HISTORY
Case no: Z167-190
Date: 2/15/2017


CPC RESPONSES
THROCKMORTON ST
REAGAN ST
CONGRESS AVE
LYNLOCK CT
SHELBY AVE
BROWN ST
OAK LAWN AVE
WELBORN ST
CEDAR SPRINGS RD
DICKASON AVE
GILLESPIE ST
SALE ST
HOOD ST
ROUTH ST
BROWN ST
ENID ST
FAIRMOUNT ST
MAPLE AVE
WELBORN ST
PARK BRIDGE CT
TURTLE CREEK BLVD
TURTLE CREEK CIR
1 - 22
172 - 183
184 - 207
269 - 370
220 - 268
208 - 219
164 - 171
413 - 421
371 - 381
422 - 425
140 - 143
387 - 392
382 - 386
393 - 404
154 - 163
144 - 153
134 - 139
405 - 412
428 - 453
453 Property Owners Notified (144 parcels)
84 Replies in Favor (26 parcels)
44 Replies in Opposition (33 parcels)
500' Area of Notification
7/20/2017 Date
Z167-190
CPC
N
W
E
S
1:3,600

07/19/2017

Reply List of Property Owners

Z167-190

453 Property Owners Notified ***84 Property Owners in Favor*** ***44 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	2728	WELBORN ST	LINN DIANE E
O	2	2700	WELBORN ST	SATYU PPTIES LLC
O	3	2728	WELBORN ST	LINN DIANE E
O	4	2700	WELBORN ST	ORMSBY BRETT
O	5	2700	WELBORN ST	BUTLER GERALD W
O	6	2700	WELBORN ST	DUBBELDE TODD
O	7	2700	WELBORN ST	WEISFELD RONALD A
O	8	2700	WELBORN ST	DEAN GHIAS UD & NAZI
O	9	2700	WELBORN ST	SOMES FAMILY TRUST
O	10	2700	WELBORN ST	MCFARLAIN RANDALL R
O	11	2700	WELBORN ST	RYAN SCOTT
O	12	2700	WELBORN ST	ZH PPTY LLC
O	13	2700	WELBORN ST	WELBORN STREET PARTNERS LLC
O	14	2700	WELBORN ST	HAVELKA JUDY
O	15	2700	WELBORN ST	ANDERSON DENISE
O	16	2700	WELBORN ST	VENEGAS ARTURO
O	17	2700	WELBORN ST	LESZINSKI SLAWOMIR
O	18	2700	WELBORN ST	MERTENS KATHLEEN & G
O	19	2728	WELBORN ST	CULLEN MARK C &
O	20	2700	WELBORN ST	ROMERO ESTELA ALEJANDRA
O	21	2700	WELBORN ST	WALKER JOHN POWELL
O	22	2700	WELBORN ST	YSASAGA PATRICIA MARGARET
	23	2601	WELBORN ST	WINHAVIR LP
	24	2604	OAK LAWN AVE	BERLIN GAIL M &
	26	2512	WELBORN ST	BURDIN KEN
O	27	3601	ROUTH ST	WEISFELD HERSCHEL A

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	28	3630	ROUTH ST	SALZER KARMA JO
X	29	3628	ROUTH ST	ONDREJ PAUL A
	30	3626	ROUTH ST	JAYARAM NITIN B
	31	3624	ROUTH ST	AVERY CHARLENE MARIE
	33	3620	ROUTH ST	FITZPATRICK MICHAEL C
	34	3618	ROUTH ST	MCKEON JAMES &
	35	3616	ROUTH ST	ALMOND CAROL
	36	3614	ROUTH ST	FAUST DANNY K
X	37	3612	ROUTH ST	ALLEN LADYE KAY
	39	3600	ROUTH ST	HOOD & ROUTH PARTNERS LLC
	40	2607	HOOD ST	SHUBERT LLOYD J JR
	41	2609	HOOD ST	MCCLAIN CAROLYN
X	42	3601	BROWN ST	SAMARA DAVID E
	43	3520	ROUTH ST	ROUTH RESIDENTIAL PARTNERS LLC
	44	3518	ROUTH ST	KOTHARI AJAY
	48	2820	OAK LAWN AVE	RANJBARAN JAMSHID &
	49	2814	OAK LAWN AVE	TEXAS LAND & CAPITAL LTD
	50	2808	OAK LAWN AVE	5612 YALE HOLDINGS LP
	51	2800	OAK LAWN AVE	TEXAS LAND & CAPITAL LTD
	53	2722	OAK LAWN AVE	CANNON YOUNG PPTIES LP
	54	2706	OAK LAWN AVE	VERITEX COMMUNITY BANK
	55	2720	OAK LAWN AVE	CANNON YOUNG PPTIES LP
	56	2732	OAK LAWN AVE	CANNON YOUNG PROPERTIERS LP
	57	2919	WELBORN ST	ANDES CAPITAL FINANCING LLC
	58	2904	OAK LAWN AVE	AHNS GROUP INC
	59	2912	OAK LAWN AVE	SACHDEV PRAVEEN
	60	2913	HOOD ST	TABATABAIE HOSSEIN G
	61	3600	GILLESPIE ST	BAKER DALE &
	62	3530	GILLESPIE ST	FEARON R SCOTT
	63	2727	OAK LAWN AVE	CANNON YOUNG PPTIES LP
	64	2825	OAK LAWN AVE	U S POSTAL SERVICE

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	65	3810	CONGRESS AVE	OAK LAWN PLAZA LP
X	68	2630	WELBORN ST	BRADFORD JAMES DOUGLAS
	69	2626	WELBORN ST	HARDMAN MELANIE ELEANOR
	70	3633	BROWN ST	HARRIS LAWRENCE F
X	71	3629	BROWN ST	WOMACK CHARLES R &
X	72	3625	BROWN ST	MOSS ROBERT KYLE
	73	2728	HOOD ST	AERC TURTLE CREEK LLC
X	74	2704	WELBORN ST	HURLEY LEAH
	75	2704	WELBORN ST	YORK CRAIG H &
X	76	2704	WELBORN ST	OZER ALI
	77	2704	WELBORN ST	GIRI BALA K
	78	2704	WELBORN ST	CODIANA JOHANNA D
	79	2704	WELBORN ST	MALDONADO ESTHER
	80	2704	WELBORN ST	EVANS WALTER P III & LAURIE A
	82	2845	HOOD ST	SMITH INVESTMENT TRUST THE
	83	2841	HOOD ST	TRAGER MICHAEL &
X	84	2837	HOOD ST	LOKEY PAUL E
	85	2833	HOOD ST	DOROTHY L MANAGEMENT TR I
	86	2825	HOOD ST	COOKE HOWARD F TR
	87	2821	HOOD ST	GANARAJ POSAVANIKE S & RATNA CO TRUSTEES
X	88	3780	CONGRESS AVE	GANDOLFO ANA MARIA M &
X	89	2801	WELBORN ST	BROOKSHIER ANDREW S
	90	2811	WELBORN ST	OTHMAN ANAS R
X	91	2813	WELBORN ST	CLARK KELSEY
X	92	2803	WELBORN ST	MAXWELL ELEANOR POWELL
X	93	2805	WELBORN ST	PESTL MARCUS G
	95	2809	WELBORN ST	MARTIN ROB
X	96	3708	BROWN ST	MOZISEK ARNOLD R JR
	97	3704	BROWN ST	BLAGG JIM C &
X	98	2701	WELBORN ST	WEINSTEIN TONI ELLEN

07/19/2017

Reply	*Label #*	*Address*		*Owner*
X	99	2703	WELBORN ST	MASTER HAROLD DAVID & FRANCINE HELEN
X	100	2705	WELBORN ST	ADAMS ANDREA LAUREN GST TRUST THE
X	101	2707	WELBORN ST	BERRONG JAMES D
X	102	2709	WELBORN ST	BRUNGER PHILIP &
X	103	2711	WELBORN ST	HICKS BILLY H & TERI R
X	106	2729	WELBORN ST	BOUSTRIDGE MICHAEL
X	107	3707	CONGRESS AVE	BEACH BRIAN A & JEAN A
	108	3711	CONGRESS AVE	GREEN DAVID A
	109	3715	CONGRESS AVE	MORELAND NANCY
	110	3703	CONGRESS AVE	FONTENOT JOEL K
O	111	3716	GILLESPIE ST	GINSBERG LAURIE BECKER & MAJOR
	112	3722	GILLESPIE ST	MEYRAT RICHARD
	113	3610	GILLESPIE ST	JONES SHANNA C & RYAN T
	114	3610	GILLESPIE ST	REMICK KARL V
	115	3610	GILLESPIE ST	ROSE BRYAN F &
	116	3610	GILLESPIE ST	HEILMAN RONALD H &
X	117	3610	GILLESPIE ST	BLANDFORD WILLIAMS & DIANE
	118	3610	GILLESPIE ST	MARTIN CHRISTINA B &
	119	3610	GILLESPIE ST	RIDER JOSHUA S & REBECCA C
	120	3610	GILLESPIE ST	DORSANEO RESOURCES LP
	121	3610	GILLESPIE ST	BURKLE FRANCISCO JAVIER
	122	3610	GILLESPIE ST	JOHNSON WILLIAM HUDSON &
	123	3610	GILLESPIE ST	STEWART JOHN R & INESSA B
X	124	3610	GILLESPIE ST	HAN EUGENE
	126	3526	GILLESPIE ST	ROBERTSON JEFFREY W & KELLEY W
	127	2908	HOOD ST	WYBAR MICHAEL J &
X	129	3522	GILLESPIE ST	STEIGERWALD ROBERT & PAMELA
	134	3606	ROUTH ST	CARTER G JACK III
	135	3606	ROUTH ST	LEE MEGAN FRANCES
	136	3606	ROUTH ST	HARGROVE ADAM

07/19/2017

Reply	*Label #*	*Address*		*Owner*
	137	3606	ROUTH ST	FLOOD JOAN M
	138	3606	ROUTH ST	SHERENIAN EVA M
	139	3606	ROUTH ST	GOOLSBY WILLIAM GREGORY
	144	3605	BROWN ST	KNIGHT QUIN
	145	3605	BROWN ST	PNM HOLDINGS LLC
	146	3605	BROWN ST	FIGUEROA ABBY M
	147	3605	BROWN ST	WESTBROOK DONALD E
	148	3605	BROWN ST	THOMPSON WILLIAM CRAIG
	149	3605	BROWN ST	MURALIRAJ VIJAY
	150	3605	BROWN ST	ELMERS JENNIFER L
	151	3605	BROWN ST	RIVET LAUREN
	152	3605	BROWN ST	HILDRETH GREGORY K
	153	3605	BROWN ST	MONTGOMERY THOMAS E
	154	3615	BROWN ST	DEPALMA MICHAEL
	155	3615	BROWN ST	ALANIZ CESAR JR
	156	3615	BROWN ST	LI XIAOXIAO
	157	3615	BROWN ST	DELEON FERNANDO
	158	3615	BROWN ST	MILLS MELANIE
	159	3617	BROWN ST	PETERS KIM L
	160	3617	BROWN ST	DELEON CLAUDIA PATRICIA
	161	3617	BROWN ST	BURMASTER AIMEE
	162	3617	BROWN ST	VANCE CHARLES
	163	3617	BROWN ST	TANG PATRICK
	164	3615	GILLESPIE ST	WOOD WILLIAM
	165	3615	GILLESPIE ST	KAFKA TERRY
	166	3615	GILLESPIE ST	DAVIS GREGORY T
	167	3615	GILLESPIE ST	MARTINEZ JOSE A
	168	3615	GILLESPIE ST	MARGO WILLIAM W
	169	3615	GILLESPIE ST	BOHDAN ERIK
	171	3615	GILLESPIE ST	KOELSCH CHRISTOPHER S
X	172	2727	HOOD ST	KEITH ALLEN MARTIN

07/19/2017

Reply	*Label #*	*Address*		*Owner*
X	173	2727	HOOD ST	HOWE MARTHA
X	174	2727	HOOD ST	TET TRUST THE
X	175	2727	HOOD ST	SACHDEV FRAVEEN
X	176	2727	HOOD ST	KIEDAISCH SCOTT D
X	177	2727	HOOD ST	BURNETT KIRBY
X	178	2727	HOOD ST	VANCE CHARLES
X	179	2727	HOOD ST	WELLS CORY
X	180	2727	HOOD ST	GARRETT GARY L
X	181	2727	HOOD ST	BENNETT MARK L
X	182	2727	HOOD ST	CABALLERO ELIZABETH
X	183	2727	HOOD ST	EVANGELISTA MARJORIE S
O	184	2711	HOOD ST	PANKEY SCOT A
O	185	2711	HOOD ST	WILSON RALPH H JR
O	186	2711	HOOD ST	SAMPANG BRADNELL
O	187	2711	HOOD ST	LORMAND LEE E
O	188	2711	HOOD ST	NANCE MICHAEL W
O	189	2711	HOOD ST	MURRELL PHILLIP A
O	190	2711	HOOD ST	WINNUBST ALEXANDRIA &
O	191	2711	HOOD ST	WHITCHER LARRY
O	192	2711	HOOD ST	HUDSON BERNADETTE FLORES
O	193	2711	HOOD ST	VANDERSLICE GEORGE RICHARD
O	195	2725	HOOD ST	RICHARDSON JOSEPH L &
O	196	2725	HOOD ST	HOGAN WESLEE A
O	197	2725	HOOD ST	DYCK CARON VAN & CRAIG
O	198	2725	HOOD ST	GOLDSMITH JAMI L
O	199	2725	HOOD ST	WEGER WILLIAM BARCLAY &
O	200	2725	HOOD ST	CRUZ DE LOPEZ ANTONINA
O	201	2725	HOOD ST	MARTIN LORI ANN
O	202	2725	HOOD ST	ZIMMERMAN ZACHARIAS
O	203	2725	HOOD ST	WILLIAMS JASON M
O	204	2725	HOOD ST	TURBEVILLE KAREN F

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Reply	*Label #*	*Address*		*Owner*
O	205	2725	HOOD ST	HARTER JOHN CLAY & PATRICIA M YSASAGA
O	206	2725	HOOD ST	OSWALT MORRIS
O	207	2725	HOOD ST	BOHDAN ERIK M
	208	3618	GILLESPIE ST	MCRAE WILLIAM H
	210	3618	GILLESPIE ST	MENDELOW MICHAEL &
	211	3618	GILLESPIE ST	FINGER ANDREW & JUDITH
	212	3618	GILLESPIE ST	DREES VIKTORIJA & SCOTT
	213	3618	GILLESPIE ST	SIEGAL MICHAEL
	214	3618	GILLESPIE ST	LANE G DAVID & CYNTHIA
	215	3618	GILLESPIE ST	BURKE GENIE
	216	3618	GILLESPIE ST	BAHRAMI SHOHREH
	218	3618	GILLESPIE ST	SBEITY ALI
	219	3618	GILLESPIE ST	WHITTIER ANTONIE
	220	3535	GILLESPIE ST	KREISEL KAY
	221	3535	GILLESPIE ST	RHODES COLLIN D
	222	3535	GILLESPIE ST	HEDRICK JAMES THOMAS & GEORGIA A
	223	3535	GILLESPIE ST	MURPHY SUSAN W
	224	3535	GILLESPIE ST	AUGUR MARILYN
	225	3535	GILLESPIE ST	HAYNES MICHAEL R &
	226	3535	GILLESPIE ST	PRIDHAM WILLIAM C &
	227	3535	GILLESPIE ST	MONTANA ROBERT C II &
	228	3535	GILLESPIE ST	BONNE CHASSE LLC
	229	3535	GILLESPIE ST	WIDNER ROBERT S LIVING TRUST
	230	3535	GILLESPIE ST	YABLON ASHLEY & DONNA
	231	3535	GILLESPIE ST	GREEN G GARDINER JR &
	232	3535	GILLESPIE ST	2004 COWLEY RANK LIVING TR
	233	3535	GILLESPIE ST	FASKEN PAULA PIERSON REV TRUST
	234	3535	GILLESPIE ST	FARRAR WILLIAM D
	235	3535	GILLESPIE ST	OLD AMERICAN CAPITAL CORP
	236	3535	GILLESPIE ST	YOUNG JOHN WILLIAM &
	237	3535	GILLESPIE ST	JFA TRUST THE

Reply	*Label #*	*Address*		*Owner*
	238	3535	GILLESPIE ST	ANTIOCO JOHN F
	239	3535	GILLESPIE ST	ALVAREZ SERGIO R
	240	3535	GILLESPIE ST	ALTERMANN MARK A
	241	3535	GILLESPIE ST	FARRAR WILLIAM D & AMANDA J
	242	3535	GILLESPIE ST	NAVIAS LOUIS & ARLENE
	243	3535	GILLESPIE ST	NAVIAS LOUIS & ARLENE
	244	3535	GILLESPIE ST	ROBY FRANK M & LINDA S
	245	3535	GILLESPIE ST	ELECTRO ENTERPRISES INC
	246	3535	GILLESPIE ST	DUBIN ANA P
	247	3535	GILLESPIE ST	SAVARIEGO VELINDA
	248	3535	GILLESPIE ST	MCWILLIAMS GEORGE L & LIFE ESTATE
	249	3535	GILLESPIE ST	PUTMAN MARY DELL
	250	3535	GILLESPIE ST	MERROLE STEINWAY REVOCABLE TRUST
	251	3535	GILLESPIE ST	LAPHAM PHYLLIS
	252	3535	GILLESPIE ST	PAYNE JONATHAN III & MARGARET
	253	3535	GILLESPIE ST	SANDERS GEORGE
	254	3535	GILLESPIE ST	DO TUAN ANH &
	255	3535	GILLESPIE ST	HERLIHY LYNN
	256	3535	GILLESPIE ST	BRADLEY KATRINA D
	257	3535	GILLESPIE ST	HENDERSON DAWN
	258	3535	GILLESPIE ST	CROZIER LESLIE ANN
	259	3535	GILLESPIE ST	COULTER JAMIE B
	260	3535	GILLESPIE ST	FERNANDES GARY J & SANDRA
	261	3535	GILLESPIE ST	BOWMAN BRUCE W & BEVERLY
	262	3535	GILLESPIE ST	MICKEY DAWN
	263	3535	GILLESPIE ST	LARSON WILLIAM D
	264	3535	GILLESPIE ST	MCCLURE SHARA B & CRAIG A
	265	3535	GILLESPIE ST	KIVOWITZ STACEY & DON RESIDENCE TRUST
	266	3535	GILLESPIE ST	PETRYLIENE RENATA
	267	3535	GILLESPIE ST	CARLILE HOLDINGS INC
	268	3535	GILLESPIE ST	EC ENGERGY PARTNERS LP

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Reply	*Label #*	*Address*		*Owner*
	269	2828	HOOD ST	PLAZA APARTMENTS PHASE II
	270	2828	HOOD ST	PLAZA TURTLE CREEK IV
	271	2828	HOOD ST	DEVLIN MICHAEL &
	272	2828	HOOD ST	WURST MICHAEL FRANCIS &
	273	2828	HOOD ST	WHITE NANCY S
	274	2828	HOOD ST	YAMINI SARA M
	275	2828	HOOD ST	JOHNSON MILTON VANCE & LINDA A LIFE EST
	276	2828	HOOD ST	RISINGER DENNIS R & MELBA
	277	2828	HOOD ST	LEACH JOSEPH JR
	278	2828	HOOD ST	SONNENSCHEIN INVESTMENTS LTD
	279	2828	HOOD ST	CANNING MICHAEL & MINA G
	280	2828	HOOD ST	MASSINGILL LYNN
	281	2828	HOOD ST	HARVEY R CHRIS &
	282	2828	HOOD ST	BAKER CHARLES DON
	283	2828	HOOD ST	SCHWENK RON R &
	284	2828	HOOD ST	PINK ELISABETH R
	285	2828	HOOD ST	BASILBAY PARTICIPATION
	286	2828	HOOD ST	MEXICAN & GOURMET INTL
	287	2828	HOOD ST	DEININGER JOHN H & MARY ELIZABETH DEININGER
	288	2828	HOOD ST	WASKOM ENTERPRISES LLC
	289	2828	HOOD ST	PE GLORIA ST
	290	2828	HOOD ST	CONWAY JAMES F & TARA M
	291	2828	HOOD ST	KERRANE EDWARD B &
	292	2828	HOOD ST	GARZA ARACELI
	293	2828	HOOD ST	HAIRGROVE GERRY MEANS
	294	2828	HOOD ST	ADAMO KENNETH R
	295	2828	HOOD ST	SAFIR ANN GENE
	296	2828	HOOD ST	BOBBY MURCER 2003 TRUST B THE
	297	2828	HOOD ST	DW OPERATING LLC
	298	2828	HOOD ST	HURST PAT R
	299	2828	HOOD ST	STONER MARY &

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Reply	*Label #*	*Address*		*Owner*
	300	2828	HOOD ST	TELLO RHONDA
	301	2828	HOOD ST	COX BARTON R & JACQUELINE R
	302	2828	HOOD ST	MINITAS COMPANY S A
	303	2828	HOOD ST	GINERIS MARC A & JEAN M
	304	2828	HOOD ST	MEINHARDT MICHAEL E
	305	2828	HOOD ST	WARD DAVID PAUL & JOYCE KAY
	306	2828	HOOD ST	PORTER JARVIS H & PAMELA
	307	2828	HOOD ST	AUFFENBERG DANIEL P REVOCABLE TRUST
	308	2828	HOOD ST	SILCOCK JAMES
	309	2828	HOOD ST	OSUAGWU CHUKWUMA J
	310	2828	HOOD ST	BRADFORD INVESTMENTS LLC
	311	2828	HOOD ST	ATKISS ANTHONY & PENELOPE
	312	2828	HOOD ST	MOBLEY DONNA K TRUST
	313	2828	HOOD ST	HOPKINS RANDOLPH JOHN
	314	2828	HOOD ST	LOPEZ LEONARD MR
	315	2828	HOOD ST	BAUGH MARK T LIVING TRUST THE
	316	2828	HOOD ST	DAVIS CARY & CATHERINE
	317	2828	HOOD ST	SAHLIYEH HANNA F
	318	2828	HOOD ST	SELL STEPHEN G
	319	2828	HOOD ST	SILVERMAN MICHAEL RICHARD & MARY M
	320	2828	HOOD ST	HAYNES NORINE C
	321	2828	HOOD ST	LAM THUY &
	322	2828	HOOD ST	YATES DENISE
	323	2828	HOOD ST	GOURLEY JOHN D
	324	2828	HOOD ST	MOORER REVOCABLE TRUST
	325	2828	HOOD ST	KETTMAN JOHN R & DIANA M
	326	2828	HOOD ST	MCGARRY MICHAEL J
	327	2828	HOOD ST	MOORE CRAIG &
	328	2828	HOOD ST	GARRETT DONNA N
	329	2828	HOOD ST	REVERCHON PARTNERS II LTD
	330	2828	HOOD ST	ELLIOTT MARISA

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Reply	*Label #*	*Address*		*Owner*
	331	2828	HOOD ST	JACOBSON G & M FAMILY TR
	332	2828	HOOD ST	DW OPERATING LLC
	333	2828	HOOD ST	ZELAZNY CHARLES L
	334	2828	HOOD ST	DIBBLE KIMBERLY &
	335	2828	HOOD ST	WISMER ANN
	336	2828	HOOD ST	CHOOLJIAN ANDREW M &
	337	2828	HOOD ST	JACOBSON G & M FAMILY TR
	338	2828	HOOD ST	REICHSTADT EMIL & SHIRLEY
	339	2828	HOOD ST	ST PE ROZALYN
	340	2828	HOOD ST	FORD JOE T &
	341	2828	HOOD ST	FAULKNER STEPHEN W &
	342	2828	HOOD ST	GILLEAN JOHN A III & MYRA M
	343	2828	HOOD ST	RVO TEXAS HOLDINGS LLC
	344	2828	HOOD ST	BACKA LOUISE PAPARELLA
	345	2828	HOOD ST	WOLIN BARTON AND JUDITH
	346	2828	HOOD ST	SIEMER MARY RITA
	347	2828	HOOD ST	BARTON THOMAS P & ANNIE A
	348	2828	HOOD ST	LEACH JAMES E ESTATE OF
	349	2828	HOOD ST	HIGHFIELD EQUITIES INC
	350	2828	HOOD ST	MINITAS CO SA
	351	2828	HOOD ST	HOWARD CASSIE
	352	2828	HOOD ST	STREETER THOMAS C
	353	2828	HOOD ST	MARSHALL DAVE B & MERRILL JEAN
	354	2828	HOOD ST	WHITE ROBERT WAYNE & ANNELLE BURTON
	355	2828	HOOD ST	MCBRIDE NANCY YATES
	356	2828	HOOD ST	BEAUCHAMP ALAN & JACKIE
	357	2828	HOOD ST	ROBINSON DAVID B & REBECCA M
	358	2828	HOOD ST	HUDDLESTON CAROL LYNN
	359	2828	HOOD ST	SPENCER WILLIAM B & SHERRY D
	360	2828	HOOD ST	HARI CHINTA
	361	2828	HOOD ST	KAUFMAN CHESTER & DELPHINE 1992 TRUST

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Reply	*Label #*	*Address*		*Owner*
	362	2828	HOOD ST	HULSEY ROBERT A & SHARON D
	363	2828	HOOD ST	HALL CRAIG & KATHRYN HALL
	364	2828	HOOD ST	DALE RICHARD P JR
	365	2828	HOOD ST	HOLLINGSHEAD TERRY R
	366	2828	HOOD ST	DHARMAGUNARANTNE TISSA C
	367	2828	HOOD ST	MINITAS COMPANY S A
	368	2828	HOOD ST	ESPINOSA ALCIRA HERNANDEZ DE
	369	2828	HOOD ST	MINITAS COMPANY SA
	370	2828	HOOD ST	LARUE JOHN
	371	2727	WELBORN ST	HUMPHRIES JOHN F JR
	372	2727	WELBORN ST	VDT HOLDINGS LLC
	373	2727	WELBORN ST	WELBORN STREET PARTNERS
	374	2727	WELBORN ST	TRUONG DUY D
	375	2727	WELBORN ST	WALGAMA RUWANI M
	376	2727	WELBORN ST	MEQUET DAVID
	377	2727	WELBORN ST	GILBERT JR RICHARD A
	379	2727	WELBORN ST	NORRELL STEVE
	380	2727	WELBORN ST	TRUONG DUY D &
	381	2727	WELBORN ST	NORRELL STEVE
	383	3623	ROUTH UNIT B ST	SALON ESTATE LLC
	384	3623	ROUTH UNIT C ST	BRUNSDALE TANNER J & WESLEY ALLEN TAFOYA
	385	3623	ROUTH UNIT D ST	ZAMBRANO GERARDO
	386	3623	ROUTH ST	THIRTY SIX TWENTY THREE
	387	3701	ROUTH ST	HADDAD KEVIN J
	388	3703	ROUTH ST	BERTHIAUME SCOTT & TONIA
	389	3705	ROUTH ST	COSTLOW JERRY L
	390	3707	ROUTH ST	OBRIEN STEPHEN T
	391	3709	ROUTH ST	MCWHORTER KATHERINE L
	392	3711	ROUTH ST	MCCORMICK DAVID M &
	393	3617	ROUTH ST	ELFENBEIN JESSICA
	394	3617	ROUTH ST	LONG COTY
	395	3617	ROUTH ST	GATES ANDREA A

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Reply	*Label #*	*Address*		*Owner*
	396	3617	ROUTH ST	KINKAID NICOLE
	397	3617	ROUTH ST	BORTNICK BERNARD & RACHEL
	398	3617	ROUTH ST	QUICKSALL BETTY A
	399	3617	ROUTH ST	MCQUAY MICHAEL
	400	3617	ROUTH ST	PRATHER HEIDI BELLE
	401	3617	ROUTH ST	ELFENBEIN JESSICA & ETAL
	402	3617	ROUTH ST	OCONNOR MONICA L
	403	3617	ROUTH ST	WRZESNIEWSKI PIOTR &
	404	3617	ROUTH ST	CAMPISI AMBER
	405	2614	HOOD ST	AHMED RUBANA & MUSTAQUE
	406	2612	HOOD ST	SADACCA STEPHEN
	407	2610	HOOD ST	CALHOUN REBEL
	408	3534	ROUTH ST	AINSWORTH GEORGE M
	409	3532	ROUTH ST	MOORE JAMES K
	410	3530	ROUTH ST	KRAMER PAMELA A
	412	3526	ROUTH ST	REVISED JOINT LVG TR OF PRICILLA ELLEN PERRY &
O	413	2802	WELBORN ST	SHUGHRUE CYNTHIA L
O	414	2804	WELBORN ST	BOUNDS JAMES T III
O	415	2806	WELBORN ST	FUNK JUDITH EHMAN
O	416	2808	WELBORN ST	BORLENGHI ELLEN S
O	417	2810	WELBORN ST	SCOTT LLOYD & ALVIN C TISDALE
O	418	2812	WELBORN ST	JEWELL ROBERT TODD
O	420	2816	WELBORN ST	SEWELL REVOCABLE TRUST THE
O	421	2818	WELBORN ST	GUZZETTI WILLIAM L
O	422	2615	WELBORN ST	VU KIM
O	423	2615	WELBORN ST	OMEARA RAYMOND J
O	424	2615	WELBORN ST	PORCELLI JOSEPH
O	425	2615	WELBORN ST	RAMMING JULIANNE
	426	2815	WELBORN ST	WAIATARUA INC
	427	2815	WELBORN ST	WAIATARUA INC
	428	3515	BROWN ST	NOSS MICHAEL R
	429	3515	BROWN ST	CORTS VICTORIA BENNISON

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Reply	*Label #*	*Address*		*Owner*
	430	3515	BROWN ST	SULLIVAN MARC ADAM &
	431	3515	BROWN ST	SHUMAKE VICKI B
	432	3515	BROWN ST	ZAMBRANO GERARDO
	433	3515	BROWN ST	HAILEY PEGGY
	434	3515	BROWN ST	KELSO ALIC & CHRISTINA
	435	3515	BROWN ST	BLACKSTONE WARREN L
	436	3515	BROWN ST	NYLUND JON
	437	3515	BROWN ST	JONES DEREK &
	438	3515	BROWN ST	BOWERS MICHAEL R
	439	3515	BROWN ST	MCGUIRE LISA E
	440	3515	BROWN ST	KREITZINGER MICHAEL & MARLO
	442	3515	BROWN ST	ALLISON FILIO BIANCA
	443	3515	BROWN ST	ALLEN A KATHLEEN
	444	3515	BROWN ST	GLOVER MARK N & CONNIE M
	445	3515	BROWN ST	HIGDON CHARLES A
	446	3515	BROWN ST	WAYLOCK GREGORY
	447	3515	BROWN ST	RINKERMAN MARK
	448	3515	BROWN ST	GYLFASON HALLDOR I
	449	3515	BROWN ST	WASHINGTON HOLDINGS LLC
	450	3515	BROWN ST	MCNULTY JOSHUA
	451	3515	BROWN ST	MUSIC JOSH & JODI STOKOL
	452	3515	BROWN ST	SNAPP CHARLES W
	453	3515	BROWN ST	LOEHR NANCY R & ALLEN C
X	A1	2704	WELBORN ST	ALEXANDERHALL LLC
X	A2	2807	WELBORN ST	NEWMAN JULIE
O	A3	3610	ROUTH ST	CONDON JOHN K
	A4	3515	BROWN ST	BASS CADE PARKER
O	A5	3707	BROWN ST	NORRELL RONALD STEVE
	A6	2727	WELBORN ST	NORRELL STEVE
	A7	3615	GILLESPIE ST	MITCHELL KELLY D
O	A8	2814	WELBORN ST	BOLIN DENNIS L

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Reply	*Label #*	*Address*		*Owner*
X	A9	3524	GILLESPIE ST	HAMM WILLIAM FEDERICK & MADELINE C
X	A10	3528	GILLESPIE ST	MEYER JOHN A JR & VICTORIA L
X	A11	3518	GILLESPIE ST	BRINDELL CHARLES ROBERT JR
X	A12	3520	GILLESPIE ST	BOHANNON ROBERT H & JANET L
O	A13	2710	OAK LAWN AVE	GOODSON ACURA OF DALLAS LLC
O	A14	2701	HOOD ST	TITAN URBAN DEVELOPMENT LLC
O	A15	2709	HOOD ST	TITAN URBAN DEVELOPEMENT LLC
O	A16	3612	BROWN ST	TITAN URBAN DEVELOPMENT LLC
O	A17	3614	BROWN ST	TITAN URBAN DEVELOPMENT LLC
O	A18	3709	BROWN ST	ALCOCER FERNANDO
O	A19	3705	BROWN ST	ALCOCER FERNANDO G
O	A20	3703	BROWN ST	MIRACLE ERIC
O	A21	2615	OAK LAWN AVE	OAK LAWN PARTNERS LP
O	A22	2629	OAK LAWN AVE	OAK LAWN RESTAURANTS LLC
O	A23	2621	OAK LAWN AVE	OAK LAWN PARTNERS LP
O	A24	2625	OAK LAWN AVE	OAK LAWN PARTNERS LP
O	A25	2612	OAK LAWN AVE	OAK LAWN RESTAURANTS LLC
O	A26	2618	OAK LAWN AVE	OAK LAWN RESTAURANTS LLC
O	A27	2733	OAK LAWN AVE	OAK LAWN OUTDOOR LLC
	A28	3618	GILLESPIE ST	BUTLER CHAD MARTIN
	A29	3623	ROUTH UNIT A ST	WEST MARK V ESTATE OF
O	A30	2703	OAK LAWN AVE	AMERICAN NATIONAL BANK OF TEXAS
O	A31	2706	OAK LAWN AVE	VERITEX COMMUNITY BANK
	A32	3528	ROUTH ST	MOORE JAMES K
O	A33	3622	ROUTH ST	ARNOLD SCOTT
O	A34	3610	CONGRESS AVE	RUSSELL JOHN R
O	A35	2725	HOOD ST	POWELL JIMMY J JR
	A36	3618	GILLESPIE ST	LANDRUM MARY E
O	A37	2719	WELBORN ST	MCFARLAIN RANDALL BRANT &
O	A38	2723	WELBORN ST	JANSON CHRISTOPHER & MEAGHAN KROENER

AGENDA ITEM # 87

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, on the south side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z167-266(KK)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**
ACM: Majed Al-Ghafry

FILE NUMBER: Z167-266(KK) **DATE FILED:** April 7, 2017

LOCATION: South side of Fort Worth Avenue, between Sylvan Avenue and Chappell Street

COUNCIL DISTRICT: 6 **MAPSCO:** 44 T

SIZE OF REQUEST: Approx. 1.796 acres **CENSUS TRACT:** 0043.00

APPLICANT/ OWNER: Marksmen Exploration, LLC

REPRESENTATIVE: Marksmen Exploration, LLC

REQUEST: An application to amend Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses.

SUMMARY: The purpose of this request is to amend Subarea 2D within Planned Development District No. 714, West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, to allow for the new construction of three buildings on the area of request.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- On February 23, 2005, PDD No. 714 was approved by City Council.

- The existing multistory office building on the area of request was constructed in May of 1985, according to permit records.

- The purpose of this request is to amend Subarea 2D of the planned development district to allow for encroachments into the front yard setback, reduce the parking requirement for office uses, omit the requirement to locate off-street parking to the rear of the main structure, remove the requirement that parking must be concealed in a structure, allow small tree species to be used for street trees, allow screening of parking lots to be located in the parkway, omit the street standards from applying to 2D, revise the sidewalk width to 5 feet, and revise the architectural design standards.

- Some conditions are proposed to deal with nonconformity of the existing structure in order to prepare for possible future development.

- Over the years there have been multiple remodel permits issued for the office located on the area of request. The applicant is proposing to augment the existing office structure with new structures, primarily fronting on Sylvan Avenue, to accommodate office and retail land uses.

Zoning History: There has been three recent zoning change requests in the area.

1. **Z134-134** On March 19, 2014, the City Council approved an MU-3 Mixed Use District subject to deed restrictions, 1) prohibiting certain uses; 2) establishing certain yard, lot, and space regulations; and 3) providing for certain operational regulations.

2. **Z134-145** On September 10, 2014, the City Council approved a PDD for certain residential uses.

3. **Z145-120** On February 24, 2015, the City Council approved Subdistrict 2D within Planned Development District No. 714 on property zoned Planned Development District No. 714, West Commerce Street/Fort Worth Avenue Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Sylvan Avenue	Principal Arterial	90 ft.
Fort Worth Avenue	Principal Arterial	100 ft.
Chappell Street	Local	50 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed amendment will not have a negative impact on the surrounding street system. A traffic impact study (TIS) was given to the Engineering Division when the original development was proposed. The TIS has not changed from when it was submitted and approved in 2015, therefore, the Engineering Divisions original approval still applies. Trip generations, while proposed to increase with the anticipation of supporting retail uses, will be consistent with existing development demands that will be served by existing roadways.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 714 (2D)	Office
North	PDD No. 714 (2A)	Lodging (Belmont Hotel)
East	PDD No. 714 (1C)	Retail, Restaurant, Multifamily
South	PDD No. 714 (2B)	Gen Merch w/ Motor Vehicle Fueling
West	PDD No. 714 (2B)	Retail

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTRE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

Implementation Measure 4.2.2.3 Use "Context Sensitive Design" standards for public street improvements to ensure safe and convenient bike and pedestrian movement.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Designing pedestrian-friendly streetscapes and encouraging new developments to provide pedestrian-oriented amenities and enhancements would encourage people to walk.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

The request site lies within an area considered Urban Mixed Use. The request is characteristic of an Urban Mixed-Use Building Block because it compromises a vibrant mix of office and retail uses to support adjacent and surround residential uses. The request site will provide additional uses for residents to work, shop, and play within a closely defined area. People on foot or bike can enjoy interesting storefronts and building facades at ground level with wide sidewalks. This aids in creating an appealing streetscape. By encouraging better design quality and convenience in retail centers, business parks and industrial parks, the city takes on a more notable look.

Land Use Compatibility:

PDD No. 714 was approved by the City Council on February 23, 2005 and encompasses approximately 245 acres (north and south lines of West Commerce Street and Fort Worth Avenue, between North Beckley Avenue and Westmoreland Road). Recent developments in the immediate area, both north and south of the Fort Worth Avenue alignment through this part of the PDD, have begun to transition the area by providing residential options, both multifamily and single family dwellings. As demand for services to accommodate the demand for anticipated residential activity, various retail and entertainment options have developed along this thoroughfare.

In creating the vision for PDD No. 714, various subdistricts were created to establish a basis for the balance of development and the co-existence with the built environment along the corridor. Subdistrict 2, which contains Subdistrict 2D, 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. Buildings should have minimum or no setbacks.

Preliminary plans will provide for three new structures, totaling 10,620 square feet, fronting along the Sylvan Avenue frontage. For information purposes only, the attached site plan has been provided by the applicant to show the relationship of the existing and proposed development across the property.

The applicant proposes the following amendments with this request, the revisions being proposed to the landscape ordinance will be detailed under the landscape section:

1) To allow for encroachments into the front yard setback. The proposed buildings meet the setback requirement, but there are certain projections into the front yard setback that are proposed to encroach. If these structures are going to encroach into the setback the text must be amended to allow this. The structures encroaching are steps, landing, awnings, trellis, retaining walls, and a dumpster. The proposed site plan, which is attached for reference only, shows steps encroaching into the right-of-way. The development team must obtain a license from the Real Estate Division of Sustainable Development and Construction to allow the steps to be located in the right-of-way. The text is also proposed to be amended to allow a dumpster to encroach into the front yard

setback of Chappell Street only. The existing dumpster would only be allowed to encroach into the setback along Chappell Street. If any other dumpsters are added to the site, they must conform to the established setbacks.

2) To reduce the required parking for office uses located in Subdistrict 2D. Please see the parking section below to obtain more detail concerning this proposal.

3) To omit the requirement to locate off-street parking to the rear of the main structure. The proposed development is compliant with this code section, but the existing office building is not. This is because when the office building was constructed in 1985, this was not a zoning requirement. There is planned future development, which is not part of this request, to add additional floor area on top of the existing office structure. If this were to come to fruition, the office would lose their legal non-conforming rights. Giving the existing development, proposed structures with this zoning request, the possible future development, and the layout of this site this site would not be able to meet compliance. Also in order to construct the development being proposed with this zoning case, the drive through teller area will be demolished, and new canopies at the entrances of the office building are being proposed. These new canopies will be considered new floor area, therefore triggering full compliance of the site. The bank will be unable to relocate their parking to the rear of the structure. This text amendment will address the current non-conformity of this structure by stating, "This provision does not apply to Subdistrict 2D".

4) To remove the requirement that parking must be concealed in a structure. This text was added in approved when Subdistrict 2D was created with case Z145-120 that was passed by City Council in February 2015. At that time a one-story parking garage was proposed on site. Sec.51P-714.113(l)(3) states, In Subdistrict 2D, parking must be concealed in a structure with a façade similar in appearance to the main structure's façade. At least 12 percent of the parking structure façade, 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 façade. This is no longer being proposed by the development team. Because this code section is specific to Subdistrict 2D, and was only added because of the proposed additions to the site, the applicant is proposing the text to read as follows, "In Subdistrict 2D, parking ~~must be concealed in a~~ structures must have ~~with~~ a façade similar in appearance to the main structure's façade. At least 12 percent of the parking structure façade, 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 façade." This would allow for the site to be developed with surface parking, but if a parking garage was installed in Subdistrict 2D it would have to comply with the façade requirements stated above.

5) Omit the street standards from applying to Subdistrict 2D. In an effort for this development to mimic the development across Sylvan Avenue located in PDD No. 714 Subarea 1C, the applicant would like the text to be amended the same as it was for 1C.

This revision is shown under the "In General section" of the PDD and under the Streets Standards section. The text would read as follows, Sec.51P-714.115(a)(2), "Except as provided in this section, streets as shown in Exhibit 714F are required. This provision does not apply in Subdistrict 1C and 2D." The other text section would read as follows, Sec.51P-714.115(b)(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 and 2D."

6) To revise the sidewalk width. In all of Subdistrict 2, which includes 2A, 2B, 2C, and 2D, the required sidewalk width is six feet. More specifically concerning Subdistrict 2D, given the current right-of-way improvements that have been made along Fort Worth Avenue and Sylvan Avenue, the applicant would like the text to be revised to a five foot sidewalk. The sidewalk along Chappell Street would match the existing sidewalk at Fort Worth Avenue and Sylvan Avenue. Due to the grade change of the side moving from south to north across the site there is a low retaining wall surround the site until the grade meets the street driving south on Sylvan Avenue. The site has 17 feet of fall from the high point along Chappell Street frontage towards Forth Worth Avenue. In order to install a six foot wide sidewalk, this retaining wall and existing landscape will have to be removed to create this additional foot of sidewalk. Sec.51P-714.115(c)(3) would read, In Subdistrict 2D the sidewalk must be five feet in width.

7) Revise dumpster screening requirements. This is another proposed amendment to more closely mirror the development located across Sylvan Avenue in Subdistrict 1C. The existing dumpster adjacent to Chappell Street will be screened with a solid wood fence, but this material will not match the main building. The existing building is mainly brick and the proposed structures are a combination of masonry, metal and glass. Sec.51P-714.116(d)(2) would read, Screening materials must match the main building. This provision does not apply to Subdistrict 1C and the existing dumpster located adjacent to Chappell Street. Any new dumpsters proposed on the site will have to be screened with a material to march the main building.

8) Revise the architectural design standards. The architectural design standards created for PDD No. 714 are designated because this area is an area of historical, cultural, and architectural importance and significance. The architectural design standards are intended to preserve the historical, cultural, and architectural importance and significance of the West Commerce Street/Fort Worth Avenue corridor. 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.

Because the existing office building is staying, the applicant has stated that some credit should be given towards the existing structure. The following condition is proposed to be added, In Subdistrict 2D, facades facing Fort Worth Avenue and Sylvan Avenue for all buildings within the subdistrict shall be counted cumulatively as one façade for the purposes of determining compliance with this section. This condition will allow all facades facing Sylvan Avenue and Fort Worth Avenue to be counted cumulatively versus only counting the facades per lot. This also allows for the entire façade facing these right-of-ways to be counted toward compliance whether they are visible from the street or not. This will allow the facades of the existing office building that face these specified right-of-ways to add their façade calculations with the new proposed structures. The existing office building's façade would be used to meet compliance with primary entrances that face the public right-of-way by counting the primary entrance into the existing office building as a street-facing primary entrance. This condition will also allow the metal that can be used on street-facing facades become compliant with the existing condition of no more than 20% of a street facing façade may be flat or corrugated metal panels along the Sylvan Avenue facade. By increasing the total square footage of street facing façade that is calculated this takes the percent of metal proposed on the new structures along Sylvan Avenue and Fort Worth Avenue lower than the percentages that were originally proposed during the May 18th City Plan Commission hearing. The original percent requested was 90% along Fort Worth Avenue, by counting the existing office façade this number can be reduced to 40%. Staff's concern with this condition is the applicability of this section when permits are reviewed at the Building Inspection office. Without an approved development plan or approved elevations to aid in the description of cumulative street-facing façade, this could lead to interpretation issues. Street-facing façade is not a defined term in the planned development. The applicant is wanting to count façade that technically cannot be seen from the street because of the proposed structures along Sylvan. Staff is concerned there is too much to be lost in translation with this proposed text amendment.

Within the architectural design standards sections of PDD No. 714, building orientation discusses that the primary façade and primary entrance of new construction must be oriented to face the public right-of-way. The applicant has indicated that one of the three proposed structures will not be able to meet this requirement. A prospective office tenant is planned to occupy building A on the proposed site plan. Due to safety concerns, they cannot have a door facing Sylvan Avenue. Due to not being able to meet this requirement, the following amendment is proposed. Staff's recommendation is for Sec.51P-714.118(d)(1)(A) to read, In Subdistrict 2D, this provision does not apply to the financial institution without drive-in window land use.

This development also wants to follow 1C and obtain the same exception. Sec51P-714.118(f)(4) would read, Except in Subdistricts 1C and 2D, 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.

This development would also like to mimic Subdistrict 1C and limit the amount of metal that is allowed. Staff's recommendation is that Subdistrict 2D be added to this text section and follow the same guidelines as Subdistrict 1C. This would mean that Subdistrict 2D could not exceed more than 50 percent of metal panels to be used on street-facing facades. The applicant would like Sec.51P-714.118(h)(3)(A) to read, No more than 20 percent of a street-facing façade may be flat or corrugated metal panels. In Subdistrict 1C, no more than 50 percent of the total area of street-facing façade per street frontage may be metal panels. In Subdistrict 2D, no more than 40 percent of the total area of street-facing façade along the Fort Worth Avenue frontage may be metal panels. This condition will only work if the applicant's request to count the façade along Fort Worth Avenue and Sylvan Avenue cumulatively is also approved.

The site is surrounded by a mix of uses, heavily influenced by office, retail, and lodging (Belmont Hotel) along the Fort Worth Avenue alignment through this area. Multifamily uses are developed to the east and southwest. As noted above, established residential areas consisting of existing single family dwellings, along with existing and under construction multifamily developments are anticipated north of Fort Worth Avenue, on property abutting the eastern line of Sylvan and IH-30, east of this site.

Parking:

The applicant is proposing a parking ratio reduction from 1 parking space per 333 square feet for an office use, detailed in the Dallas Development Code, to 1 parking space per 450 square feet of the following office uses: financial institution without drive-in window, financial institution with drive-in window, and office.

If the site is parked per the current PDD conditions the parking analysis would be as follows:

Use	Square Footage	Ratio	Required Parking
Existing Office	32,434	333	97
Bldg. A – Office	3,383	333	10
Bldg. B – Retail	3,216	200	16
Bldg. C - Restaurant	4,101	125	33
		Total Required	156
		Total Provided	91
		Deficient On Site	65

If the parking ratio remains the same both lots, the existing office (1881 Sylvan) and the new construction lot (1861 Sylvan) will have to complete remote parking agreements ideally with a property that has available parking within 600 feet of the area of request. Two remote parking agreements would have to be completed, one per lot, to acquire this deficient parking in order to meet the parking demands of the development at 1881

and 1861 Sylvan Avenue. No information was provided by the applicant as how to resolve the parking deficit.

If the parking ratio for office uses are reduced, the parking analysis would be as follows:

Use	Square Footage	Ratio	Required Parking
Existing Office	32,434	450	72
Bldg. A – Office	3,383	450	8
Bldg. B – Retail	3,216	200	16
Bldg. C - Restaurant	4,101	125	33
		Total Required	129
		Total Provided	91
		Deficient On Site	38

Parking agreements would still need to be executed, but it would be for an amount of 38 off-street parking spaces, not 65 as detailed above. All of this documentation would be processed and reviewed at our Building Inspection office. All documents must be executed, filed and recorded prior to issuance of permits for construction. Staff cannot support the parking reduction request because information was not provided by the applicant to show that a remote lot has available parking for the area of request to use.

Landscaping:

Landscaping must be installed per Sec.51P-714.114, with the following proposed modifications below.

1) To allow small tree species to be used for the street tree requirement. This development wants to mimic the development located across Sylvan Avenue which is zoned PDD No. 714 Subdistrict 1C. Due to overheard utilities in Subdistrict 1C, along Forth Worth Avenue, development is allowed to use small tree types to meet the street tree requirement. Subdistrict 2D has the same overhead utility issues along Fort Worth Avenue and proposed to amend the text to allow 2D to also install small tree types, as listed in Section 51P-714.114(c)(5) in lieu of street trees.

2) Revise text to allow screening material to be located in the right-of-way. The proposed development is meeting the requirements of this section, but this screening is located in the right-of-way, where currently the text will not give credit for compliance. Sec.51P-714.116(b)(1)(A) would state, In Subdistrict 2D, parking lot screening may be located in the parkway.

CPC Action

June 22, 2017

Motion: It was moved to recommend **approval** of an amendment to Subdistrict 2D within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District for mixed uses, subject to staff's recommended revised conditions (as briefed) with the following modifications: 1) Exclusion of the Chase Bank building, 2) Maximum 50 percent metal material on Sylvan Avenue street-facing façade, 3) Maximum 90 percent metal material on Fort Worth Avenue street-facing façade, and 4) Minimum 15 percent transparency collectively within Subdistrict 2D on the south side of Forth Worth Avenue, between Sylvan Avenue and Chappell Street.

Maker:	Anantasomboon
Second:	Anglin
Result:	Carried: 14 to 0
	For: 14 – Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Mack, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Tarpley
Against:	0
Absent:	1 – Ridley
Vacancy:	0

Noties:	Area:	500	Mailed:	41
Replies:	For:	2	Against:	6

Speakers:

For:	David Whitley, 400 N. St. Paul St., Dallas, TX 75201
	Rayford Butler, 3425 Chihuahua Ave., Dallas, TX 75202
Against:	Deborah Carpenter, 2009 Neal St., Dallas, TX 75212
Neutral:	Pam Conley, 901 N Madison Ave., Dallas, TX 75208

List of Partners/Principals/Officers

Augustus Investments GP, LLC

Sole Member: Oaxaca Interests, LLC

President: Brent Jackson

PROPOSED PDD CONDITIONS

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.
~~71~~

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-174.103. CREATION OF SUBDISTRICTS.
Omitted for brevity.

SEC.51P-714.104. DEFINITIONS.
Omitted for brevity.

SEC.51P-714.105. INTERPRETATIONS.
Omitted for brevity.

SEC.51P-714.105.1. EXHIBITS.
Omitted for brevity.

SEC.51P-714.106. CONCEPTUAL PLAN.
Omitted for brevity.

SEC.51P-714.107. DEVELOPLEMT PLAN.
Omitted for brevity.

SEC.51P-714.108. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC.510-714.108.1. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC. 51P-714.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT NO. 2.

(a) Uses.
Omitted for brevity.

(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) Except as provided in this paragraph, minimum front yard is 15 feet.

(B) Maximum front yard from Fort Worth Avenue is 60 feet, this provision does not apply to structures built prior to February of 2005 and additions made to such structure located in Subdistrict 2D.

(C) In Subdistrict 2D, minimum front yard setback is five feet. Steps, awnings, canopies, landings, trellis, and retaining walls are allowed to encroach into the front yard setback. A dumpster may only encroach into the front yard setback along Chappell Street.

(D) In Subdistricts 2B ~~and 2D~~, an additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(2) Side and rear yard.
Omitted for brevity.

(3) Density.
Omitted for brevity.

(4) Floor area ratio.
Omitted for brevity.

(5) Height.

(A) Residential proximity slope.

(i) In Subdistricts 2A and 2B, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope.

(ii) In Subdistrict 2C, if any portion of a structure is over 36 feet in height, that portion may not be located above a residential proximity slope. In Subdistrict 2C, the angle for projection for the residential proximity slope is a 1 to 1 slope.

(iii) 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.

(B) Maximum height.

(i) Maximum structure height in Subdistricts 2A and 2C is 60 feet.

(ii) Maximum structure height in Subdistrict 2B and 2D is 80 feet.

(6) Lot coverage.
Omitted for brevity.

(7) Lot size. No minimum lot size.

(8) Stories.

(A) Maximum number of stories above grade in Subdistricts 2A and 2C is four.

(B) Maximum number of stories above grade in Subdistrict 2B and 2D is six.

(C) Parking garages are exempt from this paragraph, but must comply with the height regulations of Paragraph (5).

(d) Off-street parking and loading.

(1) Except as provided in this subsection, see Section 51P-714.113, "Off-Street Parking and Loading.
Omitted for brevity.

SEC.51P-714.110. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC.51P-714.111. USE REGULATIONS AND DEVELOPMENT STANDARDS
Omitted for brevity.

SEC.51P-714.112. USE REGULATIONS AND DEVELOMENT STANDARDS IN SUBDISTRICT NO. 5.
Omitted for brevity.

SEC. 51P-714.113. OFF-STREET PARKING AND LOADING.

(a) In general.

Omitted for brevity.

(b) Remote parking.
Omitted for brevity.

(c) Residential.
Omitted for brevity.

(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.
Omitted for brevity.

(f) Retirement housing in Subdistricts 4A and 4B.
Omitted for brevity.

(g) Above-grade off-street parking.
Omitted for brevity.

(h) Bicycle parking.
Omitted for brevity.

(i) Mixed-use shared parking reduction.
Omitted for brevity.

(j) On-street parallel, straight, or angled head-in parking.
Omitted for brevity.

(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. This provision does not apply to Subdistrict 2D.

(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~~ structures must have ~~with~~ a façade similar in appearance to the main structure's façade. At least 12 percent of the parking structure façade, 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 façade.

(m) Loading.
Omitted for brevity.

(n) Parking lanes and private drives.
Omitted for brevity.

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 Subdistricts 1C and 2D, small tree types, as listed in Section 51P-714.114 (c)(5) may be provided in lieu of street trees.

(A) In Subdistrict 2D, the director may waive the requirement for a street tree in locations that conflict with an underground or overhead utility.

(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.

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 and 2D.

(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 and 2D.

(c) Sidewalk standards.

(1) 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 2D, there must be a five-foot sidewalk.

(4)~~(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.

(5)~~(4)~~ Except as provided in this subsection, in Subdistrict 4, there must be a six-foot sidewalk.

(6)~~(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.

(7)~~(6)~~ In Subdistrict 5, there must be a 10-foot sidewalk.

(8)~~(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.

(9)~~(8)~~ The street curb may not be counted as part of the sidewalk width.

(10)~~(9)~~ The following frontages must provide the sidewalks shown on page 6 of Exhibit 714F.
Omitted for brevity.

(11)~~(10)~~ Sidewalk widths must taper or expand to match the width of existing sidewalks in front of adjacent properties at the point of convergence.

(12)~~(11)~~ Sidewalks must be located along the entire length of the street frontage.

(13)~~(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.

(A) In Subdistrict 2D, parking lot screening may be located in the parkway.

(2) 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 and the existing dumpster located adjacent to Chappell Street located in Subdistrict 2D.

(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.

SEC.51P-714.117. SIGNS.

Omitted for brevity.

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.

(3) In Subdistrict 2D, facades constructed prior to February of 2005 do not count towards the façade calculations for purposes of determining compliance with this section.

(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.

(A) In Subdistrict 2D, this provision does not apply to the financial institution without drive-in window land use.

(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.

Omitted for brevity.

(3) Additional regulations for customer entrances for retail and personal service uses in Subdistrict 1C.
Omitted for brevity.

(f) Facades.

(1) Street-facing facades on a single development tract must have similar architectural design. This provision does not apply to buildings built prior to February 2005 in Subdistrict 2D.

(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.
Omitted for brevity.

(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:
Omitted for brevity.

(4) Except in Subdistricts 1C and 2D, 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:

(A) 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.

	Permissible Building Area A	Permissible Building Area B	Permissible Building Area C	Permissible Building Area D
Mimimum 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.

(B) In Subdistrict 2D, at least 15 percent, but no more than 80 percent, of the street-facing façade of nonresidential uses must be windows and doors.

(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.

(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 façade may be flat or corrugated metal panels. In Subdistrict 1C, no more than 50 percent of the total area of street-facing façade per street frontage may be metal panels. In Subdistrict 2D, no more than 50% of the total area of the street-facing façade along Sylvan Avenue may be metal panels, and no more than 90% of the total area of street-facing façade along Fort Worth Avenue may be metal panels.

(B) Prohibited.

(i) Aluminum siding.

(ii) Reflective metal panels.

(4) Plastic.
Omitted for brevity.

(5) Stone.
Omitted for brevity.

(6) Stucco.
Omitted for brevity.

(7) Tile.
Omitted for brevity.

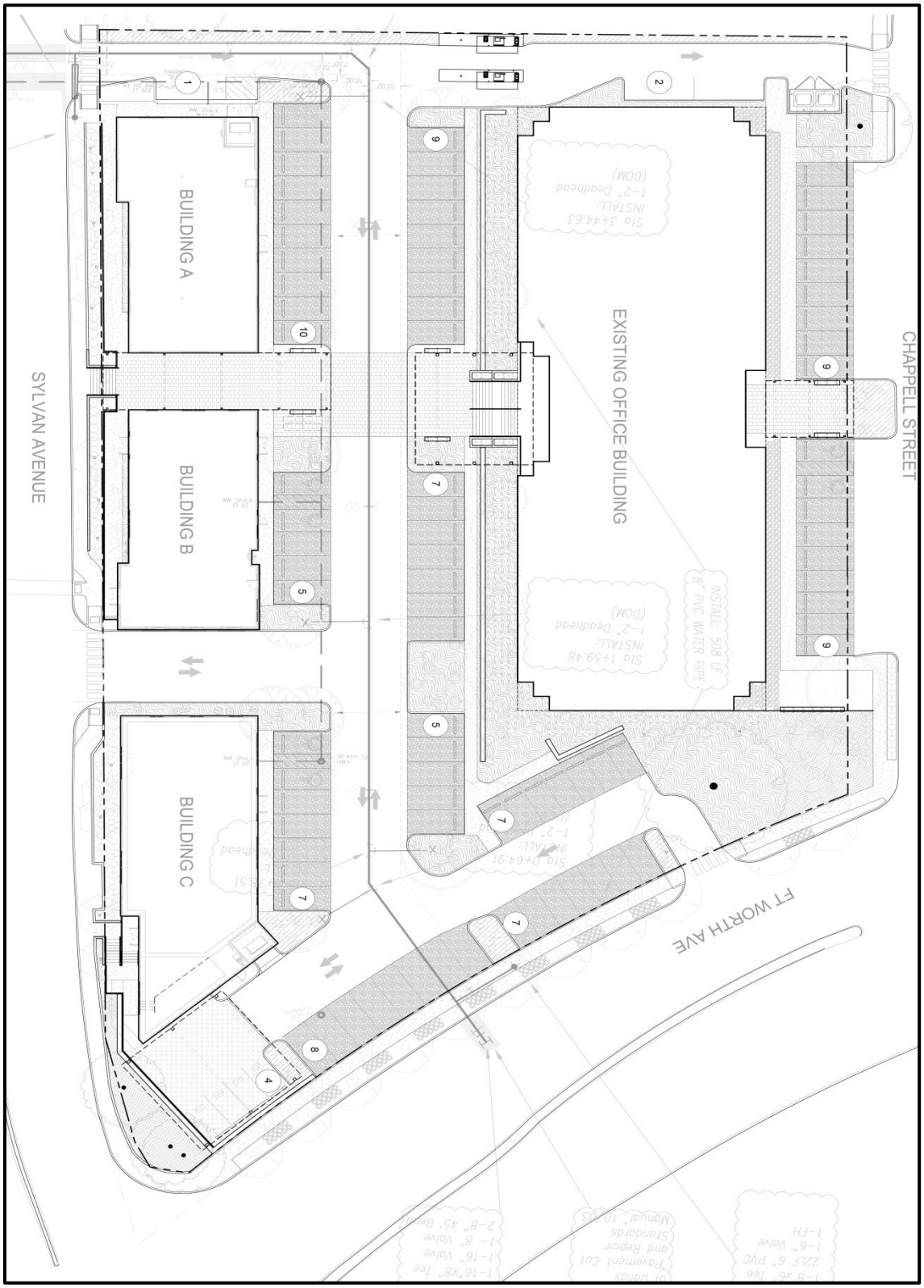
(8) Wood.
Omitted for brevity.

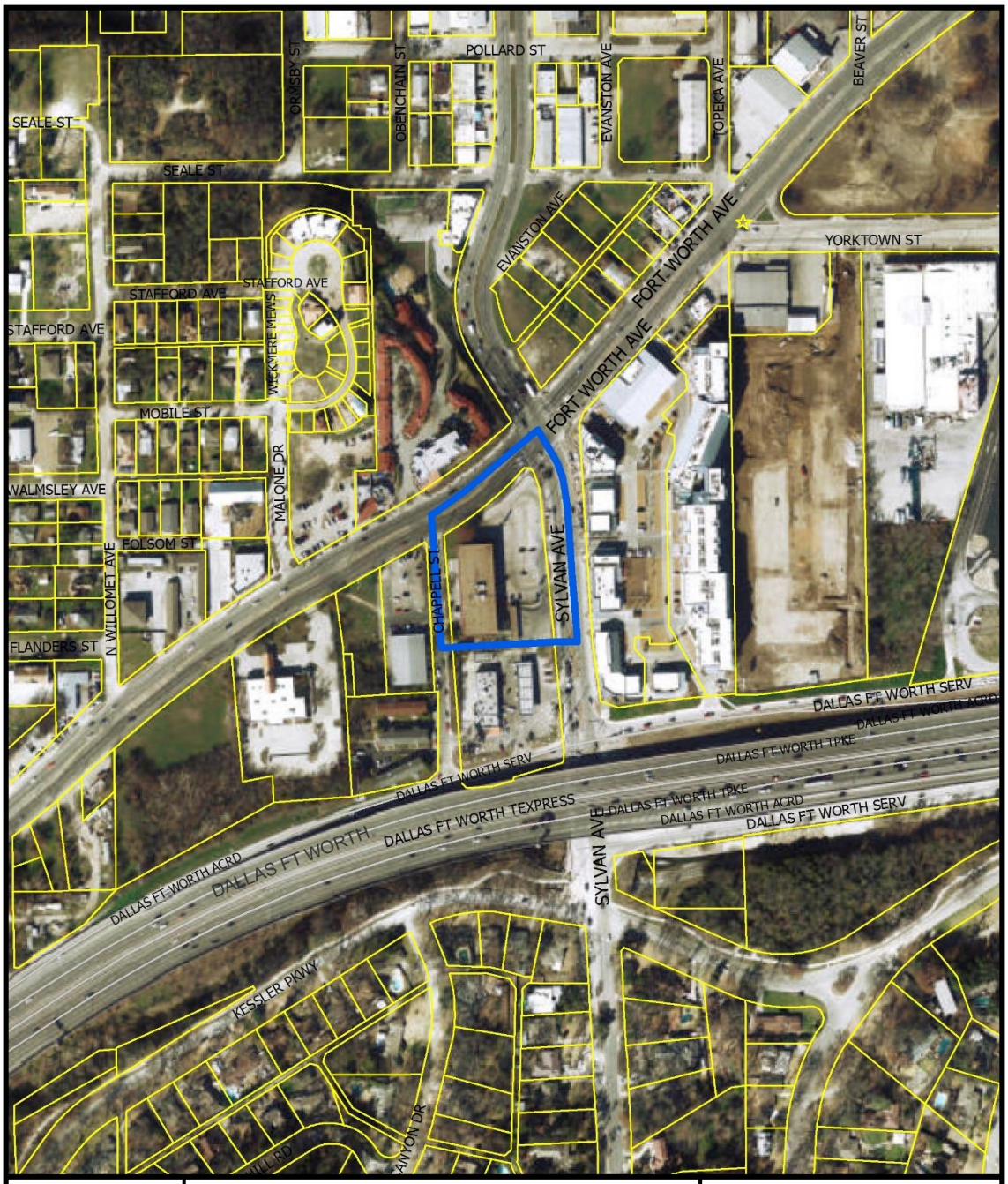
(i) Roofs.
Omitted for brevity.

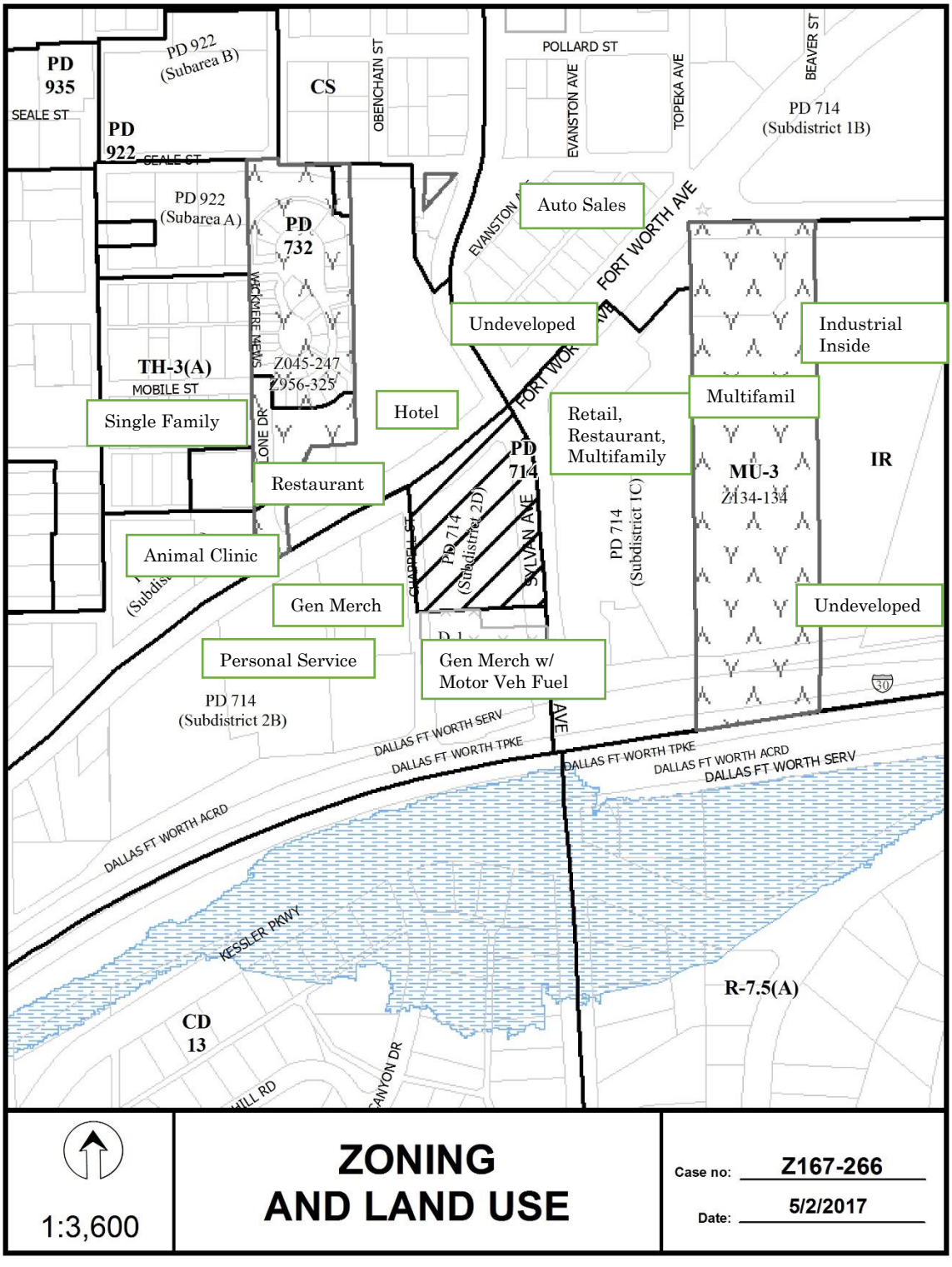
SEC.51P-714.119. ADDITIONAL PROVISIONS.
Omitted for brevity.

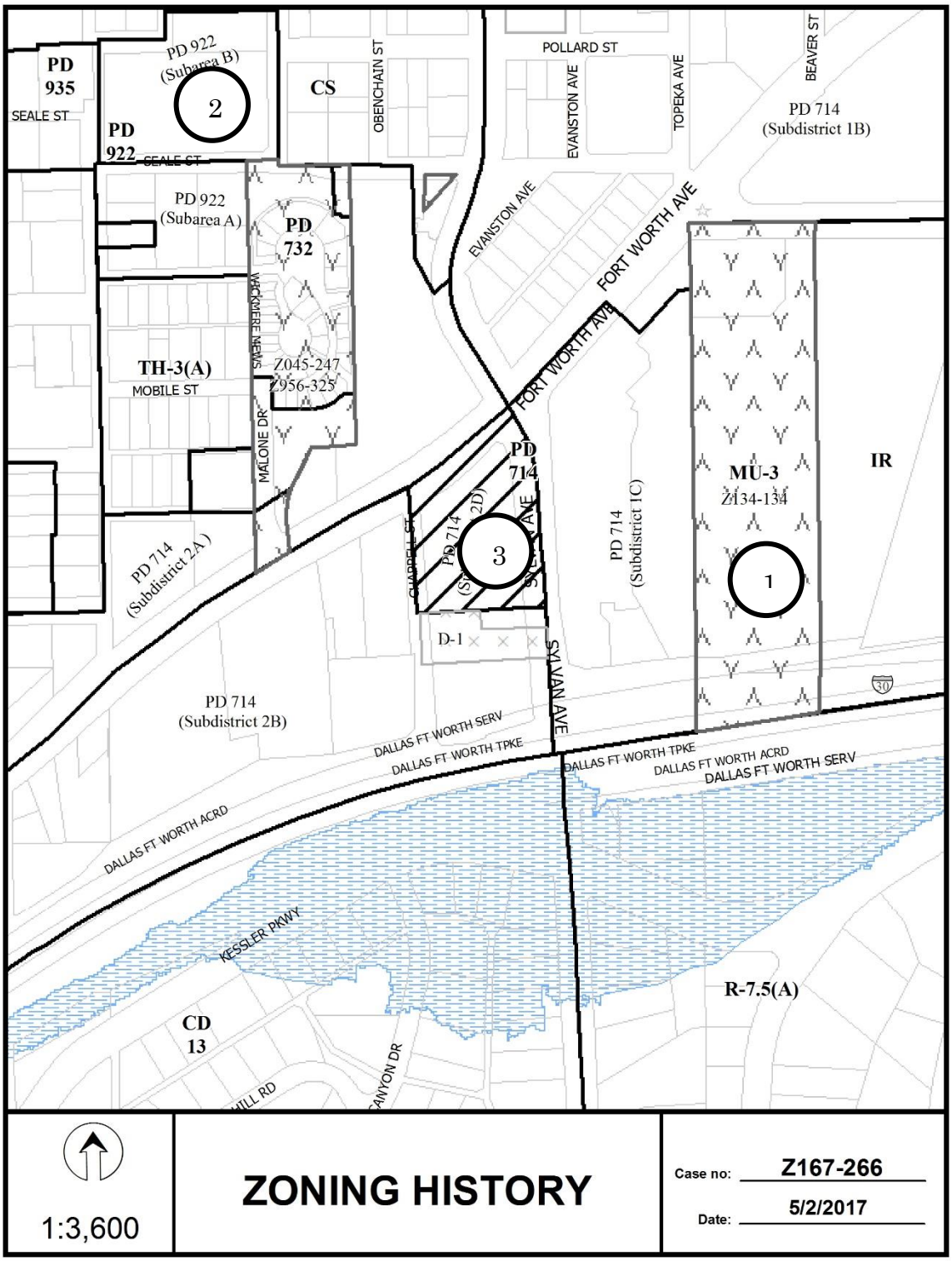
SEC.51P-714.120. COMPLIANCE WITH CONDITIONS.
Omitted for brevity.

SITE PLAN FOR REFERENCE ONLY

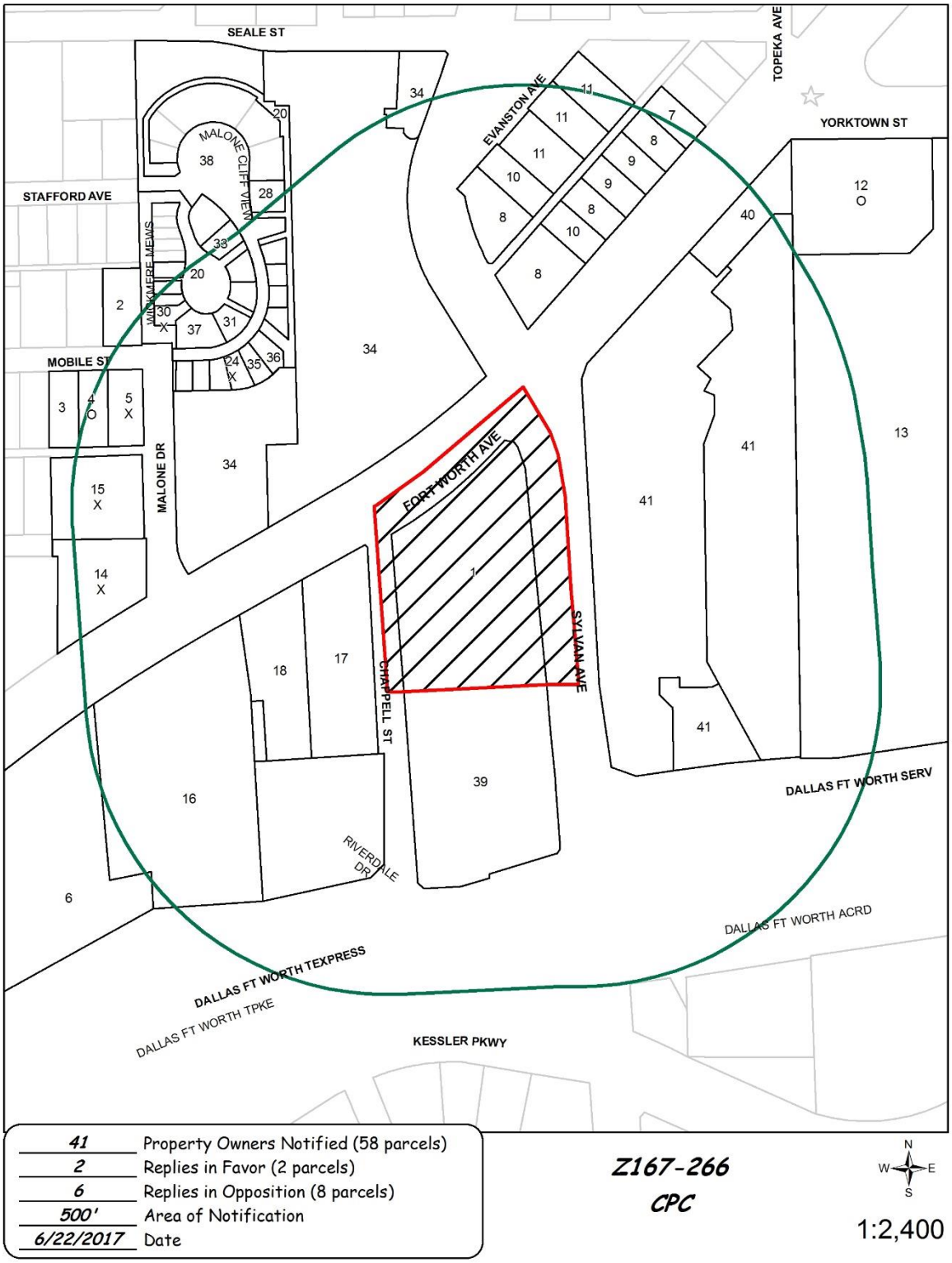



SEALE ST
SEALE ST
ORMSBY ST
OBENCHAIN ST
POLLARD ST
EVANSTON AVE
TOPEKA AVE
BEAVER ST
YORKTOWN ST
FORT WORTH AVE
FORT WORTH AVE
EVANSTON AVE
STAFFORD AVE
STAFFORD AVE
STAFFORD AVE
WICKNIRE MEWS
MOBILE ST
MALONE DR
WALMSLEY AVE
FOLSOM ST
N WILLOMET AVE
FLANDERS ST
CHAPPELL ST
SYLVAN AVE
DALLAS FT WORTH SERV
DALLAS FT WORTH TPKE
DALLAS FT WORTH SERV
DALLAS FT WORTH TEXPRESS
DALLAS FT WORTH TPKE
DALLAS FT WORTH ACRD
DALLAS FT WORTH SERV
DALLAS FT WORTH
DALLAS FT WORTH ACRD
SYLVAN AVE
KESSLER PKWY
AYON DR
1:3,600
AERIAL MAP
Case no: Z167-266
Date: 5/2/2017


PD 935
SEALE ST
PD 922 (Subarea B)
PD 922
SEALE ST
PD 922 (Subarea A)
CS
OBENCHAIN ST
POLLARD ST
EVANSTON AVE
TOPEKA AVE
BEAVER ST
PD 714 (Subdistrict 1B)
Auto Sales
FORT WORTH AVE
PD 732
WICKMERE MEWS
Z045-247
Z956-325
Undeveloped
Industrial Inside
TH-3(A)
MOBILE ST
Single Family
LONE DR
Hotel
Retail, Restaurant, Multifamily
Multifamil
PD 714
MU-3
Z134-134
IR
Restaurant
Animal Clinic
PD 714 (Subdistrict 2D)
SYLVAN AVE
PD 714 (Subdistrict 1C)
Gen Merch
Undeveloped
Personal Service
Gen Merch w/ Motor Veh Fuel
PD 714 (Subdistrict 2B)
DALLAS FT WORTH SERV
DALLAS FT WORTH TPKE
DALLAS FT WORTH ACRD
KESSLER PKWY
R-7.5(A)
CD 13
1:3,600
ZONING AND LAND USE
Case no: Z167-266
Date: 5/2/2017


PD 935
SEALE ST
PD 922
PD 922 (Subarea B)
2
CS
OBENCHAIN ST
POLLARD ST
EVANSTON AVE
TOPEKA AVE
BEAVER ST
PD 714 (Subdistrict 1B)
SEALE ST
PD 922 (Subarea A)
PD 732
EVANSTON AVE
FORT WORTH AVE
WINDSOR DR
MALONE DR
TH-3(A)
MOBILE ST
Z045-247
Z956-325
PD 714
MU-3
Z134-134
IR
PD 714 (Subdistrict 2A)
CHAPEL ST
PD 714 (Subdistrict 2D)
3
SYLVAN AVE
PD 714 (Subdistrict 1C)
1
D-1
PD 714 (Subdistrict 2B)
DALLAS FT WORTH SERV
DALLAS FT WORTH TPKE
DALLAS FT WORTH ACRD
KESSLER PKWY
R-7.5(A)
CD 13
CANYON DR
1:3,600
ZONING HISTORY
Case no: Z167-266
Date: 5/2/2017

CPC RESPONSES



06/21/2017

Reply List of Property Owners

Z167-266

41 Property Owners Notified ***2 Property Owners in Favor*** ***6 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	1881 SYLVAN AVE	MARKSMEN EXPLORATION LLC
	2	1003 MOBILE ST	MORIN JOSE L &
	3	1010 MOBILE ST	URBINA CLAUDIO
O	4	1006 MOBILE ST	WILLIAMS TONY R
X	5	1002 MOBILE ST	OPTIONS HOLDING LTD
	6	1030 FORT WORTH AVE	FULLER LAND COMPANY LP
	7	715 FORT WORTH AVE	CUIN JOHNNY
	8	719 FORT WORTH AVE	739 FORT WORTH AVENUE LLC
	9	723 FORT WORTH AVE	739 FORT WORTH AVENUE LLC
	10	735 FORT WORTH AVE	739 FORT WORTH AVE LLC
	11	2016 EVANSTON AVE	JARAMILLO R & S INVES LLC
O	12	660 FORT WORTH AVE	PB & J LAND PARTNERS LP
	13	660 YORKTOWN ST	ALTA YORKTOWN OWNER LP
X	14	1021 FORT WORTH AVE	J & K INVESTMENTS LLC
X	15	1007 FOLSOM ST	BATMANNY LLC
	16	1004 FORT WORTH AVE	MARIA EUGENIA ENTERPRISES
	17	904 FORT WORTH AVE	REALTY INCOME PROPERTIES 19 LLC
	18	1707 CHAPPEL ST	FULLER LAND COMPANY LP
	19	1926 MALONE CLIFF VIEW	DILBECK COURT LIMITED
	20	1926 MALONE CLIFF VIEW	DILBECK COURT LIMITED
	21	1902 MALONE CLIFF VIEW	LITTLE ROBERT CHARLES
	22	1904 MALONE CLIFF VIEW	NEWPORT HOLDINGS INC
	23	1906 MALONE CLIFF VIEW	YARBROUGH DAVID
X	24	1908 MALONE CLIFF VIEW	OPTIONS HOLDING LTD
	25	1914 MALONE CLIFF VIEW	CARPENTERSMITH CINDY
X	26	1916 MALONE CLIFF VIEW	OPTIONS HOLDINGS LTD

06/21/2017

Reply	*Label #*	*Address*	*Owner*
	27	1918 MALONE CLIFF VIEW	LUDWIG MARK T
	28	1930 MALONE CLIFF VIEW	LOVE GARY & CANDACE
	29	1908 WICKMERE MEWS	WILLIAMSON MICHAEL RAY
X	30	1906 WICKMERE MEWS	BELMONT VILLAS DALLAS LTD
	31	1911 MALONE CLIFF VIEW	RYAN EDWARD J III &
	32	1915 MALONE CLIFF VIEW	WALLACE AUBREY J &
	33	1923 MALONE CLIFF VIEW	FORBUS GARY L & MYRA N
	34	845 FORT WORTH AVE	BELMONT HOTEL HOLDINGS LLC
	35	1910 MALONE CLIFF VIEW	ODELL WILLIAM DEVIN
	36	1912 MALONE CLIFF VIEW	PROCHNOW STEPHEN
	37	1905 MALONE CLIFF VIEW	NEDLER DONALD H
	38	1926 MALONE CLIFF VIEW	VILLAS AT DILBECK COURT HOMEOWNERS ASSN
	39	1805 SYLVAN AVE	IM & AY LLC
	40	710 FORT WORTH AVE	SLI/FWA LTD
	41	750 FORT WORTH AVE	LYNXETTE EXPLORATION LLC

AGENDA ITEM # 88

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 58 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions on the southwest corner of Great Trinity Forest Way and North Jim Miller Road

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Recommendation of CPC: Approval for a three-year period, subject to conditions

Z156-310(OTH)

Note: This item was considered by the City Council at public hearings on January 11, 2017, February 8, 2017, February 22, 2017, March 22, 2017, May 24, 2017 and June 28, 2017, and was held under advisement until August 23, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z156-310(OTH) **DATE FILED:** July 20, 2016

LOCATION: Southwest corner of Great Trinity Forest Way and North Jim Miller Road.

COUNCIL DISTRICT: 8 **MAPSCO:** 58-W

SIZE OF REQUEST: ± 0.22 acre **CENSUS TRACT:** 116.01

REPRESENTATIVE: Parvez Malik, Business Zoom

APPLICANT: Mohammad Sidiqi

OWNER: Juneja Property Holdings, Inc.
Wazir Juneja, President/Secretary

REQUEST: An application to renew Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and deed restrictions.

SUMMARY: The applicant proposes to continue the sale of alcoholic beverages for off-premise consumption in conjunction with the existing convenience store [BZ Food Mart].

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

BACKGROUND INFORMATION:

- The ±0.22-acre request site is developed with a ±2,167-square-foot general convenience store with fuel pumps. No new construction is proposed by this application.

- The general merchandise or food store (convenience store) is permitted by right, but the sale of alcoholic beverages for off-premise consumption in conjunction with the convenience store requires a Specific Use Permit due to the D-1 Liquor Control Overlay.

- Deed restrictions volunteered on July 16, 1986 limit the uses to those allowed in the Chapter 51 General Retail District and limit multifamily uses to no more than 26 units per acre.

- As depicted on the alcohol measurement survey submitted with the application, the request site complies with the 300 foot door-to-door distance requirement from the church to the south.

- SUP No. 2099 was originally approved on December 10, 2014 for a two-year period.

Surrounding Zoning History:

1. Z134-166: December 11, 2013, the City Council approved Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions. Tentative CPC hearing is December 15, 2016.

2. Z167-104: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

3. Z123-337: On December 11, 2013, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Great Trinity Forest Way	Principal Arterial	160 feet
North Jim Miller Road	Principal Arterial	100 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Surrounding Land Uses:

	Zoning	Land Use
Site	CR with SUP No. 2099	General merchandise or food store with sale of alcohol and motor vehicle fueling stations
North	CR-D-1, deed restrictions	Auto service center, church, restaurant
East	CR-D-1, deed restrictions	Undeveloped
South	R-7.5(A), MF-1(A)	Church, undeveloped, single family, multifamily
West	CR-D-1, deed restrictions	Carwash, hotel, undeveloped

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Goal 1.1 Align land use strategies with economic development priorities.

Policy 1.1.15 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

Land Use Compatibility:

The proposed site is developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station. The applicant is requesting that the existing SUP be renewed to continue the sale of alcoholic beverages for off-premise consumption.

The property is adjacent to a car wash to the west. The surrounding uses are auto service center, restaurant, church, undeveloped, and restaurant under construction; to the east undeveloped; to the south undeveloped, single family, church and multifamily; to the west hotel and undeveloped.

An existing church is behind the proposed site. The site meets the minimum required distance to be able to sell alcoholic beverages. The church measurements are from door-to-door and staff estimates that there is a distance of over 450 feet.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the

escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,

The applicant's request conforms to the zoning regulations and standards of the Dallas Development Code. The applicant is in compliance with the convenience store regulations. The proposed sale of alcoholic beverages in conjunction with the existing convenience store does not seem to negatively impact the adjacent properties as shown in the police calls for the past four years. The use is compatible with the surrounding non-residential uses and provides an alternative shopping venue for the neighborhood. The short initial time period will allow re-evaluation of the request to ensure ongoing compliance with the conditions and other City regulations.

Development Standards:

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR-D-1 Community retail	15'	20' adjacent to residential Other: No min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	RPS 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 use is one space per 200 square feet of floor area; the off-street parking requirement for a motor vehicle fueling station is two spaces. Therefore, the ±2,167-square-foot convenience store with fuel pumps requires 13 parking spaces. The applicant is providing 16 spaces as shown on the existing site plan.

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:

The Dallas Police Department's provided an incident report for the period from July 1, 2011 to August, 2015 revealed the following results:

Offenses	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**
Forge & Counterfeit	2	0	4	2	0	0
Assault	1	0	0	0	0	1
Robbery individual	0	2	0	4	2	2
Other thefts	0	1	0	1	0	0
Vandalism & Criminal Mischief	1	0	0	0	2	0
Criminal trespass	0	0	0	1	1	6
UUMV	0	0	2	0	2	0
Total 37	4	3	6	8	7	9

CPC ACTION:
November 17, 2016

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a three-year period, subject to conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Great Trinity Forest Way and North Jim Miller Road.

Maker: Houston
Second: Jung
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 7

Notices: Area: 200 Mailed: 13
Replies: For: 0 Against: 0

Speakers: For: Parvez Malik, P.O. Box 54803, Hurst, TX, 76054
Against: None

Proposed SUP Conditions
Z134-166(OTH)

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 use 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC recommendation:

3. TIME LIMIT: This specific use permit expires on (three years) ~~December 10~~, 2016.

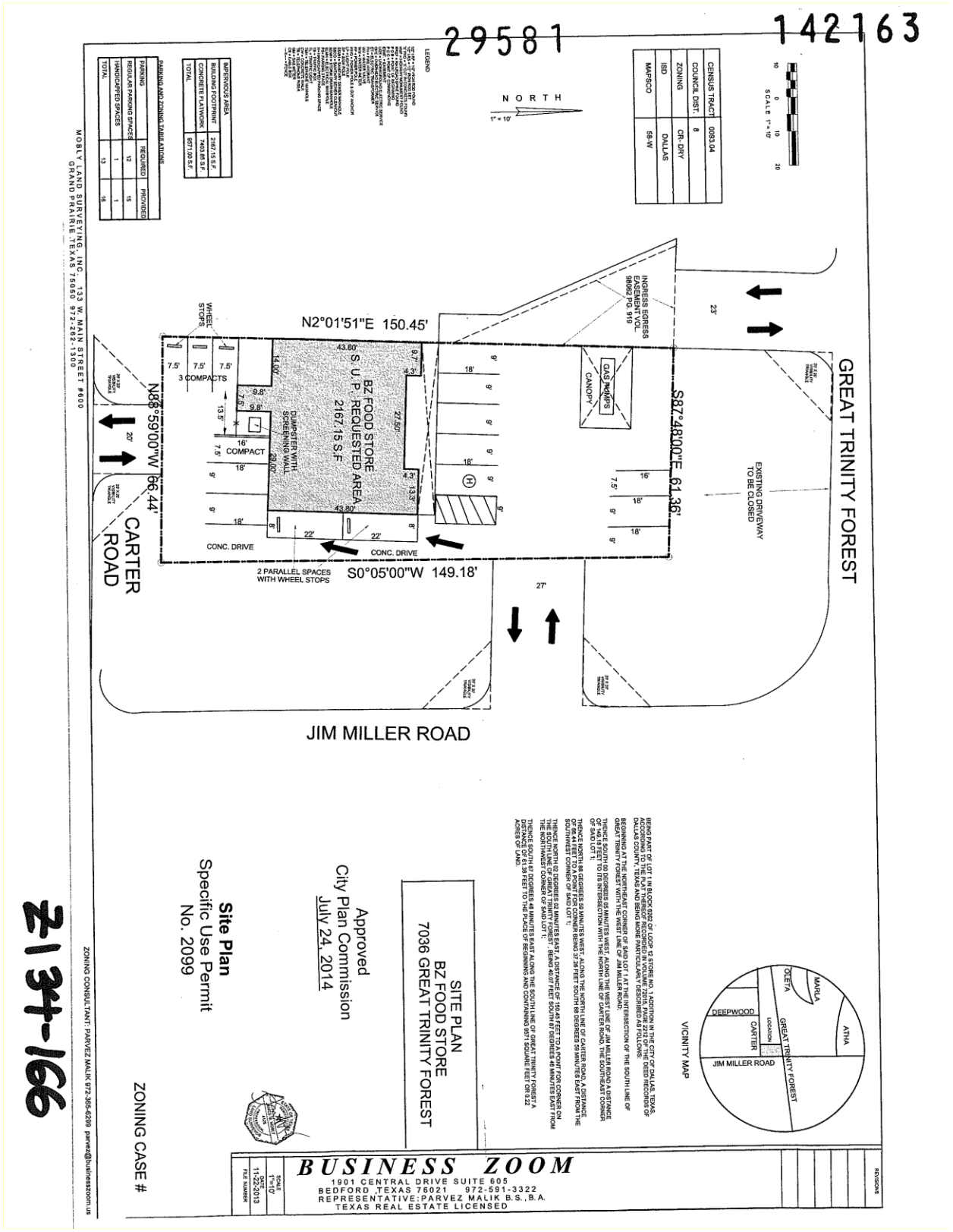
Staff recommendation:

4. TIME LIMIT: This specific use permit expires on (two years) ~~December 10~~, 2016, 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.)

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 PLAN



Existing deed restrictions

THENCE 01 degrees, 05 minutes, 08 seconds, East, with said North Jim Miller Road a distance of 245.89 feet to an Iron Rod for corner;

THENCE North 89 degrees, 24 minutes, 20 seconds, West, a distance of 20.0 feet to a point for corner;

THENCE North 01 degree, 12 minutes, 00 seconds, East, a distance of 105.00 feet to the PLACE OF BEGINNING and containing 187,146.301 square feet or 4.296 acres of land.

That the undersigned, Paul L. Adams and Jack Kellam, do hereby impress all of the following described property with the following deed restrictions, to-wit:

(1) The only permitted uses on the property are those uses allowed in a General Retail District as defined in the Dallas Development Code, as amended (the "Code").

(2) Multiple-family uses are limited to no more than 26 units per acre in density, as defined in the Code.

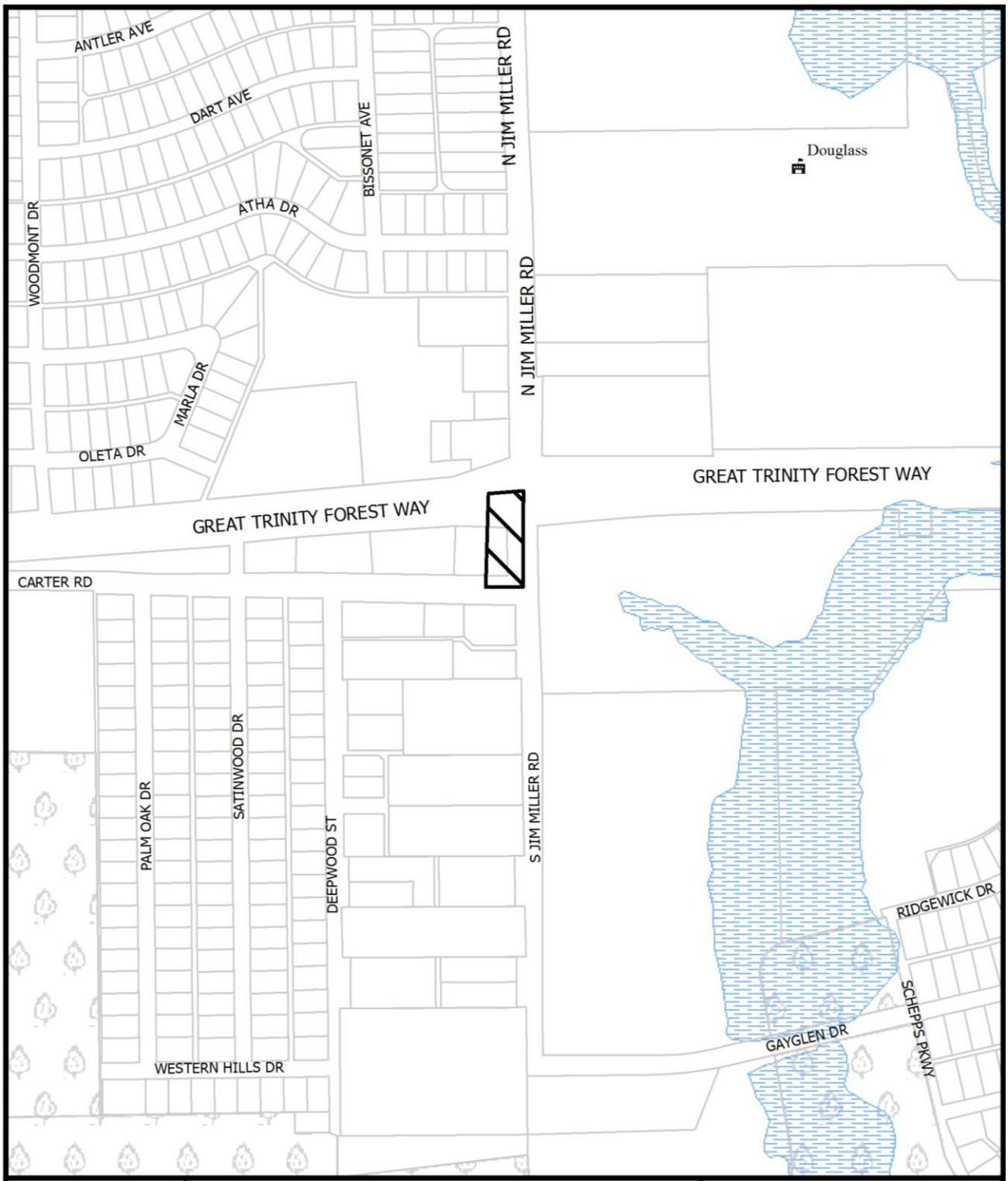
These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional period of ten (10) years unless terminated in the manner specified herein.

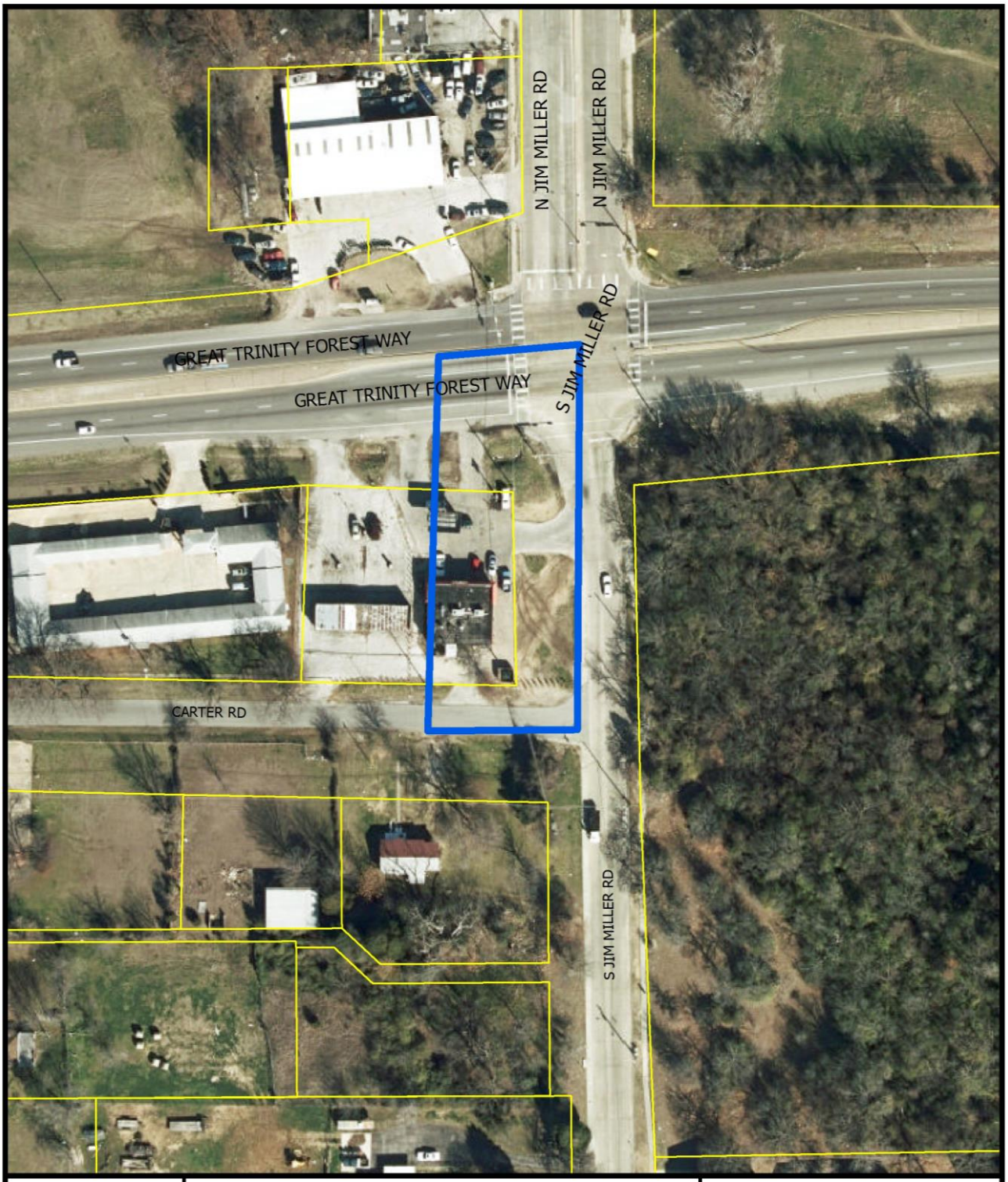
These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner hereof does grant to the City of Dallas the right to

86140 2745


ANTLER AVE
DART AVE
BISSONET AVE
N JIM MILLER RD
Douglass
ATHA DR
WOODMONT DR
MARLA DR
OLETA DR
N JIM MILLER RD
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
CARTER RD
PALM OAK DR
SATINWOOD DR
DEEPWOOD ST
S JIM MILLER RD
RIDGEWICK DR
SCHEPPS PKWY
GAYGLEN DR
WESTERN HILLS DR
1:4,800
VICINITY MAP
Case no: Z156-310
Date: 11/1/2016

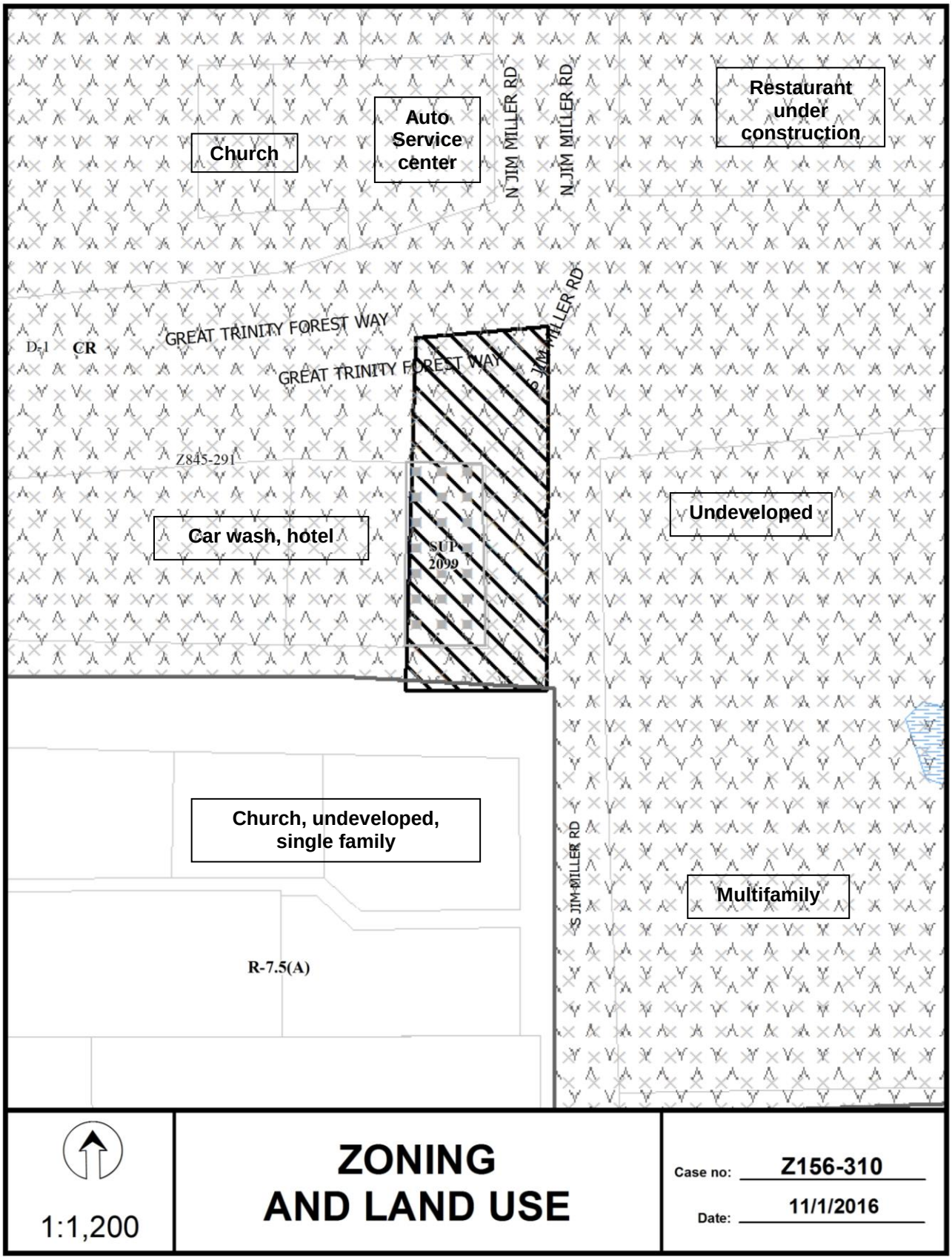


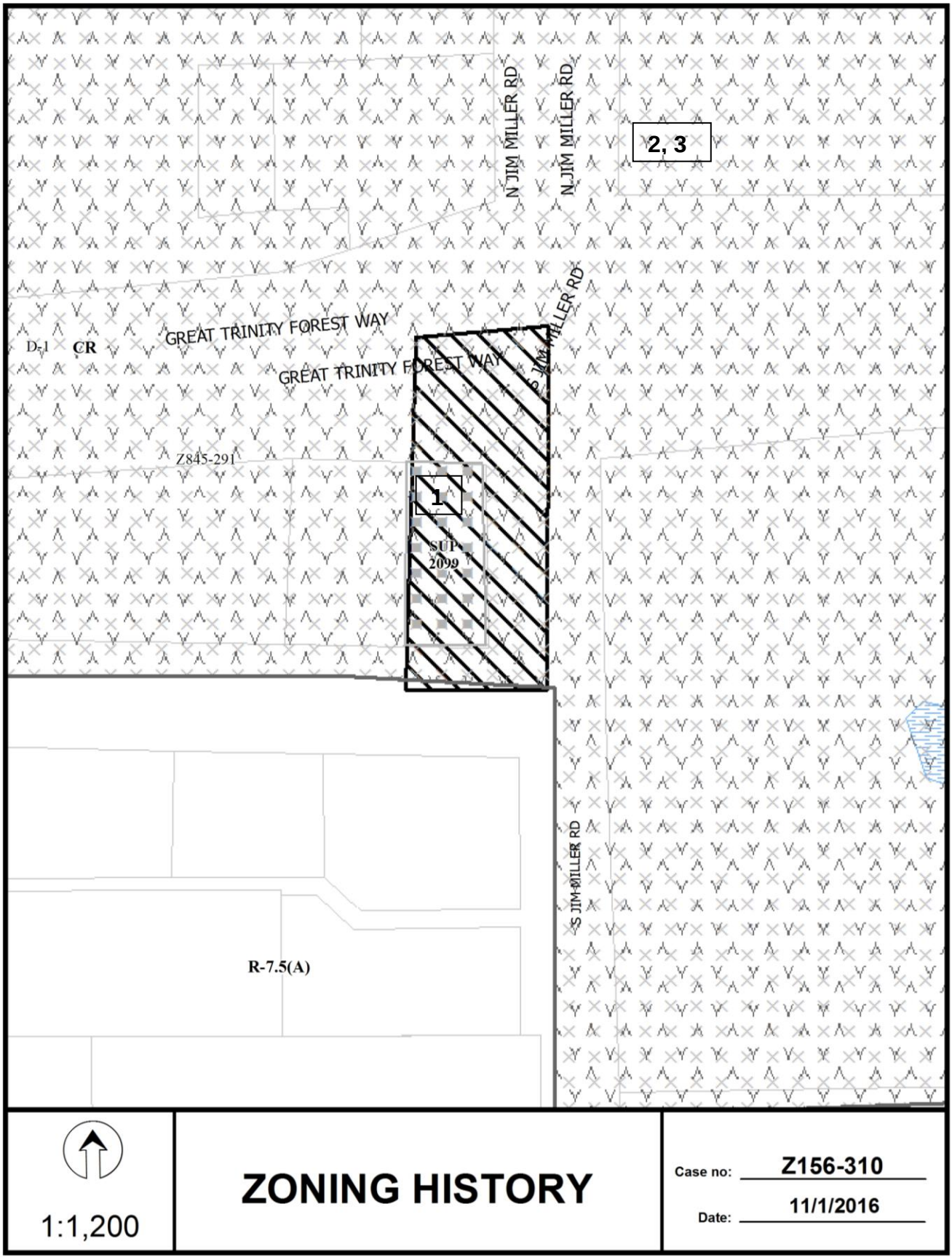
1:1,200

AERIAL MAP

Case no: Z156-310

Date: 11/1/2016


Church
Auto Service center
N JIM MILLER RD
N JIM MILLER RD
Restaurant under construction
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
JIM MILLER RD
D-1 CR
Z845-291
Car wash, hotel
SUP 2099
Undeveloped
Church, undeveloped, single family
R-7.5(A)
S JIM MILLER RD
Multifamily
1:1,200
ZONING AND LAND USE
Case no: Z156-310
Date: 11/1/2016


N JIM MILLER RD
N JIM MILLER RD
2, 3
GREAT TRINITY FOREST WAY
GREAT TRINITY FOREST WAY
N JIM MILLER RD
D-1
CR
Z845-291
1
SUP
2099
R-7.5(A)
S JIM MILLER RD
1:1,200
ZONING HISTORY
Case no: Z156-310
Date: 11/1/2016

CPC RESPONSES



11/16/2016

Reply List of Property Owners

Z156-310

13 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	7036	GREAT TRINITY FOREST WAY	JUNEJA PROPERTY HOLDINGS
	2	7028	GREAT TRINITY FOREST WAY	PHILLIPS LEO &
	3	6901	GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
	4	7015	GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
	5	120	DEEPWOOD ST	COX ERMA
	6	137	S JIM MILLER RD	MENDOZA JUAN
	7	7100	GREAT TRINITY FOREST WAY	VSB INVESTMENTS LLC
	8	116	N JIM MILLER RD	SANABEL INVESTMENT LP
	9	7020	GREAT TRINITY FOREST WAY	JUNEJA HOSPITALITY HOLDINGS
	10	7071	GREAT TRINITY FOREST WAY	ALEJANDRE ARCANGEL
	11	7004	CARTER RD	LOVE OF GOD CHURCH
	12	7026	CARTER RD	GIBSON KENNETH E
	13	7040	CARTER RD	HOUSE OF PRAYER

AGENDA ITEM # 89

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 69 Q; U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road

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

Z156-323(JM)

Note: This item was considered by the City Council at public hearings on April 12, 2017, May 24, 2017 and June 28, 2017, and was deferred until August 23, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z156-323(JM) **DATE FILED:** July 29, 2016

LOCATION: On the south line of Tea Garden Road, west of Haymarket Road.

COUNCIL DISTRICT: 8 **MAPSCO:** 69-Q; U

SIZE OF REQUEST: ±16.313 acres **CENSUS TRACT:** 171.02

REPRESENTATIVE/APPLICANT/OWNER: Joel Torres

REQUEST: An application for a Specific Use Permit for a private recreation center, club, or area on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of this request is to allow for the following private fields: three baseball fields and one volleyball court.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request is made to allow one volleyball court and three baseball fields as part of a private recreation center, club, or area.

- The site is operated as an agricultural use with livestock. The owner currently hosts baseball and volleyball games for local adult male baseball teams. Code enforcement notified the owner to contact the Sustainable Development and Construction Department to discuss how to proceed with this use. A specific use permit is required to allow the continued use as a private recreation center, club, or area in a residential zoning district, including the A(A) Agricultural District.

Zoning History:

There have been no zoning cases within the vicinity of the area of request in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
Tea Garden Road	Local	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system; however, “no parking” signs are required along Tea Garden Road. The requirement is made due to the narrow pavement conditions (approximately 20 feet) along Tea Garden Road.

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 comprehensive plan does not make a specific land use recommendation related to the request. The Plan identifies the request site being located in a Residential Building Block.

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 request complies with the following land use goals and policies of the

Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The requested recreational use is characteristic of the Residential Building Block, which is predominately for single-family uses, but allows recreational and institutional uses to serve the surrounding neighborhoods.

Land Use Compatibility:

The subject site is currently zoned an A(A) Agricultural District. The uses permitted in this district are intended to accommodate normal farming, ranching, and gardening activities. Over time, it is expected that agricultural zoned properties will eventually develop into urban sites.

	Zoning	**Land Use**
Site	A(A) Agricultural	Agricultural and existing playing fields
North	A(A) Agricultural	Single family and agricultural
East	A(A) Agricultural	Single family and agricultural
South	A(A) Agricultural	Single family and agricultural
West	A(A) Agricultural, PD No. 819, R-7,5(A), R-5(A), and Deed Restrictions	Single family, public school, and agricultural

Surrounding land uses include single family and agricultural, with a school nearby as well. These uses are typical in residential neighborhoods with low density. The private recreation center, club, or area use is permitted by right in retail, commercial service, industrial, central area, mixed use, multiple commercial and urban corridor districts. When feasible, this use is allowed in residential districts with special consideration by

SUP. The intent of allowing it by SUP in residential districts is to gauge the level of appropriateness and provide for public comment.

The site is currently agricultural land. The fields exist and are used by the property owner and baseball teams from around the metroplex, according to the applicant (owner). The applicant had originally requested the right to operate seven days a week. After discussing concerns over the need for a break in the currently remote and residential area, the applicant amended the request to three days a week, Friday, Saturday, and Sunday. To address privacy and future maintenance, a six-foot solid privacy fence is required to be provided and maintained around the perimeter of the site. Hours of operation limit the use to certain times of day. The use of lighting and amplified sound is limited to the hours of operation. Paved parking far exceeding the code requirement is being offered within the site. Sec. 51A 4.208(2)(c) requires three parking spaces per playing field and an additional one parking space per 150 square feet of floor area. In all, approximately 44 parking spaces are required for the three baseball fields, one volleyball court, and 4,680 square feet of additional floor area (storage buildings and covered porches). Portable toilets and a dumpster will be required as identified on the site plan.

Staff believes that with compliance to the proposed site plan and conditions, the use could be an asset to the area as it develops into an urban site in the future. In an effort to ensure that the site matches the future development of the area, staff is recommending the time period be two years with no auto renewal recommended. This gives neighbors the opportunity to experience the facility under the SUP regulations imposed by this request. If additional concerns arise, the conditions may be amended when the SUP comes in for renewal.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

Parking:

Sec. 51A 4.208(2)(c) requires three parking spaces per playing field and an additional one parking space per 150 square feet of floor area. In all, approximately 44 parking spaces are required for the three baseball fields, one volleyball court, and 4,680 square feet of additional floor area (storage buildings and covered porches for audiences). The proposed site plan depicts that the applicant will provide 116 parking spaces, of which five are van accessible handicapped spaces.

Landscaping and Screening:

According to the City arborist, this request meets the requirements of Article X. Staff recommended the addition of a six-foot solid privacy fence around the perimeter of the site to reinforce the separation of the use from surrounding agricultural and single-family uses.

CPC Action:
February 16, 2017

Motion: It was moved to recommend **approval** of a Specific Use Permit for a private recreation center, club, or area for a two-year period, subject to a site plan and conditions on property zoned an A(A) Agricultural District on the south line of Tea Garden Road, west of Haymarket Road.

Maker: Haney
Second: Davis
Result: Carried: 12 to 0

For: 12 - Anglin, Rieves, Houston, Davis, Shidid, Haney, Mack, Jung, Housewright, Peadon, Murphy, Ridley

Against: 0
Absent: 3 - Anantasomboon, Schultz, Tarpley
Vacancy: 0

Notices: Area: 400 Mailed: 18
Replies: For: 0 Against: 6

Speakers: None

CPC SUP CONDITIONS
Z156-323

1. USE: The only use authorized by this specific use permit is a private recreation center, club, or area.

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 _2_ years from passage of this ordinance (date).

4. HOURS OF OPERATION: A private recreation center, club, or area may operate between 4:00 p.m. and 8:00 p.m., Friday through Sunday.

5. LIGHTING: Operation of outdoor lighting is limited to the hours between 4:00 p.m. and 8:00 p.m., Friday through Sunday.

6. SCREENING: Except for required visibility triangles and points of ingress and egress, a minimum six–foot-tall solid screen must be provided and maintained along the perimeter of the property. Screening material must be wood or masonry.

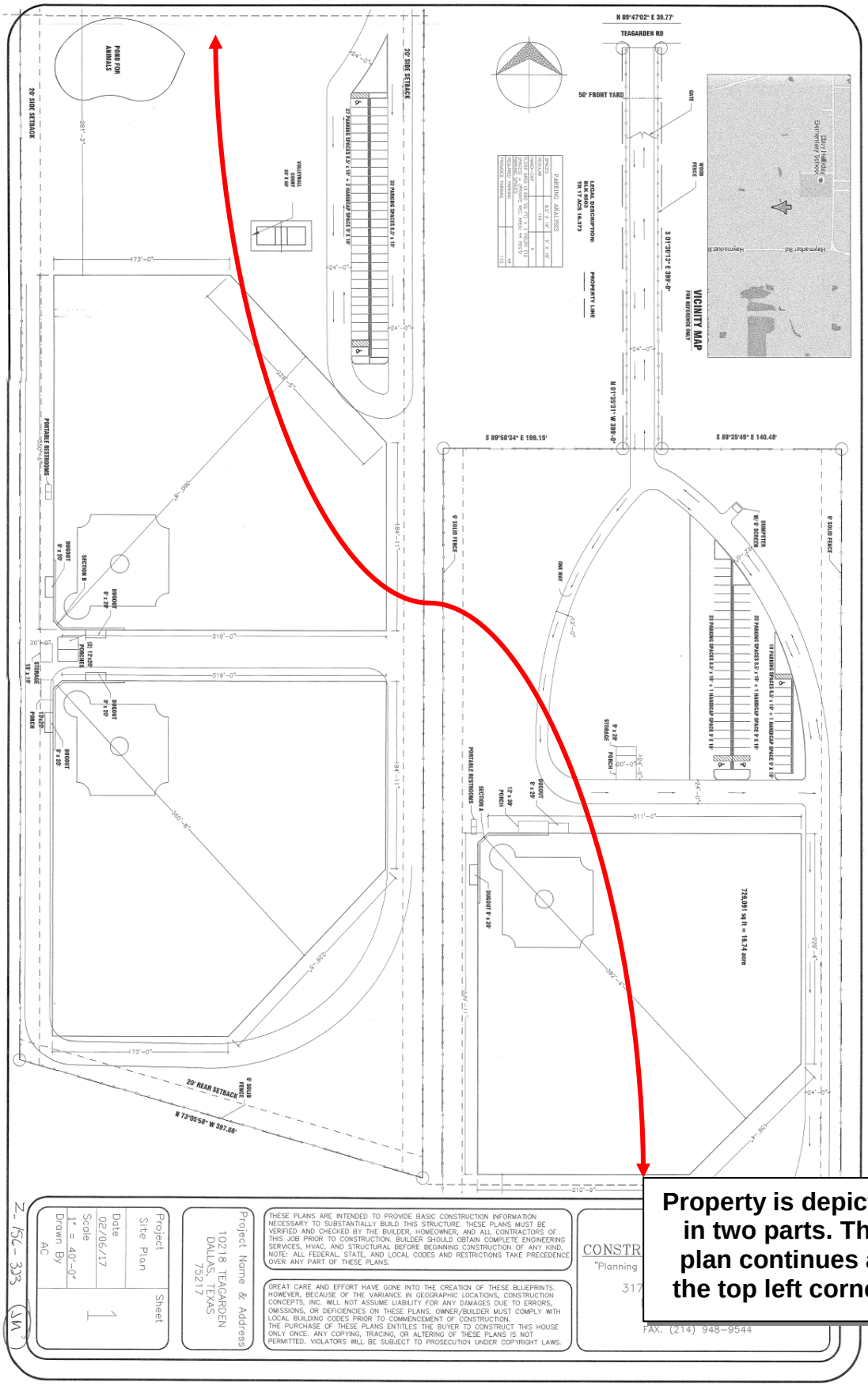
7. SOUND: Operation of loudspeakers and other forms of amplification is limited to the hours between 4:00 p.m. and 8:00 p.m., Friday through Sunday.

8. SIGNS: "No Parking" signs must be installed at the owner/operator's expense on the property street frontage along Tea Garden Road.

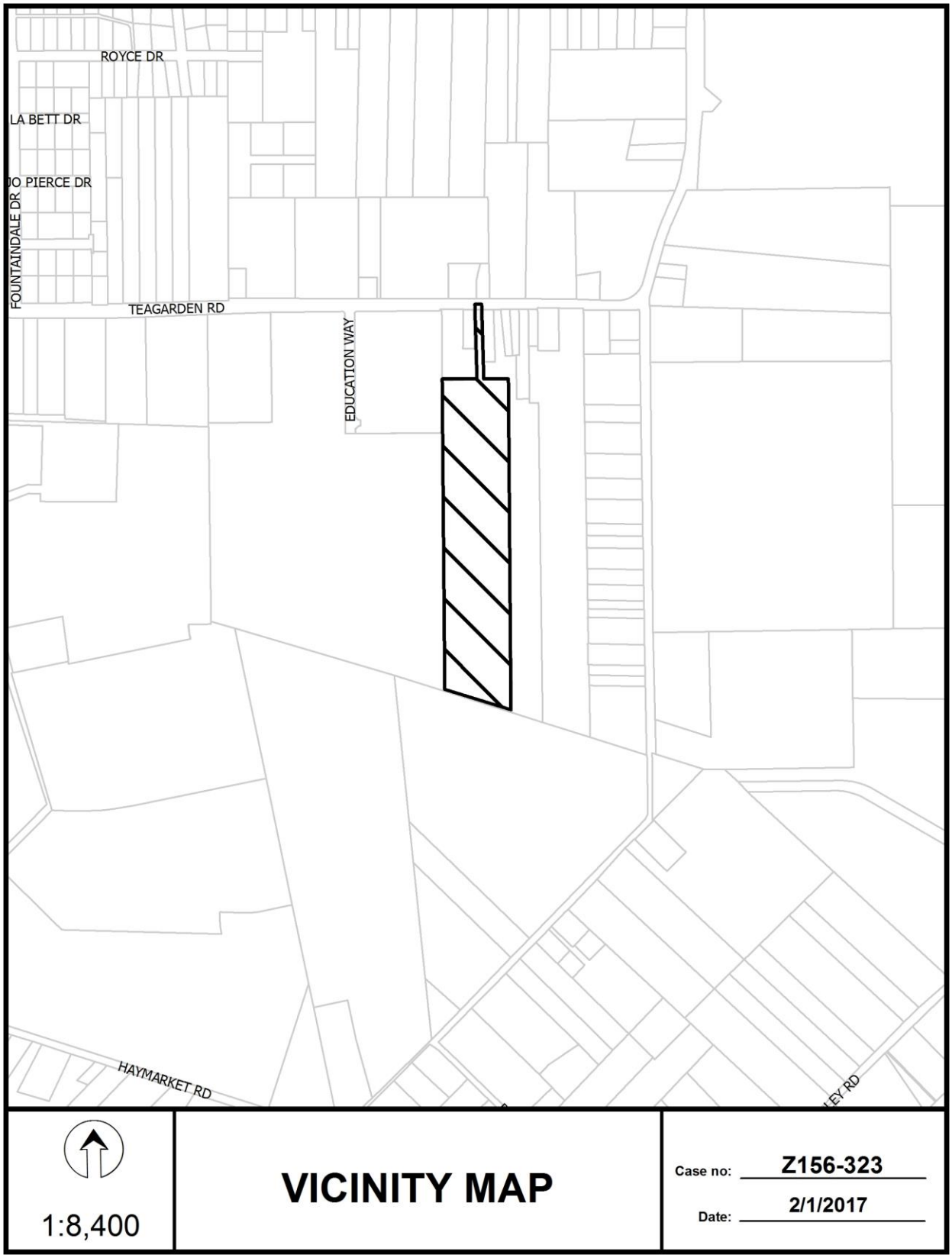
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

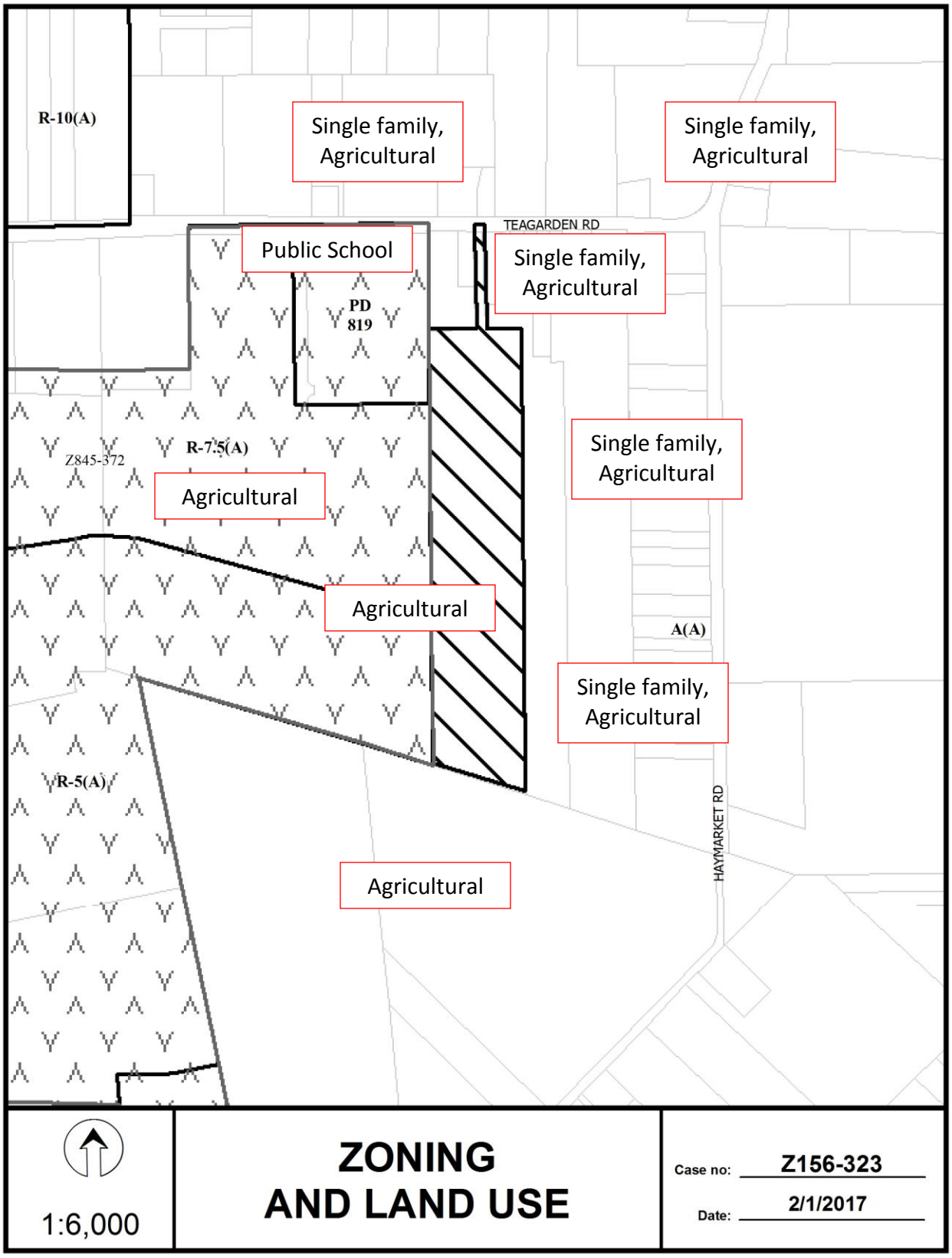
Proposed Site Plan



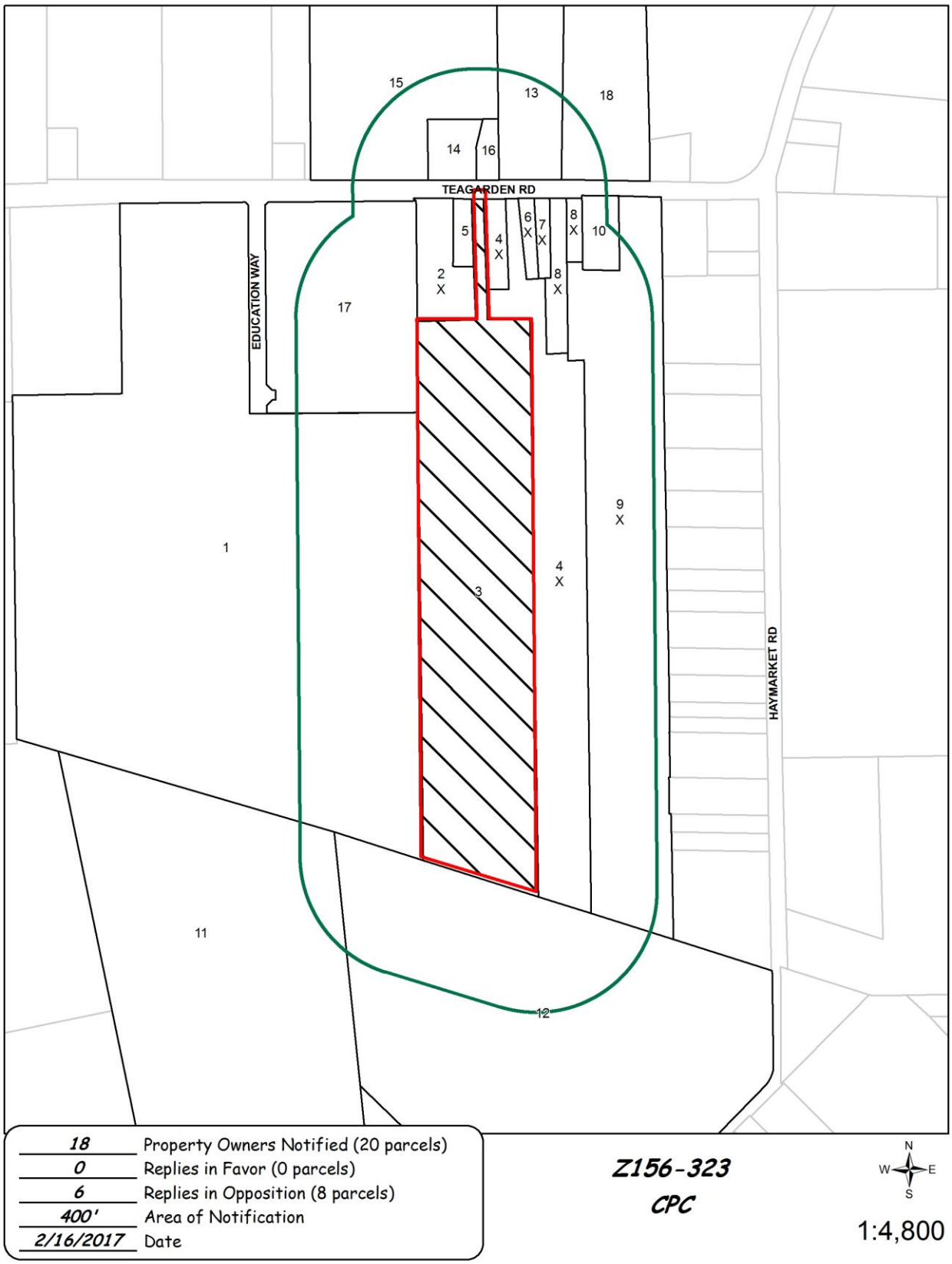
Property is depicted in two parts. The plan continues at the top left corner.


ROYCE DR
LA BETT DR
JO PIERCE DR
FOUNTAINDALE DR
TEAGARDEN RD
EDUCATION WAY
HAYMARKET RD
1:8,400
VICINITY MAP
Case no: Z156-323
Date: 2/1/2017


TEAGARDEN RD
EDUCATION WAY
HAYMARKET RD
1:6,000
AERIAL MAP
Case no: Z156-323
Date: 2/1/2017


R-10(A)
Single family, Agricultural
Single family, Agricultural
TEAGARDEN RD
Public School
Single family, Agricultural
PD 819
Single family, Agricultural
R-7.5(A)
Z845-372
Agricultural
Agricultural
A(A)
Single family, Agricultural
R-5(A)
HAYMARKET RD
Agricultural
1:6,000
ZONING AND LAND USE
Case no: Z156-323
Date: 2/1/2017

CPC Responses



02/15/2017

Reply List of Property Owners

Z156-323

18 Property Owners Notified ***0 Property Owners in Favor*** ***6 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	10020	TEA GARDEN RD	10020 TEA GARDEN ROAD LLP
X	2	10214	TEA GARDEN RD	MARTENSEN GAYLE
	3	10218	TEA GARDEN RD	TORRES JOEL
X	4	10224	TEA GARDEN RD	TERRY DONNA LYNN
	5	10216	TEA GARDEN RD	GUZMAN MARIO
X	6	10230	TEA GARDEN RD	HARGROVE GEORGE &
X	7	10310	TEA GARDEN RD	HARGROVE GEORGE
X	8	10318	TEA GARDEN RD	HARGROVE GEORGE W & DONNA
X	9	10360	TEA GARDEN RD	HARGROVE GEORGE W JR &
	10	10334	TEA GARDEN RD	JORDON JIMMY D & PATRICIA
	11	2411	HAYMARKET RD	WEBB WALTER E & MELISSA A
	12	2500	HAYMARKET RD	CERVANTES JUAN C
	13	10327	TEA GARDEN RD	BARRIOS SALVADOR
	14	10215	TEA GARDEN RD	VARGAS JOSE
	15	10209	TEA GARDEN RD	LAIR BILLY WAYNE &
	16	10217	TEA GARDEN RD	LAIR LARRY DEAN & DONNA SUE
	17	10210	TEA GARDEN RD	Dallas ISD
	18	10229	TEA GARDEN RD	BARRIOS SALVADOR

AGENDA ITEM # 90

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 74 C

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-212(OTH)
Note: This item was considered by the City Council at a public hearing on June 28, 2017, and was deferred until August 23, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-212(OTH) **DATE FILED:** February 13, 2017

LOCATION: West line of Leigh Ann Drive, north of West Wheatland Road.

COUNCIL DISTRICT: 8 **MAPSCO:** 74-C

SIZE OF REQUEST: Approx. 0.40 acres **CENSUS TRACT:** 111.05

APPLICANT: Ravi Komari

OWNER: Krushi Holdings Limited Liability Company

REPRESENTATIVE: Elsie Thurman

REQUEST: An application for a TH-3(A) Townhouse District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant is requesting the zoning change in order to develop the two lots with four two-story dwelling units. The applicant is volunteering deed restrictions to regulate the setbacks, height of the structures, fence height, and to prohibit carports.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Denial**

BACKGROUND:

- The proposed 0.40 acre site is currently undeveloped and zoned an R-7.5(A) Single Family District.

- The applicant is requesting the zoning change to develop the two lots with two, two-story dwelling units on each lot and to have a mutual access agreement between the two lots.

- On September 14, 2016, the applicant submitted a zoning request for an MF-2(A) Multifamily District to build four multifamily units on each lot with a mutual access agreement between the two lots.

- On December 15, 2016, the City Plan Commission recommended denial without prejudice at the request of the applicant. The applicant did not appeal the denial.

- On February 13, 2017, the applicant submitted this request.

Zoning History: There have not been any zoning changes in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Leigh Ann Drive	Local	60 foot

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

The proposed rezoning does not support the goals and policies established in the *forwardDallas! Comprehensive Plan.*

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

By changing the zoning of the proposed site in the middle of the R-7.5(A) District to a townhouse district, the lots will be higher density than the adjacent lots and not in keeping with the character of the neighborhood.

Neighborhood Plus. One of the goals of *Neighborhood Plus* is to expand homeownership. This goal encourages a wider range of housing types to respond to emerging preferences, identifies incentives for infill development and home improvements in targeted neighborhoods, expands programs to reach a broader range of potential home buyers, and develops partnership to increase the pool of eligible loan applicants. Even though changing the zoning to a townhouse district, the applicant is not building the units for sell.

Surrounding Land Uses:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Undeveloped, single family
East	MF-2(A)	Apartments
South	R-7.5(A)	Single family, undeveloped
West	R-7.5(A)	Single Family

Land Use Compatibility:

The request site is approximately 0.40 acres and is currently undeveloped. The applicant is proposing to develop the two properties with a two, two-story building on each lot with shared access. The applicant proposes to create an access agreement between the two lots to allow the access to parking and the dwelling units. The applicant proposes to have the structures face each other and not front on the street.

The applicant is volunteering deed restrictions for:

1. Front yard setback minimum of 25 feet.
2. Side and rear yard setbacks minimum of 10 feet.
3. Fences and accessory structures maximum 8 feet in height.
4. No carports.

The property is currently surrounded by undeveloped, single family to the north; multifamily to the east; undeveloped, single family to the south; and single family to the west. The site is located between the creek to the west and Leigh Ann Drive. West of the creek is developed with single family homes.

The lots currently have a 25 foot platted building line. The R-7.5(A) District has a 25 foot front yard setback. Even with a zoning change, the front yard setback would be 25 feet to match the platted building line and to maintain the block continuity of the adjacent the R-7.5(A) zoned lots.

The property to the west across Leigh Ann Drive is zoned an MF-2(A) District and is developed with 256 multifamily dwelling units. Further to the south, the property is zoned MF-2(A) as well and it is developed with 294 multifamily dwelling units. Staff believes the zoning pattern in the immediate area has a clear demarcation along Leigh Ann Drive and recommends maintain the current pattern.

The applicant is requesting a TH-3(A) Townhouse subdistrict to achieve the density needed to build two units on each lot. The two lots combined are 0.40 acres and the TH-3(A) Townhouse District provides the ability for this density.

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
Proposed							
TH-3(A) Townhouse	0'	0'	12 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq. ft.	Single family

*the lots have a 25 foot platted building setback and would not be able to be constructed per the TH-3(A) front yard setback.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for the proposed use.

Landscaping:

The proposed development must comply with Article X requirements. Landscape plans must be submitted for review and approval during building permitting process.

CPC ACTION:

May 4, 2017

Motion: It was moved to recommend **approval** of a TH-3(A) Townhouse District, subject to deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west line of Leigh Ann Drive, north of West Wheatland Road.

Maker: Haney
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 400 Mailed: 40
Replies: For: 1 Against: 2

Speakers: For: Elsie Thurman, 9406 Biscayne Blvd., Dallas, TX, 75218
Ravi Komari, 7 and 8 Leigh Ann, Dallas, TX,
Against: None

Partners & Principles

Applicant:

Mr. Ravi Komari
Knapp & Gautier Associates, LLC
13601 Preston Road, STE W529
Dallas, Texas 75220
469-605-0453

Owners:

Krushi Holdings Limited Liability Company (LLC)
a Wyoming Limited Liability Company
5445 Preston Oaks, Suite 211
Dallas, Texas 75254

- Ravi Kumar Komari, Ownership, Member and Operating Partner 33%
- Dr. Vishnuvardhan Komari, Ownership, Member and Silent Partner 33%
- Dr. Satish Gaddam, Ownership, Member and Silent Partner 33%

PROPOSED DEED RESTRICTIONS

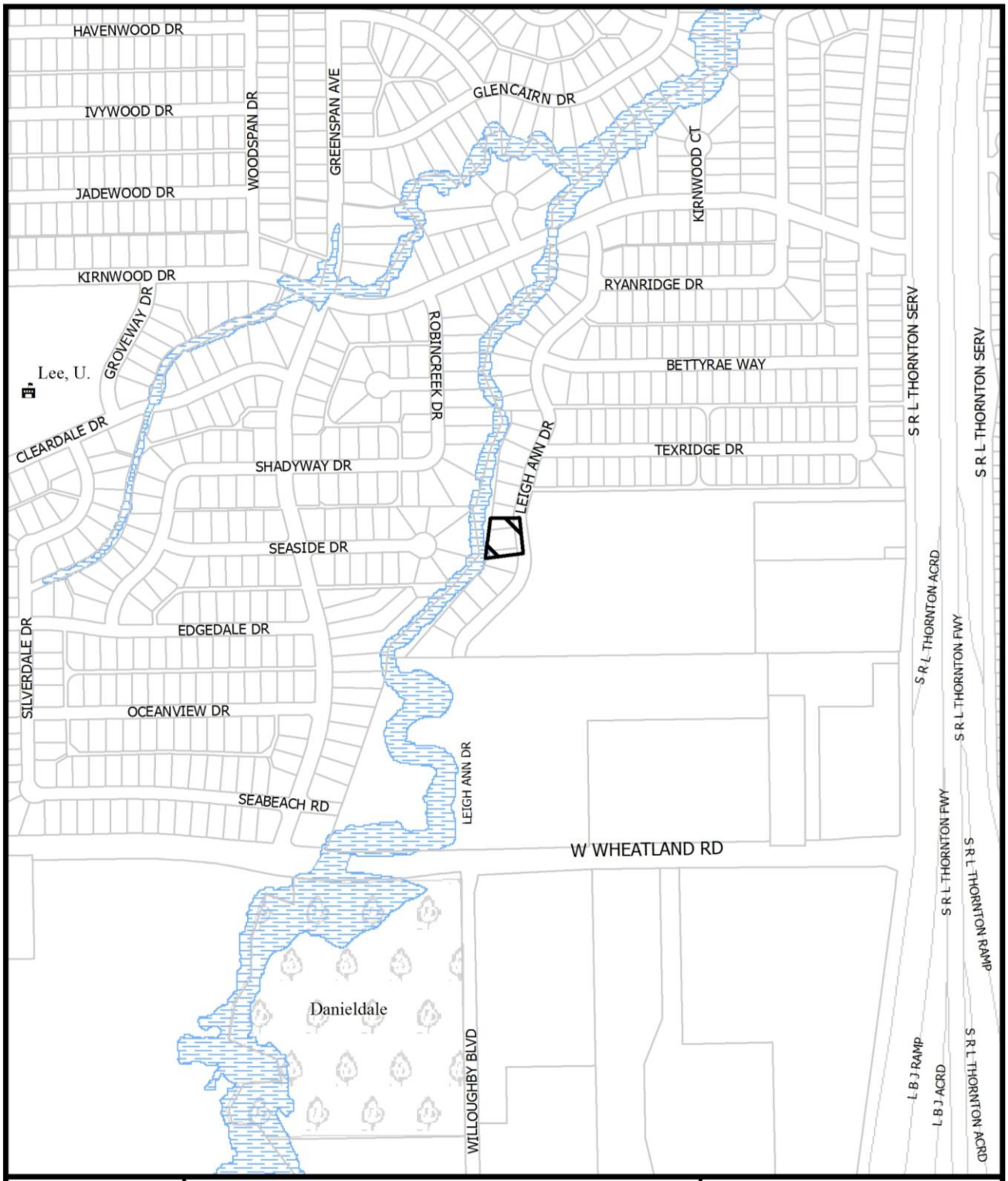
The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. Minimum front yard setback is 25 feet.

2. Minimum side and rear yard setback is 10 feet.

3. Maximum height of fences and accessory structures is 8 feet.

4. Carports are not permitted on the Property.

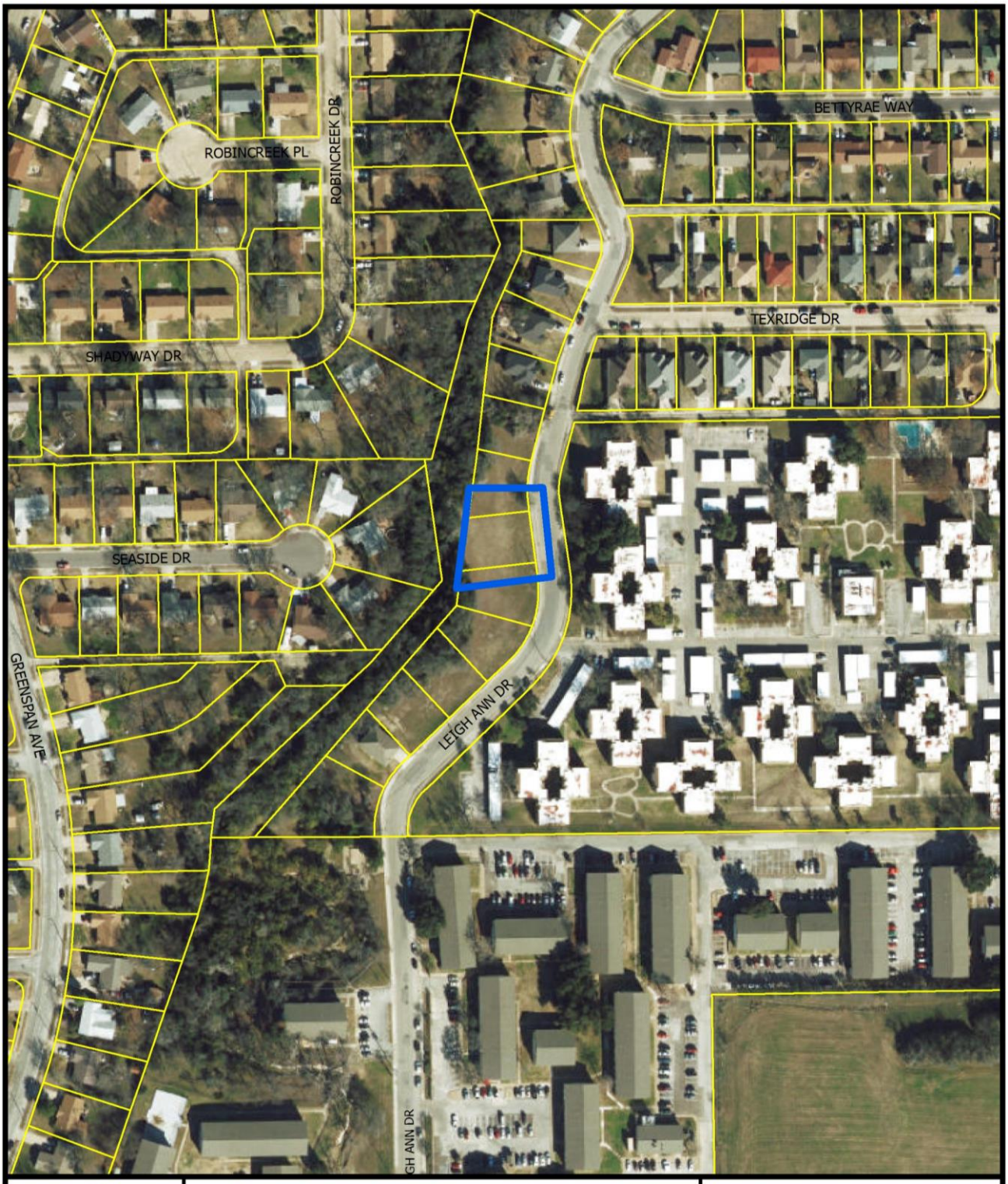


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VICINITY MAP

Case no: Z167-212

Date: 3/1/2017

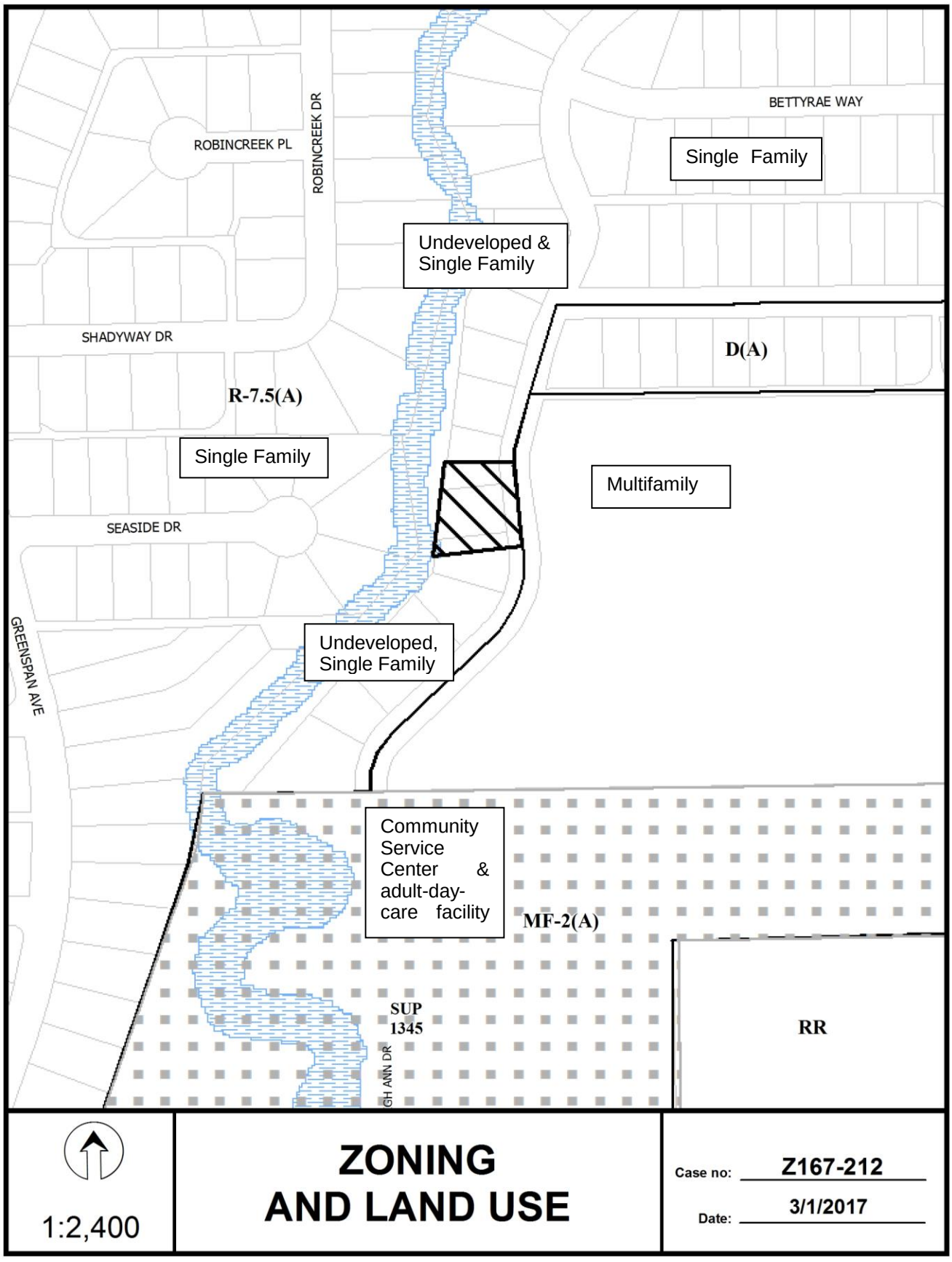


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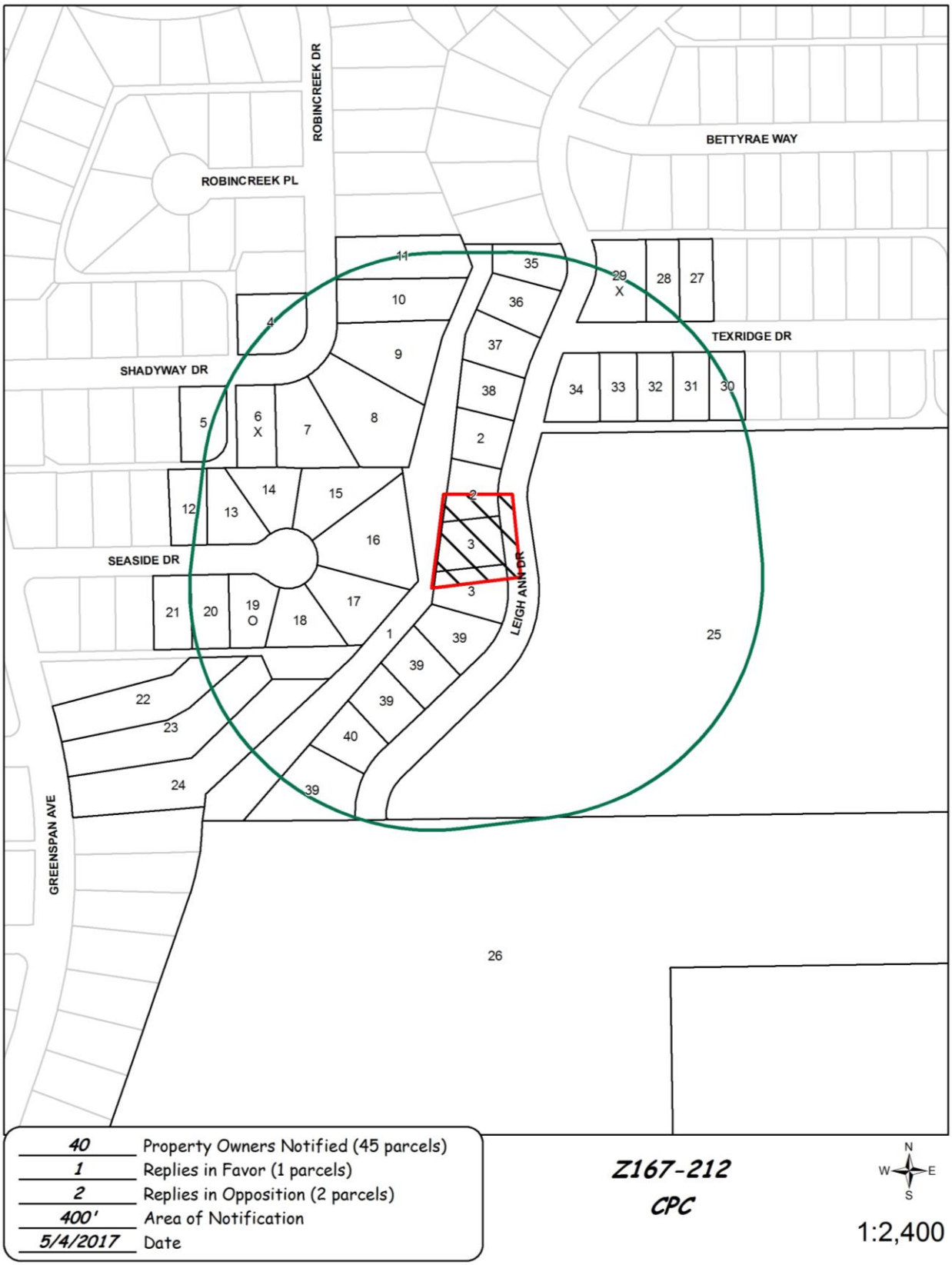
AERIAL MAP

Case no: Z167-212

Date: 3/1/2017


ROBINCREEK PL
ROBINCREEK DR
BETTYRAE WAY
Single Family
Undeveloped & Single Family
SHADYWAY DR
D(A)
R-7.5(A)
Single Family
Multifamily
SEASIDE DR
GREENSPAN AVE
Undeveloped, Single Family
Community Service Center & adult-day-care facility
MF-2(A)
SUP 1345
RR
GH ANN DR
1:2,400
ZONING AND LAND USE
Case no: Z167-212
Date: 3/1/2017

CPC RESPONSES



05/03/2017

Reply List of Property Owners

Z167-212

40 Property Owners Notified ***1 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	7900	LEIGH ANN DR	WHITE ORCHID HOLDING CO
	2	5	LEIGH ANN DR	WHITE ORCHID HOLDING CO
	3	7	LEIGH ANN DR	GEWAX VIRGINIA ELIZABETH MEYERS RILEY TR
	4	7859	ROBIN CREEK DR	BUSH ARCIE J
	5	516	SHADYWAY DR	HENDERSON HELEN
X	6	512	SHADYWAY DR	LYNCH LUCILLE
	7	508	SHADYWAY DR	PHIFER LINDA FAYE
	8	504	SHADYWAY DR	BLACK JOSEPH
	9	7862	ROBIN CREEK DR	SANTIBANEZ CONSTANCIA
	10	7858	ROBIN CREEK DR	BEAMON LYNDA DODD
	11	7852	ROBIN CREEK DR	GONZALEZ AUDREY &
	12	519	SEASIDE DR	GARRETT JAMES O
	13	515	SEASIDE DR	VARGAS XOCHILT DIEGO
	14	511	SEASIDE DR	NET CAPITAL INVESTMENTS LLC
	15	507	SEASIDE DR	NEWSOME LUEN
	16	503	SEASIDE DR	RAWLS ARTRA &
	17	504	SEASIDE DR	MA LEG PARTNERS 6
	18	508	SEASIDE DR	JOHNSON NATHAN &
O	19	512	SEASIDE DR	STEPHENS VERA LIFE ESTATE
	20	516	SEASIDE DR	JONES CATHY A
	21	520	SEASIDE DR	CAMARGOMARTINEZ CELIA
	22	7934	GREENSPAN DR	ALEXANDER TONYA VANESSA
	23	7938	GREENSPAN DR	NICKLEBERRY HOWARD E ETUX
	24	8004	GREENSPAN DR	GARDNER GERMAN C
	25	7930	LEIGH ANN DR	168 REALTY GROUP IV LLC
	26	417	W WHEATLAND RD	WHEATLAND TERRACE PARTNERS LTD

05/03/2017

Reply	*Label #*	*Address*		*Owner*
	27	8041	TEXRIDGE DR	MARCH ROYCEE
	28	8047	TEXRIDGE DR	MEZA PATRICIA
X	29	8051	TEXRIDGE DR	TASBY BARBARA A
	30	8028	TEXRIDGE DR	BONELL PATRICIA
	31	8036	TEXRIDGE DR	GBENJEN SAIO K
	32	8040	TEXRIDGE DR	WILSON INVESTMENT PPTIES INC
	33	8046	TEXRIDGE DR	ECHEVERRIA PAULA
	34	8050	TEXRIDGE DR	HERNANDEZ JULIA
	35	7817	LEIGH ANN DR	GARCIA MARIA &
	36	7821	LEIGH ANN DR	WEST FORK PROPERTIES LLC
	37	7903	LEIGH ANN DR	TALIAFERRO CORDIA TRUSTEE OF THE 7903 LEIGHT ANN
	38	7907	LEIGH ANN DR	WANG CHEN YU
	39	9	LEIGH ANN DR	CERDA EDGER
	40	8015	LEIGH ANN DR	REYES DANIEL ENRIQUE DE LEON &

AGENDA ITEM # 91

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 58 R; V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Specific Use Permit No. 80 for a Salvation Army Community Center on property zoned an R-7.5(A) Single Family District, on the north line of Elam Road, west of Holcomb Road
Recommendation of Staff and CPC: Approval, subject to a revised site plan
Z167-232(SM)
Note: This item was considered by the City Council at a public hearing on June 14, 2017, and was held under advisement until August 23, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-232(SM) **DATE FILED:** March 1, 2017

LOCATION: North line of Elam Road, west of Holcomb Road

COUNCIL DISTRICT: 5 **MAPSCO:** 58 R; V

SIZE OF REQUEST: Approx. 7.5827 acres **CENSUS TRACT:** 92.02

APPLICANT / OWNER: Salvation Army

REPRESENTATIVE: James Riley, Brockette Davis Drake, Inc.

REQUEST: An application to amend and expand Specific Use Permit No. 80 for a Salvation Army Community Center on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to construct approximately 4,118 square feet in two building additions, expand and enhance existing outdoor recreational areas, and construct additional parking.

CPC RECOMMENDATION: **Approval**, subject to a revised site plan.

STAFF RECOMMENDATION: **Approval**, subject to a revised site plan.

BACKGROUND INFORMATION:

- On November 9, 1964, Council approved Special Permit No. 80 for a Salvation Army Community Center.

- Aerial photography from 1968 shows the site utilized the expansion area for athletic fields.

- On July 1, 1999, a minor amendment was approved to provide for a new restroom and storage structure approximately in the middle of the site.

- The existing facility has 21,429 square feet of building area, athletic fields with lighting, and accessory structures.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested amendment and has no objection to the request.

Thoroughfare/Street	Designation	Dimension
Elam Road	Major Arterial	Minimum-6 lanes-divided; 100' ROW

STAFF ANALYSIS:

COMPREHENSIVE PLAN:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Land Use Element

GOAL 1.1 Align land use strategies with economic development priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools. Encourage the development of these facilities in priority Area Plans.

Land Use Compatibility: The request site is developed with approximately 21,429 square feet of floor area in a one-story building and includes athletic fields to the north and seven existing field light poles that are approximately 45 feet in height. Although the original ordinance for SUP No. 80 from 1964 describes the area shown on the zoning map, aerial photography from 1968 shows the requested area of expansion has been utilized as athletic fields for the past 49 years. The applicant proposes to erect two one-story additions to the existing main building, enlarge and redesign surface parking, replace and add bleachers, replace the existing seven field lights with six new 45-foot-tall light poles in the athletic fields, erect a new 14-foot-tall scoreboard, and upgrade the sports fields.

Surrounding land use consists of single family uses in all directions. Additionally, since the site is located in an R-7.5(A) District, structures are not subject to residential proximity slope height restrictions. Further, since a community service center is categorized as an institutional use, it is not subject to the maximum district height [1]of 30 feet. The proposed building additions will be 16 and 18 feet and the upgrades to the athletic field lighting standards will be 45 feet.

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 Salvation Army has been a neighbor in this location for almost 50 years and wishes to expand and enhance the services to the community. A community service center use is a compatible use with the surrounding single family properties because it provides an amenity to the neighborhood with recreation and communal gathering spaces. The existing SUP conditions do not impose a time limit and since the tenant has operated in a responsible manner since the creation of the SUP, staff recommends approval without changes to the existing conditions.

Athletic Field Lighting: The request includes a proposal to replace seven athletic field light standards with six new light standards that are a maximum of 45 feet tall. The lights are proposed to surround the renovated multi-use sports field area to the north of the existing building. Three of those new lights are proposed on the north side of the field, with the lighting directed onto the field to the south and three more are proposed to the south of the sports field, with the lighting directed onto the field to the north.

[1] Reference Section 51A-4.408(a)(1) of the Dallas Development Code.

Each of the six new light standards is 45 feet tall. The proposed light standards to the north are proposed approximately 10 feet further south from the northern properties than the existing light standards and these light standards will be directed away from the closest residential properties. The light standards on the south side of the field, directing light on to the field ground surface to the north are proposed approximately 265 feet from the closest northern neighboring property line. If a three to one slope is applied as a comparison of determining appropriate height of structures, a 45 foot light pole would require 135 feet separation from residential property. Therefore, because the light poles on the north are pointing downward and increasing the separation and pointing away from adjacent properties and the three light standards on the southern side of the field is spaced 265 feet from residential property and directed downward, staff supports the proposed heights and location of the light standards.

Finally, an existing condition of SUP No. 80 is that "All outdoor lighting devices shall be designed and installed so as to direct light down and away from surrounding properties and shall be turned off not later than [ten] o'clock p.m." staff supports the request with no changes to the SUP conditions.

Screening: An existing condition of SUP No. 80 is that, "A six foot high solid screening fence shall be provided along the north, east, and west property lines as shown on the site plan." The Dallas Development Code requires screening of nonresidential parking areas to contiguous residential uses and to screen service areas of buildings. Since the existing screening condition of SUP No. 80 applies an additional screening element, staff supports the request with no changes to the SUP conditions

Parking: The existing site has 62 parking spaces for 21,429 square feet of community service center building area. Nonconforming parking, or "delta credits", are calculated by subtracting the amount of parking provided from the minimum parking requirement of the existing building at existing parking ratios[2]. The current parking requirement for a community service center is one space per 200 square feet of floor area, the parking requirement for the existing 21,429 square foot community service center is 107 spaces. Therefore, the site has 45 delta credits (107 – 62 = 45).

The Dallas Development Code allows properties to carry forward delta credits when parking requirements are increased but any unused delta credits will not be carried forward. Therefore, since the facility is proposed to be expanded to 25,547 square feet, the minimum parking requirement is 128 spaces. The proposed site plan provides 120 spaces and therefore, the site can retain eight delta credits to meet minimum parking requirements.

Landscaping: Landscaping is required in accordance with Article X of the Dallas Development Code.

[2] Reference Section 51A-4.704(b)(4) of the Dallas Development Code.

CPC Action – May 4, 2017:

Motion: It was moved to recommend **approval** of an amendment to and expansion of Specific Use Permit No. 80 for a Salvation Army Community Center, subject to a revised site plan (as briefed) on property zoned an R-7.5(A) Single Family District, on the north line of Elam Road, west of Holcomb Road.

Maker: Anglin
Second: Houston
Result: Carried: 15 to 0

For: 15 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung*, Housewright, Schultz, Peadon*, Murphy, Ridley*, Tarpley

Against: 0
Absent: 0
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 112
Replies: For: 1 Against: 3

Speakers: None

List of Officers

THE SALVATION ARMY

DOING THE MOST GOOD®

FOUNDERS
William & Catherine Booth

GENERAL
André Cox

TERRITORIAL COMMANDER
Commissioner Donald C. Bell

TEXAS DIVISIONAL COMMANDER
Lt. Colonel Ken Luyk

DFW METROPLEX COMMANDER
Major Jonathan Rich

ADVISORY BOARD CHAIR
Carl Ice

SECRETARY
Lee R. Slaughter

TREASURER
Daniel O. Chesnut

IMMEDIATE PAST CHAIR
Richard K. Martin

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Judy Gibbs
Elliott (Tony) Roosevelt
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Doug Thompson
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David Russell
LaMonte Thomas
Scott Turpin
Bernice J. Washington

WOMEN'S AUXILIARY PRESIDENT
Karen Dealy

Existing SUP No. 80 Conditions (to remain unchanged)

ORDINANCE NO. 10705

An Ordinance amending the basic Zoning Ordinance No. 5238 of the City of Dallas as enacted by the City Council on August 28, 1951, and thereafter amended, and as printed in the Appendix as Part I of the 1960 Code of Civil and Criminal Ordinances of the City of Dallas, by permitting the following described property, which is presently zoned Residential 7,500 to-wit: Being Lot 2 and part of Lot 3 of City Block 6344 and further described thus: Beginning at a point in the north line of Elam Road and 421.4 feet west of the west line of Holcomb Road; Thence northerly along a common property line, a distance of 682.7 feet to a point for corner in the south line of an existing 10 foot alley; Thence westerly along said alley line, a distance of 450.7 feet to a point for corner in the west line of Lot 2 of City Block 6344; Thence southerly along said lot line, a distance of 682.7 feet to a point for corner in the north line of Elam Road; Thence easterly along said line, a distance of 450.7 feet to the point of beginning, to be used under a Special Permit for a Salvation Army Community Center; That a Special Permit shall be granted for a Salvation Army Community Center with reference to the herein described property, subject, however, to the special conditions hereinafter more fully expressed; That the property shall be improved according to the site plan approved herewith; providing for a penalty; providing for a severability clause; and Declaring an Emergency.

WHEREAS, the City Plan Commission of the City of Dallas and the Governing Body of the City of Dallas in compliance with the Charter of the City of Dallas and the State law with reference to the granting of special permits under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise and after holding due hearings and affording a full and fair hearing to all the property owners, generally, and to the persons interested situated in the affected area and in the vicinity thereof regarding the rezoning, proposed use or improvement of the property herein described, the Governing Body of the City of Dallas is of the opinion that said special permit should be granted, subject to the conditions set out herein; Now, Therefore;

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

SECTION 1. That the basic Zoning Ordinance No. 5238 of the City of Dallas as enacted by the City Council on August 28, 1951, and thereafter amended, and as printed in the Appendix as Part I of the 1960 Code of Civil and Criminal Ordinances of the City of Dallas, be, and it is hereby amended insofar as it applies to the property hereinafter described, which is presently zoned Residential 7,500, and which shall be used under a special permit for a Salvation Army Community Center, to-wit:

BEING Lot 2 and part of Lot 3 of City Block 6344 and further described thus:

BEGINNING at a point in the north line of Elam Road and 421.4 feet west of the west line of Holcomb Road;

THENCE northerly along a common property line, a distance of 682.7 feet to a point for corner in the south line of an existing 10 foot alley;

THENCE westerly along said alley line, a distance of 450.7 feet to a point for corner in the west line of Lot 2 of City Block 6344;

THENCE southerly along said lot line, a distance of 682.7 feet to a point for corner in the north line of Elam Road;

THENCE easterly along said line, a distance of 450.7 feet to the point of beginning.

SECTION 2. That this special permit for a Salvation Army Community Center with reference to the hereinabove described property is approved and granted upon the following express conditions, and in accordance with Article 165-22, Section 16 of the Zoning Ordinance:

1) Site Plan: Development shall be in conformance with the site plan as approved by the City Plan Commission;

2) Parking: Paved off-street parking shall be provided as shown on the site plan;

3) Paving: All driveways, entrances, and parking areas shall have a minimum surfacing of six inches compacted gravel and two coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements;

4) Screening: A six foot high solid screening fence shall be provided along the north, east, and west property lines as shown on the site plan;

5) Platting: Prior to passage of an ordinance, a plat shall be filed providing for necessary street and alley right-of-way;

6) Lighting: All outdoor lighting devices shall be designed and installed so as to direct light down and away from surrounding properties and shall be turned off not later than 10:00 o'clock p.m.

SECTION 3. That the site plan for these improvements and as approved by the City Council is attached hereto and made a part hereof for all purposes. A true copy of the site plan shall be retained by the Director of Planning and the Building Inspector for observance in connection with these improvements. That all paved areas, permanent drives, streets, and drainage structures, if any, shall be constructed in accordance with standard City of Dallas specifications adopted for such purpose, and the same shall be done to the satisfaction of the Director of Public Works.

SECTION 4. No Certificate of Occupancy shall be issued by the Building Inspector until there has been a full compliance with Subsections 1 through 6 of Section 2, in accordance with the requirements of the building for which the Certificate is issued, together with all other provisions of this ordinance and any applicable provisions of the Zoning Ordinance and the Building Codes.

SECTION 5. That any person, firm or corporation violating any of the terms and provisions of this ordinance shall be subject to the same penalties provided for in Ordinance No. 5238, particularly Article 165-30.

SECTION 6. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 7. WHEREAS, it appears that the subject property of this ordinance is to be used under a special permit for a Salvation Army Community Center, and will serve the public interest, comfort and general welfare, creates an urgency and an emergency in the preservation of the public peace, comfort and general welfare and requires that this ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

APPROVED AS TO FORM:
H. P. KUCERA, City Attorney

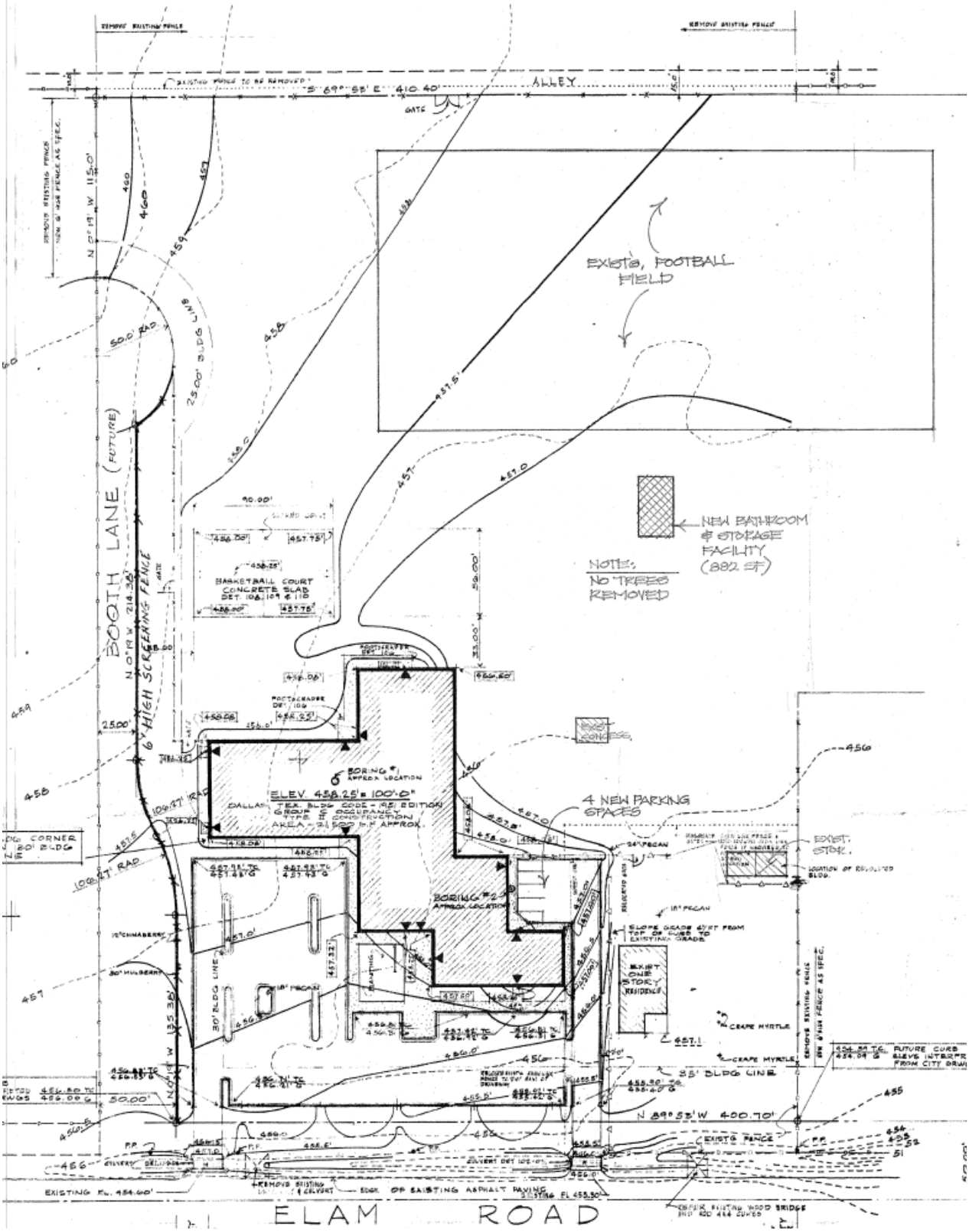
PASSED: November 9, 1964
CORRECTLY ENROLLED: November 9, 1964

APPROVED: H P Kucera
City Attorney

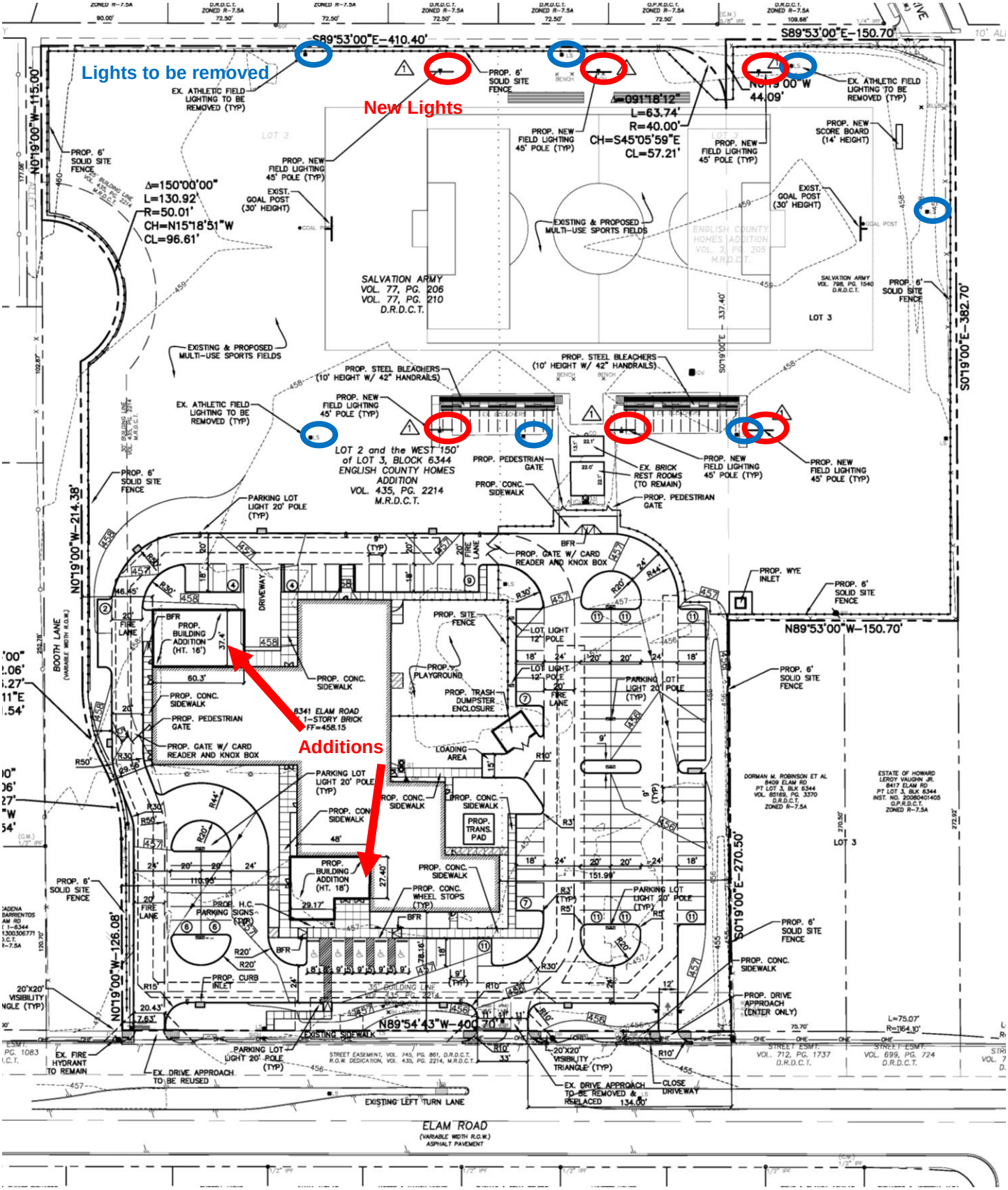
ATTEST:

Harold G. Stark
City Secretary

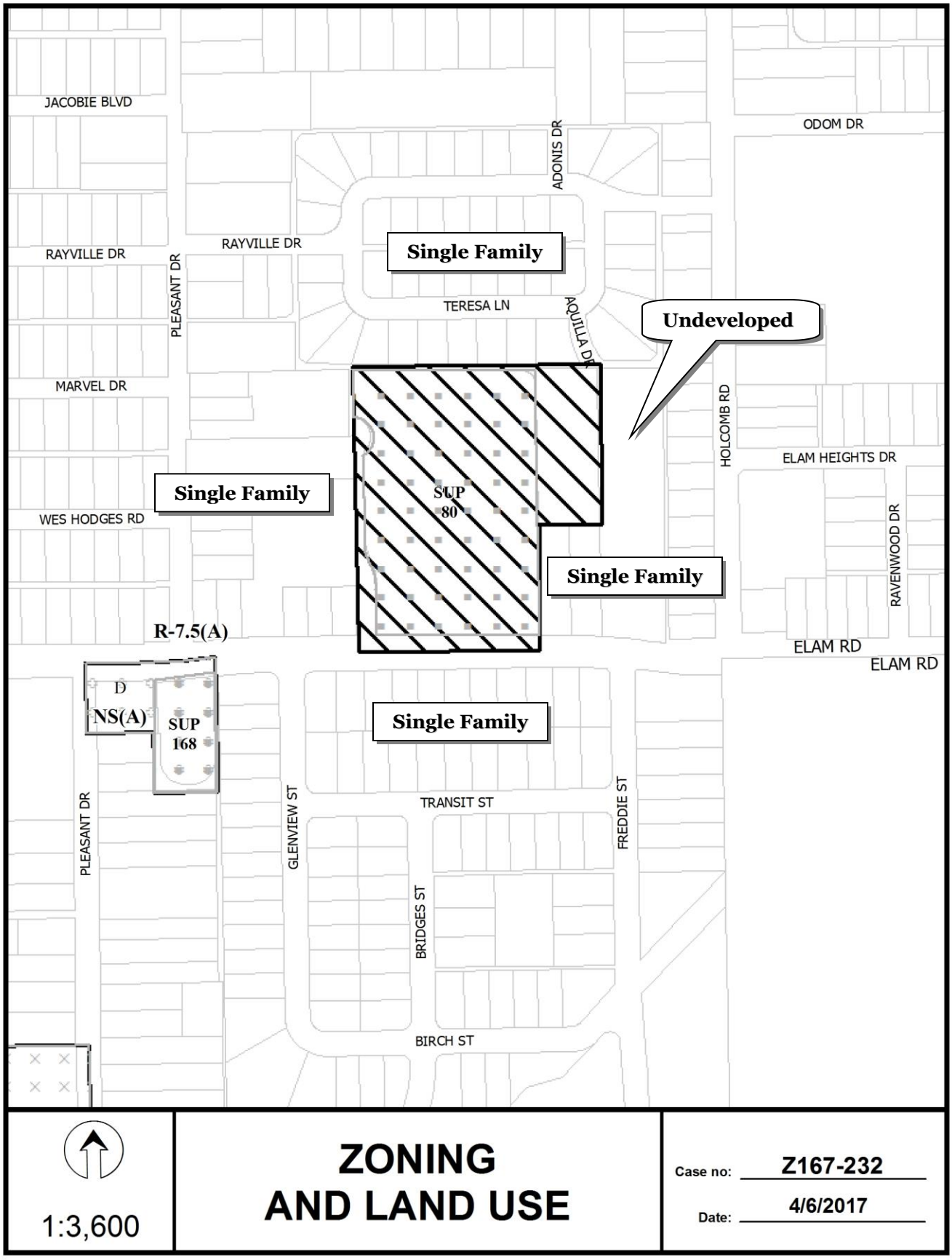
Existing Site Plan

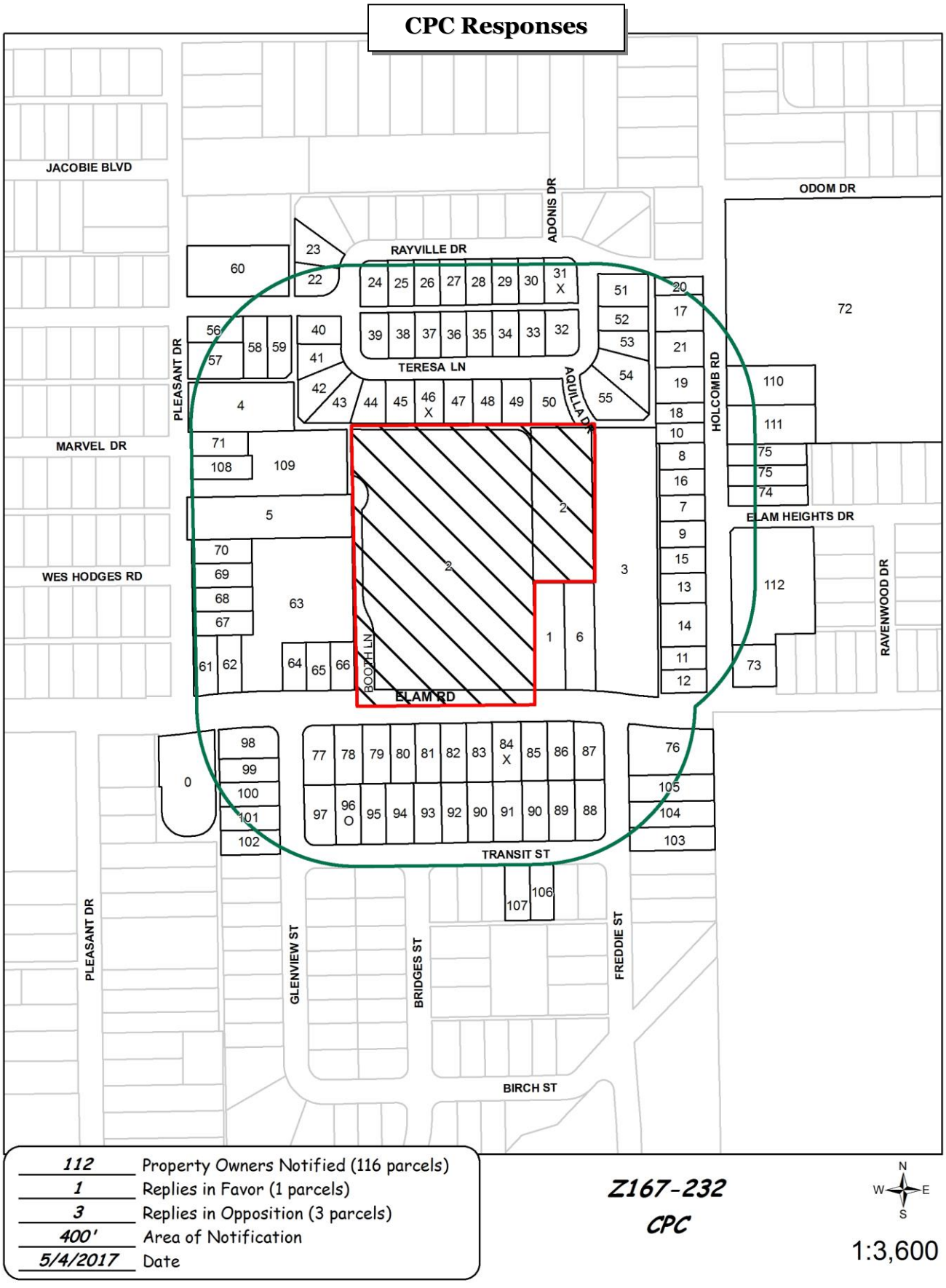


Proposed Site Plan




WIDEMAN DR
JERAN DR
MANHATTAN DR
EDEN VALLEY LN
ODENEAL ST
OLD HOMESTEAD DR
WIDEMAN DR
JACOBIE BLVD
PLEASANT DR
ADONIS DR
ODOM DR
Macon
RAYVILLE DR
RAYVILLE DR
TERESA LN
MARVEL DR
HOLCOMB RD
ELAM HEIGHTS DR
WIDEMAN DR
WES HODGES RD
BOOTH LN
RAVENWOOD DR
BRIGHTWOOD DR
ELAM RD
ELAM RD
PLEASANT DR
GLENVIEW ST
TRANSIT ST
BRIDGES ST
KIPLING DR
BIRCH ST
Crawford Memorial
REDKEY ST
GLENVIEW ST
BRIDGES ST
FREDDIE ST
1:6,000
VICINITY MAP
Case no: Z167-232
Date: 4/6/2017


JACOBIE BLVD
ODOM DR
ADONIS DR
RAYVILLE DR
RAYVILLE DR
PLEASANT DR
Single Family
TERESA LN
AQUILLA DR
Undeveloped
MARVEL DR
HOLCOMB RD
ELAM HEIGHTS DR
Single Family
SUP 80
WES HODGES RD
RAVENWOOD DR
Single Family
R-7.5(A)
ELAM RD
ELAM RD
D
NS(A)
SUP 168
Single Family
TRANSIT ST
PLEASANT DR
GLENVIEW ST
FREDDIE ST
BRIDGES ST
BIRCH ST
1:3,600
ZONING
AND LAND USE
Case no: Z167-232
Date: 4/6/2017


CPC Responses
JACOBIE BLVD
ADONIS DR
ODOM DR
RAYVILLE DR
TERESA LN
AQUILLA DR
HOLCOMB RD
PLEASANT DR
MARVEL DR
WES HODGES RD
ELAM HEIGHTS DR
RAVENWOOD DR
BOOTH LN
ELAM RD
TRANSIT ST
PLEASANT DR
GLENVIEW ST
BRIDGES ST
FREDDIE ST
BIRCH ST
112 Property Owners Notified (116 parcels)
1 Replies in Favor (1 parcels)
3 Replies in Opposition (3 parcels)
400' Area of Notification
5/4/2017 Date
Z167-232
CPC
N
W
E
S
1:3,600

05/04/2017

Reply List of Property Owners

Z167-232

112 Property Owners Notified ***1 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	8409	ELAM RD	ROBINSON DORMAN M ETAL
	2	8401	ELAM RD	SALVATION ARMY
	3	8425	ELAM RD	CHAVEZ EFRAIN & MARIA
	4	604	PLEASANT DR	SIERRA ABELARDO
	5	538	PLEASANT DR	MARTINEZ EFREN
	6	8417	ELAM RD	VAUGHN HOWARD LEROY JR EST OF
	7	539	HOLCOMB RD	REED PHILIP D
	8	611	HOLCOMB RD	BAYSON CHARLES J
	9	531	HOLCOMB RD	ESCOVAR JOSE R &
	10	615	HOLCOMB RD	ALVARADO FRANCISCO & ANA CECILIA
	11	507	HOLCOMB RD	VEGA ALBERTO N
	12	503	HOLCOMB RD	RUBIO MIGUEL A &
	13	523	HOLCOMB RD	PANIAGUA MARTIN R
	14	509	HOLCOMB RD	RODRIGUEZ ANTHONY
	15	527	HOLCOMB RD	PANIAGUA MARIA REFUGIO
	16	607	HOLCOMB RD	REHKOP FAYE WHITTINGTON
	17	639	HOLCOMB RD	NUZE IRSA VIRGINIA AVELAR
	18	617	HOLCOMB RD	GAMEZ DAMIAN
	19	623	HOLCOMB RD	FRANCO MARIA
	20	643	HOLCOMB RD	CARBAJAL JORGE R &
	21	627	HOLCOMB RD	LOPEZ OFELIA &
	22	8325	RAYVILLE DR	ARRIAGA RIGOBERTO &
	23	8329	RAYVILLE DR	RAMIREZ ROSA ISELA
	24	8338	RAYVILLE DR	ADAMEARENAS GUMARO
	25	8342	RAYVILLE DR	MARTINEZ SILVA MIGUEL A
	26	8348	RAYVILLE DR	RODRIGUEZ JORGE & ELIDIA

Reply	*Label #*	*Address*		*Owner*
	27	8352	RAYVILLE DR	GONZALEZ VICTOR &
	28	8358	RAYVILLE DR	NOGUEZ YOLANDA
	29	8362	RAYVILLE DR	MORALES BERNARDO &
	30	8368	RAYVILLE DR	HAWKINS ELBERT D
X	31	8372	RAYVILLE DR	MCCLUSKY J G
	32	8355	TERESA LN	PULASKI GEORGE
	33	8351	TERESA LN	BROWN MABLE LOUISE &
	34	8347	TERESA LN	RANGEL DOMINGO & BEATRIZ
	35	8343	TERESA LN	RAMIREZ MARIA E
	36	8339	TERESA LN	AGUERO MARIA GRICELDA &
	37	8335	TERESA LN	VASQUEZ ALBERT
	38	8329	TERESA LN	PEAL FRANCES
	39	8325	TERESA LN	RODRIGUEZ DAVID &
	40	8306	TERESA LN	BLANCO JOEL ANTONIO
	41	8310	TERESA LN	PRUITT BILLY JACK
	42	8314	TERESA LN	STEWART CECIL D & DIANNE
	43	8318	TERESA LN	MARTINEZ ALEJANDRO GARCIA & ERIKA PEREZ
	44	8324	TERESA LN	FLORES VIVIAN
	45	8328	TERESA LN	MILLER ANNIE M
X	46	8334	TERESA LN	RAMOS LOUIS
	47	8338	TERESA LN	JIMENEZ JAVIER &
	48	8344	TERESA LN	GORDON SUSAN PEAL
	49	8348	TERESA LN	ORTIZ EDIVINO
	50	8352	TERESA LN	ZAVALA ANGELICA G
	51	8372	TERESA LN	REED RONALD JAMES &
	52	8368	TERESA LN	MUNOZ ALFREDO
	53	8364	TERESA LN	BENCH DAN CARROLL
	54	8360	TERESA LN	LOERA ANTONIO ETAL
	55	8356	TERESA LN	RODRIGUEZ BLANCA GRISELDA
	56	8308	RAYVILLE DR	RENTERIA MIGUEL & RODE R
	57	612	PLEASANT DR	BELL ROBERT ELDON EST OF

Reply	*Label #*	*Address*		*Owner*
	58	8314	RAYVILLE DR	GRIMALDO MANUEL & MARIA S
	59	8318	RAYVILLE DR	CALDWELL ETTA M
	60	630	PLEASANT DR	GARCIA RAUL C & ORALIA
	61	8301	ELAM RD	TUDON JOSE ANGEL & MARTHA
	62	8305	ELAM RD	JONES C W
	63	8315	ELAM RD	CAZARES JUAN MANUEL & ELIDA
	64	8323	ELAM RD	SPENCE LEONARD RAY
	65	8325	ELAM RD	BESOWSKEK FRANK
	66	8331	ELAM RD	BARRIENTOS PASCUAL &
	67	514	PLEASANT DR	PEREZ GUSTAVO M &
	68	518	PLEASANT DR	SILOS JOSE
	69	524	PLEASANT DR	PANIAGUA ELBA M &
	70	530	PLEASANT DR	OLIVARES DOROTEO &
	71	554	PLEASANT DR	RUBIO CHRISTINA MARIA & JUAN GABRIEL MARQUEZ
	72	650	HOLCOMB RD	Dallas ISD
	73	8507	ELAM RD	WINGS OF DELIVERANCE
	74	602	HOLCOMB RD	DELGADO RAUL &
	75	606	HOLCOMB RD	ALVARADO FRANCISCO & ANA
	76	446	FREDDIE ST	VALDEZ ENRIQUE
	77	8344	ELAM RD	DIXON RENDIA
	78	8350	ELAM RD	RICHARDS RODNEY L &
	79	8356	ELAM RD	RICHARDS EUNICE L
	80	8360	ELAM RD	HICKS RUSELL LEO
	81	8366	ELAM RD	AVELAR JUANA IRSA
	82	8400	ELAM RD	MICHEL MOISES G & NANCY M
	83	8408	ELAM RD	TOLEDO THOMAS & ERMA
X	84	8414	ELAM RD	HOUSE DENNIS G & LYNNETTE
	85	8418	ELAM RD	NIX CHARLOTTE EMMA
	86	8424	ELAM RD	AGUILAR JESUS G & BLANCA
	87	8430	ELAM RD	ALBA RICARDO M & JOSEFINA
	88	8431	TRANSIT ST	SALINAS ANTONIO Z &

Reply	*Label #*	*Address*		*Owner*
	89	8425	TRANSIT ST	SIMPSON PAMELA G
	90	8419	TRANSIT ST	STOVALL LINDA DARLENE
	91	8415	TRANSIT ST	ROBINSON MAYBELL
	92	8403	TRANSIT ST	HERNANDEZ BEATRIZ
	93	8367	TRANSIT ST	MARTINEZ ROBERT
	94	8361	TRANSIT ST	LOFTIN STEVE J EST OF
	95	8357	TRANSIT ST	VARGAS OSCAR
O	96	8351	TRANSIT ST	PINA DELIA
	97	8345	TRANSIT ST	HERNANDEZ VICTOR & CARMEN
	98	8328	ELAM RD	BLAKE INGRAM ENTERPRISES INC
	99	463	GLENVIEW ST	BURNES DAVID
	100	457	GLENVIEW ST	ESCANDON VICTOR &
	101	453	GLENVIEW ST	TOVAR OMAR ADRIAN
	102	447	GLENVIEW ST	ESCANDON EDUARDO & NARCISA GUADALUPE
	103	432	FREDDIE ST	HERNANDEZ CEASAR I &
	104	438	FREDDIE ST	CASTILLO FERNANDO &
	105	442	FREDDIE ST	SAUCEDO RAUL
	106	8422	TRANSIT ST	PIEDRA VIRGINIA
	107	8418	TRANSIT ST	RODRIGUEZ FRANCISCO
	108	546	PLEASANT DR	SANCHEZ ANA ISABEL & JORGE HUMBERTO
	109	542	PLEASANT DR	SANCHEZ JORGE H
	110	622	HOLCOMB RD	OLIVARES VICTOR MANUEL
	111	614	HOLCOMB RD	FAVELA CATARINO & ORALIA
	112	522	HOLCOMB RD	WINGS OF DELIV TABNLE INC

AGENDA ITEM # 92

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 46 V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the creation of a Subdistrict to allow a foster care use on property zoned Planned Development District No. 764, the Second Avenue Special Purpose District, on the east corner of Second Avenue and Reed Lane
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to conditions
Z167-245(PD)
Note: This item was considered by the City Council at a public hearing on June 28, 2017, and was held under advisement until August 23, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-245(PD) **DATE FILED:** March 13, 2017

LOCATION: East corner of Second Avenue and Reed Lane

COUNCIL DISTRICT: 7 **MAPSCO:** 46-V

SIZE OF REQUEST: ±9,700 sq. ft. **CENSUS TRACT:** 39.01

REPRESENTATIVE/APPLICANT: Rickey Lyons

OWNER: Britney L. Watson

REQUEST: An application to create a Subdistrict to allow a foster care use on property zoned Planned Development District No. 764, the Second Avenue Special Purpose District.

SUMMARY: The applicant proposes to allow a foster home use in the proposed subdistrict only.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Denial**.

BACKGROUND INFORMATION:

- On August 8, 2007, the City Council approved Planned Development District No. 764.

- In February 2014, the City Council created Subdistrict 1 within Planned Development District No. 764 for NC Neighborhood Commercial uses. The Subdistrict allows for the existing retail and commercial businesses to display merchandise outside on their properties. The outside display and outside storage would be an accessory use to the main use and would be limited to 5 percent of the lot.

- The structure was built in 1964 and is currently vacant.

- The proposed subdistrict will allow for a foster home use to operate within a 4,950 square foot building. The last Certificate of Occupancy was issued in 2004 for a retail and personal service use.

- The applicant is proposing to operate a foster home use that will house 20 girls ages 9 to 18 years. The proposed foster home use will have three employees. The facility will operate 24 hours a day, 7 days a week.

- The foster home use must also comply with statutory licensing requirements by the state, current Building Code, Fire Code and all applicable state and federal requirements for the Americans with Disabilities Act, ADA.

Zoning History: There have been no recent zoning requests within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed ROW
2nd Avenue	Principal Arterial	80 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 764	Developed, Vacant
East	PDD No. 764	Undeveloped
South	PDD No. 764	Church
West	PDD No. 595 (R-5(A))	Mildred L. Dunn Park
North	PDD No. 764	Undeveloped

Comprehensive Plan:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The applicant's request is not consistent with the following goals and policies of the Comprehensive Plan. The request site is within a retail corridor that is located within the Southern Sector. The proposed request for a foster home use will not provide additional small business and employment opportunities within the southern sector and is therefore not in compliance with the *forwardDallas!* Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

STAFF ANALYSIS:

Land Use Compatibility:
The site is currently developed with a 4,950 square foot vacant one-story building, formerly used as a general merchandise or food store less than 3,500 square feet along the 2nd Avenue frontage. The applicant is planning to utilize the existing structure for a foster home. The structure will house approximately 20 girls and three employees. The bedroom sizes are proposed at 60 square feet per child.

The property is surrounded by retail and personal service uses and commercial service uses along the 2nd Avenue corridor to the north, east and south of the request site with a single family use to the west.

The adjacent and surrounding uses are incompatible with the proposed use on the subject property. Staff recommends denial based on the zoning change being inconsistent with the current land use and future land use goals in Planned Development District No. 764. Presently, PDD No. 764 prohibits residential uses. Therefore, staff does not see a land use rationale to support a foster home use in a nonresidential zoning district.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 764	0'	15' adjacent to residential OTHER: No Min.	0.75 FAR	30' 2 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Traffic:
The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and has no objection to the proposed use.

Parking:
The proposed foster home use requires that two parking spaces be provided. The applicant is proposing five parking spaces. No significant increase in the number of vehicles will be generated.

Landscaping:
Landscaping required per Article X of the Dallas Development Code. The request site will not trigger any landscaping requirements because the there are no increases in impervious surfaces or floor area.

City Plan Commission Action:
May 18, 2017

Motion: It was moved to recommend **approval** of the creation of a new subdistrict to allow a foster care use within Planned Development District No. 764, the Second Avenue Special Purpose District, on the east corner of 2nd Avenue and Reed Lane.

Maker: Mack
Second: Anglin
Result: Carried: 11 to 0

For: 11 - Anglin, Rieves, Houston, Davis, Shidid, Haney, Mack, Jung, Housewright, Peadon, Ridley

Against: 0
Absent: 4 - Anantasomboon, Schultz, Murphy, Tarpley
Vacancy: 0

Notices: Area: 500 Mailed: 71
Replies: For: 1 Against: 0

Speakers: For: Ricky Lyons, 1934 Garden Crest Ln., Dallas, TX, 75232
Brian Edwards, 2312 Van Cleave Dr., Dallas, TX, 75216
Lorraine Jenkins, 1004 Crystal Springs Dr., Allen, TX, 75013
Michael Simmons, Address not given
Cedric Vince, 6400 Military Pkwy., Dallas, TX, 75227
Against: None

CPC RECOMMENDED CONDITIONS

ARTICLE 764.

PD 764.

Second Avenue Special Purpose District

SEC. 51P-764.101. LEGISLATIVE HISTORY.

PD 764 was established by Ordinance No. 26875, passed by the Dallas City Council on August 8, 2007. (Ord. 26875)

SEC. 51P-764.102. PROPERTY LOCATION AND SIZE.

PD 764 is established on property located on both sides of Second Avenue between Pine Street and Hatcher Street. The size of PD 764 is approximately 11.23 acres.

SEC. 51P-764.103. DEFINITIONS AND INTERPRETATIONS.

(a) Except as provided in this article, the definitions and interpretations in Chapter 51A apply.

(b) Except as provided in this article, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) FOOD OR BEVERAGE STORE 3,500 SQUARE FEET OR LESS means a retail store with a floor area of 3,500 square feet or less for the sale of food and beverages. The term "food or beverage store" includes a grocery, delicatessen, convenience store, and specialty foods store. This use does not include other uses in this article that are specifically listed.

(d) GENERAL MERCHANDISE STORE 3,500 SQUARE FEET OR LESS means a retail store with a floor area of 3,500 square feet or less for the sale of general merchandise. Typical general merchandise includes clothing and other apparel, equipment for hobbies and sports, gifts, flowers and household plants, dry goods, toys, furniture, antiques, books and stationery, pets, drugs, auto parts and accessories, and similar consumer goods. This use does not include other uses in this article that are specifically listed.

(e) This district is considered to be a nonresidential zoning district. (Ord. 26875)

SEC. 51P-764.103.1. CREATION OF SUBDISTRICTS.

This district contains ~~one~~ two Subdistricts:
Subdistrict 1. (Ord. 29269)
Subdistrict 2.

SEC. 51P-764.104. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 26875)

SEC. 51P-764.105. MAIN USES PERMITTED.

(a) The following uses are the only main uses permitted in this district:

(1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

-- Catering service. *[SUP]*
-- Job or lithographic printing *[Subdistrict 1 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.
-- Child-care facility.
-- Church.
-- Community service center. *[SUP]*
-- Library, art gallery, or museum.
-- Public or private school. *[RAR]*

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Private recreation center, club, or area. *[SUP]*
-- Public park, playground, or golf course.

(9) Residential uses.
-- None permitted.
-- Foster home. [Subdistrict 2 only]

(10) Retail and personal service uses.

-- Auto service center.
-- Car wash. *[DIR]*
-- Commercial amusement (inside).
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise store 3,500 square feet or less.
-- Mortuary, funeral home, or commercial wedding chapel. *[SUP]*
-- Motor vehicle fueling station.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.

(11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Electrical substation. *[SUP]*
-- Local utilities.
-- Police or fire station. *[SUP]*
-- Post office. *[SUP]*
-- Tower/antenna for cellular communication. *[SUP]*

(13) Wholesale, distribution, and storage uses.

None permitted.

(b) The food or beverage store 3,500 square feet or less use is prohibited.

SEC. 51P-764.106. 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:

-- Accessory outside sales.

(c) The following accessory use is permitted only with a solid screening fence and plant material screening that complies with Section 51A-4.602(b):

-- Accessory outside storage.

(d) Accessory outside display of merchandise is permitted subject to the additional regulations in Section 51A-4.217(b)(4). A maximum of five individual furniture items may be displayed outside. These furniture items may be furniture that is not customarily used outside and does not have to be made of a material that is resistant to damage or deterioration from exposure to the outside environment. (Ord. 26875)

SEC. 51P-764.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) Except as provided in this subsection, a front yard is not required.

(2) If a front yard is provided, it must be a minimum of 15 feet with landscaping provided in accordance with Section 51P-764.110.

(3) A front yard of up to five feet may be provided to the extent needed to accommodate a wider than standard sidewalk for any portion of the wider sidewalk that cannot be placed in the right-of-way.

(b) Side yard. Minimum side yard is:

(1) 15 feet where adjacent to or directly across an alley from a planned development residential subdistrict or an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no minimum in all other cases, but if a setback is provided it must be at least five feet.

(c) Rear yard. Minimum rear yard is:

(1) 15 feet where adjacent to or directly across an alley from a planned development residential subdistrict or an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no minimum in all other cases, but if a setback is provided it must be at least five feet.

(d) Floor area ratio.

(1) Except as provided in this subsection, maximum floor area ratio is 0.75.

(2) In Subdistrict 1, maximum floor area is 2,500 square feet.

(e) Height.

(1) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a one-to-three residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(2) Maximum height. Unless further restricted under Paragraph (1), maximum structure height is 30 feet.

(f) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e). (Ord. Nos. 26875; 29269)

SEC. 51P-764.108. OFF-STREET PARKING AND LOADING.

(a) In general. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Except as provided 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) Parking setback. Required off-street parking is prohibited within 30 feet of the public street, measured from the back of the curb (or if there are no curbs, what would be the normal curb line).

(c) Parking screening.

(1) Required off-street parking must be screened from the street using the methods listed in Section 51A-4.301(f)(5).

(2) Required off-street parking must be screened from adjoining residential property by screening as described in Section 51A-4.301(f)(3).

(3) A perimeter landscape buffer strip complying with Section 51A-10.125(b)(1) must be provided on the residential side of any screening required by this subsection. Perimeter landscape buffer strip materials must comply with Section 51A-10.125(b)(7). (Ord. 26875)

SEC. 51P-764.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) Except as provided in this section, see Article VI.

(b) Outside amplified speakers are prohibited. (Ord. 26875)

SEC. 51P-764.110. LANDSCAPING.

(a) In general. The regulations in this section must be read together with the regulations contained in Article X, "Landscape and Tree Preservation Regulations." In the event of a conflict between this section and Article X, this section controls.

(b) Front yard landscaping. If a 15-foot front yard is provided, it must be landscaped as follows:

(1) At least 40 percent of the front yard must be landscaped with trees, shrubs, or a combination of trees and shrubs, that have the potential to attain a minimum height of 30 inches within a three-year period.

(2) One tree having a caliper of at least three and one-half inches, or two trees each having a caliper of at least one and one-half inches, must be provided in the front yard for each 30 feet of lot frontage, exclusive of driveways, visibility triangles, and points of ingress or egress.

(3) No more than 60 percent of the front yard may be landscaped with walkways, plazas, courtyards, or other non-plant decorative landscape features.

(4) An underground irrigation system must be provided in the front yard. (Ord. 26875)

SEC. 51P-764.111 SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. 26875)

SEC. 51P-764.112. ADDITIONAL PROVISIONS.

(a) In general.

(1) The Property must be properly maintained in a state of good repair and neat appearance.

(2) 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.

(b) Subdistrict 1 fencing.

(1) A minimum six-foot-high solid fence must be provided along the perimeter of the Property that abuts a lot with residential uses.

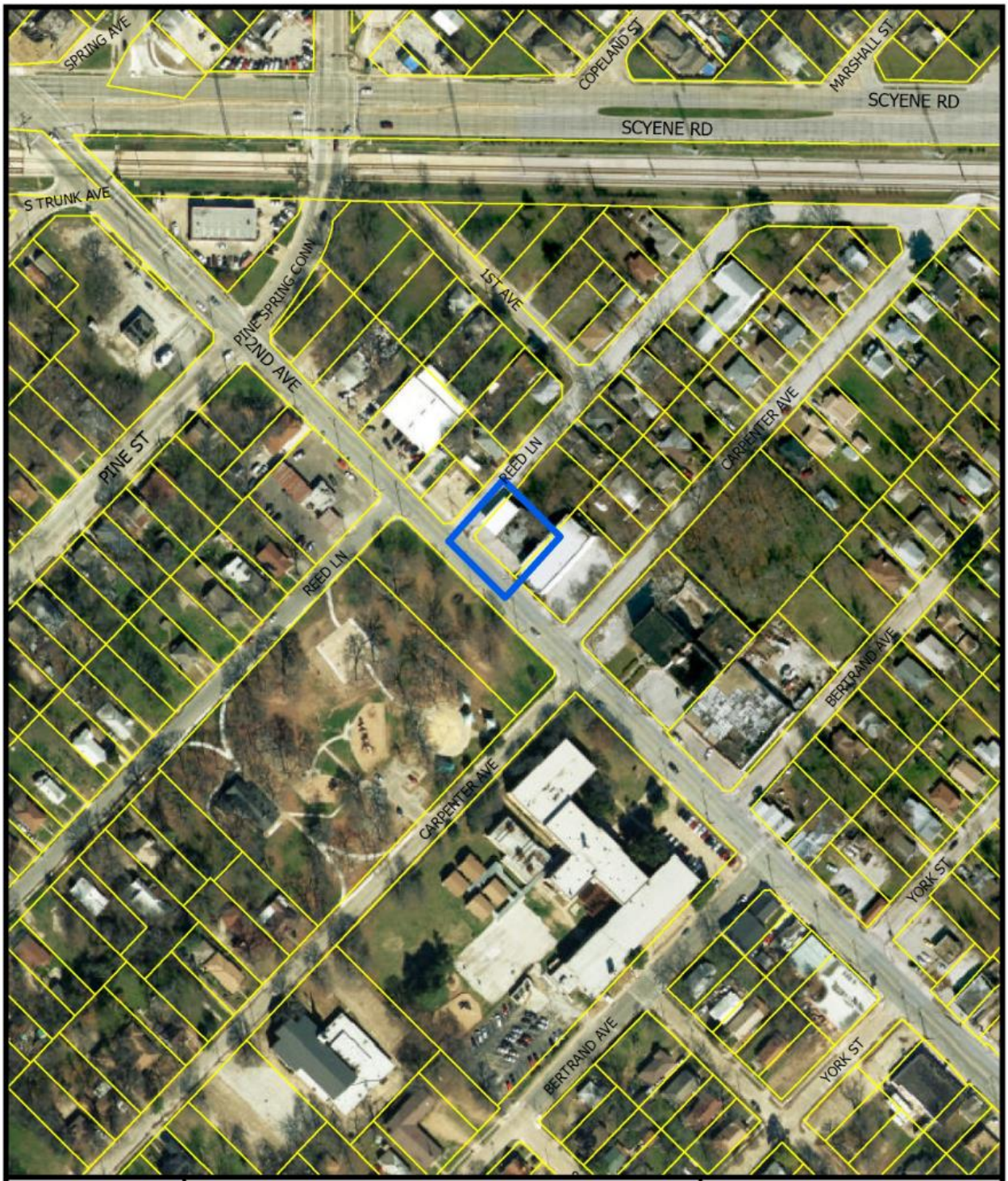
(2) The solid fence must be constructed of brick, stone, concrete masonry, stucco, concrete, or wood, or any combination of these materials. (Ord. Nos. 26875; 29269)

SEC. 51P-764.113. 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. 26875)


PENELOPE ST
JAMAICA ST
CROSS ST
HERRLING ST
FRANK ST
ASHWORTH ST
SUTTON ST
SONNY CIR
LAGOW ST
CARPENTER AVE
BORICH ST
2ND AVE
HERRLING ST
HECTOR ST
SPRINGDALE ST
SPRING AVE
SUTTON ST
COPELAND ST
MARSHALL ST
CARPENTER AVE
ROBERT L PARISH SR AVE
IMPERIAL ST
Cullum Boulevard Medians
ROBERT B CULLUM BLVD
ROBERT B CULLUM BLVD
1ST AVE
PINE ST
AGATE ST
SCYENE RD
SCYENE RD
S TRUNK AVE
S TRUNK AVE
Liberty
COOLIDGE ST
RUTLEDGE ST
SPRING AVE
ROBERTS AVE
PINE ST
1ST AVE
REED LN
CARPENTER AVE
BERTRAND AVE
YORK ST
KENILWORTH ST
TODD ST
2ND AVE
Mildred L. Dunn
Opportunity Cemetery
Rhoads LC
KENILWORTH ST
ELSIE FAYE HEGGINS ST
WELLINGTON ST
ELECTRA ST
Opportunity
Confederate Cemetery
VERDUN AVE
SPRING GARDEN AVE
HUEY ST
SIDNEY ST
HANCOCK ST
CARPENTER AVE
BERTRAND AVE
ROBERTS AVE
REED LN
MEYERS ST
MEADOW ST
ELECTRA ST
YORK ST
GOLDSPIER DR
ELSIE FAYE HEGGINS ST
ROSE LN
BRADSHAW ST
ROBERTS AVE
GARDEN LN
ROSINE AVE
MARBURG ST
Anderson, P.C. LC
1:6,000
VICINITY MAP
Case no: Z167-245
Date: 4/6/2017

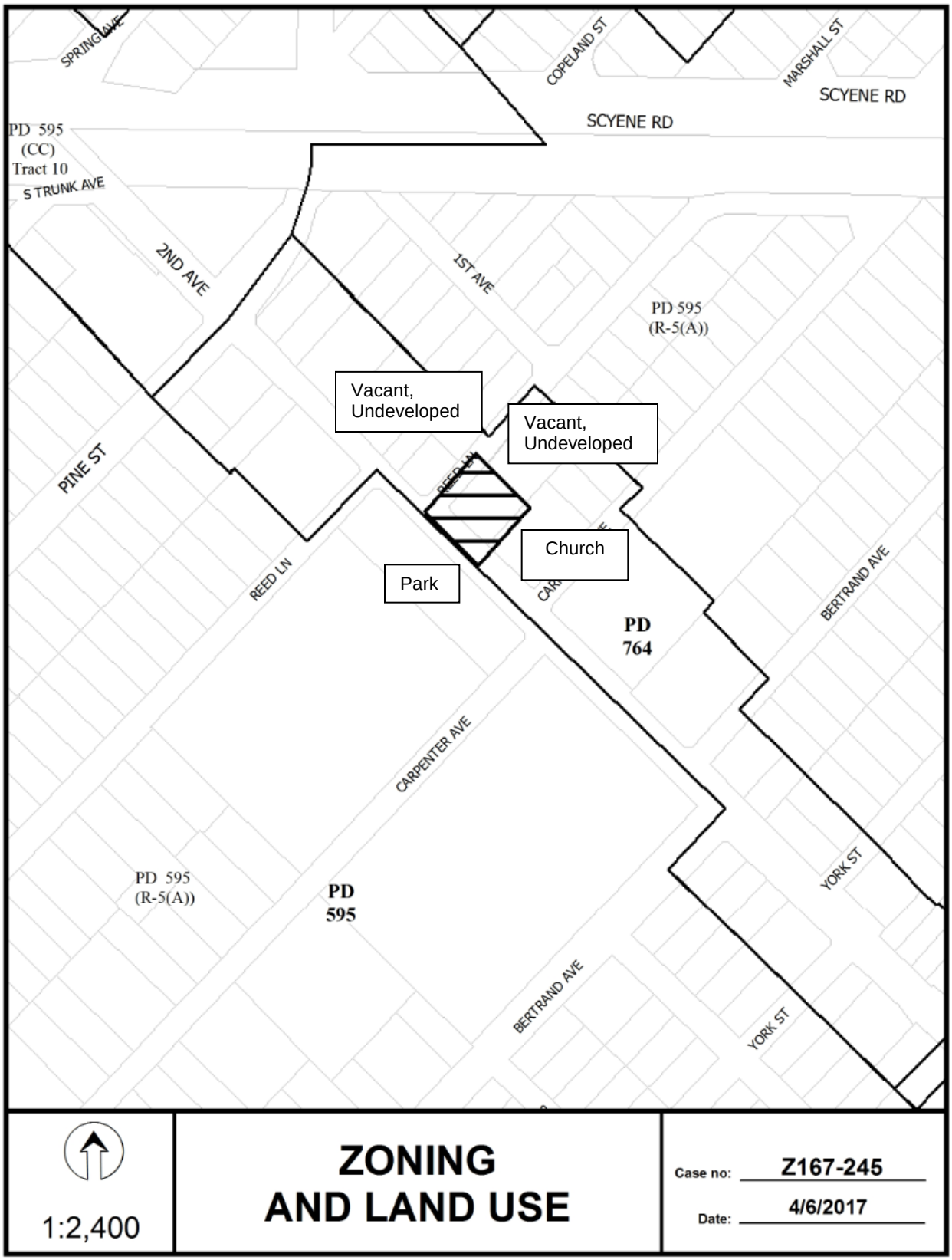


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AERIAL MAP

Case no: Z167-245

Date: 4/6/2017


SPRING AVE
COPELAND ST
MARSHALL ST
SCYENE RD
SCYENE RD
PD 595
(CC)
Tract 10
S TRUNK AVE
2ND AVE
1ST AVE
PD 595
(R-5(A))
Vacant,
Undeveloped
Vacant,
Undeveloped
PINE ST
REED LN
Church
Park
BERTRAND AVE
PD
764
CARPENTER AVE
PD 595
(R-5(A))
PD
595
YORK ST
BERTRAND AVE
YORK ST
1:2,400
ZONING
AND LAND USE
Case no: Z167-245
Date: 4/6/2017

CPC RESPONSES



05/17/2017

Reply List of Property Owners

Z167-245

71 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4310	S 2ND AVE	GOD GREATER HOLY TEMPLE
	2	4302	S 2ND AVE	WATSON BRITNEY L
	3	4401	2ND AVE	Dallas ISD
	4	4217	S 2ND AVE	TORRES ATILANO
	5	4203	2ND AVE	GNG PROPERTIES INCORP
	6	3414	PINE ST	HOWARD JAMES CURTIS
	7	3410	PINE ST	LIGGINS ARRIEA B
	8	3406	PINE ST	TAYLOR AL
	9	3402	PINE ST	URBINACHAVEZ JOSE DE JESUS
	10	3332	PINE ST	FRANKLIN CLOVEST D
	11	3330	PINE ST	MINGO WILBUR RAY
	12	3323	REED LN	WILLIAMS RICKEY
	13	3331	REED LN	DRAWHORN MARGARET
	14	3403	REED LN	PRICE MELVIN J
	15	3407	REED LN	EDMUN CHARLIE JEWELL
	16	3411	REED LN	BUCHANAN JESSE ET AL
	17	4206	2ND AVE	MBOGO DEDAN H
	18	4214	S 2ND AVE	THOMAS O B JR
	19	4220	S 2ND AVE	TORRES ATILANO
	20	4228	S 2ND AVE	THOMAS HOWARD
	21	3511	REED LN	WALLACE MATTIE ESTATE OF
	22	4231	1ST AVE	THOMPSON SHIRLEY
	23	4229	1ST AVE	ESCOBEDO MARIA LORENA
	24	4225	1ST AVE	PLEASANTWOOD PLEASANT
	25	4223	1ST AVE	CHOICEADKINS BARBARA
	26	4219	1ST AVE	ZEPHER GEORGETTA

05/17/2017

Reply	*Label #*	*Address*		*Owner*
	27	4215	1ST AVE	PACKER DETROIT JR
	28	4211	1ST AVE	DART
	29	3619	REED LN	KINNER JOSIE
	30	3623	REED LN	BENNETT STEVEN D
	31	3615	REED LN	PETROFF NICHOLAS
O	32	4234	1ST AVE	HALL MILDRED P
	33	4230	1ST AVE	DORAN LARRY
	34	4232	1ST AVE	ALLEN JUANITA MURPHY
	35	4226	1ST AVE	BLACKMAN ANTONIO
	36	4224	1ST AVE	DFW DREAM HOMES LLC
	37	4216	1ST AVE	BLACKMAN ANTONIO
	38	4210	1ST AVE	VALDEZ BRYAN
	39	4208	1ST AVE	DA BIZZNESS TAX TITLE LLC
	40	4312	2ND AVE	GOD GREATER HOLY TEMPLE
	41	3511	CARPENTER AVE	WILLIS LESTER C
	42	3516	REED LN	THOMAS JOHN
	43	3518	REED LN	CHI INVESTMENT GROUP
	44	3522	REED LN	RODRIGUEZ JUAN C
	45	3600	REED LN	TOLLIVER BERNIS E
	46	3606	REED LN	LLOYD THELMA LEE
	47	3608	REED LN	BETHLEHEM PRIMITIVE BAPTIST CHURCH
	48	3630	REED LN	CHISOLM JOHN WESLEY
	49	3615	CARPENTER AVE	WALKER RALPH E
	50	3611	CARPENTER AVE	ROJAS RAQUEL
	51	3607	CARPENTER AVE	WILLIAMS MARY
	52	3601	CARPENTER AVE	GIBBS ONEITA F
	53	3531	CARPENTER AVE	GCJS ENTERPRISES LLC
	54	3527	CARPENTER AVE	SEGURA MARIA I
	55	3523	CARPENTER AVE	GIDDENS KEMALA
	56	3519	CARPENTER AVE	WILLIS LESTER
	57	3510	CARPENTER AVE	CEMETERY

05/17/2017

Reply	*Label #*	*Address*	*Owner*	
	58	4408	2ND AVE	SWIERCINSKY MICHAEL
	59	3602	CARPENTER AVE	GIPSON WILBUR B
	60	3606	CARPENTER AVE	BERRING ESTHER
	61	3610	CARPENTER AVE	LATSON JUNE BERRING
	62	3612	CARPENTER AVE	PIERCE JAMES E
	63	3529	BERTRAND AVE	KAY LONNIE EST OF
	64	3521	BERTRAND AVE	CURTISS CLARKE & JOYCE
	65	4420	2ND AVE	CURTISS C K
	66	3603	BERTRAND AVE	KAY LONNIE EST OF
	67	3607	BERTRAND AVE	KIMBLE ANNIE L &
	68	4502	S 2ND AVE	ADKINS JOHN LEE
	69	3508	BERTRAND AVE	WILLIAMS JOHNNIE MAE
	70	4119	S 2ND AVE	WALKER MARK E
	71	401	S BUCKNER BLVD	DART

AGENDA ITEM # 93

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 39 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an MF-2(A) Multifamily District on the north side of John West Road, west of La Prada Drive
Recommendation of Staff and CPC: Approval
Z167-249(OTH)
Note: This item was considered by the City Council at a public hearing on June 28, 2017, and was deferred until August 23, 2017, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 23, 2017**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-249(OTH) **DATE FILED:** February 26, 2016

LOCATION: North side of John West Road, west of La Prada Drive

COUNCIL DISTRICT: 7 **MAPSCO:** 39-W

SIZE OF REQUEST: Approx. 0.1717 acres **CENSUS TRACT:** 25.00

APPLICANT: Vertical Construction Management

OWNER: Unison Investment

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for a CR Community Retail District on property zoned an MF-2(A) Multifamily District.

SUMMARY: The applicant proposes to use the property and the adjacent vacant property for a general merchandise or food store with a motor vehicle fueling station [7-Eleven].

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND:

- The request site is currently undeveloped and adjacent to an undeveloped lot to the east, and multifamily to the north and west of the property. The site is located near the City limits, west of the City of Mesquite.

- The applicant plans to develop the land with a general merchandise of food store and a motor vehicle fueling station. The request site is a small part of a larger undeveloped lot already zoned CR Community Retail District.

Zoning History: There has not been any zoning change request in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
John West Road	Collector	As built
La Prada Drive	Principal Arterial	80 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Goal 1.1 Align land use strategies with economic development priorities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Implementation measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

The proposed site is located at a major intersection (John West Road and La Prada Drive). The other three corners of the intersection are currently developed with retail and personal service uses. The proposed site is adjacent to multifamily development to the north and west. The proposed use will provide convenient shopping to the residents of the multifamily and will encourage walkability by the neighbors not having

to get in the car to access the other retail uses in the area. The proposed district will allow for different types of uses to the residential neighborhood.

Surrounding Land Uses:

	Zoning	Land Use
Site	MF-2(A)	Undeveloped
North	MF-2(A)	Residential and undeveloped
East	CR	Undeveloped, multifamily
South	City of Mesquite	Mini-warehouse
West	MF-2(A)	Multifamily

Land Use Compatibility:

The request site is currently undeveloped and is part of a larger lot that is zoned both a CR Community Retail District and an MF-2(A) Multifamily District. The applicant is proposing to develop the property with retail and a motor vehicle fueling station.

The property is surrounded by multifamily to the west and north (within City limits), and undeveloped and multifamily to the east. Surrounding uses are retail to the east and south; residential and mini-warehouse to the south.

The property is located near a major intersection between the two cities. The proposed zoning district will be compatible to the existing surrounding uses.

If the lot is developed under the existing zoning districts, the applicant would have to develop one portion of the lot with the Multifamily District standards and the other portion with Community Retail development standards. Having one zoning district allows for unified development of the land and a better design for the proposed use and layout.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
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
Proposed							
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

CPC ACTION:
May 18, 2017

Motion: It was moved to recommend **approval** of a CR Community Retail District on property zoned an MF-2(A) Multifamily District on the north side of John West Road, west of La Prada Drive.

Maker: Murphy
Second: Shidid
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid, Anantasomboon, Haney, Mack, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schultz
Vacancy: 0

Notices: Area: 200 Mailed: 6
Replies: For: 0 Against: 0

Speakers: None

List of Partner and Principles

Vertical Construction Management

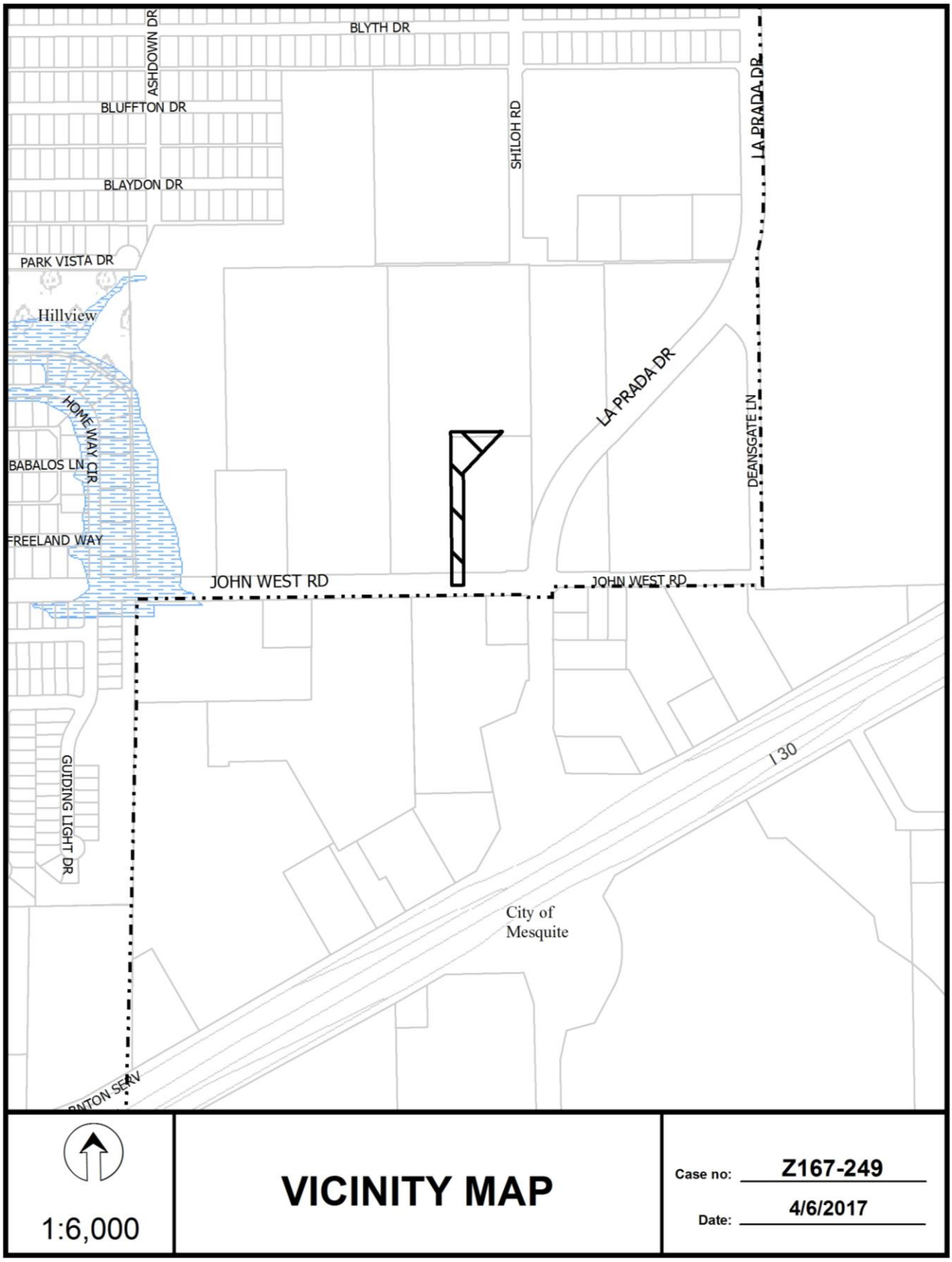
List of Officers/Partners:

T. K. Keen, Managing Partner
Michael Montgomery, Managing Partner
LaRae Tucker, Director of Entitlements

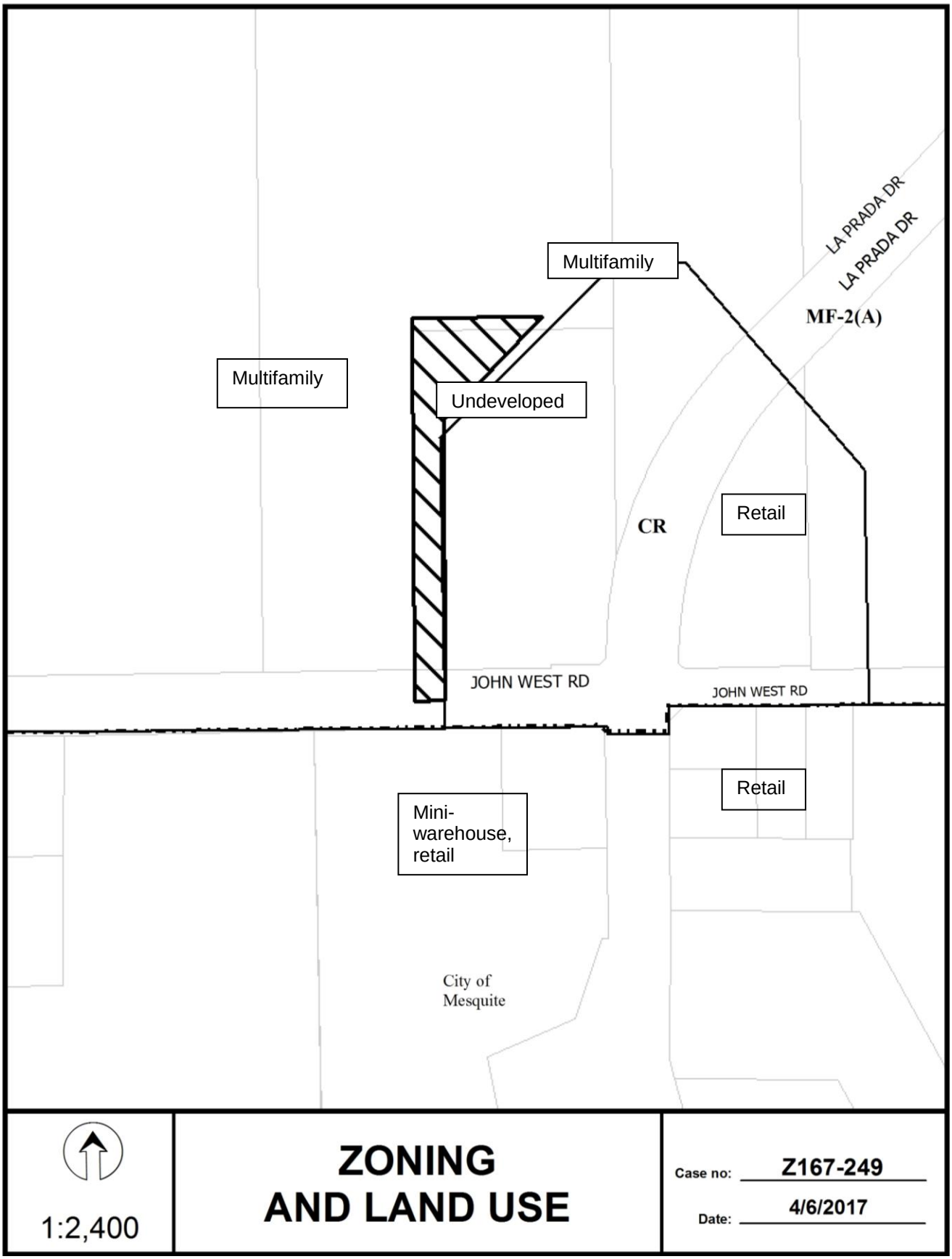
Unison Investment, LP

List of Partners:

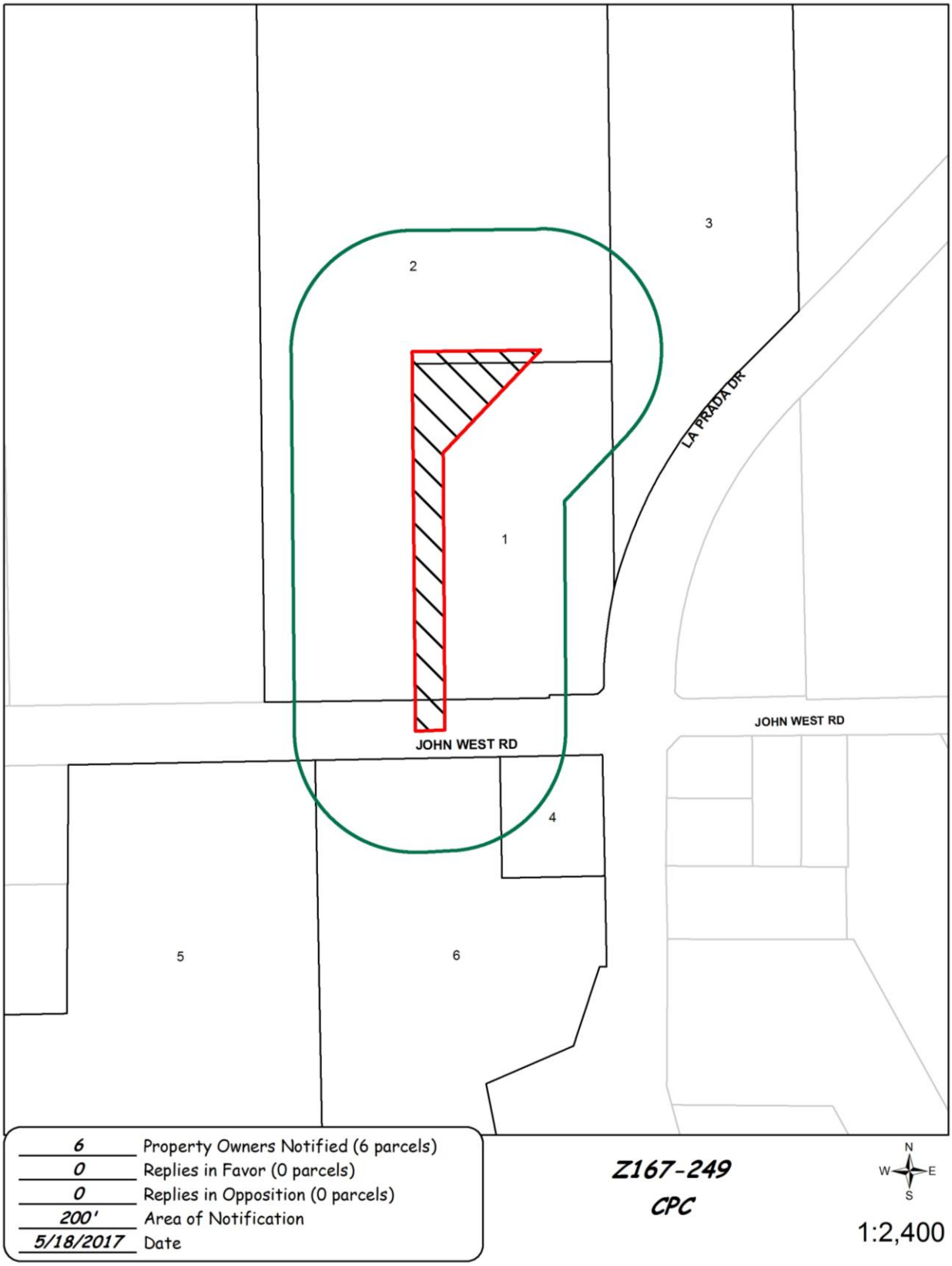
Jen-Liang Wu General Partner


BLYTH DR
ASHDOWN DR
BLUFFTON DR
BLAYDON DR
PARK VISTA DR
Hillview
HOME WAY CIR
BABALOS LN
FREELAND WAY
SHILOH RD
LA PRADA DR
DEANSGATE LN
JOHN WEST RD
JOHN WEST RD
GUIDING LIGHT DR
I 30
City of
Mesquite
1:6,000
VICINITY MAP
Case no: Z167-249
Date: 4/6/2017


LA PRADA DR
LA PRADA DR
JOHN WEST RD
JOHN WEST RD
City of
Mesquite
1:2,400
AERIAL MAP
Case no: Z167-249
Date: 4/6/2017


Multifamily
LA PRADA DR
LA PRADA DR
MF-2(A)
Multifamily
Undeveloped
CR
Retail
JOHN WEST RD
JOHN WEST RD
Retail
Mini-warehouse, retail
City of Mesquite
1:2,400
ZONING AND LAND USE
Case no: Z167-249
Date: 4/6/2017

CPC RESPONSES



05/17/2017

Reply List of Property Owners

Z167-249

6 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*	*Owner*
	1	2601 JOHN WEST RD	UNISON INVESTMENT
	2	2631 JOHN WEST RD	CARLETON LAPRADA LTD
	3	8383 LA PRADA DR	KING YVONNE G TRUST
	4	3021 BIG TOWN BLVD	ALKA ENTERPRISES INC
	5	2626 JOHN WEST RD	EASTFIELD APTS LTD
	6	3003 BIG TOWN BLVD	ASSURED SELF STORAGE

AGENDA ITEM # 94

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Mobility and Street Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45P

SUBJECT

A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the operational characteristics of **(1)** Lamar Street from Elm Street to Main Street from a southbound three-lane roadway and a northbound three-lane roadway in 78 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 78 feet of right-of-way and 48 feet of pavement and loading zone on the west side; **(2)** Lamar Street from Main Street to Wood Street from a southbound three-lane roadway and a northbound three-lane roadway in 86-100 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 80 feet of right-of-way and 60 feet of pavement and parking on both east and west sides; and **(3)** Lamar Street from Wood Street to Young Street from a southbound three-lane roadway and a northbound three-lane roadway in 86-100 feet of right-of-way and 66 feet of pavement to a southbound two-lane roadway and a northbound two-lane roadway in 80 feet of right-of-way and 50 feet of pavement and parking on the east side, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

The Office of Economic Development has requested a Central Business District Streets and Vehicular Circulation Plan Amendment to change the operational characteristics of Lamar Street between Elm Street and Young Street. The proposed amendment would match the roadway operation at non-peak hours, two-lanes northbound and two-lanes southbound and parking with peak-hour restrictions. The amendment will facilitate implementation of a complete street project.

BACKGROUND (continued)

The scope of the project is to design a sustainable roadway that aligns with the City's Complete Streets Vision to create roadways that accommodate all modes and are comfortable for all users. Unrestricted parking, widened sidewalks, pedestrian lighting, improved accessibility with barrier free ramps, and reduced crossing distances at intersections are all included in the project. Other project elements include the addition of trees, decorative pavement at cross-walks, benches, and bike parking. The sum of these improvements will improve the pedestrian realm.

The Downtown 360 Plan (2011) identified Lamar Street as one of five primary Focus Areas in Downtown where physical and economic improvements have the potential to activate development opportunities. The 360 Plan recommends policy and urban design modifications for the Lamar Corridor that will support walkability, existing development, and attract future growth. Project implementation will occur through a partnership between the City of Dallas and the North Central Texas Council of Governments.

The project is supported by Downtown Dallas, Inc. and other stakeholders in the corridor. El Centro Community College is supportive of the project and the modifications that will be made to improve the Americans with Disabilities Act (ADA) accessibility. Staff will work with the campus to identify a preferred location for a drop-off zone.

Lee Engineering conducted a traffic study and concluded that the proposed amendments are feasible. The study concluded that with signal timing modifications, the intersection capacity will operate at acceptable levels of service with the proposed four-lane configuration.

The proposed amendments conform with the Dallas Complete Street Manual and has stakeholder support, therefore staff recommends approval.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 4, 2017, the City Plan Commission Thoroughfare Committee directed staff to review proposed limits for the amendment.

On June 8, 2017, the City Plan Commission Thoroughfare Committee acted on this item and: (1) Did not follow staff recommendation on Lamar Street from Elm Street to Main Street to change the designation to a southbound two-lane roadway and a northbound two-lane roadway in 78 feet of right-of-way and 40 feet of pavement and the Committee proposed to change the pavement to 48 feet with loading zone on the west side; (2) Followed staff recommendation on Lamar Street from Main Street to Wood Street; and (3) Followed staff recommendation on Lamar Street from Wood Street to Young Street.

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

On June 22, 2017, the City Plan Commission acted on this item and followed the City Plan Commission Thoroughfare Committee recommendation.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on August 14, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

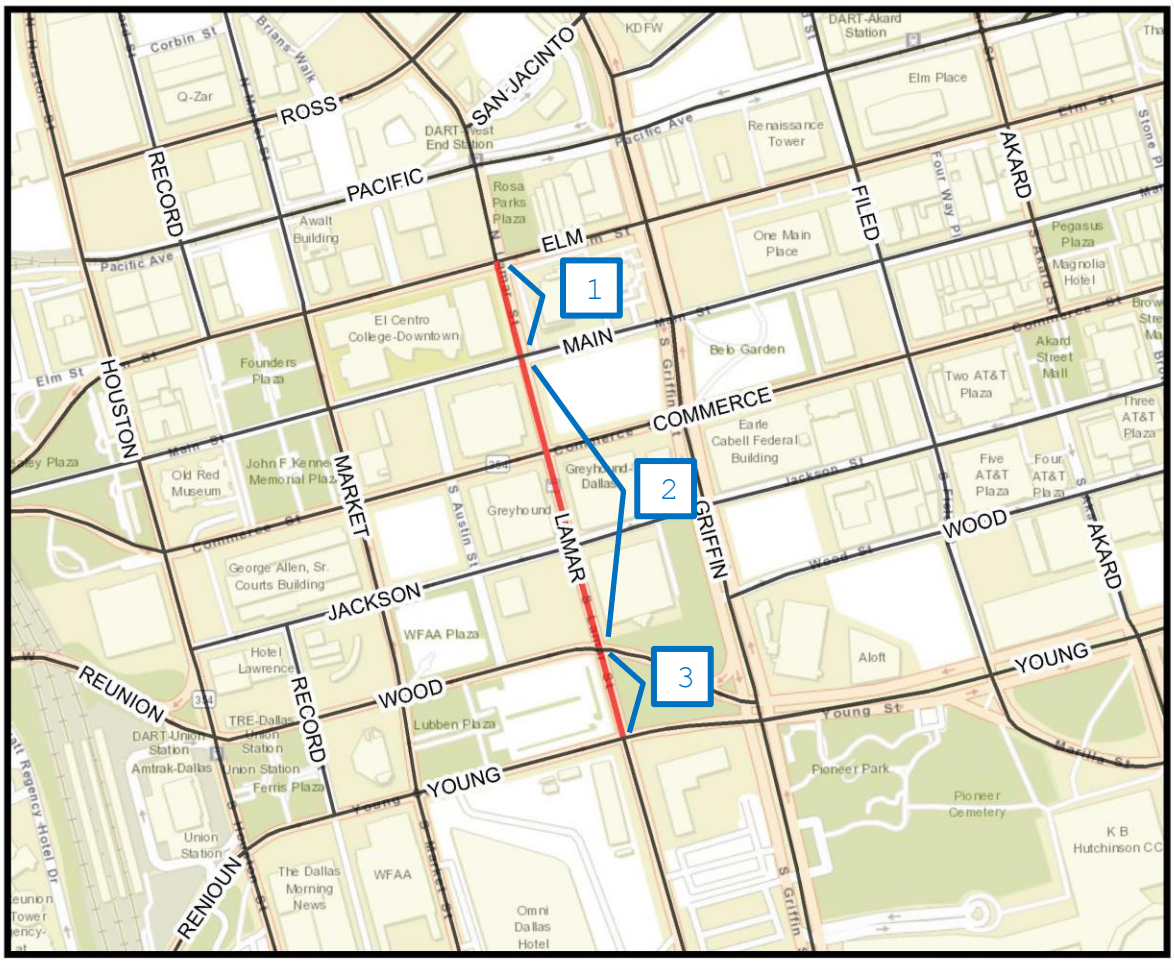
Lamar Street

Elm Street to Young Street

Council District: 2 & 14
MAPSCO: 45P

Central Business District Streets and
Vehicular Circulation Plan Amendment Map





AGENDA ITEM # 95

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 D

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by CRP/Maple Ross Arts II Owner, L.P., located near the intersection of Ross Avenue and North Haskell Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to AR2 Apartments, L.L.C., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by a perched shallow groundwater-bearing unit which is encountered approximately 15 feet below ground surface (bgs) within terrace deposits and extends to approximately 100 feet bgs at the top of the underlying Austin Chalk limestone. The Austin Chalk is considered a regional aquitard comprised primarily of light gray limestone chalk and marl and is estimated to be approximately 300 feet thick. The Austin Chalk is underlain by a second regional aquitard, the Eagle Ford Shale, which has an estimated thickness of over 450 feet in the area. The direction of groundwater flow beneath the designated property is to the south-southwest. Portions of this shallow groundwater have been affected by 1,2,4-trimethylbenzene (1,2,4-TMB), 1-2-dichloroethene (1,2-DCE), benzene, ethylbenzene, toluene, methyl tert-butyl ether (MTBE), naphthalene, tetrachloroethene (PCE), benzo(a)pyrene, xylenes, total petroleum hydrocarbons (TPH), arsenic, and lead at concentrations above groundwater ingestion standards. The anticipated historical onsite sources for 1,2-4 TMB, 1,2-DCE, benzene, toluene, ethylbenzene, total xylenes, MTBE, naphthalene, benzo(a)pyrene, TPH, arsenic, and lead are from a former gas station located at 4016 Roseland Avenue that operated from 1973 through 1997 and a former gas station located at 4017 Ross Avenue that operated from the 1920s to 1950s.

BACKGROUND (continued)

The anticipated historical sources for PCE is from a former onsite dry cleaner that operated at 4001 Ross Avenue from the 1930s to 1960s and an offsite cleaner facility that operated from the 1920s to the 1970s.

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in May 2016 and is designated as VCP Facility ID No. 2829.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on August 14, 2017 to receive comments and concerns. Notices of the meeting were sent to 1,469 property owners within 2,500 feet of the property and 89 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Ross Avenue and North Haskell Avenue including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the VCP supported by a MSD. Currently the designated property northwestern tract and southern tract consist of vacant land that is being graded as part of redevelopment. The anticipated future use is residential. Walford Park is currently located on the northeastern tract of the designated property and use is expected to remain as a park.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

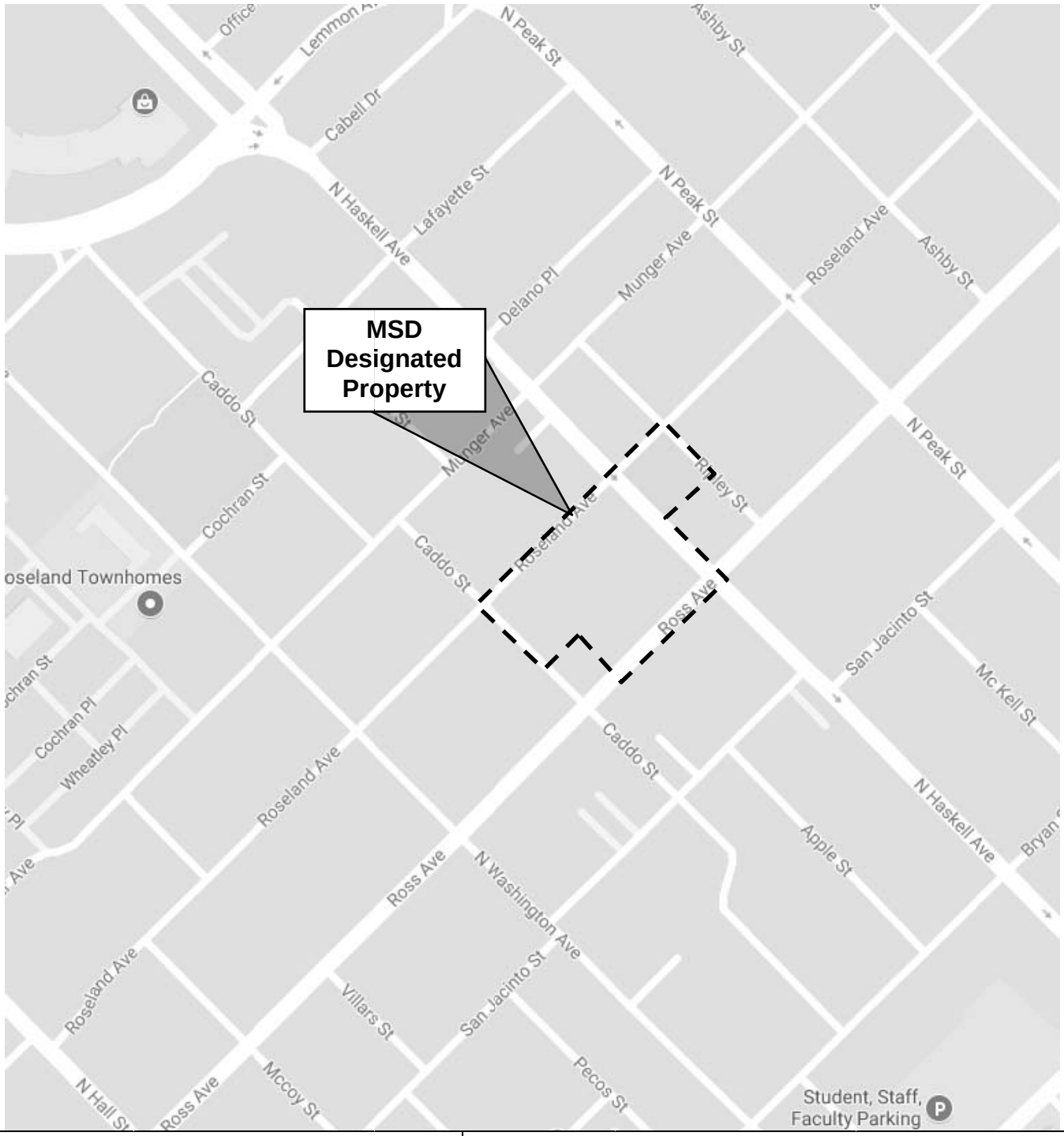
OWNER

CRP/Maple Ross Arts II Owner, L.P.

CRP/Maple Ross Arts II GP, L.L.C, General Partner
CRP/Maple Ross Arts II, L.L.C., Governing Person
DCH 118 Ross 2, L.P., Governing Person
Maple Multi-Family Development, L.L.C., General Partner
Matthew S. Enzler, Vice President

MAP

Attached



CITY OF DALLAS

Municipal Setting Designation
Designated Property Boundary Map
MSD Log OEQ0065
Applicant – AR2 Apartments, L.L.C.
3917, 4001, 4017 Ross Avenue; 3902 3906, 3910, 3914, 4000, 4004, 4008, 4012, 4016 Roseland Avenue; 720 Caddo Street; and 1700 & 1720 North Haskell Avenue
Designated Property Address
Dallas, TX 75204

8-1-17

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 3917, 4001, and 4017 Ross Avenue; and 3902, 3906, 3910, 3914, 4000, 4004, 4008, 4012, and 4016 Roseland Avenue; and 1720 Caddo Street; and 1700 and 1720 North Haskell Avenue and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned VCP No. 2829 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than August 23, 2019.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than August 23, 2019. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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:

LARRY E. CASTO, City Attorney

By_____
Assistant City Attorney

Passed _____

LEGAL DESCRIPTION
6.09 ACRES

Exhibit A

GIS_Approved

BEING a tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and in City Blocks 601 & 649 of the Official Block Numbers of the City of Dallas, Texas; and being part of Lots 5-10 and all of Lots 11-18, Block 4/601, W.J. Keller's Homestead Subdivision, an addition to the City of Dallas according to the plat thereof recorded in Volume 77, Page 86, Deed Records of Dallas County, Texas; and being all of Lots 1A and 1B, Block 4/601, Rose-Cad Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 95141, Page 4579 of said Deed Records; and being all of Lots 4-6, Block 4/649, Ross Avenue Addition, an addition to the City of Dallas according to the plat recorded in Volume 190, Page 90 of said Deed Records; and being part of Caddo Street, Ripley Street, Ross Avenue, North Haskell Avenue, Roseland Avenue and a 20-foot wide alley across said Block 4/601; and being more particularly described as follows:

BEGINNING at the intersection of the projected southeast right-of-way line of Ross Avenue (an 80-foot wide right-of-way) and the projected northeast right-of-way line of North Haskell Avenue (a 60-foot wide right-of-way);

THENCE with said southeast right-of-way line of Ross Avenue, South 43°39'56" West, a distance of 368.05 feet to a point for corner;

THENCE departing said southeast right-of-way line of Ross Avenue, North 45°43'48" West, a distance of 257.45 feet to a point for corner in the northwest line of said 20' wide alley across Block 4/601;

THENCE with said northwest line of the 20' wide alley across Block 4/601, South 44°16'17" West, a distance of 206.14 feet to a point for corner in the southwest right-of-way line of Caddo Street (a 50-foot wide right-of-way);

THENCE with said southwest right-of-way line of Caddo Street, North 45°39'25" West, a distance of 224.08 feet to the intersection of said southwest right-of-way line of Caddo Street and the northwest right-of-way line of Roseland Avenue (a 50-foot wide right-of-way);

THENCE with said northwest right-of-way line of Roseland Avenue, North 44°22'05" East, a distance of 773.10 feet to the intersection of said northwest right-of-way line of Roseland Avenue and the northeast right-of-way line of Ripley Street (a 50-foot wide right-of-way);

THENCE with said northeast right-of-way line of Ripley Street, South 45°49'53" East, a distance of 214.80 feet to the intersection of said northeast right-of-way line of Ripley Street and the northwest line of a 15-foot wide alley across Block 3/649;

THENCE with the northwest line of a 15-foot wide alley across Block 4/649, South 44°07'41" West, a distance of 199.89 feet to the intersection of said northwest line of 15-foot wide alley across Block 4/649 and said northeast right-of-way line of North Haskell Avenue;

THENCE with said northeast right-of-way line of North Haskell Avenue, South 45°47'44" East, a distance of 261.03 feet to the **POINT OF BEGINNING** and containing 6.09 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

MSD BOUNDARY EXHIBIT
LOTS 1A & 1B, BLOCK 4/601
ROSE-CAD ADDITION
PART OF LOTS 5-10 AND ALL OF LOTS 11-18
PART OF 20' ALLEY ACROSS BLOCK 4/601
W.J. KELLER'S HOMESTEAD SUBDIVISION
LOTS 4-6, BLOCK 4/649
ROSS AVENUE ADDITION
PART OF CADDO STREET, ROSS AVENUE,
N. HASKELL AVENUE AND ROSELAND AVENUE
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DANA BROWN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
PH. 972-770-1300
dana.brown@kimley-horn.com

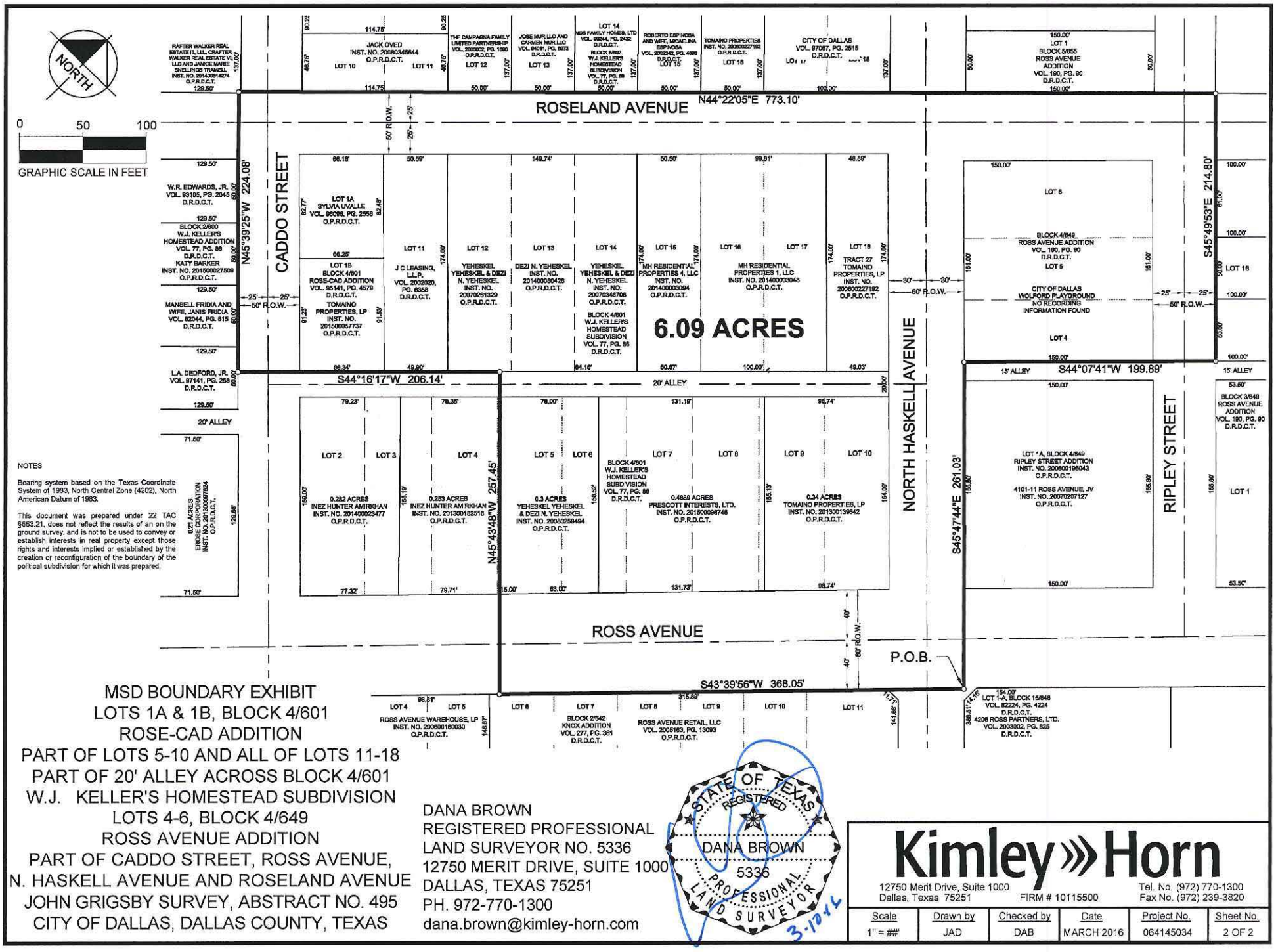
STATE OF TEXAS
REGISTERED
DANA BROWN
5336
PROFESSIONAL
LAND SURVEYOR

3-10-16

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JAD	DAB	MARCH 2016	064145034	1 OF 2

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NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

MSD BOUNDARY EXHIBIT
LOTS 1A & 1B, BLOCK 4/601
ROSE-CAD ADDITION
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STATE OF TEXAS REGISTERED DANA BROWN 5336 PROFESSIONAL LAND SURVEYOR
3-17-16

Kimley»Horn
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = ##'	JAD	DAB	MARCH 2016	064145034	2 OF 2

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AGENDA ITEM # 96

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 44 V

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by Jon Roy Reid, Trinity Floor Company, Inc., 123 East Oregon Joint Venture, Trinity Hardwood Distributors, Inc., Jon Roy Reid and Sheila Hromadka, located near the intersection of North Beckley Avenue and Oregon Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to Flournoy Texas Holdings, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by a perched shallow aquifer that is encountered at approximately 15 feet below ground surface (bgs) and extends to approximately 65 feet bgs at the top of the underlying competent Eagle Ford Shale. The Eagle Ford Shale is considered a regional aquitard that is composed primarily of shale, limestone, clay, and marl and has an estimated thickness of approximately 300 to 700 feet in the area. The direction of groundwater flow beneath the designated property is generally to the southeast. A portion of this shallow groundwater has been affected by chlorinated hydrocarbon-related chemicals, specifically, tetrachloroethene (PCE) and trichloroethene (TCE) at concentrations above groundwater ingestion standards. The results of onsite investigations did not indicate the presence of an obvious onsite source; however, it is presumed that historic operations would have stored, handled, and used chlorinated hydrocarbons. Anticipated onsite sources for PCE and TCE are from a former underground storage tank system, a hydraulic lift, a trench drain that discharges to an unknown outfall, and fuel service/maintenance operations. The anticipated offsite source for PCE and TCE is from a former service station.

BACKGROUND (continued)

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in December 2016 and is designated as VCP Facility ID No. 2852.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting was held on August 7, 2017 to receive comments and concerns. Notices of the meeting were sent to 325 property owners within 2,500 feet of the property and 49 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of North Beckley Avenue and Oregon Avenue including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the VCP supported by a MSD. Currently the designated property consists of storage warehouses, office/showrooms, pump equipment maintenance operations, stone working operations, and vacant land. The anticipated future use of the designated property will be multi-family residential apartments after demolition of the existing site structures.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNERS

Jon Roy Reid, Property owner

Trinity Floor Company, Inc.

Jon Roy Reid, President

123 Oregon Joint Venture

Jon Roy Reid, Managing Venturer

OWNERS (continued)

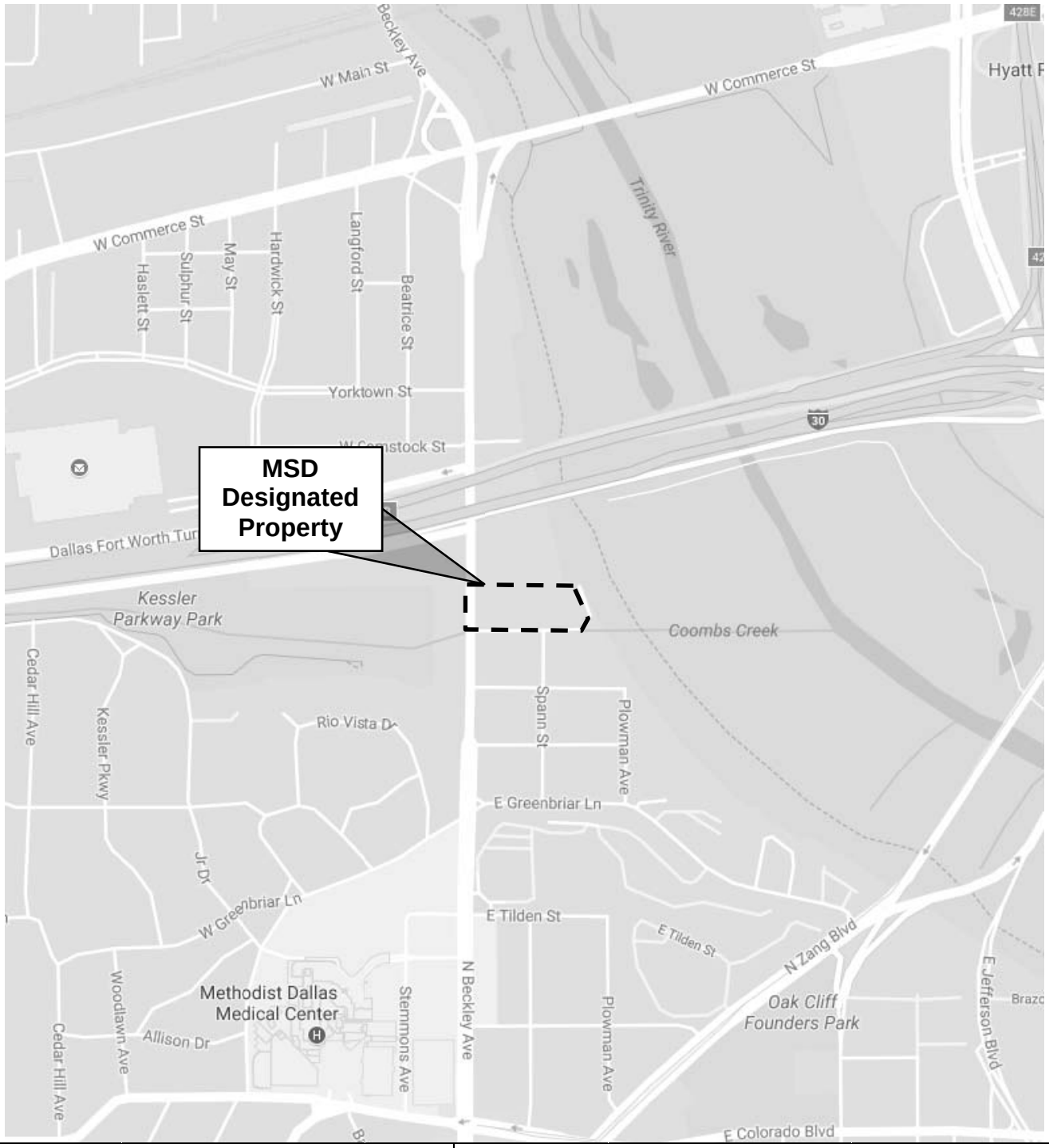
Trinity Hardwood Distributors, Inc.

Jon Roy Reid, President

Sheila Hromadka

MAP

Attached



CITY OF DALLAS

Municipal Setting Designation
Designated Property Boundary Map
MSD Log OEQ0069
Applicants – Flournoy Texas Holdings, LLC
1902, 1912, 1916 North Beckley Avenue;
119, 123, 125, 129, 211 Oregon Avenue
Dallas, TX 75203

8-1-17

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 1902, 1912, and 1916 North Beckley Avenue; and 119, 123, 125, 129, and 211 Oregon Avenue and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned VCP No. 2852 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than August 23, 2019.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than August 23,2019. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

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SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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.

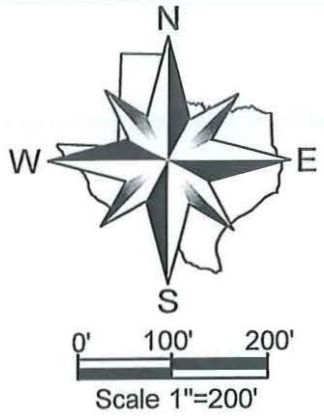
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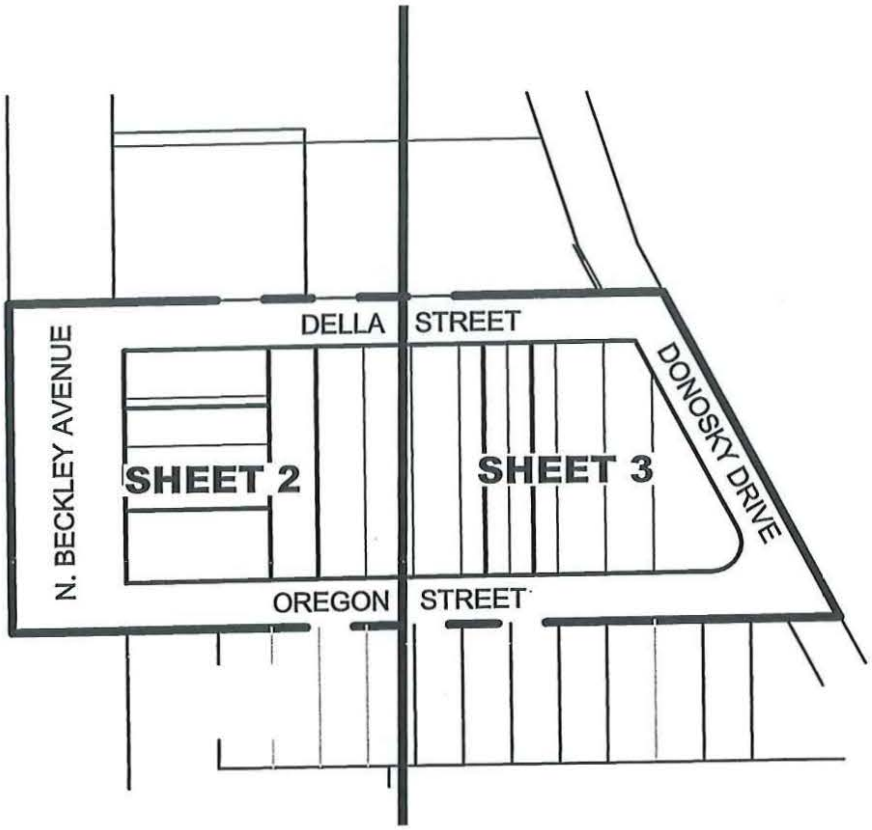
LARRY E. CASTO, City Attorney

By_____
Assistant City Attorney

Passed _____

Exhibit A





KEY MAP

ABBREVIATION LEGEND

ABBR.	DEFINITION
CIRF	IRON ROD FOUND WITH CAP
GW	GUY WIRE
IN	INLET
IRF	IRON ROD FOUND
MP	METAL POST
MW	MONITORING WELL
NG	NATURAL GROUND
PP	POWER POLE
SN	SIGN
TC	TOP OF COLLAR
TSN	TRAFFIC SIGN
WP	WOOD POST
XCF	"X" CUT IN CONCRETE FOUND

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12/31/2016
COPYRIGHT © 2016, Winkelmann & Associates, Inc.

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Dwg. File :	69144-MSD
Project No. :	69144.00

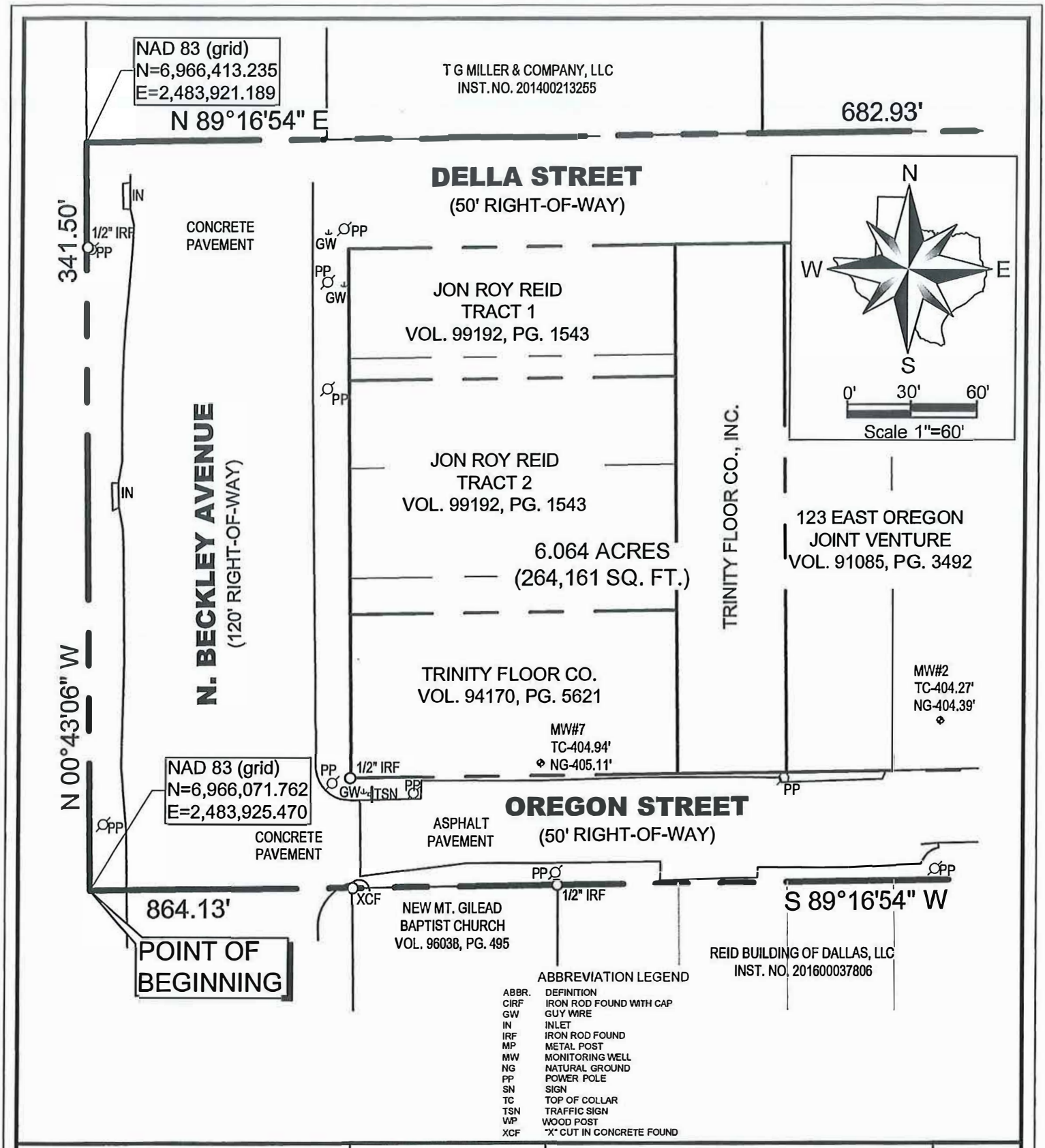
STATE OF TEXAS REGISTERED LEONARD JAY LUEKER 5714 PROFESSIONAL LAND SURVEYOR

MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

SHEET 1 OF 4

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ABBREVIATION LEGEND

ABBR.	DEFINITION
CIRF	IRON ROD FOUND WITH CAP
GW	GUY WIRE
IN	INLET
IRF	IRON ROD FOUND
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STATE OF TEXAS
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LEONARD JAY LUEKER
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PROFESSIONAL
LAND SURVEYOR
5/27/17

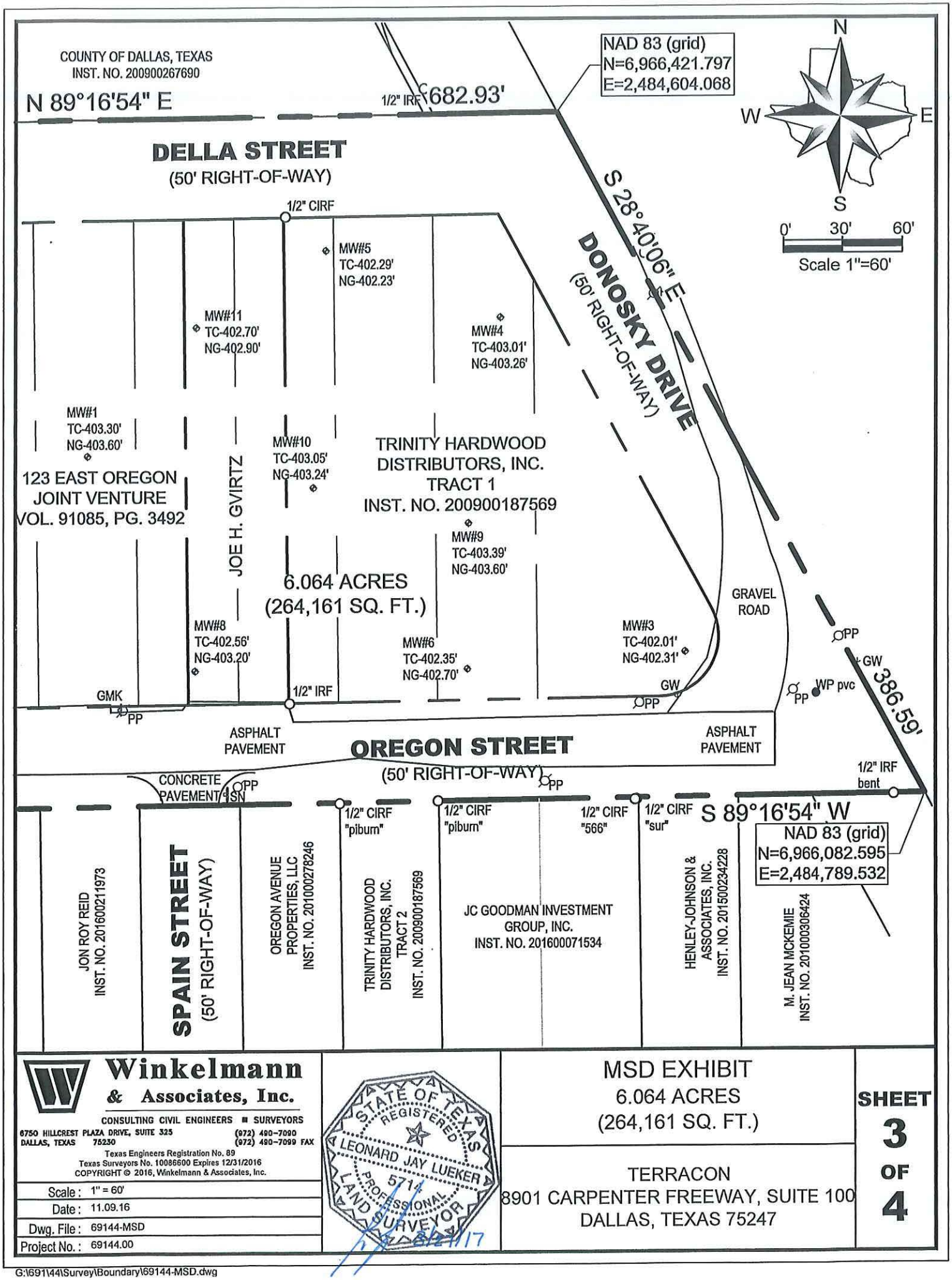
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Project No. :	69144.00

MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

SHEET 2 OF 4

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DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12/31/2016

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Scale :	1" = 60'
Date :	11.09.16
Dwg. File :	69144-MSD
Project No. :	69144.00

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR
8/21/17

MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

SHEET 3 OF 4

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MSD LogOEQ0069 Flournoy Texas Holdings, LLC - 1902, 1912, 1916 North Beckley Avenue; 119, 123, 125, 129, 211 Oregon Avenue

MSD DESCRIPTION

GIS_Approved

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a tract of land situated in the P. HAUGHT SURVEY, ABSTRACT NO. 607, in the City of Dallas, Dallas County, Texas, and being a portion of the right-of-way of N. Beckley Avenue (120-foot right-of-way), a portion of the right-of-way of Della Street (50-foot right-of-way), a portion of the right-of-way of Oregon Street (50-foot right-of-way), a portion of the right-of-way of Donosky Drive (50-foot right-of-way), all of two tracts of land as described in deed to Jon Roy Reid (Tracts 1 and 2), recorded in Volume 99192, Page 1543, Deed Records, Dallas County, Texas, all of a tract of land as described in deed to Trinity Floor Co., recorded in Volume 94170, Page 5621, Deed Records, Dallas County, Texas, all of a tract of land owned by Trinity Floor Co., Inc., all of a tract of land as described in deed to 123 East Oregon Joint Venture, recorded in Volume 91085, Page 3492, Deed Records, Dallas County, Texas, all of a tract of land owned by Joe H. Gvirtz and all of a tract of land as described in deed to Trinity Hardwood Distributors, Inc. (Tract 1), recorded in County Clerk's Instrument No. 200900187569, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner, said point being the intersection of the projection of the south right-of-way of said Oregon Street with the west right-of-way of said N. Beckley Avenue (NAD 83 (grid) N=6,966,071.762, E=2,483,925.470);

THENCE North 00 deg 43 min 06 sec West, along the west right-of-way of said N. Beckley Avenue, a distance of 341.50 feet to a point for corner, said point being the intersection of the projection of the north right-of-way of said Della Street with the west right-of-way of said N. Beckley Avenue (NAD 83 (grid) N=6,966,413.235, E=2,483,921.189);

THENCE North 89 deg 16 min 54 sec East, departing said west right-of-way, over and across the right-of-way of said N. Beckley Avenue, along the north right-of-way of said Della Street and over and across said Donosky Drive, a distance of 682.93 feet to a point for corner, said point being the intersection of the projection of the north right-of-way of said Della Street with the east right-of-way of said Donosky Drive (NAD 83 (grid) N=6,966,421.797, E=2,484,604.068);

THENCE South 28 deg 40 min 06 sec East, along said east right-of-way, a distance of 386.59 feet to a point for corner, said point being the intersection of the east right-of-way of said Donosky Drive with the projection of the south right-of-way of said Oregon Street (NAD 83 (grid) N=6,966,082.595, E=2,484,789.532);

THENCE South 89 deg 16 min 54 sec West, over and across the right-of-way of said Donosky Drive, the south right-of-way of said Oregon Street and over and across the right-of-way of said N. Beckley Avenue, a distance of 864.13 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 6.064 acres or 264,161 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 24th day of October, 2016, utilizing a G.P.S. measurement (NAD 83) from the City of Dallas Monument Nos. 1459 and 1461.

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12/31/2016
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Scale :	N/A
Date :	11.09.16
Dwg. File :	69144-MSD
Project No. :	69144.00

STATE OF TEXAS
REGISTERED
LEONARD JAY LUEKER
5714
PROFESSIONAL
LAND SURVEYOR

MSD EXHIBIT
6.064 ACRES
(264,161 SQ. FT.)

TERRACON
8901 CARPENTER FREEWAY, SUITE 100
DALLAS, TEXAS 75247

SHEET 4 OF 4

G:\691\44\Survey\Boundary\69144-MSD.dwg

MSD LogOEQ0069 Flournoy Texas Holdings, LLC - 1902, 1912, 1916 North Beckley Avenue; 119, 123, 125, 129, 211 Oregon Avenue

AGENDA ITEM # 97

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office Of Environmental Quality

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 45 H M

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation ordinance to prohibit the use of designated groundwater as potable water beneath property owned by Live Oak Texas Partners LLC, located near the intersection of Live Oak Street and Texas Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation certificate to Live Oak Texas Partners, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by a perched shallow groundwater-bearing unit which is encountered between 26 and 27 feet below ground surface (bgs) within terrace deposits and extends to approximately 50 feet bgs at the top of the underlying Austin Chalk limestone. The Austin Chalk is considered a regional aquitard comprised primarily of light gray limestone chalk and marl and is estimated to be approximately 150 feet thick in the area. The Austin Chalk is underlain by a second regional aquitard, the Eagle Ford Shale, which has an estimated thickness of over 400 feet in the area. The direction of groundwater flow beneath the designated property is predominantly to the northwest. This shallow groundwater has been affected by tetrachloroethene (PCE), trichloroethene (TCE), and methyl tert-butyl ether (MtBE) at concentrations above groundwater ingestion standards. The anticipated sources for these chemicals is from historical offsite dry cleaning operations including releases previously documented by Baylor as part of their 2007 MSD (TCEQ MSD No. 28) and releases associated with historical offsite underground storage tanks.

BACKGROUND (continued)

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in May 2016 and is designated as VCP Facility ID No. 2813.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on August 17, 2017 to receive comments and concerns. Notices of the meeting were sent to 1,284 property owners within 2,500 feet of the property and 97 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Live Oak Street and Texas Street including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the VCP supported by a MSD. Currently the designated property consists of vacant land. The anticipated future use of the designated property is unknown. No formal redevelopment planning has been completed.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

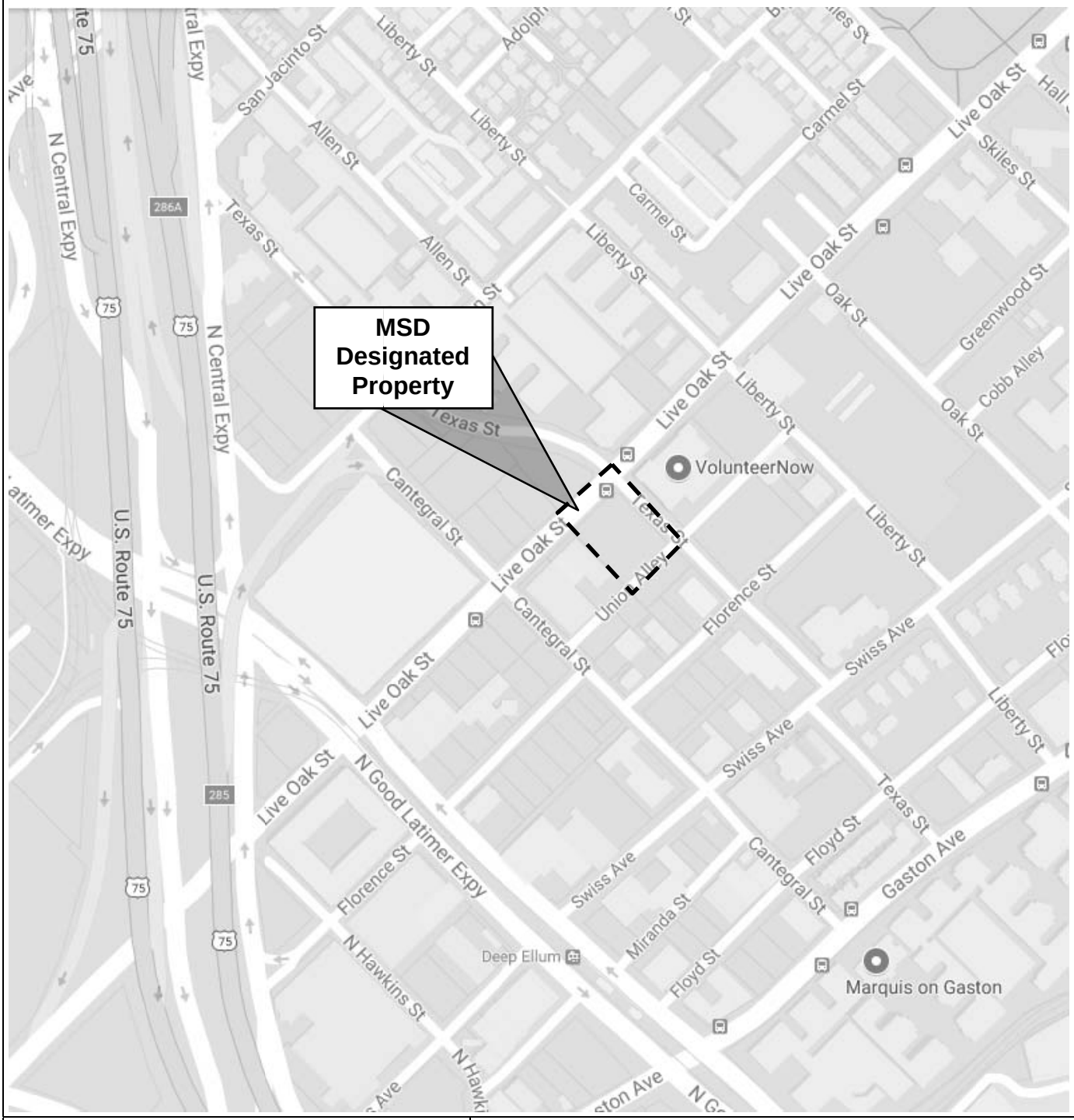
OWNER

Live Oak Texas Partners, LLC

Matthew Malouf, Manager

MAP

Attached



CITY OF DALLAS

Municipal Setting Designation
Designated Property Boundary Map
MSD Log OEQ0066
Applicant – Live Oak Texas Partners, L.L.C.
2720 Live Oak Street
Designated Property Address
Dallas, TX 75204

8-1-17

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 2720 Live Oak Street and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned VCP No. 2813 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than August 23, 2019.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than August 23, 2019. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation 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:

LARRY E. CASTO, City Attorney

By_____
Assistant City Attorney

Passed _____

GIS_Approved

EXHIBIT "A"
LEGAL DESCRIPTION
MUNICIPAL SETTING DESIGNATION AREA

BEING 1.259 acres of land located in the JOHN GRIGSBY SURVEY, Abstract No. 495, City of Dallas, Dallas County, Texas, and being all of Lot 1, Block 2/324, Magdalena Boll's Addition, to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 2004196, Page 1, of the Deed Records of Dallas County, Texas, along with the right-of-way areas adjoining said Lot 1, for Live Oak Street (a 70 foot wide public right-of-way), Texas Street (a 50 foot wide public right-of-way) and Union Alley (a 20 foot wide public right-of-way). Said 1.259 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the West corner of said Lot 1, Block 2/324, Magdalena Boll's Addition, and said POINT OF BEGINNING also lying in the Southeast right-of-way line of aforesaid Live Oak Street;

THENCE N 45° 37' 31" W 70.00 feet, crossing the Live Oak Street right-of-way, to a point in the Northwest right-of-way line of said Live Oak Street;

THENCE N 44° 31' 55" E 200.00 feet, along the Northwest right-of-way line of said Live Oak Street, to a point in the Northwesterly projection of the Northeast right-of-way line of aforesaid Texas Street;

THENCE S 45° 37' 31" E 273.94 feet, along the Northeast right-of-way line of said Texas Street, to a point in the Northeasterly projection of the Southeast right-of-way line of the aforesaid Union Alley;

THENCE S 44° 22' 28" W crossing said Texas Street right-of-way area, at 50.00 feet, passing a point in the Southwest right-of-way line of said Texas Street, and in all 200.00 feet, along the Southeast boundary line of said Union Alley, to a point;

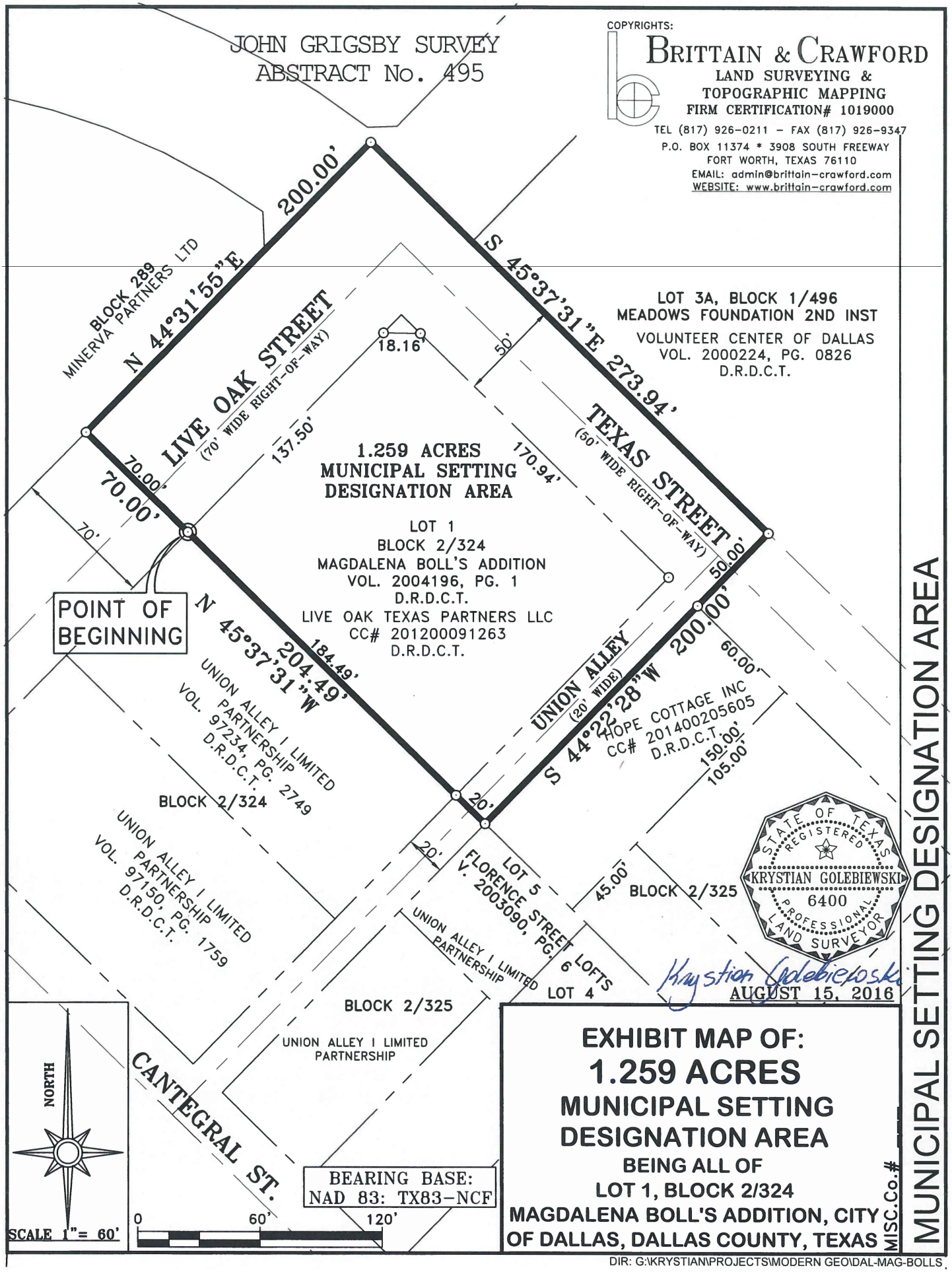
THENCE N 45° 37' 31" W 204.49 feet, crossing the right-of-way area for said Union Alley, and running along the Southwest boundary line of said Lot 1, Block 2/324, Magdalena Boll's Addition, to the POINT OF BEGINNING, containing 1.259 acres of land.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Krystian Golebiewski
AUGUST 17, 2016

G:\2016\LEGALS\Modern Geo - 1.259ac MAGDALENA BOLL'S MSD.doc


JOHN GRIGSBY SURVEY
ABSTRACT No. 495
COPYRIGHTS:
BRITTAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING
FIRM CERTIFICATION# 1019000
TEL (817) 926-0211 – FAX (817) 926-9347
P.O. BOX 11374 * 3908 SOUTH FREEWAY
FORT WORTH, TEXAS 76110
EMAIL: admin@brittain-crawford.com
WEBSITE: www.brittain-crawford.com
BLOCK 289
MINERVA PARTNERS LTD
N 44°31'55"E
200.00'
LIVE OAK STREET
(70' WIDE RIGHT-OF-WAY)
S 45°37'31"E 273.94'
TEXAS STREET
(50' WIDE RIGHT-OF-WAY)
LOT 3A, BLOCK 1/496
MEADOWS FOUNDATION 2ND INST
VOLUNTEER CENTER OF DALLAS
VOL. 2000224, PG. 0826
D.R.D.C.T.
18.16'
50'
137.50'
170.94'
70.00'
70.00'
70'
1.259 ACRES
MUNICIPAL SETTING
DESIGNATION AREA
LOT 1
BLOCK 2/324
MAGDALENA BOLL'S ADDITION
VOL. 2004196, PG. 1
D.R.D.C.T.
LIVE OAK TEXAS PARTNERS LLC
CC# 201200091263
D.R.D.C.T.
50.00'
POINT OF
BEGINNING
N 45°37'31"W
204.49'
184.49'
UNION ALLEY I LIMITED
PARTNERSHIP
VOL. 97234, PG. 2749
D.R.D.C.T.
BLOCK 2/324
UNION ALLEY I LIMITED
PARTNERSHIP
VOL. 97150, PG. 1759
D.R.D.C.T.
UNION ALLEY
(20' WIDE)
S 44°22'28"W 200.00'
60.00'
HOPE COTTAGE INC
CC# 20140205605
D.R.D.C.T.
150.00'
105.00'
20'
20'
LOT 5
FLORENCE STREET
V. 2003090, PG.
45.00'
BLOCK 2/325
6 LOFTS
LOT 4
UNION ALLEY I LIMITED
PARTNERSHIP
BLOCK 2/325
UNION ALLEY I LIMITED
PARTNERSHIP
CANTEGRAL ST.
STATE OF TEXAS
REGISTERED
KRYSTIAN GOLEBIEWSKI
6400
PROFESSIONAL
LAND SURVEYOR
Krystian Golebiewski
AUGUST 15, 2016
NORTH
SCALE 1"= 60'
0
60'
120'
BEARING BASE:
NAD 83: TX83-NCF
EXHIBIT MAP OF:
1.259 ACRES
MUNICIPAL SETTING
DESIGNATION AREA
BEING ALL OF
LOT 1, BLOCK 2/324
MAGDALENA BOLL'S ADDITION, CITY
OF DALLAS, DALLAS COUNTY, TEXAS
MISC.Co.#
MUNICIPAL SETTING DESIGNATION AREA
DIR: G:\KRYSTIAN\PROJECTS\MODERN GEO\DAL-MAG-BOLLS

AGENDA ITEM # 98

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Elizabeth Reich, 670-7804

MAPSCO: N/A

SUBJECT

A public hearing to receive comments on the proposed FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds a series of public hearings to provide the citizens of Dallas the opportunity to speak on next year's budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

On August 9, 2017, City Council authorized the public hearing by Resolution No. 17-1172.

FISCAL INFORMATION

No cost consideration to the City.

AGENDA ITEM # 99

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 23, 2017

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Majed Al-Ghafry, 670-3302

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 mixed beverages permit (Chapter 28) for a restaurant without drive-in or drive-through service with a food and beverage certificate [Asian Mint Inwood Village, LLC dba Asian Mint] on the southeast corner of West Lovers Lane and Inwood Road, north of Boaz Street - AV167-003 - Financing: No cost consideration to the City

BACKGROUND

Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code allows City 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 (TABC):

(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 July 7, 2017, by Asian Mint Inwood Village, LLC. dba Asian Mint. 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 request site, approximately 14.503 acres is located in Planned Development District No. 482, contains an approximately 1,900 square foot restaurant suite previously occupied by Café Istanbul. The previous occupant obtained its mixed beverage permit on January 4, 1996 and it does not expire until January 3, 2018, according to TABC license information. The restaurant's location is surrounded by restaurant and retail uses. The overall shopping center is surrounded by retail and restaurant uses to the north and east; multifamily uses to the east and southeast; the protected Dallas Independent School District is located to the south; a financial institution to the southwest, and additional retail and restaurant uses to the west and northwest.

BACKGROUND (continued)

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 1,186 feet because there are intervening buildings.

Due to the proposed site being in a shopping center that contains other uses that sell alcohol and located on two major thoroughfares, staff has no objection to this request.

The same public school, Henry W. Longfellow Career Exploration Academy was the protected use in the variance request for the below requests.

Business Name	Use	Original TABC License Issue Date	Council Date
Po-Go's liquors	Liquor store	8/28/1990	Unknown
Café Istanbul	Restaurant	1/4/1996	Unknown
Bread Winners	Restaurant	9/8/2003	Unknown
Rise No 1 Salon De Souffle	Restaurant	12/21/2007	Unknown
Trader Joe’s	Retail	12/17/2013	8/14/2013
Mesero	Restaurant	5/15/2014	4/9/2014
CVS	Retail	1/25/2016	10/28/2015
Adelmo’s Ristorante	Restaurant	4/29/2016	4/13/2016
Flower Child	Restaurant	12/14/2016	9/28/2016

This item requires two seconds to pass.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, City Council authorized an ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code, establishing authority and procedures for City Council to grant an application for a variance to the spacing requirements for an alcohol business from a public or private school pursuant to Texas Alcoholic Beverage Code Section 109.33(e), by Resolution No. 09-2831; Ordinance 27747.

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

On October 26, 2011, City Council authorized an ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits, by Resolution No. 11-2856; Ordinance 28444.

On September 26, 2012, City Council authorized an ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits, by Resolution No. 12-2386; Ordinance 28799.

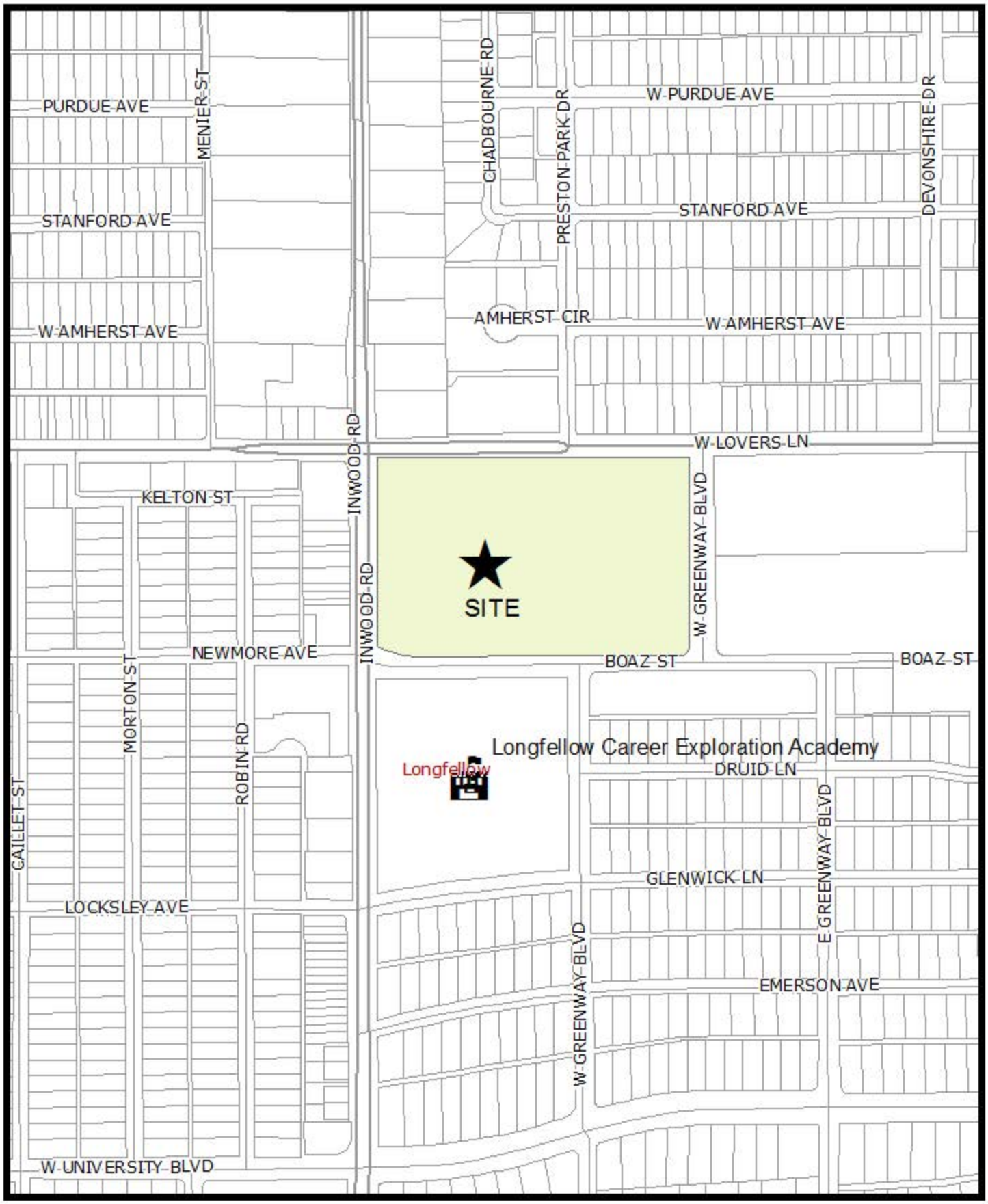
On January 22, 2014, City Council authorized an ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits, by Resolution No. 14-0251; Ordinance 29261.

FISCAL INFORMATION

No cost consideration to the City.

MAPS

Attached



AV167-003

1:5,000

★ 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: Asian Mint Inwood Village, LLC. d/b/a Asian Mint
(Must match the business name on TABC application)

Contact person, title: Warren Cohen, Licensing Agent
(Land owner, business owner, representative)

Contact person's phone: (214) 244-1947

Contact person's address: 948 Valley View Drive, Lewisville, TX 75067

Property owner's name: L&B DEPP Inwood Village, L.P.

Address of request site: 5450 W. Lovers Lane, Suite 222 75209

Protected use's address: 5314 Boaz Street, Dallas, TX 75209

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
- ● List of officers for alcohol business and property owner
- ● Sealed alcohol survey showing 300 foot radius and door to door measurements (*protected use must be indicated on this survey*)

AUTHORIZATION BY PROPERTY OWNER(S)

I, Eric R. Smith, 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.

Eric R. Smith
Owner's Printed Name

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).

Julia Nicole Phinyawatana
Applicant's Printed Name

Applicant Signature

Sworn to and subscribed before me by on this day 6th of July in the year 2017, to certify which witness my hand and seal of office.

Warren Cohen
Notary Public, State of Texas
Commission # 2761201
Expires: 12/17/2019

Wa Cohen
Notary Public in and for the State of Texas

Date received: 7/7/2017 Receipt No.: 7530 Case number: AV167-003

AV application 3-25-14

LIST OF OFFICERS FOR ALCOHOL BUSINESS

ASIAN MINT INWOOD VILLAGE, LLC.
D/B/A ASIAN MINT

ASIAN MINT HOLDINGS, LLC. – MANAGER

JULIA NICOLE PHINYAWATANA – MANAGER OF ASIAN MINT HOLDINGS, LLC., MANAGER OF ASIAN MINT INWOOD VILLAGE, LLC.

LIST OF OFFICERS FOR PROPERTY OWNER

L&B DEPP INWOOD VILLAGE, L.P. – LANDLORD

L&B DEPP INWOOD VILLAGE GP, LLC. – GENERAL PARTNER

G. ANDREWS SMITH	CHIEF EXECUTIVE OFFICER
DANIEL L. PLUMLEE	PRESIDENT
MARK R. GERIGK	EXECUTIVE VICE PRESIDENT / SECRETARY
HOLLY ROBERTSON	ASSISTANT SECRETARY
JOHN GERDES	VICE PRESIDENT
ERIC SMITH	VICE PRESIDENT
JENNIFER A. HANSON	ASSISTANT SECRETARY

USE STATEMENT
&
PROPOSED REQUEST
FOR
VARIANCE

5450 W Lovers Lane, Suite 222
Dallas, TX 75209

CURRENTLY

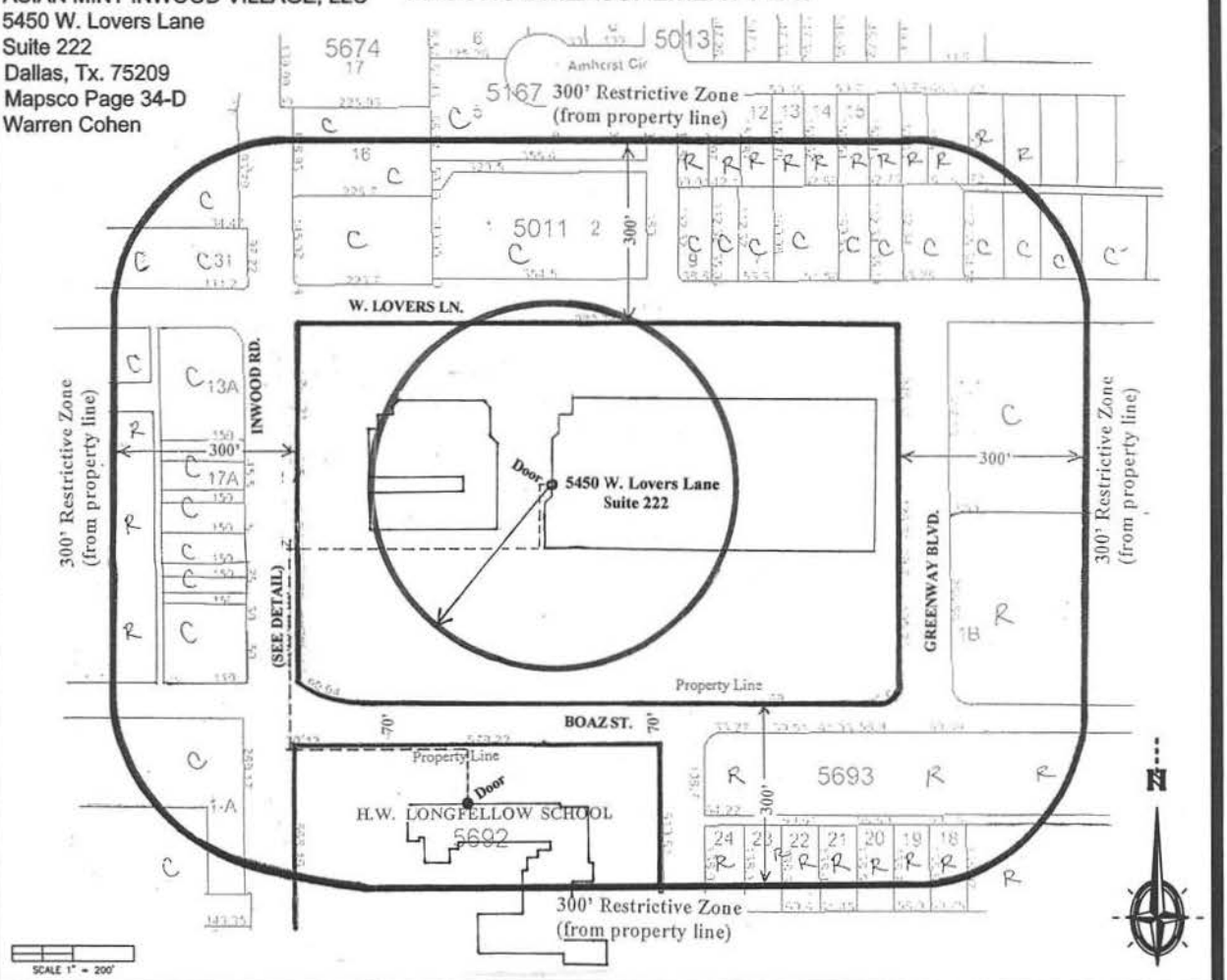
- This address is located at Inwood Village Shopping Center, south of Lovers Lane and east of Inwood Road. The current use filed at this address will be for a Restaurant without drive in service with 1,900 sf floor area.
- This address is situated on BLK 5694 TR 1 on 14.5030 acres lot in a multi tenant two story concrete masonry block Shopping Center building.
- This location is located in a PD482 Zoning which permits all uses that are permitted in a CR Community Retail District.
- There are currently several restaurants and stores within this area selling or serving alcoholic beverages.

REQUEST

- Request is being made to allow for this restaurant to have alcoholic beverage service as the property is within 300' of a public school.
- This restaurant will be an upscale family restaurant and will be applying for a Food and Beverage Certificate in conjunction to a Mixed Beverage Permit with the Texas Alcoholic Beverage Commission.
- The ratio of food to alcohol will be around 80/20 % respectfully. The alcohol ratio should not exceed 25%.
- Days and hours of Restaurant operation will be 7 days a week from 11 am to 10 pm, with Alcohol sales being the same hours.

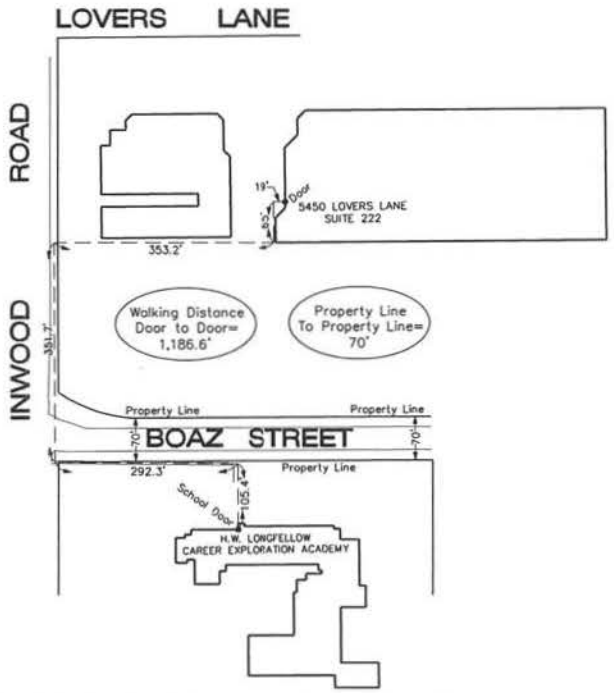
ASIAN MINT INWOOD VILLAGE, LLC
5450 W. Lovers Lane
Suite 222
Dallas, Tx. 75209
Mapsco Page 34-D
Warren Cohen

ALCOHOL MEASUREMENT PLAT



DETAIL

Scale: 1"=200'



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. This survey map shows that the place of business where alcoholic beverages will be sold meets the location requirements in Dallas City Code 6-4.

The ASIAN MINT INWOOD VILLAGE, LLC, located at 5450 W. Lovers Lane, Suite 222, in the City of Dallas, is not within 300 feet of a church, public or private school, day care center, child care facility or a public hospital as defined in Dallas City Code Section 6-4.

Date 7/19/2017

Job 17-400

This survey was performed for an alcohol-measurement certification. All improvements may not been shown as existed at the time of survey. Research of protected properties included a search of appraisal district records, parole evidence of the owner/manager and a physical inspection on the ground.

STATE OF TEXAS
REGISTERED
BEN D. RYCHLIK
#1630
PROFESSIONAL
LAND SURVEYOR

Registered Professional Land Surveyor 1630

SURVEYING ASSOCIATES
1018 S. Beckley, Dallas, Tx. 75203
Phone: (214) 948-3324
Fax: (214) 946-7540
FIRM Registration / License No. 10040200

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, Asian Mint Inwood Village, LLC dba Asian Mint has submitted an application for a mixed beverages permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code for a restaurant without drive-in or drive-through service with a food and beverage certificate, and is requesting a variance to the alcohol spacing requirements for a property on the southeast corner of Lovers Lane and Inwood Road and north of Boaz Street, north of Henry W. Longfellow Career Exploration Academy, a public school; and

WHEREAS, 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, 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 Asian Mint Inwood Village dba Asian Mint, for property on the southeast corner of 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 mixed beverages permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code.

(2) This alcohol spacing variance is valid only for a restaurant without drive-in or drive-through service with a food and beverage certificate in the location shown on the attached location map.

SECTION 1. (continued)

(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 provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Passed _____