AUGUST 28, 2019 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 28, 2019. 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

8/16/19
Date

for
Elizabeth Reich
Chief Financial Officer

08/16/19
Date

RECEIVED
2019 AUG 16 PM 8:43
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

COUNCIL AGENDA

August 28, 2019

(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 28, 2019
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 - 67
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 68 - 71
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 72 - 90

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

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. 19-1182 Approval of Minutes of the August 13, 2019 City Council Budget Briefing and the August 14, 2019 City Council Meeting

CONSENT AGENDA

City Attorney's Office

2. 19-1127 Authorize Supplemental Agreement No. 2 to the professional services contract with Carter Arnett PLLC, for additional legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325 - Not to exceed $6,000.00, from $100,000.00 to $106,000.00 - Financing: Risk Management Funds

Department of Aviation

3. 19-1117 Authorize a service contract for the purchase and installation of furniture with Arconas Corporation through The Interlocal Purchasing System cooperative agreement at Dallas Love Field - Not to exceed $619,015.72 - Financing: Aviation Fund

Department of Communication and Information Services

4. 19-859 Authorize a twelve-month professional services contract for software implementation and support services for the new human capital management solution with DLT Solutions, LLC, through a cooperative purchasing agreement with the U.S. General Services Administration - Not to exceed $1,366,421.05 - Financing: Information Technology Equipment Fund ($292,149.57) and Data Services Fund ($1,074,271.48) (subject to appropriations)

5. 19-1238 Authorize a twelve-month technical services contract to provide maintenance and technical consulting services for the City's Lawson HR and Payroll system - iTK Technologies, LLC - Estimated amount of $52,500 - Financing: Information Technology Equipment Fund

Department of Convention and Event Services

6. 19-1010 Authorize a two-year construction services contract, with three one-year renewal options to perform job order contracting activities at the Kay Bailey Hutchison Convention Center Dallas, Eddie Bernice Johnson Union Station, Reunion Parking Garage, and other City facilities with Brown & Root Industrial Services, LLC in the amount of $1,375,000.00, Big Sky Construction Company, Inc. in the amount of $1,375,000.00, Phoenix I Restoration & Construction, Ltd. in the amount of $1,375,000.00, and RS Commercial Construction, LLC in the amount of $1,375,000.00, most advantageous proposers of nine - Total not to exceed $5,500,000.00 - Financing: Convention Center Construction Fund (subject to annual appropriations)

Department of Public Works

7. 19-1021 Authorize a professional services contract with Jones & Carter, Inc. for the engineering design of Project Group 17-1411 (list attached to the Agenda Information Sheet) - Not to exceed $140,397.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

8. 19-1014 Authorize a public hearing to be held on September 11, 2019, to receive citizen comments on the proposed revised Street Design and Drainage Design Manuals and the new Street Process Manual - Financing: No cost consideration to the City

Department of Sustainable Development and Construction

9. 19-820 Authorize acquisition from Independent Bank McKinney, Texas, of approximately 148,829 square feet of land located near the intersection of Jupiter Road and East Northwest Highway for the Dallas Water Utilities Water Storage Tank 205 Executive Drive Project - Not to exceed $485,000.00 ($480,000.00, plus closing costs and title expenses not to exceed $5,000.00) - Financing: Water Construction Fund

10. 19-719 An ordinance granting a revocable license to Main Street Grocery, LLC dba Royal Blue Grocery, for the use a total of approximately 133 square feet of land to occupy, maintain and utilize a sidewalk café and two planters on a portion of Main Street right-of-way, near its intersection with Ervay Street - Revenue: $200.00 annually and $100.00 one-time fee, plus the $20.00 ordinance publication fee

11. 18-830 An ordinance abandoning portions of Winnetka Avenue (formerly Earle Street) to Paul V. Toler and Donna Toler and Worth Trinity, LLC, the abutting owners, containing a total of approximately 18,795 square feet of land, located near the intersection of Fort Worth and Winnetka Avenues; and authorizing the quitclaim; and providing for the dedication of a total of approximately 9,999 square feet of land needed for a sidewalk easement and wastewater easement - Revenue: $135,831.00, plus the $20.00 ordinance publication fee

12. 19-980 An ordinance abandoning fourteen water easements, six sanitary sewer easements, and seven public utility easements to 3662 W Camp Wisdom LLC, CWRD Properties LLC, OMRB III, LLC, and WCWAP LLC, the abutting owners, containing a total of approximately 182,760 square feet of land, located near the intersection of Camp Wisdom and Westmoreland Roads - Revenue: $27,400.00, plus the $20.00 ordinance publication fee

Department of Transportation

13. 19-1058 Authorize a Master Streetcar Interlocal Agreement with Dallas Area Rapid Transit (DART) for the purpose of restating and consolidating the provisions in the Streetcar Foundation Agreements that describe the respective duties, responsibilities and ownership of the City of Dallas and DART in relation to the Dallas Streetcar System - Financing: No cost consideration to the City

14. 19-981 Authorize an agreement between the City of Dallas and the North Central Texas Council of Governments to pay the 20 percent local match of the off-system signal timing improvement for the purpose of the implementation of the Regional Traffic Signal Retiming Program - Not to exceed $81,760.00 - Financing: General Fund

15. 19-932 Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the Department of Transportation Federal Highway Administration (CSJ 0581-01-137, CFDA 20.205) in the amount of $59,987.23 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at Loop 12 at Peavy Road and Mockingbird Lane; **(2)** the establishment of appropriations in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund; **(3)** receipt and deposit of funds in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $59,987.23 - Financing: Texas Department of Transportation Grant Funds

16. 19-960 Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the Department of Transportation Federal Highway Administration (CSJ 0009-02-069, etc., CFDA 20.205) in the amount of $401,644.24 to provide cost reimbursement for material and labor related to the reconstruction of seven existing traffic signals at the intersections of State Highway 78 (SH 78) at Peavy Road, SH 78 at Easton Road, SH 78 at Centerville Road, SH 78 at Lochwood Boulevard, SH 78 at Jupiter Road, SH 78 at Barnes Bridge Road, and SH 78 at Northwest Highway; **(2)** the establishment of appropriations in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund; **(3)** receipt and deposit of funds in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund; and **(4)** execution of the Congestion Mitigation and Air Quality Improvement Agreement for State-Contracted Traffic Signal Construction and all terms, conditions, and documents required by the agreement - Total amount of $401,644.24 - Financing: Texas Department of Transportation Grant Funds

17. 19-1045 Authorize **(1)** an increase in appropriations in an amount not to exceed $2,465,009.00 in the Streetcar Developer Fund; and **(2)** payment to Dallas Area Rapid Transit for operation and maintenance costs for the Dallas Streetcar System (Union Station to Bishop Arts District) for Fiscal Years 2018 and 2019 - Not to exceed $2,721,000.00 - Financing: Streetcar Developer Funds ($1,360,500.00) and General Fund ($1,360,500.00)

Fire-Rescue Department

18. 19-1149 An ordinance amending Chapter 15D, “Emergency Vehicles,” of the Dallas City Code by amending Sections 15D-4 and 15D-5; **(1)** providing a definition of hardship assistance; **(2)** adding a reduction to ambulance service fees with approved hardship assistance; **(3)** providing authority to create a hardship assistance policy and procedure; and **(4)** providing a penalty not to exceed $500.00, effective October 1, 2019 - Financing: No cost consideration to the City (see Fiscal Information)

Housing & Neighborhood Revitalization

19. 19-1036 Authorize **(1)** approval of the development plan as described in Exhibit A for the construction of 10 affordable houses by Builders of Hope, C.D.C. (Developer); **(2)** the sale of 10 vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC) to Developer, subject to restrictive covenants, a right of reverter and execution of all necessary documents; and **(3)** execution of a release of lien for any non-tax City liens that were filed on the 10 vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)

20. 19-1055 Authorize **(1)** approval of the development plan as described in Exhibit A for the construction of 9 affordable houses by FOCIS Holding Group, L.L.C. (Developer); **(2)** the sale of 9 vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC) to Developer, subject to restrictive covenants, a right of reverter and execution of all necessary documents; and **(3)** execution of a release of lien for any non-tax City liens that were filed on the 9 vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)

21. 19-1132 Authorize **(1)** approval of the development plan as described in Exhibit A for the construction of eight affordable houses by Marcer Construction Company, L.L.C. (Developer); **(2)** the sale of eight vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC), to Developer subject to restrictive covenants and a right of reverter and execution of all necessary documents; and **(3)** execution of a release of lien for any non-tax City liens that were filed on the eight vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)

Office of Economic Development

22. 19-1151 Authorize **(1)** approval of the proposed Dallas Downtown Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; authorizing payment of City's 2019 assessment and all future City assessments directly to the District; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

23. 19-1152 Authorize **(1)** approval of the proposed Deep Ellum Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

24. 19-1153 Authorize **(1)** approval of the proposed Klyde Warren Park/Dallas Arts District Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

25. 19-1154 Authorize **(1)** approval of the proposed Knox Street Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

26. 19-1155 Authorize **(1)** approval of the proposed Lake Highlands Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

27. 19-1156 Authorize **(1)** approval of the proposed North Lake Highlands Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

28. 19-1157 Authorize **(1)** approval of the proposed Oak Lawn-Hi Line Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

29. 19-1158 Authorize **(1)** approval of the proposed Prestonwood Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

30. 19-1159 Authorize **(1)** approval of the proposed South Dallas/Fair Park Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

31. 19-1160 Authorize **(1)** approval of the proposed South Side Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

32. 19-1161 Authorize **(1)** a public hearing to be held on September 11, 2019, to receive comments concerning the expansion of the Tourism Public Improvement District (District) in accordance with House Bill 1136 legislation, which was approved this year, allowing the City to include property in a hotel public improvement district if such property could have been included in the District without violating the petition thresholds when the District was created, for the purpose of providing supplemental public services to be funded by assessments on Dallas hotels with 100 or more rooms; and at the close of the hearing, **(2)** a resolution approving the expanded boundaries of the District to include an estimated 15 additional Dallas hotels in the District not described in the resolution or petition re-establishing the District in 2016 and approval of the District's Service Plan for FY 2019-2020 - Financing: No cost consideration to the City (see Fiscal Information)

33. 19-1162 Authorize **(1)** approval of the proposed Tourism Public Improvement District ("District") Service Plan for 2019-20, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on Dallas hotels with 100 or more rooms, for services and improvements to be provided during 2019-20; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

34. 19-1163 Authorize **(1)** approval of the proposed University Crossing Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

35. 19-1164 Authorize **(1)** approval of the proposed Uptown Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

36. 19-1165 Authorize **(1)** approval of the proposed Vickery Meadow Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

Office of Environmental Quality & Sustainability

37. 19-1090 Authorize **(1)** the first amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Whole Air Monitoring Program (Contract No. 582-19-90030, CFDA No. 97.091) to accept additional grant funds in an amount not to exceed $475,000.00 from the U.S. Environmental Protection Agency passed through the TCEQ, to continue Whole Air Monitoring for the period September 1, 2019 through August 31, 2020; **(2)** the establishment of appropriations in an amount not to exceed $475,000.00 in the TCEQ 19-20 Whole Air Monitoring Program Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $475,000.00 from TCEQ in the TCEQ 19-20 Whole Air Monitoring Program Fund; and **(4)** execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Not to exceed $475,000.00, from $475,000.00 to $950,000.00 - Financing: Texas Commission on Environmental Quality Grant Funds

38. 19-1091 Authorize **(1)** the first amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Rockwall and Particulate Matter (PM) 2.5 Monitoring Program (Contract No. 582-19-90038, CFDA No. 66.034) to accept additional grant funds in an amount not to exceed $96,707.48 from the U.S. Environmental Protection Agency passed through TCEQ, to operate the ambient air monitoring station in Rockwall County and air quality monitoring of the PM2.5 network for the period September 1, 2019 through August 31, 2020; **(2)** the establishment of appropriations in an amount not to exceed $96,707.48 in the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $96,707.48 from TCEQ in the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund; and **(4)** execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Not to exceed $96,707.48, from $96,707.48 to $193,414.96 - Financing: Texas Commission on Environmental Quality Grant Funds

39. 19-1089 Authorize **(1)** the third amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Ambient Air Monitoring Program (Contract No. 582-18-80089, CFDA No. 66.605) to accept additional grant funds in an amount not to exceed $367,790.00 from the U.S. Environmental Protection Agency passed through TCEQ, to continue ambient air pollution monitoring for the period September 1, 2019 through August 31, 2021; **(2)** the establishment of appropriations in an amount not to exceed $367,790.00 in the TCEQ 19-21 Ambient Air Monitoring Program Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $367,790.00 from TCEQ in the TCEQ 19-21 Ambient Air Monitoring Program Fund; **(4)** a required local match in an amount not to exceed $181,150.30 over the two-year period ($90,575.15 annually); and **(5)** execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Total not to exceed $548,940.30, from $548,940.30 to $1,097,880.60 - Financing: Texas Commission on Environmental Quality Grant Funds ($367,790.00) and General Fund ($181,150.30) (subject to annual appropriations)

Office of Homeless Solutions

40. 19-1000 Authorize an Interlocal Agreement with Dallas County/Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2019 through September 30, 2020 - Not to exceed $1,975,000.00 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($33,913.00), 2018-19 Housing Opportunities for Persons with AIDS Grant Funds ($655,839.00), and 2019-20 Housing Opportunities for Persons with AIDS Grant Funds ($1,285,248.00)

41. 19-1001 Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0072L6T001811, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' Shelter Plus Care Project ("Project") in an amount not to exceed $1,584,610.00, to provide permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2019 through September 30, 2020; **(2)** an amendment to the grant agreement to convert the Project from tenant-based rental assistance to leasing assistance; **(3)** the establishment of appropriations in an amount not to exceed $1,584,610.00 in the FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund; **(4)** the receipt and deposit of grant funds as reimbursement from HUD in an amount not to exceed $1,584,610.00 in FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund; **(5)** a local cash match from the City of Dallas in an amount not to exceed $39,123.00; and **(6)** execution of any and all documents required for the grant agreement and amendment - Total not to exceed $1,623,733.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($1,584,610.00) and General Fund ($39,123.00) (subject to appropriations)

42. 19-1002 Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0050L6T001811, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' Shelter Plus Care Operation Relief Center, Inc. ("ORC") Project ("Project") in an amount not to exceed $99,295.00, to provide permanent housing for homeless veterans with disabilities for the period October 1, 2019 through September 30, 2020; **(2)** an amendment to the grant agreement to convert the Project from tenant-based rental assistance to leasing assistance; **(3)** the establishment of appropriations in an amount not to exceed $99,295.00 in the FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund; **(4)** the receipt and deposit of grant funds as reimbursement from HUD in an amount not to exceed $99,295.00 in FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund; **(5)** a local cash match from the City of Dallas in an amount not to exceed $1,424.00; and **(6)** execution of any and all documents required for the grant agreement and amendment - Total not to exceed $100,719.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($99,295.00) and General Fund ($1,424.00) (subject to appropriations)

Office of Procurement Services

43. 19-1004 Authorize a service contract for the purchase and installation of 10 safety ladders and 11 fall protection systems for the Water Utilities Department - McCrory Engineering, Inc., lowest responsible bidder of three - Not to exceed $88,396.95 - Financing: Dallas Water Utilities Fund

44. 19-975 Authorize a five-year service contract for maintenance and support of the public records request management software for the City Secretary's Office with SHI Government Solutions, Inc. through the State of Texas Department of Information Resources cooperative agreement - Not to exceed $550,970.70 - Financing: General Fund (subject to annual appropriations)

45. 19-1009 Authorize a five-year service contract for economic analysis, forecasting, and research services for the Office of Budget - Dearmon Analytics, LLC, most advantageous proposer of four - Not to exceed $234,125 - Financing: General Fund (subject to annual appropriations)

46. 19-1108 Authorize **(1)** a three-year service price agreement for vehicle and heavy equipment rental - Sunbelt Rentals, Inc. in an estimated amount of $2,026,548.00, Herc Rentals, Inc. in an estimated amount of $1,827,636.00, Star Tractor LTD. in an estimated amount of $631,428.00, EAN Holdings, LLC dba Enterprise Rent-A-Car in an estimated amount of $627,278.00, Landmark Equipment, Inc. in an estimated amount of $608,069.00, Kirby-Smith Machinery, Inc. in an estimated amount of $481,585.00, Four Seasons Equipment LLC in an estimated amount of $388,935.00, CLS Sewer Equipment Co., Inc. in an estimated amount of $362,500.00, Holt Texas, LTD. in an estimated amount of $250,200.00, Metro Golf Cars, Inc. in an estimated amount of $104,763.00, and RDO Equipment Co. in an estimated amount of $33,155.00, lowest responsible bidders of eleven, total estimated amount of $7,342,097.00; and **(2)** Supplemental Agreement No. 2 to **(a)** increase the service contract for the rental of vehicles and equipment with Herc Rentals, Inc. in the amount of $170,584.00, from $4,192,108.00 to $4,362,692.00, EAN Holdings, LLC dba Enterprise Rent-A-Car in the amount of $63,245.00, from $1,554,263.20 to $1,617,508.20, Four Seasons Equipment LLC in the amount of $51,204.00, from $1,258,350.00 to $1,309,554.00, Landmark Equipment, Inc. in the amount of $48,320.00, from $1,187,473.00 to $1,235,793.00, Holt Texas, LTD. in the amount of $31,653.00, from $777,880.00 to $809,533.00, Kirby-Smith Machinery, Inc. in the amount of $31,215.00, from $767,126.00 to $798,341.00, Sunbelt Rentals in the amount of $27,990.00, from $687,865.00 to $715,855.00, United Rentals (North America), Inc. in the amount of $14,223.00, from $349,543.00 to $363,766.00, and Metro Golf Cars in the amount of $3,566.00, from $87,646.00 to $91,212.00, total amount not to exceed $442,000.00, increasing the service contract amounts from $10,862,254.20 to $11,304,254.20; and **(b)** extend the term of the contracts from September 20, 2019 to October 31, 2019 - Total amount of $7,784,097.00 - Financing: General Fund ($2,547,252.00), Water & Sewer Revenue Fund ($4,188,665.00), and SDM Operations Fund ($1,048,180.00)

47. 19-972 Authorize a two-year consultant contract to engage the services of a consulting firm to develop a comprehensive compensation study for the City's civilian employees under the direction of the Department of Human Resources - Public Sector Personnel Consultants, Inc., most advantageous proposer of four - Not to exceed $225,000 - Financing: General Fund (subject to annual appropriations)

48. 19-936 Authorize a five-year subscription contract for a web-based hosted risk management information system, including software, maintenance, and support for the Office of Risk Management - Origami Risk, LLC, sole source - Estimated amount of $1,571,285 - Financing: Risk Management Fund

49. 19-1015 Authorize a three-year master agreement for animal control and animal shelter related supplies for the Department of Dallas Animal Services - Nationwide Supplies, LP in an estimated amount of $95,057.28, Animal Care Equipment & Services, LLC in an estimated amount of $159,282.10, C. Specialties, Inc. in an estimated amount of $155,660.00, Legend & White Animal Health Corp. in an estimated amount of $127,856.00, Boxes 4 U, Inc. in an estimated amount of $21,600.00, Tomahawk Live Trap, LLC in an estimated amount of $10,254.70, and Simba Industries in an estimated amount of $6,268.16, lowest responsible bidders of seven - Total estimated amount of $575,978.24 - Financing: General Fund

50. 19-971 Authorize **(1)** a three-year master agreement for routers and parts to extend existing data networks with GTS Technology Solutions, Inc. through the Texas Department of Information Resources cooperative agreement in the estimated amount of $4,284,150.40; **(2)** a three-year master agreement for ruggedized ethernet switches with GTS Technology Solutions, Inc. through The Interlocal Purchasing System cooperative agreement in the estimated amount of $2,024,561.71; and **(3)** a three-year software license and maintenance agreement for routers with GTS Technology Solutions, Inc. through the Texas Department of Information Resources cooperative agreement in the estimated amount of $1,001,880.00 - Total estimated amount of $7,310,592.11 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($4,500,000.00) and Information Technology Equipment Fund ($2,810,592.11)

51. 19-706 Authorize a five-year master agreement for solar powered school flasher assemblies, solar powered 24-hour warning flasher assemblies, solar powered radar feedback signs, and solar powered rectangular rapid flashing beacons for the Department of Transportation - J. Q. & G., Inc. Company dba OB Traffic in an estimated amount of $528,589.87, Traffic Logix Corporation in an estimated amount of $162,875.00, Consolidated Traffic Control, Inc. in an estimated amount of $162,700.00, K & K Systems, Inc. in an estimated amount of $117,985.00, and Iteris Inc. in an estimated amount of $111,220.00, lowest responsible bidders of seven - Estimated total amount of $1,083,369.87 - Financing: General Fund

52. 19-1143 Authorize a five-year master agreement for fleet vehicles and equipment with Ford Motor Company, General Motors, Chrysler, Autocar, Ford, Freightliner, Dodge, Nissan, Chevrolet, Toyota, Catepillar, International(Navistar), GMC, Bobcat, Isuzu, Hamm (Wirtgen), Mack, Peterbilt, Trailking, Kenworth, Mitsubishi, John Deere, Gradall, Warren, Bomag, Case, Ditch Witch, MaxxD, Elgin, Gehl, Genie, Harley Davidson, Hitachi, Hyster, Hyundi, Ingersoll Rand, JLG Indus, Komuatsu, Kubota, Landmark, Labrie, PJ, Polaris, Terex, Tymco, Vac-Con, Versalift, Vermeer, Volvo, JCB, McNeilus, NewWay, Heil, Vactor, Swaploader USA LTD, Blue Bird, Kaeser, Altec, Stellar INC, Durabilt, Generac, New Holland, Wittke, Dadee, Hino, Elliott, Crane Carrier, Honda, PAC-MAC, Palfinger, Felling, Globe, Townmaster Trailers, Jeep, Doosan, Sullair, Pierce Manufacturing, Wheeled Coach, Rosenbauer, Frontline, Rev Ambulance Group, Wells Cargo ADDCO, Clifford, CLS Sewer Equipment, Club Car, Cummins, Honda, Hustler, Interstate Trailer, Kawasaki, Kohler, Magnum, Mahindra, Rhino, Rolls Offs USA, Scag, Scully's Aluminum Boats, Toro, Yale and their associated distributors through the BuyBoard National Purchasing Cooperation, Texas Smartbuy, TIPS Coop, National Intergovernmental Purchasing Alliance (NIPA), Sourcewell (NJPA), HGACBuy, Tarrant County Coop, The Cooperative Purchasing Network (TCPN), Texas Correctional Industries (TCI), Texas Multiple Award Schedules (TXMAS), U.S. Communities Government Purchasing Alliance (U.S. Communities) General Services Administration (GSA), as specifically described in Exhibit A - Estimated amount of $218,661,695 - Financing: Sanitation Capital Improvement Fund ($24,000,000), Water & Sewer Revenue Fund ($16,168,000), SDM-Operations Fund ($5,000,000), General Fund ($932,636), Aviation Fund ($3,078,749), Building Inspection Fund ($1,466,416), General Fleet Equipment Acquisition Notes ($30,000,000), Dallas Fire Department Equipment Acquisition Notes ($30,000,000), Sanitation Equipment Acquisition Notes ($28,000,000), General Fleet Master Lease-Equipment Fund ($40,515,894), Dallas Fire Department Master Lease-Equipment Fund ($36,500,000), and Sanitation Master Lease-Equipment Fund ($3,000,000)

53. 19-1122 Authorize **(1)** Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the service contract with Cigna Health and Life Insurance Company, for third-party administration of the City's employee health plan for administrative services related to medical claims adjudication; healthcare provider network; COBRA; health savings accounts, flexible spending accounts and related services for the City's self-insured health benefit programs for the period January 1, 2020 through December 31, 2020 - Not to exceed $4,600,000.00 - Financing: Employee Benefits Fund; **(2)** Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the consultant contract for **(a)** employee vision insurance with Davis Vision, Inc. for a fully-insured vision plan; and **(b)** dental benefits with Metropolitan Life Insurance Company for a fully-insured employee dental plan for the period January 1, 2020 through December 31, 2020 - Financing: No cost consideration (to be paid by employee/retiree payroll and pension deductions); **(3)** Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the second amendment to the administrative services contract with CaremarkPCS Health, LLC, for prescription benefit management for the period January 1, 2020 through December 31, 2020; with Caremark receiving a $1.10 administrative fee for each prescription filled - Not to exceed $330,000.00 - Financing: Employee Benefits Fund (subject to annual appropriations); and **(4)** Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the service contract for retiree health benefits with United Healthcare Services, Inc. for **(a)** Medical Third-Party Administration services; **(b)** fully-insured Medicare PPO plans, AARP Medicare Supplemental, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their dependents; and **(c)** fully-insured vision and dental plans for the period January 1, 2020 through December 31, 2020 - Not to exceed $2,268,285.24 - Financing: Employee Benefits Fund

Office of Strategic Partnerships & Government Affairs

54. 19-1137 Authorize approval of the Dallas Fort Worth International Airport FY 2020 Proposed Budget - Financing: No cost consideration to the City

55. 19-1139 Ordinances authorizing two amendments to the Dallas Fort Worth International Airport Master Bond Ordinance, the 55th Supplemental Concurrent Bond Ordinance and the 56th Supplemental Concurrent Bond Ordinance - Financing: No cost consideration to the City

Park & Recreation Department

56. 19-1054 Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205) for construction of the Lake Highlands Trail Phase II-A and II-B, and Lake Highlands Northern Extension in the amount of approximately $8,263,490.00, of which the Federal portion is $5,676,494.00, TxDOT indirect costs portion is $383,950.00, and the City of Dallas' local match is $2,203,046.00; **(2)** a portion of the required local match of $2,203,046.00 in the amount of $135,194.00 to be paid by warrant check to the State at the beginning of the project; **(3)** the receipt and deposit of Transportation Alternatives Set-Aside Funds in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program Fund; and **(4)** the establishment of appropriations in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program Fund; **(5)** allocation of $84.57 in 2006 Bond Funds, $606,449.25 in 2012 Bond Funds and $1,596,512.18 in 2017 Bond Funds as the City of Dallas' local match; and **(6)** execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total Amount $8,263,490.00 - Financing: Transportation Alternatives Set-Aside Program Funds ($5,676,494.00), Texas Department of Transportation Funds ($383,950.00), Park and Recreation Facilities Fund (2006 Bond Funds) ($84.57), Street and Transportation Improvements Fund (2012 Bond Funds) ($606,449.25), and Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($1,596,512.18)

57. 19-1042 Authorize a construction contract for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park located at 3505 Maple Avenue with The Playwell Group, Inc. through the Texas Association of School Boards cooperative agreement - Not to exceed $83,350.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)

58. 19-1096 Authorize a public hearing to be held on September 11, 2019, 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; and, at the close of the hearing, adopt an ordinance re-establishing and continuing in effect the standards - Financing: No cost consideration to the City

Police Department

59. 19-1168 Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/27 Grant (Grant No. 608-20-DPD0000) from the Motor Vehicle Crimes Prevention Authority (MVCPA) in an amount not to exceed $625,000.00 to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; **(2)** the establishment of appropriations in an amount not to exceed $625,000.00 in the FY20 MVCPA -Commercial Auto Theft Interdiction Squad/27 Fund; **(3)** the receipt and deposit of funds in an amount not to exceed $625,000.00 in the FY20 MVCPA-Commercial Auto Theft Interdiction Squad/27 Fund; **(4)** a local match in an amount not to exceed $137,939.00; **(5)** an in-kind contribution in an approximate amount of $637,833.51; and **(6)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $1,400,772.51 - Financing: Motor Vehicle Crimes Prevention Authority Grant Funds ($625,000.00), In-Kind Contributions ($637,833.51) and General Fund ($137,939.00) (subject to appropriations)

60. 19-1181 Authorize **(1)** renewal of the contract with El Centro College of the Dallas County Community College District (DCCCD) for instructional services for police academy training; **(2)** the receipt and deposit of funds from El Centro College of DCCCD; and **(3)** an increase in appropriations in an amount not to exceed $550,548.00 in the DCCCD El Centro Police Training Funds for the two-year period September 1, 2019 through August 31, 2021 - Not to exceed $550,548.00 - Financing: DCCCD El Centro Police Training Funds

Water Utilities Department

61. 19-967 Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water and wastewater main relocations and appurtenance adjustments along S.M. Wright Freeway from U.S. Highway 175 (C.F. Hawn Freeway) to Interstate Highway 45 (Julius Schepps Freeway) in the amount of $2,005,289.13 - Financing: Water Utilities Capital Construction Funds ($77,757.00) and Water Utilities Capital Improvement Funds ($1,927,532.13)

62. 19-982 Authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC to expand the West Electrical Substation at the Elm Fork Water Treatment Plant - Not to exceed $871,192.00 - Financing: Water Construction Fund

63. 19-1094 Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the creation of digital aerial photography - Not to exceed $40,226.00 - Financing: Storm Drainage Management Operations Fund

64. 19-830 Authorize a construction contract for the installation of water and wastewater mains at 14 locations (list attached to the Agenda Information Sheet) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - Not to exceed $13,756,649.00 - Financing: Water Utilities Capital Drinking Water TWDB Funds ($7,705,024.70) and Water Utilities Capital Clean Water TWDB Funds ($6,051,624.30)

65. 19-864 Authorize a construction contract for the installation of water and wastewater mains at 16 locations (list attached to the Agenda Information Sheet) - Camino Construction, L.P., lowest responsible bidder of four - Not to exceed $12,396,377.00 - Financing: Water Utilities Capital Drinking Water TWDB Fund ($9,161,882.00) and Water Utilities Capital Clean Water TWDB Fund ($3,234,495.00)

66. 19-898 Authorize a construction contract for heating, ventilation, air conditioning and refrigeration maintenance and minor repairs at Dallas Water Utilities facilities - Berger Engineering Co., lowest responsible bidder of two - Not to exceed $2,875,337.00 - Financing: Water Utilities Capital Construction Funds ($2,536,210.00) and Storm Drainage Management Capital Construction Funds ($339,127.00)

67. 19-966 Authorize Supplemental Agreement No. 1 to the professional services contract with Espey Consultants, Inc. dba RPS to provide additional engineering services for the East Bank Diversion Project and 90-inch wastewater interceptor along Interstate Highway 35 (R.L. Thornton Freeway) - Not to exceed $928,854.00, from $2,610,166.00 to $3,539,020.00 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

68. 19-1183 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)

Department of Sustainable Development and Construction

69. 19-1056 Authorize the second step of acquisition for condemnation by eminent domain to acquire approximately 6,587 square feet of land located in Dallas County from The Joyce Clark Living Trust Agreement for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $15,584.00, increased from $7,500.00 ($5,355.00, plus closing costs and title expenses not to exceed $2,154.00) to $23,084.00 ($20,584.00, plus closing costs and title expenses not to exceed $2,500.00) - Financing: Water Construction Fund

Housing & Neighborhood Revitalization

70. 19-1200 Authorize **(1)** preliminary adoption of Substantial Amendment No. 4 to the FY 2018-19 Action Plan for the HOME Investment Partnerships Program to **(a)** receive and deposit unanticipated program income in an amount of $3,600,000.00; and **(b)** increase appropriations from $1,000,000.00 to $4,600,000.00 to be used for housing, associated administrative and soft costs; and **(2)** a public hearing to be held on October 9, 2019 to receive comments on Substantial Amendment No. 4 to the FY 2018-19 Consolidated Plan - Estimated Revenue: $3,600,000.00

ITEMS FOR FURTHER CONSIDERATION

Park & Recreation Department

71. 19-1223 Authorize the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement - Not to exceed $98,985.00 - Financing: Park Beautification Fund ($9,105.00), P & R Athletic Field Maintenance Fund ($35,900.00) and Recreation Program Fund ($53,980.00) (This item was deferred on August 14, 2019)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Sustainable Development and Construction

ZONING CASES - CONSENT

72. 19-1166 A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for McAdams Cemetery (409 Guthrie Street) on property zoned an RR Regional Retail District on the north side of Guthrie Street, west of R. L. Thornton Freeway
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Recommendation of the Landmark Commission: Approval, subject to preservation criteria
Z167-310(LC)

73. 19-1167 A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1954 for a commercial amusement (inside) limited to a Class A dance hall on property zoned a CR Community Retail District on the northwest corner of Singleton Boulevard and Peoria Avenue
Recommendation of Staff and CPC: Approval for a two-year period, subject to a revised site plan and conditions
Z189-114(JM/AU)

74. 19-1170 A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District at the northwest corner of Telephone Road and Bonnie View Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z189-252(CY)

75. 19-1171 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Commercial amusement (outside) on property zoned Subarea A within Planned Development District No. 741, on the northeast line of Olympus Boulevard, between Wharf Road and Cypress Waters Boulevard
Recommendation of Staff and CPC: Approval for a two-year period, subject to site plan and conditions
Z189-265(CT)

ZONING CASES - INDIVIDUAL

76. 19-1172 A public hearing to receive comments regarding an application for **(1)** a new subdistrict for a single family use; and **(2)** the reduction of Shopfront Overlay No. 7 on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with an SH Shopfront Overlay, and existing deed restrictions, in an area between North Zang Boulevard and North Beckley Avenue, north of East Neely Street; with consideration being given to and a resolution accepting; **(3)** the termination of existing deed restrictions (Z156-222) and an ordinance granting the reduction of SH Shopfront Overlay No. 7
Recommendation of Staff and CPC: Denial of a new subdistrict for single-family use; approval of the reduction of Shopfront Overlay No. 7; and approval of the termination of existing deed restrictions (Z156-222)
Z178-222(JM/AU)

77. 19-1173 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 1382 for a processing use on property zoned Planned Development District No. 540, on the southeast side of River Oaks Road, east of South Central Expressway
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Recommendation of CPC: Approval for a five-year period, subject to a revised site plan and conditions
Z189-113(JM/AU)

78. 19-1175 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for nonresidential uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Cedar Springs Road and Olive Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions
Z189-237(AU)

79. 19-1176 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 2238 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a private club-bar on property zoned Subdistrict 6 within Planned Development District No. 830, on the east line of North Tyler Street, north of West Davis Street
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z189-258(SM)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

80. 19-926 A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast
Recommendation of Staff: Denial
Recommendation of CPC: Approval
Z189-149(JM)
Note: This item was deferred by the City Council before opening the public hearing on June 12, 2019, and is scheduled for consideration on August 28, 2019

81. 19-969 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-5(A) Single Family District uses and a public school other than an open enrollment charter school on property zoned an R-5(A) Single Family District and CR Community Retail District, generally bounded by Bickers Street to the north, North Westmoreland Road to the east, Gallagher Street to the south, and Furey Street to the west
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan, a traffic management plan, and conditions
Z189-168(JM)
Note: This item was deferred by the City Council before opening the public hearing on June 26, 2019, and is scheduled for consideration on August 28, 2019

82. 19-1230 A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Oram Street
Recommendation of Staff: Approval, subject to staff's recommended conditions
Recommendation of CPC: Approval, subject to conditions
Z189-206(SM)
Note: This item was considered by the City Council at a public hearing on August 14, 2019, and was held under advisement until August 28, 2019, with the public hearing open

THOROUGHFARE PLAN AMENDMENTS

Department of Transportation

83. 19-983 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Beaumont Street from Akard Street to Ervay Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

84. 19-984 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Beaumont Street from Ervay Street to Harwood Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

85. 19-985 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Beckley Avenue from Davis Street to Zang Boulevard from a four-lane undivided roadway (S-4-U) to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

86. 19-986 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Burbank Street from Harry Hines Boulevard to Denton Drive from a four-lane undivided roadway (S-4-U) to a special four-lane undivided roadway (SPCL 4U) with one-lane westbound, two-lanes eastbound, and a center turn-lane in 60 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

87. 19-989 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Fleming Place from Jefferson Boulevard to Interstate Highway 35E; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

88. 19-990 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Market Center Boulevard from Oak Lawn Avenue to Harry Hines Boulevard from a Study roadway to a special four-lane divided roadway (SPCL 4D) with two-lanes southbound, two-lanes northbound, and a separated shared use path on the west side in 100 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

89. 19-991 A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of: **(1)** Pemberton Hill Road from Great Trinity Forest Way to Elam Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 100 feet of right-of-way with a shared use path on the west side of the roadway; and **(2)** Pemberton Hill Road from Elam Road to Lake June Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-way with a shared use path on the westside of the roadway; and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

MISCELLANEOUS HEARINGS

Office of Budget

90. 19-681 A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

EXECUTIVE SESSION NOTICE

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

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

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

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

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

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

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

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

Agenda Date: August 28, 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	N/A	N/A	Approval of Minutes of the August 13, 2019 City Council Budget Briefing and the August 14, 2019 City Council Meeting
2.	N/A	C	ATT	$6,000.00	Authorize Supplemental Agreement No. 2 to the professional services contract with Carter Arnett PLLC, for additional legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325 - Not to exceed $6,000.00, from $100,000.00 to $106,000.00 - Financing: Risk Management Funds
3.	2	C	AVI	$619,015.72	Authorize a service contract for the purchase and installation of furniture with Arconas Corporation through The Interlocal Purchasing System cooperative agreement at Dallas Love Field - Not to exceed $619,015.72 - Financing: Aviation Fund
4.	All	C	DSV	$1,366,421.05	Authorize a twelve-month professional services contract for software implementation and support services for the new human capital management solution with DLT Solutions, LLC, through a cooperative purchasing agreement with the U.S. General Services Administration - Not to exceed $1,366,421.05 - Financing: Information Technology Equipment Fund ($292,149.57) and Data Services Fund ($1,074,271.48) (subject to appropriations)
5.	N/A	C	DSV	$52,500.00	Authorize a twelve-month technical services contract to provide maintenance and technical consulting services for the City's Lawson HR and Payroll system - iTK Technologies, LLC - Estimated amount of $52,500 - Financing: Information Technology Equipment Fund
6.	2	C	CCT	$5,500,000.00	Authorize a two-year construction services contract, with three one-year renewal options to perform job order contracting activities at the Kay Bailey Hutchison Convention Center Dallas, Eddie Bernice Johnson Union Station, Reunion Parking Garage, and other City facilities with Brown & Root Industrial Services, LLC in the amount of $1,375,000.00, Big Sky Construction Company, Inc. in the amount of $1,375,000.00, Phoenix I Restoration & Construction, Ltd. in the amount of $1,375,000.00, and RS Commercial Construction, LLC in the amount of $1,375,000.00, most advantageous proposers of nine - Total not to exceed $5,500,000.00 - Financing: Convention Center Construction Fund (subject to annual appropriations)
7.	14	C	PBW	$140,397.00	Authorize a professional services contract with Jones & Carter, Inc. for the engineering design of Project Group 17-1411 (list attached to the Agenda

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Information Sheet) - Not to exceed $140,397.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
8.	All	C	PBW	NC	Authorize a public hearing to be held on September 11, 2019, to receive citizen comments on the proposed revised Street Design and Drainage Design Manuals and the new Street Process Manual - Financing: No cost consideration to the City
9.	9	C	DEV	$485,000.00	Authorize acquisition from Independent Bank McKinney, Texas, of approximately 148,829 square feet of land located near the intersection of Jupiter Road and East Northwest Highway for the Dallas Water Utilities Water Storage Tank 205 Executive Drive Project - Not to exceed $485,000.00 ($480,000.00, plus closing costs and title expenses not to exceed $5,000.00) - Financing: Water Construction Fund
10.	14	C	DEV	$300.00	An ordinance granting a revocable license to Main Street Grocery, LLC dba Royal Blue Grocery, for the use a total of approximately 133 square feet of land to occupy, maintain and utilize a sidewalk café and two planters on a portion of Main Street right-of-way, near its intersection with Ervay Street - Revenue: $200.00 annually and $100.00 one-time fee, plus the $20.00 ordinance publication fee
11.	6	C	DEV	$135,831.00	An ordinance abandoning portions of Winnetka Avenue (formerly Earle Street) to Paul V. Toler and Donna Toler and Worth Trinity, LLC, the abutting owners, containing a total of approximately 18,795 square feet of land, located near the intersection of Fort Worth and Winnetka Avenues; and authorizing the quitclaim; and providing for the dedication of a total of approximately 9,999 square feet of land needed for a sidewalk easement and wastewater easement - Revenue: $135,831.00, plus the $20.00 ordinance publication fee
12.	8	C	DEV	REV $27,400.00	An ordinance abandoning fourteen water easements, six sanitary sewer easements, and seven public utility easements to 3662 W Camp Wisdom LLC, CWRD Properties LLC, OMRB III, LLC, and WCWAP LLC, the abutting owners, containing a total of approximately 182,760 square feet of land, located near the intersection of Camp Wisdom and Westmoreland Roads - Revenue: $27,400.00, plus the $20.00 ordinance publication fee
13.	1, 2	C	TRN	NC	Authorize a Master Streetcar Interlocal Agreement with Dallas Area Rapid Transit (DART) for the purpose of restating and consolidating the provisions in the Streetcar Foundation Agreements that describe the respective duties, responsibilities and ownership of the City of Dallas and DART in relation to the Dallas Streetcar System - Financing: No cost consideration to the City

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
14.	6, 10, 11, 12, 13	C	TRN	$81,760.00	Authorize an agreement between the City of Dallas and the North Central Texas Council of Governments to pay the 20 percent local match of the off-system signal timing improvement for the purpose of the implementation of the Regional Traffic Signal Retiming Program - Not to exceed $81,760.00 - Financing: General Fund
15.	9	C	TRN	GT	Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the Department of Transportation Federal Highway Administration (CSJ 0581-01-137, CFDA 20.205) in the amount of $59,987.23 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at Loop 12 at Peavy Road and Mockingbird Lane; (2) the establishment of appropriations in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund; (3) receipt and deposit of funds in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund; and (4) execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $59,987.23 - Financing: Texas Department of Transportation Grant Funds
16.	9	C	TRN	GT	Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the Department of Transportation Federal Highway Administration (CSJ 0009-02-069, etc., CFDA 20.205) in the amount of $401,644.24 to provide cost reimbursement for material and labor related to the reconstruction of seven existing traffic signals at the intersections of State Highway 78 (SH 78) at Peavy Road, SH 78 at Easton Road, SH 78 at Centerville Road, SH 78 at Lochwood Boulevard, SH 78 at Jupiter Road, SH 78 at Barnes Bridge Road, and SH 78 at Northwest Highway; (2) the establishment of appropriations in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund; (3) receipt and deposit of funds in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund; and (4) execution of the Congestion Mitigation and Air Quality Improvement Agreement for State-Contracted Traffic Signal Construction and all terms, conditions, and documents required by the agreement - Total amount of $401,644.24 - Financing: Texas Department of Transportation Grant Funds
17.	1, 2	C	TRN	$3,898,203.00	Authorize (1) an increase in appropriations in an amount not to exceed $2,465,009.00 in the Streetcar Developer Fund; and (2) payment to Dallas Area Rapid Transit for operation and maintenance costs for the Dallas Streetcar System (Union Station to Bishop Arts District) for Fiscal Years

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					2018 and 2019 - Not to exceed $2,721,000.00 - Financing: Streetcar Developer Funds ($1,360,500.00) and General Fund ($1,360,500.00)
18.	N/A	C	DFD	NC	An ordinance amending Chapter 15D, "Emergency Vehicles," of the Dallas City Code by amending Sections 15D-4 and 15D-5; (1) providing a definition of hardship assistance; (2) adding a reduction to ambulance service fees with approved hardship assistance; (3) providing authority to create a hardship assistance policy and procedure; and (4) providing a penalty not to exceed $500.00, effective October 1, 2019 - Financing: No cost consideration to the City (see Fiscal Information)
19.	6, 7	C	HOU	NC	Authorize (1) approval of the development plan as described in Exhibit A for the construction of 10 affordable houses by Builders of Hope, C.D.C. (Developer); (2) the sale of 10 vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC) to Developer, subject to restrictive covenants, a right of reverter and execution of all necessary documents; and (3) execution of a release of lien for any non-tax City liens that were filed on the 10 vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)
20.	7	C	HOU	NC	Authorize (1) approval of the development plan as described in Exhibit A for the construction of 9 affordable houses by FOCIS Holding Group, L.L.C. (Developer); (2) the sale of 9 vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC) to Developer, subject to restrictive covenants, a right of reverter and execution of all necessary documents; and (3) execution of a release of lien for any non-tax City liens that were filed on the 9 vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)
21.	4, 7	C	HOU	NC	Authorize (1) approval of the development plan as described in Exhibit A for the construction of eight affordable houses by Marcer Construction Company, L.L.C. (Developer); (2) the sale of eight vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC), to Developer subject to restrictive covenants and a right of reverter and execution of all necessary documents; and (3) execution of a release of lien for any non-tax City liens that were filed on the eight vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)
22.	2, 14	C	ECO	NC	Authorize (1) approval of the proposed Dallas Downtown Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; authorizing payment of City's 2019 assessment and all future City assessments directly to the District; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
23.	2, 14	C	ECO	NC	Authorize (1) approval of the proposed Deep Ellum Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
24.	14	C	ECO	NC	Authorize (1) approval of the proposed Klyde Warren Park/Dallas Arts District Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
25.	14	C	ECO	NC	Authorize (1) approval of the proposed Knox Street Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
26.	9, 10, 13	C	ECO	NC	Authorize (1) approval of the proposed Lake Highlands Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
27.	10	C	ECO	NC	Authorize (1) approval of the proposed North Lake Highlands Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
28.	6	C	ECO	NC	Authorize (1) approval of the proposed Oak Lawn-Hi Line Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
29.	12	C	ECO	NC	Authorize (1) approval of the proposed Prestonwood Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
30.	7	C	ECO	NC	Authorize (1) approval of the proposed South Dallas/Fair Park Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
31.	2	C	ECO	NC	Authorize (1) approval of the proposed South Side Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
32.	2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14	C	ECO	NC	Authorize (1) a public hearing to be held on September 11, 2019, to receive comments concerning the expansion of the Tourism Public Improvement District (District) in accordance with House Bill 1136 legislation, which was approved this year, allowing the City to include property in a hotel public improvement district if such property could have been included in the District without violating the petition thresholds when the District was created, for the purpose of providing supplemental public services to be funded by assessments on Dallas hotels with 100 or more rooms; and at the close of the hearing, (2) a resolution approving the expanded boundaries of the District to include an estimated 15 additional Dallas hotels in the District not described in the resolution or petition re-establishing the District in 2016 and approval of the District's Service Plan for FY 2019-2020 - Financing: No cost

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					consideration to the City (see Fiscal Information)
33.	2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14	C	ECO	NC	Authorize (1) approval of the proposed Tourism Public Improvement District ("District") Service Plan for 2019-20, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on Dallas hotels with 100 or more rooms, for services and improvements to be provided during 2019-20; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
34.	14	C	ECO	NC	Authorize (1) approval of the proposed University Crossing Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
35.	14	C	ECO	NC	Authorize (1) approval of the proposed Uptown Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
36.	13	C	ECO	NC	Authorize (1) approval of the proposed Vickery Meadow Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; (2) a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; (3) consideration of an ordinance levying a special assessment on property in the District, for services and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
37.	All	C	OEQ	GT	Authorize (1) the first amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Whole Air Monitoring Program (Contract No. 582-19-90030, CFDA No. 97.091) to accept additional grant funds in an amount not to exceed $475,000.00 from the U.S. Environmental Protection Agency passed through the TCEQ, to continue Whole Air Monitoring for the period September 1, 2019 through August 31, 2020; (2) the establishment of appropriations in an amount not to exceed $475,000.00 in the TCEQ 19-20 Whole Air Monitoring Program Fund; (3) the receipt and deposit of grant funds in an amount not to exceed $475,000.00 from TCEQ in the TCEQ 19-20 Whole Air Monitoring Program Fund; and (4) execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Not to exceed $475,000.00, from $475,000.00 to $950,000.00 - Financing: Texas Commission on Environmental Quality Grant Funds
38.	All	C	OEQ	GT	Authorize (1) the first amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Rockwall and Particulate Matter (PM) 2.5 Monitoring Program (Contract No. 582-19-90038, CFDA No. 66.034) to accept additional grant funds in an amount not to exceed $96,707.48 from the U.S. Environmental Protection Agency passed through TCEQ, to operate the ambient air monitoring station in Rockwall County and air quality monitoring of the PM2.5 network for the period September 1, 2019 through August 31, 2020; (2) the establishment of appropriations in an amount not to exceed $96,707.48 in the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund; (3) the receipt and deposit of grant funds in an amount not to exceed $96,707.48 from TCEQ in the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund; and (4) execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Not to exceed $96,707.48, from $96,707.48 to $193,414.96 - Financing: Texas Commission on Environmental Quality Grant Funds
39.	All	C	OEQ	$181,150.30	Authorize (1) the third amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Ambient Air Monitoring Program (Contract No. 582-18-80089, CFDA No. 66.605) to accept additional grant funds in an amount not to exceed $367,790.00 from the U.S. Environmental Protection Agency passed through TCEQ, to continue ambient air pollution monitoring for the period September 1, 2019 through August 31, 2021; (2)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the establishment of appropriations in an amount not to exceed $367,790.00 in the TCEQ 19-21 Ambient Air Monitoring Program Fund; (3) the receipt and deposit of grant funds in an amount not to exceed $367,790.00 from TCEQ in the TCEQ 19-21 Ambient Air Monitoring Program Fund; (4) a required local match in an amount not to exceed $181,150.30 over the two-year period ($90,575.15 annually); and (5) execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Total not to exceed $548,940.30, from $548,940.30 to $1,097,880.60 - Financing: Texas Commission on Environmental Quality Grant Funds ($367,790.00) and General Fund ($181,150.30) (subject to annual appropriations)
40.	All	C	OHS	GT	Authorize an Interlocal Agreement with Dallas County/Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2019 through September 30, 2020 - Not to exceed $1,975,000.00 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($33,913.00), 2018-19 Housing Opportunities for Persons with AIDS Grant Funds ($655,839.00), and 2019-20 Housing Opportunities for Persons with AIDS Grant Funds ($1,285,248.00)
41.	All	C	OHS	$39,123.00	Authorize (1) the acceptance of a Continuum of Care (“CoC”) Grant (Grant No. TX0072L6T001811, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development (“HUD”) for the City of Dallas’ Shelter Plus Care Project (“Project”) in an amount not to exceed $1,584,610.00, to provide permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2019 through September 30, 2020; (2) an amendment to the grant agreement to convert the Project from tenant-based rental assistance to leasing assistance; (3) the establishment of appropriations in an amount not to exceed $1,584,610.00 in the FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund; (4) the receipt and deposit of grant funds as reimbursement from HUD in an amount not to exceed $1,584,610.00 in FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund; (5) a local cash match from the City of Dallas in an amount not to exceed $39,123.00; and (6) execution of any and all documents required for the grant agreement and amendment - Total not to exceed $1,623,733.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($1,584,610.00) and General Fund ($39,123.00) (subject to appropriations)
42.	All	C	OHS	$1,424.00	Authorize (1) the acceptance of a Continuum of Care (“CoC”) Grant (Grant No. TX0050L6T001811, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development (“HUD”) for the City of Dallas’ Shelter Plus

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Care Operation Relief Center, Inc. ("ORC") Project ("Project") in an amount not to exceed $99,295.00, to provide permanent housing for homeless veterans with disabilities for the period October 1, 2019 through September 30, 2020; (2) an amendment to the grant agreement to convert the Project from tenant-based rental assistance to leasing assistance; (3) the establishment of appropriations in an amount not to exceed $99,295.00 in the FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund; (4) the receipt and deposit of grant funds as reimbursement from HUD in an amount not to exceed $99,295.00 in FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund; (5) a local cash match from the City of Dallas in an amount not to exceed $1,424.00; and (6) execution of any and all documents required for the grant agreement and amendment - Total not to exceed $100,719.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($99,295.00) and General Fund ($1,424.00) (subject to appropriations)
43.	8	C	POM	$88,396.95	Authorize a service contract for the purchase and installation of 10 safety ladders and 11 fall protection systems for the Water Utilities Department - McCrory Engineering, Inc., lowest responsible bidder of three - Not to exceed $88,396.95 - Financing: Dallas Water Utilities Fund
44.	All	C	POM	$550,970.70	Authorize a five-year service contract for maintenance and support of the public records request management software for the City Secretary's Office with SHI Government Solutions, Inc. through the State of Texas Department of Information Resources cooperative agreement - Not to exceed $550,970.70 - Financing: General Fund (subject to annual appropriations)
45.	All	C	POM	$234,125.00	Authorize a five-year service contract for economic analysis, forecasting, and research services for the Office of Budget - Dearmon Analytics, LLC, most advantageous proposer of four - Not to exceed $234,125 - Financing: General Fund (subject to annual appropriations)
46.	All	C	POM	$7,784,097.00	Authorize (1) a three-year service price agreement for vehicle and heavy equipment rental - Sunbelt Rentals, Inc. in an estimated amount of $2,026,548.00, Herc Rentals, Inc. in an estimated amount of $1,827,636.00, Star Tractor LTD. in an estimated amount of $631,428.00, EAN Holdings, LLC dba Enterprise Rent-A-Car in an estimated amount of $627,278.00, Landmark Equipment, Inc. in an estimated amount of $608,069.00, Kirby-Smith Machinery, Inc. in an estimated amount of $481,585.00, Four Seasons Equipment LLC in an estimated amount of $388,935.00, CLS Sewer Equipment Co., Inc. in an estimated amount of $362,500.00, Holt Texas, LTD. in an estimated amount of $250,200.00, Metro Golf Cars, Inc. in an estimated amount of $104,763.00, and RDO Equipment Co. in an

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					estimated amount of $33,155.00, lowest responsible bidders of eleven, total estimated amount of $7,342,097.00; and (2) Supplemental Agreement No. 2 to (a) increase the service contract for the rental of vehicles and equipment with Herc Rentals, Inc. in the amount of $170,584.00, from $4,192,108.00 to $4,362,692.00, EAN Holdings, LLC dba Enterprise Rent-A-Car in the amount of $63,245.00, from $1,554,263.20 to $1,617,508.20, Four Seasons Equipment LLC in the amount of $51,204.00, from $1,258,350.00 to $1,309,554.00, Landmark Equipment, Inc. in the amount of $48,320.00, from $1,187,473.00 to $1,235,793.00, Holt Texas, LTD. in the amount of $31,653.00, from $777,880.00 to $809,533.00, Kirby-Smith Machinery, Inc. in the amount of $31,215.00, from $767,126.00 to $798,341.00, Sunbelt Rentals in the amount of $27,990.00, from $687,865.00 to $715,855.00, United Rentals (North America), Inc. in the amount of $14,223.00, from $349,543.00 to $363,766.00, and Metro Golf Cars in the amount of $3,566.00, from $87,646.00 to $91,212.00, total amount not to exceed $442,000.00, increasing the service contract amounts from $10,862,254.20 to $11,304,254.20; and (b) extend the term of the contracts from September 20, 2019 to October 31, 2019 - Total amount of $7,784,097.00 - Financing: General Fund ($2,547,252.00), Water & Sewer Revenue Fund ($4,188,665.00), and SDM Operations Fund ($1,048,180.00)
47.	All	C	POM	$225,000.00	Authorize a two-year consultant contract to engage the services of a consulting firm to develop a comprehensive compensation study for the City's civilian employees under the direction of the Department of Human Resources - Public Sector Personnel Consultants, Inc., most advantageous proposer of four - Not to exceed $225,000 - Financing: General Fund (subject to annual appropriations)
48.	All	C	POM	$1,571,285.00	Authorize a five-year subscription contract for a web-based hosted risk management information system, including software, maintenance, and support for the Office of Risk Management - Origami Risk, LLC, sole source - Estimated amount of $1,571,285 - Financing: Risk Management Fund
49.	All	C	POM	$575,978.24	Authorize a three-year master agreement for animal control and animal shelter related supplies for the Department of Dallas Animal Services - Nationwide Supplies, LP in an estimated amount of $95,057.28, Animal Care Equipment & Services, LLC in an estimated amount of $159,282.10, C. Specialties, Inc. in an estimated amount of $155,660.00, Legend & White Animal Health Corp. in an estimated amount of $127,856.00, Boxes 4 U, Inc. in an estimated amount of $21,600.00, Tomahawk Live Trap, LLC in an estimated amount of $10,254.70, and Simba Industries in an estimated amount of $6,268.16, lowest responsible bidders of seven - Total estimated

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					amount of $575,978.24 - Financing: General Fund
50.	All	C	POM	$7,310,592.11	Authorize (1) a three-year master agreement for routers and parts to extend existing data networks with GTS Technology Solutions, Inc. through the Texas Department of Information Resources cooperative agreement in the estimated amount of $4,284,150.40; (2) a three-year master agreement for ruggedized ethernet switches with GTS Technology Solutions, Inc. through The Interlocal Purchasing System cooperative agreement in the estimated amount of $2,024,561.71; and (3) a three-year software license and maintenance agreement for routers with GTS Technology Solutions, Inc. through the Texas Department of Information Resources cooperative agreement in the estimated amount of $1,001,880.00 - Total estimated amount of $7,310,592.11 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($4,500,000.00) and Information Technology Equipment Fund ($2,810,592.11)
51.	All	C	POM	$1,083,369.87	Authorize a five-year master agreement for solar powered school flasher assemblies, solar powered 24-hour warning flasher assemblies, solar powered radar feedback signs, and solar powered rectangular rapid flashing beacons for the Department of Transportation - J. Q. & G., Inc. Company dba OB Traffic in an estimated amount of $528,589.87, Traffic Logix Corporation in an estimated amount of $162,875.00, Consolidated Traffic Control, Inc. in an estimated amount of $162,700.00, K & K Systems, Inc. in an estimated amount of $117,985.00, and Iteris Inc. in an estimated amount of $111,220.00, lowest responsible bidders of seven - Estimated total amount of $1,083,369.87 - Financing: General Fund
52.	All	C	POM	$218,661,695.00	Authorize a five-year master agreement for fleet vehicles and equipment with Ford Motor Company, General Motors, Chrysler, Autocar, Ford, Freightliner, Dodge, Nissan, Chevrolet, Toyota, Catepillar, International(Navistar), GMC, Bobcat, Isuzu, Hamm (Wirtgen), Mack, Peterbilt, Trailking, Kenworth, Mitsubishi, John Deere, Gradall, Warren, Bomag, Case, Ditch Witch, MaxxD, Elgin, Gehl, Genie, Harley Davidson, Hitachi, Hyster, Hyundi, Ingersoll Rand, JLG Indus, Komuatsu, Kubota, Landmark, Labrie, PJ, Polaris, Terex, Tymco, Vac-Con, Versalift, Vermeer, Volvo, JCB, McNeilus, NewWay, Heil, Vactor, Swaploader USA LTD, Blue Bird, Kaeser, Altec, Stellar INC, Durabilt, Generac, New Holland, Wittke, Dadee, Hino, Elliott, Crane Carrier, Honda, PAC-MAC, Palfinger, Felling, Globe, Townmaster Trailers, Jeep, Doosan, Sullair, Pierce Manufacturing, Wheeled Coach, Rosenbauer, Frontline, Rev Ambulance Group, Wells Cargo ADDCO, Clifford, CLS Sewer Equipment, Club Car, Cummins, Honda, Hustler, Interstate Trailer, Kawasaki, Kohler, Magnum, Mahindra, Rhino, Rolls Offs USA, Scag, Scully's Aluminum Boats,

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Toro, Yale and their associated distributors through the BuyBoard National Purchasing Cooperation, Texas Smartbuy, TIPS Coop, National Intergovernmental Purchasing Alliance (NIPA), Sourcewell (NJPA), HGACBuy, Tarrant County Coop, The Cooperative Purchasing Network (TCPN), Texas Correctional Industries (TCI), Texas Multiple Award Schedules (TXMAS), U.S. Communities Government Purchasing Alliance (U.S. Communities) General Services Administration (GSA), as specifically described in Exhibit A - Estimated amount of $218,661,695 - Financing: Sanitation Capital Improvement Fund ($24,000,000), Water & Sewer Revenue Fund ($16,168,000), SDM-Operations Fund ($5,000,000), General Fund ($932,636), Aviation Fund ($3,078,749), Building Inspection Fund ($1,466,416), General Fleet Equipment Acquisition Notes ($30,000,000), Dallas Fire Department Equipment Acquisition Notes ($30,000,000), Sanitation Equipment Acquisition Notes ($28,000,000), General Fleet Master Lease-Equipment Fund ($40,515,894), Dallas Fire Department Master Lease-Equipment Fund ($36,500,000), and Sanitation Master Lease-Equipment Fund ($3,000,000)
53.	All	C	POM	$7,198,285.24	Authorize (1) Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the service contract with Cigna Health and Life Insurance Company, for third-party administration of the City's employee health plan for administrative services related to medical claims adjudication; healthcare provider network; COBRA; health savings accounts, flexible spending accounts and related services for the City's self-insured health benefit programs for the period January 1, 2020 through December 31, 2020 - Not to exceed $4,600,000.00 - Financing: Employee Benefits Fund; (2) Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the consultant contract for (a) employee vision insurance with Davis Vision, Inc. for a fully-insured vision plan; and (b) dental benefits with Metropolitan Life Insurance Company for a fully-insured employee dental plan for the period January 1, 2020 through December 31, 2020 - Financing: No cost consideration (to be paid by employee/retiree payroll and pension deductions); (3) Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the second amendment to the administrative services contract with CaremarkPCS Health, LLC, for prescription benefit management for the period January 1, 2020 through December 31, 2020; with Caremark receiving a $1.10 administrative fee for each prescription filled - Not to exceed $330,000.00 - Financing: Employee Benefits Fund (subject to annual appropriations); and (4) Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the service contract for

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					retiree health benefits with United Healthcare Services, Inc. for (a) Medical Third-Party Administration services; (b) fully-insured Medicare PPO plans, AARP Medicare Supplemental, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their dependents; and (c) fully-insured vision and dental plans for the period January 1, 2020 through December 31, 2020 - Not to exceed $2,268,285.24 - Financing: Employee Benefits Fund
54.	Outside	C	OSP	NC	Authorize approval of the Dallas Fort Worth International Airport FY 2020 Proposed Budget - Financing: No cost consideration to the City
55.	Outside	C	OSP	NC	Ordinances authorizing two amendments to the Dallas Fort Worth International Airport Master Bond Ordinance, the 55th Supplemental Concurrent Bond Ordinance and the 56th Supplemental Concurrent Bond Ordinance - Financing: No cost consideration to the City
56.	10	C	PKR	$2,203,046.00	Authorize (1) an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205) for construction of the Lake Highlands Trail Phase II-A and II-B, and Lake Highlands Northern Extension in the amount of approximately $8,263,490.00, of which the Federal portion is $5,676,494.00, TxDOT indirect costs portion is $383,950.00, and the City of Dallas' local match is $2,203,046.00; (2) a portion of the required local match of $2,203,046.00 in the amount of $135,194.00 to be paid by warrant check to the State at the beginning of the project; (3) the receipt and deposit of Transportation Alternatives Set-Aside Funds in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program Fund; and (4) the establishment of appropriations in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program Fund; (5) allocation of $84.57 in 2006 Bond Funds, $606,449.25 in 2012 Bond Funds and $1,596,512.18 in 2017 Bond Funds as the City of Dallas' local match; and (6) execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total Amount $8,263,490.00 - Financing: Transportation Alternatives Set-Aside Program Funds ($5,676,494.00), Texas Department of Transportation Funds ($383,950.00), Park and Recreation Facilities Fund (2006 Bond Funds) ($84.57), Street and Transportation Improvements Fund (2012 Bond Funds) ($606,449.25), and Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($1,596,512.18)
57.	2	C	PKR	$83,350.00	Authorize a construction contract for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park located at 3505 Maple Avenue with The Playwell Group, Inc. through the Texas Association of

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					School Boards cooperative agreement - Not to exceed $83,350.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)
58.	All	C	PKR	NC	Authorize a public hearing to be held on September 11, 2019, 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; and, at the close of the hearing, adopt an ordinance re-establishing and continuing in effect the standards - Financing: No cost consideration to the City
59.	N/A	C	DPD	$137,939.00	Authorize (1) the acceptance of the Commercial Auto Theft Interdiction Squad/27 Grant (Grant No. 608-20-DPD0000) from the Motor Vehicle Crimes Prevention Authority (MVCPA) in an amount not to exceed $625,000.00 to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; (2) the establishment of appropriations in an amount not to exceed $625,000.00 in the FY20 MVCPA -Commercial Auto Theft Interdiction Squad/27 Fund; (3) the receipt and deposit of funds in an amount not to exceed $625,000.00 in the FY20 MVCPA-Commercial Auto Theft Interdiction Squad/27 Fund; (4) a local match in an amount not to exceed $137,939.00; (5) an in-kind contribution in an approximate amount of $637,833.51; and (6) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $1,400,772.51 - Financing: Motor Vehicle Crimes Prevention Authority Grant Funds ($625,000.00), In-Kind Contributions ($637,833.51) and General Fund ($137,939.00) (subject to appropriations)
60.	N/A	C	DPD	GT	Authorize (1) renewal of the contract with El Centro College of the Dallas County Community College District (DCCCD) for instructional services for police academy training; (2) the receipt and deposit of funds from El Centro College of DCCCD; and (3) an increase in appropriations in an amount not to exceed $550,548.00 in the DCCCD El Centro Police Training Funds for the two-year period September 1, 2019 through August 31, 2021 - Not to exceed $550,548.00 - Financing: DCCCD El Centro Police Training Funds
61.	7	C	DWU	$2,005,289.13	Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water and wastewater main relocations and appurtenance adjustments along S.M. Wright Freeway from U.S. Highway 175 (C.F. Hawn Freeway) to Interstate Highway 45 (Julius Schepps Freeway) in the amount of $2,005,289.13 - Financing: Water Utilities Capital Construction Funds ($77,757.00) and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Water Utilities Capital Improvement Funds ($1,927,532.13)
62.	Outside	C	DWU	$871,192.00	Authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC to expand the West Electrical Substation at the Elm Fork Water Treatment Plant - Not to exceed $871,192.00 - Financing: Water Construction Fund
63.	All	C	DWU	$40,226.00	Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the creation of digital aerial photography - Not to exceed $40,226.00 - Financing: Storm Drainage Management Operations Fund
64.	1, 2, 5, 7, 11, 13	C	DWU	$13,756,649.00	Authorize a construction contract for the installation of water and wastewater mains at 14 locations (list attached to the Agenda Information Sheet) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - Not to exceed $13,756,649.00 - Financing: Water Utilities Capital Drinking Water TWDB Funds ($7,705,024.70) and Water Utilities Capital Clean Water TWDB Funds ($6,051,624.30)
65.	1, 2, 5, 7, 9, 14	C	DWU	$12,396,377.00	Authorize a construction contract for the installation of water and wastewater mains at 16 locations (list attached to the Agenda Information Sheet) - Camino Construction, L.P., lowest responsible bidder of four - Not to exceed $12,396,377.00 - Financing: Water Utilities Capital Drinking Water TWDB Fund ($9,161,882.00) and Water Utilities Capital Clean Water TWDB Fund ($3,234,495.00)
66.	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, Outside	C	DWU	$2,875,337.00	Authorize a construction contract for heating, ventilation, air conditioning and refrigeration maintenance and minor repairs at Dallas Water Utilities facilities - Berger Engineering Co., lowest responsible bidder of two - Not to exceed $2,875,337.00 - Financing: Water Utilities Capital Construction Funds ($2,536,210.00) and Storm Drainage Management Capital Construction Funds ($339,127.00)
67.	1, 2, 6	C	DWU	$928,854.00	Authorize Supplemental Agreement No. 1 to the professional services contract with Espey Consultants, Inc. dba RPS to provide additional engineering services for the East Bank Diversion Project and 90-inch wastewater interceptor along Interstate Highway 35 (R.L. Thornton Freeway) - Not to exceed $928,854.00, from $2,610,166.00 to $3,539,020.00 - Financing: Water Utilities Capital Improvement Funds
68.	N/A	I	SEC	NC	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
69.	Outside	I	DEV	$15,584.00	Authorize the second step of acquisition for condemnation by eminent

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					domain to acquire approximately 6,587 square feet of land located in Dallas County from The Joyce Clark Living Trust Agreement for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $15,584.00, increased from $7,500.00 ($5,355.00, plus closing costs and title expenses not to exceed $2,154.00) to $23,084.00 ($20,584.00, plus closing costs and title expenses not to exceed $2,500.00) - Financing: Water Construction Fund
70.	All	I	HOU	REV $3,600,000.00	Authorize (1) preliminary adoption of Substantial Amendment No. 4 to the FY 2018-19 Action Plan for the HOME Investment Partnerships Program to (a) receive and deposit unanticipated program income in an amount of $3,600,000.00; and (b) increase appropriations from $1,000,000.00 to $4,600,000.00 to be used for housing, associated administrative and soft costs; and (2) a public hearing to be held on October 9, 2019 to receive comments on Substantial Amendment No. 4 to the FY 2018-19 Consolidated Plan - Estimated Revenue: $3,600,000.00
71.	4, 6, 9, 13, 14	I	PKR	$98,985.00	Authorize the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement - Not to exceed $98,985.00 - Financing: Park Beautification Fund ($9,105.00), P & R Athletic Field Maintenance Fund ($35,900.00) and Recreation Program Fund ($53,980.00)
72.	4	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for McAdams Cemetery (409 Guthrie Street) on property zoned an RR Regional Retail District on the north side of Guthrie Street, west of R. L. Thornton Freeway Recommendation of Staff and CPC: Approval, subject to preservation criteria Recommendation of the Landmark Commission: Approval, subject to preservation criteria Z167-310(LC)
73.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1954 for a commercial amusement (inside) limited to a Class A dance hall on property zoned a CR Community Retail District on the northwest corner of Singleton

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Boulevard and Peoria Avenue Recommendation of Staff and CPC: Approval for a two-year period, subject to a revised site plan and conditions Z189-114(JM/AU)
74.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District at the northwest corner of Telephone Road and Bonnie View Road Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant Z189-252(CY)
75.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Commercial amusement (outside) on property zoned Subarea A within Planned Development District No. 741, on the northeast line of Olympus Boulevard, between Wharf Road and Cypress Waters Boulevard Recommendation of Staff and CPC: Approval for a two-year period, subject to site plan and conditions Z189-265(CT)
76.	1	PH	DEV	NC	A public hearing to receive comments regarding an application for (1) a new subdistrict for a single family use; and, (2) the reduction of Shopfront Overlay No. 7 on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with an SH Shopfront Overlay, and existing deed restrictions, in an area between North Zang Boulevard and North Beckley Avenue, north of East Neely Street; with consideration being given to and a resolution accepting (3) the termination of existing deed restrictions (Z156-222) and an ordinance granting the reduction of SH Shopfront Overlay No. 7 Recommendation of Staff and CPC: Denial of a new subdistrict for single-family use; approval of the reduction of Shopfront Overlay No. 7; and approval of the termination of existing deed restrictions (Z156-222) Z178-222(JM/AU)
77.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 1382 for a processing use on property zoned Planned Development District No. 540, on the southeast side of River Oaks Road, east of South Central Expressway

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions Recommendation of CPC: Approval for a five-year period, subject to a revised site plan and conditions Z189-113(JM/AU)
78.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for nonresidential uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Cedar Springs Road and Olive Street Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions Z189-237(AU)
79.	1	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 2238 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a private club-bar on property zoned Subdistrict 6 within Planned Development District No. 830, on the east line of North Tyler Street, north of West Davis Street Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions Z189-258(SM)
80.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast Recommendation of Staff: Denial Recommendation of CPC: Approval Z189-149(JM) Note: This item was deferred by the City Council before opening the public hearing on June 12, 2019, and is scheduled for consideration on August 28, 2019
81.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-5(A) Single Family District uses and a public school other than an open enrollment charter school on property zoned an R-5(A) Single Family District and CR Community Retail

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					District, generally bounded by Bickers Street to the north, North Westmoreland Road to the east, Gallagher Street to the south, and Furey Street to the west Recommendation of Staff and CPC: Approval, subject to a development/landscape plan, a traffic management plan, and conditions Z189-168(JM) Note: This item was deferred by the City Council before opening the public hearing on June 26, 2019, and is scheduled for consideration on August 28, 2019
82.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Oram Street Recommendation of Staff: Approval, subject to staff's recommended conditions Recommendation of CPC: Approval, subject to conditions Z189-206(SM) Note: This item was considered by the City Council at a public hearing on August 14, 2019, and was held under advisement until August 28, 2019, with the public hearing open
83.	2	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Beaumont Street from Akard Street to Ervay Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
84.	2	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Beaumont Street from Ervay Street to Harwood Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
85.	1	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Beckley Avenue from Davis Street to Zang Boulevard from a four-lane undivided roadway (S-4-U) to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
86.	2	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Burbank Street from Harry Hines Boulevard to Denton Drive from a four-lane undivided roadway (S-4-U) to a special four-lane undivided roadway (SPCL 4U) with

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					one-lane westbound, two-lanes eastbound, and a center turn-lane in 60 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
87.	1, 4	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Fleming Place from Jefferson Boulevard to Interstate Highway 35E; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
88.	2, 6	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Market Center Boulevard from Oak Lawn Avenue to Harry Hines Boulevard from a Study roadway to a special four-lane divided roadway (SPCL 4D) with two-lanes southbound, two-lanes northbound, and a separated shared use path on the west side in 100 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
89.	5, 7, 8	PH	TRN	NC	A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of: (1) Pemberton Hill Road from Great Trinity Forest Way to Elam Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 100 feet of right-of-way with a shared use path on the west side of the roadway; and (2) Pemberton Hill Road from Elam Road to Lake June Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-way with a shared use path on the westside of the roadway; and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
90.	N/A	PH	BMS	NC	A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

TOTAL $293,151,248.31

Agenda Information Sheet

File #: 19-1182 **Item #:** 1.

SUBJECT

Approval of Minutes of the August 13, 2019 City Council Budget Briefing and the August 14, 2019 City Council Meeting

1500 Marilla Street
Dallas, Texas 75201

City of Dallas

Agenda Information Sheet

File #: 19-1127 **Item #:** 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Carter Arnett PLLC, for additional legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325 - Not to exceed $6,000.00, from $100,000.00 to $106,000.00 - Financing: Risk Management Funds

BACKGROUND

Supplemental Agreement No. 2 with Carter Arnett PLLC, will provide additional legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed by memorandum regarding this matter on April 19, 2019.

On April 24, 2019, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Carter Arnett PLLC, for additional legal services by Resolution No. 19-0577.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

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

Risk Management Funds - $6,000.00

Original Contract	$ 50,000.00
Supplemental Agreement No. 1	$ 50,000.00
Supplemental Agreement No. 2 (this action)	$ 6,000.00
Total	$106,000.00

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August 28, 2019

WHEREAS, the City of Dallas has engaged Carter Arnett PLLC, to provide legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325; and

WHEREAS, on July 19, 2018, Administrative Action No. 18-6232, authorized a professional services contract with Carter Arnett PLLC, to provide legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325, in an amount not to exceed $50,000.00; and

WHEREAS, on April 24, 2019, City Council authorized Supplemental Agreement No. 1 with Carter Arnett PLLC, for additional legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325, not to exceed $50,000.00, from $50,000.00 to $100,000.00 by Resolution No. 19-0577; and

WHEREAS, the professional legal services of Carter Arnett PLLC, continue to be necessary.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 to the professional services contract with Carter Arnett PLLC, approved as to form by the City Attorney, for additional legal services in connection with the lawsuit styled Michael J. Bostic v. City of Dallas, Cause No. DC-18-08325, in an amount not to exceed $6,000.00, increasing the contract amount from $100,000.00 to $106,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $6,000.00, in periodic payments to Carter Arnett PLLC, from Fund 0192, Department ORM, Unit 3890, Object 3033, Encumbrance/Contract No. ATT-2018-00007074-1, Vendor VS0000071772.

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

Agenda Information Sheet

File #: 19-1117 **Item #:** 3.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize a service contract for the purchase and installation of furniture with Arconas Corporation through The Interlocal Purchasing System cooperative agreement at Dallas Love Field - Not to exceed $619,015.72 - Financing: Aviation Fund

BACKGROUND

In 2012 as part of the Love Field Modernization Program (LFMP) design, collaboration between Department of Aviation and airlines stakeholders resulted in decisions for gate area seating. Arconas Corporation seating style “Bernu” was chosen based on performance in numerous airports across the United States in Southwest Airlines operations. Purchase was made through the LFMP and awarded to Arconas Corporation for 1,875 seats in a variety of configurations (2, 3, 4, and 5 seat arrangements). In 2018, 311 additional seats were added.

This action will add an additional 113 seats in varying configuration (2, 3, 4, 5, and 6 seat arrangements). The new total of terminal hold room seats is 2,299. Additionally, this action includes purchase of required structural beam for chair support; chair arms; data management cables for all locations; and attic stock for Department of Aviation facilities’ use in replacing damaged backs or seats.

This action will authorize a service contract for the purchase and installation of furniture with Arconas Corporation through The Interlocal Purchasing System cooperative agreement.

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

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2018
Completed Design	April 2019
Begin Installation	November 2019
Complete Installation	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Aviation Fund - $619,015.72

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$619,015.72	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

OWNER

Arconas Corporation

Dan Nussbaum, President
Pablo Reich, Executive Vice President

MAP

Attached



Diagram of Dallas Love Field Gate Area Seating

August 28, 2019

WHEREAS, in 2012, the Love Field Modernization Program executed contracts to purchase furniture for soon-to-be-completed new Dallas Love Field gate areas; and

WHEREAS, additional seating is needed to optimize functionality and improve customers' experience at Dallas Love Field; and

WHEREAS, it is now desirable to authorize a service contract with Arconas Corporation through The Interlocal Purchasing System cooperative agreement for the purchase and installation of additional gate area seating for Dallas Love Field, in an amount not to exceed $619,015.72.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a service contract for the purchase and installation of furniture with Arconas Corporation through The Interlocal Purchasing System cooperative agreement at Dallas Love Field, in an amount not to exceed $619,015.72.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $619,015.72 to Arconas Corporation through The Interlocal Purchasing System cooperative agreement, in accordance with the terms and conditions of the contract from the Aviation Fund, Fund 0130, Department AVI, Unit 7730, Object 4710, Activity AAIP, Commodity 99846, Encumbrance/Contract No. AVI-2019-00010796, Vendor VS96062.

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

Agenda Information Sheet

File #: 19-859 **Item #:** 4.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Communication and Information Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a twelve-month professional services contract for software implementation and support services for the new human capital management solution with DLT Solutions, LLC, through a cooperative purchasing agreement with the U.S. General Services Administration - Not to exceed $1,366,421.05 - Financing: Information Technology Equipment Fund ($292,149.57) and Data Services Fund ($1,074,271.48) (subject to appropriations)

BACKGROUND

This contract will provide the City with implementation and project support services during the transition to the new human capital management solution. DLT Solutions, LLC intends to engage Sierra-Cedar as a subcontractor to perform the consulting services.

The consultant's services and support will include:

- Assessing data
- Providing project management advisory services
- Reviewing key business processes
- Developing scenarios, strategies and plans for testing
- Refining current change management plan
- Deploying various modules for the new solution

On November 10, 2015, the City Council authorized the wage floor rate of $11.15, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Information Technology Equipment Fund - $292,149.57
Data Services Fund - $1,074,271.48 (subject to appropriations)

FY 2018-19 - $99,325.05
FY 2019-20 - $974,946.43 (subject to appropriations)

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,366,421.05	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

DLT Solutions, LLC

Brian Strosser, President
Joe Donahue, Treasurer

August 28, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a twelve-month professional services contract with DLT Solutions, LLC (338279), approved as to form by the City Attorney, for software implementation and support services for the new human capital management solution through a cooperative purchasing agreement with the U.S. General Services Administration, in an amount not to exceed $1,366,421.05.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,366,421.05 to DLT Solutions, LLC, as follows:

Data Services Fund (subject to appropriations) Fund 0198, Department DSV, Unit 1665, Object 3099 Encumbrance/Contract No. CX-DSV-2019-00010279 Vendor 338279	$1,074,271.48
Information Technology Equipment Fund Fund 0897, Department DSV, Unit 3719, Object 3070 Encumbrance/Contract No. CX-DSV-2019-00010279 Vendor 338279	$ 292,149.57
Total amount not to exceed	$1,366,421.05

SECTION 3. That this contract is designated as Contract No. DSV-2019-00010279.

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

Agenda Information Sheet

File #: 19-1238 **Item #:** 5.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Communication and Information Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a twelve-month technical services contract to provide maintenance and technical consulting services for the City's Lawson HR and Payroll system - iTK Technologies, LLC - Estimated amount of $52,500 - Financing: Information Technology Equipment Fund

BACKGROUND

This action does not encumber funds; the purpose of this technical services contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

The need for this contract results from revised salary schedules and structure that were negotiated as part of the new meet and confer agreement with the City's uniform personnel. The intent of this engagement is to assist the City with configuration, build, and testing of the new pay structure in advance of the October 1, 2019 effective date. In addition, the vendor will assist the City with the 2020 Benefits changes for the Lawson system.

The consultant will be responsible for:

- Reviewing current production table and proposed adjusted table in context of the City's Lawson system and version to fully understand the requirements and scope for reconfiguration.
- Provide the necessary Code and configuration to adjust the City's test environment, then conduct tests within agreed upon parameters to yield desired results.
- Make any necessary updates to Test configuration and coding to then produce a final approved and tested variant.

- Assist the City in deploying the approved configuration into our Production System and provide responsive on-call technical support for troubleshooting as needed following to ensure fully automated and correct payroll processing under the updated production employee salary table.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Information Technology Equipment Fund - $52,500.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$52,500.00	Professional Services	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Special Needs contract.				

PROCUREMENT INFORMATION

In accordance with Administrative Directive 4-5, Paragraph 10.5.6 (A), Special Need/Justification was approved to contract with iTK Technologies, LLC.

OWNER

iTK Technologies, LLC

Matthew S. Palmer, Principal

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August 28, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a technical services contract with iTK Technologies, LLC (VS96877) approved as to form by the City Attorney, to provide maintenance and technical consulting services for the City's Lawson HR and Payroll system for a term of twelve months, in an estimated amount of $52,500. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to iTK Technologies, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by iTK Technologies, LLC under the contract. The amount payable pursuant to this technical services contract may exceed the estimated amount but may not exceed the amount of budgetary appropriations for this technical services contract during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $52,500, but not more than the amount budgetary appropriations for this technical services contract during its term to iTK Technologies, LLC from Master Agreement Service Contract No. DSV-2019-00011300.

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

Agenda Information Sheet

File #: 19-1010 **Item #:** 6.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Convention and Event Services

EXECUTIVE: Joey Zapata

SUBJECT

Authorize a two-year construction services contract, with three one-year renewal options to perform job order contracting activities at the Kay Bailey Hutchison Convention Center Dallas, Eddie Bernice Johnson Union Station, Reunion Parking Garage, and other City facilities with Brown & Root Industrial Services, LLC in the amount of $1,375,000.00, Big Sky Construction Company, Inc. in the amount of $1,375,000.00, Phoenix I Restoration & Construction, Ltd. in the amount of $1,375,000.00, and RS Commercial Construction, LLC in the amount of $1,375,000.00, most advantageous proposers of nine - Total not to exceed $5,500,000.00 - Financing: Convention Center Construction Fund (subject to annual appropriations)

BACKGROUND

This action will authorize construction service contracts to provide job order contracting repairs, alterations, renovations, remediation, and minor construction at the Kay Bailey Hutchison Convention Center Dallas, Eddie Bernice Johnson Union Station, Reunion Parking Garage, and other City facilities.

Job order contracting allows for the expeditious use of qualified firms to perform facility construction and maintenance activities. The work performed through a job order contract generally consists of building maintenance and construction related to the care, operation, and upkeep of facilities. The job order contracting process provides an opportunity to begin and complete work quicker, supplement workforces, assist in managing workloads, access specialized construction trades, and respond to deferred facility maintenance. The purpose of a job order contract is to establish firm pricing on an as-needed basis for the above-mentioned services, for a specified term.

The job order contracts will be for two-year term, with three optional one-year renewals. Contract renewals will be with no change to the contractor's coefficient. Award of a contract for job order contracting services does not guarantee assignment of any job orders. The contractor most advantageous to the City of Dallas will be selected for each job order. Job orders will be a maximum allowable amount of $500,000.00. The total amount for all job orders will not to exceed

$5,500,000.00. The total amount can be changed at renewal. This action does not encumber funds and is subject to annual appropriations.

A selection committee evaluated proposals submitted by nine contractors and ranked each based on published criteria, in accordance with City of Dallas procurement guidelines, to determine the most advantageous to the City. Brown & Root Industrial Services LLC, Big Sky Construction Company Inc., Phoenix I Restoration & Construction, Ltd., and RS Commercial Construction LLC, were evaluated and ranked as the four most advantageous proposers to the City.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	October 2019
Complete Construction	October 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Convention Center Construction Fund - $5,500,000.00 (subject to annual appropriations)

Fund amounts received by contractors will be based on the value of assigned job orders and subject to annual appropriations.

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. CR08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$5,500,000.00	Construction	25.00%	N/A	N/A
• Job order contracting services at Kay Bailey Hutchison Convention Center require 25.00% M/WB participation. M/WBE participation efforts will be made at the time each project is authorized.				

PROCUREMENT INFORMATION

The following nine firms submitted proposals and were ranked by a Selection Committee as follows:

*Denotes successful proposers

Proposers	Rank
*Brown & Root Industrial Services, LLC 2451 Crystal Drive, Suite 425 Arlington, VA 22202	1

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*Big Sky Construction Company, Inc. 507 Exposition Avenue Dallas, TX 75226	2
*Phoenix 1 Restoration & Construction, Ltd. 14032 Distribution Way Farmers Branch, TX 75234	3
*RS Commercial Construction, LLC 17250 Dallas Parkway Dallas, TX 75248	4
CORE Construction Services of Texas, Inc.	5
Falkenberg Construction Company, Inc.	6
Adept Facilities & Design, Inc.	7
METCO Engineering, Inc.	8
Paschen EJ Smith Joint Venture II	9

OWNER

Brown & Root Industrial Services, LLC

Nelson Dupuy, President

Big Sky Construction Company, Inc.

Bob Long, President

Phoenix I Restoration and Construction, Ltd.

Dale Sellers, President

RS Commercial Construction, LLC

David DeMattia, President

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August 28, 2019

WHEREAS, the State of Texas Local Government Code, Chapter 2269, allows for Job Order Contracting by local municipalities; and

WHEREAS, Job Order Contracting is desirable to perform maintenance, repair, alteration, renovation, remediation, and minor construction at the Kay Bailey Hutchison Convention Center Dallas, Eddie Bernice Johnson Union Station, Reunion Parking Garage, and other City facilities; and

WHEREAS, it is now desirable to authorize a two-year construction services contract, with three one-year renewal options to perform job order contracting activities at the Kay Bailey Hutchison Convention Center Dallas, Eddie Bernice Johnson Union Station, Reunion Parking Garage, and other City facilities with Brown & Root Industrial Services, LLC in the amount of $1,375,000.00, Big Sky Construction Company, Inc. in the amount of $1,375,000.00, Phoenix I Restoration & Construction, Ltd. in the amount of $1,375,000.00, and RS Commercial Construction, LLC in the amount of $1,375,000.00, most advantageous proposers of nine, in a total amount not to exceed $5,500,000.00, subject to annual appropriations.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a two-year construction services contract, with three one-year renewal options to perform job order contracting services at the Kay Bailey Hutchison Convention Center Dallas, Eddie Bernice Johnson Union Station, Reunion Parking Garage, and other City facilities with Brown & Root Industrial Services, LLC in the amount of $1,375,000.00, Big Sky Construction Company, Inc. in the amount of $1,375,000.00, Phoenix I Restoration & Construction, Ltd. in the amount of $1,375,000.00, and RS Commercial Construction, LLC in the amount of $1,375,000.00, most advantageous proposers of nine, approved as to form by the City Attorney, in a total amount not to exceed $5,500,000.00 (subject to annual appropriations).

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds to Brown & Root Industrial Services, LLC (VC15293) in the amount of $1,375,000.00, Big Sky Construction Company, Inc. (VS0000016146) in the amount of $1,375,000.00, Phoenix I Restoration & Construction, Ltd. (VC0000003594) in the amount of $1,375,000.00, and RS Commercial Construction, LLC (VS98430) in the amount of $1,375,000.00, from the Convention Center Construction Fund, Fund 0082, Department CCT, Units W431, W732, W433, Object 3210, Activity CE01, in accordance with the terms and conditions of the contract from the applicable project fund for the individual construction for which the services are being performed, in a total amount not to exceed $5,500,000.00 (subject to annual appropriations).

SECTION 3. That the contracts are designated as follows:

Brown & Root Industrial Services, LLC	Contract No. CCT-2019-00010092
Big Sky Construction Company, Inc.	Contract No. CCT-2019-00010999
Phoenix I Restoration & Construction, Ltd.	Contract No. CCT-2019-00011000
RS Commercial Construction, LLC	Contract No. CCT-2019-00011001

SECTION 4. That the Department Director or designee is authorized to request services as needed with the authorized firms in accordance with accepted pricing.

SECTION 5. That each contract shall provide for termination by the City Manager, without liability, in the event of non-appropriation of funding available for these contracts by the City Council.

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

Agenda Information Sheet

File #: 19-1021 **Item #:** 7.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Jones & Carter, Inc. for the engineering design of Project Group 17-1411 (list attached to the Agenda Information Sheet) - Not to exceed $140,397.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

BACKGROUND

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

This action will authorize a professional services contract with Jones & Carter, Inc. for the engineering design of Project Group 17-1411. The scope will include the design of two mini-roundabouts on North Collett Avenue at the intersections of Reiger Avenue and Junius Street and the improvements on Richmond Avenue at the intersection of Skillman Street to remove free right turns and upgrade the traffic signal.

Following are the locations and design costs for each project:

Traffic Intersection Capacity and Safety Improvement

Project	Council District	Amount
North Collett Avenue at Reiger Avenue and Junius Street	14	$62,536.50
Richmond Avenue at Skillman Street	14	$77,860.50

ESTIMATED SCHEDULE OF PROJECT

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $140,397.00

Estimated Future Cost - Construction - $501,191.30

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$140,397.00	Architectural & Engineering	25.66%	25.73%	$36,123.00
• This contract exceeds the M/WBE goal.				

OWNER

Jones & Carter, Inc.

Kevin Krahn, P.E., Senior Vice President
Mark Holliday, P.E., Vice President

MAPS

Attached

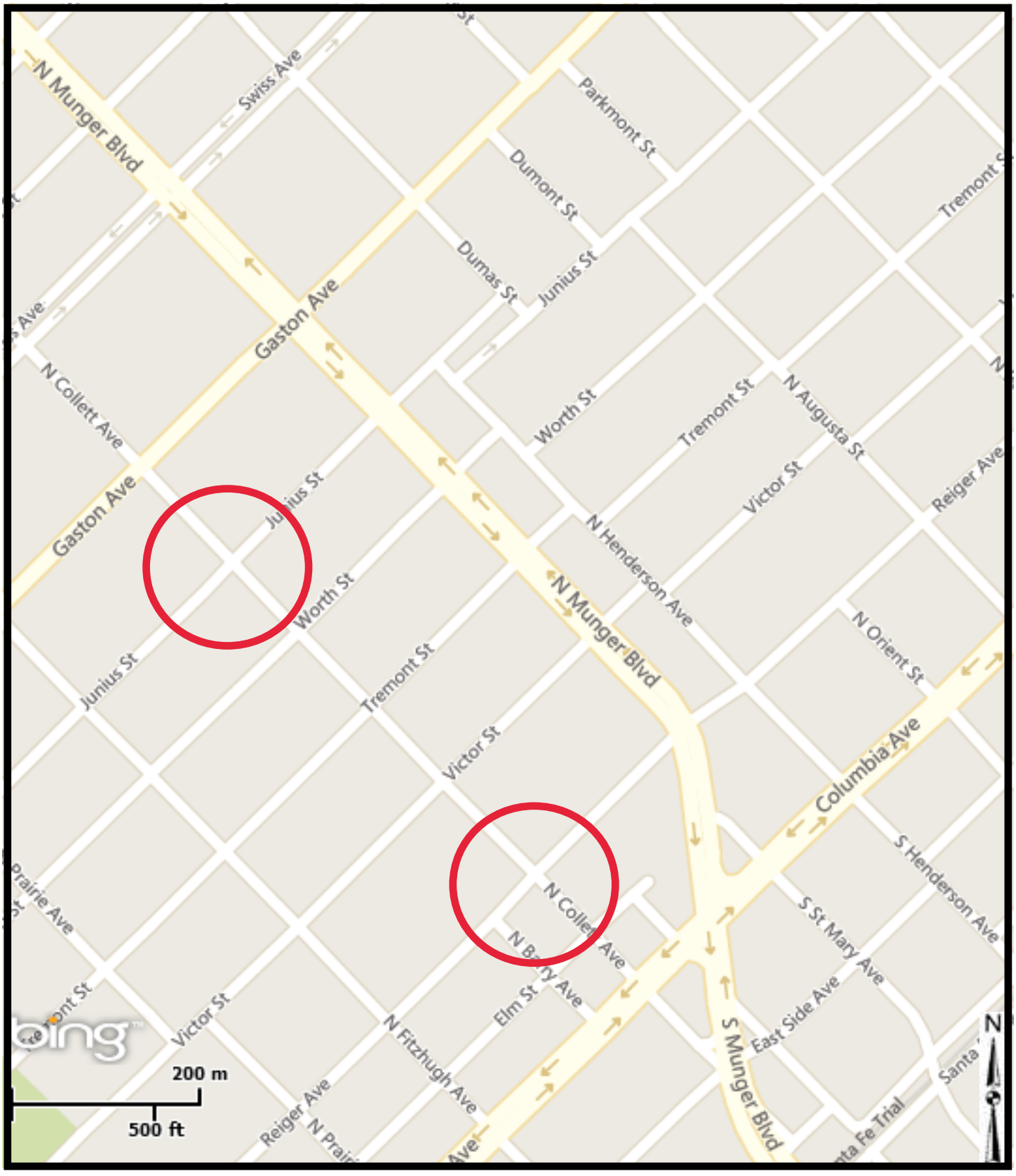
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Project Group 17-1411

Traffic Intersection Capacity and Safety Improvement

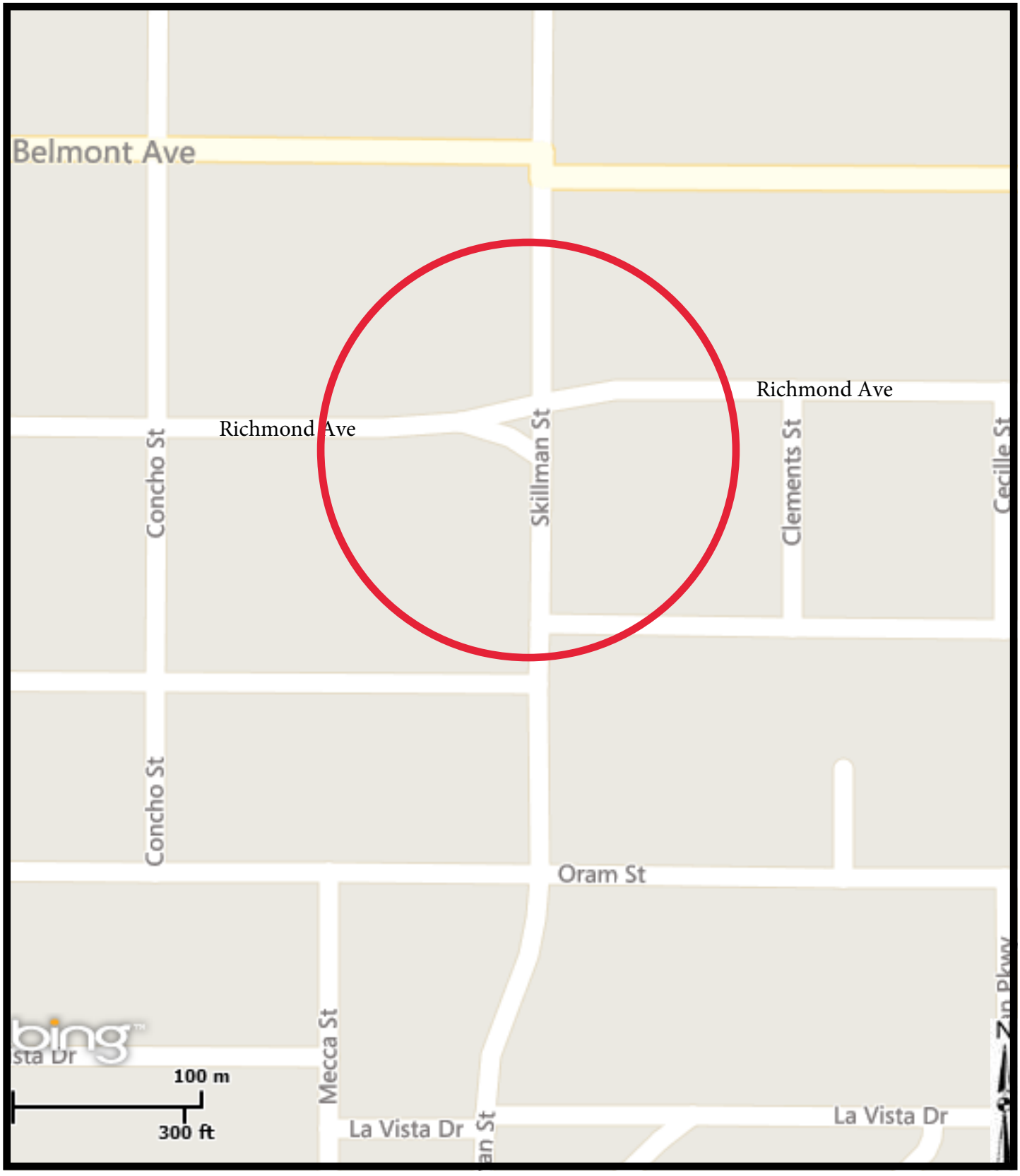
Project	**Council District**
North Collett Avenue at Reiger Avenue and Junius Street	14
Richmond Avenue at Skillman Street	14

TRAFFIC INTERSECTION CAPACITY AND SAFETY IMPROVEMENT NORTH COLLETT AVENUE AT REIGER AVENUE AND JUNIUS STREET



COUNCIL DISTRICT 14

TRAFFIC INTERSECTION CAPACITY AND SAFETY IMPROVEMENT RICHMOND AVENUE AT SKILLMAN STREET



COUNCIL DISTRICT 14

August 28, 2019

WHEREAS, Jones & Carter, Inc. was selected to provide engineering design for Project Group 17-1411.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a professional services contract with Jones & Carter, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects, in an amount not to exceed $140,397.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $140,397.00 in accordance with the terms and conditions of the contract:

Jones & Carter, Inc. for the engineering design of traffic intersection capacity and safety improvements on North Collett Avenue at Reiger Avenue and Junius Street and Richmond Avenue at Skillman Street:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit VA24, Activity TICS Object 4111, Program PB17VA24 Encumbrance/Contract No. CX-PBW-2019-00010936 Vendor VS0000004399	$ 62,536.50
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit VA25, Activity TICS Object 4111, Program PB17VA25 Encumbrance/Contract No. CX-PBW-2019-00010936 Vendor VS0000004399	$ 77,860.50
Total amount not to exceed	$140,397.00

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

Agenda Information Sheet

File #: 19-1014 **Item #:** 8.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a public hearing to be held on September 11, 2019, to receive citizen comments on the proposed revised Street Design and Drainage Design Manuals and the new Street Process Manual - Financing: No cost consideration to the City

BACKGROUND

The Street Design Manual, which has been renamed from the Paving Design Manual, provides guidelines for designing streets and thoroughfares and preparing construction plans in the City of Dallas. The Drainage Design Manual provides standard principles and guidelines for designing drainage facilities and preparing construction plans for those facilities in the City of Dallas. These guidelines will be used by the Department of Public Works, other City departments, consulting engineers employed by the City for street and thoroughfare improvement projects and drainage projects, and engineers for private developments in the City of Dallas.

The standards set forth in these manuals are the minimum criteria permitted by the City of Dallas to be used in roadway and drainage design. Unusual circumstances or conditions may arise which require variance from the standards. Any variances from the standards set forth in these manuals must be accompanied by prior approval of the Director of the Department of Public Works or the Director of Dallas Water Utilities.

The Street Process Manual is a new document that provides a guide through the process of planning and designing a street in the City of Dallas. Because streets are complex, a number of City departments are typically involved in the review and approval of the design of a street. The Street Process Manual provides a guide for how to involve all the necessary disciplines, the necessary public agencies, the public and stakeholders and how to document the process.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Mobility, Solutions, Infrastructure & Sustainability Committee on December 11, 2017 and April 22, 2019.

Information about this item was provided to the City Plan Commission on June 20, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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August 28, 2019

WHEREAS, it is the intention of the City Council to hold a public hearing for the purpose of adopting the proposed revised Street Design and Drainage Design Manuals and the new Street Process Manual; and

WHEREAS, prior to a public hearing, a resolution authorizing the public hearing is required.

Now, Therefore,

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

SECTION 1. That a public hearing shall be held after 6:00 p.m. on September 11, 2019, in the Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, 75201, to receive comments on the proposed revisions to the Street Design and Drainage Design Manuals and the new Street Process Manual.

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

Agenda Information Sheet

File #: 19-820 **Item #:** 9.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize acquisition from Independent Bank McKinney, Texas, of approximately 148,829 square feet of land located near the intersection of Jupiter Road and East Northwest Highway for the Dallas Water Utilities Water Storage Tank 205 Executive Drive Project - Not to exceed $485,000.00 ($480,000.00, plus closing costs and title expenses not to exceed $5,000.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the acquisition from Independent Bank McKinney, Texas, of approximately 148,829 square feet of land located near the intersection of Jupiter Road and East Northwest Highway for the Dallas Water Utilities Water Storage Tank 205 Executive Drive Project. This property will be used for the development of an elevated water storage tank in the east high-water pressure zone. This site is close in proximity to large existing water transmission lines which reduce the need for additional infrastructure to support the proposed new water tank. The consideration is based on an independent appraisal. There are no relocation benefits associated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Construction Fund - $485,000.00 ($480,000.00, plus closing costs and title expenses not to exceed $5,000.00)

OWNER

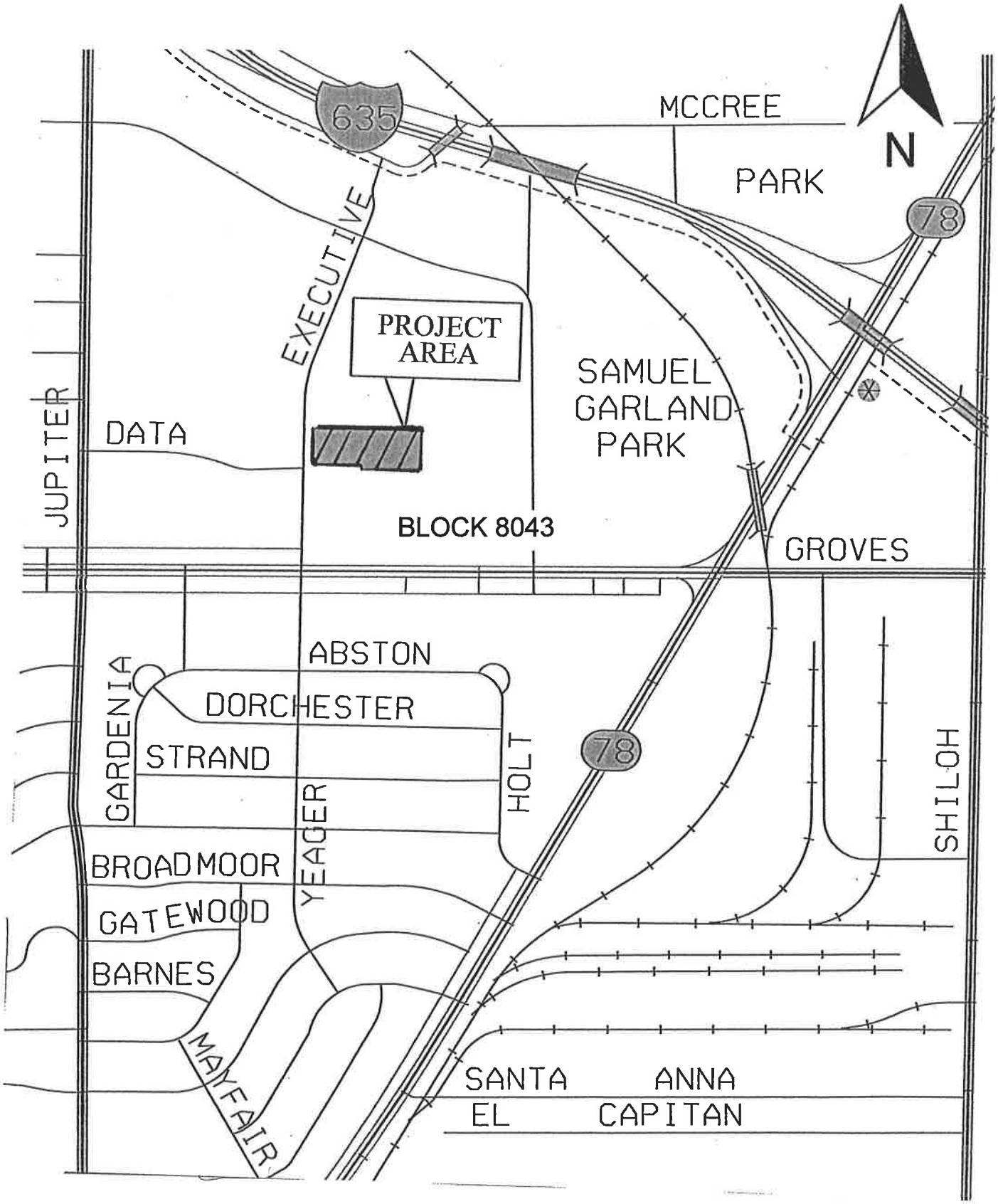
Independent Bank McKinney, Texas

Mike B. Phillips, Executive Vice President

MAP

Attached

powered by Legistar™



SUBJECT PARCEL:

August 28, 2019

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 148,829 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Dallas Water Utilities Storage Tank 205 Executive Drive Project

"USE": The construction, use, and maintenance of an above ground water storage tank 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": Independent Bank McKinney, Texas, 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": $480,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $5,000.00

"AUTHORIZED AMOUNT": Not to exceed $485,000.00

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Construction Fund, Fund 0102, Department DWU, Unit CW40, Program 714235, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00003503. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

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

BY: _____
Assistant City Attorney

Exhibit A

Field Notes Describing a 148,829 Square Foot (3.4166 Acre) Tract of Land To Be Acquired in City Block 8043 From Tony R. Clark

Being a 148,829 Square Foot (3.4166 Acre) Unplatted Tract of land situated in the Hinson C. Davis Survey, Abstract No. 410, City of Dallas, Dallas County, Texas, and being a portion of Block 8043 (Official City of Dallas Block Numbers), and being all of the property conveyed to Tony R. Clark by Substitute Trustee's Deed recorded in Instrument number 201100320359 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

Note: Listed coordinates are State Plane (grid) values. Distances and areas are surface values, using TXDOT scale factor of 1.000136506.

BEGINNING at (N=7002734.67, E=2527644.38) the Northwest corner (not monumented) of the herein described tract of land lying on the East line of Executive Drive (a 60-foot wide Right-of-Way dedicated by the Greenbriar Business Center Addition, Section One, an addition to the City of Dallas recorded in Volume 77238, Page 1802 of the Deed Records of Dallas County, Texas (D.R.D.C.T.)), same being the South line of the remainder of a tract of land conveyed to Wal-Mart Stores, Inc. by Special Warranty Deed recorded in Volume 91205, Page 2045 of the above said Deed Records, from which a ½ -inch iron rod found bears North 79°49'30" West, a distance of 0.58 feet;

THENCE North 89°00'13" East, departing the said East line of Executive Drive, with the said common line of the Clark and Wal-Mart tracts a distance of 649.08 feet to a ½-inch iron rod (N=7002745.96, E=2528293.36, controlling monument) found at the Northeast corner of the herein described tract of land;

THENCE South 0°59'47" East, continuing with said common line between Clark and Wal-Mart Stores tracts a distance of 241.23 feet to the Southeast corner of the herein described tract of land, (not monumented; N=7002504.77, E=2528297.56) same being the Northeast corner of a remainder of an unplatted tract of land conveyed to Sam's East, Inc. by Warranty Deed recorded in Volume 98030, Page 68 of said Deed Records, from which a brass disc monument found with cap stamped "STRIPES NW HWY RPLS 5101" bears South 85°17'19" East, a distance of 0.54 feet, and a ¾-inch iron rod found bears South 34°26'55" East, a distance of 6.77 feet;

THENCE South 89°14'25" West, departing the last said common line and continuing with the common line of the Clark and Sam's tracts pass at a distance of 236.67 feet an aluminum disc found (N=7002501.71, E=2528061.00, controlling monument) at the Northeast corner of a tract of land conveyed to G. C. Dallas – NW Highhway 2015, Ltd. by Special Warranty Deed with Vendor's Lien recorded in Instrument number 201600323534 of the said Official Public Records, and

Exhibit A

Field Notes Describing a 148,829 Square Foot (3.4166 Acre) Tract of Land To Be Acquired in City Block 8043 From Tony R. Clark

continuing with the common line of said Clark and NW Highway tracts for a total distance of 366.69 feet to an aluminum disc found (N=7002499.97, E=2527931.03, controlling monument) at an outside corner of the herein described tract of land, same being the Northwest corner of said NW Highway tract, lying on the East line of Lot 6, Block D/8043 of Whataburger of Mesquite – Northwest Highway Addition, an addition to the City of Dallas, recorded in Volume 97112, Page 1097 of said Deed Records;

THENCE North 0°45'35" West with the common line of said Clark and Whataburger tracts and the East line of said Lot 6, Block D/8043, a distance of 25.00 feet to a 5/8-inch iron rod with cap marked "CITY OF DALLAS" at an inside corner of the herein described tract of land, being also the Northeast corner of said Whataburger of Mesquite Addition (N=7002524.90, E=2527930.57);

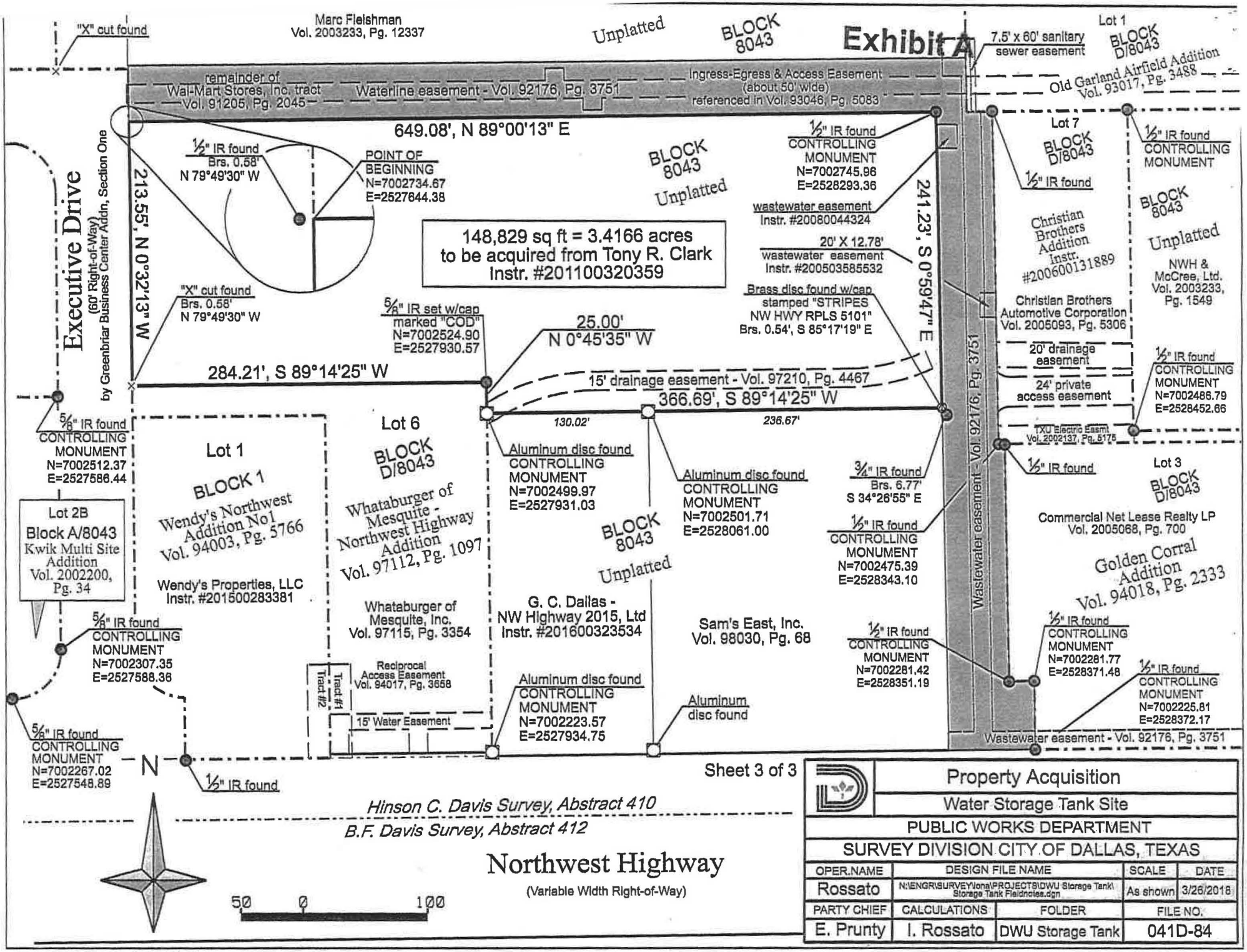
THENCE South 89°14'25" West, continuing with the said common line, same being the North line of said Whataburger of Mesquite Addition, a distance of 284.21 feet to the Southwest corner of the herein described tract lying on the said East line of Executive Drive, same being the Northwest corner of said Lot, Block and addition, from which an "X" cut found bears North 79°49'30" West, a distance of 0.58 feet (N=7002521.24, E=2527645.82);

THENCE North 0°32'13" West, along said common line of said Clark tract and Executive Drive a distance of 213.55 feet to the **POINT OF BEGINNING**, containing 148,829 Square Feet, or 3.4166 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.



Ilona E. Rossato
3/26/2018



Sheet 3 of 3

Property Acquisition			
Water Storage Tank Site			
PUBLIC WORKS DEPARTMENT			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER.NAME	DESIGN FILE NAME		SCALE / DATE
Rossato	N:\ENGR\SURVEY\Iona\PROJECTS\DWU Storage Tank\Storage Tank Fieldnotes.dgn		As shown / 3/26/2018
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
E. Prunty	I. Rossato	DWU Storage Tank	041D-84

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EXHIBIT B

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

WARRANTY DEED

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

That Independent Bank McKinney, Texas, a Texas banking association (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 FOUR HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS ($480,000.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: "None".

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

EXECUTED this _____ day of _____, 2019.

GRANTOR

INDEPENDENT BANK McKINNEY, TEXAS,
a Texas banking association

By: _____
Mike Phillips, Executive Vice President Special Assets Manager

EXHIBIT B

* *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____ by Mike Phillips, Executive Vice President Special Assets Manager of Independent Bank McKinney, Texas, a Texas banking association, on behalf of said banking association.

_____
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: Mark A. Proctor

Warranty Deed Log No. 45900 / Block No. 8043

Field Notes Describing a 148,829 Square Foot (3.4166 Acre) Tract of Land To Be Acquired in City Block 8043 From Tony R. Clark

Exhibit A

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Field Notes Describing a 148,829 Square Foot (3.4166 Acre)
Tract of Land To Be Acquired
in City Block 8043
From Tony R. Clark

Exhibit A

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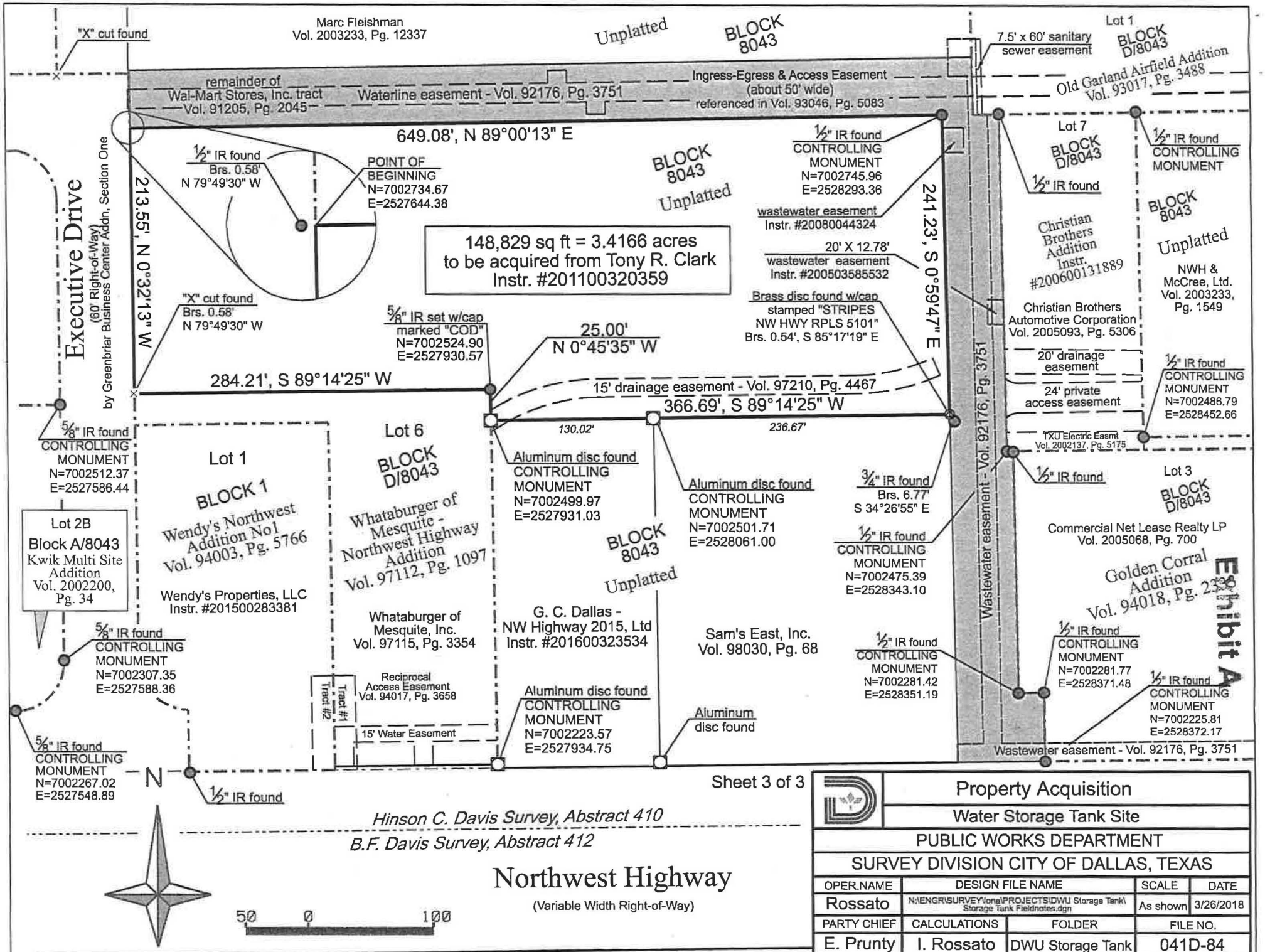
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BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983.



Ilona E. Rossato
3/26/2018

DWU Water Tank Site acquisition (041D-84)



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Agenda Information Sheet

File #: 19-719 **Item #:** 10.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance granting a revocable license to Main Street Grocery, LLC dba Royal Blue Grocery, for the use a total of approximately 133 square feet of land to occupy, maintain and utilize a sidewalk café and two planters on a portion of Main Street right-of-way, near its intersection with Ervay Street - Revenue: $200.00 annually and $100.00 one-time fee, plus the $20.00 ordinance publication fee

BACKGROUND

This item grants a revocable license to Main Street Grocery, LLC dba Royal Blue Grocery, for the use of a total of approximately 133 square feet of land space to occupy, maintain and utilize a sidewalk café and two planters on a portion of Main Street right-of-way, near its intersection with Ervay Street. The use of this area will not impede pedestrian or vehicular traffic. The term of this license is ten years.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $200.00 annually and $100.00 one-time fee, plus the $20.00 ordinance publication fee

OWNER

Main Street Grocery, LLC dba Royal Blue Grocery

Zachary Porter, Managing Member

MAP

Attached

powered by Legistar™



LICENSE AREA

133 sqft - Sidewalk Café and two (2) Planters

ORDINANCE NO. _____

An ordinance granting a revocable license to Main Street Grocery, LLC dba Royal Blue Grocery to occupy, maintain and utilize a portion of Main Street right-of-way located near the intersection of Main and Ervay Streets in adjacent to City Block 135/96 within the limits hereinafter more fully described, for the purpose of installing, maintaining, and utilizing a sidewalk café and two planters; providing for the terms and conditions of this license; providing for the annual and 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 revocable license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Main Street Grocery, LLC dba Royal Blue Grocery, 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 ten (10) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **TWO HUNDRED AND NO/100 DOLLARS ($200.00)** annually for the license herein granted for a sidewalk cafe, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **TWO HUNDRED AND NO/100 DOLLARS ($200.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2019. In addition, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code, **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **ONE HUNDRED AND NO/100 DOLLARS ($100.00)**, for the license herein granted for the two (2) planters on Main Street, said sum to be paid prior to the final passage of this ordinance and shall cover the total consideration for said purpose during the license term. Such

SECTION 3. (continued)

annual and one-time fee consideration, collectively, shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Department of Sustainable Development and Construction may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: occupy, maintain and utilize a sidewalk café and two (2) planters.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right to terminate and cancel this license, at will, by Resolution passed by said Governing Body. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said Resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and

SECTION 6. (continued)

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** shall adhere to and comply with the City of Dallas Complete Streets Manual, adopted by City Council January 2016, to provide the minimum unobstructed sidewalk of eight (8) feet for this part of downtown Dallas.

(b) **GRANTEE** shall adhere to and comply with the Americans with Disabilities Act (ADA) and Texas Department of Licensing and Regulation (TDLR) clearance requirements.

(c) **GRANTEE** shall obtain a Right-of-Way Permit.

SECTION 8. Upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said

SECTION 10. (continued)

license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fees pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this ordinance is also designated for City purposes as Contract No. DEV-2019-00010285.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

MG/47454

EXHIBIT A



LICENSE AREA

133 sqft - Sidewalk Café and two (2) Planters

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

Agenda Information Sheet

File #: 18-830 **Item #:** 11.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning portions of Winnetka Avenue (formerly Earle Street) to Paul V. Toler and Donna Toler and Worth Trinity, LLC, the abutting owners, containing a total of approximately 18,795 square feet of land, located near the intersection of Fort Worth and Winnetka Avenues; and authorizing the quitclaim; and providing for the dedication of a total of approximately 9,999 square feet of land needed for a sidewalk easement and wastewater easement - Revenue: $135,831.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of Winnetka Avenue (formerly Earle Street) to Paul V. Toler and Donna Toler and Worth Trinity, LLC, the abutting owners. The area will be included with the property of the abutting owners for a mixed-use development. The owner will dedicate a total of approximately 9,999 square feet of land needed for a sidewalk easement and wastewater easement. The abandonment fee is based on an independent appraisal.

Notices were sent to 33 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)

This item has no prior action.

FISCAL INFORMATION

Revenue: $135,831.00, plus the $20.00 ordinance publication fee

OWNERS

Paul V. Toler

Donna Toler

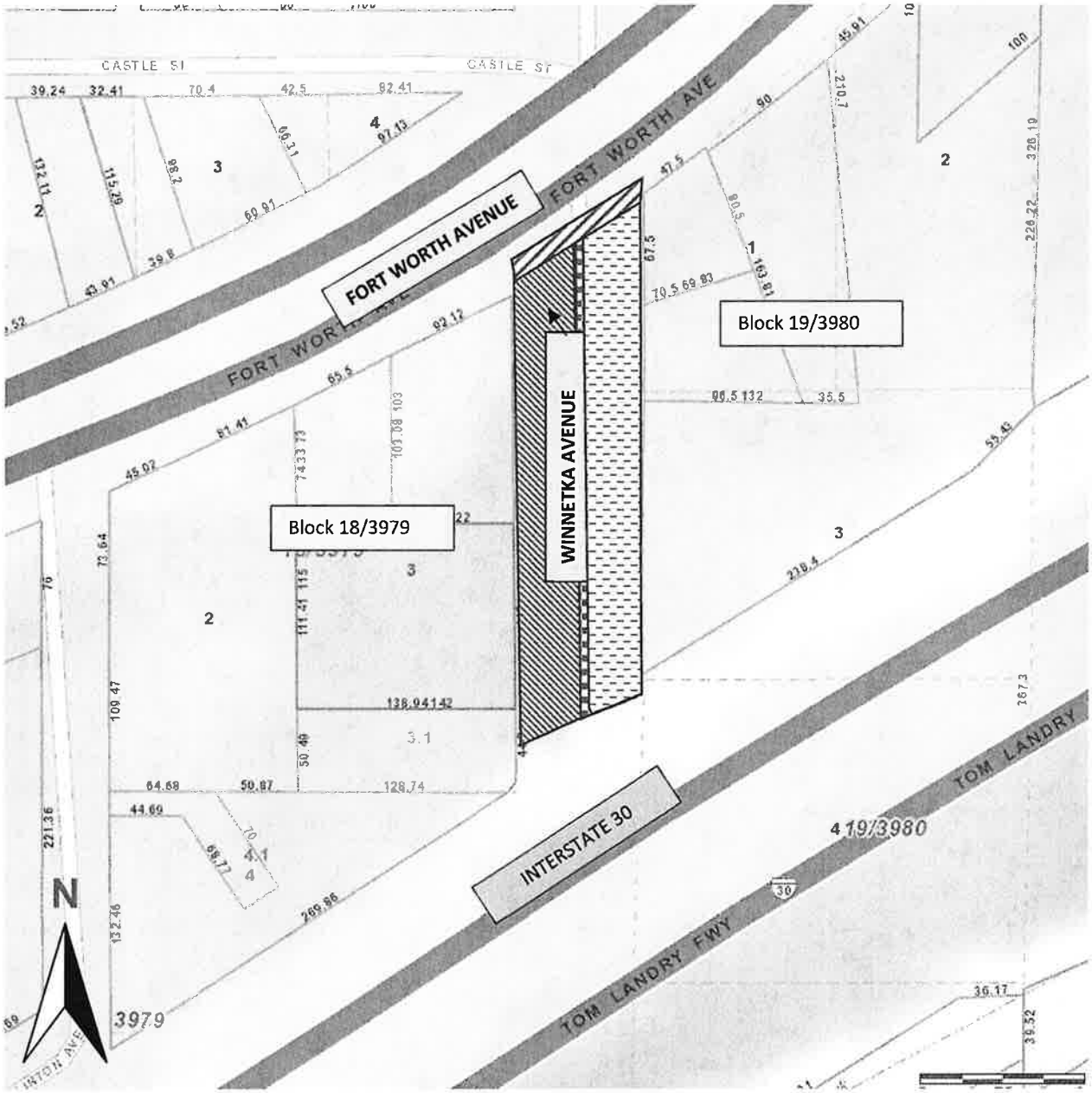
Worth Trinity, LLC

Matrix Associates, LLC

Steve Jennings, Manager

MAP

Attached



Abandonment Areas:

Dedication Areas: Wastewater Easement

Sidewalk Easement

ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of Winnetka Avenue (formerly Earle Street) located adjacent to City Blocks 18/3979 and 19/3980 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to Paul V. Toler and Donna Toler and Worth Trinity, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Paul V. Toler and Donna Toler, a married couple, and Worth Trinity, LLC, a Texas limited liability company, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portions of Winnetka Avenue are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms, conditions and reverter hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the tracts of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **ONE HUNDRED THIRTY-FIVE THOUSAND EIGHT HUNDRED THIRTY-ONE AND NO/100 DOLLARS ($135,831.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11, 12 and 14, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, the reverter, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A as follows: unto Paul V. Toler and Donna Toler, all of its right, title and interest in Tract 1 of Exhibit A; unto Worth Trinity, LLC, all of its right, title and interest in Tract 2 of Exhibit A. Provided however, that if **GRANTEE,** their heirs, successors and assigns, fails to file a final replat of the adjoining properties as required in Section 9 of this ordinance, but no later than the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

> "(D) Except as provided in this subparagraph, a preliminary plat approved by the commission expires five years after the commission action date approving the plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005. An approved minor plat, amending plat (minor), or an administrative plat expires two years after the commission action date approving the plat or within two years after the date of the subdivision administrator's action letter approving the administrative plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005";

or (ii) the date that is the sixth anniversary of the passage of this ordinance; THEN this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their heirs, 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**, their heirs, 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**, their heirs, 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

SECTION 8. (continued)

described in Exhibit A, which **GRANTEE**, their heirs, 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**, their heirs, successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one (1) year of the effective date of this ordinance showing the dedication by easement of not less than 4,194 square feet of needed sidewalk right-of-way along Fort Worth Avenue adjacent to City Blocks 18/3979 and 19/3980. 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

SECTION 9. (continued)

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 complete construction of sidewalk improvements of the dedication area conveyed in Section 9 of this ordinance and described in City Plan File No. S189-053. Sidewalk build-out shall comply with the City of Dallas sidewalk construction standards and be approved by Director of Sustainable Development and Construction.

SECTION 11. That as a condition of this abandonment and as part of the consideration for the quitclaim made herein, **GRANTEE** shall collectively complete a final replat of the following: 1) Lot 3 Block 18/3979 as depicted in Exhibit A-Tract 1 and 2) Lot 1 Block 19/3980 as depicted in Exhibit A-Tract 2. The collective final replat shall be done so as not to cause a loss of access or landlock to properties located in City Blocks 18/3979 and 19/3980. 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.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey a wastewater easement to the City of Dallas, within 90 days of the effective date of this ordinance, in, under, through, across and along certain properties located in City Block 19/3980 containing approximately 5,805 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 13. That at such time as the instrument described in Section 12 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the

SECTION 13. (continued)

official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 14. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the 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**, their heirs, 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 areas are located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Sections 9 and 11 and completion of the dedication set forth in Section 12, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the areas abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

SECTION 16. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00006207 for Worth Trinity, LLC and DEV-2018-00006208 for Paul V. Toler and Donna Toler.

SECTION 17. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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

BY: _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

STREET ABANDONMENT
FLANDERS HEIGHTS ADDITION REVISED
A PORTION OF WINNETKA AVENUE (FORMERLY EARLE STREET)
ADJACENT TO CITY OF DALLAS BLOCK 18/3979
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 1

Being a 9,353 square feet tract of land situated in the William Coombs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas, said being a portion of Winnetka Avenue (variable width Right-of-Way, formerly called Earle Street, a 66 foot Right-of-Way), created in Flanders Heights Addition Revised, an Addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 90, Page 20, Deed Records, Dallas County, Texas, adjacent to City Block 18/3979, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found for corner, said corner being the South corner of the remainder of Lot 3, Block 19/3980, of said Flanders Heights Addition Revised, and being that tract of land conveyed to Worth Trinity, LLC, a Texas limited liability company, by deed recorded in Instrument No. 201600326553, Official Public Records, Dallas County, Texas, said corner being the intersection of the apparent centerline of said Winnetka Avenue and the Northeast Right-of-Way line of Interstate 30 (variable width right-of-way, created in Vol. 97072, Pg. 3953; Vol. 4405, Pg. 424; Ordinance No. 6895; Vol. 4382, Pg. 539; Vol. 2000027, Pg. 7581; Vol. 4634, Pg. 317; Vol. 4490, Pg. 120; Vol. 69158, Pg. 48);

THENCE South 54 degrees 40 minutes 11 seconds West, along said Northwest Right-of-Way line of said Interstate 30, a distance of 39.35 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being the intersection of the apparent centerline of said Winnetka Avenue, and the Northwest Right-of-Way line of said Interstate 30, said corner being the POINT OF BEGINNING;

THENCE South 54 degrees 40 minutes 11 seconds West, along said Northwest Right-of-Way line of said Interstate 30, a distance of 39.35 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being the Southeast corner of the remainder of Lot 3, Block 18/3979, of said Flanders Heights Addition Revised, also being that tract of land conveyed to Paul V. Toler and wife, Donna Toler, by deed recorded in Volume 2000218, Page 4214, Deed Records, Dallas County, Texas, and being the Southwest corner of said Winnetka Avenue;

THENCE North 00 degrees 34 minutes 57 seconds West, along the East line of said Toler tract, and the East line of that tract of land also conveyed to Paul V. Toler and wife, Donna Toler, by deed recorded in Volume 2005012, Page 60, Deed Records, Dallas County, Texas, a distance of 291.42 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being in the Southeast Right-of-Way line of Fort Worth Avenue, also known as County Road 119 (100 foot right-of-way, created in Vol. 1789, Pg. 186; Vol. 1794, Pg. 544; Vol. 1779, Pg. 388; Vol. 1790, Pg. 48; Vol. 1799, Pg. 528; Vol. 1790, Pg. 51; Vol. 1795, Pg. 27; Vol. 1777, Pg. 161; Vol. 1789, Pg. 187; Vol. 1777, Pg. 149, formerly Dallas Avenue, created in Vol. 90, Pg. 20), and being in a non-tangent curve to the left, having a radius of 1482.69 feet, a delta of 01 degrees 29 minutes 20 seconds, and a chord bearing and distance of North 55 degrees 26 minutes 18 seconds East, 38.53 feet;

THENCE, along said curve to the left, an arc distance of 38.53 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being the intersection of the apparent centerline of said Winnetka Avenue and the Southeast Right-of-Way line of said Fort Worth Avenue;

THENCE South 00 degrees 39 minutes 32 seconds East, along the apparent centerline of said Winnetka Avenue, a distance of 290.53 feet to the POINT OF BEGINNING, and containing 9,353 square feet or 0.215 of an acre of land.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/20/17
SPRG No.: 4302

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL LAND SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513

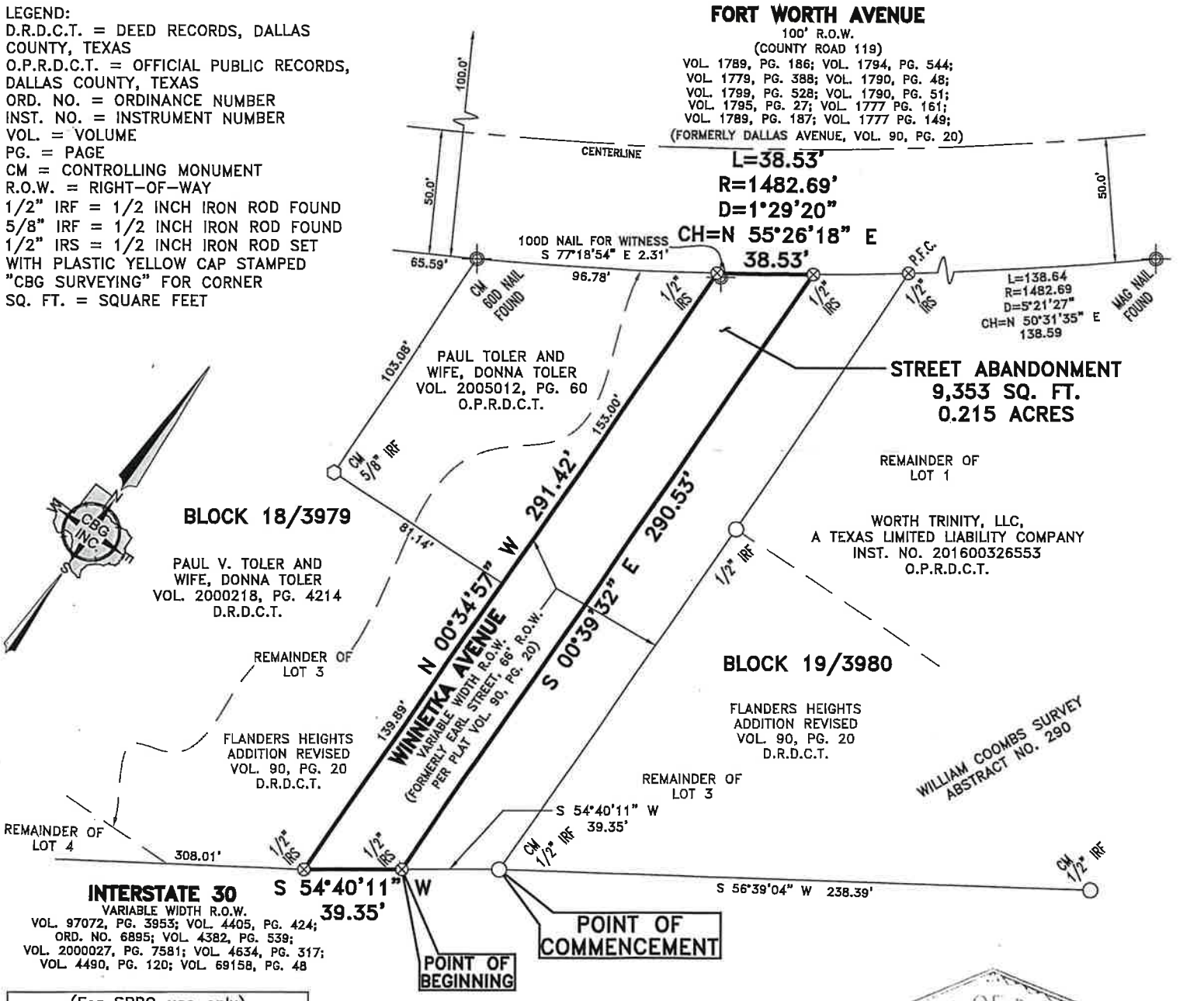
CBG Surveying, Inc.
PLANNING SURVEYING
12025 Shiloh Road • Suite 230 Dallas, Texas 75228
P 214.349.9485 F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SHEET 1 OF 2
JOB NO. 1614610-3A
DRAWN BY: WTH
DATE: 08/31/17

STREET ABANDONMENT
FLANDERS HEIGHTS ADDITION REVISED
A PORTION OF WINNETKA AVENUE (FORMERLY EARLE STREET)
ADJACENT TO CITY OF DALLAS BLOCK 18/3979
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 1

LEGEND:
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
ORD. NO. = ORDINANCE NUMBER
INST. NO. = INSTRUMENT NUMBER
VOL. = VOLUME
PG. = PAGE
CM = CONTROLLING MONUMENT
R.O.W. = RIGHT-OF-WAY
1/2" IRF = 1/2 INCH IRON ROD FOUND
5/8" IRF = 1/2 INCH IRON ROD FOUND
1/2" IRS = 1/2 INCH IRON ROD SET WITH PLASTIC YELLOW CAP STAMPED "CBG SURVEYING" FOR CORNER
SQ. FT. = SQUARE FEET



(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/20/17
SPRG No.: 4302

60' 30' 0 60' 120'

SCALE: 1" = 60'

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513

CBG Surveying, Inc.
PLANNING • SURVEYING
12025 Shiloh Road • Suite 230 • Dallas, Texas 75228
P 214.349.9485 • F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SHEET 2 OF 2
JOB NO. 1614610-3A
DRAWN BY: WTH
DATE: 08/31/17

STREET ABANDONMENT
FLANDERS HEIGHTS ADDITION REVISED
A PORTION OF WINNETKA AVENUE (FORMERLY EARLE STREET)
ADJACENT TO CITY OF DALLAS BLOCK 19/3980
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 2

Being an 9,442 square feet tract of land situated in the William Coombs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas, said being a portion of Winnetka Avenue (variable width Right-of-Way, formerly called Earle Street, a 66 foot Right-of-Way), created in Flanders Heights Addition Revised, an Addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 90, Page 20, Deed Records, Dallas County, Texas, adjacent to City Block 19/3980, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being the South corner of the remainder of Lot 3, Block 19/3980, of said Flanders Heights Addition Revised, and being that tract of land conveyed to Worth Trinity, LLC, a Texas limited liability company, by deed recorded in Instrument No. 201600326553, Official Public Records, Dallas County, Texas, said corner being the intersection of the the Southeast Right-of-Way line of said W. Winnetka Avenue , and the Northwest Right-of-Way line of Interstate 30 (variable width right-of-way, created in Vol. 97072, Pg. 3953; Vol. 4405, Pg. 424; Ordinance No. 6895; Vol. 4382, Pg. 539; Vol. 2000027, Pg. 7581; Vol. 4634, Pg. 317; Vol. 4490, Pg. 120; Vol. 69158, Pg. 48);

THENCE South 54 degrees 40 minutes 11 seconds West, along said Northwest Right-of-Way line of said Interstate 30, a distance of 39.35 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being in the apparent centerline of said Winnetka Avenue;

THENCE North 00 degrees 39 minutes 32 seconds West, along the apparent centerline of said Winnetka Avenue, a distance of 290.53 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being the intersection of the apparent centerline of said Winnetka Avenue and the Southeast Right-of-Way line of Fort Worth Avenue, also known as County Road 119 (100 foot right-of-way, created in Vol. 1789, Pg. 186; Vol. 1794, Pg. 544; Vol. 1779, Pg. 388; Vol. 1790, Pg. 48; Vol. 1799, Pg. 528; Vol. 1790, Pg. 51; Vol. 1795, Pg. 27; Vol. 1777, Pg. 161; Vol. 1789, Pg. 187; Vol. 1777, Pg. 149, formerly Dallas Avenue, created in Vol. 90, Pg. 20), and being in a non-tangent curve to the left, having a radius of 1482.69 feet, a delta of 01 degrees 29 minutes 20 seconds, and a chord bearing and distance of North 53 degrees 56 minutes 58 seconds East, 38.53 feet;

THENCE, along said curve to the left, an arc distance of 38.53 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being the Northwest corner of the remainder of Lot 1, Block 19/3980, of said Flanders Heights Addition Revised, same being said Worth Trinity, LLC tract;

THENCE South 01 degrees 23 minutes 42 seconds East, along the West line of said Worth Trinity, LLC tract, a distance of 124.08 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of said remainder of Lot 1;

THENCE South 00 degrees 26 minutes 22 seconds East, continuing along said West line of Worth Trinity, LLC tract, a distance of 166.39 feet to the POINT OF BEGINNING, and containing 9,442 square feet or 0.217 acres of land.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/20/17
SPRG No.: 4307

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513

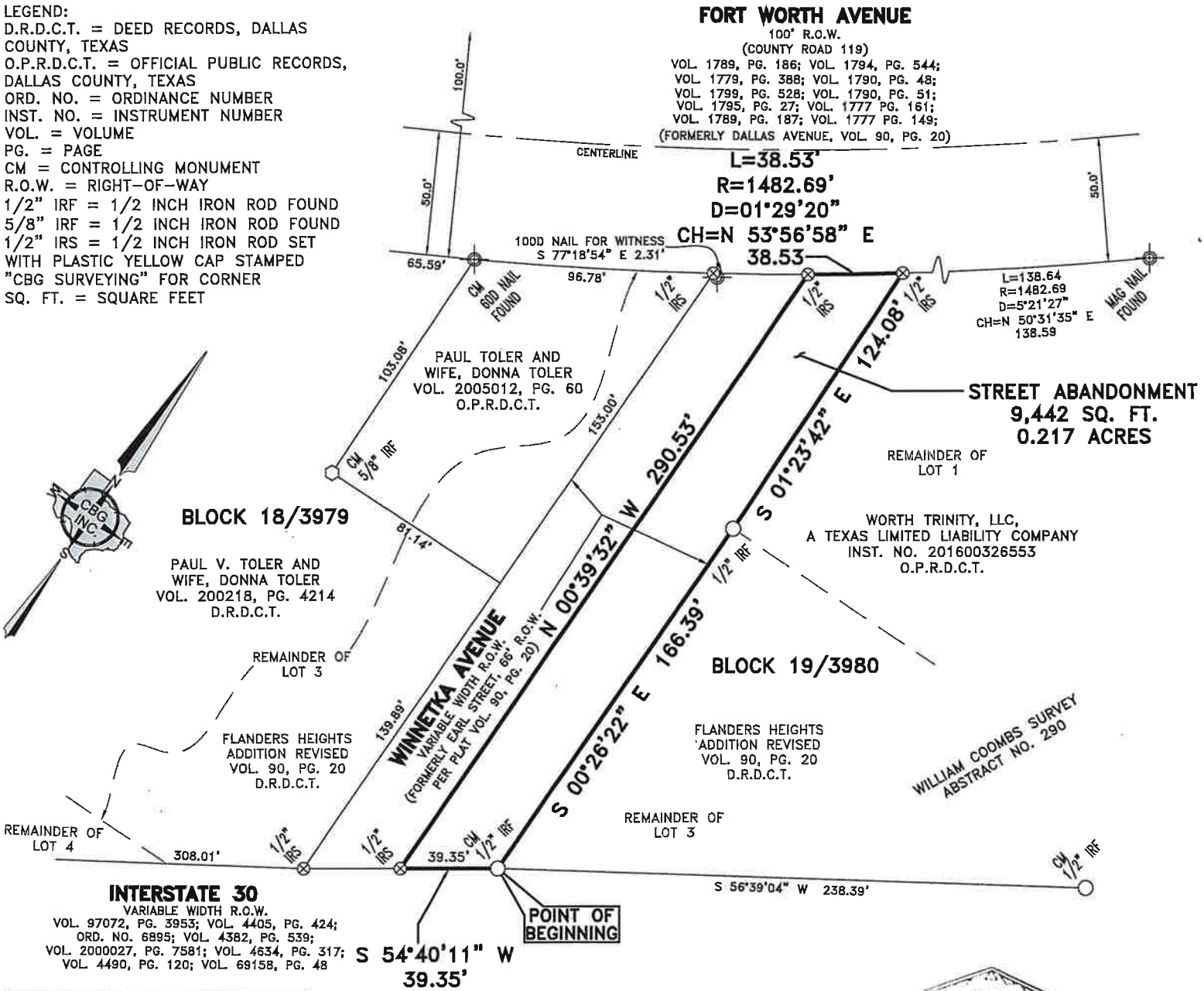
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SHEET 1 OF 2
JOB NO. 1614610-3B
DRAWN BY: WTH
DATE: 08/31/17

STREET ABANDONMENT
FLANDERS HEIGHTS ADDITION REVISED
A PORTION OF WINNETKA AVENUE (FORMERLY EARLE STREET)
ADJACENT TO CITY OF DALLAS BLOCK 19/3980
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A – Tract 2

LEGEND:
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
ORD. NO. = ORDINANCE NUMBER
INST. NO. = INSTRUMENT NUMBER
VOL. = VOLUME
PG. = PAGE
CM = CONTROLLING MONUMENT
R.O.W. = RIGHT-OF-WAY
1/2" IRF = 1/2 INCH IRON ROD FOUND
5/8" IRF = 1/2 INCH IRON ROD FOUND
1/2" IRS = 1/2 INCH IRON ROD SET WITH PLASTIC YELLOW CAP STAMPED "CBG SURVEYING" FOR CORNER
SQ. FT. = SQUARE FEET



(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/20/17
SPRG No.: 4307

60' 30' 0 60' 120'

SCALE: 1" = 60'

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL LAND SURVEYOR

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SHEET 2 OF 2
JOB NO. 1614610-3B
DRAWN BY: WTH
DATE: 08/31/17

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.

WASTEWATER EASEMENT
FLANDERS HEIGHTS ADDITION REVISED
A PORTION OF WINNETKA AVENUE (FORMERLY EARL STREET)
ADJACENT TO CITY OF DALLAS BLOCK 19/3980
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit C

Being a 5,805 square feet, or 0.217 of an acre of land situated in the William Coombs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas, said tract being a portion of Winnetka Avenue (variable width Right-of-Way, formerly called Earl Street, a 66 foot Right-of-Way), created in Flanders Heights Addition Revised, an Addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 90, Page 20, Deed Records, Dallas County, Texas, adjacent to City Block 19/3980, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being the South corner of the remainder of Lot 3, Block 19/3980, of said Flanders Heights Addition Revised, and being that tract of land conveyed to Worth Trinity, LLC, a Texas limited liability company, by deed recorded in Instrument No. 201600326553, Official Public Records, Dallas County, Texas, said corner being the intersection of the East Right-of-Way line of said Winnetka Avenue , and the Northwest Right-of-Way line of Interstate 30 (variable width right-of-way, created in Vol. 97072, Pg. 3953; Vol. 4405, Pg. 424; Ordinance No. 6895; Vol. 4382, Pg. 539; Vol. 2000027, Pg. 7581; Vol. 4634, Pg. 317; Vol. 4490, Pg. 120; Vol. 69158, Pg. 48, Deed Records, Dallas County, Texas (D.R.D.C.T.)), from which a 1/2 inch iron rod found for reference with a bearing of South 56 degrees 39 minutes 04 seconds West, at a distance of 238.39 feet;

THENCE South 54 degrees 40 minutes 11 seconds West, departing the East line of said Winnetka Avenue and along the Northwest Right-of-Way line of said Interstate 30, a distance of 39.35 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being in the centerline of said Winnetka Avenue;

THENCE North 00 degrees 39 minutes 32 seconds West, departing the Northwest Right-of-Way line of said Interstate 30, and along the centerline of said Winnetka Avenue, a distance of 290.53 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being in the Southeast Right-of-Way line of Fort Worth Avenue, also known as County Road 119 (100 foot right-of-way, created in Vol. 1789, Pg. 186; Vol. 1794, Pg. 544; Vol. 1779, Pg. 388; Vol. 1790, Pg. 48; Vol. 1799, Pg. 528; Vol. 1790, Pg. 51; Vol. 1795, Pg. 27; Vol. 1777, Pg. 161; Vol. 1789, Pg. 187; Vol. 1777, Pg. 149, D.R.D.C.T., formerly Dallas Avenue, created in Vol. 90, Pg. 20, D.R.D.C.T.), and being in a non-tangent curve to the left, having a radius of 1482.69 feet, a delta of 01 degrees 29 minutes 20 seconds, and a chord bearing and distance of North 53 degrees 56 minutes 58 seconds East, 38.53 feet;

THENCE, along said Southeast Right-of-Way line of said Fort Worth Avenue, and said curve to the left, an arc distance of 38.53 feet to a 1/2 inch iron rod set with plastic yellow cap stamped "CBG Surveying" for corner, said corner being the Northwest corner of the remainder of Lot 1, Block 19/3980, of said Flanders Heights Addition Revised, same being said Worth Trinity, LLC tract, said corner also being the intersection of the Southeast Right-of-Way line of said Fort Worth Avenue and the East Right-of-Way line of said Winnetka Avenue;

THENCE South 01 degrees 23 minutes 42 seconds East, along the East Right-of-Way line of said Winnetka Avenue, and the West line of said Worth Trinity, LLC tract, a distance of 124.08 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of said remainder of Lot 1;

THENCE South 00 degrees 26 minutes 22 seconds East, continuing along said West line of Worth Trinity, LLC tract, a distance of 166.39 feet to the POINT OF BEGINNING, and containing 9,442 square feet or 0.217 acres of land.

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

(For SPRG use only)
Reviewed By: G.S.
Date: 1-25-19
SPRG No.: 4702

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).

BRYAN CONNALLY
R.P.L.S. NO. 5513
DATE SIGNED: 1-24-19

CBG Surveying Texas, LLC

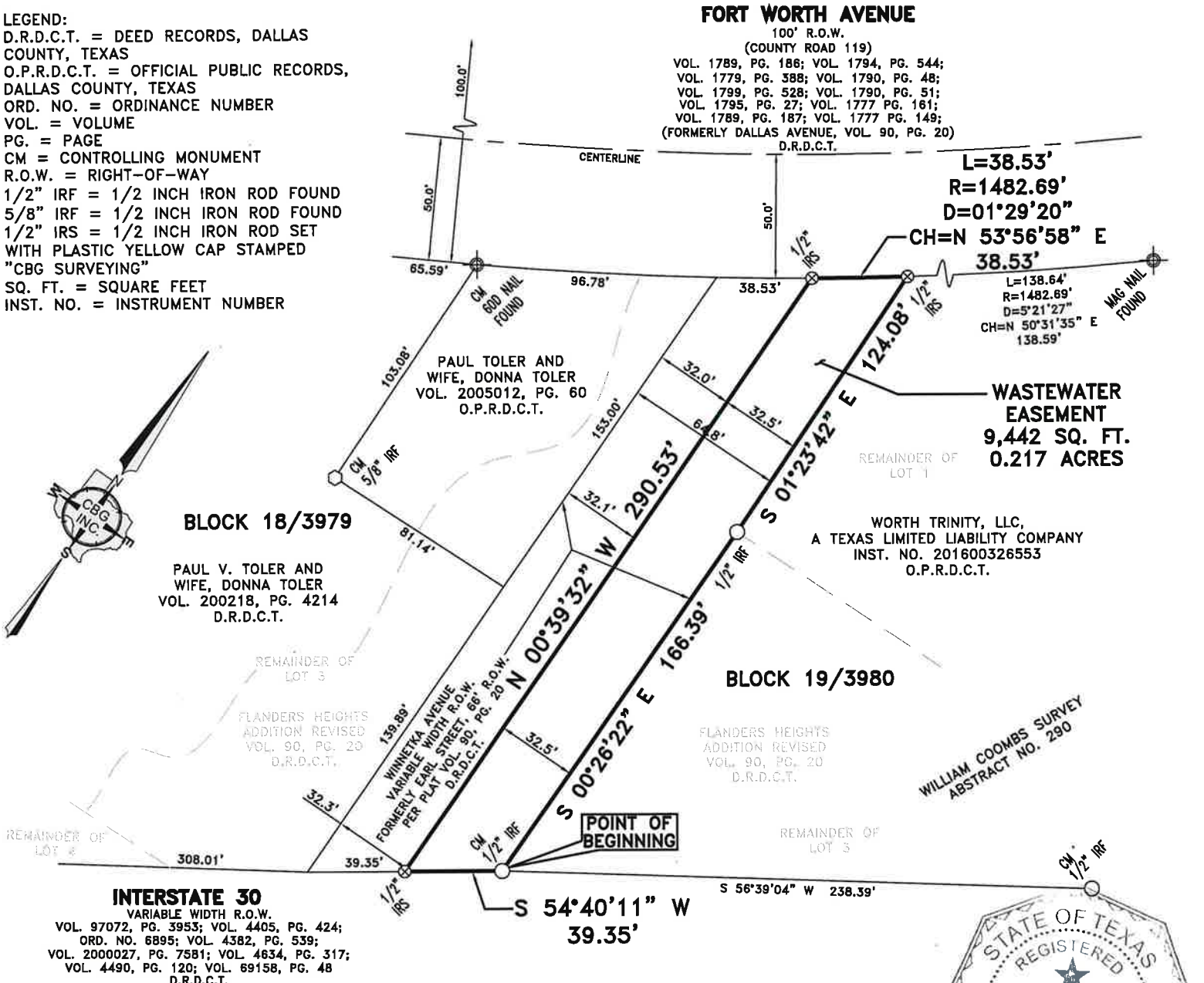
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Firm No. 10168800
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SHEET 1 OF 2
JOB NO. 1614610-5
DRAWN BY: WTH
DATE: 11/21/18

WASTEWATER EASEMENT
FLANDERS HEIGHTS ADDITION REVISED
A PORTION OF WINNETKA AVENUE (FORMERLY EARL STREET)
ADJACENT TO CITY OF DALLAS BLOCK 19/3980
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit C

LEGEND:
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1/2" IRS = 1/2 INCH IRON ROD SET WITH PLASTIC YELLOW CAP STAMPED "CBG SURVEYING"
SQ. FT. = SQUARE FEET
INST. NO. = INSTRUMENT NUMBER



(For SPRG use only)
Reviewed By: G.S.
Date: 1-25-19
SPRG No.: 4702

0 30' 60'

SCALE: 1" = 60'

GENERAL NOTES:

1) BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).

STATE OF TEXAS
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DATE SIGNED: 1-24-19

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SHEET 2 OF 2
JOB NO. 1614610-5
DRAWN BY: WTH
DATE: 11/21/18

Agenda Information Sheet

File #: 19-980 **Item #:** 12.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning fourteen water easements, six sanitary sewer easements, and seven public utility easements to 3662 W Camp Wisdom LLC, CWRD Properties LLC, OMRB III, LLC, and WCWAP LLC, the abutting owners, containing a total of approximately 182,760 square feet of land, located near the intersection of Camp Wisdom and Westmoreland Roads - Revenue: $27,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of fourteen water easements, six sanitary sewer easements, and seven public utility easements to 3662 W Camp Wisdom LLC, CWRD Properties LLC, OMRB III, LLC, and WCWAP LLC, the abutting owners. The areas will be included with the property of the abutting owners for retail development. The cost for this abandonment is calculated pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $27,400.00, plus the $20.00 ordinance publication fee

OWNERS

3662 W Camp Wisdom LLC

Peter Brodsky, Chief Executive Officer

CWRD Properties LLC

Peter Brodsky, Chief Executive Officer

OMRB III, LLC

3662 Investors, LP

3662 Investors GP LLC

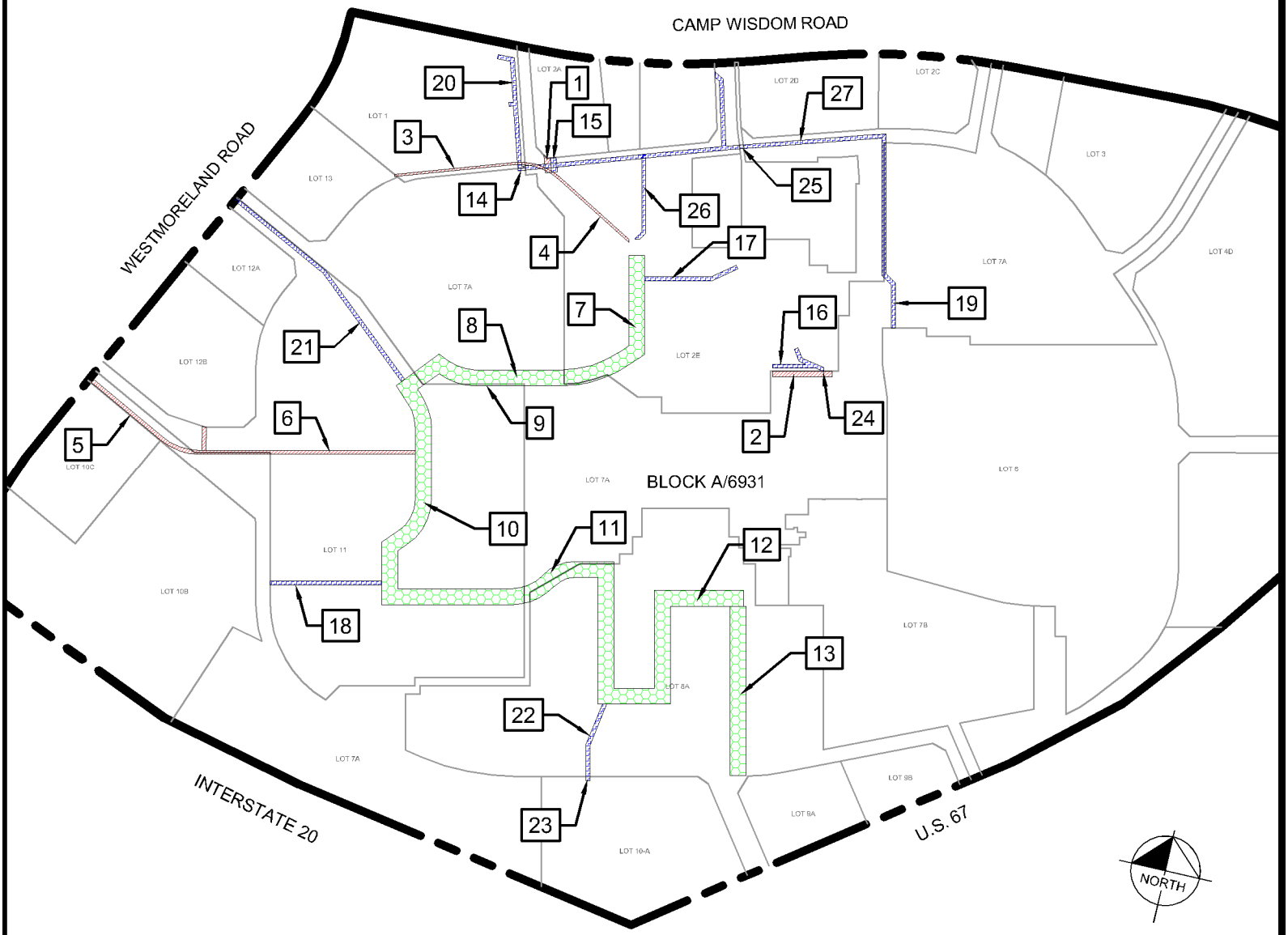
Peter Brodsky, Chief Executive Officer

WCWAP LLC

Peter Brodsky, Chief Executive Officer

MAP

Attached



ABANDONMENTS	AREA (ACRES)	AREA (SF)	TYPE	OWNER
1	0.0132	574	SANITARY SEWER	OMRB III LLC
2	0.0344	1500	SANITARY SEWER	3662 W Camp Wisdom LLC
3	0.0448	1953	SANITARY SEWER	CWRD Properties LLC
4	0.0453	1972	SANITARY SEWER	OMRB III LLC
5	0.0936	4078	SANITARY SEWER	3662 W Camp Wisdom LLC
6	0.1195	5203	SANITARY SEWER	WCWAP LLC
7	0.3336	14532	UTILITY	OMRB III LLC
8	0.3516	15314	UTILITY	3662 W Camp Wisdom LLC
9	0.0133	578	UTILITY	WCWAP LLC
10	0.8681	37814	UTILITY	WCWAP LLC
11	0.0892	3887	UTILITY	3662 W Camp Wisdom LLC
12	0.9491	41341	UTILITY	WCWAP LLC
13	0.3888	16938	UTILITY	WCWAP LLC
14	0.0026	112	WATER	3662 W Camp Wisdom LLC
15	0.0124	540	WATER	OMRB III LLC
16	0.0435	1896	WATER	WCWAP LLC
17	0.0546	2376	WATER	OMRB III LLC
18	0.0641	2791	WATER	WCWAP LLC
19	0.0712	3101	WATER	3662 W Camp Wisdom LLC
20	0.0746	3248	WATER	CWRD Properties LLC
21	0.1427	6218	WATER	WCWAP LLC
22	0.0435	1894	WATER	OMRB III LLC
23	0.0025	109	WATER	CWRD Properties LLC
24	0.0001	5	WATER	3662 W Camp Wisdom LLC
25	0.0023	100	WATER	OMRB III LLC
26	0.2148	9356	WATER	OMRB III LLC
27	0.1224	5330	WATER	OMRB III LLC

LEGEND

SANITARY SEWER ABANDONMENT

UTILITY ABANDONMENT

WATER ABANDONMENT

PROPERTY LINE

ABANDONMENT AREAS

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of fourteen (14) water easements, six (6) sanitary sewer easements and seven (7) public utility easements, located adjacent to City Block A/6931 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to 3662 W Camp Wisdom LLC, CWRD Properties LLC, OMRB III, LLC, and WCWAP LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; 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 3662 W Camp Wisdom LLC, a Texas limited liability company, CWRD Properties LLC, a Texas limited liability company, OMRB III, LLC, a Texas limited liability company, and WCWAP LLC, a Texas limited liability company; hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tracts of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **TWENTY-SEVEN THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($27,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 2, 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A as follows: unto 3662 W Camp Wisdom LLC, a Texas limited liability company, all of its right, title and interest in Tracts 2, 5, 8, 11, 14, 19, and 24 of Exhibit A; unto CWRD Properties LLC, a Texas limited liability company, all of its right, title and interest in Tracts 3, 20, and 23 of Exhibit A; unto OMRB III, LLC, a Texas limited liability company, all of its right, title and interest in Tracts 1, 4, 7, 15, 16, 17, 25, 26 and 27 of Exhibit A; and unto WCWAP LLC, a Texas limited liability company, all of its right, title and interest in Tracts 6, 9, 10, 12, 13, 18, 21, and 22 of Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their 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**, their 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**, their 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**, their 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**, their 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

SECTION 8. (continued)

chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall complete all requirements set forth in Private Development Contracts for PID 8481 (19-363/364-P) and PID 8496 (Contract number to be assigned).

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Sections 2 plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this ordinance is also designated for City purposes as Contract Nos. DEV-2019-00010871 to 3661 W Camp Wisdom LLC; DEV-2019-00010873 to CWRD Properties LLC; DEV-2019-00010874 to OMRB III LLC; and DEV-2019-00010875 to WCWAP LLC.

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:
CHRISTOPHER J. CASO,
Interim City Attorney

BY _____
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable
Development and Construction

BY _____
SOR Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

LEGAL DESCRIPTION

BEING a 574 square foot (0.0132 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, and being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, and being part of a 15-foot wide sanitary sewer easement shown on the plat of Red Bird/May Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 95163, Page 2154 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northwest corner of Lot 2A, Block A/6931 of said Red Bird/May Addition, and being a north corner of said Lot 2E;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2A and said Lot 2E, the following courses and distances:

South 17°02'56" East, a distance of 248.00 feet to a point for corner; from said point a 1/2-inch iron rod found bears North 89°29'33" West, a distance of 0.43 feet;
South 57°57'52" East, a distance of 27.87 feet to a 5/8" iron rod with cap stamped "EASEMENT KHA" set for the northwest corner of said 15-foot wide sanitary sewer easement, and being the **POINT OF BEGINNING**;

THENCE continuing with said common line of Lot 2A and Lot 2E and with the north line of said 15-foot wide sanitary sewer easement, the following courses and distances:

South 57°57'52" East, a distance of 11.83 feet to an "X" cut in concrete found for the southernmost southwest corner of said Lot 2A, and being a northwest corner of said Lot 2E;
North 71°22'19" East, a distance of 7.50 feet to a mag nail set for the northeast corner of said 15-foot wide sanitary sewer easement;

THENCE departing said common line of Lot 2A and Lot 2E and with the east line of said 15-foot wide sanitary sewer easement, South 18°37'41" East, a distance of 36.00 feet to a mag nail set for the southeast corner of said 15-foot wide sanitary sewer easement;

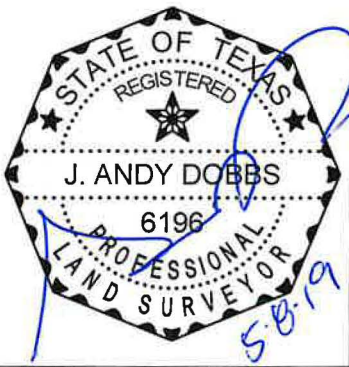
THENCE with the south line of said 15-foot wide sanitary sewer easement, South 71°22'19" West, a distance of 15.00 feet to a mag nail set for the southwest corner of said 15-foot wide sanitary sewer easement;

THENCE with the west line of said 15-foot wide sanitary sewer easement, North 18°37'41" West, a distance of 45.16 feet to the **POINT OF BEGINNING** and containing 574 square feet or 0.0132 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4854

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD
TWO GALLERIA OFFICE TOWER
SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

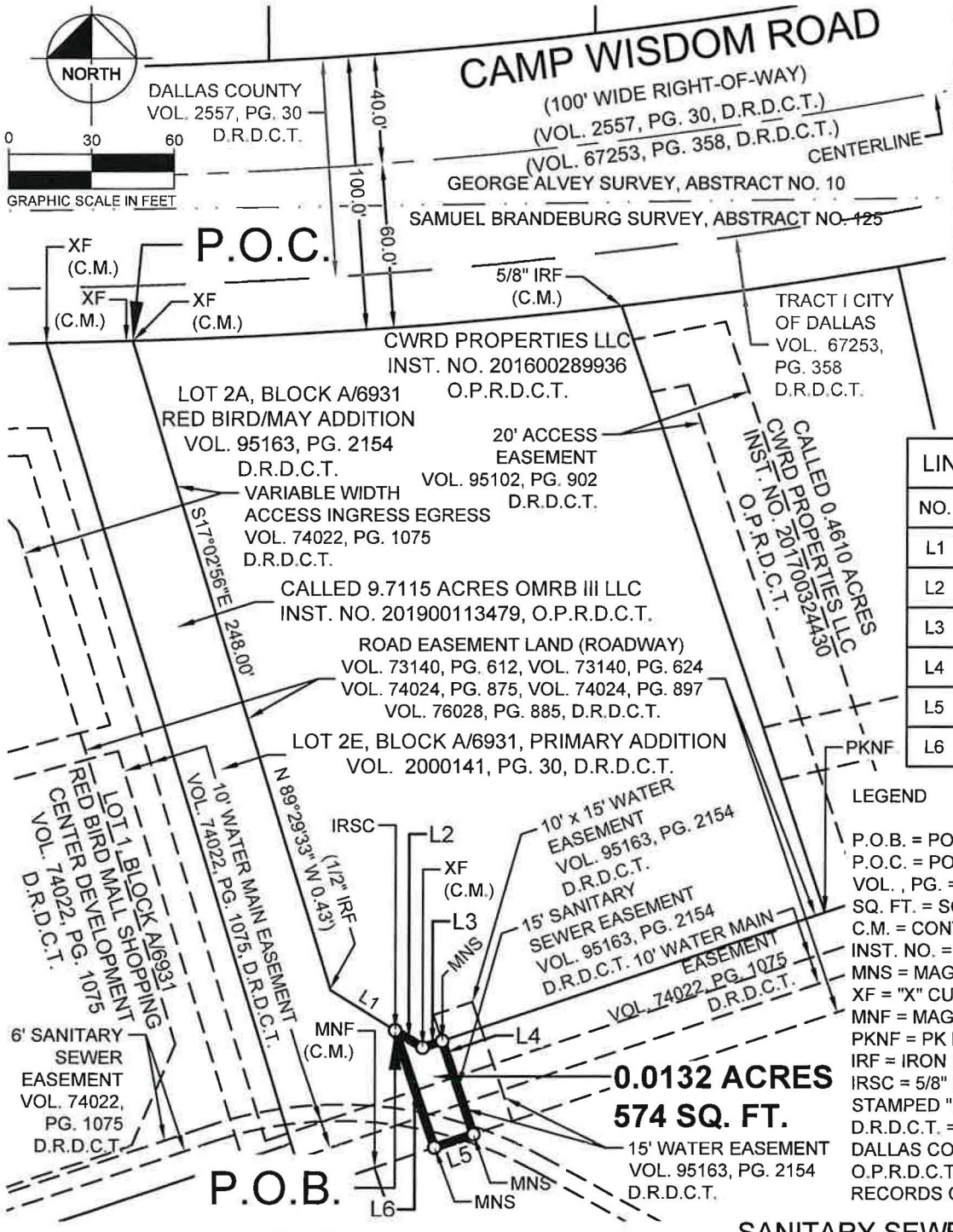


SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 2

EXHIBIT A-TRACT 1



NOTES

All corners of easement to be abandoned are an "X" cut in concrete set unless otherwise noted.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

LOT 2E, BLOCK A/6931 PRIMARY ADDITION VOL. 2000141, PG. 30 D.R.D.C.T.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S57°57'52"E	27.87'
L2	S57°57'52"E	11.83'
L3	N71°22'19"E	7.50'
L4	S18°37'41"E	36.00'
L5	S71°22'19"W	15.00'
L6	N18°37'41"W	45.16'

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNS = MAG NAIL SET
XF = "X" CUT IN CONCRETE FOUND
MNF = MAG NAIL FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
IRSC = 5/8" IRON ROD W/CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4854

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

J. ANDY DOBBS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6196
13455 NOEL ROAD
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ANDY.DOBBS@KIMLEY-HORN.COM

STATE OF TEXAS REGISTERED J. ANDY DOBBS 6196 PROFESSIONAL LAND SURVEYOR
5.8.19

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Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JBH	JAD	FEB. 2019	064508500	2 OF 2

EXHIBIT A-TRACT 2

LEGAL DESCRIPTION

BEING a 1,500 square foot (0.0344 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1 - LOT 7A" described in Special Warranty Deed to 3662 W Camp Wisdom LLC recorded in Instrument No. 201500255372, Official Public Records of Dallas County, Texas, and being all of a 10-foot wide sanitary sewer easement shown on the plat of Red Bird/May Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 95163, Page 2154 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for a north corner of said Lot 7A, and being a northeast corner of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30 of said Deed Records;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 7A and said Lot 2E, the following courses and distances:

South 3°01'20" East, a distance of 227.75 feet to an "X" cut in concrete found at the beginning of a non-tangent curve to the left having a central angle of 13°11'22", a radius of 457.00 feet, a chord bearing and distance of South 88°02'47" West, 104.97 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 105.20 feet to a mag nail found for corner;
South 81°27'06" West, a distance of 35.63 feet to a PK Nail found at the beginning of a tangent curve to the left having a central angle of 6°04'59", a radius of 862.00 feet, a chord bearing and distance of South 78°24'36" West, 91.48 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 91.52 feet to a mag nail found for corner;
South 12°57'56" East, a distance of 346.90 feet to a point for corner; from said point a PK nail found bears South 78°15'29" West, a distance of 0.48 feet;
South 77°02'04" West, a distance of 86.50 feet to a point for corner; from said point a PK nail found bears South 73°58'40" West, a distance of 0.50 feet;
South 12°57'56" East, a distance of 85.40 feet to a mag nail found for corner;
South 77°02'04" West, a distance of 27.50 feet to a point for corner; from said point a PK nail found bears North 59°08'49" West, a distance of 0.56 feet;
South 12°57'56" East, a distance of 138.35 feet to a mag nail found for corner;
South 77°02'04" West, a distance of 15.73 feet to a mag nail set for the northeast corner of said 10-foot wide sanitary sewer easement, and being the **POINT OF BEGINNING**;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4855

J. ANDY DOBBS
REGISTERED PROFESSIONAL
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SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 6

EXHIBIT A-TRACT 2

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said common line of Lot 7A and Lot 2E, and with the east line of said 10-foot wide sanitary sewer easement, South 12°57'56" East, a distance of 10.00 feet to a mag nail set for the southeast corner of said 10-foot wide sanitary sewer easement;

THENCE with the south line of said 10-foot wide sanitary sewer easement, South 77°02'04" West, a distance of 150.00 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for the southwest corner of said 10-foot wide sanitary sewer easement;

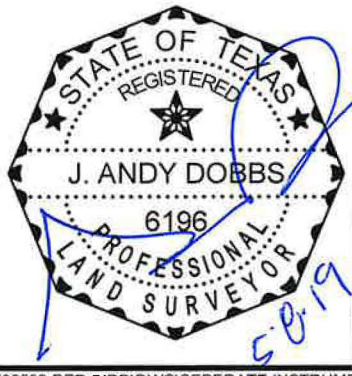
THENCE with the west line of said 10-foot wide sanitary sewer easement, North 12°57'56" West, a distance of 10.00 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in said common line of Lot 7A and Lot 2E, for the northwest corner of said 10-foot wide sanitary sewer easement;

THENCE with said common line of Lot 7A and Lot 2E and the north line of said 10-foot wide sanitary sewer easement, North 77°02'04" East, a distance of 150.00 feet to the **POINT OF BEGINNING** and containing 1,500 square feet or 0.0344 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4855

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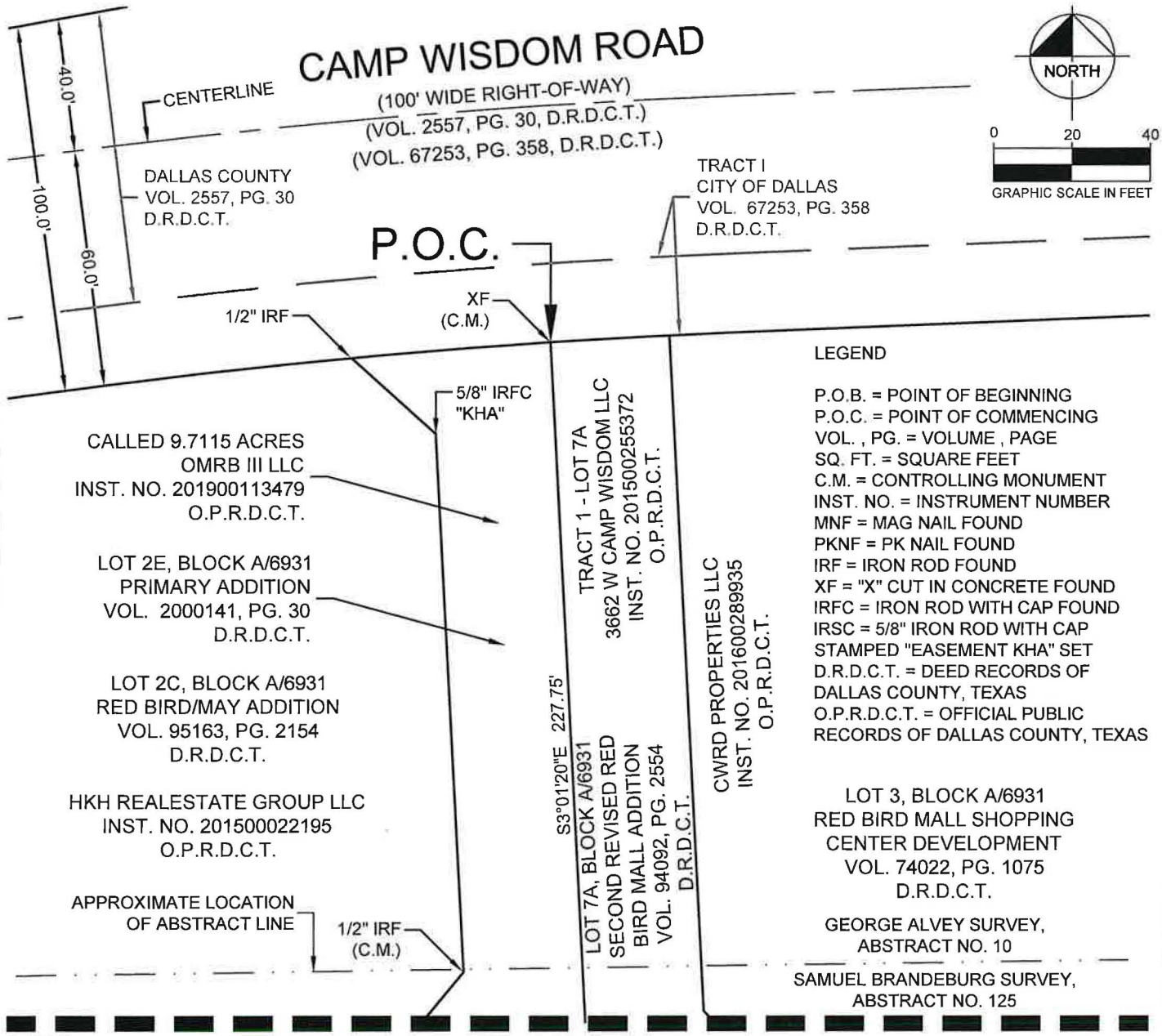
5-8-19

SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 6

EXHIBIT A-TRACT 2



NOTES

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4855

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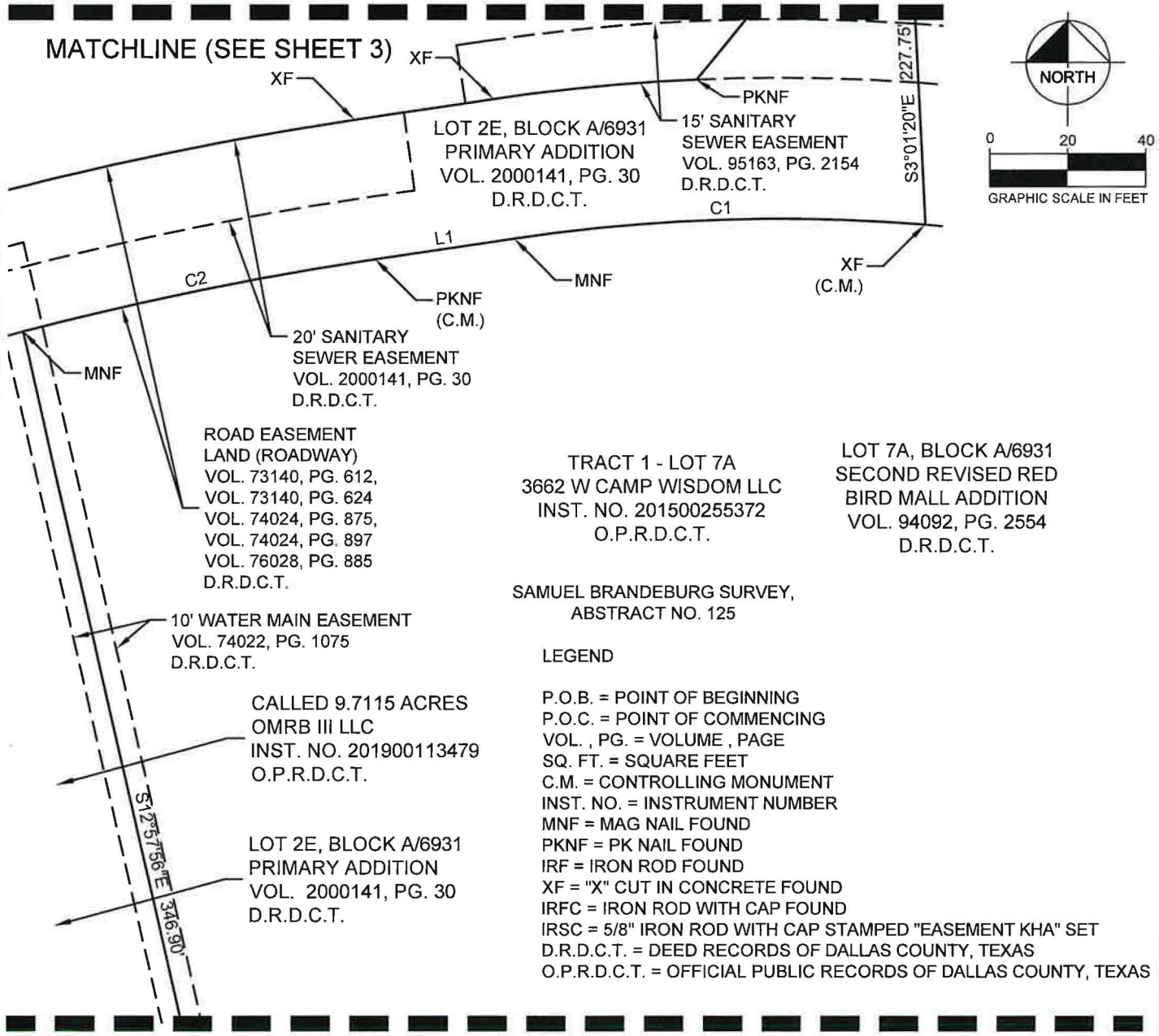
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5.8.19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 6

EXHIBIT A-TRACT 2



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
XF = "X" CUT IN CONCRETE FOUND
IRFC = IRON ROD WITH CAP FOUND
IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

MATCHLINE (SEE SHEET 5)

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4855

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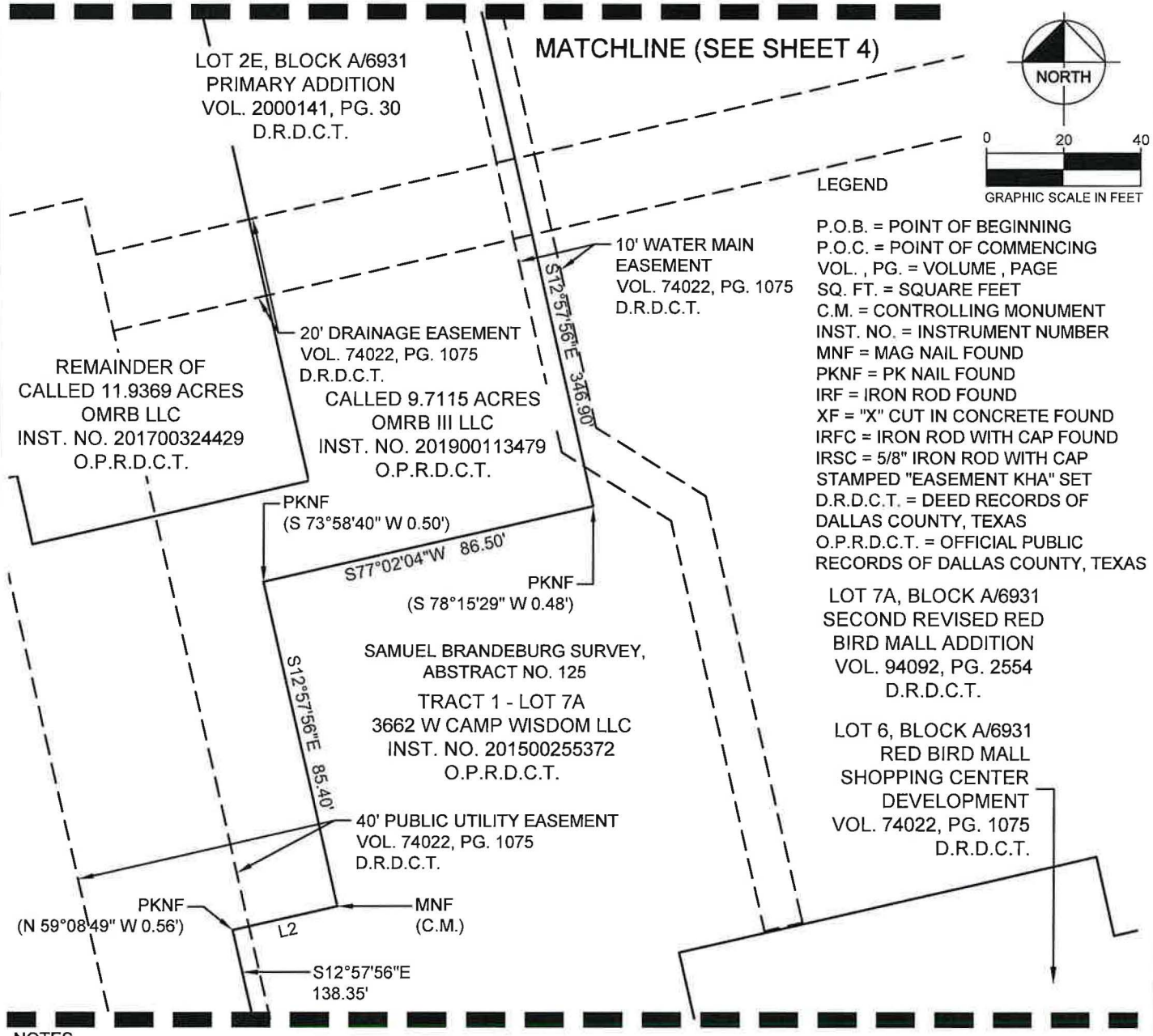
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-24-19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 6

EXHIBIT A-TRACT 2



NOTES

MATCHLINE (SEE SHEET 6)

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4855

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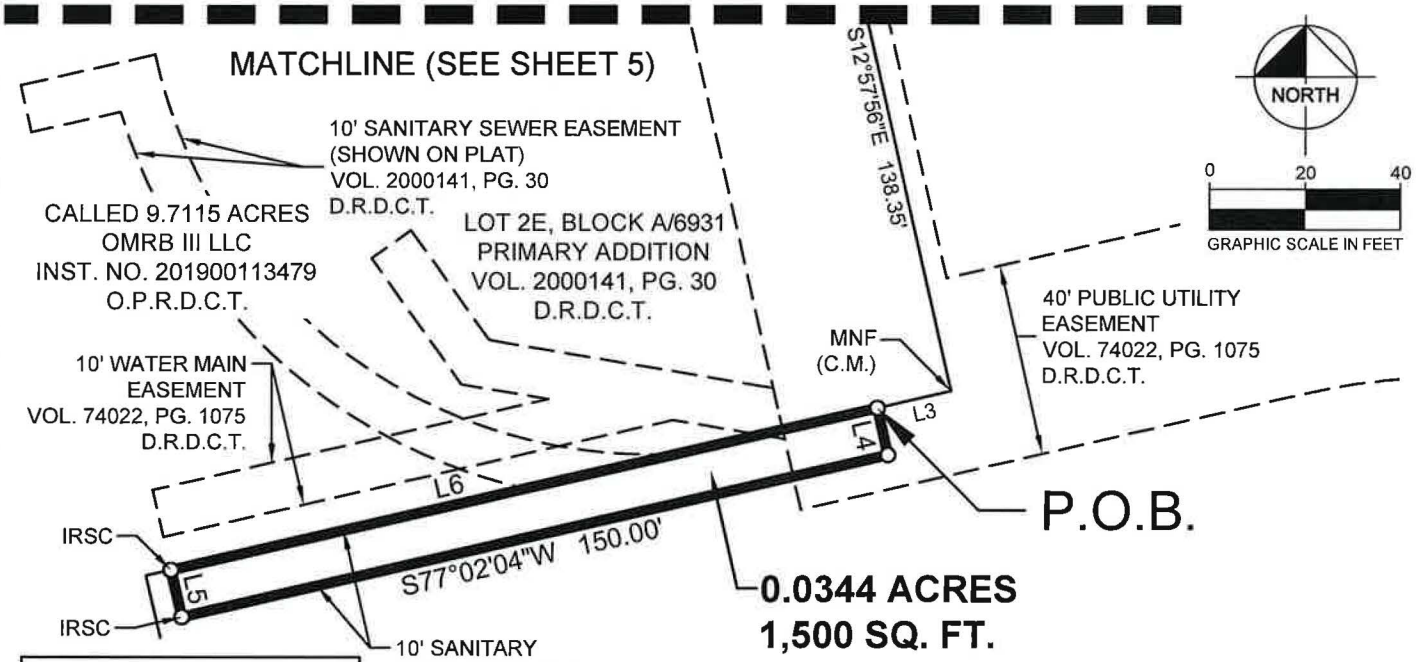
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5.8.19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 6

EXHIBIT A-TRACT 2



LINE TABLE		
NO.	BEARING	LENGTH
L1	S81°27'06"W	35.63'
L2	S77°02'04"W	27.50'
L3	S77°02'04"W	15.73'
L4	S12°57'56"E	10.00'
L5	N12°57'56"W	10.00'
L6	N77°02'04"E	150.00'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	13°11'22"	457.00'	105.20'	S88°02'47"W	104.97'
C2	6°04'59"	862.00'	91.52'	S78°24'36"W	91.48'

TRACT 1 - LOT 7A
3662 W CAMP WISDOM LLC
INST. NO. 201500255372
O.P.R.D.C.T.
LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
VOL. 94092, PG. 2554
D.R.D.C.T.

SAMUEL BRANDEBURG SURVEY,
ABSTRACT NO. 125

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
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STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF
DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC
RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4855

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STATE OF TEXAS
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5.8.19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	6 OF 6

EXHIBIT A-TRACT 3

LEGAL DESCRIPTION

BEING a 1,953 square foot (0.0448 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 1, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075, Deed Records of Dallas County, Texas, and being part of a tract of land described as "TRACT 1" in Special Warranty Deed with Vendor's Lien to CWRD Properties LLC recorded in Instrument No. 201700105711, Official Public Records of Dallas County, Texas, and being part of a 6-foot wide sanitary sewer easement shown on the plat of said Red Bird Mall Shopping Center Development, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northeast corner of Lot 1, and being the northwest corner of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30 of said Deed Records;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2E and said Lot 1, South 17°02'56" East, a distance of 292.63 feet to a mag nail set in the north line of said 6-foot wide sanitary sewer easement, and being the **POINT OF BEGINNING**;

THENCE continuing with said common line of Lot 2E and Lot 1, South 17°02'56" East, a distance of 6.08 feet to a mag nail set at the beginning of a non-tangent curve to the left having a central angle of 10°48'57", a radius of 147.00 feet, a chord bearing and distance of South 76°46'49" West, 27.71 feet; from said point a mag nail found for the southeast corner of said Lot 1 bears South 17°02'56" East, a distance of 7.26 feet;

THENCE departing said common line of Lot 2E and Lot 1 and with said south line of the 6-foot wide sanitary sewer easement, in a southwesterly direction, with said curve to the left, an arc distance of 27.75 feet to a mag nail set for corner;

THENCE South 71°22'20" West, a distance of 294.65 feet to an "X" cut in concrete set in the common line of said Lot 1 and Lot 13, Block A/6931 of said Red Bird Mall Shopping Center Development, for the southwest corner of said 6-foot wide sanitary sewer easement;

THENCE with said common line of Lot 1 and Lot 13 and with the west line of said 6-foot wide sanitary sewer easement, North 63°43'56" West, a distance of 8.50 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for the northwest corner of said 6-foot wide sanitary sewer easement;

THENCE departing said common line of Lot 1 and Lot 13 and with the north line of said 6-foot wide sanitary sewer easement, the following courses and distances:

North 71°22'20" East, a distance of 300.68 feet to a mag nail set at the beginning of a tangent curve to the right having a central angle of 10°27'02", a radius of 153.00 feet, a chord bearing and distance of North 76°35'51" East, 27.87 feet;
In a northeasterly direction with said curve to the right, an arc distance of 27.91 feet to the **POINT OF BEGINNING** and containing 1,953 square feet or 0.0448 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4856

J. ANDY DOBBS
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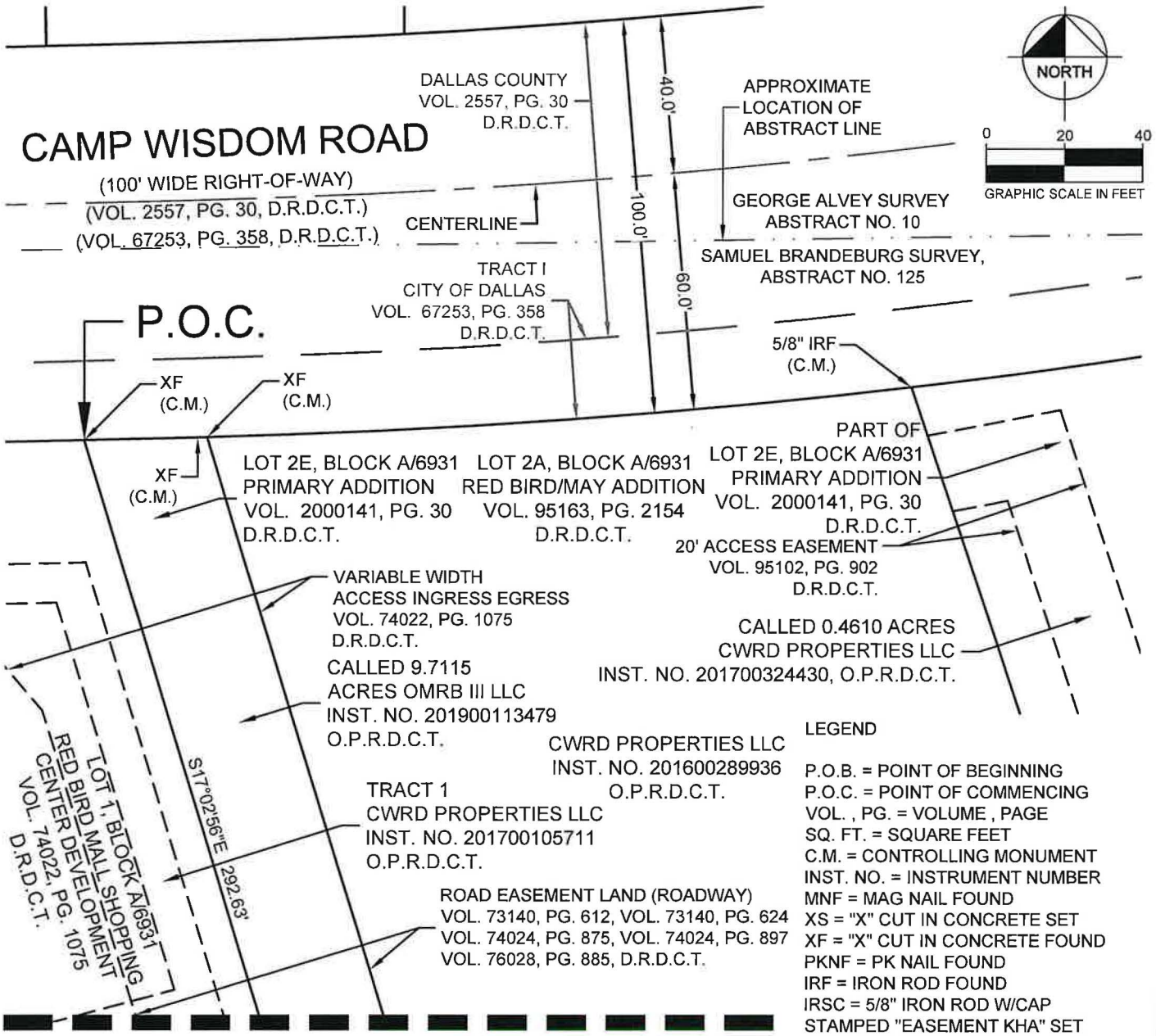
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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PROFESSIONAL
LAND SURVEYOR
5.8.19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 4

EXHIBIT A-TRACT 3



MATCHLINE (SEE SHEET 3)

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
XS = "X" CUT IN CONCRETE SET
XF = "X" CUT IN CONCRETE FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
IRSC = 5/8" IRON ROD W/CAP
STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF
DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC
RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4856

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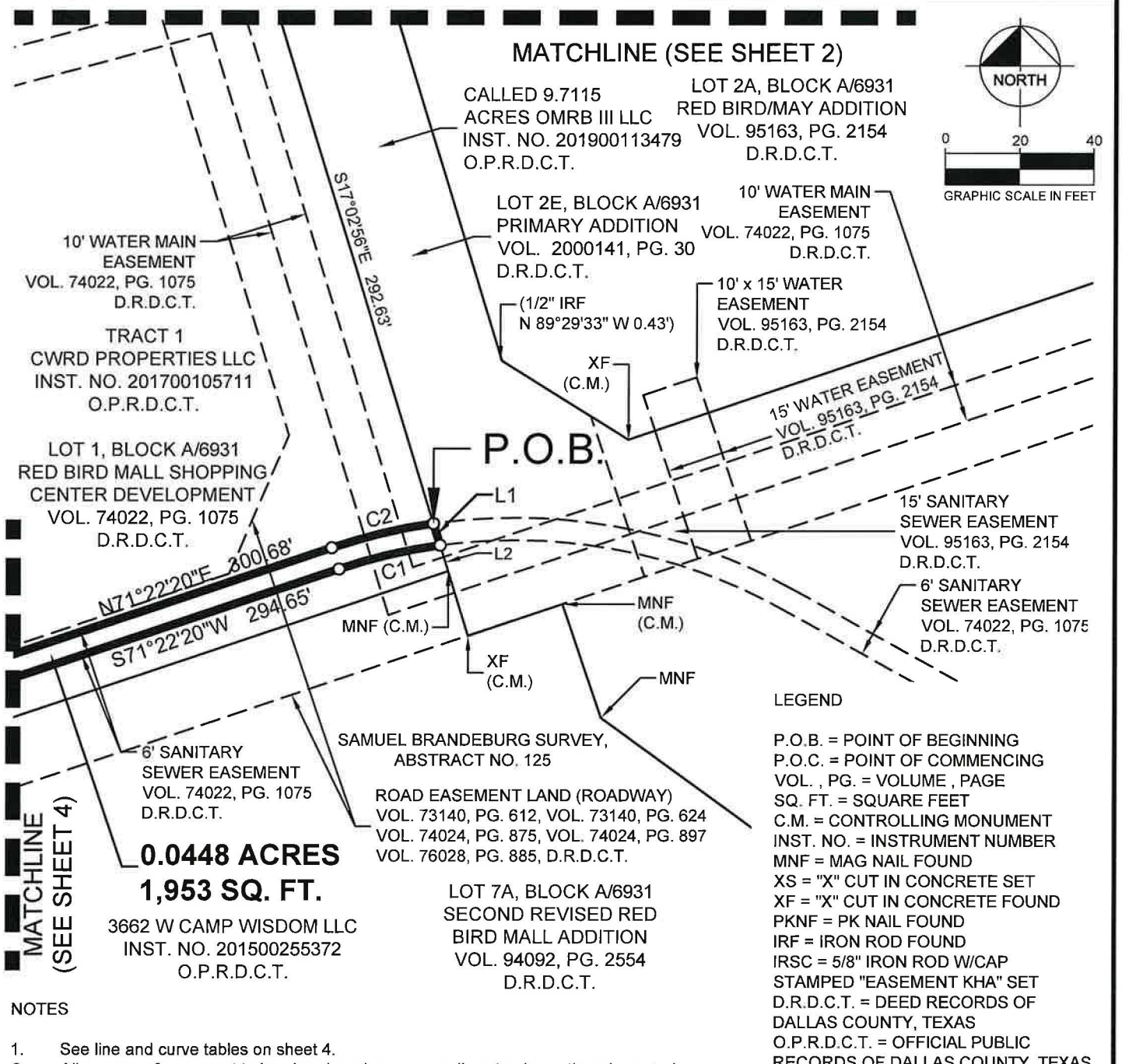
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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PROFESSIONAL
LAND SURVEYOR
5-8-19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	2 OF 4

EXHIBIT A-TRACT 3



LEGEND

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IRSC = 5/8" IRON ROD W/CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1, BLOCK A/6931 RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

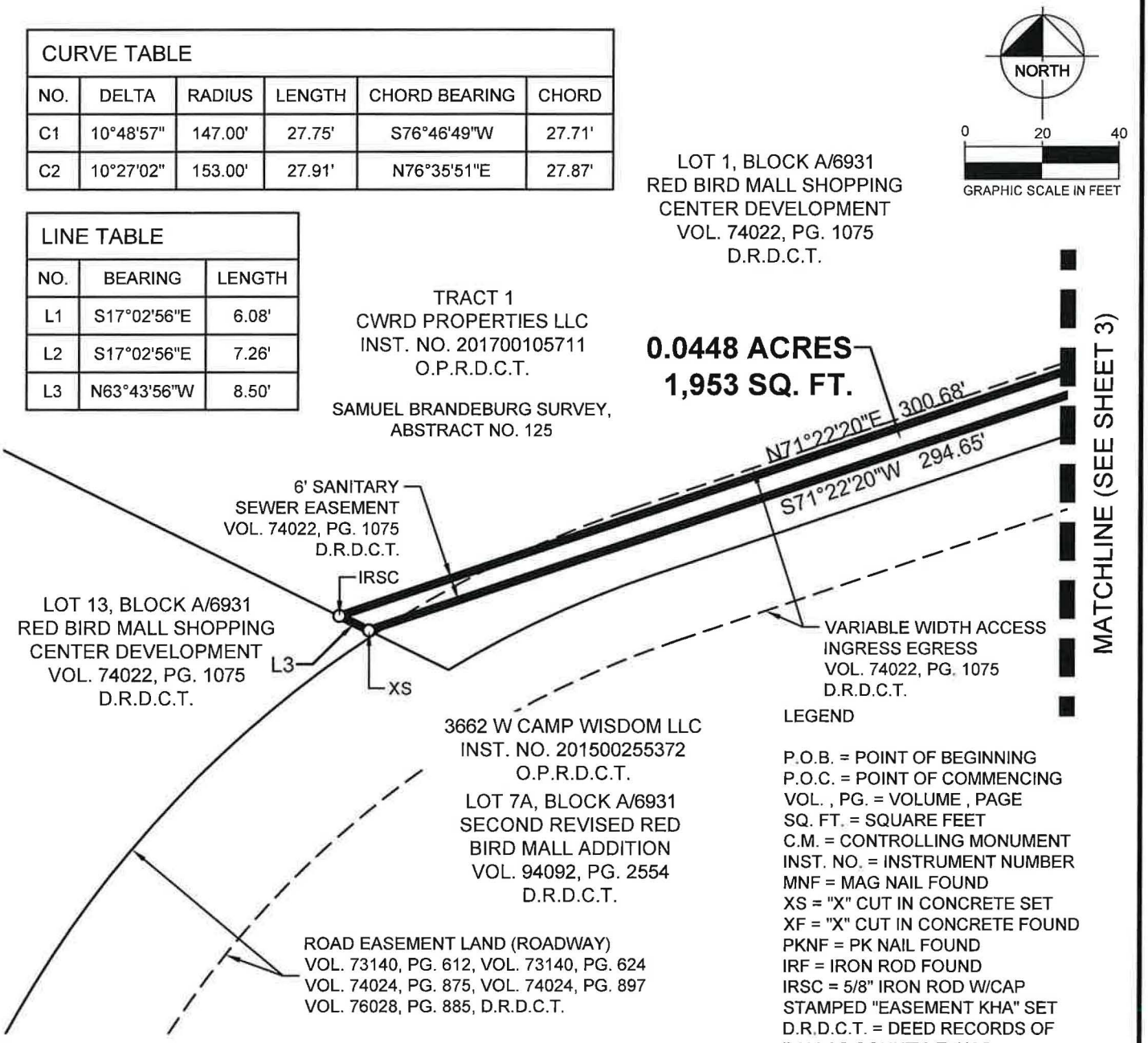
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 4

EXHIBIT A-TRACT 3

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	10°48'57"	147.00'	27.75'	S76°46'49"W	27.71'
C2	10°27'02"	153.00'	27.91'	N76°35'51"E	27.87'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S17°02'56"E	6.08'
L2	S17°02'56"E	7.26'
L3	N63°43'56"W	8.50'



LEGEND

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STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF
DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC
RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-24-19
SPRG NO: 4856

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5-8-19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 1, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 4

EXHIBIT A-TRACT 4

LEGAL DESCRIPTION

BEING a 1,972 square foot (0.0453 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, and being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, and being part of a 6-foot wide sanitary sewer easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northwest corner of said Lot 2E, and being the northeast corner of Lot 1, Block A/6931 of said Red Bird Mall Shopping Center Development;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2E and said Lot 1, South 17°02'56" East, a distance of 292.63 feet to a mag nail set in the north line of said 6-foot wide sanitary sewer easement, and being the beginning of a non-tangent curve to the right having a central angle of 37°12'43", a radius of 153.00 feet, a chord bearing and distance of South 79°34'16" East, 97.63 feet, and being the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 2E and Lot 1 and with said north line of the 6-foot wide sanitary sewer easement, in a southeasterly direction, with said curve to the right, an arc distance of 99.37 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;

THENCE continuing with said north line of the 6-foot wide sanitary sewer easement, South 60°57'55" East, a distance of 229.74 feet to a mag nail set for corner in a north line of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development;

THENCE departing said north line of the 6-foot wide sanitary sewer easement and with said north line of the 40-foot wide public utility easement, South 77°02'04" West, a distance of 0.62 feet to a mag nail set for a northwest corner of said 40-foot wide public utility easement;

THENCE with a west line of said 40-foot wide public utility easement, South 12°57'56" East, a distance of 7.52 feet to a mag nail set for corner in the south line of said 6-foot wide sanitary sewer easement;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: G.S.
Date: 5-29-19
SPRG NO: 4857

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SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 5

EXHIBIT A-TRACT 4

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said west line of the 40-foot wide public utility easement and with said south line of the 6-foot wide sanitary sewer easement, the following courses and distances:

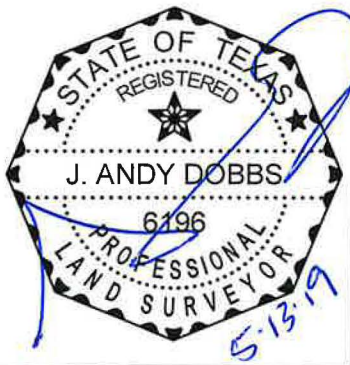
North 60°57'55" West, a distance of 234.31 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set at the beginning of a tangent curve to the left having a central angle of 36°50'48", a radius of 147.00 feet, a chord bearing and distance of North 79°23'19" West, 92.91 feet;
In a northwesterly direction, with said curve to the left, an arc distance of 94.54 feet to a mag nail set in said common line of Lot 2E and Lot 1; from said point a mag nail found for the southeast corner of said Lot 1 bears South 17°02'56" East, a distance of 7.26 feet;

THENCE with said common line of Lot 2E and Lot 1, North 17°02'56" West, a distance of 6.08 feet to the **POINT OF BEGINNING** and containing 1,972 square feet or 0.0453 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-29-19
SPRG NO: 4857

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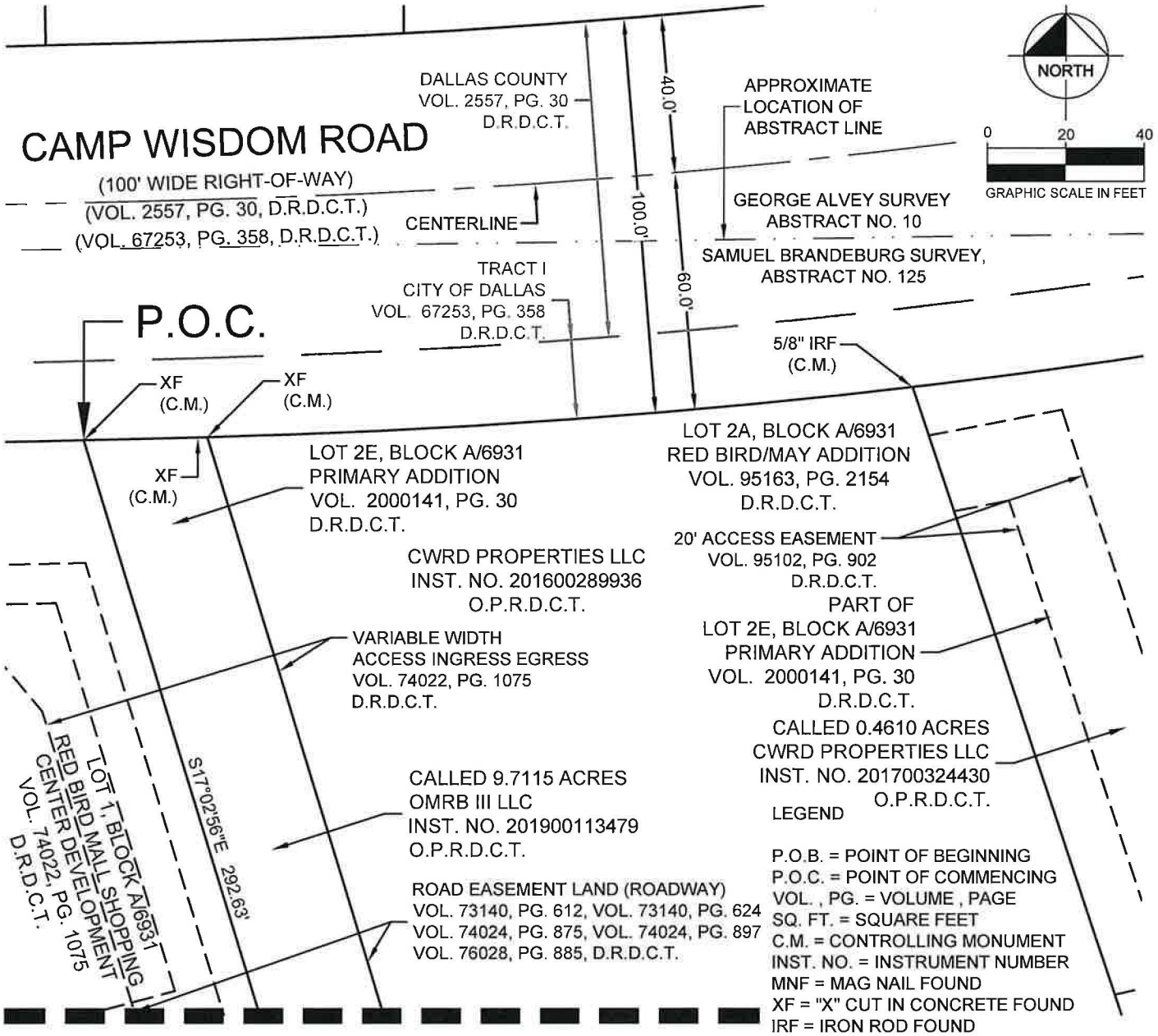


SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 5

EXHIBIT A-TRACT 4



MATCHLINE (SEE SHEET 4)

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
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IRF = IRON ROD FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-29-19
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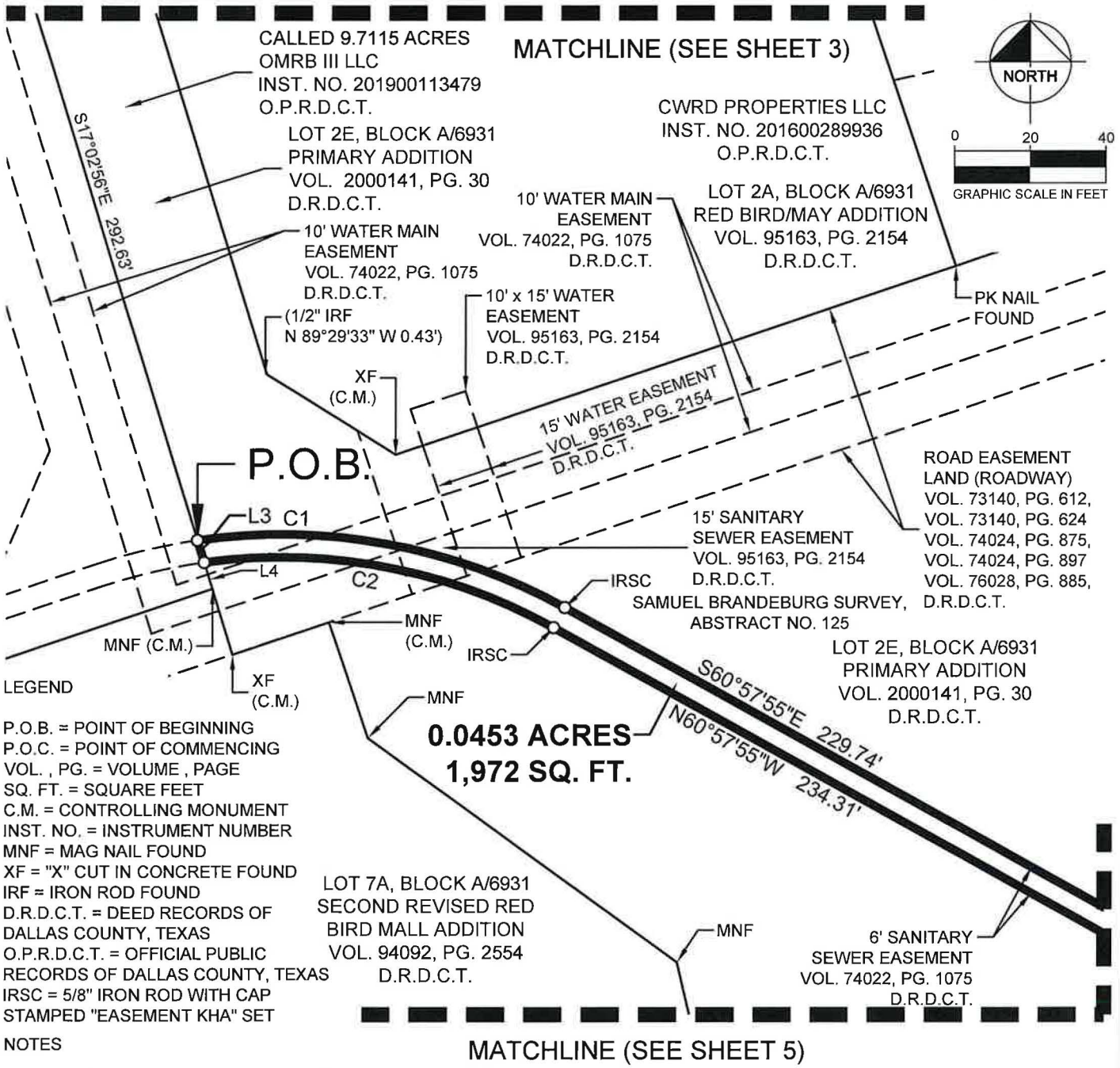
STATE OF TEXAS
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LAND SURVEYOR
5.13.19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 5

EXHIBIT A-TRACT 4



LEGEND

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IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: G.S.
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SPRG NO: 4857

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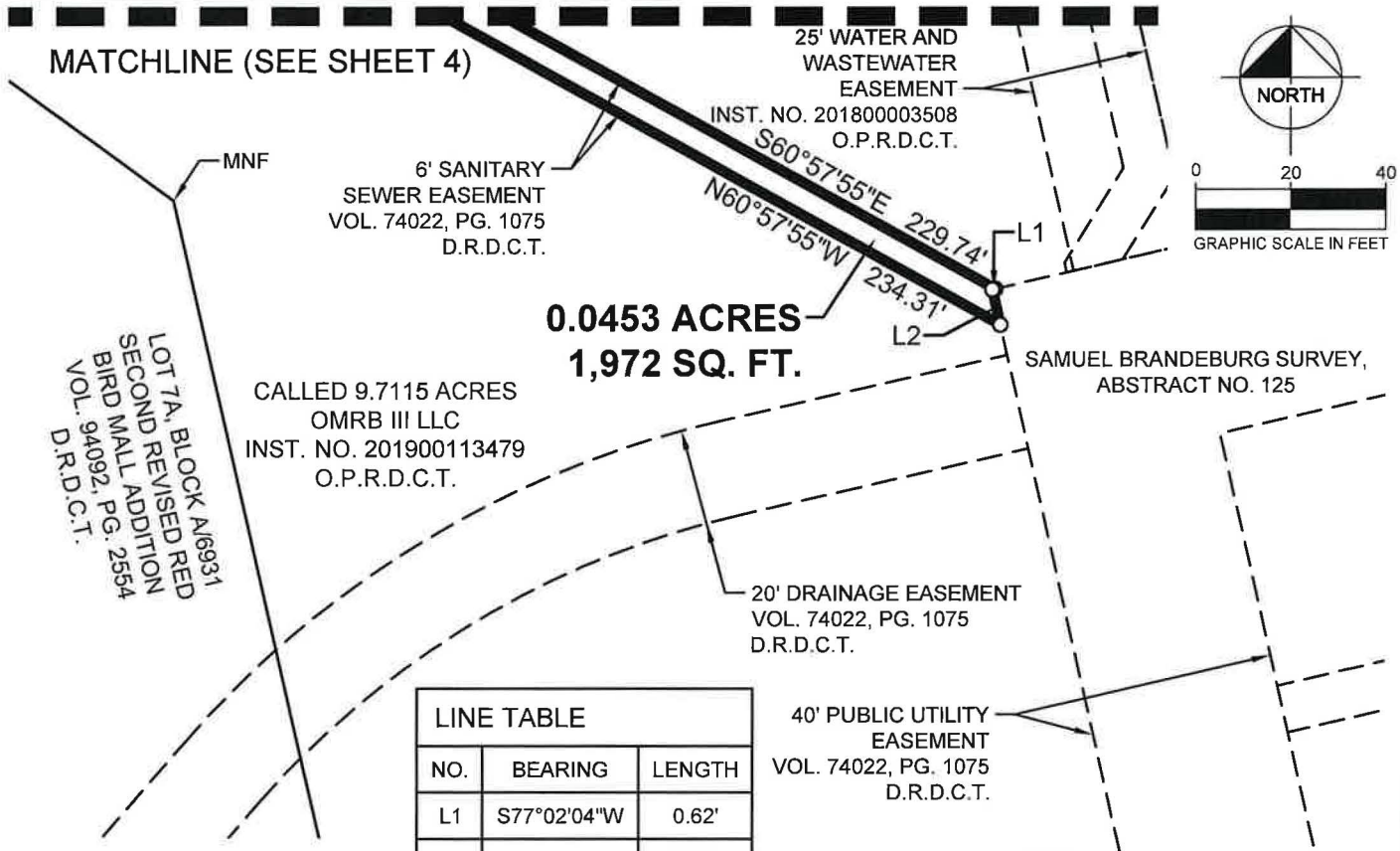
STATE OF TEXAS
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5/13/19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 5

EXHIBIT A-TRACT 4



LINE TABLE		
NO.	BEARING	LENGTH
L1	S77°02'04"W	0.62'
L2	S12°57'56"E	7.52'
L3	N17°02'56"W	6.08'
L4	S17°02'56"E	7.26'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	37°12'43"	153.00'	99.37'	S79°34'16"E	97.63'
C2	36°50'48"	147.00'	94.54'	N79°23'19"W	92.91'

LEGEND

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IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: C.S.
Date: 5-23-19
SPRG NO: 4857

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5-13-19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 5

EXHIBIT A-TRACT 5

LEGAL DESCRIPTION

BEING a 4,078 square foot (0.0936 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1 - LOT 7A" described in Special Warranty Deed to 3662 W Camp Wisdom LLC recorded in Instrument No. 201500255372, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide sanitary sewer easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records and Red Bird/May Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 95163, Page 2154 of said Deed Records and being more particularly described as follows:

COMMENCING at a point in the southeast right-of-way line of Westmoreland Road (100-foot wide right-of-way, Volume 67253, Page 354 of said Deed Records), being the western most southwest corner of said Lot 7A, and being the northwest corner of Lot 10C, Block A/6931, INA Healthplan Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 81054, Page 1215 of said Deed Records; from said point a 5/8-inch iron rod found for a southwest corner of said Lot 10C bears South 26°16'04" West, a distance of 249.88 feet;

THENCE departing said southeast right-of-way line of Westmoreland Road and with the common line of said Lot 7A and said Lot 10C, South 63°06'56" East, a distance of 10.00 feet to a mag nail set in the north line of said 10-foot wide sanitary sewer easement, and being the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 7A and Lot 10C and with said north line of the 10-foot wide sanitary sewer easement, the following courses and distances:

North 26°16'04" East, a distance of 10.78 feet to a mag nail set for corner;
South 63°06'56" East, a distance of 223.66 feet to a mag nail set at the beginning of a tangent curve to the left having a central angle of 31°18'25", a radius of 145.00 feet, a chord bearing and distance of South 78°46'09" East, 78.25 feet;
In a southeasterly direction, with said curve to the left, an arc distance of 79.23 feet to a mag nail set in the common line of said Lot 7A and Lot 11, Block A/6931 of said Red Bird Mall Shopping Center Development;

THENCE departing said north line of the 10-foot wide sanitary sewer easement and with said common line of Lot 7A and Lot 11, the following courses and distances:

South 63°27'56" East, a distance of 10.39 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 190.24 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for a northwest corner of said Lot 7A, and being an inner ell corner of said Lot 11;
South 12°57'56" East, a distance of 5.00 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in the south line of said 10-foot wide sanitary sewer easement;

CONTINUED ON SHEET 2

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Date: 5-29-19
SPRG NO: 4858

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5-13-19

SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 5

EXHIBIT A-TRACT 5

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said common line of Lot 7A and Lot 11 and with said south line of the 10-foot wide sanitary sewer easement, the following courses and distances:

South 77°02'04" West, a distance of 176.72 feet to a mag nail set at the beginning of a tangent curve to the right having a central angle of 39°51'00", a radius of 155.00 feet, a chord bearing and distance of North 83°02'26" West, 105.64 feet;
In a northwesterly direction, with said curve to the right, an arc distance of 107.80 feet to a PK Nail found for corner;
North 63°06'56" West, a distance of 213.55 feet to a mag nail set for corner;
South 26°16'04" West, a distance of 0.78 feet to a mag nail set in said common line of Lot 7A and Lot 10C;

THENCE departing said south line of the 10-foot wide sanitary sewer easement and with said common line of Lot 7A and Lot 10C, North 63°06'56" West, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 4,078 square feet or 0.0936 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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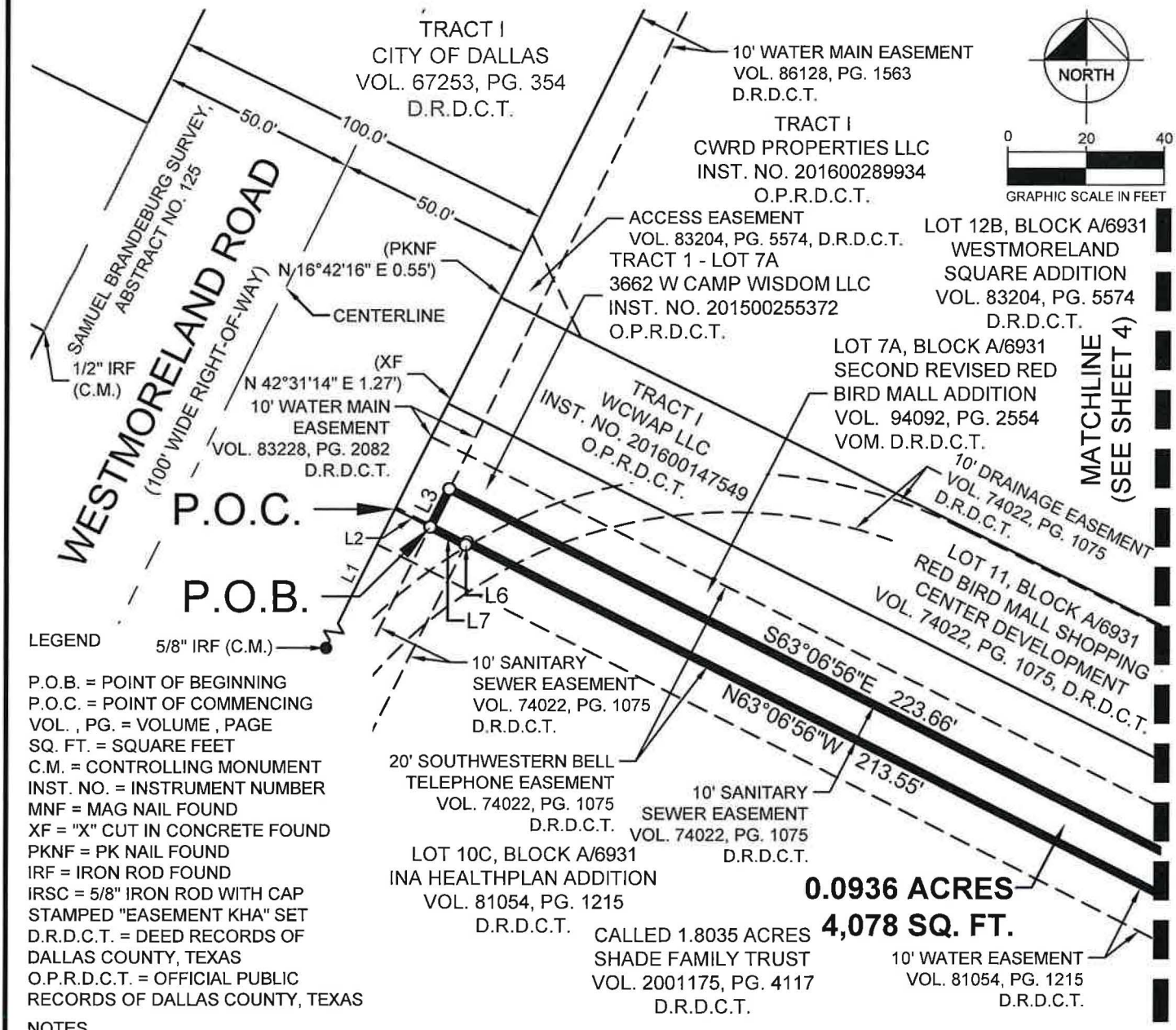
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LAND SURVEYOR
5-13-19

SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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N/A	JBH	JAD	FEB. 2019	064508500	2 OF 5

EXHIBIT A-TRACT 5



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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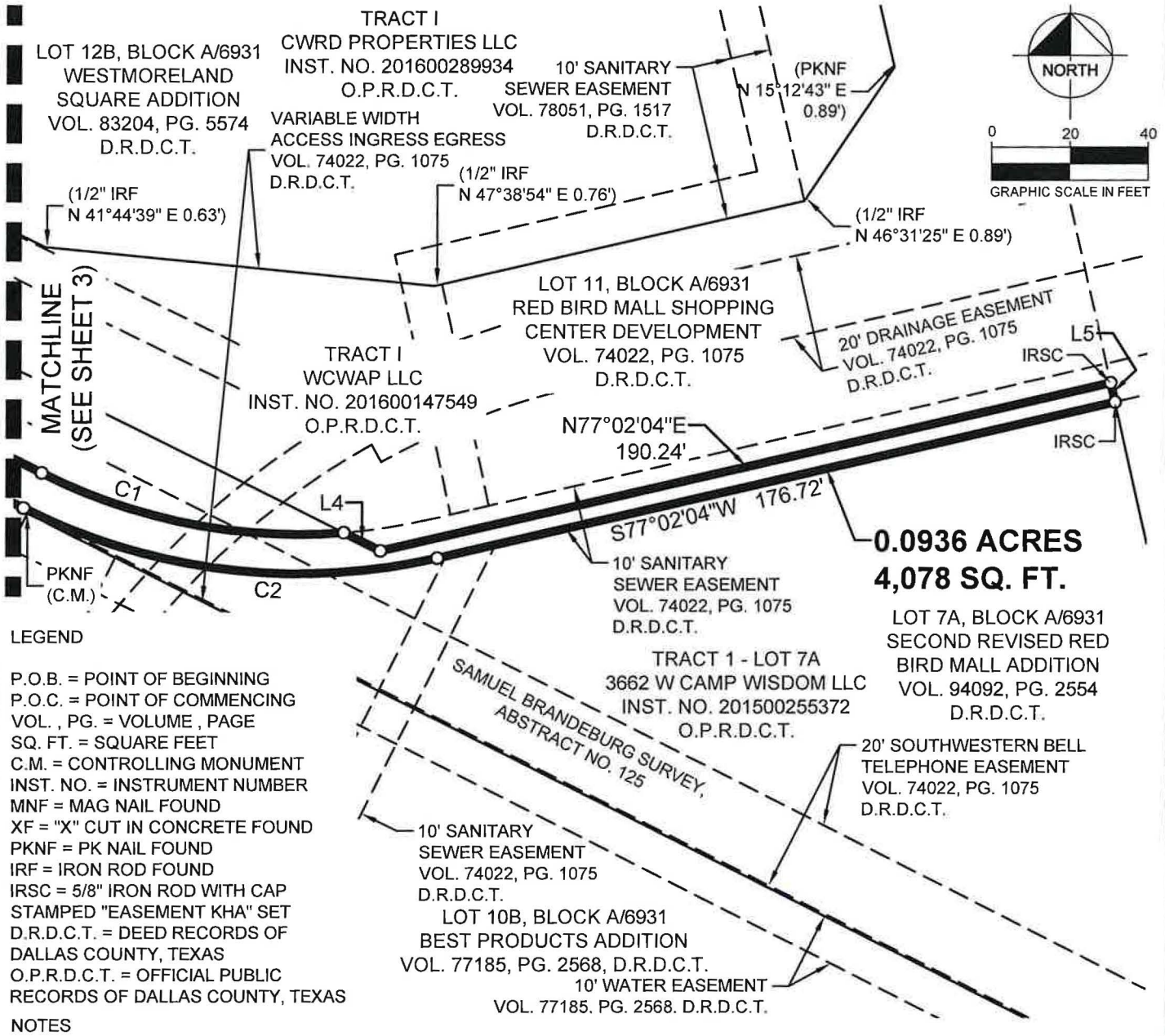
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SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 5

EXHIBIT A-TRACT 5



LEGEND

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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 5

EXHIBIT A-TRACT 5

LINE TABLE		
NO.	BEARING	LENGTH
L1	S26°16'04"W	249.88'
L2	S63°06'56"E	10.00'
L3	N26°16'04"E	10.78'
L4	S63°27'56"E	10.39'
L5	S12°57'56"E	5.00'
L6	S26°16'04"W	0.78'
L7	N63°06'56"W	10.00'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	31°18'25"	145.00'	79.23'	S78°46'09"E	78.25'
C2	39°51'00"	155.00'	107.80'	N83°02'26"W	105.64'

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SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
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SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	5 OF 5

EXHIBIT A-TRACT 6

LEGAL DESCRIPTION

BEING a 5,203 square foot (0.1195 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 11, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075, Deed Records of Dallas County, Texas, and being part of "TRACT I" described in Special Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147549, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide sanitary sewer easement shown on the plat of said Red Bird Mall Shopping Center Development, and being more particularly described as follows:

COMMENCING at a point in the southeast right-of-way line of Westmoreland Road (100-foot wide right-of-way, Volume 67253, Page 354 of said Deed Records), being the westernmost southwest corner of said Lot 11, and being a southwest corner of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records; from said point an "X" cut in concrete found bears North 42°31'14" East, a distance of 1.27 feet and from which a 5/8" iron rod found bears South 26°16'04" West, a distance of 279.88 feet;

THENCE departing said southeast right-of-way line of Westmoreland Road and with the common line of said Lot 7A and said Lot 11, South 63°27'57" East, a distance of 309.22 feet to a mag nail set in the north line of said 10-foot wide sanitary sewer easement, and being the beginning of a non-tangent curve to the left having a central angle of 8°32'35", a radius of 145.00 feet, a chord bearing and distance of North 81°18'21" East, 21.60 feet, and being the **POINT OF BEGINNING**;

THENCE departing said common lines of Lot 7A and Lot 11 and with said north line of the 10-foot wide sanitary sewer easement, the following courses and distances:

In a northeasterly direction, with said curve to the left, an arc distance of 21.62 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 5.69 feet to a mag nail set for corner;
North 12°04'00" West, a distance of 60.27 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in the common lines of said Lot 11 and Lot 12B, Block A/6931, Westmoreland Square Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 83204, Page 5574 of said Deed Records;

THENCE departing said north line of the 10-foot wide sanitary sewer easement and with said common line of Lot 11 and Lot 12B, the following courses and distances:

South 84°15'53" East, a distance of 8.53 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner; from said point a 1/2-inch iron rod found bears North 47°38'54" East, a distance of 0.76 feet;
North 77°02'04" East, a distance of 1.88 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in the north line of said 10-foot wide sanitary sewer easement;

CONTINUED ON SHEET 2

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Date: 5-29-19
SPRG NO: 4859

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SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 5

EXHIBIT A-TRACT 6

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said common lines of Lot 11 and Lot 12B and with said north line of the 10-foot wide sanitary sewer easement, the following courses and distances:

South 12°04'00" East, a distance of 57.54 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 525.10 feet to a mag nail set in the west line a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development, for the northeast corner of said 10-foot wide sanitary sewer easement;

THENCE with said west line of the 40-foot wide public utility easement and with the east line of said 10-foot wide sanitary sewer easement, South 12°57'56" East, a distance of 10.00 feet to a mag nail set for the southeast corner of said 10-foot wide sanitary sewer easement;

THENCE departing said west line of the 40-foot wide public utility easement and with the south line of said 10-foot wide sanitary sewer easement, South 77°02'04" West, a distance of 364.07 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in said common lines of Lot 7A and Lot 11;

THENCE departing said south line of the 10-foot wide sanitary sewer easement and with said common lines of Lot 7A and Lot 11, the following courses and distances:

North 12°57'56" West, a distance of 5.00 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;
South 77°02'04" West, a distance of 190.24 feet to a mag nail set for corner;
North 63°27'56" West, a distance of 10.39 feet to the **POINT OF BEGINNING** and containing 5,203 square feet or 0.1195 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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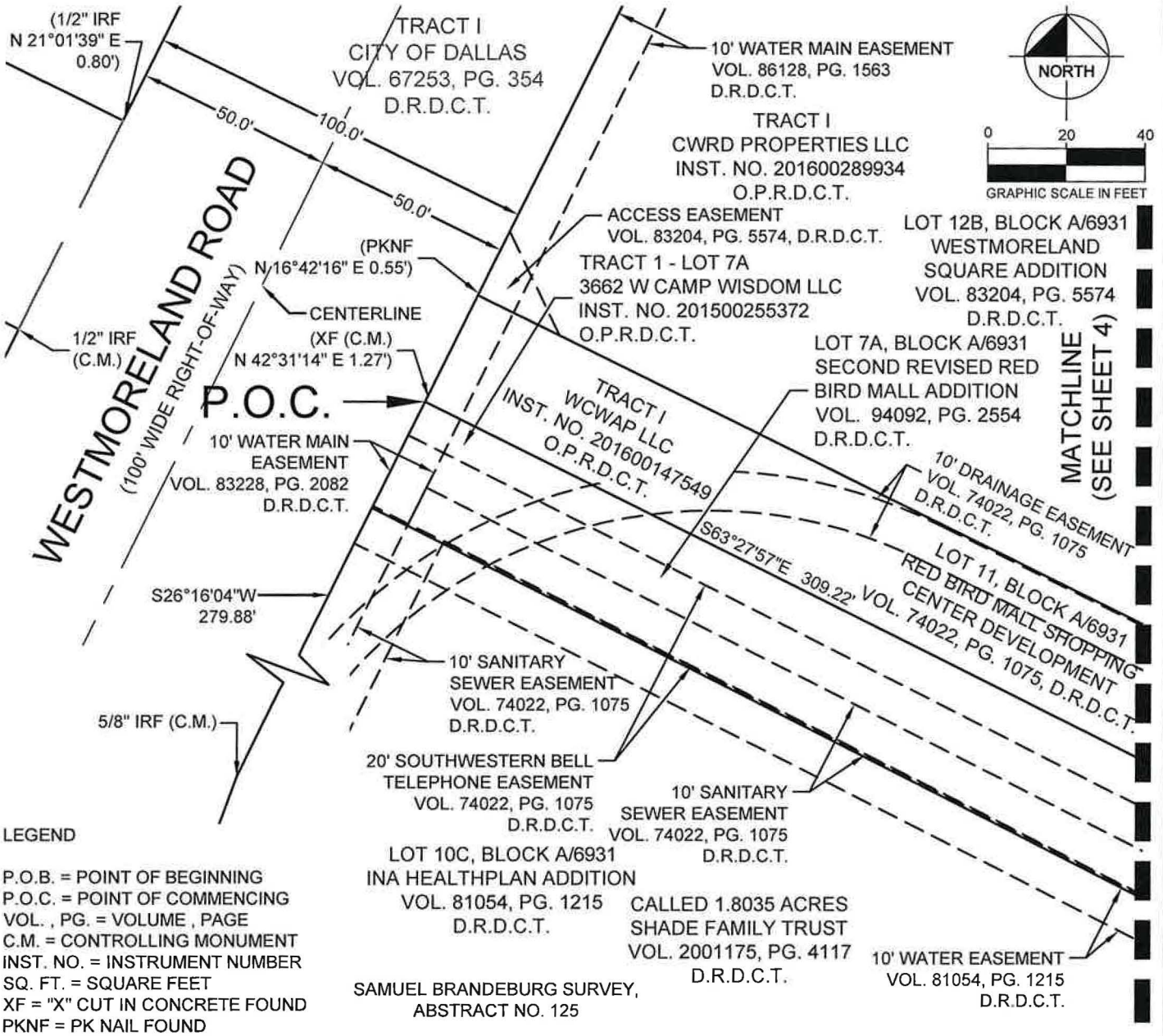
STATE OF TEXAS
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J. ANDY DOBBS
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LAND SURVEYOR
5.9.19

SANITARY SEWER EASEMENT
ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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N/A	JBH	JAD	FEB. 2019	064508500	2 OF 5

EXHIBIT A-TRACT 6



LEGEND

P.O.B. = POINT OF BEGINNING
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: G.S.
Date: 5-29-19
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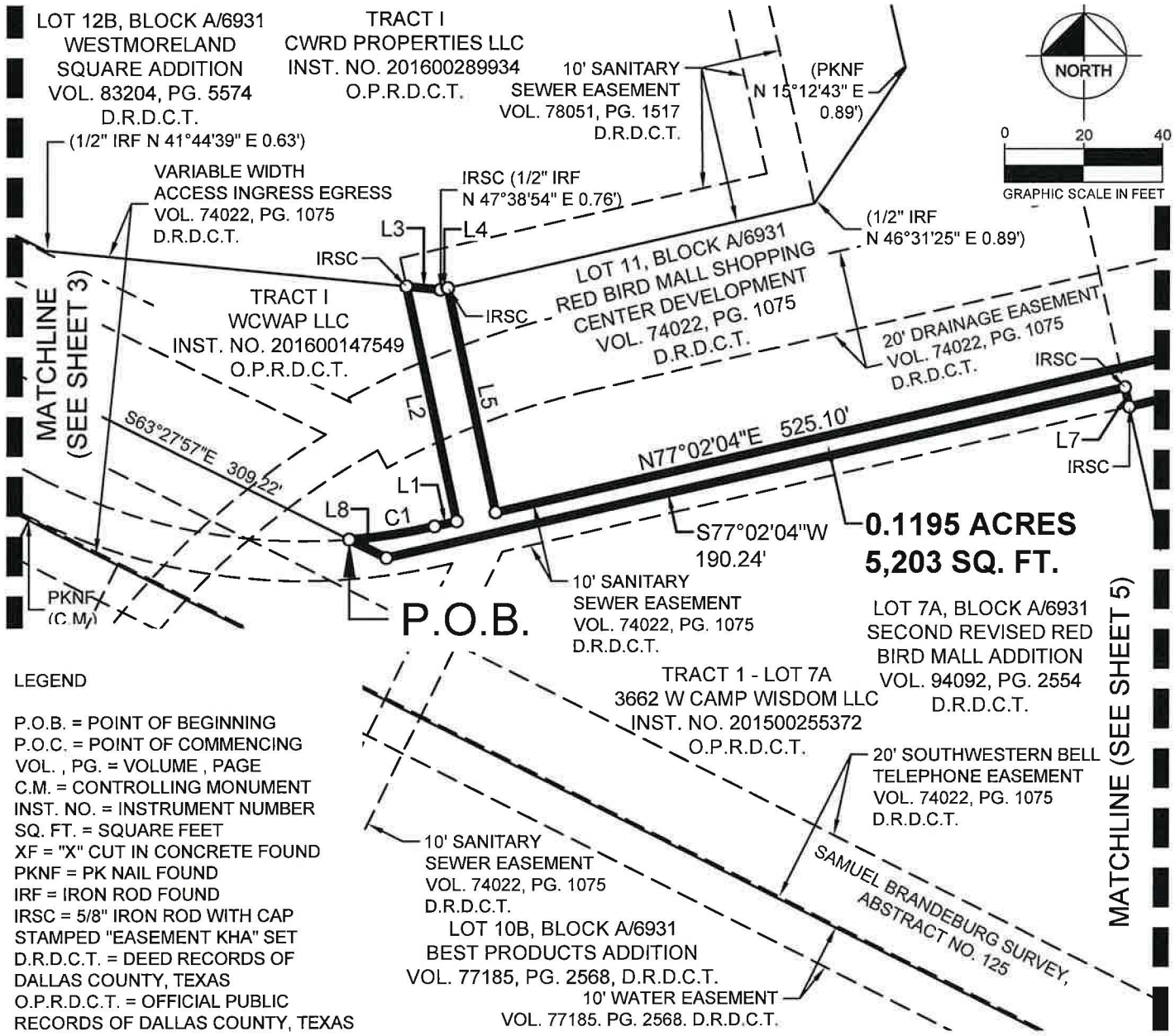
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LAND SURVEYOR
5.29.19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 5

EXHIBIT A-TRACT 6



LEGEND

P.O.B. = POINT OF BEGINNING
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: G.S.
Date: 5-29-19
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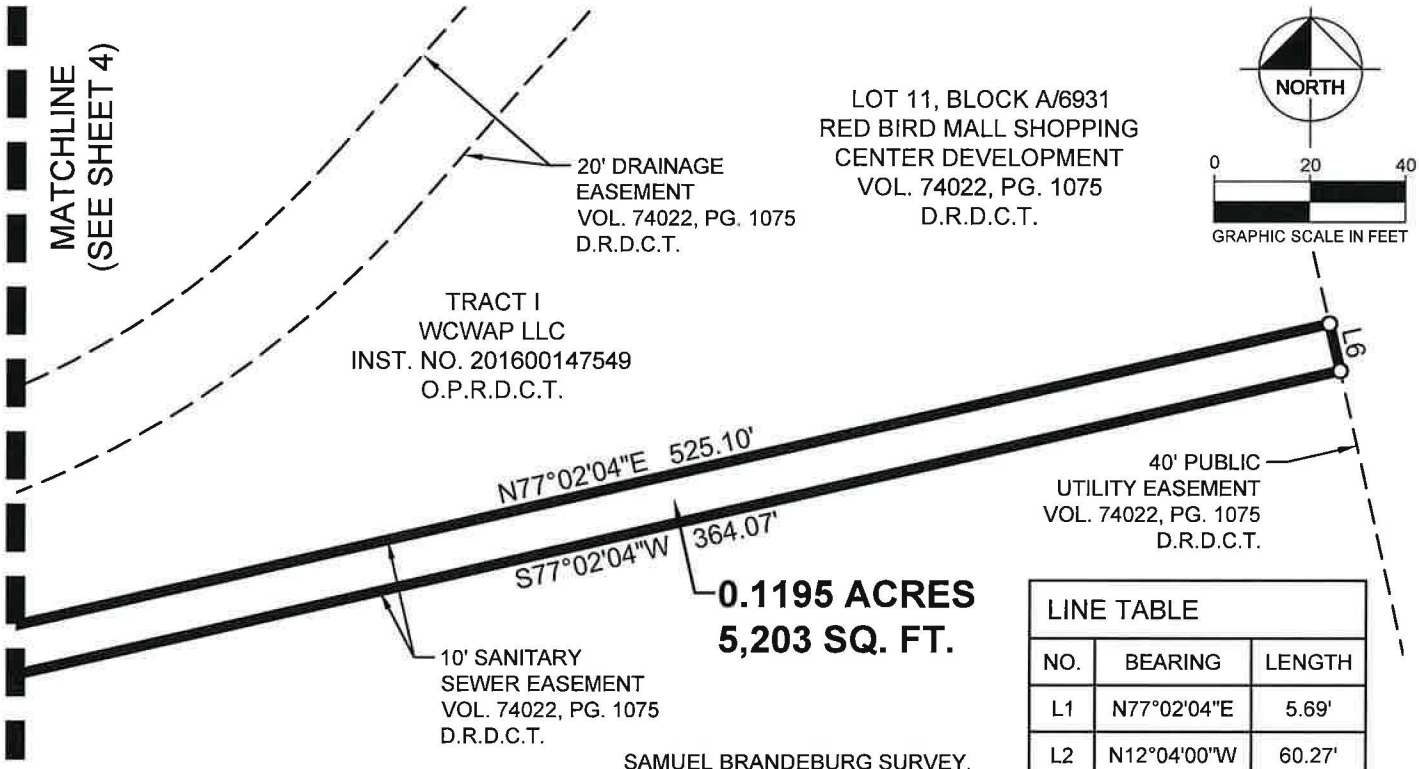
STATE OF TEXAS
REGISTERED
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LAND SURVEYOR
5-9-19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 5

EXHIBIT A-TRACT 6



LINE TABLE		
NO.	BEARING	LENGTH
L1	N77°02'04"E	5.69'
L2	N12°04'00"W	60.27'
L3	S84°15'53"E	8.53'
L4	N77°02'04"E	1.88'
L5	S12°04'00"E	57.54'
L6	S12°57'56"E	10.00'
L7	N12°57'56"W	5.00'
L8	N63°27'56"W	10.39'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	8°32'35"	145.00'	21.62'	N81°18'21"E	21.60'

LEGEND

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IRF = IRON ROD FOUND
IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-29-19
SPRG NO: 4859

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5.29.19

SANITARY SEWER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 5

EXHIBIT A-TRACT 7

LEGAL DESCRIPTION

BEING a 14,532 square foot (0.3336 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, and being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, and being part of a 40-foot wide public utility easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northwest corner of Lot 2A, Block A/6931 of said Red Bird/May Addition, and being a northwest corner of said Lot 2E, and being a north corner of said 9.7115 acre tract;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2A and said Lot 2E and with the north line of said 9.7115 acre tract, the following courses and distances:

South 17°02'56" East, a distance of 248.00 feet to a point for corner; from said point a 1/2-inch iron rod found bears North 89°29'33" West, a distance of 0.43 feet;
South 57°57'52" East, a distance of 39.70 feet to an "X" cut in concrete found for the southernmost southwest corner of said Lot 2A, and being a northwest corner of said Lot 2E
North 71°22'19" East, passing at a distance of 154.58 a PK nail found for southeast corner of said Lot 2A. and being an inner ell corner of said Lot 2E, and being the southwest corner of a called 0.4610 acre tract of land described in General Warranty Deed to CWRD Properties LLC recorded in Instrument No. 201700324430 of said Official Public Records, continuing with the south line of said 0.4610 acre tract passing at a distances of 78.50 feet the southeast corner of said 0.4610 acre tract, in all a total distance of 245.50 feet;

THENCE departing said north line of said 9.7115 acre tract, South 12°57'56" East, a distance of 327.27 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in the east line of said 40-foot wide public utility easement, for the **POINT OF BEGINNING**;

THENCE with said east and south lines of the 40-foot wide public utility easement, the following courses and distances:

South 12°57'56" East, a distance of 187.59 feet to an "X" cut in concrete set for corner;
South 42°42'04" West, a distance of 45.94 feet to a mag nail set at the beginning of a tangent curve to the right having a central angle of 11°07'36", a radius of 305.00 feet, a chord bearing and distance of South 48°15'52" West, 59.14 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 59.23 feet to a mag nail set in the common line said Lot 2E and Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4860

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PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 7

EXHIBIT A-TRACT 7

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said south line of the 40-foot wide public utility easement and with said common line of said Lot 2E and Lot 7A, the following courses and distances:

North 66°57'56" West, a distance of 5.33 feet to a mag nail found at the beginning of a non-tangent curve to the right having a central angle of 21°16'21", a radius of 300.00 feet, a chord bearing and distance of South 64°41'21" West, 110.74 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 111.38 feet to a mag nail found for corner;
North 12°57'56" West, a distance of 35.98 feet to a mag nail set in the north line of said 40-foot wide public utility easement, and being the beginning of a non-tangent curve to the left having a central angle of 32°40'11", a radius of 265.00 feet, a chord bearing and distance of North 59°02'09" East, 149.06 feet;

THENCE departing said common line of Lot 2E and Lot 7A and with said north and west lines of the 40-foot wide public utility easement, the following courses and distances:

In a northeasterly direction, with said curve to the left, an arc distance of 151.10 feet to a mag nail set for corner;
North 42°42'04" East, a distance of 24.82 feet to an "X" cut in concrete set for corner;
North 12°57'56" West, a distance of 166.47 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" for corner;

THENCE departing said north line of the 40-foot wide public utility easement, North 77°02'04" East, a distance of 40.00 feet to the **POINT OF BEGINNING** and containing 14,532 square feet or 0.3336 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4860

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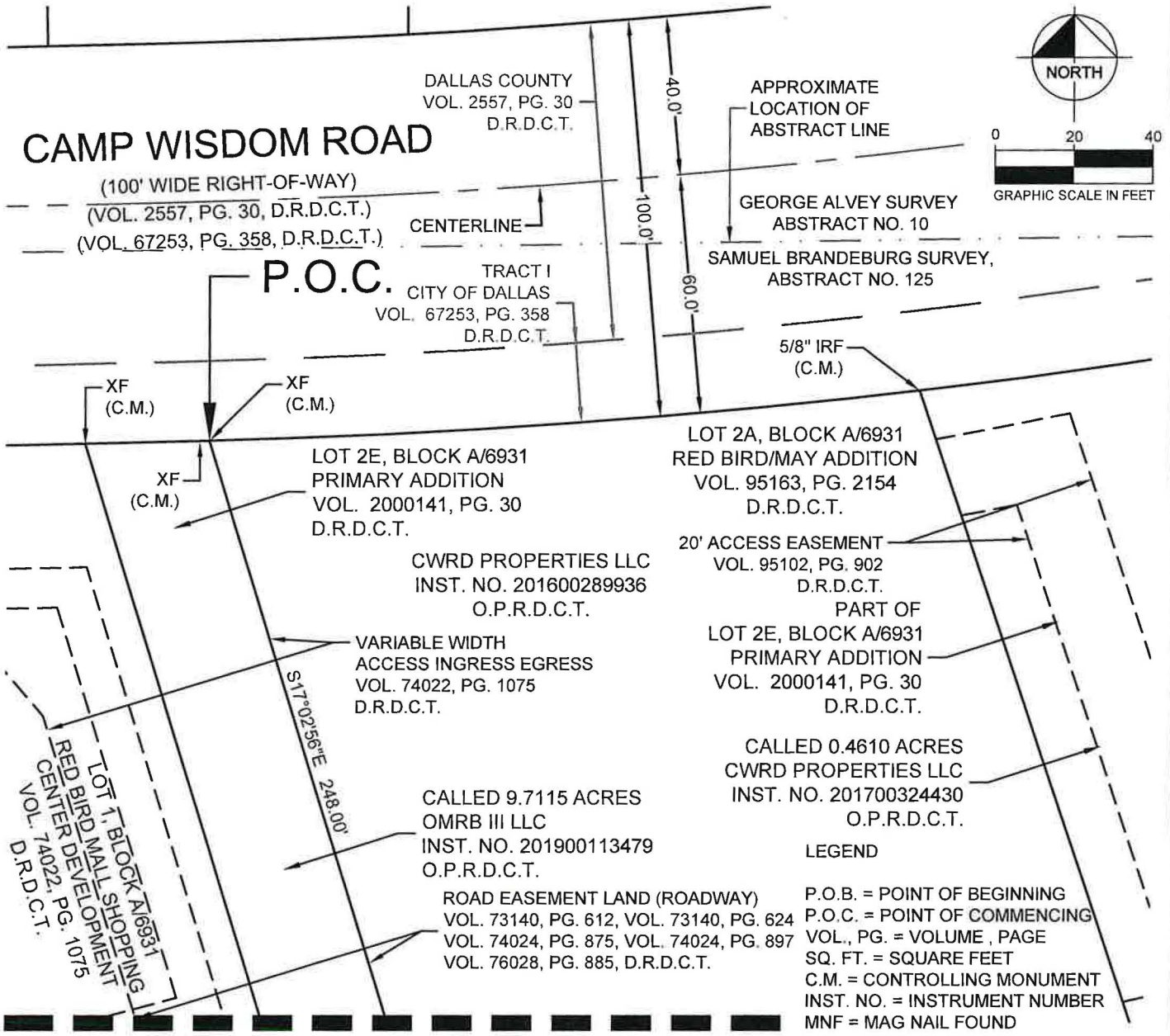
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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PROFESSIONAL
LAND SURVEYOR
5.13.19

PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 7

EXHIBIT A-TRACT 7



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL., PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JC
Date: 5-23-19
SPRG NO: 4860

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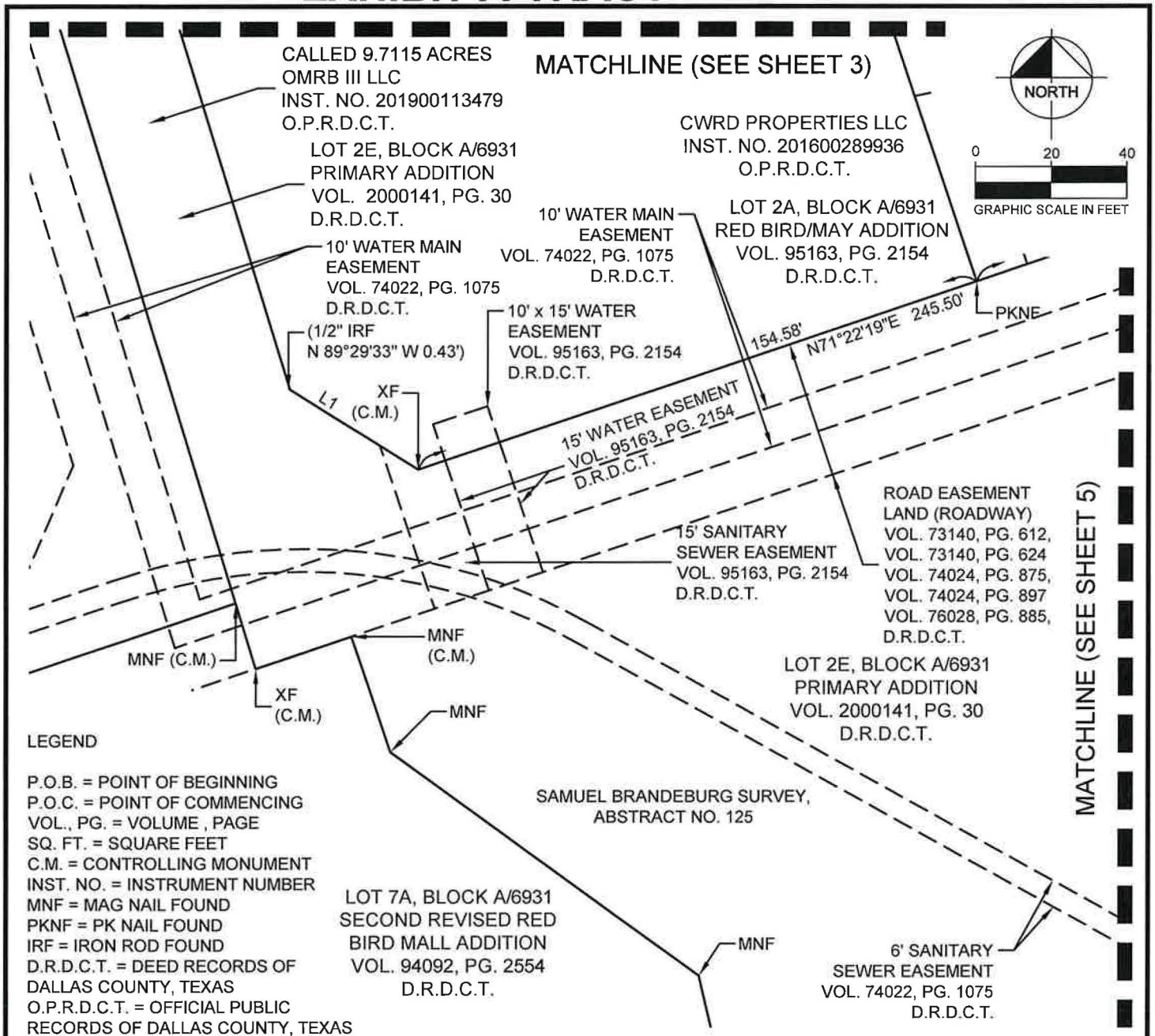
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 7

EXHIBIT A-TRACT 7



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NOTES

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3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: JL
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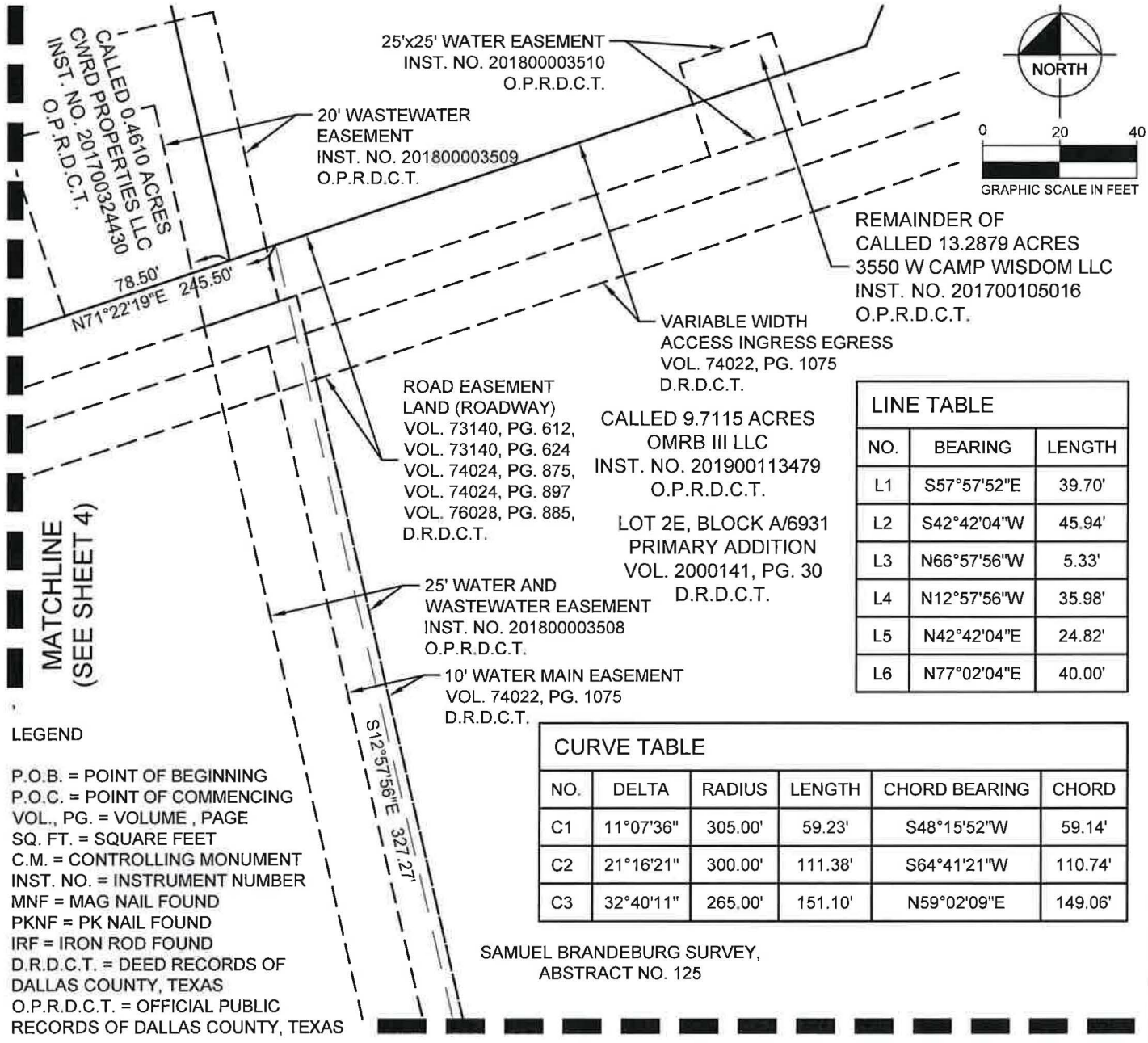
STATE OF TEXAS
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PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 7

EXHIBIT A-TRACT 7



LINE TABLE		
NO.	BEARING	LENGTH
L1	S57°57'52"E	39.70'
L2	S42°42'04"W	45.94'
L3	N66°57'56"W	5.33'
L4	N12°57'56"W	35.98'
L5	N42°42'04"E	24.82'
L6	N77°02'04"E	40.00'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	11°07'36"	305.00'	59.23'	S48°15'52"W	59.14'
C2	21°16'21"	300.00'	111.38'	S64°41'21"W	110.74'
C3	32°40'11"	265.00'	151.10'	N59°02'09"E	149.06'

LEGEND

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NOTES

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2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4860

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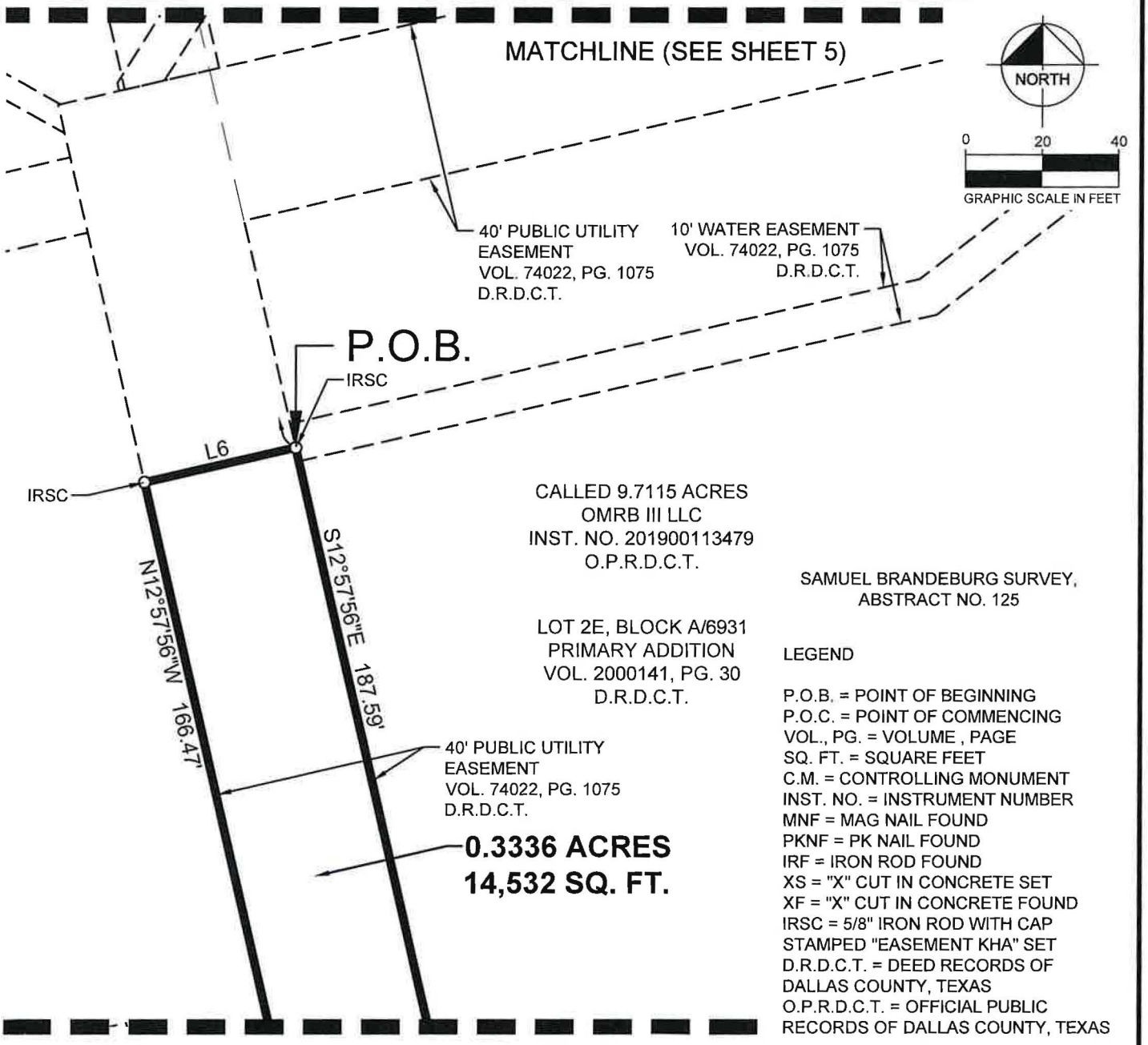
STATE OF TEXAS
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LAND SURVEYOR
5.13.19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 7

EXHIBIT A-TRACT 7



LEGEND

P.O.B. = POINT OF BEGINNING
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
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NOTES

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2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JC
Date: 5-23-19
SPRG NO: 4860

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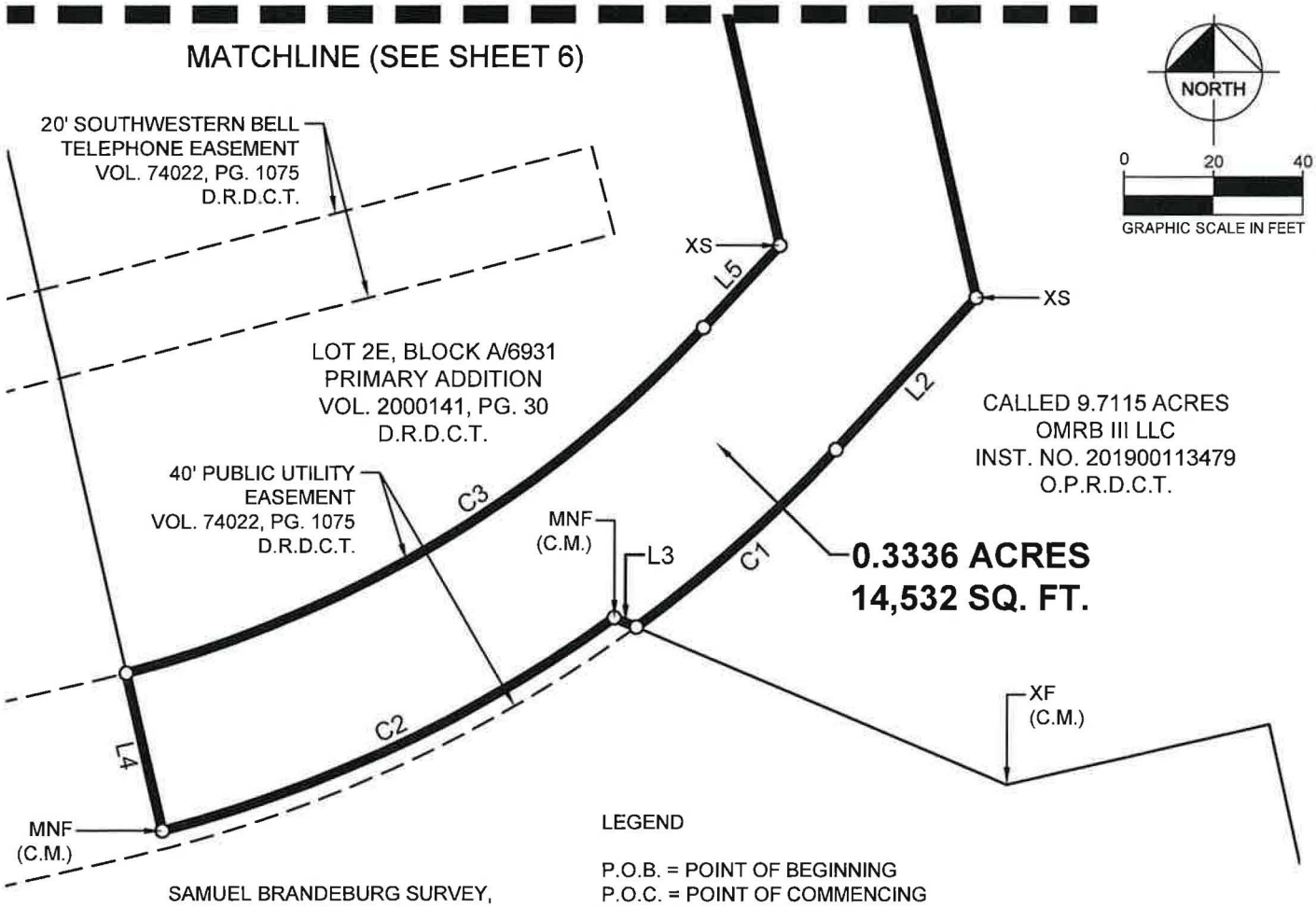
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	6 OF 7

EXHIBIT A-TRACT 7



LEGEND

P.O.B. = POINT OF BEGINNING
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XF = "X" CUT IN CONCRETE FOUND
IRSC = 5/8" IRON ROD W/CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: JL
Date: 5-23-19
SPRG NO: 4860

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PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	7 OF 7

EXHIBIT A-TRACT 8

LEGAL DESCRIPTION

BEING a 15,314 square foot (0.3516 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1 - LOT 7A" described in Special Warranty Deed to 3662 W Camp Wisdom LLC recorded in Instrument No. 201500255372, Official Public Records of Dallas County, Texas, and being part of a 40-foot wide public utility easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a point in the southeast right-of-way line of Westmoreland Road (100-foot wide right-of-way, Volume 67253, Page 354 of said Deed Records), for a northwest corner of said Lot 7A, and being the northwest corner of Lot 11, Block A/6931 of said Bird Mall Shopping Center Development; from said point an "X" cut in concrete found bears North 24°38'42" West, a distance of 0.27 feet;

THENCE departing said southeast right-of-way line of Westmoreland Road and with the common line of Lot 7A and said Lot 11, the following courses and distances:

South 63°43'56" East, a distance of 396.59 feet to a point for corner; from said point a 3/8-inch iron rod found bears North 31°29'12" East, a distance of 0.82 feet;
South 48°57'56" East, a distance of 230.14 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in the north line of said 40-foot wide public utility easement, for the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 7A and Lot 11 and with said north line of the 40-foot wide public utility easement, the following courses and distances:

North 41°02'05" East, a distance of 78.98 feet to a mag nail set for corner;
South 65°16'56" East, a distance of 26.22 feet to a mag nail set at the beginning of a tangent curve to the left having a central angle of 37°40'59", a radius of 115.00 feet, a chord bearing and distance of South 84°07'25" East, 74.28 feet;
In a southeasterly direction, with said curve to the left, an arc distance of 75.63 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 213.59 feet to a mag nail set at the beginning of a tangent curve to the left having a central angle of 1°39'49", a radius of 265.00 feet, a chord bearing and distance of North 76°12'09" East, 7.69 feet;
In a northeasterly direction, with said curve to the left, an arc distance of 7.69 feet to a mag nail set in the common line of said Lot 7A and Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30 of said Deed Records;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4861

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STATE OF TEXAS
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LAND SURVEYOR
5-13-19

PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 6

EXHIBIT A-TRACT 8

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said north line of the 40-foot wide public utility easement and with said common line of Lot 7A and Lot 2E, the following courses and distances:

South 12°57'56" East, a distance of 35.98 feet to a mag nail found at the beginning of a non-tangent curve to the left having a central angle of 21°16'21", a radius of 300.00 feet, a chord bearing and distance of North 64°41'21" East, 110.74 feet;
In a northeasterly direction, with said curve to the left, an arc distance of 111.38 feet to a mag nail found for corner;
South 66°57'56" East, a distance of 5.33 feet to a mag nail set in the south line of said 40-foot wide public utility easement, and being the beginning of a non-tangent curve to the right having a central angle of 23°12'24", a radius of 305.00 feet, a chord bearing and distance of South 65°25'52" West, 122.69 feet;

THENCE departing said common line of Lot 7A and Lot 2E and with said south line of the 40-foot wide public utility easement, the following courses and distances:

In a southwesterly direction, with said curve to the right, an arc distance of 123.53 feet to a mag nail set for corner;
South 77°02'04" West, a distance of 92.33 feet to a mag nail set in said common lines of Lot 7A and Lot 11;

THENCE departing said south line of the 40-foot wide public utility easement and with said common lines of Lot 7A and Lot 11, the following courses and distances:

North 12°57'56" West, a distance of 3.99 feet to a mag nail set for corner;
South 77°02'04" West, a distance of 156.23 feet to a mag nail set in said south line of the 40-foot wide public utility easement, and being the beginning of a non-tangent curve to the right having a central angle of 23°15'28", a radius of 155.00 feet, a chord bearing and distance of North 78°18'01" West, 62.49 feet;

THENCE departing said common lines of Lot 7A and Lot 11 and with said south line of the 40-foot wide public utility easement, the following courses and distances:

In a northwesterly direction, with said curve to the right, an arc distance of 62.92 feet to a mag nail set for corner;
South 41°02'05" West, a distance of 44.37 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in said common lines of Lot 7A and Lot 11;

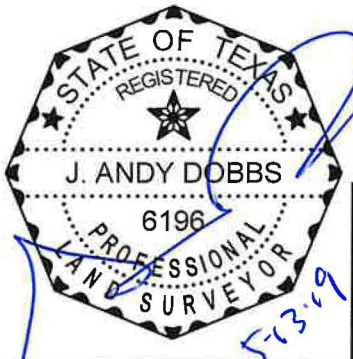
THENCE departing said south line of the 40-foot wide public utility easement and with said common lines of Lot 7A and Lot 11, the following courses and distances:

South 77°02'04" West, a distance of 5.80 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;
North 48°57'56" West, a distance of 36.59 feet to the **POINT OF BEGINNING** and containing 15,314 square feet or 0.3516 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4861

J. ANDY DOBBS
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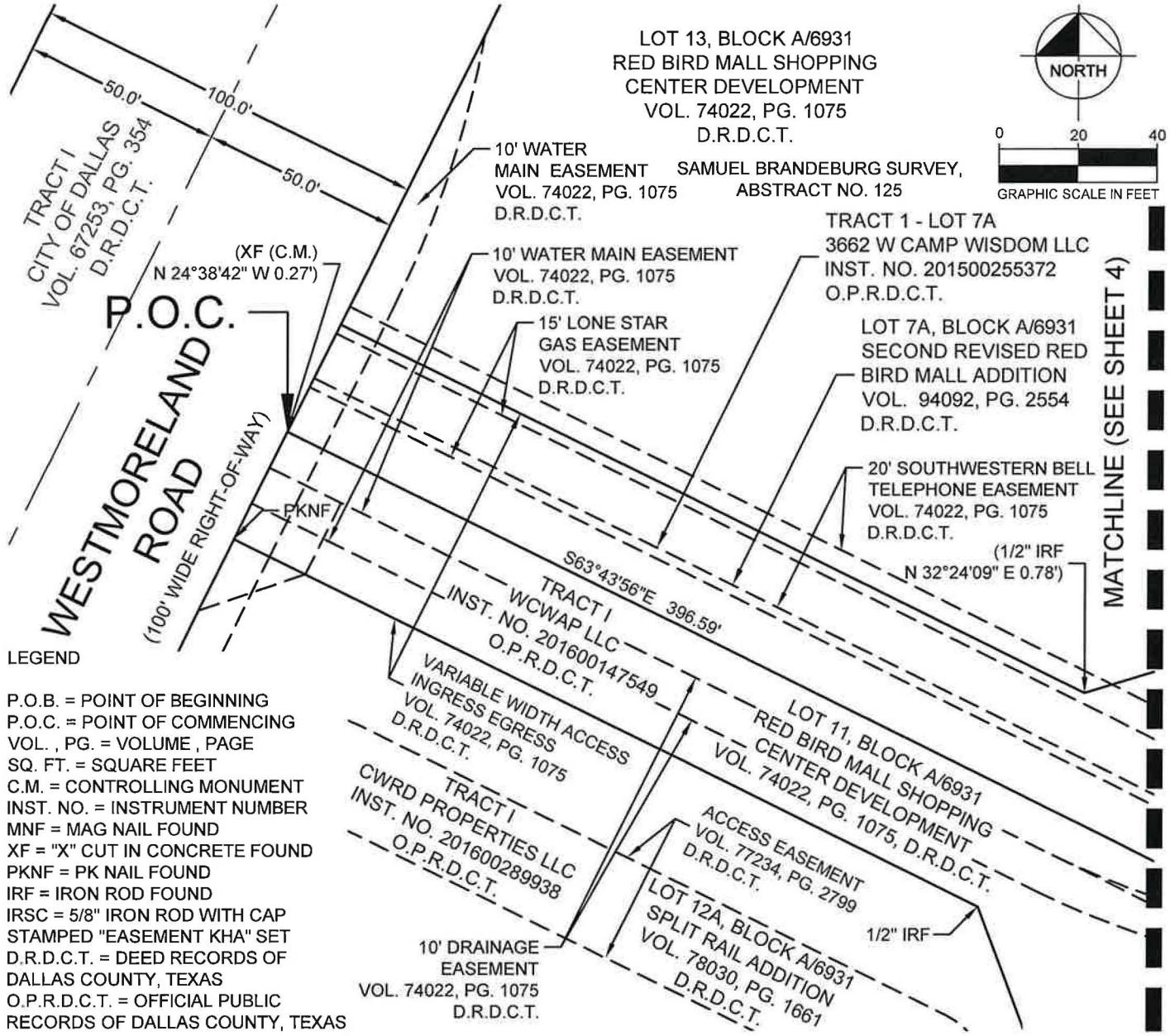


PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 6

EXHIBIT A-TRACT 8



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4861

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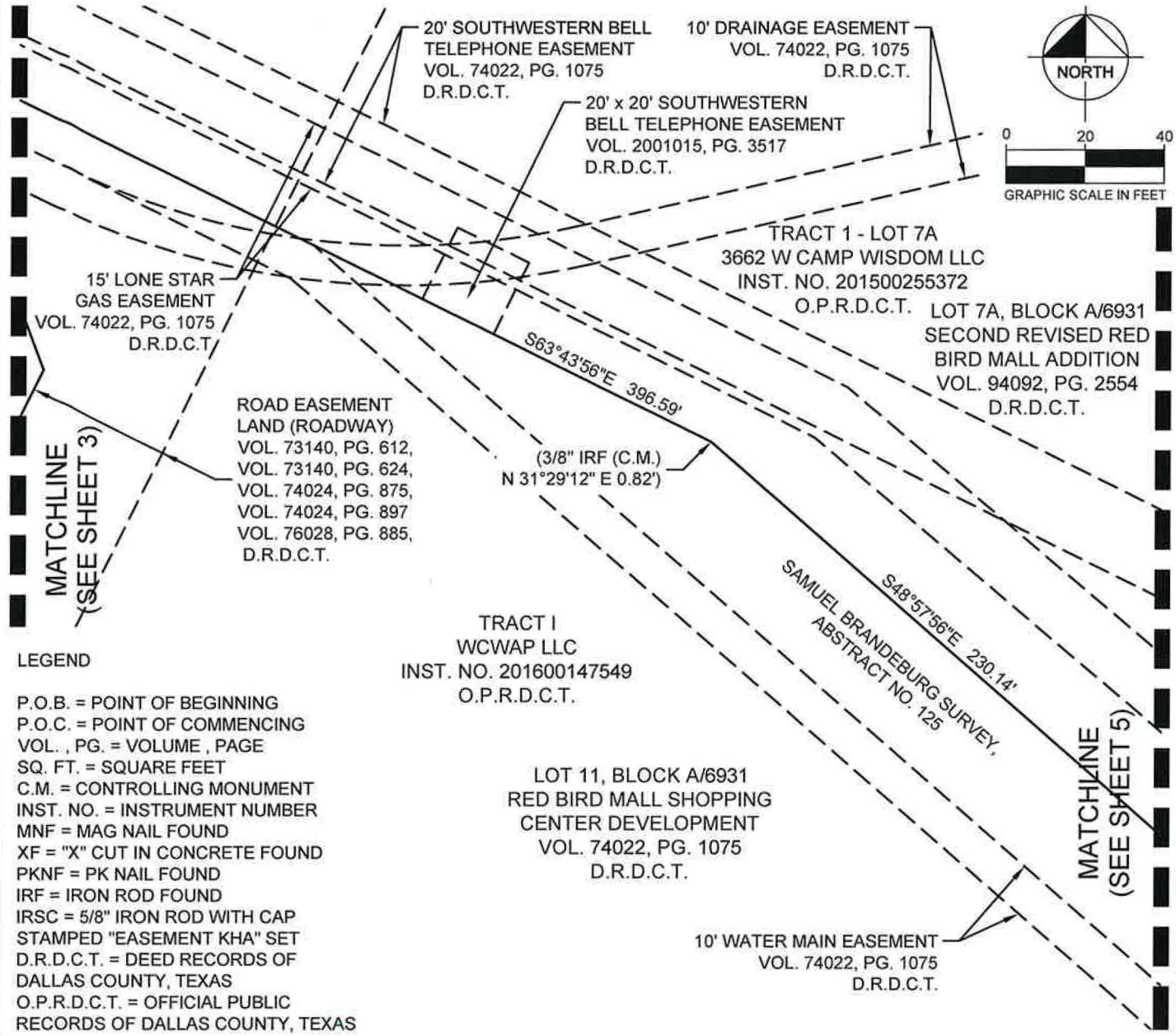
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 6

EXHIBIT A-TRACT 8



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NOTES

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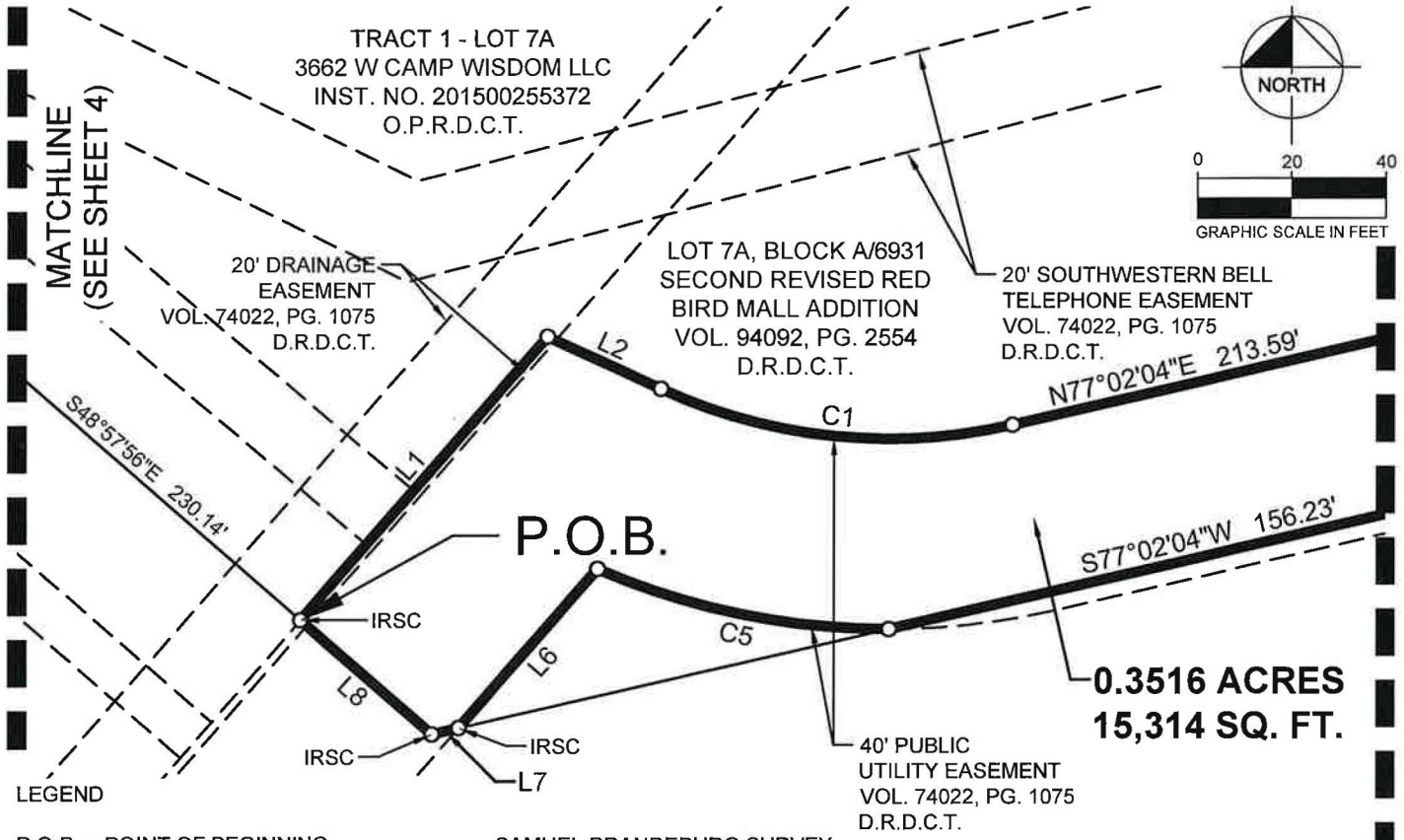
STATE OF TEXAS
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PUBLIC UTILITY EASEMENT ABANDONMENT
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SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 6

EXHIBIT A-TRACT 8



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SAMUEL BRANDEBURG SURVEY,
ABSTRACT NO. 125

TRACT I
WCWAP LLC
INST. NO. 201600147549
O.P.R.D.C.T.

LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
VOL. 74022, PG. 1075
D.R.D.C.T.

MATCHLINE
(SEE SHEET 6)

NOTES

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4861

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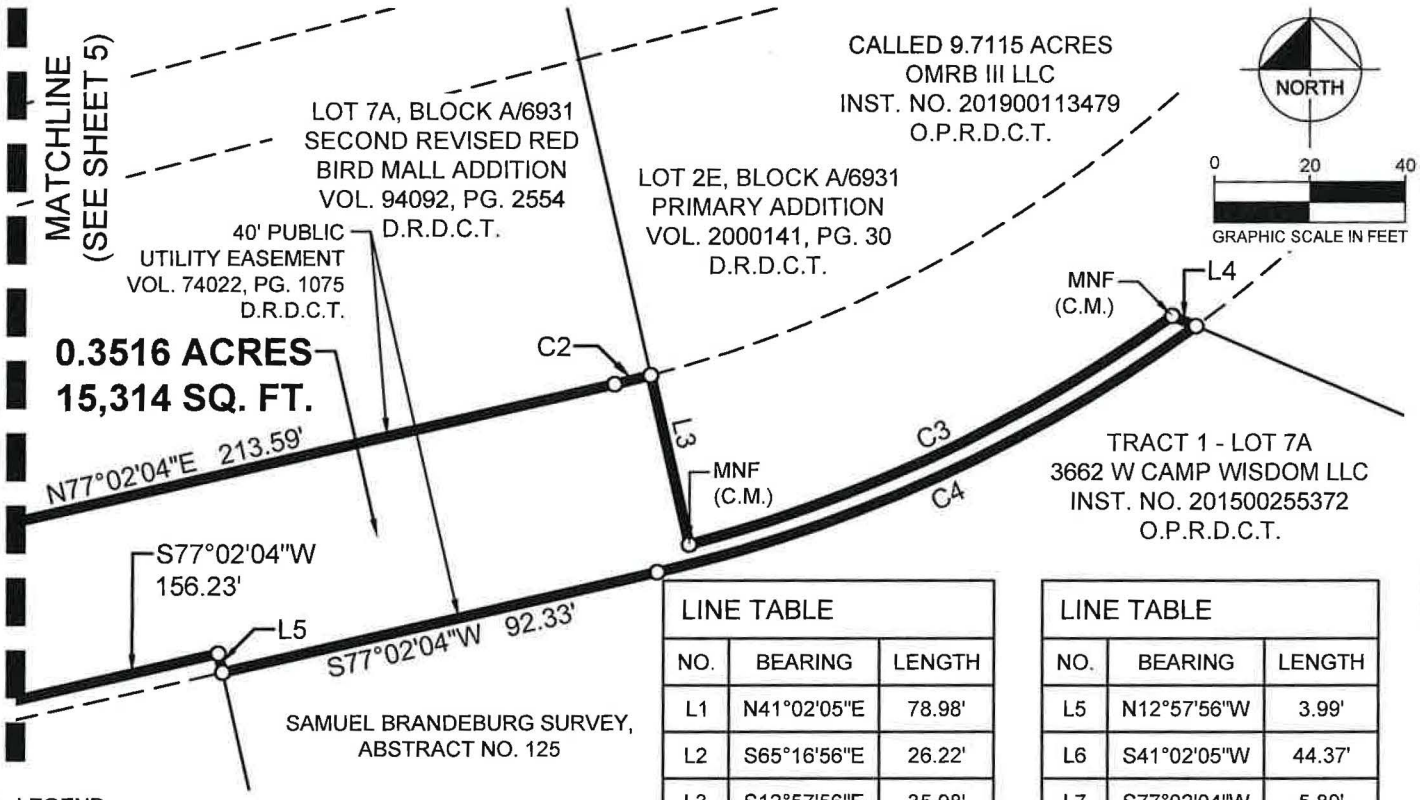
STATE OF TEXAS
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LAND SURVEYOR
5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 6

EXHIBIT A-TRACT 8



LINE TABLE		
NO.	BEARING	LENGTH
L1	N41°02'05"E	78.98'
L2	S65°16'56"E	26.22'
L3	S12°57'56"E	35.98'
L4	S66°57'56"E	5.33'

LINE TABLE		
NO.	BEARING	LENGTH
L5	N12°57'56"W	3.99'
L6	S41°02'05"W	44.37'
L7	S77°02'04"W	5.80'
L8	N48°57'56"W	36.59'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	37°40'59"	115.00'	75.63'	S84°07'25"E	74.28'
C2	1°39'49"	265.00'	7.69'	N76°12'09"E	7.69'
C3	21°16'21"	300.00'	111.38'	N64°41'21"E	110.74'
C4	23°12'24"	305.00'	123.53'	S65°25'52"W	122.69'
C5	23°15'28"	155.00'	62.92'	N78°18'01"W	62.49'

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NOTES

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(For SPRG use only)
Reviewed By: JE
Date: 5-23-19
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5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	6 OF 6

EXHIBIT A-TRACT 9

LEGAL DESCRIPTION

BEING a 578 square foot (0.0133 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 11, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075, Deed Records of Dallas County, Texas, and being part of "TRACT I" described in Special Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147549, Official Public Records of Dallas County, Texas, and being part of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development, and being more particularly described as follows:

COMMENCING at a point in the southeast right-of-way line of Westmoreland Road (100-foot wide right-of-way, Volume 67253, Page 354 of said Deed Records), for a northwest corner of said Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records, and being the northwest corner of said Lot 11; from said point an "X" cut in concrete found bears North 24°38'42" West, a distance of 0.27 feet;

THENCE departing said southeast right-of-way line of Westmoreland Road and with the common line of Lot 7A and said Lot 11, the following courses and distances:

South 63°43'56" East, a distance of 396.59 feet to a point for corner; from said point a 3/8-inch iron rod found bears North 31°29'12" East, a distance of 0.82 feet;
South 48°57'56" East, a distance of 266.73 feet to a point for corner;
North 77°02'04" East, a distance of 98.48 feet to a mag nail set for the **POINT OF BEGINNING**;

THENCE continuing with said common line of Lot 7A and Lot 11, the following courses and distances:

North 77°02'04" East, a distance of 156.23 feet to a mag nail set for corner;
South 12°57'56" East, a distance of 3.99 feet to a mag nail set in the south line of said 40-foot wide public utility easement;

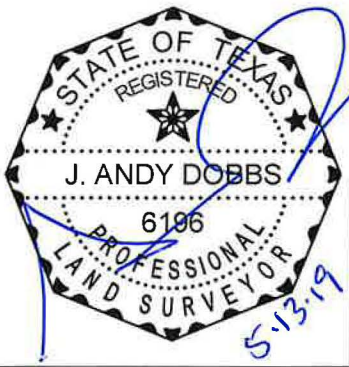
THENCE departing said common line of Lot 7A and Lot 11, and with said south line of the 40-foot wide public utility easement, the following courses and distances:

South 77°02'04" West, a distance of 121.26 feet to a mag nail set at the beginning of a tangent curve to the right having a central angle of 13°02'10", a radius of 155.00 feet, a chord bearing and distance of South 83°33'10" West, 35.19 feet;
In a southwesterly direction with said curve to the right, an arc distance of 35.27 feet to the **POINT OF BEGINNING** and containing 578 square feet or 0.0133 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4862

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ANDY.DOBBS@KIMLEY-HORN.COM

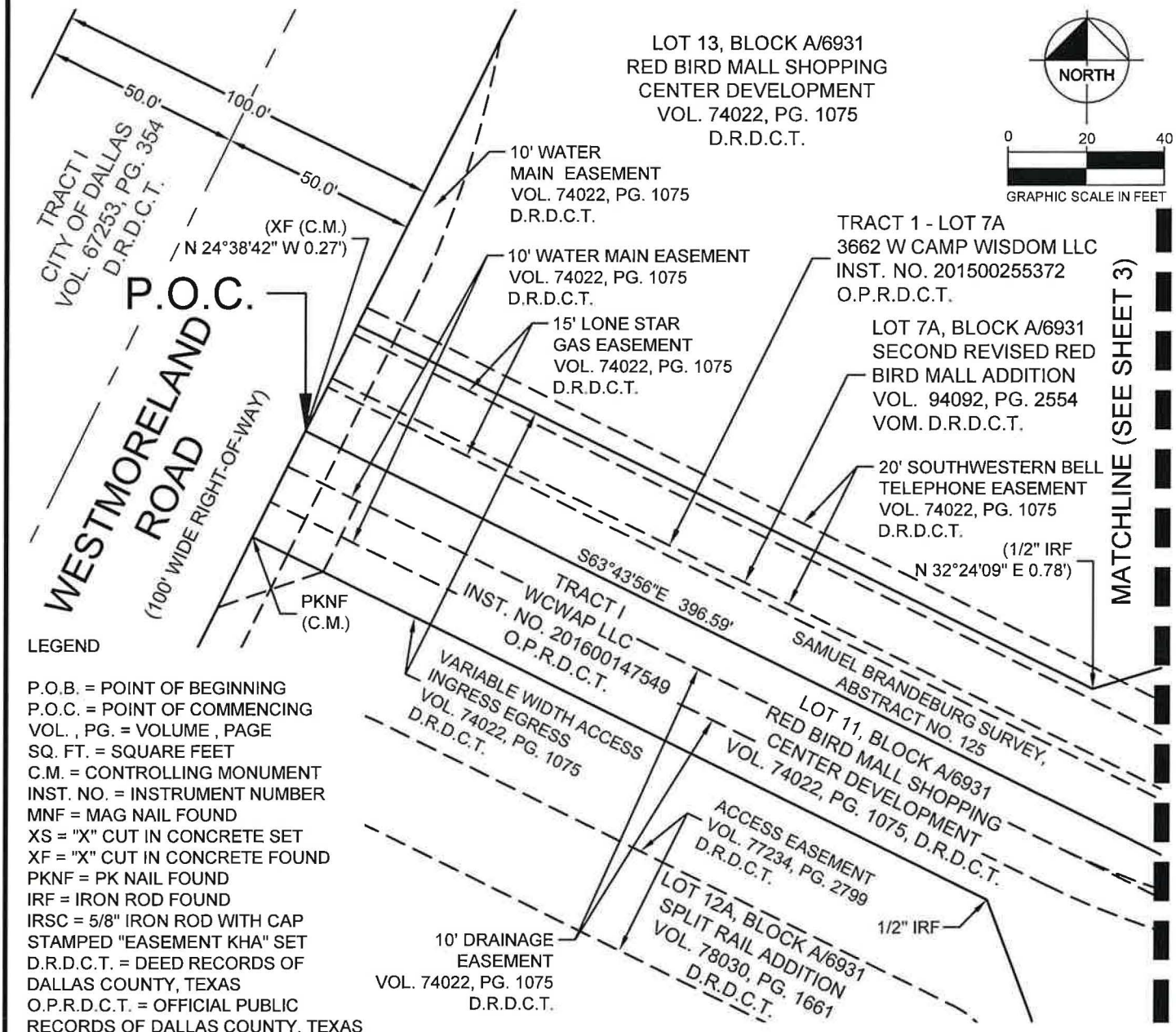


PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 5

EXHIBIT A-TRACT 9



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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-23-19
SPRG NO: 4862

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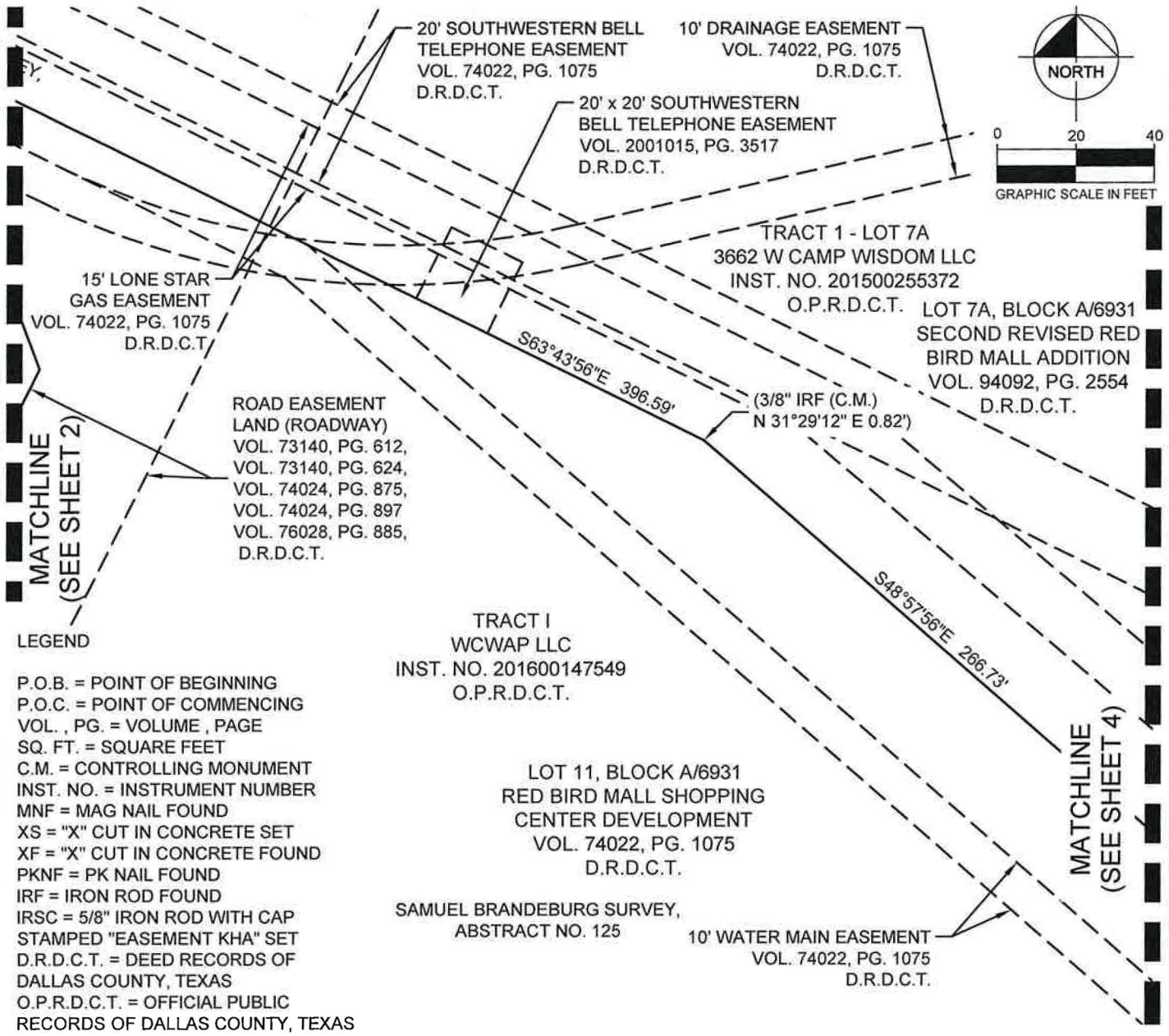
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	2 OF 5

EXHIBIT A-TRACT 9



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(For SPRG use only)
Reviewed By: JC
Date: 5-23-19
SPRG NO: 4862

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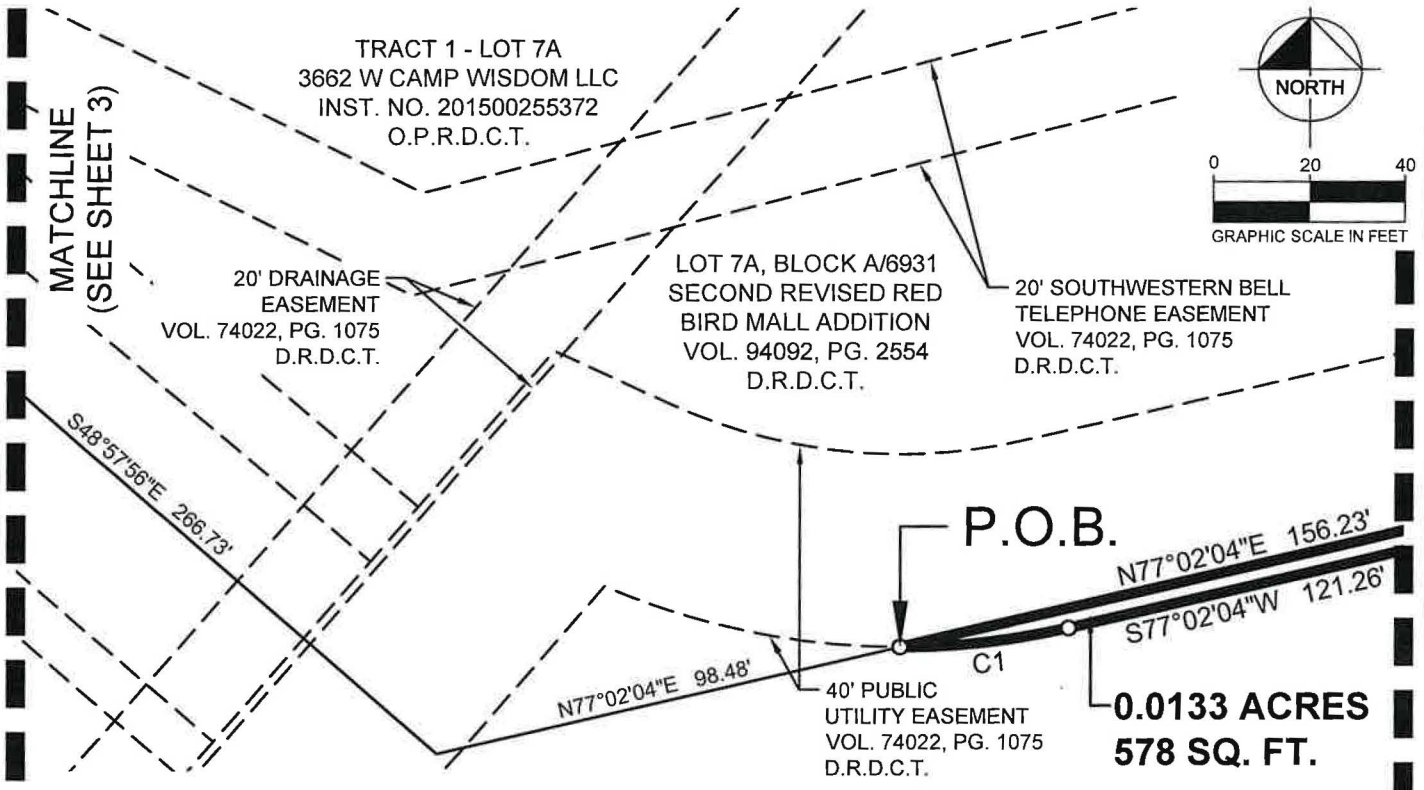
STATE OF TEXAS
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J. ANDY DOBBS
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5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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EXHIBIT A-TRACT 9



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TRACT I
WCWAP LLC
INST. NO. 201600147549
O.P.R.D.C.T.

SAMUEL BRANDEBURG SURVEY,
ABSTRACT NO. 125

LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
VOL. 74022, PG. 1075
D.R.D.C.T.

MATCHLINE
(SEE SHEET 5)

NOTES

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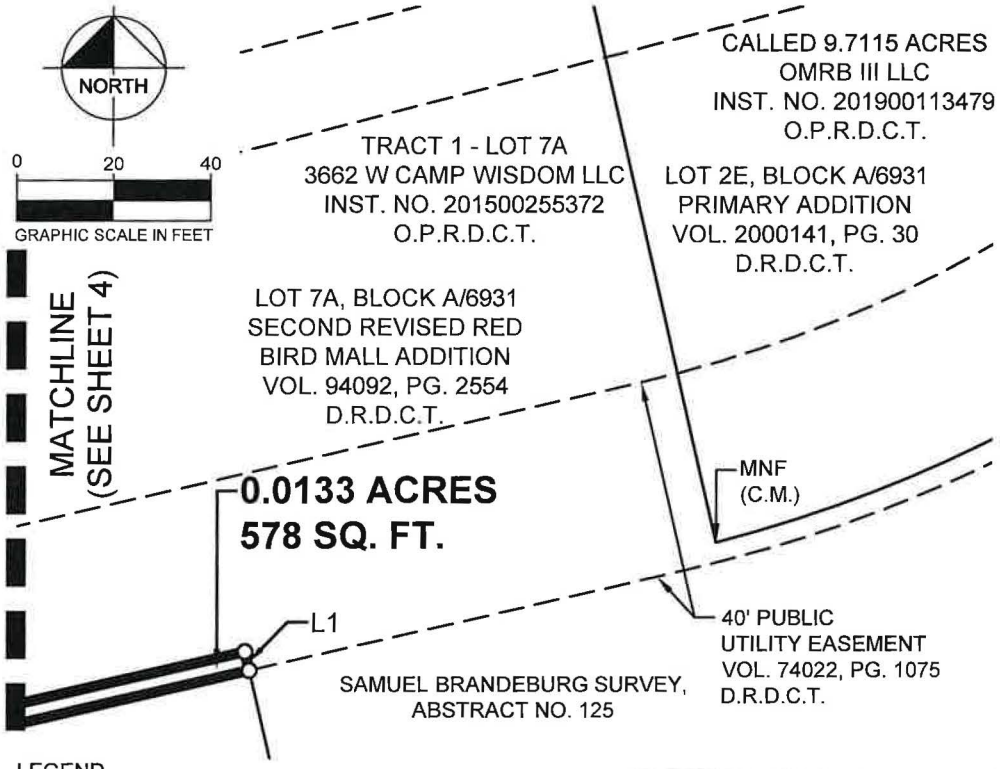
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-13-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 5

EXHIBIT A-TRACT 9



LEGEND

P.O.B. = POINT OF BEGINNING
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CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	13°02'10"	155.00'	35.27'	S83°33'10"W	35.19'

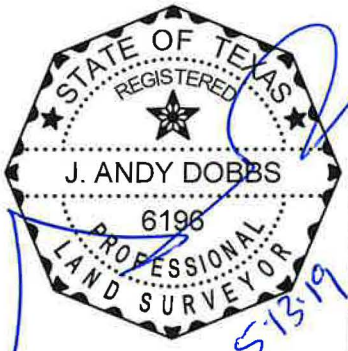
LINE TABLE		
NO.	BEARING	LENGTH
L1	S12°57'56"E	3.99'

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
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Date: 5-23-19
SPRG NO: 4862

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EXHIBIT A-TRACT 10

LEGAL DESCRIPTION

BEING a 37,814 square foot (0.8681 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 11, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075, Deed Records of Dallas County, Texas, and being part of "TRACT I" described in Special Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147549, Official Public Records of Dallas County, Texas, and being part of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development, and being more particularly described as follows:

COMMENCING at a point in the southeast right-of-way line of Westmoreland Road (100-foot wide right-of-way, Volume 67253, Page 354 of said Deed Records), for a northwest corner of said Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records, and being the northwest corner of said Lot 11; from said point an "X" cut in concrete found bears North 24°38'42" West, a distance of 0.27 feet;

THENCE departing said southeast right-of-way line of Westmoreland Road and with the common line of Lot 7A and said Lot 11, the following courses and distances:

South 63°43'56" East, a distance of 396.59 feet to a point for corner; from said point a 3/8-inch iron rod found bears North 31°29'12" East, a distance of 0.82 feet;
South 48°57'56" East, a distance of 230.14 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in the north line of said 40-foot wide public utility easement, for the **POINT OF BEGINNING**;

THENCE departing said north line of the 40-foot wide public utility easement and continuing with said common line of Lot 7A and Lot 11, the following courses and distances:

South 48°57'56" East, a distance of 36.59 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;
North 77°02'04" East, a distance of 5.80 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in the south line of said 40-foot wide public utility easement;

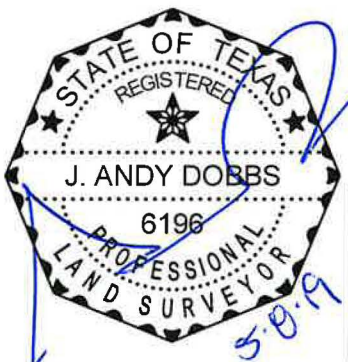
THENCE departing said common line of Lot 7A and Lot 11 and with said south line of the 40-foot wide public utility easement, the following courses and distances:

South 41°02'05" West, a distance of 22.08 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;
South 45°59'55" East, a distance of 10.18 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set at the beginning of a non-tangent curve to the right having a central angle of 35°48'07", a radius of 155.00 feet, a chord bearing and distance of South 30°52'00" East, 95.29 feet;

CONTINUED ON SHEET 2

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PUBLIC UTILITY EASEMENT
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SAMUEL BRANDENBURG SURVEY,
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EXHIBIT A-TRACT 10

LEGAL DESCRIPTION (CONTINUED)

In a southeasterly direction, with said curve to the right, an arc distance of 96.85 feet to an "X" cut in concrete set for corner;
South 12°57'56" East, a distance of 176.21 feet to an "X" cut in concrete set at the beginning of a tangent curve to the right having a central angle of 56°37'59", a radius of 138.00 feet, a chord bearing and distance of South 15°21'03" West, 130.92 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 136.40 feet to a mag nail set for corner;
South 43°40'03" West, a distance of 27.41 feet to a mag nail set for corner;
South 12°57'56" East, a distance of 95.21 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 286.38 feet to a mag nail set at the beginning of a tangent curve to the left having a central angle of 16°54'36", a radius of 105.00 feet, a chord bearing and distance of North 68°34'46" East, 30.88 feet;
In a northeasterly direction, with said curve to the left, an arc distance of 30.99 feet to a mag nail set in said common line of Lot 7A and Lot 11;

THENCE departing said south line of the 40-foot wide public utility easement and with said common line of Lot 7A and Lot 11, South 12°57'56" East, a distance of 41.29 feet to a mag nail set in the said north line of the 40-foot wide public utility easement, and being the beginning of a non-tangent curve to the right having a central angle of 12°09'33", a radius of 145.00 feet, a chord bearing and distance of South 70°57'17" West, 30.71 feet;

THENCE departing said common line of Lot 7A and Lot 11 and with said north line of the 40-foot wide public utility easement, the following courses and distances:

In a southwesterly direction, with said curve to the right, an arc distance of 30.77 feet to a mag nail set for corner;
South 77°02'04" West, a distance of 326.38 feet to a mag nail set for corner;
North 12°57'56" West, a distance of 156.77 feet to a mag nail set for corner;
North 43°40'03" East, a distance of 48.97 feet to an "X" cut in concrete set at the beginning of a tangent curve to the left having a central angle of 56°37'59", a radius of 98.00 feet, a chord bearing and distance of North 15°21'03" East, 92.97 feet;
In a northeasterly direction, with said curve to the left, an arc distance of 96.87 feet to a mag nail set for corner;
North 12°57'56" West, a distance of 176.21 feet to a mag nail set at the beginning of a tangent curve to the left having a central angle of 36°14'52", a radius of 115.00 feet, a chord bearing and distance of North 31°05'22" West, 71.55 feet;
In a northwesterly direction, with said curve to the left, an arc distance of 72.75 feet to a mag nail set for corner;
North 45°59'55" West, a distance of 49.20 feet to a mag nail set for corner;
North 41°02'05" East, a distance of 55.36 feet to the **POINT OF BEGINNING** and containing 37,814 square feet or 0.8681 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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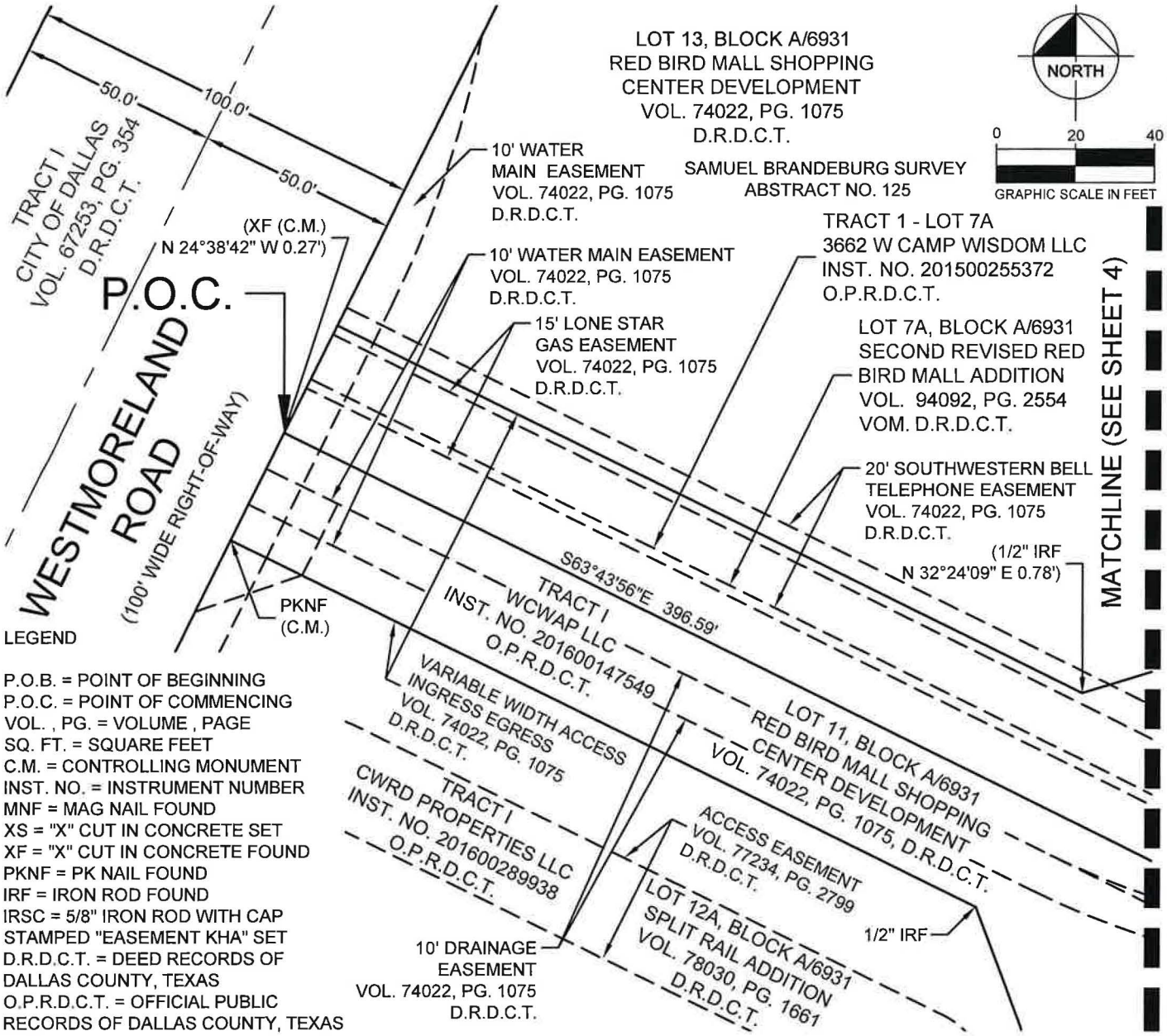
STATE OF TEXAS
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CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 9

EXHIBIT A-TRACT 10



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NOTES

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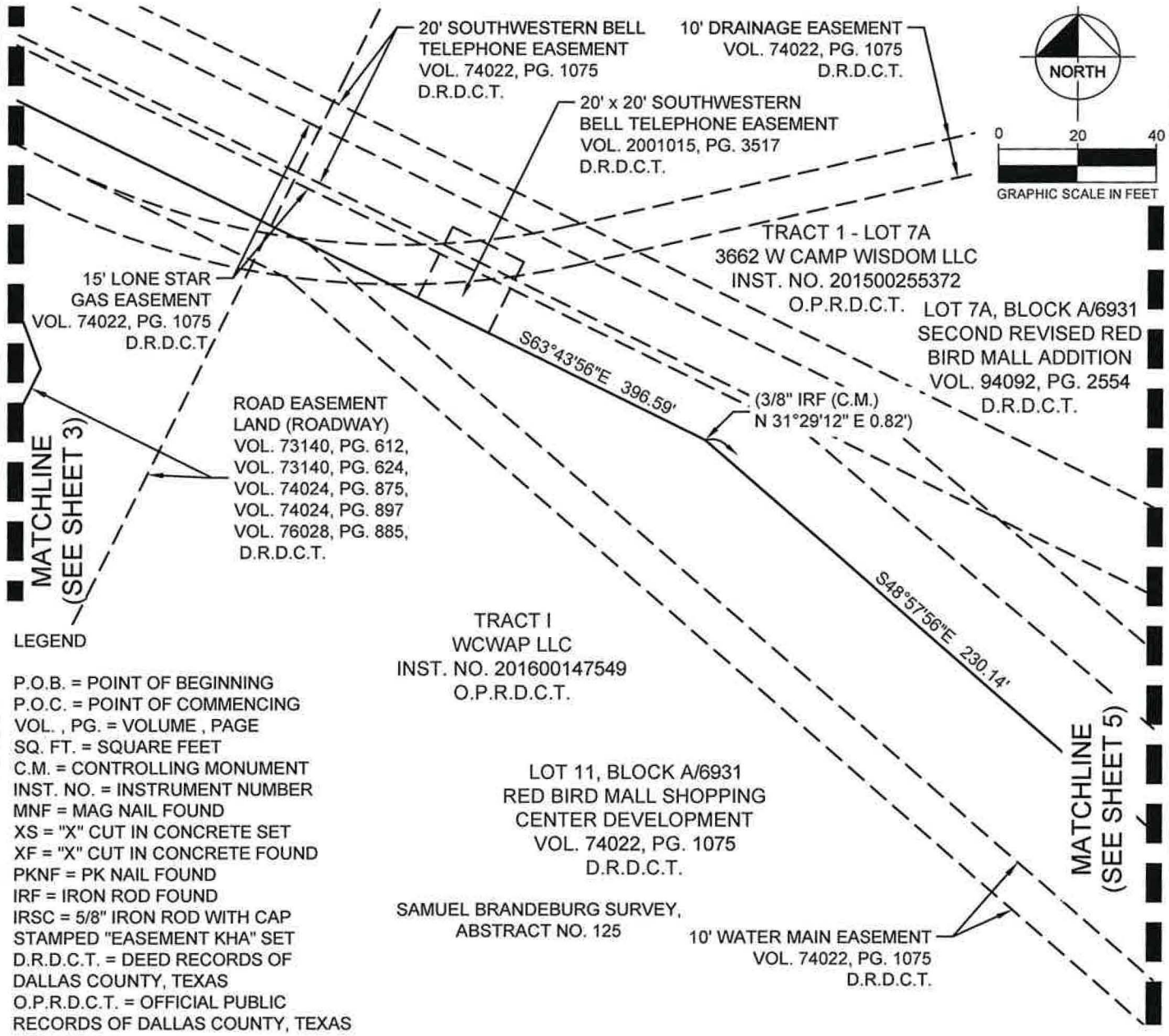
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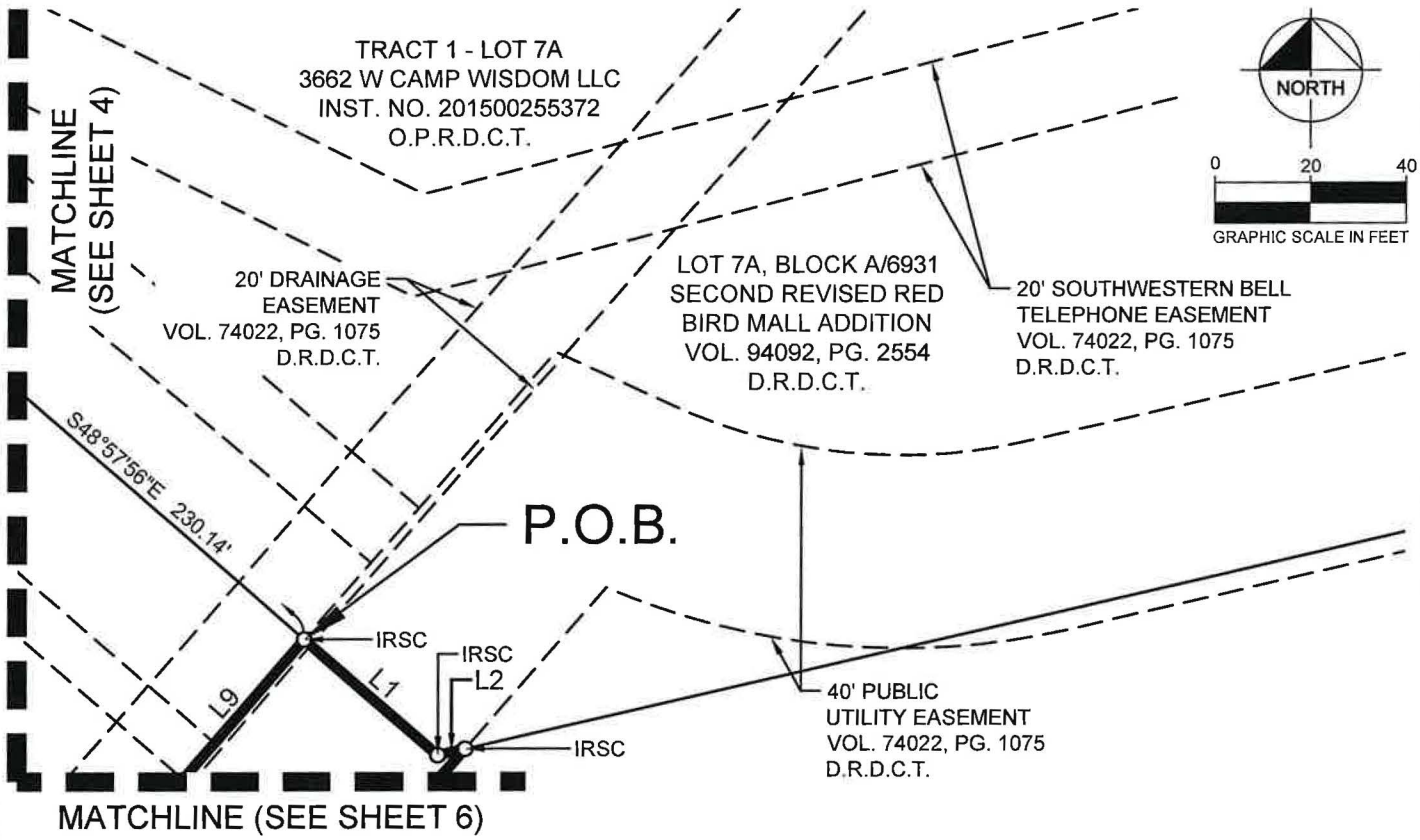
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TRACT I
WCWAP LLC
INST. NO. 201600147549
O.P.R.D.C.T.

SAMUEL BRANDEBURG SURVEY,
ABSTRACT NO. 125

LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
VOL. 74022, PG. 1075
D.R.D.C.T.

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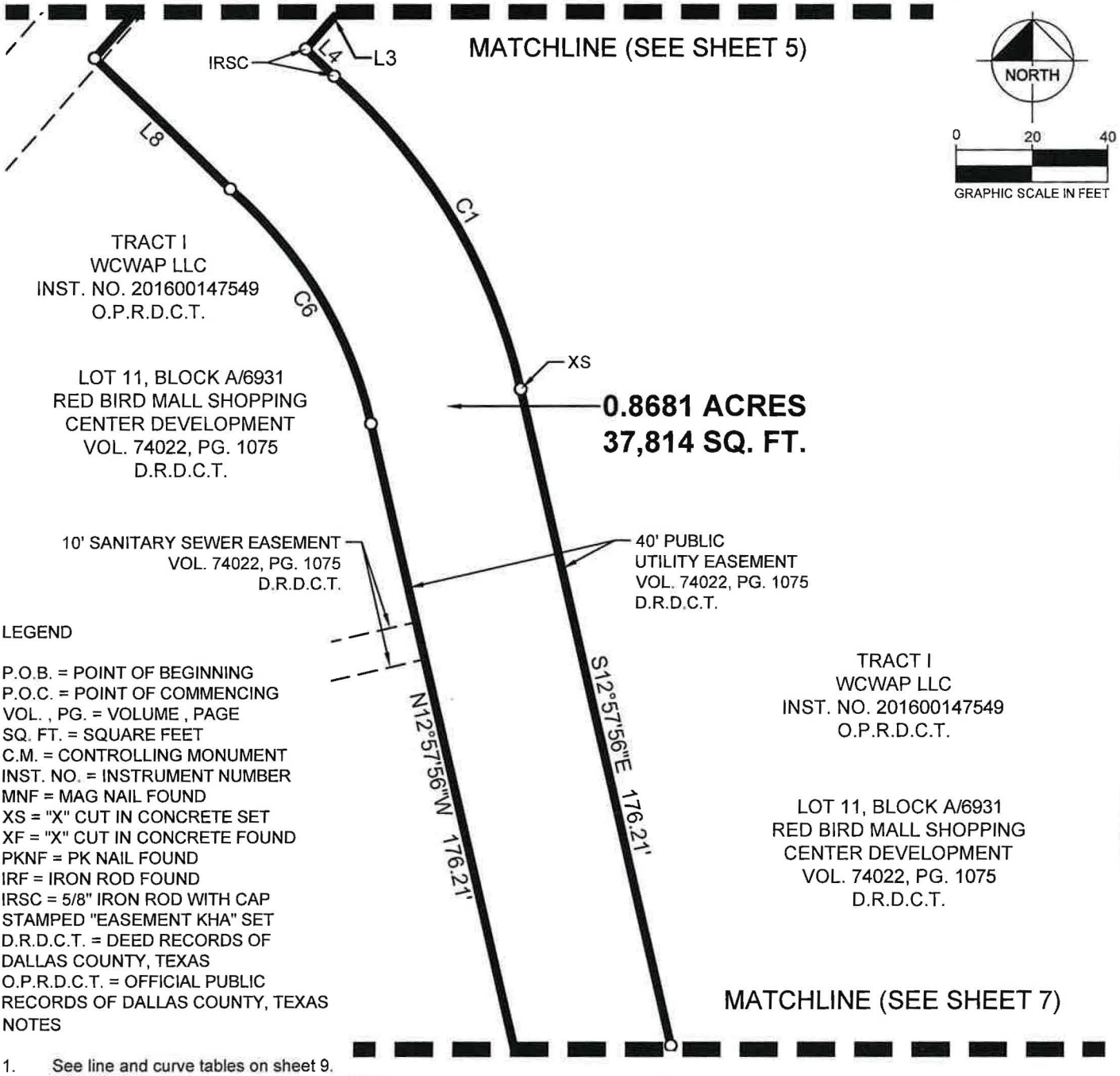
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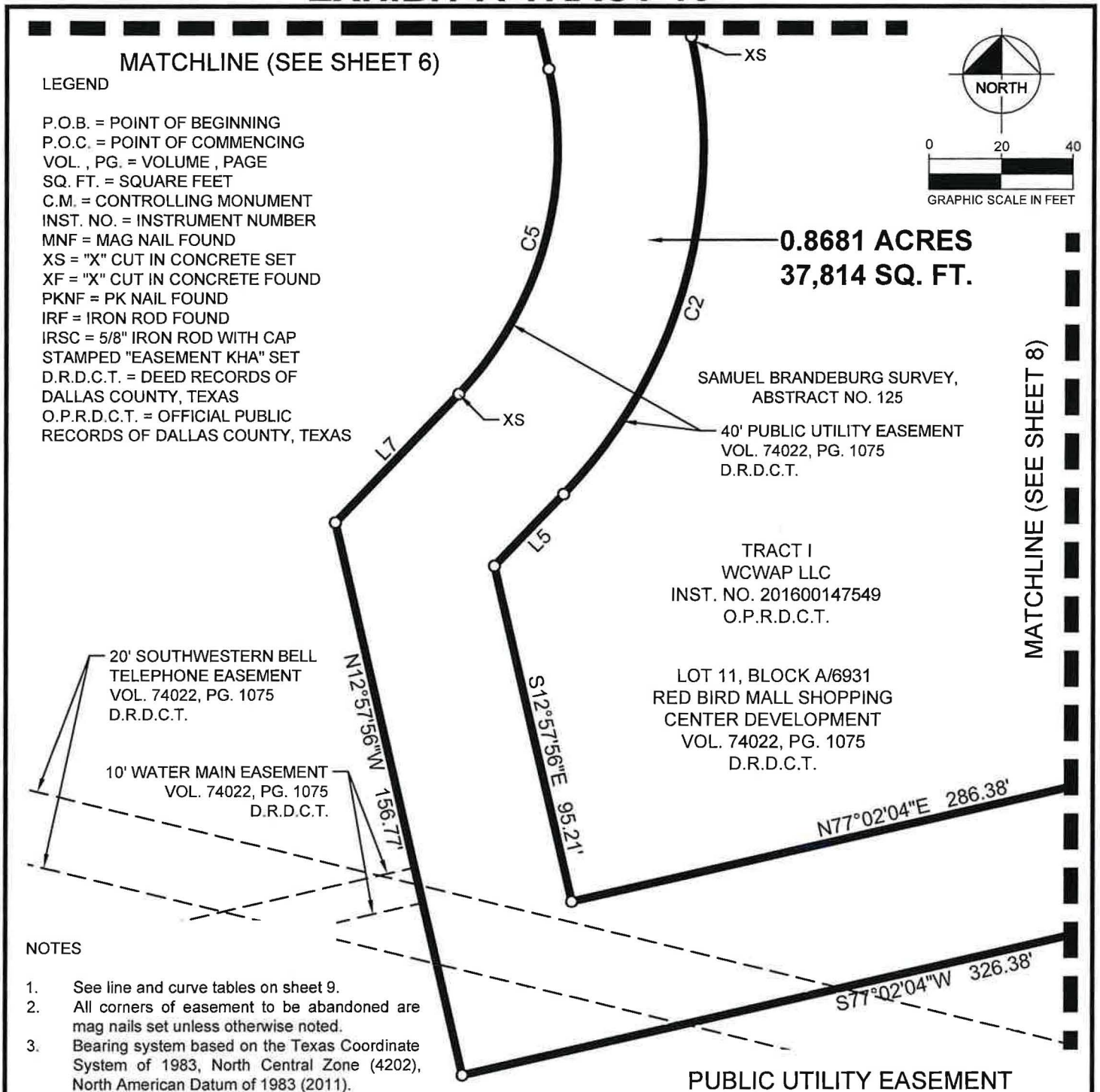
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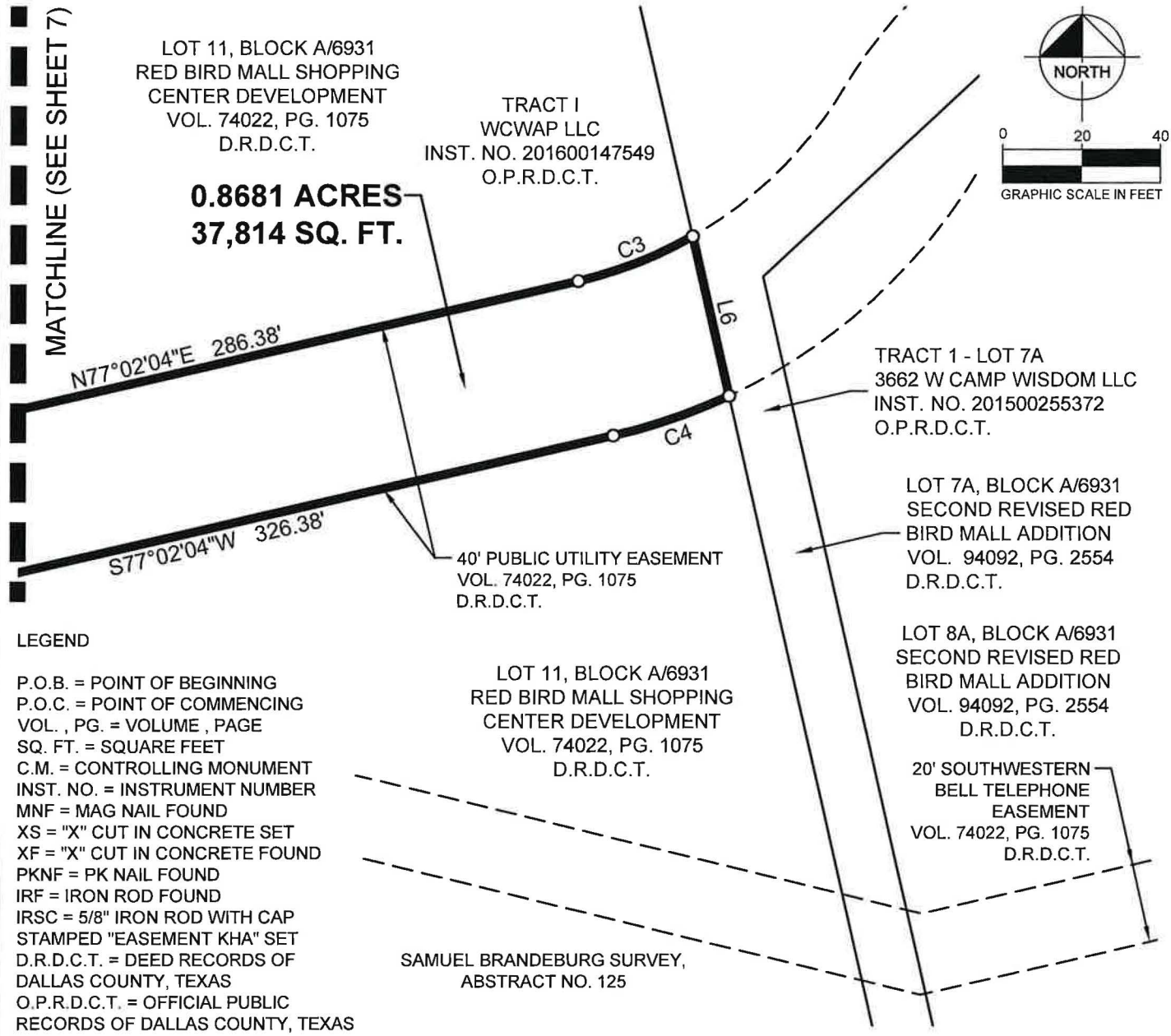
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J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-28-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	8 OF 9

EXHIBIT A-TRACT 10

LINE TABLE		
NO.	BEARING	LENGTH
L1	S48°57'56"E	36.59'
L2	N77°02'04"E	5.80'
L3	S41°02'05"W	22.08'
L4	S45°59'55"E	10.18'
L5	S43°40'03"W	27.41'
L6	S12°57'56"E	41.29'
L7	N43°40'03"E	48.97'
L8	N45°59'55"W	49.20'
L9	N41°02'05"E	55.36'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	35°48'07"	155.00'	96.85'	S30°52'00"E	95.29'
C2	56°37'59"	138.00'	136.40'	S15°21'03"W	130.92'
C3	16°54'36"	105.00'	30.99'	N68°34'46"E	30.88'
C4	12°09'33"	145.00'	30.77'	S70°57'17"W	30.71'
C5	56°37'59"	98.00'	96.87'	N15°21'03"E	92.97'
C6	36°14'52"	115.00'	72.75'	N31°05'22"W	71.55'

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4880

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STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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5-8-19

PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	9 OF 9

CUDE. MITCHELL 5/8/2019 3:47 PM K:\DAL SURVEY\064508500-RED BIRD\DWG\SEPERATE INSTRUMENTS\ABANDONMENTS\064508500 RED BIRD ABMT SPRG 4880 - UTIL 0.8981

EXHIBIT A-TRACT 11

LEGAL DESCRIPTION

BEING a 3,887 square foot (0.0892 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1 - LOT 7A" described in Special Warranty Deed to 3662 W Camp Wisdom LLC recorded in Instrument No. 201500255372, Official Public Records of Dallas County, Texas, and being part of a 40-foot wide public utility easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a point in the northeast right-of-way line of Interstate Highway No. 20 (a variable width right-of-way, Volume 69146, Page 21 of said Deed Records), for the southernmost southeast corner of said Lot 7A, and being the southwest corner of Lot 10-A, Block A/6931, Cinema Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76241, Page 3 of said Deed Records; from said point a 1/2-inch iron rod with cap stamped "HALFF ASSOC" found bears South 89°33'34" West, a distance of 1.10 feet;

THENCE departing said northeast right-of-way line of Interstate Highway No. 20, and with the common line of said Lot 7A and Lot 10-A, North 12°57'56" West, a distance of 276.04 feet a point in the south line of Lot 8A, Block A/6931 of said Second Revised Red Bird Mall Addition, for the northwest corner of said Lot 10-A, and being a southeast corner of said Lot 7A; from said point an "X" cut in concrete found bears South 83°52'10" West, a distance of 1.24 feet;

THENCE with the common line of said Lot 7A and Lot 8A, the following courses and distances:

South 77°02'04" West, a distance of 60.22 feet to a point at the beginning of a tangent curve to the right having a central angle of 22°55'50", a radius of 618.00 feet, a chord bearing and distance of South 88°29'59" West, 245.68 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 247.33 feet to a point for corner; from said point a 1/2-inch iron rod found bears South 53°29'07" West, a distance of 1.62 feet;
North 80°02'06" West, a distance of 42.39 feet to a point for corner; from said point a 1/2-inch iron rod cap stamped "GORETEX" found bears South 37°13'52" West, a distance of 1.51 feet;
North 12°57'56" West, a distance of 141.35 feet to a point for corner;
North 77°02'04" East, a distance of 37.00 feet to a point for corner;
North 12°57'56" West, a distance of 20.79 feet to a point for corner;
North 77°00'04" East, a distance of 275.00 feet to a point for corner;
North 12°57'55" West, a distance of 209.72 feet to a mag nail set in the south line of said 40-foot wide public utility easement, and being the beginning of a non-tangent curve to the right having a central angle of 6°07'54", a radius of 145.00 feet, a chord bearing and distance of South 61°48'33" West, 15.51 feet, and being the **POINT OF BEGINNING**;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4863

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PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 6

EXHIBIT A-TRACT 11

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said common line of Lot 7A and Lot 8A, in a southwesterly direction, with said south line of the 40-foot wide public utility easement and with said curve to the right, an arc distance of 15.52 feet to a mag nail set in the common line of said Lot 7A and Lot 11, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records;

THENCE departing said south line of the 40-foot wide public utility easement and with said common line of Lot 7A and Lot 11, North 12°57'56" West, a distance of 41.29 feet to a mag nail set in the north line of said 40-foot wide public utility easement, and being the beginning of a non-tangent curve to the left having a central angle of 29°23'14", a radius of 105.00 feet, a chord bearing and distance of North 45°25'51" East, 53.27 feet;

THENCE departing said common line of Lot 7A and Lot 11 and with said north line of the 40-foot wide public utility easement, the following courses and distances:

In a northeasterly direction, with said curve to the left, an arc distance of 53.85 feet to a mag nail set at the beginning of a reverse curve to the right having a central angle of 46°17'52", a radius of 115.00 feet, a chord bearing and distance of North 53°53'10" East, 90.42 feet;
In a northeasterly direction, with said curve to the right, an arc distance of 92.93 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 97.00 feet to a mag nail set for corner;
South 12°57'56" East, a distance of 5.49 feet to a mag nail set in said common line of Lot 7A and Lot 8A;

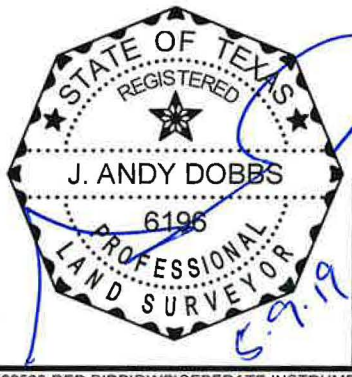
THENCE departing said north line of the 40-foot wide public utility easement and with said common line of Lot 7A and Lot 8A, the following courses and distances:

South 77°02'04" West, a distance of 86.04 feet to a mag nail set for corner;
South 47°02'04" West, a distance of 143.76 feet to a mag nail set for corner;
South 12°57'56" East, a distance of 23.30 feet to the **POINT OF BEGINNING** and containing 3,887 square feet or 0.0892 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4863

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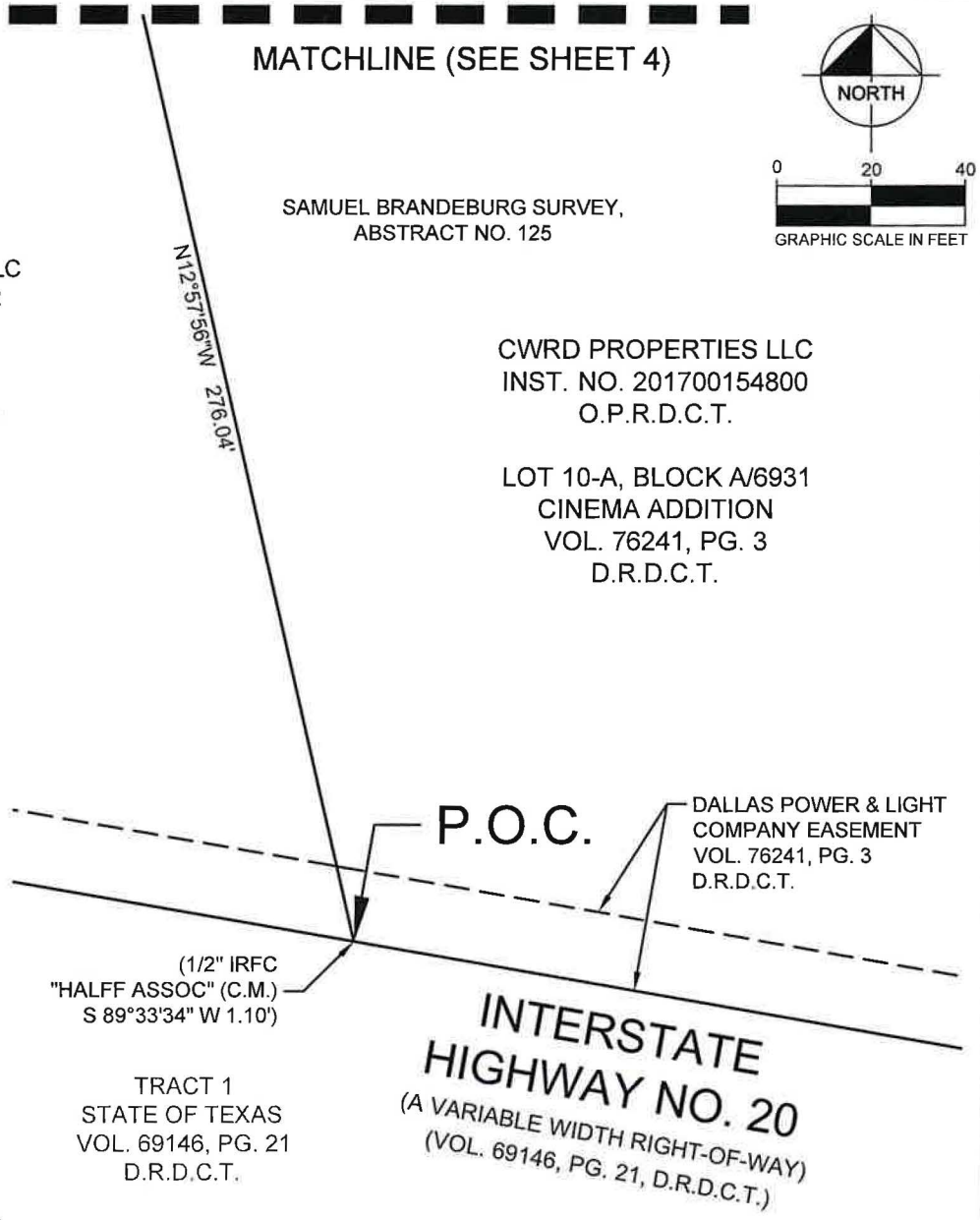
5.9.19

PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 6

EXHIBIT A-TRACT 11



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
IRFC = IRON ROD WITH
CAP STAMPED FOUND
D.R.D.C.T. = DEED RECORDS OF
DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC
RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-22-19
SPRG NO: 4863

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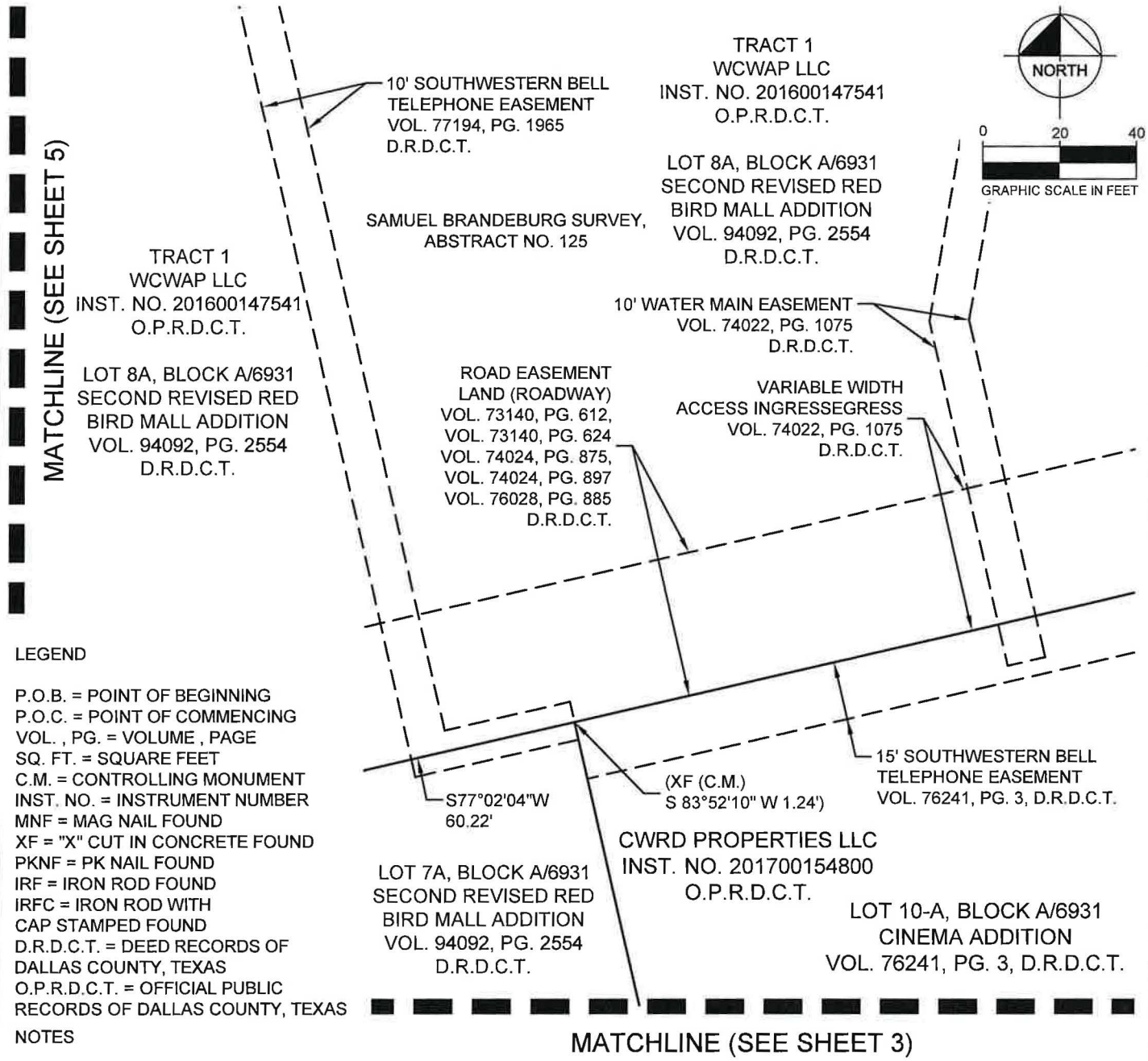
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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PROFESSIONAL
LAND SURVEYOR
5.9.19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 6

EXHIBIT A-TRACT 11



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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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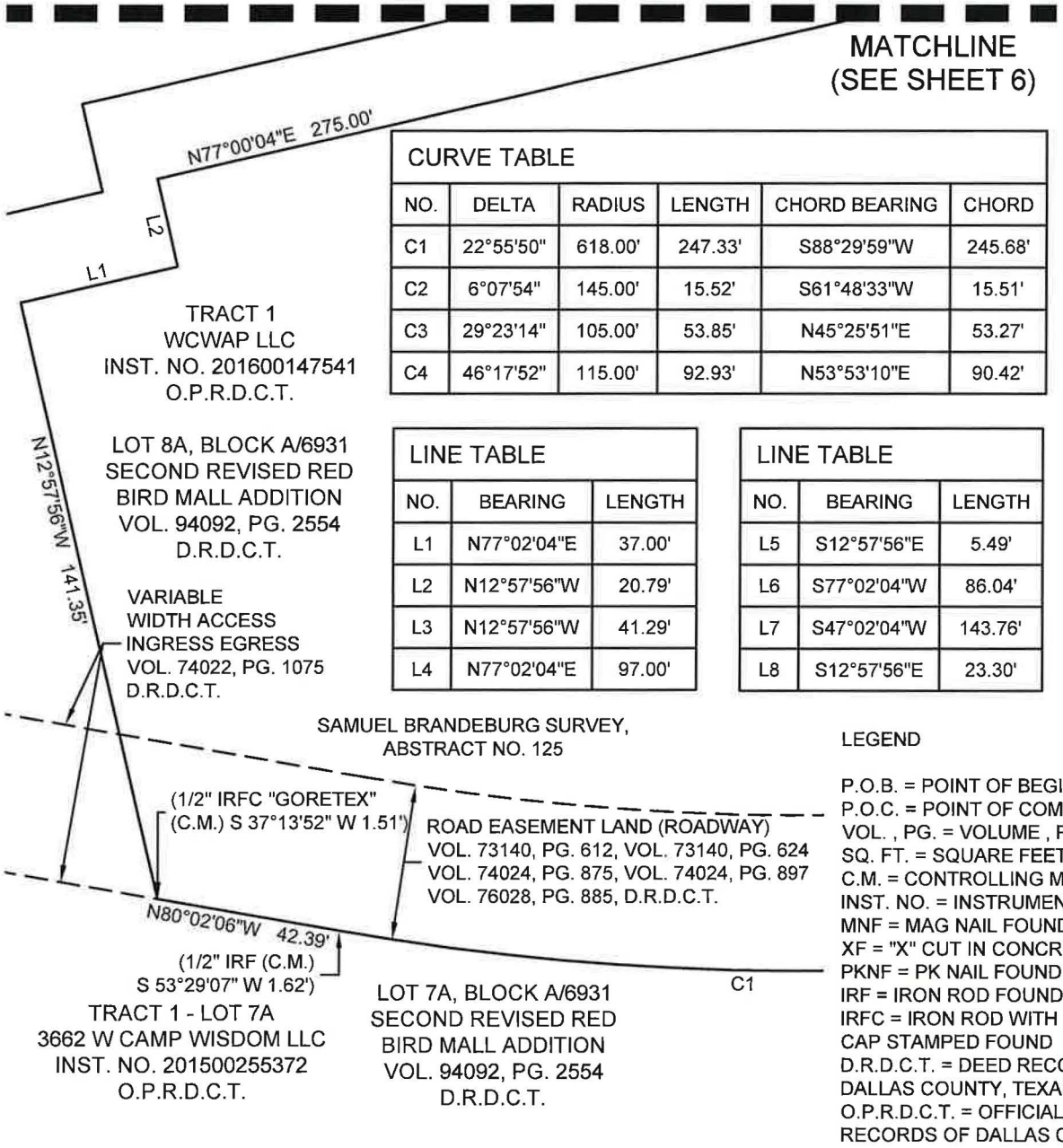
STATE OF TEXAS
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PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 6

EXHIBIT A-TRACT 11



CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	22°55'50"	618.00'	247.33'	S88°29'59"W	245.68'
C2	6°07'54"	145.00'	15.52'	S61°48'33"W	15.51'
C3	29°23'14"	105.00'	53.85'	N45°25'51"E	53.27'
C4	46°17'52"	115.00'	92.93'	N53°53'10"E	90.42'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N77°02'04"E	37.00'
L2	N12°57'56"W	20.79'
L3	N12°57'56"W	41.29'
L4	N77°02'04"E	97.00'

LINE TABLE		
NO.	BEARING	LENGTH
L5	S12°57'56"E	5.49'
L6	S77°02'04"W	86.04'
L7	S47°02'04"W	143.76'
L8	S12°57'56"E	23.30'

LEGEND

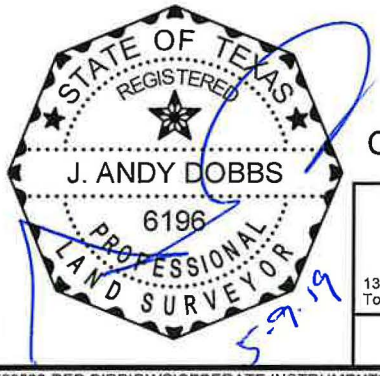
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NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4863

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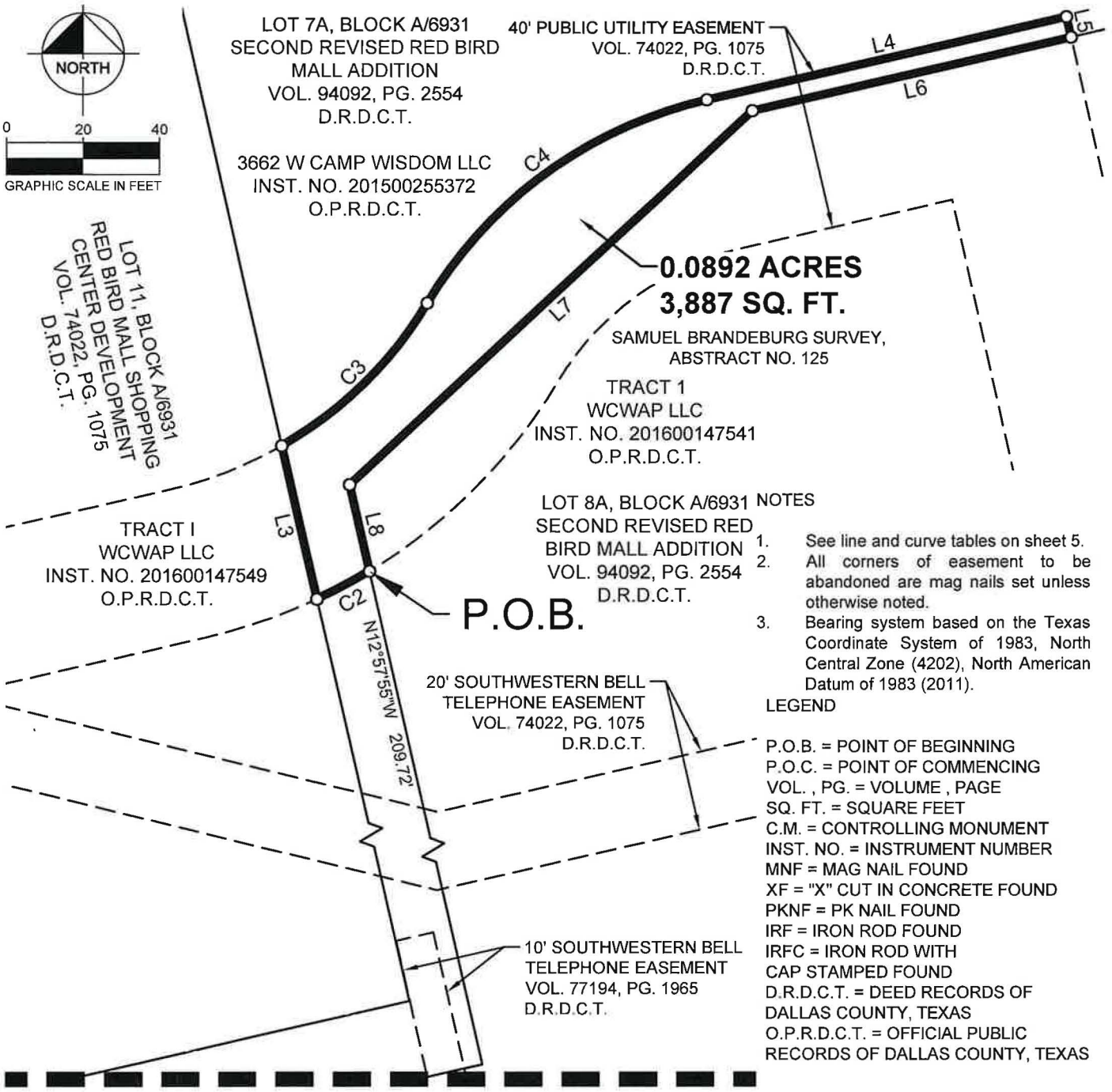


PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 6

EXHIBIT A-TRACT 11



NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

LEGEND

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MATCHLINE (SEE SHEET 5)

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4863

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PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	6 OF 6

EXHIBIT A-TRACT 12

LEGAL DESCRIPTION

BEING a 41,341 square foot (0.9491 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 8A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1" described in General Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147541, Official Public Records of Dallas County, Texas, and being part of a 40-foot wide public utility easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a point in the northeast right-of-way line of Interstate Highway No. 20 (a variable width right-of-way, Volume 69146, Page 21 of said Deed Records), for the southernmost southeast corner of said Lot 7A, and being the southwest corner of Lot 10-A, Block A/6931, Cinema Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76241, Page 3 of said Deed Records; from said point a 1/2-inch iron rod with cap stamped "HALFF ASSOC" found bears South 89°33'34" West, a distance of 1.10 feet;

THENCE departing said northeast right-of-way line of Interstate Highway No. 20, and with the common line of said Lot 7A and Lot 10-A, North 12°57'56" West, a distance of 276.04 feet a point in the south line of Lot 8A, Block A/6931 of said Second Revised Red Bird Mall Addition, for the northwest corner of said Lot 10-A, and being a southeast corner of said Lot 7A; from said point an "X" cut in concrete found bears South 83°52'10" West, a distance of 1.24 feet;

THENCE with the common line of said Lot 7A and Lot 8A, the following courses and distances:

South 77°02'04" West, a distance of 60.22 feet to a point at the beginning of a tangent curve to the right having a central angle of 22°55'50", a radius of 618.00 feet, a chord bearing and distance of South 88°29'59" West, 245.68 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 247.33 feet to a point for corner; from said point a 1/2-inch iron rod found bears South 53°29'07" West, a distance of 1.62 feet;
North 80°02'06" West, a distance of 42.39 feet to a point for corner; from said point a 1/2-inch iron rod with cap stamped "GORETEX" found bears South 37°13'52" West, a distance of 1.51 feet;
North 12°57'56" West, a distance of 141.35 feet to a point for corner;
North 77°02'04" East, a distance of 37.00 feet to a point for corner;
North 12°57'56" West, a distance of 20.79 feet to a point for corner;
North 77°00'04" East, a distance of 275.00 feet to a point for corner;
North 12°57'55" West, a distance of 209.72 feet to a mag nail set in the south line of said 40-foot wide public utility easement for the **POINT OF BEGINNING**;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: JC
Date: 5-24-19
SPRG NO: 4864

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5/14/19

PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 8

EXHIBIT A-TRACT 12

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said south line of the 40-foot wide public utility easement and continuing with said common line of Lot 7A and Lot 8A, the following courses and distances:

North 12°57'56" West, a distance of 23.30 feet to a mag nail set for corner;
North 47°02'04" East, a distance of 143.76 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 86.04 feet to a mag nail set in the north line of said 40-foot wide public utility easement;

THENCE departing said common line of Lot 7A and Lot 8A and with said north line of the 40-foot wide public utility easement, the following courses and distances:

South 12°57'56" East, a distance of 311.51 feet to a mag nail set for corner;
North 77°02'04" East, a distance of 101.00 feet to a mag nail set for corner;
North 12°57'56" West, a distance of 245.00 feet to a point for corner in building;
North 77°02'04" East, a distance of 223.80 feet to a mag nail set for corner;

THENCE departing said north line of the 40-foot wide public utility easement, South 12°57'56" East, a distance of 40.00 feet to a mag nail set in said south line of the 40-foot wide public utility easement;

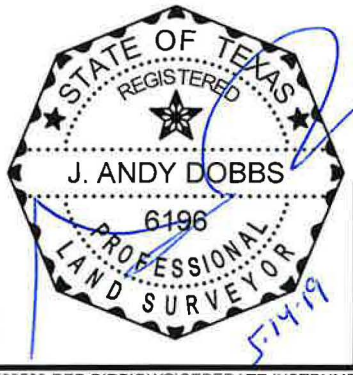
THENCE with said south line of the 40-foot wide public utility easement, the following courses and distances:

South 77°02'04" West, a distance of 183.80 feet to a point for corner in building;
South 12°57'56" East, a distance of 245.00 feet to a mag nail set for corner;
South 77°02'04" West, a distance of 181.00 feet to a mag nail set for corner;
North 12°57'56" West, a distance of 317.00 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;
South 77°02'04" West, a distance of 57.00 feet to a mag nail set at the beginning of a tangent curve to the left having a central angle of 46°17'52", a radius of 75.00 feet, a chord bearing and distance of South 53°53'10" West, 58.97 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 60.60 feet to a mag nail set at the beginning of a reverse curve to the right having a central angle of 28°00'23", a radius of 145.00 feet, a chord bearing and distance of South 44°44'25" West, 70.17 feet;
In a southwesterly direction with said curve to the right, an arc distance of 70.88 feet to the **POINT OF BEGINNING** and containing 41,341 square feet or 0.9491 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4864

J. ANDY DOBBS
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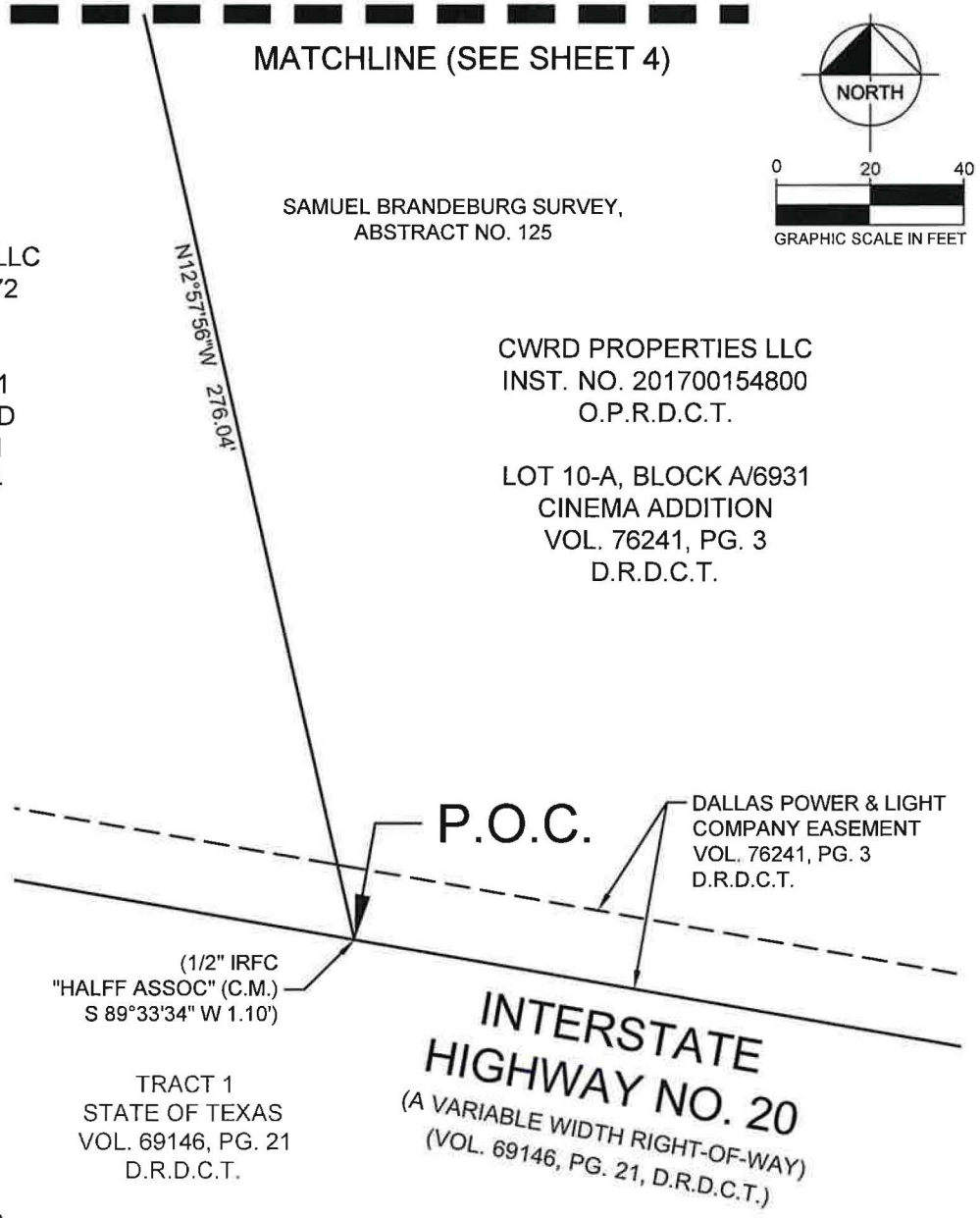


PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 8

EXHIBIT A-TRACT 12



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
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STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF
DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC
RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JC
Date: 5-24-19
SPRG NO: 4864

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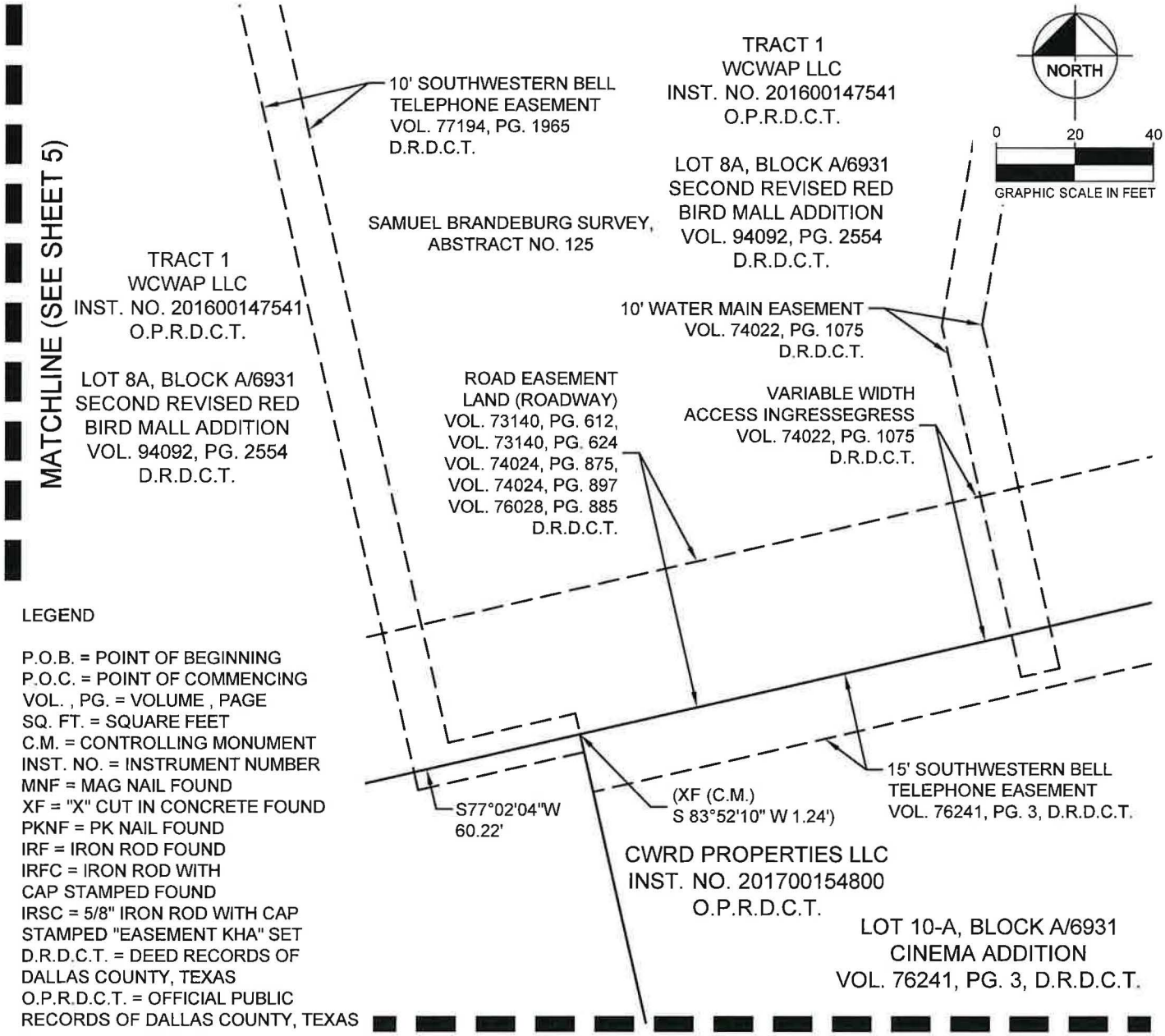
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5/14/19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 8

EXHIBIT A-TRACT 12



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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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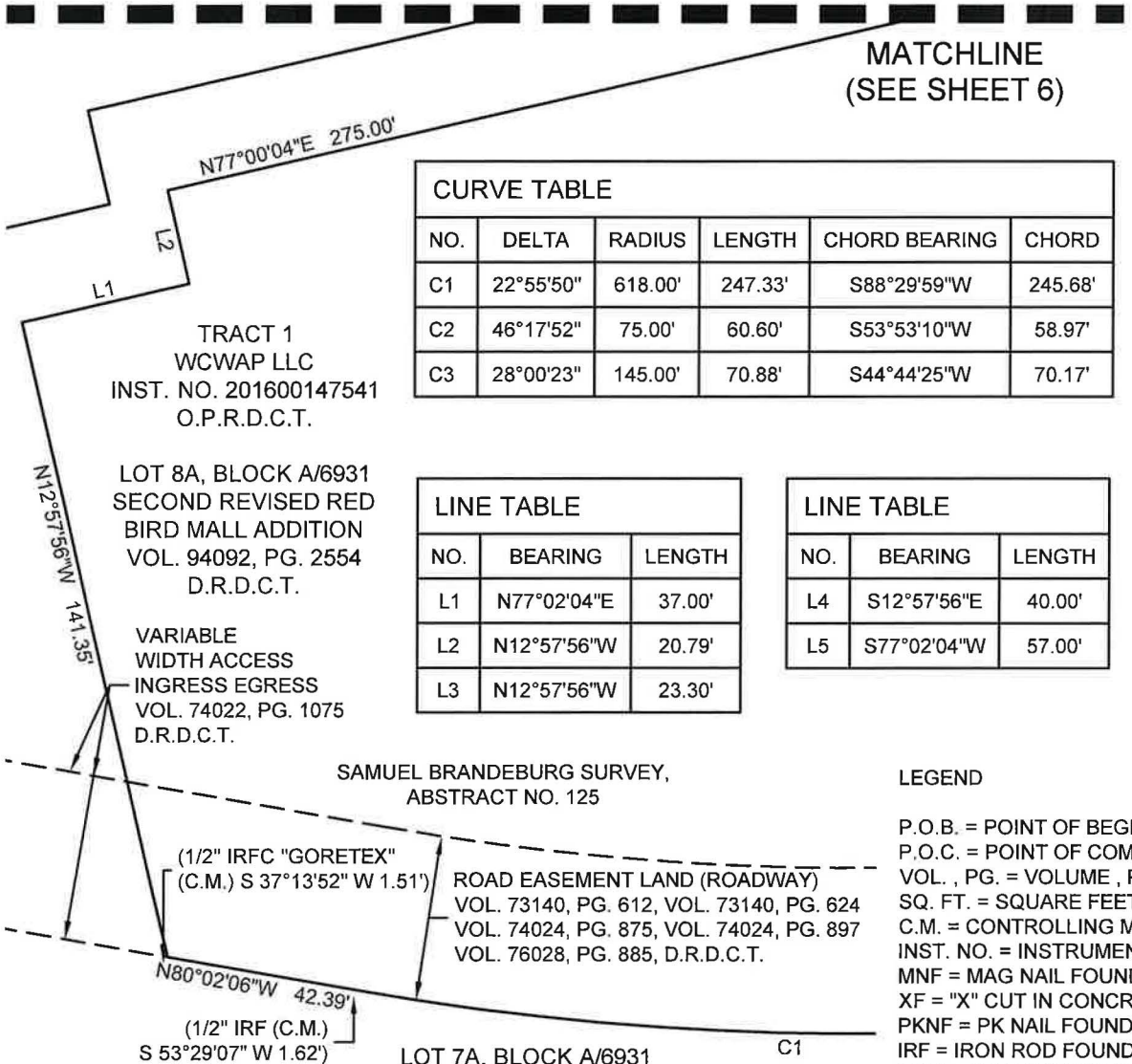
STATE OF TEXAS
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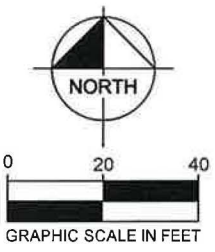
PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 8

EXHIBIT A-TRACT 12





MATCHLINE (SEE SHEET 4)

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	22°55'50"	618.00'	247.33'	S88°29'59"W	245.68'
C2	46°17'52"	75.00'	60.60'	S53°53'10"W	58.97'
C3	28°00'23"	145.00'	70.88'	S44°44'25"W	70.17'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N77°02'04"E	37.00'
L2	N12°57'56"W	20.79'
L3	N12°57'56"W	23.30'

LINE TABLE		
NO.	BEARING	LENGTH
L4	S12°57'56"E	40.00'
L5	S77°02'04"W	57.00'

LEGEND

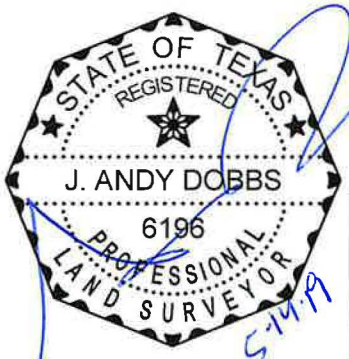
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RECORDS OF DALLAS COUNTY, TEXAS

NOTES

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2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4864

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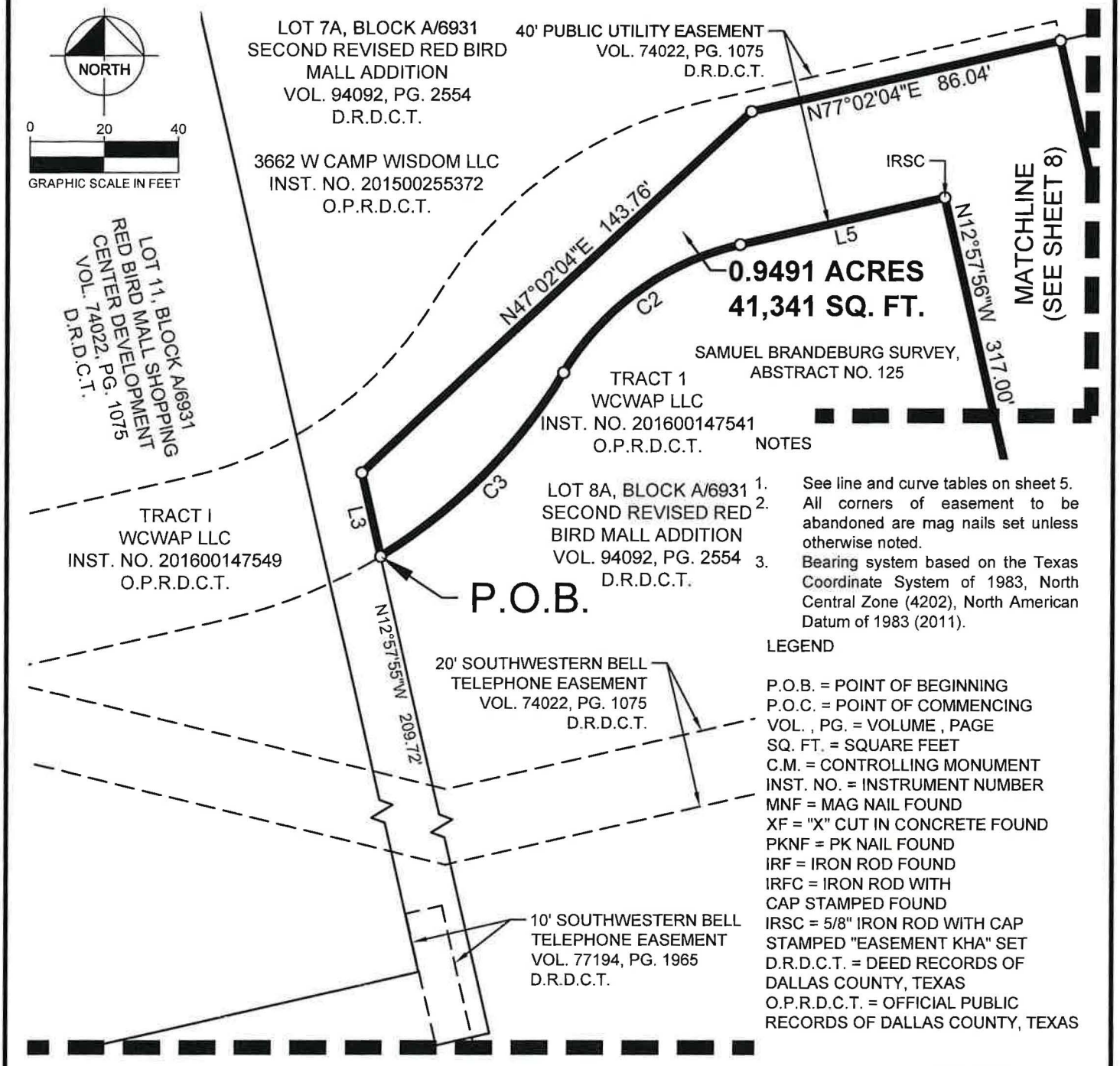


PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 8

EXHIBIT A-TRACT 12



NOTES

1. See line and curve tables on sheet 5.
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MATCHLINE (SEE SHEET 5)

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4864

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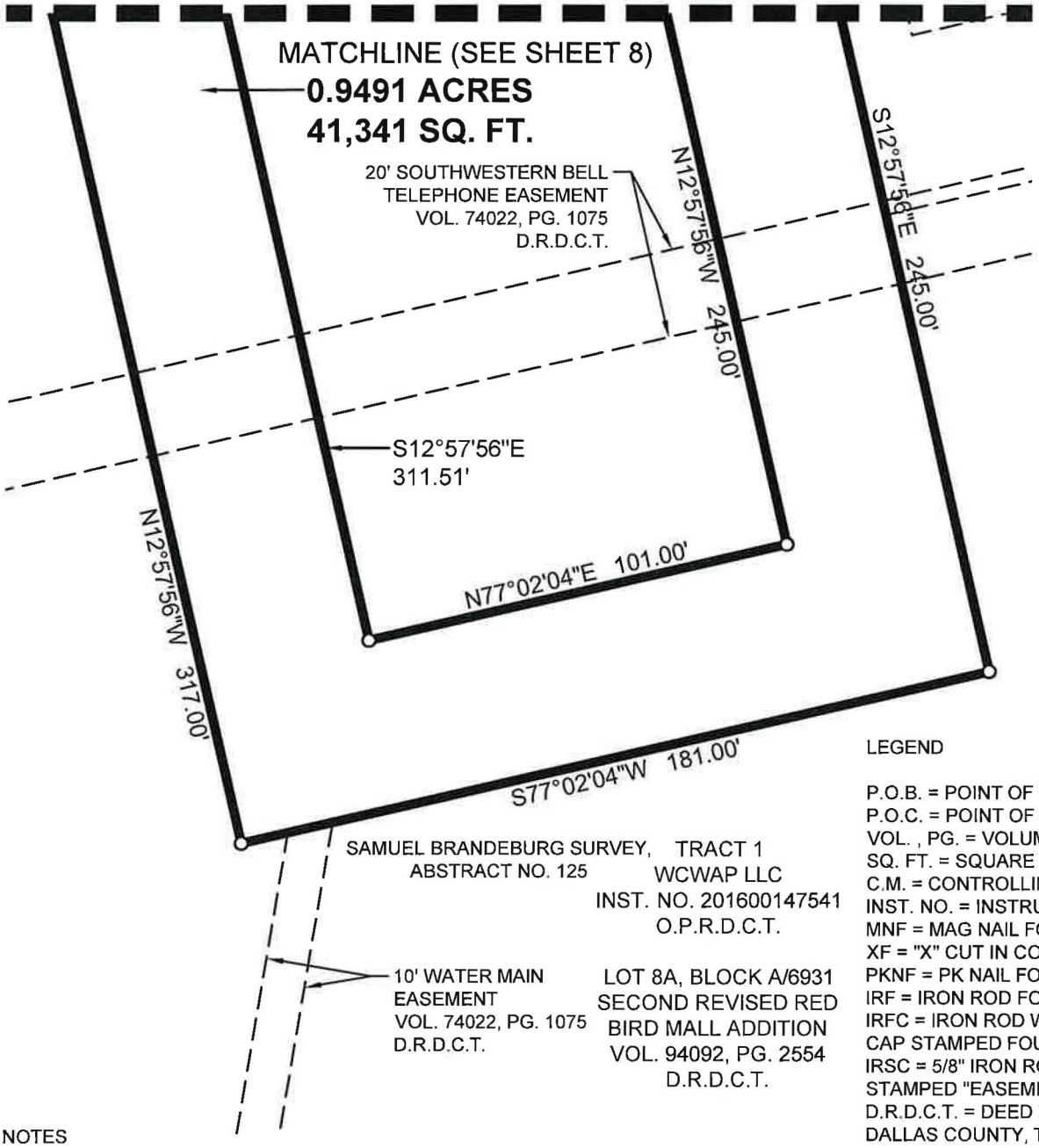
STATE OF TEXAS
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J. ANDY DOBBS
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LAND SURVEYOR
5-14-19

PUBLIC UTILITY EASEMENT ABANDONMENT
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1" = 40'	JBH	JAD	FEB. 2019	064508500	6 OF 8

EXHIBIT A-TRACT 12



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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-24-19
SPRG NO: 4864

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

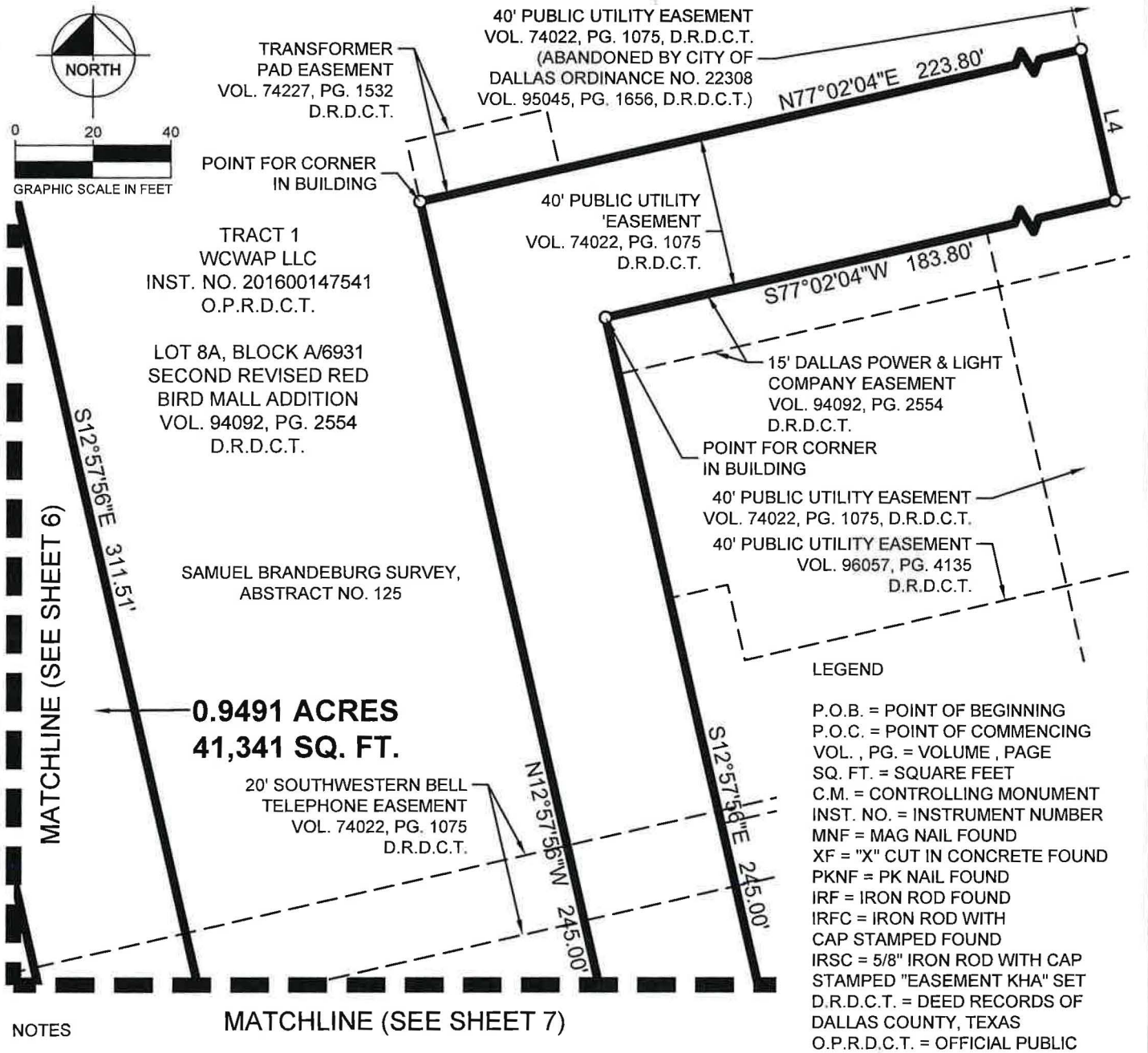
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	7 OF 8

EXHIBIT A-TRACT 12



LEGEND

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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	8 OF 8

EXHIBIT A-TRACT 13

LEGAL DESCRIPTION

BEING a 16,938 square foot (0.3888 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 8A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1" described in General Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147541, Official Public Records of Dallas County, Texas, and being part of a 40-foot wide public utility easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a point in the northeast right-of-way line of Interstate Highway No. 20 (a variable width right-of-way, Volume 69146, Page 21 of said Deed Records), for the southernmost southeast corner of said Lot 7A, and being the southwest corner of Lot 10-A, Block A/6931, Cinema Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76241, Page 3 of said Deed Records; from said point a 1/2-inch iron rod with cap stamped "HALFF ASSOC" found bears South 89°33'34" West, a distance of 1.10 feet;

THENCE departing said northeast right-of-way line of Interstate Highway No. 20 and with the common line of said Lot 7A and Lot 10-A, North 12°57'56" West, a distance of 276.04 feet a point in the south line of said Lot 8A for the northwest corner of said Lot 10-A, and being a southeast corner of said Lot 7A; from said point an "X" cut in concrete found bears South 83°52'10" West, a distance of 1.24 feet;

THENCE with the common line of said Lot 8A and Lot 10-A, North 77°02'04" East, a distance of 323.50 feet to a point for corner;

THENCE departing said common line of Lot 8A and Lot 10-A, North 12°57'56" West, a distance of 426.04 feet to a point in a south line of a 40-foot wide public utility easement shown on said plat recorded in Volume 74022, Page 1075 of said Deed Records;

THENCE with said south line of the 40-foot wide public utility easement, North 77°02'04" East, a distance of 149.50 feet to a point in building found for the northwest corner of said 40-foot wide public utility easement and being the **POINT OF BEGINNING**;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4866

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STATE OF TEXAS
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5-14-19

PUBLIC UTILITY EASEMENT
ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC/JBH	JAD	APRIL 2019	064508500	1 OF 7

EXHIBIT A-TRACT 13

LEGAL DESCRIPTION
CONTINUED

THENCE with said south line of the 40-foot wide public utility easement, North 77°02'04" East, a distance of 40.00 feet to a mag nail set in an east line of said 40-foot wide public utility easement;

THENCE with said east line of the 40-foot wide public utility easement, South 12°57'56" East, a distance of 423.24 feet to a mag nail set in the north line of a 15-foot wide public utility easement shown on said Second Revised Red Bird Mall Addition and being at the beginning of a non-tangent curve to the right having a central angle of 3°43'27", a radius of 615.50 feet, a chord bearing and distance of South 77°04'01" West, 40.00 feet;

THENCE with said north line of the 15-foot wide public utility easement, in a southwesterly direction and with said curve to the right, an arc distance of 40.01 feet to a mag nail set in the west line of said 40-foot wide public utility easement;

THENCE departing said north line of the 15-foot wide public utility easement and with said west line of the 40-foot wide public utility easement, North 12°57'56" West, a distance of 423.22 feet to the **POINT OF BEGINNING** and containing 16,938 square feet or 0.3888 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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PUBLIC UTILITY EASEMENT
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Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC/JBH	JAD	APRIL 2019	064508500	2 OF 7

EXHIBIT A-TRACT 13

MATCHLINE (SEE SHEET 4)

NORTH

0 20 40

GRAPHIC SCALE IN FEET

LINE TABLE		
NO.	BEARING	LENGTH
L1	N77°02'04"E	40.00'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	3°43'27"	615.50'	40.01'	S77°04'01"W	40.00'

SAMUEL BRANDEBURG SURVEY,
ABSTRACT NO. 125

N12°57'56"W 276.04'

TRACT 1 - LOT 7A
3662 W CAMP WISDOM LLC
INST. NO. 201500255372
O.P.R.D.C.T.

LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
VOL. 94092, PG. 2554
D.R.D.C.T.

CWRD PROPERTIES LLC
INST. NO. 201700154800
O.P.R.D.C.T.

LOT 10-A, BLOCK A/6931
CINEMA ADDITION
VOL. 76241, PG. 3
D.R.D.C.T.

P.O.C.

DALLAS POWER & LIGHT
COMPANY EASEMENT
VOL. 76241, PG. 3
D.R.D.C.T.

(1/2" IRFC
"HALFF ASSOC" (C.M.)
S 89°33'34" W 1.10')

INTERSTATE
HIGHWAY NO. 20
(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 69146, PG. 21, D.R.D.C.T.)

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
XF = "X" CUT IN CONCRETE FOUND
IRFC = IRON ROD W/ CAP STAMPED FOUND
IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4866

J. ANDY DOBBS
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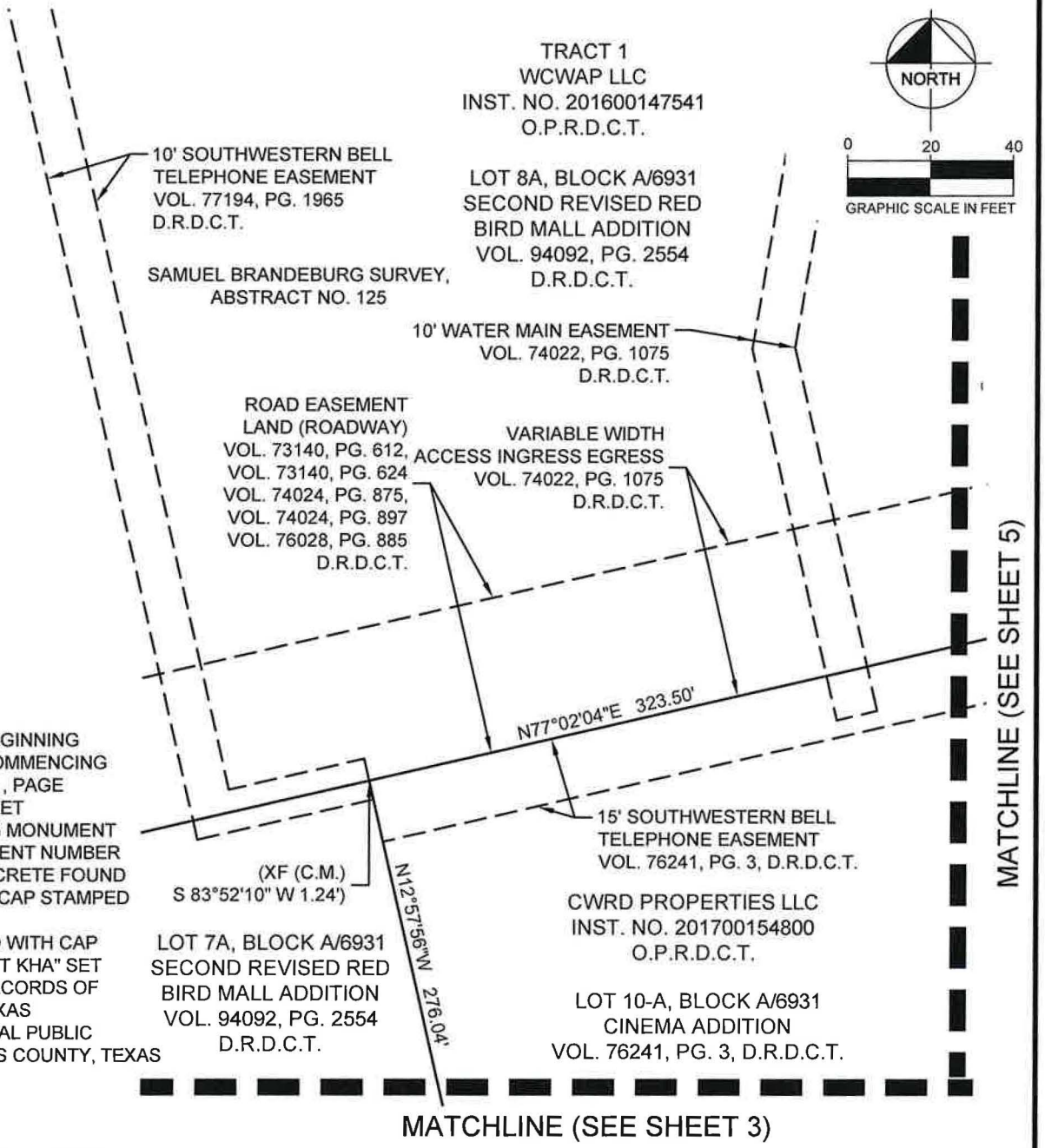
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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PROFESSIONAL
LAND SURVEYOR
5.14.19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	3 OF 7

EXHIBIT A-TRACT 13



LEGEND

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IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 3.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4866

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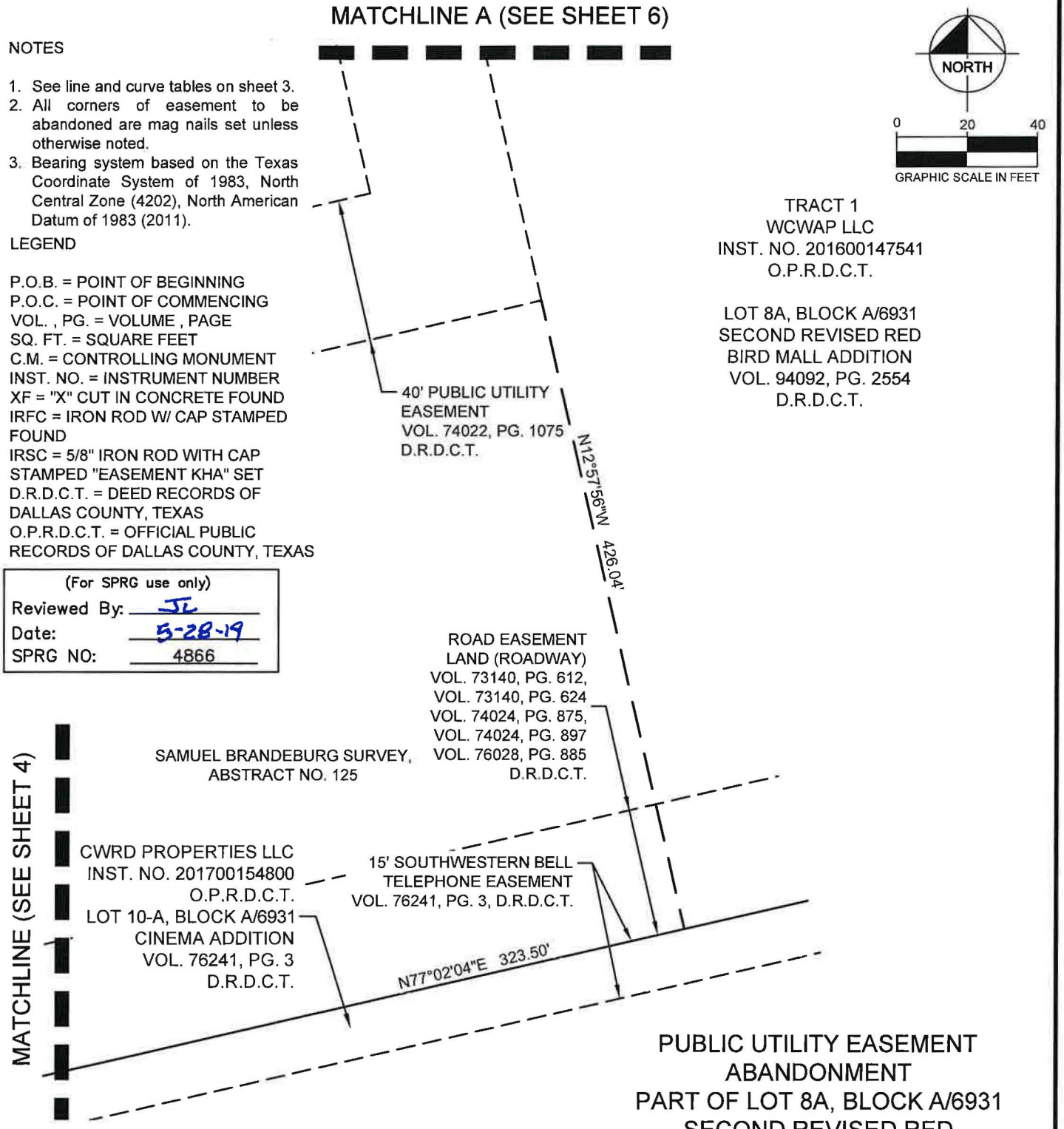
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-14-19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	4 OF 7

EXHIBIT A-TRACT 13



PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

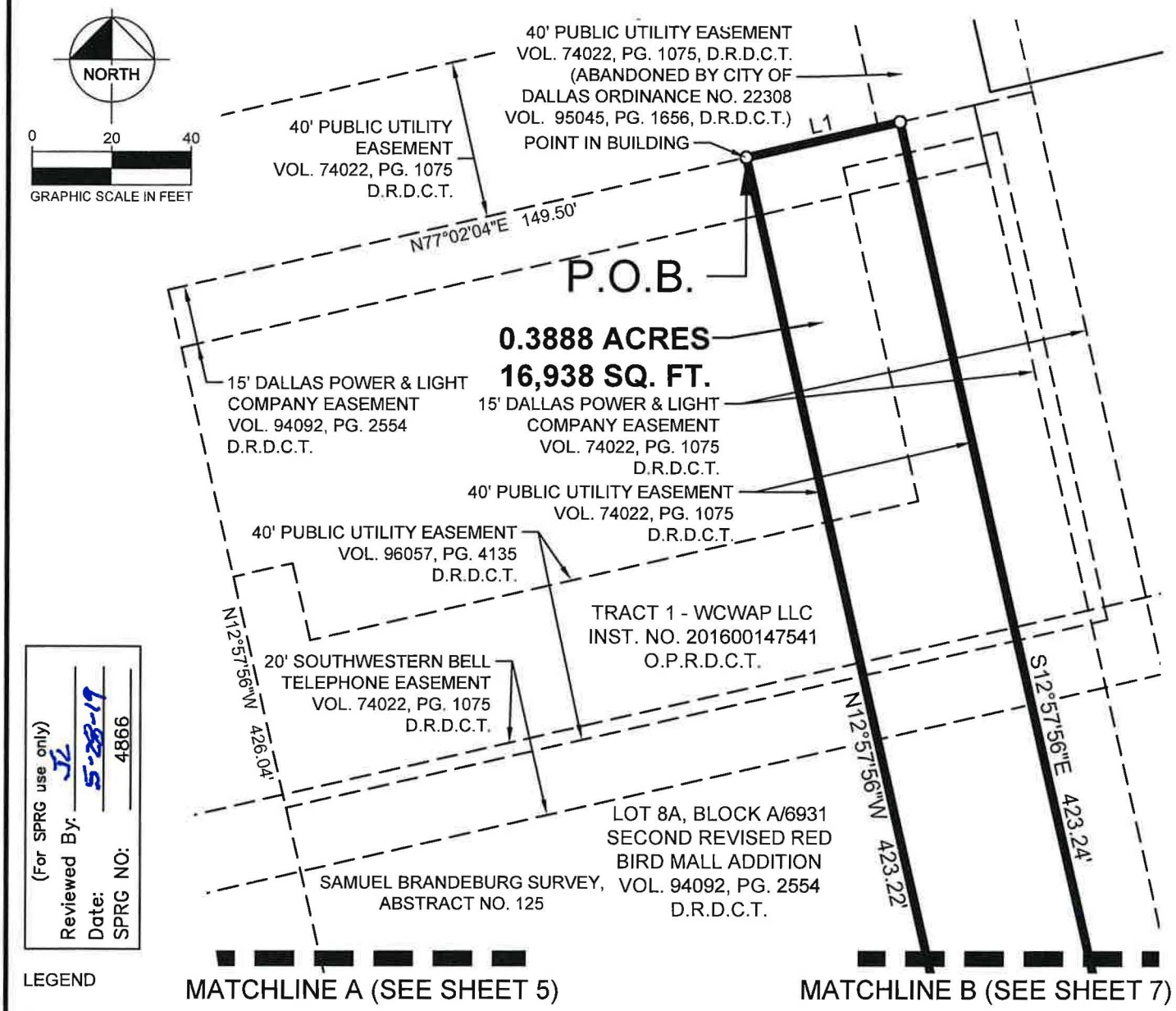
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	5 OF 7

EXHIBIT A-TRACT 13



(For SPRG use only)
Reviewed By: JL 5-28-19
Date:
SPRG NO: 4866

LEGEND

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NOTES

1. See line and curve tables on sheet 3.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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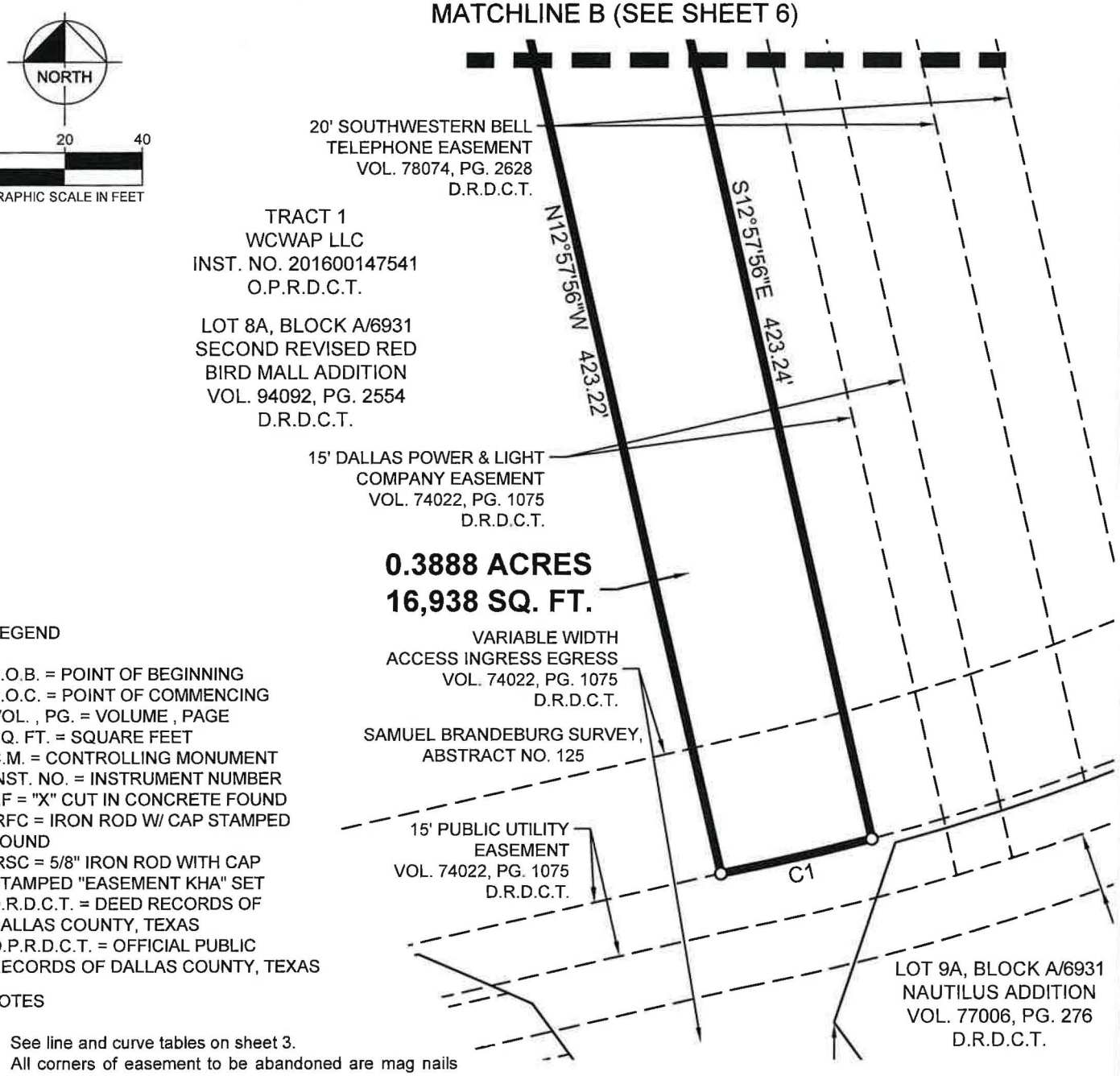
STATE OF TEXAS
REGISTERED
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6196
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LAND SURVEYOR
5/14/19

PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	6 OF 7

EXHIBIT A-TRACT 13



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 3.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4866

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PUBLIC UTILITY EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	7 OF 7

EXHIBIT A-TRACT 14

LEGAL DESCRIPTION

BEING a 112 square foot (0.0026 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1 - LOT 7A" described in Special Warranty Deed to 3662 W Camp Wisdom LLC recorded in Instrument No. 201500255372, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northeast corner of Lot 1, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being the northwest corner of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30 of said Deed Records;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2E and said Lot 1, South 17°02'56" East, a distance of 305.96 feet to a mag nail found for the southeast corner of said Lot 1, and being a north corner of said Lot 7A, and being the **POINT OF BEGINNING**;

THENCE with the common line of said Lot 2E and said Lot 7A, South 17°02'56" East, a distance of 6.00 feet to a mag nail set in the south line of said 10-foot wide water easement; from said point an "X" cut in concrete found for a northwest corner of said Lot 2E, and an inner ell of said Lot 7A bears South 17°02'56" East, a distance of 12.03 feet;

THENCE departing said common line of Lot 2E and Lot 7A and with said south line of the 10-water easement, the following courses and distances:

South 71°22'20" West, a distance of 18.65 feet to a mag nail set for corner;
North 17°02'55" West, a distance of 6.00 feet to a mag nail set in common line of said Lot 7A and Lot 1;

THENCE with said common line of Lot 7A and Lot 1, North 71°22'19" East, a distance of 18.65 feet to the **POINT OF BEGINNING** and containing 112 square feet or 0.0026 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4867

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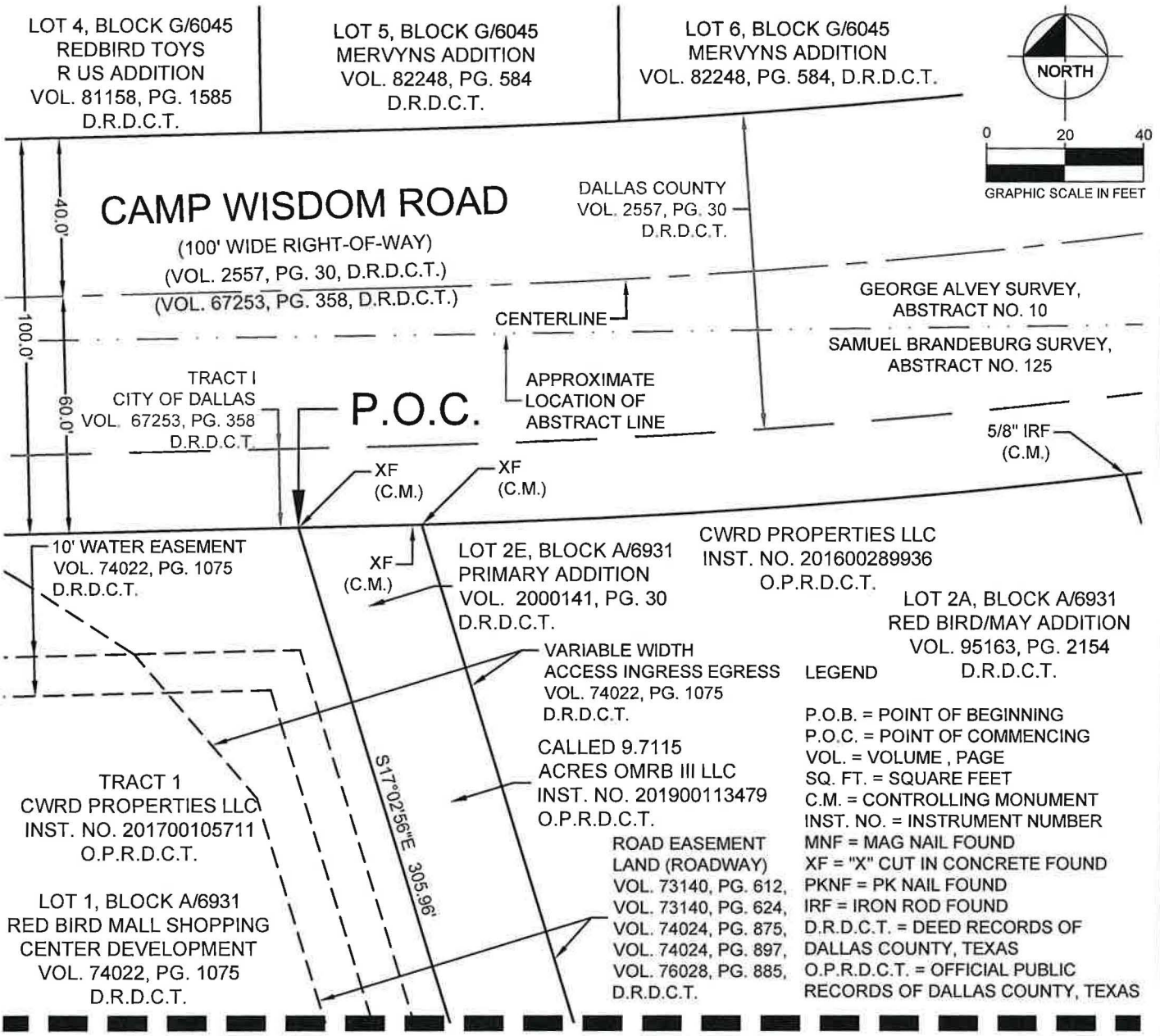
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5/16/19

WATER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 3

EXHIBIT A-TRACT 14



NOTES

1. See line and curve tables on sheet 3.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JE
Date: 5-20-19
SPRG NO: 4867

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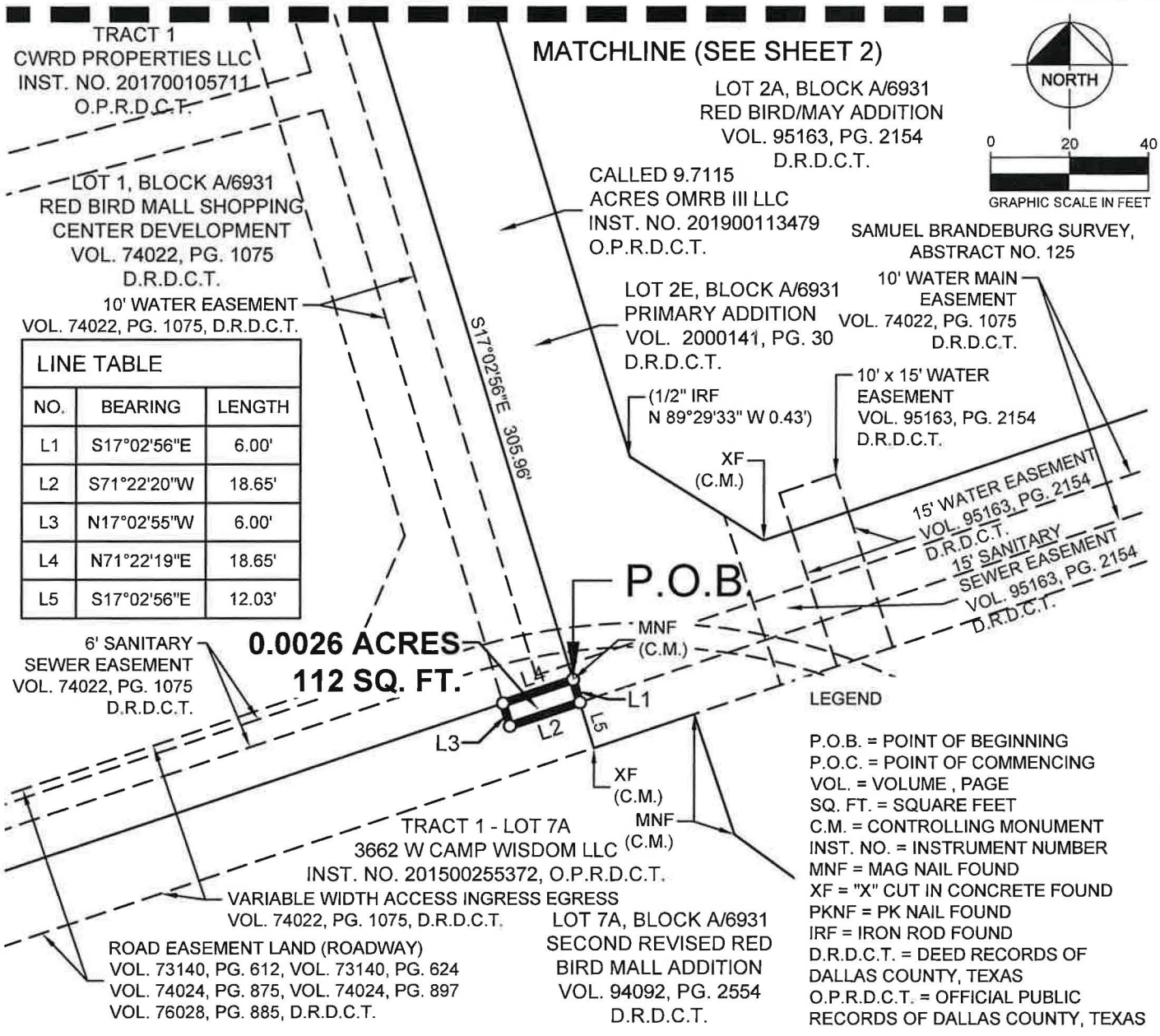
STATE OF TEXAS
REGISTERED
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5.16.19

WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	2 OF 3

EXHIBIT A-TRACT 14



LINE TABLE		
NO.	BEARING	LENGTH
L1	S17°02'56"E	6.00'
L2	S71°22'20"W	18.65'
L3	N17°02'55"W	6.00'
L4	N71°22'19"E	18.65'
L5	S17°02'56"E	12.03'

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4867

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STATE OF TEXAS
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5/16/19

WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 3

EXHIBIT A-TRACT 15

LEGAL DESCRIPTION

BEING a 540 square foot (0.0124 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, and being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, and being part of a 15-foot wide water easement shown on the plat of Red Bird/May Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 95163, Page 2154 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northwest corner of Lot 2A, Block A/6931 of said Red Bird/May Addition, and being a northwest corner of said Lot 2E;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2A and said Lot 2E, the following courses and distances:

South 17°02'56" East, a distance of 248.00 feet to a point for corner; from said point a 1/2-inch iron rod found bears North 89°29'33" West, a distance of 0.43 feet;
South 57°57'52" East, a distance of 39.70 feet to an "X" cut in concrete found for the southernmost southwest corner of said Lot 2A, and being a northwest corner of said Lot 2E
North 71°22'19" East, a distance of 7.50 feet to an "X" cut in concrete set for the northwest corner of said 15-foot wide water easement, and being the **POINT OF BEGINNING**;

THENCE continuing with said common line of Lot 2A and Lot 2E and with the north line of said 15-foot wide water easement, North 71°22'19" East, a distance of 15.00 feet to an "X" cut in concrete set for the northeast corner of said 15-foot wide water easement;

THENCE departing said common line of Lot 2A and Lot 2E and with the east line of said 15-foot wide water easement, South 18°37'41" East, a distance of 36.00 feet to an "X" cut in concrete set for the southeast corner of said 15-foot wide water easement;

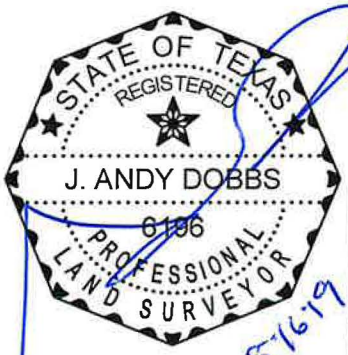
THENCE with the south line of said 15-foot wide water easement, South 71°22'19" West, a distance of 15.00 feet to an "X" cut in concrete set for the southwest corner of said 15-foot wide water easement;

THENCE with the west line of said 15-foot wide water easement, North 18°37'41" West, a distance of 36.00 feet to the **POINT OF BEGINNING** and containing 540 square feet or 0.0124 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)	
Reviewed By:	JZ
Date:	5-28-19
SPRG NO:	4868

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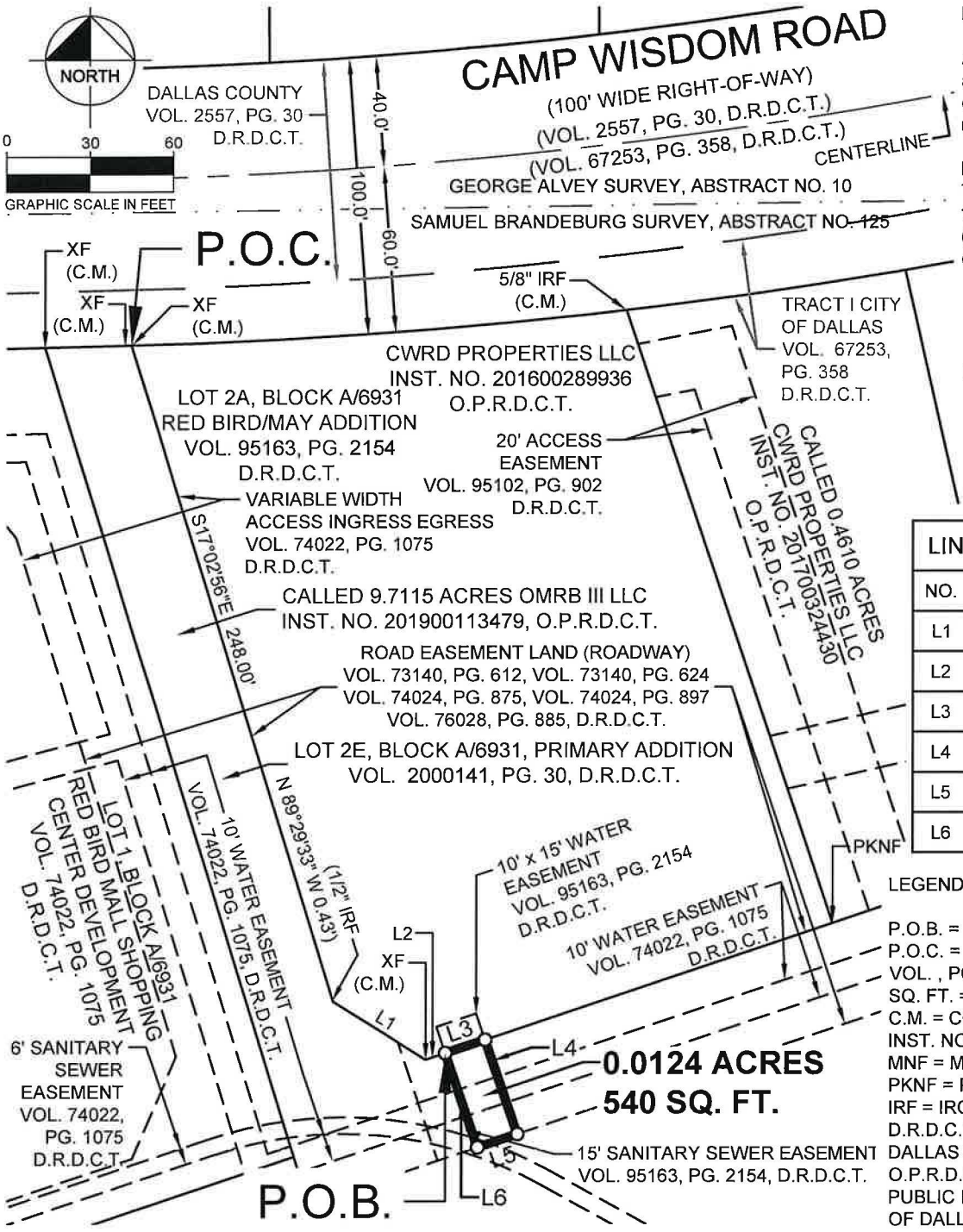


WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 2

EXHIBIT A-TRACT 15



NOTES

All corners of easement to be abandoned are an "X" cut in concrete set unless otherwise noted.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

LINE TABLE		
NO.	BEARING	LENGTH
L1	S57°57'52"E	39.70'
L2	N71°22'19"E	7.50'
L3	N71°22'19"E	15.00'
L4	S18°37'41"E	36.00'
L5	S71°22'19"W	15.00'
L6	N18°37'41"W	36.00'

LEGEND

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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4868

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5/16/19

WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JBH	JAD	FEB. 2019	064508500	2 OF 2

EXHIBIT A-TRACT 16

LEGAL DESCRIPTION

BEING a 1,896 square foot (0.0435 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, and being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, and being all of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a PK nail found in the in the south right-of-way line of Camp Wisdom Road (a 100-foot wide right-of-way), for the northwest corner of Lot 2D, Block A/6931 of said Primary Addition, and being a north corner of said Lot 2E;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common lines of said Lot 2D and said Lot 2E, the following courses and distances:

South 15°19'40" East, a distance of 163.05 feet to a 5/8-inch iron rod with cap stamped "KSC 4019" found for the westernmost southwest corner of said Lot 2D, and being a north corner of said Lot 2E;
South 60°23'52" East, a distance of 40.56 feet a PK nail found for the southernmost southwest corner of said Lot 2D, and being a north corner of said Lot 2E;
North 72°35'50" East, a distance of 178.91 feet to a point for corner;

THENCE departing said common line of Lot 2D and Lot 2E, South 12°57'56" East, a distance of 587.32 feet to a mag nail set in a west line of said 40-foot wide public utility easement, for the northeast corner of said 10-foot wide WATER EASEMENT, and being the **POINT OF BEGINNING**;

THENCE with said west line of the 40-foot wide public utility easement and with the east line of said 10-foot wide WATER EASEMENT, South 12°57'56" East, a distance of 8.83 feet to a mag nail set in the common line of said Lot 2E and Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records;

THENCE departing said west line of the 40-foot wide public utility easement and with said common line of Lot 2E and Lot 7A, South 77°02'04" West, a distance of 4.82 feet to a mag nail set in the south line of said 10-foot wide WATER EASEMENT;

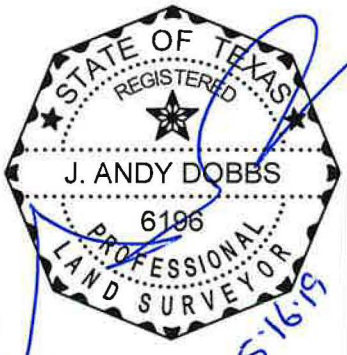
THENCE departing said common line of Lot 2E and Lot 7A, and with said west line of the 10-foot wide water easement, the following courses and distances:

North 80°27'55" West, a distance of 18.30 feet to a mag nail set for corner;

CONTINUED ON SHEET 2

(For SPRG use only)
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WATER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 5

EXHIBIT A-TRACT 16

LEGAL DESCRIPTION (CONTINUED)

South 77°02'05" West, a distance of 108.28 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for the southwest corner of said 10-foot wide water easement;

THENCE with the west line of said 10-foot wide water easement, North 12°57'55" West, a distance of 10.00 feet to an "X" cut in concrete set for the northwest corner of said 10-foot wide water easement;

THENCE with the north line of said 10-foot wide water easement, the following courses and distances:

North 77°02'05" East, a distance of 84.13 feet to a mag nail set for corner;
North 80°27'55" West, a distance of 18.41 feet to a mag nail set for corner;
North 35°27'55" West, a distance of 32.07 feet to a mag nail set for corner;
North 54°32'05" East, a distance of 10.00 feet to a mag nail set for corner;
South 35°27'55" East, a distance of 27.93 feet to a mag nail set for corner;
South 80°27'55" East, a distance of 59.78 feet to the **POINT OF BEGINNING** and containing 1,896 square feet or 0.0435 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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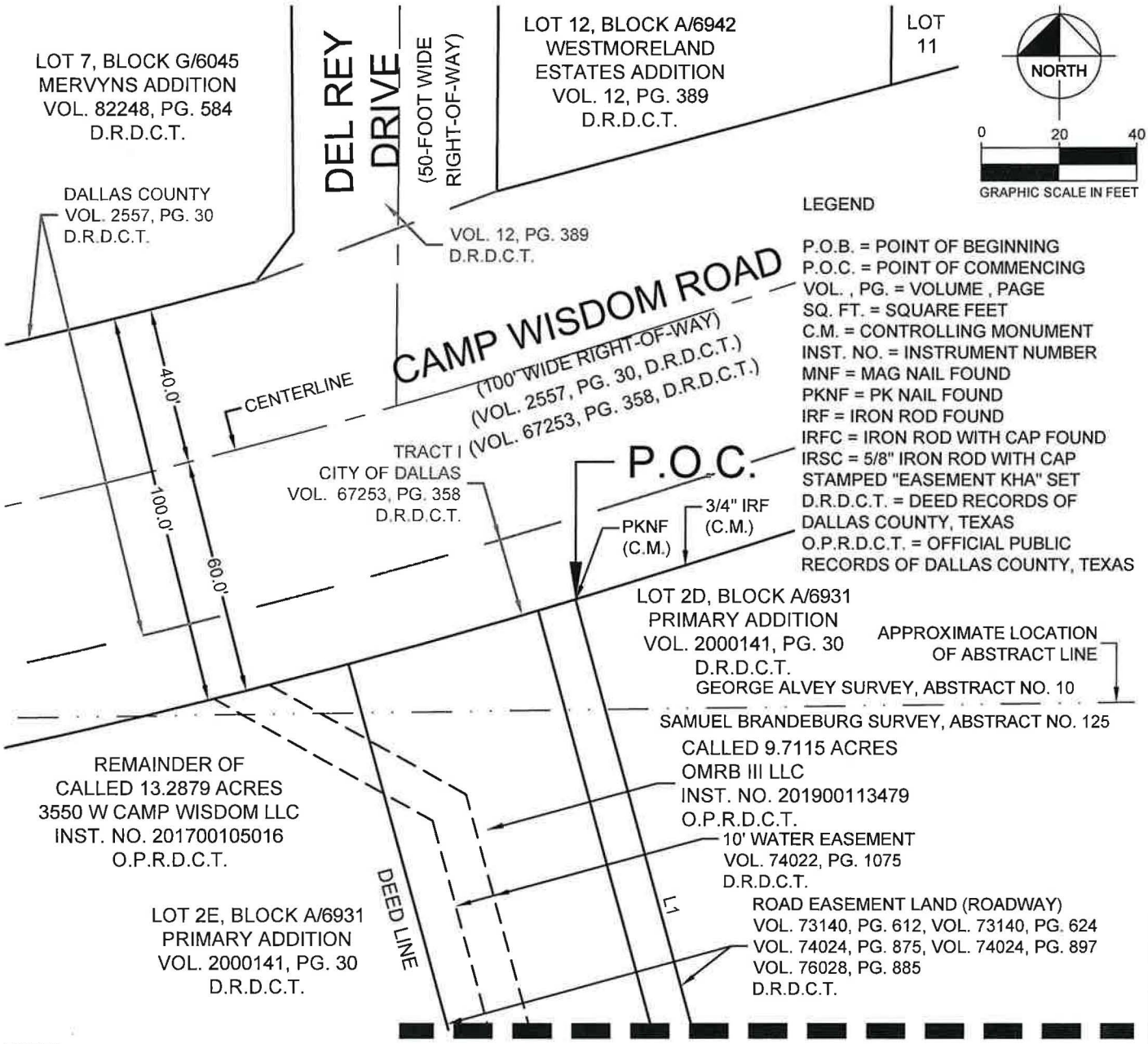
STATE OF TEXAS
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5.16.19

WATER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 5

EXHIBIT A-TRACT 16



NOTES

1. See line table on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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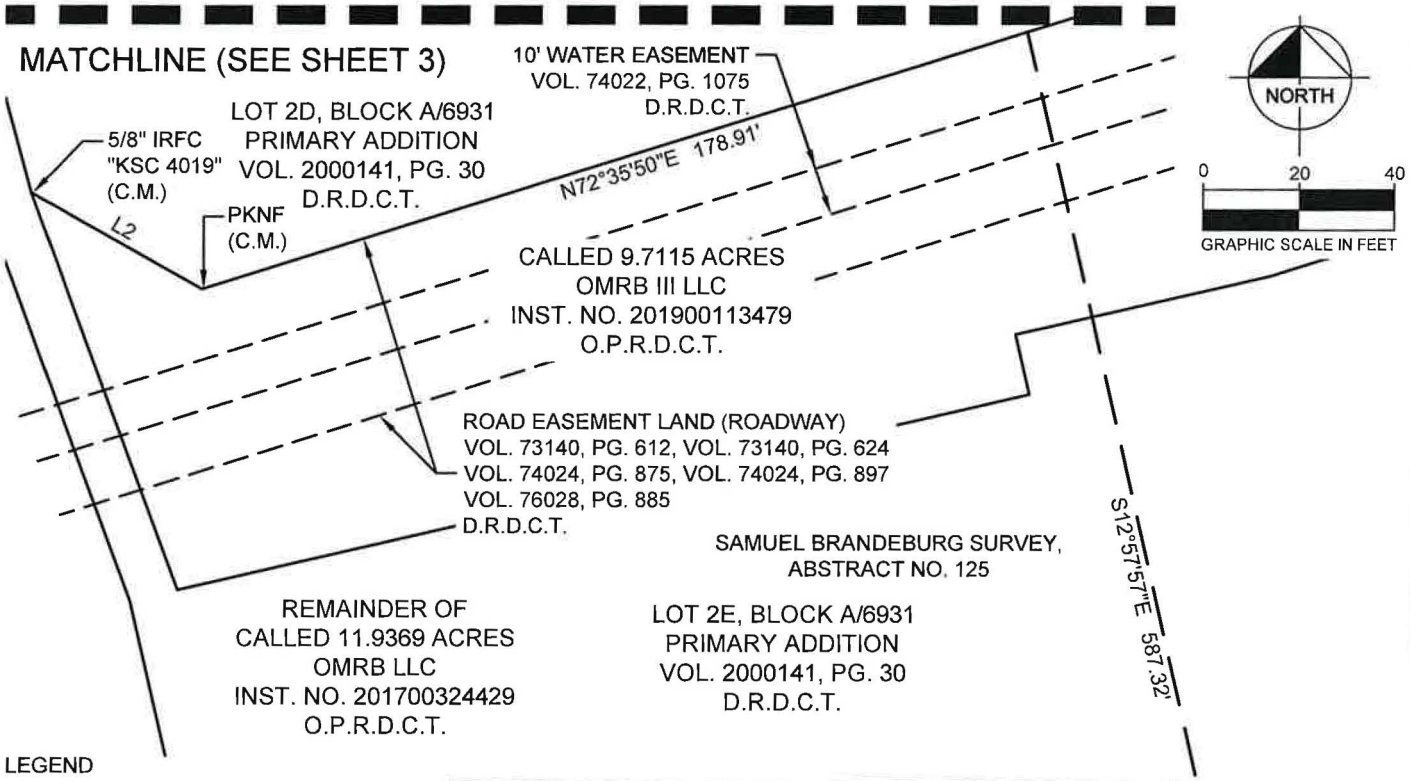
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WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 5

EXHIBIT A-TRACT 16



LEGEND

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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	S15°19'40"E	163.05'
L2	S60°23'52"E	40.56'
L3	S12°57'56"E	8.83'
L4	S77°02'04"W	4.82'
L5	N80°27'55"W	18.30'
L6	S77°02'05"W	108.28'
L7	N12°57'55"W	10.00'

LINE TABLE		
NO.	BEARING	LENGTH
L8	N77°02'05"E	84.13'
L9	N80°27'55"W	18.41'
L10	N35°27'55"W	32.07'
L11	N54°32'05"E	10.00'
L12	S35°27'55"E	27.93'
L13	S80°27'55"E	59.78'

MATCHLINE (SEE SHEET 5)

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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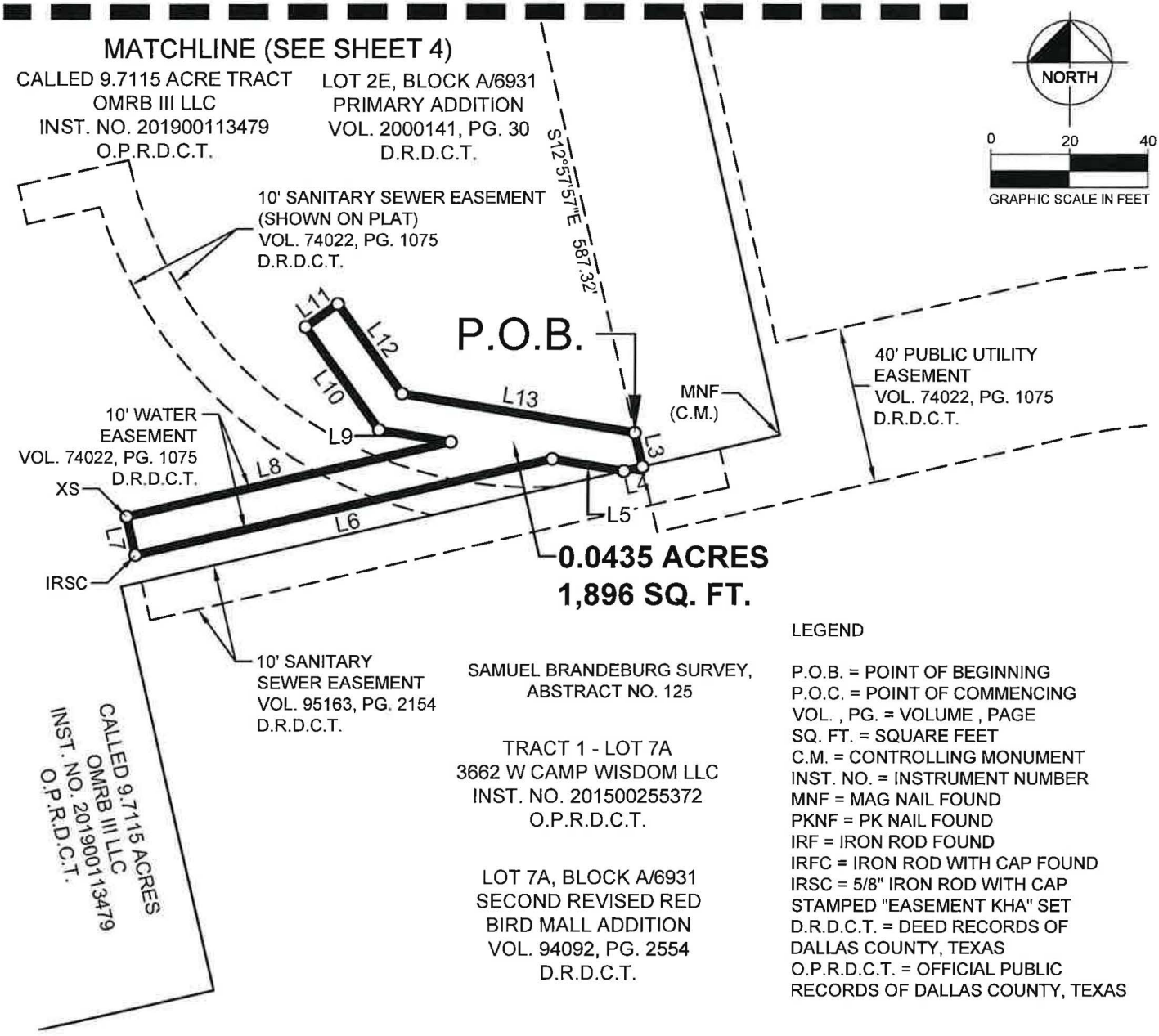
STATE OF TEXAS
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WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 5

EXHIBIT A-TRACT 16



LEGEND

P.O.B. = POINT OF BEGINNING
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NOTES

1. See line table on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 5

EXHIBIT A-TRACT 17

LEGAL DESCRIPTION

BEING a 2,376 square foot (0.0546 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, and being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, and being all of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (A 100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northwest corner of Lot 2A, Block A/6931 of said Red Bird/May Addition, and being a northwest corner of said Lot 2E, and being a northwest corner of said 9.7115 acre tract;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2A and said Lot 2E and with the north line of said 9.7115 acre tract, the following courses and distances:

South 17°02'56" East, a distance of 248.00 feet to a point for corner; from said point a 1/2-inch iron rod found bears North 89°29'33" West, a distance of 0.43 feet;
South 57°57'52" East, a distance of 39.70 feet to an "X" cut in concrete found for the southernmost southwest corner of said Lot 2A, and being a northwest corner of said Lot 2E
North 71°22'19" East, passing at a distance of 154.58 a PK nail found for southeast corner of said Lot 2A and being an inner ell corner of said Lot 2E, and being the southwest corner of a called 0.4610 acre tract of land described in General Warranty Deed to CWRD Properties LLC recorded in Instrument No. 201700324430 of said Official Public Records, continuing with the south line of said 0.4610 acre tract passing at a distances of 78.50 feet the southeast corner of said 0.4610 acre tract, in all a total distance of 245.50 feet;

THENCE departing said north line of said 9.7115 acre tract, South 12°57'56" East, a distance of 320.91 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set in an east line of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development, for the northwest corner of said 10-foot wide water easement, and being the **POINT OF BEGINNING**;

THENCE departing said east line of the 40-foot wide public utility easement and with the north line of said 10-foot wide water easement, the following courses and distances:

North 77°02'05" East, a distance of 166.89 feet to a mag nail set for corner;
North 52°02'05" East, a distance of 68.52 feet to a mag nail set for northeast corner of said 10-foot wide water easement;

THENCE with the east line of said 10-foot wide water easement, South 37°57'55" East, a distance of 10.00 feet to a mag nail set for southeast corner of said 10-foot wide water easement;

CONTINUED ON SHEET 2

(For SPRG use only)	
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Date:	5-28-19
SPRG NO:	4870

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WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 6

EXHIBIT A-TRACT 17

LEGAL DESCRIPTION (CONTINUED)

THENCE with the south line of said 10-foot wide water easement, the following courses and distances:

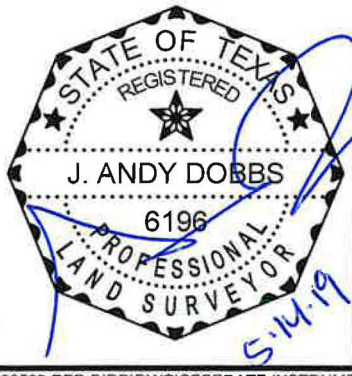
South 52°02'05" West, a distance of 70.74 feet to a mag nail set for corner;
South 77°02'05" West, a distance of 169.11 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for the southwest corner of siad 10-foot wide water easement;

THENCE with said east line of the 40-foot wide public utility easement and with the west line of said 10-foot wide water easement, North 12°57'56" West, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 2,376 square feet or 0.0546 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By:	JL
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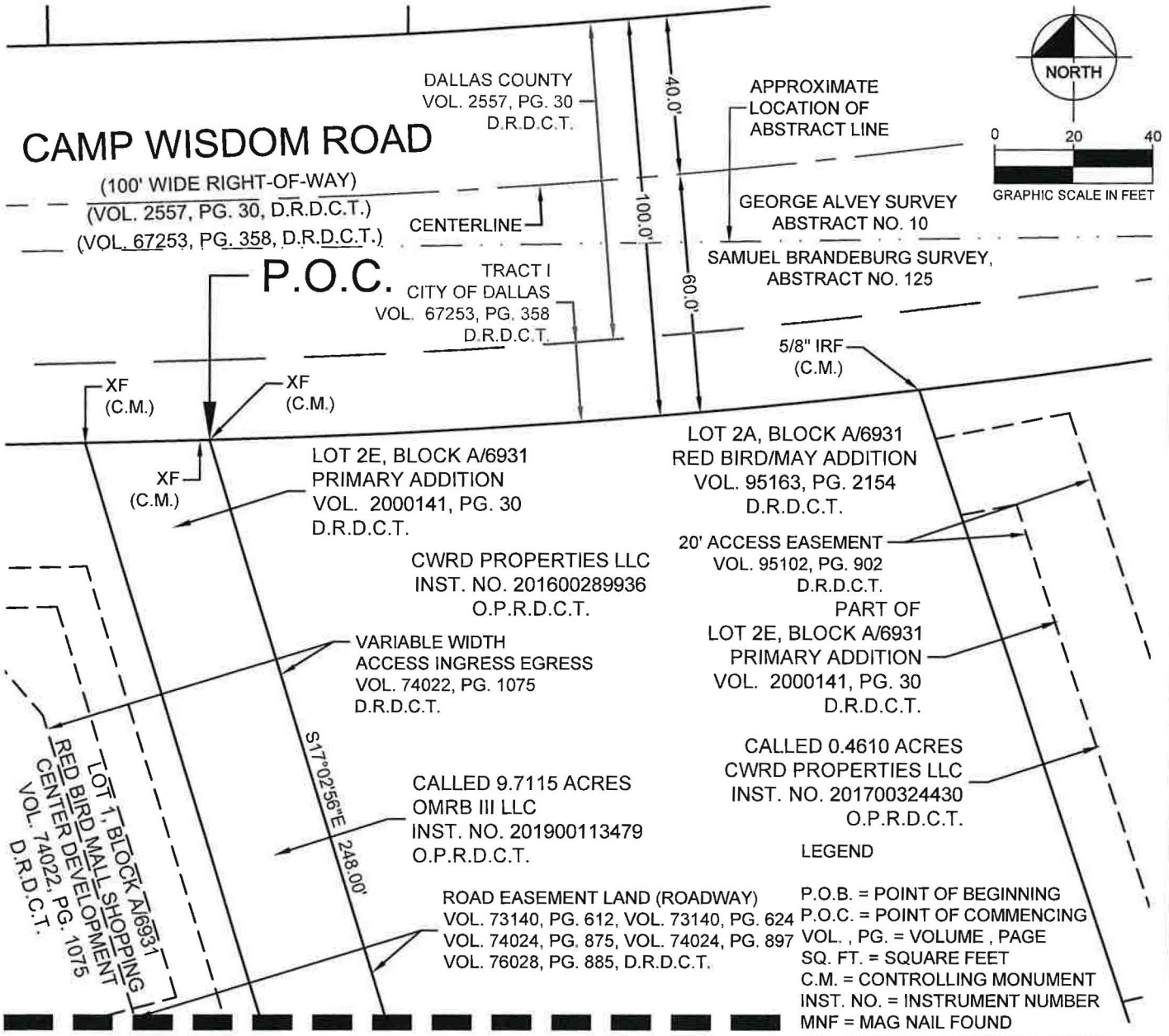


WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
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N/A	JBH	JAD	FEB. 2019	064508500	2 OF 6

EXHIBIT A-TRACT 17



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IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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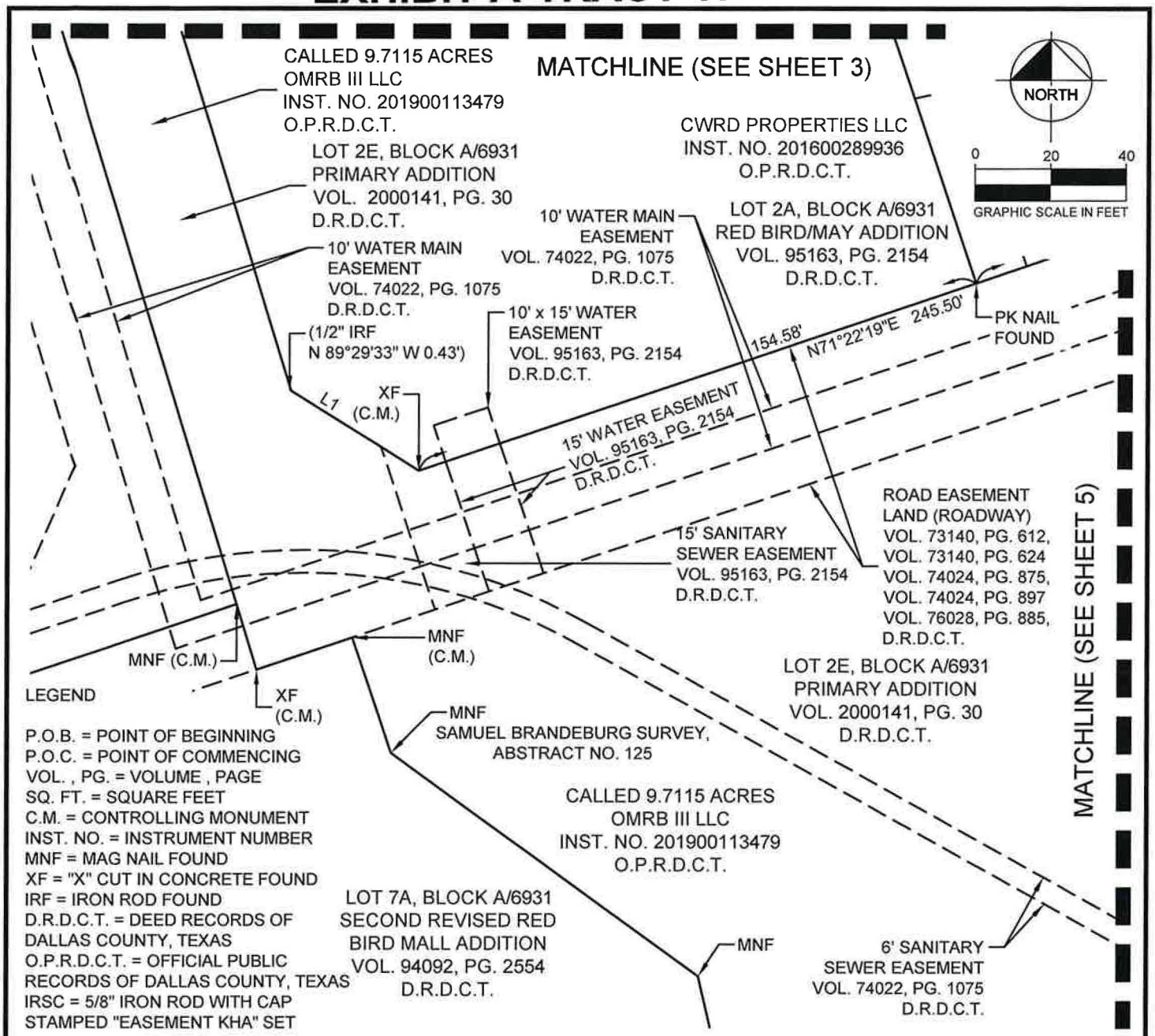
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1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 6

EXHIBIT A-TRACT 17



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NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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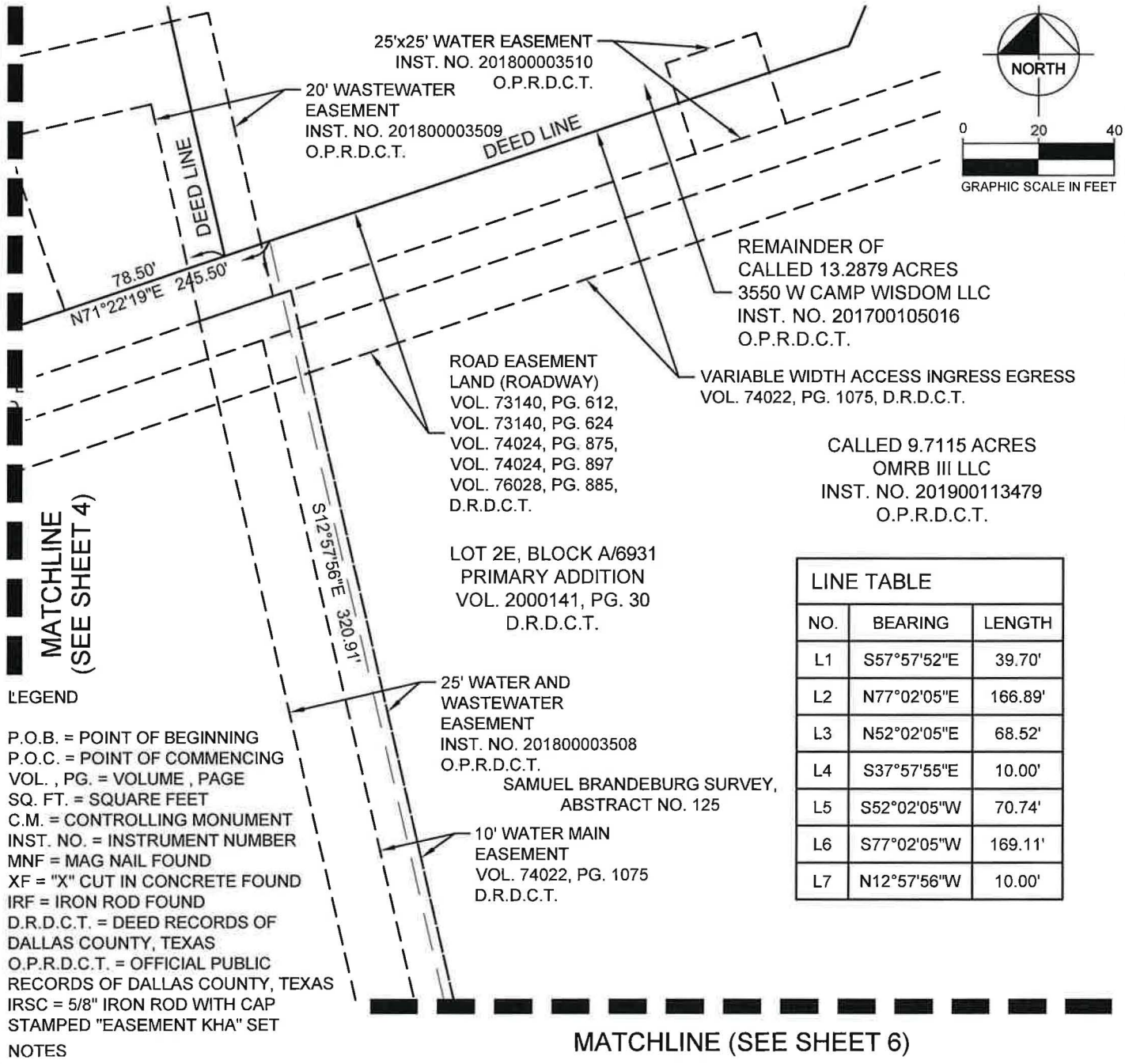
STATE OF TEXAS
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 6

EXHIBIT A-TRACT 17



LINE TABLE		
NO.	BEARING	LENGTH
L1	S57°57'52"E	39.70'
L2	N77°02'05"E	166.89'
L3	N52°02'05"E	68.52'
L4	S37°57'55"E	10.00'
L5	S52°02'05"W	70.74'
L6	S77°02'05"W	169.11'
L7	N12°57'56"W	10.00'

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
IRF = IRON ROD FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4870

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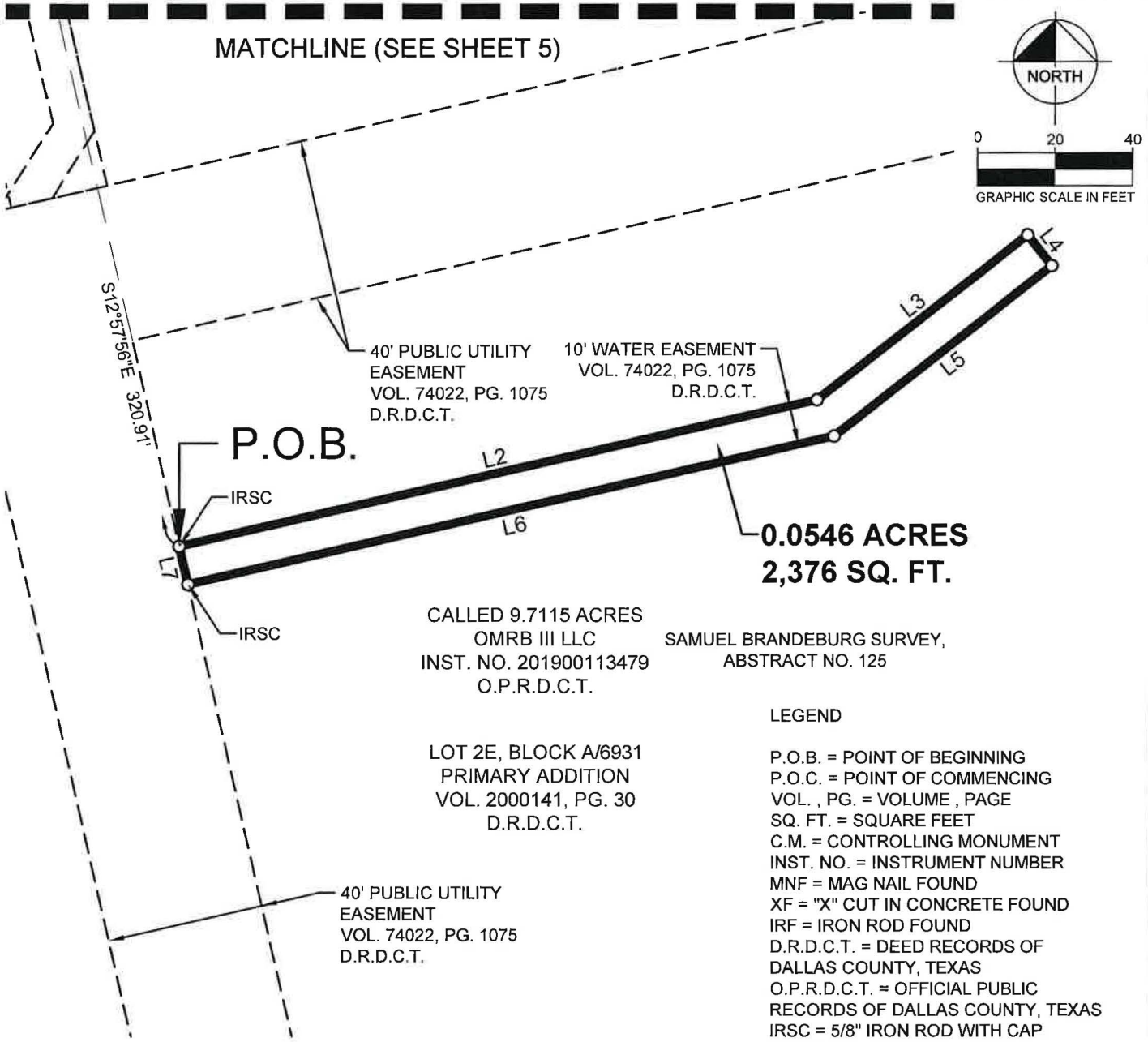
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-14-19

WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 6

EXHIBIT A-TRACT 17



LEGEND

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IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET

NOTES

1. See line and curve tables on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4870

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WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	6 OF 6

EXHIBIT A-TRACT 18

LEGAL DESCRIPTION

BEING a 2,791 square foot (0.0641 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 11, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075, Deed Records of Dallas County, Texas, and being part of "TRACT I" described in Special Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147549, Official Public Records of Dallas County, Texas, and being all of a 10-foot wide Water Easement shown on the plat of said Red Bird Mall Shopping Center Development, and being more particularly described as follows:

COMMENCING at a point in the southeast right-of-way line of Westmoreland Road (100-foot wide right-of-way, Volume 67253, Page 354 of said Deed Records), being the westernmost southwest corner of said Lot 11, and being a southwest corner of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records; from said point an "X" cut in concrete found bears North 42°31'14"East, a distance of 1.27 feet;

THENCE departing said southeast right-of-way line of Westmoreland Road and with the common line of said Lot 7A and said Lot 11, the following courses and distances:

South 63°27'56" East, a distance of 319.61 feet to a point for corner;
North 77°02'04" East, a distance of 190.24 feet to a point for corner;
South 12°57'56" East, a distance of 324.60 feet to a mag nail set for the northwest corner of said 10-foot wide WATER EASEMENT, and being the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 7A and Lot 11 and with the north line of said 10-foot wide WATER EASEMENT, North 77°02'04" East, a distance of 279.07 feet to a mag nail set in the west line of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development, for the northeast corner of said 10-foot wide water easement;

THENCE with said west line of the 40-foot wide public utility easement and with the east line of said 10-foot wide water easement, South 12°57'56" East, a distance of 10.00 feet to a mag nail set for the southeast corner of said 10-foot wide water easement;

THENCE departing said west line of the 40-foot wide public utility easement and with the south line of said 10-foot wide WATER EASEMENT, South 77°02'04" West, a distance of 279.07 feet to a mag nail set in said common line of Lot 7A and Lot 11, for the southwest corner of said 10-foot wide water easement;

THENCE with said common line of Lot 7A and Lot 11 and with the west line of said 10-foot wide water easement, North 12°57'56" West, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 2,791 square feet or 0.0641 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-13-19
SPRG NO: 4871

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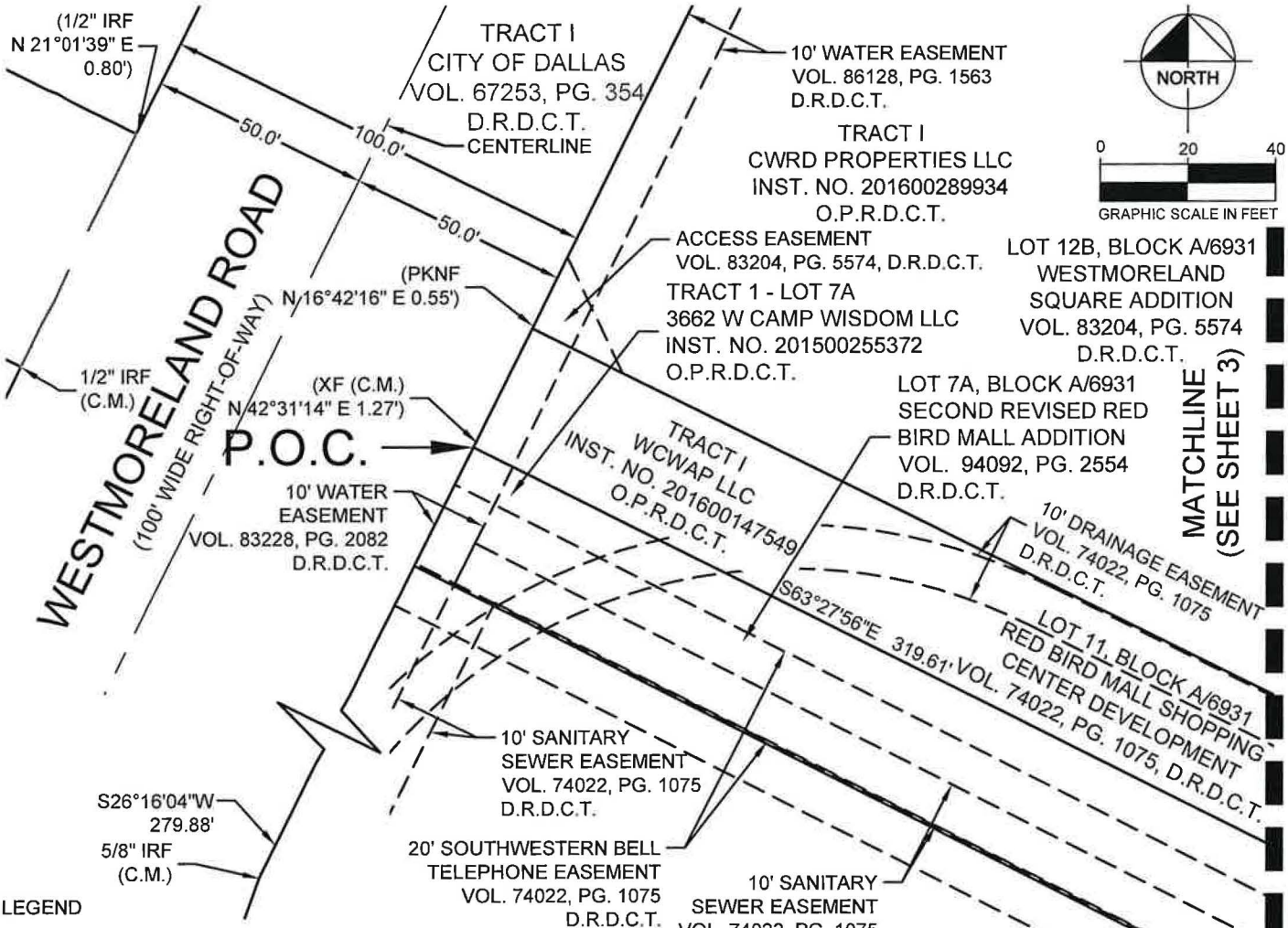
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-1-19

WATER EASEMENT
ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 4

EXHIBIT A-TRACT 18



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
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IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line table on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)	
Reviewed By:	JL
Date:	5-13-19
SPRG NO:	4871

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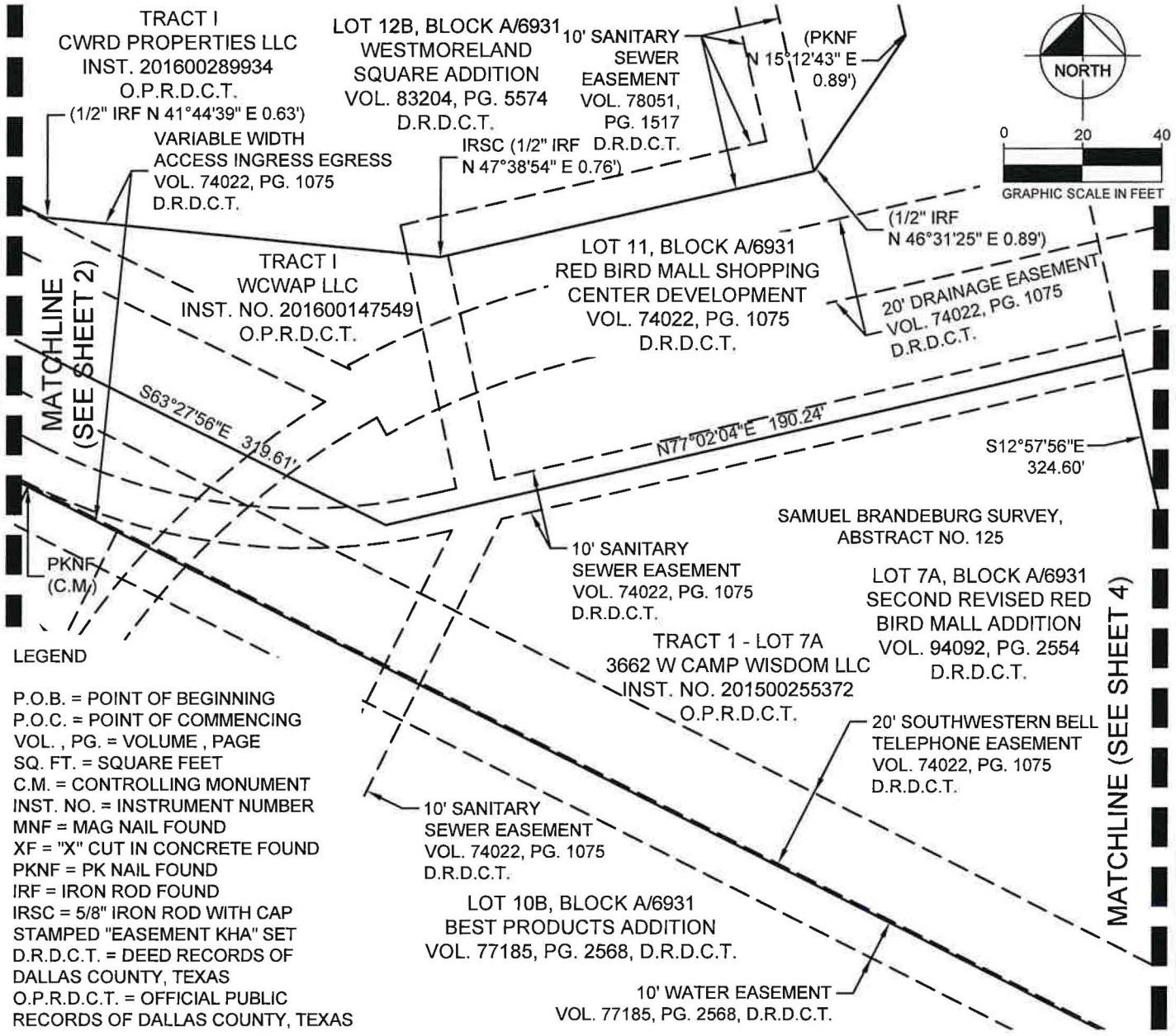
5.1.19

WATER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	2 OF 4

EXHIBIT A-TRACT 18



LEGEND

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NOTES

1. See line table on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-13-19
SPRG NO: 4871

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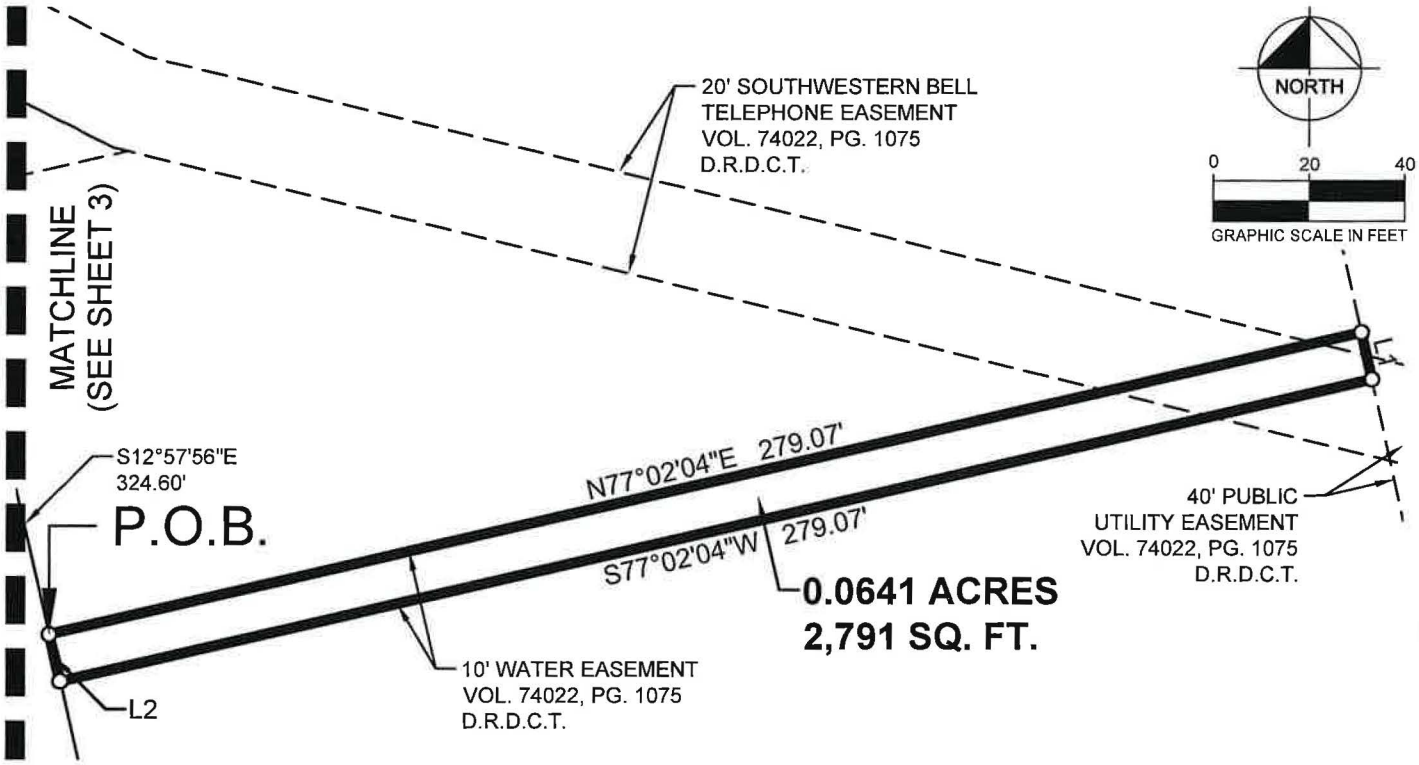
STATE OF TEXAS
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5/13/19

WATER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931 RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 4

EXHIBIT A-TRACT 18



LEGEND

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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

TRACT I
WCWAP LLC
INST. NO. 201600147549
O.P.R.D.C.T.

SAMUEL BRANDEBURG SURVEY,
ABSTRACT NO. 125

LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
VOL. 74022, PG. 1075
D.R.D.C.T.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S12°57'56"E	10.00'
L2	N12°57'56"W	10.00'

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-13-19
SPRG NO: 4871

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WATER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 4

EXHIBIT A-TRACT 19

LEGAL DESCRIPTION

BEING a 3,101 square foot (0.0712 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1 - LOT 7A" described in Special Warranty Deed to 3662 W Camp Wisdom LLC recorded in Instrument No. 201500255372, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for a north corner of said Lot 7A, and being a northeast corner of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30 of said Deed Records;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 7A and said Lot 2E, the following courses and distances:

South 3°01'20" East, a distance of 227.75 feet to an "X" cut in concrete found at the beginning of a non-tangent curve to the left having a central angle of 13°11'22", a radius of 457.00 feet, a chord bearing and distance of South 88°02'47" West, 104.97 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 105.20 feet to a mag nail found for corner;
South 81°27'06" West, a distance of 35.63 feet to a PK Nail found at the beginning of a tangent curve to the left having a central angle of 5°44'34", a radius of 862.00 feet, a chord bearing and distance of South 78°34'49" West, 86.36 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 86.40 feet to a mag nail set in the east line of said 10-foot wide water easement, for the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 7A and Lot 2E and with said northeast line of the 10-foot wide water easement, the following courses and distances:

South 12°57'55" East, a distance of 327.59 feet to a mag nail set for corner;
South 57°57'55" East, a distance of 33.05 feet to a mag nail set for corner;
South 12°57'55" East, a distance of 112.66 feet to a mag nail set in the common line of said Lot 7A and Lot 6, Block A/6931 of said Red Bird Mall Shopping Center Development;

THENCE departing said northeast line of the 10-foot wide water easement and with said common line of Lot 7A and Lot 6, South 77°02'04" West, a distance of 10.00 feet to a mag nail set in the west line of said 10-foot wide water easement;

CONTINUED ON SHEET 2

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Reviewed By: JL
Date: 5-28-19
SPRG NO: 4872

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5/14/19

WATER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 6

EXHIBIT A-TRACT 19

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said common line of Lot 7A and Lot 6 and with said west line of the 10-foot wide water easement, the following courses and distances:

North 12°57'55" West, a distance of 108.52 feet to a mag nail set for corner;
North 57°57'55" West, a distance of 26.15 feet to a mag nail set in said common line of Lot 7A and Lot 2E;

THENCE departing said west line of the 10-foot wide water easement and with said common line of Lot 7A and Lot 2E, the following courses and distances:

North 12°57'56" West, a distance of 336.48 feet to a mag nail found at the beginning of a non-tangent curve to the right having a central angle of 0°20'25", a radius of 862.00 feet, a chord bearing and distance of North 75°32'19" East, 5.12 feet;
In a northeasterly direction with said curve to the right, an arc distance of 5.12 feet to the **POINT OF BEGINNING** and containing 3,101 square feet or 0.0712 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4872

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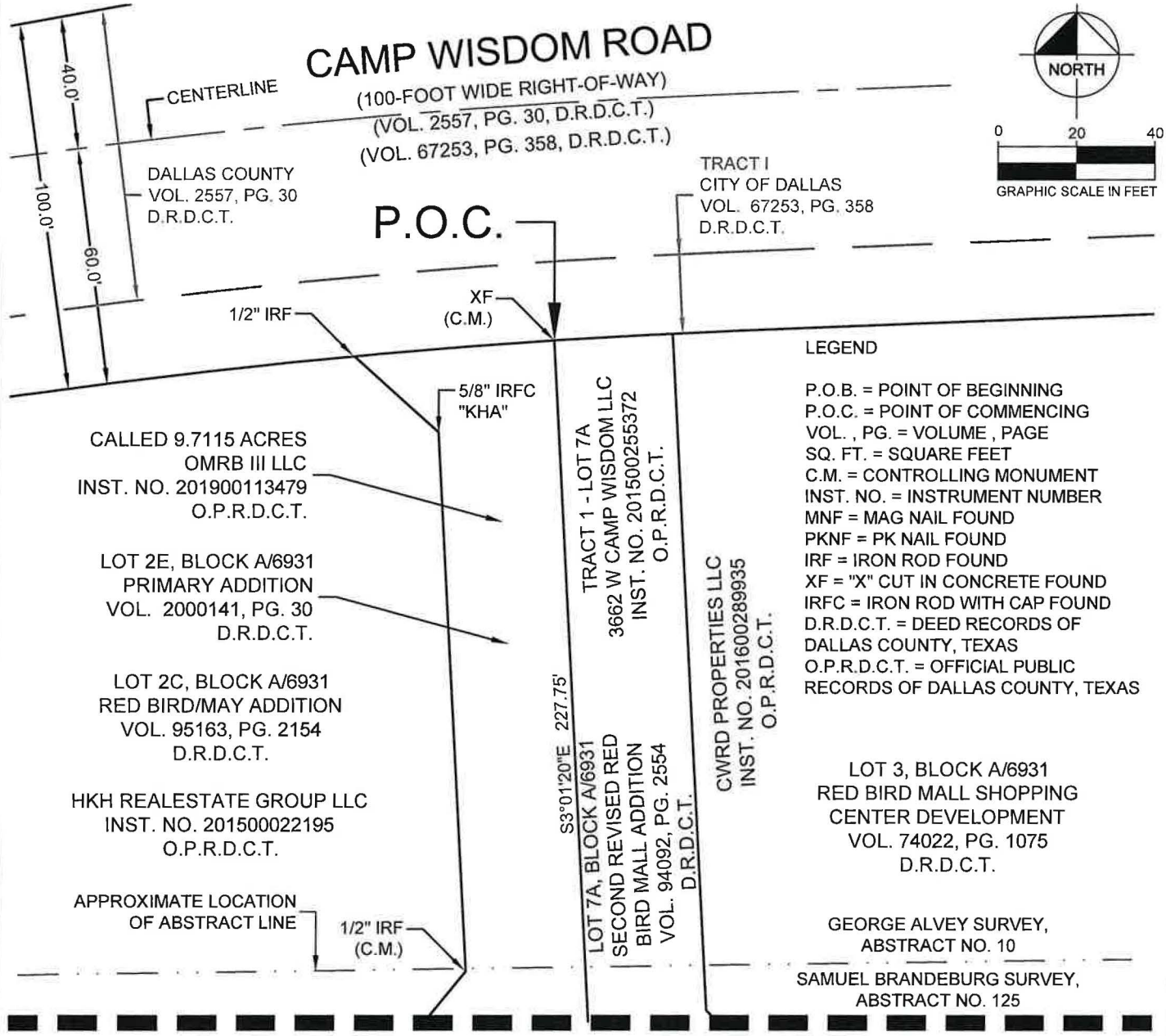
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-14-19

WATER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 6

EXHIBIT A-TRACT 19



NOTES

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JE
Date: 5-28-19
SPRG NO: 4872

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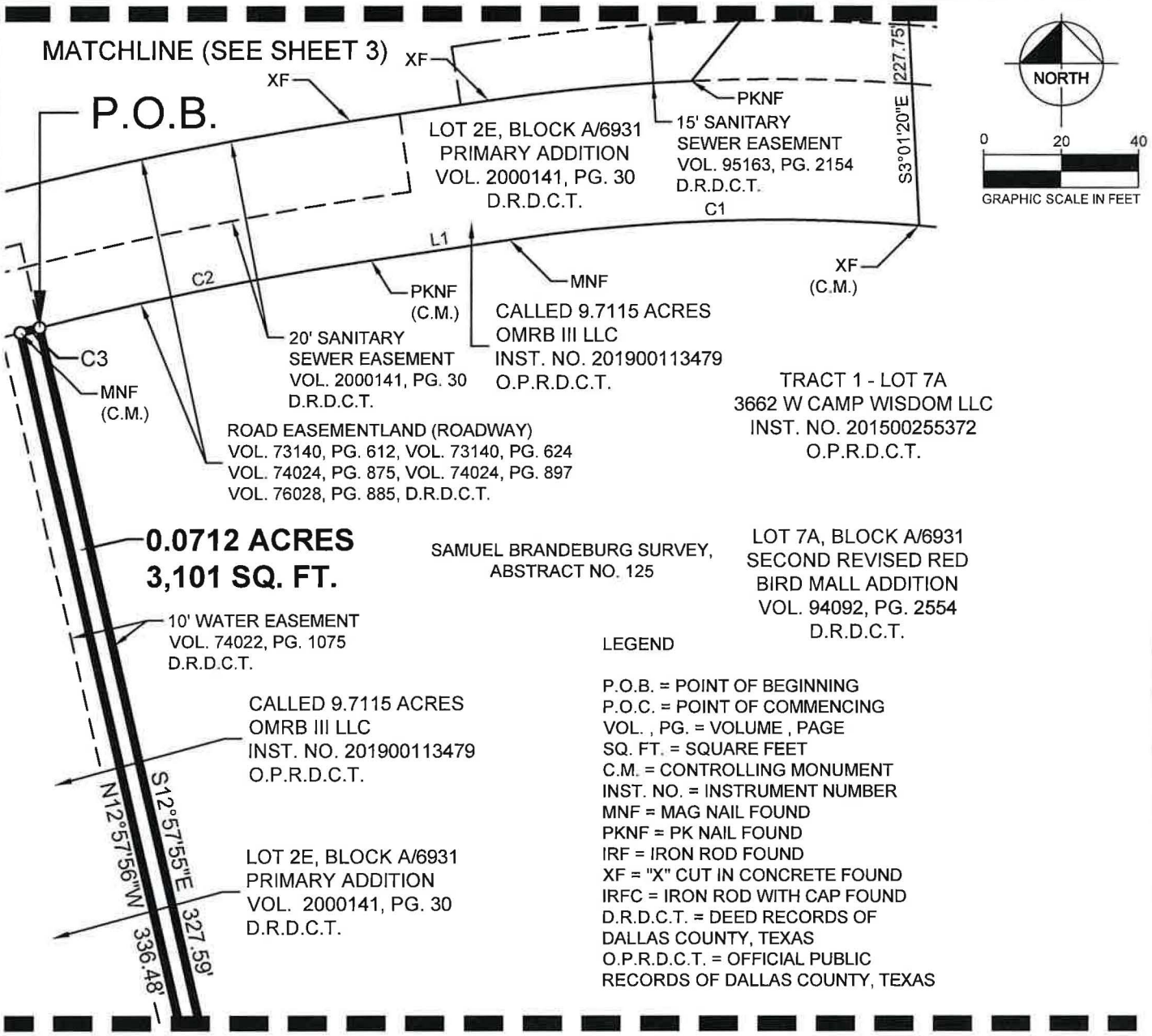
STATE OF TEXAS
REGISTERED
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LAND SURVEYOR
5-14-19

WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 6

EXHIBIT A-TRACT 19



LEGEND

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IRFC = IRON ROD WITH CAP FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
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MATCHLINE (SEE SHEET 5)

NOTES

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: JL
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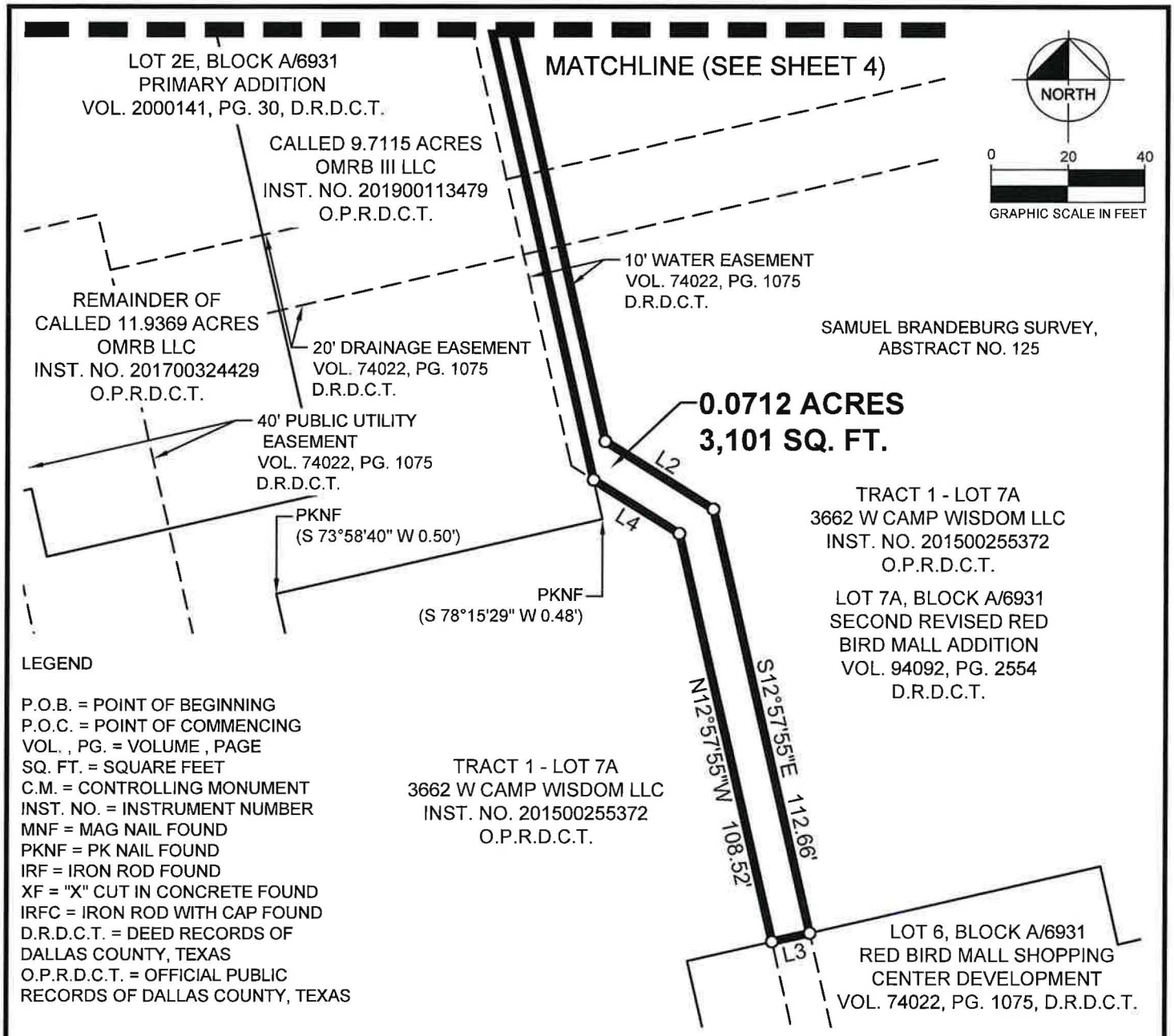
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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LAND SURVEYOR
5-14-19

WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 6

EXHIBIT A-TRACT 19



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 6.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JC
Date: 5-28-19
SPRG NO: 4872

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STATE OF TEXAS
REGISTERED
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LAND SURVEYOR
5/14/19

WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
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FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	5 OF 6

EXHIBIT A-TRACT 19

LINE TABLE		
NO.	BEARING	LENGTH
L1	S81°27'06"W	35.63'
L2	S57°57'55"E	33.05'
L3	S77°02'04"W	10.00'
L4	N57°57'55"W	26.15'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	13°11'22"	457.00'	105.20'	S88°02'47"W	104.97'
C2	5°44'34"	862.00'	86.40'	S78°34'49"W	86.36'
C3	0°20'25"	862.00'	5.12'	N75°32'19"E	5.12'

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4872

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5-14-19

WATER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	6 OF 6

EXHIBIT A-TRACT 20

LEGAL DESCRIPTION

BEING a 3,248 square foot (0.0746 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 1, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075, Deed Records of Dallas County, Texas, and being part of a tract of land described as "TRACT 1" in Special Warranty Deed with Vendor's Lien to CWRD Properties LLC recorded in Instrument No. 201700105711, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide water easement shown on the plat of said Red Bird Mall Shopping Center Development, and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northeast corner of Lot 1, and being the northwest corner of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30 of said Deed Records;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2E and said Lot 1, South 17°02'56" East, a distance of 301.96 feet to a mag nail set in the north line of said 10-foot wide water easement, and being the **POINT OF BEGINNING**;

THENCE departing said north line of the 10-foot wide water easement and continuing with said common line of Lot 2E and Lot 1, South 17°02'56" East, a distance of 4.00 feet to a mag nail found for the southeast corner of said Lot 1, and being a north corner of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records;

THENCE departing the west line of said Lot 2E and with the common lines of said Lot 1 and said Lot 7A, South 71°22'19" West, a distance of 18.65 feet to a mag nail set in the west line of said 10-foot wide water easement;

THENCE departing said common line of Lot 1 and Lot 7A and with said west and the south line of said 10-foot wide water easement, the following courses and distances:

North 17°02'55" West, a distance of 156.36 feet to a mag nail set for corner;
South 74°57'05" West, a distance of 11.37 feet to an "X" cut in concrete set for corner;

THENCE departing said south line of the 10-foot wide water easement, North 17°02'56" West, a distance of 10.01 feet to an "X" cut in concrete set in said north line of the 10-foot wide water easement;

THENCE with said north and west line of the 10-foot wide water easement, the following courses and distances:

North 74°57'05" East, a distance of 11.37 feet to a mag nail set for corner;
North 17°02'55" West, a distance of 102.76 feet to a mag nail set for corner;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4873

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WATER EASEMENT
ABANDONMENT
PART OF LOT 1, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 5

EXHIBIT A-TRACT 20

LEGAL DESCRIPTION (CONTINUED)

South 88°37'05" West, a distance of 33.36 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;

THENCE departing said south line of the 10-foot wide water easement, North 1°22'46" West, a distance of 10.00 feet to an "X" cut in concrete set in said north line of the 10-foot wide water easement;

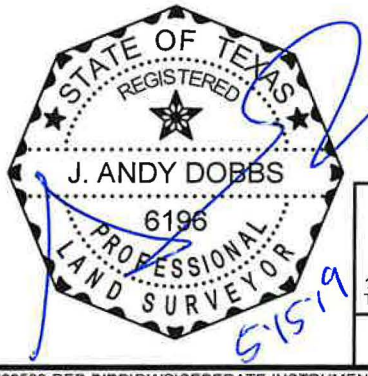
THENCE with said north line of the 10-foot wide water easement, the following courses and distances:

North 88°37'05" East, a distance of 40.94 feet to a mag nail set for corner;
South 17°02'55" East, a distance of 272.43 feet to a mag nail set for corner;
North 71°22'20" East, a distance of 8.65 feet to the **POINT OF BEGINNING** and containing 3,248 square feet or 0.0746 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4873

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WATER EASEMENT
ABANDONMENT
PART OF LOT 1, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 5

EXHIBIT A-TRACT 20



LEGEND

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IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line table on sheet 5.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4873

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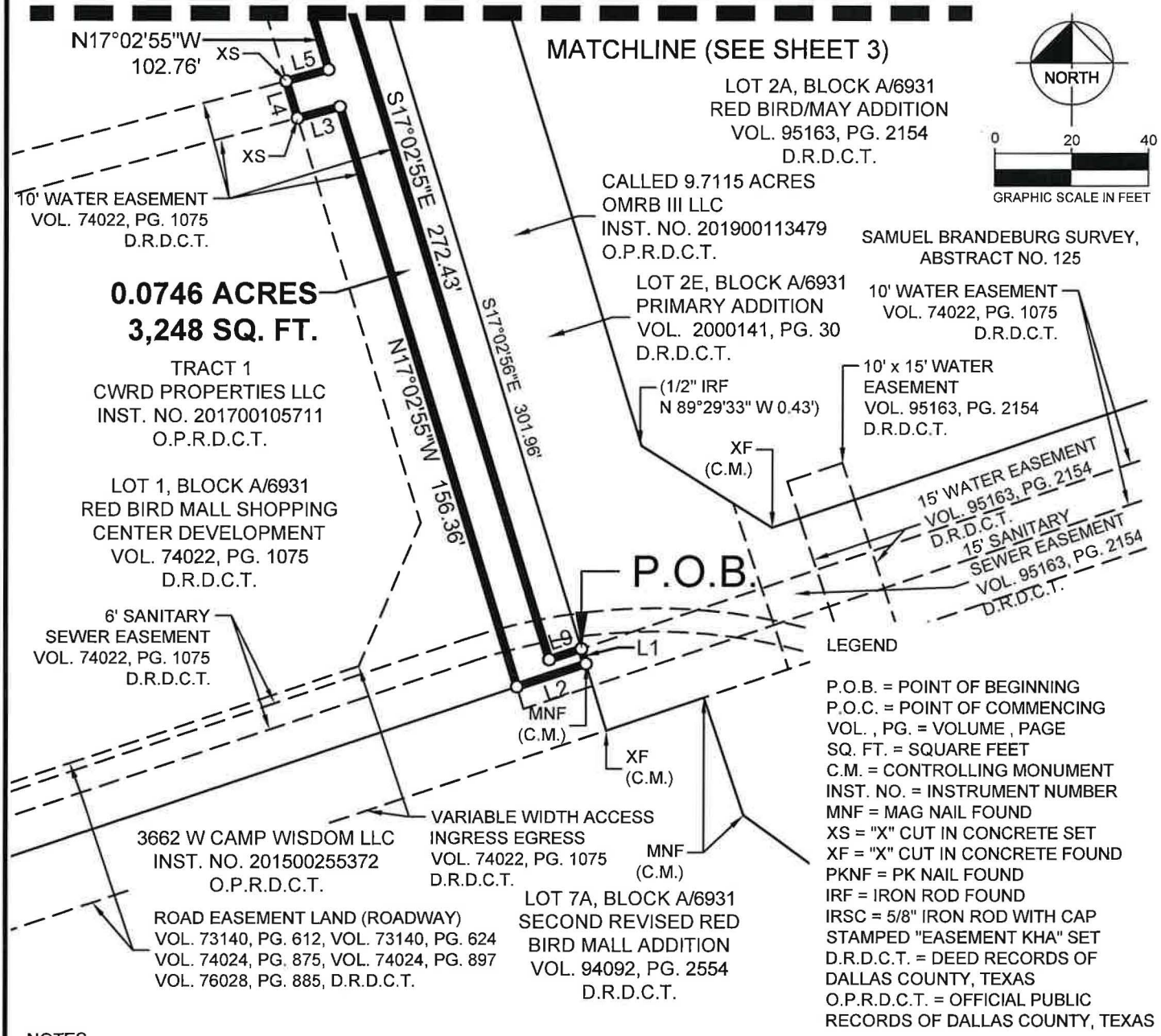
STATE OF TEXAS
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WATER EASEMENT ABANDONMENT
PART OF LOT 1, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 5

EXHIBIT A-TRACT 20



LEGEND

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STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF
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NOTES

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3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: G.S.
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WATER EASEMENT ABANDONMENT
PART OF LOT 1, BLOCK A/6931
RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 5

EXHIBIT A-TRACT 20

LINE TABLE		
NO.	BEARING	LENGTH
L1	S17°02'56"E	4.00'
L2	S71°22'19"W	18.65'
L3	S74°57'05"W	11.37'
L4	N17°02'56"W	10.01'
L5	N74°57'05"E	11.37'
L6	S88°37'05"W	33.36'
L7	N01°22'46"W	10.00'
L8	N88°37'05"E	40.94'
L9	N71°22'20"E	8.65'

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4873

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WATER EASEMENT
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	5 OF 5

EXHIBIT A-TRACT 21

LEGAL DESCRIPTION

BEING a 6,218 square foot (0.1427 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 11, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075, Deed Records of Dallas County, Texas, and being part of "TRACT I" described in Special Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147549, Official Public Records of Dallas County, Texas, and being all of a 10-foot wide water easement shown on the plat of said Red Bird Mall Shopping Center Development, and being more particularly described as follows:

BEGINNING at a point in the southeast right-of-way line of Westmoreland Road (100-foot wide right-of-way, Volume 67253, Page 354 of said Deed Records), for the northwest corner of said Lot 11, and being a northwest corner of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records, and being the north corner of said 10-foot wide water easement; from said point an "X" cut in concrete found bears North 24°38'42" West, a distance of 0.27 feet;

THENCE departing said southeast right-of-way line of Westmoreland Road and with the common line of Lot 7A and said Lot 11 and with the northeast line of said 10-foot wide water easement, South 63°43'56" East, a distance of 285.02 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;

THENCE departing said common line of Lot 7A and Lot 11 and continuing with said northeast line of the 10-foot wide water easement, South 48°57'56" East, a distance of 338.03 feet to a mag nail set in the north line of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development, for the east corner of said 10-foot wide water easement;

THENCE with said north line of the 40-foot wide public utility easement and with the southeast line of said 10-foot wide water easement, South 41°02'05" West, a distance of 10.00 feet to a mag nail set for the south corner of said 10-foot wide water easement;

THENCE departing said north line of the 40-foot wide public utility easement and with the southwest line of said 10-foot wide water easement, the following courses and distances:

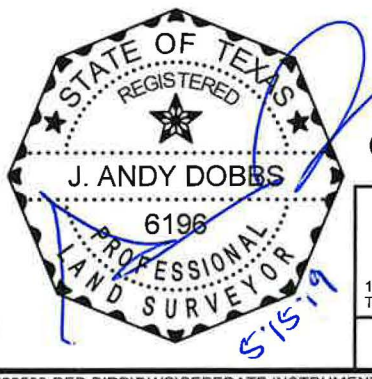
North 48°57'56" West, a distance of 336.73 feet to a 5/8-inch iron rod with cap stamped "EASEMENT KHA" set for corner;
North 63°43'56" West, a distance of 283.72 feet to a mag nail set in said southeast right-of-way line of Westmoreland Road, for the west corner of said 10-foot wide water easement; from said point a PK nail found for the westernmost northwest corner of said Lot 11, and being the northwest corner of Lot 12A, Block A/6931, Split Rail Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 78030, Page 1661 of said Deed Records bears South 26°16'04" West, a distance of 20.00 feet;

THENCE with said southeast right-of-way line of Westmoreland Road and with the northwest line of said 10-foot wide water easement, North 26°16'04" East, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 6,218 square feet or 0.1427 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4874

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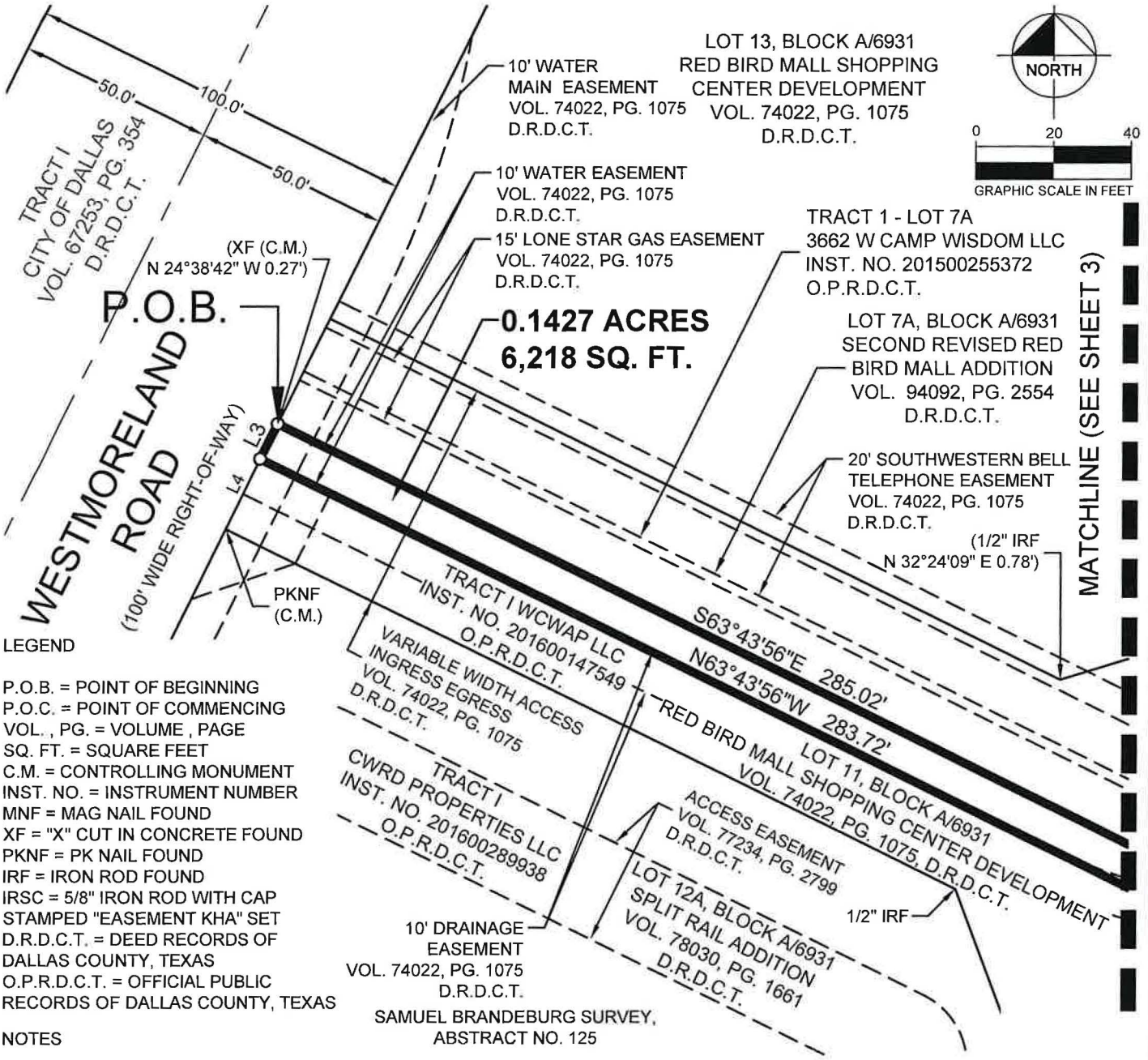


WATER EASEMENT
ABANDONMENT
PART OF LOT 11, BLOCK A/6931
RED BIRD MALL SHOPPING
CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 4

EXHIBIT A-TRACT 21



LEGEND

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NOTES

1. See line table on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: G.S.
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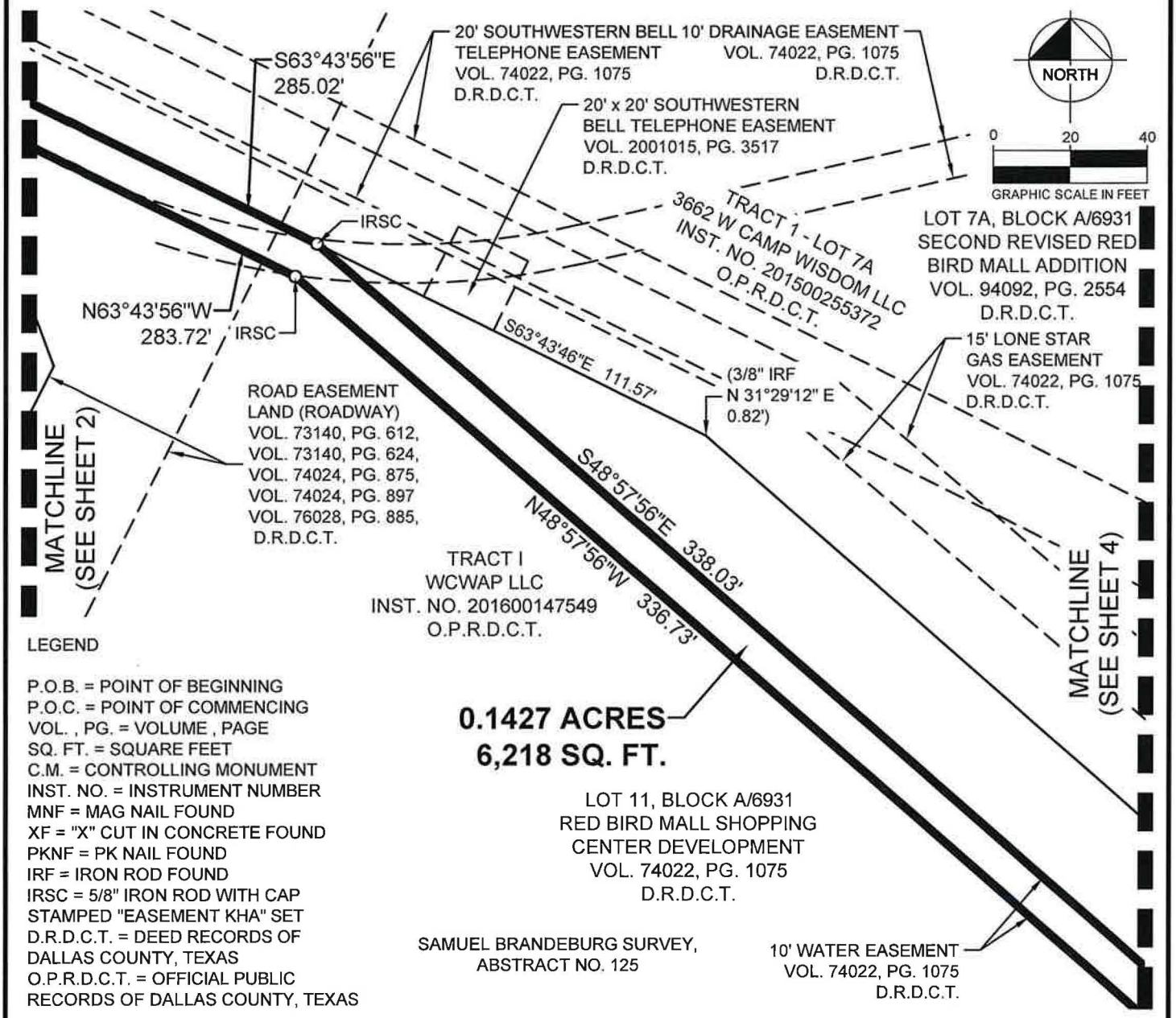
STATE OF TEXAS
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LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931
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EXHIBIT A-TRACT 21



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NOTES

1. See line table on sheet 4.
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Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4874

J. ANDY DOBBS
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SUITE 700
DALLAS, TEXAS 75240
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ANDY.DOBBS@KIMLEY-HORN.COM

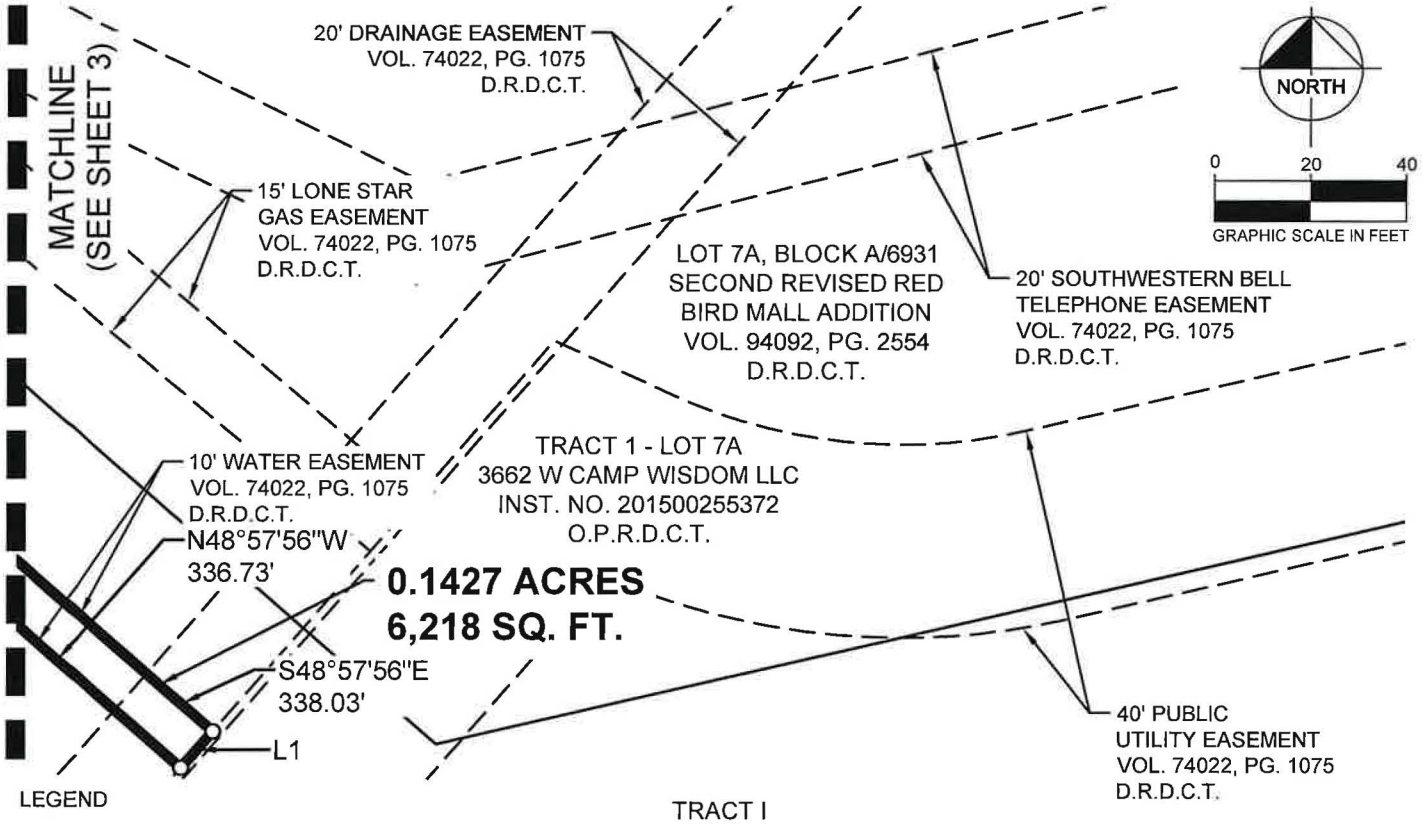
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931 RED BIRD MALL SHOPPING CENTER DEVELOPMENT
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
FIRM # 10115500
Tel. No. (972) 770-1300
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 4

EXHIBIT A-TRACT 21



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
IRSC = 5/8" IRON ROD WITH CAP STAMPED "EASEMENT KHA" SET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

LINE TABLE		
NO.	BEARING	LENGTH
L1	S41°02'05"W	10.00'
L3	N26°16'04"E	10.00'
L4	S26°16'04"W	20.00'

NOTES

1. See line table on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4874

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STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
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LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 11, BLOCK A/6931 RED BIRD MALL SHOPPING CENTER DEVELOPMENT SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 4

EXHIBIT A-TRACT 22

LEGAL DESCRIPTION

BEING a 1,894 square foot (0.0435 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 8A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1" described in General Warranty Deed to WCWAP LLC recorded in Instrument No. 201600147541, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a point in the northeast right-of-way line of Interstate Highway No. 20 (a variable width right-of-way, Volume 69146, Page 21 of said Deed Records), for the southernmost southeast corner of Lot 7A, Block A/6931 of said Second Revised Red Bird Mall Addition, and being the southwest corner of Lot 10-A, Block A/6931, Cinema Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76241, Page 3 of said Deed Records; from said point a 1/2-inch iron rod with cap stamped "HALFF ASSOC" found bears South 89°33'34" West, a distance of 1.10 feet;

THENCE departing said northeast right-of-way line of Interstate Highway No. 20, and with the common line of said Lot 7A and Lot 10-A, North 12°57'56" West, a distance of 276.04 feet a point in the south line of said Lot 8A, for the northwest corner of said Lot 10-A, and being a southeast corner of said Lot 7A; from said point an "X" cut in concrete found bears South 83°52'10" West, a distance of 1.24 feet;

THENCE with the common line of said Lot 10-A and Lot 8A, North 77°02'04" East, a distance of 111.99 feet to a mag nail set in the west line of said 10-foot wide water easement, and being the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 10-A and Lot 8A and with said west line of the 10-foot wide water easement, the following courses and distances:

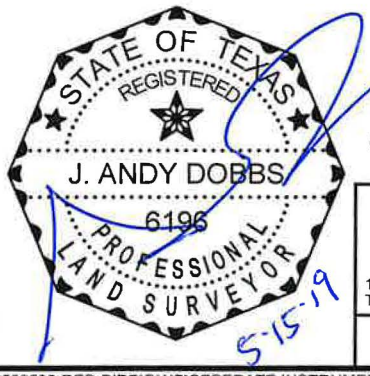
North 12°57'56" West, a distance of 80.09 feet to a mag nail set for corner;
North 9°32'04" East, a distance of 109.28 feet to a mag nail set in the south line of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development, for the northwest corner of said 10-foot wide water easement;

THENCE with the south line of said 40-foot wide public utility easement and with the north line of said 10-foot wide water easement, North 77°02'04" East, a distance of 10.82 feet to a mag nail set for the north east corner of said 10-foot wide water easement;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4875

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WATER EASEMENT
ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 4

EXHIBIT A-TRACT 22

LEGAL DESCRIPTION (CONTINUED)

THENCE departing said south line of the 40-foot wide public utility easement and with the east line of said 10-foot wide water easement, the following courses and distances:

South 9°32'04" West, a distance of 111.43 feet to a mag nail set for corner;
South 12°57'56" East, a distance of 78.10 feet to a mag nail set in said common line of Lot 10-A and Lot 8A;

THENCE departing said east line of the 10-foot wide water easement and with said common line of Lot 10-A and Lot 8A, South 77°02'04" West, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 1,894 square feet or 0.0435 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4875

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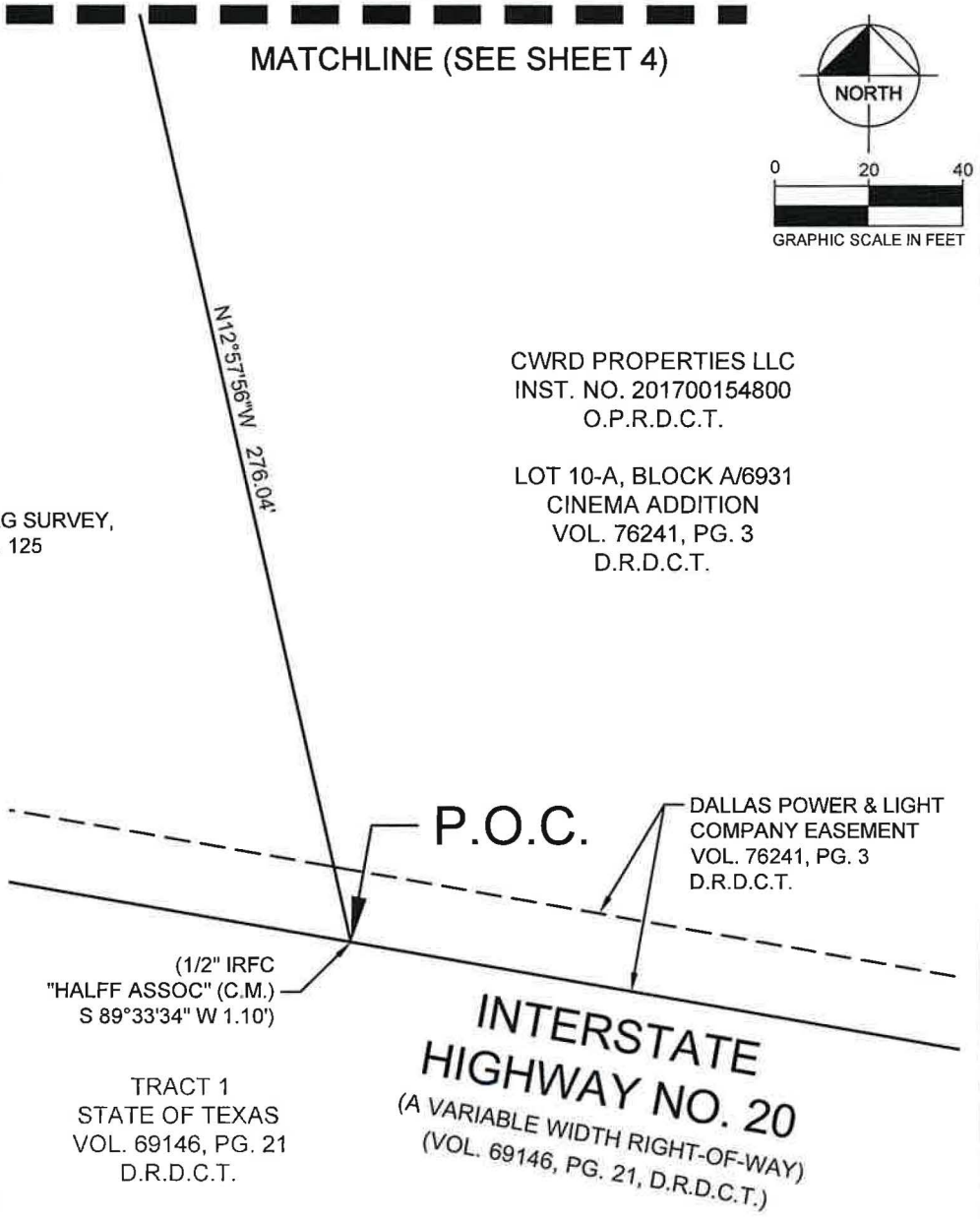
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT
ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	2 OF 4

EXHIBIT A-TRACT 22



LEGEND

P.O.B. = POINT OF BEGINNING
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D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line and curve tables on sheet 4.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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Reviewed By: G.S.
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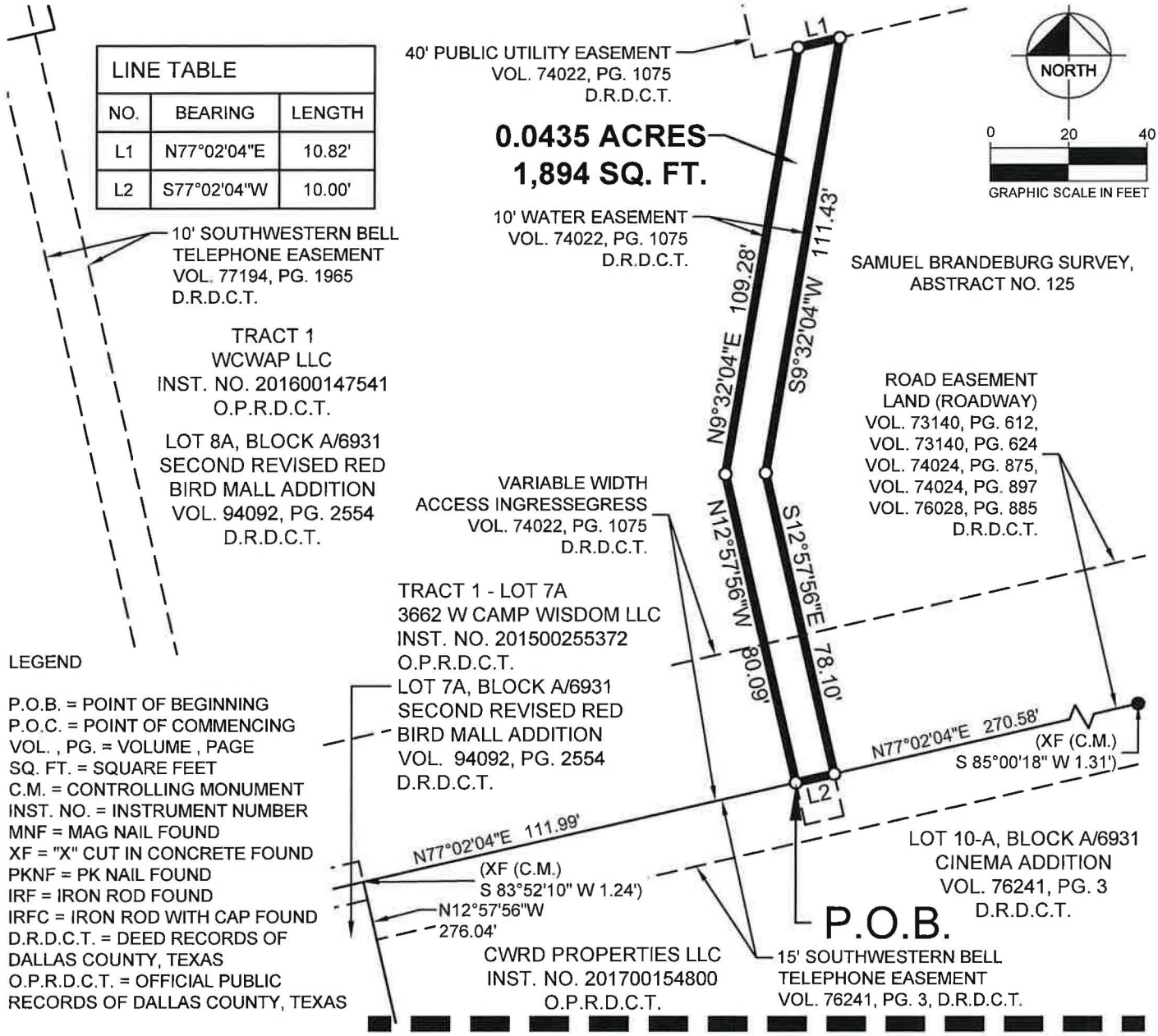
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 4

EXHIBIT A-TRACT 22



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IRFC = IRON ROD WITH CAP FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

MATCHLINE (SEE SHEET 3)

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4875

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STATE OF TEXAS
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5.15.19

WATER EASEMENT ABANDONMENT
PART OF LOT 8A, BLOCK A/6931 SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 4

EXHIBIT A-TRACT 23

LEGAL DESCRIPTION

BEING a 109 square foot (0.0025 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 10-A, Block A/6931, Cinema Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 76241, Page 3, Deed Records of Dallas County, Texas, and being part of "TRACT 1" described in Special Warranty Deed to CWRD Properties LLC recorded in Instrument No. 201700154800, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a point in the northeast right-of-way line of Interstate Highway No. 20 (a variable width right-of-way, Volume 69146, Page 21 of said Deed Records), for the southernmost southeast corner of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records, and being the southwest corner of said Lot 10-A; from said point a 1/2-inch iron rod with cap stamped "HALFF ASSOC" found bears South 89°33'34" West, a distance of 1.10 feet;

THENCE departing said northeast right-of-way line of Interstate Highway No. 20, and with the common line of said Lot 7A and Lot 10-A, North 12°57'56" West, a distance of 276.04 feet a point in the south line of Lot 8A, Block A/6931 of said Second Revised Red Bird Mall Addition, for the northwest corner of said Lot 10-A, and being a southeast corner of said Lot 7A; from said point an "X" cut in concrete found bears South 83°52'10" West, a distance of 1.24 feet;

THENCE with the common line of said Lot 10-A and Lot 8A, North 77°02'04" East, a distance of 111.99 feet to a mag nail set in the west line of said 10-foot wide water easement, and being the **POINT OF BEGINNING**;

THENCE departing said west line of the 10-foot wide water easement and continuing with said common line of Lot 10-A and Lot 8A, North 77°02'04" East, a distance of 10.00 feet to a mag nail set in the east line of said 10-foot wide water easement;

THENCE departing said common line of Lot 10-A and Lot 8A and with said east line of the 10-foot wide water easement, South 12°57'56" East, a distance of 10.91 feet to a mag nail set for the southeast corner of said 10-foot wide water easement;

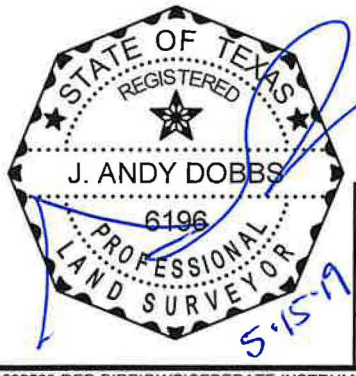
THENCE with the south line of said 10-foot water easement, South 77°02'04" West, a distance of 10.00 feet to a mag nail set for the southwest corner of said 10-foot wide water easement;

THENCE with said west line of the 10-foot wide water easement, North 12°57'56" West, a distance of 10.91 feet to the **POINT OF BEGINNING** and containing 109 square feet or 0.0025 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: G.S.
Date: 5-30-19
SPRG NO: 4876

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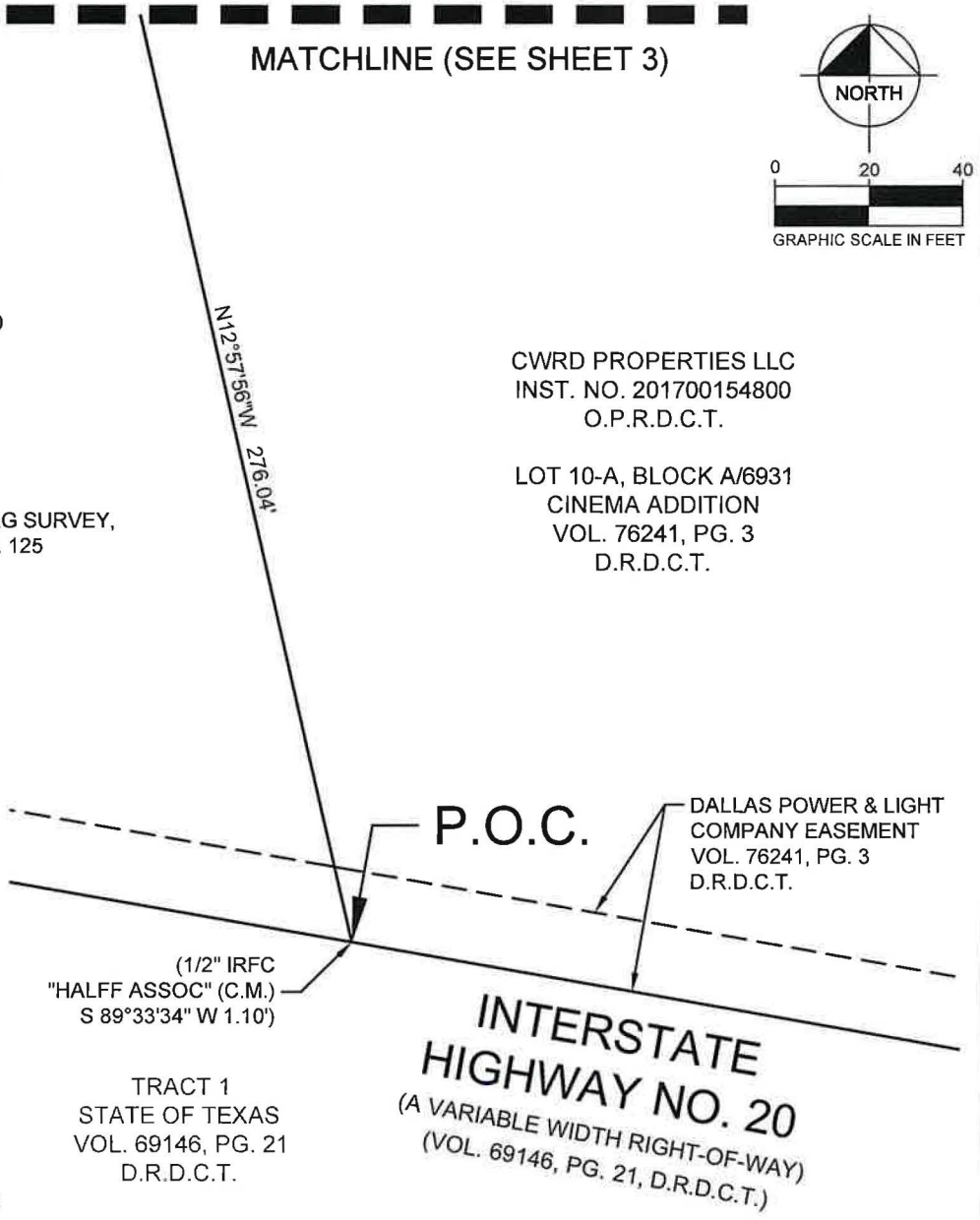


WATER EASEMENT
ABANDONMENT
PART OF LOT 10-A, BLOCK A/6931
CINEMA ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 3

EXHIBIT A-TRACT 23



LEGEND

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NOTES

1. See line and curve tables on sheet 3.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: B.S.
Date: 5-30-19
SPRG NO: 4876

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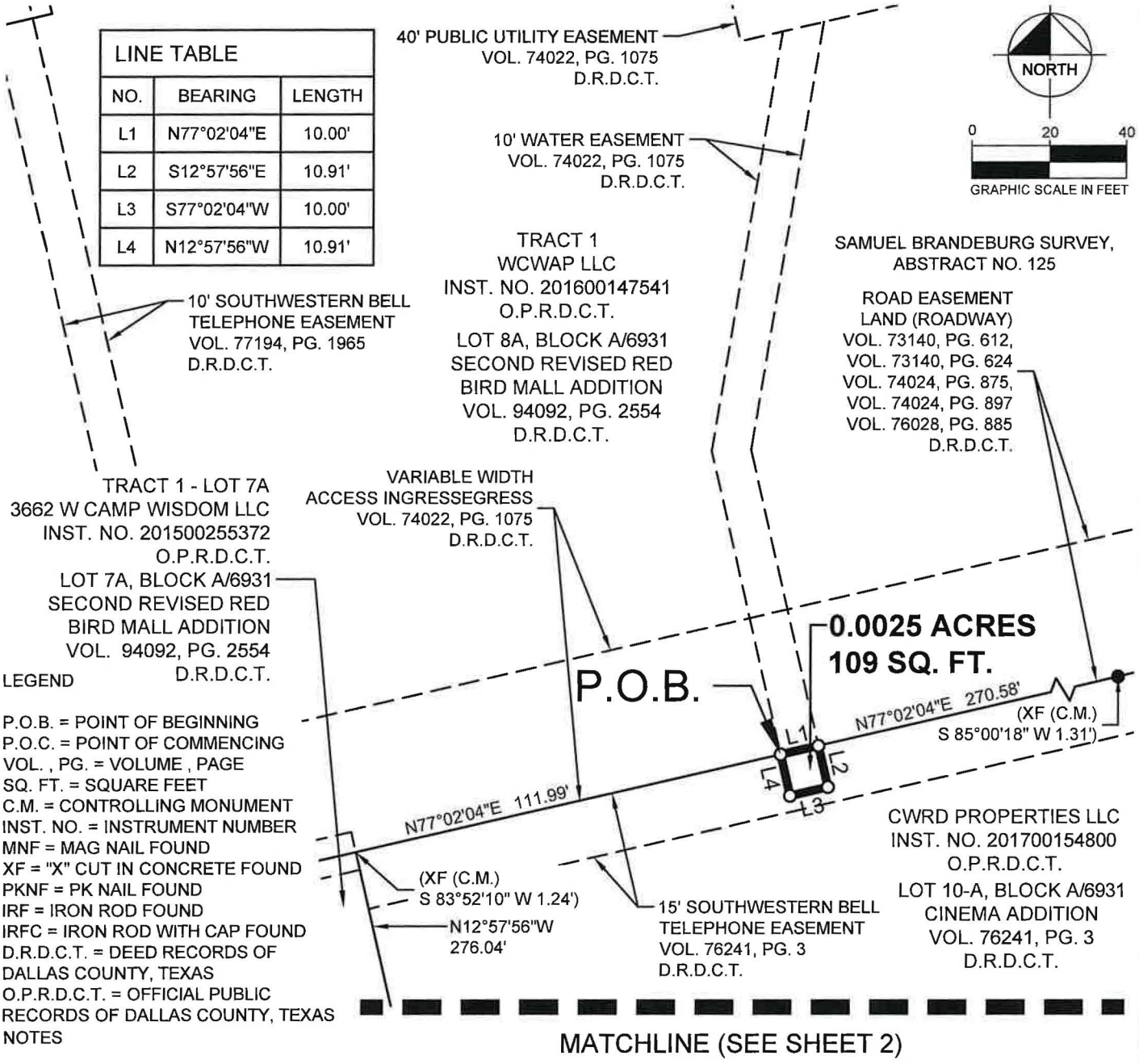
STATE OF TEXAS
REGISTERED
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PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 10-A, BLOCK A/6931
CINEMA ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	2 OF 3

EXHIBIT A-TRACT 23



LEGEND

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NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 10-A, BLOCK A/6931 CINEMA ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 3

EXHIBIT A-TRACT 24

LEGAL DESCRIPTION

BEING a 5 square foot (0.0001 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, and being part of Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554, Deed Records of Dallas County, Texas, and being part of "TRACT 1 - LOT 7A" described in Special Warranty Deed to 3662 W Camp Wisdom LLC recorded in Instrument No. 201500255372, Official Public Records of Dallas County, Texas, and being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being more particularly described as follows:

COMMENCING at a PK nail found in the in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northwest corner of Lot 2D, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30 of said Deed Records and being a north corner of Lot 2E, Block A/6931 of said Primary Addition;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common lines of said Lot 2D and said Lot 2E, the following courses and distances:

South 15°19'40" East, a distance of 163.05 feet to a 5/8-inch iron rod with cap stamped "KSC 4019" found for the westernmost southwest corner of said Lot 2D, and being a north corner of said Lot 2E;
South 60°23'52" East, a distance of 40.56 feet a PK nail found for the southernmost southwest corner of said Lot 2D, and being a north corner of said Lot 2E;
North 72°35'50" East, a distance of 178.91 feet to a point for corner;

THENCE departing said common line of Lot 2D and Lot 2E, South 12°57'56" East, a distance of 596.15 feet to a mag nail set in the common line of said Lot 2E and said Lot 7A, and being in the west line of said 40-foot wide public utility easement, and being the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 2E and Lot 7A and with said west line of the 40-foot wide public utility easement, South 12°57'56" East, a distance of 1.99 feet to a mag nail set for the southeast corner of said 10-foot wide water easement;

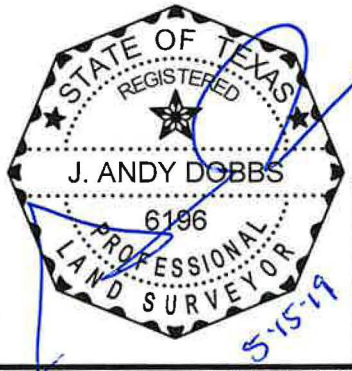
THENCE departing said south line of the 40-foot wide public utility easement and with the west line of said 10-foot wide water easement, North 80°27'55" West, a distance of 5.21 feet to a mag nail set in said common line of Lot 2E and Lot 7A;

THENCE departing said south line of the 10-foot wide water easement and with said common line of Lot 2E and Lot 7A, North 77°02'04" East, a distance of 4.82 feet to the **POINT OF BEGINNING** and containing 5 square feet or 0.0001 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4877

J. ANDY DOBBS
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SUITE 700
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ANDY.DOBBS@KIMLEY-HORN.COM

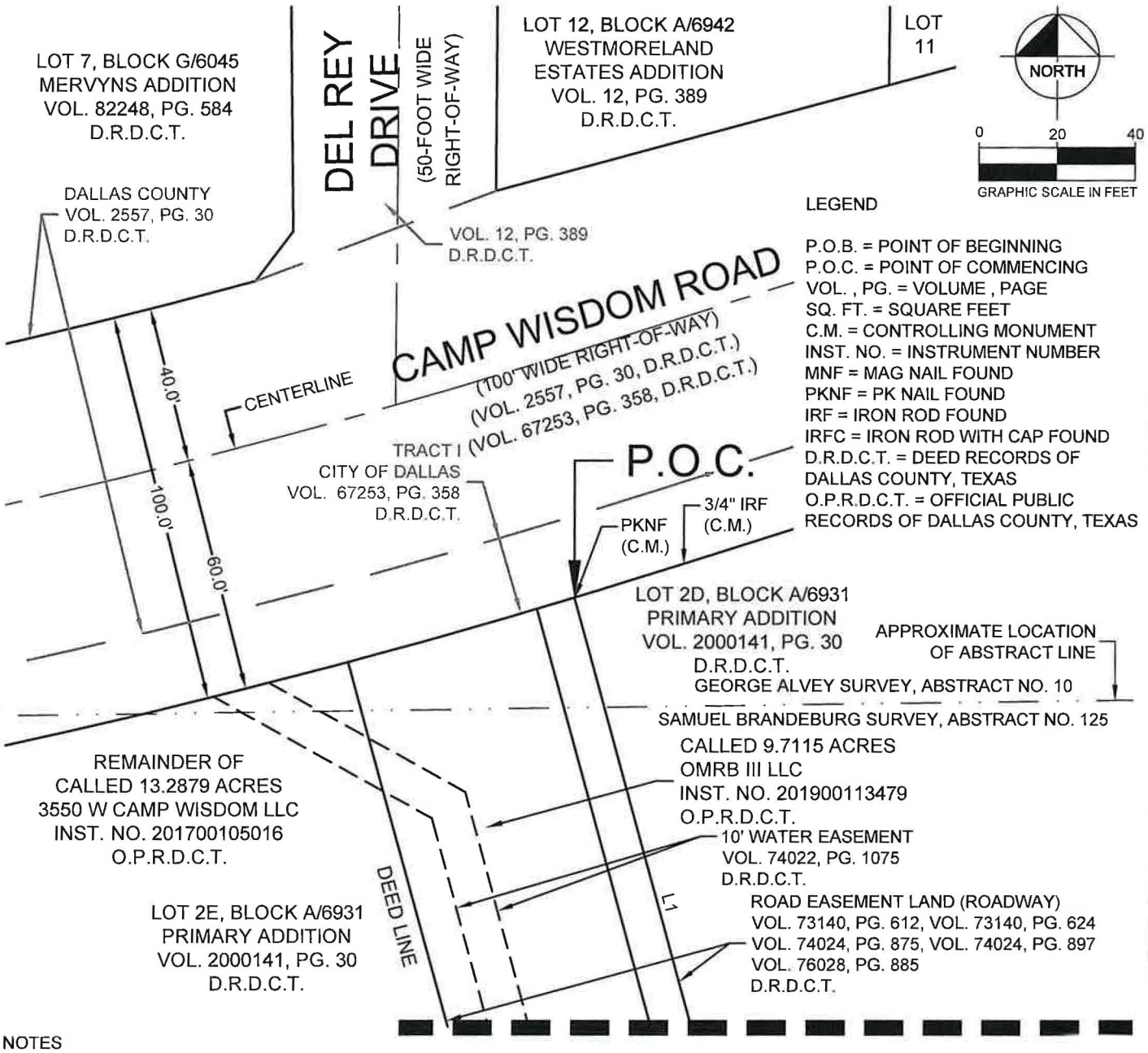


WATER EASEMENT
ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JBH	JAD	FEB. 2019	064508500	1 OF 4

EXHIBIT A-TRACT 24



LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
C.M. = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MNF = MAG NAIL FOUND
PKNF = PK NAIL FOUND
IRF = IRON ROD FOUND
IRFC = IRON ROD WITH CAP FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

NOTES

1. See line table on sheet 3.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4877

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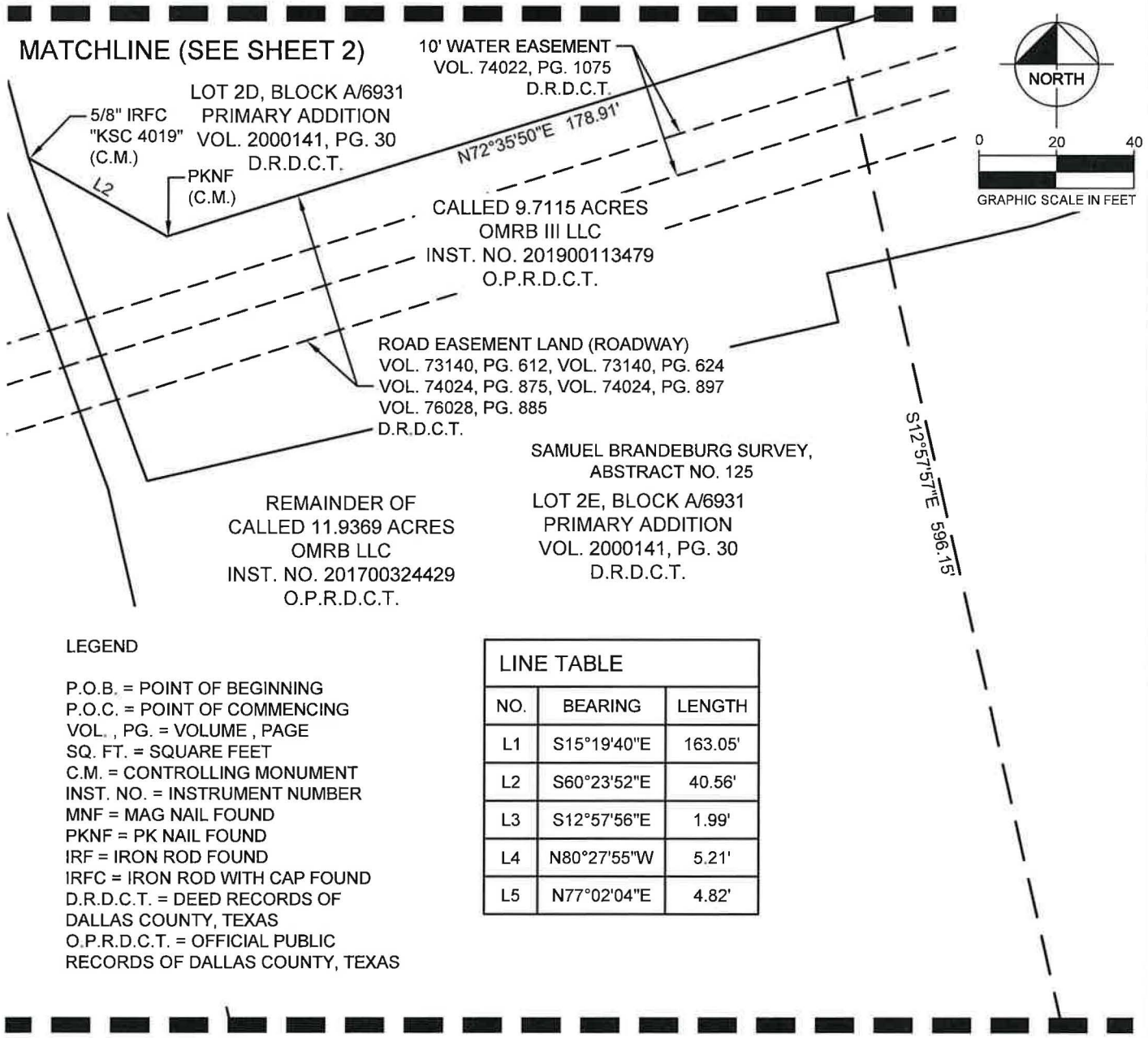
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	2 OF 4

EXHIBIT A-TRACT 24



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

LINE TABLE		
NO.	BEARING	LENGTH
L1	S15°19'40"E	163.05'
L2	S60°23'52"E	40.56'
L3	S12°57'56"E	1.99'
L4	N80°27'55"W	5.21'
L5	N77°02'04"E	4.82'

MATCHLINE (SEE SHEET 4)

NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JZ
Date: 5-28-19
SPRG NO: 4877

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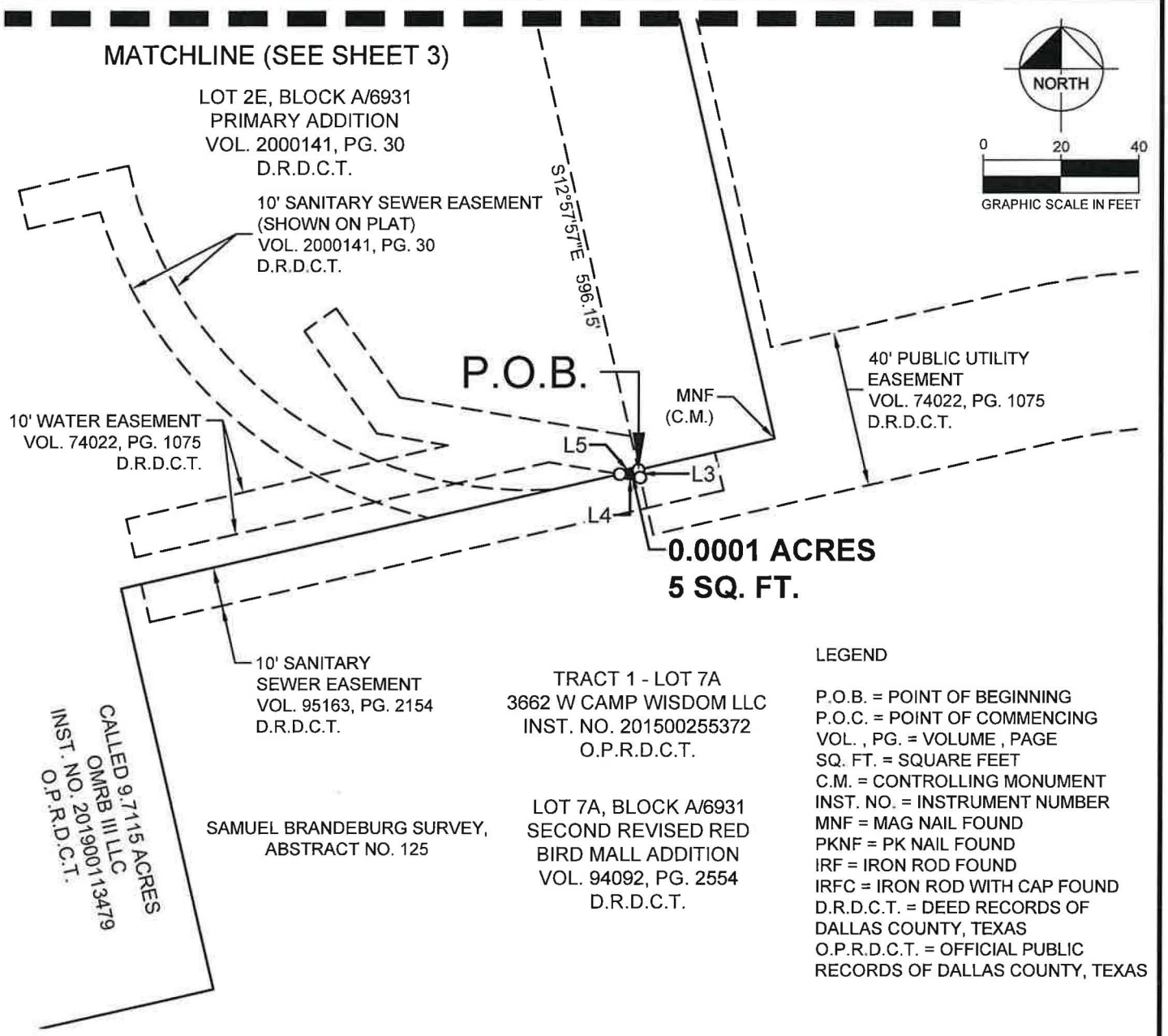
STATE OF TEXAS
REGISTERED
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6196
PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	3 OF 4

EXHIBIT A-TRACT 24



LEGEND

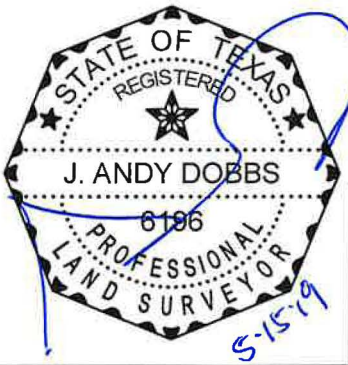
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NOTES

1. See line table on sheet 3.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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WATER EASEMENT ABANDONMENT
PART OF LOT 7A, BLOCK A/6931
SECOND REVISED RED BIRD MALL ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	JBH	JAD	FEB. 2019	064508500	4 OF 4

EXHIBIT A-TRACT 25

LEGAL DESCRIPTION

BEING a 100 square foot (0.0023 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, being part of a remainder tract of called 11.9369 acre tract of land described in General Warranty Deed to OMRB LLC recorded in Instrument No. 201700324429, Official Public Records of Dallas County, Texas, being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records and being more particularly described as follows:

COMMENCING at a PK nail found for the southwest corner of Lot 2D, Block A/6931 of said Primary Addition and being in the north line of a 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479 of said Official Public Records;

THENCE with the west line of said Lot 2D, North 60°23'52" West, a distance of 40.56 feet to a 5/8" iron rod with cap stamped "KSC 4019" found for a north corner of said 9.7115 acre tract;

THENCE departing said west line of Lot 2D and with a west line of said 9.7115 acre tract, South 20°15'08" East, a distance of 43.71 feet to a mag nail set for corner in the north line of said 10-foot wide water easement and being the **POINT OF BEGINNING**;

THENCE departing said north line of the 10-foot wide water easement and continuing with said west line of the 9.7115 acre tract, South 20°15'08" East, a distance of 10.01 feet to a mag nail set for corner in the south line of said 10-foot wide water easement;

THENCE departing said west line of 9.7115 acre tract and with said south line of the 10-foot wide water easement, South 72°35'50" West, a distance of 10.01 feet to a mag nail set for corner in a east line of said 9.7115 acre tract;

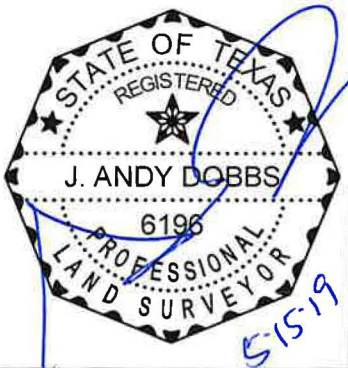
THENCE departing said south line of the 10-foot wide water easement and with said east line of the 9.7115 acre tract, North 20°15'08" West, a distance of 10.01 feet to a mag nail set for corner in said north line of the 10-foot wide water easement;

THENCE departing said east line of the 9.7115 acre tract and with said north line of the 10-foot wide water easement, North 72°35'50" East, a distance of 10.01 feet to the **POINT OF BEGINNING** and containing 100 square feet or 0.0023 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4878

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ANDY.DOBBS@KIMLEY-HORN.COM

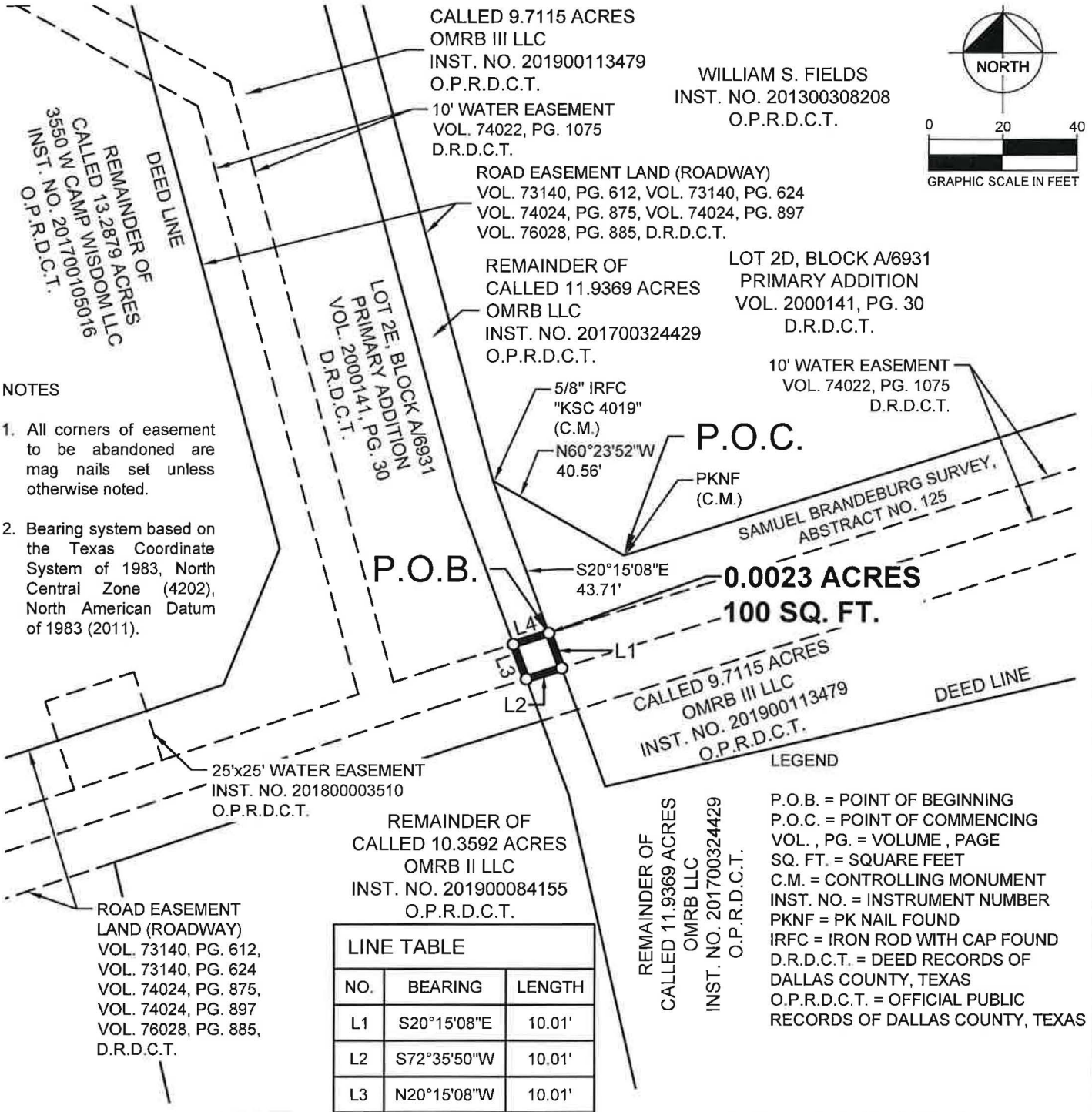


WATER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC/JBH	JAD	APRIL 2019	064508500	1 OF 2

EXHIBIT A-TRACT 25



NOTES

1. All corners of easement to be abandoned are mag nails set unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

LINE TABLE		
NO.	BEARING	LENGTH
L1	S20°15'08"E	10.01'
L2	S72°35'50"W	10.01'
L3	N20°15'08"W	10.01'
L4	N72°35'50"E	10.01'

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
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INST. NO. = INSTRUMENT NUMBER
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(For SPRG use only)
Reviewed By: JL
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STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	2 OF 2

EXHIBIT A-TRACT 26

LEGAL DESCRIPTION

BEING a 9,356 square foot (0.2148 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records and being more particularly described as follows:

COMMENCING at an "X" cut in concrete found in the south right-of-way line of Camp Wisdom Road (100-foot wide right-of-way, Volume 2557, Page 30 and Volume 67253, Page 358 of said Deed Records), for the northeast corner of Lot 1, Block A/6931, Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records, and being the northwest corner of said Lot 2E;

THENCE departing said south right-of-way line of Camp Wisdom Road, with the common line of said Lot 2E and said Lot 1, South 17°02'56" East, a distance of 301.96 feet to a mag nail set in the north line of said 10-foot wide water easement for the **POINT OF BEGINNING**;

THENCE departing said common line of Lot 2E and Lot 1 and with said north line of the 10-foot wide water easement, the following courses and distances:

North 71°22'20" East, a distance of 495.25 feet to a mag nail set for corner;
North 15°19'39" West, a distance of 164.23 feet to a mag nail set for corner;
North 60°49'39" West, a distance of 14.15 feet to an "X" cut in concrete set in the north line of said 9.7115 acre tract;

THENCE departing said north line of the 10-foot wide water easement and with said north line of the 9.7115 acre tract, North 15°19'40" West, a distance of 14.02 feet to an "X" cut in concrete set in said north line of the 10-foot wide water easement;

THENCE departing said north line of the 9.7115 acre tract and with said north line of the 10-foot wide water easement, the following courses and distances:

South 60°49'39" East, a distance of 28.17 feet to a mag nail set for corner;
South 15°19'39" East, a distance of 167.85 feet to a mag nail set for corner;
North 71°22'20" East, a distance of 9.83 feet to a mag nail set for corner;
North 72°35'50" East, a distance of 23.87 feet to a mag nail set for corner in said north line of the 9.7115 acre tract;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4879

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STATE OF TEXAS
REGISTERED
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LAND SURVEYOR
5-15-19

WATER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC/JBH	JAD	APRIL 2019	064508500	1 OF 7

EXHIBIT A-TRACT 26

LEGAL DESCRIPTION

THENCE departing said north line of the 10-foot wide water easement and with said north line of the 9.7115 acre tract, South 20°15'08" East, a distance of 10.01 feet to a mag nail set for corner in the south line of said 10-foot wide water easement;

THENCE departing said north line of the 9.7115 acre tract and with said south line of the 10-foot wide water easement, the following courses and distances:

South 72°35'50" West, a distance of 24.26 feet to a mag nail set for corner;
South 71°22'20" West, a distance of 212.95 feet to a mag nail set for corner;
South 12°57'55" East, a distance of 188.61 feet to a mag nail set for corner;
South 32°02'05" West, a distance of 20.40 feet to a mag nail set in the north line of a 40-foot wide public utility easement shown on the plat of said Red Bird Mall Shopping Center Development;

THENCE continuing with the south line of said 10-foot wide water easement and with said north line of the 40-foot wide public utility easement, South 77°02'04" West, a distance of 12.07 feet to a mag nail set for corner;

THENCE departing said north line of the 40-foot wide public utility easement and continuing with said south line of the 10-foot wide water easement, the following courses and distances:

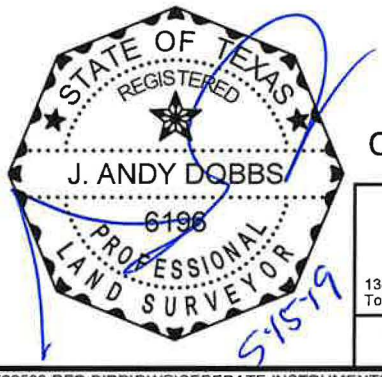
North 12°57'55" West, a distance of 2.07 feet to a mag nail set for corner;
North 32°02'05" East, a distance of 23.33 feet to a mag nail set for corner;
North 12°57'55" West, a distance of 183.47 feet to a mag nail set for corner;
South 71°22'20" West, a distance of 292.27 feet to a mag nail set in said common line of Lot 2E and Lot 7A;

THENCE departing said south line of the 10-foot wide water easement, with said common line of Lot 2E and Lot 7A and with said common line of Lot 2E and Lot 1, North 17°02'56" West, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 9,356 square feet or 0.2148 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4879

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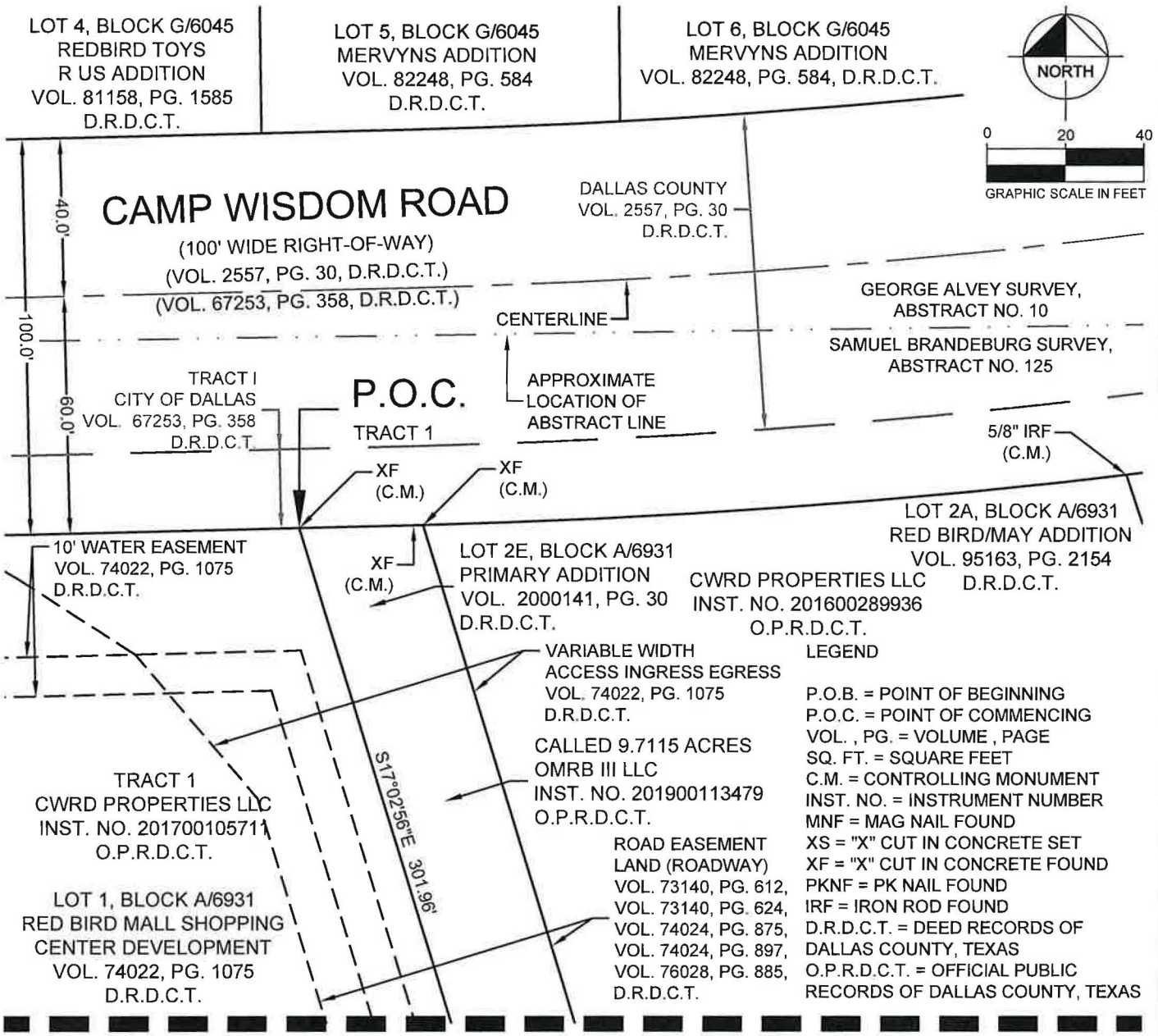


WATER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC/JBH	JAD	APRIL 2019	064508500	2 OF 7

EXHIBIT A-TRACT 26



MATCHLINE (SEE SHEET 4)

NOTES

1. See line and curve tables on sheet 7.
2. All corners of easement to be abandoned are mag nails set unless otherwise noted.
3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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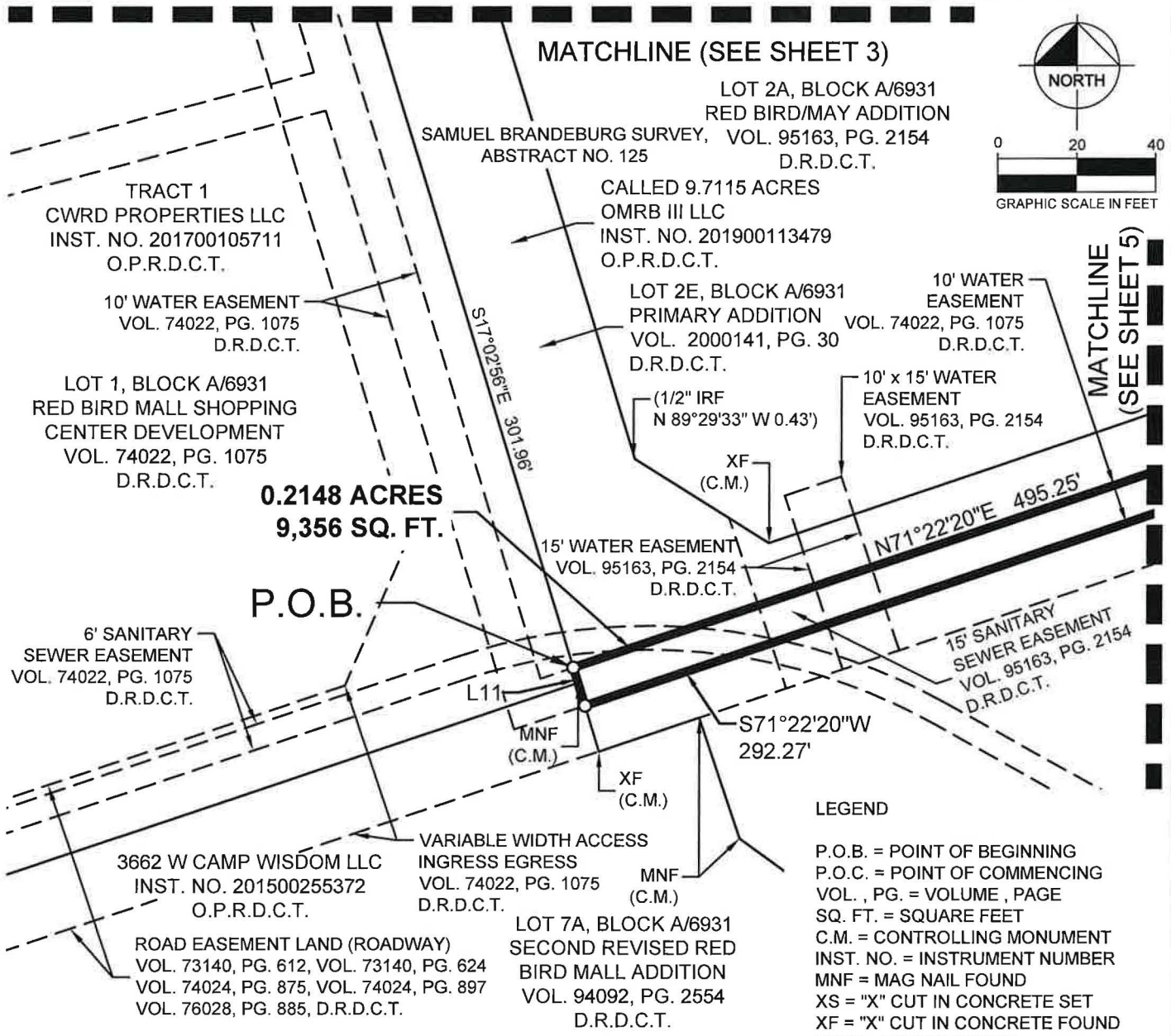
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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LAND SURVEYOR
5.15.19

WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
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EXHIBIT A-TRACT 26



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NOTES

1. See line and curve tables on sheet 7.
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3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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ANDY.DOBBS@KIMLEY-HORN.COM

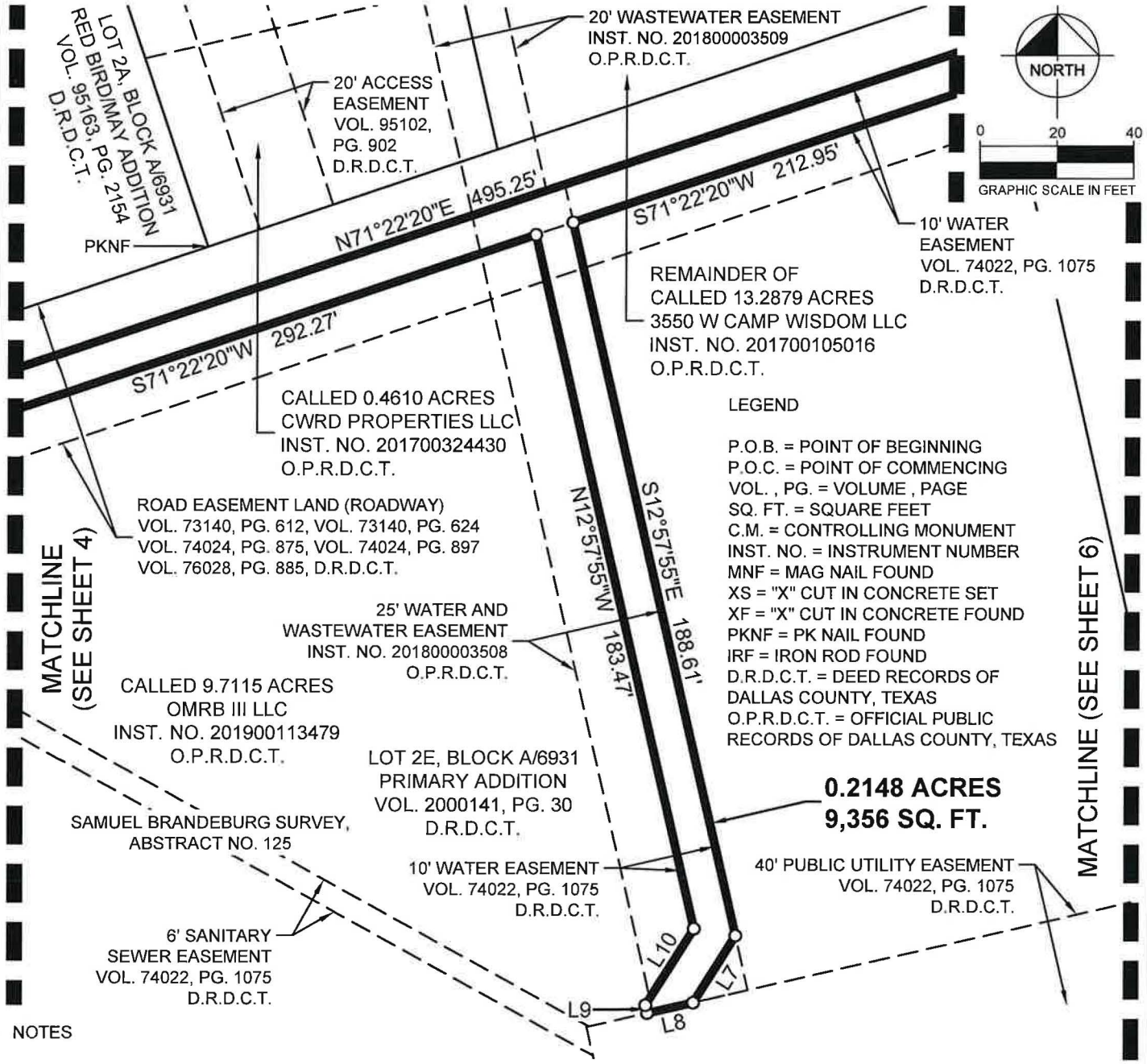
STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
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PROFESSIONAL
LAND SURVEYOR
5-15-19

WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	4 OF 7

EXHIBIT A-TRACT 26



NOTES

1. See line and curve tables on sheet 7.
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3. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

(For SPRG use only)
Reviewed By: JL
Date: 5-28-19
SPRG NO: 4879

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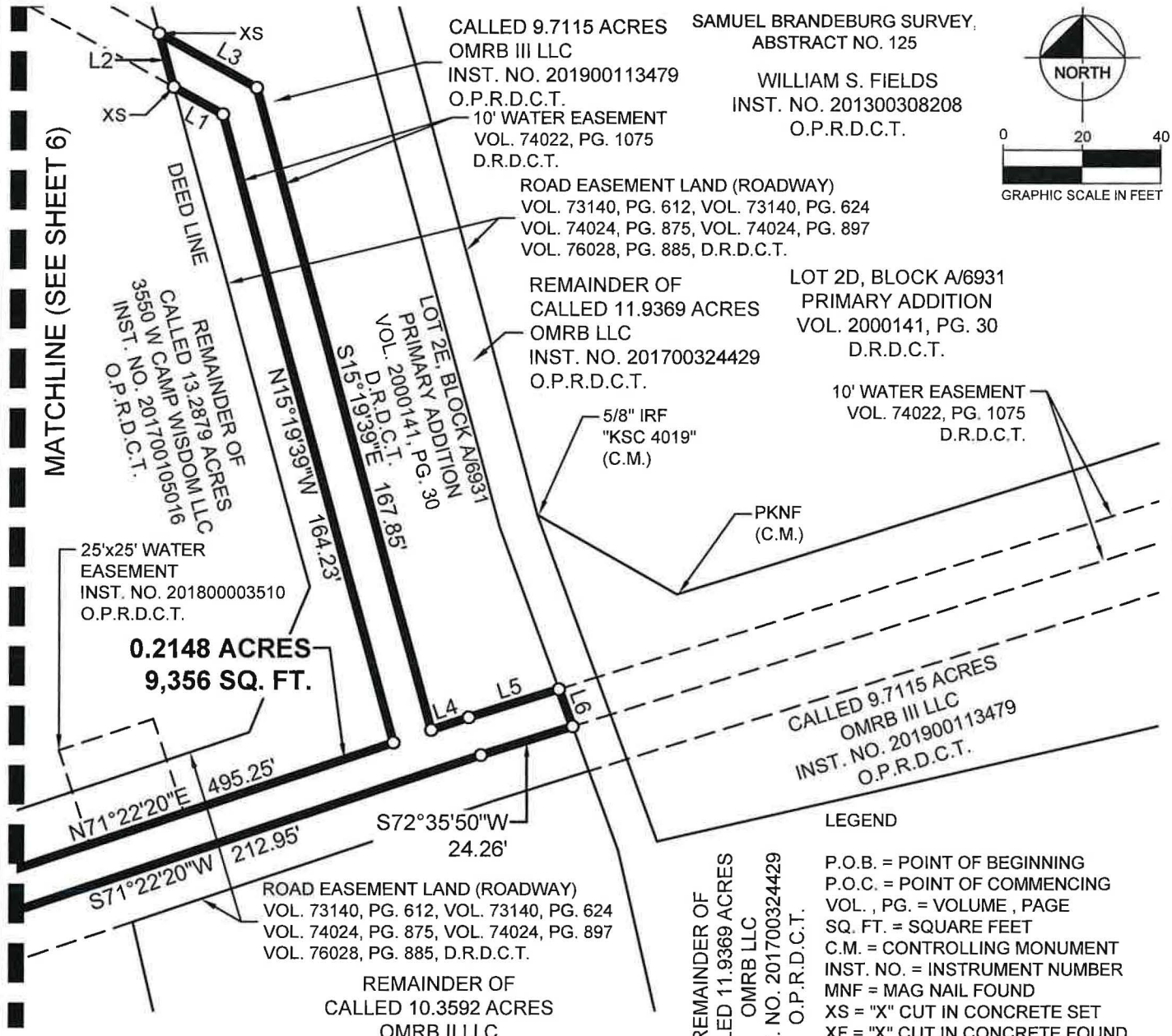
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1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	5 OF 7

EXHIBIT A-TRACT 26



LEGEND

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	6 OF 7

EXHIBIT A-TRACT 26

LINE TABLE		
NO.	BEARING	LENGTH
L1	N60°49'39"W	14.15'
L2	N15°19'40"W	14.02'
L3	S60°49'39"E	28.17'
L4	N71°22'20"E	9.83'
L5	N72°35'50"E	23.87'
L6	S20°15'08"E	10.01'
L7	S32°02'05"W	20.40'
L8	S77°02'04"W	12.07'
L9	N12°57'55"W	2.07'
L10	N32°02'05"E	23.33'
L11	N17°02'56"W	10.00'

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EXHIBIT A-TRACT 27

LEGAL DESCRIPTION

BEING a 5,330 square foot (0.1224 acres) tract of land situated in the Samuel Brandenburg Survey, Abstract No. 125, City of Dallas, Dallas County, Texas, being part of Lot 2E, Block A/6931, Primary Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2000141, Page 30, Deed Records of Dallas County, Texas, being part of a called 9.7115 acre tract of land described in Limited General Warranty Deed to OMRB III LLC recorded in Instrument No. 201900113479, Official Public Records of Dallas County, Texas, being part of a 10-foot wide water easement shown on the plat of Red Bird Mall Shopping Center Development, an addition to the City of Dallas, Texas according to the plat recorded in Volume 74022, Page 1075 of said Deed Records and being more particularly described as follows:

COMMENCING at a PK nail found for the southwest corner of Lot 2D, Block A/6931 of said Primary Addition and being in the north line of said 9.7115 acre tract;

THENCE with the west line of said Lot 2D, North 60°23'52" West, a distance of 40.56 feet to a 5/8" iron rod with cap stamped "KSC 4019" found for corner in the north line of said 9.7115 acre tract;

THENCE departing said west line of Lot 2D and with said north line of the 9.7115 acre tract, South 20°15'08" East, a distance of 43.71 feet to a point in the north line of said 10-foot wide water easement and being the **POINT OF BEGINNING**;

THENCE departing said north line of the 9.7115 acre tract and with said north line of the 10-foot wide water easement, the following courses and distances:

North 72°35'50" East, a distance of 310.14 feet to a mag nail set for corner at the beginning of a tangent curve to the right having a central angle of 3°08'15", a radius of 884.00 feet, a chord bearing and distance of North 74°09'56" East, 48.40 feet;
In a northeasterly direction, with said curve to the right, an arc distance of 48.41 feet to a mag nail set for corner;
South 12°57'55" East, a distance of 22.02 feet to a mag nail set in the common line of said Lot 2E and Lot 7A, Block A/6931, Second Revised Red Bird Mall Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 94092, Page 2554 of said Deed Records, and being the beginning of a non-tangent curve to the left having a central angle of 0°20'25", a radius of 862.00 feet, a chord bearing and distance of South 75°32'19" West, 5.12 feet;

THENCE departing said north line of the 10-foot wide water easement and with said common line of Lot 2E and 7A, the following courses and distances:

In a southwesterly direction, with said curve to the left, an arc distance of 5.12 feet to a mag nail found for corner;
South 12°57'56" East, a distance of 336.48 feet to a mag nail set for corner in the south line of said 10-foot wide water easement;

CONTINUED ON SHEET 2

(For SPRG use only)
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Date: 5-28-19
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5-15-19

WATER EASEMENT
ABANDONMENT
PART OF LOT 2E, BLOCK A/6931
PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY,
ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC/JBH	JAD	APRIL 2019	064508500	1 OF 5

EXHIBIT A-TRACT 27

LEGAL DESCRIPTION

THENCE departing said common line of Lot 2E and 7A and with said south line of the 10-foot wide water easement,

North 57°57'55" West, a distance of 6.91 feet to a mag nail set for corner;
North 12°57'55" West, a distance of 343.45 feet to a mag nail set at the beginning of a non-tangent curve to the left having a central angle of 2°28'01", a radius of 874.00 feet, a chord bearing and distance of South 73°49'49" West, 37.63 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 37.63 feet to a mag nail set for corner;
South 72°35'50" West, a distance of 309.64 feet to a mag nail set for corner in said north line of the 9.7115 acre tract;

THENCE departing said south line of the 10-foot wide water easement and with said north line of the 9.7115 acre tract, North 20°15'08" West, a distance of 10.01 feet to the **POINT OF BEGINNING** and containing 5,330 square feet or 0.1224 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).

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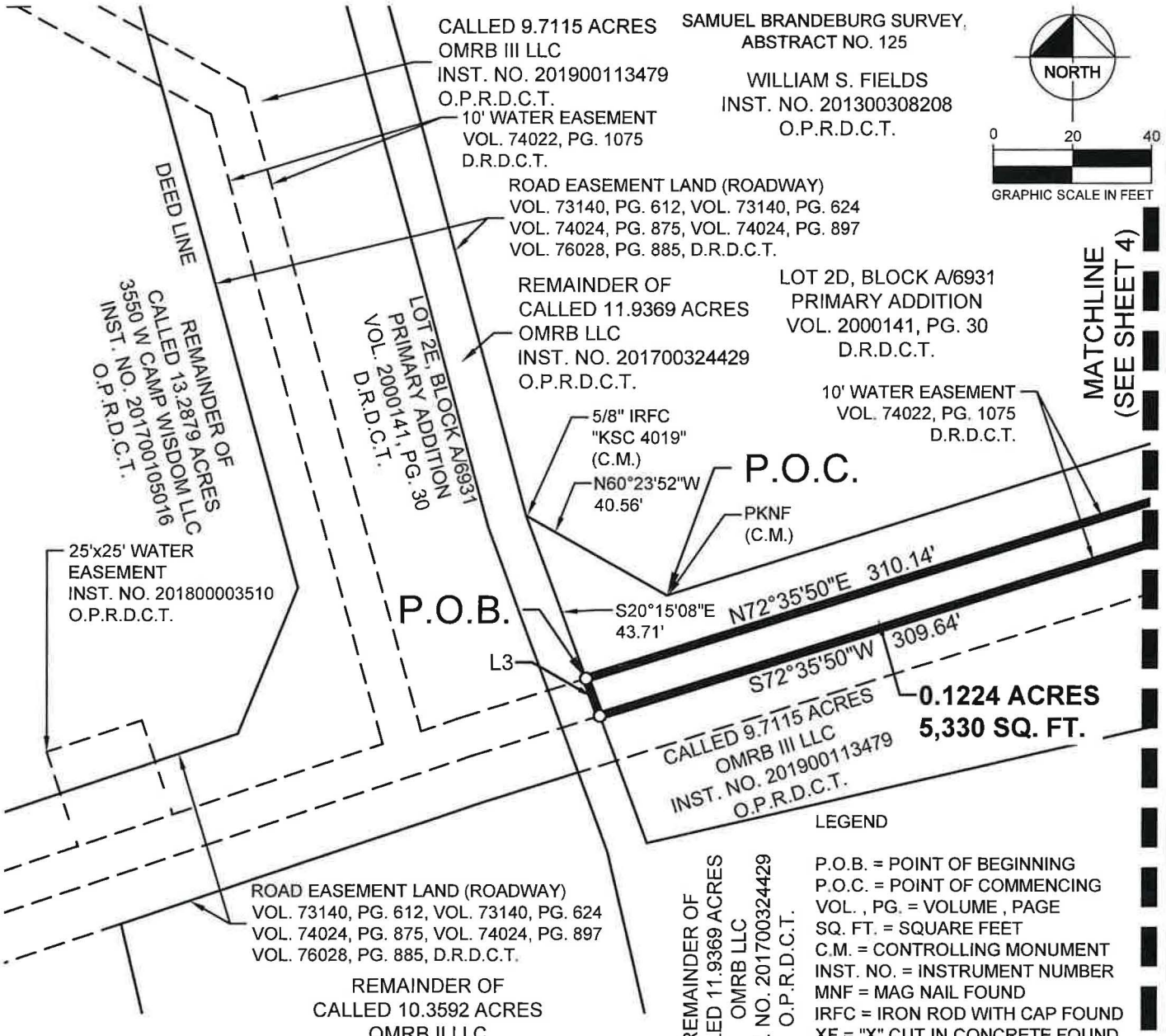
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC/JBH	JAD	APRIL 2019	064508500	2 OF 5

EXHIBIT A-TRACT 27



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NOTES

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WATER EASEMENT ABANDONMENT
PART OF LOT 2E, BLOCK A/6931 PRIMARY ADDITION
SAMUEL BRANDENBURG SURVEY, ABSTRACT NO. 125
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MTC/JBH	JAD	APRIL 2019	064508500	3 OF 5

EXHIBIT A-TRACT 27

MATCHLINE (SEE SHEET 3)

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	3°08'15"	884.00'	48.41'	N74°09'56"E	48.40'
C2	0°20'25"	862.00'	5.12'	S75°32'19"W	5.12'
C3	2°28'01"	874.00'	37.63'	S73°49'49"W	37.63'

LOT 2C, BLOCK A/6931
RED BIRD/MAY ADDITION
VOL. 95163, PG. 2154
D.R.D.C.T.

(5/8" IRF
N 43°11'04" W 0.30')

NORTH

0 20 40
GRAPHIC SCALE IN FEET

LOT 2D, BLOCK A/6931
PRIMARY ADDITION
VOL. 2000141, PG. 30
D.R.D.C.T.

XF

C1

L1

C3

N72°35'50"E 310.14'

S72°35'50"W 309.64'

C2

ROAD EASEMENT
LAND (ROADWAY)
VOL. 73140, PG. 612,
VOL. 73140, PG. 624,
VOL. 74024, PG. 875,
VOL. 74024, PG. 897,
VOL. 76028, PG. 885,
D.R.D.C.T.

SANITARY
SEWER EASEMENT
VOL. 2000141, PG. 30
D.R.D.C.T.

MNF
(C.M.)

CALLED 9.7115 ACRES
OMRB III LLC
INST. NO. 201900113479
O.P.R.D.C.T.

10' WATER
EASEMENT
VOL. 74022, PG. 1075
D.R.D.C.T.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S12°57'55"E	22.02'
L2	N57°57'55"W	6.91'
L3	N20°15'08"W	10.01'

TRACT 1 - LOT 7A
3662 W CAMP WISDOM LLC
INST. NO. 201500255372
O.P.R.D.C.T.

10' WATER
EASEMENT
VOL. 74022, PG. 1075
D.R.D.C.T.

0.1224 ACRES
5,330 SQ. FT.

LOT 2E, BLOCK A/6931
PRIMARY ADDITION
VOL. 2000141, PG. 30
D.R.D.C.T.
REMAINDER OF
CALLED 11.9369 ACRES
OMRB LLC
INST. NO. 201700324429
O.P.R.D.C.T.

LOT 7A, BLOCK A/6931
SECOND REVISED RED
BIRD MALL ADDITION
VOL. 94092, PG. 2554
D.R.D.C.T.

SAMUEL BRANDEBURG SURVEY,
ABSTRACT NO. 125

N12°57'55"W 343.45'

S12°57'56"E
336.48'

MATCHLINE (SEE SHEET 5)

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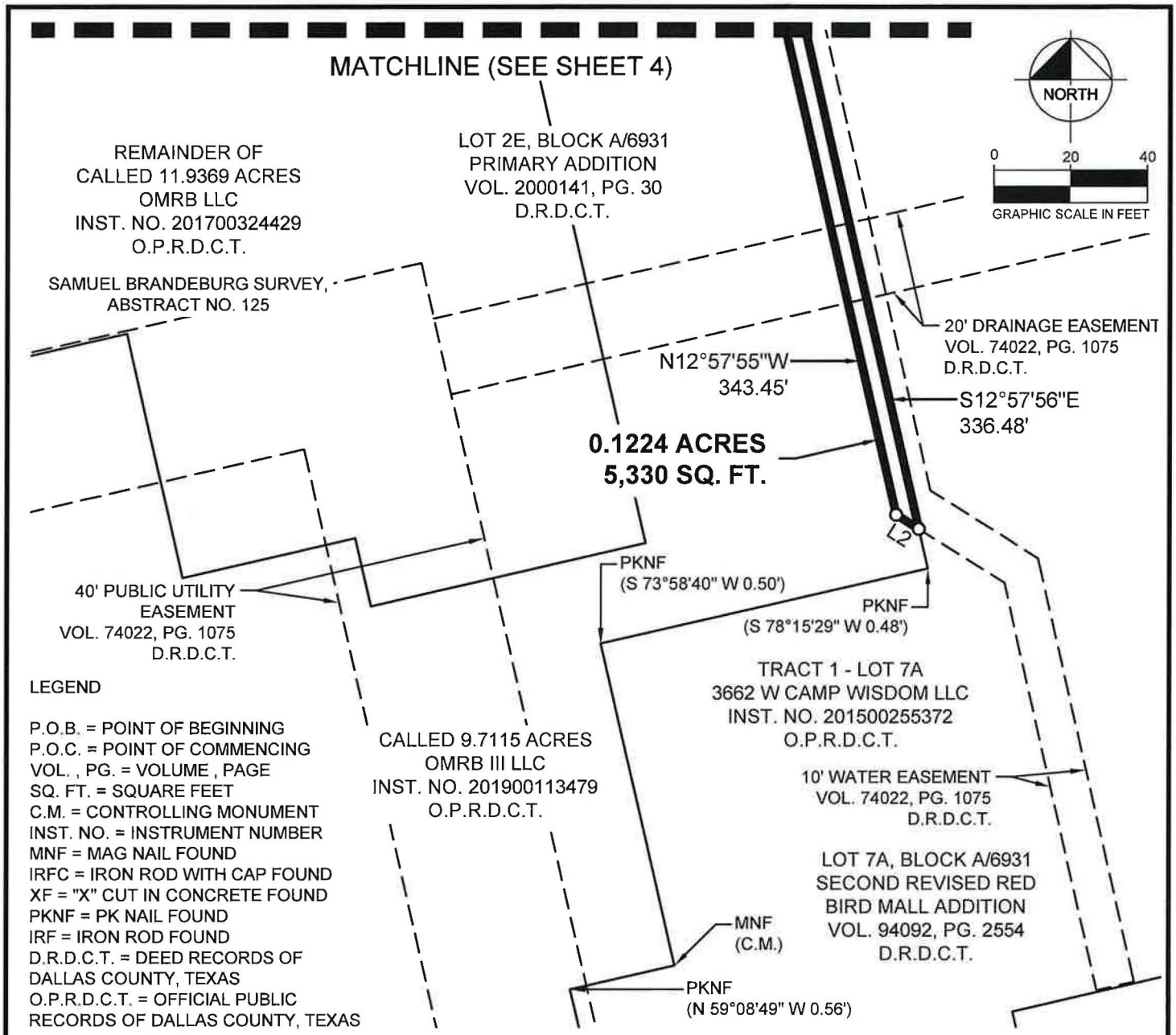
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Agenda Information Sheet

File #: 19-1058 **Item #:** 13.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1, 2

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a Master Streetcar Interlocal Agreement with Dallas Area Rapid Transit (DART) for the purpose of restating and consolidating the provisions in the Streetcar Foundation Agreements that describe the respective duties, responsibilities and ownership of the City of Dallas and DART in relation to the Dallas Streetcar System - Financing: No cost consideration to the City

BACKGROUND

Since 2010, the City of Dallas has adopted several Interlocal Agreements (ILAs) with the North Central Texas Council of Governments (NCTCOG), Federal Transit Administration, Texas Department of Transportation (TxDOT), and with DART pertaining to the Dallas Streetcar System. These ILAs established the City of Dallas as the owner of the Dallas Streetcar and allowed for the City to rely on technical expertise from DART to operate and maintain the Dallas Streetcar System on behalf of the City.

Of these ILAs, seven are solely between DART and the City and these apply to the on-going Dallas Streetcar System. We now wish to combine these seven specific ILA's into a single Master Streetcar ILA.

The Master Streetcar ILA applies to the Streetcar System and is not specific to only one facet or phase of the streetcar like the prior ILA's. The Master Streetcar ILA describes in detail the responsibilities of the City of Dallas and DART. The Master Streetcar ILA is needed between the City of Dallas and DART to outline responsibilities related to the planning, design, construction, operations and maintenance (O&M) of the existing and future streetcar systems. However, the existing seven specific ILA's must still remain intact due to on-going agreements with inter-local agencies, but the roles and responsibility will be incorporated into the Master Streetcar ILA.

The City of Dallas owns the Streetcar System. The City's responsibilities include project scope, planning funding, grant management (unless DART is the grantee), funding of design and construction projects, utility relocations, O&M and providing funding for new streetcar vehicles. DART provides a base level of $530,607.00 each year for O&M. The City is responsible for cost in excess of this amount or about $1,500,000.00 annually. These costs are included in the FY20 Budget.

On May 11, 2017, NCTCOG approved reallocating the $8,240,000.00 in unused funds from the St. Paul Street (Urban Circulator) phase and from the Starter (TIGER) Phase to the Streetcar Extension phase. These additional funds will be sufficient to complete the streetcar extension and vehicle purchase.

In the ILA's, DART primarily acts as the City's technical advisor to provide services for planning, environmental review, preliminary design, final design, procurement, construction, operations and maintenance, system safety, and fare collection.

When future streetcar projects are requested by the City, these will be incorporated as individual Project Specific Amendments (PSA). PSA's will be presented to the Dallas City Council and to the DART Board for prior approval. PSA's will further define the scope, schedule, and funding for each study or project in the Streetcar System.

On July 9, 2019, the DART Board approved the consolidated Master ILA (DART Resolution No. 190074).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 4, 2010, City Council authorized the acceptance of a grant from NCTCOG, functioning as agent for TxDOT, for the development of a modern streetcar system that will operate in and around the Central Business District; an ILA with NCTCOG and DART to detail project roles and responsibilities related to technical engineering, environmental analysis and public involvement of the TIGER Grant streetcar proposal; an ILA with DART to outline project roles and responsibilities related to the development of the Streetcar System Plan and Financial Feasibility Analysis; and an Interlocal Cooperation Agreement with DART to establish a cooperative purchasing program for goods and services by Resolution No. 10-1921.

On April 27, 2011, City Council authorized an ILA with NCTCOG and DART to detail agency roles and responsibilities related to the financial commitment for operation and maintenance of the TIGER Grant Streetcar Project by Resolution No. 11-1185.

On April 11, 2012, City Council authorized an ILA with NCTCOG and DART to detail agency roles and responsibilities related to procurement and financial matters for implementation of the TIGER Grant funded Dallas Streetcar Project (Union Station to North Oak Cliff) by Resolution No. 12-1041.

On August 8, 2012, City Council authorized the acceptance of funds from TxDOT through a grant from NCTCOG for the development of a modern streetcar system that will operate from Union Station in the Central Business District into North Oak Cliff near Methodist Hospital by Resolution No. 12-1921.

On June 27, 2012, City Council authorized the acceptance of a grant from TxDOT functioning as

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agent for NCTCOG for the development of a modern streetcar loop extending from the McKinney Avenue Trolley terminus at St. Paul to the connection with the Olive Street extension by Resolution No. 12-1649.

On April 10, 2013, City Council authorized an ILA with DART related to procurement and financial matters for implementation of the Urban Circulator Streetcar Project by Resolution No. 13-0618.

On May 28, 2014, City Council authorized an ILA with DART to detail agency roles and responsibilities related to operation and maintenance of the TIGER Grant funded Dallas Streetcar Project (Union Station to North Oak Cliff) by Resolution No. 14-0831.

On September 24, 2014, City Council authorized the acceptance of grants from NCTCOG, functioning as agent for TxDOT, for the extension of the TIGER Modern Streetcar System which will operate in North Oak Cliff from Methodist Hospital to the Bishop Arts District; for the extension of the TIGER Modern Streetcar System which will operate in the Central Business District from Union Station to the Omni Hotel; and for the purchase of streetcar vehicles to operate on the expanded modern streetcar system by Resolution No. 14-1645.

On September 24, 2014, City Council authorized an ILA with DART to outline project roles and responsibilities related to design and design support for the northern and southern extensions and the procurement of rail for the southern extension by Resolution No. 14-1646.

On April 8, 2015, City Council authorized an ILA with DART for construction services for extension of the Dallas Union Station to Oak Cliff Streetcar Project (Union station to North Oak Cliff) by Resolution No. 15-0709.

On June 17, 2015, City Council authorized the disbursement of funds to DART for construction of extensions of the Dallas Streetcar, and for the purchase of two additional Streetcar vehicles to serve the expanded system by Resolution No. 15-1168.

On May 11, 2016, City Council authorized the disbursement of additional funds to DART for the construction of the Dallas Streetcar Extension Project by Resolution No. 16-0737.

On June 15, 2016, City Council authorized an amendment to the ILA with DART to provide for the operation and maintenance costs for the southern and northern extensions of the Dallas Streetcar System (Union Station to North Oak Cliff) and two additional vehicles by Resolution No. 16-0980.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

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Dallas Modern Streetcar Extensions

Districts: 1, 2

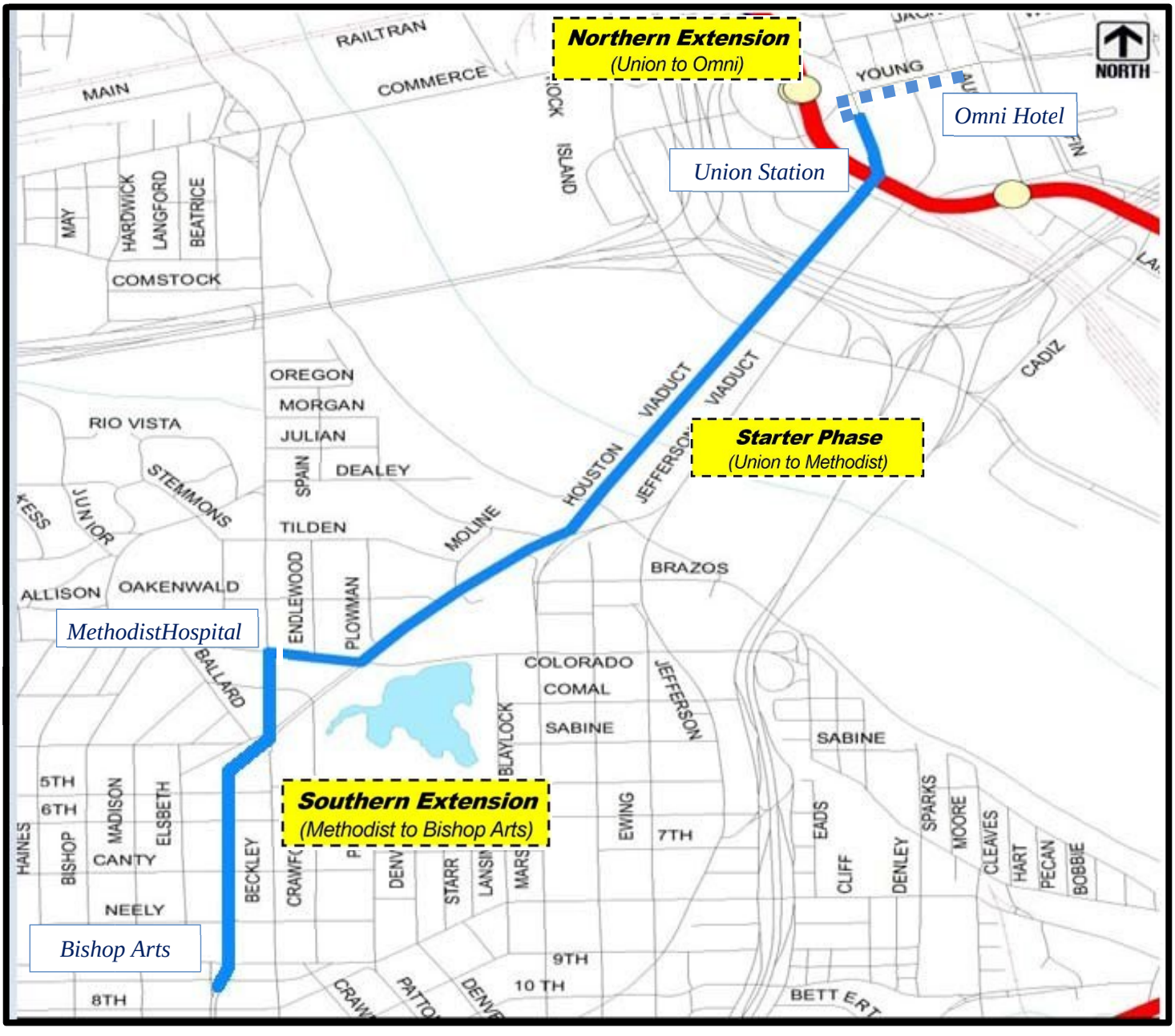
MAPSCO: 44Z, 45P, S, T, W, 54D



LEGEND

STREETCAR ROUTE =

DART TRAIN ROUTE =



WHEREAS, the development of a streetcar network for downtown Dallas and the surrounding communities is a key element to support the establishment of livable, sustainable communities; and

WHEREAS, the City of Dallas, Dallas Area Rapid Transit (DART), North Central Texas Council of Governments (NCTCOG) and the Texas Department of Transportation (TxDOT) have entered into a number of Interlocal Agreements (ILAs) related to the planning, funding, construction, operation and maintenance of the Dallas Street System; and

WHEREAS, the Dallas Streetcar System service began April 15, 2015 on 2.5 miles of streetcar located in Dallas, Texas and which operates from Union Station to the Bishop Arts District; and

WHEREAS, Extension 1 of the Streetcar System, opened for service in August 2016, is a 0.75-mile extension from Methodist Hospital to the Bishop Arts District; and

WHEREAS, Extension 2 of the Streetcar System, a proposed 0.67-mile loop from Union Station along Young, Lamar, Wood and Houston Streets, is currently in the design phase; and

WHEREAS, recognizing the emerging evolution of transportation infrastructure in the City of Dallas and the importance of providing an integrated transportation system that balances the needs of pedestrians, transit, bicycles and automobiles, the City of Dallas and DART anticipate future projects and growth of the Streetcar System; and

WHEREAS, the agreements that govern the current planning, design, construction, financing, operations and maintenance of the Streetcar System, as of the effective date of this Master Streetcar Interlocal Agreement are listed in Exhibit A; said documents being identified herein as “the Streetcar Foundation Agreements”; and

WHEREAS, the City of Dallas and DART desire to enter into a Master Streetcar Interlocal Agreement for the purpose of: (1) restating and consolidating the provisions in the Streetcar Foundation Agreements that describe the respective duties, responsibilities and ownership of the City of Dallas and DART in relation to the Streetcar System; and (2) providing terms upon which the Parties may plan, design, construct, operate and maintain future phases of the Streetcar System; and

WHEREAS, on July 9, 2019, the DART Board of Directors authorized entering into the Master Streetcar Interlocal Agreement as stipulated in Board Resolution No. 190074.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a Master Streetcar Interlocal Agreement with DART for the purpose of restating and consolidating the provisions in the Streetcar Foundation Agreements that describe the respective duties, responsibilities and ownership of the City of Dallas and DART in relation to the Dallas Streetcar System, approved as to form by the City Attorney.

SECTION 2. That this contract is designated as Contract No. TRN-2019-00011045.

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

LIST OF STREETCAR FOUNDATION AGREEMENTS

Interlocal Agreement between Dallas Area Rapid Transit and City of Dallas for Planning and Design of a Modern Streetcar System (DART Board Resolution No. 100134 and City Council Resolution No 10-1921)

Interlocal Agreement between DART, the City of Dallas, and NCTCOG for Implementation of the Dallas TIGER-funded Streetcar Project and Amendment to the FY 2011 Twenty-Year Financial Plan (DART Board Resolution No. 110041 and City Council Resolution No. 11-1185)

Interlocal Agreement between North Central Texas Council of Governments (NCTCOG), DART and City of Dallas, Related to Procurement and Financial Matters for Implementation of the Dallas TIGER-funded Modern Streetcar Project (DART Board Resolution No. 120038 and City Council Resolution No. 121649)

Interlocal Agreement between the City of Dallas and DART Related to Procurement and Financial Matters for Implementation of the Dallas Urban Circulator Streetcar Project (DART Board Resolution No. 130008 and City Council Resolution No. 13-0618)

Interlocal Agreement between the City of Dallas and DART for Operations and Maintenance of the Dallas Union Station to Oak Cliff TIGER-funded Streetcar Project (DART Board Resolution No. 140020 and City Council Resolution No. 14-0831)

Interlocal Agreement between DART and the City of Dallas for the Design and Design Support During Construction for Extensions 1 and 2, and Procurement of Rail for Extension 1 of the Dallas Union Station to Oak Cliff Streetcar (DART Board Resolution No. 140074 and City Council Resolution No. 14-1646)

Interlocal Agreement between DART and the City of Dallas Related to Construction Services for Extensions of the Dallas Union Station to Oak Cliff Streetcar Project (DART Board Resolution No. 150043 and City Council Resolution No. 15-1168).

First Amendment to Interlocal Agreement Between Dallas Area Rapid Transit and the City of Dallas from Union Station to Oak Cliff Streetcar Operations and Maintenance (DART Board Resolution No. 160097 and City Council 16-0980)

Agenda Information Sheet

File #: 19-981 **Item #:** 14.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 6, 10, 11, 12, 13

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an agreement between the City of Dallas and the North Central Texas Council of Governments to pay the 20 percent local match of the off-system signal timing improvement for the purpose of the implementation of the Regional Traffic Signal Retiming Program - Not to exceed $81,760.00 - Financing: General Fund

BACKGROUND

The North Central Texas Council of Governments (NCTCOG) opened a Call for Projects on September 15, 2017. Applications were due on October 13, 2017. Approximately $2 million was available to fund the Regional Traffic Signal Retiming Program projects within the 10-county air quality non-attainment area.

The City of Dallas submitted its city-wide corridor signals list, meeting the project call criteria by October 13, 2017. The NCTCOG evaluated and selected the attached list of locations which was approved by the Regional Transportation Council on April 12, 2018. The City of Dallas was awarded a total of $576,800.00 covering $168,000.00 for on-system signals and $408,800.00 for off-system signals. The 20 percent local match totaling $81,760.00 is required for the off-system portion of this program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

General Fund - $81,760.00

Council District	Amount
6	$ 7,103.75
10	$ 4,397.56
11	$61,565.84
12	$ 4,397.56
13	$ 4,295.29
Total	$81,760.00

MAP

Attached

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Priority	Main Street	Cross Street	Council Districts	On / Off TxDOT System	
	Name	Name		On-System	Off-System
12	**Webb Chapel**				
	Webb Chapel	LBJ	6	2	0
	Webb Chapel	Forest	6,13	0	1
	Webb Chapel	Northaven	13	0	1
	Webb Chapel	Royal	13	0	1
	Webb Chapel	Merrell	13	0	1
	Webb Chapel	Walnut Hill	6,13	0	1
	Webb Chapel	Park	6	0	1
				2	**6**
7	**Midway/Frankford**				
	Midway	Horizon North	12	0	1
	Midway	George Bush	12	0	1
	Midway	George Bush	12	0	1
	Midway	Rosemeade	12	0	1
	Midway	Timberglen	12	0	1
	Midway	Timberglen	12	0	1
	Midway	Frankford	12	0	1
	Midway	Briargrove	12	0	1
	Frankford	Appleridge	12	0	1
	Frankford	Kelly	12	0	1
	Frankford	George Bush	12	0	1
	Frankford	George Bush	12	0	1
	Frankford	Marsh	12	0	1
	Frankford	Vail	12	0	1
	Frankford	Voss	12	0	1
	Frankford	Gibbons	12	0	1
	Frankford	Dallas Parkway	12	0	1
	Frankford	Dallas Parkway	12	0	1
	Frankford	Pear Ridge	12	0	1
	Frankford	Coral Ridge	12	0	1
	Frankford	Stonehollow	12	0	1
				0	**21**
6	**Greenville**				
	Greenville	Restland/Walnut	10	0	1
	Greenville	Amberton	10	0	1
	Greenville	LBJ	10	2	0
	Greenville	Markville	10	0	1
	Greenville	Forest	10	0	1

	Greenville	Whitehurst	10	0	1
	Greenville	Fire Station 28	10	0	1
	Greenville	Royal	10	0	1
	Greenville	Meadow	13	0	1
	Greenville	Walnut Hill	13	0	1
	Greenville	Pineland	13	0	1
	Greenville	Phoenix	13	0	1
	Greenville	Twin Hills	13	0	1
	Greenville	Park	13	0	1
				2	**13**
5	**IH 635 (LBJ)**				
	IH 635 (LBJ)	Midway	13	2	0
	IH 635 (LBJ)	Welch	13	2	0
	IH 635 (LBJ)	Inwood	11,13	4	0
	IH 635 (LBJ)	Noel	11	1	0
	IH 635 (LBJ)	Monfort	11,13	2	0
	IH 635 (LBJ)	Preston	11,13	2	0
	IH 635 (LBJ)	Hillcrest	11	2	0
	IH 635 (LBJ)	Coit	11	2	0
				17	0
3	**Forest/Abrams**				
	Forest	Schroeder	10	0	1
	Forest	TI Blvd	10	0	1
	Forest	TI Entrance	10	0	1
	Forest	Shepherd	10	0	1
	Forest	Greenville	10	0	1
	Forest	Meadowknoll	10	0	1
	Forest	LBJ	10	1	0
	Forest	LBJ	10	1	0
	Forest	Oakshire	10	0	1
	Forest	Forest Lane Acadamy	10		1
	Forest	Audelia	10	0	1
	Abrams	Walnut	10	0	1
	Abrams	Flickering Shadow	10	0	1
	Abrams	Chimney Hill	10	0	1
	Abrams	LBJ	10	1	0
	Abrams	LBJ	10	1	0
	Abrams	Forest Lane Academy	10	0	1
	Abrams	Meadowknoll	10	0	1
				4	**14**
10	**Walnut Hill**				
	Walnut Hill	Stemmons	6	2	0
	Walnut Hill	Composite	6		1
	Walnut Hill	Ables	6		1
	Walnut Hill	Shady Trail	6		1
	Walnut Hill	Harry Hines	6		1
	Walnut Hill	Denton	6		1

	Walnut Hill	Monroe	6		1
	Walnut Hill	Brockbank	6		1
	Walnut Hill	Webb Chapel	6,13		1
	Walnut Hill	Marsh	6,13		1
	Walnut Hill	Lenel	6,13		1
	Walnut Hill	Midway	6,13		1
	Walnut Hill	Inwood	13		1
	Walnut Hill	DNT	13		2
	Walnut Hill	Preston	13	1	0
	Walnut Hill	Tibbs	13		1
	Walnut Hill	Hillcrest	11,13		1
	Walnut Hill	Boedeker	11,13		1
	Walnut Hill	Reflection	11,13		1
	Walnut Hill	Central	11,13	2	0
	Walnut Hill	Walnut Glen Tower	13		1
	Walnut Hill	Glen Lakes	13		1
	Walnut Hill	Rembler	13		1
	Walnut Hill	Greenville	13		1
				5	**22**

Agreement with NCTCOG			
	Retiming		
	On-System	Off-System	
Locations Requiring Signal Retiming	30	73	
Total Cost	$168,000	$408,800	
State/Local Match	$33,600	$81,760	

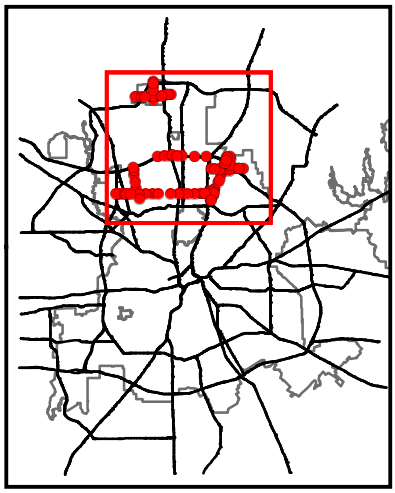
NCTCOG
Signal Synchronization Timing

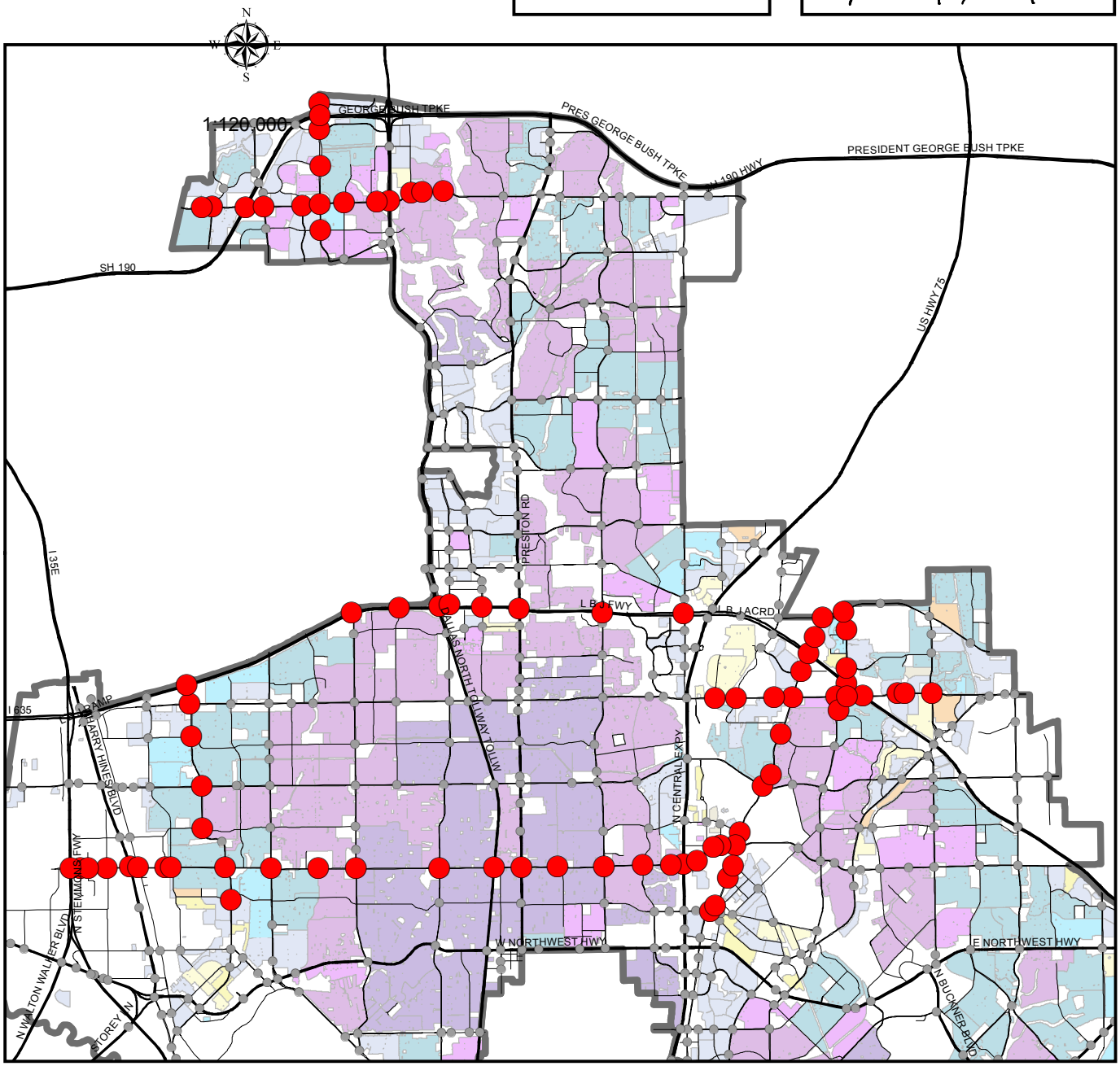
Council Districts: 6, 10, 11, 12, 13

Traffic Signal

Market Value Analysis

- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA





Map by Transportation GIS, June 2019

August 28, 2019

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG and has been and continues to be a forum for cooperative decisions on transportation; and

WHEREAS, the RTC is committed to the development and implementation of policies, projects, and programs to improve air quality and reduce emissions; and

WHEREAS, NCTCOG published the "Call for Projects" on September 15, 2017; and

WHEREAS, the City of Dallas submitted the list of corridor signals that met the "Call for Project" criteria; and

WHEREAS, on April 12, 2018, the RTC approved funding for implementation of Regional Traffic Signal Retiming Program in the Dallas-Fort Worth Metropolitan Area for the purpose of low-cost operational improvements at signalized intersections; and

WHEREAS, the NCTCOG selected corridor(s) in the City of Dallas as a part of the Regional Traffic Signal Retiming Program; and

WHEREAS, the City of Dallas was awarded Congestion Mitigation and Air Quality Improvement Program funds that will go directly to NCTCOG for the implementation of traffic flow improvements; and

WHEREAS, the City of Dallas shall provide 20 percent local match required for the off-system locations, in an amount not to exceed $81,760.00; and

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code provides authority for the NCTCOG and the City of Dallas to enter into this agreement for the provision of governmental functions and services of mutual interest.

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

SECTION 1. That the City Manager is hereby authorized to execute an agreement between the City of Dallas and NCTCOG, approved as to form by the City Attorney, to pay 20 percent local match of the off-system timing improvement for the purpose of implementation of the Regional Traffic Signal Retiming Program, in an amount not to exceed $81,760.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $81,760.00 to NCTCOG in accordance with the terms and conditions of the agreement from the General Fund, Fund 0001, Department TRN, Unit 3049, Activity PB24, Object 4820, Program TRN3049COG, Encumbrance/Contract No. TRN-2019-00010822, Vendor 066264.

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

Agenda Information Sheet

File #: 19-932 **Item #:** 15.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the Department of Transportation Federal Highway Administration (CSJ 0581-01-137, CFDA 20.205) in the amount of $59,987.23 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at Loop 12 at Peavy Road and Mockingbird Lane; **(2)** the establishment of appropriations in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund; **(3)** receipt and deposit of funds in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund; and **(4)** execution of the Interlocal Agreement and all terms, conditions, and documents required by the agreement - Total amount of $59,987.23 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

TxDOT is constructing intersection improvements at Loop 12 at Peavy Road and Mockingbird Lane. The traffic signal improvements at the intersection will include upgrades to pedestrian features, signage, pavement markings, and construction of traffic signals.

To remain consistent with other equipment in the City-wide system, the City of Dallas will provide a controller, cabinet, radar detection equipment, traffic signs, and battery backup equipment for the project. TxDOT will reimburse the City for material and labor costs.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	June 2019
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Texas Department of Transportation Grant Funds - $59,987.23

MAP

Attached

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Interlocal Agreement with TXDOT

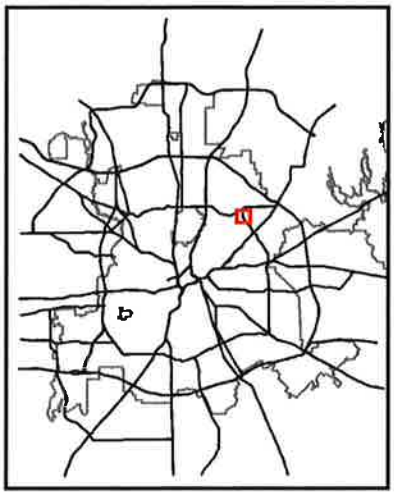
Council District 9

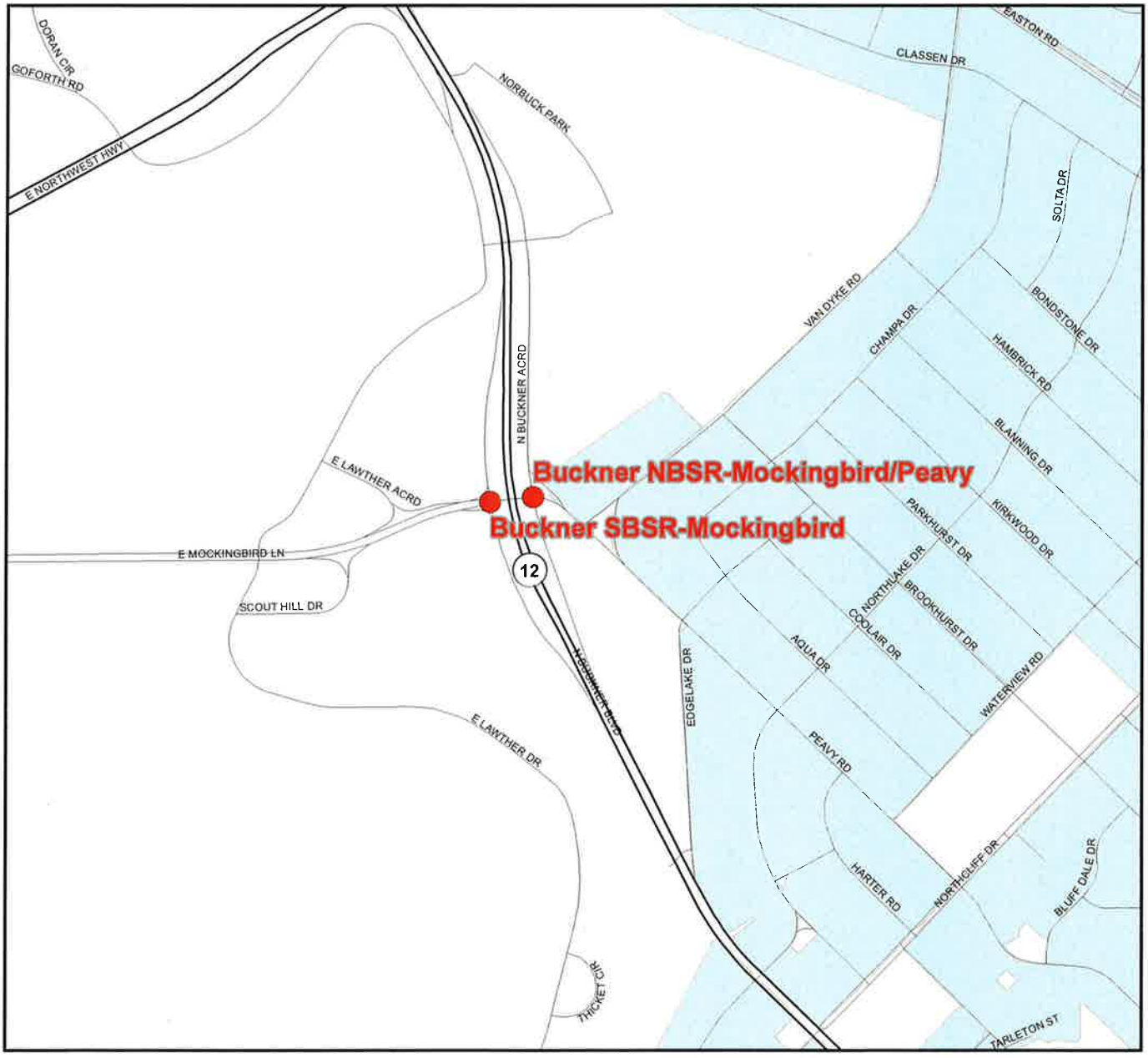
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SignalIntersections

Market Value Analysis

- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA





Map by Transportation GIS, June 2019

August 28, 2019

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for the improvements at Loop 12 at Peavy Road and Mockingbird Lane intersection; and

WHEREAS, TxDOT will reimburse 100 percent of labor and material costs, in the amount of $59,987.23; and

WHEREAS, the City of Dallas desires to enter into an agreement with TxDOT to receive cost reimbursement for material and labor costs incurred for traffic signal improvements at Loop 12 at Peavy Road and Mockingbird Lane.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute an Interlocal Agreement with TxDOT through a grant from the Department of Transportation Federal Highway Administration (CSJ 0581-01-137, CFDA 20.205) in the amount of $59,987.23 to provide cost reimbursement for material and labor costs incurred by the City for intersection and traffic signal improvements at Loop 12 at Peavy Road and Mockingbird Lane, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund, Fund F8GD, Department TRN, Unit 89GD, Object 4820.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of $59,987.23 in the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund, Fund F8GD, Department TRN, Unit 89GD, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $59,987.23 from the TxDOT Traffic Signal Improvement at Loop 12-Peavy Road Mockingbird Lane Fund, Fund F8GD, Department TRN, Unit 89GD, Object 4820, Activity THRG, Major Program MJRTRN, Program TPF8GD19.

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. TRN-2019-00010837.

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

Agenda Information Sheet

File #: 19-960 **Item #:** 16.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the Department of Transportation Federal Highway Administration (CSJ 0009-02-069, etc., CFDA 20.205) in the amount of $401,644.24 to provide cost reimbursement for material and labor related to the reconstruction of seven existing traffic signals at the intersections of State Highway 78 (SH 78) at Peavy Road, SH 78 at Easton Road, SH 78 at Centerville Road, SH 78 at Lochwood Boulevard, SH 78 at Jupiter Road, SH 78 at Barnes Bridge Road, and SH 78 at Northwest Highway; **(2)** the establishment of appropriations in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund; **(3)** receipt and deposit of funds in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund; and **(4)** execution of the Congestion Mitigation and Air Quality Improvement Agreement for State-Contracted Traffic Signal Construction and all terms, conditions, and documents required by the agreement - Total amount of $401,644.24 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

TxDOT is constructing traffic signal improvements at seven intersections, specifically SH 78 at Peavy Road, SH 78 at Easton Road, SH 78 at Centerville Road, SH 78 at Lochwood Boulevard, SH 78 at Jupiter Road, SH 78 at Barnes Bridge Road, and SH 78 at Northwest Highway. The traffic signal improvements at the seven intersections will include upgrades to pedestrian features, signage, pavement markings, and construction of traffic signals.

To remain consistent with other equipment in the City-wide system, the City of Dallas will provide controllers, cabinets, radar detection equipment, traffic signs, and battery backup equipment for the project. TxDOT will reimburse the City for material and labor costs.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	June 2019
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Texas Department of Transportation Grant Funds - $401,644.24

MAP

Attached

Interlocal Agreement with TXDOT

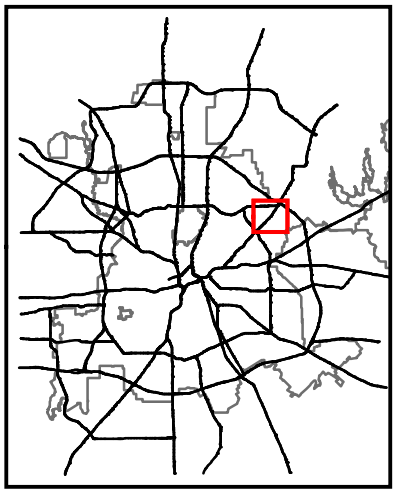
Council District 9

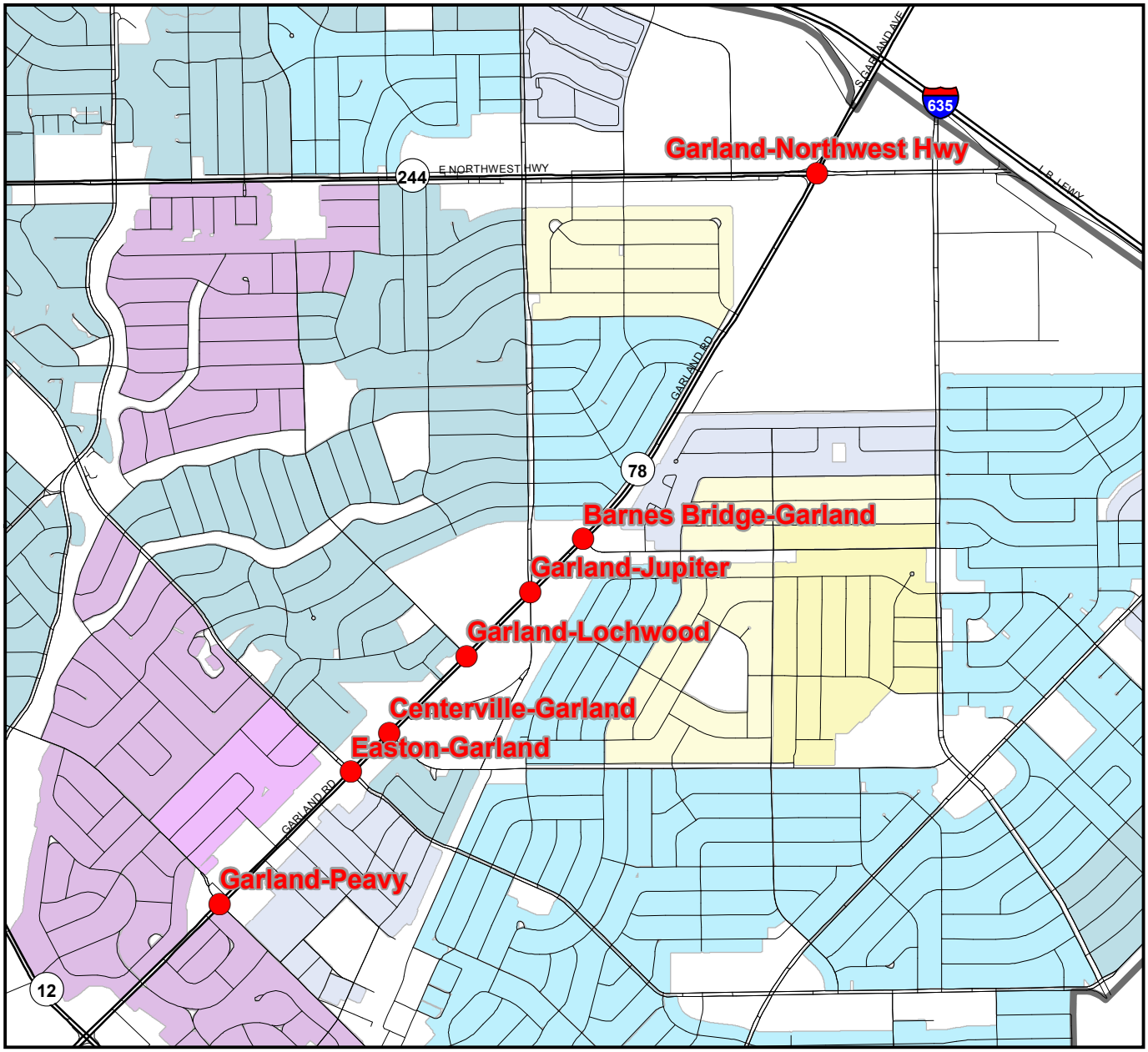
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SignalIntersections

Market Value Analysis

- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA





Map by Transportation GIS, June 2019

August 28, 2019

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for the reconstruction of seven existing traffic signals at the intersections of State Highway 78 (SH 78) at Peavy Road, SH 78 at Easton Road, SH 78 at Centerville Road, SH 78 at Lochwood Boulevard, SH 78 at Jupiter Road, SH 78 at Barnes Bridge Road, and SH 78 at Northwest Highway; and

WHEREAS, TxDOT will reimburse 100 percent of labor and material costs, in the amount of $401,644.24; and

WHEREAS, the City of Dallas desires to enter into a Congestion Mitigation and Air Quality Improvement Agreement with TxDOT to receive cost reimbursement for material and labor cost incurred for traffic signal improvements.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute an Interlocal Agreement with TxDOT through a grant from the Department of Transportation Federal Highway Administration (CSJ 0009-02-069, etc., CFDA 20.205) in the amount of $401,644.24 to provide cost reimbursement for material and labor related to the reconstruction of seven existing traffic signals at the intersections of SH 78 at Peavy Road, SH 78 at Easton Road, SH 78 at Centerville Road, SH 78 at Lochwood Boulevard, SH 78 at Jupiter Road, SH 78 at Barnes Bridge Road, and SH 78 at Northwest Highway, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund, Fund F8GF, Department TRN, Unit 89GF, Object 4820.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of $401,644.24 in the TxDOT 2019 Garland Road Signal Improvements Fund, Fund F8GF, Department TRN, Unit 89GF, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $401,644.24 from the TxDOT 2019 Garland Road Signal Improvements Fund, Fund F8GF, Department TRN, Unit 89GF, Object 4820, Activity THRG, Major Program MJRTRN, Program TPF8GF19.

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. TRN-2019-00010836.

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

Agenda Information Sheet

File #: 19-1045 **Item #:** 17.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	1, 2
DEPARTMENT:	Department of Transportation
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize **(1)** an increase in appropriations in an amount not to exceed $2,465,009.00 in the Streetcar Developer Fund; and **(2)** payment to Dallas Area Rapid Transit for operation and maintenance costs for the Dallas Streetcar System (Union Station to Bishop Arts District) for Fiscal Years 2018 and 2019 - Not to exceed $2,721,000.00 - Financing: Streetcar Developer Funds ($1,360,500.00) and General Fund ($1,360,500.00)

BACKGROUND

The City maintains several Interlocal Agreements (ILA) with the North Central Texas Council of Governments (NCTCOG), Federal Transit Administration (FTA), Texas Department of Transportation (TxDOT), and with Dallas Area Rapid Transit (DART) pertaining to the Dallas Streetcar System. These ILA's established the City of Dallas as the owner of the Dallas Streetcar and allow for the City to rely on technical expertise from DART to operate and maintain the Dallas Streetcar.

On May 28, 2014, City Council authorized an ILA with DART for the operation and maintenance (O&M) of the Dallas Streetcar System (Union Station to Methodist Hospital) by Resolution No. 14-0831. This ILA, which was executed by the City Manager on September 19, 2014, and executed by DART on January 27, 2015, further defined roles and responsibilities for the ongoing O&M of the Streetcar System.

On June 15, 2016, City Council authorized an amendment to the ILA with DART to also include the operation and maintenance of the extensions to the streetcar system by Resolution No. 16-0980. As expected, the City and DART continue to operate based on the terms outlined in this ILA.

On April 25, 2018, City Council authorized $1,500,000.00 in City funds for operation and maintenance of the streetcar by Resolution No. 18-0624. These funds were inadvertently unencumbered and will be re-authorized by this action.

On April 25, 2018, City Council also authorized an amendment to the ILA with DART to establish a $1.00 fare for riding the streetcar by Resolution No. 18-0625. Installing the equipment to implement this fare is in progress. An update on implementing the fare will be given to the Mobility, Solutions, Infrastructure & Sustainability Committee.

On August 28, 2019, City Council will consider a separate action to consolidate the above-mentioned ILA's into a single comprehensive agreement to cover the operation and maintenance along with the planning and design for any future expansions of the streetcar system.

If approved, this proposed action will re-authorize the payment of funds to DART for O&M in FY 2018 and authorize funds for O&M in FY 2019 up to the allocated amounts of $1,360,500.00 in Streetcar Developer Funds and $1,360,500.00 in General Funds totaling $2,721,000.00.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 27, 2011, City Council authorized an ILA with NCTCOG and DART to detail agency roles and responsibilities related to the financial commitment for operation and maintenance of the of the TIGER Grant Streetcar Project (Union Station to Methodist Hospital) by Resolution No. 11-1185.

On May 28, 2014, City Council authorized an ILA with DART to detail agency roles and responsibilities related to operation and maintenance of the TIGER Grant funded Dallas Streetcar Project (Union Station to North Oak Cliff) by Resolution No. 14-0831.

On June 15, 2016, City Council authorized an amendment to the ILA with DART to provide for the operation and maintenance costs for the southern and northern extensions of the Dallas Streetcar System (Union Station to North Oak Cliff) and two additional vehicles by Resolution No. 16-0980.

On June 15, 2016, City Council authorized payment to DART for operation and maintenance costs for the Dallas Streetcar System (Union Station to North Oak Cliff) for Fiscal Year 2016, by Resolution No. 16-0981.

On March 22, 2017, City Council authorized payment to DART for operation and maintenance costs for the Dallas Streetcar System (Union Station to Bishop Arts District) for Fiscal Year 2017, by Resolution No. 17-0489.

On April 25, 2018, City Council authorized an ILA with NCTCOG related to the transfer of ownership of Transportation Investments Generating Economic Recovery funded Modern Streetcar Project assets and streetcar project-related funds; and payment to DART for operation and maintenance costs for the Dallas Streetcar System for Fiscal Year 2018, by Resolution No. 18-0624.

On April 25, 2018, City Council authorized an amendment to the ILA with DART to establish a $1.00 fare for the Dallas Streetcar by Resolution No. 18-0625.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

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FISCAL INFORMATION

Streetcar Developer Funds - $1,360,500.00
General Fund - $1,360,500.00

	Current Year FY 2018/2019	Anticipated FY 2020
Streetcar Developer Funds	$1,360,500.00	$ 370,100.00
General Fund	$1,360,500.00	$1,602,000.00
Total City of Dallas	$2,721,000.00	$1,602,000.00
DART	$1,177,012.00	$ 615,119.00
Total O&M	$3,898,203.00	$2,217,119.00

Council District	Amount
1	$3,508,382.70
2	$ 389,820.30
Total	$3,898,203.00

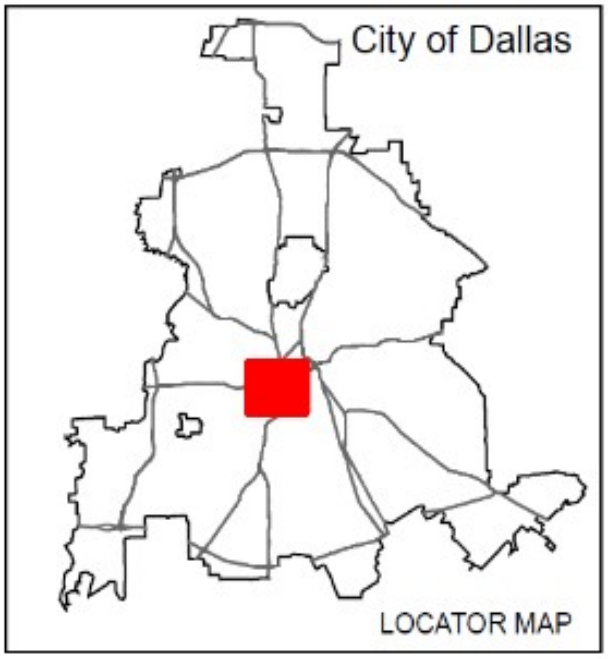
MAP

Attached

Dallas Modern Streetcar Extensions

Districts: 1, 2

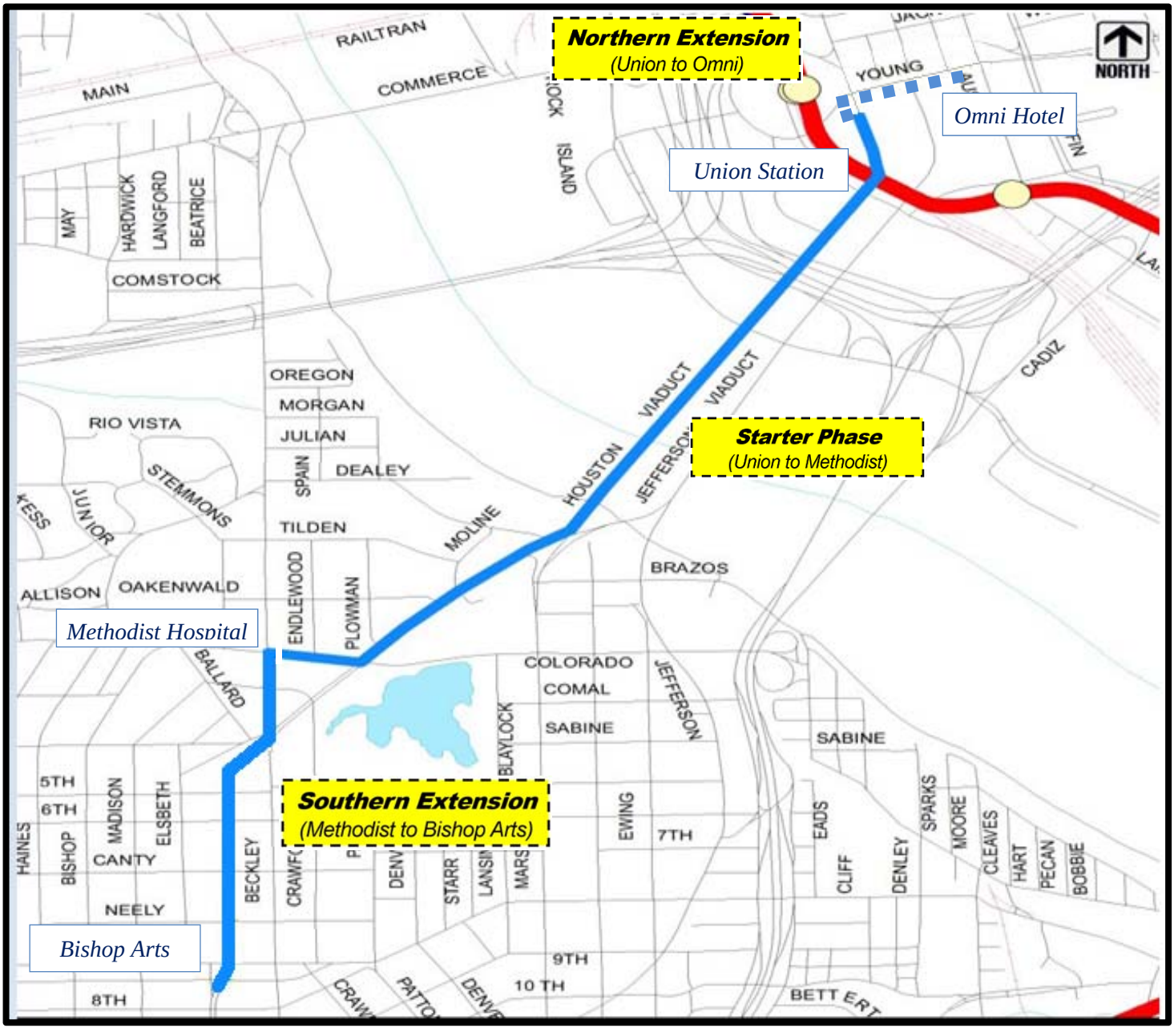
MAPSCO: 44Z, 45P, S, T, W, 54D



LEGEND

STREETCAR ROUTE =

DART TRAIN ROUTE =



WHEREAS, the City of Dallas, Dallas Area Rapid Transit (DART), North Central Texas Council of Governments (NCTCOG), and Texas Department of Transportation (TxDOT) have entered into Interlocal Agreements (ILAs) related to the funding, construction, and operation of the Dallas Streetcar System; and

WHEREAS, on April 27, 2011, City Council authorized an ILA with NCTCOG and DART to detail agency roles and responsibilities related to the financial commitment for operation and maintenance of the TIGER Grant Streetcar Project (Union Station to Methodist Hospital) by Resolution No. 11-1185; and

WHEREAS, on May 28, 2014, City Council authorized an ILA with DART to detail agency roles and responsibilities related to operation and maintenance (O&M) of the TIGER Grant funded Dallas Streetcar Project (Union Station to North Oak Cliff) by Resolution No. 14-0831; and

WHEREAS, said ILA for O&M was executed by the City on September 9, 2014 and by DART on January 27, 2015; and

WHEREAS, on June 15, 2016, City Council authorized an amendment to the ILA with DART to provide for the operation and maintenance of costs for the southern and northern extensions of the Dallas Streetcar System, and two additional vehicles by Resolution No. 16-0980; and

WHEREAS, on June 15, 2016, City Council authorized payment to DART for the operation and maintenance costs for the Dallas Streetcar System (Union Station to North Oak Cliff) for Fiscal Year 2016, in an amount not to exceed $875,000.00, by Resolution No. 16-0981; and

WHEREAS, on March 22, 2017, City Council authorized payment to DART for the operation and maintenance costs for the Dallas Streetcar System (Union Station to Bishop Arts District) for Fiscal Year 2017, in an amount not to exceed $975,000.00, by Resolution No. 17-0489; and

WHEREAS, on April 25, 2018, City Council authorized an ILA with NCTCOG related to the transfer of ownership of Transportation Investments Generating Economic Recovery funded Modern Streetcar Project assets and streetcar project-related funds; and payment to DART for operation and maintenance costs for the Dallas Streetcar System for Fiscal Year 2018, by Resolution No. 18-0624; and

WHEREAS, on April 25, 2018, City Council authorized an amendment to the ILA with DART to establish a $1.00 fare for the Dallas Streetcar by Resolution No. 18-0625.

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 make a payment to DART for the operation and maintenance costs for the Dallas Streetcar System (Union Station to Bishop Arts District) for Fiscal Years 2018 and 2019, in an amount not to exceed $2,721,000.00.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $2,465,009.00 in the Streetcar Developer Fund, Fund 0988, Department TRN, Unit 3705, Object 3070.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds to DART in accordance with the terms and conditions of the contract, as follows:

Streetcar Developer Fund	
Fund 0988, Department TRN, Unit 3705, Activity OF01	
Object 4740, Program PBPRP629	
Encumbrance/Contract No. MASC-PBW-2017-00003478	
Vendor 232802	$1,360,500.00
General Fund	
Fund 0001, Department TRN, Unit 3036, Activity PB13	
Object 4740, Program PBPRP629	
Encumbrance/Contract No. MASC-PBW-2017-00003478	
Vendor 232802	$1,360,500.00
Total amount not to exceed	$2,721,000.00

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

Agenda Information Sheet

File #: 19-1149 **Item #:** 18.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Fire-Rescue Department

EXECUTIVE: Jon Fortune

SUBJECT

An ordinance amending Chapter 15D, "Emergency Vehicles," of the Dallas City Code by amending Sections 15D-4 and 15D-5; **(1)** providing a definition of hardship assistance; **(2)** adding a reduction to ambulance service fees with approved hardship assistance; **(3)** providing authority to create a hardship assistance policy and procedure; and **(4)** providing a penalty not to exceed $500.00, effective October 1, 2019 - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

Emergency Medical Services:

The City of Dallas ("City") according to its Charter and City Code through the Fire-Rescue Department provide residents and non-residents with emergency ambulance services within the city. These emergency services are provided for a fee authorized by City Council Ordinance without discrimination and regardless of financial conditions and ability to pay for the services. City recognizes that it may provide emergency ambulance services to individuals who are uninsured, unable to pay based on their current financial situation, and ineligible for support from applicable government healthcare benefit program(s).

Ambulance Supplemental Payment Program (ASPP):

The Ambulance Supplemental Payment Program (ASPP) is a federal program approved by Center for Medicare and Medicaid Services (CMS) and administered by the State of Texas Health and Human Services Commission (HHSC). ASPP is federally funded through Medicaid 1115 Waiver and authorized under Texas Administrative Code, Ch. 354A, which allows cost reimbursement for Medicaid Managed Care and the Uninsured, in addition to Medicaid fee-for-service to governmental ambulance providers. Program allows for reimbursement for the difference between the cost and charges (subtracting payments of providing ambulance services to Medicaid and Uninsured patients. A cost report is submitted annually within 180 days after the close of the fiscal year. The reimbursement amount to governmental ambulance providers is calculated by applying a Federal

Matching Assistance Percentage (FMAP) assigned annually for each state. Initially the ASPP was approved for five years ending December 31, 2017. Effective October 1, 2019, the City is required to implement a charity care or the hardship assistance policy to continue its participation in the program.

City Participation and Financial Impact:

City of Dallas applied and received approval to participate in the program effective March 1, 2012. Since the inception of the program, the city has received reimbursement payments, in the amount of $81.0 million, allowing the City to further recover a portion of an uncollectable payment from Medicaid patients and uninsured patients. As represented below City's reimbursement amount has varied based in part the FMAP and fund availability:

Activity Year	TX FMAP	Received Payments
FY 2012	58.22%	$8.4M
FY 2013	59.30%	$11.5M
FY 2014	58.69%	$10.7M
FY 2015	58.05%	$8.3M
FY 2016	57.13%	$22.2M
FY 2017	56.18%	$20.2M
FY 2018*	56.88%	$17.5M
FY 2019*	58.19%	$17.5M
FY 2020**	60.89%	$12.6M
*FY18 and FY19 are projections only **I will be impacted by the new charity-care policy		

ASPP Renewal:

The initial five-year ASPP (1115 Waiver) program was set to expire December 31, 2017. In early 2018, CMS granted State of Texas extension for another five years through September 2022. However, the extension required change in methodology to only include uncompensated charity care costs effective October 1, 2019. This means, fiscal 2018 that is under review by HHSC and the current fiscal year ending on September 30, 2019 will be reimbursed under the current old methodology of considering the services cost to provide the emergency ambulance services to Medicaid Managed Care and uninsured patients. Effective October 1, 2019, the City is required to implement a charity care or the hardship assistance policy to continue its participation in the program. The program has been developed and ready for implementation on time.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

If the hardship assistance policy is not in place by October 1, 2019, the City of Dallas will no longer be eligible to further participate in the ASPP. This will result in revenue loss in FY21 when the ASPP's projected $12.6M for FY20 activities would be paid.

7-24-19

ORDINANCE NO. _____

An ordinance amending Chapter 15D, "Emergency Vehicles," of the Dallas City Code by amending Sections 15D-4 and 15D-5; providing a definition of hardship assistance; adding a reduction to ambulance service fees with approved hardship assistance; providing authority to create a hardship assistance policy and procedure; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city council finds that the provision of ambulance services to every resident of the City of Dallas is essential to the health and safety of all residents health; and

WHEREAS, the city council finds the cost of ambulance service is a hindrance to healthcare services for many residents; and

WHEREAS, the City of Dallas finds that establishing a hardship assistance program to defray the costs of ambulance services is a matter of public health and safety and serves the public purpose of making emergency medical services more readily available to residents; Now, Therefore,

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

SECTION 1. That Section 15D-4, "Definitions," of Division 1, "General Provisions," of Article I, "Ambulances," of Chapter 15D, "Emergency Vehicles," of the Dallas City Code is amended by adding a new paragraph (18.1) to read as follows:

"(18.1) HARDSHIP ASSISTANCE means the reduction of ambulance service charges assessed to a transported patient or the payment-responsible party on behalf of a transported patient approved by the city manager, department director, or designee."

SECTION 2. That Paragraph (c) of Section 15D-5, "Emergency Ambulance Service Provided by Fire Department; Fee," of Division 2, "Emergency Medical Services," of Article I,

"Ambulances," of Chapter 15D, "Emergency Vehicles," of the Dallas City Code is amended to read as follows:

"(c) The person receiving emergency ambulance service, whether transported by ambulance or treated without being transported by ambulance, and any person contracting for the service shall be responsible for payment of all fees less any reduction in fees received from hardship assistance. In the case of service received by a minor, the parent or guardian of the minor shall be responsible for payment of all fees less any reduction in fees received from hardship assistance on behalf of the qualifying minor."

SECTION 3. That Section 15D-5, "Emergency Ambulance Service Provided by Fire Department; Fee," of Division 2, "Emergency Medical Services," of Article I, "Ambulances," of Chapter 15D, "Emergency Vehicles," of the Dallas City Code is amended by adding a new paragraph (e) to read as follows:

"(e) The city manager or his or her designee shall adopt an ambulance hardship assistance policy and the procedures for administering the policy."

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 5. That Chapter 15D of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By_____
Assistant City Attorney

Passed_____

Agenda Information Sheet

File #: 19-1036 **Item #:** 19.

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	6, 7
DEPARTMENT:	Housing & Neighborhood Revitalization
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize **(1)** approval of the development plan as described in Exhibit A for the construction of 10 affordable houses by Builders of Hope, C.D.C. (Developer); **(2)** the sale of 10 vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC) to Developer, subject to restrictive covenants, a right of reverter and execution of all necessary documents; and **(3)** execution of a release of lien for any non-tax City liens that were filed on the 10 vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

On June 18, 2003, Governor Rick Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing development. On January 28, 2004, City Council designated the DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C by Resolution No. 04-0458.

In June 2019, Developer submitted a proposal to purchase 10 vacant lots from the DHADC. City staff evaluated the proposal pursuant to the standards set forth in the land bank application, which included determining whether Developer met the eligibility standards to be deemed a "Qualified Participating Developer" under Chapter 379C and underwriting the proposal. City staff scored the proposal and compared it with the scores assigned to all other proposals submitted for the same lots and determined that Developer's proposal received the highest score. City staff has negotiated with Developer regarding the terms of sale of the vacant lots as well as the terms related to the construction and subsequent sale of single-family housing on the vacant lots.

Developer is a community development corporation organized in Texas in 1998. The President and Chief Executive Officer of Developer is James Armstrong III. Developer has previously participated in the Land Bank program and has constructed 24 homes since 2016.

Developer has completed 24 homes in the past three years on lots that were not purchased from the Land Bank.

On June 20, 2019, the DHADC Board of Directors approved the terms of sale and development, subject to City Council approval, for the 10 vacant lots proposed to be sold to Developer. This item will authorize the DHADC to enter into a development agreement with Developer with the following terms:

- **Vacant Lot Sales Price:** Listed per lot in Exhibit A.
- **Targeted Income of Homebuyer:** Listed per lot in Exhibit A.
- **Construction Timeframe:** Developer must apply for a construction permit and close on any construction financing within three years of purchase from the Land Bank.
- **Affordability Period:** Once the property is sold to a low-income household, it must be occupied as the household's principal place of residence for five years. If the original purchaser re-sells the property during the affordability period, the property must be sold to another qualified low-income household. Developer or subsequent owners must inform prospective purchaser of the five-year affordability period.
- **Right of Reverter:** Title to the property may revert to the DHADC if Developer does not: (1) apply for a construction permit within eighteen months from the date the Deed without Warranty is filed; (2) close on any construction financing within three years from the date the Deed without Warranty is filed; and (3) complete construction within four years from the date the Deed without Warranty is filed.
- **Single-Family Home Sales Price:** The sales price of the home cannot exceed the 2018 U.S. Department of Housing and Urban Development (HUD) HOME homeownership sales price for the Dallas, Texas HUD Metro Fair Market Rent Area and must be affordable based on the income of the targeted homebuyer.

Developer shall also place restrictive covenants on the 10 vacant lots stating Developer must (1) sell each lot to a low-income household as specified in Exhibit A; (2) prior to the sale, Developer must provide to DHADC written documentation of the income of the proposed purchaser and the sales price; and (3) after sale of the home, the property must be occupied as a low-income household's principal residence during the entire term of the five-year affordability period.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council designated the DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code by Resolution No. 04-0458.

On January 9, 2019, City Council approved the FY 2018-19 Urban Land Bank Demonstration Program Plan by Resolution No. 19-0117.

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On June 20, 2019, the DHADC Board of Directors approved the terms of sale and development for the 10 vacant lots proposed to be sold to Developer, subject to City Council approval.

FISCAL INFORMATION

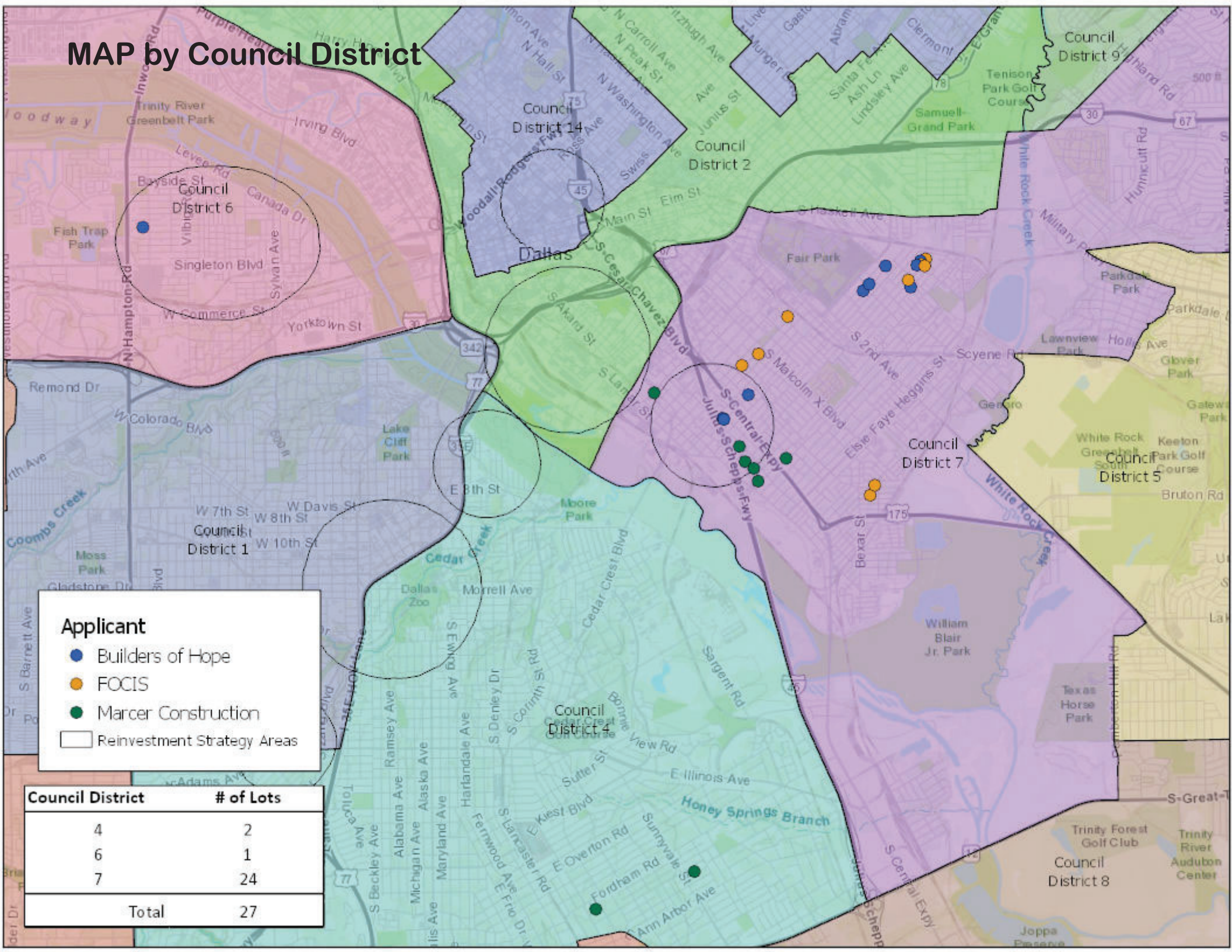
No cost consideration to the City. See attached Exhibit A for estimated foregone revenues from the release of non-tax liens.

MAPS

Attached

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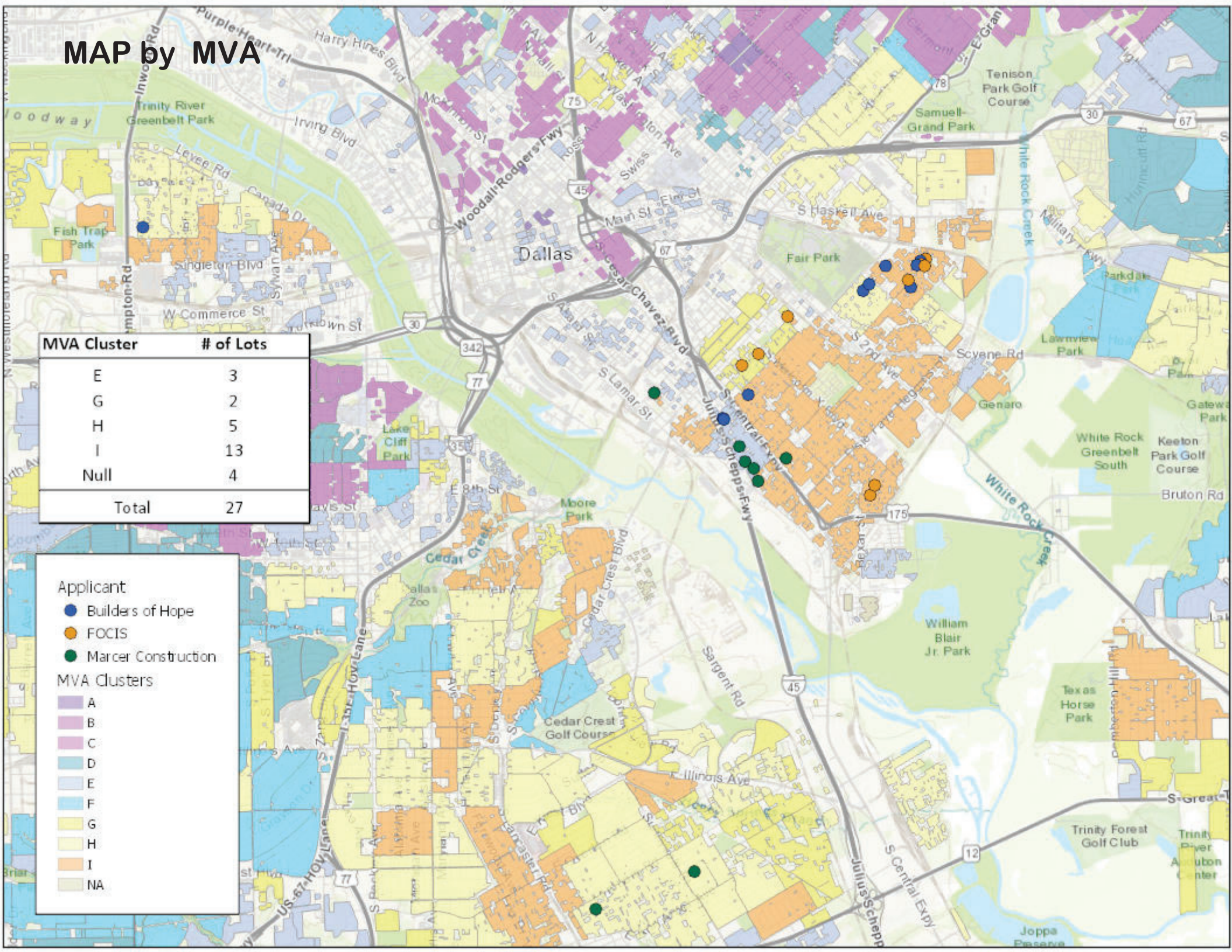
MAP by Council District

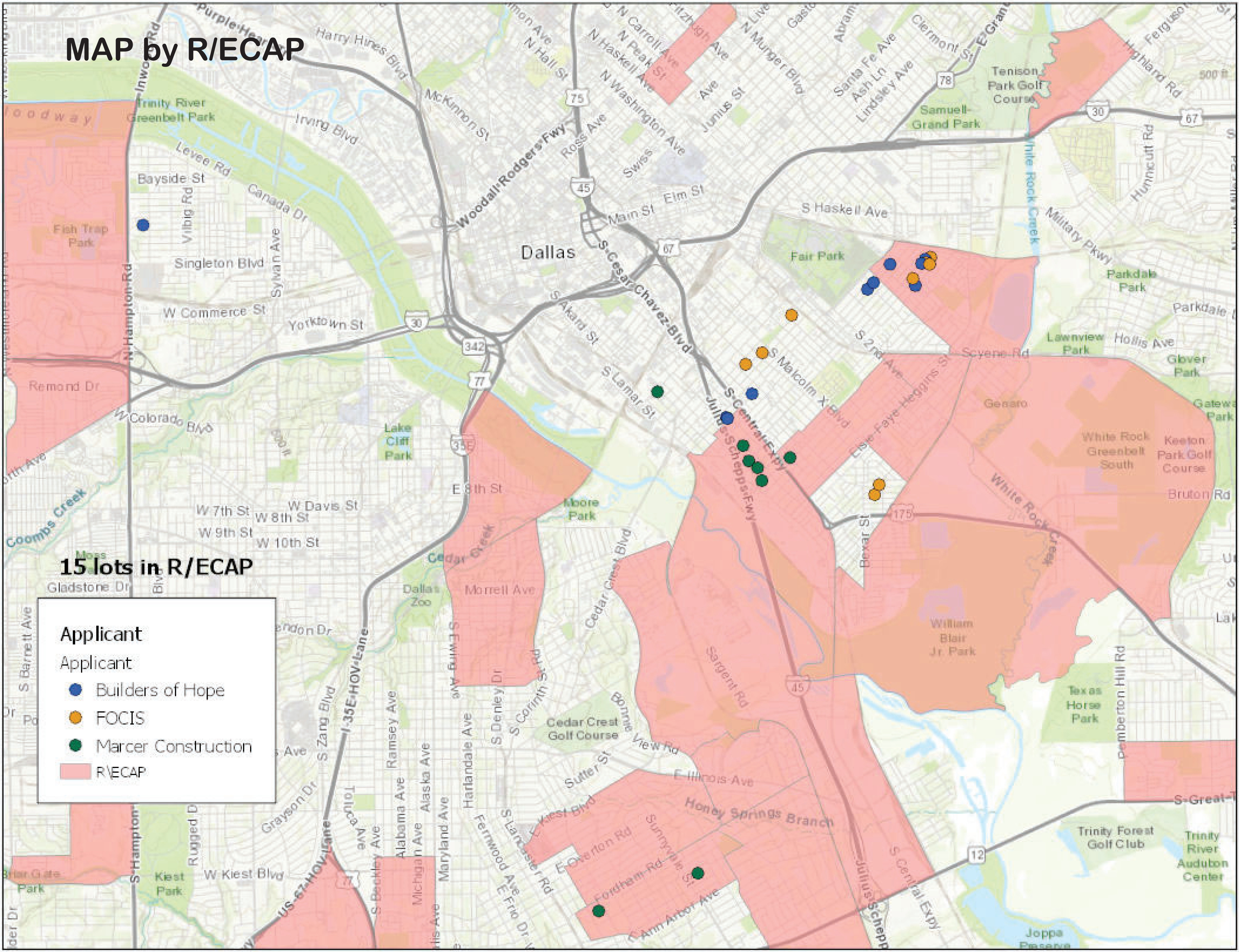


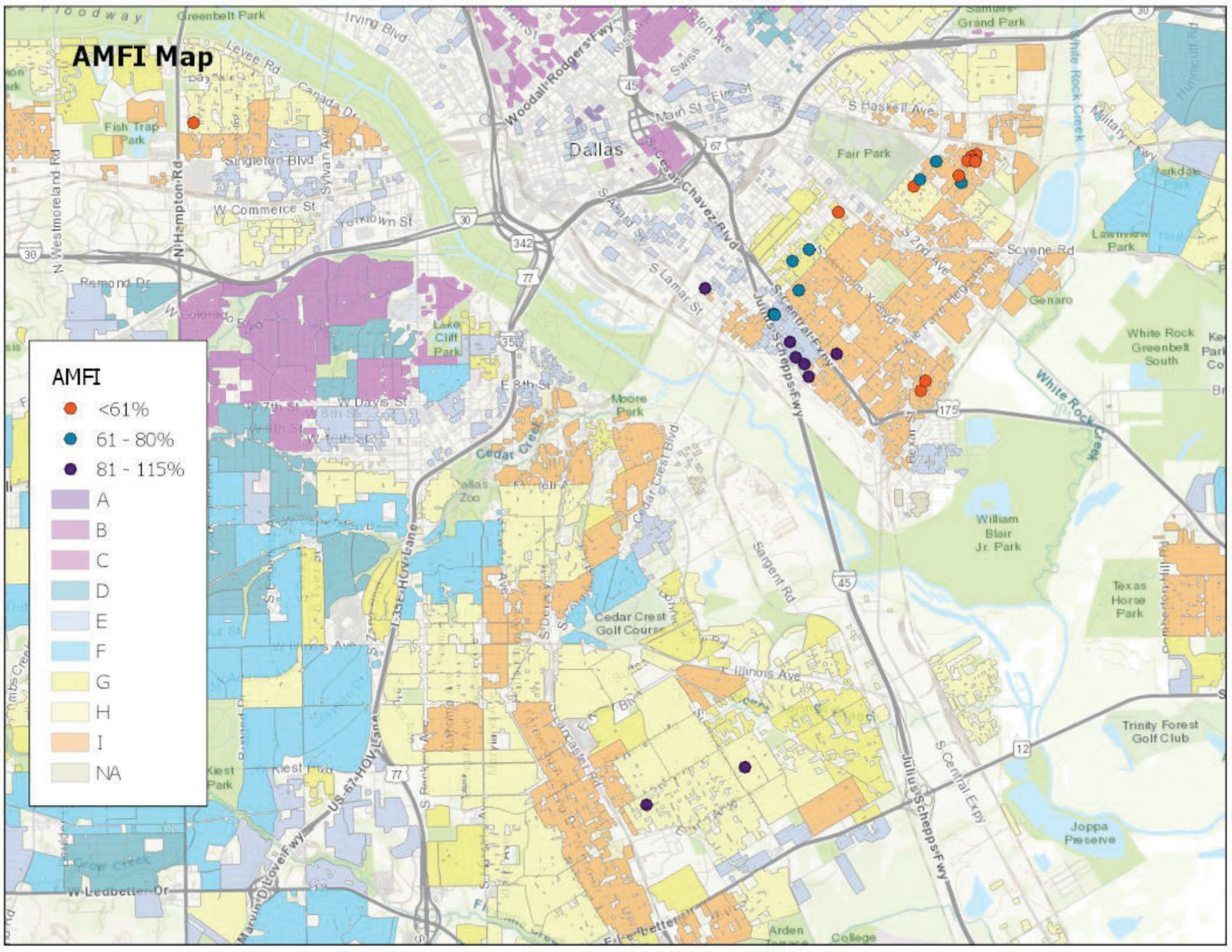
Council District	# of Lots
4	2
6	1
7	24
Total	27

MAP by MVA

MVA Cluster	# of Lots
E	3
G	2
H	5
I	13
Null	4
Total	27




MAP by R/ECAP
15 lots in R/ECAP
Applicant
Applicant
Builders of Hope
FOCIS
Marcer Construction
R\ECAP
Dallas
Fair Park
Trinity River Greenbelt Park
Fish Trap Park
Samuell-Grand Park
Tenison Park Golf Course
Parkdale Park
Lawnview Park
Glover Park
White Rock Greenbelt South
Keeton Park Golf Course
William Blair Jr. Park
Texas Horse Park
Trinity Forest Golf Club
Trinity River Audubon Center
Joppa Preserve
Lake Cliff Park
Moore Park
Dallas Zoo
Cedar Crest Golf Course
Kiest Park
White Rock Creek
Honey Springs Branch
Cedar Creek
Coombs Creek
S Cesar Chavez Blvd
S Central Expy
Julius Schepps Fwy
S Malcolm X Blvd
Elsie Faye Heggins St
Scyene Rd
Military Pkwy
Woodall Rodgers Fwy
Harry Hines Blvd
Irving Blvd
Singleton Blvd
W Commerce St
Yorktown St
N Hampton Rd
S Lamar St
S Akard St
S Haskell Ave
Main St
Elm St
Sargent Rd
Bexar St
S 2nd Ave
Cedar Crest Blvd
E Illinois Ave
Bonnie View Rd
S Lancaster Rd
W Kiest Blvd
I-35E HOV Lane
US-67 HOV Lane


AMFI Map
AMFI
<61%
61 - 80%
81 - 115%
A
B
C
D
E
F
G
H
I
NA
Dallas
Greenbelt Park
Fish Trap Park
Singleton Blvd
W Commerce St
N Hampton Rd
N Westmoreland Rd
Woodall Rodgers Fwy
Cesar Chavez Blvd
S Lamar St
S Central Expy
Julius Schepps Fwy
Fair Park
S Haskell Ave
Scyene Rd
Genaro
Lake Cliff Park
Moore Park
Cedar Creek
Dallas Zoo
Cedar Crest Blvd
Sargent Rd
William Blair Jr. Park
White Rock Greenbelt South
White Rock Creek
Texas Horse Park
Trinity Forest Golf Club
Joppa Preserve
Cedar Crest Golf Course
Illinois Ave
I-35E HOV Lane
US-67 HOV Lane
Marvin D Love Fwy
W Ledbetter Dr
Kiest Park
Crow Creek
Arden Terrace
College

WHEREAS, the City has an interest in preserving and increasing the tax base and creating affordable housing for low-income households to provide necessary decent, safe, and sanitary housing for such households; and

WHEREAS, on January 28, 2004, City Council designated the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C by Resolution No. 04-0458; and

WHEREAS, on January 9, 2019, City Council authorized the FY 2018-19 Urban Land Bank Demonstration Program Plan by Resolution No. 19-0117; and

WHEREAS, Builders of Hope, CDC (Developer) submitted a proposal to purchase from DHADC 10 vacant lots and develop single-family homes; and

WHEREAS, on June 20, 2019, the DHADC Board of Directors approved the terms of sale and development for the 10 vacant lots proposed to be sold to Developer as further described on **Exhibit A**; and

WHEREAS, the City Council desires to approve the sale of 10 vacant lots owned by DHADC to Developer along with the terms of development as further described on **Exhibit A**.

Now, Therefore,

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

SECTION 1. That the development plan and the sale of 10 vacant lots shown on **Exhibit A** from DHADC to Developer is approved.

SECTION 2. That the DHADC is hereby authorized to execute all documents, including, but not limited to sales contract, deed of trust, and deed restrictions necessary to effectuate the sale of 10 vacant lots owned by DHADC to Developer pursuant to the terms of development as described on **Exhibit A**, approved as to form by the City Attorney.

SECTION 3. That the City Manager is hereby authorized to release any non-tax City liens that were filed on the 10 vacant lots shown in **Exhibit A** prior to the Sherriff's deeds transferring the lots to the DHADC, approved as to form by the City Attorney.

SECTION 4. That this resolution does not constitute a binding agreement upon the City or DHADC or subject the City or DHADC to any liability or obligation with respect to this transaction, until such time as the documents are duly approved by all parties and executed.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	COUNCIL DISTRICT	QUALIFIED PURCHASER	SALE AMOUNT	AMI Target	BED/BATH	AMOUNT OF NON-TAX LIENS
1	**3425 Wendelkin** Pt Lot 5, A S Lockhead Additon Blk 5/1178	7	Builders of Hope	$3,000.00	61% - 80%	4/2	$49,832.30
2	**3417 Wendelkin** 50' Lot 3 & 25' Lot 5 , A S Lockhead Additon Blk 5/1178	7	Builders of Hope	$3,000.00	61% - 80%	4/2	$13,476.20
3	**4105 Hamilton** Lot 2, Camps Second Ave., Addtion Blk C/1815	7	Builders of Hope	$3,000.00	61% - 80%	4/2	$23,157.90
4	**4321 Hamilton** Lot 16, Camps Alex, Addition Blk 1821	7	Builders of Hope	$3,000.00	61% - 80%	4/2	$8,649.55
5	**3925 Hamilton** Lot 13, Camps Second Ave., Addtion Blk B/1816	7	Builders of Hope	$2,000.00	≤ 60%	3/2	$10,471.69
6	**2020 Morris** East 15Ft Lt 3 & West 23Ft Lt 4, Victory Gardens #5 Addition Blk 22/7127	6	Builders of Hope	$2,000.00	≤ 60%	3/2	$7,419.38
7	**4606 Jamaica** Lot 20, Magnolia Park Addition Blk B/2432	7	Builders of Hope	$2,000.00	≤ 60%	3/2	$10,905.46
8	**4518 Jamaica** Lot 14, Magnolia Park Addition Blk B/2432	7	Builders of Hope	$2,000.00	≤ 60%	3/2	$5,585.99
9	**3425 Pondrom** Lot 14, Warren Rev., Addition Blk B/1558	7	Builders of Hope	$3,000.00	61% - 80%	4/2	$25,734.68
10	**4317 Canal** Lot 15, Swansons Addition Blk 1/1853	7	Builders of Hope	$3,000.00	61% - 80%	4/2	$3,723.80
TOTAL				**$26,000.00**			**$ 158,956.95**

Agenda Information Sheet

File #: 19-1055 **Item #:** 20.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing & Neighborhood Revitalization

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the development plan as described in Exhibit A for the construction of 9 affordable houses by FOCIS Holding Group, L.L.C. (Developer); **(2)** the sale of 9 vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC) to Developer, subject to restrictive covenants, a right of reverter and execution of all necessary documents; and **(3)** execution of a release of lien for any non-tax City liens that were filed on the 9 vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

On June 18, 2003, Governor Rick Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing development. On January 28, 2004, City Council designated the DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C by Resolution No. 04-0458.

In May 2019, Developer submitted a proposal to purchase 9 vacant lots from the DHADC. City staff evaluated the proposal pursuant to the standards set forth in the land bank application, which included determining whether Developer met the eligibility standards to be deemed a "Qualified Participating Developer" under Chapter 379C and underwriting the proposal. City staff scored the proposal and compared it with the scores assigned to all other proposals submitted for the same lots and determined that Developer's proposal received the highest score. City staff has negotiated with Developer regarding the terms of sale of the vacant lots as well as the terms related to the construction and subsequent sale of single-family housing on the vacant lots.

Developer is a domestic limited liability corporation that was organized in Texas in 2016. The managing members of the company are Calvin LaMont and Christopher LaMont. The Developer has not participated in the Land Bank program in the past but has completed 9 homes in Dallas since 2016.

On June 20, 2019, the DHADC Board of Directors approved the terms of sale and development, subject to City Council approval, for the 9 vacant lots proposed to be sold to Developer. This item will authorize the DHADC to enter into a development agreement with Developer with the following terms:

- **Vacant Lot Sales Price:** Listed per lot in Exhibit A.
- **Targeted Income of Homebuyer:** Listed per lot in Exhibit A.
- **Construction Timeframe:** Developer must apply for a construction permit and close on any construction financing within three years of purchase from the Land Bank.
- **Affordability Period:** Once the property is sold to a low-income household, it must be occupied as the household's principal place of residence for five years. If the original purchaser re-sells the property during the affordability period, the property must be sold to another qualified low-income household. Developer or subsequent owners must inform prospective purchaser of the five-year affordability period.
- **Right of Reverter:** Title to the property may revert to the DHADC if Developer does not: (1) apply for a construction permit within eighteen months from the date the Deed without Warranty is filed; (2) close on any construction financing within three years from the date the Deed without Warranty is filed; and (3) complete construction within four years from the date the Deed without Warranty is filed.
- **Single-Family Home Sales Price:** The sales price of the home cannot exceed the 2018 U.S. Department of Housing and Urban Development (HUD) HOME homeownership sales price for the Dallas, Texas HUD Metro Fair Market Rent Area and must be affordable based on the income of the targeted homebuyer.

Developer shall also place Restrictive Covenants on the 9 vacant lots stating: Developer must (1) sell each lot to a low-income household as specified in Exhibit A; (2) prior to the sale, Developer must provide to DHADC written documentation of the income of the proposed purchaser and the sales price; and (3) after sale of the home, the property must be occupied as a low-income household's principal residence during the entire term of the five-year affordability period.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council designated the DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code by Resolution No. 04-0458.

On January 9, 2019, City Council approved the FY 2018-19 Urban Land Bank Demonstration Program Plan by Resolution No. 19-0117.

On June 20, 2019, the DHADC Board of Directors approved the terms of sale and development for the 9 vacant lots proposed to be sold to Developer, subject to City Council approval.

FISCAL INFORMATION

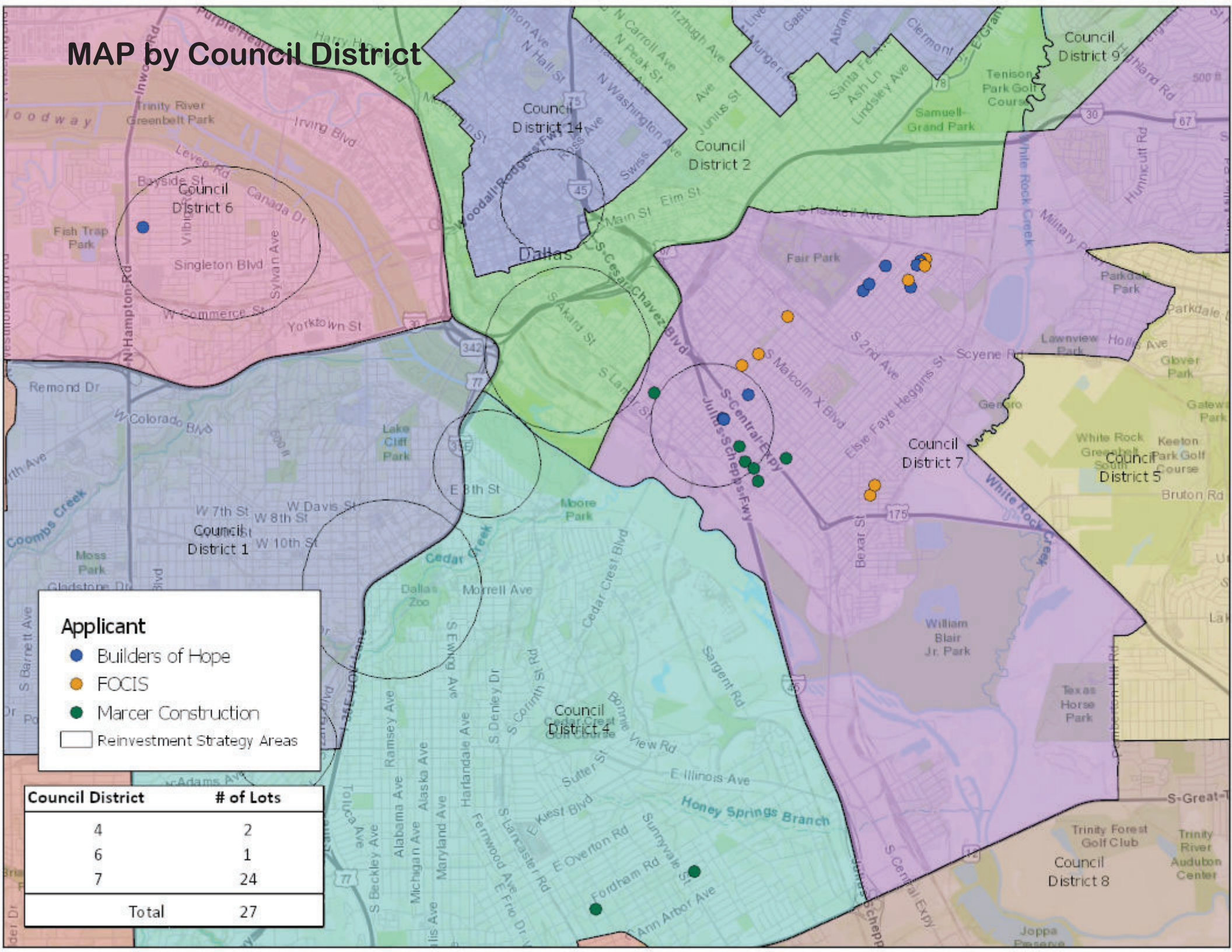
No cost consideration to the City. See attached Exhibit A for estimated foregone revenues from the release of non-tax liens.

MAPS

Attached

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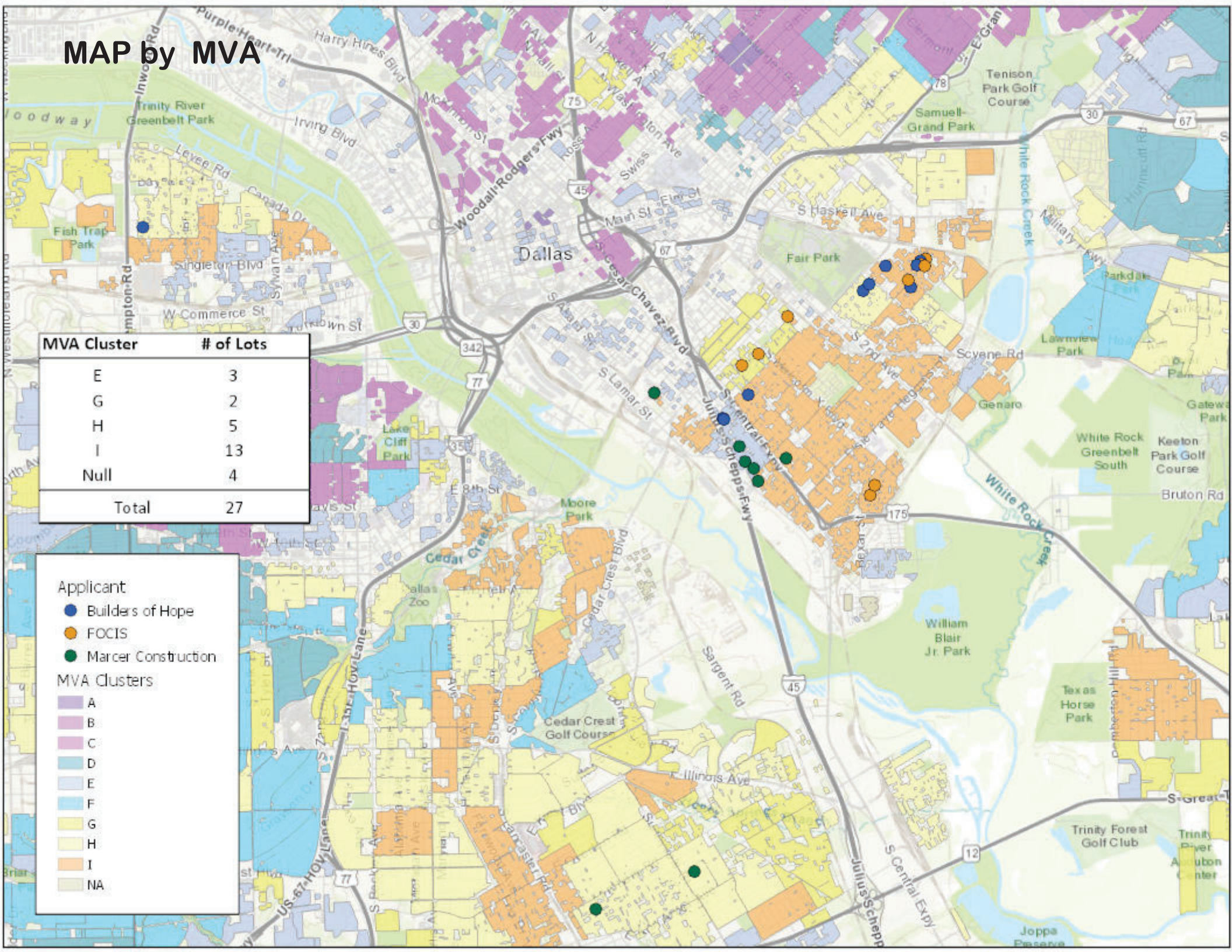
MAP by Council District

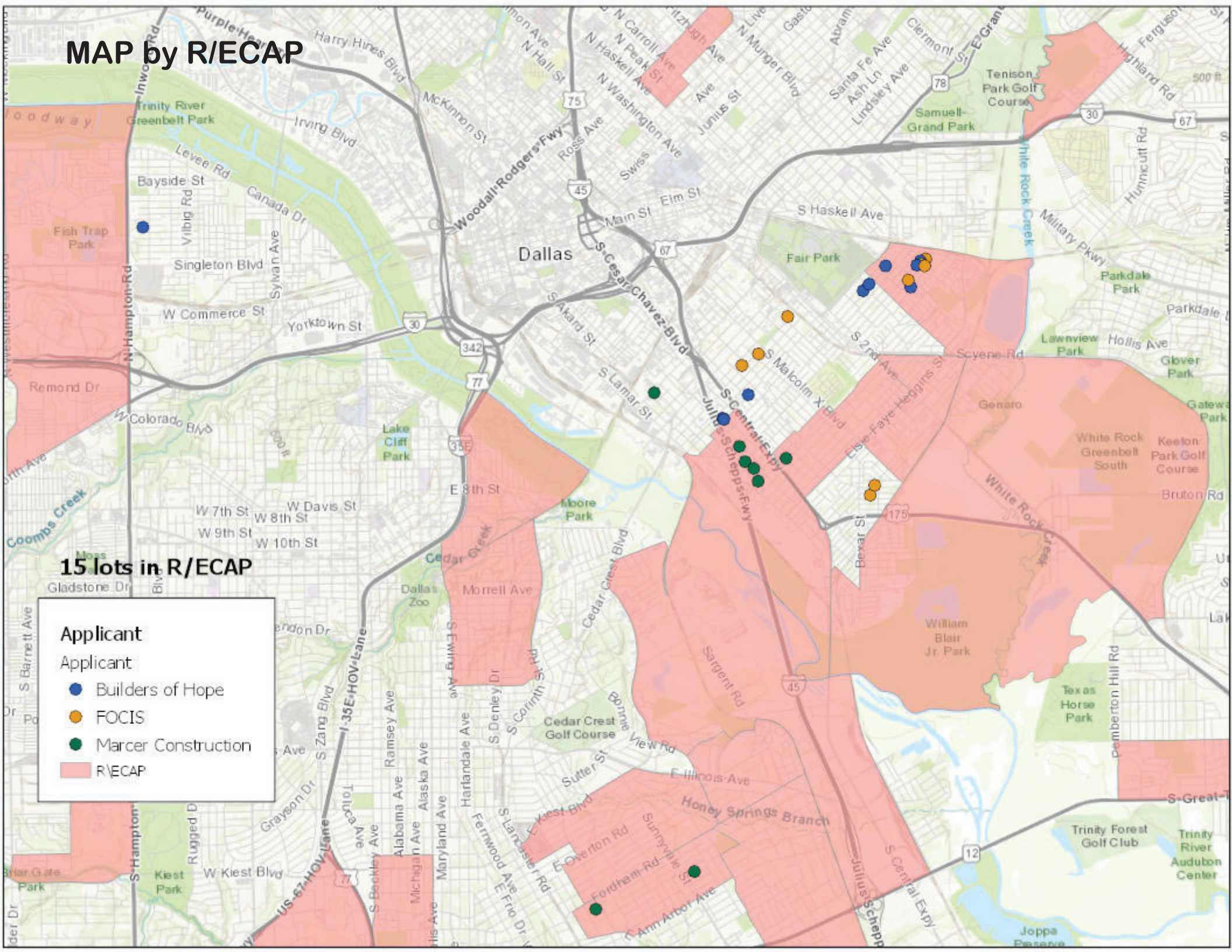


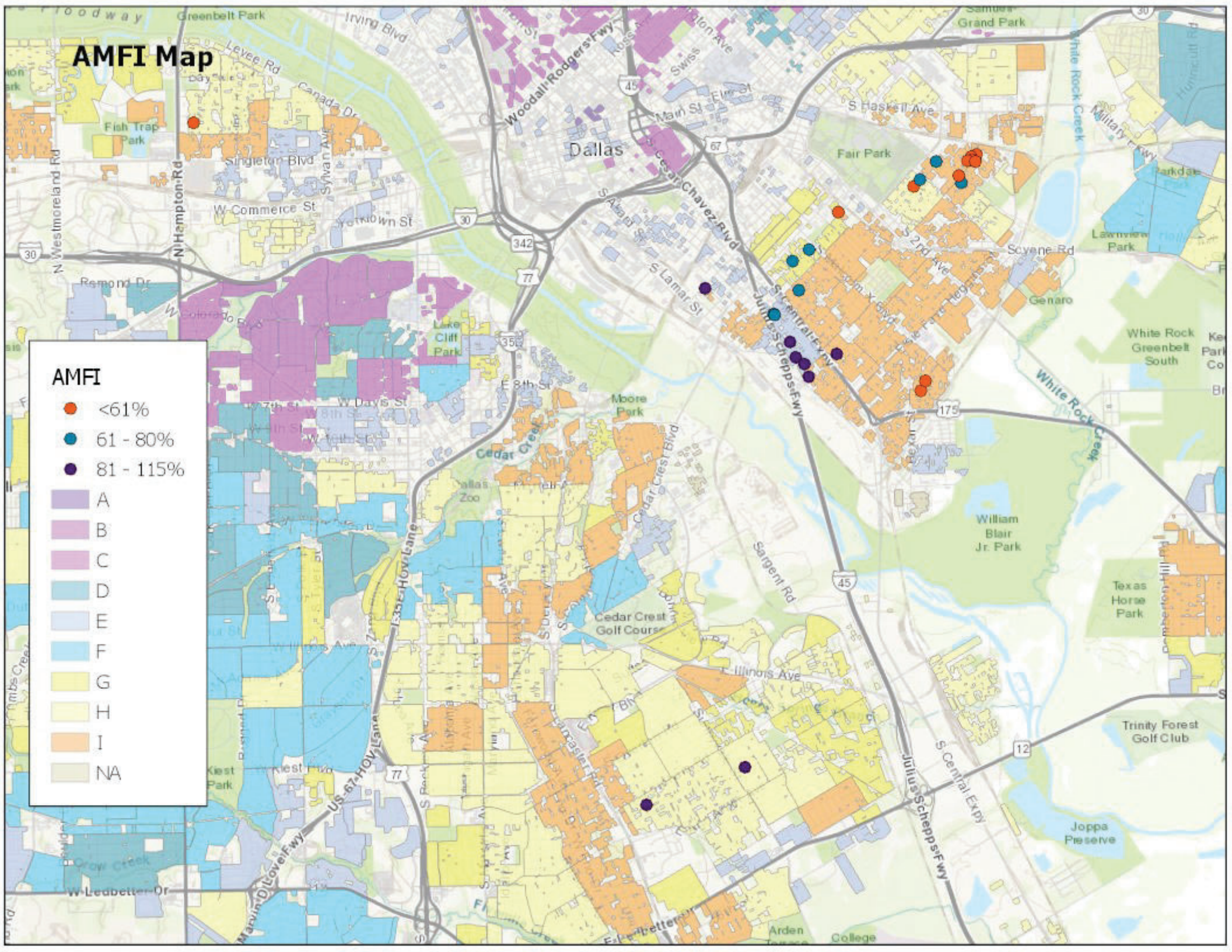
Council District	# of Lots
4	2
6	1
7	24
Total	27

MAP by MVA

MVA Cluster	# of Lots
E	3
G	2
H	5
I	13
Null	4
Total	27




MAP by R/ECAP
15 lots in R/ECAP
Applicant
Applicant
Builders of Hope
FOCIS
Marcer Construction
R\ECAP
Dallas
Woodall Rodgers Fwy
S Cesar Chavez Blvd
Julius Schepps Fwy
I-35E HOV Lane
US-67 HOV Lane
Trinity River Greenbelt Park
Fish Trap Park
Lake Cliff Park
Moore Park
Dallas Zoo
Cedar Crest Golf Course
Fair Park
Samuell-Grand Park
Tenison Park Golf Course
Parkdale Park
Lawnview Park
Glover Park
White Rock Greenbelt South
Keeton Park Golf Course
William Blair Jr. Park
Texas Horse Park
Trinity Forest Golf Club
Trinity River Audubon Center
Joppa Preserve
Briar Gate Park
Kiest Park
Honey Springs Branch
Cedar Creek
Coombs Creek
White Rock Creek
Harry Hines Blvd
Irving Blvd
McKinnon St
Ross Ave
Swiss Ave
Junius St
Elm St
Main St
S Haskell Ave
Military Pkwy
Hollis Ave
Scyene Rd
Bruton Rd
Bexar St
Morrell Ave
Sargent Rd
Cedar Crest Blvd
Bonnie View Rd
Sutter St
E Illinois Ave
E Kiest Blvd
E Overton Rd
Fordham Rd
Ann Arbor Ave
W Kiest Blvd
Grayson Dr
Rugged Dr
Bayside St
Singleton Blvd
W Commerce St
Yorktown St
Remond Dr
W Colorado Blvd
W 7th St
W 8th St
W 9th St
W 10th St
W Davis St
E 8th St
Gladstone Dr
Canada Dr
Levee Rd
Vilbig Rd
Sylvan Ave
N Hampton Rd
S Hampton Rd
S Lamar St
S Akard St
S Malcolm X Blvd
S 2nd Ave
Elsie Faye Heggins St
Gensaro
S Corinth St Rd
S Denley Dr
S Ewing Ave
S Zang Blvd
Harlandale Ave
Ramsey Ave
Alabama Ave
Alaska Ave
Maryland Ave
Michigan Ave
Tulane Ave
S Beckley Ave
S Lancaster Rd
Fernwood Ave
E Frio Dr
Pemberton Hill Rd
Huffhines St
Great
S Central Expy
Highland Rd
Hunnicutt Rd
White Rock Creek
Parkdale
Bruton Rd
Gateway Park
Santa Fe Ave
Ash Ln
Lindsley Ave
Clermont St
E Grand Ave
N Carroll Ave
N Peak St
N Haskell Ave
N Washington Ave
N Hall St
N Munger Blvd
Gaston Ave
Abrams Rd
Fitzhugh Ave
Ferguson Rd
Purple Heart Trail
Inwood Rd
Woodway
Trinity River
Greenbelt Park
Fish Trap
Park
Remond Dr
Coombs Creek
Moss
Gladstone Dr
Dallas
Zoo
Cedar Creek
Morrell Ave
Sargent Rd
Cedar Crest Blvd
Bonnie View Rd
Sutter St
E Illinois Ave
Honey Springs Branch
E Kiest Blvd
E Overton Rd
Fordham Rd
Ann Arbor Ave
W Kiest Blvd
Kiest
Park
Briar Gate
Park
Grayson Dr
Rugged Dr
Bayside St
Singleton Blvd
W Commerce St
Yorktown St
Remond Dr
W Colorado Blvd
W 7th St
W 8th St
W 9th St
W 10th St
W Davis St
E 8th St
Gladstone Dr
Canada Dr
Levee Rd
Vilbig Rd
Sylvan Ave
N Hampton Rd
S Hampton Rd
S Lamar St
S Akard St
S Malcolm X Blvd
S 2nd Ave
Elsie Faye Heggins St
Gensaro
S Corinth St Rd
S Denley Dr
S Ewing Ave
S Zang Blvd
Harlandale Ave
Ramsey Ave
Alabama Ave
Alaska Ave
Maryland Ave
Michigan Ave
Tulane Ave
S Beckley Ave
S Lancaster Rd
Fernwood Ave
E Frio Dr
Pemberton Hill Rd
Huffhines St
Great
S Central Expy
Highland Rd
Hunnicutt Rd
White Rock Creek
Parkdale
Bruton Rd
Gateway Park
Santa Fe Ave
Ash Ln
Lindsley Ave
Clermont St
E Grand Ave
N Carroll Ave
N Peak St
N Haskell Ave
N Washington Ave
N Hall St
N Munger Blvd
Gaston Ave
Abrams Rd
Fitzhugh Ave
Ferguson Rd
Purple Heart Trail
Inwood Rd
Woodway
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Greenbelt Park
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Park
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E Kiest Blvd
E Overton Rd
Fordham Rd
Ann Arbor Ave
W Kiest Blvd
Kiest
Park
Briar Gate
Park
Grayson Dr
Rugged Dr


AMFI Map
AMFI
<61%
61 - 80%
81 - 115%
A
B
C
D
E
F
G
H
I
NA
Dallas
Greenbelt Park
Fish Trap Park
Singleton Blvd
W Commerce St
N Hampton Rd
N Westmoreland Rd
Woodall Rodgers Fwy
Irving Blvd
Levee Rd
Canada Dr
Sylvan Ave
Remond Dr
W Colorado Blvd
Lake Cliff Park
W Davis St
E 8th St
Moore Park
Cedar Creek
Dallas Zoo
Cedar Crest Blvd
S Lamar St
S Akard
S Cesar Chavez Blvd
Main St
Elm St
Swiss
S Haskell Ave
Fair Park
Samuels Grand Park
White Rock Creek
Military Pkwy
Scyene Rd
Genaro
Lawnview Park
S 2nd Ave
Julius Schepps Fwy
S Central Expy
White Rock Greenbelt South
White Rock Creek
William Blair Jr. Park
Texas Horse Park
Trinity Forest Golf Club
Joppa Preserve
Cedar Crest Golf Course
Sargent Rd
Illinois Ave
I-35E HOV Lane
US-67 HOV Lane
Marvin D Love Fwy
W Ledbetter Dr
Crow Creek
Kiest Park
Kiest Blvd
Arden Terrace
College
30
342
77
35E
45
67
175
12

WHEREAS, the City has an interest in preserving and increasing the tax base and creating affordable housing for low-income households to provide necessary decent, safe, and sanitary housing for such households; and

WHEREAS, on January 28, 2004, City Council designated the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C by Resolution No. 04-0458; and

WHEREAS, on January 9, 2019, City Council authorized the FY 2018-19 Urban Land Bank Demonstration Program Plan by Resolution No. 19-0117; and

WHEREAS, FOCIS Holding Group, L.L.C. (Developer) submitted a proposal to purchase from DHADC 9 vacant lots and develop single-family homes; and

WHEREAS, on June 20, 2019, the DHADC Board of Directors approved the terms of sale and development for the 9 vacant lots proposed to be sold to Developer as further described in **Exhibit A**; and

WHEREAS, the City Council desires to approve the sale of 9 vacant lots owned by DHADC to Developer along with the terms of development as described in **Exhibit A.**

Now, Therefore,

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

SECTION 1. That the development plan and the sale of 9 vacant lots shown in **Exhibit A** from DHADC to Developer is approved.

SECTION 2. That the DHADC is hereby authorized to execute all documents, including, but not limited to sales contract, deed of trust, and deed restrictions necessary to effectuate the sale of 9 vacant lots owned by DHADC to Developer pursuant to the terms of development as described on **Exhibit A**, approved as to form by the City Attorney.

SECTION 3. That the City Manager is hereby authorized to release any non-tax City liens that were filed on the 9 vacant lots shown in **Exhibit A** prior to the Sherriff's deeds transferring the lots to the DHADC, approved as to form by the City Attorney.

SECTION 4. That this resolution does not constitute a binding agreement upon the City or DHADC or subject the City or DHADC to any liability or obligation with respect to this transaction, until such time as the documents are duly approved by all parties and executed.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	COUNCIL DISTRICT	QUALIFIED PURCHASER	SALE AMOUNT	AMI Target	BED/BATH	AMOUNT OF NON-TAX LIENS
1	**2525 Pennsylvania** Lots 30 & 31, South Park Additon Blk 25/1306	7	Focis Holding Group, LLC	$2,000.00	61% - 80%	3/2	$5,496.62
2	**2710 Pennsylvania** Lots 6 & 7 Less 250 Sq. Ft., South Park Additon Blk 33/1311	7	Focis Holding Group, LLC	$2,000.00	≤ 60%	3/2	$25,393.02
3	**3105 Pennsylvania** Pt Lots 10& 11- 41x130, W H Steele & W H Wood Blk 1351	7	Focis Holding Group, LLC	$2,000.00	61% - 80%	3/2	$5,331.00
4	**4535 Frank** Lot 27, Magnolia Park Addition Blk B/2432	7	Focis Holding Group, LLC	$2,000.00	≤ 60%	3/2	$8,844.07
5	**4602 Frank** Lot 20, Magnolia Park Addition Blk D/2434	7	Focis Holding Group, LLC	$2,000.00	≤ 60%	3/2	$6,315.02
6	**4711 Frank** Lot 5, Magnolia Park Addition Blk C/2433	7	Focis Holding Group, LLC	$2,000.00	≤ 60%	3/2	$9,406.67
7	**4343 Frank** Lot 21, Mayer's Second Addition Blk H/1852	7	Focis Holding Group, LLC	$2,000.00	≤ 60%	3/2	$11,291.95
8	**2538 Starks** Lot 12, Idea Addition Blk 9/2513	7	Focis Holding Group, LLC	$2,000.00	≤ 60%	3/2	$8,661.52
9	**2633 Macon** Lot 13, Idea Addition Blk 13/2517	7	Focis Holding Group, LLC	$2,000.00	≤ 60%	3/2	$9,180.23
TOTAL				**$18,000.00**			**$ 89,920.10**

Agenda Information Sheet

File #: 19-1132 **Item #:** 21.

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	4, 7
DEPARTMENT:	Housing & Neighborhood Revitalization
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize **(1)** approval of the development plan as described in Exhibit A for the construction of eight affordable houses by Marcer Construction Company, L.L.C. (Developer); **(2)** the sale of eight vacant lots as described in Exhibit A from the Dallas Housing Acquisition and Development Corporation (DHADC), to Developer subject to restrictive covenants and a right of reverter and execution of all necessary documents; and **(3)** execution of a release of lien for any non-tax City liens that were filed on the eight vacant lots prior to the Sherriff's deeds transferring the lots to DHADC - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

On June 18, 2003, Governor Rick Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing development. On January 28, 2004, City Council designated the DHADC as its land bank for the purpose of acquiring, holding, and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C by Resolution No. 04-0458.

In June 2019, Developer submitted a proposal to purchase eight vacant lots from the DHADC. City staff evaluated the proposal pursuant to the standards set forth in the land bank application, which included determining whether Developer met the eligibility standards to be deemed a "Qualified Participating Developer" under Chapter 379C and underwriting the proposal. City staff scored the proposal and compared it with the scores assigned to all other proposals submitted for the same lots and determined that Developer's proposal received the highest score. City staff has negotiated with Developer regarding the terms of sale of the vacant lots as well as the terms related to the construction and subsequent sale of single-family housing on the vacant lots.

Developer is a domestic limited liability corporation formed in Texas in 2003. The managing member is Raul Estrada. Developer has previously participated in the City's Land Bank Program and successfully completed the lot acquisition, development, and sale of 12 homes to income-qualified homebuyers on land bank lots. Past performance strongly suggests that the Developer will continue to construct quality affordable housing units on the lots while meeting the requirements of the Land Bank Program.

On June 20, 2019, the DHADC Board of Directors approved the terms of sale and development, subject to City Council approval, for the eight vacant lots proposed to be sold to Developer. This item will authorize the DHADC to enter into a development agreement with Developer with the following terms:

- **Vacant Lot Sales Price:** Listed per lot in Exhibit A.
- **Targeted Income of Homebuyer:** Listed per lot in Exhibit A.
- **Construction Timeframe:** Developer must apply for a construction permit and close on any construction financing within three years of purchase from the Land Bank.
- **Affordability Period:** Once the property is sold to a low-income household, it must be occupied as the household's principal place of residence for five years. If the original purchaser re-sells the property during the affordability period, the property must be sold to another qualified low-income household. Developer or subsequent owners must inform prospective purchaser of the five-year affordability period.
- **Right of Reverter:** Title to the property may revert to the DHADC if Developer does not: (1) apply for a construction permit within eighteen months from the date the Deed without Warranty is filed; (2) close on any construction financing within three years from the date the Deed without Warranty is filed; and (3) complete construction within four years from the date the Deed without Warranty is filed.
- **Single-Family Home Sales Price:** The sales price of the home cannot exceed the 2018 U.S. Department of Housing and Urban Development (HUD) HOME homeownership sales price for the Dallas, Texas HUD Metro Fair Market Rent Area and must be affordable based on the income of the targeted homebuyer.

Developer shall also place restrictive covenants on the eight vacant lots stating Developer must (1) sell each lot to a low-income household as specified in Exhibit A; (2) prior to the sale, Developer must provide to DHADC written documentation of the income of the proposed purchaser and the sales price; and (3) after sale of the home, the property must be occupied as a low-income household's principal residence during the entire term of the five-year affordability period.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council designated the DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code by Resolution No. 04-0458.

On January 9, 2019, City Council approved the FY 2018-19 Urban Land Bank Demonstration Program Plan by Resolution No. 19-0117.

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On June 20, 2019, the DHADC Board of Directors approved the terms of sale and development for the eight vacant lots proposed to be sold to Developer, subject to City Council approval.

FISCAL INFORMATION

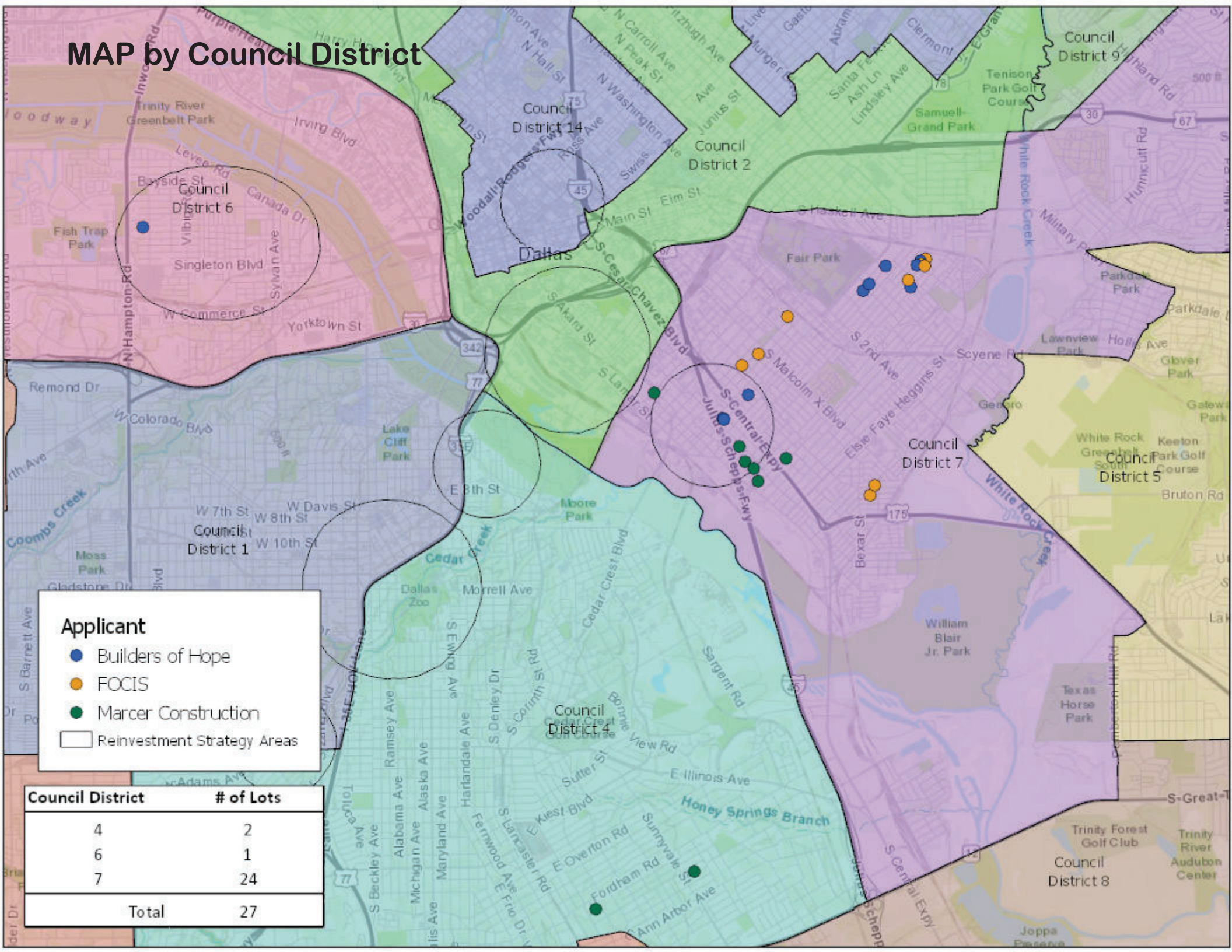
No cost consideration to the City. See attached Exhibit A for estimated foregone revenues from the release of non-tax City liens.

MAPS

Attached

powered by Legistar™

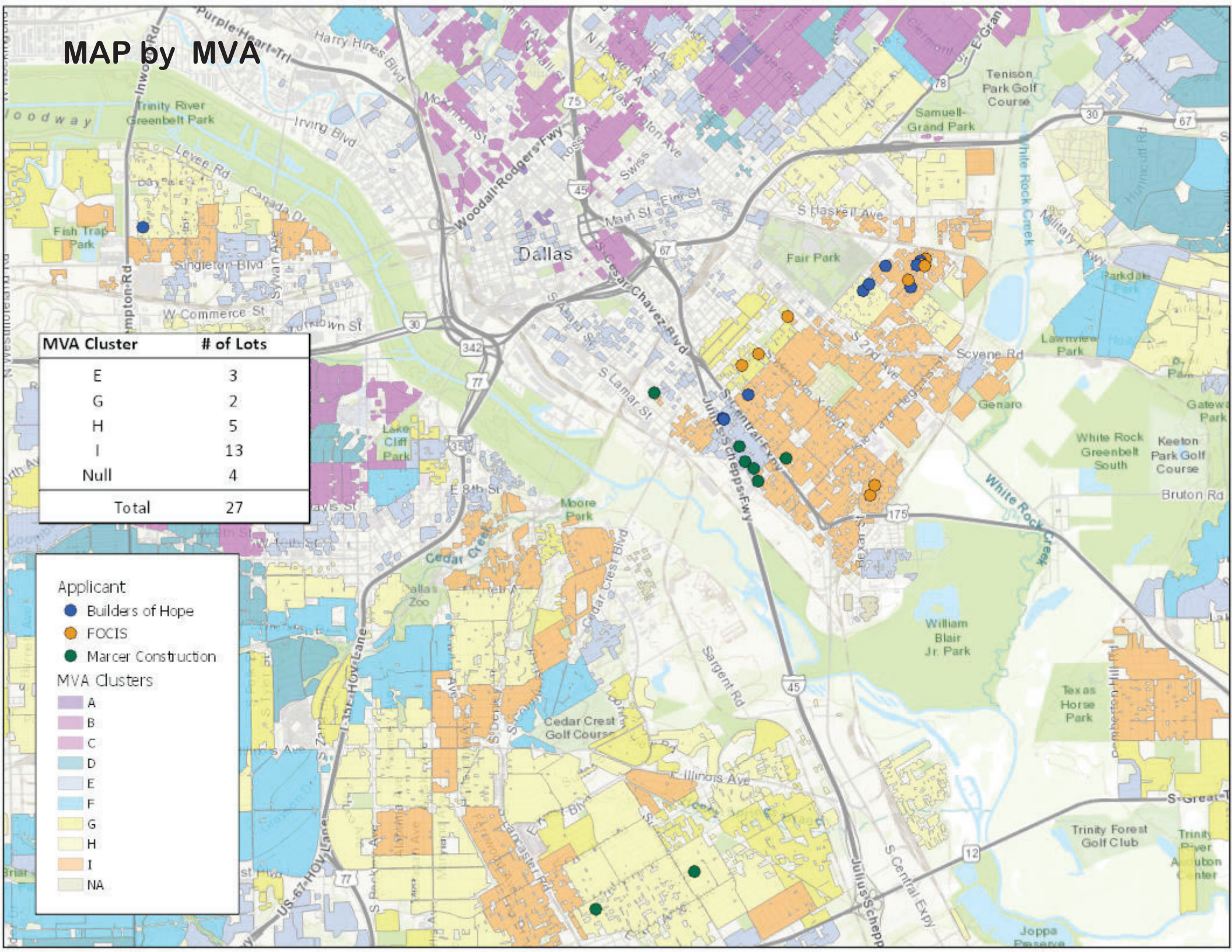
MAP by Council District

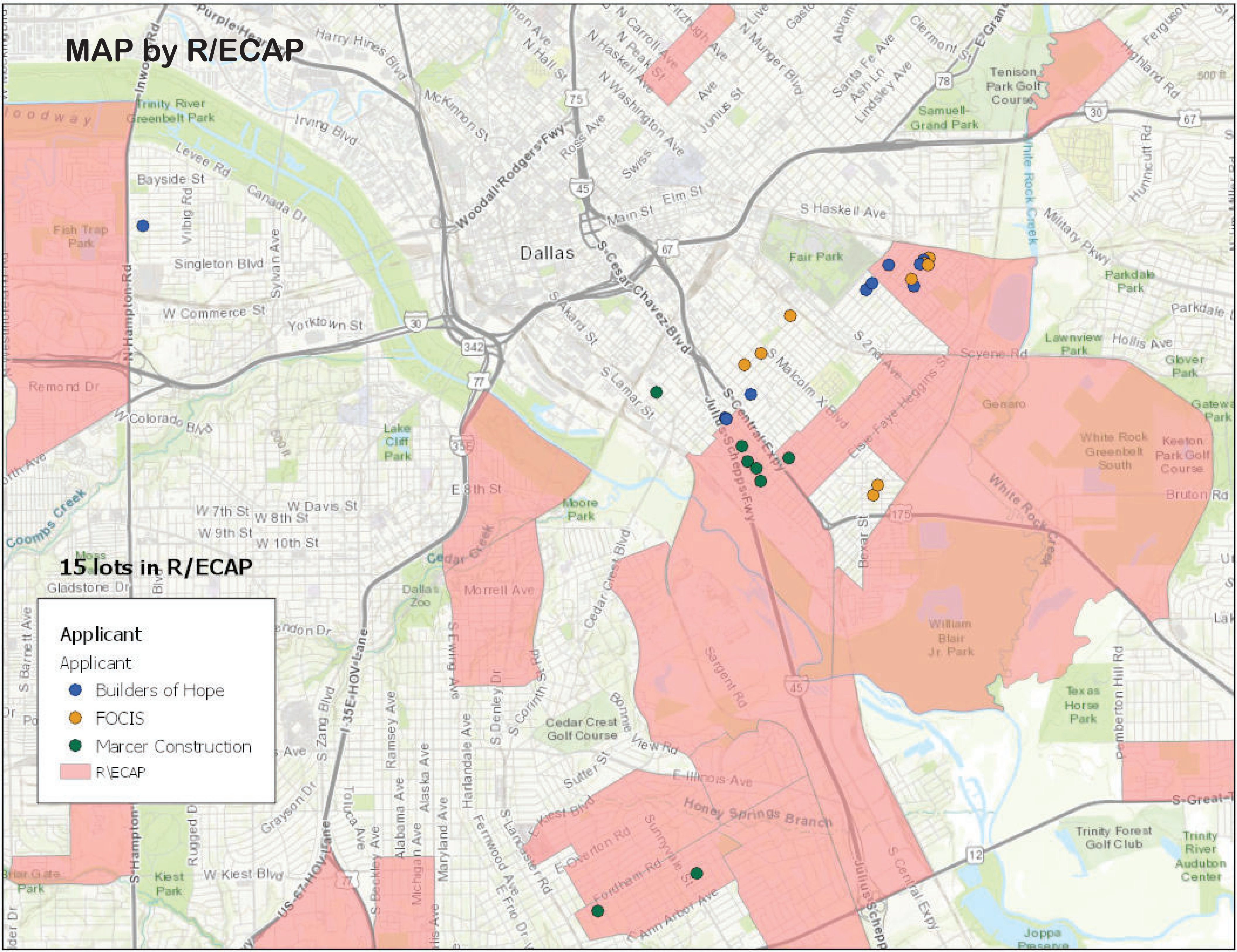


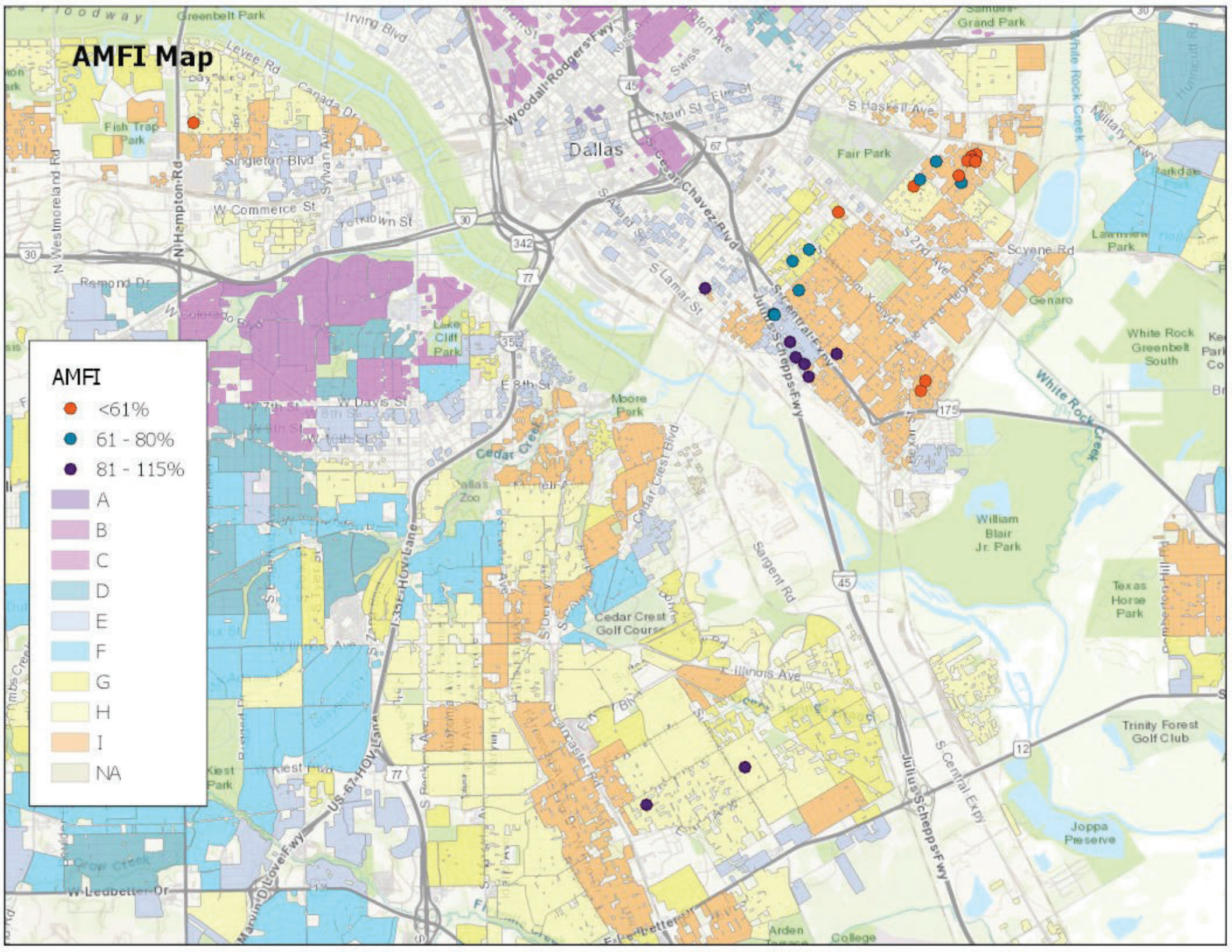
Council District	# of Lots
4	2
6	1
7	24
Total	27

MAP by MVA

MVA Cluster	# of Lots
E	3
G	2
H	5
I	13
Null	4
Total	27




MAP by R/ECAP
Dallas
15 lots in R/ECAP
Applicant
Applicant
Builders of Hope
FOCIS
Marcer Construction
R\ECAP


AMFI Map
AMFI
<61%
61 - 80%
81 - 115%
A
B
C
D
E
F
G
H
I
NA
Dallas
Greenbelt Park
Fish Trap Park
Singleton Blvd
W Commerce St
N Hampton Rd
N Westmoreland Rd
Woodall Rodgers Fwy
Cesar Chavez Blvd
S Lamar St
S Central Expy
Julius Schepps Fwy
Fair Park
S Haskell Ave
Scyene Rd
Genaro
Lake Cliff Park
Moore Park
Cedar Creek
Dallas Zoo
Cedar Crest Blvd
Sargent Rd
William Blair Jr. Park
White Rock Greenbelt South
White Rock Creek
Texas Horse Park
Trinity Forest Golf Club
Joppa Preserve
Cedar Crest Golf Course
Illinois Ave
I-35E HOV Lane
US-67 HOV Lane
Marvin D Love Fwy
W Ledbetter Dr
Kiest Park
Crow Creek
Arden Terrace
College

WHEREAS, the City has an interest in preserving and increasing the tax base and creating affordable housing for low-income households to provide necessary decent, safe, and sanitary housing for such households; and

WHEREAS, on January 28, 2004, City Council designated the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C by Resolution No. 04-0458; and

WHEREAS, on January 9, 2019, City Council approved the FY 2018-19 Urban Land Bank Demonstration Program Plan by Resolution No. 19-0117; and

WHEREAS, Marcer Construction Company, L.L.C. (Developer) submitted a proposal to purchase from DHADC eight vacant lots and develop single-family homes; and

WHEREAS, on June 20, 2019, the DHADC Board of Directors authorized the terms of sale and development for the eight vacant lots proposed to be sold to Developer as further described on **Exhibit A**; and

WHEREAS, the City Council desires to approve the sale of eight vacant lots owned by DHADC to Developer along with the terms of development as further described in **Exhibit A**.

Now, Therefore,

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

SECTION 1. That the development plan and the sale of eight vacant lots shown on **Exhibit A** from DHADC to Developer is approved.

SECTION 2. That the DHADC is hereby authorized to execute all documents, including, but not limited to sales contract, deed of trust, and deed restrictions necessary to effectuate the sale of eight vacant lots owned by DHADC to Developer pursuant to the terms of development as described in Exhibit A, approved as to form by the City Attorney.

SECTION 3. That the City Manager is hereby authorized to release any non-tax City liens that were filed on the eight vacant lots shown in **Exhibit A** prior to the Sherriff's deeds transferring the lots to the DHADC, approved as to form by the City Attorney.

SECTION 4. That this resolution does not constitute a binding agreement upon the City or DHADC or subject the City or DHADC to any liability or obligation with respect to this transaction, until such time as the documents are duly approved by all parties and executed.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	COUNCIL DISTRICT	QUALIFIED PURCHASER	SALE AMOUNT	AMI Target	BED/BATH	AMOUNT OF NON-TAX LIENS
1	**3717 Colonial** Lot 16, Ervay Street Heights Addition Blk 6/1209	7	Marcer Constrcution Company, LLC	$11,000.00	81-115%	4/2	$7,792.13
2	**3827 Spence** Lot 17, Reaves Place Addition Blk F/1609	7	Marcer Constrcution Company, LLC	$9,000.00	61-80%	4/2	$8,206.36
3	**4006 Spence** Lot 6, Featherstone's Subdivision Blk 1278	7	Marcer Constrcution Company, LLC	$9,000.00	≤ 60%	4/2	$27,156.95
4	**2739 Locust** Lot 2, Southgate Manor No.2 Addition Blk 4/6082	4	Marcer Constrcution Company, LLC	$15,000.00	61-80%	5/3	$37,882.27
5	**4134 Ball** Lot 11, Ball's Oak Cliff Gardens Addition Blk B/1603	4	Marcer Constrcution Company, LLC	$10,000.00	81-115%	5/3	$17,592.83
6	**1617 Pine** Lot 10 & 5 feet of Lot 11, Colonial Addition Blk B/1603	7	Marcer Constrcution Company, LLC	$11,000.00	81-115%	4/2	$16,079.16
7	**2233 Pine** Lot 17, Reaves Place Addition Block F/1609	7	Marcer Constrcution Company, LLC	$11,000.00	81-115%	4/2	$22,499.16
8	**2705 Cleveland** SE 10 ft of Lot 1 and NW 40 ft of Lot 2, Richardsons Addition Blk 1/1117	7	Marcer Constrcution Company, LLC	$9,000.00	≤ 60%	4/2	$7,807.40
TOTAL				**$85,000.00**			**$ 145,016.26**

Agenda Information Sheet

File #: 19-1151 **Item #:** 22.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Dallas Downtown Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; authorizing payment of City's 2019 assessment and all future City assessments directly to the District; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 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.

(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 $8,687,700.00 in 2020 and reach $10,137,678.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $46,980,311.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $8,601,197.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.129 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. For FY 2019-2020, the estimated City participation is approximately $780,602.03 (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 discontinued collecting the City's assessment for City property within the District. The City's 2019 assessment 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 $10.00 of assessments paid by private property owners. As a contributor, the City of Dallas is represented on the governing Boards of Directors.

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

On August 9, 2006, City Council authorized the renewal of the Dallas Downtown District for a seven-year period by Resolution No. 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 12, 2018, City Council authorized an amended and restated management contract with the Downtown Dallas, Inc., pursuant to Resolution No. 18-1305.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1304; Ordinance No. 30978.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

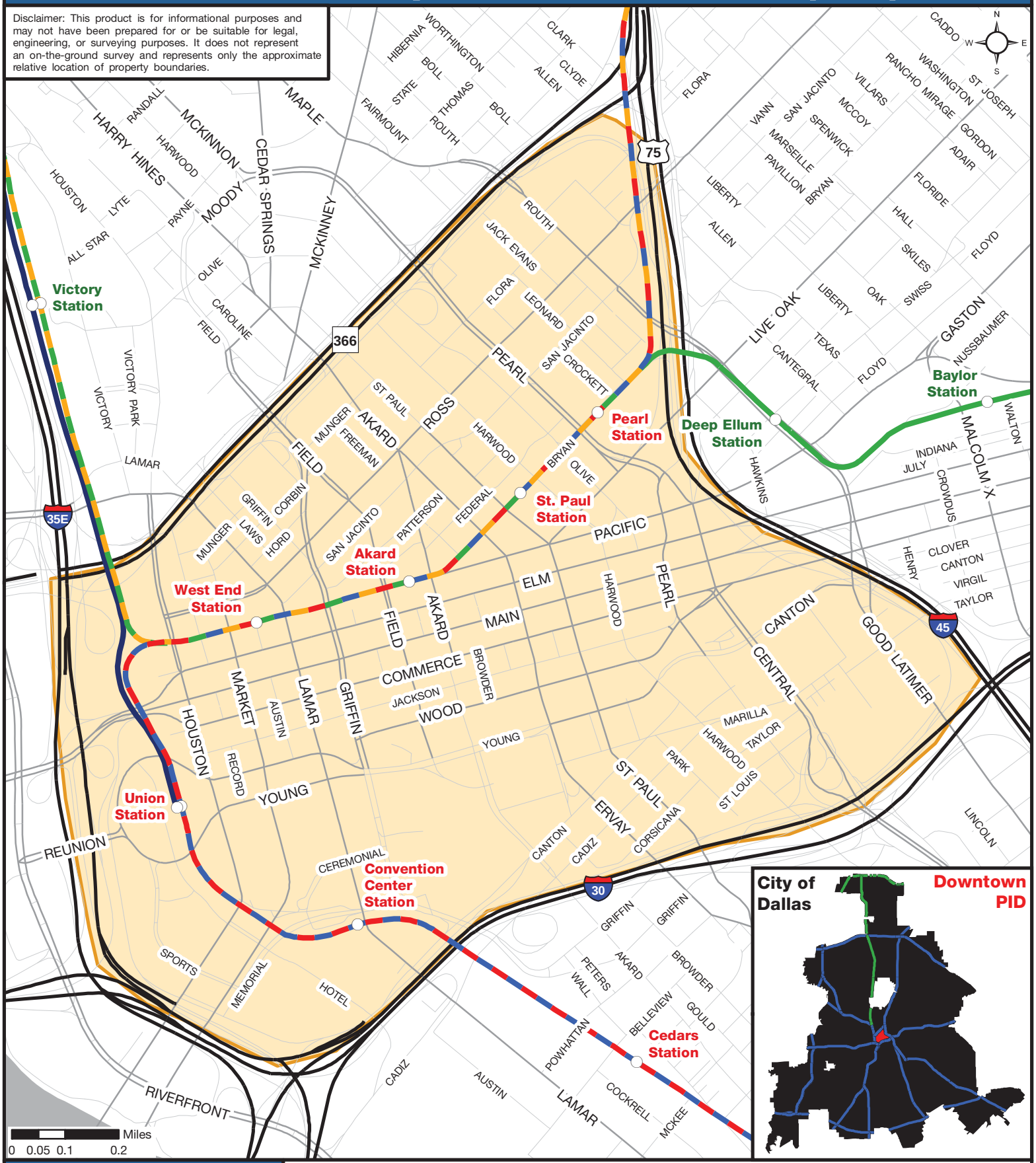
This item has no cost consideration. In the event that City Council approves the Downtown Improvement District's 2020 Service Plan, 2019 Assessment Plan and the 2019 Assessment Roll at the conclusion of the public hearing to be held on September 11, 2019, the anticipated cost consideration to the City is $780,602.03. This amount excludes an estimated $380,721.30 assessment for the Convention Center Hotel property and an assessment equal to $0.129 per $100.00 of appraised value as determined by the DCAD to be paid by property owners within the boundaries of the District.

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 authorized the renewal of the Dallas Downtown Improvement 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 12, 2018, City Council authorized an amended and restated management contract with Downtown Dallas, Inc. pursuant to Resolution No. 18-1305; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1304; Ordinance No. 30978; and

WHEREAS, the Downtown Dallas, Inc. provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Dallas Downtown Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 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.

(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 $8,687,700.00 in 2020 and reach $10,137,678.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $46,980,311.00. 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 2019 is proposed to be $8,601,197.00. This amount is approximately equal to $0.129 per $100.00 of appraised value as determined by DCAD.

SECTION 1. (continued)

Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed $0.129 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. The City of Dallas has contractually agreed to pay assessments 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 no earlier than 6:00 p.m. on September 11, 2019, 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.

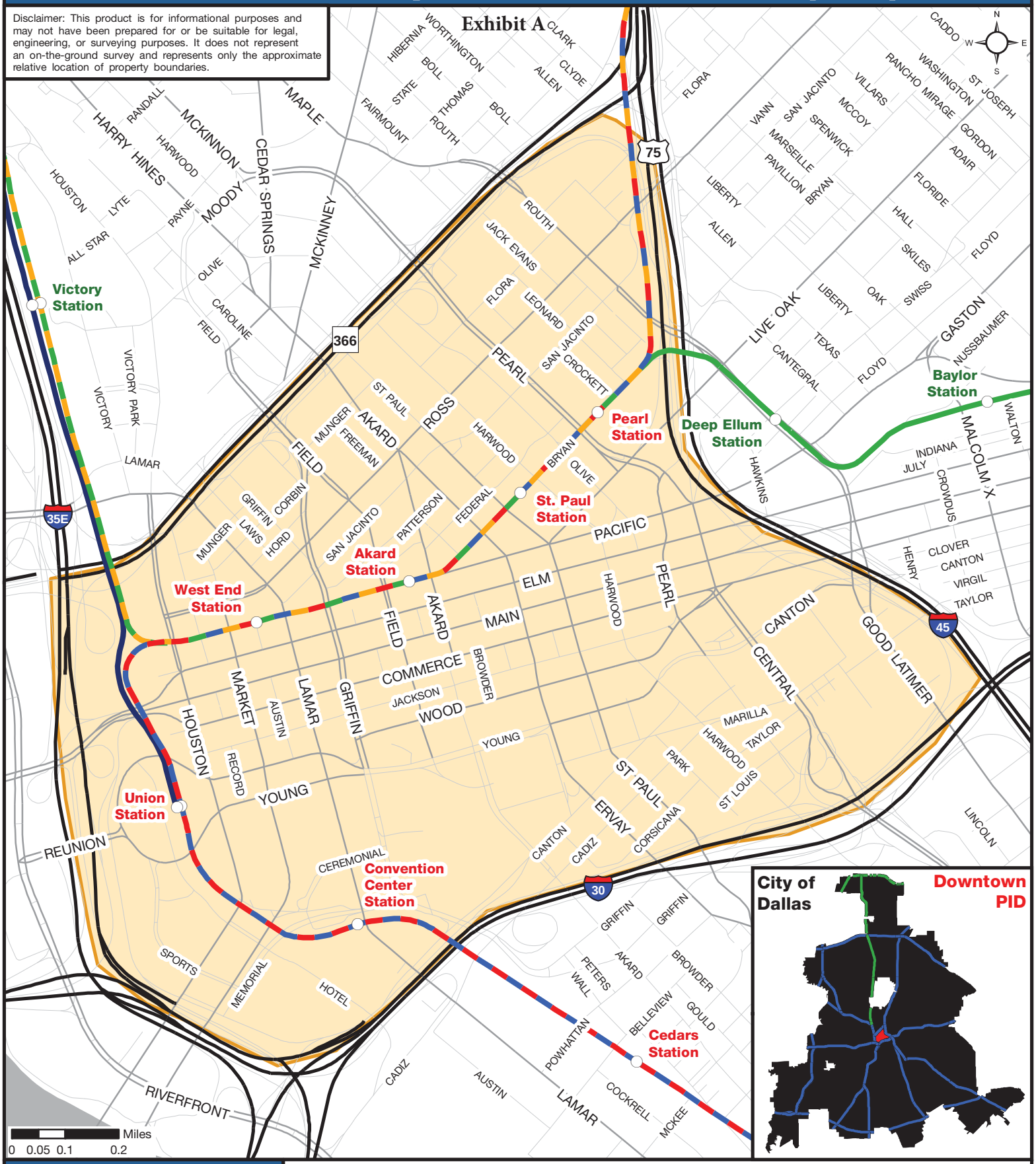
SECTION 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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



Miles
0 0.05 0.1 0.2

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

Exhibit B

Dallas Downtown Improvement District (DID)

Service Plan 2020

	2020 Budget	*2021 Budget*	*2022 Budget*	*2023 Budget*	*2024 Budget*
REVENUES & RESERVES					
Fund balance from previous year	$11,387	$6,883	$11,681	$13,569	$21,426
Net assessment revenue*	$8,601,197	$8,945,244	$9,303,054	$9,675,176	$10,062,183
Exempt jurisdictions	$81,500	$81,500	$81,500	$81,500	$81,500
Interest on cash balances	$500	$500	$500	$500	$500
Other income & contributions	$0	$0	$0	$0	$0
TOTAL INCOME & RESERVES	**$8,694,584**	**$9,034,128**	**$9,396,735**	**$9,770,746**	**$10,165,609**
EXPENDITURES					
Organization & Administration	$936,938	$974,416	$1,003,648	$1,033,758	$1,064,771
Capital Improvements [1]	$352,940	$363,528	$374,434	$385,667	$397,237
Transportation and Improvements [2]	$481,965	$520,522	$562,164	$607,137	$649,636
Communications & Events [3]	$1,261,639	$1,299,488	$1,338,472	$1,378,626	$1,419,985
Services and Improvements [4]	$2,032,376	$2,133,995	$2,262,035	$2,386,447	$2,529,634
Safety [5]	$3,621,842	$3,730,497	$3,842,412	$3,957,685	$4,076,415
TOTAL EXPENDITURES	**$8,687,700**	**$9,022,447**	**$9,383,166**	**$9,749,320**	**$10,137,678**
FUND BALANCE/RESERVES	$6,883	$11,681	$13,569	$21,426	$27,931

* 2019 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
2019 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 Information Sheet

File #: 19-1152 **Item #:** 23.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Deep Ellum Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $765,437.00 in 2020 and reach $1,344,271.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $5,275,902.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $780,443.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.12 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. 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 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 the renewal of the Deep Ellum Public Improvement District and approval of the Service Plan and management contract by Resolution No. 06-2051.

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

On May 23, 2018, City Council authorized renewal of the Deep Ellum Public Improvement District Service Plan and contract by Resolution No. 18-0784.

On September 12, 2018, City Council authorized an amended and restated management contract with the Deep Ellum Foundation, pursuant to Resolution No. 18-1307.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1306; Ordinance No. 30979.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

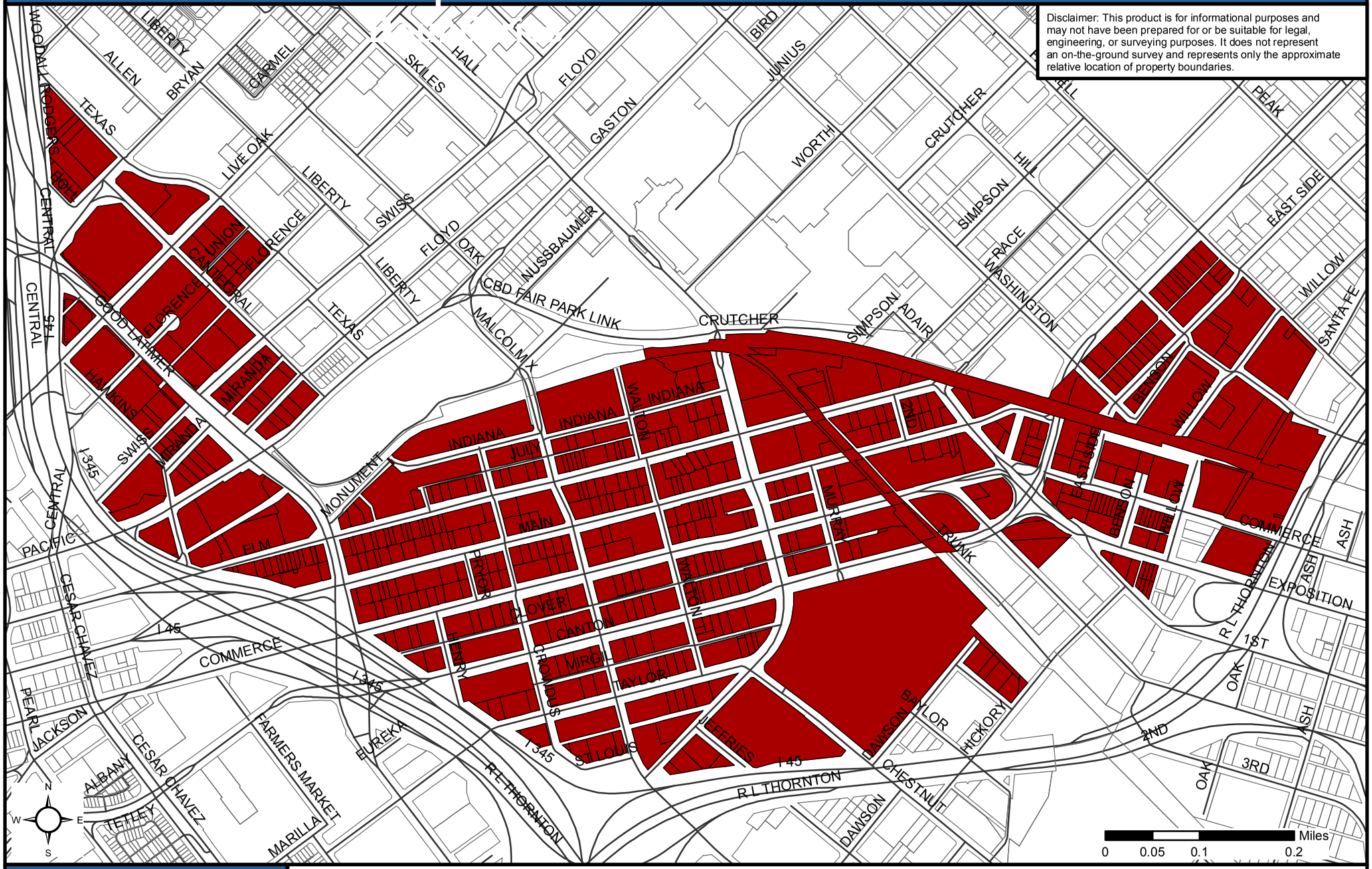
Cost consideration to others - the proposed assessment amount is approximately equal to $0.12 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

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Deep Ellum PID 2018 Renewal



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 4.22.2018 - Deep EllumPID

Legend

- DEPID 2018 Renewal Parcels
- Parcel 2017
- STREETS

Data Source: City of Dallas

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 authorized the renewal of the Deep Ellum Public Improvement District and approval of the Service Plan and management contract by Resolution No. 06-2051; and

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

WHEREAS, on May 23, 2018, City Council authorized the renewal of the Deep Ellum Public Improvement District and approval of the Service Plan and management contract by Resolution No. 18-0784; and

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with Deep Ellum Foundation pursuant to Resolution No. 18-1307; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1306; Ordinance No. 30979; and

WHEREAS, the Deep Ellum Foundation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Deep Ellum Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $765,437.00 in 2020 and reach $1,344,271.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $5,275,902.00. 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 2019 is proposed to be $780,443.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.12 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.

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.

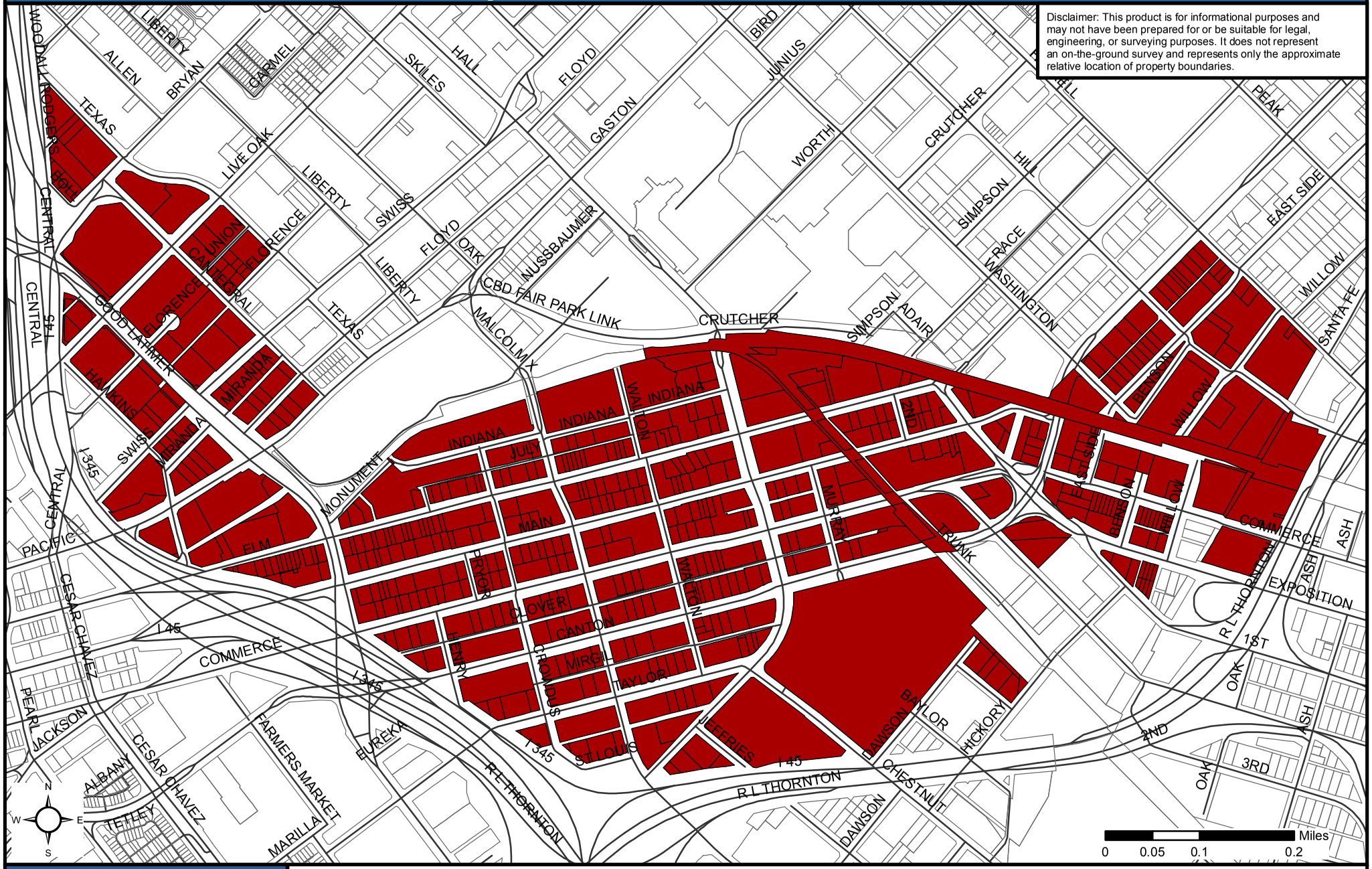
SECTION 3. That a public hearing shall be held no earlier than 6:00 p.m. on September 11, 2019, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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 - Deep Ellum PID 2018 Renewal Boundaries



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Created 4.22.2018 - Deep EllumPID

Legend

- DEPID 2018 Renewal Parcels
- Parcel 2017
- STREETS

Data Source: City of Dallas

EXHIBIT B
DEEP ELLUM PID
Service Plan 2020-2024

	2020	2021	2022	2023	2024
Revenues and Reserves	**BUDGET**	**BUDGET**	**BUDGET**	**BUDGET**	**BUDGET**
Gross assessments revenue	$788,397	$906,657	$1,042,655	$1,199,053	$1,378,911
PID Oversight Charge from City + County Fees	-$7,954	-$7,954	-$7,954	-$7,954	-$7,954
Net Assessment Revenue	**$780,443**	**$898,702**	**$1,034,701**	**$1,191,099**	**$1,370,957**
Fund balance from previous year	$30,000	$30,000	$30,000	$30,000	$30,000
Interest on cash balances & other income	$603	$633	$665	$698	$733
Projected Adjustment for Property Tax Protest	-$15,609	-$17,974	-$20,694	-$23,822	-$27,419
Total Income and Reserves	**$795,437**	**$911,361**	**$1,044,672**	**$1,197,975**	**$1,374,271**
Capital Improvements & Maintenance[1]	$153,087	$176,272	$202,934	$233,595	$268,854
Business Development and Recruitment[2]	$76,544	$88,136	$101,467	$116,798	$134,427
Marketing and Promotion[3]	$114,816	$132,204	$152,201	$175,196	$201,641
Public Safety[4]	$252,594	$290,849	$334,842	$385,432	$443,609
Administration	$114,816	$132,204	$152,201	$175,196	$201,641
Financial Audit and Insurance	$53,581	$61,695	$71,027	$81,758	$94,099
Total Expenditures	**$765,437**	**$881,361**	**$1,014,672**	**$1,167,975**	**$1,344,271**
Fund Balance/Reserves	$30,000	$30,000	$30,000	$30,000	$30,000

1. The Deep Ellum PID was renewed in 2018 with an adjusted service plan for 2019-2025. With the renewed service plan, the two Categories of Improvements (graffiti mitigation and prevention, landscaping, lighting enhancements, irrigation, park improvements,
2. Business development and recruitment to promote the District as well as efforts to ease the burden of opening and operating a
3. Marketing and other promotional activities including but not limited to website, WIFI and web services, streetlight pole banners, branded materials, brochures and flyers, videography and photography, district events, and newsletter.
4. Safety and security related initiatives including but not limited to security patrol, lighting, cameras and signage.

EXHIBIT C

2019 ASSESSMENT PLAN
Deep Ellum Public Improvement District

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 2019, 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.

Agenda Information Sheet

File #: 19-1153 **Item #:** 24.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Klyde Warren Park/Dallas Arts District Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $1,322,867.39 in 2020 and reach $1,936,810.14 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $8,076,237.68. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $1,322,867.39. This amount is approximately equal to $0.025 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed $0.025 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. 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 August 13, 2013, City Council authorized creation of the Klyde Warren Park Public Improvement District 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.

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On June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District 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.

On September 14, 2016, City Council authorized the 2016 assessment rate for the Klyde Warren Park/Dallas Arts District Public Improvement District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Ordinance No. 30203.

On September 13, 2017, City Council authorized the 2018 Service Plan and 2017 Assessment Plan for the Klyde Warren Park/Dallas Arts District Public Improvement District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Resolution No. 17-1484; Ordinance No. 30638.

On September 12, 2018, City Council authorized an amended and restated management contract with the Woodall Rodgers Park Foundation, pursuant to Resolution No. 18-1309.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1308; Ordinance No. 30980.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

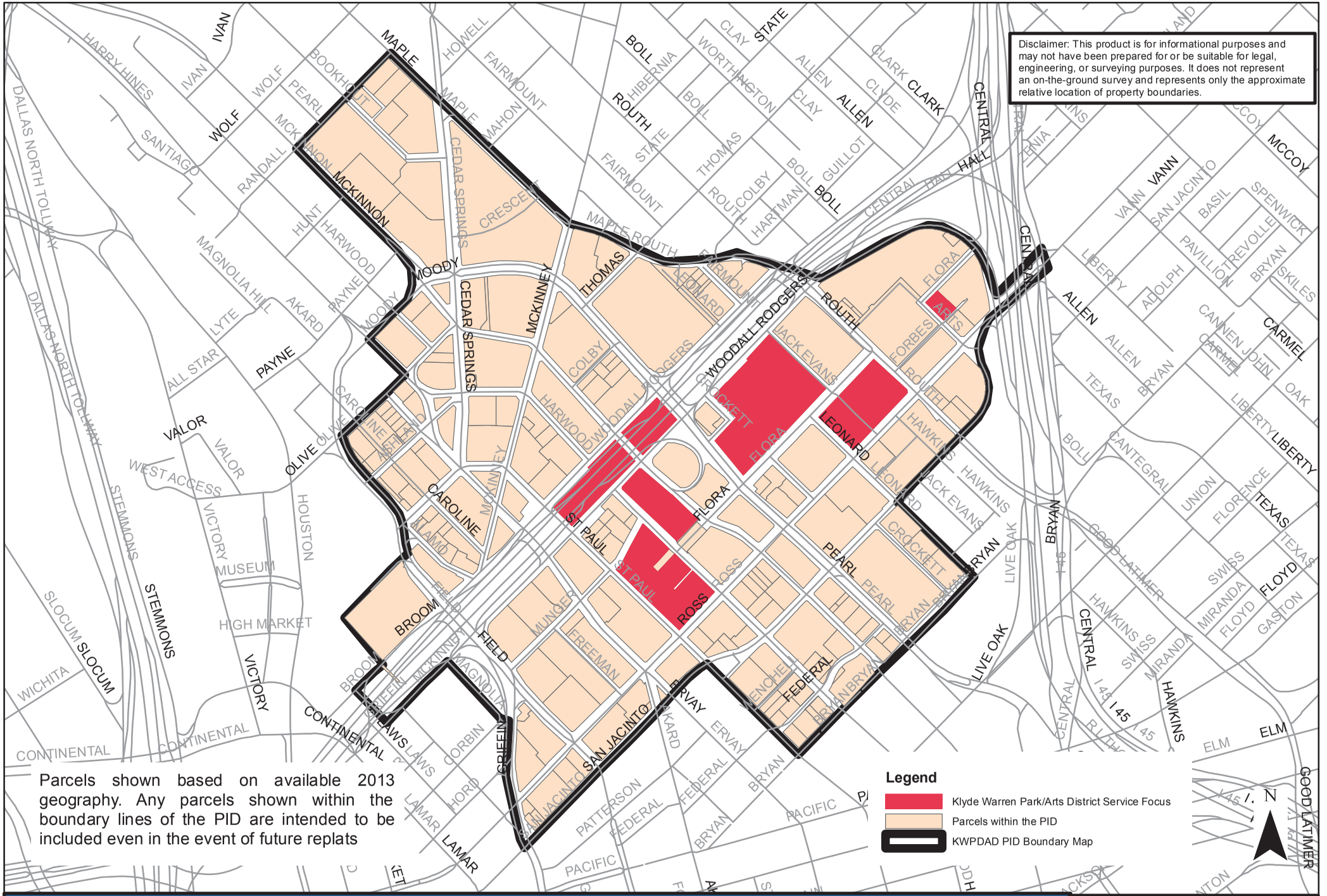
FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.025 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

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

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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 13, 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 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 the 2016 assessment rate for the Klyde Warren Park/Dallas Arts District Public Improvement District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Ordinance No. 30203; and

WHEREAS, on September 13, 2017, City Council authorized the 2018 Service Plan and 2017 Assessment Plan for the Klyde Warren Park/Dallas Arts District Public Improvement District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Resolution No. 17-1484; Ordinance No. 30638; and

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with Woodall Rodgers Park Foundation pursuant to Resolution No. 18-1309; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1308; Ordinance No. 30980; and

WHEREAS, the Woodall Rodgers Park Foundation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Klyde Warren Park/Dallas Arts District Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $1,322,867.39 in 2020 and reach $1,936,810.14 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $8,076,237.68. 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 2019 is proposed to be $1,322,867.39. This amount is approximately equal to $0.025 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed $0.025 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 no earlier than 6:00 p.m. on September 11, 2019, 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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.

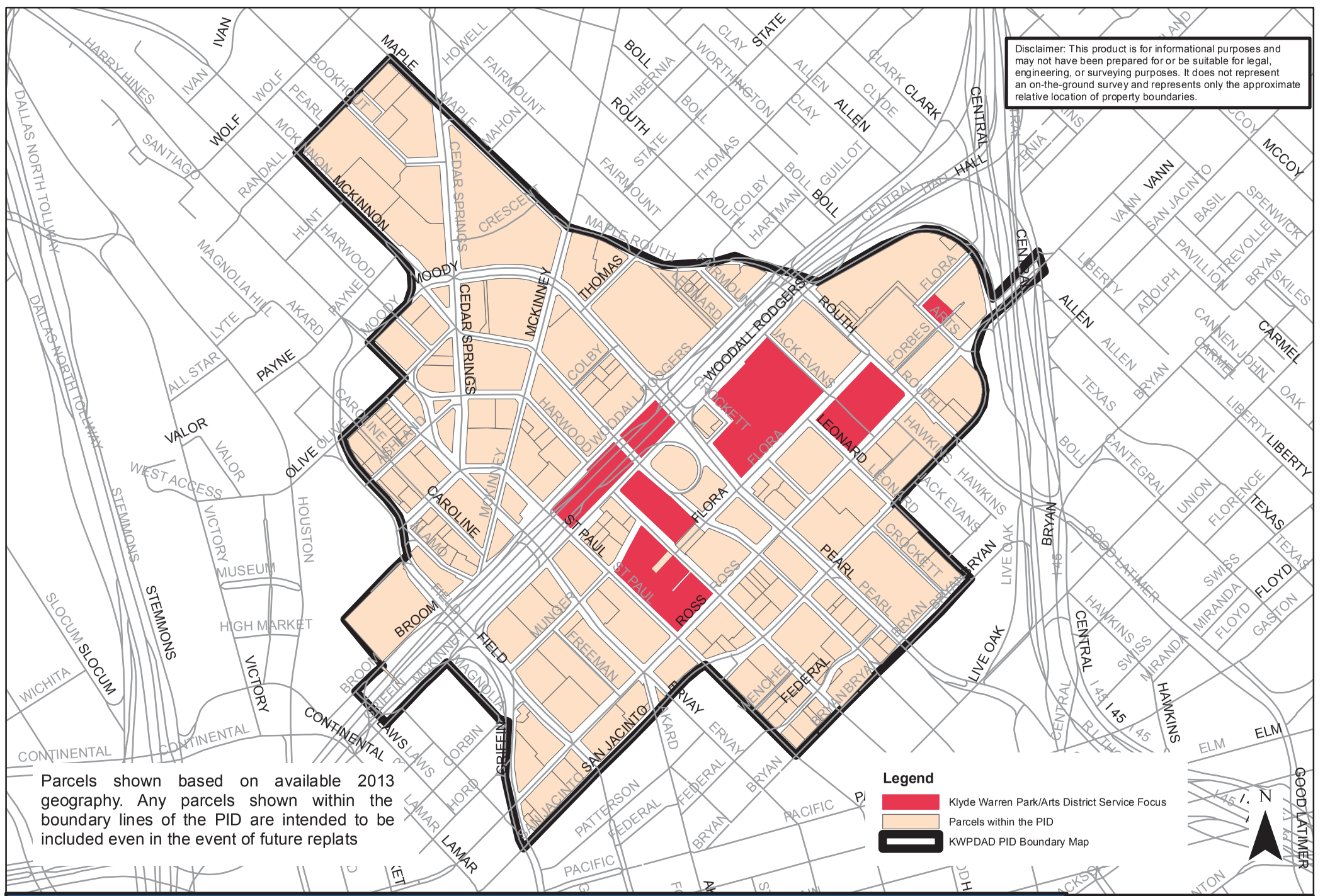


Exhibit A
Klyde Warren Park/Arts District PID (KWP/DADPID) Boundary Map

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EXHIBIT B

KLYDE WARREN PARK/DALLAS ARTS DISTRICT PID BUDGET
PROPOSED SERVICE PLAN 2020

	REVENUE	2020 Proposed Plan	2021 Revised Plan	2022 Plan *	2023 Plan *	2024 Plan *
	Fund Balance from previous year	-	-	-	-	-
1, 2	Net assessment revenue	$1,322,867.39	$1,455,154.12	$1,600,669.54	$1,760,736.49	$1,936,810.14
	TOTAL REVENUE	$1,322,867.39	$1,455,154.12	$1,600,669.54	$1,760,736.49	$1,936,810.14
	EXPENDITURES					
	Security	$246,555.93	$271,211.52	$298,332.67	$328,165.94	$360,982.53
	Sanitation	$265,521.77	$292,073.95	$321,281.34	$353,409.47	$388,750.42
	Scrubbing and power washing pavers	$21,810.72	$23,991.79	$26,390.97	$29,030.06	$31,933.07
	Waste disposal	$17,543.40	$19,297.74	$21,227.52	$23,350.27	$25,685.30
	Landscape improvements	$251,297.39	$276,427.13	$304,069.84	$334,476.82	$367,924.51
	Water features and general maintenance	$149,830.14	$164,813.16	$181,294.47	$199,423.92	$219,366.31
	Cultural enhancement (programs)	$104,312.12	$114,743.34	$126,217.67	$138,839.44	$152,723.38
	Marketing and promotion	$94,829.20	$104,312.12	$114,743.34	$126,217.67	$138,839.44
	Administration	$47,414.60	$52,156.06	$57,371.67	$63,108.83	$69,419.72
	Liability insurance and financial audit	$78,234.09	$86,057.50	$94,663.25	$104,129.58	$114,542.54
	Holiday lighting and Decorations	$31,293.64	$34,423.00	$37,865.30	$41,651.83	$45,817.01
	Signage	$14,224.38	$15,646.82	$17,211.50	$18,932.65	$20,825.92
3	Contingency	$0.00	$0.00	$0.00	$0.00	$0.00
	TOTAL OPERATING EXPENDITURES	$1,322,867.39	$1,455,154.12	$1,600,669.54	$1,760,736.49	$1,936,810.14
	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 Proposed plan assumes a 10% increase in property values each year based on future Uptown and Downtown development.

2 Net Assessment Revenue for the 2020 Proposed Plan year is net of the City's 5% Retainage to be used for repayments, if any, required by the County in settlement of tax protests. Should any retainage funds not be used to settle tax protests, such funds may be used within the existing Service Plan budget categories and in accordance with the Management Contract.

3 Contingency was previously for anticipated tax refunds due to protests by property owners. The City's 5% Retainage is now used for these repayments.

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 2019 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 Information Sheet

File #: 19-1154 **Item #:** 25.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Knox Street Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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. Capital improvements include traffic studies related to Knox Complete Streets and Cole-McKinney Two Way Conversion, gateway marker costs, streetscape improvements, and related feasibility studies.

(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 $1,362,172.00 in 2020 and reach $330,466.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,089,555.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $417,020.00. 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 2020 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. 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)

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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 June 28, 2017, City Council authorized the renewal of the Knox Street Public Improvement District and approval of the Service Plan and management contract by Resolution No. 17-1119.

On September 12, 2018, City Council authorized an amended and restated management contract with the Knox Street Improvement District Corporation, pursuant to Resolution No. 18-1311.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1310; Ordinance No. 30981.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

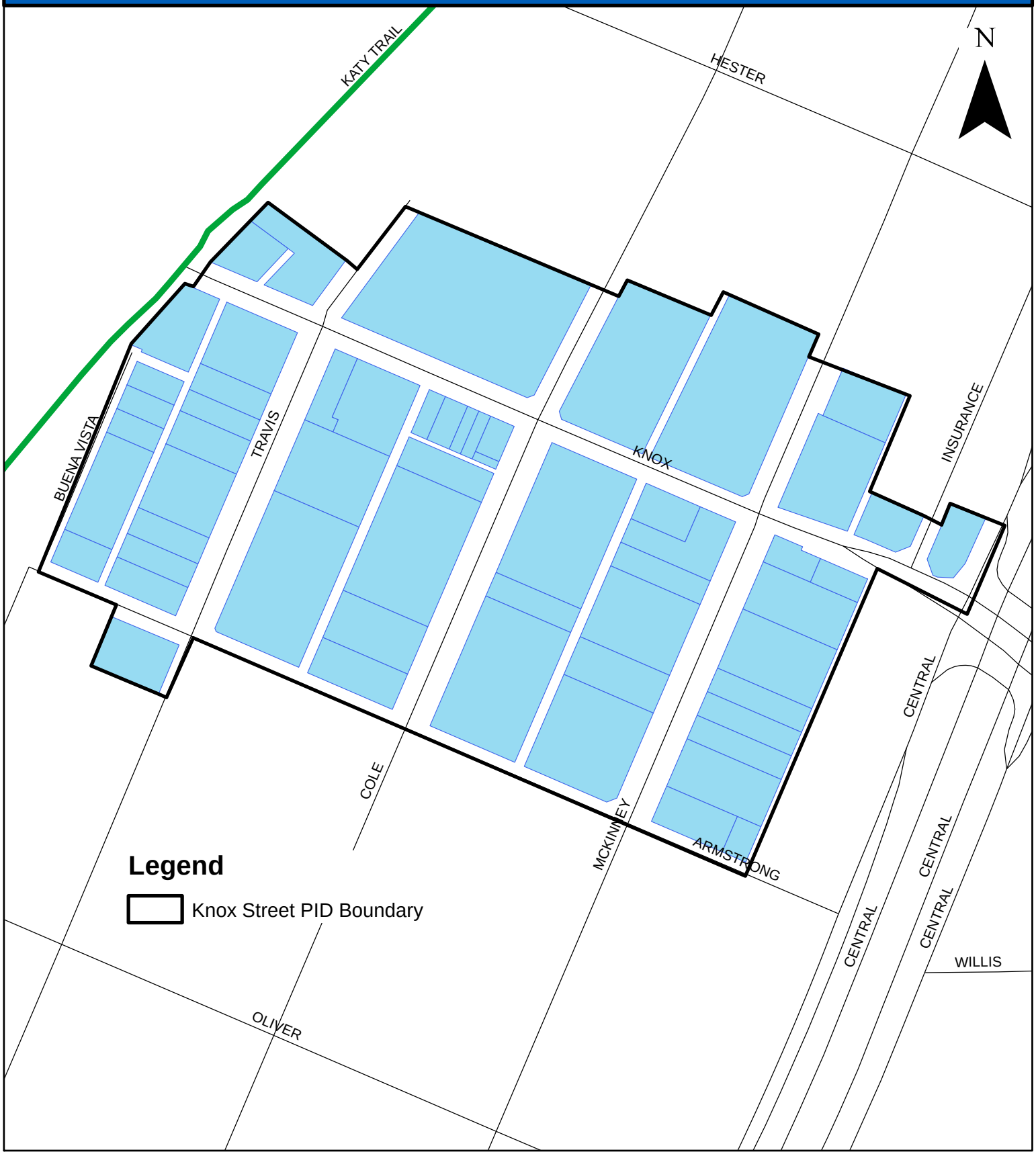
FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.15 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

Knox Street PID



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

Created 04/2010

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 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 June 28, 2017, City Council authorized the renewal of the Knox Street Public Improvement District and approval of the Service Plan and management contract by Resolution No. 17-1119; and

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with Knox Street Improvement District Corporation pursuant to Resolution No. 18-1311; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1310; Ordinance No. 30981; and

WHEREAS, the Knox Street Improvement District Corporation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Knox Street Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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. Capital improvements include traffic studies related to Knox Complete Streets and Cole-McKinney Two Way Conversion, gateway marker costs, streetscape improvements, and related feasibility studies.

(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 $1,362,172.00 in 2020 and reach $330,466.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,089,555.00. 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 2019 is proposed to be $417,020.00. 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 2020 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.

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 no earlier than 6:00 p.m. on September 11, 2019, 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.

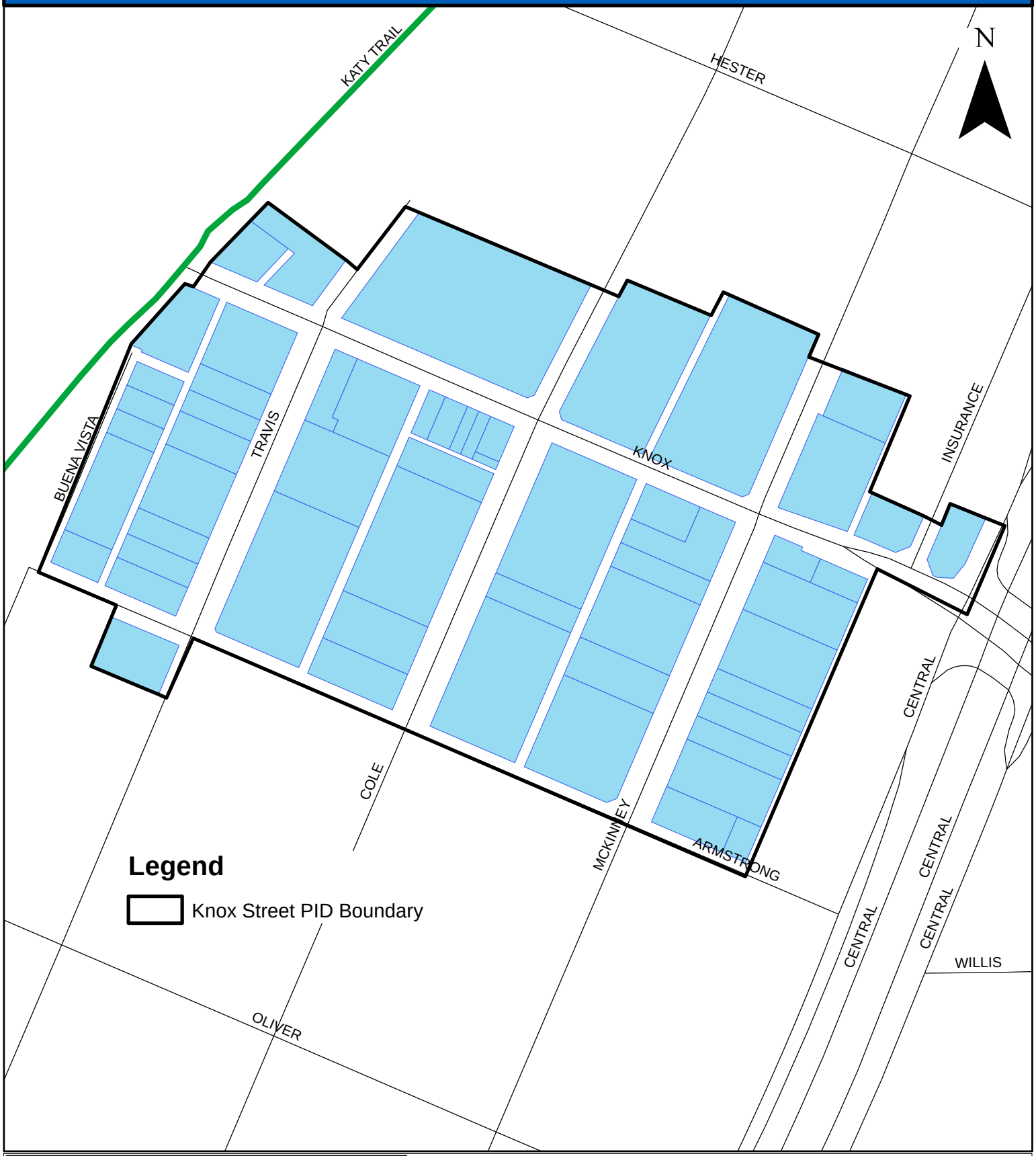
SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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

EXHIBIT B
Knox Street Public Improvement District
2020-2024 Service Plan

		2020	2021	2022	2023	2024
INCOME						
	Gross Assessment Revenue (1)	$ 417,020	$ 429,531	$ 442,417	$ 455,689	$ 344,899
	PID Oversight Charge for City (2)	$ (4,792)	$ (4,935)	$ (5,083)	$ (5,236)	$ (5,236)
	Retainage	$ (41,702)	$ (42,953)	$ (44,242)	$ (45,569)	$ (34,490)
	Retainage Returned	$ 13,851	$ 14,477	$ 15,121	$ 15,784	$ 10,245
	Interest	$ -	$ -	$ -	$ -	$ -
	Carryover Fund Balance From Previous Year	$ 1,212,461	$ 234,666	$ 66,272	$ 9,615	$ 15,048
	TOTAL INCOME & RESERVES	$ 1,596,838	$ 630,785	$ 474,485	$ 430,284	$ 330,466
EXPENSES						
	Capital Improvements [3]	$ 1,200,000	$ 400,000	$ 300,000	$ 250,000	$ 165,230
	Public Safety and Security [4]	$ 60,000	$ 60,000	$ 60,000	$ 60,000	$ 60,000
	Marketing & Promotions [5]	$ 90,647	$ 92,643	$ 92,643	$ 92,643	$ 92,643
	PID Renewal Fee	$ -	$ -	$ -	$ -	$ -
	Insurance & Audit	$ 11,364	$ 11,704	$ 12,056	$ 12,417	$ 12,417
	Administrative	$ 161	$ 166	$ 171	$ 176	$ 176
	TOTAL EXPENSES [6]	$ 1,362,172	$ 564,513	$ 464,870	$ 415,236	$ 330,466
	TOTAL CARRYOVER FUNDS AT YEAR END	$ 234,666	$ 66,272	$ 9,615	$ 15,048	$ (0)

[1] 2019 - 2024 Assessments are based on the maximum rate of $0.15 per $100 of taxable value. Additional funds re-distributed to capital enhancements, marketing and security

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

[2] 2017 Budget Revenues are based on 2018 certified tax roll with a 3% increase each year.

[3] 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 reasibility study costs). 2020 Capital Improvements reflects anticipated spend of majority of carryover from prior years to complement Knox Complete Streets (but may be separate projects from Complete Streets).

[4] Security includes private security patrol, off-duty police, and related security systems equipment and montoring.

[5] Website, marketing, social media, branding, banners, special events and Christmas lights.

[6] Knox PID management corportation plans to seek early renewal in order to maintain assessments and on-going expenditures as set forth above.

EXHIBIT C

2019 ASSESSMENT PLAN
Knox Street Public Improvement District

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 2019 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 Information Sheet

File #: 19-1155 **Item #:** 26.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 9, 10, 13

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Lake Highlands Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $750,094.46 in 2020 and reach $1,365,734.69 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $5,176,063.12. The District shall incur no bonded indebtedness.

(c) **Boundaries.** The boundaries of the District are 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 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 2019 is proposed to be $750,094.46. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.13 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.

(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 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.

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On August 12, 2015, City Council authorized the renewal and expansion of the Lake Highlands Public Improvement District and approval of the Service Plan and management contract by Resolution No. 15-1473.

On September 12, 2018, City Council authorized an amended and restated management contract with the Lake Highlands Improvement District Corporation, pursuant to Resolution No. 18-1313.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1312; Ordinance No. 30982.

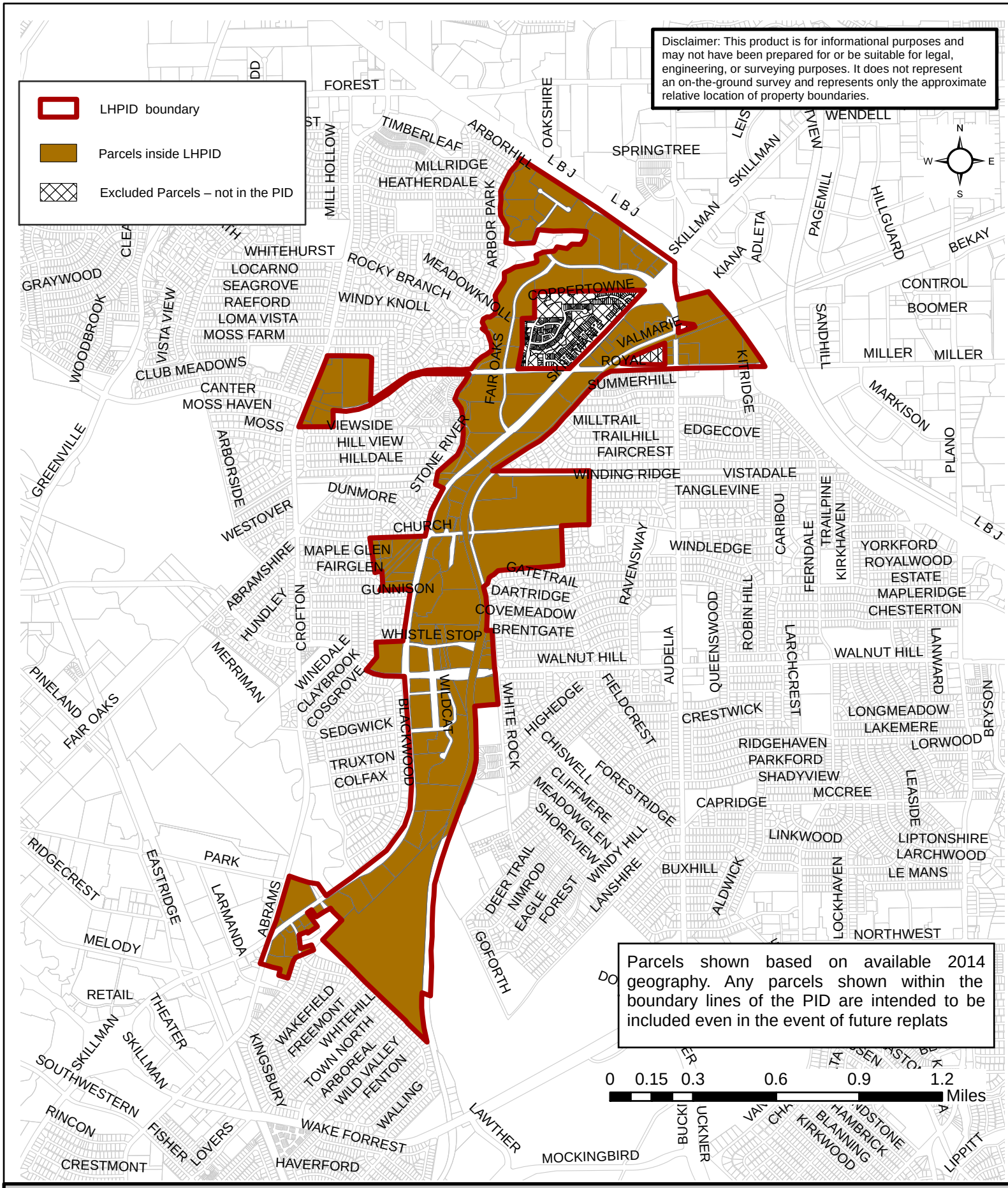
City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.13 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with 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 authorized the renewal and expansion of the Lake Highlands Public Improvement District and approval of the Service Plan and management contract by Resolution No. 15-1473; and

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WHEREAS, the Lake Highlands Improvement District Corporation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Lake Highlands Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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.

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(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**.

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SECTION 1. (continued)

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(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 no earlier than 6:00 p.m. on September 11, 2019, 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; fixing charges and liens against the property in the District and

SECTION 5. (continued)

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.

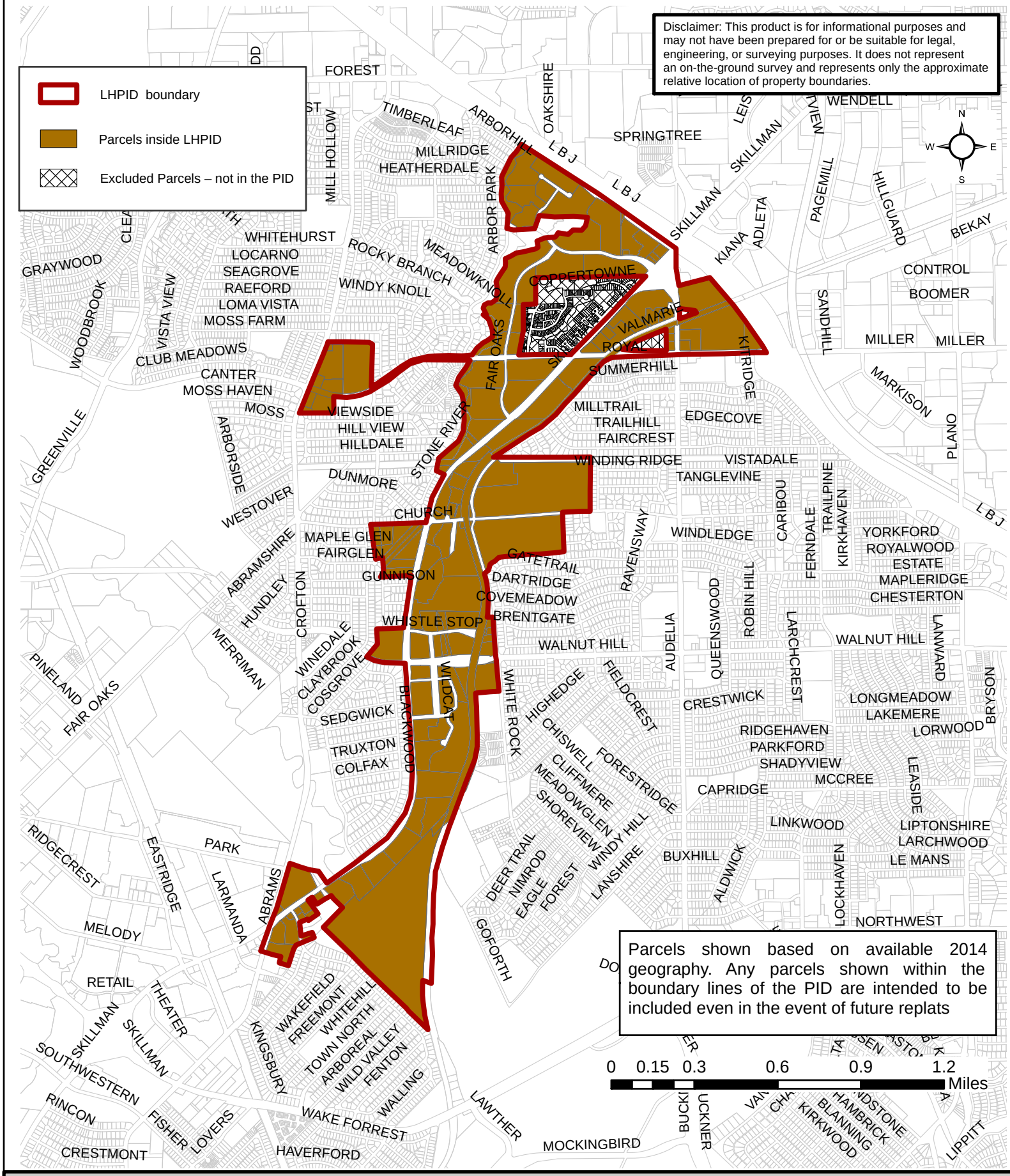


Exhibit A - Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 8/2015

Exhibit B

LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR SERVICE PLAN (2020-2024)

		2020		2021		2022		2023 [5]		2024 [5]
INCOME										
Net Assessment		$ 750,094.46		$ 871,606.49		$ 1,012,560.45		$ 1,176,067.04		$ 1,365,734.69
Interest on Cash Balance		$ -		$ -		$ -		$ -		$ -
Total Income		**$ 750,094.46**		**$ 871,606.49**		**$ 1,012,560.45**		**$ 1,176,067.04**		**$ 1,365,734.69**
EXPENSES										
Public Safety [1]	45%	$ 337,542.51	45%	$ 392,222.92	45%	$ 455,652.20	45%	$ 529,230.17	45%	$ 614,580.61
Improvements [2]	33%	$ 247,531.17	33%	$ 287,630.14	33%	$ 334,144.95	33%	$ 388,102.12	33%	$ 450,692.45
Promotion [3]	6%	$ 45,005.67	6%	$ 52,296.39	6%	$ 60,753.63	6%	$ 70,564.02	6%	$ 81,944.08
Administration [4]	10%	$ 75,009.45	10%	$ 87,160.65	10%	$ 101,256.04	10%	$ 117,606.70	10%	$ 136,573.47
Audit	2%	$ 15,001.89	2%	$ 17,432.13	2%	$ 20,251.21	2%	$ 23,521.34	2%	$ 27,314.69
Insurance	4%	$ 30,003.78	4%	$ 34,864.26	4%	$ 40,502.42	4%	$ 47,042.68	4%	$ 54,629.39
	100%		100%		100%		100%		100%	
Total Expenses		**$ 750,094.46**		**$ 871,606.49**		**$ 1,012,560.45**		**$ 1,176,067.04**		**$ 1,365,734.69**
Surplus Carried Forward		$ -		$ -		$ -		$ -		$ -

Notes:

The assessment amount is approximately equal to $0.13 per $100 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] Regular Security Patrol, patrol vehicle lease and related expenses

[2] Design, construction, and supplemental enhanced upkeep of non-standard ROW improvements, medians, and park improvements.

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

[4] Office supplies, administration, notice mailings

[5] 2023 and 2024 Assessments are an estimate pending a successful renewal.

EXHIBIT C

2019 ASSESSMENT PLAN
Lake Highlands Public Improvement District

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 2019 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 Information Sheet

File #: 19-1156 **Item #:** 27.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 10

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed North Lake Highlands Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $398,967.27 in 2020 and reach $826,082.83 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,961,876.62. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $398,967.27. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.12 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. 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 August 9, 2017, City Council authorized creation of the District, approval of the Service Plan and management contract by Resolution No. 17-1232.

On September 12, 2018, City Council authorized an amended and restated management contract with the Lake Highlands Improvement District Corporation, pursuant to Resolution No. 18-1315.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1314; Ordinance No. 30983.

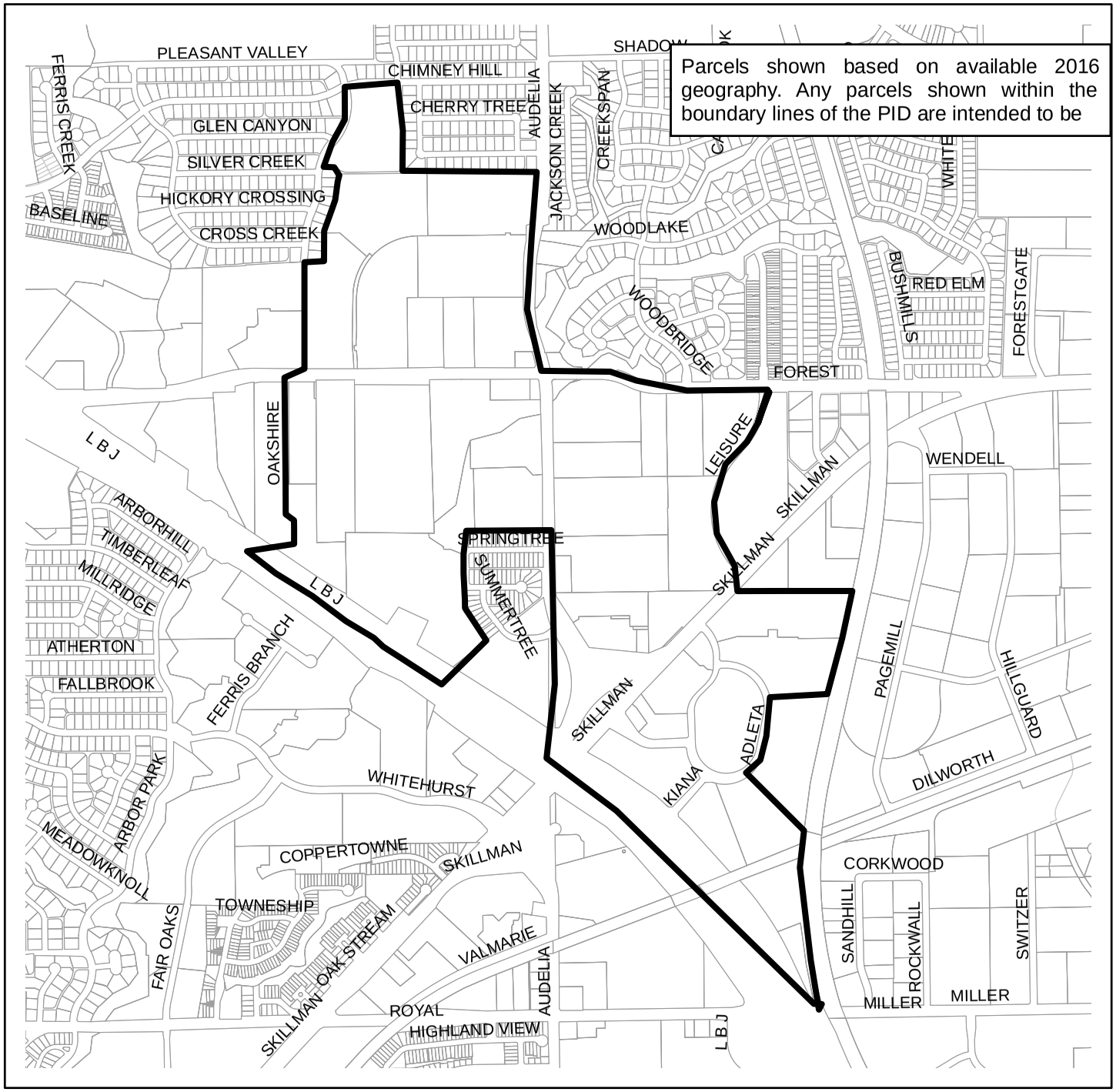
City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.12 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached



North Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 8/2017

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 the 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, on September 12, 2018, City Council authorized an amended and restated management contract with the Lake Highlands Improvement District Corporation pursuant to Resolution No. 18-1315; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1314; Ordinance No. 30983; and

WHEREAS, the Lake Highlands Improvement District Corporation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the North Lake Highlands Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $398,967.27 in 2020 and reach $826,082.83 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,961,876.62. 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 2019 is proposed to be $398,967.27. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.12 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 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 no earlier than 6:00 p.m. on September 11, 2019, 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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.

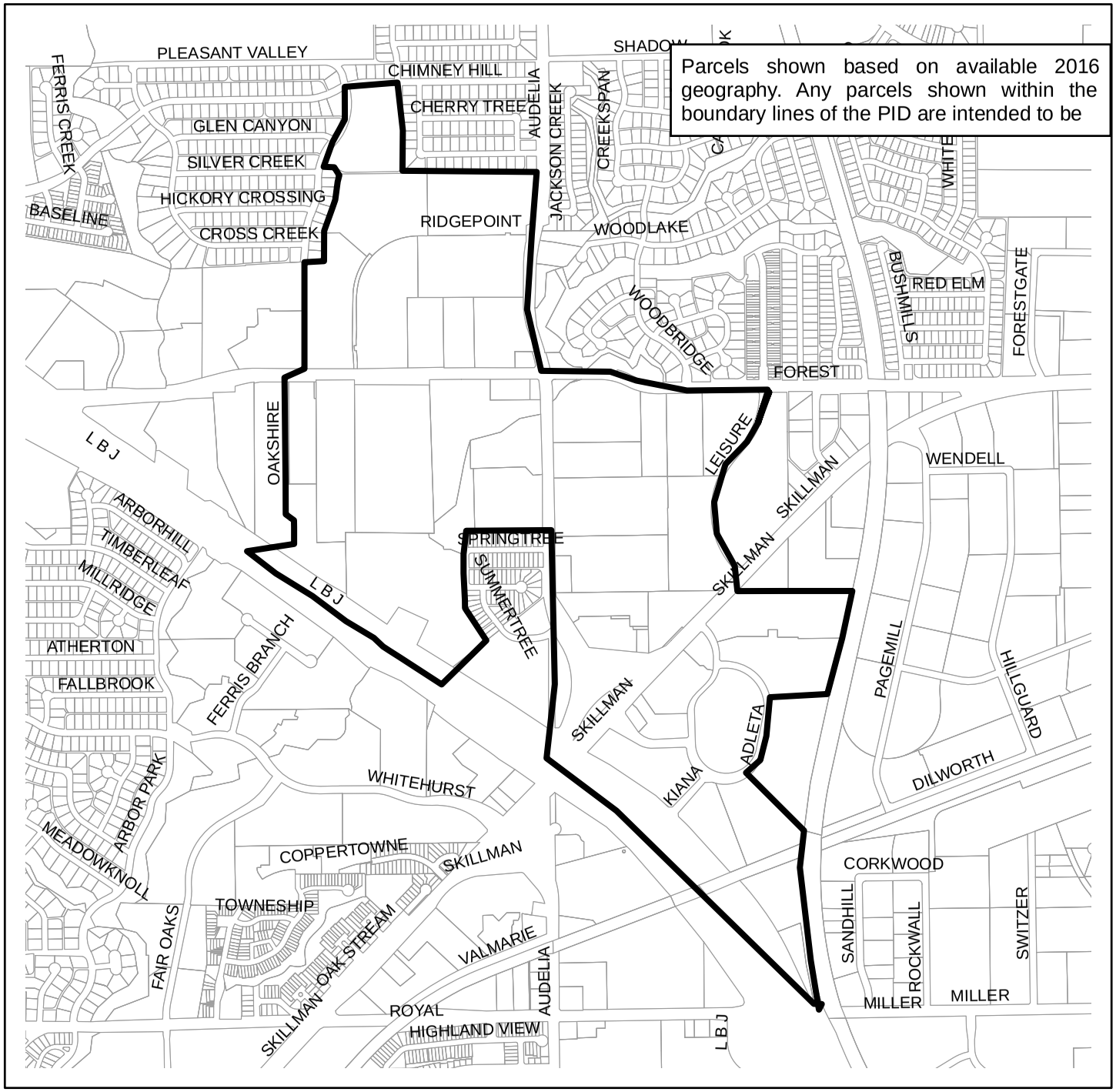


Exhibit A
North Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 8/2017

Exhibit B

NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR SERVICE PLAN (2020-2024)

		2020		2021		2022		2023		2024
INCOME										
Net Assessment*		$ 398,967.27		$ 476,499.98		$ 572,539.22		$ 687,786.32		$ 826,082.83
Interest on Cash Balance		$ -		$ -		$ -		$ -		$ -
Total Income		**$ 398,967.27**		**$ 476,499.98**		**$ 572,539.22**		**$ 687,786.32**		**$ 826,082.83**
Public Safety [1]	60%	$ 239,380.36	55%	$ 262,074.99	55%	$ 314,896.57	50%	$ 343,893.16	50%	$ 413,041.41
Improvements [2]	18%	$ 71,814.11	23%	$ 109,594.99	23%	$ 131,684.02	28%	$ 192,580.17	28%	$ 231,303.19
Promotion [3]	6%	$ 23,938.04	6%	$ 28,590.00	6%	$ 34,352.35	6%	$ 41,267.18	6%	$ 49,564.97
Administration [4]	10%	$ 39,896.73	10%	$ 47,650.00	10%	$ 57,253.92	10%	$ 68,778.63	10%	$ 82,608.28
Audit	2%	$ 7,979.35	2%	$ 9,530.00	2%	$ 11,450.78	2%	$ 13,755.73	2%	$ 16,521.66
Insurance	4%	$ 15,958.69	4%	$ 19,060.00	4%	$ 22,901.57	4%	$ 27,511.45	4%	$ 33,043.31
	100%		100%		100%		100%		100%	
Total Expenses		**$ 398,967.27**		**$ 476,499.98**		**$ 572,539.22**		**$ 687,786.32**		**$ 826,082.83**
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 aesthetic 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] Administrative costs include management fee, annual tax preparation, bookkeeping charges, office supplies, and postage for public notifications

EXHIBIT C

2019 ASSESSMENT PLAN
North Lake Highlands Public Improvement District

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 2019 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 Information Sheet

File #: 19-1157 **Item #:** 28.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Oak Lawn-Hi Line Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $383,151.00 in 2020 and reach $514,318.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,264,395.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $383,152.00. 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 2020 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. 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 and 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 and approval of the Service Plan and management contract by Resolution No. 16-1022.

On September 12, 2018, City Council authorized an amended and restated management contract with the Oak Lawn-Hi Line Improvement Corporation, pursuant to Resolution No. 18-1317.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1316; Ordinance No. 30984.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.15 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

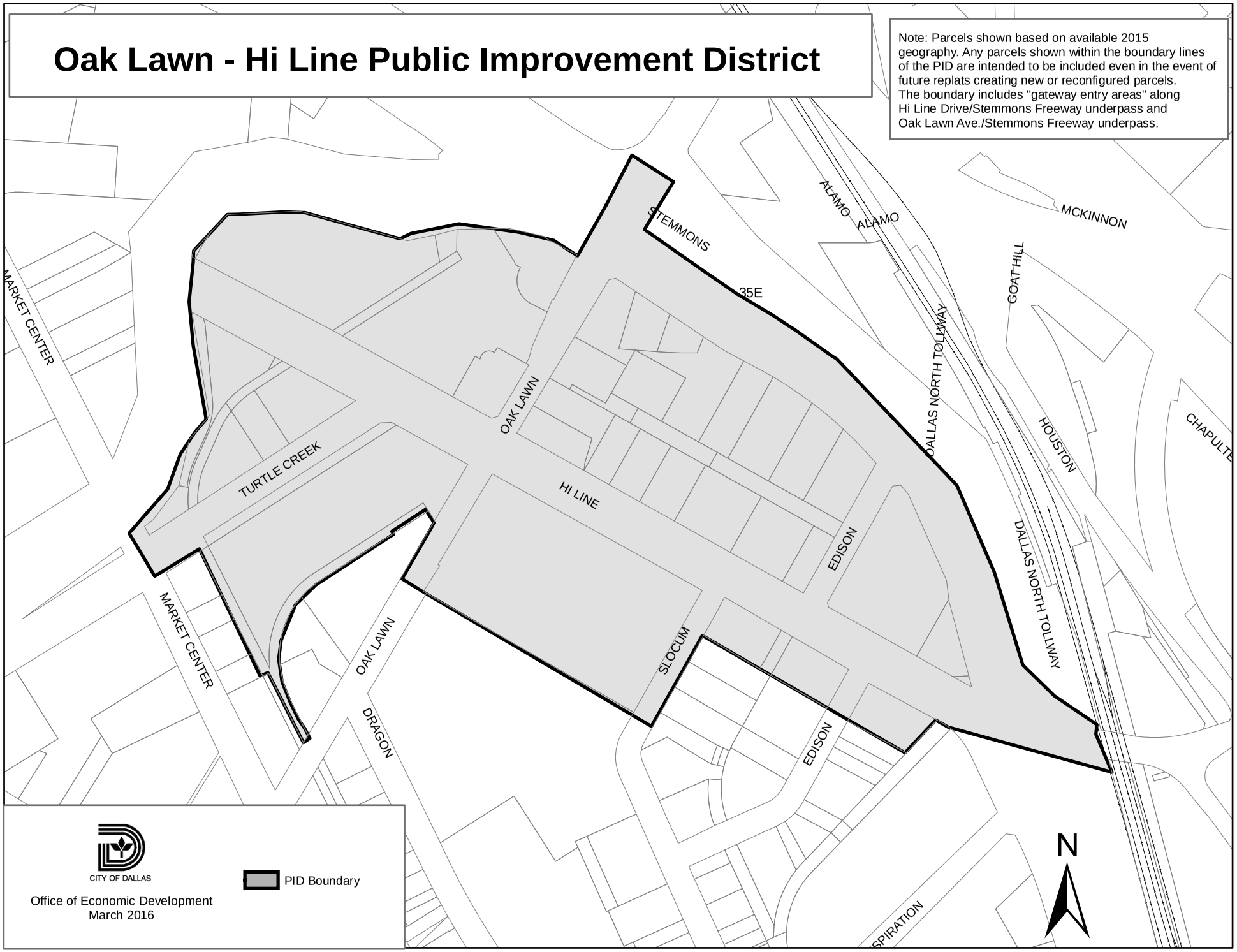
MAP

Attached

powered by Legistar™

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 and approval of the Service Plan and management contract by Resolution No. 16-1022; and

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation pursuant to Resolution No. 18-1317; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1316; Ordinance No. 30984; and

WHEREAS, the Oak Lawn-Hi Line Improvement Corporation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Oak Lawn-Hi Line Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $383,151.00 in 2020 and reach $514,318.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,264,395. 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 2019 is proposed to be $383,152.00. 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 2020 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

SECTION 1. (continued)

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 no earlier than 1:00 p.m. on September 11, 2019, 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.

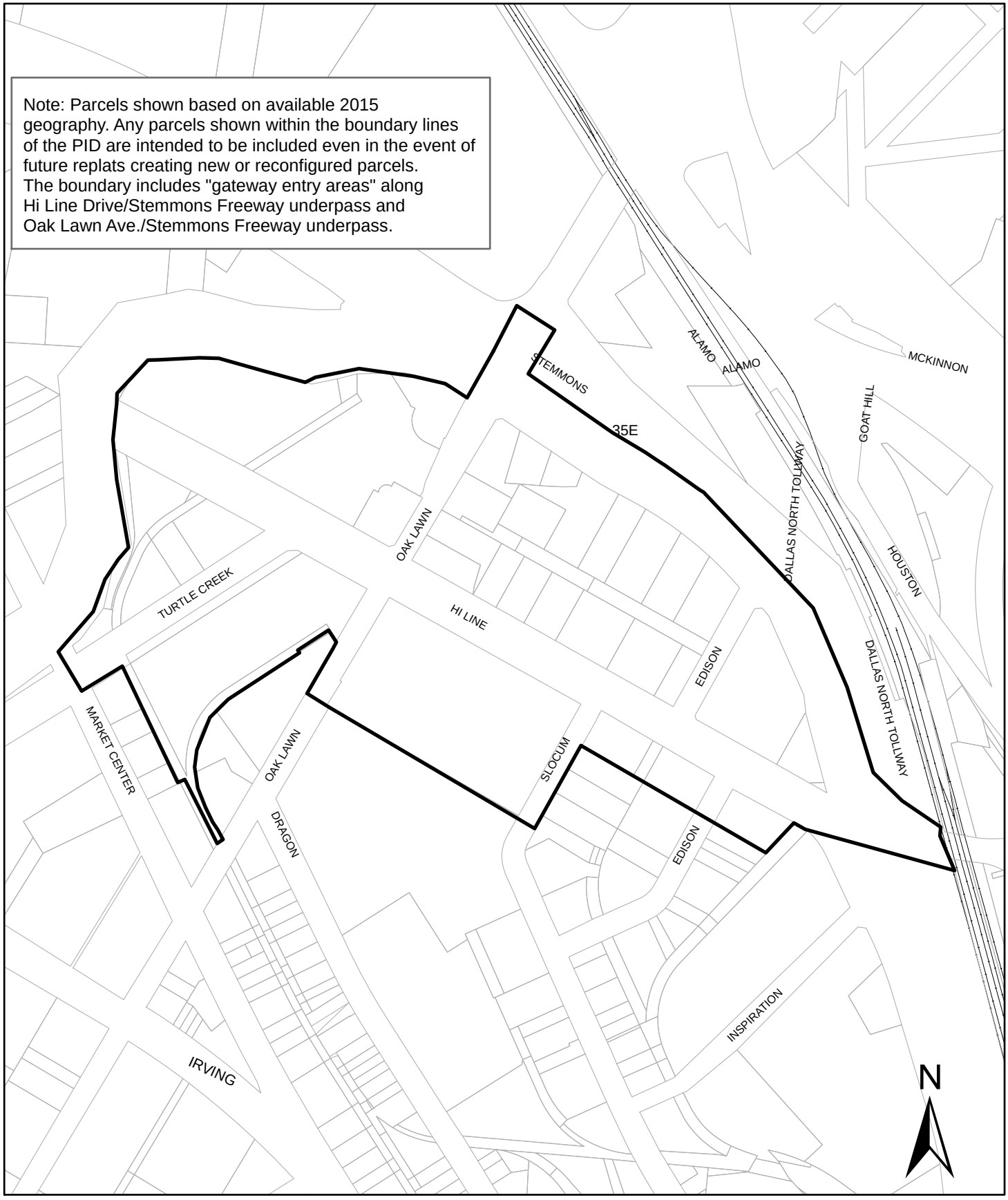
SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; fixing charges and liens against the property in the District and

SECTION 5. (continued)

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

	2020	2021	2022	2023	2024[9]
INCOME					
Beginning Fund Balance	$0	$21,565	$45,395	$71,325	$82,490
Net assessment revenue [1]	$383,152	$421,151	$463,266	$467,477	$514,224
Interest on cash balances	$84	$87	$90	$92	$94
Retainage Returned	$21,480	$23,591	$25,931	$26,165	$28,762
TOTAL INCOME	**$404,716**	**$466,395**	**$534,682**	**$565,059**	**$625,570**
EXPENDITURES					
Renewal/Creation Fee	$0	$0	$0	$15,000	$0
Security/PID Patrol [2]	$60,000	$63,000	$66,000	$69,000	$72,000
Area Improvements [3]	$175,000	$149,800	$153,452	$109,859	$103,905
General Administrative [4]	$25,200	$27,200	$27,200	$30,000	$30,000
Marketing/Promotion [5]	$35,000	$35,000	$40,000	$40,000	$45,000
Capital Improvements [6]	$70,951	$129,000	$159,705	$201,710	$246,413
Insurance and Audit [7]	$17,000	$17,000	$17,000	$17,000	$17,000
TOTAL EXPENDITURES	**$383,151**	**$421,000**	**$463,357**	**$482,569**	**$514,318**
ENDING FUND BALANCE	**$21,565**	**$45,395**	**$71,325**	**$82,490**	**$111,252**

Notes

1. Net assessment reflects the deduction of City and County fees from the gross assessment collection. The assessment amount is approximately equal to $0.15 per $100.00 of appraised value as determined by the Dallas Central Appraisal District (DCAD).

2. Public Safety consists of contract security patrols inside PID boundary.

3. 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.

4. General Administrative costs include management fee, annual tax preparation, bookkeeping charges and postage for public

5. Marketing/Promotion is a public information dissemination primarily through Internet which links neighborhoods together for public safety communication, etc. Seasonal decorations are also planned.

6. Capital Improvements may include transportation planning/design for gateway connections around PID. Replacement of signage, gateway icons, benches, light fixtures, statues, and water falls, etc. Major fencing project around Oak Lawn and Hi Line bridge intersections is being added.

7. Insurance expense provides for liability coverage binder and cost of required annual financial audit.

8. The five year plan goes to year 2024. However, this assumes that PID is successfully renewed for another term beginning in 2024. If the PID isn't renewed then the PID would cease collections at the end of 2023.

EXHIBIT C

2019 ASSESSMENT PLAN
Oak Lawn-Hi Line Public Improvement District

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 2018 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 valorem 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 Information Sheet

File #: 19-1158 **Item #:** 29.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 12

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Prestonwood Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 PID and approves the Service Plan for each PID.

The Prestonwood Homeowners Association provided the proposed District 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 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 $407,130.00 in 2020 and reach $452,628.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,164,888.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $423,898.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.0825 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. 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 May 14, 1997, City Council authorized the creation of the Prestonwood Public Improvement District and 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 and 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 and approval of the Service Plan and management contract by Resolution No. 11-1796.

On May 23, 2018, City Council authorized the renewal of the Prestonwood Public Improvement District and approval of the Service Plan and management contract by Resolution No. 18-0785.

On September 12, 2018, City Council authorized an amended and restated management contract with the Prestonwood Homeowners Association, pursuant to Resolution No. 18-1319.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1318; Ordinance No. 30985.

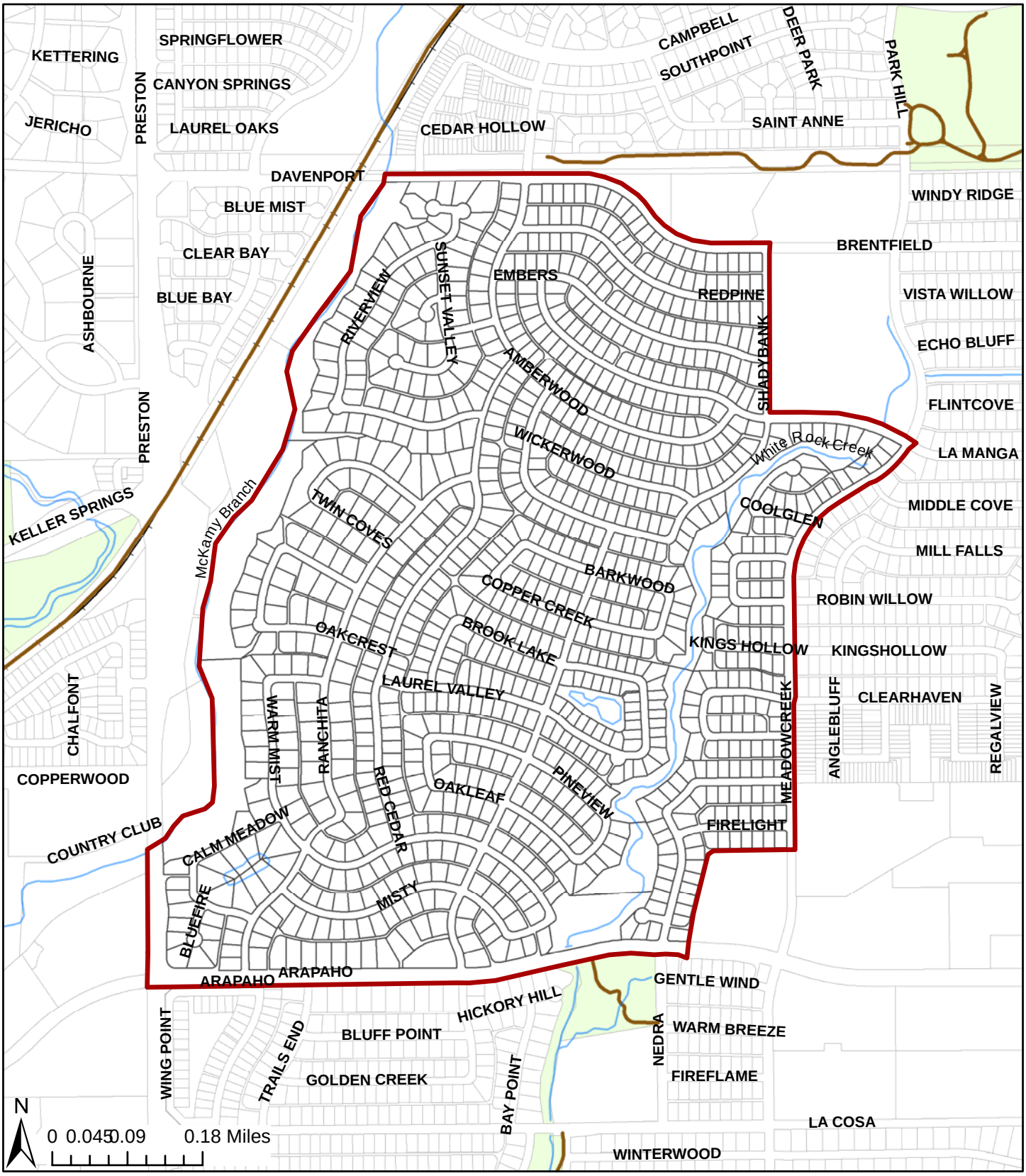
City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.0825 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached



Prestonwood PID Boundary Map

Prestonwood PID Boundary

City of Dallas

Office of Economic Development
August 2007

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 and 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 and approval of the Service Plan and management contract by Resolution No. 11-1796; and

WHEREAS, on May 23, 2018, City Council authorized the renewal of the Prestonwood Public Improvement District and approval of the Service Plan and management contract by Resolution No. 18-0785; and

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with Prestonwood Homeowners Association pursuant to Resolution No. 18-1319; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1318; Ordinance No. 30985; and

WHEREAS, the Prestonwood Homeowners Association provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Prestonwood Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $407,130.00 in 2020 and reach $452,628.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $2,164,888.00. 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 2019 is proposed to be $423,898.00. 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 2020 Service Plan year. The annual assessment rate shall

SECTION 1. (continued)

not exceed $0.0825 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.

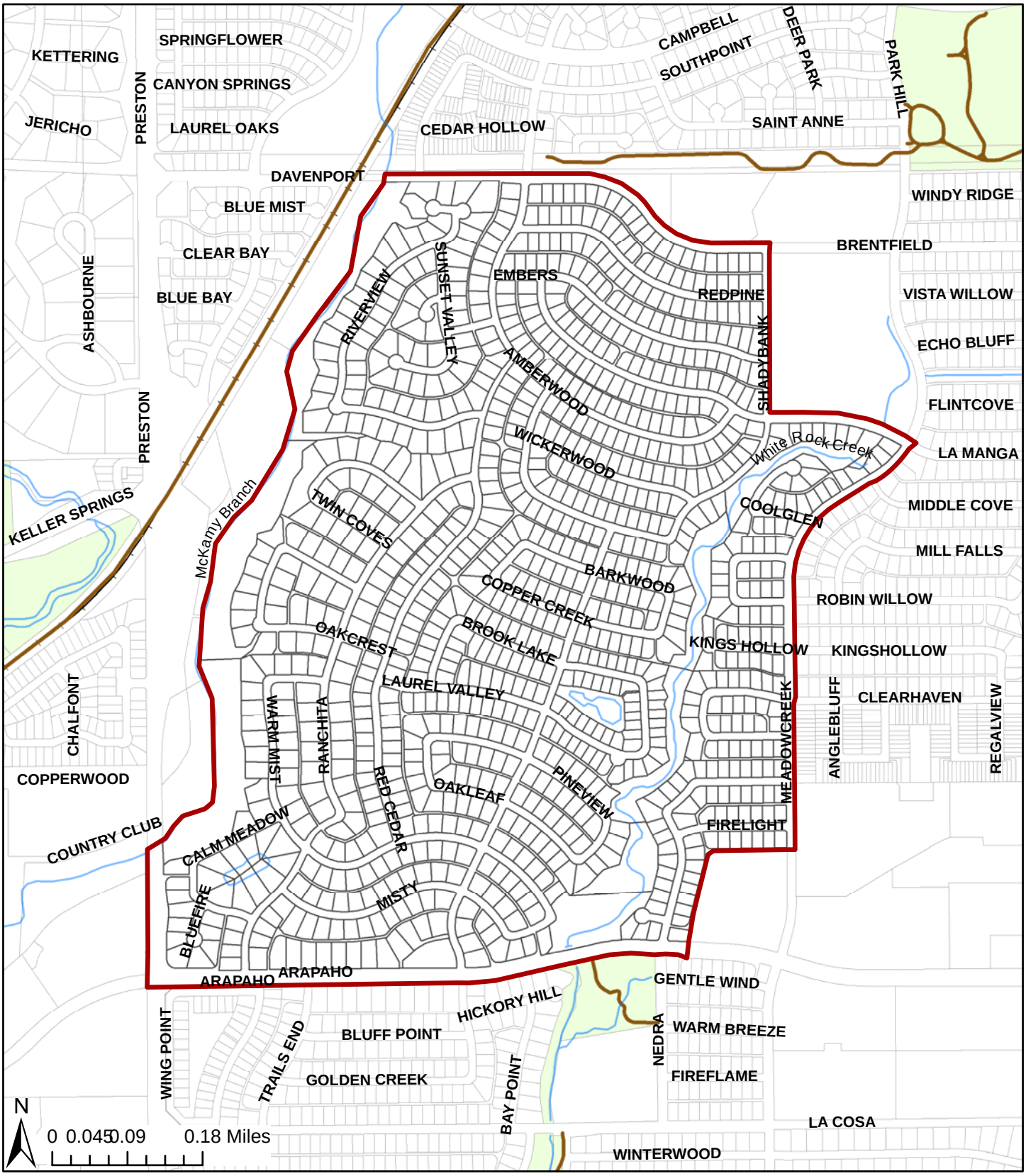
SECTION 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 3. That a public hearing shall be held no earlier than 6:00 p.m. on September 11, 2019, 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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.



Prestonwood PID Boundary Map
Exhibit A

Prestonwood PID Boundary

City of Dallas

Office of Economic Development
August 2007

EXHIBIT B

Prestonwood Public Improvement District

Service Plan 2020-2024

	2020	2021	2022	2023	2024
Estimated annual assessment rate requirement	**0.0825**	**0.0825**	**0.0825**	**0.0825**	**0.0825**
Estimated annual aggregate property valuation increase[1]		1.0%	1.0%	1.0%	1.0%
Estimated annual aggregate property valuation	**$ 549,981,430**	**$ 555,481,244**	**$ 561,036,057**	**$ 566,646,417**	**$ 572,312,881**

Revenue & Reserves	2020	2021	2022	2023	2024
Calendar Year Beginning Balance	$ 126,021	$ 142,789	$ 144,475	$ 142,083	$ 135,388
Gross Assessment Revenue	$ 453,735	$ 458,272	$ 462,855	$ 467,483	$ 472,158
Retainage held for Protests	$ (45,373)	$ (45,827)	$ (46,285)	$ (46,748)	$ (47,216)
PID Oversight Charge from City	$ (7,150)	$ (7,150)	$ (7,150)	$ (7,150)	$ (7,150)
Retainage funds Returned[2]	$ 22,687	$ 22,914	$ 23,143	$ 23,374	$ 23,608
Net Assessment Revenue	$ 423,898	$ 428,208	$ 432,562	$ 436,959	$ 441,400
Total Income & Reserves	**$ 549,919**	**$ 570,997**	**$ 577,037**	**$ 579,042**	**$ 576,789**
PID Services					
Public Safety[3]	$ 375,000	$ 393,750	$ 401,625	$ 409,658	$ 417,851
Audit & Insurance[4,5]	$ 22,440	$ 22,889	$ 23,347	$ 23,814	$ 24,290
Administrative[6]	$ 9,690	$ 9,884	$ 9,983	$ 10,182	$ 10,488
Total Disbursements	**$ 407,130**	**$ 426,523**	**$ 434,954**	**$ 443,653**	**$ 452,628**
Reserve	**$ 142,789**	**$ 144,475**	**$ 142,083**	**$ 135,388**	**$ 124,160**

Assumptions

1. Assumes 1% increase in annual aggregate appraisal values
2. Assumes initial realization of 97% of the tax levy and city releases 50% of holdback in the year of the levy. Revenue increases match property value increases.
3. Assumes 5.0% annual officer compensation, cost of living & expense increase and a one time $7000 payment for safety signage in 2019. 5% increase will start in 2021. Also assumes one time 10% increase in 2019/2020 to make officers' compensation competitive (increase will begin in September 2019 and impact 8 months into 2020).
4. Assumes annual audit paid 100% by PID with cost increase of $2000 for accrual based financial audit
5. Assumes insurance split with PHA more in line with value received under coverages
6. Assumes a 2% annual increase in admin fees. Additionally, a management fee of $500 per month is charged to the PID by PHA to reflect the cost of operating the PID and time spent by PHA members.

EXHIBIT C

2019 ASSESSMENT PLAN
Prestonwood Public Improvement District

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 2019 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 Information Sheet

File #: 19-1159 **Item #:** 30.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed South Dallas/Fair Park Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $121,957.30 in 2020 and reach $226,090.80 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $847,619.86. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $120,344.00. 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 2020 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. 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 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 with Alliance for Greater Works (“AWG”) by Resolution No. 16-1249. AGW assigned the management contract to Hip Hop Government, Inc., a Texas corporation (“HHG”).

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On September 22, 2017, the Office of Economic Development sent HHG a default letter citing an insurance deficiency.

On November 6, 2017, the Office of Economic Development terminated the Management Contract effective October 25, 2017. The Office of Economic Development worked with Business Development and Procurement Services Department to solicit a new manager for the District.

On December 12, 2018, City Council authorized a management contract with South Side Quarter Development Corporation, to manage the existing South Dallas/Fair Park Public Improvement District for a term of five years by Resolution No. 18-1804.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

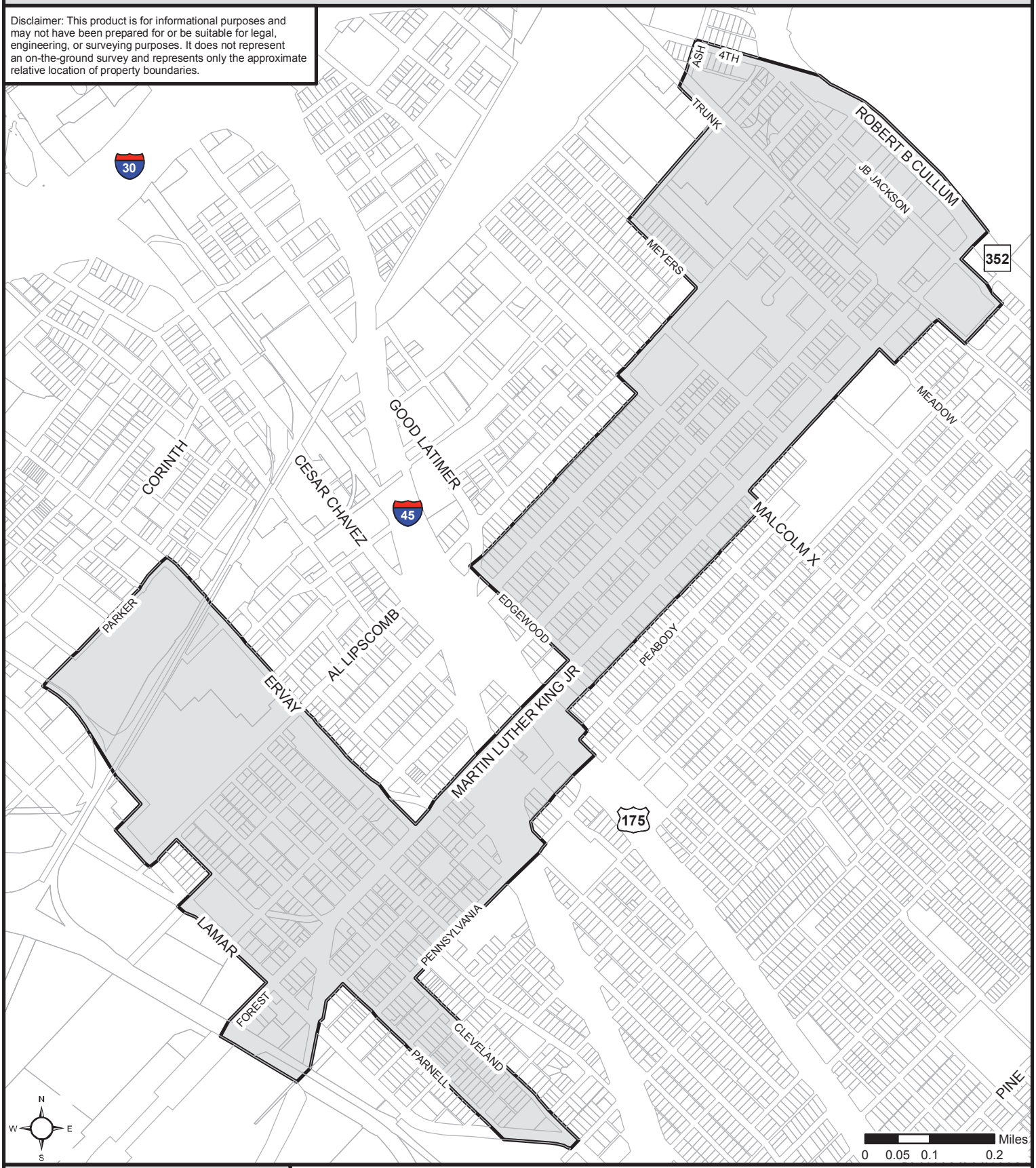
Cost consideration to others - the proposed assessment amount is approximately equal to $0.15 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

powered by Legistar™

South Dallas-Fair Park Public Improvement District



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 9.24.2015, Updated 7.5.2016 - PID_Option6.TCG

Legend

South Dallas-Fair Park Public Improvement District

Parcel

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 ('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 Alliance for Greater Works ("AGW") as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 16-1249; and

WHEREAS, AGW assigned the management contract to Hip Hop Government, Inc., a Texas corporation ("HHG"); and

WHEREAS, on September 22, 2017, the Office of Economic Development sent HHG a default letter citing an insurance deficiency, and on November 6, 2017, a termination letter was sent to HHG stating that the Management Contract was terminated effective as of October 25, 2017; and

WHEREAS, the Office of Economic Development worked with Business Development and Procurement Services Department to solicit a new manager for the District and such solicitation was closed on October 11, 2018; and

WHEREAS, on December 12, 2018, City Council authorized a management contract with South Side Quarter Development Corporation, to manage the existing South Dallas/Fair Park Public Improvement District for a term of five years by Resolution No. 18-1804; and

WHEREAS, the South Side Quarter Development Corporation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the South Dallas/Fair Park Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $121,957.30 in 2020 and reach $226,090.80 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $847,619.86. 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 2019 is proposed to be $120,344.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. Future annual assessment rates,

SECTION 1. (continued)

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 no earlier than 6:00 p.m. on September 11, 2019, 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.

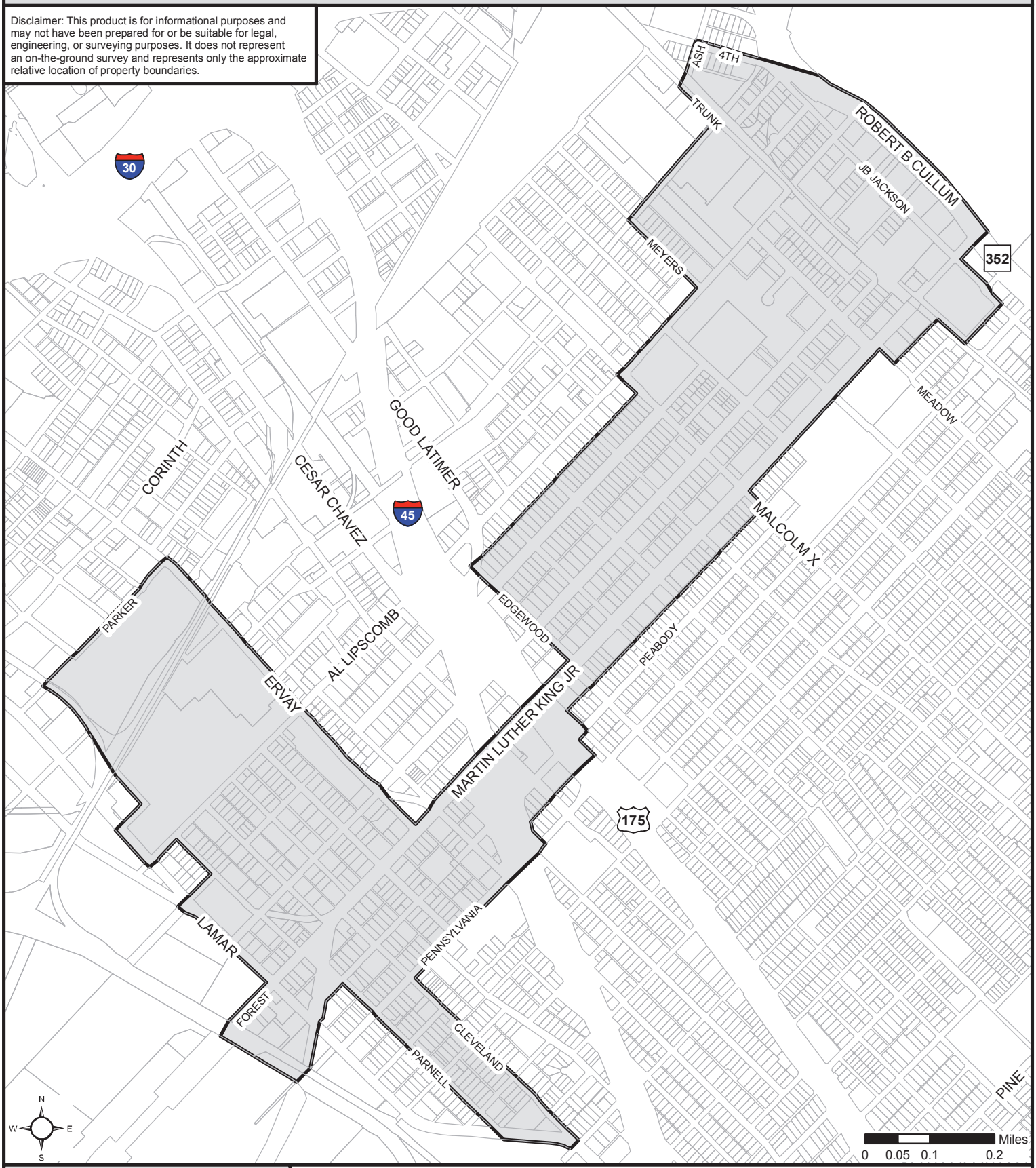
SECTION 4. That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.

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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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

South Dallas-Fair Park Public Improvement District



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 9.24.2015, Updated 7.5.2016 - PID_Option6.TCG

Legend

South Dallas-Fair Park Public Improvement District

Parcel

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

Exhibit B

South Dallas Fair Park Public Improvement District Service Plan 2020-2024					
	2020	2021	2022	2023	2024*
NET ASSESSMENT	**$ 120,344.00**	**$ 140,802.48**	**$ 164,738.90**	**$ 192,744.51**	**$ 225,511.08**
Surplus Carried Forward	**$ 1,613.30**	**$ 365.87**	**$ 423.51**	**$ 495.49**	**$ 579.72**
Estimated Annual Income to District	**$ 121,957.30**	**$ 141,168.35**	**$ 165,162.41**	**$ 193,240.00**	**$ 226,090.80**
EXPENDITURES					
Public Safety (1)	$ 54,880.79	$ 56,467.34	$ 61,110.09	$ 67,634.00	$ 79,131.78
Improvements (2)	$ 36,587.19	$ 55,055.66	$ 69,368.21	$ 85,025.60	$ 99,479.95
Promotion (3)	$ 10,976.16	$ 7,058.42	$ 8,258.12	$ 9,662.00	$ 11,304.54
Administration (4)	$ 12,195.73	$ 14,116.84	$ 16,516.24	$ 19,324.00	$ 22,609.08
Contingency/Carryover (5)	$ 365.87	$ 423.51	$ 495.49	$ 579.72	$ 678.27
Insurance (6)	$ 6,097.87	$ 7,058.42	$ 8,258.12	$ 9,662.00	$ 11,304.54
Audit (7)	$ 853.70	$ 988.18	$ 1,156.14	$ 1,352.68	$ 1,582.64
TOTAL EXPENSES	**$ 121,957.30**	**$ 141,168.35**	**$ 165,162.41**	**$ 193,240.00**	**$ 226,090.80**

10% retainage removed from total net assessment for repayments, if any, required by the County in settlement of tax protests; should any retainage funds not be used to settle tax protests, such funds may be used within the existing Service Plan budget categories and in accordance with the Management Contract.

(1) Public Safety: Courtesy Patrol, Patrol vehicles, safety related services

(2) Improvements: Landscaping, lighting, sidewalks, streets, parks, fountains, roadways, improvement related expenses

(3) Promotion: Outreach, business development, marketing, website, forums, promotion related expenses

(4) Administration: Office supplies, mailings, administrative related expenses

(5) Contingency/Carryover: Contingency allocation for other expenditures; future capital improvement project

(6) Insurance: Insurance policy

(7) Audit: Annual Audit fee

* Assumes Renewal

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 2019 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 Information Sheet

File #: 19-1160 **Item #:** 31.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed South Side Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $293,579.00 in 2020 and reach $450,000.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $1,841,224.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $277,300.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $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. 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. 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 August 10, 2005, City Council authorized creation of the South Side Public Improvement District and approval of the Service Plan and management contract by Resolution No. 05-2230.

powered by Legistar™

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.

On September 12, 2018, City Council authorized an amended and restated management contract with the South Side Quarter Development Corporation, pursuant to Resolution No. 18-1321.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1320; Ordinance No. 30986.

On June 12, 2019, City Council authorized the renewal of the South Side Public Improvement District and approval of the Service Plan and management contract by Resolution No. 19-0938.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

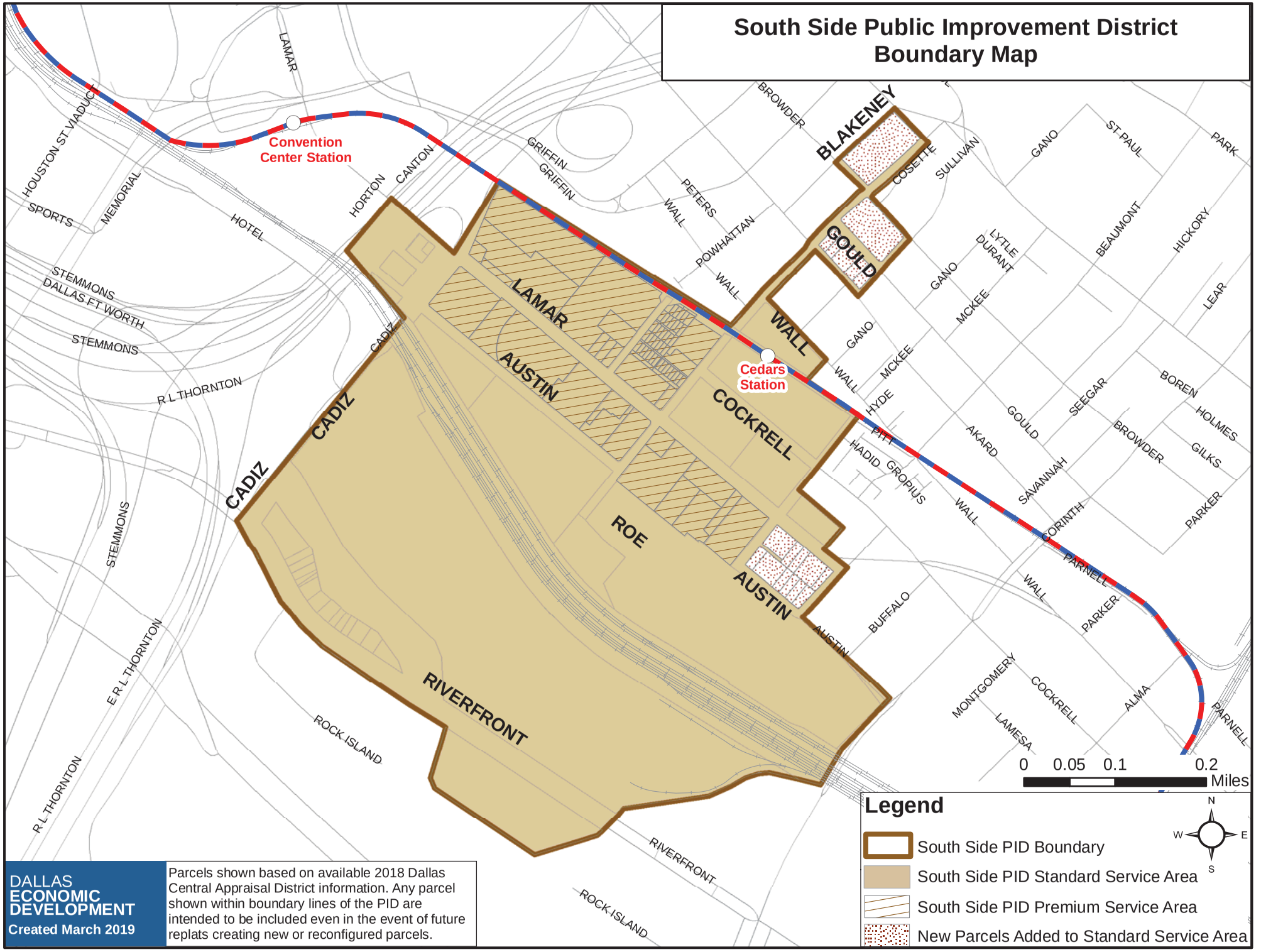
FISCAL INFORMATION

Cost consideration to others - the proposed assessment 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 the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

South Side Public Improvement District Boundary Map



Legend

- South Side PID Boundary
- South Side PID Standard Service Area
- South Side PID Premium Service Area
- New Parcels Added to Standard Service Area

DALLAS ECONOMIC DEVELOPMENT

Created March 2019

Parcels shown based on available 2018 Dallas Central Appraisal District information. Any parcel shown within boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

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 12, 2018, City Council authorized an amended and restated management contract with South Side Quarter Development Corporation pursuant to Resolution No. 18-1321; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1320; Ordinance No. 30986; and

WHEREAS, on June 12, 2019, City Council authorized the renewal of the South Side Public Improvement District and approval of the Service Plan and management contract by Resolution No. 19-0938; and

WHEREAS, the South Side Quarter Development Corporation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the South Side Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $293,579.00 in 2020 and reach $450,000.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $1,841,224.00. 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 2019 is proposed to be $277,300.00. 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 2020 Service Plan year.

SECTION 1. (continued)

The annual assessment rate shall not exceed $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. 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.

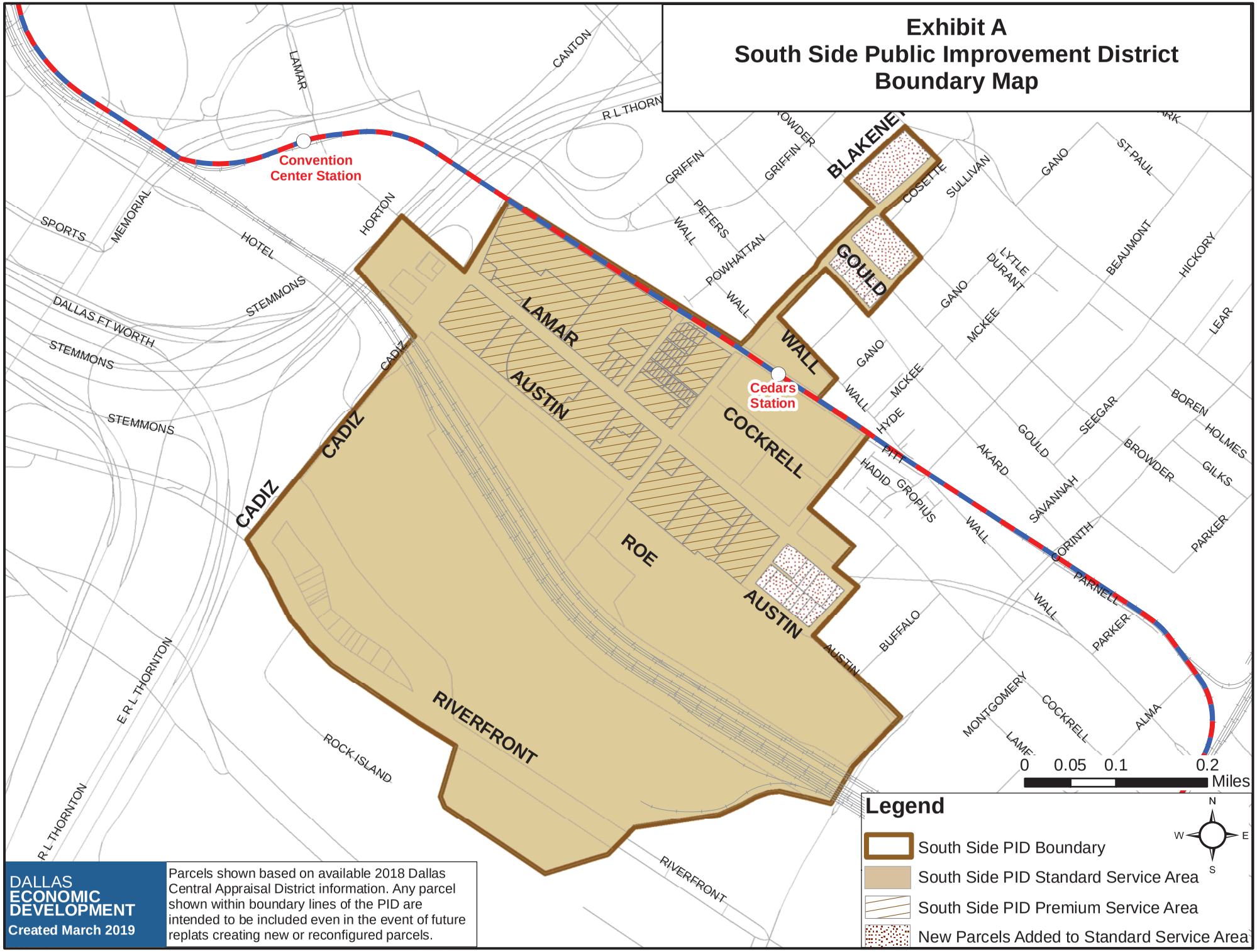
SECTION 3. That a public hearing shall be held no earlier than 6:00 p.m. on September 11, 2019, in the City Council Chamber, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 at which time any interested person may appear and speak for or against the setting of an assessment against 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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
South Side Public Improvement District
Boundary Map



DALLAS
ECONOMIC
DEVELOPMENT
Created March 2019

Parcels shown based on available 2018 Dallas Central Appraisal District information. Any parcel shown within boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

EXHIBIT B

South Side Public Improvement District
Service Plan 2020-2024

	2020	2021	2022	2023	2024
INCOME					
Net Assessment*	**$ 277,300.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**
Interest on Cash Balance	$ -	$ -	$ -	$ -	$ -
Surplus/Deficit from previous year	$ 16,279.00	$ -	$ -	$ -	$ -
TOTAL INCOME	**$ 293,579.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**
EXPENDITURES					
City Retainage[1]	$ 27,730.00	$ 34,065.00	$ 36,500.00	$ 39,200.00	$ 45,000.00
Area Improvements[2]	$ 100,000.00	$ 105,000.00	$ 110,000.00	$ 117,500.00	$ 139,000.00
Public Safety/Security[3]	$ 90,000.00	$ 95,000.00	$ 100,000.00	$ 105,000.00	$ 115,000.00
Business Recruitment/Marketing[4]	$ 26,849.00	$ 38,000.00	$ 42,000.00	$ 47,000.00	$ 52,000.00
Cultural Events & Arts[5]	$ 15,000.00	$ 24,080.00	$ 26,500.00	$ 30,800.00	$ 38,500.00
Administration	$ 20,000.00	$ 30,000.00	$ 34,500.00	$ 37,000.00	$ 42,500.00
Audit[6]	$ 7,000.00	$ 7,500.00	$ 8,000.00	$ 8,000.00	$ 10,000.00
Insurance and Legal	$ 7,000.00	$ 7,000.00	$ 7,500.00	$ 7,500.00	$ 8,000.00
Renewal Fee					
TOTAL ESTIMATED EXPENDITURE	**$ 293,579.00**	**$ 340,645.00**	**$ 365,000.00**	**$ 392,000.00**	**$ 450,000.00**
Surplus/Deficit**	$ -	$ -	$ -	$ -	$ -

Notes

*Net assessment reflects the deduction of City and County admin fees from the gross assessment collected.

**Any carryover surplus in excess of 25% of the annual net assessment shall be distributed between the Area Improvements and Public Safety/Security categories.

[1]City Retainage - 10% of gross assessments retained by the City for any repayments required by the County in settlement of tax protests, if any. Any retainage funds returned to PID after City's overall financial year close out may be carried over for use in the following year.

[2]Area Improvements includes street and sidewalk improvement projects, landscape/irrigation, trees, other streetscape improvements, open and park space improvements, plaza improvements, pedestrian lighting, wayfinding, signage, district art and murals, design construction and maintenance of above standard improvements and other public improvement projects authorized by

[3]Public Safety/Security includes third party security group's patrol of district; other public safety programs

[4]Business Recruitment/Marketing includes special supplemental services such as marketing retail/restaurants in district, promotional ads, job fairs, marketing/recruitment events, district website development and maintenance.

[5]Cultural Events includes events and programs that highlight the culture and arts of the district.

[6]Audit line item includes fees for quarterly and annual accounting.

Exhibit C

SOUTH SIDE QUARTER DEVELOPMENT CORPORATION

The Creative District in the Heart of Dallas

SOUTH SIDE QUARTER PUBLIC IMPROVEMENT DISTRICT
2019 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 2019 assessment rate for the property in the premium service area is proposed at $0.15 per $100.00 of value. The 2019 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 Information Sheet

File #: 19-1161 **Item #:** 32.

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
DEPARTMENT:	Office of Economic Development
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize **(1)** a public hearing to be held on September 11, 2019, to receive comments concerning the expansion of the Tourism Public Improvement District (District) in accordance with House Bill 1136 legislation, which was approved this year, allowing the City to include property in a hotel public improvement district if such property could have been included in the District without violating the petition thresholds when the District was created, for the purpose of providing supplemental public services to be funded by assessments on Dallas hotels with 100 or more rooms; and at the close of the hearing, **(2)** a resolution approving the expanded boundaries of the District to include an estimated 15 additional Dallas hotels in the District not described in the resolution or petition re-establishing the District in 2016 and approval of the District's Service Plan for FY 2019-2020 - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

On June 13, 2012, the Dallas City Council authorized the establishment of the Tourism Public Improvement District (District) and on August 10, 2016, its renewal for a thirteen-year period effective October 1, 2016. In accordance with the Public Improvement District Assessment Act (Act) in Chapter 372 of the Texas Local Government Code, the District is defined by its common characteristics rather than a contiguous boundary, and its assessment is based on room-nights sold. Designated hotel properties within the District are assessed at a rate of 2 percent of room-nights sold.

The 86th Texas Legislature enacted House Bill 1136 which amended Section 372.0035 of the Act, effective immediately, to 1) allow all Texas cities, regardless of population size, to establish a hotel Public Improvement District (PID), 2) allow every hotel room in the City, regardless of room size, to be levied, and 3) prohibit hotel PIDs created after September 1, 2019 from using hotel PID revenue for anything except advertising, promotion, or business recruitment directly related to hotels.

The Act was also amended by House Bill 1136 to allow the governing body of a municipality to add and levy hotel properties (including those hotels under 100 rooms) to the boundary of an existing hotel PID without requiring their approval on the original hotel PID petition if such property could have

been included in the hotel PID without violating the petition thresholds when the hotel PID was created. The petition thresholds in place when the District was renewed per Section 372.005(b-1) of the Act were as follows: 1) more than 60% of appraised value of taxable real property liable for assessment under the proposal and 2) more than 60% of all record owners of taxable property that are liable for assessment under the proposal or more than 60% of the area of all taxable real property that is liable for assessment under the proposal. During the District's 2016 renewal petition review, staff determined that record property owners representing 89.7% of the appraised value of Dallas hotels with 100 or more rooms and approximately 63.7% of the hotels' land area signed petitions in support of the District's renewal, thereby exceeding the Act's required record owner signature threshold.

The City Controller's Office is responsible for collecting assessments from designated hotels who are assessed at a rate of 2 percent of room-nights sold. Staff have identified several non-District hotels with over 100 rooms who are voluntarily paying the District assessment. By expanding the District boundaries, the City will be able to formally exercise the authority granted by House Bill 1136 to collect funds from these hotels.

In accordance with this new legislation, the City desires to provide a reasonable opportunity for any interested person to speak for or against the expansion of the District to include an estimated 15 additional over-100 room Dallas hotels not described in the resolution or petition re-establishing the District in 2016 at a public hearing on September 11, 2019, and at the close of the hearing, consideration of a resolution approving the expanded boundaries of the District. No changes will be made to the original Service Plan budget that Council approved in 2016. To be able to amend the District's boundaries, however, Council would need to amend the City's existing PID policy on the September 11, 2019 consent agenda which states that new hotels may only be added during the next renewal or re-petition process.

The PID 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 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 $19,133,893.00 in FY 2019-20 and reach $22,257,367.00 in FY 2023-24. The total estimated assessments to be collected during the next five-year period is approximately $105,726,838.00. The District shall incur no bonded indebtedness. In the event the District requires additional funds; the District shall re-petition the hotel owners for such an increase. 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

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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 current boundaries of the District are located wholly within the city of Dallas, Texas and may also include non-contiguous hotel properties with 100 or more rooms within the city of Dallas as shown on the attached Exhibit A-1 attached to the resolution.

(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 two 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 FY 2019-20 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. 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 and 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 District and approval of the Service Plan and management contract by Resolution No. 16-1250.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1322; Ordinance No. 30987.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

Cost consideration to others- for designated hotel properties, 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 subject to the collective total for the renewal period.

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 May 23, 2016, the Dallas Tourism Public Improvement District Corporation, which manages the District and represents Dallas hotels within the District, delivered to the City of Dallas a petition in accordance with Chapter 372 of the Texas Local Government Code (the "Act") to renew the District. City staff reviewed the petition and determined that property owners of record representing 89.7 percent of the appraised value of Dallas hotels with 100 or more rooms ("Qualifying Hotels"), and 63.7 percent of the land area for Qualifying Hotels executed the petition, meeting the Act's thresholds for calling a public meeting after which the City Council may consider authorizing renewal of the District; and

WHEREAS, pursuant to Section 372.007 of the Act, the City staff, with the assistance of the Dallas Tourism Public Improvement District Corporation verified the petitions, evaluated the Service Plan to determine whether the improvements and services should be made as proposed by the petition, and found the improvements and services to be desirable and feasible; and

WHEREAS, on June 22, 2016, the City Council called for a public hearing to be held on August 10, 2016, to hear comments and concerns regarding the reestablishment of the District and stated its intent at the close of that hearing to consider a Resolution renewing the District by Resolution 16-1062; and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on August 10, 2016, conducted a public hearing on the advisability of the improvements and services, and adjourned such public hearing; and

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

August 28, 2019

WHEREAS, the 86th Texas Legislature enacted House Bill 1136 which amended Section 372.0035 of the Act to allow all Texas cities, regardless of population size, to establish a hotel Public Improvement District ("PID"), allow every hotel room in the municipality, regardless of room size, to be levied, and allow the governing body of a municipality to add and levy hotel properties to the boundary of an existing hotel PID without requiring their approval on the original hotel PID petition if such property could have been included in the hotel PID without violating the petition thresholds when the hotel PID was created; and

WHEREAS, the City Council must hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the expansion of the District to include an estimated 15 additional over-100 room Dallas hotels as listed in **Exhibit A-2**, not describe in the resolution or petition re-establishing the District in 2016.

Now, Therefore,

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

SECTION 1. That a public hearing shall be held no earlier than 6:00 p.m. on September 11, 2019, 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 expansion of the District to include an estimated 15 additional Dallas hotels with 100 or more rooms as listed in **Exhibit A-2,** not described in the resolution or petition re-establishing the District in 2016, as listed in **Exhibit A-1**, to provide funding for the District for the purpose of increasing hotel activities within the City of Dallas in accordance with House Bill 1136 legislation, which was approved this year and allows the City to include property in a hotel PID if such property could have been included in the District without violating the petition thresholds when the District was created, for the purpose of providing supplemental public services to be funded by assessments on Dallas hotels with 100 or more rooms.

SECTION 2. That notice of such public hearing was published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 15th day before the public hearing.

SECTION 3. That after the public hearing, the City Council may consider approval of a resolution expanding the boundaries of the District to include an estimated 15 additional Dallas hotels not described in the resolution or petition re-establishing the District in 2016 and authorizing the District to fund the improvements and supplemental services in the amounts described in the Service Plan.

SECTION 4. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A-1

FY 2019-20 Assessment Roll for the Tourism Public Improvement District (TPID)

Hotel Name (Per Original Petition)	Current Name	Street No.	Street Address	City	ST	ZIP	Notes	Owner's Name	Owner's Address					Assesment (2% Approximate)	% Allocation	FY 2019-20 Service Plan
AC Hotels by Marriott Dallas Downtown	AC Hotels by Marriott Dallas Downtown	1712	Commerce Street	Dallas	TX	75201		Mehul Patel- Newcrest Image	700 State Hwy 121, suite 175		Lewisville	TX	75067	$65,521	0.40%	$ 76,242
Adolphus Hotel	Adolphus Hotel	1321	Commerce Street	Dallas	TX	75202		Rockbridge Capital- John Rosen	4100 Regent Street	Suite G	Columbus	OH	43219	$254,180	1.55%	$ 295,768
Aloft Dallas Downtown	Aloft Dallas Downtown	1033	Young Street	Dallas	TX	75202		Larry Hamilton Santa Fe IV Hotel LP/Hamilton Properties Corp.	1033 Young Street		Dallas	TX	75202	$9,025	0.05%	$ 10,501
Anchor Motel	Anchor Motel	10230	Harry Hines Boulevard	Dallas	TX	75220		Texas Motel Corporation	10230 Harry Hines Blvd		Dallas	TX	75220	$10,548	0.06%	$ 12,274
Best Western Plus Dallas Hotel & Conference Center	Best Western Plus Dallas Hotel & Conference Center	8051	Lyndon B Johnson Freeway	Dallas	TX	75251	New Owners	Nonly Phimar LLC	8051 LBJ Freeway		Dallas	TX	75251	$35,406	0.22%	$ 41,199
Budget Suites of America Empire Central/Dallas	Budget Suites of America - #408	8150	North Stemmons Freeway	Dallas	TX	75247		Bigelow Management Inc. - Robert Bigelow	4545 Fuller Drive	Suite 405	Irving	TX	75038	$20,637	0.13%	$ 24,014
Budget Suites of America Loop 12/Dallas	Budget Suites of America - #282	10222	North Walton Walker Boulevard	Dallas	TX	75220		Bigelow Management Inc. - Robert Bigelow	4545 Fuller Drive	Suite 405	Irving	TX	75038	$15,276	0.09%	$ 17,775
Budget Suites of America North Dallas	Budget Suites of America - #348	9519	Forest Lane	Dallas	TX	75243		Bigelow Management Inc. - Robert Bigelow	4545 Fuller Drive	Suite 405	Irving	TX	75038	$16,322	0.10%	$ 18,993
Candlewood Suites Dallas Galleria	Candlewood Suites - Galleria	13939	Noel Road	Dallas	TX	75240		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$31,695	0.19%	$ 36,880
Candlewood Suites Dallas Market Center	Candlewood Suites - Market Center	7930	North Stemmons Freeway	Dallas	TX	75247		Turin Enterprises LLC	7930 North Stemmons Fwy		Dallas	TX	75247	$57,557	0.35%	$ 66,974
Candlewood Suites Dallas Park Central	Candlewood Suites - Park Central	12525	Greenville Avenue	Dallas	TX	75243		Candlewood Dallas TX %Intercontinental Hotels	11580 Great Oaks Way	Suite 100	Alpharetta	GA	30022	$26,444	0.16%	$ 30,770
Country Inn & Suites by Carlton Dallas Love Field	Country Inn & Suites by Carlton Dallas Love Field	2383	Stemmons Trail	Dallas	TX	75220		Amit Patel - AMBE Hotels FW LLC	2383 Stemmons Trail		Dallas	TX	75220	$41,849	0.25%	$ 48,697
Courtyard Dallas Central Expressway	Courtyard Dallas Central Expressway	10325	North Central Expressway	Dallas	TX	75231		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$101,796	0.62%	$ 118,452
Courtyard Dallas Medical/Market Center	Courtyard Dallas Medical/Market Center	2150	Market Center Boulevard	Dallas	TX	75207		American Realty Capital	PO Box 4900 Dept 114		Scottsdale	AZ	85261	$120,228	0.73%	$ 139,899
Courtyard Dallas Northwest	Courtyard Dallas Northwest	2930	Forest Lane	Dallas	TX	75234		Still 88 Hotels Sundip Kumar	3331 University Park Lane		Irving	TX	75062	$53,764	0.33%	$ 62,561
Crossland Economy Studios - Dallas - North Addison - Tollway	HomeTowne Studios by Red Roof Inn	17425	Dallas Parkway				Renamed	TBD	TBD					$12,750	0.08%	$ 14,837
Crowne Plaza Dallas Downtown	Crowne Plaza Dallas Downtown	1015	Elm Street	Dallas	TX	75202		TOG Hotel Downtown	1015 Elm Street		Dallas	TX	75202	$113,935	0.69%	$ 132,577
Crowne Plaza Dallas Market Center	Crowne Plaza Dallas Market Center	7050	North Stemmons Freeway	Dallas	TX	75247		Sid Siddiqi	2712 Southwest Freeway		Houston	TX	77098	$156,370	0.95%	$ 181,955
The Statler Dallas Curio Collection by Hilton	Curio Collection Statler Hotel & Residences	1914	Commerce Street	Dallas	TX	75201		Aimbridge Hospitality	2500 Dallas Parkway	Unit 600	Plano	TX	75093	$87,908	0.53%	$ 102,291
Dallas Marriott City Center	Dallas Marriott City Center	650	North Pearl Street	Dallas	TX	75201		Xenia Hotels & Resorts - Barry Bloom	200 S Orange Ave	Suite 1200	Orlando	FL	32801	$199,008	1.21%	$ 231,569
Dallas Marriott Suites Medical/Market Center	Dallas Marriott Suites Medical/Market Center	2493	North Stemmons Freeway	Dallas	TX	75207		Ashford Market Center LP - John O'Sullivan	14185 Dallas Parkway	Suite 1100	Dallas	TX	75254	$202,630	1.23%	$ 235,784
DoubleTree by Hilton Hotel Dallas Campbell Centre	DoubleTree by Hilton Hotel Dallas Campbell Centre	8250	North Central Expressway	Dallas	TX	75206		Black Forest Ventures	24 Waterway	Ste 225	The Woodlands	TX	77380	$202,948	1.23%	$ 236,153
DoubleTree by Hilton Hotel Dallas Love Field	DoubleTree by Hilton Hotel Dallas Love Field	3300	West Mockingbird Lane	Dallas	TX	75235		Mockingbird Partners	2722 Fairmont St.		Dallas	TX	75201	$137,580	0.84%	$ 160,090
DoubleTree by Hilton Hotel Dallas Market Center	DoubleTree by Hilton Hotel Dallas Market Center	2015	Market Center Boulevard	Dallas	TX	75207		Alliance Hospitality Hotel Management	215 N. Boylan Ave		Raleigh	NC	27603	$169,476	1.03%	$ 197,205
Dream Dallas	Dream Dallas	3207	McKinney Avenue	Dallas	TX	75204		Dream Hotel Group	200 West 55th Street	Suite 45	New York	NY	10019	$69,889	0.43%	$ 81,324
Element Dallas Downtown East	Element Dallas East	4005	Gaston Avenue	Dallas	TX	75246		Atlantic Hotels Group	2220 Marsh Lane	Suite 109	Carrollton	TX	75006	$82,448	0.50%	$ 95,937
Embassy Suites by Hilton Dallas Love Field	Embassy Suites by Hilton Dallas Love Field	3880	West Northwest Highway	Dallas	TX	75220		Ronnie Breaux	3880 West Northwest Highway		Dallas	TX	75220	$149,906	0.91%	$ 174,433
Embassy Suites by Hilton Dallas Market Center	Embassy Suites by Hilton Dallas Market Center	2727	North Stemmons Freeway	Dallas	TX	75207		2727 Stemmons FWY LP %Schulte Hospitality Group Inc.	2120 High Wickham Pl.	Suite 200	Louisville	KY	40245	$181,267	1.10%	$ 210,925
Embassy Suites by Hilton Dallas Near the Galleria	Embassy Suites by Hilton Dallas Near the Galleria	14021	Noel Road	Dallas	TX	75240		Ashford Hospitality Trust	14180 Dallas Pkwy	Suite 900	Dallas	TX	75254	$115,328	0.70%	$ 134,198
Embassy Suites by Hilton Dallas Park Central	Embassy Suites by Hilton Dallas Park Central	13131	North Central Expressway	Dallas	TX	75243		RBHV Dallas LLC	5 Concourse Pkwy NE	Ste2828	Atlanta	GA	30328	$163,572	0.99%	$ 190,335
Executive Inn	Executive Inn	12670	East Northwest Highway	Dallas	TX	75228		Garland Hospitality Group LLC	12670 E. Northwest Hwy		Dallas	TX	75228	$13,280	0.08%	$ 15,453
Express Studios	STUDIO 6	10326	Finnell Street				Renamed	Naresh Prajapati	10326 Finnell Street		Dallas	TX	75220	$6,613	0.04%	$ 7,696
Extended Stay America - Dallas - Coit Rd.	Extended Stay America - Dallas - Coit Rd.	12121	Coit Road	Dallas	TX	75251		BRE HV Properties LP%Fances Parker	PO Box 49550		Charlotte	NC	28277	$16,396	0.10%	$ 19,078
Extended Stay America - Dallas - Frankford Road	Extended Stay America - Dallas - Frankford Road	18470	North Dallas Parkway	Dallas	TX	75287		BRE ESA TX PPTIES LP % Property Tax 6016	PO Box 49550		Charlotte	NC	28277	$16,188	0.10%	$ 18,837
Extended Stay America - Dallas - Greenville Ave.	Extended Stay America - Dallas - Greenville Ave.	12270	Greenville Avenue	Dallas	TX	75243		BRE ESA TX PPTIES LP% Prop. Tax 6016	PO Box 49550		Charlotte	NC	28277	$16,052	0.10%	$ 18,678
Extended Stay America - Dallas - Vantage Point Dr.	Extended Stay America - Dallas - Vantage Point Dr.	9019	Vantage Point Drive	Dallas	TX	75243		BRE/ESA P Portfolio TXNC % Frances Parker	PO Box 49550		Charlotte	NC	28277	$15,980	0.10%	$ 18,594
Fairfield Inn & Suites Dallas Medical Market Center	Fairfield Inn & Suites Dallas Medical Market Center	2110	Market Center Boulevard	Dallas	TX	75207		Crestline Hotels & Resorts	3950 University Drive	Suite 301	Fairfax	VA	22030	$65,036	0.40%	$ 75,677
Fairmont Dallas	Fairmont Dallas	1717	North Akard Street	Dallas	TX	75201		Xenia Hotels & Resorts, Inc. - Barry Bloom	200 S. Orange Ave.	Suite 1200	Orlando	FL	32801	$502,351	3.06%	$ 584,544
Hampton Inn & Suites Dallas	Hampton Inn & Suites North	10370	North Central Expressway	Dallas	TX	75231		Mehul Patel	1700 Commerce Street		Dallas	TX	75201	$67,705	0.41%	$ 78,783
Hampton Inn & Suites Dallas North I-35 at Walnut Hill (Name is The Walnut Hotel)	Best Western Plus Dallas I-35 at Walnut Hill	11069	Composite Drive				Renamed	Diwali Vcomposite Dallas I-35 N	4103 Belt Line Rd.		Addison	TX	75001	$53,997	0.33%	$ 62,832
Hampton Inn & Suites Downtown	Hampton Inn & Suites Downtown	1700	Commerce Street	Dallas	TX	75201		Mehul Patel- Newcrest Image	700 State Hwy 121, suite 175		Lewisville	TX	75067	$96,098	0.58%	$ 111,821
Hawthorn Suites by Wyndham Park Central	Hawthorn Suites by Wyndham Park Central	7880	Alpha Road	Dallas	TX	75240		HPT c/o The RMR Group	255 Washington St.	Suite 300	Newton	MA	2458	$36,776	0.22%	$ 42,793
Hilton Anatole	Hilton Anatole	2201	North Stemmons Freeway	Dallas	TX	75207		Anatole Partners III, LLC	3819 Maple Avenue		Dallas	TX	75219	$1,278,246	7.77%	$ 1,487,387
Hilton Dallas Lincoln Centre	Hilton Dallas Lincoln Centre	5410	Lyndon B Johnson Freeway	Dallas	TX	75240		ARES Management	200 Crescent Cr.	Suite 1425	Dallas	TX	75201	$325,928	1.98%	$ 379,256
Hilton Dallas/Park Cities	Hilton Dallas/Park Cities	5954	Luther Lane	Dallas	TX	75225		Apple Nine Services Dallas	814 E Main Street		Richmond	VA	23219	$222,428	1.35%	$ 258,820
Hilton Garden Inn Dallas/Market Center	Hilton Garden Inn Dallas/Market Center	2325	North Stemmons Freeway	Dallas	TX	75207		2325 Stemmons TRS, Inc. c/o Pillar Hotels & Resorts	6031 Connection Dr	Ste 500	Irving	TX	75039	$154,463	0.94%	$ 179,736
Hilton Garden Inn Downtown	Hilton Garden Inn Downtown	1600	Pacific Avenue	Dallas	TX	75201		1600 Pacific Landlord LLC	812 Gravier Street	Suite 200	New Orleans	LA	70112	$93,368	0.57%	$ 108,644
Holiday Inn Dallas Market Center	Holiday Inn Dallas Market Center	4500	Harry Hines Boulevard	Dallas	TX	75219		Market Center DFW Hotel, LLC	545 E. John Carpenter Fwy	Suite 1300	Dallas	TX	75062	$113,288	0.69%	$ 131,824
Holiday Inn Express & Suites Dallas NW HWY	Holiday Inn Express & Suites North Dallas NW HWY - Love Field	2217	Connector Drive	Dallas	TX	75220		Bijal Hospitality	2287 W. Northwest Hwy		Dallas	TX	75220	$54,601	0.33%	$ 63,535

Note: The Tourism Public Improvement District Assessment Roll was provided by Visit Dallas.

Exhibit A-1

FY 2019-20 Assessment Roll for the Tourism Public Improvement District (TPID)

Hotel Name (Per Original Petition)	Current Name	Street No.	Street Address	City	ST	ZIP	Notes	Owner's Name	Owner's Address					Assesment (2% Approximate)	% Allocation	FY 2019-20 Service Plan
Holiday Inn Express & Suites Dallas Stemmons Fwy (Now Comfort Suites from April 2018)	Comfort Suites	2287	West Northwest Highway				Renamed	Bijal Hospitality	2287 W. Northwest Hwy		Dallas	TX	75220	$63,205	0.38%	$ 73,546
Holiday Inn Express & Suites North Dallas at Preston	Holiday Inn Express & Suites North Dallas at Preston	6055	Lyndon B Johnson Freeway	Dallas	TX	75240		Carol McCutchin Properties LTD	2220 Marsh Lane	Ste 109	Carrollton	TX	75006	$58,015	0.35%	$ 67,507
Homewood Suites by Hilton Dallas Downtown	Homewood Suites by Hilton Dallas Downtown	1025	Elm Street	Dallas	TX	75202		Apple Ten Hospitality Ownership Inc Mike Hardin	814 E Main St.		Richmond	VA	23219	$162,827	0.99%	$ 189,468
Homewood Suites by Hilton Dallas Market Center	Homewood Suites Dallas Market Center	2747	North Stemmons Freeway	Dallas	TX	75207		Island Hospitality Management	222 Lakeview Ave.	Suite 260	West Palm Beach	FL	33401	$86,061	0.52%	$ 100,143
Hotel Indigo Dallas Downtown	Hotel Indigo	1933	Main Street	Dallas	TX	75201		Paul Sandhu	1933 Main Street		Dallas	TX	75201	$110,882	0.67%	$ 129,024
Hotel ZaZa Dallas	Hotel ZaZa Dallas	2332	Leonard Street	Dallas	TX	75201		Givens Records Development LP	2332 Leonard St		Dallas	TX	75201	$226,962	1.38%	$ 264,097
Hyatt House Dallas/Lincoln Park	Hyatt House - Lincoln Park	8221	North Central Expressway	Dallas	TX	75225		RLJ Lodging Trust	3 Bethseda Metro Center	Suite 1000	Bethseda	MD	20814	$104,824	0.64%	$ 121,975
Hyatt House Dallas/Uptown	Hyatt House - Uptown	2914	Harry Hines Boulevard	Dallas	TX	75201		RLJ Lodging Trust	3 Bethseda Metro Center	Suite 1000	Bethseda	MD	20814	$99,589	0.61%	$ 115,883
Hyatt Place Dallas North by the Galleria	Hyatt Place Dallas North by the Galleria	5229	Spring Valley Road	Dallas	TX	75254		Christian Chapel CME%Select Hotel Group	PO Box 2196		Chicago	IL	60690	$75,427	0.46%	$ 87,768
Hyatt Place Dallas/Park Central	Hyatt Place Dallas/Park Central	12411	North Central Expressway	Dallas	TX	75243		Interstate Hotels	4501 N. Fairfax Drive	Suite 500	Arlington	VA	22203	$62,741	0.38%	$ 73,006
Hyatt Regency Dallas	Hyatt Regency Dallas	300	Reunion Boulevard	Dallas	TX	75207		Hunt Realty-Woodbine Development Corp.	1900 N. Akard		Dallas	TX	75201	$917,415	5.58%	$ 1,067,519
InTown Suites Dallas North, Plano Extended Stay	InTown Suites Dallas North, Plano Extended Stay	19059	Preston Road	Dallas	TX	75252		Intown Suites North Dallas LLC	980 Hammond Dr.	Suite 1400	Atlanta	GA	30328	$66,067	0.40%	$ 76,877
InTown Suites Dallas Northeast Extended Stay	InTown Suites Dallas Northeast Extended Stay	9355	Forest Lane	Dallas	TX	75243		SLAM Properties LLC	2727 Paces Ferry Road SE	Ste 1200	Atlanta	GA	30339	$8,721	0.05%	$ 10,147
InTown Suites Dallas/Market Center Extended Stay	InTown Suites Dallas/Market Center Extended Stay	8201	Brookriver Drive	Dallas	TX	75247		Intown Suites, Inc. Brookriver	980 Hammond Dr.	Ste 1400	Atlanta	GA	30328	$9,470	0.06%	$ 11,020
InTown Suites Garland Extended Stay	InTown Suites Garland Extended Stay	10477	Metric Drive	Dallas	TX	75243		Sun Suites Dallas Spe LLP	10477 Metric Dr.		Dallas	TX	75243	$10,445	0.06%	$ 12,154
Knights Inn Market Center	Knights Inn Market Center	1550	Empire Central	Dallas	TX	75235		Chetna Patel	8718 DRAYTON DRIVE		Irving	TX	75063	$52,488	0.32%	$ 61,076
La Quinta Inn & Suites Dallas Downtown	La Quinta Inn & Suites Dallas Downtown	302	South Houston Street	Dallas	TX	75202		BMR Dallas Downtown Investments LLC	302 South Houston Street		Dallas	TX	75202	$28,688	0.17%	$ 33,381
La Quinta Inn & Suites Dallas I35 Walnut Hill Lane	La Quinta Inn & Suites Dallas I35	2421	Walnut Hill Lane	Dallas	TX	75229		Hemant Patel BDR Hospitality	2421 Walnut Hill Lane		Dallas	TX	75229	$47,732	0.29%	$ 55,542
La Quinta Inn & Suites Dallas Love Field	La Quinta Inn & Suites Dallas Love Field	8300	John W Carpenter Freeway	Dallas	TX	75247		Aaron & Alvin LLS	2730 N. Stemmons Fwy	Ste 310	Dallas	TX	75207	$55,693	0.34%	$ 64,805
La Quinta Inn & Suites Dallas North Central	La Quinta Inn & Suites Dallas North Central	10001	North Central Expressway	Dallas	TX	75231		Mark Chloupek	909 Hidden Ridge		Irving	TX	75038	$59,734	0.36%	$ 69,508
La Quinta Inn & Suites Dallas Uptown	La Quinta Inn & Suites Dallas Uptown	4440	North Central Expressway	Dallas	TX	75206		La Quinta Management LLC-BRE LQ TX PPTIES LO	909 Hidden Ridge	Ste 600	Irving	TX	75038	$47,992	0.29%	$ 55,844
Lamplighter Motel	Lamplighter Motel	9001	East R L Thornton Freeway	Dallas	TX	75228		Lamplighter Motel Ltd.	9033 ERL Thornton Fwy		Dallas	TX	75228	$7,962	0.05%	$ 9,264
Le Meridien Dallas by the Galleria	Le Meridien Dallas by the Galleria	13402	Noel Road	Dallas	TX	75240		NB Holdings, Dallas	13402 Noel Road	Ste 1700	Dallas	TX	75240	$176,852	1.08%	$ 205,787
Le Meridien Dallas, The Stoneleigh	Le Meridien Dallas, The Stoneleigh	2927	Maple Avenue	Dallas	TX	75201		Carey Watermark Investors	50 Rockefeller Plaza		New York	NY	10020	$208,123	1.27%	$ 242,175
Lorenzo Hotel	Lorenzo Hotel	1011	South Akard Street	Dallas	TX	75202		Scooter Yates	1033 Young Street		Dallas	TX	75202	$129,404	0.79%	$ 150,577
Love Field Hotel and Suites	Love Field Hotel and Suites	1241	West Mockingbird Lane	Dallas	TX	75247		Chandler Hotel Company	7502 E. Pinnacle Peak Road	Ste B116	Scottsdale	AZ	85255	$256,192	1.56%	$ 298,110
Magnolia Hotel Dallas Downtown	Magnolia Hotel Dallas Downtown	1401	Commerce Street	Dallas	TX	75201		Holtze Magnolia Hotel	818 17th Street		Denver	CO	80202	$236,852	1.44%	$ 275,605
Magnolia Hotel Dallas Park Cities	Magnolia Hotel Dallas Park Cities	6070	North Central Expressway	Dallas	TX	75206		TriGate Capital, LLC	750 N Saint Paul St Ste 900		Dallas	TX	75201	$160,636	0.98%	$ 186,919
MCM Elegante Hotel & Suites	MCM Elegante Dallas	2330	West Northwest Highway	Dallas	TX	75220		ICA Properties	700 N. Grant	Suite 600	Odessa	TX	79761	$76,031	0.46%	$ 88,471
Motel 6 Dallas - Fair Park #4616	Motel 6 Dallas - Fair Park #4616	8510	East R L Thornton Freeway	Dallas	TX	75228		Krupalamxi LP	8510 East R.L. Thornton Frwy		Dallas	TX	75228	$28,896	0.18%	$ 33,624
Motel 6 Dallas - Galleria #4657	Motel 6 Dallas - Galleria #4657	2660	Forest Lane	Dallas	TX	75234		Aum Sriram LLC	12301 N. Central Expressway		Dallas	TX	75234	$30,632	0.19%	$ 35,644
Motel 6 Dallas - Market Center	Motel 6 Dallas - Market Center	1625	Regal Row	Dallas	TX	75247		Krishna Blaram & Raman Patel	1625 Regal Row		Dallas	TX	75247	$32,448	0.20%	$ 37,756
Omni Dallas Hotel	Omni Dallas Hotel	555	South Lamar Street	Dallas	TX	75202		Omni Corporate	555 South Lamar Street		Dallas	TX	75202	$394,366	2.40%	$ 458,891
Ramada by Wyndham Dallas Love Field	Ramada Dallas Love Field	1575	Regal Row	Dallas	TX	75247		Danny Patel, Divine Hotels LLC	1575 Regal Row		Dallas	TX	75247	$109,748	0.67%	$ 127,705
Ramada Dallas North	Gateway Hotel	8102	Lyndon B Johnson Freeway				Renamed	Jee Sung Investment Inc	3905 Nantucket Dr.		Plano	TX	75023	$28,658	0.17%	$ 33,347
Red Roof Inn - Dallas Richardson	Red Roof Inn - Dallas Richardson	13685	North Central Expressway	Dallas	TX	75243		MPH Group LLC	13685 N. Central Expressway		Dallas	TX	75243	$19,890	0.12%	$ 23,144
Regency Hotel (Being remodeled under Siegel Suites Dallas)	Seigel Suites	11350	Lyndon B Johnson Freeway				Remodel	TBD	TBD					$32,988	0.20%	$ 38,386
Renaissance Dallas Hotel	Renaissance Dallas Hotel	2222	North Stemmons Freeway	Dallas	TX	75207		Deep Ellum Real Estate LLC	9737 Washingtonian Blvd	404	Gaithersburg	MD	20878	$385,410	2.34%	$ 448,469
Residence Inn Dallas Central Expressway	Residence Inn Dallas Central Expressway	10333	North Central Expressway	Dallas	TX	75231		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$34,731	0.21%	$ 40,414
Residence Inn by Marriott Dallas Downtown	Residence Inn Dallas Downtown	1712	Commerce Street	Dallas	TX	75201		Mehul Patel	1712 Commerce Street		Dallas	TX	75201	$66,067	0.40%	$ 76,877
Residence Inn by Marriott Dallas Market Center	Residence Inn Dallas Market Center	6950	North Stemmons Freeway	Dallas	TX	75247		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$66,610	0.41%	$ 77,509
Residence Inn by Marriott Dallas Park Central	Residence Inn Dallas Park Central	7642	Lyndon B Johnson Freeway	Dallas	TX	75251		Stonebridge Irving Venture %Dilip Pranar	8530 Esters Blvd		Irving	TX	75063	$61,715	0.38%	$ 71,813
Hotel Crescent Court	Hotel Crescent Court	400	Crescent Court					GPIF Crescent Court Hotel LLC	777 Main Street	Suite 2260	Fort Worth	TX	76102	$304,869	1.85%	$ 354,751
Rosewood Mansion on Turtle Creek	Rosewood Mansion on Turtle Creek	2821	Turtle Creek Boulevard	Dallas	TX	75219		CTF	1300 19th St NW	Ste 401	Washington	DC	20036	$228,515	1.39%	$ 265,904
Sheraton Dallas Hotel	Sheraton Dallas Hotel	400	North Olive Street	Dallas	TX	75201		Chartres Lodging Group, LLC-Dustin Kline	50 California Street	Suite 3300	San Francisco	CA	94111	$982,929	5.98%	$ 1,143,752
Sheraton Suites Market Center Dallas	Sheraton Suites Market Center Dallas	2101	North Stemmons Freeway	Dallas	TX	75207		IStar Dallas GL LP	180 Glastonbury Blvd	Ste 201	Glastonbury	CT	6033	$168,119	1.02%	$ 195,627
Springhill Suites by Marriott Dallas Downtown/West End	Springhill Suites Dallas Downtown/West End	1907	North Lamar Street	Dallas	TX	75202		BRE Select Hotels TX LP %Blackstone Real Etate Partners VII LP	345 Park Ave.		New York	NY	10154	$117,761	0.72%	$ 137,029
Stay Express Inn Dallas Fair Park Downtown	Stay Express Inn Dallas Fair Park Downtown	8303	East R L Thornton Freeway	Dallas	TX	75228		PCT Hospitality Inc Hiren Patel	8303 E RL Thornton Fwy		Dallas	TX	75228	$20,277	0.12%	$ 23,595
Staybridge Suites Dallas Addison	Staybridge Suites Dallas Addison	16060	Dallas Parkway	Dallas	TX	75248		Parkway Lodging LLC	4235 W. Airport Fwy		Irving	TX	75062	$39,422	0.24%	$ 45,872
Sterling Hotel Dallas	Sterling Hotel Dallas	1055	Regal Row	Dallas	TX	75247		The Mian Development Corp	1055 Regal Row		Dallas	TX	75247	$111,137	0.68%	$ 129,321

Note: The Tourism Public Improvement District Assessment Roll was provided by Visit Dallas.

Exhibit A-1

FY 2019-20 Assessment Roll for the Tourism Public Improvement District (TPID)

Hotel Name (Per Original Petition)	Current Name	Street No.	Street Address	City	ST	ZIP	Notes	Owner's Name	Owner's Address					Assesment (2% Approximate)	% Allocation	FY 2019-20 Service Plan
Studio 6 Dallas Garland/Northeast #5003	Studio 6 Dallas Garland/Northeast #5003	9801	Adleta Court	Dallas	TX	75243		Kevin Hajari	9801 Adleta Ct		Dallas	TX	75243	$15,089	0.09%	$ 17,558
Studio 6 Dallas Northwest #6035	Studio 6 Dallas Northwest #6035	2395	Stemmons Trail	Dallas	TX	75220		G6 Hospitality LLC	PO Box 117508		Carrollton	TX	75011	$17,577	0.11%	$ 20,452
Studio 6 Dallas Richardson/North #5010	Studio 6 Dallas Richardson/North #5010	12301	North Central Expressway	Dallas	TX	75243		Jalaram Hotel LLC	12301 N. Central Expressway		Dallas	TX	75243	$22,861	0.14%	$ 26,601
Super 7 Inn	Super 7 Inn Dallas Southeast	9626	C F Hawn Freeway	Dallas	TX	75217		Southeast Dallas Hospitality Ltd Ramesh Patel	9626 C F Hawn Fwy		Dallas	TX	75217	$8,860	0.05%	$ 10,310
Super 7 Inn Dallas	Super 7 Inn Dallas Northwest	10335	Gardner Road	Dallas	TX	75220		Northwest Hotel Inc.	10335 Gardner Rd		Dallas	TX	75220	$14,534	0.09%	$ 16,912
Super 7 Inn Dallas Southwest	Super 7 Inn Dallas Southwest	4220	Independence Drive	Dallas	TX	75237		Mayur Patel	4220 Independence Dr		Dallas	TX	75237	$21,598	0.13%	$ 25,132
Hotel Alexis	OYO Townhouse	7815-B	Lyndon B Johnson Freeway				Renamed	TBD	TBD					$79,171	0.48%	$ 92,125
The Highland Dallas Curio Collection by Hilton	Highland (The) Dallas	5300	East Mockingbird Lane	Dallas	TX	75206		Thayer Lodging, Brookfield Hotel Properties	1997 Annapolis Exchange #550		Annapolis	MD	21401	$207,926	1.26%	$ 241,946
The Joule	Joule (The)	1530	Main Street	Dallas	TX	75201		Dunhill 1530 Main LP	2711 N. Haskell Ave	Ste 2800	Dallas	TX	75204	$22,019	0.13%	$ 25,621
The Ritz-Carlton, Dallas	Ritz-Carlton (The) Dallas	2121	McKinney Avenue	Dallas	TX	75201		Crescent Real Estate Equities Theresa Cabilao	777 Main Street	Suite 2260	Fort Worth	TX	76102	$441,762	2.69%	$ 514,041
The Westin Dallas Park Central	Westin (The) Dallas Park Central	12720	Merit Drive	Dallas	TX	75251		AWH Dallas PC Corporate, LLC Kieran Doll	1040 AVE OF THE AMERICAS 9TH FL	9B	New York	NY	10018	$277,491	1.69%	$ 322,893
The Westin Galleria Dallas	Westin (The) Galleria Dallas	13340	Dallas Parkway	Dallas	TX	75240		UBS Realty Investors	2515 Mckinney	Suite 800	Dallas	TX	75201	$461,198	2.80%	$ 536,657
TownePlace Suites by Marriott Dallas Downtown	TownePlace Suites Dallas Downtown	500	South Ervay Street	Dallas	TX	75201		Alterra International	211 North Ervay Street		Dallas	TX	75201	$1,010,963	6.15%	$ 1,176,374
Townhouse Suites	Townhouse Suites	4150	Independence Drive	Dallas	TX	75237		Uppal Gurjit	4150 Independence Drive		Dallas	TX	75237	$12,040	0.07%	$ 14,010
Unnamed Hotel @ The Lexi	Unnamed Hotel @ The Lexi	2815	North Harwood Street	Dallas	TX	75201		HPO Inc.	2501 N. Harwood Street	Suite 1400	Dallas	TX	75201	$60,061	0.37%	$ 69,888
W Dallas - Victory	W Dallas - Victory	2440	Victory Park Lane	Dallas	TX	75219		Vpust Hotel LP-Estein & Associates USA, Ltd.	4705 S Apopka Vineland Road	Suite 201	Orlando	FL	32819	$369,335	2.25%	$ 429,764
Warwick Melrose Hotel Dallas	Warwick Melrose Hotel Dallas	3015	Oak Lawn Avenue	Dallas	TX	75219		Warwick Melrose Dallas Warwick Amusement Corp.	1776 Grant St. FL 14		Denver	CO	80203	$184,816	1.12%	$ 215,055
Westin Dallas	Westin Dallas	1201	Main Street	Dallas	TX	75202		One Main Place Hotel LLC	1205 St. Charles Ave.	Suite D	New Orleans	LA	70130	$176,361	1.07%	$ 205,217
Wyndham Dallas Suites Park Central	Wyndham Dallas Suites Park Central	7800	Alpha Road	Dallas	TX	75240		Hospitality Properties Trust % The RMR Group-Kristin Sage-Black	Two Newton Place 255 Washington St.	Suite 300	Newton	MA	2458	$113,533	0.69%	$ 132,109
Total														**$16,443,472**	**100.00%**	**$ 19,133,893**
Removed																
La Quinta Inn & Suites Dallas Richardson		13175	North Central Expressway	Dallas	TX	75243	Removed	Burleson Inn Inc	13165 N. Central Expy		Dallas	TX	75243	$67,705	0.41%	$ 78,783
Super 8 Dallas Love Field Market Center		9229	John W Carpenter Freeway	Dallas	TX	75247	Removed	Mehalab Management Inc.	9229 E. John W Carpenter Fwy		Dallas	TX	75247	$17,399	0.11%	$ 20,246

Note: The Tourism Public Improvement District Assessment Roll was provided by Visit Dallas.

Exhibit A-2
Tourism PID Boundary Expansion
Hotels over 100 Rooms to Add to District Boundaries

Hotel Name	Street No.	Street Address	Owner's Name	Owner's Address				
Aloft/Element - Love Field	2333	W. Mockingbird	M&M Hotel Venture, LLC	2220 Marsh Lane	Suite 109	Carrollton	TX	75006
AC Dallas - Galleria	5460	James Temple	PHG DG Hotels, LLC	2532 Dupoint Dr.		Irvine	CA	92612
Residence Inn Dallas by the Galleria	5460	James Temple	Pending additional research					
Courtyard by Marriott - New Ownership - Dec-2018	310	S. Houston St	Chatham Dallas DT Leaseco LLC	222 Lakeview Avenue	Suite 200	West Palm Beach	FL	33401
Residence Inn - Canyon	3425	Canyon Bluff Blvd	Canyons Hotel Venture LLC	1601 Bryan Street	Suite M 210	Dallas	TX	75201
Stay Alfred - Statler	1919	Jackson	Stay Alfred	PO. Box 2722		Spokane	WA	99220
Cambria Hotel	1907	Elm St.	FH DAL, LLC	4145 Powell Road	Suite H	Powell	OH	43065
Home 2 Suites - Baylor	3301	Gaston Ave.	Pending additional research					
Home 2 Suites - North Park	8180	Midtown Blvd.	Freedom Hospitality LLC	2121 E William J Bryan Pkwy	# 2864	Bryan	TX	77801
Fairfield Inn Dallas Downtown	555	Evergreen St.	Butler Brothers Hospitality Group LL(	211 North Ervay	15th Floor	Dallas	TX	75201
Canopy by Hilton Dallas Uptown	2950	Cityplace West Blvd	City Place Hotel Realty, LP	5851 Legacy Circle	Suite 400	Plano	TX	75024
Grand Inn	220	W. Camp Wisdom Rd.	SUBH Enterprises, Inc.	220 W. Camp Wisdom Rd.		Dallas	TX	75232
Springhill Suites Dallas	10111	N Central Expy	Avail Hotels LLC	1111 W. Mockingbird Ln	Suite 930	Dallas	TX	75247
Motel 6	13185	N Central Expy	Mehul Patel	435 O'Connor ridge Blvd.		Irving	TX	75038
Oakwood Dallas Uptown	2901	Cityplace West Blvd	Bryson Noble LLC	2222 Corinth Ave.		Los Angele:	CA	90064

Agenda Information Sheet

File #: 19-1162 **Item #:** 33.

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
DEPARTMENT:	Office of Economic Development
EXECUTIVE:	Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Tourism Public Improvement District ("District") Service Plan for 2019-20, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on Dallas hotels with 100 or more rooms, for services and improvements to be provided during 2019-20; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2019-20 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019.

The PID 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 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 $19,133,893.00 in FY 2019-20 and reach $23,257,367.00 in FY 2023-24. The total estimated assessments to be collected during the next five-year period is approximately $105,726,838.00. The District shall incur no bonded indebtedness. In the event the District requires additional funds; the District shall re-petition the hotel owners for such an increase. 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 renewal 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 boundaries of the District are located wholly within the city of Dallas, Texas. The District shall include hotel properties with 100 or more rooms within the city of Dallas as shown on the attached Exhibit A-1 unless City Council votes to expand these boundaries on September 11, 2019 to include the additional hotels listed on Exhibit A-2.

(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 two percent of room-nights sold at qualifying hotels located within the District territory. 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 2019-20 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. 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 and 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 District and approval of the Service Plan and management contract by Resolution No. 16-1250.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1322; Ordinance No. 30987.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

Cost consideration to others - for designated hotel properties, 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.

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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 and approval of the Service Plan and management contract by Resolution No. 16-1250; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2018-19 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1322; Ordinance No. 30987; and

WHEREAS, the Dallas Tourism Public Improvement District Management Corporation provided City staff with the proposed District 2019-20 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2019-20 Service Plan and 2019 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 2019-20 Service Plan and the proposed 2019 Assessment Plan for the Tourism Public Improvement District, will consider approval of the final 2019-20 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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

SECTION 1. (continued)

(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 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 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 $19,133,893.00 in FY 2019-20 and reach $23,257,367.00 in FY 2023-24. The total estimated assessments to be collected during the next five-year period is approximately $105,726,838.00. The District shall incur no bonded indebtedness. In the event the District requires additional funds; the District shall re-petition the hotel owners for such an increase. 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 boundaries of the District are located wholly within the city of Dallas, Texas. The boundaries of the District may also 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** unless City Council votes to expand these boundaries on September 11, 2019 to include the additional hotels listed on **Exhibit A-2.**

(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

SECTION 1. (continued)

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 two 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 2019-20 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. 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 no earlier than 6:00 p.m. on September 11, 2019, 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 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2019-20; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2019-20; 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-1

FY 2019-20 Assessment Roll for the Tourism Public Improvement District (TPID)

Hotel Name (Per Original Petition)	Current Name	Street No.	Street Address	City	ST	ZIP	Notes	Owner's Name	Owner's Address					Assesment (2% Approximate)	% Allocation	FY 2019-20 Service Plan
AC Hotels by Marriott Dallas Downtown	AC Hotels by Marriott Dallas Downtown	1712	Commerce Street	Dallas	TX	75201		Mehul Patel- Newcrest Image	700 State Hwy 121, suite 175		Lewisville	TX	75067	$65,521	0.40%	$ 76,242
Adolphus Hotel	Adolphus Hotel	1321	Commerce Street	Dallas	TX	75202		Rockbridge Capital- John Rosen	4100 Regent Street	Suite G	Columbus	OH	43219	$254,180	1.55%	$ 295,768
Aloft Dallas Downtown	Aloft Dallas Downtown	1033	Young Street	Dallas	TX	75202		Larry Hamilton Santa Fe IV Hotel LP/Hamilton Properties Corp.	1033 Young Street		Dallas	TX	75202	$9,025	0.05%	$ 10,501
Anchor Motel	Anchor Motel	10230	Harry Hines Boulevard	Dallas	TX	75220		Texas Motel Corporation	10230 Harry Hines Blvd		Dallas	TX	75220	$10,548	0.06%	$ 12,274
Best Western Plus Dallas Hotel & Conference Center	Best Western Plus Dallas Hotel & Conference Center	8051	Lyndon B Johnson Freeway	Dallas	TX	75251	New Owners	Nonly Phimar LLC	8051 LBJ Freeway		Dallas	TX	75251	$35,406	0.22%	$ 41,199
Budget Suites of America Empire Central/Dallas	Budget Suites of America - #408	8150	North Stemmons Freeway	Dallas	TX	75247		Bigelow Management- Robert Bigelow	4545 Fuller Drive	Suite 405	Irving	TX	75038	$20,637	0.13%	$ 24,014
Budget Suites of America Loop 12/Dallas	Budget Suites of America - #282	10222	North Walton Walker Boulevard	Dallas	TX	75220		Bigelow Management Inc. - Robert Bigelow	4545 Fuller Drive	Suite 405	Irving	TX	75038	$15,276	0.09%	$ 17,775
Budget Suites of America North Dallas	Budget Suites of America - #348	9519	Forest Lane	Dallas	TX	75243		Bigelow Management Inc. - Robert Bigelow	4545 Fuller Drive	Suite 405	Irving	TX	75038	$16,322	0.10%	$ 18,993
Candlewood Suites Dallas Galleria	Candlewood Suites - Galleria	13939	Noel Road	Dallas	TX	75240		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$31,695	0.19%	$ 36,880
Candlewood Suites Dallas Market Center	Candlewood Suites - Market Center	7930	North Stemmons Freeway	Dallas	TX	75247		Turin Enterprises LLC	7930 North Stemmons Fwy		Dallas	TX	75247	$57,557	0.35%	$ 66,974
Candlewood Suites Dallas Park Central	Candlewood Suites - Park Central	12525	Greenville Avenue	Dallas	TX	75243		Candlewood Dallas TX %Intercontinental Hotels	11580 Great Oaks Way	Suite 100	Alpharetta	GA	30022	$26,444	0.16%	$ 30,770
Country Inn & Suites by Carlton Dallas Love Field	Country Inn & Suites by Carlton Dallas Love Field	2383	Stemmons Trail	Dallas	TX	75220		Amit Patel - AMBE Hotels FW LLC	2383 Stemmons Trail		Dallas	TX	75220	$41,849	0.25%	$ 48,697
Courtyard Dallas Central Expressway	Courtyard Dallas Central Expressway	10325	North Central Expressway	Dallas	TX	75231		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$101,796	0.62%	$ 118,452
Courtyard Dallas Medical/Market Center	Courtyard Dallas Medical/Market Center	2150	Market Center Boulevard	Dallas	TX	75207		American Realty Capital	PO Box 4900 Dept 114		Scottsdale	AZ	85261	$120,228	0.73%	$ 139,899
Courtyard Dallas Northwest	Courtyard Dallas Northwest	2930	Forest Lane	Dallas	TX	75234		Still 88 Hotels Sundip Kumar	3331 University Park Lane		Irving	TX	75062	$53,764	0.33%	$ 62,561
Crossland Economy Studios - Dallas - North Addison - Tollway	HomeTowne Studios by Red Roof Inn	17425	Dallas Parkway				Renamed	TBD	TBD					$12,750	0.08%	$ 14,837
Crowne Plaza Dallas Downtown	Crowne Plaza Dallas Downtown	1015	Elm Street	Dallas	TX	75202		TOG Hotel Downtown	1015 Elm Street		Dallas	TX	75202	$113,935	0.69%	$ 132,577
Crowne Plaza Dallas Market Center	Crowne Plaza Dallas Market Center	7050	North Stemmons Freeway	Dallas	TX	75247		Sid Siddiqi	2712 Southwest Freeway		Houston	TX	77098	$156,370	0.95%	$ 181,955
The Statler Dallas Curio Collection by Hilton	Curio Collection Statler Hotel & Residences	1914	Commerce Street	Dallas	TX	75201		Aimbridge Hospitality	2500 Dallas Parkway	Unit 600	Plano	TX	75093	$87,908	0.53%	$ 102,291
Dallas Marriott City Center	Dallas Marriott City Center	650	North Pearl Street	Dallas	TX	75201		Xenia Hotels & Resorts - Barry Bloom	200 S Orange Ave	Suite 1200	Orlando	FL	32801	$199,008	1.21%	$ 231,569
Dallas Marriott Suites Medical/Market Center	Dallas Marriott Suites Medical/Market Center	2493	North Stemmons Freeway	Dallas	TX	75207		Ashford Market Center LP - John O'Sullivan	14185 Dallas Parkway	Suite 1100	Dallas	TX	75254	$202,630	1.23%	$ 235,784
DoubleTree by Hilton Hotel Dallas Campbell Centre	DoubleTree by Hilton Hotel Dallas Campbell Centre	8250	North Central Expressway	Dallas	TX	75206		Black Forest Ventures	24 Waterway	Ste 225	The Woodlands	TX	77380	$202,948	1.23%	$ 236,153
DoubleTree by Hilton Hotel Dallas Love Field	DoubleTree by Hilton Hotel Dallas Love Field	3300	West Mockingbird Lane	Dallas	TX	75235		Mockingbird Partners	2722 Fairmont St.		Dallas	TX	75201	$137,580	0.84%	$ 160,090
DoubleTree by Hilton Hotel Dallas Market Center	DoubleTree by Hilton Hotel Dallas Market Center	2015	Market Center Boulevard	Dallas	TX	75207		Alliance Hospitality Hotel Management	215 N. Boylan Ave		Raleigh	NC	27603	$169,476	1.03%	$ 197,205
Dream Dallas	Dream Dallas	3207	McKinney Avenue	Dallas	TX	75204		Dream Hotel Group	200 West 55th Street	Suite 45	New York	NY	10019	$69,889	0.43%	$ 81,324
Element Dallas Downtown East	Element Dallas East	4005	Gaston Avenue	Dallas	TX	75246		Atlantic Hotels Group	2220 Marsh Lane	Suite 109	Carrollton	TX	75006	$82,448	0.50%	$ 95,937
Embassy Suites by Hilton Dallas Love Field	Embassy Suites by Hilton Dallas Love Field	3880	West Northwest Highway	Dallas	TX	75220		Ronnie Breaux	3880 West Northwest Highway		Dallas	TX	75220	$149,906	0.91%	$ 174,433
Embassy Suites by Hilton Dallas Market Center	Embassy Suites by Hilton Dallas Market Center	2727	North Stemmons Freeway	Dallas	TX	75207		2727 Stemmons FWY LP %Schulte Hospitality Group Inc.	2120 High Wickham Pl.	Suite 200	Louisville	KY	40245	$181,267	1.10%	$ 210,925
Embassy Suites by Hilton Dallas Near the Galleria	Embassy Suites by Hilton Dallas Near the Galleria	14021	Noel Road	Dallas	TX	75240		Ashford Hospitality Trust	14180 Dallas Pkwy	Suite 900	Dallas	TX	75254	$115,328	0.70%	$ 134,198
Embassy Suites by Hilton Dallas Park Central	Embassy Suites by Hilton Dallas Park Central	13131	North Central Expressway	Dallas	TX	75243		RBHV Dallas LLC	5 Concourse Pkwy NE	Ste2828	Atlanta	GA	30328	$163,572	0.99%	$ 190,335
Executive Inn	Executive Inn	12670	East Northwest Highway	Dallas	TX	75228		Garland Hospitality Group LLC	12670 E. Northwest Hwy		Dallas	TX	75228	$13,280	0.08%	$ 15,453
Express Studios	STUDIO 6	10326	Finnell Street				Renamed	Naresh Prajapati	10326 Finnell Street		Dallas	TX	75220	$6,613	0.04%	$ 7,696
Extended Stay America - Dallas - Coit Rd.	Extended Stay America - Dallas - Coit Rd.	12121	Coit Road	Dallas	TX	75251		BRE HV Properties LP%Fances Parker	PO Box 49550		Charlotte	NC	28277	$16,396	0.10%	$ 19,078
Extended Stay America - Dallas - Frankford Road	Extended Stay America - Dallas - Frankford Road	18470	North Dallas Parkway	Dallas	TX	75287		BRE ESA TX PPTIES LP % Property Tax 6016	PO Box 49550		Charlotte	NC	28277	$16,188	0.10%	$ 18,837
Extended Stay America - Dallas - Greenville Ave.	Extended Stay America - Dallas - Greenville Ave.	12270	Greenville Avenue	Dallas	TX	75243		BRE ESA TX PPTIES LP% Prop. Tax 6016	PO Box 49550		Charlotte	NC	28277	$16,052	0.10%	$ 18,678
Extended Stay America - Dallas - Vantage Point Dr.	Extended Stay America - Dallas - Vantage Point Dr.	9019	Vantage Point Drive	Dallas	TX	75243		BRE/ESA P Portfolio TXNC % Frances Parker	PO Box 49550		Charlotte	NC	28277	$15,980	0.10%	$ 18,594
Fairfield Inn & Suites Dallas Medical Market Center	Fairfield Inn & Suites Dallas Medical Market Center	2110	Market Center Boulevard	Dallas	TX	75207		Crestline Hotels & Resorts	3950 University Drive	Suite 301	Fairfax	VA	22030	$65,036	0.40%	$ 75,677
Fairmont Dallas	Fairmont Dallas	1717	North Akard Street	Dallas	TX	75201		Xenia Hotels & Resorts, Inc. - Barry Bloom	200 S. Orange Ave.	Suite 1200	Orlando	FL	32801	$502,351	3.06%	$ 584,544
Hampton Inn & Suites Dallas	Hampton Inn & Suites North	10370	North Central Expressway	Dallas	TX	75231		Mehul Patel	1700 Commerce Street		Dallas	TX	75201	$67,705	0.41%	$ 78,783
Hampton Inn & Suites Dallas North I-35 at Walnut Hill (Name is The Walnut Hotel)	Best Western Plus Dallas I-35 at Walnut Hill	11069	Composite Drive				Renamed	Diwali Vcomposite Dallas I-35 N	4103 Belt Line Rd.		Addison	TX	75001	$53,997	0.33%	$ 62,832
Hampton Inn & Suites Downtown	Hampton Inn & Suites Downtown	1700	Commerce Street	Dallas	TX	75201		Mehul Patel- Newcrest Image	700 State Hwy 121, suite 175		Lewisville	TX	75067	$96,098	0.58%	$ 111,821
Hawthorn Suites by Wyndham Park Central	Hawthorn Suites by Wyndham Park Central	7880	Alpha Road	Dallas	TX	75240		HPT c/o The RMR Group	255 Washington St.	Suite 300	Newton	MA	2458	$36,776	0.22%	$ 42,793
Hilton Anatole	Hilton Anatole	2201	North Stemmons Freeway	Dallas	TX	75207		Anatole Partners III, LLC	3819 Maple Avenue		Dallas	TX	75219	$1,278,246	7.77%	$ 1,487,387
Hilton Dallas Lincoln Centre	Hilton Dallas Lincoln Centre	5410	Lyndon B Johnson Freeway	Dallas	TX	75240		ARES Management	200 Crescent Cr.	Suite 1425	Dallas	TX	75201	$325,928	1.98%	$ 379,256
Hilton Dallas/Park Cities	Hilton Dallas/Park Cities	5954	Luther Lane	Dallas	TX	75225		Apple Nine Services Dallas	814 E Main Street		Richmond	VA	23219	$222,428	1.35%	$ 258,820
Hilton Garden Inn Dallas/Market Center	Hilton Garden Inn Dallas/Market Center	2325	North Stemmons Freeway	Dallas	TX	75207		2325 Stemmons TRS, Inc. c/o Pillar Hotels & Resorts	6031 Connection Dr	Ste 500	Irving	TX	75039	$154,463	0.94%	$ 179,736
Hilton Garden Inn Downtown	Hilton Garden Inn Downtown	1600	Pacific Avenue	Dallas	TX	75201		1600 Pacific Landlord LLC	812 Gravier Street	Suite 200	New Orleans	LA	70112	$93,368	0.57%	$ 108,644
Holiday Inn Dallas Market Center	Holiday Inn Dallas Market Center	4500	Harry Hines Boulevard	Dallas	TX	75219		Market Center DFW Hotel, LLC	545 E. John Carpenter Fwy	Suite 1300	Dallas	TX	75062	$113,288	0.69%	$ 131,824
Holiday Inn Express & Suites Dallas NW HWY	Holiday Inn Express & Suites North Dallas NW HWY - Love Field	2217	Connector Drive	Dallas	TX	75220		Bijal Hospitality	2287 W. Northwest Hwy		Dallas	TX	75220	$54,601	0.33%	$ 63,535

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FY 2019-20 Assessment Roll for the Tourism Public Improvement District (TPID)

Hotel Name (Per Original Petition)	Current Name	Street No.	Street Address	City	ST	ZIP	Notes	Owner's Name	Owner's Address					Assesment (2% Approximate)	% Allocation	FY 2019-20 Service Plan
Holiday Inn Express & Suites Dallas Stemmons Fwy (Now Comfort Suites from April 2018)	Comfort Suites	2287	West Northwest Highway				Renamed	Bijal Hospitality	2287 W. Northwest Hwy		Dallas	TX	75220	$63,205	0.38%	$ 73,546
Holiday Inn Express & Suites North Dallas at Preston	Holiday Inn Express & Suites North Dallas at Preston	6055	Lyndon B Johnson Freeway	Dallas	TX	75240		Carol McCutchin Properties LTD	2220 Marsh Lane	Ste 109	Carrollton	TX	75006	$58,015	0.35%	$ 67,507
Homewood Suites by Hilton Dallas Downtown	Homewood Suites by Hilton Dallas Downtown	1025	Elm Street	Dallas	TX	75202		Apple Ten Hospitality Ownership Inc Mike Hardin	814 E Main St.		Richmond	VA	23219	$162,827	0.99%	$ 189,468
Homewood Suites by Hilton Dallas Market Center	Homewood Suites Dallas Market Center	2747	North Stemmons Freeway	Dallas	TX	75207		Island Hospitality Management	222 Lakeview Ave.	Suite 260	West Palm Beach	FL	33401	$86,061	0.52%	$ 100,143
Hotel Indigo Dallas Downtown	Hotel Indigo	1933	Main Street	Dallas	TX	75201		Paul Sandhu	1933 Main Street		Dallas	TX	75201	$110,882	0.67%	$ 129,024
Hotel ZaZa Dallas	Hotel ZaZa Dallas	2332	Leonard Street	Dallas	TX	75201		Givens Records Development LP	2332 Leonard St		Dallas	TX	75201	$226,962	1.38%	$ 264,097
Hyatt House Dallas/Lincoln Park	Hyatt House - Lincoln Park	8221	North Central Expressway	Dallas	TX	75225		RLJ Lodging Trust	3 Bethseda Metro Center	Suite 1000	Bethseda	MD	20814	$104,824	0.64%	$ 121,975
Hyatt House Dallas/Uptown	Hyatt House - Uptown	2914	Harry Hines Boulevard	Dallas	TX	75201		RLJ Lodging Trust	3 Bethseda Metro Center	Suite 1000	Bethseda	MD	20814	$99,589	0.61%	$ 115,883
Hyatt Place Dallas North by the Galleria	Hyatt Place Dallas North by the Galleria	5229	Spring Valley Road	Dallas	TX	75254		Christian Chapel CME%Select Hotel Group	PO Box 2196		Chicago	IL	60690	$75,427	0.46%	$ 87,768
Hyatt Place Dallas/Park Central	Hyatt Place Dallas/Park Central	12411	North Central Expressway	Dallas	TX	75243		Interstate Hotels	4501 N. Fairfax Drive	Suite 500	Arlington	VA	22203	$62,741	0.38%	$ 73,006
Hyatt Regency Dallas	Hyatt Regency Dallas	300	Reunion Boulevard	Dallas	TX	75207		Hunt Realty-Woodbine Development Corp.	1900 N. Akard		Dallas	TX	75201	$917,415	5.58%	$ 1,067,519
InTown Suites Dallas North, Plano Extended Stay	InTown Suites Dallas North, Plano Extended Stay	19059	Preston Road	Dallas	TX	75252		Intown Suites North Dallas LLC	980 Hammond Dr.	Suite 1400	Atlanta	GA	30328	$66,067	0.40%	$ 76,877
InTown Suites Dallas Northeast Extended Stay	InTown Suites Dallas Northeast Extended Stay	9355	Forest Lane	Dallas	TX	75243		SLAM Properties LLC	2727 Paces Ferry Road SE	Ste 1200	Atlanta	GA	30339	$8,721	0.05%	$ 10,147
InTown Suites Dallas/Market Center Extended Stay	InTown Suites Dallas/Market Center Extended Stay	8201	Brookriver Drive	Dallas	TX	75247		Intown Suites, Inc. Brookriver	980 Hammond Dr.	Ste 1400	Atlanta	GA	30328	$9,470	0.06%	$ 11,020
InTown Suites Garland Extended Stay	InTown Suites Garland Extended Stay	10477	Metric Drive	Dallas	TX	75243		Sun Suites Dallas Spe LLP	10477 Metric Dr.		Dallas	TX	75243	$10,445	0.06%	$ 12,154
Knights Inn Market Center	Knights Inn Market Center	1550	Empire Central	Dallas	TX	75235		Chetna Patel	8718 DRAYTON DRIVE		Irving	TX	75063	$52,488	0.32%	$ 61,076
La Quinta Inn & Suites Dallas Downtown	La Quinta Inn & Suites Dallas Downtown	302	South Houston Street	Dallas	TX	75202		BMR Dallas Downtown Investments LLC	302 South Houston Street		Dallas	TX	75202	$28,688	0.17%	$ 33,381
La Quinta Inn & Suites Dallas I35 Walnut Hill Lane	La Quinta Inn & Suites Dallas I35	2421	Walnut Hill Lane	Dallas	TX	75229		Hemant Patel BDR Hospitality	2421 Walnut Hill Lane		Dallas	TX	75229	$47,732	0.29%	$ 55,542
La Quinta Inn & Suites Dallas Love Field	La Quinta Inn & Suites Dallas Love Field	8300	John W Carpenter Freeway	Dallas	TX	75247		Aaron & Alvin LLS	2730 N. Stemmons Fwy	Ste 310	Dallas	TX	75207	$55,693	0.34%	$ 64,805
La Quinta Inn & Suites Dallas North Central	La Quinta Inn & Suites Dallas North Central	10001	North Central Expressway	Dallas	TX	75231		Mark Chloupek	909 Hidden Ridge		Irving	TX	75038	$59,734	0.36%	$ 69,508
La Quinta Inn & Suites Dallas Uptown	La Quinta Inn & Suites Dallas Uptown	4440	North Central Expressway	Dallas	TX	75206		La Quinta Management LLC-BRE LQ TX PPTIES LO	909 Hidden Ridge	Ste 600	Irving	TX	75038	$47,992	0.29%	$ 55,844
Lamplighter Motel	Lamplighter Motel	9001	East R L Thornton Freeway	Dallas	TX	75228		Lamplighter Motel Ltd.	9033 ERL Thornton Fwy		Dallas	TX	75228	$7,962	0.05%	$ 9,264
Le Meridien Dallas by the Galleria	Le Meridien Dallas by the Galleria	13402	Noel Road	Dallas	TX	75240		NB Holdings, Dallas	13402 Noel Road	Ste 1700	Dallas	TX	75240	$176,852	1.08%	$ 205,787
Le Meridien Dallas, The Stoneleigh	Le Meridien Dallas, The Stoneleigh	2927	Maple Avenue	Dallas	TX	75201		Carey Watermark Investors	50 Rockefeller Plaza		New York	NY	10020	$208,123	1.27%	$ 242,175
Lorenzo Hotel	Lorenzo Hotel	1011	South Akard Street	Dallas	TX	75202		Scooter Yates	1033 Young Street		Dallas	TX	75202	$129,404	0.79%	$ 150,577
Love Field Hotel and Suites	Love Field Hotel and Suites	1241	West Mockingbird Lane	Dallas	TX	75247		Chandler Hotel Company	7502 E. Pinnacle Peak Road	Ste B116	Scottsdale	AZ	85255	$256,192	1.56%	$ 298,110
Magnolia Hotel Dallas Downtown	Magnolia Hotel Dallas Downtown	1401	Commerce Street	Dallas	TX	75201		Holtze Magnolia Hotel	818 17th Street		Denver	CO	80202	$236,852	1.44%	$ 275,605
Magnolia Hotel Dallas Park Cities	Magnolia Hotel Dallas Park Cities	6070	North Central Expressway	Dallas	TX	75206		TriGate Capital, LLC	750 N Saint Paul St Ste 900		Dallas	TX	75201	$160,636	0.98%	$ 186,919
MCM Elegante Hotel & Suites	MCM Elegante Dallas	2330	West Northwest Highway	Dallas	TX	75220		ICA Properties	700 N. Grant	Suite 600	Odessa	TX	79761	$76,031	0.46%	$ 88,471
Motel 6 Dallas - Fair Park #4616	Motel 6 Dallas - Fair Park #4616	8510	East R L Thornton Freeway	Dallas	TX	75228		Krupalamxi LP	8510 East R.L. Thornton Frwy		Dallas	TX	75228	$28,896	0.18%	$ 33,624
Motel 6 Dallas - Galleria #4657	Motel 6 Dallas - Galleria #4657	2660	Forest Lane	Dallas	TX	75234		Aum Sriram LLC	12301 N. Central Expressway		Dallas	TX	75234	$30,632	0.19%	$ 35,644
Motel 6 Dallas - Market Center	Motel 6 Dallas - Market Center	1625	Regal Row	Dallas	TX	75247		Krishna Blaram & Raman Patel	1625 Regal Row		Dallas	TX	75247	$32,448	0.20%	$ 37,756
Omni Dallas Hotel	Omni Dallas Hotel	555	South Lamar Street	Dallas	TX	75202		Omni Corporate	555 South Lamar Street		Dallas	TX	75202	$394,366	2.40%	$ 458,891
Ramada by Wyndham Dallas Love Field	Ramada Dallas Love Field	1575	Regal Row	Dallas	TX	75247		Danny Patel, Divine Hotels LLC	1575 Regal Row		Dallas	TX	75247	$109,748	0.67%	$ 127,705
Ramada Dallas North	Gateway Hotel	8102	Lyndon B Johnson Freeway				Renamed	Jee Sung Investment Inc	3905 Nantucket Dr.		Plano	TX	75023	$28,658	0.17%	$ 33,347
Red Roof Inn - Dallas Richardson	Red Roof Inn - Dallas Richardson	13685	North Central Expressway	Dallas	TX	75243		MPH Group LLC	13685 N. Central Expressway		Dallas	TX	75243	$19,890	0.12%	$ 23,144
Regency Hotel (Being remodeled under Siegel Suites Dallas)	Seigel Suites	11350	Lyndon B Johnson Freeway				Remodel	TBD	TBD					$32,988	0.20%	$ 38,386
Renaissance Dallas Hotel	Renaissance Dallas Hotel	2222	North Stemmons Freeway	Dallas	TX	75207		Deep Ellum Real Estate LLC	9737 Washingtonian Blvd	404	Gaithersburg	MD	20878	$385,410	2.34%	$ 448,469
Residence Inn Dallas Central Expressway	Residence Inn Dallas Central Expressway	10333	North Central Expressway	Dallas	TX	75231		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$34,731	0.21%	$ 40,414
Residence Inn by Marriott Dallas Downtown	Residence Inn Dallas Downtown	1712	Commerce Street	Dallas	TX	75201		Mehul Patel	1712 Commerce Street		Dallas	TX	75201	$66,067	0.40%	$ 76,877
Residence Inn by Marriott Dallas Market Center	Residence Inn Dallas Market Center	6950	North Stemmons Freeway	Dallas	TX	75247		Hospitality Properties Trust-Dianna Watts	255 Washington Street	Ste 300	Newton	MA	2458	$66,610	0.41%	$ 77,509
Residence Inn by Marriott Dallas Park Central	Residence Inn Dallas Park Central	7642	Lyndon B Johnson Freeway	Dallas	TX	75251		Stonebridge Irving Venture %Dilip Pranar	8530 Esters Blvd		Irving	TX	75063	$61,715	0.38%	$ 71,813
Hotel Crescent Court	Hotel Crescent Court	400	Crescent Court					GPIF Crescent Court Hotel LLC	777 Main Street	Suite 2260	Fort Worth	TX	76102	$304,869	1.85%	$ 354,751
Rosewood Mansion on Turtle Creek	Rosewood Mansion on Turtle Creek	2821	Turtle Creek Boulevard	Dallas	TX	75219		CTF	1300 19th St NW	Ste 401	Washington	DC	20036	$228,515	1.39%	$ 265,904
Sheraton Dallas Hotel	Sheraton Dallas Hotel	400	North Olive Street	Dallas	TX	75201		Chartres Lodging Group, LLC-Dustin Kline	50 California Street	Suite 3300	San Francisco	CA	94111	$982,929	5.98%	$ 1,143,752
Sheraton Suites Market Center Dallas	Sheraton Suites Market Center Dallas	2101	North Stemmons Freeway	Dallas	TX	75207		IStar Dallas GL LP	180 Glastonbury Blvd	Ste 201	Glastonbury	CT	6033	$168,119	1.02%	$ 195,627
Springhill Suites by Marriott Dallas Downtown/West End	Springhill Suites Dallas Downtown/West End	1907	North Lamar Street	Dallas	TX	75202		BRE Select Hotels TX LP %Blackstone Real Etate Partners VII LP	345 Park Ave.		New York	NY	10154	$117,761	0.72%	$ 137,029
Stay Express Inn Dallas Fair Park Downtown	Stay Express Inn Dallas Fair Park Downtown	8303	East R L Thornton Freeway	Dallas	TX	75228		PCT Hospitality Inc Hiren Patel	8303 E RL Thornton Fwy		Dallas	TX	75228	$20,277	0.12%	$ 23,595
Staybridge Suites Dallas Addison	Staybridge Suites Dallas Addison	16060	Dallas Parkway	Dallas	TX	75248		Parkway Lodging LLC	4235 W. Airport Fwy		Irving	TX	75062	$39,422	0.24%	$ 45,872
Sterling Hotel Dallas	Sterling Hotel Dallas	1055	Regal Row	Dallas	TX	75247		The Mian Development Corp	1055 Regal Row		Dallas	TX	75247	$111,137	0.68%	$ 129,321

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Hotel Name (Per Original Petition)	Current Name	Street No.	Street Address	City	ST	ZIP	Notes	Owner's Name	Owner's Address					Assesment (2% Approximate)	% Allocation	FY 2019-20 Service Plan
Studio 6 Dallas Garland/Northeast #5003	Studio 6 Dallas Garland/Northeast #5003	9801	Adleta Court	Dallas	TX	75243		Kevin Hajari	9801 Adleta Ct		Dallas	TX	75243	$15,089	0.09%	$ 17,558
Studio 6 Dallas Northwest #6035	Studio 6 Dallas Northwest #6035	2395	Stemmons Trail	Dallas	TX	75220		G6 Hospitality LLC	PO Box 117508		Carrollton	TX	75011	$17,577	0.11%	$ 20,452
Studio 6 Dallas Richardson/North #5010	Studio 6 Dallas Richardson/North #5010	12301	North Central Expressway	Dallas	TX	75243		Jalaram Hotel LLC	12301 N. Central Expressway		Dallas	TX	75243	$22,861	0.14%	$ 26,601
Super 7 Inn	Super 7 Inn Dallas Southeast	9626	C F Hawn Freeway	Dallas	TX	75217		Southeast Dallas Hospitality Ltd Ramesh Patel	9626 C F Hawn Fwy		Dallas	TX	75217	$8,860	0.05%	$ 10,310
Super 7 Inn Dallas	Super 7 Inn Dallas Northwest	10335	Gardner Road	Dallas	TX	75220		Northwest Hotel Inc.	10335 Gardner Rd		Dallas	TX	75220	$14,534	0.09%	$ 16,912
Super 7 Inn Dallas Southwest	Super 7 Inn Dallas Southwest	4220	Independence Drive	Dallas	TX	75237		Mayur Patel	4220 Independence Dr		Dallas	TX	75237	$21,598	0.13%	$ 25,132
Hotel Alexis	OYO Townhouse	7815-B	Lyndon B Johnson Freeway				Renamed	TBD	TBD					$79,171	0.48%	$ 92,125
The Highland Dallas Curio Collection by Hilton	Highland (The) Dallas	5300	East Mockingbird Lane	Dallas	TX	75206		Thayer Lodging, Brookfield Hotel Properties	1997 Annapolis Exchange #550		Annapolis	MD	21401	$207,926	1.26%	$ 241,946
The Joule	Joule (The)	1530	Main Street	Dallas	TX	75201		Dunhill 1530 Main LP	2711 N. Haskell Ave	Ste 2800	Dallas	TX	75204	$22,019	0.13%	$ 25,621
The Ritz-Carlton, Dallas	Ritz-Carlton (The) Dallas	2121	McKinney Avenue	Dallas	TX	75201		Crescent Real Estate Equities Theresa Cabilao	777 Main Street	Suite 2260	Fort Worth	TX	76102	$441,762	2.69%	$ 514,041
The Westin Dallas Park Central	Westin (The) Dallas Park Central	12720	Merit Drive	Dallas	TX	75251		AWH Dallas PC Corporate, LLC Kieran Doll	1040 AVE OF THE AMERICAS 9TH FL	9B	New York	NY	10018	$277,491	1.69%	$ 322,893
The Westin Galleria Dallas	Westin (The) Galleria Dallas	13340	Dallas Parkway	Dallas	TX	75240		UBS Realty Investors	2515 Mckinney	Suite 800	Dallas	TX	75201	$461,198	2.80%	$ 536,657
TownePlace Suites by Marriott Dallas Downtown	TownePlace Suites Dallas Downtown	500	South Ervay Street	Dallas	TX	75201		Alterra International	211 North Ervay Street		Dallas	TX	75201	$1,010,963	6.15%	$ 1,176,374
Townhouse Suites	Townhouse Suites	4150	Independence Drive	Dallas	TX	75237		Uppal Gurjit	4150 Independence Drive		Dallas	TX	75237	$12,040	0.07%	$ 14,010
Unnamed Hotel @ The Lexi	Unnamed Hotel @ The Lexi	2815	North Harwood Street	Dallas	TX	75201		HPO Inc.	2501 N. Harwood Street	Suite 1400	Dallas	TX	75201	$60,061	0.37%	$ 69,888
W Dallas - Victory	W Dallas - Victory	2440	Victory Park Lane	Dallas	TX	75219		Vpust Hotel LP-Estein & Associates USA, Ltd.	4705 S Apopka Vineland Road	Suite 201	Orlando	FL	32819	$369,335	2.25%	$ 429,764
Warwick Melrose Hotel Dallas	Warwick Melrose Hotel Dallas	3015	Oak Lawn Avenue	Dallas	TX	75219		Warwick Melrose Dallas Warwick Amusement Corp.	1776 Grant St. FL 14		Denver	CO	80203	$184,816	1.12%	$ 215,055
Westin Dallas	Westin Dallas	1201	Main Street	Dallas	TX	75202		One Main Place Hotel LLC	1205 St. Charles Ave.	Suite D	New Orleans	LA	70130	$176,361	1.07%	$ 205,217
Wyndham Dallas Suites Park Central	Wyndham Dallas Suites Park Central	7800	Alpha Road	Dallas	TX	75240		Hospitality Properties Trust % The RMR Group-Kristin Sage-Black	Two Newton Place 255 Washington St.	Suite 300	Newton	MA	2458	$113,533	0.69%	$ 132,109
Total														**$16,443,472**	**100.00%**	**$ 19,133,893**
Removed																
La Quinta Inn & Suites Dallas Richardson		13175	North Central Expressway	Dallas	TX	75243	Removed	Burleson Inn Inc	13165 N. Central Expy		Dallas	TX	75243	$67,705	0.41%	$ 78,783
Super 8 Dallas Love Field Market Center		9229	John W Carpenter Freeway	Dallas	TX	75247	Removed	Mehalab Management Inc.	9229 E. John W Carpenter Fwy		Dallas	TX	75247	$17,399	0.11%	$ 20,246

Note: The Tourism Public Improvement District Assessment Roll was provided by Visit Dallas.

Exhibit A-2
Tourism PID Boundary Expansion
Hotels over 100 Rooms to Add to District Boundaries

Hotel Name	Street No.	Street Address	Owner's Name	Owner's Address				
Aloft/Element - Love Field	2333	W. Mockingbird	M&M Hotel Venture, LLC	2220 Marsh Lane	Suite 109	Carrollton	TX	75006
AC Dallas - Galleria	5460	James Temple	PHG DG Hotels, LLC	2532 Dupoint Dr.		Irvine	CA	92612
Residence Inn Dallas by the Galleria	5460	James Temple	Pending additional research					
Courtyard by Marriott - New Ownership - Dec-2018	310	S. Houston St	Chatham Dallas DT Leaseco LLC	222 Lakeview Avenue	Suite 200	West Palm Beach	FL	33401
Residence Inn - Canyon	3425	Canyon Bluff Blvd	Canyons Hotel Venture LLC	1601 Bryan Street	Suite M 210	Dallas	TX	75201
Stay Alfred - Statler	1919	Jackson	Stay Alfred	PO. Box 2722		Spokane	WA	99220
Cambria Hotel	1907	Elm St.	FH DAL, LLC	4145 Powell Road	Suite H	Powell	OH	43065
Home 2 Suites - Baylor	3301	Gaston Ave.	Pending additional research					
Home 2 Suites - North Park	8180	Midtown Blvd.	Freedom Hospitality LLC	2121 E William J Bryan Pkwy	# 2864	Bryan	TX	77801
Fairfield Inn Dallas Downtown	555	Evergreen St.	Butler Brothers Hospitality Group LL(	211 North Ervay	15th Floor	Dallas	TX	75201
Canopy by Hilton Dallas Uptown	2950	Cityplace West Blvd	City Place Hotel Realty, LP	5851 Legacy Circle	Suite 400	Plano	TX	75024
Grand Inn	220	W. Camp Wisdom Rd.	SUBH Enterprises, Inc.	220 W. Camp Wisdom Rd.		Dallas	TX	75232
Springhill Suites Dallas	10111	N Central Expy	Avail Hotels LLC	1111 W. Mockingbird Ln	Suite 930	Dallas	TX	75247
Motel 6	13185	N Central Expy	Mehul Patel	435 O'Connor ridge Blvd.		Irving	TX	75038
Oakwood Dallas Uptown	2901	Cityplace West Blvd	Bryson Noble LLC	2222 Corinth Ave.		Los Angele:	CA	90064

EXHIBIT B

Tourism Public Improvement District (PID) Service Plan						
Fiscal Year		**2019-20**	**2020-21**	**2021-22**	**2022-23**	**2023-24**
Assessment Revenue		**$ 19,133,893**	**$ 20,090,588**	**$ 21,095,117**	**$ 22,149,873**	**$ 23,257,367**
Categories	**%**					
Incentives & Sales Efforts	42.5%	$ 8,131,905	$ 8,538,500	$ 8,965,425	$ 9,413,696	$ 9,884,381
Marketing (Promotion/Advertising)	35.0%	$ 6,696,863	$ 7,031,706	$ 7,383,291	$ 7,752,456	$ 8,140,078
Site Visits & Familiarization Tours	10.0%	$ 1,913,389	$ 2,009,059	$ 2,109,512	$ 2,214,987	$ 2,325,737
Event Funding Application Pool	7.5%	$ 1,435,042	$ 1,506,794	$ 1,582,134	$ 1,661,240	$ 1,744,302
Operations/Research/Administration	5.0%	$ 956,695	$ 1,004,529	$ 1,054,756	$ 1,107,494	$ 1,162,868
Total Expenses	**100.0%**	**$ 19,133,893**	**$ 20,090,588**	**$ 21,095,117**	**$ 22,149,873**	**$ 23,257,367**

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

2019 ASSESSMENT PLAN
Tourism Public Improvement District

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 District's budget for services and improvements is reached over the District's authorized renewal term. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment.

Agenda Information Sheet

File #: 19-1163 **Item #:** 34.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed University Crossing Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 PID and approves the Service Plan for each PID.

The University Crossing Improvement District Corporation (dba UCPID, Inc.) provided the proposed District 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District (DCAD) information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 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 begin at approximately $1,678,000.00 in 2020 and reach $1,004,000.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $5,823,000.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $909,000.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.10 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. Southern Methodist University (SMU) has agreed to participate in the District by contract with the UCPID through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the District. The contract specifies SMU's level of assessment as well as possible offset of SMU assessment for new landscaping overpass improvements to the entryway areas within the Dallas City limits. 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)

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On June 12, 2013, City Council authorized the creation of the University Crossing Public Improvement District and approval of the Service Plan and management contract by Resolution No. 13-1016.

On September 12, 2018, City Council authorized an amended and restated management contract with the University Crossing Improvement District Corporation (dba UCPID, Inc.), pursuant to Resolution No. 18-1324.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1323; Ordinance No. 30988.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

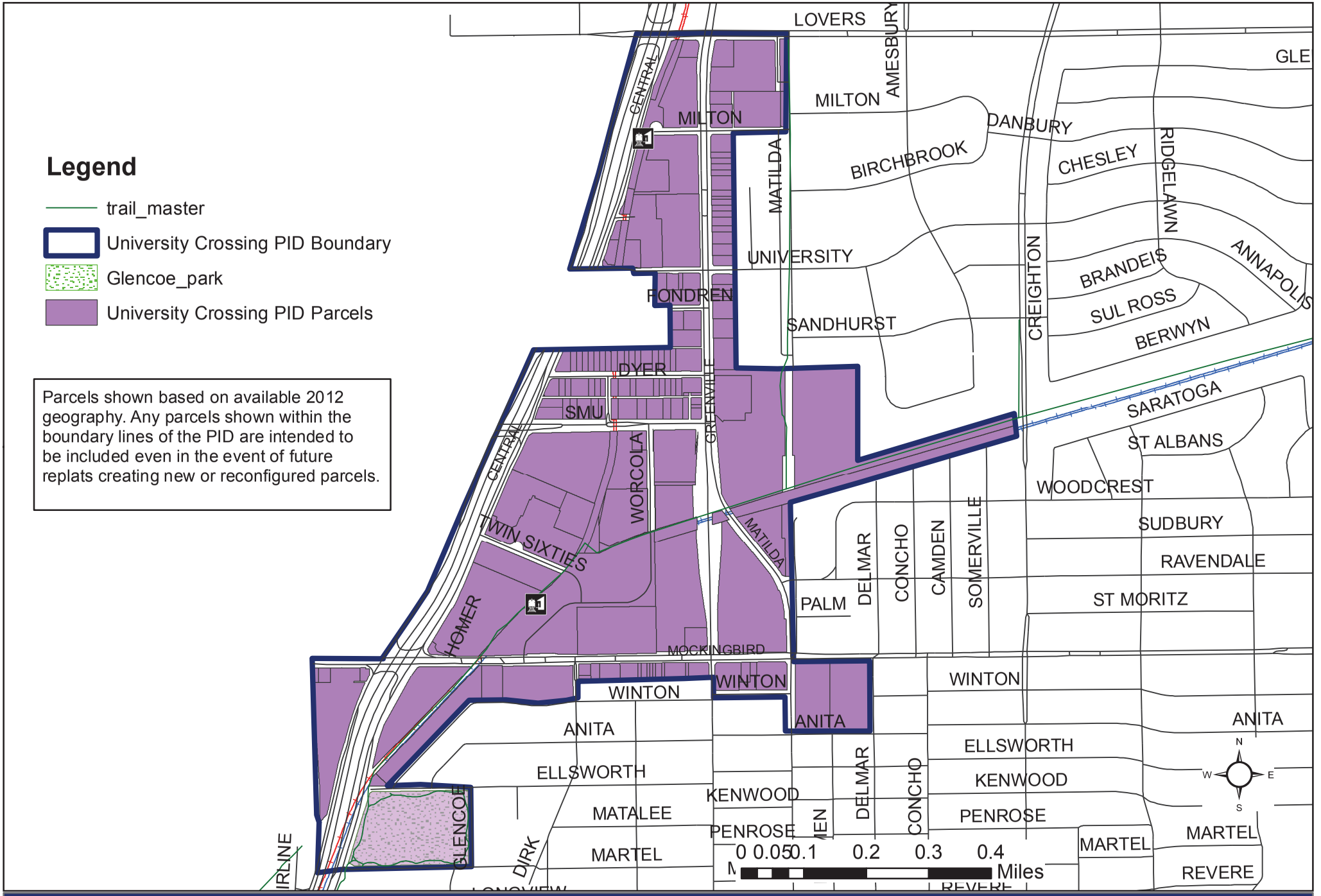
FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to $0.10 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

powered by Legistar™



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

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPID, Inc.) pursuant to Resolution No. 18-1324; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1323; Ordinance No. 30988; and

WHEREAS, the University Crossing Improvement District Corporation (dba UCPID, Inc.) provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the University Crossing Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 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.

(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 $1,678,000.00 in 2020 and reach $1,004,000.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $5,823,000.00. 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 2019 is proposed to be $909,000.00. 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 2020 Service Plan year. The annual assessment rate shall not exceed $0.10 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. Southern Methodist University (SMU) has agreed to participate in the District by contract with the UCPID through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the District. The contract specifies SMU's level of assessment as well as possible offset of SMU assessment for new landscaping overpass improvements to the entryway areas within the Dallas City limits. 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 no earlier than 6:00 p.m. on September 11, 2019, 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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.

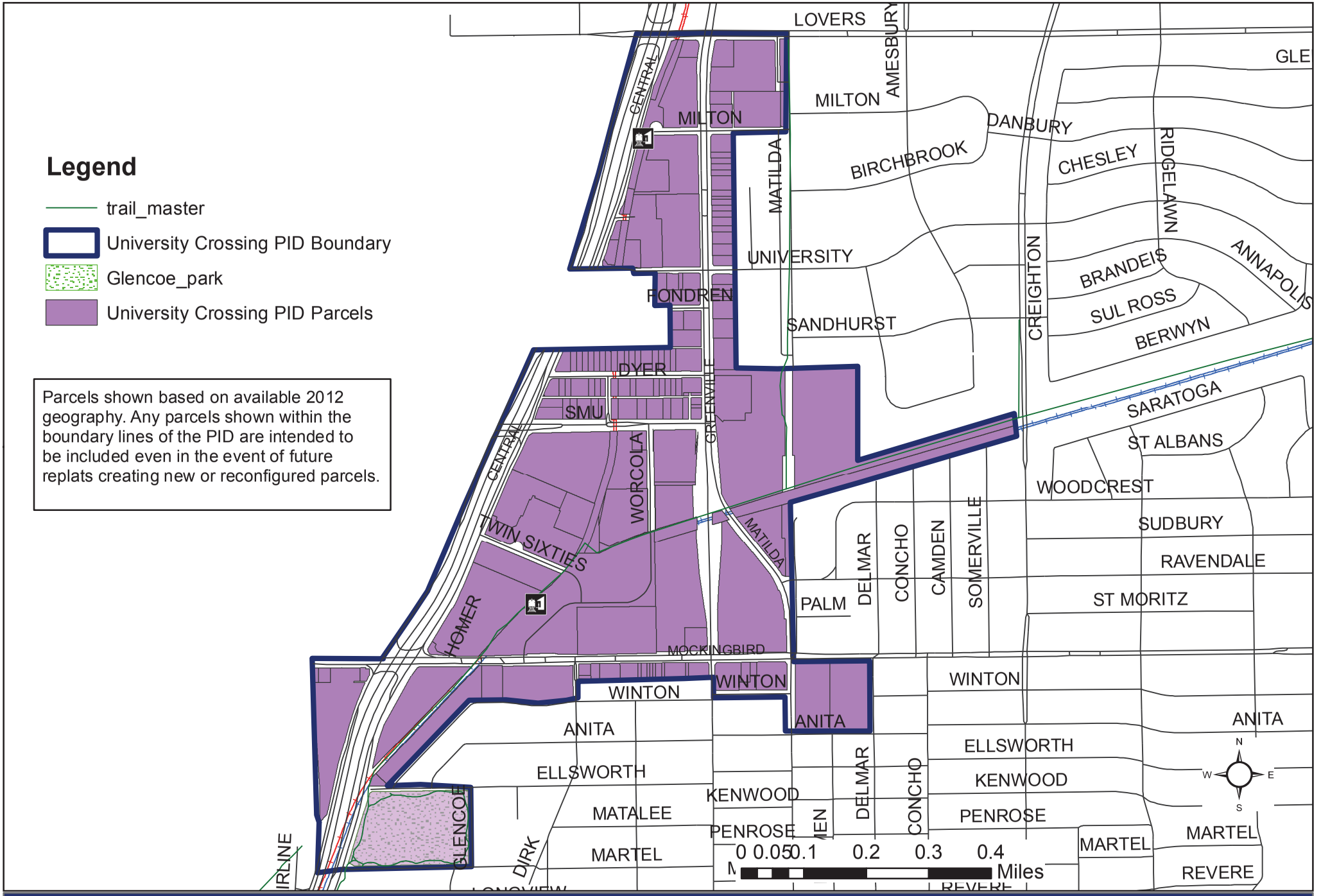


Exhibit A
University Crossing Public Improvement District
Boundary Map

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2013

Exhibit B
University Crossing Public Improvement District - Five - Year Budget

		2020 Budget	2021 Budget[9]	2022 Budget[9]	2023 Budget[9]	2024 Budget[9]
INCOME						
	Fund balance from previous year[8]	695,000	566,000	338,225	307,243	294,137
	Net assessment revenue	909,000	931,725	955,018	978,894	1,003,366
	Reimbursement from NTCOG	640,000	0	0	0	0
	Exempt jurisdictions	0	0	0	0	0
	Interest on cash balances	3,000	1,500	1,000	1,000	1,000
	Other income & contributions	0	0	0	0	0
	TOTAL INCOME[1]	**$2,244,000**	**$1,499,225**	**$1,294,243**	**$1,287,137**	**1,298,503**
EXPENDITURES						
	Renewal/Creation Fee	$15,000				
	Security[2]	494,000	504,000	514,000	524,000	530,000
	Improvements[3]	868,000	350,000	160,000	150,000	150,000
	Public Area Maintenance[4]	84,000	86,000	88,000	90,000	92,000
	Promotion and Communication[5]	58,000	59,000	60,000	61,000	62,000
	Organization & Administration[6]	140,000	143,000	146,000	149,000	151,000
	Audit & Insurance[7]	19,000	19,000	19,000	19,000	19,000
	TOTAL EXPENDITURES	**$1,678,000**	**$1,161,000**	**$987,000**	**$993,000**	**$1,004,000**
FUND BALANCE/RESERVES		**$566,000**	**$338,225**	**$307,243**	**$294,137**	**$294,503**

NOTES:

1 The income is net of City/County PID and collection fees based on a $0.10 per $100 contribution on the total tax value of the area and 0.3% for tax protest refund and $2.75 reduction per account per county fee. (excludes SMU)

2 Security- Police patrol of the University Crossing area, owner safety coordination, safety enhancements in lighting, etc.

3 Improvements- landscape, parks and pedestrian amenities for the PID.

4 Public area maintenance- Sidewalk, public planters, waste disposal, clean area programs, and landscape improvements throughout the University Crossing area.

5 Promotions & Communications- University Crossing area coordination among owners, program services for area promotion and awareness

6 Organization & Administration- Administrative Expenses of the PID and non-program salary of PID director.

7 Audit & Insurance- Annual audit of the PID finances and liability insurance for the PID.

8 Fund balances carried over from previous years will be used across all major categories to support the Mockingbird Lane Pedestrian Bridge and Trail Expansion that began in 2017 and was completed in 2018. The majority of the carryover funds are primarily from the improvement category and will be spent there, as shown.

9 The five year plan goes to year 2024. 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

2019 ASSESSMENT PLAN
University Crossing Public Improvement District

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 2019 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 Information Sheet

File #: 19-1164 **Item #:** 35.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Uptown Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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,

trolley operations and 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 $2,937,709.00 in 2020 and reach $4,296,608.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $17,933,593.00. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $2,895,709.00. This amount is approximately equal to $0.045 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed $0.045 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 Code. 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)

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On June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District by Resolution No. 93-2501.

On May 24, 2000, City Council authorized the renewal of the Uptown Public Improvement District and approval of the Service Plan and management contract by Resolution No. 00-1678.

On August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District and 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 and approval of the Service Plan and management contract by Resolution No. 12-1584.

On September 12, 2018, City Council authorized an amended and restated management contract with the Uptown, Inc., pursuant to Resolution No. 18-1326.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1325; Ordinance No. 30989.

On June 12, 2019, City Council authorized the renewal of the Uptown Public Improvement District and approval of the Service Plan and management contract by Resolution No. 19-0939.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

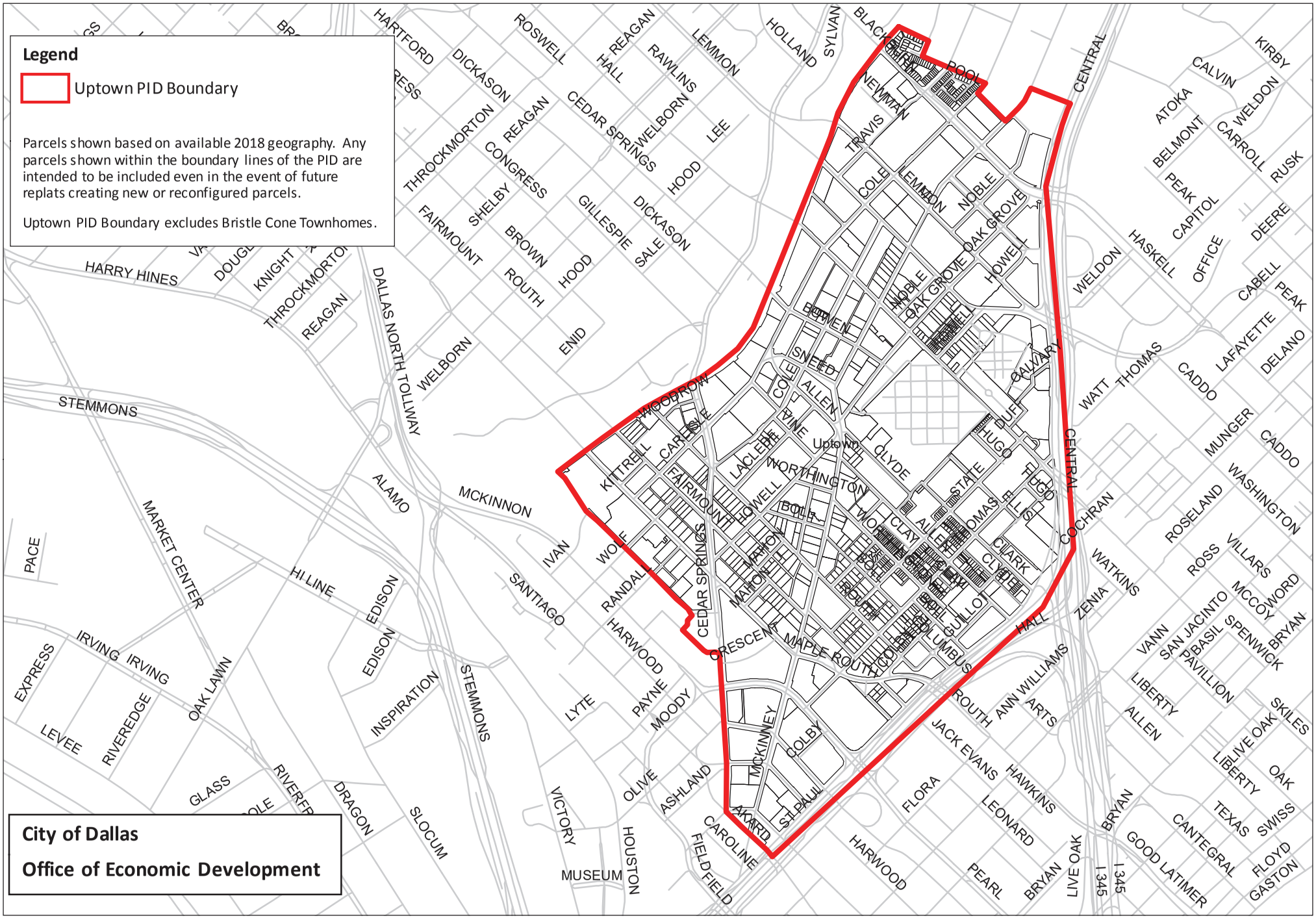
Cost consideration to others - the proposed assessment amount is approximately equal to $0.045 per $100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

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Uptown Public Improvement District
Boundary Map



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 May 24, 2000, City Council authorized the renewal of the Uptown Public Improvement District and approval of the Service Plan and management contract by Resolution No. 00-1678; and

WHEREAS, on August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District and 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 and approval of the Service Plan and management contract by Resolution No. 12-1584; and

WHEREAS, on September 12, 2018, City Council authorized an amended and restated management contract with Uptown, Inc. pursuant to Resolution No. 18-1326; and

WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1325; Ordinance No. 30989; and

WHEREAS, on June 12, 2019, City Council authorized the renewal of the Uptown Public Improvement District and approval of the Service Plan and management contract by Resolution No. 19-0939; and

WHEREAS, the Uptown, Inc. provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Uptown Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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, trolley operation and 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 $2,937,709.00 in 2020 and reach $4,296,608.00 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $17,933,593.00. 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’).

SECTION 1. (continued)

The assessment amount for 2019 is proposed to be $2,895,709.00. This amount is approximately equal to $0.045 per $100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed $0.045 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.

(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 no earlier than 6:00 p.m. on September 11, 2019, 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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

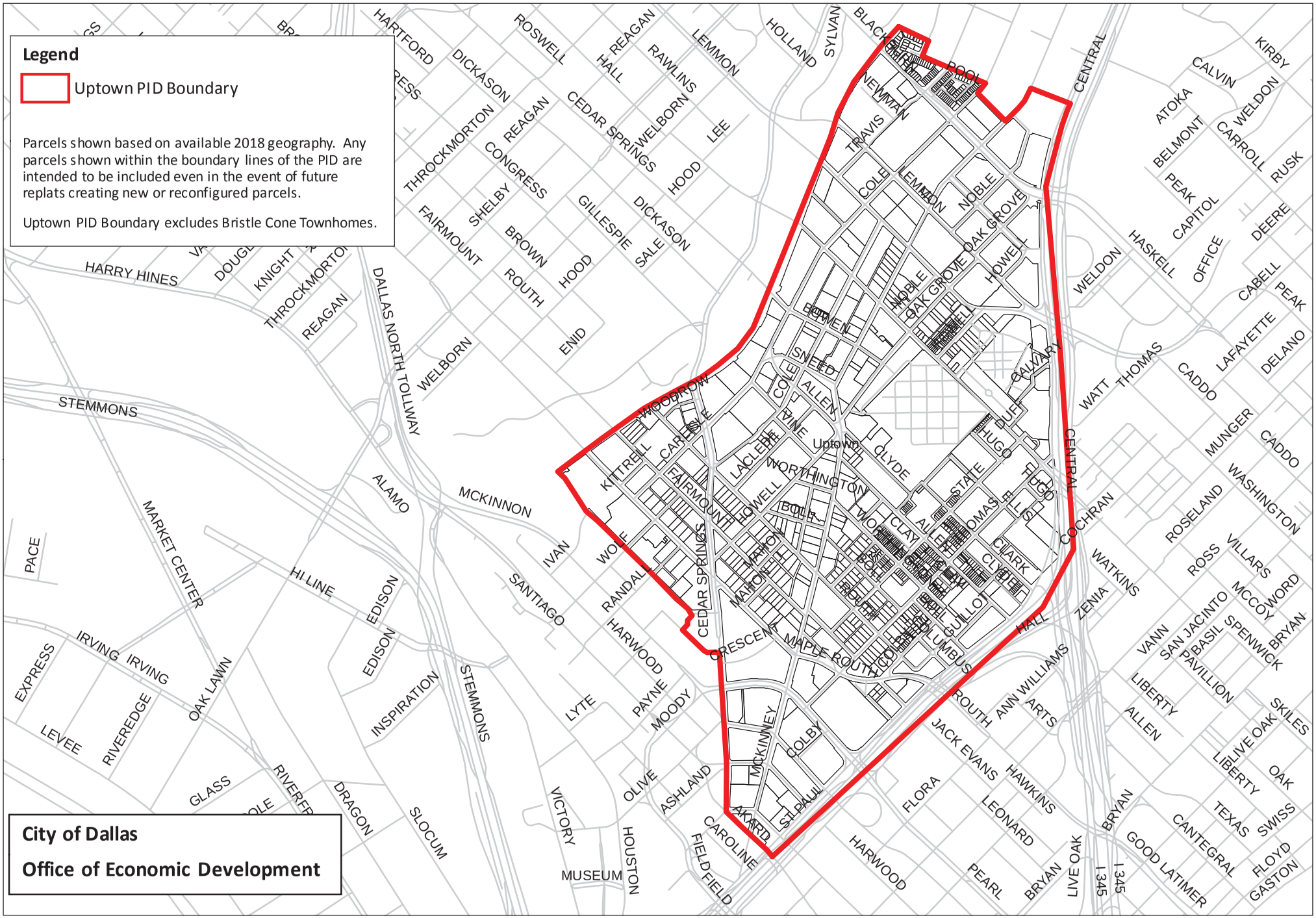


EXHIBIT B

UPTOWN PUBLIC IMPROVEMENT DISTRICT SERVICE PLAN (2020- 2024)					
Income	**2020**	**2021**	**2022**	**2023**	**2024**
Net Assessments	$2,895,709	$3,185,280	$3,503,808	$3,854,189	$4,239,608
Interest	$2,000	$2,000	$2,000	$2,000	$2,000
Marketing Sponsorships (for events)	$40,000	$45,000	$50,000	$55,000	$55,000
Total	$2,937,709	$3,232,280	$3,555,808	$3,911,189	$4,296,608
Expenditures					
Capital Improvements (Median Landscaping, gateway markers, walking trails, parks, streetscape, Katy Trail)	$881,313	$969,684	$1,066,742	$1,173,357	$1,288,982
Services (Safety programs, maintenance & landscaping, trolley operations, traffic & parking, marketing and promotions)	$1,528,869	$1,682,196	$1,850,580	$2,035,528	$2,235,946
Finance & Administration (Staff Salaries & benefits, rent, office expenses, audit, insurance)	$440,656	$484,842	$533,371	$586,678	$644,491
Contingency [1]	$86,871	$95,558	$105,114	$115,626	$127,188
Total	$2,937,709	$3,232,280	$3,555,808	$3,911,189	$4,296,608

1 Contingency funds: Allowance made for anticipated tax refunds due to protests by property owners; any unused funds will be spent in allowable budget categories.

EXHIBIT C

2019 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 2019, 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 Information Sheet

File #: 19-1165 **Item #:** 36.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 13

DEPARTMENT: Office of Economic Development

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** approval of the proposed Vickery Meadow Public Improvement District ("District") 2020 Service Plan, 2019 Assessment Plan and 2019 Assessment Roll; **(2)** a public hearing to be held on September 11, 2019, to receive comments concerning the annual assessment for the District; and, at the close of the public hearing; **(3)** consideration of an ordinance levying a special assessment on property in the District, for services and improvements to be provided during 2020; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2019 assessment; and providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

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 2020 Service Plan and proposed 2019 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2019. The assessment values provided herein are preliminary. The assessment values based on 2019 certified Dallas Central Appraisal District ("DCAD") information and final Service Plan budget will be provided in the September 11, 2019 public hearing item.

The PID 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 $950,022.90 in 2020 and reach $1,072,144.18 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $5,050,906.63. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are 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 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 2019 is proposed to be $921,832.61. 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 as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed $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. 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. 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 23, 1993, City Council authorized the creation of the Vickery Meadow Public Improvement District and approval of the Service Plan and management contract by Resolution No. 93-2502.

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On May 13, 1998, City Council authorized the renewal of the Vickery Meadow Public Improvement District and approval of the Service Plan and management contract by Resolution No. 98-1440.

On September 10, 2003, City Council authorized the renewal of the Vickery Meadow Public Improvement District and approval of the Service Plan and management contract by Resolution No. 03-2475.

On June 25, 2008, City Council authorized the renewal of the Vickery Meadow Public Improvement District and approval of the Service Plan and management contract by Resolution No. 08-1867.

On August 12, 2015, City Council authorized the renewal of the Vickery Meadow Public Improvement District and approval of the Service Plan and management contract by Resolution No. 15-1474.

On September 12, 2018, City Council authorized an amended and restated management contract with the Vickery Meadow Management Corporation, pursuant to Resolution No. 18-1328.

On September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1327; Ordinance No. 30990.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

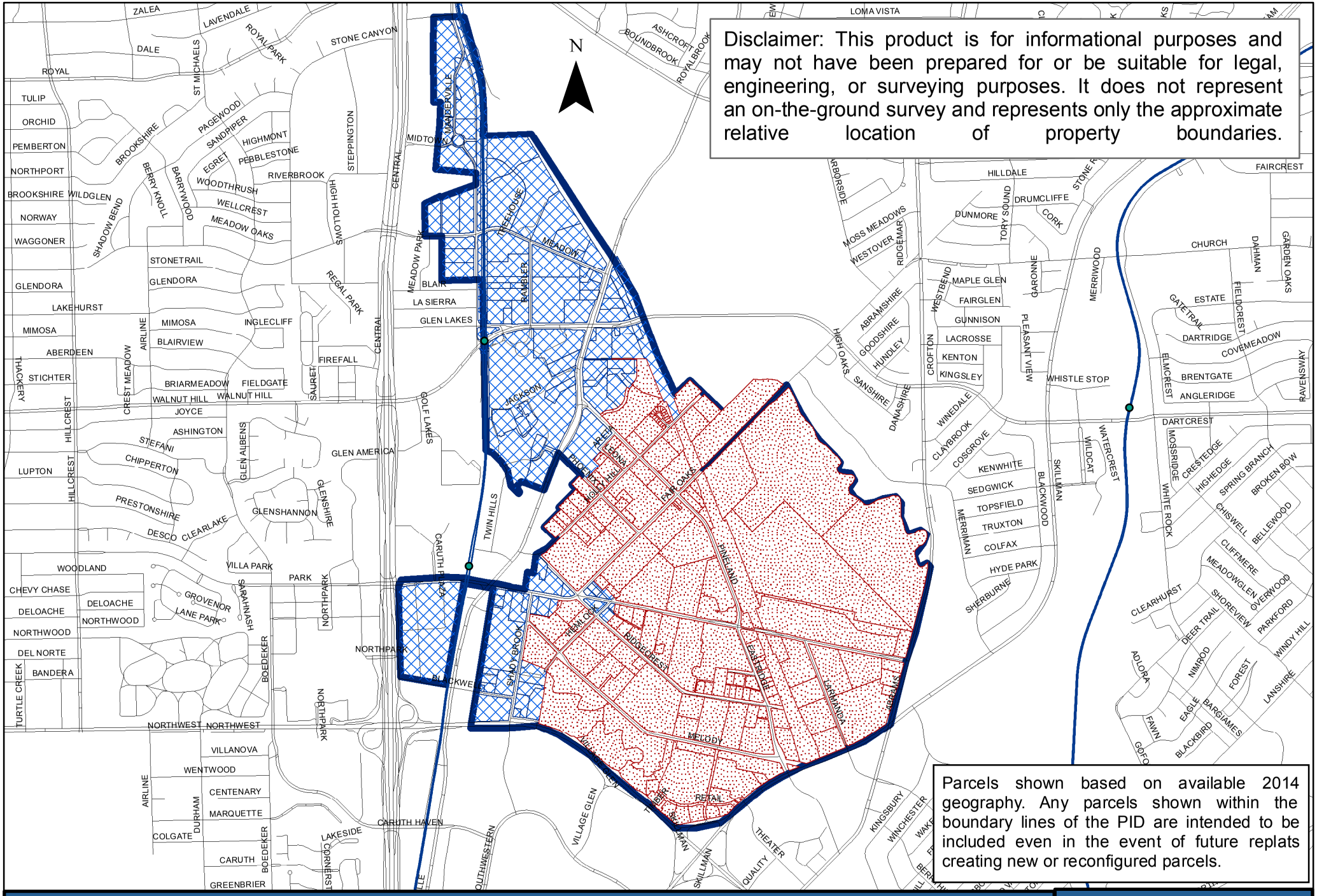
FISCAL INFORMATION

Cost consideration to others - the proposed assessment 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 as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

powered by Legistar™


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

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WHEREAS, on September 12, 2018, City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and the 2018 Assessment Roll by Resolution No. 18-1327; Ordinance No. 30990; and

WHEREAS, the Vickery Meadow Management Corporation provided City staff with the proposed District 2020 Service Plan and 2019 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2020 Service Plan and 2019 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 2019 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 2020 Service Plan and the proposed 2019 Assessment Plan for the Vickery Meadow Public Improvement District, will consider approval of the final 2020 Service Plan and 2019 Assessment Plan, subject to the public hearing on September 11, 2019.

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 $950,022.90 in 2020 and reach $1,072,144.18 in 2024. The total estimated assessments to be collected during the next five-year period is approximately $5,050,906.63. The District shall incur no bonded indebtedness.

SECTION 1. (continued)

(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 2019 is proposed to be $921,832.61. 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 as determined by DCAD. Once levied, this assessment rate shall not increase during the 2020 Service Plan year. The annual assessment rate shall not exceed $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. 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.

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(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 no earlier than 6:00 p.m. on September 11, 2019, 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 2019 Assessment Roll on file with the City Secretary; approving the Service Plan for 2020; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2020; 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.

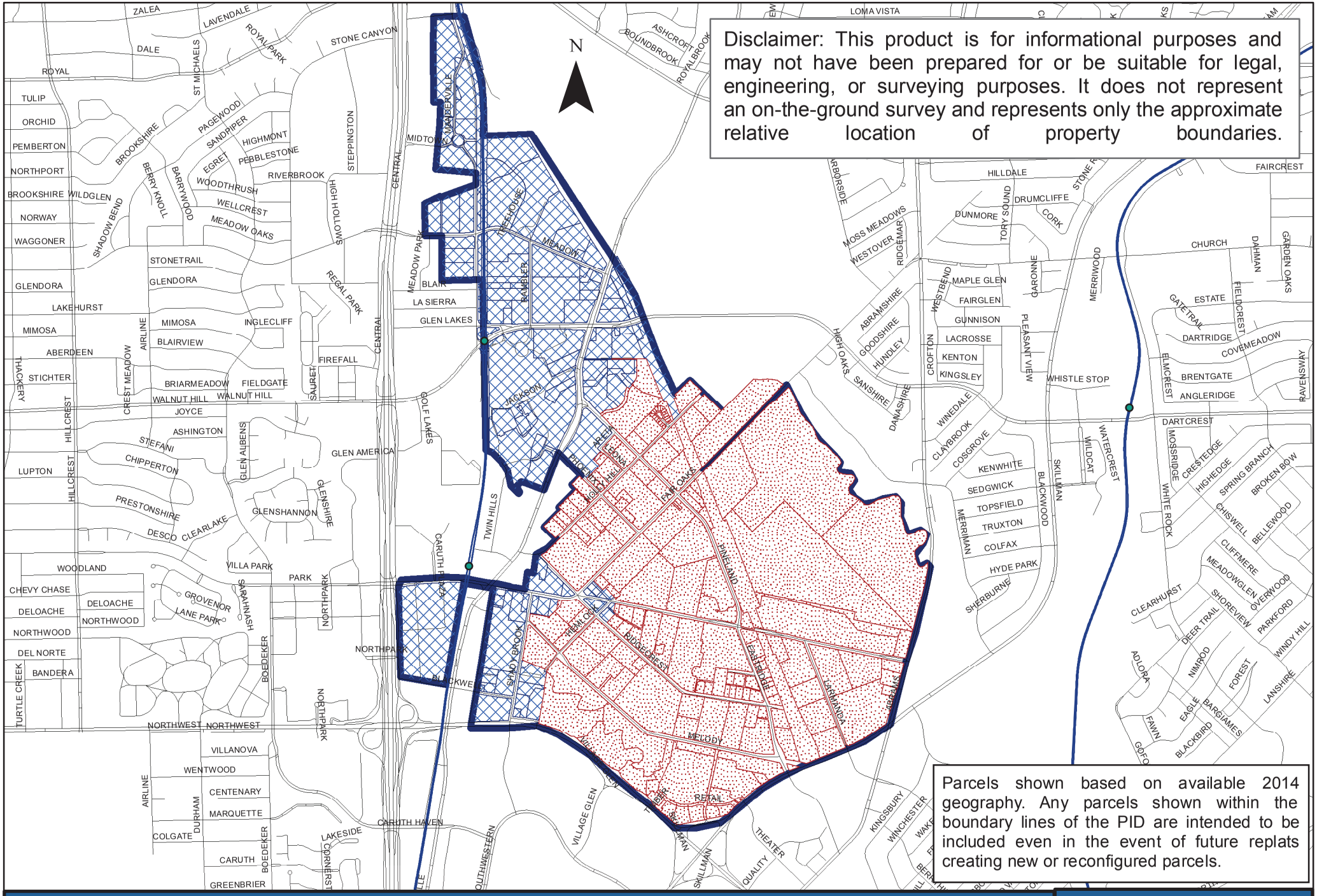

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N
Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
Exhibit A -
Vickery Meadow PID Boundary 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

	2020 BUDGET		2021 BUDGET		2022 BUDGET		2023 BUDGET*		2024 BUDGET*	
REVENUES:										
Gross Assessment	$973,009.65		$1,002,199.94		$1,032,265.94		$1,063,233.92		$1,095,130.93	
PID Oversight Charge from City	$16,143.00		$16,143.00		$16,143.00		$16,143.00		$16,143.00	
County Fee	$5,843.75		$5,843.75		$5,843.75		$5,843.75		$5,843.75	
City Retainage	$29,190.29		$30,066.00		$30,967.98		$31,897.02		$32,853.93	
Net Assessment	$921,832.61		$950,147.19		$979,311.21		$1,009,350.15		$1,040,290.26	
Interest Income	$4,000.00		$4,000.00		$4,000.00		$4,000.00		$4,000.00	
Retainage Returned	$24,190.29		$25,066.00		$25,967.98		$26,897.02		$27,853.93	
Surplus Carried Forward	$0.00		$0.00		$0.00		$0.00		$0.00	
TOTAL REVENUE	**$950,022.90**		**$979,213.19**		**$1,009,279.19**		**$1,040,247.17**		**$1,072,144.18**	
DISBURSEMENTS:										
Safety & Security Expenses [1]	$380,009.16	40%	$391,685.28	40%	$403,711.68	40%	$416,098.87	40%	$428,857.67	40%
Capital Improvements [2]	$142,503.44	15%	$146,881.98	15%	$151,391.88	15%	$156,037.07	15%	$160,821.63	15%
Property Standard Expenses [3]	$114,002.75	12%	$117,505.58	12%	$121,113.50	12%	$124,829.66	12%	$128,657.30	12%
Promotion [4]	$66,501.60	7%	$68,544.92	7%	$70,649.54	7%	$72,817.30	7%	$75,050.09	7%
Economic Development Expense [5]	$19,000.46	2%	$19,584.26	2%	$20,185.58	2%	$20,804.94	2%	$21,442.88	2%
Recreation programming/Community Service [6]	$19,000.46	2%	$19,584.26	2%	$20,185.58	2%	$20,804.94	2%	$21,442.88	2%
Park Lane [7]	$66,501.60	7%	$68,544.92	7%	$70,649.54	7%	$72,817.30	7%	$75,050.09	7%
Midtown Park [8]	$28,500.69	3%	$29,376.40	3%	$30,278.38	3%	$31,207.41	3%	$32,164.33	3%
Administrative Expenses [9]	$95,002.29	10%	$97,921.32	10%	$100,927.92	10%	$104,024.72	10%	$107,214.42	10%
Insurance & Audit Expenses	$19,000.46	2%	$19,584.26	2%	$20,185.58	2%	$20,804.94	2%	$21,442.88	2%
TOTAL DISBURSEMENTS	**$950,022.90**		**$979,213.19**		**$1,009,279.19**		**$1,040,247.17**		**$1,072,144.18**	
ENDING FUND BALANCE	**$0**		**$0**		**$0**		**$0**		**$0**	

Notes:
[1] Crime Database, Security Patrols, & Crime Prevention
[2] Capital Improvements - large-scale street improvements, sidewalks, enhanced landscaping, etc. Large scale projects may require funds to be carried over multiple years.
[3] Landscaping, Litter Removal, Graffiti Abatement, Cart Pickup
[4] Marketing, Promotion and Advertising
[5] Neighborhood Planning & Recruitment of Business
[6] Community Enrichment Activities, Youth Development Activities, & Special Events
[7] Improvement of Common Areas or security in the Park Lane Development
[8] Improvements of Common Areas or security in the Mid-Town Development
[9] Office Management & Items Required by PID Contract
* The original Service Plan covers 2016-2022. This plan covers 2020-2024. Any year beyond 2022 is an estimate pending successful renewal.

Exhibit C

VICKERY MEADOW IMPROVEMENT DISTRICT
2019 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 2019 assessment rate for the property in the premium service area is proposed at $.l0 per $100 value. The 2019 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 Information Sheet

File #: 19-1090 **Item #:** 37.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Environmental Quality & Sustainability

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** the first amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Whole Air Monitoring Program (Contract No. 582-19-90030, CFDA No. 97.091) to accept additional grant funds in an amount not to exceed $475,000.00 from the U.S. Environmental Protection Agency passed through the TCEQ, to continue Whole Air Monitoring for the period September 1, 2019 through August 31, 2020; **(2)** the establishment of appropriations in an amount not to exceed $475,000.00 in the TCEQ 19-20 Whole Air Monitoring Program Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $475,000.00 from TCEQ in the TCEQ 19-20 Whole Air Monitoring Program Fund; and **(4)** execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Not to exceed $475,000.00, from $475,000.00 to $950,000.00 - 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 first amendment to Contract No. 582-19-90030 which ensures the monitoring of biological contaminates that could be associated with a bioterrorist attack on Dallas County. TCEQ supports the Department of Homeland Security's National Whole Air Monitoring Network which began in February 2003 in Texas. TCEQ in turn, contracts with the City to operate the Whole Air Monitoring Network of whole air samplers at various locations throughout Dallas County. Authorization of this contract will allow for the City to accept TCEQ funds for FY20 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 August 22, 2018, City Council authorized the acceptance of grant funds from the U.S. Environmental Protection Agency passed through TCEQ (Contract No. 582-19-90030, CFDA No. 97.091) to conduct the Whole Air Monitoring Program for the period September 1, 2018 through August 31, 2019, by Resolution No. 18-1135.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $475,000.00

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WHEREAS, there is a continuing need to operate an air pollution control program and a network of monitors sampling for Whole Air contaminants; and

WHEREAS, on August 22, 2018, City Council authorized the acceptance of grant funds from the U.S. Environmental Protection Agency passed through the Texas Commission on Environmental Quality (TCEQ) (Contract No. 582-19-90030, CFDA No. 97.091) to conduct the Whole Air Monitoring Program for the period September 1, 2018 through August 31, 2019, in an amount not to exceed $475,000.00, by Resolution No. 18-1135; and

WHEREAS, it is now necessary to authorize the first amendment to the contract with TCEQ for the Whole Air Monitoring Program (Contract No. 582-19-90030, CFDA No. 97.091) to accept additional grant funds from the U.S. Environmental Protection Agency passed through TCEQ, to continue Whole Air Monitoring for the period September 1, 2019 through August 31, 2020, in an amount not to exceed $475,000.00, from $475,000.00 to $950,000.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute the first amendment to the contract with TCEQ for the Whole Air Monitoring Program (Contract No. 582-19-90030, CFDA No. 97.091) to accept additional grant funds from the U.S. Environmental Protection Agency passed through TCEQ, to continue Whole Air Monitoring for the period September 1, 2019 through August 31, 2020, in an amount not to exceed $475,000.00, from $475,000.00 to $950,000.00; and execute the contract amendment with TCEQ and all terms, conditions, and documents required by the contract, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $475,000.00 in the TCEQ 19-20 Whole Air Monitoring Program Fund, Fund F585, Department MGT, Unit 4164, Object 3099.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $475,000.00 in the TCEQ FY 19-20 Whole Air Monitoring Program Fund, Fund F585, Department MGT, Unit 4164, Revenue Code 6526.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer grant funds from the TCEQ FY 19-20 Whole Air Monitoring Program Fund, Fund F585, Department MGT, Unit 4164, 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 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-2018-00006608.

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

Agenda Information Sheet

File #: 19-1091 **Item #:** 38.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Environmental Quality & Sustainability

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** the first amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Rockwall and Particulate Matter (PM) 2.5 Monitoring Program (Contract No. 582-19-90038, CFDA No. 66.034) to accept additional grant funds in an amount not to exceed $96,707.48 from the U.S. Environmental Protection Agency passed through TCEQ, to operate the ambient air monitoring station in Rockwall County and air quality monitoring of the PM2.5 network for the period September 1, 2019 through August 31, 2020; **(2)** the establishment of appropriations in an amount not to exceed $96,707.48 in the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $96,707.48 from TCEQ in the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund; and **(4)** execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Not to exceed $96,707.48, from $96,707.48 to $193,414.96 - 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 three 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. 582-19-90038 for monitoring of Particulate Matter (PM) 2.5 and Rockwall Ambient Air Monitoring. The City's Air Specialists collect sample specimens from six PM samplers in Dallas County as well as the continuous air monitoring site (CAMS) in Rockwall County which monitors for ozone and meteorological data. This program is of importance because of the serious health effects associated with exposure to fine particulates. 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 2020 and enable the City to continue the TCEQ 19-20 Rockwall and 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 August 22, 2018, City Council authorized the acceptance of a grant from the U.S. Environmental Protection Agency passed through TCEQ to operate the ambient air monitoring station in Rockwall County and air quality monitoring of the PM2.5 network for the period September 1, 2018 through August 31, 2019; and a contract with the TCEQ for the Rockwall and PM2.5 Ambient Air Monitoring Program (Contract No. 582-19-90038) for the period September 1, 2018 through August 31, 2019, by Resolution No. 18-1136.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $96,707.48

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WHEREAS, there is a continuing need for an air pollution control program for particulate matter (PM) 2.5; and

WHEREAS, there is a continuing need for an air pollution monitoring site in Rockwall County; and

WHEREAS, on August 22, 2018, City Council authorized the acceptance of grant funds from the U.S. Environmental Protection Agency passed through TCEQ (Contract No. 582-19-90038, CFDA No. 66.034) to conduct the Rockwall and PM 2.5 Monitoring Program for the period September 1, 2018 through August 31, 2019, by Resolution No. 18-1136.

WHEREAS, on April 8, 2019, TCEQ authorized the second amendment to the Rockwall and PM 2.5 Monitoring Program Contract No. 582-19-90038 granting a no cost, scope of work change; and

WHEREAS, it is now necessary to authorize the first amendment to the contract with the TCEQ for the Rockwall and PM 2.5 Monitoring Program (Contract No. 582-19-90038, CFDA No. 66.034) to accept additional grant funds in an amount not to exceed $96,707.48 from the U.S. Environmental Protection Agency passed through TCEQ, to operate the ambient air monitoring station in Rockwall County and air quality monitoring of the PM2.5 network for the period September 1, 2019 through August 31, 2020, in an amount not to exceed $96,707.48, from $96,707.48 to $193,414.96.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute the first amendment to the contract with the TCEQ for the Rockwall and Particulate Matter (PM 2.5) Monitoring Program (Contract No. 582-19-90038, CFDA No. 66.034) to accept additional grant funds in an amount not to exceed $96,707.48, from the U.S. Environmental Protection Agency passed through TCEQ, to operate the ambient air monitoring station in Rockwall County and air quality monitoring of the PM2.5 network for the period September 1, 2019 through August 31, 2020, in an amount not to exceed $96,707.48, from $96,707.48 to $193,414.96; and execute the contract amendment with TCEQ and all terms, conditions, and documents required by the contract, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $96,707.48 in the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund, Fund F586, Department MGT, Unit 4166, Object 3099.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer funds in an amount of $96,707.48 from the TCEQ 19-20 Rockwall and PM 2.5 Monitoring Program Fund, Fund F586, Department MGT, Unit 4166, 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-2018-00006609.

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

Agenda Information Sheet

File #: 19-1089 **Item #:** 39.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Environmental Quality & Sustainability

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** the third amendment to the contract with the Texas Commission on Environmental Quality (TCEQ) for the Ambient Air Monitoring Program (Contract No. 582-18-80089, CFDA No. 66.605) to accept additional grant funds in an amount not to exceed $367,790.00 from the U.S. Environmental Protection Agency passed through TCEQ, to continue ambient air pollution monitoring for the period September 1, 2019 through August 31, 2021; **(2)** the establishment of appropriations in an amount not to exceed $367,790.00 in the TCEQ 19-21 Ambient Air Monitoring Program Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $367,790.00 from TCEQ in the TCEQ 19-21 Ambient Air Monitoring Program Fund; **(4)** a required local match in an amount not to exceed $181,150.30 over the two-year period ($90,575.15 annually); and **(5)** execution of the contract amendment with TCEQ and all terms, conditions, and documents required by the contract - Total not to exceed $548,940.30, from $548,940.30 to $1,097,880.60 - Financing: Texas Commission on Environmental Quality Grant Funds ($367,790.00) and General Fund ($181,150.30) (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 necessary equipment.

This action addresses the third amendment to 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, checking 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 FY20 and FY21 and enable the City to continue the Ambient Air Monitoring Program. Funding for this program is split with TCEQ providing 67% of the cost of this program and the City of Dallas providing 33% of the cost.

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PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 23, 2017, City Council authorized the acceptance of a grant from the U.S. Environmental Protection Agency passed through TCEQ to monitor air sampling sites at six locations across the City for the period September 1, 2017 through August 31, 2018; a contract with the TCEQ for the Ambient Air Monitoring Program (Contract No. 582-18-80089, CFDA No. 66.605) for the period September 1, 2017 through August 31, 2019; and a required local match by Resolution No. 17-1308.

FISCAL INFORMATION

Texas Commission on Environmental Quality Grant Funds - $367,790.00
General Fund - $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 & Sustainability (EQS), has been approved by the Texas Commission on Environmental Quality (TCEQ) to continue said monitoring; and

WHEREAS, on August 23, 2017, City Council authorized acceptance of a grant from the U.S. Environmental Protection Agency passed through TCEQ in an amount not to exceed $367,790.00 to monitor air sampling sites at six locations across the City for the period September 1, 2017 through August 31, 2018; a contract with TCEQ for the Ambient Air Monitoring Program (Contract No. 582-18-80089, CFDA No. 66.605) for the period September 1, 2017 through August 31, 2019; and a required local match in an amount not to exceed $181,150.30 over the two-year period, in a total amount not to exceed $548,940.30, by Resolution No. 17-1308; and

WHEREAS, on April 30, 2018, TCEQ authorized the first amendment to Contract No. 582-18-80089, a no cost, change of work scope; and

WHEREAS, on January 18, 2019, TCEQ authorized the second amendment to Contract No. 582-18-80089 to carry forward funds from FY18 to FY19; and

WHEREAS, on June 10, 2019, TCEQ authorized the fourth amendment to Contract No. 582-18-80089 a no cost, change of work scope; and

WHEREAS, it is now necessary to authorize the third amendment to the contract with TCEQ for the Ambient Air Monitoring Program (Contract No. 582-18-80089, CFDA No. 66.605) to accept additional grant funds in an amount not to exceed $367,790.00 from the U.S. Environmental Protection Agency passed through TCEQ, to continue ambient air pollution monitoring for the period September 1, 2019 through August 31, 2021; and a required local match in an amount not to exceed $181,150.30 over the two-year period ($90,575.15 annually), in a total amount not to exceed $548,940.30, from $548,940.30 to $1,097,880.60.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute the third amendment to the contract with TCEQ for the Ambient Air Monitoring Program (Contract No. 582-18-80089, CFDA No. 66.605) to accept additional grant funds in an amount not to exceed $367,790.00 from the U.S. Environmental Protection Agency passed through TCEQ, to continue ambient air pollution monitoring for the period September 1, 2019 through August 31, 2021; provide a required local match in an amount not to exceed $181,150.30 over the two-year period ($90,575.15 annually), in a total amount not to exceed $548,940.30, from $548,940.30 to $1,097,880.60; and execute the contract amendment with TCEQ and all terms, conditions, and documents required by the contract, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $367,790.00 in the TCEQ FY 19-21 Ambient Air Monitoring Program Fund, Fund F584, Department MGT, Unit 4163, Object 3099.

SECTION 3. 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 FY 19-21 Ambient Air Monitoring Program Fund, Fund F584, Department MGT, Unit 4163, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer grant funds in an amount not to exceed $367,790.00 from the TCEQ FY 19-21 Ambient Air Monitoring Program Fund, Fund F584, Department MGT, Unit 4163, 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 local match funds in an amount not to exceed $181,150.30 (subject to annual appropriations) from Fund 0001, Department MGT, Unit 4241, Object 1101.

SECTION 6. That the City Manager is hereby authorized to reimburse to the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 7. That the City Manager shall keep the appropriate City Council Committee informed of all final 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 Information Sheet

File #: 19-1000 **Item #:** 40.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize an Interlocal Agreement with Dallas County/Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2019 through September 30, 2020 - Not to exceed $1,975,000.00 - Financing: 2017-18 Housing Opportunities for Persons with AIDS Grant Funds ($33,913.00), 2018-19 Housing Opportunities for Persons with AIDS Grant Funds ($655,839.00), and 2019-20 Housing Opportunities for Persons with AIDS Grant Funds ($1,285,248.00)

BACKGROUND

On June 12, 2019, City Council adopted the FY 2019-20 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development ("HUD") Grant Funds by Resolution No. 19-0886. The FY 2019-20 Consolidated Plan Budget includes the Housing Opportunities for Persons with AIDS ("HOPWA") Grant Funds, which are available beginning October 1, 2019, contingent upon HUD's approval of the City's FY 2019-20 Action Plan (which is based on the approved Consolidated Plan Budget and submitted on August 15, 2019), 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 2017-18 and FY 2018-19 may be included in this year's Interlocal Agreement ("ILA") with Dallas County/Dallas County Health and Human Services (County).

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.

Since approximately 1993, through ILA's with the City, the County has provided HOPWA scattered site housing assistance, comprised of Tenant-Based Rental Assistance ("TBRA"), Short-Term Rent/Mortgage/Utility ("STRMU") Emergency Assistance, supportive services, and administrative costs, to eligible persons primarily residing in Dallas County. The TBRA Program includes long-term rental assistance (with a utility allowance) that an eligible person may use at a housing unit of his or

her choice. This assistance is portable, and moves with the client, similar to the Housing Choice Voucher program, within the Dallas EMSA. STRMU Emergency assistance is designed to prevent homelessness, and includes short-term rent, mortgage, and utility payments for up to 21 weeks in any 52-week period. HOPWA clients receiving scattered site housing assistance also receive housing support services through case managers, who ensure that clients have access to other services, such as medical care, transportation, legal services, and food pantry.

The County has the organizational capacity, including one full-time HOPWA manager, three full-time HOPWA caseworkers, and a full-time HOPWA clerk, in place to continue providing scattered site housing assistance to eligible persons without disruption. In addition, the County is the administrative agency for other local area organizations eligible for HIV/AIDS grant funding and, as such, has collaborative relationships with HIV/AIDS service providers across the Dallas EMSA. For these reasons, the County is recommended for funding to continue providing scattered site housing assistance services to eligible persons residing primarily in Dallas County. 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, housing information services, housing placement, and support services) or that provide scattered site housing assistance to eligible individuals more distant from Dallas County.

All HOPWA projects use the local Homeless Management Information System (“HMIS”) to collect client-level data for service coordination and reporting/evaluation purposes. County staff must input client-level data into the local HMIS with applicable written consent. The County 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

	2019-20 Goal
Emergency - unduplicated clients served	110
Tenant-based - unduplicated clients served	200
Total - unduplicated clients served	310

OUTCOME MEASURES

Housing Stability

	2019-20 Goal
Emergency - percent in stable housing	97%
Tenant-based - percent in stable housing	95%

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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.

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On June 27, 2018, City Council adopted the FY 2018-19 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development Grant Funds by Resolution No. 18-0987.

On June 12, 2019, City Council adopted the FY 2019-20 HUD Consolidated Plan Budget for the U.S. Department of Housing and Urban Development Grant Funds by Resolution No. 19-0886.

FISCAL INFORMATION

2017-18 Housing Opportunities for Persons with AIDS Grant Funds - $33,913.00
2018-19 Housing Opportunities for Persons with AIDS Grant Funds - $655,839.00
2019-20 Housing Opportunities for Persons with AIDS Grant Funds - $1,285,248.00

August 28, 2019

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 2019-20 Consolidated Plan Budget includes HOPWA Grant Funds from HUD in the amount of $7,058,692.00; and

WHEREAS, the City of Dallas seeks to enter into an Interlocal Agreement ("ILA") with Dallas County/Dallas County Health and Human Services ("County") to provide a portion of the City's HOPWA Grant Funds to the County to allow the County to continue providing certain eligible scattered site housing assistance services authorized by the City's HOPWA entitlement grant; and

WHEREAS, this ILA is funded by FY 2019-20 HOPWA Grant Funds which will be available beginning October 1, 2019 and are contingent upon HUD's approval of the City's FY 2019-20 Action Plan, and execution of grant agreements with HUD, and unspent FY 2017-18 and FY 2018-19 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 execute an Interlocal Agreement with Dallas County/Dallas County Health and Human Services, approved as to form by the City Attorney, to provide scattered site housing assistance for persons with HIV/AIDS for the period of October 1, 2019 through September 30, 2020, and execute any and all documents required by the Interlocal Agreement.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in an amount not to exceed $1,975,000.00 in periodic payments to Dallas County/Dallas County Health and Human Services (254643) from Service Contract No. OHS-2019-00010935, as follows:

Fund	Department	Unit	Object	Description	Amount
HW17	MGT	298B	3099	Program Admin/Project Sponsors	$ 33,913.00
HW18	MGT	831C	3099	Emergency/Tenant Based Rent	$ 611,443.00
HW18	MGT	836C	3099	Program Admin/Project Sponsors	$ 44,396.00
HW19	MGT	927D	3070	Emergency/Tenant Based Rent	$1,234,357.00
HW19	MGT	933D	3070	Program Admin/Project Sponsors	$ 50,891.00
				Total	$1,975,000.00

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

Agenda Information Sheet

File #: 19-1001 **Item #:** 41.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0072L6T001811, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' Shelter Plus Care Project ("Project") in an amount not to exceed $1,584,610.00, to provide permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2019 through September 30, 2020; **(2)** an amendment to the grant agreement to convert the Project from tenant-based rental assistance to leasing assistance; **(3)** the establishment of appropriations in an amount not to exceed $1,584,610.00 in the FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund; **(4)** the receipt and deposit of grant funds as reimbursement from HUD in an amount not to exceed $1,584,610.00 in FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund; **(5)** a local cash match from the City of Dallas in an amount not to exceed $39,123.00; and **(6)** execution of any and all documents required for the grant agreement and amendment - Total not to exceed $1,623,733.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($1,584,610.00) and General Fund ($39,123.00) (subject to appropriations)

BACKGROUND

The City of Dallas, through the Office of Homeless Solutions ("OHS"), is grantee for a CoC Grant from HUD for the Project. The Project provides permanent housing and supportive services to homeless persons with disabilities (and family members residing with them), including homeless persons with serious mental illness, chronic problems with alcohol and/or drugs, or HIV/AIDS or related diseases. The CoC Grant is subject to renewal by HUD on an annual basis.

Under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 ("HEARTH Act"), enacted into law on May 20, 2009, all eligible funding costs, except leasing funds, must be matched with no less than a 25 percent cash match or in-kind contributions.

OHS has been working to outsource or transition the operation of the Project to a local area non-profit organization(s) for more than a year. Pending that transition, OHS has continued to operate the Project to ensure that participants can remain in housing. Three prior procurement solicitations

(#BTZ1819 advertised on April 19, 2018, #BPZ1802 advertised on August 24, 2018, and #BRZ19-00010654 advertised on June 13, 2019) have not yet yielded a successful proposer for this Project. It is still the department's intent to outsource or transition the operation of this Project to a third-party vendor.

One concern raised in prior procurement solicitations was the level of matching funds required for the Project. To address this concern, OHS submitted a request to HUD to amend the grant agreement to convert the Project from tenant-based rental assistance (where participants lease directly from the landlord) to leasing assistance (where the grantee leases from the landlord and subleases to participants). While rental assistance funds are subject to match, leasing funds are not. This change would reduce the match required for the CoC Grant from approximately $396,153.00 to $39,123.00 (25 percent of $156,490.00).

On January 26, 2019, HUD announced the new FY 2018 CoC funding awards, including the renewal of the CoC Grant (Grant No. TX0072L6T001811, CFDA No. 14.267) that funds the Project for the period October 1, 2019 through September 30, 2020. At the time of the renewal award, the City of Dallas was the grantee for the CoC Grant. As such, it is necessary for the City of Dallas to accept the renewal of the CoC Grant.

Under the CoC Grant, the Project will provide full or partial rental payments for 150 units (130 one-bedroom units and 20 two-bedroom units) serving 180 homeless persons. Rental payments will be made at the reasonable rate for the area. Participants with income are required to pay 30% of the family's monthly adjusted income, 10% of the family's monthly gross income, or if the family is receiving welfare assistance and a portion of the welfare assistance is specifically designated for the family's housing costs, the portion of the payment designated for housing costs, whichever is greater.

The CoC Program requires that supportive services be provided for all participants of the Program (funded directly or through matching source). These services may be provided by project case management staff and/or community agencies. Eligible supportive services include case management, child care, education services, employment assistance and job training, food, housing search and counseling services, legal services, life skills training, mental health training, outpatient health services, outreach services, substance abuse treatment services, transportation and utility deposits. The grant includes funding for one to three project staff (including case management and administrative staff) to carry out the Project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2015, City Council authorized the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for Permanent Supportive Housing, to provide tenant-based rental assistance for permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2015 through September 30, 2016; a Memorandum of Understanding between the City of Dallas and LifeNet Services of Texas to provide an in-kind match; a Memorandum of Understanding between the City of Dallas and AIDS Arms, Inc. to provide an in-kind match; a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an in-kind match; a Memorandum of Understanding between the City of Dallas and ABC Behavioral Health to provide an in-kind match; and execution of the grant agreement by Resolution No. 15-1365.

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On October 14, 2015, City Council authorized an amendment to Resolution No. 15-1365, previously approved on August 12, 2015 to increase the local cash match from the City of Dallas; decrease the In-Kind Contributions by AIDS Arms, Inc. and specify new terms regarding match requirements in the Memorandum of Understanding between the City of Dallas and AIDS Arms, Inc. to provide an In-Kind Contribution, under the Continuum of Care Grant for the Permanent Supportive Housing from the U.S. Department of Housing and Urban Development by Resolution No. 15-1873.

On August 24, 2016, City Council authorized the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Shelter Plus Care Program (Permanent Supportive Housing), to provide tenant-based rental assistance for permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2016 through September 30, 2017; a Memorandum of Understanding between the City of Dallas and AIDS Arms, Inc. to provide an In-Kind Contribution; a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an In-Kind Contribution; a Memorandum of Understanding between the City of Dallas and ABC Behavioral Health to provide an In-Kind Contribution; and execution of the grant agreement by Resolution No. 16-1331.

On September 13, 2017, City Council authorized the acceptance of a Continuum of Care Grant (Grant No. TX0072L6T001609, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development also referred to as Shelter Plus Care Program, to provide both permanent housing in the form of tenant-based rental assistance and eligible supportive services for homeless persons with disabilities for the period October 1, 2017 through September 30, 2018; a Memorandum of Understanding (MOU) between the City of Dallas and PRISM Health North Texas to provide an In-Kind Contribution; and a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an In-Kind Contribution; and execution of the grant agreement and the MOUs by Resolution No. 17-1416.

On September 26, 2018, City Council authorized the acceptance of a Continuum of Care Grant (Grant No. TX0072L6T001710, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development for the City of Dallas' Shelter Plus Care Project to provide tenant-based rental assistance for permanent housing and supportive services for homeless persons with disabilities and their families for the period October 1, 2018 through September 30, 2019, and execution of the grant agreement by Resolution No. 18-1379.

FISCAL INFORMATION

U.S. Department of Housing and Urban Development Grant Funds - $1,584,610.00
General Fund - $39,123.00 (subject to appropriations)

August 28, 2019

WHEREAS, the City of Dallas recognizes the need to assist homeless persons by providing rental assistance, in conjunction with support services; and

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") provides Continuum of Care ("CoC") Grant funds to assist the homeless with housing assistance; and

WHEREAS, the City of Dallas, through the Office of Homeless Solutions ("OHS"), is grantee for a CoC Grant from HUD for the City of Dallas' Shelter Plus Care Project ("Project"); and

WHEREAS, on January 26, 2019, HUD announced the new FY 2018 CoC funding awards, including the renewal of the CoC Grant that funds the Project for the period October 1, 2019 through September 30, 2020; and

WHEREAS, to address concerns related to the matching requirement for the grant, which were raised in the procurement process through which OHS is seeking to outsource the Project to a local area non-profit organization, OHS has requested to amend the grant agreement to convert the Project from tenant-based rental assistance (where participants lease directly from the landlord) to leasing assistance (where the grantee leases from the landlord and subleases to participants), which would reduce the match from approximately $396,153.00 to $39,123.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a CoC Grant (Grant No. TX0072L6T001811, CFDA No. 14.267) from HUD for the Project in an amount not to exceed $1,584,610.00, to provide permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2019 through September 30, 2020; amend the grant agreement to convert the Project from tenant-based rental assistance to leasing assistance; provide a local cash match from the City of Dallas in an amount not to exceed $39,123.00; and execute any and all documents required for the grant agreement and amendment, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $1,584,610.00 in the FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund, Fund F589, Department MGT, Unit 4211, various Object Codes, according to the attached Schedule A.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds as reimbursement from HUD, in an amount not to exceed $1,584,610.00 in the FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund, Fund F589, Department MGT, Unit 4211, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed $1,584,610.00 from the FY18 CoC Grant-Shelter Plus Care-PSH FY20 Fund, Fund F589, Department MGT, Unit 4211, various Object Codes, according to the attached Schedule A.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse a local cash match from the City of Dallas in an amount not to exceed $39,123.00 (subject to appropriations) from Fund 0001, Department MGT, Unit 4311, Object 3099, according to the attached Schedule A.

SECTION 6. That the City Manager is hereby authorized to reimburse to HUD any 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. Further, the City Manager shall keep the appropriate City Council Committee informed of all final HUD monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That the City Manager is hereby authorized to provide additional information and make adjustments to take other actions relating to these budgets as may be necessary in order to satisfy HUD requirements.

SECTION 8. That this grant agreement is designated as Contract No. OHS-2019-00010933.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A

Continuum of Care Grant
Shelter Plus Care Project
Fund F589, Department MGT, Unit 4211, Revenue Code 6506
October 1, 2019 through September 30, 2020

Object Code	Description	Amount
3099	Miscellaneous Special Services	$ 91,450.00
3330	Rents	$1,428,120.00
3994	Outside Temps/Staffing	$ 65,040.00
	Total	**$1,584,610.00**

Matching Funds
Cash
Fund 0001, Department MGT, Unit 4311

Object Code	Description	Amount
3099	Miscellaneous Special Services	$20,000.00
3994	Outside Temps/Staffing	$19,123.00
	Total	**$39,123.00**

Agenda Information Sheet

File #: 19-1002 **Item #:** 42.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Homeless Solutions

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care ("CoC") Grant (Grant No. TX0050L6T001811, CFDA No. 14.267) from the U.S. Department of Housing and Urban Development ("HUD") for the City of Dallas' Shelter Plus Care Operation Relief Center, Inc. ("ORC") Project ("Project") in an amount not to exceed $99,295.00, to provide permanent housing for homeless veterans with disabilities for the period October 1, 2019 through September 30, 2020; **(2)** an amendment to the grant agreement to convert the Project from tenant-based rental assistance to leasing assistance; **(3)** the establishment of appropriations in an amount not to exceed $99,295.00 in the FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund; **(4)** the receipt and deposit of grant funds as reimbursement from HUD in an amount not to exceed $99,295.00 in FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund; **(5)** a local cash match from the City of Dallas in an amount not to exceed $1,424.00; and **(6)** execution of any and all documents required for the grant agreement and amendment - Total not to exceed $100,719.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($99,295.00) and General Fund ($1,424.00) (subject to appropriations)

BACKGROUND

The City of Dallas, through the Office of Homeless Solutions ("OHS"), is grantee for a CoC Grant from HUD for the Project. The Project provides permanent housing for homeless veterans who are disabled by chronic mental illness, substance use disorder, or developmental or physical disabilities. The CoC Grant is subject to renewal by HUD on an annual basis.

Under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 ("HEARTH Act"), enacted into law on May 20, 2009, all eligible funding costs, except leasing funds, must be matched with no less than a 25 percent cash match or in-kind contributions.

Prior to FY 2018-19, ORC, a private non-profit organization, was the project sponsor for the Project through a contract with the City of Dallas. As sponsor, ORC had operated the Project since its inception in 2000, providing permanent housing and case management for disabled homeless veterans, at two of its housing developments. In May 2018, ORC notified the City of Dallas that it could no longer act as project sponsor beginning October 1, 2018.

OHS has been working to outsource or transition the operation of the Project to a local area non-profit organization(s) for more than a year. Pending that transition, OHS has continued to operate the Project to ensure that participants can remain in housing. Three prior procurement solicitations (#BTZ1819 advertised on April 19, 2018, #BPZ1802 advertised on August 24, 2018, and #BRZ19-00010654 advertised on June 13, 2019) have not yet yielded a successful proposer for this Project. It is still the department's intent to outsource or transition the operation of this Project to a third-party vendor.

One concern raised in prior procurement solicitations was the level of matching funds required for the Project. To address this concern, OHS submitted a request to HUD to amend the grant agreement to convert the Project from tenant-based rental assistance (where participants lease directly from the landlord) to leasing assistance (where the grantee leases from the landlord and subleases to participants). While rental assistance funds are subject to match, leasing funds are not, which means that this change would reduce the match required for the CoC Grant in the future from approximately $24,824.00 to $1,424.00 (25 percent of $5,695.00).

On January 26, 2019, HUD announced the new FY 2018 CoC funding awards, including the renewal of the CoC Grant (Grant No. TX0005L6T001811 and CFDA No. 14.267) that funds the Project for the period October 1, 2019 through September 30, 2020. At the time of the renewal award, the City of Dallas was the grantee for the CoC Grant. As such, it is necessary for the City of Dallas to accept the renewal of the CoC Grant.

Under the CoC Grant, the Project will provide full or partial rental payments for 10 one-bedroom units serving 10 homeless veterans. Rental payments will be made at the reasonable rate for the area. Participants with income are required to pay 30% of the family's monthly adjusted income, 10% of the family's monthly gross income, or if the family is receiving welfare assistance and a portion of the welfare assistance is specifically designated for the family's housing costs, the portion of the payment designated for housing costs, whichever is greater.

The CoC Program requires that supportive services be provided for all participants of the Program (funded directly or through matching resources). These services may be provided by project case management staff and/or community agencies. Eligible supportive services include case management, childcare, education services, employment assistance and job training, food, housing search and counseling services, legal services, life skills training, mental health training, outpatient health services, outreach services, substance abuse treatment services, transportation and utility deposits. The grant includes partial funding for project administration staff to administer the Project, but does not include funding for supportive services. As such, supportive services for Project participants must be funded through matching sources.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 10, 2014, City Council authorized the acceptance of a CoC Grant from HUD (formerly known as Shelter Plus Care) to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period of October 1, 2014 through September 30, 2015; a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities and In-Kind Contributions; and execution of the grant agreement by Resolution No. 14-1458.

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On August 12, 2015, City Council authorized the acceptance of a CoC Grant from HUD for Operation Relief Center, Inc. to the City to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period of October 1, 2015 through September 30, 2016; a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities and In-Kind Contributions as match; and execution of the grant agreement by Resolution No. 15-1362.

On August 24, 2016, City Council authorized the acceptance of a CoC Grant from HUD for the Shelter Plus Care Program through the Operation Relief Center, Inc, to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period of October 1, 2016 through September 30, 2017; a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities and In-Kind Contributions as match; and execution of the grant agreement by Resolution No. 16-1330.

On September 13, 2017, City Council authorized the acceptance of a CoC Grant (Grant No. TX0050L6T001609, CFDA No. 14.267) from HUD also referred to as Shelter Plus Care Program through the Operation Relief Center, Inc., to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period of October 1, 2017 through September 30, 2018; a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities and In-Kind Contributions as match; and execution of the grant agreement and contract by Resolution No. 17-1415.

On September 26, 2018, City Council authorized the acceptance of a CoC Grant (Grant No. TX0050L6T001710, CFDA No. 14.267) from HUD for the City of Dallas' Shelter Plus Care Operation Relief Center, Inc., to provide rental assistance for permanent housing for homeless veterans with disabilities for the period of October 1, 2018 through September 30, 2019; an amendment to the grant to convert the Project from sponsor-based rental assistance to tenant-based rental assistance and discontinue Operation Relief Center, Inc. as project sponsor; and execution of the grant agreement and amendment by Resolution No. 18-1378.

FISCAL INFORMATION

U.S. Department of Housing and Urban Development Grant Funds - $99,295.00
General Fund - $1,424.00 (subject to appropriations)

August 28, 2019

WHEREAS, the City of Dallas recognizes the need to assist homeless veterans by providing sponsor-based rental assistance, in conjunction with support services; and

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") provides Continuum of Care ("CoC") Grant funds to assist homeless veterans with housing assistance; and

WHEREAS, the City of Dallas, through the Office of Homeless Solutions ("OHS"), is grantee for a CoC Grant from HUD for the City of Dallas' Shelter Plus Care Operation Relief Center, Inc. Project ("Project"); and

WHEREAS, on January 26, 2019, HUD announced the new FY 2018 CoC funding awards, including the renewal of the CoC Grant that funds the Project for the period of October 1, 2019 through September 30, 2020; and

WHEREAS, to address concerns related to the matching requirement for the grant, which were raised in the procurement process through which OHS is seeking to outsource the Project to a local area non-profit organization, OHS has requested to amend the grant agreement to convert the Project from tenant-based rental assistance (where participants lease directly from the landlord) to leasing assistance (where the grantee leases from the landlord and subleases to participants), which would reduce the match from approximately $24,824.00 to $1,424.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a CoC Grant (Grant No. TX0050L6T001811, CFDA No. 14.267) from HUD for the Project in an amount not to exceed $99,295.00, to provide permanent housing for homeless veterans with disabilities for the period October 1, 2019 through September 30, 2020; amend the grant agreement to convert the Project from rental assistance to leasing assistance; provide a local cash match from the City of Dallas in an amount not to exceed $1,424.00; and execute any and all documents required for the grant agreement and amendment, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $99,295.00 in the FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund, Fund F590, Department MGT, Unit 4212, various Object Codes, according to the attached Schedule A.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds as reimbursement from HUD in an amount not to exceed $99,295.00 in the FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund, Fund F590, Department MGT, Unit 4212, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed $99,295.00 from the FY18 CoC Grant-Shelter Plus Care-ORC FY20 Fund, Fund F590, Department MGT, Unit 4212, various Object Codes, according to the attached Schedule A.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse a local cash match from the City of Dallas in an amount not to exceed $1,424.00 (subject to appropriations) from Fund 0001, Department MGT, Unit 4311, Object 3099, according to the attached Schedule A.

SECTION 6. That the City Manager is hereby authorized to reimburse to HUD any 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. Further, the City Manager shall keep the appropriate City Council Committee informed of all final HUD monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That the City Manager is hereby authorized to provide additional information and make adjustments to take other actions relating to these budgets as may be necessary in order to satisfy HUD requirements.

SECTION 8. That this grant agreement is designated as Contract No. OHS-2019-00010934.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A

Continuum of Care Grant
Shelter Plus Care ORC Project
Fund F590, Department MGT, Unit 4212, Revenue Code 6506
October 1, 2019 through September 30, 2020

Object Code	Description	Amount
3099	Miscellaneous Special Services	$ 5,695.00
3330	Rents	$93,600.00
	Total	**$99,295.00**

Matching Funds
Cash
Fund 0001, Department MGT, Unit 4311
(subject to appropriations)

Object Code	Description	Amount
3099	Miscellaneous Special Services	$1,000.00
3994	Outside Temps/Staffing	$ 424.00
	Total	**$1,424.00**

Agenda Information Sheet

File #: 19-1004 **Item #:** 43.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a service contract for the purchase and installation of 10 safety ladders and 11 fall protection systems for the Water Utilities Department - McCrory Engineering, Inc., lowest responsible bidder of three - Not to exceed $88,396.95 - Financing: Dallas Water Utilities Fund

BACKGROUND

This item will allow for the purchase and installation of 10 safety ladders and 11 fall protection systems for the Water Utilities Department. Currently, the Southside Wastewater Treatment Plant has limited roof access to 10 buildings at the plant. The ladders are used to access roofs for inspection and maintenance of the buildings. For the employee's safety, the ladders are Occupational Safety and Health Administration compliant and include fall protection systems. This project will consist of installing 10 ladders and 11 fall protection systems for these buildings (one building currently has a ladder with no fall protection system). The contractor is responsible for all labor, materials, equipment, and insurance needed to install the ladders and fall protection system.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 40 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Dallas Water Utilities Fund - $88,396.95

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$88,396.95	Other Services	23.80%	100.00%	$88,396.95
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BE19-00009688. We opened them on June 14, 2019. We recommend the City Council award this service contract in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*McCrory Engineering, Inc.	11381 Meadowglen Ln. Suite E Houston, TX 77082	$88,396.95
Fall Protection Systems	224 North Highway 67 #193 Florissant, MO 63031	$125,107.50
Webb-Rite Safety, Inc.	670 Allendale Dr. Port Allen, LA 70767	$283,753.00

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OWNER

McCrory Engineering, Inc.

Thomas Adeyemal, President
Janet Adeyemal, Vice-President

powered by Legistar™

August 28, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a service contract for the purchase and installation of the 10 safety ladders and 11 fall protection systems for the Water Utilities Department with McCrory Engineering, Inc. (VC20407), approved as to form by the City Attorney, in an amount not to exceed $88,396.95. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to McCrory Engineering, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by McCrory Engineering, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $88,396.95 to McCrory Engineering, Inc. from Dallas Water Utilities Fund, Fund 0100, Department DWU, Unit 7450, Object 3110, Master Agreement Service Contract No. DWU-2019-00009688.

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

Agenda Information Sheet

File #: 19-975 **Item #:** 44.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service contract for maintenance and support of the public records request management software for the City Secretary's Office with SHI Government Solutions, Inc. through the State of Texas Department of Information Resources cooperative agreement - Not to exceed $550,970.70 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

This service contract will provide maintenance and support of the public records request management software for the City Secretary's Office. Maintenance and support includes software upgrades to current releases of software and ongoing technical support.

The public records request management software allows for the sharing of open records with the public via the City's web portal. Access to the open records portal is free to the public. Citizens can easily submit requests for public information, check the status of their public records requests, as well as retrieve their responsive documents electronically.

In 2015, the City implemented the public records request management software, in compliance with the Freedom of Information Act (FOIA), to comply with the Texas Public Information Act. Additionally, the use of this software has allowed enhancements in efficiency, transparency, and customer service to citizens requesting public information from the City of Dallas.

Benefits experienced by the City since the implementation and use of the public records request management software, in compliance with the FOIA, include, but are not limited to the following:

- Ability to receive and respond to public information requests received via email, fax, postal mail and online form
- Monitor multiple public information requests in one database and create a centralized system for processing public information requests

- Internal workflow that allows requests to be automatically routed to the appropriate department and open records request coordinator
- Ability to deliver responsive documents to citizens electronically
- Within the last year, the City has processed over 11,000 open record requests
- Within the last year, the Dallas Police Department has processed over 31,000 open records requests

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 27, 2017, City Council authorized a two-year contract through the U.S. Communities Cooperative with INSIGHT PUBLIC SECTOR, INC. to provide GovQA Public Records Request Management Software, in compliance with the Freedom of Information Act (FOIA), for the period October 1, 2017 through September 30, 2019, by Resolution No. 17-1549.

FISCAL INFORMATION

General Fund - $550,970.70 (subject to annual appropriations)

Fund	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
General Fund	$99,323.00	$104,512.10	$109,975.60	$115,693.90	$121,466.10
Total	$99,323.00	$104,512.10	$109,975.60	$115,693.90	$121,466.10

M/WBE INFORMATION

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

Contract Amount	**Category**	**M/WBE Goal**	**M/WBE %**	**M/WBE $**
$550,970.70	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

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PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

SHI Government Solutions, Inc.

Thai Lee, President
Koguan Lee, Vice President

August 28, 2019

WHEREAS, on September 27, 2017, City Council authorized a two-year contract through the U.S. Communities Cooperative with INSIGHT PUBLIC SECTOR, INC. to provide GovQA Public Records Request Management Software, in compliance with the Freedom of Information Act, for the period October 1, 2017 through September 30, 2019, in an amount not to exceed $151,616.00, by Resolution No. 17-1549.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a service contract with SHI Government Solutions, Inc. (502145) through the State of Texas Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for maintenance and support of the public records request management software for the City Secretary's Office for a term of five years, in an amount not to exceed $550,970.70. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to SHI Government Solutions, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by SHI Government Solutions, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $550,970.70 (subject to annual appropriations) to SHI Government Solutions, Inc. from Master Agreement Service Contract No. SEC-2019-00010434.

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

Agenda Information Sheet

File #: 19-1009 **Item #:** 45.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service contract for economic analysis, forecasting, and research services for the Office of Budget - Dearmon Analytics, LLC, most advantageous proposer of four - Not to exceed $234,125 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

This service contract will provide consulting services to the City for economic analysis, forecasting, and research services. The consultant will develop and maintain an economic forecast model for General Fund property tax and sales tax. The consultant will provide three revenue scenario estimates (pessimistic, baseline, and optimistic) for the current year and subsequent four years. Also, the consultant will update economic and demographic indicators particularly those related to the City and indicators impacting the forecast. Lastly, the consultant will provide fiscal impact analysis of proposed State and Federal legislation and other issues impacting city revenues.

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

- Office of Budget (1)
- Office of Economic Development (1)
- Department of Sanitation Services (1)
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated cost.

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

- Cost 30 points
- Capability and expertise 40 points
- Overall approach and methodology 30 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 914 email proposal notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Office of Business Diversity to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

General Fund - $234,125.00 (subject to annual appropriations)

Fund	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
General Fund	$46,825.00	$46,825.00	$46,825.00	$46,825.00	$46,825.00
Total	$46,825.00	$46,825.00	$46,825.00	$46,825.00	$46,825.00

M/WBE INFORMATION

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

Contract Amount	**Category**	**M/WBE Goal**	**M/WBE %**	**M/WBE $**
$234,125.00	Other Services	23.80%	10.68%	25,000.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

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PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BKZ1911. We opened them on March 22, 2019. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*Dearmon Analytics, LLC	436 NW 16th Street Oklahoma City, OK 73103	88.33	$234,125.00
Fundamentals Group, Inc. dba TXP, Inc.	1310 S. 1st Street Suite 105 Austin, TX 78704	84.75	$308,750.00
KPMG, LLP	1676 International Drive McLean, VA 22102	77.95	$529,000.00
IHS Global, Inc.	15 Inverness Way East Englewood, CO 80112	67.46	$349,000.00

OWNER

Dearmon Analytics, LLC

Jacob Dearmon, Owner

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August 28, 2019

WHEREAS, on May 8, 2018, Administrative Action No. 18-5987 authorized a service contract for nineteen months for econometric forecasting and analysis services with TXP, Inc. from May 8, 2018 through December 31, 2019, in an amount not to exceed $47,500.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a service contract with Dearmon Analytics, LLC (VC20302), approved as to form by the City Attorney, for economic analysis, forecasting, and research services for the Office of Budget for a term of five years, in an amount not to exceed $234,125. If the service was bid or proposed on an as needed basis, unit price basis for performance of specified tasks, payment to Dearmon Analytics, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Dearmon Analytics, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $234,125 (subject to annual appropriations) to Dearmon Analytics, LLC from Service Contract No. BMS-2019-00010887.

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

Agenda Information Sheet

File #: 19-1108 **Item #:** 46.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** a three-year service price agreement for vehicle and heavy equipment rental - Sunbelt Rentals, Inc. in an estimated amount of $2,026,548.00, Herc Rentals, Inc. in an estimated amount of $1,827,636.00, Star Tractor LTD. in an estimated amount of $631,428.00, EAN Holdings, LLC dba Enterprise Rent-A-Car in an estimated amount of $627,278.00, Landmark Equipment, Inc. in an estimated amount of $608,069.00, Kirby-Smith Machinery, Inc. in an estimated amount of $481,585.00, Four Seasons Equipment LLC in an estimated amount of $388,935.00, CLS Sewer Equipment Co., Inc. in an estimated amount of $362,500.00, Holt Texas, LTD. in an estimated amount of $250,200.00, Metro Golf Cars, Inc. in an estimated amount of $104,763.00, and RDO Equipment Co. in an estimated amount of $33,155.00, lowest responsible bidders of eleven, total estimated amount of $7,342,097.00; and **(2)** Supplemental Agreement No. 2 to **(a)** increase the service contract for the rental of vehicles and equipment with Herc Rentals, Inc. in the amount of $170,584.00, from $4,192,108.00 to $4,362,692.00, EAN Holdings, LLC dba Enterprise Rent-A-Car in the amount of $63,245.00, from $1,554,263.20 to $1,617,508.20, Four Seasons Equipment LLC in the amount of $51,204.00, from $1,258,350.00 to $1,309,554.00, Landmark Equipment, Inc. in the amount of $48,320.00, from $1,187,473.00 to $1,235,793.00, Holt Texas, LTD. in the amount of $31,653.00, from $777,880.00 to $809,533.00, Kirby-Smith Machinery, Inc. in the amount of $31,215.00, from $767,126.00 to $798,341.00, Sunbelt Rentals in the amount of $27,990.00, from $687,865.00 to $715,855.00, United Rentals (North America), Inc. in the amount of $14,223.00, from $349,543.00 to $363,766.00, and Metro Golf Cars in the amount of $3,566.00, from $87,646.00 to $91,212.00, total amount not to exceed $442,000.00, increasing the service contract amounts from $10,862,254.20 to $11,304,254.20; and **(b)** extend the term of the contracts from September 20, 2019 to October 31, 2019 - Total amount of $7,784,097.00 - Financing: General Fund ($2,547,252.00), Water & Sewer Revenue Fund ($4,188,665.00), and SDM Operations Fund ($1,048,180.00)

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BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

These service price agreements will enable City departments to rent various types of vehicles and equipment on an as needed basis to perform day-to-day construction, operational, and emergency services Citywide.

These service agreements are advantageous to the City because they provide immediate access to a variety of equipment without the purchase, inventory, depreciation, and maintenance cost associated with ownership of the equipment.

Types of equipment include, but are not limited to the following:

- Excavators
- Backhoe tractor loaders
- Graders and tractors
- Flat-bed trucks
- Pick-up trucks
- Cargo and passenger vans
- Compact and full size vehicles
- Lifts
- Pumps
- Padfoot rollers
- Sewer cleaners
- Sweepers
- Trailers
- Bucket trucks
- Dump trucks
- Portable air conditioners

These service price agreements also make available smaller construction and maintenance equipment such as generators, light towers, concrete saws, jackhammers, air compressors, pressure washers, walk behind rollers, and trenchers. The vendors are responsible for the maintenance, repair or replacement of all wear items such as brakes, flats, and clutches relieving the City of these routine repairs.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 507 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from

user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 24, 2014, City Council authorized a two-year service contract for rental of vehicles and equipment with Hertz Equipment Rental Corporation, EAN Holdings, LLC aka Enterprise Rent-A-Car, Landmark Equipment, Inc, Holt Texas, LTD, Bane Machinery, Inc., Four Seasons Equipment, Inc., R.B. Everett & Company, United Rentals (North America), Inc., Metro Golf Cars, Berry Companies, Inc. dba Bobcat of Dallas and Kirby-Smith Machinery, Inc. by Resolution No. 14-1627.

On September 28, 2016, City Council authorized supplemental agreement no. 1 to increase the service contract for the rental of vehicles and equipment by with Hertz Equipment Rental Corporation, EAN Holdings, LLC aka Enterprise Rent-A-Car, Landmark Equipment, Inc., Holt Texas, LTD, Bane Machinery, Inc., Four Seasons Equipment, Inc., R.B. Everett & Company, United Rentals (Northwest), Inc., Metro Golf Cars, Berry Companies, Inc. dba Bobcat of Dallas and Kirby-Smith Machinery, Inc. and to extend the contract term through March 23, 2017, by Resolution No. 16-1556.

On March 22, 2017, City Council authorized a two-year service contract for the rental of vehicles and equipment with Herc Rentals, Inc., Enterprise Rent-A Car dba EAN Holdings, LLC, Four Seasons Equipment, Inc., Landmark Equipment, Inc, Holt Texas, LTD, Kirby-Smith Machinery, Inc., Sunbelt Rentals, United Rentals (North America), Inc., and Metro Golf Cars by Resolution No. 17-0477.

On June 13, 2018, City Council authorized a one-year service contract for the rental of vehicles and equipment with CLS Sewer Equipment Co., Inc., Herc Rentals, Inc., Holt Texas, LTD, Accent/Johnston Limousine, Inc. dba AJL International, Kirby-Smith Machinery, Inc., Enterprise Rent-A-Car dba EAN Holdings, LLC, Crafco, Inc., and Bane Machinery, Inc. by Resolution No. 18-0837.

FISCAL INFORMATION

General Fund - $2,547,252.00
Water & Sewer Revenue Fund - $4,188,665.00
SDM-Operations Fund - $1,048,180.00

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY-2021-22
General Fund	$144,000.00	$ 786,484.00	$ 786,484.00	$ 830,284.00
Water & Sewer Revenue Fund	$285,000.00	$ 1,301,221.00	$ 1,301,221.00	$ 1,301,223.00
SDM-Operations Fund	$ 13,000.00	$ 345,060.00	$ 345,060.00	$ 345,060.00

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M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$7,342,097.00	Other Services	23.80%	1.82%	$133,463.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$442,000.00	Other Services	23.80%	0.81%	$3,566.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Supplemental Agreement No. 2 - 0.03% Overall M/WBE participation				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BN19-00009900. We opened them on May 9, 2019. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*Sunbelt Rentals, Inc.	2341 Deerfield Dr. Fort Mill, SC 29715	Multiple Groups
*Herc Rentals, Inc.	10966 Harry Hines Blvd. Dallas, TX 75220	Multiple Groups
*Star Tractor LTD.	1500 NE Loop 820 Fort Worth, TX 76106	Multiple Groups

*EAN Holdings, LLC dba Enterprise Rent-A-Car	8200 John Carpenter Frwy. Dallas, TX 75247	Multiple Groups
*Landmark Equipment, Inc.	1351 South Loop 12 Irving, TX 75060	Multiple Groups
*Kirby-Smith Machinery, Inc.	8505 South Central Expy. Dallas, TX 75241	Multiple Groups
*Four Seasons Equipment LLC	5524 West Ledbetter Dr. Dallas, TX 75236	Multiple Groups
*CLS Sewer Equipment Co., Inc.	726 South Sherman St. Richardson, TX 75081	Multiple Groups
*Holt Texas, LTD.	5665 South East Loop 410 San Antonio, TX 78222	Multiple Groups
*Metro Golf Cars, Inc.	4063 South Frwy. Ft. Worth, TX 76110	Multiple Groups
*RDO Equipment Co.	3230 East Airport Frwy. Irving, TX 75062	Multiple Groups

OWNERS

Sunbelt Rentals, Inc.

Brandon C. Horgan, Chief Executive Officer
Kurt J. Kenkel, Vice President
Barbara E. Heim, Secretary
John Schoenberger, Treasurer

Herc Rentals, Inc.

Lawrence H. Silber, President
James Bruce Dressel, Senior Vice President
Maryann A. Waryjas, Secretary
Mustally Hussain, Treasurer

Star Tractor LTD.

Don R. Larson, Partner
Tony Larson, Partner

EAN Holdings, LLC dba Enterprise Rent-A-Car

Brent Russell, President
Todd Burkman, Vice President
Thomas Berutti, Treasurer

Landmark Equipment, Inc.

Mike Lyle, President
Gary Lyle, Vice President
Marla Lyle, Secretary
Sandra Winchester, Treasurer

Kirby-Smith Machinery

Ed Kirby, President
Jeff Weller, Vice President
Celise Blewett, Secretary
JD Young, Treasurer

Four Seasons Equipment LLC

Mitchell Nevins, Chief Executive Officer
Bradley Brousseau, Vice President
Brian Emr, Secretary
Robert Carpenter, Treasurer

CLS Sewer Equipment Co., Inc.

Jerry Sonnier, President
Jennifer Sonnier, Vice President

Holt Texas, LTD.

Peter J. Holt, Executive Vice President

Metro Golf Cars, Inc.

Beverly Werner, President
Ben King, Vice President
Laura King, Secretary

RDO Equipment Co.

Ron Ofutt, President
Chris Cooper, Vice President
Al Knoll, Secretary
Tom Espel, Treasurer

WHEREAS, on September 24, 2014, City Council authorized a two-year service contract for rental of vehicles and equipment with Hertz Equipment Rental Corporation in the amount of $4,032,072.00 or $3,936,162.00 (Tie Bid – Line 10), EAN Holdings, LLC aka Enterprise Rent-A-Car in the amount of $1,883,832.50 or $1,787,922.50 (Tie Bid – Line 10), Landmark Equipment, Inc. in the amount of $1,546,095.00, Holt Texas, LTD in the amount of $1,465,960.00, Bane Machinery, Inc. in the amount of $1,111,885.00, Four Seasons Equipment, Inc. in the amount of $591,350.00, R.B. Everett & Company in the amount of $249,991.00, United Rentals (North America), Inc. in the amount of $245,110.30, Metro Golf Cars in the amount of $141,308.94, Berry Companies, Inc. dba Bobcat of Dallas in the amount of $99,000.00 and Kirby-Smith Machinery, Inc. in the amount of $88,990.00 in a total amount not to exceed $11,359,684.74, by Resolution No. 14-1627; and

WHEREAS, on September 28, 2016, City Council authorized supplemental agreement no. 1 to increase the service contract for the rental of vehicles and equipment with Hertz Equipment Rental Corporation in the amount of $984,040.00, from $3,936,162.00 to $4,920,202.00, EAN Holdings, LLC aka Enterprise Rent-A-Car in the amount of $470,958.00, from $1,883,832.50 to $2,354,790.50, Landmark Equipment, Inc. in the amount of $386,523.00, from $1,546,095.00 to $1,932,618.00, Holt Texas, LTD in the amount of $366,490.00, from $1,465,960.00 to $1,832,450.00, Bane Machinery, Inc. in the amount of $277,971.00, from $1,111,885.00 to $1,389,856.00, Four Seasons Equipment, Inc. in the amount of $147,837.00, from $591,350.00 to $739,187.00, R.B. Everett & Company in the amount of $62,497.00, from $249,991.00 to $312,488.00, United Rentals (Northwest), Inc. in the amount of $61,277.00, from $245,110.30 to $306,387.30, Metro Golf Cars in the amount of $35,327.00, from $141,308.94 to $176,635.94, Berry Companies, Inc. dba Bobcat of Dallas in the amount of $24,750.00, from $99,000.00 to $123,750.00, and Kirby-Smith Machinery, Inc. in the amount of $22,247.00, from $88,990.00 to $111,237.00 and to extend the contract term through March 23, 2017 in a total not to exceed $2,839,917.00 from $11,359,684.74 to $14,199,601.74, by Resolution No. 16-1556; and

WHEREAS, on March 22, 2017, City Council authorized a two-year service contract for the rental of vehicles and equipment with Herc Rentals, Inc. in the amount of $4,192,108.00, Enterprise Rent-A Car dba EAN Holdings, LLC in the amount of $1,554,263.20, Four Seasons Equipment, Inc. in the amount of $1,258,350.00, Landmark Equipment, Inc. in the amount of $1,187,473.00, Holt Texas, LTD in the amount of $777,880.00, Kirby-Smith Machinery, Inc. in the amount of $767,126.00, Sunbelt Rentals in the amount of $687,865.00, United Rentals (North America), Inc. in the amount of $349,543.00, and Metro Golf Cars in the amount of $87,646.00, in a total not to exceed $10,862,254.20, by Resolution No. 17-0477; and

WHEREAS, on June 13, 2018, City Council authorized a one-year service contract for the rental of vehicles and equipment with CLS Sewer Equipment Co., Inc. in the amount of $1,742,750.00, Herc Rentals, Inc. in the amount of $476,603.00, Holt Texas, LTD. in the amount of $465,515.00, Accent/Johnston Limousine, Inc. dba AJL International in the amount of $302,812.50, Kirby-Smith Machinery, Inc. in the amount of $262,630.00, Enterprise Rent-A-Car dba EAN Holdings, LLC in the amount of $75,780.00, Crafco, Inc. in the amount of $32,667.00, and Bane Machinery, Inc. in the amount of $21,050.00 in a total not to exceed $3,379,807.50, by Resolution No. 18-0837.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute **(1)** a service price agreement with Sunbelt Rentals, Inc. (507070) in an estimated amount of $2,026,548.00, Herc Rentals, Inc. (146874) in an estimated amount of $1,827,636.00, Star Tractor, LTD. (VS0000026216) in an estimated amount of $631,428.00, EAN Holdings, LLC dba Enterprise Rent-A-Car (VC20485) in an estimated amount of $627,278.00, Landmark Equipment, Inc. (502100) in an estimated amount of $608,069.00, Kirby-Smith Machinery, Inc. (502341) in an estimated amount of $481,585.00, Four Seasons Equipment LLC (502821) in an estimated amount of $388,935.00, CLS Sewer Equipment Co. Inc., (VS0000018694) in an estimated amount of $362,500.00, Holt Texas, LTD. (506724) in an estimated amount of $250,200.00, Metro Golf Cars, Inc. (144807) in an estimated amount of $104,763.00, and RDO Equipment Co. (VS91627) in an estimated amount of $33,155.00, approved as to form by the City Attorney, for vehicle and heavy equipment rental for a term of three years in a total estimated amount of $7,342,097.00. If the service was bid or proposed on as needed, unit price basis for performance of specified tasks, payment to Sunbelt Rentals, Inc., Herc Rentals, Inc., Star Tractor, LTD., EAN Holdings, LLC dba Enterprise Rent-A-Car, Landmark Equipment, Inc., Kirby-Smith Machinery, Inc., Four Seasons Equipment LLC, CLS Sewer Equipment Co., Inc., Holt Texas, LTD., Metro Golf Cars, Inc., and RDO Equipment Co. shall be based only on the amount of the services directed to be performed by the City and properly performed by Sunbelt Rentals, Inc., Herc Rentals, Inc., Star Tractor, LTD., EAN Holdings, LLC dba Enterprise Rent-A-Car, Landmark Equipment, Inc., Kirby-Smith Machinery, Inc., Four Seasons Equipment LLC, CLS Sewer Equipment Co., Inc., Holt Texas, LTD., Metro Golf Cars, Inc., and RDO Equipment Co. under the service price agreement. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.; and **(2)** Supplemental Agreement No. 2 to **(a)** increase the service contract for the rental of vehicles and equipment with Herc Rentals, Inc. (146874) in the amount of $170,584.00, from $4,192,108.00 to $4,362,692.00, EAN

SECTION 1. (continued)

Holdings, LLC dba Enterprise Rent-A-Car in the amount of $63,245.00, from $1,554,263.20 to $1,617,508.20, Four Seasons Equipment LLC (502821) in the amount of $51,204.00, from $1,258,350.00 to $1,309,554.00, Landmark Equipment, Inc. (502100) in the amount of $48,320.00, from $1,187,473.00 to $1,235,793.00, Holt Texas, LTD. (506724) in the amount of $31,653.00, from $777,880.00 to $809,533.00, Kirby-Smith Machinery, Inc. (502341) in the amount of $31,215.00, from $767,126.00 to $798,341.00, Sunbelt Rentals, Inc. (507070) in the amount of $27,990.00, from $687,865.00 to $715,855.00, United Rentals (North America), Inc. (VS0000003745) in the amount of $14,223.00, from $349,543.00 to $363,766.00, and Metro Golf Cars, Inc. (144807) in the amount of $3,566.00, from $87,646.00 to $91,212.00; and **(b)** extend the term of the contracts from September 20, 2019 to October 31, 2019, approved as to form by the City Attorney, in a total amount not to exceed $442,000.00, increasing the service contract amounts from $10,862,254.00 to $11,304,254.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $7,342,097.00, but not more than the amount of budgetary appropriations for this service price agreement during its term to Sunbelt Rentals, Inc., Herc Rentals, Inc., Star Tractor, LTD., EAN Holdings, LLC dba Enterprise Rent-A-Car, Landmark Equipment, Inc., Kirby-Smith Machinery, Inc., Four Seasons Equipment LLC, CLS Sewer Equipment Co., Inc., Holt Texas, LTD., Metro Golf Cars, Inc., and RDO Equipment Co. from Service Price Agreement Contract No. EFM-2019-00009900.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $442,000.00 to Herc Rentals, Inc., EAN Holdings, LLC dba Enterprise Rent-A-Car, LLC, Four Seasons Equipment LLC, Landmark Equipment, Inc., Holt Texas, LTD., Kirby-Smith Machinery, Inc., Sunbelt Rentals, Inc., United Rentals (North America), Inc., Metro Golf Cars, Inc. from Service Contract No. POM-2017-00001594.

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

Agenda Information Sheet

File #: 19-972 **Item #:** 47.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a two-year consultant contract to engage the services of a consulting firm to develop a comprehensive compensation study for the City's civilian employees under the direction of the Department of Human Resources - Public Sector Personnel Consultants, Inc., most advantageous proposer of four - Not to exceed $225,000 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

This consultant contract will engage the services of a firm to develop a comprehensive compensation study for civilian pay, including salary structures that are internally equitable, externally competitive, cost-effective, and those which can positively impact the City's ability to recruit and retain talent. The study will also review total compensation while giving consideration to benefits, and the City's retirement plan. Typically, compensation studies are conducted every other year. The most recent formal Compensation Survey conducted at the City of Dallas took place in 2012.

The study will also allow an update to the current City policies designed to better regulate pay and assign salary levels which may be out of synchronization with the job market. Furthermore, the study will allow the City to address salary compression affecting employees across the organization and minimize inequities that may later result in legal challenges and/or morale issues.

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

- Department of Human Resources (2)
- Civil Service (1)
- Office of Budget (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity evaluated the Business Inclusion and Development Plan.

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

- Capabilities and expertise 70 points
- Cost to the City 15 points
- Business Inclusion and Development Plan (BID) 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,444 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

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

Fund	FY 2018-19
General Fund	$225,000.00
Total	$225,000.00

M/WBE INFORMATION

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

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Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$225,000.00	Other Services	23.80%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BPZ1910. We opened them on March 3, 2019. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*Public Sector Personnel Consultants, Inc.	1215 West Rio Salado Pkwy. Suite 109 Tempe, AZ 85281	67.00	$225,000.00
Segal Water Consulting	10105 Technology Blvd. W. Suite 110 Addison, TX 75001	61.05	$325,000.00
Gallagher Benefit, Service, Inc.	901 Marquette Ave. Suite 1900 Minneapolis, MN 55402	59.01	$388,951.14
Deloitte Consulting LLP	2200 Ross Ave. Suite 1600 Dallas, TX 75201	53.10	$498,700.00

OWNER

Public Sector Personnel Consultants, Inc.

Matthew Weatherly, President
Elizabeth Locurto, Vice President

August 28, 2019

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

SECTION 1. That the City Manager is hereby authorized to execute a consultant contract with Public Sector Personnel Consultants, Inc. (VS100378), approved as to form by the City Attorney, to engage the services of a consulting firm to develop a comprehensive compensation study for the City's civilian employees under the direction of the Department of Human Resources for a term of two years, in an amount not to exceed $225,000. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Public Sector Personnel Consultants, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Public Sector Personnel Consultants, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $225,000 (subject to annual appropriations) to Public Sector Personnel Consultants, Inc. from Service Contract No. PER-2019-00010808.

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

Agenda Information Sheet

File #: 19-936 **Item #:** 48.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year subscription contract for a web-based hosted risk management information system, including software, maintenance, and support for the Office of Risk Management - Origami Risk, LLC, sole source - Estimated amount of $1,571,285 - Financing: Risk Management Fund

BACKGROUND

The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This subscription contract will provide five years of continued access to a centralized risk management information system (RMIS). The City manages its return to work program, workers' compensation, liability and claims, safety observations audits, workplace exposure assessments, safety facility reviews, city equipment incidents, incident review committee findings, and incident appraisals.

The system currently integrates all Office of Risk Management functions and provides:

- Central location to capture, store, manage, analyze, and retrieve the City's safety, property and casualty insurance, and claim related data
- Incident trends and patterns
- Customized reports
- Return-to-Work diary system (paperless)
- Citywide staff web-based incident reporting

The RMIS has recently been customized to include certificate of insurance and bond compliance tracking. Approximately 9,500 certificates of insurance, policies, endorsements, and bonds are monitored and tracked annually.

City staff will ensure vendor compliance with the City's insurance requirements related to contracts, ordinances, lease agreement and permits including access to the compliance information utilizing Origami Risk, LLC. The reviews of the various insurance documents will be available in which vendor compliance can be verified and documented.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 22, 2015, City Council authorized a three-year subscription agreement, with two one-year renewal options, for a centralized risk claims management system with Origami Risk, LLC by Resolution No. 15-1739.

On June 27, 2018, City Council authorized Supplemental Agreement No. 3 to exercise the first of two, one-year renewal options to the subscription agreement with Origami Risk, LLC, for a centralized risk management information system and add additional user licenses for the Department of Risk Management by Resolution No. 18-0935.

FISCAL INFORMATION

Risk Management Fund - $1,571,285.00 (Estimated amount)

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Risk Management Fund	$344,577.00	$306,677.00	$306,677.00	$306,677.00	$306,677.00
Total	$344,577.00	$306,677.00	$306,677.00	$306,677.00	$306,677.00

M/WBE INFORMATION

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

Contract Amount	**Category**	**M/WBE Goal**	**M/WBE %**	**M/WBE $**
$1,571,285.00	Sole Source	N/A	N/A	N/A
• The Business Inclusion and Development Program does not apply to Sole Source Agreements.				
• Origami Risk, LLC is providing a five-year service contract for the maintenance and support of a centralized risk management information system (RMIS) for the Department of Risk Management and is the sole source provider. No sub-contracting opportunities are available.				

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PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Sole Source	• Utilized for procurements where functional requirements can only be satisfied by one vendor, such as those where patents, copyrights or monopolies exists • Exempted from competitive bidding process • Reviewed by Procurement Services to ensure the procurement meets at least one general exception as stated in the Texas Local Government Code

Bidder	Address	Amount
Origami Risk, LLC	222 North LaSalle St. Suite 2125 Chicago, IL 60601	$1,571,285.00

Note: The Office of Procurement Services conducted a sole source review and found no exceptions.

OWNER

Origami Risk, LLC

Robert G. Petrie, President

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WHEREAS, on September 22, 2015, City Council authorized a three-year subscription agreement, with two one-year renewal options, for a centralized risk claims management system with Origami Risk, LLC, in an amount not to exceed $409,434, by Resolution No. 15-1739; and

WHEREAS, on January 11, 2016, Administrative Action No. 16-5083 authorized Supplemental Agreement No. 1 to the subscription agreement with Origami Risk, LLC to expand the scope of services and add a claims management module, in an amount not to exceed $50,000, from $409,434 to $459,434; and

WHEREAS, on July 27, 2016, Administrative Action No. 16-6202 authorized Supplemental Agreement No. 2 to the subscription agreement with Origami Risk, LLC to increase the number of licenses, in an amount not to exceed $39,100, from $459,434 to $498,534; and

WHEREAS, on June 27, 2018, City Council authorized Supplemental Agreement No. 3 to exercise the first of two, one-year renewal options to the subscription agreement with Origami Risk, LLC, for a centralized risk management information system and add additional user licenses for the Department of Risk Management, in an amount not to exceed $217,733, increasing the service contract amount from $498,534 to $716,267, by Resolution No. 18-0935.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a subscription contract with Origami Risk, LLC (VS89073), approved as to form by the City Attorney, for a web-based hosted risk management information system, including software, maintenance, and support for the Office of Risk Management for a term of five years, in the estimated amount of $1,571,285. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Origami Risk, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Origami Risk, LLC under the contract. The amount payable pursuant to this subscription contract may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this subscription contract during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $1,571,285, but not more than the amount of budgetary appropriations for this subscription contract during its term to Origami Risk, LLC from Contract No. ORM-2019-00010797.

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

Agenda Information Sheet

File #: 19-1015 **Item #:** 49.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for animal control and animal shelter related supplies for the Department of Dallas Animal Services - Nationwide Supplies, LP in an estimated amount of $95,057.28, Animal Care Equipment & Services, LLC in an estimated amount of $159,282.10, C. Specialties, Inc. in an estimated amount of $155,660.00, Legend & White Animal Health Corp. in an estimated amount of $127,856.00, Boxes 4 U, Inc. in an estimated amount of $21,600.00, Tomahawk Live Trap, LLC in an estimated amount of $10,254.70, and Simba Industries in an estimated amount of $6,268.16, lowest responsible bidders of seven - Total estimated amount of $575,978.24 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will allow for the purchase of animal control and animal shelter related supplies for the Department of Dallas Animal Services (DAS). This master agreement will be used to purchase animal shelter supplies for the safe handling and daily care of the 36,000 plus animals that DAS will handle each year.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 91 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

General Fund - $575,978.24 (Estimated amount)

Fund	FY 2019-20	FY 2020-21	FY 2021-22
General Fund	$191,992.75	$191,992.74	$191,992.75
Total	$191,992.75	$191,992.74	$191,992.75

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$575,978.24	Goods	18.00%	25.95%	$149,456.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BT1909. We opened them on February 15, 2019. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*Nationwide Supplies, LP	2301 Executive Dr. #B Garland, TX 75041	Multiple Lines

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*Animal Care Equipment & Services, LLC	555 Alder St. Ste. 19A Broomfield, CO 80020	Multiple Lines
*C. Specialties, Inc.	6245 Morenci Tr. Indianapolis, IN 46268	Multiple Lines
*Legend & White Animal Health Corp.	105 Schelter Rd. Ste. 204 Lincolnshire, IL 60069	Multiple Lines
*Boxes 4 U, Inc.	1401 E. Plano Pkwy. Plano, TX 75074	Multiple Lines
*Tomahawk Live Trap, LLC	6151 U.S. Hwy. 51 Hazelhurst, WI 54531	Multiple Lines
*Simba Industries	753 Port America Pl. Ste. 210 Grapevine, TX 76051	Multiple Lines

OWNERS

Nationwide Supplies, LP

Kristi Boylan, President
Patrick Boylan, Vice President

Animal Care Equipment & Services, LLC

Andrew Kaders, President
Shari Kaders, Vice President

C. Specialties, Inc.

Jill Morris, President
Angela King, Treasurer

Legend & White Animal Health Corp.

Kellie Burke, President
Melanie Soos, Vice President

Boxes 4 U, Inc.

Robert Hernandez, President
Nicole Hernandez, Vice President

Tomahawk Live Trap, LLC

Jenny Smith, President
Greg Smith, Vice President

Simba Industries

Vickie L. Kasten, President

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August 28, 2019

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

SECTION 1. That a master agreement for the purchase of animal control and animal shelter related supplies for the Department of Dallas Animal Services is authorized with Nationwide Supplies, LP (VS0000002561) in the estimated amount of $95,057.28, Animal Care Equipment & Services, LLC (VS0000016923) in the estimated amount of $159,282.10, C. Specialties, Inc. in an estimated amount of $155,660.00, Legend & White Animal Health Corp. (VS0000072774) in the estimated amount of $127,856.00, Boxes 4 U, Inc. (VS0000032683) in the estimated amount of $21,600.00, Tomahawk Live Trap, LLC (VS92509) in the estimated amount of $10,254.70, and Simba Industries (519720) in the estimated amount of $6,268.16, approved as to form by the City Attorney, for a term of three years, in a total estimated amount of $575,978.24. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.

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 animal control and animal shelter related supplies for the Department of Dallas Animal Services. If a written contract is required or requested for any or all purchases for animal control and animal shelter related supplies for the Department of Dallas Animal Services under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $575,978.24, but not more than the amount of budgetary appropriations for this master agreement during its term to Nationwide Supplies, LP, Animal Care Equipment & Services, LLC, C. Specialties, Inc., Legend & White Animal Health Corp., Boxes 4 U, Inc., Tomahawk Live Trap, LLC, and Simba Industries from Master Agreement Contract No. DAS-2019-00010805.

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

Agenda Information Sheet

File #: 19-971 **Item #:** 50.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** a three-year master agreement for routers and parts to extend existing data networks with GTS Technology Solutions, Inc. through the Texas Department of Information Resources cooperative agreement in the estimated amount of $4,284,150.40; **(2)** a three-year master agreement for ruggedized ethernet switches with GTS Technology Solutions, Inc. through The Interlocal Purchasing System cooperative agreement in the estimated amount of $2,024,561.71; and **(3)** a three-year software license and maintenance agreement for routers with GTS Technology Solutions, Inc. through the Texas Department of Information Resources cooperative agreement in the estimated amount of $1,001,880.00 - Total estimated amount of $7,310,592.11 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($4,500,000.00) and Information Technology Equipment Fund ($2,810,592.11)

BACKGROUND

This action does not encumber funds; the purpose of a master agreement and software license agreement is to establish firm pricing for equipment and licenses, for a specific term, which will be ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

We anticipate that this agreement will be used Citywide, but specifically the following City departments:

- Department of Transportation
- Police Department
- Water Utilities Department
- Department of Sanitation Services
- Park and Recreation Department
- Library

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These contracts will allow for the purchase of routers, ruggedized ethernet switches, parts, licenses, and support to extend the City's existing data networks. Equipment and licenses purchased through these agreements will provide additional efficiencies in the deployment of citywide initiatives for City departments such as the Police Department, Water Utilities Department, and the Department of Sanitation Services, as well as expand the use of FirstNet Technology advanced traffic controllers (ATCs) at all signalized intersections for the Department of Transportation. The Water Utilities Department will utilize this equipment to monitor water meters remotely and the Police Department will be able to more effectively remotely monitor security cameras.

These routers enable communication from the Advanced Traffic Monitoring System (ATMS) to traffic signal related field devices, including ATCs, and other supporting devices in the signal cabinet. This capability will support citywide initiatives (ATMS, Smart Cities, and other applications), by allowing effective management of changing traffic patterns, incidents, and other field deployed devices.

Ruggedized ethernet switches enable and manage network sharing capabilities by facilitating the connection of multiple devices per traffic signal location, along with additional network security features. The design of the selected ruggedized ethernet switches allows for quick and easy connections while leveraging underutilized space in the cabinets. The device design fits the Department of Transportation utilization needs and can also be appropriate for other City of Dallas departments that need to extend the number of port connections needed at a location.

Some key benefits to the system include:

- Real-time monitoring of traffic signal operations and malfunctions
- Reduced response times to signal malfunctions will reduce the impacts to the public
- Use of single cellular connection reduces ongoing communications costs.

The Texas Department of Information Resources cooperative agreement and The Interlocal Purchasing System cooperative agreement are authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is $11.15; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $4,500,000.00 (Estimated amount)
Information Technology Equipment Fund - $2,810,592.11 (Estimated amount)

Fund	FY 2019-2020	FY 2020-2021	FY 2021-22
Street and Transportation (A) Fund	$2,000,000.00	$1,500,000.00	$1,000,000.00
Information Technology Equipment Fund	$0.00	$1,405,296.05	$1,405,296.06
Total	$2,000,000.00	$2,905,296.05	$2,405,296.06

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$7,310,592.11	Goods	18.00%	100.00%	$7,310,592.11
• This contract exceeds the M/WBE goal.				
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs), however, the prime contractor is a certified M/WBE.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

GTS Technology Solutions, Inc.

Laura Grant, President
Ryan Grant, President

August 28, 2019

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

SECTION 1. That **(1)** a master agreement for the purchase of routers and parts to extend the existing data networks is authorized with GTS Technology Solutions, Inc. (263234) through the Texas Department of Information Resources cooperative agreement in the estimated amount of $4,284,150.40; and **(2)** a master agreement for the purchase of ruggedized ethernet switches is authorized with GTS Technology Solutions, Inc. (263234) through The Interlocal Purchasing System cooperative agreement in the estimated amount of $2,024,561.71, approved as to form by the City Attorney, for a term of three years, in a total estimated amount of $6,308,712.11. The amount payable pursuant to these agreements may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for routers, parts, and ruggedized ethernet switches. If a written contract is required or requested for any or all purchases for routers, parts, and ruggedized ethernet switches 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 City Manager is hereby authorized to execute a software license and maintenance agreement for routers with GTS Technology Solutions, Inc. (263234) through the Texas Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for a term of three years, in the estimated amount of $1,001,880.00. If the service was bid or proposed on an as needed, unit price basis for the amount of the services directed to be performed by the City and properly performed by GTS Technology Solutions, Inc. under the contract. The amount payable pursuant to this license agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this software license and maintenance agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $7,310,592.11, but not more than the amount of budgetary appropriations for this master agreement and this software license and maintenance agreement during its term to GTS Technology Solutions, Inc. from Master Agreement Contract No. DSV-2019-00010661.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-706 **Item #:** 51.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year master agreement for solar powered school flasher assemblies, solar powered 24-hour warning flasher assemblies, solar powered radar feedback signs, and solar powered rectangular rapid flashing beacons for the Department of Transportation - J. Q. & G., Inc. Company dba OB Traffic in an estimated amount of $528,589.87, Traffic Logix Corporation in an estimated amount of $162,875.00, Consolidated Traffic Control, Inc. in an estimated amount of $162,700.00, K & K Systems, Inc. in an estimated amount of $117,985.00, and Iteris Inc. in an estimated amount of $111,220.00, lowest responsible bidders of seven - Estimated total amount of $1,083,369.87 - Financing: General Fund

BACKGROUND

This action does not encumber funds, the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

The solar powered school zone flashers will be used throughout the City for new installations and replacement of damaged ones. Solar powered flashers are more energy efficient, easier to maintain, and less costly to install than the 120-volt counterparts. The Department of Transportation currently maintains over 1,300 school zone flashers, located in six school districts within the City. The 24-hour solar powered warning flashers are designed to flash continuously. These are often used in conjunction with advisory signs on crosswalks, road curve, narrow bridges and similar road hazards throughout the City. In addition to the complete flasher units, this agreement makes available essential replacement and repair parts for both types of equipment.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 87 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 8, 2015, City Council authorized a three-year master agreement for the purchase of traffic signal heads, pedestrian signal heads, related hardware and supplies with Dynamic Vision Co., Inc., General Traffic Equipment Corp., Consolidated Traffic Signals, Inc. and Iteris, Inc. by Resolution No. 15-0652.

FISCAL INFORMATION

General Fund - $1,083,369.87 (Estimated amount)

Fund	FY2019-20	FY2020-21	FY2021-22	FY2022-23	FY2023-24	FY2024-25
General Fund	$36,111.87	$216,674.00	$216,674.00	$216,674.00	$216,674.00	$180,562.00
Total	$36,111.87	$216,674.00	$216,674.00	$216,674.00	$216,674.00	$180,562.00

M/WBE INFORMATION

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

Contract Amount	**Category**	**M/WBE Goal**	**M/WBE %**	**M/WBE $**
$1,083,369.87	Goods	18.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• K&K Systems, Inc is a woman owned business and is applying for their WBE certification. OB Traffic is a minority woman owned business (currently SBE and HUB certified) and is applying fo their MBE certification. Once approved, Overall M/WBE participation will be 59.68%.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

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The Office of Procurement Services received the following bids from solicitation number BA1903. We opened them on March 28, 2019. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*J. Q. & G., Inc. Company dba OB Traffic	501 East Marshall Avenue SW Roanoke, VA 24016	Multiple Groups
*Traffic Logix Corporation	3 Harriet Lane Spring Valley, NY 10977	Multiple Groups
*Consolidated Traffic Control, Inc.	1016 Enterprise Place Arlington, TX 76001	Multiple Groups
*K & K Systems, Inc.	687 Palmetto Road Tupelo, MS 38801	Multiple Groups
*Iteris, Inc.	1700 Carnegie Avenue Suite 100 Santa Ana, CA 92705-5551	Multiple Groups
Paradigm Traffic Systems, Inc.	2201 East Division Street Arlington, TX 76011	Multiple Groups
MoboTrex, Inc.	109 West 55th Street Davenport, IA 52806	Multiple Groups

OWNERS

J. Q. & G., Inc. Company dba OB Traffic

Christian Arredondo, President
Paul Omiyo, Chief Financial Officer
Bill Katzenback, Vice President

Traffic Logix Corporation

Louis Newman, President
James Weatherall, Vice President

Consolidated Traffic Control, Inc.

David Walker, President
Bobby Hale, Vice President

Bryan Jones, Vice President
Mike Hancock, Vice President

K & K Systems, Inc.

Troy G. Keith, President
Timothy Keith, Vice President

Iteris, Inc.

Joe Bergera, President
Andrew Schmidt, Vice President

WHEREAS, on April 8, 2015, City Council authorized a three-year master agreement for the purchase of traffic signal heads, pedestrian signal heads, related hardware and supplies with Dynamic Vision Co., Inc. in the amount of $1,363,560.00, General Traffic Equipment Corp. in the amount of $655,642.50, Consolidated Traffic Signals, Inc. in the amount of $385,074.30 and Iteris, Inc. in the amount of $213,120.00, in a total amount not to exceed $2,617,306.80, by Resolution No. 15-0652.

Now, Therefore,

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

SECTION 1. That a master agreement for the purchase of solar powered school flasher assemblies, solar powered 24-hour warning flasher assemblies, solar powered radar feedback signs, and solar powered rectangular rapid flashing beacons for the Department of Transportation is authorized with J. Q. & G., Inc. Company dba OB Traffic (VC20462) in an estimated amount of $528,589.87, Traffic Logix Corporation (VS0000076164) in an estimated amount of $162,875.00, Consolidated Traffic Control, Inc. (050249) in an estimated amount of $162,700.00, K & K Systems, Inc. (VS0000054595) in an estimated amount of $117,985.00, and Iteris Inc. (VS87133) in an estimated amount of $111,220.00, approved as to form by the City Attorney, for a term of five years in a total estimated amount of $1,083,369.87. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for solar powered school flasher assemblies, solar powered 24-hour warning flasher assemblies, solar powered radar feedback signs, and solar powered rectangular rapid flashing beacons for the Department of Transportation. If a written contract is required or requested for any or all purchases for solar powered school flasher assemblies, solar powered 24-hour warning flasher assemblies, solar powered radar feedback signs, and solar powered rectangular rapid flashing beacons for the Department of Transportation under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $1,083,369.87, but not more than the amount of budgetary appropriations for this master agreement during its term to J. Q. & G., Inc. Company dba OB Traffic, Traffic Logix Corporation, Consolidated Traffic Control, Inc., K & K Systems, Inc., and Iteris Inc. from Master Agreement POM-2019-00009156.

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

Agenda Information Sheet

File #: 19-1143 **Item #:** 52.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year master agreement for fleet vehicles and equipment with Ford Motor Company, General Motors, Chrysler, Autocar, Ford, Freightliner, Dodge, Nissan, Chevrolet, Toyota, Catepillar, International(Navistar), GMC, Bobcat, Isuzu, Hamm (Wirtgen), Mack, Peterbilt, Trailking, Kenworth, Mitsubishi, John Deere, Gradall, Warren, Bomag, Case, Ditch Witch, MaxxD, Elgin, Gehl, Genie, Harley Davidson, Hitachi, Hyster, Hyundi, Ingersoll Rand, JLG Indus, Komuatsu, Kubota, Landmark, Labrie, PJ, Polaris, Terex, Tymco, Vac-Con, Versalift, Vermeer, Volvo, JCB, McNeilus, NewWay, Heil, Vactor, Swaploader USA LTD, Blue Bird, Kaeser, Altec, Stellar INC, Durabilt, Generac, New Holland, Wittke, Dadee, Hino, Elliott, Crane Carrier, Honda, PAC-MAC, Palfinger, Felling, Globe, Townmaster Trailers, Jeep, Doosan, Sullair, Pierce Manufacturing, Wheeled Coach, Rosenbauer, Frontline, Rev Ambulance Group, Wells Cargo ADDCO, Clifford, CLS Sewer Equipment, Club Car, Cummins, Honda, Hustler, Interstate Trailer, Kawasaki, Kohler, Magnum, Mahindra, Rhino, Rolls Offs USA, Scag, Scully's Aluminum Boats, Toro, Yale and their associated distributors through the BuyBoard National Purchasing Cooperation, Texas Smartbuy, TIPS Coop, National Intergovernmental Purchasing Alliance (NIPA), Sourcewell (NJPA), HGACBuy, Tarrant County Coop, The Cooperative Purchasing Network (TCPN), Texas Correctional Industries (TCI), Texas Multiple Award Schedules (TXMAS), U.S. Communities Government Purchasing Alliance (U.S. Communities) General Services Administration (GSA), as specifically described in Exhibit A - Estimated amount of $218,661,695 - Financing: Sanitation Capital Improvement Fund ($24,000,000), Water & Sewer Revenue Fund ($16,168,000), SDM-Operations Fund ($5,000,000), General Fund ($932,636), Aviation Fund ($3,078,749), Building Inspection Fund ($1,466,416), General Fleet Equipment Acquisition Notes ($30,000,000), Dallas Fire Department Equipment Acquisition Notes ($30,000,000), Sanitation Equipment Acquisition Notes ($28,000,000), General Fleet Master Lease-Equipment Fund ($40,515,894), Dallas Fire Department Master Lease-Equipment Fund ($36,500,000), and Sanitation Master Lease-Equipment Fund ($3,000,000)

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 order on an as needed basis according to annual budgetary

appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under the agreement.

This master agreement will provide the City with; better scheduling and timelines of deliveries dates, better alignments on build schedules with manufactures, reduce rental costs associated with replacement of the unscheduled decommission of equipment, better timing with grant awards that fund fleet purchases, and the ability to economize cost by taking advantage of price incentives. The master agreement will also provide the City with flexibility to more efficiently respond to vehicle and equipment needs for first responders, special task forces (i.e. code compliance), and emergencies.

The approach for this fleet purchase has been greatly influenced by a Fleet Efficiency Study conducted in 2018. Specifically, the recommendations to implement a Total Cost of Ownership (TCO) procurement strategy to achieve the most effective life cycle return on the fleet investment. Equipment and Fleet Management collaborated with departments to identify; costly long term leased vehicles, vehicles that were inoperable but critical to service delivery, and worked to take advantage of extended warranties and other adjustments to specifications that lend to ease of maintenance and operation.

The City conducts an evaluation on vehicles and equipment using established criteria before replacement occurs. This evaluation includes life-to-date maintenance cost, recommended replacement mileage, and recommended replacement life.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Sanitation Capital Improvement Fund - $24,000,000 (Estimated amount)
Water & Sewer Revenue Fund - $16,168,000 (Estimated amount)
SDM-Operations Fund - $5,000,000 (Estimated amount)
General Fund - $932,636 (Estimated amount)
Aviation Fund - $3,078,749 (Estimated amount)
Building Inspection Fund - $1,466,416 (Estimated amount)
Equipment Acquisition Notes -
General Fleet Equipment Acquisition Notes - $30,000,000 (Estimated amount)
Dallas Fire Department Equipment Acquisition Notes - $30,000,000 (Estimated amount)
Sanitation Equipment Acquisition Notes - $28,000,000 (Estimated amount)
Master Lease-Equipment Fund -
General Fleet Master Lease-Equipment Fund - $40,515,894 (Estimated amount)
Dallas Fire Department Master Lease-Equipment Fund - $36,500,000 (Estimated amount)
Sanitation Master Lease-Equipment Fund - $3,000,000 (Estimated amount)

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24

Sanitation Capital Improvement Fund	$0	$8,000,000	$5,000,000	$5,000,000	$3,000,000	$3,000,000
Water & Sewer Revenue Fund	$1,168,000	$3,000,000	$3,000,000	$3,000,000	$3,000,000	$3,000,000
SDM-Operations Fund	$0	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000
General Fund	$932,636	$0	$0	$0	$0	$0
Aviation Fund	$578,749	$500,000	$500,000	$500,000	$500,000	$500,000
Building Inspection Fund	$216,416	$250,000	$250,000	$250,000	$250,000	$250,000
General Fleet Equipment Acquisition Notes		$15,000,000	$15,000,000	$0	$0	$0
Dallas Fire Department Equipment Acquisition Notes		$15,000,000	$15,000,000	$0	$0	$0
Sanitation Equipment Acquisition Notes	$0	$0	$6,000,000	$6,000,000	$8,000,000	$8,000,000
General Fleet Master Lease-Equipment Fund	$4,015,894	$6,500,000	$7,500,000	$7,500,000	$7,500,000	$7,500,000
Dallas Fire Department Master Lease-Equipment Fund	$0	$6,500,000	$7,500,000	$7,500,000	$7,500,000	$7,500,000

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Sanitation Master Lease-Equipment Fund	$0	$3,000,000	$0	$0	$0	$0
Totals	**$6,911,695**	**$58,750,000**	**$60,750,000**	**$30,750,000**	**$30,750,000**	**$30,750,000**

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$218,661,695.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

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EXHIBIT A
Vehicles & Equipment

Please be advised, if a service is necessary, you must verify with Risk Management (ORM) if insurance is required and with City Attorney (CAO) if a contract or bonding is also required before

*BuyBoard National Purchasing Cooperation (**BuyBoard**) **www.info@buyboard.com**
Texas Smartbuy www.txsmartbuy.com
Sourcewell www.sourcewell-mn.gov
HGACBuy www.hgacbuy.org
TIPS (The Interlocal Purchasing System) www.tips-usa.com
Tarrant County Cooperative www.tarrantcounty.com

* Buyboard, TXMas & U.S. Communities are the popular Cooperatives** **TCI Texas Correctional Industries** was established in 1963, with the passage of Senate Bill 338, the Prison Made Goods Act. TCI benefits the state of Texas

Manufacturer/Brand	Types of Vehicles	Cooperative Purchasing Program. Pricing by distributor/product is available on the Cooperative Website.
Altec	Aerial lifts, Bucket Trucks	Sourcewell www.sourcewell-mn.gov Contact #012418-ALT expires 3-14-22
Autocar	Heavy Duty Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-ATC expires 11-15-20
ADDCO	Directional/Information Boards	Texas Smartbuy www.txsmartbuy.com Contract #TXMA-6-78080 expires 4-4-2020
Blue Bird	Buses	Buyboard National Purchasing Cooperation www.info@buyboard Contract 549-17 expires 11-30-20
Bobcat	Skid Steers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #042815-CEC expires 5-19-20 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Bomag	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #101816-MCF expires 5-31-23
Case	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Catepillar	Motor graders, Wheel loaders Skid steer loaders, multi-terrain loaders, and compact track loaders, Dozers and track loaders Track excavators, wheel excavators, and material handlers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #032119-CAT expires 5-13-23 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21 TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #161102 expires 2-27-20
Chevrolet	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #120716-NAF HGAC www.hgacbuy.org Contract #VE11-18 Expires10-31-20 Texas Smartbuy www.txsmartbuy.com Contract #070-A1 expires 10-31-19 Tarrant County www.tarrantcounty.com 2019-014 expires 12-3-19
Chrysler	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #170901
Clifford	Generators, construction equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-2019
CLS Sewer Equipment	Sewer Cleaning/Vacumm Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 513-16 expires 9-30-2019
Club Car	UTVs	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020 HGAC www.hgacbuy.org Contract #GR01-18
Crane Carrier	Heavy Duty Trucks	Sourcewell www.sourcewell-mn.gov Contract #081716-NAF expires 11-15-20
Cummins	Generators	HGAC www.hgacbuy.org Contract #GE02-18 Expires 1-31-20
Dadee	Refuse Trucks, Rear Loaders, Front Loaders, Side Loaders,	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19
Ditch Witch	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Dodge	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #VE11-18 Expires10-31-20 Texas Smartbuy www.txsmartbuy.com Contract #070-A1 expires 10-31-19 TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #170901 Tarrant County www.tarrantcounty.com 2019-014 expires 12-3-19
Doosan	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Sourcewell www.sourcewell-mn.gov Contract #042815-CEC expires 5-19-20
Durabilt	Truck Bodies, Trailers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19
Elgin	Sweepers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19
Elliott	Aerial Platforms, Crane Trucks & Derrick Diggers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 554-18 expires 11-30-21 Sourcewell www.sourcewell-mn.gov Contact #012418-EEC expires 3-14-22
Felling	Trailers	Sourcewell www.sourcewell-mn.gov Contract #121918-FTS expires 2-11-23
Ford	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-NAF expires 11-15-20 HGAC www.hgacbuy.org Contract #VE11-18 Expires10-31-20 Texas Smartbuy www.txsmartbuy.com Contract #070-A1 expires 10-31-19 Tarrant County www.tarrantcounty.com 2019-014 expires 12-3-19
Freightliner	Medium Trucks, Heavy Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-NAF expires 11-15-20 Texas Smartbuy www.txsmartbuy.com Contract #070-A1 expires 10-31-19
Frontline	Emergency Vehicles, Fire Trucks and Equipment	HGAC www.hgacbuy.org Contract #AM10-18 Expires 9-30-20
Gehl	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Generac	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #GE02-18 Expires 1-31-20
Genie	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #042815-TER expires 5-19-20
Globe	Trailers	Sourcewell www.sourcewell-mn.gov Contract #121918-GLB expires 2-11-23 TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #170802 expires 10-29-20
GMC	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #VE11-18 Expires10-31-20
Gradall	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #031014-GRD expires 4-10-20 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Hamm(Wirtgen)	Road Construction and Paving Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #032515-WAI expires 5-19-20
Harley Davidson	Motorcycles	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19
Heil	Refuse Trucks, Rear Loaders, Front Loaders, Side Loaders,	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #112014-THC expires 12-16-19
Hino	Medium Trucks, Heavy Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19
Hitachi	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19
Honda	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	Sourcewell www.sourcewell-mn.gov Contract #120716-NAF expires 1-17-21
Honda	Generators, grounds equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020
Hustler	Grounds equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020
Hyster	Forklifts, Lifttrucks, Pallet Jacks and Related Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19
Hyundi	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans Motor graders, Wheel loaders Skid steer loaders, multi-terrain loaders, and compact track loaders, Dozers and track loaders Track excavators, wheel excavators, and material handlers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Ingersoll Rand	Air Compressors and Related Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19

International(Navistar)	Medium Trucks, Heavy Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-NVS expires 11-15-20
Interstate Trailer	Trailers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-16 expires 11-30-2019
Isuzu	Medium Trucks, Heavy Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19
JCB	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #040319-JCB expires 5-31-23 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Jeep	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #170901
JLG Indus	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #161102 expires 2-27-20
John Deere	Motor graders, Wheel loaders Skid steer loaders, multi-terrain loaders, and compact track loaders, Dozers and track loaders Track excavators, wheel excavators, and material handlers; Grounds equipment(mowers, tractors, etc..)	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #032515-JDC expires 5-19-20 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21 Buyboard National Purchasing Cooperation www.info@buyboard Contrac 529-17 Expires 5-31-20
Kaeser	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment, air compressors	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19
Kawasaki	UTVs	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020
Kenworth	Medium Trucks, Heavy Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-KTC
Kohler	Generators	Buyboard National Purchasing Cooperation www.info@buyboard Contract 577-18 expires 11-30-2021 HGAC www.hgacbuy.org Contract #GE02-18 Expires 1-31-20
Komuatsu	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Kubota	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #04218-KBA expires 5-31-23 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
LaBrie	Refuse Trucks, Rear Loaders	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #112014-LEG expires 12-16-19
Mack	Medium Trucks, Heavy Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-NAF expires 11-15-20 TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #170802 expires 10-29-20
Magnum	Light Towers, Generators	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-2019 HGAC www.hgacbuy.org Contract #GE02-18 Expires 1-31-20
Mahindra	UTVs	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020
MaxxD	Trailiers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19
McNeilus	Refuse Trucks, Rear Loaders, Front Loaders, Side Loaders,	Sourcewell www.sourcewell-mn.gov Contract #112014-MCN expires 12-16-19
Mitsubishi	Forklifts, Lifttrucks, Pallet Jacks and Related Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 12-15-20 Sourcewell www.sourcewell-mn.gov Contact #101816-MCF expires 12-15-20
New Holland	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #032119-CNH expires 5-13-23 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
NewWay	Refuse Trucks, Rear Loaders, Front Loaders, Side Loaders,	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #112014-NWY expires 12-16-19
Nissan	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #120716-NAF
PAC-MAC	Waste and Recycling Equipment	Sourcewell www.sourcewell-mn.gov Contract #041217-HMC expires 7-7-21
Palfinger	Waste and Recycling Equipment	Sourcewell www.sourcewell-mn.gov Contract #041217-PAF expires 7-7-21
Peterbilt	Medium Trucks, Heavy Trucks	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-NAF expires 11-15-20
Pierce	Fire Apparatus	HGAC www.hgacbuy.org Contract #AM10-18 Expires 9-30-20
PJ	Trailers,	Buyboard National Purchasing Cooperation www.info@buyboard Contract 554-16 expires 11-30-21
Polaris	Utility Vehicles	Sourcewell www.sourcewell-mn.gov Contract #051717-PSI expires 2-11-23
Rev Ambulance Group	Emergency Vehicles, Fire Trucks and Equipment	Sourcewell www.sourcewell-mn.gov Contract #022118-REV expires 3-20-22
Rhino	Flexwing Cutters, ground equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020
Rolls Offs USA	Refuse containers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-16 expires 11-30-2019
Rosenbauer	Emergency Vehicles, Fire Trucks and Equipment	Sourcewell www.sourcewell-mn.gov Contract #022818-RSB expires 4-16-22
Scag	Mowers, ground equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020
Scully's Aluminum Boats	Marine Boats	GSA www.gsa.gov Contract No GS-07F-0159W expires 12-21-2019
Stellar INC	Truck Bodies	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19
Sullair	Air Compressors and Related Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-2019
Swaploader USA LTD	Hook lifts	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19
Terex	Lifts, Cranes, Booms & Specialty Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 554-18 expires 11-30-21 Sourcewell www.sourcewell-mn.gov Contact #042815-TER expires 3-14-22 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Toro	Mowers, ground equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 529-17 expires 5-31-2020
Townmaster Trailers	Trailers	Sourcewell www.sourcewell-mn.gov Contract #121918-MNR expires 2-11-23
Toyota	Sedans, Light Trucks, SUV's ,Medium Trucks, Vans	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #120716-NAF
Trailking	Trailers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 554-16 expires 11-30-21 Sourcewell www.sourcewell-mn.gov Contact #121918-TKI expires 2-11-23
Tymco	Sweepers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #122017-TYM expires 2-20-22
Vac-Con	Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #122017-AMI expires 2-20-22
Vactor	Public Works Equpment	HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21
Vermeer	Chippers, Construction, Road/Bridge, Ditching, Trenching, Utility and Other Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contact #012418-VRM expires 3-14-22
Versalift	Aerial lifts, Bucket Trucks	Sourcewell www.sourcewell-mn.gov Contact #012418-TIM expires 3-14-22
Volvo	Medium Trucks, Heavy Trucks Construction, Ro	Buyboard National Purchasing Cooperation www.info@buyboard Contract 521-16 expires 11-30-19 Sourcewell www.sourcewell-mn.gov Contract #081716-NAF expires 11-15-20 HGAC www.hgacbuy.org Contract #EM06-19 Expires 5-31-21 TIPS (The Interlocal Purchasing System) www.tips-usa.com Contract #170802 expires 10-29-20
Warren	Trailers, Dump Bodies	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19
Wells Cargo	Trailers	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-19
Wheeled Coach	Rescue Vehicle	HGAC www.hgacbuy.org Contract #AM10-18 Expires 9-30-20
Wittke	Refuse Trucks, Rear Loaders, Front Loaders, Side Loaders,	Buyboard National Purchasing Cooperation www.info@buyboard Contract 516-6 expires 11-30-19
Yale	Forklifts, Lifttrucks, Pallet Jacks and Related Equipment	Buyboard National Purchasing Cooperation www.info@buyboard Contract 515-16 expires 11-30-2019

August 28, 2019

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

SECTION 1. That a master agreement for the purchase of fleet vehicles and equipment is authorized with Ford Motor Company, General Motors, Chrysler, Autocar, Ford, Freightliner, Dodge, Nissan, Chevrolet, Toyota, Catepillar, International(Navistar), GMC, Bobcat, Isuzu, Hamm (Wirtgen), Mack, Peterbilt, Trailking, Kenworth, Mitsubishi, John Deere, Gradall, Warren, Bomag, Case, Ditch Witch, MaxxD, Elgin, Gehl, Genie, Harley Davidson, Hitachi, Hyster, Hyundi, Ingersoll Rand, JLG Indus, Komuatsu, Kubota, Landmark, Labrie, PJ, Polaris, Terex, Tymco, Vac-Con, Versalift, Vermeer, Volvo, JCB, McNeilus, NewWay, Heil, Vactor, Swaploader USA LTD, Blue Bird, Kaeser, Altec, Stellar INC, Durabilt, Generac, New Holland, Wittke, Dadee, Hino, Elliott, Crane Carrier, Honda, PAC-MAC, Palfinger, Felling, Globe, Townmaster Trailers, Jeep, Doosan, Sullair, Pierce Manufacturing, Wheeled Coach, Rosenbauer, Frontline, Rev Ambulance Group, Wells Cargo, ADDCO, Clifford, CLS Sewer Equipment, Club Car, Cummins, Honda, Hustler, Interstate Trailer, Kawasaki, Kohler, Magnum, Mahindra, Rhino, Rolls Offs USA, Scag, Scully's Aluminum Boats, Toro, Yale and their associated distributors) through the BuyBoard National Purchasing Cooperation, Texas Smartbuy, TIPS Coop, National Intergovernmental Purchasing Alliance (NIPA), Sourcewell (NJPA), HGACBuy, Tarrant County Coop, The Cooperative Purchasing Network (TCPN), Texas Correctional Industries (TCI), Texas Multiple Award Schedules (TXMAS), U.S. Communities Government Purchasing Alliance (U.S. Communities), General Services Administration (GSA), as specifically described in Exhibit A, approved as to form by the City Attorney, for a term of five years, in a total estimated amount of $218,661,695. The amount payable pursuant to this master agreement may exceed the estimated amount but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the contract for six months by filing a notice of extension with the City Secretary's Office.

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

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds, in an estimated amount of at least $218,661,695, but not more than the amount of budgetary appropriations for this master agreement during its term from Master Agreement Contract No. EFM-2019-00011113.

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

Agenda Information Sheet

File #: 19-1122 **Item #:** 53.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the service contract with Cigna Health and Life Insurance Company, for third-party administration of the City's employee health plan for administrative services related to medical claims adjudication; healthcare provider network; COBRA; health savings accounts, flexible spending accounts and related services for the City's self-insured health benefit programs for the period January 1, 2020 through December 31, 2020 - Not to exceed $4,600,000.00 - Financing: Employee Benefits Fund; **(2)** Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the consultant contract for **(a)** employee vision insurance with Davis Vision, Inc. for a fully-insured vision plan; and **(b)** dental benefits with Metropolitan Life Insurance Company for a fully-insured employee dental plan for the period January 1, 2020 through December 31, 2020 - Financing: No cost consideration (to be paid by employee/retiree payroll and pension deductions); **(3)** Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the second amendment to the administrative services contract with CaremarkPCS Health, LLC, for prescription benefit management for the period January 1, 2020 through December 31, 2020; with Caremark receiving a $1.10 administrative fee for each prescription filled - Not to exceed $330,000.00 - Financing: Employee Benefits Fund (subject to annual appropriations); and **(4)** Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the service contract for retiree health benefits with United Healthcare Services, Inc. for **(a)** Medical Third-Party Administration services; **(b)** fully-insured Medicare PPO plans, AARP Medicare Supplemental, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their dependents; and **(c)** fully-insured vision and dental plans for the period January 1, 2020 through December 31, 2020 - Not to exceed $2,268,285.24 - Financing: Employee Benefits Fund

BACKGROUND

These service contracts will continue to provide the City employees' health plan administration and related insurance services for one year. The service contract will provide the City's Third-Party Administrator (TPA) an additional twelve months of service as the City exercises the first one-year renewal option allowed under the current contract. The current contract for the City's TPA and insured

plans noted below was for the service period January 1, 2017 through December 31, 2019.

The contract with Cigna Health and Life Insurance Company provides claims processing administration, medical management, network access, utilization review, large-case management, 24 -hour nurse line service, HRA, HSA, administration, COBRA, and Flexible Spending Account administration; they also coordinate pharmacy claims with CaremarkPCS Health, LLC (CVS/Caremark). The contract with CVS/Caremark provides pharmacy claims administration and utilization management. The contract with Davis Vision, Inc. provides fully-insured vision services, network access and claims administration. The contract with Metropolitan Life Insurance Company provides fully-insured dental services, network access and claims administration. The contract with United Healthcare Services, Inc. will continue to provide fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with Cigna Health and Life Insurance Company for administrative services related to medical claims adjudication; healthcare provider network; Family Medical Leave Act; COBRA; Employee Assistance Programs and flexible spending accounts and related services for the City's employee leave and benefit programs by Resolution No. 16-1114.

On June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019, with Metropolitan Life Insurance Company for fully-insured dental plans and with Davis Vision, Inc. for fully-insured vision plans, by Resolution No. 16-1115.

On June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019, with CaremarkPCS Health, LLC, for prescription benefit management by Resolution No. 16-1116.

On September 28, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses for the period of January 1, 2017 through December 31, 2019, by Resolution No. 16-1616.

FISCAL INFORMATION

Employee Benefits Fund - $7,198,285.24 (subject to annual appropriations)

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$7,198,285.24	Other Services	23.80%	23.55%	$1,694,898.40
• This contract does not meet the M/WBE goal and did not comply with good faith efforts.				

OWNERS

Cigna Health and Life Insurance Company

Mathew Manders, President

CaremarkPCS Health, LLC

Daniel P. Davison, President
Mark C. Proulx, Senior Vice President
Sara M. Hankins, Secretary

Davis Vision, Inc.

Danny L. Bentley, President
John Brian Bitzer, Vice President
Edward August Bittner, Secretary
Michael John Kincaid, Treasurer

Metropolitan Life Insurance Company

Steven A. Kandarian, President
Robert T. Johnson III, Vice President
Timothy Ring, Secretary
Marlene Debel, Treasurer

United Healthcare Services, Inc.

Stephen J. Hemsley, President
David S. Wichman, Vice President

WHEREAS, on June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with Cigna Health and Life Insurance Company for administrative services related to medical claims adjudication; healthcare provider network; Family Medical Leave Act; COBRA; Employee Assistance Programs and flexible spending accounts and related services for the City's employee leave and benefit programs, in an amount not to exceed $14,000,000.00 (in accordance with the contribution rates approved annually by the City Council and subject to annual appropriations) by Resolution No. 16-1114; and

WHEREAS, on June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with Metropolitan Life Insurance Company for fully-insured dental plans and with Davis Vision, Inc. for fully-insured vision plans by Resolution No. 16-1115; and

WHEREAS, on June 22, 2016, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with CaremarkPCS Health, LLC for prescription benefit management; with Caremark receiving a $1.10 administrative fee for each prescription filled, in an amount not to exceed $990,000.00, by Resolution No. 16-1116; and

WHEREAS, on September 28, 2016, City Council authorized a three-year service contract, with two one-year renewal options, with United Healthcare Services, Inc. for fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses for the period of January 1, 2017 through December 31, 2019, in an amount not to exceed $6,804,855.72, by Resolution No. 16-1616.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute **(1)** Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the service contract with Cigna Health and Life Insurance Company (VC15730), for third-party administration of the City's employee health plan for administrative services related to medical claims adjudication; healthcare provider network; COBRA; health savings accounts, flexible spending accounts and related services for the City's self-insured health benefit programs for the period January 1, 2020 through December 31, 2020, in an amount not to exceed $4,600,000.00; **(2)** Supplemental Agreement No. 1 to exercise the first of two one-year renewal options to the consultant contract for **(a)** employee vision insurance with Davis Vision, Inc. for a fully-insured vision plan; and **(b)** dental benefits with Metropolitan Life Insurance Company for a fully-insured employee dental plan for the period January 1, 2020 through December 31, 2020, (to be paid by employee/retiree payroll and pension deductions);

SECTION 1. (continued)

(3) Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the second amendment to the administrative services contract with CaremarkPCS Health, LLC, for prescription benefit management for the period January 1, 2020 through December 31, 2020; with Caremark receiving a $1.10 administrative fee for each prescription filled, in an amount not to exceed $330,000.00; and **(4)** Supplemental Agreement No. 3 to exercise the first of two one-year renewal options to the service contract for retiree health benefits with United Healthcare Services, Inc. for **(a)** Medical Third-Party Administration services; **(b)** fully-insured Medicare PPO plans, AARP Medicare Supplemental, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their dependents; and **(c)** fully-insured vision and dental plans for the period January 1, 2020 through December 31, 2020, in an amount not to exceed $2,268,285.24, 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 $4,600,000.00 to Cigna Health and Life Insurance Company from Service Contract No. CIGNAEHBFY17.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0265, Department PER, various object codes to Metropolitan Life Insurance Company (VS90874) for a fully-insured employee dental plan on the behalf of City employees and retirees to be reimbursed through employee/retiree payroll deductions.

SECTION 4. That the Chief Financial Officer is hereby authorized to make employee/retiree payroll deductions to reimburse the City to Fund 0265, Department PER, various revenue codes for a fully-insured employee dental plan.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0265, Department PER, various object codes to Davis Vision, Inc. (VS0000061613) for employee vision insurance on behalf of City employees and retirees to be reimbursed through employee/retiree payroll deductions.

SECTION 6. That the Chief Financial Officer is hereby authorized to make employee/retiree payroll deductions to reimburse the City to Fund 0265, Department PER, various revenue codes for employee vision insurance.

SECTION 7. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $330,000.00 (subject to annual appropriations) to CaremarkPCS Health, LLC from Service Contract No. CVSPHARMFY17.

SECTION 8. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0260, Department PER, various object codes to United Healthcare Services, Inc. in payment of premiums for fully-insured Medicare Advantage HMO, AARP Medicare Supplement, enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their dependents, and fully-insured vision and dental plans, to be reimbursed through retiree pension deductions (subject to annual appropriations).

SECTION 9. That the Chief Financial Officer is hereby authorized to make retiree pension deductions to reimburse the City to Fund 0260, Department PER, various revenue codes for a fully-insured Medicare Advantage HMO, AARP Medicare Supplement, enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their dependents, and fully-insured vision and dental plans.

SECTION 10. That the contracts are designated as follows:

Cigna Health and Life Insurance Company	Contract No. POM-2016-00001004
Davis Vision, Inc.	Contract No. POM-2016-00001001
Metropolitan Life Insurance Company	Contract No. POM-2016-00001002
CaremarkPCS Health, LLC	Contract No. POM-2016-00001003
United Healthcare Services, Inc.	Contract No. POM-2016-00001203

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-1137 **Item #:** 54.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Office of Strategic Partnerships & Government Affairs
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Authorize approval of the Dallas Fort Worth International Airport FY 2020 Proposed Budget - Financing: No cost consideration to the City

BACKGROUND

In accordance with Amendment Seven to the Contract and Agreement between the owner cities of Dallas and Fort Worth, the Dallas Fort Worth International Airport Board ("the Board") is required to submit its annual budget to the owner cities by August 15th for approval by September 30th of each year.

The Board is requesting the owner cities of Dallas and Fort Worth approve its Fiscal Year 2020 Operating Budget. The $1.032 billion budget reflects a 4.6 percent increase in passengers from FY19. Additionally, the Dallas Fort Worth International Airport ("DFW Airport") is increasing funding for strategic priorities related to the growth of DFW Airport.

The FY 2020 budget reflects the growth that DFW Airport has been experiencing. DFW Airport is expecting to welcome over 75.7 million passengers in FY 2020. The budget currently includes the assumption of the custodial responsibility in Terminals A and C, which is currently American Airlines' responsibility. DFW Airport will also continue to invest in strategic initiatives including the Integrated Operations Center, several customer experience programs, safety and security enhancements, and innovation.

Some of the key assumptions DFW Airport took into consideration for this budget include:

- Inflation - Consumer Price Index 2.7%
- Healthcare/Short Term Disability/Long Term Disability/Life - 3.6% per employee
- Merit Increase - 3.0% for general employees, 3.5% for Department of Public Safety Commissioned Officers
- Defined Benefit Pension Plan/Other Post-Employment Benefits - No increase from FY 2019

- Vacancy Factor - 5%
- Debt Service - Remains flat as refunding savings offsets new debt service from commercial paper program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Dallas Fort Worth International Airport Board submitted its FY 2020 Proposed Budget to the City of Dallas City Secretary's Office on August 1, 2019.

The Dallas City Council was briefed on this item on August 7, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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August 28, 2019

WHEREAS, Dallas Fort Worth International Airport ("DFW 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 2020 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:

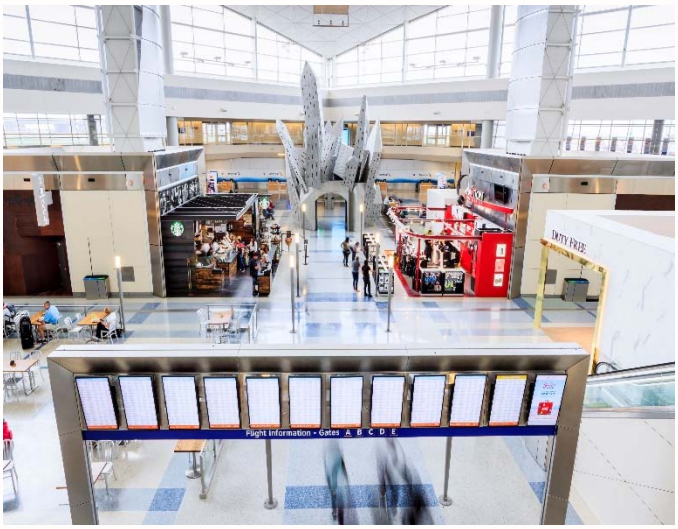
SECTION 1. That the City Council hereby approves the Dallas Fort Worth International Airport's FY 2020 Proposed Budget, attached hereto as Exhibit A.

SECTION 2. That the approvals and authorizations contained in this resolution are further conditioned upon similar approvals by the City Council of the City of Fort Worth.

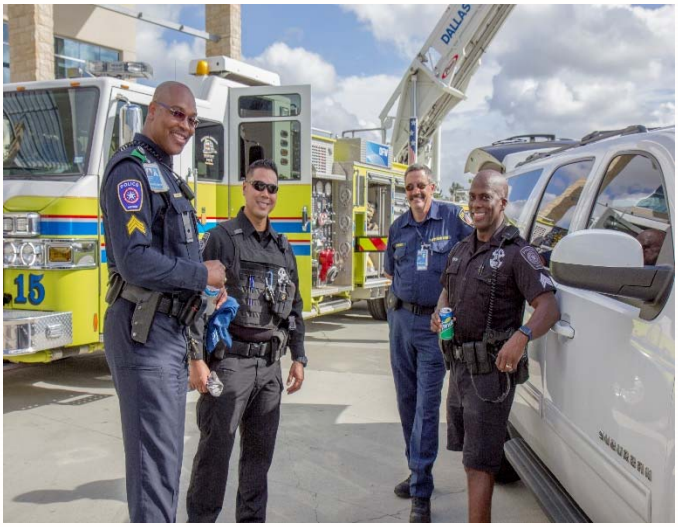
SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DALLAS FORT WORTH INTERNATIONAL AIRPORT

FY 2020 Proposed Budget









Finance Department
P.O. Box 619428
DFW Airport, Texas 75261-9428

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DFW DALLAS FORT WORTH INTERNATIONAL AIRPORT

Board of Directors



William Meadows
Chair
Fort Worth



Matrice Ellis-Kirk
Vice Chair
Dallas



Henry Borbolla III
Secretary
Fort Worth



Eric Johnson
Mayor
Dallas



Betsy Price
Mayor
Fort Worth



Vernon Evans
Fort Worth



Madeleine Johnson
Dallas



Ben Leal
Dallas



Raj Narayanan
Dallas



Mario Quintanilla
Dallas



Eddie Reeves
Dallas



Darlene Freed
Mayor Pro Tem
Grapevine

DFW'S Vision Statement

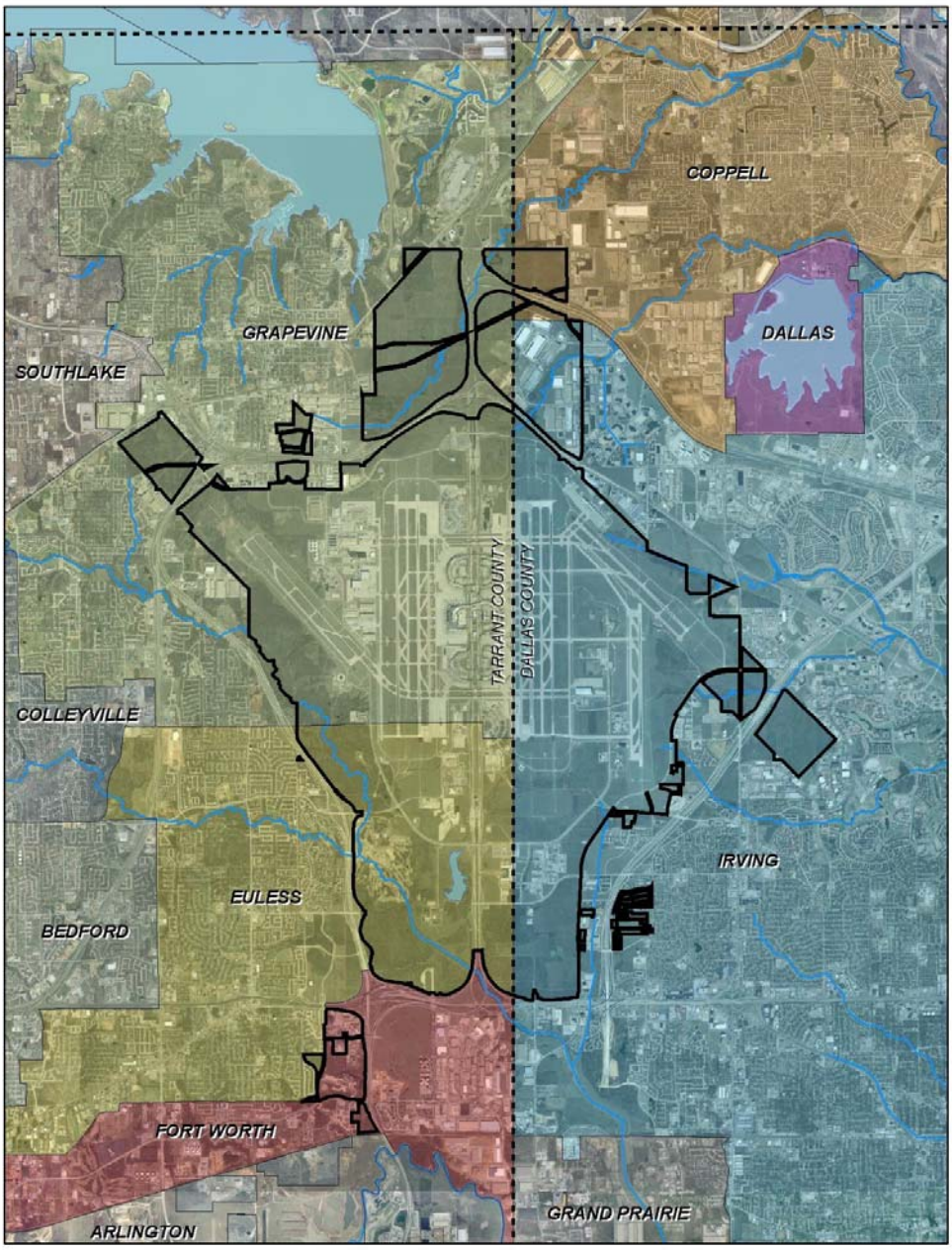
Travel. Transformed.

DFW'S Mission Statement

We provide an exceptional Airport experience for our customers and connect our community to the world.

Airport Background

Dallas Fort Worth International Airport (Airport or DFW) was created by a Contract and Agreement between the cities of Dallas, Texas, and Fort Worth, Texas (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.



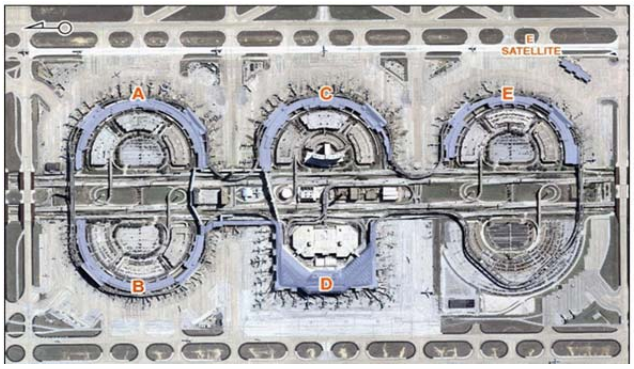
Source: DFW Airport Information Technology Services

DFW property consists of 26.9 square miles (or 17,183 acres) making it one of the largest land mass airports in the world. In 2019, DFW earned the prestigious Airport of the Year award from Air Transport World. DFW is located within a four-hour flight time of 98% of the U.S. population, and currently ranks fourth among the world's busiest airports in terms of operations and 15th in terms of global passengers. Its central location is the focal point of one of the nation's largest intermodal hubs, connecting air, rail, and interstate highway systems. As of July 1, 2019, DFW currently operates daily passenger flights to 253 destinations worldwide, including 190 nonstop domestic destinations and 63 nonstop international destinations. There are 23 passenger carriers and 22 cargo carriers serving DFW. The Airport is the economic engine for North Texas. According to a 2016 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 - The Airport has five terminals (A, B, C, D, and E) totaling 6.3 million square feet of building space, including 164 aircraft boarding gates, approximately 361 ticketing positions, including supporting self-service kiosks and 15 security checkpoints, with four including TSA expedited screening for domestic passengers. Collectively, the airlines averaged seven turns per active gate in FY 2018.

DFW Terminal Complex



American Airlines (AA) operates domestic service in Terminals A, B and C, and D. All of American's international arrivals are in Terminal D. Their international departures are primarily in Terminal D, with a handful operated from Terminals A and C. American Eagle operates domestic service in Terminals B, D and E, with international service in Terminals B and D. All other airline domestic flights operate from Terminal E (with a few seasonal flights in Terminal D). The other airline international arrivals and most departures operate from the Airport's International Terminal D, with a few international departures in Terminal E.

Terminal D has 2.2 million square feet and 26 gates. Seventeen of the gates are preferentially leased to AA, and the remaining 9 gates are common use. The preferential gate lease expires on September 30, 2020, concurrent with the Airline Use Agreements. The Airport's Customs and Border Protection (CBP) facilities are located in Terminal D. The Airport's CBP facility is approximately 406,000 square feet with 49 inspection booths, 20 Global Entry kiosks with facial recognition biometrics, and 85 Automated Passport Control (APC) kiosks. The CBP facility has the capacity to handle approximately 2,800 international customers per hour, and customers can retrieve their luggage from any one of eight bag carousels.

The Airport is responsible for all the custodial services in Terminals B, D and E, and has budgeted to transition control from American of Terminals A and C in FY 2020. American is responsible for facilities maintenance in Terminals A and C, and the Terminal E Satellite. Additionally, American handles Terminal D baggage maintenance, American's leased boarding bridges in Terminal D, and six boarding bridges in Terminal B. The Airport handles the facilities maintenance for the balance of Terminals B, D, and E, and outsources most of the maintenance and janitorial functions to third parties. The costs associated with the Airport's maintenance of these facilities are included in the Airport's operating budget. The costs of maintenance activities paid directly by American Airlines are not included in the Airport's operating budget or financial statements.

Airfield – DFW has seven runways with significant airfield capacity that can accommodate simultaneous takeoffs and landings. 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 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 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 78% of the time.

Airport Operations Center – The Airport Operations Center (AOC) 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 (C^3). The AOC is the communication and coordination center that provides DFW staff, airport tenants and aviation stakeholders with the situational awareness needed to efficiently and quickly manage airport resources. The AOC facilitates coordination among stakeholders when responding to routine/daily infrastructure deficiencies, irregular operations and emergency incidents. The combined facility handles approximately 26,000 calls per month and generates approximately 3,200 work orders per month.

DPS Tactical Communications / Emergency Operations Center - The Department of Public Safety (DPS) Tactical Communications team includes the DPS Dispatch Center and the Master Control Room. The DPS Dispatch Center serves as a single point of contact for emergency communications for DFW's passengers, guests, tenants, contractors and employees through 9-1-1 and non-emergency calls for assistance from police, fire, and emergency medical response teams. The Master Control Room provides 24/7 video surveillance monitoring to ensure the safety and security of the airport community. The Emergency Operations Center is the coordination center that provides DFW Board staff, Airport tenants and aviation stakeholders with the situational awareness needed to efficiently and effectively manage airport resources during any disruption of critical airport service and situations that require large-scale emergency response.



On June 21, 2019 the Airport opened a new DPS headquarters which will be the home to more than 600 employees. The new headquarters marks the first time in the Airport's history that leaders from Police, Fire and Special Services are working together under one roof, which will allow for greater collaboration and a more integrated response to emergencies.

Automated People Mover (APM) and Transportation System – The Skylink APM system began service in 2005 and carries an average of approximately 129,000 passengers and employees each day (47 million annually) between DFW's five terminals. Skylink trains are on the secure side of the terminals and travel in concentric loops in both directions. There are two Skylink stations in each terminal and trains average two minutes headways. The typical customer ride duration is less than eight minutes. Skylink operates around-the clock with 16 two-car trains.

DFW uses 21 buses to shuttle passengers between the terminals and Grand Hyatt (Terminal Link); 42 buses between express parking lots and terminals, 16 buses between remote parking lots and terminals, 32 between employee lots and terminals, and 5 buses for various DFW activities.

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 current Strategic Plan in FY 2017. The structure of the plan is shown in the next page.

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

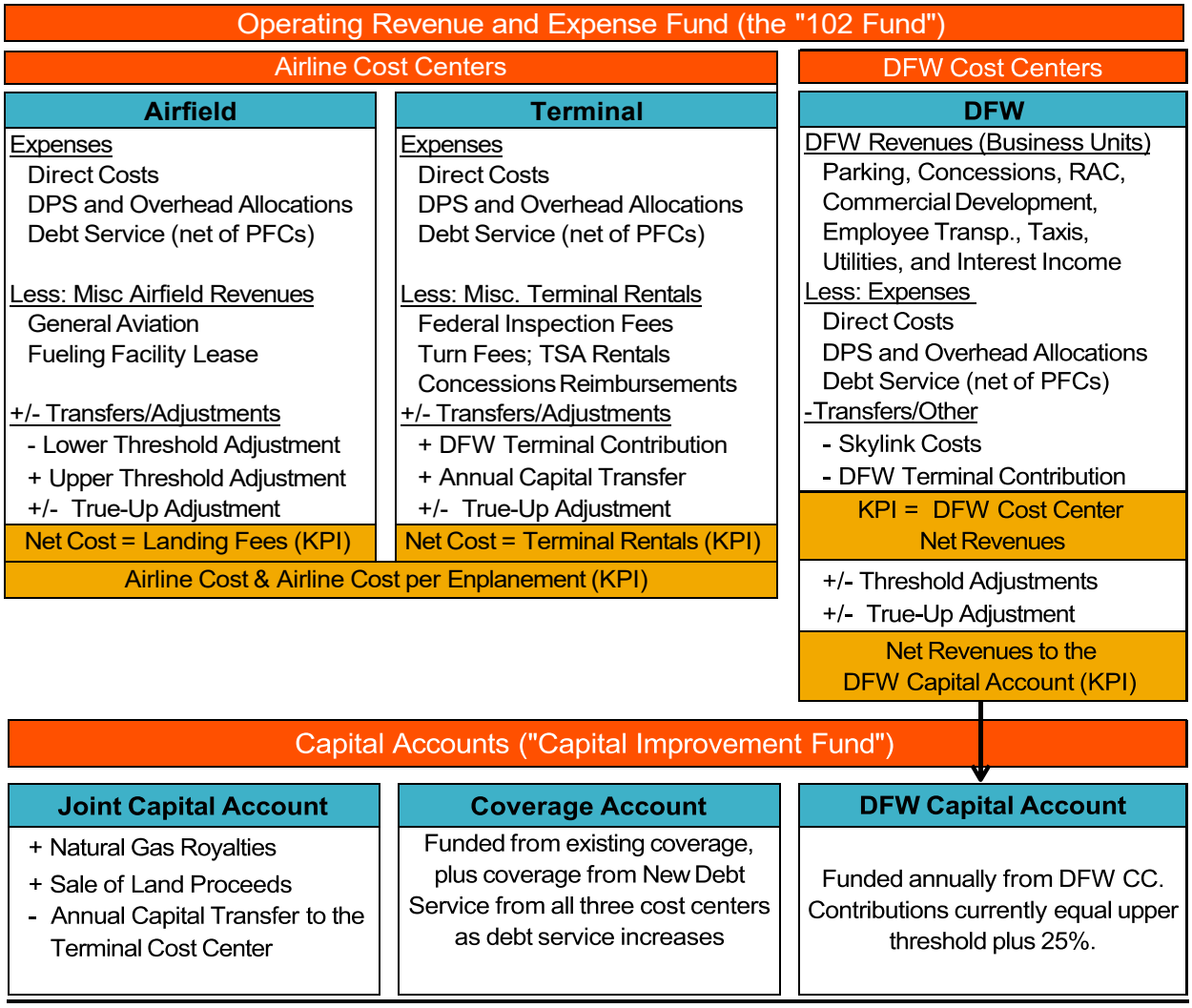


Beliefs



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. DFW 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 (CPE). This KPI for passenger airlines is calculated by dividing the amount paid by passenger airlines for landing fees and terminal rent fees (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 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) generally 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 current 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, except if commercial paper is issued, then the coverage amount is 10%.

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 ($45.6 million in FY 2019), 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 ($70.0 million in FY 2019), 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, which is either charged or credited to the appropriate cost center in the next fiscal year beginning in the second quarter of such fiscal year.

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 $2.8 million in FY 2020.

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. In October 2018, the PFIC took over operations of the Verizon office complex located in the west section of the Airport. This complex, now known as DFW Campus West, will be leased to other tenants in the future. 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 but does not approve a capital budget.

FY 2020 Budget Comparisons to Other Periods

FY 2019 Budget – During FY 2019, the Board approved the use of $4.5 million of contingency budgeted outside of the rate base. The FY 2019 Budget as adjusted by contingency is summarized in the following table. Any reference to the FY 2019 Budget in this budget document relates to the FY 2019 Budget, as adjusted for the use of approved contingency.

	Millions
FY 2019 Approved Budget	$ 496.2
Approved Changes	
DPS Expanded Security Measures	4.5
FY 2019 Budget with approved contingency	$ 500.7

FY 2019 Outlook – DFW employs continuous forecasting techniques to project revenues and expenses for the full 12 months of the fiscal year, which is called the Outlook. Most of the tables and charts in this budget document include FY 2019 Outlook comparisons to provide the best basis for comparison, rather than comparing to the FY 2019 Budget. The detailed Outlook in this Budget Book was developed in a process such that every account was reforecast. This was completed in March 2019.

Presentation of Amounts and Prior Years Actuals – The FY 2020 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 2020 presentation.

Budget Schedule

DFW's fiscal year begins October 1. The FY 2020 Expense Budget was compiled by the various DFW departments in June and reviewed and modified by management in June and July. Presentations were made to representatives of the Signatory Airlines on June 21, 2019 with follow up information provided on July 16, 2019. A preview of the FY 2020 Budget was presented to the Finance Committee on May 28, 2019. The final recommended Budget was presented to and approved by the Board on August 1, 2019. The FY 2020 Budget must be submitted to the City Managers of Dallas and Fort Worth by August 15, 2019, with approval of the two City Councils by September 30, 2019.

FY 2020 Key Performance Indicators

The table below compares the Key Performance Indicators (KPIs) of the FY 2019 Outlook and the FY 2020 Budget.

Key Performance Indicators	FY19 Outlook	FY20 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Total Passengers (Ms)	72.4	75.7	3.4	4.6%
Total Landed Weights (Lbs in Bs)	45.7	48.9	3.1	6.9%
Total 102 Expenditure Budget (Ms)	$1,009.0	$1,032.0	$23.1	2.3% *
DFW Cost Center Net Revenues (Ms)	$145.6	$164.0	$18.3	12.6%
Amount to DFW Capital Account (Ms)	$87.5	$93.5	$6.0	6.8%
Airline Costs (Ms)	$490.1	$501.5	$11.4	2.3%
Airline Cost Per Enplanement	$13.24	$12.96	($0.28)	(2.1%)

* 1.4% excluding impact of transferring custodial responsibilities from AA to DFW.

The major changes in the FY 2020 Budget as compared to the FY 2019 Outlook can be summarized by the following points:

1. Passengers – Total passenger traffic is budgeted at 75.7 million, a 3.4 million (4.6%) increase and a record number of passengers. The budget reflects a full year of American Airlines (AA) operating peak service of more than 900 daily operations which began in June 2019. The increase in passengers positively impacts non-airline revenues and Airline Cost Per Enplanement (CPE).

2. DFW to take-over Terminals A & C custodial services from AA – The FY 2020 Budget includes $9.4 million in incremental funding ($7.5 million for services, plus 25% operating reserve) for DFW to assume custodial operations for Terminals A & C from AA. Although DFW's budget will be increased, the net cost to AA is about the same since they were paying for this service directly. It is expected that DFW management of custodial services in all five terminals will have a positive impact on the Airport's customer experience and cleanliness metrics.

3. Funding strategic priorities with minimal budget increase – The total budget increase is 2.3% (1.4% if the new A & C custodial services are excluded). Although this is the lowest increase in budget since FY 2011, the budget still includes $11.4 million for strategic priorities (Safe and Secure, Customer Experience and Operational Excellence) and $21.9 million for cost annualization and fixed contract increases. This was offset by $15.5 million of management-identified cost savings and a net $9.2 million decrease in debt service, primarily from refunding bond savings and reductions in debt service coverage requirements.

4. DFW Cost Center net revenues – Net revenues from non-airline businesses are budgeted to increase $18.3 million (12.6%) from the FY 2019 Outlook due to growth of all business units except rental car. This will benefit (i.e., lower) landing fees and CPE and put a record $93.5 million into the DFW capital account.

5. Airline Cost Per Enplanement (CPE) – DFW is projecting a decrease in CPE of $0.28 to $12.96.

Passengers

DFW projects a record number of passengers in FY 2020. The FY 2020 Budget for passengers is 75.7 million, an increase of 3.4 million (4.6%) over the FY 2019 Outlook. The growth in passengers is primarily due to the annualization of the growth of AA's new service at DFW in FY 2019. AA leased the Terminal E satellite and grew operations from 830 peak flights a day in FY 2018 to over 900 peak flights in June 2019.

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. 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.

	FY19	FY20	Increase (Decrease)	
Passengers (Millions)	Outlook	Budget	Amount	Percent
Origination	16.9	17.4	0.5	3.1%
Destination	13.3	13.6	0.3	2.0%
Connecting	42.2	44.7	2.6	6.1%
Total Passengers	72.4	75.7	3.4	4.6%
Enplanements	36.2	37.8	1.6	4.5%

International passengers are budgeted to increase to 9.7 million, 0.5 million (5.7%) over the FY 2019 Outlook. Landed weights are budgeted to increase 6.9% year over year primarily due to American Airlines' increase in operations and its use of new heavier airplanes.

FY 2020 Budget Comparisons and Walkforward

The table below compares the Expenditure Budget for the FY 2019 Budget, FY 2019 Outlook and the FY 2020 Budget. The budget consists of operating expenses and debt service. The FY 2020 Budget is $1.032 billion, a $19.2 million (1.9%) increase over the FY 2019 Budget and a $23.1 million (2.3%) increase over the FY 2019 Outlook. Excluding the impact of transferring custodial responsibilities from AA to DFW, the increase is $13.7 million (1.4%) from the FY 2019 Outlook. The total budget request for the Cities of Dallas and Fort Worth includes $10 million of contingency outside of the rate base. This contingency may only be accessed with Board approval.

	FY19	FY19	FY20	FY20B v FY19B Inc (Dec)		FY20B v FY19OL Inc (Dec)	
Annual Budget (in Millions)	Budget	Outlook	Budget	Amount	Percent	Amount	Percent
Operating Expenses	$500.7	$497.0	$529.3	$28.6	5.7%	$32.3	6.5%
Gross Debt Service	512.2	511.9	502.8	(9.4)	(1.8%)	(9.2)	(1.8%)
Total 102 Expenditures Budget	$1,012.9	$1,009.0	$1,032.0	$19.2	1.9%	$23.1	2.3%
Contingency O/S Rate Base			10.0				
Total Budget w/Contingency			$1,042.0				

Without the transfer of Terminals A & C custodial costs from AA, the operating expense budget increase would be 4.7% and 4.6%, respectively, compared to FY2019 Budget and FY2019 Outlook. Debt service is lower due to the assumed savings from the FY 2019 Refunding Bonds and changes in debt service coverage requirements. Following are some assumptions that were used in preparing the FY 2020 Budget.

DFW to Assume Custodial Services in Terminals A & C – The budget invests an incremental $9.4 million ($7.5 million plus a 25% operating reserve) in costs for custodial operations in Terminals A & C. DFW is assuming these custodial responsibilities from AA. Note that this will not result in a cost increase to AA since they were paying for these services directly in FY 2019. This will allow better management of the total custodial operations and is expected to improve the overall customer experience.

Strategic Priorities – The budget includes $11.4 million ($9.1 million plus the 25% operating reserve) for strategic priorities, specifically for the key results of Safe and Secure, Customer Experience and Operational Excellence. An incremental $3.3 million has been added for Safe and Secure to increase security presence, improve security screening, and enhance the fire alarm system. Customer Experience priorities include an additional $3.3 million for custodial increases related to passenger growth and terminal contracts, as well as technology related to checkpoint wait times and bus tracking. Operational Excellence has increased by $2.5 million to provide funds for the Integrated Operations Center and developing innovation testing and a digital strategy.

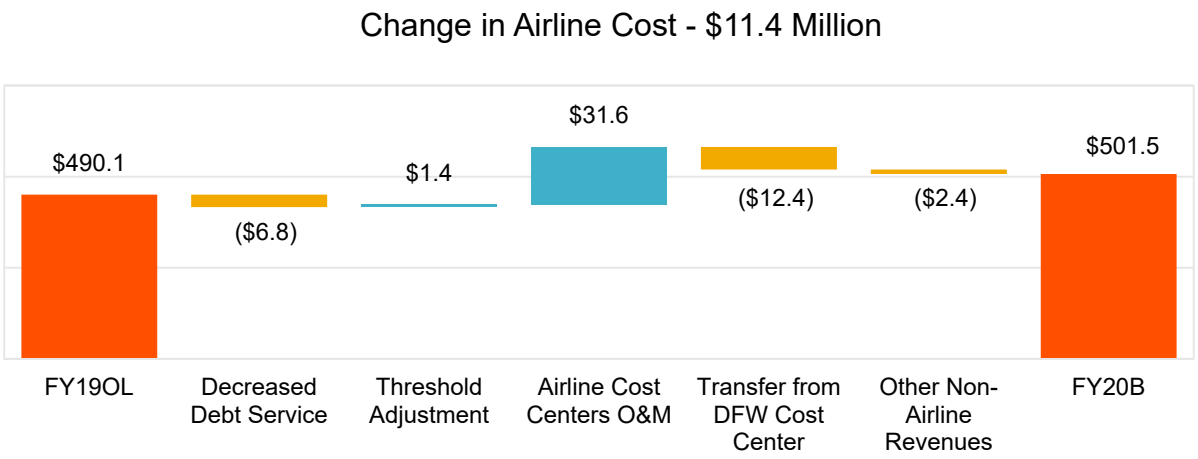
Budget Savings and Cost Reductions – The budget process included identifying cost savings by division with a target reduction of 3%. The total budget savings identified in the FY 2020 budget is $15.5 million, 3.1% of the FY 2019 Outlook. Cost and budget reductions resulted from reductions in contract labor, renegotiation of maintenance contracts, scope changes that will not impact service levels, reductions in technology consulting, software maintenance, overtime, and discontinuance of FY 2019 one-time projects.

Expense Walkforward – The following table summarizes the major changes in operating expense between the FY 2019 Outlook and the FY 2020 Budget. Operating expenses increased $32.3 million (5.5%) from the FY 2019 Outlook. Explanations of the changes in the walkforward are addressed in the Operating Expenses section.

Operating Expenses (in Millions)	Total
FY 2019 Outlook	$497.0
Cost savings and budget reductions	(15.5)
Strategic Priorities	
A & C Custodial Transfer	7.5
Customer Experience	3.3
Safe and Secure	3.3
Operational Excellence	2.5
Salary/Benefits annualization and merit pool	14.7
Contract increases	7.2
Restore budgets	5.6
Other increases	3.7
Net increase	32.3
FY 2020 Budget	$ 529.3

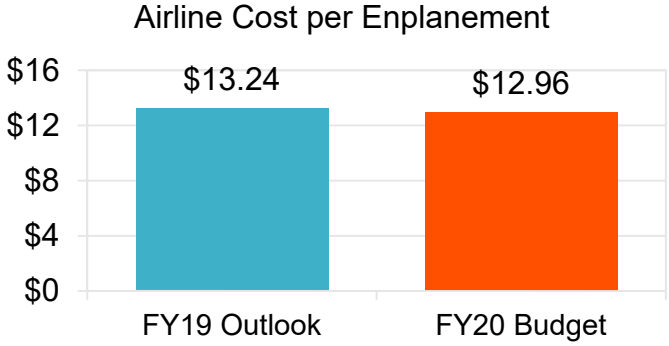
Airline Cost

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 2020 Airline Cost Budget is $501.5 million, $11.4 million (2.3%) higher than the FY 2019 Outlook. If the A & C custodial costs are excluded, the increase would be $2.0 million (0.4%) over the FY 2019 Outlook, the lowest increase in airline cost since FY 2011. Following is a walkforward of airline cost from the FY 2019 Outlook to the FY 2020 Budget. Variances are explained in the Airline Cost Centers section.



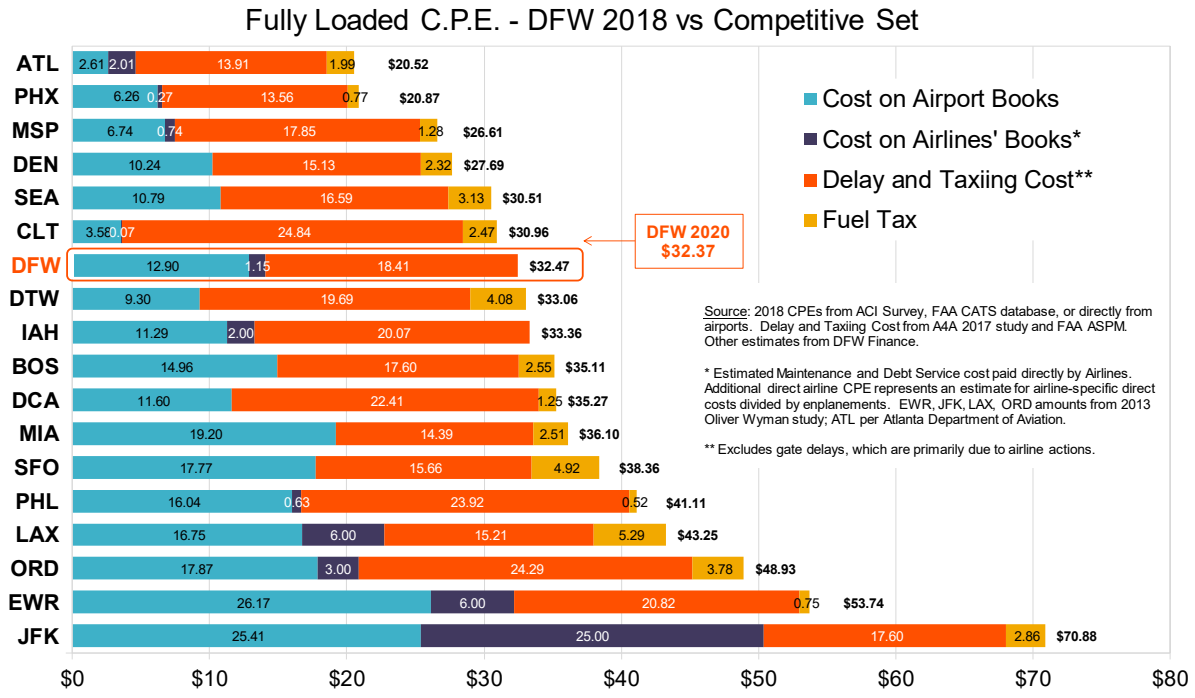
Passenger Airline Cost Per Enplanement

Cost Per Enplanement – CPE is the total passenger airline revenue (cost to the airlines) paid to DFW divided by the number of enplaned passengers. CPE is a standard metric used by the airline industry. Enplaned passengers is 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 driven by 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 is budgeted to decrease 2.3% because passengers are projected to grow faster (4.6%) than airline costs (2.3% increase).



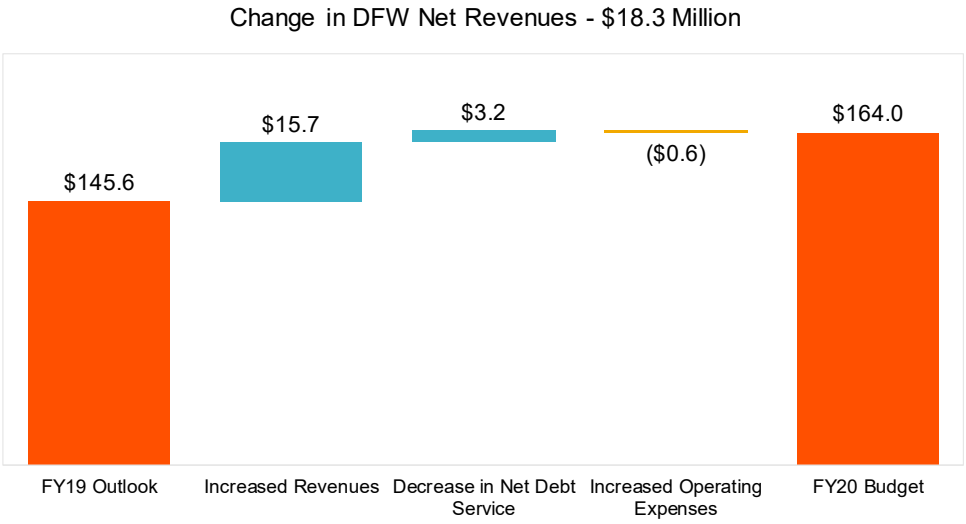
CPE Benchmarked to Other Airports – DFW's strategic goal is to have a competitive CPE. The following chart benchmarks DFW's fully loaded CPE with the fully loaded CPE projections for DFW's competitive set of 17 large U.S. hub airports using the latest data available from Airports Council International (ACI) surveys from FY 2018. 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).

The graph on the following page illustrates that DFW is competitive from a cost standpoint compared to AA's other major hubs.

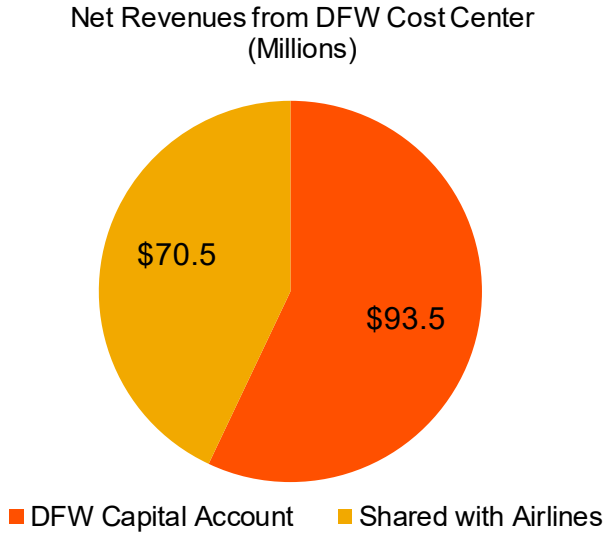


DFW Cost Center Net Revenues

The following chart is a walkforward of DFW Cost Center (DFWCC) net revenues. The FY 2020 net revenues budget is $164.0 million, an $18.3 million (12.6%) increase from the FY 2019 Outlook. This represents the profit from non-airline businesses, such as parking, concessions, rental car and commercial development.



The following chart highlights the portion of DFWCC net revenues that are shared with the airlines to reduce landing fees and the amount transferred to the DFW Capital Account. The Use Agreement requires DFW to share 75% of revenues over the "upper threshold" of $70.0 million (in FY 2020) with the airlines.



In addition to the $70.5 million, the Use Agreement requires a terminal contribution from the DFW Cost Center to reduce terminal rates. The terminal contribution for FY 2020 is $2.8 million. The combined amount of $73.4 million reduces landing fees and terminal rates. The $73.4 million share to the airlines in FY 2020 is an increase of $12.4 million compared to the FY 2019 Outlook.

Revenues Overview

The table below summarizes revenues by cost center and compares the FY 2019 Outlook and the FY 2020 Budget.

Millions	FY19 Outlook	FY20 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Revenues				
Airfield Cost Center	$182.7	$191.8	$9.1	5.0%
Terminal Cost Center	398.9	414.6	15.8	3.9%
DFW Cost Center	395.8	411.5	15.7	4.0%
PFCs and Other	177.2	178.1	0.9	0.5%
Total Revenues	$1,154.6	$1,196.0	$41.4	3.6%

FY 2020 Airfield Cost Center revenues increased $9.1 million (5%) due to increased operating expenses reduced by higher DFWCC net revenues. FY 2020 Terminal Cost Center revenues increased $15.8 million (3.9%) primarily due to increased terminal rentals necessary to recover operating expenses including the Terminals A & C custodial transfer. FY 2020 DFWCC revenues increased $15.7 million (4.0%) primarily due to higher parking, concessions, and commercial development revenues. See Airline Cost Centers and DFW Cost Center sections for further explanations.

A $4.50 Passenger Facility Charge (PFC) is collected from most enplaned revenue passengers and is used to pay for debt service. Other Revenues relate to transfers from the Public Facility Improvement Corporation (PFIC) to pay debt service associated with the Grand Hyatt Hotel and rental car facility, plus transfers from the DFW Capital Account to pay for debt service associated with the Terminal E garage and DFW's headquarters facility.

Revenue and Expense Budget Exposures

Revenue Exposures – The FY 2020 revenue budget includes an estimated $6.3 million of exposure items that could result in DFW not attaining its revenue budget targets.

Revenue Budget Exposures (in Millions)	
Rental car revenues	$3.0
Department of Public Safety (DPS) revenues	1.3
Parking revenues	1.0
Interest income	1.0
Total revenue exposures	$6.3

There is revenue exposure for rental cars due to declines in average rental rates resulting from the competitive impact of Transportation Network Companies (TNC) and other ride sharing services. If rental car companies are unable to maintain pricing at current levels, percentage rent paid to DFW will decrease. The Department of Public Safety's revenue budget includes $1.3 million for a federal reimbursement program for law enforcement officers. There is no certainty that Congress will continue to fund this program. Parking revenues are at risk if TNCs continue to increase and parking utilization falls since average revenue per passenger is less for

TNCs. The interest income budget assumes that interest rates remain at current levels. If the Federal Reserve implements rate reductions, interest income may not achieve the budget.

Expense Exposures – The FY 2020 Budget includes incremental expenses for Terminals A & C custodial costs previously incurred by AA, additional security, and other custodial and strategic objectives. The incremental increases are largely based on cost estimates that are currently known and passenger growth projections. However, if passenger growth is greater than expected or if cost estimates increase due to rates, there is exposure for incremental cost. There are other related cost exposures such as weather, inflation, regulatory, security and other items.

Because these exposures could result in cost increases, particularly with an increased focus on customer experience for Terminals A & C, the CEO Contingency has been increased by $2.0 million to $6.0 million. The CEO contingency has been at $4.0 million for the past few years and has been as high as $7.5 million. The budget includes an additional $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, especially if non-airline revenues are higher than projected.

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 costs), then the Airport provides a credit or adds an incremental charge in the following fiscal year to settle the difference.



Airline Cost Walkforward

The following table is a walkforward of airline cost between the FY 2019 Outlook and the FY 2020 Budget.

Airline Cost Walkforward (in Millions)	Total
FY 2019 Adjusted Outlook	$490.1
Debt and Use Agreement Items	
Debt Service (net of PFCs)	(6.8)
Threshold Adjustment	1.4
Total Debt and Use Agreement	(5.4)
Net Operating Expenses	
Airline Cost Center O & M	31.6
Transfer from DFW Cost Center	(12.4)
Terminal Contribution	(0.0)
Other Non-Airline Revenues	(2.4)
Total Net Operating Expenses	16.8
Total Increase	11.4
FY 2020 Budget	501.5

Summary of Airline Cost

The following table compares the summary of airline costs for the FY 2019 Outlook and the FY 2020 Budget. The 2.3% increase is the lowest airline cost increase since FY 2011 before DFW started TRIP.

Airline Revenue/Costs (in Millions)	FY19 Outlook	FY 20 Budget	Increase (Decrease) Amount	Percent
Landing Fees	$112.2	$108.7	($3.6)	(3.2%)
Terminal Leases	317.9	331.9	14.0	4.4%
FIS Fees	26.5	27.6	1.1	4.1%
Turn Fees & Terminal Office Rents	32.8	32.7	(0.1)	(0.2%)
Aircraft Parking	0.6	0.7	0.0	1.1%
Total Airline Revenue/Cost	$490.1	$501.5	$11.4	2.3%

Airfield Cost Center

The table below compares the FY 2019 Outlook and the FY 2020 Budget for the Airfield Cost Center. Note that revenues equal expenses in this cost center in both periods. Revenue variances to the FY 2019 Outlook are explained below. See the Operating Expenses section for expenditure variances.

Airfield CC (in Millions)	FY 19 Outlook	FY 20 Budget	Increase (Decrease) Amount	Percent
Revenues				
Landing Fees	$112.2	$108.7	($3.6)	(3.2%)
Transfer from DFWCC	58.1	70.5	12.4	21.3%
Other	12.4	12.7	0.3	2.1%
Total Revenues	182.7	191.8	9.1	5.0%
Expenditures				
Operating Expenses	99.8	109.2	9.4	9.4%
Net Debt Service	82.9	82.6	(0.3)	(0.4%)
Total Expenditures	182.7	191.8	9.1	5.0%
Net Airfield Revenue	$0.0	$0.0	$0.0	n/a

Landing Fee Revenues

The FY 2020 landing fees budget is $108.7 million, a decrease of $3.6 million (3.2%) from the FY 2019 Outlook due to the increase in the revenue sharing from the DFW Cost Center ($12.4 million) net of an increase in total expenditures charged to the airfield ($9.1 million). The increase in airfield operating cost is the result of increased operations headcount for airfield safety management, DPS headcount increase for Airport security, and new costs associated

with the integrated operations center and the Airport's innovation initiative. Airfield costs are also impacted by an allocation of fixed increases for annualization, merit and other costs.

Other Airfield Revenues

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 2019 Outlook and the FY 2020 Budget showing the landing fee revenues necessary to cover budgeted net airfield costs.

Airfield CC (in Millions)	FY19 Outlook	FY20 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Expenditures				
Operating Expenses	$99.8	$109.2	$9.4	9.4%
Net Debt Service	82.9	82.6	(0.3)	(0.4%)
Total Expenditures	182.7	191.8	9.1	5.0%
Revenues				
Aircraft Parking	0.6	0.7	0.0	1.1%
Corporate Aviation	2.7	2.8	0.1	4.5%
Fuel Facility Ground Lease	5.7	5.7	0.0	0.0%
DPS	3.5	3.6	0.1	1.7%
Other	(0.2)	(0.1)	0.1	(37.6%)
Transfer from DFW Cost Center	58.1	70.5	12.4	21.3%
Revenues before Landing Fees	70.5	83.1	12.6	17.9%
Landing Fees	$112.2	$108.7	(3.6)	(3.2%)

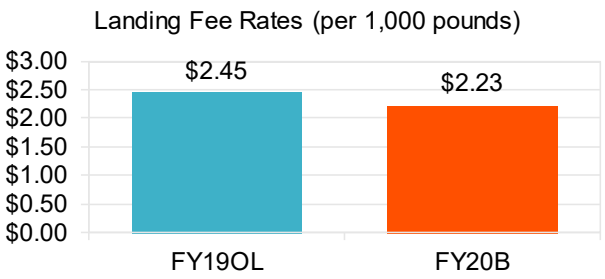
Other airfield revenues include fees for aircraft parking, landing and other fees for the use of DFW's corporate aviation facility, ground lease payments for the fuel farm that is operated for the airlines by a third party, and an allocation of DPS revenues.

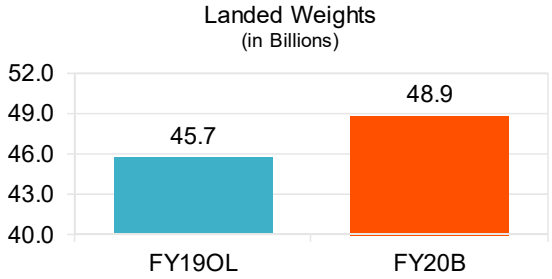
Landing Fees and Landed Weights

The following charts compare landing fees and landed weights for the FY 2019 Outlook and the FY 2020 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 fee revenues 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 $2.23 in FY 2020, a $0.22 (9.0%) decrease from the blended rate of $2.45 for the FY 2019 Outlook. Per the Use Agreement, non-signatory airlines are assessed a rate that is 25% greater than signatory airlines. Non-signatory landed weights are only 0.5% of total weights in FY 2020.

Landed weights are budgeted for 48.9 billion in FY 2020, a 3.2 billion (6.9%) increase over the FY 2019 Outlook. The increase is primarily driven by AA's increase in daily operations and a larger aircraft mix.





Cargo

DFW Airport is increasingly recognized as an outstanding cargo gateway, providing direct access to the fast-growing Sunbelt region and acting as an attractive connecting point for cargo flowing between Asia and Latin America. 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. From DFW, 98% of the continental U.S. population can be reached via truck within 48 hours. Approximately 9.7% of all landing fees are budgeted to come from cargo aircraft for the FY 2020 Budget.



DFW continues to grow its cargo business, with projections to achieve 952,000 tons of cargo in FY 2019 (+4.5% YOY), and 987,000 tons in FY 2020 (+3.6% YOY). DFW has outsized exposure to Asia, and the continuing trade disputes are an ongoing risk to our ability to grow cargo volumes.

FY	Cargo Tonnage (US tons)	Change	Percent
2018	911,000		
2019	952,357	41,357	4.5%
2020	986,743	34,386	3.6%

Terminal Cost Center

The table below compares the FY 2019 Outlook and the FY 2020 Budget for the Terminal Cost Center. Note that revenues equal expenses in this cost center in both periods. Revenue variances between the FY 2020 Budget and the FY 2019 Outlook are explained below. See the Operating Expense section for expenditure variations.

Terminal CC (in Millions)	FY19 Outlook	FY20 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Revenues				
Operating Revenue				
Terminal Leases	$317.9	$331.9	$14.0	4.4%
FIS Fees	26.5	27.6	1.1	4.1%
Turn Fees & Office Rents	32.8	32.7	(0.1)	(0.2%)
Other	21.6	22.4	0.8	3.6%
Total Operating Revenue	398.9	414.6	15.8	3.9%
DFW Terminal Contribution	2.8	2.8	0.0	0.3%
Total Revenues	401.7	417.5	15.8	3.9%
Expenditures				
Operating Expenses	217.2	239.4	22.3	10.3%
Net Debt Service	184.6	178.0	(6.5)	(3.5%)
Total Expenditures	401.7	417.5	15.8	3.9%
Net Terminal Revenue	$0.0	$0.0	$0.0	n/a

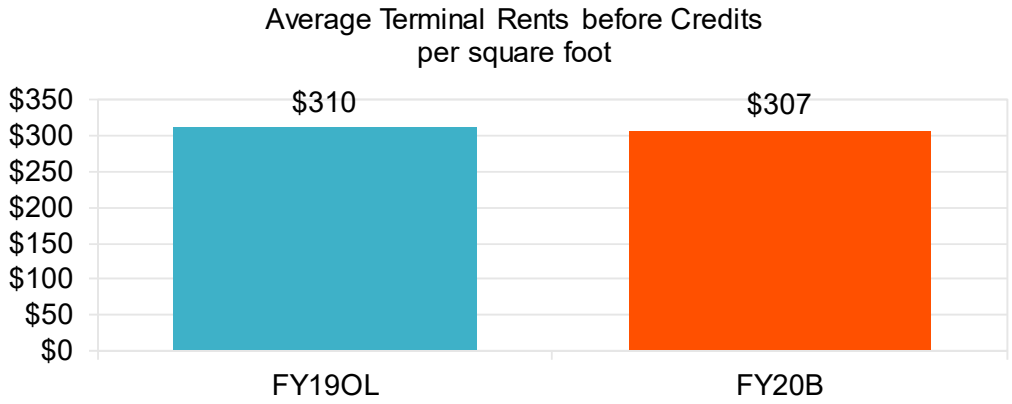
The FY 2020 Terminal Lease budget is $331.9 million, a $14.0 million (4.4%) increase from the FY 2019 Outlook due primarily to higher operating costs charged to the terminals partially offset by a decrease in net debt service. Operating expenses increased $22.3 (10.3%) million due primarily to the transfer of custodial responsibility from AA to DFW ($9.4 million). The remaining increase is due to other custodial increases for customer experience and a portion of DPS headcount increase for airport security, an increase in the integrated operations center and innovation initiatives, and an allocation of salary and contract annualization, merit and other costs. The decrease in debt service is primarily due to savings from the Series 2019A Refunding bonds and a change in coverage needs for FY 2020, partially offset by incremental debt service and coverage to interim finance the FY 2020 Capital Program.

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, C, and E Satellite and six jet bridges in Terminal B. These costs are added into the numerator of this formula to derive the fully loaded average rate. American Airlines receives a rent credit for their costs. This credit of $37.6 million was reduced by $7.2 million in FY 2020 due to the transfer of custodial responsibility.



Average Terminal Rents before Credits

Total terminal leased square footage increased in FY 2020 to 1.204 million square feet from 1.157 million square feet in FY 2019 due to American Airlines leasing the Terminal E satellite facility. This caused terminal rental rates to fall from $310 per square foot to $307 per square foot, despite a $14 million increase in net terminal expenses. The following chart compares average terminal rents before credits for the FY 2019 Outlook and the FY 2020 Budget.



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 2020 is $27.6 million, a $1.1 million (4.1%) increase from the FY 2019 Outlook. The FY 2020 rate is based upon terminal costs excluding new debt service. The rate for FIS per international passenger clearing customs at DFW is budgeted at $6.30 for FY 2020 compared to $6.61 for the FY 2019 Outlook, a decrease of $0.31 (4.7%). DFW expects 4.4 million International FIS passengers in FY 2020 compared to 4.1 million in FY 2019. FIS passengers do not include arriving passengers from countries where passengers clear U. S. Customs in that country (e.g., Canada).

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 budget for FY 2020 is $28.7 million, a $0.2 million (0.5%) decrease from the FY 2019 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.

Transfers - DFW Terminal Contribution

Per the terms of the Use Agreement, DFW pays for a portion of the terminal cost 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 $2.8 million, which is flat to the FY 2019 Outlook.

Cost Per Enplanement (CPE) Calculation

The following table shows the passenger airline cost per enplanement calculation and compares the CPE for the FY 2019 Outlook and the FY 2020 Budget. This KPI only includes passenger-related airline revenues (i.e., costs) and excludes cargo and general aviation revenues.

	FY19	FY20	Increase (Decrease)	
Cost Per Enplanement (in Millions)	Outlook	Budget	Amount	Percent
Enplanements [1]	36.2	37.8	1.6	4.5%
Passenger Airline Cost per Enplanement				
Airline Cost/Revenue	$490.1	$501.5	$11.4	2.3%
Less: Cargo	(11.6)	(10.9)	0.7	(6.4%)
Total PAX Airline Revenue	478.5	490.7	12.2	2.5%
Cost per Enplanement (CPE) [2]	$13.24	$12.96	($0.28)	(2.1%)

[1] Corporate Aviation enplanements are excluded from CPE calculation

[2] Actual rates, not in millions

DFW Cost Center

The table below compares the FY 2019 Outlook and the FY 2020 Budget for the DFW Cost Center. Revenue variances are explained in the rest of this section. Expenditure variances are covered in the Operating Expenses section.

DFW Cost Center Net Revenues are increasing $18.3 million (12.6%) in FY 2020. This net revenue is shared between the airfield cost center and the DFW Capital Account. To lower landing fees, 75% of net revenues in excess of the "upper threshold" of $70.0 million are transferred to the airfield cost. The remaining net revenues of $93.5 million are transferred to the DFW Capital Account.

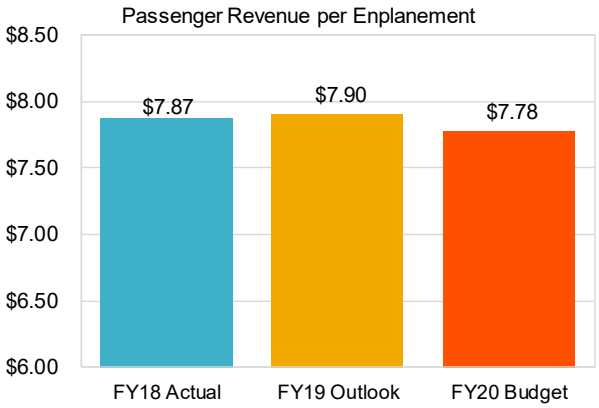
DFW Cost Center (in Millions)	FY19 Outlook	FY20 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Revenues				
Parking	$178.0	$181.4	$3.4	1.9%
Concessions	78.0	83.1	5.1	6.5%
Advertising	14.3	14.6	0.3	2.4%
Rental Car (RAC)	33.6	33.3	(0.3)	(0.9%)
Commercial Development	50.1	55.3	5.2	10.5%
Subtotal	353.9	367.7	13.8	3.9%
Employee Transportation	16.9	18.4	1.4	8.4%
Utilities & Miscellaneous	8.8	8.7	(0.1)	(1.4%)
DPS	1.6	1.6	(0.0)	(1.5%)
Interest Income	14.5	15.1	0.6	4.5%
Total Revenues	395.8	411.5	15.7	4.0%
Expenditures				
Operating Expenses	143.5	146.9	3.4	2.3%
Net Debt Service	61.9	58.9	(3.0)	(4.8%)
Total Expenditures and Debt Service	205.4	205.8	0.4	0.2%
Gross Margin - DFW Cost Center	190.4	205.7	15.4	8.1%
Less: Terminal Contribution	2.8	2.8	0.0	0.3%
Less: Skylink	41.9	38.9	(3.0)	(7.2%)
DFW Cost Center Net Revenues	$145.6	$164.0	$18.3	12.6%
Transfer to Airfield Cost Center*	58.1	70.5	12.4	21.3%
Amount to DFW Capital Account	87.5	93.5	6.0	6.8%
Allocation of DFWCC Net Revenues	$145.6	$164.0	$18.3	12.6%

* Threshold Adjustment

Passenger Revenues per Enplanement

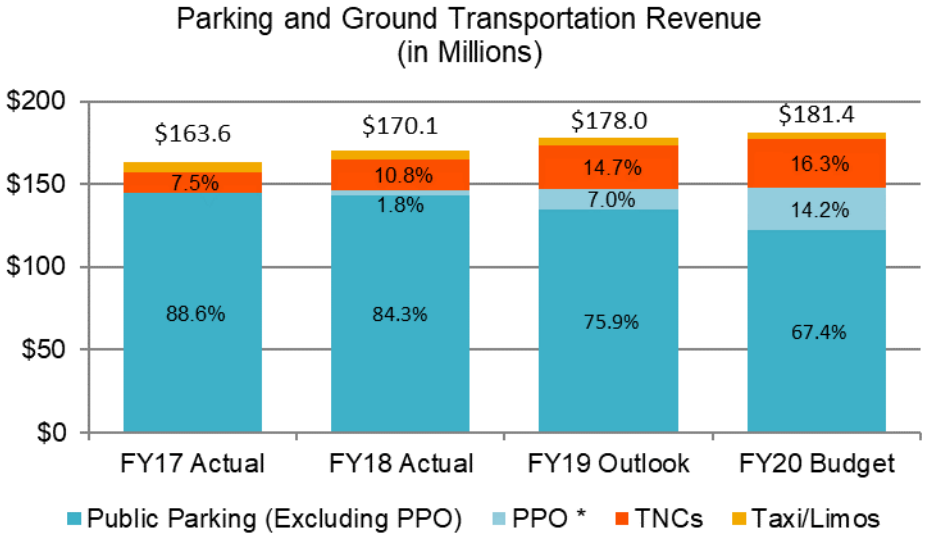
DFW Cost Center has four business units that focus on growing net revenues (parking, concessions, rental car, and commercial development).

Passenger revenue per enplanement measures passenger related revenues from parking, concessions, and RAC. The FY 2020 Budget is lower than FY 2019 Outlook due to an increased mix of connecting passengers and slower revenue growth in parking due to a higher mix of transportation network companies (TNC or TNCs) and in rental car due to competitive pricing power.



Parking

Parking revenues include ground transportation revenues. To get to the Airport, originating passengers have the choice to park at the Airport, get dropped off, take a taxi/limo, or use a TNC. The following table shows the composition of parking and ground transportation revenues.



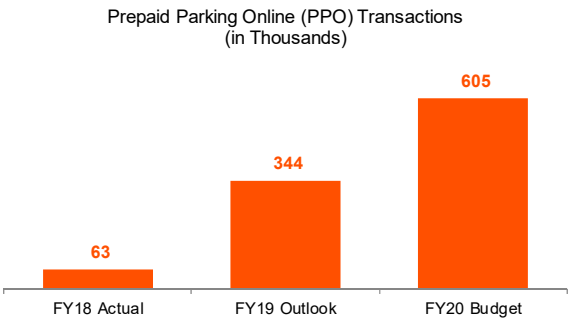
* Prepaid Parking Online

Parking Background – Parking is DFW's largest source of non-airline revenue. Customers are charged parking fees based on the length of stay and the parking product used. Pass-through charges are increasing by $2 in FY 2020. No increase in parking rates are assumed in FY 2020. The table on the following page highlights DFW's parking products 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 12% (of sales) from off-airport parking and valet providers beginning in FY 2019. The Airport contracts directly with a third party to provide a DFW branded valet service.

DFW Parking Rate Summary

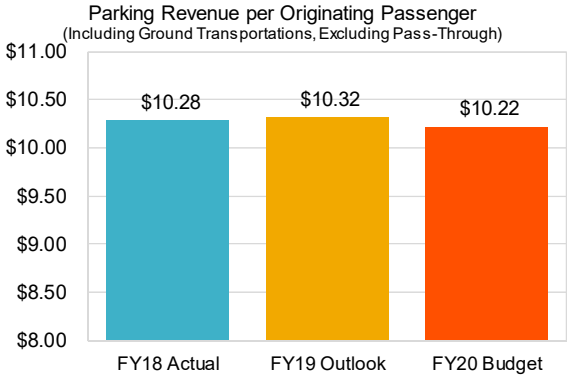
Parking Product	Rate	Description
Terminal	$24	all day parking
Express Lots	$12 / $15	uncovered / covered
Remote	$10	uncovered
Intra-day	$9 - $10	up to 6 hours
Valet	$31 + tax	uses existing parking facilities
Meeter-Greeter	$3	30 minutes-2 hours
Drop-Off	$2	8-30 minutes
Pass-Throughs	$6	0-8 minutes
Taxi, Limos	$4	up to 2 hours
TNCs	$5	up to 2 hours

DFW launched its Prepaid Parking Online (PPO) parking option in April 2018 to maintain the competitiveness of Airport parking in light of the rapid growth of TNCs, and to provide customers with an attractive, competitively priced option in the market. PPO offers customers variable prices so that DFW can optimize available capacity and maximize revenues, especially during off-peak periods. Customer adoption of PPO has been stronger than originally anticipated and is expected to grow further in FY 2020 through dynamic pricing and yield management techniques. At the end of FY 2020 it is expected that 26% of parking transactions will be online, up from just 3% at the end of FY 2018 and 15% at the end of FY 2019. The FY 2020 PPO budget is estimated at 604,000 online transactions and $27.8 million in gross revenue.



FY 2020 Budget – The FY 2020 parking revenue budget is $181.4 million, an increase of $3.4 million (1.9%) from the FY 2019 Outlook due primarily to the growth of TNCs and the full year impact of $2 increase for pass-through customers under eight minutes.

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 net revenue per originating passenger. The decrease in parking revenue per originating passenger for the FY 2020 Budget versus the FY 2019 Outlook is due to change of parking product mix due to competitive impact from TNCs.



Concessions



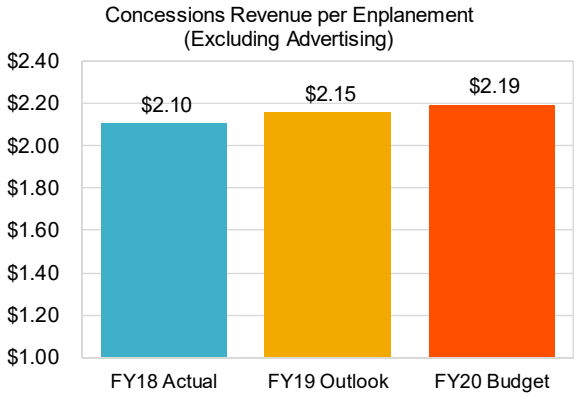
Background – Terminal concessions consist of food and beverage, retail and duty free, advertising, and various customer services and amenities. Concessions agreements consist of leases or contracts that generally range from five to 10 years and include a minimum annual guarantee and percentage rent. Concessions also issues short term permits for kiosks and storage locations.

As of June 30, 2019, the Airport had 249 total locations. 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.

Concessions continues to enhance its offerings to better align with customer preferences as the first locations renovated during the TRIP begin to expire. Concessions plans to release Requests for Proposals (RFPs) in 2019 and 2020, which will include retail, food and beverage, and services, to ensure new offerings and a proper mixture of products to passengers.

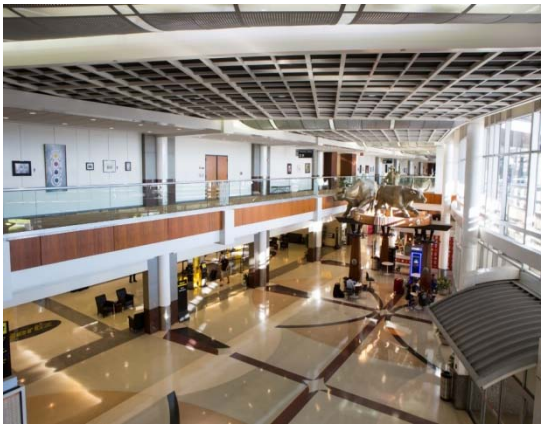
FY 2020 Budget – The FY 2020 concessions budget is $97.7 million, a $5.4 million (5.9%) increase from the FY 2019 Outlook due to new food and beverage concepts, and an increase in enplanements. Construction of new concession concepts and airline terminal utilization may impact FY 2020 revenues.

Concessions Revenue per Enplanement – This KPI measures the amount of revenue earned by DFW from terminal concessions per enplaned passengers and is a standard metric used by the airport industry. The increase in concessions revenue per enplanement in FY 2020 as compared to the FY 2019 Outlook is primarily due to new food and beverage, and the growth of passenger services such as lounges, vending and pre-check services.



Rental Car Center (RAC)

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 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 and percentage rent (10% of sales) from the rental car companies. The ground lease rate increases 3% each year. The RAC holds five rental car companies with 13 brands, providing a total inventory of approximately 25,000 cars.

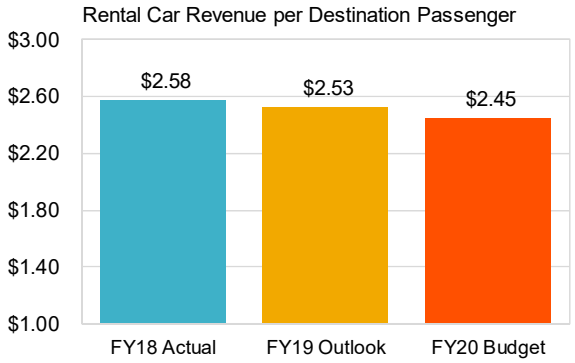


DFW management has very little control over rental car company activities. RAC sales and DFW revenues tend to follow the economy. RAC revenues can rise or fall based on the number of DFW destination passengers, the percentage of destination passengers renting cars, the average stay per renter, and the average daily price charged for the cars. New rental car alternatives, such as TNCs and ride and car sharing services have become a competitive challenge for the rental car companies across the US.

FY 2020 Budget – The FY 2020 rental car revenue budget is $33.3 million, a $0.3 million (0.9%) decrease from the FY 2019 Outlook due to the net impact of destination passenger growth and lower average rates. All other factors are assumed to stay constant with the FY 2019 Outlook. The lower average rate is built on the assumption that there will be continued competition with TNCs and other ride sharing services. The FY 2020 revenue budget may not be attained if average rates drop further than anticipated.

RAC Revenues per Destination Passenger

This KPI measures the percentage rent paid by the rental car companies to DFW divided by destination passengers. The FY 2020 Budget for RAC revenues per destination passenger is projected to be lower than the FY 2019 Outlook primarily due to a lower daily rate assumption and other market factors due primarily to the competitive impact from TNCs and off-airport shared ride options.



Commercial Development



Background – The Airport has a total land mass of 17,183 acres. As of May 15, 2019, 2,646 acres have been commercially developed. Management estimates that approximately 2,404 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 Grapevine's Main Street and Highway 114 includes automobile dealerships. The Airport has commenced development and 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 73% of the ground lease revenue is based on negotiated rates and 27% 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 annually with inflation and will be $29,167 in FY 2020.

FY 2020 Budget – The FY 2020 commercial development revenue budget is $55.3 million, a $5.2 million (10.5%) increase from the FY 2019 Outlook. FY 2020 reflects an increase of $4.8

million in new ground lease rents (254 acres developed in FY 2019, plus additional 322 acres to be developed in FY 2020) and $0.4 million from existing contracted leases. New ground leases represent significant logistics development in the southern section of the Airport.

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 2020 Budget is $18.4 million, a $1.4 million (8.4%) increase from the FY 2019 Outlook due to a $1 rate increase to cover incremental employee busing cost.

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 2020 Budget is $8.7 million, a $0.1 million (1.4%) decrease from the FY 2019 Outlook primarily due to lower permit fees and HVAC partially offset by trash rate increases.

DPS Revenues – DPS receives federal reimbursements from the TSA for Law Enforcement Officer (LEO) plus fees for badging, fire training and other services. The FY 2020 Budget is $8.0 million which is flat to the FY 2019 Outlook. The FY 2020 budget assumes that congress will continue to fund the LEO program at $1.3 million for DFW.

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 2020 interest income budget is $15.1 million, a $0.6 million (4.5%) increase from the FY 2019 Outlook due to higher average short-term interest rates and higher reserve balances. This budget may not be achieved if the Federal Reserve reduces rates through the end of FY 2020.

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 2020 Budget is $2.8 million, flat to the FY 2019 Outlook.

Skylink – Expenses related to Skylink are covered in the DFW Cost Center per the Use Agreement. The FY 2020 Budget is $38.9 million, a $3.0 million (7.2%) decrease from the FY 2019 Outlook primarily due to lower legal expense, lower expenses for bridge inspections that occur in alternating years, and lower debt service expense due to savings resulting from the 2019A Refunding Bonds.



FY 2020 Expenditure Budget

The FY 2020 Budget is $1 billion, an increase of $19.2 million (1.9%) from the FY 2019 Budget and an increase of $23.1 million (2.3%) from the FY 2019 Outlook.

Annual Budget (in Millions)	FY19 Budget	FY19 Outlook	FY20 Budget	FY20B v FY19B Inc (Dec) Amount	FY20B v FY19B Inc (Dec) Percent	FY20B v FY19OL Inc (Dec) Amount	FY20B v FY19OL Inc (Dec) Percent
Operating Expenses	$500.7	$497.0	$529.3	$28.6	5.7%	$32.3	6.5%
Gross Debt Service	512.2	511.9	502.8	(9.4)	(1.8%)	(9.2)	(1.8%)
Total 102 Expenditures Budget*	$1,012.9	$1,009.0	$1,032.0	$19.2	1.9%	$23.1	2.3%*
Contingency O/S Rate Base			10.0				
Total Budget w/Contingency			$1,042.0				

*1.4% increase excluding cost of transferring custodial responsibilities from AA to DFW

Operating Expense Budget Walkforward

The following tables are walkforwards between the FY 2019 Outlook and the FY 2020 Budget:

Operating Expenses (in Millions)	Total	DFW	Airline
FY 2019 Outlook	$497.0	$180.0	$317.0
Cost savings and budget reductions	(15.5)	(5.0)	(10.6)
Strategic Priorities			
A & C Custodial Transfer	7.5	0.0	7.5
Customer Experience	3.3	0.8	2.5
Safe and Secure	3.3	0.7	2.5
Operational Excellence	2.5	0.8	1.7
Salary/Benefits annualization and merit pool	14.7	3.2	11.6
Contract increases	7.2	1.7	5.5
Restore budgets	5.6	1.8	3.8
Other increases	3.7	(3.3)	7.1
Net increase	32.3	0.6	31.6
FY 2020 Budget	$529.3	$180.7	$348.6

Detailed Operating Expense Budget Walkforward

	Budget Category (in Millions)	Total	DFW	Airline
	FY 2019 Outlook	$497.0	$180.0	$317.0
A.	Cost savings and budget reductions	(15.5)	(5.0)	(10.6)
	Strategic Priorities			
B.	A & C Custodial Transfer	7.5	0.0	7.5
C.	Customer Experience			
	Custodial	2.3	0.5	1.8
	Technology	1.0	0.3	0.7
	Total customer experience	3.3	0.8	2.5
D.	Safe and secure			
	DPS Annualization	1.4	0.3	1.1
	Technology	0.9	0.3	0.7
	New Positions	0.5	0.1	0.4
	Dock and Check Point Screening	0.4	0.1	0.3
	Total safe and secure	3.3	0.7	2.5
E.	Operational Excellence			
	Innovation	1.4	0.4	0.9
	Integrated Operations Center	1.2	0.4	0.8
	Total operational excellence	2.5	0.8	1.7
F.	Salary/Benefits annualization and merit pool			
	Salary/Benefits annualization	7.8	1.4	6.3
	Salary increases	3.6	0.8	2.8
	Other	3.3	0.9	2.4
	Total salary/benefits annualization and merit pool	14.7	3.2	11.6
G.	Contract increases			
	Fixed			
	Technology	1.8	0.6	1.2
	Healthcare	1.2	0.0	1.1
	Facility maintenance	1.1	0.1	1.1
	Bussing	0.3	0.3	0.0
	Insurance premiums	0.1	(0.0)	0.2
	Scope			
	Asset Management	1.5	0.5	1.0
	Utilities	1.1	0.3	0.9
	Total contract increases	7.2	1.7	5.5
H.	Restore budgets			
	CEO contingency	5.6	1.8	3.8
	Total restore budgets	5.6	1.8	3.8
I	Other increases	3.7	(3.3)	7.1
	Net increase	32.3	0.6	31.6
	FY 2020 Budget	$529.3	$180.7	$348.6

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. Cost Savings and Budget Reductions ($15.5) million

Management set a goal to identify cost savings that would reduce the increase to the FY 2020 budget by at least 3% as part of this year's budget process. Each division achieved their 3% target for a total reduction of $15.5 million. Some of the more significant reductions are shown below:

- Asset maintenance ($3.8 million) – primarily renegotiation and reductions in scope of maintenance contracts without impacting service levels.
- Technology ($2.6 million) – primarily reductions in contract labor/staff augmentation and reduction in hardware and software maintenance.
- DPS reductions ($2.5 million) – primarily reductions in overtime based on changes to staffing, scheduling and management; and reductions in supplies.
- Parking ($1.8 million) – primarily reductions in contract labor, most of which related to the completion of the curbside reallocation project.
- One-time contracts/projects ($2.2 million) – reduction of one-time program cost incurred in FY 2019, not recurring in FY 2020 by various departments.
- Other ($2.4 million) – Miscellaneous cost reductions throughout the organization.

B. Terminals A & C Custodial Transfer $7.5 million

The responsibility for Terminal A & C custodial services is being assumed by DFW beginning in FY 2020. This service was previously provided by a contractor through American Airlines. AA received a rent credit for these services. The AA rent credit is being reduced by $7.2 million since DFW is taking over these services. Management believes that this transfer should ensure a more consistent customer experience in all terminals and hopefully lead to higher customer satisfaction scores without higher costs for AA.



C. Customer Experience $3.3 million

The budget reflects the Airport's continued emphasis to invest in strategic priorities. The customer experience investments include increases in custodial contracts ($2.3 million) primarily due to rate increases for hourly wages and more passengers; and technology enhancements ($1.0 million) related to TSA screening lane wait time displays, a bus tracking and announcement system, and smart bathroom solution to notify customers of availability and to monitor for cleanliness standards. Management believes these investments will continue to keep DFW near the top of its competitive set for customer survey scores.

D. Safe and Secure **$3.3 million**



Another important strategic priority is safe and secure. The Department of Public Safety budget includes annualization of salaries and benefits ($1.4 million) for new positions filled in FY 2019, six new officers to provide increased security presence in the terminals plus three additional positions in canine patrol ($0.5 million) and increases in employee check point and vendor dock screening due to contract rate increases ($0.4 million). The budget also includes the addition of biometric exit technology to comply with government mandated CBP processes and provide one-step boarding verification ($0.3 million) and annualization of the fire alarm contract ($0.6 million).

E. Operational Excellence **$2.5 million**

An additional strategic priority is operational excellence. The airport has created the Innovation and Transformation team to spearhead and complete strategic projects that will support and expand the Airport's operational excellence ($1.4 million). DFW continues to develop an Integrated Operations Center (IOC) that will house staff from all areas of the Airport and stakeholders. The IOC will create a proactive, integrated team focused on situational awareness and operational impacts to customers. The IOC is scheduled to open in FY 2021. The FY 2020 costs are focused on the digital strategy for the IOC database and organizational assessment assistance. No new positions are being added in FY 2020.

F. Salary and benefits annualization and merit pool **$14.7 million**



In FY 2019, management intentionally held numerous positions open to reduce costs. The FY 2020 Budget assumes that these positions will be filled; although the assumed hire dates have been staggered throughout the fiscal year. Salary and benefits annualization accounts for $7.8 million of this increase. The budget also includes a 3.0% merit pool for non - DPS, a 3.5% merit pool for DPS, the annualization of last year's merit increase (for the first quarter of the fiscal year), a 3.5% DPS STEP table increase ($2.9 million), and DPS tenure step progression ($0.7 million). Other increases of $3.3 million relate to restoration of healthcare savings for FY2019 primarily from stop-loss reimbursement. Salary and wage increases are budgeted for nine months (beginning the first pay period in January).

G. Contract increases **$7.2 million**

Contract increases in this category are fixed in nature due to annualization of partial year contracts from FY 2019, contracts with cost escalation, and airline requests for new services and increased scope.

- Technology ($1.8 million) includes incremental full-year impact of new contracts and first year maintenance contracts on various new software systems placed in service.
- Healthcare costs are projected to increase 4.4% in FY 2020 reflecting an increase of cost per employee of 3.6% and the cost of additional staff. The budget has been increased $1.2 million for medical costs, long and short-term disability, life insurance plus the amount necessary to cover health costs for positions hired in FY 2020.
- Facility maintenance contracts ($1.1 million) include annualization of contracts related to conveyances, passenger boarding bridges, and other facility maintenance contracts
- Asset Management ($1.5 million) includes increased scope for UPS battery maintenance, digital signage, structural inspections, street striping, and power washing.
- Utilities ($1.1 million) increase primarily due to increased volume of solid waste hauling, sanitary sewer and communications.

H. Restore Budgets **$5.6 million**

This category reflects increases for operating expenses being restored to FY 2019 Budget levels in the following areas:

- Restore CEO contingency ($5.6 million). CEO contingency is included in the rate base and may be used by the CEO at his discretion. Total requested contingency for FY 2020 is $6 million up from $4 million in FY 2019. Some of the anticipated needs are outlined in the Executive Summary section. Over the past five years the CEO has needed to use the majority of available contingency. Budgeted CEO contingency has historically ranged from $1.75 million to $7.5 million. This increase should reduce the need to use the Board's contingency.

I. Other increases **$3.7 million**

Other increases over $250,000 include:

- New positions ($0.6 million) include the salaries and benefits for two Sr. Innovation Consultants, an Environmental Analyst, two Corporate Aviation Representatives, a Corporate Aviation Supervisor, five Assistant Airfield Operations Officers, and an Airfield Operations Officer.
- Professional services ($0.4 million) primarily in research and analytics, concessions, and customer experience.
- Supplies ($0.4 million) primarily in computer supplies.
- Other, net ($2.1 million) includes minor increases in signage, fuels, travel, fingerprinting, uniforms, and other contract service.
- Operating reserve ($0.2 million) is the incremental amount required over FY 2019 to maintain a 90-day cash reserve for operating expenses. The total Operating Reserve for FY 2020 is $7.1 million.

Operating Budget by Category

The table below compares the FY 2019 Outlook with the FY 2020 Budget by expense category. Variance explanations by major cost driver follow in the walkforward.

Annual Budget (in Millions)	FY19 Outlook	FY20 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Salaries & Wages	$158.6	$168.0	$9.4	5.9%
Benefits	70.9	78.2	7.3	10.3%
Contract Services	197.1	204.7	7.6	3.8%
Utilities	26.0	27.2	1.1	4.4%
Equipment & Supplies	18.9	20.0	1.0	5.5%
Insurance	5.8	5.6	(0.2)	(2.7%)
Fuels	4.0	4.2	0.2	6.1%
General, Admin & Other	8.3	8.3	(0.0)	(0.5%)
Contingency	0.5	6.0	5.6	0.0%
Subtotal	490.2	522.2	32.0	6.1%
Change in Operating Reserve	6.8	7.1	0.2	3.3%
Total Budget	$497.0	$529.3	$32.3	6.1%

Salaries and Wages

The FY 2020 salaries and wages budget is $168.0 million, a $9.4 million (5.9%) increase from the FY 2019 Outlook of $158.6 million due to annualization of unfilled positions planned to be hired, three months of the FY 2019 merit ($6.3 million), a 3.0% merit pool and a 3.5% DPS STEP table increase ($3.0 million), DPS tenure STEP progression ($0.7 million), and 23 new positions ($1.0 million), and an overtime reduction ($1.6 million). The hiring of new and vacant positions has been staggered throughout FY 2020 based upon operational needs and strategic priority.



Benefits

The FY 2020 benefits budget is $78.2 million, a $7.3 million (10.3%) increase from the FY 2019 Outlook of $70.9 million. This is primarily the result of annualization of benefits for unfilled and new positions to be hired in FY 2020 ($2.7 million), increases in healthcare costs ($1.1 million), benefits for new positions ($0.3 million), restoration of outlook savings in 2019 ($3.3 million), and an offset by a reduction in contribution to the defined benefit retirement plans ($0.3 million savings). Healthcare costs are budgeted based on an actuarial determined rate per employee.

Contract Services



The FY 2020 contract services budget is $207.7 million, a $7.6 million (5.9%) increase from the FY 2019 Outlook of $197.1 million due to increases in customer experience for the transfer of Terminals A and C custodial, other custodial contracts, and other customer experience improvements ($8.5 million); increases in computer systems, fixed and variable contracts for hardware, software and maintenance ($3.7 million); increases in innovation consulting ($1.1 million); and one-time costs for the integrated operations center ($0.8 million). These increases are offset by savings in contract labor for parking and customer experience ($3.6 million), ITS consulting ($2.5 million), and landside portion of snow removal contract ($0.4 million).

Utilities

The FY 2020 utilities budget is $27.2 million, a $1.1 million (4.4%) increase from the FY 2019 Outlook of $26.0 million. Increases in solid waste ($0.6 million), sanitary sewer ($0.3 million), communications ($0.2 million), and water ($0.1 million) were offset by slight decreases in electricity and natural gas ($0.1 million). DFW locked in favorable electricity rates in 2017 through February FY 2020.

Equipment and Supplies

The FY 2020 equipment and supplies budget is $20.0 million, a $1.0 million (5.5%) increase from the FY 2019 Outlook of $18.9 million primarily due to an increase in janitorial supplies ($0.9 million), computer purchases and supplies ($0.6 million) and reverse osmosis filters ($0.2 million). These increases were partially offset by decreases related to baggage handling system parts ($0.3 million), parking miscellaneous supplies ($0.2 million) and winter weather supplies ($0.2 million).

Insurance

The FY 2020 insurance budget is $5.6 million, a $0.2 million (2.7%) decrease from the FY 2019 Outlook of $5.8 million primarily due to decreased claims.

Fuels

The FY 2020 fuels budget is $4.2 million, a $0.2 million (6.1%) increase from the FY 2019 Outlook of $4.0 million due to an increase in gas engine fleet from finalization of CNG fleet replacement.

General and Administrative (G&A)

The FY 2020 general and administrative budget is $8.3 million, a $38 thousand (0.5%) decrease from the FY 2019 Outlook of $8.3 million.

Contingency

The FY 2020 Budget includes $6.0 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 2019 Budget included $4.0 million for contingency.

Operating Reserve

DFW is required to have a 90-day cash reserve for operating expenses. The FY 2020 Change in Operating Reserve budget of $7.1 million is the amount necessary to fund the reserve. This is a $0.2 million increase from the FY 2019 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 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 2020, consistent with the prior years.

Net Debt Service Budget

The FY 2020 Net Debt Service budget is $324.7 million, a $10.1 million (3.0%) decrease from FY 2019 as shown in the table below. The decrease in debt service is primarily due to projected savings from the Series 2019A Refunding bonds ($9.5 million) and a reduction in required incremental coverage ($5.6 million). The interest costs and incremental coverage created by the Commercial Paper program will be used to interim fund a portion of DFW's FY 2020 capital program.

Debt Service (in Millions)	FY19 Outlook	FY20 Budget	Increase (Decrease) Amount	Increase (Decrease) Percent
Bond Funded Debt Service [1]	481.4	466.3	(15.1)	(3.1%)
Commercial Paper	0.0	4.7	4.7	n/a
PFIC Related Debt Service [2]	18.8	19.9	1.1	5.6%
DFW Capital Acct Debt Service [3]	12.0	12.2	0.3	2.2%
Less: Interest Income	(0.2)	(0.3)	(0.1)	23.6%
Gross Debt Service and Coverage	512.0	502.8	(9.2)	(1.8%)
Offets to Debt Service				
PFCs for Existing Debt Service	145.9	146.0	0.1	0.1%
PFIC Transfers [2]	19.4	19.9	0.5	2.5%
DFW Capital Acct Transfers [3]	12.0	12.2	0.3	2.2%
Total Offsets	177.2	178.1	0.9	0.5%
Net Debt Service Paid by Rate Base	$334.8	$324.7	($10.1)	(3.0%)

[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 are collected from revenue enplaned passengers and are used to offset debt service from debt issued prior to TRIP.

Public Facility Improvement Corporation debt service relates to debt associated with the RAC and Grand Hyatt Hotel. This debt service is transferred into the 102 Fund from the PFIC. Similarly, the debt service related to the DFW headquarters building and Terminal E garage is funded with transfers from the DFW Capital Account.

The table below shows the categories of the $10.1 million Net Debt Service decrease by major cost center.

	Cost Centers				
		Airline			
Net Debt Service Variance (in Millions)	DFW	Airfield	Terminal	Total	Total
Bond Funded Debt Service	(2.6)	(0.2)	(11.1)	(11.4)	(14.0)
Commercial Paper	0.0	0.0	4.6	4.7	4.7
PFCs	(0.0)	(0.1)	(0.0)	(0.1)	(0.1)
DFW Capital Account Transfers	(0.6)	-	-	-	(0.6)
Total Debt Service Variance	($3.3)	($0.3)	($6.5)	($6.8)	($10.1)

Positions

The table below summarizes the total number of operating and capital positions assumed in the FY 2020 Budget. Operating positions are paid out of the 102 Fund. Salaries and benefits of capital positions are capitalized and paid from the capital accounts. In FY 2019 DPS added 40 positions to support expanded security measures, Innovation added five positions, Procurement added three positions offset by a reduction of two positions in Finance and Human Resources added one position.

	FY 2019 Budget	FY 2019 Changes	FY 2019 Adjusted Budget	FY 2020 New positions	FY 2020 Budget
Operating	2,085	49	2,134	6	2,140
Capital	111	0	111	3	114
Total	2,196	49	2,245	9	2,254

Nine new positions have been added for FY 2020, three are funded in the Fund 102 Operations Expense Budget.

Position Summary by Division

Headcount Walk

Division	FY19 Adjusted Budget	FY20 Changes	FY20 Budget
Administration & Diversity	167	(1)	166
Finance and Information Technology	240	(6)	234
Revenue Management	468	1	469
Operations	888	24	912
Global Strategy & Development	18	1	19
Infrastructure and Development	427	(11)	416
Innovation and Transformation	5	2	7
Legal	3	0	3
Audit Services	15	(1)	14
Executive Office	14	0	14
Total DFW	2,245	9	2,254

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 2020 Budget by major cost driver. The table below is a budget comparison to outlook by department, in thousands.

Expense Budget Walkforward

	FY19 Outlook	FY20 Budget	Increase (Decrease) FY20B vs FY19O	
Energy, Transportation & Asset Mgmt.	$126,347	$128,114	$1,767	1.4%
Planning Department	5,973	6,233	260	4.4%
Design, Code, & Construction	4,925	5,469	545	11.1%
Commercial Development	2,462	2,000	(462)	(18.8%)
Infrastructure and Development	139,707	141,817	$2,110	1.5%
Public Safety	92,124	96,647	4,523	4.9%
Operations	12,680	13,458	778	6.1%
Environmental Affairs	8,638	9,406	768	8.9%
Integrated Operations Center	1,689	2,517	828	n/a
Operations	115,130	122,028	6,898	6.0%
Parking	58,081	57,491	(590)	(1.0%)
Customer Experience	48,840	57,101	8,261	16.9%
Concessions	3,387	3,534	147	4.3%
Revenue Management	110,308	118,125	7,818	7.1%
Information Technology	57,254	59,595	2,340	4.1%
Finance	6,726	6,900	174	2.6%
Treasury/Cash Management	1,340	1,463	123	9.2%
Aviation Real Estate	1,515	1,581	66	4.3%
Finance & Technology	66,836	69,539	2,703	4.0%
Business Diversity and Development	1,872	1,631	(241)	(12.9%)
Communications and Marketing	14,548	14,511	(36)	(0.3%)
Human Resources	8,216	8,791	575	7.0%
Procurement & Materials Management	5,061	5,452	391	7.7%
Risk Management	8,534	8,385	(149)	(1.7%)
Administration and Diversity	38,230	38,770	540	1.4%
Research & Analytics	1,352	1,677	325	24.1%
Airline Relations	1,046	926	(119)	(11.4%)
Government Relations	661	680	20	3.0%
Cargo Business Development	694	865	170	24.5%
Global Strategy & Development	3,753	4,149	396	10.6%
Innovation and Transformation	1,923	3,749	1,825	94.9%
Non-Departmental	9,183	13,353	4,170	45.4%
Contingency	450	6,000	5,550	1,233.3%
Executive Office	5,855	5,909	54	0.9%
Audit Services	2,758	2,852	94	3.4%
Legal	2,887	2,994	107	3.7%
Total Operating Expenses	$497,020	$529,285	32,264	6.5%

	Budget Category (in Millions)	Total	DFW	Airline
	FY 2019 Outlook	$497.0	$180.0	$317.0
A.	Cost savings and budget reductions	(15.5)	(5.0)	(10.6)
	Strategic Priorities			
B.	A & C Custodial Transfer	7.5	0.0	7.5
C.	Customer Experience			
	Custodial	2.3	0.5	1.8
	Technology	1.0	0.3	0.7
	Total customer experience	3.3	0.8	2.5
D.	Safe and secure			
	DPS Annualization	1.4	0.3	1.1
	Technology	0.9	0.3	0.7
	New Positions	0.5	0.1	0.4
	Dock and Check Point Screening	0.4	0.1	0.3
	Total safe and secure	3.3	0.7	2.5
E.	Operational Excellence			
	Innovation	1.4	0.4	0.9
	Integrated Operations Center	1.2	0.4	0.8
	Total operational excellence	2.5	0.8	1.7
F.	Salary/Benefits annualization and merit pool			
	Salary/Benefits annualization	7.8	1.4	6.3
	Salary increases	3.6	0.8	2.8
	Other	3.3	0.9	2.4
	Total salary/benefits annualization and merit pool	14.7	3.2	11.6
G.	Contract increases			
	Fixed			
	Technology	1.8	0.6	1.2
	Healthcare	1.2	0.0	1.1
	Facility maintenance	1.1	0.1	1.1
	Bussing	0.3	0.3	0.0
	Insurance premiums	0.1	(0.0)	0.2
	Scope			
	Asset Management	1.5	0.5	1.0
	Utilities	1.1	0.3	0.9
	Total contract increases	7.2	1.7	5.5
H.	Restore budgets			
	CEO contingency	5.6	1.8	3.8
	Total restore budgets	3.6	1.1	2.4
I	Other increases	3.7	(3.3)	7.1
	Net increase	32.3	0.6	31.6
	FY 2020 Budget	$529.3	$180.7	$348.6

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 maintenance, repair and renewal of DFW's infrastructure asset portfolio including energy and utility systems, passenger terminals, facilities, airfield, public works, and vehicle fleet, as well as the operation, maintenance, repair and renewal of the Skylink APM.

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 and economical delivery of design and construction of capital and O&M funded developments, improvements, and major rehabilitation projects at DFW. DCC also provides technical support services and/or personnel to other departments as needed to fulfill DFW's Strategic Objectives and Initiatives. With the exception of noncapitalizable projects and Code Compliance activities related to third-party building permits, all costs are funded by capital funds.

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 right of ways for highway, utilities and passenger rail.

Budget Comparison and Walkforward

Infrastructure and Development
(in thousands)

	FY19 Outlook	FY20 Budget
Energy, Transportation & Asset Mgmt.	$126,347	$128,114
Planning Department	5,973	6,233
Design, Code, and Construction	4,925	5,469
Commercial Development	2,462	2,000
Total Infrastructure and Development Division	$139,707	$141,817
Salaries & Wages	$23,813	$24,594
Benefits	11,214	11,746
Contract Services	70,673	70,724
Equipment & Supplies	11,238	11,500
Insurance	0	0
Utilities	22,151	22,497
Administrative	618	757
Total Infrastructure and Development Division	$139,707	$141,817

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$139,707	
Salaries and Wages	781	F
Benefits	532	A, F, G
Contract Services	50	A, G
Equipment & Supplies	261	A, G
Utilities	345	G, I
Administrative	139	I
Total FY 2020 Proposed Budget	$141,817	

Operations Division

Public Safety (DPS)

It is the mission of the 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, Security, and Emergency Management.

Operations

The 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 Terminals D and 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 Airport efficiency.

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. Environmental Affairs 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 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.

Integrated Operations Center

The Integrated Operations Center (IOC) is a strategic initiative outlined in the 2016-2020 Strategic Plan. The IOC will house staff from all areas of the Airport and stakeholders. The IOC will create a seamless, integrated team that is proactive, response-driven and drives continual process improvement. The IOC will place planning, monitoring, executing and reviewing functions together in an integrated fashion for comprehensive situational awareness, predictive and proactive responses, and enhanced customer experiences. Representatives from Operations, AOC, Customer Experience, ETAM, Environmental, Emergency Management, Transportation Business Unit, Communications and Marketing, Tactical Communications, Information Technology Services, TSA and other stakeholders will be located in the IOC. The IOC is planned to be open during FY 2021.

Budget Comparison and Walkforward

Operations Division
(in thousands)

	FY19 Outlook	FY20 Budget
Public Safety	$92,124	$96,647
Operations	12,680	13,458
Environmental Affairs	8,638	9,406
Integrated Operations Center	1,689	2,517
Total Operations Division	$115,130	$122,028
Salaries & Wages	$65,310	$68,894
Benefits	30,174	32,848
Contract Services	12,559	12,881
Equipment & Supplies	3,793	3,562
Insurance	0	0
Utilities	2,043	2,606
Administrative	1,252	1,237
Total Operations Division	$115,130	$122,028

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$115,130	
Salaries and Wages	3,584	D, E, G
Benefits	2,673	A, D, E, F, G
Contract Services	322	A, D, E, I
Equipment & Supplies	(230)	E, I
Utilities	564	A, G
Administrative	(15)	E, I
Total Proposed FY 2020 Budget	$122,028	

Customer Experience and Revenue Management Division

Parking Operations

Parking Business Unit (PBU) consists of Operations, Customer Relations, Ground Transportation Service, and Busing. PBU is responsible for parking products, service delivery and reporting, and monitoring electronic parking transactions. PBU also provides transportation services to DFW Remote Lots, Terminal Link, Express Parking and the Employee Shuttle, as well as Support Level 1 efforts during emergency operations.

Customer Experience

Customer Experience manages the day-to-day operation within the terminals by working to *Master the Basics*. The department also leverages customer insights, trends and analytics in order to *Shape the Future* for DFW's customers. The department consists of the following sections:

- Terminal Experience – The largest section of the department consists of frontline staff and their management responsible for the daily operation of the terminals. This operation includes management of the custodial function and fostering positive relations with other agencies operating within the terminal such as airlines, TSA/CBP, and concessionaire employees
- Customer Programs – This section of the department advocates, plans for, and implements broader initiatives to serve the customer experience. The Ambassador Program, Lost and Found services, as well as the Meet & Greet program reside in this section
- Insights, Analytics and Standards – The data-driven side of the customer experience is housed in this section. Customer insights and observational studies help DFW's leadership to make strategic decisions about programs that address the needs of our customers. This section also provides daily passenger forecasts to predict upcoming challenges so that they can be addressed in advance
- The Experience Hub – This 24/7 customer-focused operational center keeps watch over the experiences that customers have within the terminal, monitors for forecasted pain points, and deploys assistance to mitigate any potential negative situation

Concessions

Concessions provides the public with high quality goods and services that are competitively priced, conveniently located, and reflect the needs and desires of the traveling public. The goal is to exceed customer expectations while maximizing revenue for DFW. This includes all of the passenger-related concessions and associated revenues within the airport terminals, Rental Car Center, telecommunications, and selected properties outside the terminals.

Budget Comparison and Walkforward

Customer Experience and Revenue Management Division
(in thousands)

	FY19 Outlook	BY20 Budget
Parking	$58,081	$57,491
Customer Experience	48,840	57,101
Concessions	3,387	3,534
Total Customer Exp and Rev Mgmt. Division	$110,308	$118,125
Salaries & Wages	$25,444	$26,531
Benefits	13,806	14,582
Contract Services	65,926	71,323
Equipment & Supplies	4,466	4,985
Utilities	0	0
Administrative	666	703
Total Customer Exp and Rev Mgmt. Division	$110,308	$118,125

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$110,308	
Salaries & Wages	1,088	F
Benefits	776	A, F, G
Contract Services	5,397	A, B, C, G, I
Equipment & Supplies	519	A, B, I
Utilities	0	
Administrative	38	I
Total FY 2020 Proposed Budget	$118,125	

Finance and Technology Division

Information Technology

Information Technology Services (ITS) is responsible for supporting the technical needs of the 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 five functional sections:

- The IT Project Management Office manages new initiatives and projects to a successful completion as well as the relationship with ITS customers
- Development and Delivery is responsible for the software development and implementation of executive decision support systems, 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, records management, the analysis, management, and monitoring of the perimeter security devices. The group also is responsible for the Solutions Desk and field staff providing end-device support to customers and long-running technology programs, including disaster recovery, asset management and training

Finance

Finance is comprised of three 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 staffs 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 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, 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. The department is intricately involved in the development and implementation of the Board's Capital Improvement Program, 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)

	FY19 Outlook	FY20 Budget
Information Technology	$57,254	$59,595
Finance	6,726	6,900
Treasury/Cash Management	1,340	1,463
Aviation Real Estate	1,515	1,581
Total CFO Division	$66,836	$69,539
Salaries & Wages	$20,985	$21,001
Benefits	9,020	9,444
Contract Services	31,572	32,857
Equipment & Supplies	2,579	3,335
Utilities	1,851	2,079
Administrative	829	822
Total Finance & Technology Division	$66,836	$69,539

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$66,836	
Salaries and Wages	17	F
Benefits	423	A, F, G
Contract Services	1,285	A, C, D, E, G
Equipment & Supplies	756	A, C, D, G, I
Utilities	228	G
Administrative	(7)	I
Total FY 2020 Proposed Budget	$69,539	

Administration and Diversity Division

Communications and Marketing

The Communications and Marketing Department is responsible for promoting and protecting the global brand and reputation of DFW, increasing awareness for DFW's products, services and aviation infrastructure. The Department provides DFW's singular, collective voice through communications, outreach, marketing and digital services, all of which support the Airport's strategic plan.

The Department is responsible for delivering impactful and results-oriented marketing and communications strategies that connect with multiple audiences, including customers, employees, communities, stakeholders and the commercial aviation industry. Innovative digital solutions include, but are not limited to, DFW's website, mobile app, in-terminal touch screens and social media channels.

Communication and Marketing consists of crisis communications, domestic and international media relations, global marketing, social media, community engagement, Board and Owner city relations, and internal communications.

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.

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 as appropriate, extensive training (online and in-person), and through one-on-one coaching with leaders as appropriate.

Procurement & Materials Management

Procurement and Materials Management (PMM) provides collaborative and efficient centralized purchasing, contracting, print and logistics for materials management services that maximizes customer satisfaction and minimizes total cost, in accordance with board policies and applicable laws. The procurement function includes the procurement and contracting of all the goods, services and construction projects for the Airport.

The department provides a centralized purchasing and contract administration for operations including maintenance, design and construction of capital and overhead funded developments,

improvements, and rehabilitation projects. PMM manages the purchasing card (P-Card) program and prepares Official Board Actions for Board meetings. Materials management includes the logistics for the Airport's central warehouse, providing a central receipt, financial and physical management of inventory and the disposition of excess and obsolete property. PMM also manages the Airport's print services shop, with a centralized, reproduction, print, and binding services for all departments and provides distribution of airport wide mail services.

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.

Budget Comparison and Walkforward

Administration and Diversity Division
(in thousands)

	FY19 Outlook	FY20 Budget
Business Diversity and Development	1,872	1,631
Communications and Marketing	14,548	14,511
Human Resources	8,216	8,791
Procurement & Materials Management	5,061	5,452
Risk Management	8,534	8,385
Total Admin & Diversity Division	$38,230	$38,770
Salaries & Wages	$11,793	$12,919
Benefits	5,722	6,157
Contract Services	10,907	10,108
Equipment & Supplies	616	598
Insurance	5,759	5,602
Utilities	-	-
Administrative	3,433	3,387
Total Administration & Diversity Division	$38,230	$38,770

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$38,230	
Salaries and Wages	1,126	F
Benefits	435	A, F, G
Contract Services	(799)	G, I
Equipment & Supplies	(19)	I
Insurance	(156)	I
Administrative	(46)	I
Total FY 2020 Proposed Budget	$38,770	

Innovation and Transformation

The Innovation Department is responsible for identifying, assessing and driving collaborative development of new solutions and business models to support the Airport's strategic objectives. The team's strategic point of view, disciplined approach to innovation management, and focused application of design-centered thinking, will increase DFW's potential for profitable growth, competitive advantage, and improved customer experiences. The Innovation team is a dedicated group that partners cross-functionally with core business units to derisk new ideas and evaluate existing and emerging technologies as a means to solving critical business issues for the enterprise not only for today, but more importantly, as it looks to the future. Applying agile research, quick concept testing, rapid prototyping, and smart piloting with Airport stakeholders across initiatives will yield stronger outcomes and bigger wins for the Airport. In addition, the Innovation Department is responsible for championing a culture of innovation, enhancing employee engagement, and education initiatives that inspire innovative thinking and nurture innovators across the enterprise.

Budget Comparison and Walkforward

Innovation and Transformation
(in thousands)

	FY19 Outlook	FY20 Budget
Salaries & Wages	$331	$905
Benefits	121	264
Contract Services	1,291	2,373
Equipment & Supplies	127	117
Administrative	54	91
Total Executive Office	$1,923	$3,749

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$1,923	
Salaries & Wages	574	E, F, I
Benefits	142	A, E, F, G
Contract Services	1,082	E, I
Equipment & Supplies	(11)	E, I
Administrative	37	E ,I
Total FY 2020 Proposed Budget	$3,749	

Global Strategy and Development Division

Research and Analytics

The Research and 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 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. In addition, the group is responsible for managing the new Parking Yield Management system to optimize occupancy and maximize revenues. The group also serves as an internal data and analytics resource for the enterprise.

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 strengthens relationships with the airlines' Network, Sales, and Commercial departments and formulates strategies to increase airline services.

Government Relations

Government Relations provides strategic expertise to Airport staff and Board members related to state and federal governmental issues. The group also serves as a point of contact for congressional and legislative representatives and staff, as well as state and federal agencies. The work involves monitoring and interpreting legislative and regulatory action at all levels, keeping executive staff informed of impacts to the Airport and/or the aviation industry, and leading the DFW's educational and advocacy advocates to state and federal government entities.

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).

Budget Comparison and Walkforward

Global Strategy & Development
(in thousands)

	FY19 Outlook	FY20 Budget
Research & Analytics	1,352	1,677
Airline Relations	1,046	926
Government Relations	661	680
Cargo Business Development	694	865
Total Global Strategy Division	$3,753	$4,149
Salaries & Wages	$1,570	$1,937
Benefits	490	570
Contract Services	984	1,120
Equipment & Supplies	54	60
Insurance	0	0
Utilities	0	0
Administrative	654	462
Total Global Strategy Division	$3,753	$4,149

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$3,753	
Salaries and Wages	366	F
Benefits	80	A, F, G
Contract Services	136	A, I
Equipment & Supplies	6	I
Administrative	(192)	I
Total FY 2020 Proposed Budget	$4,149	

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)

	FY19 Outlook	FY20 Budget
Salaries & Wages	$226	$223
Benefits	122	128
Contract Services	2,475	2,614
Equipment & Supplies	6	6
Insurance	0	0
Utilities	0	0
Administrative	57	23
Total Legal	$2,887	$2,994

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$2,887	
Salaries & Wages	(3)	F
Benefits	6	A, F, G
Contract Services	138	I
Administrative	(34)	I
Total FY 2020 Proposed Budget	$2,994	

Audit Services

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. Audit Services uses resources efficiently and effectively, to comply with laws and regulations, safeguard assets, provide relevant and reliable information to decision makers, and protect the Board's brand and reputation.

Budget Comparison and Walkforward

Audit Services
(in thousands)

	FY19 Outlook	FY20 Budget
Salaries & Wages	$1,614	1,624
Benefits	719	760
Contract Services	352	379
Equipment & Supplies	20	32
Insurance	0	0
Utilities	0	0
Administrative	53	57
Total Audit Services	$2,758	$2,852

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$2,758	
Salaries & Wages	11	F
Benefits	40	A, F, G
Contract Services	27	I
Equipment & Supplies	13	I
Administrative	4	I
Total FY 2020 Proposed Budget	$2,852	

Executive Office

The Chief Executive Officer (CEO), 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 CEO, along with the Executive Staff (seven 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)

	FY19 Outlook	FY20 Budget
Salaries & Wages	$3,452	$3,577
Benefits	1,273	1,259
Contract Services	384	300
Equipment & Supplies	27	16
Administrative	719	757
CEO Contingency	450	6,000
Total Executive Office	$6,305	$11,909

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$6,305	
Salaries & Wages	124	F, I
Benefits	(14)	A, F, G
Contract Services	(83)	I
Equipment & Supplies	(11)	A, I
Administrative	38	I
CEO Contingency	5,550	H
Total FY 2020 Proposed Budget	$11,909	

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 Board wide, rather than at a departmental level. These include high level Outlook adjustments, medical insurance claims stop loss reimbursement, and medical claim overruns.

In the 2019 Outlook, top level reductions were made for anticipated salary and benefit savings due to anticipated vacancies over and above those vacancies estimated at the department level. Savings related to lower medical costs from lower claim experience is reflected in the Non-Departmental section. The total of these adjustments for the 2019 Outlook is $3.5 million.

Budget Comparison and Walkforward

Airport Non-Departmental
(in thousands)

	FY19 Outlook	FY20 Budget
Salaries & Wages	$4,093	$5,813
Benefits	(1,747)	470
Contract Services	(1)	(1)
Operating Reserve	6,848	7,080
Total Non-Departmental	$9,183	$13,353

Walkforward from FY 2019 Outlook		Reference
FY 2019 Outlook	$9,183	
Salaries & Wages	1,720	Salary adjustments made in Outlook, Management Incentive/Excellence awards and Supplemental Non-Exempt Merit
Benefits	2,217	Benefit adjustments made in Outlook and LHD over/under
Contract Services	0	
Equipment & Supplies	0	
Administrative	0	
Operating Reserve	233	Operating Reserve requirement increase
Total FY 2020 Proposed Budget	$13,353	

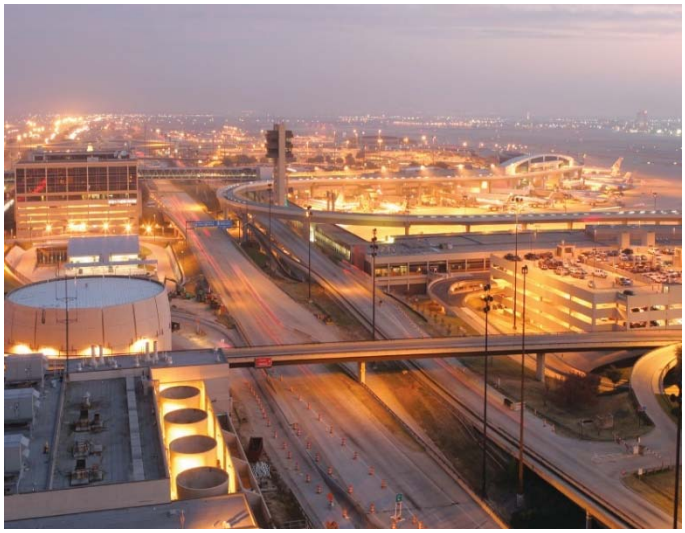
Capital Budget

DFW has two capital accounts in its Construction and Improvement Fund: DFW Capital Account, and 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.)

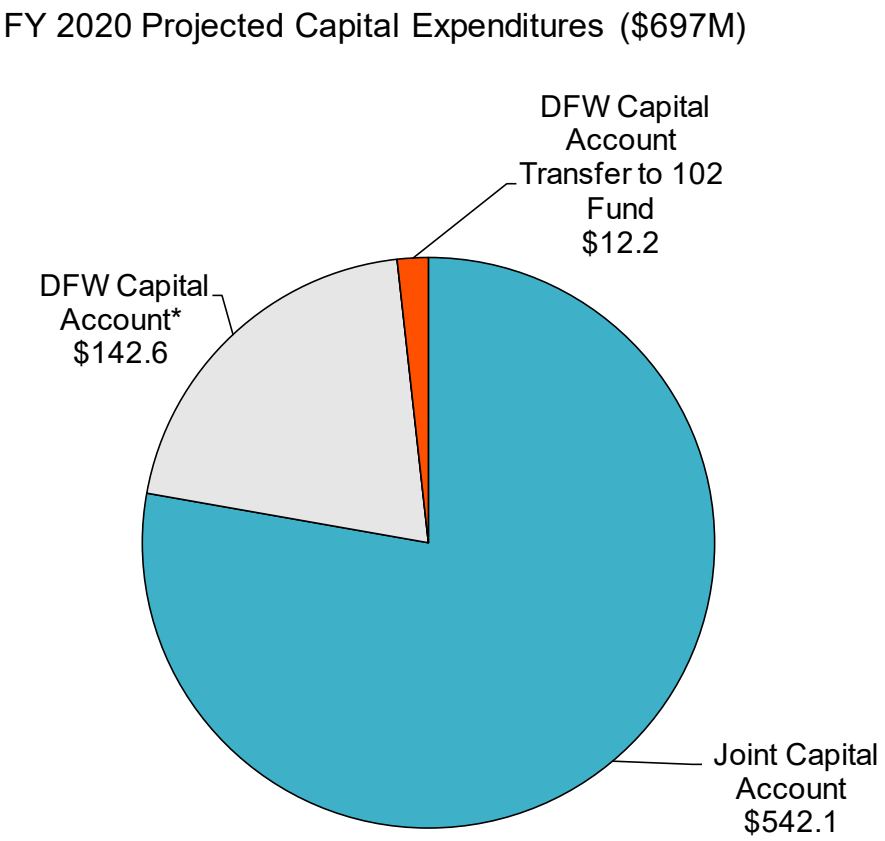
The JCA generally requires airline approval for capital projects and are typically funded through the sale of bonds and interim commercial paper financing, plus natural gas royalties, sale of land proceeds, grants and interest income.

Infrastructure renewal is currently DFW's largest active capital program and is at various stages of planning, design and construction. This program involves renewal of aging critical airside and landside infrastructure. Since DFW Airport is the third largest airport in the world in terms of land mass, with 17,183 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 in 1975 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 $697 million on capital expenditures in FY 2020 as summarized in the following chart.



** Includes $14.4M debt financed for Commercial Development, excludes contingency*

The following table summarizes projected capital expenditures for projects to be in progress during FY 2020.

	Active Projects in FY 2020			
Capital Budget (Millions)	Prior Years	Projected FY 2020	Future Years	Total Budget
DFW Capital Account	$157.7	$142.6	$289.9	$590.2
Joint Capital Acccount	623.5	542.1	999.2	2,164.8
Transfers to 102 *	152.6	12.2	0.0	164.8
Total Capital	$933.8	$697.0	$1,289.1	$2,919.8

* Debt service for Airport Headquarters (including coverage) & 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. The majority of those projects have already been completed. In preparation for the upcoming Use Agreement effective FY 2021 – FY 2030, an updated Capital Plan is being negotiated with the airlines. There are new projects originating from this Capital Plan, 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 $1 million. 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. 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 2020 Capital Budget including:

Airfield Reconstruction and Expansion – As part of a larger airport wide infrastructure renewal program, DFW is reconstructing end-of-life airfield infrastructure. Airline Majority-in-Interest (MII) approval, which requires approval from 50% or more of the Signatory Airlines, was received for $289.3 million to reconstruct east airfield projects, including runway 17C and related airfield projects. FAA Airport Improvement Program (AIP) grants are programmed for these projects with reimbursement of 75% of eligible costs. A total of approximately $108 million in combined Entitlement and Discretionary AIP grants are programmed for 17C and related projects. Construction for the first phase of runway 17C was completed during FY 2019, with subsequent phases continuing into FY 2020. Additionally, DFW continues to expand the End-Around-Taxiways (EAT) as part of an airfield safety and capacity program to minimize runway incursions and increase runway capacity to meet future demands. 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. DFW Airport has applied for and been awarded an FAA Letter of Intent (LOI) totaling $135 million for the combined northeast and southwest EAT. Additionally, DFW has programmed an another $45 million in FAA Entitlement grants, for a combined grant offset of $180 million. The northeast EAT is currently under construction with phases continuing into FY 2020. The southeast EAT is currently in design. Similar to Runway 17C on the east side of the airport, runway 18R on the west airfield also requires reconstruction due to end of useful life. DFW received airline MII approval and started design. DFW also has various other airfield rehabilitation projects planned for FY 2020, including airfield lighting system replacements on runway 18L, ARFF road improvements on runway 18R, and various other airfield improvement



projects. Approximately $144.5 million is anticipated to be spent on various airfield projects during FY 2020 (excluding grants).



Terminals – Terminal F – Phase 1 (D-South Stinger). Construction recently started on a four-gate terminal addition, which extends south of the existing Terminal D. This project will accommodate four swing gates, for domestic and international flights, with two widebody or four narrrowbody aircraft. These additional gates are planned to be ready in Spring 2021. For future planned terminal gate expansion, DFW, in partnership with the airlines, recently announced a $3 - $3.5 billion plan that includes a new Terminal F (in addition to Phase 1 above) and a major renovation of Terminal C, similar to what was originally planned in the prior Terminal Renovation & Improvement Program (TRIP). Airline approval of the final plan is currently being negotiated. No construction spend for the subsequent phases of Terminal F is included in the FY 2020 capital budget. However, as a precursor to this terminal expansion, a number of enabling projects are included. Airline MII approval is currently in process for some of these enabling projects. Other terminal projects involve improvements in existing Terminals E and B, renewal/replacement of end-of-life Passenger Boarding Bridges (PBB) and associated components for PBB's in all terminals, roofing and waterproofing of various terminal roofs that have reached end of useful life, baggage handling system renewals, and replacement of terminal autodocking systems for aircraft parking guidance. Approximately $194.9 million is anticipated to be spent on various terminal projects during FY 2020.



Landside Roads, Bridges, and Rail – The landside infrastructure is also planned for major renewal and reconstruction as much of this infrastructure approaches end of life. The need for reconstruction of this infrastructure has been validated by various condition assessments. A number of roads and bridges are in various stages of programming, design, and construction. Approximately $67.4 million is estimated to be spent for roads and bridges reconstruction during FY 2020.



Commercial Development and Other Facilities – Commercial development at DFW is at a historic high with a significant number of new developments currently under way. DFW is funding the infrastructure to support several new planned development sites, including more than 350 acres in Passport Park East located in southeast quadrant of DFW, Walnut Hill Industrial, Coppell Industrial, Northwest Logistics along Mustang Drive, and several other developments. Approximately $14.4 million is anticipated to be spent on Commercial Development during FY 2020.

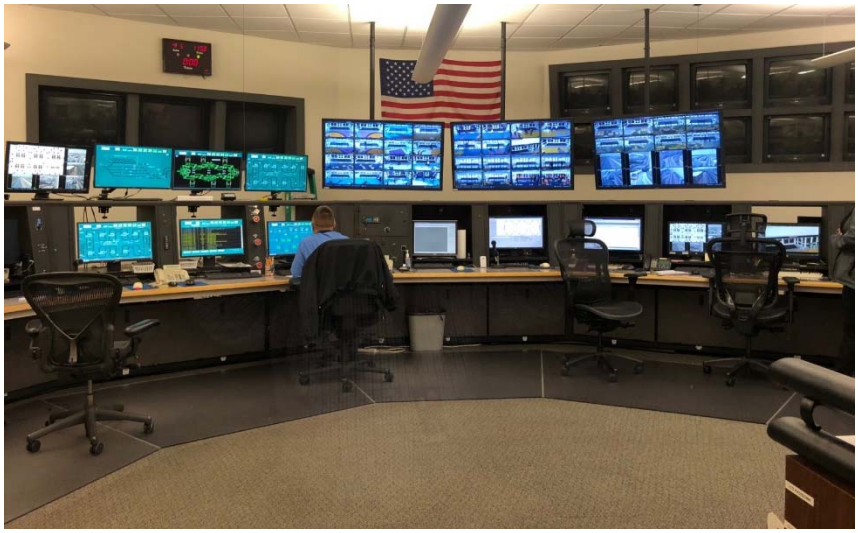
Safety and Security – DFW Airport is currently working on a solicitation for an airport wide Security Master Plan (MSP). This holistic approach to airport security will provide guidance and insight into recommendations for future capital investments regarding airport security. This master plan is anticipated to take two years to complete. Meanwhile, there are some immediate-need security projects, such as Employee Screening for entry into the terminals, additional vehicles and equipment in support of DPS headcount increases, and various other safety and security initiatives. Approximately $24.5 million is anticipated to be spent on Safety and Security initiatives in FY 2020.



DFW | exp

Customer Experience – Numerous initiatives are currently underway to focus on a primary DFW goal of improving the customer experience. One of the major customer experience initiatives is a future planned Integrated Operations Center (IOC), which is aligned with DFW's key strategic objective of providing a world class, end-to-end customer experience. The IOC is a replacement and expansion of the current Airport Operations Center (AOC) and Emergency Operations Center (EOC). DFW received airline MII approval for $27.5 million for this IOC project. Some other customer experience enhancement initiatives include construction of a new premium DFW VIP lounge in International Terminal D, renewal and enhancements to airport wide wayfinding signage, and construction of nursing rooms in Terminals C and D. Approximately $45.8 million is anticipated to be spent on customer experience initiatives in FY 2020.

Other – Other major planned projects include renewal of the Skylink Automated Train Control (ATC) system and related components, which have reached end of useful life. Additionally, design and construction of a Snow/Ice Equipment Storage facility to house the numerous airfield snow/ice vehicles is scheduled to begin in FY 2020. Airline MII approvals has been granted for these projects. Approximately $16.2 million is anticipated to be spent on these initiatives during FY 2020.



The table below 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 Use Agreement Oct 1, 2010

	$'s in Millions		
	TRIP	**Non-TRIP**	**Total**
MII Approvals In 2010 Use Agreement:			
TRIP (base scope - escalated)	$1,922.0		$1,922.0
Non-TRIP		310.0	310.0
MII APPROVALS INCLUDED IN 2010 USE AGREEMENT	**$1,922.0**	**$310.0**	**$2,232.0**
MII Approvals Subsequent to 2010 Use Agreement:			
MII Approvals FY 2011		$60.9	$60.9
MII Approvals FY 2012	$61.4	234.4	295.8
MII Approvals FY 2013	38.4	52.1	90.6
MII Approvals FY 2014	670.3	63.2	733.5
MII Approvals FY 2015	26.3	94.0	120.3
MII Approvals FY 2016		164.6	164.6
MII Approvals FY 2017		411.4	411.4
MII Approvals FY 2018		233.8	233.8
MII Approvals FY 2019 *		235.4	235.4
MII APPROVALS AFTER 2010 USE AGREEMENT	**$796.5**	**$1,549.8**	**$2,346.2**
TOTAL MII APPROVALS SINCE 2010 USE AGREEMENT	**$2,718.5**	**$1,859.8**	**$4,578.2**

* Includes outstanding MII request from June 28, 2019 for $73.3M

The following projects will be funded from the DFW Capital Account during FY 2020. Spend amounts are gross of grant reimbursements.

DFW CAPITAL ACCOUNT (In Millions) Project Name	Prior Years	FY20	Future Years
Passport Business Park East	$32.2	$6.4	$4.2
Replace Main West Side Sanitary Sewer Line (Ph 2)	$.1	4.5	5.0
IT Network Sys: Annual Technology Purchase	Annual	4.1	36.9
Term B&E PBB Replacement (B9B/B26 & E31/E34)	$.9	3.8	1.1
Replace Express Vans	Annual	3.8	17.3
Term D Roadway and Sidewalks Expansion Joints	$.4	3.5	8.3
161 East Business Park (Logistics Center 8,9,10,11)	$.0	3.4	1.5
Walnut Hill Industrial	$.6	3.3	1.4
Runway 18R ARFF Road Improvements	$.0	3.3	.0
DPS Vehicle Replacement	Annual	3.3	4.0
Replace Employee Buses	Annual	3.1	28.9
Term D VIP Lounge	1.4	3.1	1.5
Relocate ACO Badging D to Term B	1.4	3.0	2.4
Airport Facilities Development & Programming (Term Expansion)	9.2	3.0	.6
International Parkway Signage Program	.5	2.8	2.8
Glade Rd Reconstruction	1.1	2.8	2.5
Integrated Ops Ctr (IOC)	.0	2.8	2.8
Reconfigure NE Quadrant Electrical Duct bank	1.0	2.7	1.9
Term D UPS Replacements	.7	2.6	2.1
Air Service Incentive Plan (ASIP) & Marketing Rebates	48.6	2.5	12.3
Integrated Ops Ctr (IOC) - ITS	.2	2.4	2.2
Integrated Ops Ctr (IOC) - Design	.3	2.4	1.4
Term Upper Level Roadway Re-Coating (Term A only)	1.1	2.3	.8
Replace Terminal Link Vans	Annual	2.2	12.0
Replace Heavy Equipment	Annual	2.2	8.7
Term A, B, C, & E: Skylink ramp level emergency exit doors	1.7	2.1	.9
Hardening of Assets and Attenuators Replacement	.3	2.1	1.2
LED Ramp Lighting Improvements	3.7	2.0	1.4
Term D Board-Owned PBB Rehab	.3	1.9	4.5
Structural Fire Truck Replacement	2.5	1.8	6.5
SSCP Wait Time	3.0	1.6	.8
DPS Bomb Squad Robot Replacement	.0	1.6	.0
Term D Crossunder #4 (AOA Access Ramp)	.9	1.6	1.1
Northwest Logistics Ph II (Mustang Park 1 & 2 - Prologis)	.0	1.5	.1
Corporate Aviation - HVAC modifications	.6	1.5	.6
Glade Rd - Utility Relocations	.2	1.5	1.3
East West Connector (Design)	1.3	1.3	.9
Passport Business Park East (Dallas County) Ph I	7.2	1.3	.0
Rehab Landside Storm Sewer	.2	1.3	1.3
HPI: Project Life Cycle Mgt (PLM)	2.6	1.2	2.7
SE Quadrant Sanitary Sewer Line Relocation and Enlargement	.4	1.2	.6
Walnut Hill Industrial (DFW Commerce Center Ph III)	.0	1.1	.1
FedEx Ramp & Expand Truck Ops Area	.0	1.0	.0
High Mast Light Pole Replace-Non-Critical	.2	1.0	2.2
Projects <1M	**32.9**	**34.4**	**101.2**
TOTAL DFW CAPITAL ACCOUNT	$157.7	$142.6	$289.9
ADD: TRANSFER TO 102 (Debt Svc for AHQ and Term E Garage)	46.3	12.2	.0
TOTAL USES OF DFW CAPITAL ACCOUNT	$204.0	$154.9	$289.9

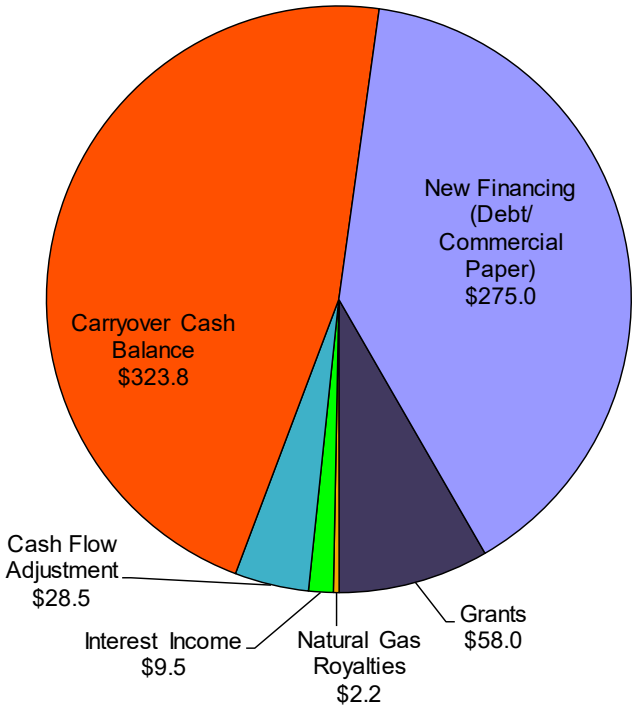
The following projects will be funded from the Joint Capital Account during FY 2020. Spend amounts are gross of grant reimbursements.

JOINT CAPITAL ACCOUNT (In Millions)	Prior		Future
Project Name	Years	FY20	Years
Terminal F Phase 1	$21.9	$123.8	$48.6
East Airfield Rehabilitation Projects-Taxiway M South	7.0	34.6	7.8
NE EAT Pkg III - Glycol Facilities Relocation	2.1	34.2	35.6
Taxiway F Rehab	.0	21.7	6.1
Term C High Gates Code & Operation Conformance Construction	.0	17.5	32.5
Integrated Ops Ctr (IOC)	4.4	15.2	2.7
Runway 18R-36L Rehabilitation	6.1	14.3	129.6
Rehab Landside Roads/Bridges Ph 4A	1.2	13.3	2.4
Terminal A & C BHS Controls Replacement (AA Reimb)	.0	12.5	13.0
Term F Enabling: Realignment of the Skylink	.0	12.5	6.2
Relocation of Fuel Rack (AA Reimb)	.3	11.1	2.0
Term F Enabling: CUP Design (assumed AMT bonds even though CC=40	.0	11.0	2.2
SW Campus Roads A, B, C with Utilities Ph. 1B	.8	10.8	8.6
Integrated Ops Ctr (IOC) - Facility Safety	.0	9.1	2.6
Ph. 1 High Mast Light Pole Replace-Non-Critical	.2	8.4	6.4
Term F Enabling: PDD	.0	8.0	4.0
Rehab 31st 32nd 33rd & Const Rd	.7	7.8	1.4
Terminal E Satellite Refurbishment (AA Reimb)	25.7	6.4	.0
Skylink ATC Hardware & Software Replacement	.0	5.8	29.2
Snow and Ice Equipment Storage Facility	35.6	5.8	10.7
NE EAT Pkg II - Taxiway Papa Realignment	.7	5.6	65.1
Runway 18R ARFF Road Improvements	.1	5.5	1.0
Terminal B - AA Improvements (AA Reimb)	19.0	5.0	.0
Term F Enabling: NEPA	.0	5.0	1.0
Terminal C High Gates PBB Replacement (AA Reimb)	1.6	4.9	.0
Term E - 2 New Passenger Boarding Bridges (AA Reimb)	.0	4.9	3.1
South Airfield Drive Capacity Improvements & Bridge	2.6	4.9	70.1
Term B & E Loading Bridge Equipment Replacement	.3	4.9	.0
NE EAT Pkg I - East Air Freight Taxiway	43.2	4.7	.0
Integrated Ops Ctr (IOC) - ITS	2.2	4.5	4.5
Term A Roofing	.0	4.4	18.7
International Parkway Signage Program	.0	4.3	1.8
TRIP-AA-IT Reimbursement (AA Reimb)	5.1	4.1	4.9
Replace Airfield Sign Panels	.0	4.1	4.3
Runway 13L-31R & Taxiway R Pavement & Elec Rehab	.1	4.1	1.2
Replace Fire Alarm System	3.5	3.9	11.6
Southwest End Around Taxiway (Design)	5.3	3.7	.0
Term B & E Loading Bridge Equipment Replacement	.7	3.7	.1
Situational Awareness/PSIM	1.2	3.5	2.3
Term F Enabling: Airspace Modernization	.0	3.4	.7
Rehab Landside Roads/Bridges Ph 4D	.4	3.3	.6
TRIP-Restore TRIP Parking Lot	.1	3.3	.4
E/W Potable Water Pump Stations Rehab (Construction)	2.0	3.2	13.6
East/West Connector Road	.0	3.1	39.9
TRIP-Curbside Signage Reallocation-Ph. III Holistic Curbside Signage	.7	3.0	.1
Term A, B, C, D: TSA Recapitalization (MII Exemption)	.0	2.9	34.0
Landside Rehabilitation Projects	2.7	2.8	.5
Skylink Stations A, B, C, and E HVAC Control Sys Replacment	.0	2.7	1.7
Term D BHS Makeup Unit Replacement (AA Reimb)	.0	2.7	4.9
East Airfield Rehabilitation Projects-Rwy 17C/35C	133.6	2.7	.0
DPS HQ Facility	54.3	2.5	.0
Biometric Facial Recognition Exit for CBP	.1	2.4	.0
Term F Enabling: Demo F Site inclusive of Skylink-Design	.0	2.3	1.2
Taxiway G Rehabilitation	.0	2.2	2.3
Projects <2M	**238.0**	**30.7**	**358.1**
TOTAL JOINT CAPITAL ACCOUNT	$623.5	$542.1	$999.2
TOTAL DFW CAPITAL ACCOUNT	$310.3	$154.9	$289.9
TOTAL USES OF JOINT + DFW CAPITAL ACCOUNT	$933.8	$697.0	$1,289.1

Capital Projects - Sources of Cash

DFW's capital programs are funded from a variety of sources as shown in the following chart.

FY 2020 Capital Sources of Cash ($697M)



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 (10/1/19)	$456.0	$92.2	$548.2
Sources of Funds:			
Grants	57.3	.7	58.0
New Financing (Debt/Commercial Paper)	260.0	15.0	275.0
Natural Gas Royalties	2.2	-	2.2
Interest Income	7.9	1.6	9.5
Cash Flow Adjustment/Transfers *	63.8	73.2	137.0
Total Sources	$391.1	$90.5	$481.6
Less:			
Capital Uses	(542.1)	(142.6)	(684.8)
DFW Capital Account Transfer to 102	-	(12.2)	(12.2)
Total Uses	(542.1)	(154.9)	(697.0)
Total Ending Cash Balance	304.9	27.9	332.9
Add: Cash From DFW Cost Center	-	87.5	87.5
Ending Cash (9/30/20)	$304.9	$115.4	$420.4

* Includes $44.6M funds transfer from JCA to DFWCA for T/W "L" reimbursement

DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD
OFFICIAL BOARD ACTION/RESOLUTION

Date	Committee	Subject	Resolution #
08/01/2019	Finance/Audit	Approval of the FY 2020 Operation Revenue and Expense Fund Budget	2019-08-175

Action
That the Airport Board approve the FY 2020 Operation Revenue and Expense Fund Budget (Fund 102).

Description

- Approve the FY 2020 Operation Revenue and Expense Fund Budget (Fund 102) in the amount of $1,042.0 Million (consisting of $529.3 Million of operating expenses, $502.8 Million of debt service and coverage, and $10.0 Million of contingency).
- The use of contingency requires Board Approval. The OBA to request approval of the use of contingency will include the current estimated impact on rates, fees, and charges, if any.
- Total Airline Cost is budgeted at $501.5 Million.
- Fiscal Year 2020 commences on October 1, 2019 and ends on September 30, 2019.

Justification

- Section 8J of the Contract and Agreement between the Cities of Dallas and Fort Worth requires the DFW Airport Board to approve the annual expenditures of the Airport (as included in the Operating Revenue and Expense Fund) and forward the approved budget to the Owner Cities by August 15, 2019 with approval by the Owner Cities by September 30, 2019.

Annual Budget (millions)	FY19 Budget	FY19 Outlook	FY20 Budget	Increase FY20B vs FY19B	Decrease FY20B vs BY19OL
Operating Expenses	$500.7	$497.0	$529.3	$28.6	$32.3
Gross Debt Service	$512.2	$511.9	$502.8	($9.4)	($9.2)
Total 102 Fund Expenditures	**$1,012.9**	**$1,009.0**	**$1,032.0**	**$19.2**	**$23.1**
Contingency O/S Rate Base			$10.0		
Total Budget w/Contingency			**$1,042.0**		

D/S/M/WBE Information

- N/A - Not subject to the goal per the Board's SBE Policy due to the nature of the procurement (Budget).

Contract #	Agreement #	Purchase Order #	Action Amount	Revised Amount
			$0	$0

For Information contact	Fund	Project #	External Funding Source	Amount
Chris Poinsatte 3-5210	Operating Fund			$0

Resolution # 2019-08-175

Additional Information

Additional Attachments: **N**

BE IT RESOLVED BY THE DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD

That the Airport Board approve the FY 2020 Operation Revenue and Expense Fund Budget (Fund 102).

Approved as to Form by

Rodriguez, Elaine
Legal Counsel
Jul 18, 2019 3:13 pm

Approved as to Funding by

Underwood, Max
Vice President Finance
Finance
Jul 18, 2019 12:52 pm

Approved as to M/WBE by

Burks Lee, Tamela
Vice President Business Diversity and Development
Business Diversity and Development
Jul 18, 2019 2:16 pm

SIGNATURE REQUIRED FOR APPROVAL

Approved by

Department Head
Finance
Jul 18, 2019 12:50 pm

Aug 1, 2019 1:52 pm

Chief Executive Officer Date

Agenda Information Sheet

File #: 19-1139 **Item #:** 55.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Office of Strategic Partnerships & Government Affairs
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Ordinances authorizing two amendments to the Dallas Fort Worth International Airport Master Bond Ordinance, the 55th Supplemental Concurrent Bond Ordinance and the 56th Supplemental Concurrent Bond Ordinance - Financing: No cost consideration to the City

BACKGROUND

The Dallas Fort Worth International Airport Board ("the Board") requests the owner cities of Dallas and Fort Worth to approve two Supplemental Concurrent Bond Ordinances ("SBO") to facilitate the Airport's financing needs.

The 55th SBO will authorize the issuance of subordinated lien obligations with a gross revenue coverage requirement of 1.1X debt service instead of the current 1.25X gross revenue requirement. It is the Dallas Fort Worth International Airport's ("DFW Airport") plan to use obligations issued under the 55th SBO for interim financing during construction and to lower interest costs. These obligations will ultimately be refunded with bonds approved by the owner cities.

The 56th SBO, authorizes the issuance of one or more series of subordinate lien joint revenue commercial paper notes in an amount not to exceed $750 million. The commercial paper will be sold as needed, with the proceeds from the commercial paper being used to fund various capital projects.

The Cities of Dallas and Fort Worth will have no financial obligations for the repayment of principal and interest of the bonds. They are repaid solely from DFW Airport's gross revenue.

Additionally, once a year, DFW Airport will request a bond issuance from the owner city councils to refund the commercial paper issued throughout the year.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed on the 50th SBO on February 19, 2014.

On August 24, 2016, City Council approved the 51st SBO authorizing the issuance of Dallas Fort Worth International Airport Joint Revenue Bonds, subject to certain parameters by Resolution No. 16-1336.

On August 23, 2017, City Council approved the 52nd SBO authorizing the issuance of Dallas Fort Worth International Airport Joint Revenue Bonds, subject to certain parameters by Resolution No. 17-1298.

On May 22, 2019, City Council authorized amendments to the 53rd Supplemental SBO and the issuance of the 54th SBO by Resolution No. 19-0789; Ordinances 31216 and 31217.

FISCAL INFORMATION

No cost consideration to the City.

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DALLAS/FORT WORTH INTERNATIONAL AIRPORT

FIFTY-FIFTH SUPPLEMENTAL CONCURRENT BOND ORDINANCE

Passed concurrently by the City Councils of the Cities of Dallas and Fort Worth

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DALLAS/FORT WORTH INTERNATIONAL AIRPORT
SUBORDINATE LIEN OBLIGATIONS

Passed by the City Council of the City of Dallas _____, 2019

Passed by the City Council of the City of Fort Worth _____, 2019

Effective _____, 2019

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CITY OF DALLAS ORDINANCE NO. _____

CITY OF FORT WORTH ORDINANCE NO. _____

FIFTY-FIFTH SUPPLEMENTAL CONCURRENT BOND ORDINANCE, CONFIRMING THE SECURITY FOR SUBORDINATE LIEN OBLIGATIONS, AND PRESCRIBING OTHER MATTERS WITH RESPECT THERETO

WHEREAS, terms set forth in these recitals shall have the meanings set forth in Section 1.2 herein; and

WHEREAS, the Cities of Dallas and Fort Worth (the "Cities") jointly own the Dallas/Fort Worth International Airport (the "Airport"), which is operated for and on behalf of the Cities by a Joint Airport Board (the "Board") pursuant to the terms, provisions, and requirements of a certain "Contract and Agreement" between the Cities and pursuant to the terms herein; and

WHEREAS, in order to finance the future improvements from time to time in the manner that provides capital funds at the lowest possible costs to the users of the Airport and to the traveling public, the Cities adopted the Master Bond Ordinance, effective September 22, 2010 (the "Master Bond Ordinance"); and

WHEREAS, the Master Bond Ordinance authorizes the issuance of, among other forms of debt, Obligations, Parity Credit Agreement Obligations and Subordinate Lien Obligations; and

WHEREAS, in order to finance the future improvements from time to time in the manner that provides capital funds at the lowest possible costs to the users of the Airport and to the traveling public, the Cities and the Board desire to institute a program for issuing Subordinate Lien Obligations; and

WHEREAS, the respective City Councils for the Cities have determined and found that there is a public need and necessity that this Fifty-Fifth Supplemental Concurrent Bond Ordinance (the "Fifty-Fifth Supplement") be passed concurrently, and that this Fifty-Fifth Supplement shall be effective immediately upon its passage by each of the Cities and receipt of the requisite consents;

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, FINDINGS AND INTERPRETATIONS

Section 1.1 **Short Title.** This Fifty-Fifth Supplemental Concurrent Bond Ordinance may hereafter be cited in other documents and without further description as the "Fifty-Fifth Supplement."

Section 1.2 **Definitions.** (i) For all purposes of this Fifty-Fifth Supplement and all Additional Supplemental Ordinances related to Subordinate Lien Obligations, the following terms and definitions shall apply, shall be controlling, and shall have the following meanings and terms not otherwise defined herein shall have the meanings set forth in the Master Bond Ordinance, to-wit:

Additional Subordinate Lien Obligations - means one or more series of bonds, notes, commercial paper obligations, or other evidences of indebtedness permitted by Applicable Law and issued by the Cities on a parity as to the Pledged Revenues and Pledged Funds with the Subordinate Lien Obligations for lawful purposes as permitted by Section 3.1.

Obligation Register - means, as to each series of Subordinate Lien Obligations, the register or registers maintained pursuant to Section 4.5.

Outstanding - when used with reference to Subordinate Lien Obligations, including Subordinate Lien Obligations acquired by a Credit Provider with the proceeds of a Credit Agreement, means, as of any date, Subordinate Lien Obligations theretofore or thereupon being authenticated and delivered under an Additional Supplemental Ordinance, except:

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(i) Subordinate Lien Obligations which have been fully paid at or prior to their maturity or on or prior to a redemption date;

(ii) Subordinate Lien Obligations (or portions thereof) for the payment of which moneys equal to the principal amount or Redemption Price thereof, as the case may be, with interest to the date of maturity or redemption, shall be held by a Paying Agent or a trustee in cash in trust under Sections 5.8 of this Fifty-Fifth Supplement or Section 9.1 of the Master Bond Ordinance and set aside for payment at maturity or redemption on a redemption date and for which notice of redemption has been given or provision has been made therefor;

(iii) Subordinate Lien Obligations in lieu of or in substitution for which other Subordinate Lien Obligations have been authenticated and delivered pursuant to this Fifty-Fifth Supplement or an Additional Supplemental Ordinance; and

(iv) Subordinate Lien Obligations for which payment has been provided by defeasance in accordance with Section 9.2.

Outstanding Subordinate Lien Obligations - mean any Additional Subordinate Lien Obligations, while, when, after, to the extent, and for so long as any of the same are Outstanding.

Paying Agent - means any paying agent for a series or issue of Subordinate Lien Obligations appointed pursuant to Section 4.6 and its successor or successors.

Principal Payment Date(s) - means the date or dates upon which Subordinate Lien Principal Installments are due as specified in an Additional Supplemental Ordinance, to and including the Stated Maturity Date of a Subordinate Lien Obligation.

Redemption Price - means, with respect to any Subordinate Lien Obligation, the principal amount thereof plus the applicable premium, if any, payable upon redemption thereof pursuant to the terms of such Subordinate Lien Obligation or its authorizing Additional Supplemental Ordinance.

Registrar - means any registrar for Subordinate Lien Obligations appointed pursuant to Section 4.5 (which may include the Paying Agent and its successors or assigns).

Standard Assumptions - means the assumptions that are applicable to Subordinate Lien Interim Obligations and to Subordinate Lien Variable Interest Rate Obligations, as set forth and described in subsections (a) and (b), respectively, of Section 1.4 of this Fifty-Fifth Supplement.

Stated Maturity Date - means the date on which a Subordinate Lien Obligation matures and the full amount owed thereon is in all events due and payable, as specified in Additional Supplemental Ordinances.

Subordinate Lien Accrued Aggregate Debt Service - means, for any Subordinate Lien Debt Service Accrual Period, or other period stated herein, an amount equal to the sum of the Subordinate Lien Debt Service with respect to all Outstanding Subordinate Lien Obligations and related Credit Agreement Obligations related thereto accruing during that Subordinate Lien Debt Service Accrual Period.

Subordinate Lien Accrued Aggregate Interest - means that portion of Subordinate Lien Accrued Aggregate Debt Service applicable to interest on Subordinate Lien Obligations and related Credit Agreement Obligations and accruing during a Subordinate Lien Debt Service Accrual Period and transferred to the Subordinate Lien Debt Service Fund pursuant to Section 5.2(b)(v) of the Master Bond Ordinance. Such term shall include amounts payable to the counterparty under a related Swap Agreement to the extent such amounts exceed the applicable amount of interest on the Subordinate Lien Obligations, but does not include termination fees or other similar charges with respect to related Credit Agreement Obligations.

Subordinate Lien Accrued Aggregate Principal - means that portion of Subordinate Lien Accrued Aggregate Debt Service applicable to Subordinate Lien Principal Installments of Subordinate Lien Obligations and principal amounts owed under related Credit Agreement Obligations accruing during a Subordinate Lien Debt Service Accrual Period and transferred to the Subordinate Lien Debt Service Fund pursuant to Section 5.2(b)(v) of the Master Bond Ordinance.

Subordinate Lien Aggregate Debt Service - means, for any period and as of any date of calculation, the sum of the interest and Subordinate Lien Principal Installments payable with respect to Subordinate Lien Obligations and the principal amount of and interest on any related Credit Agreement Obligations payable, in each case, during such period. The calculation of Subordinate Lien Principal Installments accruing shall be determined as provided in paragraph (ii) of the definition of Subordinate Lien Debt Service in this Section 1.2, except that the period for the calculation shall be substituted for the Subordinate Lien Debt Service Accrual Period.

Subordinate Lien Debt Service - means for each Subordinate Lien Debt Service Accrual Period with respect to a series of Subordinate Lien Obligations, and related Credit Agreement Obligations, an amount equal to the sum of:

(i) interest accruing on each series of Outstanding Subordinate Lien Obligations, including as to Subordinate Lien Interim Obligations and to each series of Subordinate Lien Variable Interest Rate Obligations, if any, the amount estimated by an Authorized Officer that

will accrue during the Subordinate Lien Debt Service Accrual Period based on the applicable Standard Assumptions, and excluding interest funded or projected by an Authorized Officer to be funded from the proceeds of Additional Subordinate Lien Obligations; and

(ii) that portion of the next maturing Subordinate Lien Principal Installment for each series of Outstanding Subordinate Lien Obligations which will accrue during the Subordinate Lien Debt Service Accrual Period, other than a Subordinate Lien Principal Installment of or with respect to Subordinate Lien Interim Obligations that are to be paid either with the proceeds of other Subordinate Lien Obligations or with funds provided by a Credit Provider, and other than amounts scheduled to be paid by a counter party to a related Swap Agreement that is not in default. For the purpose of determining the amount of the next maturing Subordinate Lien Principal Installment that will accrue during the Subordinate Lien Debt Service Accrual Period, the Board and the Paying Agent shall assume that the Subordinate Lien Principal Installment accrues daily in equal amounts from the next preceding Subordinate Lien Principal Installment due date. If there is no preceding Subordinate Lien Principal Installment due date with respect to the series of Subordinate Lien Obligations, the Subordinate Lien Principal Installments with respect to that series shall not begin to accrue until the later of (A) the date which is one year preceding the first Subordinate Lien Principal Installment due date of that series, or (B) the date of issuance of that series. The Board and the Paying Agent shall further assume that no Subordinate Lien Obligations of the series will cease to be Outstanding except by reason of the payment, through defeasance or otherwise, of each Subordinate Lien Principal Installment on the due date thereof; and

(iii) all amounts due and payable on related Credit Agreement Obligations during the Subordinate Lien Debt Service Accrual Period, including interest amounts payable by the Cities or the Board under a related Swap Agreement during the Subordinate Lien Debt Service Accrual Period above the amount of interest accruing on a series of Subordinate Lien Obligations during such period, so long as the counterparty to the related Swap Agreement is not in default.

Subordinate Lien Debt Service requirements shall be calculated on the assumption that no Subordinate Lien Obligations Outstanding at the date of calculation will

cease to be Outstanding except by reason of the payment of the Subordinate Lien Principal Installments or Subordinate Lien Sinking Fund Installments thereon when due, except as provided herein for Subordinate Lien Interim Obligations. Such Subordinate Lien Debt Service requirements shall not include termination fees or other similar charges with respect to related Credit Agreement Obligations.

Subordinate Lien Debt Service Accrual Period - means the period commencing, as applicable, on the date of issuance of a series or issue of Subordinate Lien Obligations or the execution of related Credit Agreements or on the day following the most recent Subordinate Lien Interest Payment Date or Principal Payment Date, and ending on, but including, the last day of the calendar month prior to the next succeeding Subordinate Lien Interest Payment Date or Principal Payment Date thereafter; provided, however, with respect to provision for the final payment of any one or more of the Subordinate Lien Obligations or related Credit Agreement Obligations, such accrual period with respect to such Subordinate Lien Obligations or related Credit Agreement Obligations may be shortened to a period sufficient to provide for the payment of such Subordinate Lien Obligations or related Credit Agreement Obligations in full when due. The Board may adjust the Subordinate Lien Debt Service Accrual Period from time to time, by the terms of Additional Supplemental Ordinances or otherwise, in order to assure that all Subordinate Lien Obligations and related Credit Agreement Obligations are paid in full when due.

Subordinate Lien Debt Service Fund - means the fund so designated and created in Section 5.1.

Subordinate Lien Holder - means the registered owner of a Subordinate Lien Obligation according to an Obligation Register.

Subordinate Lien Interim Obligations - mean Subordinate Lien Obligations (i) for or with respect to which no Subordinate Lien Principal Installments are required to be made other than on the Stated Maturity Date thereof, and (ii) which are authorized by an Additional Supplemental Ordinance which declares the Cities' intent, at the time of issuance, to refund or refinance all or a part of the same prior to or on such Stated Maturity Date, including commercial paper, notes, and similar Subordinate Lien Obligations.

Subordinate Lien Interest Payment Date(s) - means the date or dates on which interest on Subordinate Lien Obligations or related Credit Agreement Obligations is payable, as said date or dates are specified in Additional Supplemental Ordinances.

Subordinate Lien Maximum Interest Rate - means, with respect to particular Subordinate Lien Variable Interest Rate Obligations or related Credit Agreement Obligations bearing a Variable Interest Rate, a numerical or other statement of the rate of interest, which shall be set forth in the Additional Supplemental Ordinance authorizing such Subordinate Lien Obligations, or in a related Credit Agreement with respect to Credit Agreement Obligations, in each case being the maximum rate of interest such Subordinate Lien Obligations or related Credit Agreement Obligations may bear at a single time or over the period during which they are Outstanding or unpaid, but in no event exceeding the maximum amount or rate of interest permitted by Applicable Law.

Subordinate Lien Minimum Interest Rate - means, with respect to any particular Subordinate Lien Variable Interest Rate Obligations, or related Credit Agreement Obligations, bearing a Variable Interest Rate, a numerical rate of interest which may (but need not) be set forth in the Additional Supplemental Ordinance

authorizing such Subordinate Lien Obligations that shall be the minimum rate of interest such Subordinate Lien Obligations will at any time bear.

Subordinate Lien Obligations - mean bonds, notes, commercial paper obligations or other evidences of indebtedness issued pursuant to and in accordance with Section 3.5 of the Master Bond Ordinance.

Subordinate Lien Principal Installment - means, with respect to Subordinate Lien Obligations or related Credit Agreement Obligations, any amounts, other than interest payments, including any Subordinate Lien Sinking Fund Installments, which are stated to be due or required to be made on or with respect to a Subordinate Lien Obligation or related Credit Agreement Obligation, which, when made, would reduce the amount of the Subordinate Lien Obligation or series of Subordinate Lien Obligations that remain Outstanding or would retire and pay the same in full, and which are not otherwise paid from other funds of the Airport or from the proceeds of other obligations of the Airport, including Subordinate Lien Obligations.

Subordinate Lien Rebate Fund - means any fund established by an Additional Supplemental Ordinance in connection with the issuance of any Subordinate Lien Obligation that is a Tax-Exempt Obligation, to ensure compliance with the provisions of Section 148 of the Code, including, in particular, Section 148(f) of the Code. For purposes of the foregoing and of this Fifty-Fifth Supplement, the Board and the Cities are permitted to rely on a firm of certified public accountants, Bond Counsel or other persons who specialize in the exemption from federal income taxation of interest payable on Tax-Exempt Obligations, and the Cities may include in Additional Supplemental Ordinances covenants relating to Tax-Exempt Obligations, to a Subordinate Lien Rebate Fund, and to the use and application of money on deposit in the funds created or confirmed herein or in the funds or accounts created in an Additional Supplemental Ordinance.

Subordinate Lien Revenues - mean those Pledged Revenues that are deposited into the Subordinate Lien Debt Service Fund as directed by Section 5.2(b)(v) of the Master Bond Ordinance.

Subordinate Lien Sinking Fund Installment - means, with respect to any series of Subordinate Lien Obligations, the portion of the Subordinate Lien Accrued Aggregate Debt Service required by an Additional Supplemental Ordinance to be deposited to the Subordinate Lien Debt Service Fund in all events on a future date to be held on deposit or applied, in either case, for the mandatory redemption or retirement, in whole or in part, of any Outstanding Subordinate Lien Obligations of said series having a stated maturity after said future date. Said future date is deemed to be the date when such Subordinate Lien Sinking Fund Installment is due and payable.

Subordinate Lien Variable Interest Rate Obligations - mean Subordinate Lien Obligations or related Credit Agreement Obligations which bear a Variable Interest Rate.

Swap Agreement - means a Credit Agreement with respect to a series of Subordinate Lien Obligations pursuant to which the Cities or the Board agrees to pay to a qualified counter party an amount of money in exchange for the counter party's promise to pay all or a portion of the actual amount of interest due and payable on such series according to its terms as it becomes due. For the purposes of this definition, a counter party is not qualified unless it holds a current rating for claims-paying ability by a least two nationally recognized rating agencies at least equal to the rating of each such rating agency assigned to the Outstanding Subordinate Lien Obligation without reference to any related Credit Agreement.

Tax-Exempt Obligation - means any Subordinate Lien Obligation the interest on which is excludable from the gross income of the Holder for federal income tax purposes under Section 103 of the Code.

Variable Interest Rate - means a variable or adjustable interest rate that varies from time to time based on a formula or reference to specified financial indicators, or by negotiation, auction, or revisions through another method from time to time and to be borne by all or a part of a series of Subordinate Lien Obligations or related Credit Agreement Obligations, all as specified in an Additional Supplemental Ordinance or Credit Agreement.

Section 1.3 Findings. (a) The declarations, determinations and findings declared, made and found in the preambles to this Fifty-Fifth Supplement are hereby adopted, restated and made a part of the operative provisions hereof.

(b) Each respective City Council finds and declares that the meeting at which this Fifty-Fifth Supplement is considered is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by Applicable Law.

Section 1.4 Interpretation of Subordinate Lien Ordinances. (a) Subject to the last sentence of this Section, wherever in this Fifty-Fifth Supplement a calculation of Subordinate Lien Debt Service during any current or future Subordinate Lien Debt Service Accrual Period with respect to Subordinate Lien Interim Obligations is required by application of the Standard Assumptions, the Subordinate Lien Debt Service shall be computed by assuming that the principal amount of the Subordinate Lien Interim Obligations will be continuously refinanced and will remain Outstanding until the first Fiscal Year for which interest on the Subordinate Lien Obligations has not been capitalized or otherwise funded or provided for, at which time it shall be assumed (A) that the Outstanding principal amount of the series of Subordinate Lien Interim Obligations will be refinanced with a series of Additional Subordinate Lien Obligations that will be amortized over a period not to exceed twenty-five (25) years in such manner as will cause the maximum Subordinate Lien Debt Service Requirement applicable to such series in any twelve (12) month period not to exceed 110% of the minimum Subordinate Lien Debt Service Requirements applicable to such series for any other twelve (12) month period, and (B) that the series of Additional Subordinate Lien Obligations will bear interest at a fixed interest rate estimated by the Board's financial advisor to be the interest rate such series of Additional Subordinate Lien Obligations would bear if issued on such terms on the date of such estimate. Notwithstanding anything herein to the contrary, for the purposes of setting rates, fees and charges under Section 6.3 for the then current Fiscal Year, the Board may assume an interest rate that is equal to the average rate over the last twelve months plus 50 basis points.

(b) Subject to the last sentence of this Section, wherever in this Fifty-Fifth Supplement a calculation of Subordinate Lien Debt Service during any current or future Subordinate Lien Debt Service Accrual Period with respect to each series of Subordinate Lien Variable Interest Rate Obligations that are not Subordinate Lien Interim Obligations is required by application of the Standard Assumptions, the Subordinate Lien Debt Service shall be computed by assuming that such Subordinate Lien Obligations will bear interest at the highest of (i) the actual rate on the date of calculation, or, if such Subordinate Lien Obligations are not yet Outstanding, the initial rate, if established and binding, (ii) if the Subordinate Lien Obligations have been Outstanding for at least twelve months, the average rate over the twelve months immediately preceding the date of calculation, or (iii) (A) if the Subordinate Lien Obligations are Tax-Exempt Obligations, the most recently published "Revenue Bond Index," published by the financial news publication presently known as The Bond Buyer, or comparable index if no longer published, plus 50 basis points, or (B) if the Subordinate Lien Obligations are not Tax-Exempt Obligations, the interest rate on direct obligations of the United States with comparable maturities, plus 50 basis points; provided, however, for the purpose of verifying prior compliance with the rate covenants contained in paragraphs 6.3(b) and (c) of the Fifty-Fifth Supplement, such Subordinate Lien Obligations shall be deemed to bear interest at the actual rate borne during any prior test period. Notwithstanding anything herein to the contrary, for the purposes of setting rates, fees and charges under

Section 6.3 for the then current Fiscal Year, the Board may assume an interest rate that is equal to the average rate over the last twelve months plus 50 basis points.

ARTICLE II

PURPOSES, PLEDGE AND SECURITY

Section 2.1 Purposes of Fifty-Fifth Supplement and Contract with Subordinate Lien Holders. The purposes of this Fifty-Fifth Supplement are (i) to institute a program for the issuance of Subordinate Lien Obligations, and (ii) to prescribe other matters and the general rights of the Subordinate Lien Holders, the Cities, the Board, and Credit Providers in relation to such obligations and related Credit Agreement Obligations.

Section 2.2 Pledge and Security for Subordinate Lien Obligations and Related Credit Agreement Obligations. (a) The Cities irrevocably pledge (i) the Pledged Revenues, and (ii) the Pledged Funds (A) to the payment of the principal and any Redemption Price of, and the interest and any premiums on, all Subordinate Lien Obligations which are or may be Outstanding from time to time, (B) to the payment of all Credit Agreement Obligations related to Subordinate Lien Obligations, (C) to the payment of all Administrative Expenses related thereto, and (D) to the establishment and maintenance of the Subordinate Lien Debt Service Fund, and any other special trust funds or accounts which are ordered to be created by an Additional Supplemental Ordinance related to Subordinate Lien Obligations, at the times and for the periods and purposes provided in this Fifty-Fifth Supplement, in an Additional Supplemental Ordinance related to Subordinate Lien Obligations, and in any Credit Agreement with regard to Credit Agreement Obligations related thereto.

(b) The provisions, covenants, subordinate pledge and lien on and against the Pledged Revenues and the Pledged Funds, as herein set forth, are established and shall be for the equal benefit, protection and security of Subordinate Lien Holders, the Credit Providers holding Credit Agreement Obligations related thereto, and the Persons to whom Administrative Expenses are owed, due and payable, without distinction as to priority and rights under this Fifty-Fifth Supplement.

(c) The Subordinate Lien Obligations, all related Credit Agreement Obligations and all Administrative Expenses related thereto shall constitute special obligations of the Cities, payable solely from, and secured solely by, a subordinate pledge of and lien on the Pledged Revenues and Pledged Funds, and not from any other revenues, properties or income of the Cities or the Board. Subordinate Lien Obligations, Credit Agreement Obligations related thereto, and associated Administrative Expenses related thereto shall not constitute debts or obligations of the State or of the Cities, and the Subordinate Lien Holders, the Credit Providers, and Persons to whom Administrative Expenses are owed shall be limited to the amounts pledged for such payments and never have the right to demand payment from any other revenues, properties or income of the Cities or of the Board.

(d) Subordinate Lien Obligations and related Credit Agreement Obligations that are declared by an Additional Supplemental Ordinance to be on a parity with Subordinate Lien Obligations shall be payable from the funds and accounts established pursuant to Section 5.2(b)(v) of the Master Bond Ordinance and shall be junior and subordinate to the superior pledge of and lien on Pledged Funds and Pledged Revenues in favor of the Prior Obligations, Outstanding Obligations, Additional Obligations, and Parity Credit Agreement Obligations.

Section 2.3 Source of Payment of Operation and Maintenance Expenses. The Cities and the Board are obligated to pay Operation and Maintenance Expenses from the revenues remaining after satisfying the deposit requirements of Section 5.2(b) of the Master Bond Ordinance, and the Cities are not required or

obligated to pay any Operation and Maintenance Expenses from any other revenues, properties, taxes, or income of the Cities.

Section 2.4 **Security Agreement.** (a) This Fifty-Fifth Supplement is and shall continuously be and constitute a security agreement establishing a subordinate lien on and security interest in the Pledged Revenues and Pledged Funds in favor of the Subordinate Lien Holders and the Credit Providers holding Credit Agreement Obligations related thereto pursuant to Applicable Law. The grant, assignment, lien, pledge and security interest created herein on and against the Pledged Revenues and Pledged Funds shall become effective immediately upon and from the time of payment for and delivery of Additional Subordinate Lien Obligations and Credit Agreement Obligations related thereto, and the same shall be continuously effective for so long as any Subordinate Lien Obligations are Outstanding, and any Credit Agreement Obligation and Administrative Expenses related thereto are unpaid.

(b) Such grants, assignments, lien, pledge and security interest shall be fully effective as to Pledged Revenues and Pledged Funds on hand, and all Pledged Revenues shall be subject thereto on and as of the day or date on which they are owed to or collected by any party for the account of the Board or the Cities.

ARTICLE III

PERMITTED AIRPORT INDEBTEDNESS

Section 3.1 **Right to Issue Additional Subordinate Lien Obligations.** (a) The Cities reserve the right to issue debt securities for the purpose of improving, constructing, replacing, or otherwise extending the Airport, or for the purpose of refunding or refinancing any debt or obligation of or relating to the Airport permitted by Applicable Law. When such debt securities are issued in accordance with this Section, and in conformity with the requirements of Sections 3.2 and 3.3 hereof, and with the provisions of any Additional Supplemental Ordinance imposing additional restrictions thereon, they shall constitute "Additional Subordinate Lien Obligations" and will be on a parity and of equal quality and dignity as to the subordinate lien and right to the Pledged Revenues and Pledged Funds under this Fifty-Fifth Supplement with any Subordinate Lien Obligations that will remain Outstanding, and any Credit Agreement Obligations related thereto that will remain unpaid, after their issuance.

(b) Additional Subordinate Lien Obligations may be issued or created from time to time when and to the extent not prohibited or restricted by related Credit Agreements, if any.

(c) Additional Subordinate Lien Obligations may be issued in any manner and in any form and denominations and having any terms permitted by Applicable Law, and may be sold for cash or issued for such other consideration as may be permitted by Applicable Law.

(d) Additional Supplemental Ordinances may further restrict the time, the manner and the requirements in or under which Additional Subordinate Lien Obligations and related Credit Agreements may be issued, created, or executed.

Section 3.2 **Terms of Additional Subordinate Lien Obligations.** Additional Subordinate Lien Obligations shall be authorized in Additional Supplemental Ordinances. The Additional Supplemental Ordinances shall specify the details and terms of the Additional Subordinate Lien Obligations, and may contain such provisions as the Cities deem appropriate and not in conflict with the Master Bond Ordinance, this Fifty-Fifth Supplement or with earlier Additional Supplemental Ordinances.

Section 3.3 Conditions Precedent to Issuance of Additional Subordinate Lien Obligations. (a) No Additional Subordinate Lien Obligations shall be issued under this Fifty-Fifth Supplement unless the following instruments shall be executed:

(i) A certificate, dated as of the date of delivery of the Additional Subordinate Lien Obligations, executed by an Authorized Officer, certifying, in effect, that:

(A) All conditions precedent have been satisfied which are provided for in this Fifty-Fifth Supplement and in each Additional Supplemental Ordinance, the provisions of which relate to or further restrict the issuance of Additional Subordinate Lien Obligations; and

(B) No Event of Default has occurred and is then continuing under this Fifty-Fifth Supplement or under any Additional Supplemental Ordinances that will not be cured by the issuance of the Additional Subordinate Lien Obligations; and

(ii) A written order, executed by an Authorized Officer, directing that the Additional Subordinate Lien Obligations shall be authenticated if the same are required to be authenticated under the terms of the Additional Supplemental Ordinance; and

(iii) A Certificate executed by an Authorized Officer, except in the case of (A) below, in which case an Airport Consultant's report shall be sufficient, certifying that the Cities have received at least one of the following:

(A) Either an Airport Consultant's written report or certificate executed by an Authorized Officer setting forth projections of Gross Revenues and Operation and Maintenance Expenses, and the report indicates that (I) the estimated Subordinate Lien Revenues for each of three (3) consecutive Fiscal Years beginning with the first Fiscal Year in which Subordinate Lien Debt Service is due on or with respect to the Additional Subordinate Lien Obligations proposed to be issued, and for the payment of all of which provision has not been made as indicated in the report of such Airport Consultant or the certificate of the Authorized Officer from the proceeds of such Additional Subordinate Lien Obligations and/or from interest that has been capitalized from the proceeds of previously issued Subordinate Lien Obligations, are equal to at least 110% of the Subordinate Lien Debt Service that will be due and owing and scheduled to be paid during each of such three (3) consecutive Fiscal Years, after

taking into consideration any additional Subordinate Lien Debt Service to be paid during such period on or with respect to the Additional Subordinate Lien Obligations then proposed to be issued and any reduction in Subordinate Lien Debt Service that may result from the issuance thereof, and after applying the Standard Assumptions with respect to Outstanding or proposed Subordinate Lien Interim Obligations or Subordinate Lien Variable Interest Rate Obligations, and (II) the schedule of rentals, rates and charges then in effect meets the requirements of Section 6.3(c) hereof; or

(B) A certificate, executed by an Authorized Officer showing that (I) for either the Board's most recent complete Fiscal Year, or for any consecutive twelve (12) out of the most recent eighteen (18) months, the Subordinate Lien Revenues were equal to at least 110% of the maximum Subordinate Lien Debt Service on or with respect to all Outstanding Subordinate Lien Obligations and Credit Agreement Obligations related thereto scheduled to be paid during the then current or any future Fiscal Year after taking into consideration the issuance of the Additional Subordinate Lien Obligations then proposed to be issued, and after applying the Standard Assumptions with respect to Outstanding or proposed Subordinate Lien Interim Obligations or Subordinate Lien Variable Interest Rate Obligations, and (II) the schedule of rentals, rates and charges then in effect meets the requirements of Section 6.3(c) hereof.

(b) The Cities may include in each Additional Supplemental Ordinance authorizing the issuance of Additional Subordinate Lien Obligations minimum reserve requirements and other terms related thereto.

Section 3.4 **Subordination of Subordinate Lien Obligations.** The pledge of the Pledged Revenues and the Pledged Funds to the payment of and as security for the Subordinate Lien Obligations and Credit Agreement Obligations related thereto are subordinate in every respect to Prior Obligations, Outstanding Obligations, Additional Obligations, and Parity Credit Agreement Obligations. Subordinate Lien Obligations and Credit Agreement Obligations related thereto are payable solely from the money on deposit from time to time in the special fund or account created pursuant to and in the priority of Section 5.2(b)(v) of the Master Bond Ordinance. Unless expressly set forth herein, all rights of Subordinate Lien Holders are subordinate to the rights of Holders of Prior Obligations, Outstanding Obligations and Additional Obligations and of Credit Providers holding Parity Credit Agreement Obligations.

ARTICLE IV

TERMS, PROVISIONS AND AUTHENTICATION OF SUBORDINATE LIEN OBLIGATIONS

Section 4.1 **Terms of Subordinate Lien Obligations.** Subordinate Lien Obligations shall mature, shall bear interest, shall be subject to redemption prior to maturity, shall be subject to registration and transfer, shall be in the denominations, and shall be payable at the places specified and provided in the applicable Additional Supplemental Ordinance.

Section 4.2 **Additional Subordinate Lien Obligations.** Each Additional Subordinate Lien Obligation shall be titled as specified in an Additional Supplemental Ordinance and may, in addition, contain or have endorsed thereon such provisions, specifications and descriptive words not inconsistent with the provisions of this Fifty-Fifth Supplement or any Additional Supplemental Ordinance as may be necessary or desirable to comply with Applicable Law or custom or otherwise as may be determined by the City Councils of the Cities prior to the delivery thereof. The Additional Subordinate Lien Obligations of a series shall bear such further designation or designations, added to or incorporated in their title, as may be necessary to distinguish them from the Subordinate Lien Obligations of every other series. Additional Subordinate Lien Obligations shall be lettered or otherwise differentiated so as to distinguish each series.

Section 4.3 **Medium of Payment.** The principal and any Redemption Price of, and the interest on, the Subordinate Lien Obligations shall be payable in any coin or currency of the United States of America which, on the respective dates of payment, is legal tender for the payment of public and private debts.

Section 4.4 **Additional Subordinate Lien Obligation Details.** (a) Subject to the provisions hereof, Subordinate Lien Obligations shall be dated, shall mature and be payable on such dates and in such years and amounts, shall bear a fixed interest rate or rates per annum, or shall bear a Variable Interest Rate, shall be subject to redemption on such terms and conditions and shall be payable as to principal, interest and Redemption Price at such place or places as shall be specified in the Additional Supplemental Ordinance authorizing their issuance.

(b) The method of computing a Variable Interest Rate shall be specified in the Additional Supplemental Ordinance authorizing a series of Subordinate Lien Variable Interest Rate Obligations and shall be calculated and determined in any manner permitted by Applicable Law. The method may include periods during which a rate may be fixed and be subject to change from time to time; provided, however, such Variable Interest Rate shall be subject to a Subordinate Lien Maximum Interest Rate and may be subject to a Subordinate Lien Minimum Interest Rate. The Additional Supplemental Ordinance may contain such other details as may be permitted by Applicable Law.

Section 4.5 **Additional Subordinate Lien Obligation Registrars and Registers.** (a) Each Additional Supplemental Ordinance related to Subordinate Lien Obligations shall designate a registrar (the "Registrar") for the purpose of keeping and maintaining books of registration (the "Obligation Register") in which the names of the Subordinate Lien Holders of the series authorized by the Additional Supplemental Ordinance shall be registered and recorded. The Paying Agent or any other person may be appointed as Registrar for any one or more series of Subordinate Lien Obligations.

(b) The terms, provisions and conditions of registration, together with the manner and methods of recording transfers and replacing mutilated, lost or stolen Additional Subordinate Lien Obligations, as to each series, shall be set forth in the authorizing Additional Supplemental Ordinance.

Section 4.6 **Paying Agents.** (a) Each Additional Supplemental Ordinance authorizing a series of Subordinate Lien Obligations shall designate a Paying Agent for that series. The duties of the Paying Agent are as described in this Fifty-Fifth Supplement and as further described in the applicable Additional Supplemental Ordinance and in any separate contracts and agreements approved by the Board.

(b) The Cities, the Board, each Paying Agent, and each Registrar may deem and treat the person in whose name any Subordinate Lien Obligation shall be registered as the absolute owner of such Subordinate Lien Obligation, whether such Subordinate Lien Obligation shall be overdue or not, for the purpose of receiving payment of or on account of, the principal and Redemption Price, if any, of, and, in the case of any fully registered Subordinate Lien Obligation, interest on, such Subordinate Lien Obligation and for all other purposes, and all payments made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such obligation to the extent of the sum or sums so paid, and neither the Cities, the Board, nor any Paying Agent, nor any Registrar shall be affected by a notice to the contrary.

Section 4.7 **Application of Proceeds of Subordinate Lien Obligations.** The proceeds derived from the sale and delivery of each series of Additional Subordinate Lien Obligations shall be deposited as and to the extent directed in any applicable Additional Supplemental Ordinance.

Section 4.8 **Execution and Authentication of Subordinate Lien Obligations.** (a) Each Additional Subordinate Lien Obligation shall be executed in the name of the Cities by the manual or facsimile signature of any one or more officers of the Cities, and their respective official seals shall be affixed, imprinted, engraved or otherwise reproduced thereon as authorized and directed in an Additional Supplemental Ordinance.

(b) In case any officer who shall have signed, sealed or attested any of the Subordinate Lien Obligations shall cease to be such officer before the Subordinate Lien Obligations so signed, sealed or attested shall have been authenticated and delivered, such Subordinate Lien Obligations may nevertheless be authenticated and delivered as if the person who so signed, sealed or attested such Subordinate Lien Obligations had not ceased to be such officer. Any Subordinate Lien Obligation may be signed, sealed or attested on behalf of the Cities by any person who, on the date of such act, shall hold the proper office, notwithstanding that at the date of such Subordinate Lien Obligation such person may not have held such office.

(c) The manner and method of authenticating the Additional Subordinate Lien Obligations of each series shall be set forth in each authorizing Additional Supplemental Ordinance. Authentication may be a certificate of registration executed by a Paying Agent or a Registrar.

Section 4.9 **Subordinate Lien Obligations in Book Entry Form.** The Cities reserve the right to authorize a system of ownership registration in total or partial book-entry form for any series of Subordinate Lien Obligations to the extent so provided in an Additional Supplemental Ordinance. The rights and duties of the Cities and the Subordinate Lien Holders which are subject to such system of registration of ownership shall be provided in the applicable Additional Supplemental Ordinance.

ARTICLE V

SPECIAL FUNDS, USES OF MONEYS

Section 5.1 **Creation of Subordinate Lien Debt Service Fund and Subordinate Lien Debt Service Account.** (a) Pursuant to Sections 3.5 and 5.2(b)(v) of the Master Bond Ordinance, the Cities hereby establish and create the Subordinate Lien Debt Service Fund. Within such fund, there is hereby created the Subordinate Lien Debt Service Account.

The Cities may authorize the creation of special or general accounts within the Subordinate Lien Debt Service Fund in addition to the Subordinate Lien Debt Service Account and may prescribe the terms applicable thereto in Additional Supplemental Ordinances; provided however, that the Board may authorize special or general accounts within the Subordinate Lien Debt Service Fund for accounting purposes.

(b) The Subordinate Lien Debt Service Fund, and any and all accounts created therein, if any, are special trust funds, to be held by the Board for the benefit of Subordinate Lien Holders, the Credit Providers holding Credit Agreement Obligations related thereto, and Persons to whom Administrative Expenses are owed, due and payable.

Section 5.2 **Adjustments in Transfer Requirements.** (a) Amounts required to be transferred to the Subordinate Lien Debt Service Fund by subsection 5.2(b)(v) of the Master Bond Ordinance for such monthly period shall be reduced by an amount equal to the total of any moneys already on deposit in the Subordinate Lien Debt Service Fund and in any account created therein, and after taking into account investment earnings actually realized and on deposit therein (inclusive of accrued interest and amortization of original issue discount or premium), excess deposits made on account of Subordinate Lien Variable Interest Rate Obligations and the assumed interest rates thereof, and money deposited therein from the proceeds of Subordinate Lien Obligations as capitalized interest or otherwise. It is provided, however, that the amounts required to be transferred shall never be reduced to an amount below the amount necessary to pay all amounts then due and owing on the Subordinate Lien Obligations and Credit Agreement Obligations related thereto when due and payable.

(b) In the event the counterparty to a Swap Agreement related to Subordinate Lien Obligations becomes obligated to make payments to the Board, such amounts shall be deposited to the Subordinate Lien Debt Service Fund.

Section 5.3 **Uses of Subordinate Lien Debt Service Fund.** (a) The Board shall pay, out of the Subordinate Lien Debt Service Fund, to the respective Paying Agents for any of the Subordinate Lien Obligations from time to time Outstanding, or directly to a Credit Provider holding a Credit Agreement Obligation related thereto, as applicable (i) on the date specified in the Additional Supplemental Ordinances or Credit Agreements related to Subordinate Lien Obligations pursuant to which Credit Agreement Obligations are created, but in no event later than each Subordinate Lien Interest Payment Date, the amount (as determined by each Paying Agent or other party designated in each applicable Additional Supplemental Ordinance) required for the payment of interest on the Subordinate Lien Obligations or Credit Agreement Obligations related thereto due on such Subordinate Lien Interest Payment Date, and (ii) on the date specified in the Additional Supplemental Ordinances or Credit Agreements related thereto pursuant to which Credit Agreement Obligations are created, but in no event later than the redemption date, the amount required for the payment of accrued interest on Subordinate Lien Obligations or Credit Agreement Obligations related thereto to be redeemed or

paid unless the payment of such accrued interest shall be otherwise provided for. Such amounts paid to Paying Agents shall be held and applied by the Paying Agents as directed in Section [5.7].

(b) The Board shall pay, out of the Subordinate Lien Debt Service Fund, to the respective Paying Agents, on the dates specified in each related Additional Supplemental Ordinance, but in no event later than each Principal Payment Date for any of the Subordinate Lien Obligations from time to time Outstanding or Credit Agreement Obligations related thereto coming due, the amount (as determined by each Paying Agent or other party designated in each applicable Additional Supplemental Ordinance) required for the payment of any Subordinate Lien Principal Installments and any Redemption Price that are due on Subordinate Lien Obligations, and similar amounts that are due and payable on Credit Agreement Obligations related thereto on such Principal Payment Date and such amounts paid to Paying Agents or Credit Providers shall be held and applied by the Paying Agents or Credit Providers as directed in each Additional Supplemental Ordinance.

(c) The amount accumulated in the Subordinate Lien Debt Service Fund for each Subordinate Lien Sinking Fund Installment may, and if so directed and authorized by an Additional Supplemental Ordinance shall, be applied prior to a day preceding the due date of such Subordinate Lien Sinking Fund Installment, as fixed in the Additional Supplemental Ordinance, to:

(i) the purchase of Subordinate Lien Obligations of the series and maturity for which such Subordinate Lien Sinking Fund Installment was established, at prices (including any brokerage and other charges) not exceeding the Redemption Price payable from Subordinate Lien Sinking Fund Installments for such Subordinate Lien Obligations when such Subordinate Lien Obligations are redeemable by application of said installments plus unpaid interest accrued to the date of purchase, such purchases to be made in such manner as is specified in the Additional Supplemental Ordinance, or

(ii) the redemption of Subordinate Lien Obligations pursuant to the provisions of the applicable Additional Supplemental Ordinance authorizing such Subordinate Lien Obligations, if then redeemable by their terms, at a price not exceeding the Redemption Price.

(d) If a stated Subordinate Lien Interest Payment Date or a Principal Payment Date, or a date fixed for redemption of Subordinate Lien Obligations or Credit Agreement Obligations related thereto, shall not be a Business Day, then the Subordinate Lien Interest Payment Date, Principal Payment Date or redemption date shall be deemed to be the next succeeding Business Day and no interest shall accrue between the stated day and the applicable succeeding Business Day.

Section 5.4 **Debt Service Reserve Fund.** The Cities may create and establish a Subordinate Lien debt service reserve fund in Additional Supplemental Ordinances. The Additional Supplemental Ordinance can establish terms, deposit and disbursement requirements and other terms related thereto.

Section 5.5 **Restoration of Deficiencies.** Should the Subordinate Lien Debt Service Fund or any related reserve fund, or any other fund or account of any of the types described in subsection [5.2(b)] of the Master Bond Ordinance, including subsection 5.2(b)(v) thereof, contain less than the amount required to be on deposit therein, then such deficiency shall be restored from Pledged Revenues over a period not longer than sixty (60) months, and further transfers to the Capital Improvements Fund pursuant to subsection 5.2(d) of the Master

Bond Ordinance shall be suspended until such deficiency has been restored; provided, however, that the restoration of deficiencies related to Subordinate Lien Obligations shall continue to be subordinate in priority.

Section 5.6 **Investment of Funds and Accounts.** (a) Subject to restrictions set forth in a Credit Agreement relating to Subordinate Lien Obligations, if any, amounts in any fund or account created herein may, to the extent permitted by Applicable Law, be invested in Investment Securities. All investments shall be made by or upon written instruction of an Authorized Officer in accordance with Applicable Law and the Board's investment policy approved by the Board from time to time. Such investments shall mature in such amounts and at such times as may, in the judgment of such Authorized Officer, be necessary to provide funds when needed to make timely payments from such fund or account. In order to avoid loss in the event of a need for funds, the Board may, in lieu of a liquidation of investments in the fund or account needing funds, exchange such investments for investments in another fund or account that may be liquidated at no, or at a reduced, loss.

(b) Except as otherwise provided in this Fifty-Fifth Supplement, obligations purchased as an investment of moneys in any fund or account created in or confirmed by this Fifty-Fifth Supplement shall be deemed at all times to be a part of such fund or account and the income or interest earned, profits realized or losses suffered by a fund or account due to the investment thereof shall be retained in, credited or charged, as the case may be, to such fund or account. It is provided, however, that earnings may be used as provided in an Additional Supplemental Ordinance or as may be directed by an Authorized Officer.

(c) Except as otherwise provided in this Fifty-Fifth Supplement, the Board shall sell or cause to be sold at the best price obtainable, or present for redemption or exchange, any Investment Security purchased as an investment pursuant to this Fifty-Fifth Supplement whenever it shall be necessary in order to provide moneys to meet any payment or transfer from the fund or account for which such investment was made.

(d) To the extent not invested in Investment Securities, funds and accounts shall be fully secured in the same manner as is required for the public funds of the Board.

Section 5.7 **Effect of Deposits With Paying Agents.** (a) Whenever Pledged Revenues shall be on deposit with a Paying Agent in the amounts required herein or in an Additional Supplemental Ordinance, then the Cities and the Board shall be released from any further obligations of payment of the interest on or the principal or Redemption Price of Subordinate Lien Obligations with respect to which the deposits and transfers were made. The Subordinate Lien Holders with respect to which such moneys are held shall look solely to the appropriate Paying Agents for payment of the interest on or the principal or Redemption Price of the applicable Subordinate Lien Obligations from such moneys.

(b) Moneys transferred to a Paying Agent shall be set aside and continuously held uninvested (unless otherwise provided in an Additional Supplemental Ordinance) in a special trust fund or account held by the Paying Agent and shall be used for the sole and exclusive purpose of paying the amounts due and owing on the Subordinate Lien Obligations with respect to which such transfers were made and upon demand for such payment by the proper Subordinate Lien Holders. Any moneys remaining unclaimed for a period specified in any Applicable Law relating to the escheat of property or money shall be distributed by the Paying Agent in accordance with such law.

(c) Subordinate Lien Obligations, for the full payment of the principal amount or Redemption Price of which moneys have been provided to the appropriate Paying Agents under this Section, shall no longer be deemed to be Outstanding from and after the maturity or redemption date thereof and all interest thereon shall cease to accrue from and after said date.

(d) Notwithstanding the provisions of subsection (a) and (b) of this Section, an Additional Supplemental Ordinance may require the payment of amounts deposited with the Paying Agent to be paid to a Credit Provider if offsetting and comparable amounts are deposited by the Credit Provider with the applicable Paying Agent for the purpose of making direct payment to the Subordinate Lien Holders.

Section 5.8 Construction Fund. Except as otherwise provided herein or in an Additional Supplemental Ordinance, moneys deposited in the Construction Fund and the moneys within said fund shall be used solely for the purpose of defraying a part of the Costs of the Airport.

Section 5.9 Disbursements from Construction Fund. Disbursements from the Construction Fund shall be made pursuant to the customary practices of the Airport. All disbursements from the Construction Fund shall be accounted for and recorded in the appropriate records of the Airport.

Section 5.10 Completion. When improvements made with Subordinate Lien Obligation proceeds shall have been completed in accordance with the plans and specifications therefor, and when all amounts due therefor, including all proper incidental expenses, shall have been paid, the Authorized Officer shall file with the Board a certificate so stating, and thereupon the Board shall cause the transfer of all moneys remaining in the Construction Fund, if any, to the Capital Improvements Fund.

ARTICLE VI

GENERAL COVENANTS AND REPRESENTATIONS

Section 6.1 Budgets and Expenditures. (a) For each Fiscal Year hereafter, the Board shall, in accordance with the terms, provisions and requirements of the Contract and Agreement, prepare and annually submit to the Cities an annual budget containing estimates of expenditures and anticipated Gross Revenues for the next ensuing Fiscal Year.

(b) All Operation and Maintenance Expenses shall be reasonable and the total expenditures for the purchase of services, goods or commodities shall not exceed in any year the total expenditures thus set forth in the annual budget except on the express approval of the Board and the Cities in accordance with the Contract and Agreement.

Section 6.2 Payment of Subordinate Lien Obligations. The Cities agree promptly to pay the principal of and the interest on every Subordinate Lien Obligation at the place, on the dates, and in the manner specified in the Additional Supplemental Ordinances.

Section 6.3 Rates, Charges and Free Use of Land. The Cities covenant and agree as follows:

(a) The Board shall fix, place into effect, directly or through leases, contracts or agreements with users of the Airport, a schedule of rentals, rates, fees and charges for the use, operation and occupancy of the Airport premises and Facilities and the services appertaining thereto, which is reasonably estimated to produce the amounts provided in paragraphs (b) and (c), next below. From time to time and as often as it shall appear necessary, the Chief Executive Officer of the Airport and other Authorized Officers shall make recommendations to the Board as to the revision of the

schedule of rentals, rates, fees and charges. Upon receiving such recommendations, the Board shall revise, insofar as it may legally do so, the rentals, rates, fees and charges for the use, operation and occupancy of the Airport, its Facilities, and the services appertaining thereto in order continually to fulfill the requirements of this covenant. This covenant shall not be construed to require adjustment or revision in long-term agreements which by their terms are not subject to adjustment or revision;

(b) The schedule of rentals, rates, fees and charges required by paragraph (a), next above, shall be at least sufficient to produce in each Fiscal Year Gross Revenues sufficient to pay (i) the Operation and Maintenance Expenses, plus (ii) 1.25 times the amount of Accrued Aggregate Debt Service accruing during each Fiscal Year, respectively, plus (iii) an amount equal to 1.10 times the amount of Subordinate Lien Accrued Aggregate Debt Service, and plus (iv) any additional amounts required by the terms of an Additional Supplemental Ordinance;

(c) The schedule of rentals, rates, fees and charges required by paragraph (a), next above, shall be at least sufficient to produce in each Fiscal Year Current Gross Revenues sufficient to pay the amounts provided in clauses (i), (iii) and (iv) of subsection (b), next above, plus 1.00 times the amount of Accrued Aggregate Debt Service accruing during each Fiscal Year, respectively;

(d) The Board shall cause all rentals, fees, rates and charges pertaining to the Airport to be collected when and as due; shall prescribe and enforce rules and regulations for the payment thereof and for the consequences of nonpayment for the rental, use, operation and occupancy of and services by the Airport, and shall provide methods of collection and penalties to the end that the Gross Revenues and the Current Gross Revenues shall be adequate to meet the respective requirements hereof; and

(e) To the full extent lawfully permissible, no free use of the land, public roads and ways comprising a part of the Airport shall be allowed or permitted for commercial purposes by private or commercial concerns providing direct service to the traveling public, and no rights-of-way, easements, access or uses on or across said lands or public roads and ways for commercial purposes shall be granted except through easements, franchises or permits granted, and for consideration fixed, by the Board.

Section 6.4 **Books, Audits, Inspection.** (a) So long as any Subordinate Lien Obligations or Credit Agreements related thereto remain outstanding, proper books of record and account will be kept by the Board, separate and apart from all other records and accounts of the Cities, showing complete and correct entries of all transactions relating to the Airport.

(b) The Board shall, after the close of each Fiscal Year, cause an audit of such books and accounts to be made by an independent accountant. Each such audit will be available for inspection by any Subordinate Lien Holder and any Credit Provider holding Credit Agreement Obligations related thereto.

Section 6.5 **Representations as to Pledged Funds and Pledged Revenues.** (a) The Cities represent and warrant that they are authorized by Applicable Law to adopt this Fifty-Fifth Supplement and to pledge on a subordinate basis the Pledged Funds and Pledged Revenues in the manner and to the extent provided in the Master Bond Ordinance and this Fifty-Fifth Supplement.

(b) The Subordinate Lien Obligations and the provisions of this Fifty-Fifth Supplement are and will be the valid and legally enforceable special obligations of the Cities in accordance with their terms and the terms of this Fifty-Fifth Supplement and the Master Bond Ordinance, subject only to any applicable bankruptcy or insolvency laws or to any Applicable Law affecting creditors rights generally.

(c) The Cities shall at all times, to the extent permitted by Applicable Law, defend, preserve and protect the pledge of the Pledged Funds and Pledged Revenues and all the rights of the Subordinate Lien Holders and the Credit Providers under this Fifty-Fifth Supplement and all Credit Agreements related thereto against all claims and demands of all persons whomsoever. Notwithstanding anything to the contrary, it is acknowledged that all right of the Subordinate Lien Holders and Credit Providers holding Credit Agreement Obligations related thereto are junior and subordinate to the Holders of Prior Obligations, Outstanding Obligations and Additional Obligations and any Credit Providers holding Parity Credit Agreement Obligations.

Section 6.6. **Transfers of Airport and Facilities.** (a) So long as any Subordinate Lien Obligations are outstanding and unpaid, the Cities shall not sell, transfer, or in any manner dispose of or otherwise alienate, any part of the property comprising the Airport. It is provided, however, that:

(i) the Cities may acquire additional property as an extension to the Airport additional to that reflected within the preliminary boundaries contained in the Board's over-all preliminary plan of the Airport and shall be authorized to grant rights of foreclosure in connection with mortgages, pledges, or other encumbrances of the land or revenues thereof fixed in connection with such acquisition and the Special Facilities to be placed therein, such mortgages and pledges being hereby authorized subject to the restrictions applicable to Special Facilities;

(ii) the Cities shall have the right to sell or otherwise dispose of any property, real or personal, which shall be no longer necessary, appropriate or required for the use of, profitable to, or for the best interests of the Board in operation of the Airport. The net proceeds of any sale pursuant to this provision shall be used for the purpose of replacing properties or equipment at the Airport, if necessary, or shall be deposited into the Capital Improvements Fund; except that the proceeds from the sales of surplus land may be distributed to the Cities as a return of capital under the Contract and Agreement.

(b) Notwithstanding the provisions of paragraph (a), next above, the Cities retain, reserve, and shall have the right and privilege of transferring, selling, leasing or disposing of the entire properties and Facilities constituting the Airport to another political body or political sub-division of the State of Texas which shall be authorized by law to own and operate airports, subject to the following conditions, to-wit:

(i) The governing body of such political entity by lawfully adopted and effective ordinance, order, resolution or by other appropriate action, shall expressly and unequivocally

assume each and every, all and singular, the covenants, obligations, duties and responsibilities of the Cities and the Board imposed by the Master Bond Ordinance and all ordinances supplemental hereto or adopted in connection with the issuance of any future issues of Subordinate Lien Obligations.

(ii) If such properties and Facilities comprising the Airport shall be sold to such political body and such sale shall be on a deferred-payment basis, such deferred payment shall be junior and subordinate to all payments required herein to be made to or on account of any Subordinate Lien Obligations from time to time outstanding; or, if the purchase price is to be made in cash at the time of sale, no part thereof shall be or shall have been derived from Gross Revenues.

Section 6.7. **The Contract and Agreement.** The Cities hereby covenant and agree for the benefit of the Subordinate Lien Holders that they shall honor, fulfill, and enforce the Contract and Agreement between themselves. The Cities reserve the right by mutual agreement to additionally amend or supplement the Contract and Agreement from time to time in such respects as they shall consider appropriate so long as the effect of such amendment will not be to impair or diminish the rights of the Subordinate Lien Holders; and they shall have the right to dissolve the Contract and Agreement upon transfer of the Airport in accordance with Section 6.6(b) hereof.

Section 6.8. **Land Title and Rights.** No funds from the proceeds of Subordinate Lien Obligations shall be paid for labor or to contractors, builders or material men on account of the construction, improvement or enlargement of the Airport unless such improvements or enlargements are located on lands good and marketable title to which shall be owned or can be acquired by the Cities in fee simple, or over which the Cities shall have acquired or can acquire easements or rights sufficient for the purposes of such improvements and enlargements. Additionally, no payments shall ever be made from the proceeds of any Subordinate Lien Obligations for the acquisition of real property or any interest therein unless and until the Cities shall have received an opinion of the City Attorneys of the Cities to the effect that upon acquisition all necessary and good and sufficient title to such property or the interest therein to be acquired, free and clear of encumbrances, will be vested in the Cities and shall be subject to the control and jurisdiction of the Board pursuant to the terms of the Contract and Agreement.

ARTICLE VII

EVENTS OF DEFAULT

Section 7.1 **Description.** Each of the following occurrences or events for the purposes of this Fifty-Fifth Supplement shall be and is hereby declared to be an "Event of Default," to-wit:

(i) The failure to make payment of the Subordinate Lien Principal Installment of any of the Subordinate Lien Obligations when the same shall become due and payable;

(ii) The failure to pay any installment of interest on Subordinate Lien Obligations when the same shall become due and payable;

(iii) The failure to pay when due any amounts, whether principal, interest, or other payment, that are due and owing on any Credit

Agreement Obligations related to Subordinate Lien Obligations and such failure shall continue for a period of sixty (60) days after the due date thereof;

(iv) Default in any covenant, undertaking, or commitment contained in the Contract and Agreement, the failure to perform which materially affects the rights of the Subordinate Lien Holders, including, but not limited to, their prospect or ability to be repaid in accordance with the terms and provisions of this Fifty-Fifth Supplement, and the continuation thereof for a period of sixty (60) days after written notice of such default by any Subordinate Lien Holder.

(v) The Cities or the Board shall discontinue or unreasonably delay or fail to carry out with reasonable dispatch the reconstruction of any part of the Airport which shall be destroyed or damaged and which shall materially affect the revenue producing capacity thereof;

(vi) An order or decree shall be entered by a court of competent jurisdiction with the consent and acquiescence of the Cities appointing a receiver or receivers for the Airport or of the rentals, rates, revenues, fees or charges derived therefrom; or if any order or decree having been entered without the consent and acquiescence of the Cities shall not be vacated or discharged or stayed on appeal within ninety (90) days after entry;

(vii) The Cities shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Subordinate Lien Obligations, or a Credit Agreement Obligation related to Subordinate Lien Obligations, or in this Fifty-Fifth Supplement, or in an Additional Supplemental Ordinance related to Subordinate Lien Obligations, and if such default shall continue for thirty (30) days after written notice specifying such default and requiring the same to be remedied shall have been given to the Cities or to the Board by Subordinate Lien Holders of not less than two percent (2%) in aggregate principal amount of the Subordinate Lien Obligations then Outstanding, or by a Credit Provider that is granted the authority to give and to withdraw such notices under the terms of an Additional Supplemental Ordinance related to Subordinate Lien Obligations.

Section 7.2 **Remedies for Defaults.** Only to the extent (1) Obligations, Additional Obligations and Parity Credit Agreement Obligations are no longer Outstanding or (2) Subordinate Lien Holders have received the written consent of a majority of the Holders, can any of the below remedies be enforced or exercised. Subject to the previous sentence, upon the happening and continuance of any of the Events of Default as provided in Section 7.1, then and in every case any Subordinate Lien Holder and any Credit Provider holding Credit Agreement Obligations related thereto, including, but not limited to, a trustee or trustees therefor, may proceed against the Cities and the Board, for the purpose of protecting and enforcing the rights of the Subordinate Lien Holders and Credit Providers holding Credit Agreement Obligations related thereto under this Fifty-Fifth Supplement and any Additional Supplemental Ordinance related to Subordinate Lien Obligations, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained in this Fifty-Fifth Supplement or in any Additional Supplemental Ordinance related to Subordinate Lien

Obligations, or thereby to enjoin any act or thing which may be unlawful or in violation of any right of the Subordinate Lien Holders or of Credit Providers holding Credit Agreement Obligations related to Subordinate Lien Obligations or any combination of such remedies. It is provided, however, that all of such proceedings at law or in equity shall be instituted, strictly subject to the provisions of this Fifty-Fifth Supplement, and shall be had and maintained for the equal benefit of all Subordinate Lien Holders, and, as applicable, the Credit Providers holding Credit Agreement Obligations related to Subordinate Lien Obligations. Each right or privilege of any Subordinate Lien Holders and of any Credit Provider holding a Credit Agreement Obligation (or trustee therefor) related to Subordinate Lien Obligations shall be in addition to and cumulative of any other right or privilege and the exercise of any right or privilege by or on behalf of any Subordinate Lien Holders or Credit Provider holding Credit Agreement Obligations related to Subordinate Lien Obligations shall not be deemed a waiver of any other right or privilege thereof.

ARTICLE VIII

AMENDMENTS TO ORDINANCE

Section 8.1 Limitations on Modifications. This Fifty-Fifth Supplement shall not be modified or amended in any respect except as provided in and in accordance with and subject to the provisions of this Article. Notwithstanding anything to the contrary, Subordinate Lien Holders acknowledge that their rights, including the ability to modify this Fifty-Fifth Supplement, are subordinate to the rights and powers of Holders and Credit Providers holding Parity Credit Agreement Obligations. Moreover, any rights and powers set forth in this Article VIII are subordinate to and cannot conflict with the rights of Holders and Credit Providers holding Parity Credit Agreement Obligations as set forth in the Master Bond Ordinance.

Section 8.2 Additional Supplemental Ordinances Without Subordinate Lien Holders' Consent. (a) Subject to any limitations contained in an Additional Supplemental Ordinance related to Subordinate Lien Obligations, the Cities may, from time to time and at any time, adopt and implement Additional Supplemental Ordinances related to Subordinate Lien Obligations without consent of or notice to the Subordinate Lien Holders, for the following purposes:

(i) To cure any formal defect, omission or ambiguity in this Fifty-Fifth Supplement if such action is not adverse to the interest of the Holders or to the Credit Providers holding Parity Credit Agreement Obligations or Subordinate Lien Holders or Credit Providers holding Credit Agreement Obligations related to Subordinate Lien Obligations;

(ii) To grant to or confer upon the Subordinate Lien Holders of any series of Subordinate Lien Obligations any additional rights, remedies, powers, authority or security which may lawfully be granted or conferred and which are not contrary to or inconsistent with this Fifty-Fifth Supplement or the Master Bond Ordinance as theretofore in effect and is not adverse to the interest of the Holders or to the Credit Providers holding Parity Credit Agreement Obligations or Subordinate Lien Holders or Credit Providers holding Credit Agreement Obligations related to Subordinate Lien Obligations;

(iii) To add to the covenants and agreements of the Cities and the Board in this Fifty-Fifth Supplement, other covenants and agreements to be observed by the Cities and the Board which are not contrary to or

inconsistent with the Master Bond Ordinance or this Fifty-Fifth Supplement as theretofore in effect;

(iv) To add to the limitations and restrictions in this Fifty-Fifth Supplement, other limitations and restrictions to be observed by the Cities which are not contrary to or inconsistent with this Fifty-Fifth Supplement or the Master Bond Ordinance as theretofore in effect and are not adverse to the interest of the Holders or to the Credit Providers holding Parity Credit Agreement Obligations or Subordinate Lien Holders or Credit Providers holding Credit Agreement Obligations related to Subordinate Lien Obligations;

(v) To confirm, as further assurance, any pledge or lien created or to be created by this Fifty-Fifth Supplement, of the Pledged Funds and Pledged Revenues, or to subject to the lien or pledge of this Fifty-Fifth Supplement or Master Bond Ordinance additional revenues, properties or collateral;

(vi) To authorize the issuance of the Additional Subordinate Lien Obligations and to prescribe the terms, forms and details thereof not inconsistent with this Fifty-Fifth Supplement and the Master Bond Ordinance and, in connection therewith, to create such additional funds and accounts, and to effect such amendments of the Master Bond Ordinance or this Fifty-Fifth Supplement as may be necessary for such issuance, provided that no Additional Supplemental Ordinance related to Subordinate Lien Obligations shall be inconsistent with the limitations set forth in Section 8.3; or

(vii) To make modifications in this Fifty-Fifth Supplement or in an Additional Supplemental Ordinance related to Subordinate Lien Obligations that are necessary in the opinion of bond counsel selected by the Cities to conform to requirements of federal tax or securities law or other Applicable Law and that do not, in the opinion of such counsel, adversely affect the rights and security of the Subordinate Lien Holders or Credit Providers holding related Credit Agreements to be paid in full when due.

(b) Additional Supplemental Ordinances adopted related to Subordinate Lien Obligations for any of the purposes permitted by this Section need not, in order to be valid, be signed or accepted by any other Person. Copies of all Additional Supplemental Ordinances related to Subordinate Lien Obligations and Credit Agreements related thereto shall be filed with each Credit Provider and the Paying Agent.

Section 8.3 **Powers of Amendment.** Any modification or amendment of this Fifty-Fifth Supplement and of the rights and obligations of the Cities and the Board and of the Subordinate Lien Holders may be made by an Additional Supplemental Ordinance, with the written consent (i) of the Subordinate Lien Holders of a majority of the combined principal amount of the Subordinate Lien Obligations then Outstanding, or (ii) in case less than all of the several series of Subordinate Lien Obligations then Outstanding are affected by the modification or amendment, of the Subordinate Lien Holders of a majority in principal amount of the Subordinate Lien Obligations of each series so affected and Outstanding at the time such consent is given;

provided, however, no such modification or amendment shall permit a change in the terms of redemption or maturity of the principal of any Outstanding Subordinate Lien Obligation, or of any installment of interest thereon, or a reduction in the principal amount of the Redemption Price thereof, or in the rate of interest thereon, without the consent of such Subordinate Lien Holder, and provided further that no such modification or amendment may be made without the prior written consent of such of the Credit Providers as are granted the right of such consent under the provisions of an Additional Supplemental Ordinance. The Cities must obtain and receive an opinion of bond counsel selected by the Cities as conclusive evidence as to whether Subordinate Lien Obligations of any particular series or maturity would be so affected by any such modification or amendment of this Fifty-Fifth Supplement. The Cities must obtain and receive an opinion of bond counsel selected by the Cities that, to the extent majority Holder consent is not sought, for whatever reason, the amendments, whether pursuant to Section 8.2 or 8.4 herein, do not adversely affect Holders or Credit Providers holding Parity Credit Agreement Obligations. To the extent any amendment will have a material adverse effect on Holders or Credit Providers holding Parity Credit Agreement Obligations, such amendment will require the written consent of a majority of Holders and the consent of all Credit Providers holding Parity Credit Agreement Obligations.

Section 8.4 Consent of Holders or Credit Providers. (a) The Cities may at any time adopt an Additional Supplemental Ordinance related to Subordinate Lien Obligations making a modification or amendment permitted by the provisions of Section 8.3 of this Fifty-Fifth Supplement, to take effect when and as provided in this subsection (a) or in subsection (b) of this Section. A copy of such Additional Supplemental Ordinance (or brief summary thereof or reference thereto) together with a request for consent addressed to the Subordinate Lien Holders whose consent is required, shall promptly after adoption be mailed by the Board to the appropriate Subordinate Lien Holders (but failure to mail such copy and request shall not affect the validity of the Additional Supplemental Ordinance when consented to as herein provided). Such Additional Supplemental Ordinance shall not be effective unless and until the Board shall have received the written consents of the proper Subordinate Lien Holders having the percentages specified in Section 8.3. Any such consent shall be continuously binding upon the Subordinate Lien Holder giving such consent and upon any subsequent Subordinate Lien Holder thereof and of any Subordinate Lien Obligations issued in exchange therefor (whether or not such subsequent Subordinate Lien Holder thereof has notice thereof), unless such consent is revoked in writing by the Subordinate Lien Holder giving such consent or a subsequent Subordinate Lien Holder thereof by filing with the Board, prior to the time action is taken in response to such consents. At any time thereafter notice, stating in substance that the Additional Supplemental Ordinance (which may be referred to as an Additional Supplemental Ordinance adopted by the Cities on a stated date) has been consented to by the Subordinate Lien Holders of the required percentages of Subordinate Lien Obligations and will be effective as hereinafter provided, shall be given to the Subordinate Lien Holders (whose consent was required) by the Board by mailing such notice to such Subordinate Lien Holders (but failure to mail such notice shall not prevent such Additional Supplemental Ordinance from becoming effective and binding). The Additional Supplemental Ordinance making such amendment or modification shall be conclusively binding upon the Cities, the Board, each Paying Agent, all Subordinate Lien Holders, and all Credit Providers holding Credit Agreement Obligations related to Subordinate Lien Obligations at the expiration of 30 days after the mailing by the Board of such last mentioned notice, except in the event of a final decree of a court of competent jurisdiction setting aside such Additional Supplemental Ordinance in a legal action or equitable proceeding for such purpose commenced within such 30 day period; provided, however, that the Cities, the Board and any Paying Agent during such 30 day period and any such further period during which any such action or proceeding may be pending shall be entitled in their reasonable discretion to take such action, or to refrain from taking such action, with respect to such Additional Supplemental Ordinance as they may deem expedient.

(b) Unless the right is limited by the terms of an Additional Supplemental Ordinance, the Cities reserve and shall have the continuing right to amend this Fifty-Fifth Supplement under Section 8.3 and this Section, without the consent of or notice to the Subordinate Lien Holders under

subsection (a) of this Section, if such amendment is approved by each Credit Provider holding Credit Agreement Obligations related to Subordinate Lien Obligations which is existing at the time the amendment is proposed by the Cities. Such right is hereby granted to such Credit Providers and the exercise of such right shall require no further action.

Section 8.5 **Mailing of Notice.** Any provision in this Article for the mailing of a notice or other document to Subordinate Lien Holders or Holders shall be fully complied with if it is mailed, first class postage prepaid, only (i) to each registered owner of Subordinate Lien Obligations or Outstanding Obligations at the address, if any, appearing upon the applicable registers, and (ii) to each Credit Provider, where applicable.

Section 8.6 **Exclusion of Subordinate Lien Obligations.** Subordinate Lien Obligations owned or held by or for the account of the Cities will not be deemed Outstanding for the purpose of consent or other action or any calculation of Outstanding Subordinate Lien Obligations provided for in this Fifty-Fifth Supplement, and the Cities shall not be entitled with respect to such Subordinate Lien Obligations to give any consent or take any other action provided for in this Fifty-Fifth Supplement.

ARTICLE IX

DISCHARGE OF ORDINANCE

Section 9.1 **Reserved.**

Section 9.2 **Discharge by Defeasance.** (a) Subject to compliance with the requirements of subsection (b) of this Section, and of any Additional Supplemental Ordinance related to Subordinate Lien Obligations, the Cities reserve the right to discharge their obligations to pay the principal of, premium, if any, and interest and the purchase price (if tender provisions are applicable), on all or any portion of the Subordinate Lien Obligations, and their obligation to pay all Administrative Expenses and all Credit Agreement Obligations related thereto and thereby to obtain a release of the terms, provisions, pledges and liens of this Fifty-Fifth Supplement and any applicable Additional Supplemental Ordinances as to all or any part of the Subordinate Lien Obligations and related Credit Agreement Obligations (i) by depositing or causing to be deposited with a trustee or escrow agent moneys derived from any lawful source, expressly including the issuance of Additional Subordinate Lien Obligations, which, together with the interest earned on or capital gains or profits to be realized from the investment of such moneys in "Government Securities," as defined in this Section, or in other investments authorized in subsection (b)(iii) of this Section, will be, as determined by a firm of independent and nationally recognized certified public accountants selected by the Cities, sufficient to pay the principal of, purchase price, if applicable, premium, if any, and interest on such Subordinate Lien Obligations to maturity, or to a date fixed by the Cities for the redemption of such Subordinate Lien Obligations, and to pay interest thereon to maturity or to the date fixed for redemption, and to pay all Administrative Expenses as may be reasonably estimated by the Cities to become payable hereunder on account of the Subordinate Lien Obligations being discharged by defeasance, and to pay all Credit Agreement Obligations relating to the Subordinate Lien Obligations being discharged and estimated to become due and payable , and (ii) by delivering to said trustee or escrow agent irrevocable instructions of the Cities to make the payments described in subsections (b)(i), (b)(ii), and (b)(iii) of this Section by delivery to said trustee or escrow agent of a Certificate and an opinion of counsel selected by the Cities that all conditions precedent with respect to such defeasance have been complied with.

(b) To implement a defeasance of all or a part of the Subordinate Lien Obligations or related Credit Agreement Obligations under subsection (a) above, the Cities shall make provision with said trustee or escrow agent for:

(i) the establishment of an irrevocable trust pursuant to a trust agreement creating a trust separate and apart from this Fifty-Fifth Supplement and each applicable Additional Supplemental Ordinance, and shall therein deposit and maintain such moneys, Government Securities or other investments, interest earnings, profits and capital gains;

(ii) the payment, out of such moneys, Government Securities, and other investments to the Subordinate Lien Holders of the Subordinate Lien Obligations being defeased, or to Credit Providers with respect to applicable Credit Agreement Obligations, at their dates of maturity, or at the dates fixed for redemption, of the full amount to which such Subordinate Lien Holders and Credit Providers with respect to Credit Agreement Obligations would be entitled in payment of principal, premium and interest to the dates of such maturity or redemption; and

(iii) the investment of such moneys at the direction of the Cities in either (a) Government Securities, or (b) if the Subordinate Lien Obligations being defeased are insured by a Credit Provider that has issued and maintains in effect a policy of municipal bond insurance with respect to such Subordinate Lien Obligations, either in Government Securities or in such other investments as are authorized by Applicable Law and are approved by the Credit Provider issuing such policy, or with all of such investments maturing in sufficient amounts and at such times as are necessary to make available the moneys required for the purposes stated in paragraph (ii), above, as determined by a firm of independent and nationally recognized certified public accountants selected by the Cities and acceptable to the Trustee.

(c) If Subordinate Lien Variable Interest Rate Obligations are to be defeased, the Subordinate Lien Maximum Interest Rate must be assumed unless a lesser, actual rate to maturity or applicable redemption date is ascertainable or unless a Credit Provider guarantees a lesser rate.

(d) After compliance with the requirements of subsections (a) and (b) of this Section, the Subordinate Lien Obligations and Credit Agreement Obligations related thereto, with respect to which moneys have been provided and investments have been made, shall no longer be Outstanding, and the terms, provisions, pledges and liens of this Fifty-Fifth Supplement shall be automatically released as to such Subordinate Lien Obligations and Credit Agreement Obligations.

(e) For the purposes of this Section, "Government Securities" shall mean and be limited to (i) direct, non-callable obligations of the United States of America and securities that are fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, or to which direct obligations or guarantees the full faith and credit of the United States of America has been pledged, (ii) Refcorp interest strips, CATS, TIGRS, STRPS, and (iii) defeased municipal bonds rated AAA by Standard & Poors Corporation or Aaa by Moody's Investors Services, Inc., or their successors, or, if such firms are no longer issuing such ratings, the highest ratings granted by another nationally recognized rating agency.

ARTICLE X

Section 10.1 **Effective Date of Fifty-Fifth Supplement.** This Fifty-Fifth Supplement shall be in full force and effect on and after the date on which it is duly passed by the City Council of each of the Cities.

Section 10.2 **Severability.** If any Section, paragraph, clause or provision of this Fifty-Fifth Supplement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Fifty-Fifth Supplement. 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 unenforceability 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 Fifty-Fifth Supplement not dependent directly for effectiveness upon the provision of the Contract and Agreement thus declared to be invalid and unenforceable.

(Verification Page Follows)

APPROVED AND PASSED BY THE DALLAS CITY COUNCIL THIS _____, 2019.

APPROVED AS TO FORM:

_____
City Attorney, City of Dallas, Texas

PASSED BY THE FORT WORTH CITY COUNCIL THIS _____, 2019.

_____
Mayor, City of Fort Worth, Texas

(Seal)

ATTEST:

_____
City Secretary, City of Fort Worth, Texas

APPROVED AS TO FORM AND LEGALITY:

_____
City Attorney, City of Fort Worth, Texas

THE STATE OF TEXAS :
COUNTY OF DALLAS :
CITY OF DALLAS :

I, _____, City Secretary of the City of Dallas, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of a Fifty-Fifth Supplemental Concurrent Bond Ordinance that was duly presented and passed by the City Council of the City of Dallas, at a regular meeting held on _____, 2019, which ordinance is duly of record in the minutes of said City Council and in 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 seal of the City of Dallas, Texas, this _____ day of _____, 2019.

_____
City Secretary,
City of Dallas, Texas

(SEAL)

THE STATE OF TEXAS :
COUNTY OF TARRANT :
CITY OF FORT WORTH :

I, _____, 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 the Fifty-Fifth Supplemental Concurrent Bond Ordinance, duly presented and passed by the City Council of the City of Fort Worth, Texas, at a regular meeting held on _____, 2019, as same appears of record in 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 _____, 2019.

_____
City Secretary,
City of Fort Worth, Texas

(SEAL)

DALLAS FORT WORTH INTERNATIONAL AIRPORT

FIFTY-SIXTH SUPPLEMENTAL CONCURRENT BOND ORDINANCE

Passed concurrently by the City Councils of the Cities of Dallas and Fort Worth

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DALLAS FORT WORTH INTERNATIONAL AIRPORT
SUBORDINATE LIEN JOINT REVENUE
COMMERCIAL PAPER NOTES, SERIES I

Passed by the City Council of the City of Dallas_____, 2019

Passed by the City Council of the City of Fort Worth_____, 2019

Effective_____, 2019

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CITY OF DALLAS ORDINANCE NO. _____

CITY OF FORT WORTH ORDINANCE NO. _____

FIFTY-SIXTH SUPPLEMENTAL CONCURRENT BOND ORDINANCE AND ESTABLISHING A COMMERCIAL PAPER PROGRAM UNDER WHICH WILL BE ISSUED FROM TIME TO TIME SUBORDINATE LIEN OBLIGATIONS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $750,000,000 AT ANY ONE TIME OUTSTANDING; AUTHORIZING SUCH SUBORDINATE LIEN OBLIGATIONS TO BE ISSUED, SOLD, AND DELIVERED AS NOTES IN ONE OR MORE SERIES, AND PRESCRIBING THE TERMS, FEATURES, AND CHARACTERISTICS OF SUCH INSTRUMENTS; APPROVING AND AUTHORIZING AUTHORIZED OFFICERS TO ACT ON BEHALF OF THE CITIES IN THE SALE AND DELIVERY OF SUCH SUBORDINATE LIEN OBLIGATIONS, WITHIN THE LIMITATIONS AND PROCEDURES SPECIFIED HEREIN AND IN ACCORDANCE WITH APPLICABLE LAW; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, SECURITY, AND DELIVERY OF SUCH COMMERCIAL PAPER; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS FIFTY-SIXTH SUPPLEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, terms set forth in these recitals shall have the meanings set forth in Section 1.01 herein;

and

WHEREAS, the Cities jointly own the Dallas Fort Worth International Airport (the "Airport"), which is operated for and on behalf of the Cities by a Joint Airport Board (the "Board") pursuant to the terms, provisions, and requirements of a certain "Contract and Agreement" between the Cities and pursuant to the terms herein; and

WHEREAS, in order to finance the future improvements from time to time in the manner that provides capital funds at the lowest possible cost to the users of the Airport and to the traveling public, the Cities adopted the Master Bond Ordinance, effective September 22, 2010 (the "Master Bond Ordinance"); and

WHEREAS, the Master Bond Ordinance authorizes the issuance of, among other forms of debt, Obligations, Parity Credit Agreement Obligations and Subordinate Lien Obligations; and

WHEREAS, in order to finance the future improvements from time to time in the manner that provides capital funds at the lowest possible cost to the users of the Airport and to the traveling public, the Cities and the Board set forth the terms for issuing Subordinate Lien Obligations in the Fifty-Fifth Supplemental Concurrent Bond Ordinance, effective_____, 2019 (the "Fifty-Fifth Supplement"); and

WHEREAS, pursuant to the authority granted by the Master Bond Ordinance and the Fifty-Fifth Supplement, the Cities desire to establish a commercial paper program that will constitute Subordinate Lien Obligations; and

WHEREAS, the respective City Councils for the Cities have determined and found that there is a public need and necessity that this Fifty-Sixth Supplemental Concurrent Bond Ordinance (the "Fifty-Sixth Supplement") be passed concurrently, and that this Fifty-Sixth Supplement shall be effective immediately upon its passage by each of the Cities and receipt of the requisite consents;

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
THE FIFTY-SIXTH SUPPLEMENT, THE NOTES AND DEFINITIONS

Section 1.01. **Definitions**. In addition to the definitions set forth in the preamble of this Fifty-Sixth Supplement, the terms used in this Fifty-Sixth Supplement and not otherwise defined shall have the meanings given in the Master Bond Ordinance, the Fifty-Fifth Supplement or in Exhibit A to this Fifty-Sixth Supplement attached hereto and made a part hereof. This Fifty-Sixth Supplement may be hereafter cited in other documents and without further description as the "Fifty- Sixth Supplement" or "Supplement".

Section 1.02. **Declarations and Additional Rights and Limitations Under Master Bond Ordinance and Fifty-Fifth Supplement**. For all purposes of the Master Bond Ordinance and the Fifty-Fifth Supplement, the Cities and the Board declare and provide as follows:

(a) The Commercial Paper Notes are Subordinate Lien Obligations authorized by Section 3.5 of the Master Bond Ordinance. The Commercial Paper Notes are Interim Obligations under the Master Bond Ordinance.

(b) Administrative Expenses relating to the Commercial Paper Notes shall include (1) the fees and reasonable expenses owed to the Issuing and Paying Agent, (2) the amount payable to the Issuing and Paying Agent as reimbursement of its reasonable expenses, if any, and (3) the fees and reasonable expenses payable to the Dealer under the Dealer Agreement.

(c) The Issuing and Paying Agent is a Paying Agent and Registrar required by the Master Bond Ordinance and the Fifty-Fifth Supplement with respect to the Commercial Paper Notes.

(d) Each Noteholder is a Subordinate Lien Holder under the Fifty-Fifth Supplement.

(e) This Fifty-Sixth Supplement is an Additional Supplemental Ordinance.

(f) Each of the Authorized Officers is designated and appointed as an "officer" of the Cities for the purposes of administering this Fifty-Sixth Supplement, the Dealer Agreement, and the Issuing and Paying Agent Agreement in accordance with Chapter 1371, Government Code, as amended.

(g) The Commercial Paper Notes and the Administrative Expenses are secured solely by the subordinate lien on and pledge of Pledged Revenues and Pledged Funds as Subordinate Lien Obligations, but, the Cities may, but are not required to, pay the same from any other legally available funds held by the Airport, including, without limitation, the proceeds of

Subordinate Lien Obligations.

(h) In the event of the occurrence of an Event of Default, the right of acceleration of the Stated Maturity Dates and the Maximum Maturity Date of the Commercial Paper Notes is not granted as a remedy, and the right of acceleration is expresslydenied.

(i) Acting under the power granted herein, the Board is covenanting as stated herein.

ARTICLE II
AUTHORIZATION OF NOTES

Section 2.01. **General Authorization**. Pursuant to authority conferred by and in accordance with the provisions of the Constitution and laws of the State of Texas, particularly the Acts, Commercial Paper Notes shall be and are hereby authorized to be issued in an aggregate principal amount not to exceed Seven Hundred Fifty Million Dollars ($750,000,000) at any one time Outstanding for the purpose of financing Eligible Projects and to refinance, renew, or refund Notes, Subordinate Lien Obligations, and Obligations, including interest thereon all in accordance with and subject to the terms, conditions, and limitations contained herein; provided that the maximum aggregate principal amount of Commercial Paper Notes that may be issued under this Fifty-Sixth Supplement shall be reduced by the aggregate principal amount of all then Outstanding Promissory Notes. For purposes of this Section 2.01, any portion of Outstanding Notes to be paid from money on deposit with the Issuing and Paying Agent and from the available proceeds of Subordinate Lien Obligations or Obligations issued on the day of calculation shall not be considered Outstanding. The authority to issue Commercial Paper Notes from time to time under the provisions of this Fifty-Sixth Supplement shall exist until the Maximum Maturity Date, regardless of whether at any time prior to the Maximum Maturity Date there are any Commercial Paper Notes Outstanding.

The Notes, Subordinate Lien Obligations, and Obligations to be so refinanced or refunded shall be selected by an Authorized Officer. Further, any such refinancing or refunding, other than a simultaneous refunding, of Notes, Subordinate Lien Obligations, and Obligations, to the extent then required by applicable law, shall be by means of a gross defeasance established at the time of the issuance of the refunding Commercial Paper Notes.

Section 2.02. Under and pursuant to the authority granted hereby and subject to the limitations contained herein, "Dallas Fort Worth International Airport Subordinate Lien Joint Revenue Commercial Paper Notes, Series I (Taxable)" are hereby authorized to be issued, sold and delivered from time to time in such principal amounts as determined by the Cities and the Board in denominations of $100,000 or in integral multiples of $1,000 in excess thereof, numbered in ascending consecutive numerical order in the order of their issuance, and shall mature and become due and payable on such dates as Authorized Officer shall determine at the time of sale; provided, however, that no Commercial Paper Note shall (i) mature after the Maximum Maturity Date or (ii) have a term in excess of 270 calendar days.

Subject to the limitations contained herein, Commercial Paper Notes herein authorized shall be dated as of their date of issuance (the "Note Date") and shall bear no interest or bear interest at such rate or rates per annum or computed pursuant to such formula and on such basis (but in no event to exceed the Maximum Interest Rate in effect on the date of issuance thereof), all as may be determined by an Authorized Officer. Interest, if any, on Commercial Paper Notes shall be payable at maturity. Commercial Paper Notes may be payable to bearer, may be issued in registered form, without coupons, or may be issued in book-entry only form pursuant to Section 2.05(b) as determined by an Authorized Officer. Both principal of and interest on the Commercial Paper Notes shall be payable in lawful money of the United States of America, without exchange or collection charges to the Holder thereof in the manner provided in the applicable Form of

Commercial Paper Note set forth in Exhibit B hereto.

Commercial Paper Notes issued hereunder may contain terms and provisions for the redemption or prepayment thereof prior to maturity, subject to any applicable limitations contained herein, as provided herein or otherwise as shall be determined by an Authorized Officer.

Subject to applicable terms, limitations, and procedures contained herein, the Commercial Paper Notes may be sold in such manner at public or private sale and at par or at such discount or premium (within the interest rate and yield restrictions provided herein) as an Authorized Officer shall approve at the time of the sale thereof.

Section 2.03. **Form of Commercial Paper Notes**. (a) If not issued in book-entry only form, the Commercial Paper Notes and the Certificate of Authentication to appear on each of the Commercial Paper Notes shall be substantially in the form set forth in Exhibit B hereto with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Fifty-Sixth Supplement and 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) ("CUSIP" numbers) and such legends and endorsements thereon as may, consistently herewith, be approved by an Authorized Officer. Any portion of the text of any Commercial Paper Notes may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Commercial Paper Notes and the Commercial Paper Notes shall be printed, lithographed, or engraved or produced in any other similar manner, or typewritten, all as determined and approved by an Authorized Officer.

(b) If the Commercial Paper Notes are issued in book-entry only form pursuant to Section 2.05(b) hereof, they shall be issued in the form of a Master Note in substantially the form attached as Exhibit C hereto, or such other forms as are required by DTC, to which there shall be attached the respective form of Commercial Paper Note set forth in Exhibit B hereto and it is hereby declared that the provisions of Exhibit B hereto are incorporated into and shall be a part of the applicable Master Note. It is further provided that this Fifty-Sixth Supplement, the Fifty-Fifth Supplement, the Master Bond Ordinance, and the form of Commercial Paper Note set forth in Exhibit B hereto shall constitute the "underlying records" referred to in each Master Note. In addition, whenever the beneficial ownership of the Commercial Paper Notes is determined by a book-entry at DTC, the Issuing and Paying Agent may, without further approval from the Board or an Authorized Officer, place such letters, numbers, marks of identification, legends and endorsements on the Commercial Paper Notes and Master Notes as are necessary to satisfy the requirements of DTC. Notwithstanding the provisions of Section 2.04 hereof, each Master Note shall be executed on behalf of the Cities by the signatures set forth in the Exhibit B.

Section 2.04. **Form of Notes**. Under authority granted by Section 1371.055, Texas Government Code, as amended, the Notes shall be executed by the manual or facsimile signatures of the Mayors of the Cities 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. The signature of said officers on the Notes may be manual or facsimile. Notwithstanding the other provisions of this Section 2.05, the Master Note shall be executed by the manual or facsimile signatures of the Mayors of the Cities 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. Notes bearing the manual or facsimile signatures of individuals who are or were the proper officers of the Cities on the date of such execution shall be deemed to be duly executed on behalf of the Cities, notwithstanding that such individuals or any of them shall cease to hold such offices at the time of the initial sale and delivery of Notes authorized to be issued hereunder and with respect to Notes delivered in subsequent sales, exchanges, and transfers, all as authorized and provided in Chapter 1201, Texas Government Code, as amended.

Other than pursuant to Section 2.03(b), no Note shall be entitled to any right or benefit under this Fifty-Sixth Supplement, or be valid or obligatory for any purpose, unless there appears on such Note a certificate of authentication substantially in the form provided in Exhibit B to this Fifty-Sixth Supplement, executed by the Issuing and Paying Agent by manual signature, and such certificate upon any Note shall be conclusive evidence, and the only evidence, that such Note has been duly certified or registered and delivered.

Section 2.05. **Issuing and Paying Agent and Book-Entry Only System**.

(a) Issuing and Paying Agent. The selection and appointment of The Bank of New York Mellon Trust Company, N.A., to serve as Issuing and Paying Agent for the Notes is hereby confirmed. The Cities and the Board covenant and agree to keep and maintain the Registration Books at the office of the Issuing and Paying Agent, all as provided herein and pursuant to such reasonable rules and regulations as the Issuing and Paying Agent may prescribe. The Cities and the Board covenant to maintain and provide an Issuing and Paying Agent at all times while the Commercial Paper Notes are Outstanding, which, if the Board is not acting in such capacity, shall be a national or state banking association or corporation organized and doing business under the laws of the United States of America or of any State and authorized under such laws to exercise trust powers. Should a change in the Issuing and Paying Agent for the Commercial Paper Notes occur, the Cities and the Board agree to promptly cause a written notice thereof to be (i) sent to each Registered Owner, if any, of the Commercial Paper Notes then Outstanding by United States mail, first class, postage prepaid and (ii) published in a financial newspaper or journal of general circulation in The City of New York, New York, once during each calendar week for at least two calendar weeks; provided, however, that the publication of such notice shall not be required if notice is given to each Registered Owner in accordance with clause (i) above. Such notice shall give the address of the successor Issuing and Paying Agent. A successor Issuing and Paying Agent may be appointed without the consent of the Holders. Should the Issuing and Paying Agent resign or be removed, such resignation or removal shall not be effective until a successor Issuer and Paying Agent has been appointed by the Board and such appointment has been accepted.

Subject to the provisions of subsection (b) hereof, the Cities, the Board and the Issuing and Paying Agent may treat the bearer (in the case of Commercial Paper Notes so registered) or the Registered Owner of any Commercial Paper Note as the absolute owner thereof for the purpose of receiving payment thereof and for all purposes, and, to the extent permitted by law, the Board and the Issuing and Paying Agent shall not be affected by any notice or knowledge to the contrary.

A copy of the Registration Books and any change thereto shall be provided to the Board by the Issuing and Paying Agent, by means of telecommunications equipment or such other means as may be mutually agreeable thereto, within two Business Days of the opening thereof or any change therein, as the case may be.

(b) Book-Entry Only System. If an Authorized Officer determines that it is possible and desirable to provide for a book-entry only system of Commercial Paper Note registration with DTC, such Authorized Officer, acting for and on behalf of the Cities and the Board, is hereby authorized to approve, execute, and deliver a Letter of Representations to DTC and to enter into such other agreements and execute such instruments as are necessary to implement such book-entry only system, such approval to be conclusively evidenced by the execution thereof by said Authorized Officer. Under the initial Book Entry System with DTC, (i) no physical Note certificates will be delivered to DTC and (ii) the Cities and the Board will execute and deliver to the Issuing and Paying Agent, as custodian for DTC, a master note (a "Master Note") in substantially the form set forth in Exhibit C hereto, or such other forms as are required by DTC. Except as provided herein, the ownership of the Notes shall be registered in the name of Cede & Co., as nominee of DTC, which will serve as the initial securities depository for the Notes. Ownership of beneficial interests in

the Notes shall be shown by book entry on the system maintained and operated by DTC and DTC participants, and transfers of ownership of beneficial interests shall be made only by DTC and the DTC participants by book entry, and the Board and the Issuing and Paying Agent shall have no responsibility therefor. DTC will be required to maintain records of the positions of the DTC participants in the Notes, and the DTC participants and persons acting through the DTC participants will be required to maintain records of the purchasers of beneficial interests in the Notes. Except as provided in this subsection (b), the Notes shall not be transferable or exchangeable, except for transfer to another securities depository or to another nominee of a securities depository.

With respect to Commercial Paper Notes registered in the name of DTC or its nominee, neither the Cities, the Board nor the Issuing and Paying Agent shall have any responsibility or obligation to any DTC Participant or to any person on whose behalf a DTC Participant holds an interest in the Commercial Paper Notes. Without limiting the immediately preceding sentence, neither the Cities, the Board nor the Issuing and Paying Agent shall have any responsibility or obligation with respect to (i) the accuracy of the records of DTC or any DTC Participant with respect to any ownership interest in the Commercial Paper Notes, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of the Commercial Paper Notes, as shown on the Registration Books, of any notice with respect to the Commercial Paper Notes, including any notice of redemption, and (iii) the payment to any DTC Participant or any other person, other than a registered owner of the Commercial Paper Notes, as shown in the Registration Books, of any amount with respect to principal of and premium, if any, or interest on the Commercial Paper Notes.

Whenever, during the term of the Commercial Paper Notes, the beneficial ownership thereof is determined by a book entry at DTC, the requirements in this Fifty-Sixth Supplement of holding, registering, delivering, exchanging, or transferring the Commercial Paper Notes shall be deemed modified to require the appropriate person or entity to meet the requirements of DTC as to holding, registering, delivering, exchanging, or transferring the book entry to produce the same effect.

Either the Board or DTC may determine to discontinue the book-entry only system, and in such case, unless a new book-entry only system is put in place, physical certificates in the form set forth in Exhibit B hereto shall be provided at the instruction of the Board to the beneficial holders.

If at any time, DTC ceases to hold the Commercial Paper Notes, all references herein to DTC shall be of no further force or effect.

Whenever the beneficial ownership of the Commercial Paper Notes is determined by a book entry at DTC, delivery of Commercial Paper Notes for payment at maturity shall be made pursuant to DTC's payment procedures as are in effect from time to time and the DTC Participants shall transmit payment to beneficial owners whose Commercial Paper Notes have matured. The Board and each Issuing and Paying Agent, Bank, and Dealer are not responsible for transfer of payment to the DTC Participants or beneficial owners.

Section 2.06. **Negotiability, Registration, and Exchangeability**. The Commercial Paper Notes shall be, and shall have all of the qualities and incidents of a negotiable instrument under the laws of the State of Texas, and each successive Holder, in accepting any of the obligations, shall be conclusively deemed to have agreed that such obligations shall be and have all of the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

Registration Books relating to the registration, payment, and transfer or exchange of the Commercial Paper Notes shall at all times be kept and maintained by the Board at the office of the Issuing and Paying Agent, and the Issuing and Paying Agent shall obtain, record, and maintain in the Registration Books the name, and to the extent provided by or on behalf of the Holder, the address of each Holder of the

Commercial Paper Notes, except for Commercial Paper Notes registered to bearer. A copy of the Registration Books shall be provided to and held by the Board in the manner provided in Section 2.05 hereof. Any Commercial Paper Note may, in accordance with its terms and the terms hereof, be transferred or exchanged for Commercial Paper Notes of like tenor and character and of other authorized denominations upon the Registration Books by the Holder in person or by his duly authorized agent, upon surrender of such Commercial Paper Note to the Issuing and Paying Agent for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Issuing and Paying Agent.

Upon surrender for transfer of any Commercial Paper Note at the designated office of the Issuing and Paying Agent, the Issuing and Paying Agent shall register and deliver, in the name of the designated transferee or transferees, one or more new Commercial Paper Notes executed on behalf of, and furnished by, the Cities of like tenor and character and of authorized denominations and having the same maturity, bearing interest at the same rate and of a like aggregate principal amount as the Commercial Paper Note or Commercial Paper Notes surrendered for transfer.

Furthermore, Commercial Paper Notes may be exchanged for other Commercial Paper Notes of like tenor and character and of authorized denominations and having the same maturity, bearing the same rate of interest and of like aggregate principal amount as the Commercial Paper Notes surrendered for exchange, upon surrender of the Commercial Paper Notes to be exchanged at the designated office of the Issuing and Paying Agent. Whenever any Commercial Paper Notes are so surrendered for exchange, the Issuing and Paying Agent shall register and deliver new Commercial Paper Notes of like tenor and character as the Commercial Paper Notes exchanged, executed on behalf of and furnished by, the Cities to the Holder requesting the exchange.

The Cities, the Board and the Issuing and Paying Agent may charge the Holder a sum sufficient to reimburse them for any expenses incurred in making any exchange or transfer after the first such exchange or transfer. The Issuing and Paying Agent, the Cities or the Board may also require payment from the Holder of a sum sufficient to cover any tax, fee, or other governmental charge that may be imposed in relation thereto. Such charges and expenses shall be paid before any such new Commercial Paper Note shall be delivered.

The Cities, the Board and the Issuing and Paying Agent shall not be required to transfer or exchange any Commercial Paper Note selected, called, or being called for redemption in whole or in part.

New Commercial Paper Notes delivered upon any transfer or exchange shall be valid special obligations of the Cities, evidencing the same debt as the Commercial Paper Notes surrendered, shall be secured by this Fifty-Sixth Supplement, Fifty-Fifth Supplement and Master Bond Ordinance and shall be entitled to all of the security and benefits hereof to the same extent as the Commercial Paper Notes surrendered.

The Cities and the Board reserve the right to change the above registration and transferability provisions of the Commercial Paper Notes at any time on or prior to the delivery thereof in order to comply with applicable laws and regulations of the United States in effect at the time of issuance thereof. In addition, to the extent that the provisions of this Section conflict with or are inconsistent with the provisions of the Form of Commercial Paper Note set forth in Exhibit B hereto, such other provisions shall control.

Section 2.07. **Commercial Paper Notes Mutilated, Lost, Destroyed, or Stolen**. If any Commercial Paper Note shall become mutilated, the Board, at the expense of the Holder of said Commercial Paper Note, shall execute and the Issuing and Paying Agent shall authenticate and deliver a new Note of like tenor and number in exchange and substitution for the Commercial Paper Note so mutilated, but only upon

surrender to the Issuing and Paying Agent of the Commercial Paper Note so mutilated. If any Commercial Paper Note shall be lost, destroyed, or stolen, evidence of such loss, destruction, or theft may be submitted to the Board and the Issuing and Paying Agent. If such evidence be satisfactory to the Board and the Issuing and Paying Agent and indemnity satisfactory to them shall be given, the Board, at the expense of the Holder, shall execute and the Issuing and Paying Agent shall authenticate and deliver a new Commercial Paper Note of like tenor in lieu of and in substitution for the Commercial Paper Note so lost, destroyed, or stolen. In the event any such Commercial Paper Note shall have matured, the Issuing and Paying Agent instead of issuing a duplicate Commercial Paper Note may pay the same without surrender thereof after making such requirement as it deems fit for its protection, including a lost instrument bond. Neither the Board nor the Issuing and Paying Agent shall be required to treat both the original Commercial Paper Note and any duplicate Commercial Paper Note as being Outstanding for the purpose of determining the principal amount of Commercial Paper Notes which may be issued hereunder, but both the original and the duplicate Commercial Paper Note shall be treated as one and the same. The Board and the Issuing and Paying Agent may charge the Holder of such Commercial Paper Note with their reasonable fees and expenses for such service.

Section 2.08. **CP Credit Agreement**. The Cities and the Board reserve the right to enter into a CP Credit Agreement to provide liquidity for a part or all of the Commercial Paper Notes to be Outstanding under this Fifty-Sixth Supplement. Whenever the term "CP Credit Agreement" is used in the Fifty-Sixth Supplement, it shall refer to the agreement referred to in this Section and the term "Advances" shall mean advances under such a CP Credit Agreement.

Section 2.09. **Promissory Notes**. The Cities and the Board reserve the right to authorize one or more Promissory Notes to evidence Advances under a CP Credit Agreement and such Promissory Notes shall be on a parity and of equal dignity with the Commercial Paper Notes.

Section 2.10. **Note Payment Fund**. There is hereby created a fund at the Issuing and Paying Agent entitled the "Subordinate Lien Joint Revenue Note Payment Fund" (the "Note Payment Fund"). The proceeds from the sale of Subordinate Lien Obligations or Obligations issued for the purpose of refunding and retiring Notes Outstanding under this Fifty-Sixth Supplement shall be paid to the Issuing and Paying Agent for deposit to the credit of the Note Payment Fund and used for such purpose. In addition, all amounts required to be paid to the Issuing and Paying Agent for deposit by the Cities and the Board pursuant to Section 2.11 shall be paid to the Issuing and Paying Agent for deposit to the appropriate account within the Note Payment Fund and shall be used to pay principal of, premium, if any, and interest on Notes at the respective interest payment, maturity or redemption of such Notes as provided herein, including the repayment of any amounts owed with respect to the Promissory Note in evidence of Advances under a CP Credit Agreement.

Additionally, all Advances under a CP Credit Agreement shall be paid to the Issuing and Paying Agent for the account of the Board and deposited into the appropriate account within the Note Payment Fund and used to pay the principal of, premium, if any, and interest on the Commercial Paper Notes.

Pending the expenditure of moneys in the Note Payment Fund for authorized purposes, moneys deposited therein may be invested at the direction of an Authorized Officer in the manner prescribed by law and in accordance with the written policies adopted by the Board. Any income received from investments in the Note Payment Fund shall be retained in the Note Payment Fund.

Section 2.11. **Issuance of Subordinate Lien Obligations; Security and Pledge**.

(a) The Notes are special obligations of the Cities payable from and secured solely by the Pledged Funds and Pledged Revenues deposited under Section 5.2(b)(v) of the Master Bond Ordinance. The Pledged Funds and Pledged Revenues are hereby pledged, subject to the subordinate liens securing Subordinate Lien

Obligations, to the payment of the principal of, premium, if any, and interest on the Notes as the same shall become due and payable. The Cities agree to pay from lawfully available Airport funds the principal of, premium, if any, and the interest on the Notes when due, whether by reason of maturity or redemption.

(b) An Authorized Officer shall implement the procedures necessaryto make an Advance under a CP Credit Agreement, if in effect, if there is not anticipated to be Pledged Funds and Pledged Revenues or other lawfully available funds in an amount sufficient and in ample time to pay the principal of and interest and any premium, if any, on the Commercial Paper Notes as such principal, interest and premium, respectively, come due, whether by reason of maturity or redemption. Amounts in the Note Payment Fund attributable to and derived either from Advances under and pursuant to a CP Credit Agreement or from amounts provided pursuant to Section 4.02(b) shall be used only to pay the principal of, premium, if any, and interest on the Commercial Paper Notes.

Section 2.12. **Cancellation.** All Commercial Paper Notes which at maturity are surrendered to the Issuing and Paying Agent for the collection of the principal and interest thereof or are surrendered for transfer or exchange pursuant to the provisions hereof or are refunded through an Advance shall, upon payment or issuance of new Commercial Paper Notes, be cancelled by the Issuing and Paying Agent and forthwith transmitted to the Board, and thereafter the Board shall have custody of such cancelled Commercial Paper Notes.

Section 2.13. **Fiscal and Other Agents.** In furtherance of the purposes of this Fifty-Sixth Supplement, the Cities and the Board may from time to time appoint and provide for the payment of such additional fiscal, paying, or other agents or trustees as they may deem necessary or appropriate in connection with the Notes.

ARTICLE III
ISSUANCE AND SALE OF NOTES

Section 3.01. **Issuance and Sale of Notes.**

(a) All Commercial Paper Notes shall be sold in the manner determined by the Authorized Officer to be most economically advantageous to the Cities and the Board.

(b) The terms of the Commercial Paper Notes shall be established and they shall be delivered by the Issuing and Paying Agent in accordance with telephonic, facsimile, computer, or written instructions of any Authorized Officer and in the manner specified below and in the Issuing and Paying Agent Agreement. To the extent such instructions are telephonic, they shall be confirmed in writing (which shall include electronic transmission) within 24 hours of the transmission or communication thereof. Any such instructions from an Authorized Officer relating to the issuance of Commercial Paper Notes for the purpose of refinancing, renewing or refunding Notes may be in the form of standing instructions to the effect that the Issuing and Paying Agent may rely on instructions it receives from a Dealer for the issuance and sale of such Commercial Paper Notes unless otherwise notified in writing by an Authorized Officer. Said instructions shall specify such principal amounts, dates of issue, maturities, rates of discount or interest, or the formula or method of calculating interest and the basis upon which it is to be computed, purchase price, and other terms and conditions which are hereby authorized and permitted to be fixed by an Authorized Officer at the time of sale of the Commercial Paper Notes. Such instructions shall also contain provisions representing that (i) all action on the part of the Cities and the Board necessary for the valid issuance of the Commercial Paper Notes then to be issued, or the incurring of Advances under the Promissory Note then to be incurred, has been taken, (ii) all provisions of Texas and federal law necessary for the valid issuance of such Commercial Paper Notes have been complied with, and (iii) such Commercial Paper Notes will be valid and enforceable special

obligations of the Cities according to their terms, subject to the exercise of judicial discretion in accordance with general principles of equity and bankruptcy, insolvency, reorganization, moratorium, and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable or general principles of equity which permit the exercise of judicial discretion. Such instructions shall also certify that, as of the date of such certificate:

(i) if the Commercial Paper Notes are being issued to pay Costs of the Airport, (A) the Cities and the Board have been advised by Bond Counsel that the Commercial Paper Notes are being issued to pay Costs of the Airport for Eligible Projects, and (B) attached to such instructions is a written certificate signed by an Authorized Officer listing the Eligible Projects expected to be financed, in whole or in part, by the Commercial Paper Notes; provided, however, that at some future date, the Board may substitute other Eligible Projects (the "Substituted Projects") to be financed, in whole or in part, by the Commercial Paper Notes for the Eligible Projects listed on such certificate;

(ii) the requirements of Fifty-Fifth Supplement have been complied with;

(iii) after the proposed issuance, the total principal amount of Outstanding Commercial Paper Notes plus interest accrued or to accrue thereon for the following ninety (90) days shall not exceed the "Available Bank Loan Commitment" under a CP Credit Agreement, if then in effect;

(iv) if a CP Credit Agreement is then in effect, no "Event of Default" thereunder has occurred and is continuing; and

(v) that the sum of the interest payable on such Commercial Paper Notes issued and Outstanding or in the process of issuance and any discount established for such Commercial Paper Notes will not exceed a yield to the maturity date of such Commercial Paper Notes in excess of the Maximum Interest Rate in effect on the date of issuance of such Commercial Paper Notes.

The representations and certifications made in such instructions shall be made for the benefit of and may be relied upon by the Issuing and Paying Agent, the Dealers, and the Holders of the Commercial Paper Notes. Notwithstanding any other provision of this Section 3.01(b) to the contrary, the instructions required to be given by an Authorized Officer to the Issuing and Paying Agent in connection with the issuance of Commercial Paper Notes for the payment of Costs of the Airport may include a provision to the effect that each sale of Commercial Paper Notes thereafter made by the Cities for the purpose of refinancing, renewing or refunding the Commercial Paper Notes that are the subject of such instructions shall be deemed a representation and certification by the Cities and the Board as of the date of each such sale that any one or more of the representations and certifications contained in such instructions are true and correct as if made on each such date.

(c) Upon the execution and delivery of a CP Credit Agreement, Promissory Notes shall be delivered to the Bank and thereafter Advances may be made thereunder in accordance with the terms of the CP Credit Agreement.

Section 3.02. **Proceeds of Sale of Commercial Paper Notes.** The proceeds of the sale of any Commercial Paper Notes (net of all expenses and costs of sale and issuance) shall be applied for any or all of the following purposes as directed by Authorized Officer:

(i) used for the payment and redemption or purchase of Outstanding Commercial Paper Notes, Subordinate Lien Obligations or Obligations at or before maturity and the refunding of any Advances

(evidenced by the Promissory Note) under a CP Credit Agreement; or

(ii) used for the purpose of financing Costs of the Airport of Eligible Projects.

Section 3.03. **Issuing and Paying Agent Agreement.** The Issuing and Paying Agent Agreement with The Bank of New York Mellon Trust Company, N.A. attached as Exhibit D is hereby approved and confirmed for the Commercial Paper Notes issued under this Fifty-Sixth Supplement. An Authorized Officer is hereby authorized to enter into any supplemental agreements with the Issuing and Paying Agent or any additional agreements with any successor Issuing and Paying Agent as may be necessary and proper to carry out the purpose and intent of the Cities and the Board in authorizing this Fifty-Sixth Supplement.

Section 3.04. **Dealer Agreement.** The form Dealer Agreement attached as Exhibit E is hereby approved and confirmed for the Commercial Paper Notes issued under this Fifty-Sixth Supplement. An Authorized Officer is authorized and directed to select a Dealer(s). An Authorized Officer is further authorized and directed from time to time to review the performance of each Dealer and of the Commercial Paper Note program authorized hereby and to periodically solicit and review the qualifications of each Dealer and of any additional investment banking firms interested in serving as Dealer. Based upon such review, the number of Dealers selected, which Dealers are selected and the amount of Commercial Paper Notes for which each Dealer is responsible may be changed and additional or different Dealers may be selected and new Dealer Agreements entered into based upon a determination that such changes are expected to result in the lowest overall cost of the Commercial Paper Note program authorized hereby after taking into account not only the fees to be paid to the Dealers but the expectations as to the performance of each Dealer in providing broad distribution of the Commercial Paper Notes and creating competitive pricing without adversely affecting investor liquidity.

An Authorized Officer is hereby authorized and directed to approve, execute, and deliver to the Dealers any instrument evidencing such changes, additions, or amendments to the Dealer Agreements as may be necessary and proper to carry out the purpose and intent of the Cities and the Board in authorizing this Fifty-Sixth Supplement. An Authorized Officer is hereby authorized to enter any supplemental agreements with the Dealer or with any successor Dealer.

In connection with each issuance and sale of Commercial Paper Notes for the purpose of refinancing, renewing or refunding Notes, an Authorized Officer is hereby authorized to provide standing instructions to any Dealer to determine the interest rates and maturity dates for any such sale of Commercial Paper Notes; provided that, no such Commercial Paper Note shall (i) bear interest at a rate that exceeds the Maximum Interest Rate or (ii) mature after the Maximum Maturity Date or have a term in excess of 270 calendar days; and provided further that, the interest rates shall be the minimum interest rates which, in the opinion of such Dealer under then-existing market conditions, would result in the sale of such Commercial Paper Notes at a price equal to the principal amount thereof.

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ARTICLE IV
GENERAL COVENANTS

Section 4.01. **Limitation on Issuance**. Unless this Fifty-Sixth Supplement is amended and modified by the Cities in accordance with the provisions of Section 5.01, the Cities covenant that there will not be issued and Outstanding at any time more than $750,000,000 in aggregate principal amount of Notes. The Cities, however, do reserve the right to increase said amount by an amendment to this Fifty-Sixth Supplement or to issue additional Subordinate Lien Obligations in excess of said amount, without limitation, by a supplement duly adopted by the Cities. For purposes of this Section any portion of outstanding Commercial Paper Notes to be paid on the day of calculation from moneys on deposit in the Commercial Paper Note Payment Fund, the proceeds of Commercial Paper Notes or other Obligations or any combination thereof shall not be considered outstanding.

Section 4.02. **Available Funds.** (a) To the extent Commercial Paper Notes cannot be issued to renew or refund Outstanding Notes and Advances cannot be drawn on the Promissory Notes, if any, the Cities and the Board shall provide lawfully available funds of the Airport or shall in good faith endeavor to sell a sufficient principal amount of Subordinate Lien Obligations or other Obligations in order to have funds available, together with other moneys available therefor, to pay the Notes and the interest thereon, or any renewals thereof, as the same shall become due, and other amounts due under a CP Credit Agreement.

(b) Notwithstanding anything to the contrary contained herein, to the extent that a Dealer cannot sell Commercial Paper Notes to renew or refund Outstanding Commercial Paper Notes on their maturity date, the Board covenants to make Advances under the Promissory Notes, if any, or to use lawfully available funds to purchase Commercial Paper Notes issued in order to renew and refund such maturing Commercial Paper Notes and such payment, issuance, and purchase are not intended to constitute an extinguishment of the obligation represented by such maturing Commercial Paper Notes and the Cities may issue Commercial Paper Notes to renew and refund the Commercial Paper Notes held by it when a Dealer is again able to sell Commercial Paper Notes. While such Commercial Paper Notes are held by the Board they shall bear interest at the prevailing market rate for alternative taxable investments of similar maturity and credit rating.

ARTICLE V
FEDERAL INCOME TAXATION COVENANTS

Section 5.01 **Taxable Notes**. (a) The Cities reserve the ability to issue Notes in a manner such that such obligations are not obligations described in section 103(a) of the Code.

(b) It is the intention of the Cities and the Board that the interest on the Notes not be excludable from gross income for federal income tax purposes under section 103 of the Code. Accordingly, the Cities and the Board covenant not to file any information return that would result in the interest being excludable from gross income under such section of the Code.

(c) The Cities, the Board and the Paying Agent covenant and agree that the Paying Agent will undertake to report, to the extent required by the Code, interest payments on the Notes to the Internal Revenue Service. Such information will be filed by the Paying Agent on the form published by the Internal Revenue Service for this purpose and contain the information required by the Code.

(d) The Cities, the Board and the Paying Agent covenant and agree that the Paying Agent will obtain or cause to be obtained from the Holder of each of the Notes the information required by Code relating to the correct social security number or other taxpayer identification number for the Holder of each of the

Notes or to withhold the portion of the payment required to be withheld under the Code.

Section 5.02. **Opinion of Bond Counsel**. The Cities and the Board shall cause the legal opinion of Bond Counsel as to the validity of the Notes to be furnished to any Holder without cost to the Holder. In addition, a copy of said opinion may be printed on each of the Notes.

ARTICLE VI
MISCELLANEOUS

Section 6.01. **Fifty-Sixth Supplement to Constitute a Contract; Equal Security**. In consideration of the acceptance of the Notes by those who shall hold the same from time to time, this Fifty-Sixth Supplement shall be deemed to be and shall constitute a contract between the Cities, Board and Noteholders from time to time and the pledge made in this Fifty-Sixth Supplement by the Cities and the Board and the covenants and agreements set forth in this Fifty-Sixth Supplement to be performed by the Cities and the Board shall be for the equal and proportionate benefit, security, and protection of all Noteholders, without preference, priority, or distinction as to security or otherwise of any of the Notes over any of the others by reason of time of issuance, sale, or maturity thereof or otherwise for any cause whatsoever, except as expressly provided in or permitted by this Fifty-Sixth Supplement.

Section 6.02. **Individuals Not Liable**. All covenants, stipulations, obligations, and agreements of Cities and the Board contained in this Fifty-Sixth Supplement shall be deemed to be covenants, stipulations, obligations, and agreements of the Cities and the Board to the full extent authorized or permitted by the Constitution and laws of the State of Texas. No covenant, stipulation, obligation, or agreement herein contained shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the Board, any elected officials of the Cities or any agent or employee of the Cities or the Board in his individual capacity and neither the members of the Board, elected officials of the Cities, nor any officer or employee of any of them shall be liable personally on the Notes or be subject to any personal liability or accountability by reason of the issuance thereof.

Section 6.03. **Additional Actions**. (a) *Execution and Delivery of Documents*. Each Authorized Officer, and all other officers, employees, and agents of the Cities and the Board, and each of them, jointly and severally, shall be and they are hereby expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the corporate seal and on behalf of the Cities and the Board all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Fifty-Sixth Supplement, the Dealer Agreement, the Issuing and Paying Agent Agreement, and the Depository Trust Company Letter of Representation. In addition, an Authorized Officer and Bond Counsel are hereby authorized to approve, subsequent to the date of adoption of this Fifty-Sixth Supplement but before any Notes are Outstanding, any amendments to the above named documents, and any technical amendments to this Fifty-Sixth Supplement as may be required by a Rating Agency, or as a condition to the granting of a rating on the Notes.

(b) *Notice to Rating Agencies and Bondholders*. An Authorized Officer shall promptly give written notice to each Rating Agency then providing a rating on the Notes at the request of the Cities or the Board of any changes or amendments to this Fifty-Sixth Supplement, any execution and delivery of an agreement to provide liquidity or credit support for Notes, any amendment, substitution or termination of any such liquidity or credit agreement then in effect (including the expiration thereof), of any amendment or substitution of the Dealer Agreement or the Issuing and Paying Agent Agreement, or any change or amendment to any other operative document used in connection with the issuance from time to time of the Notes. Notice of any of the aforementioned events also shall be given to Noteholders in accordance with and

in the manner described by the Fifty- Fifth Supplement.

Section 6.04. **Severability of Invalid Provisions**. If any one or more of the covenants, agreements, or provisions herein contained shall be held contrary to any express provisions of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements, or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of any of the other provisions hereof or of the Notes issued hereunder.

Section 6.05. **Payment and Performance on Business Days**. Whenever under the terms of this Fifty-Sixth Supplement or the Notes, the performance date of any provision hereof or thereof, including the payment of principal of or interest on the Notes, shall occur on a day other than a Business Day, then the performance thereof, including the payment of principal of and interest on the Notes, need not be made on such day but may be performed or paid, as the case may be, on the next succeeding Business Day with the same force and effect as if made on the date of performance or payment is scheduled, and no interest shall accrue between stated day and the applicable Business Day.

Section 6.06. **Limitation of Benefits With Respect to the Fifty-Sixth Supplement**. With the exception of the rights or benefits herein expressly conferred, nothing expressed or contained herein or implied from the provisions of this Fifty-Sixth Supplement or the Notes is intended or should be construed to confer upon or give to any person other than the Cities, the Board, Bond Counsel, the Noteholders, the Issuing and Paying Agent, and the Dealer any legal or equitable right, remedy or claim under or by reason of or in respect to this Fifty-Sixth Supplement or any covenant, condition, stipulation, promise, agreement, or provision herein contained. This Fifty-Sixth Supplement and all of the covenants, conditions, stipulations, promises, agreements, and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the Cities, the Board, Bond Counsel, the Noteholders, the Issuing and Paying Agent, and the Dealer as herein provided and as provided in the Issuing and Paying Agent Agreement and the Dealer Agreement.

Section 6.07. **Approval of Attorney General**. No proceedings regarding the Notes shall be valid until the Attorney General of the State of Texas shall have approved the proceedings in connection therewith.

Section 6.08. **Approval of Offering Memorandum**. The preparation, execution and delivery of an offering memorandum for the Notes and any supplements thereto which may be necessary to accomplish the issuance of Notes are hereby authorized, in such form and with such changes therein as shall be approved by an Authorized Officer or the Board, with an Authorized Officer's execution of the Officers Pricing Certificate or other certificate for the Notes to constitute conclusive evidence of such approval.

Section 6.09. **Ongoing Continuing Disclosure Covenant**. To the extent required by the provisions of U.S. Securities and Exchange Commission Rule 15c2-12 (Rule 15c2-12), the Cities and the Board agree to enter into an agreement to file financial information and operating data with respect to the Notes with such entities as are designated pursuant to the terms of said Rule 15c2-12. Under the provisions of said Rule 15c2-12, as they exist on the date this Supplement is adopted, The Cities and the Board are exempted from complying with the undertaking described in the first sentence of this Section, as the Notes are to be issued in the form of Notes.

Section 6.10. **Consent to Provide Information and Documentation to the Texas MAC.** The Municipal Advisory Council of Texas (the "Texas MAC"), a non-profit membership corporation organized exclusively for non-profit purposes described in section 501(c)(6) of the Internal Revenue Code and which

serves as a comprehensive financial information repository regarding municipal debt issuers in Texas, requires provision of written documentation regarding the issuance of municipal debt by the issuers thereof. In support of the purpose of the Texas MAC and in compliance with applicable law, the Cities and the Board hereby consent to and authorize any Authorized Officer, Bond Counsel, and/or financial advisor to the Board to provide to the Texas MAC information and documentation requested by the Texas MAC relating to the Notes; provided, however, that no such information and documentation shall be provided prior to the delivery of the Notes. This consent and authorization relates only to information and documentation that is a part of the public record concerning the issuance of the Notes.

Section 6.11. **Attorney General Modification.** In order to obtain the approval of the proceeding and the Notes by the Attorney General of the State of Texas, any provision of this Fifty- Sixth Supplement 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 Notes and approval thereof in accordance with the applicable law. Such changes, if any, shall be provided to the Board secretary who shall insert such changes into this Fifty-Sixth Supplement as if approved on the date hereof.

Section 6.12. **Public Meeting.** It is officially found, determined, and declared that the meeting at which this Fifty-Sixth Supplement is adopted was open to the public, and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Fifty-Sixth Supplement, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 6.13. **Effective Date.** This Fifty-Sixth Supplement shall be in full force and effect from and upon its adoption.

[The Remainder of This Page is Intentionally Left Blank]

APPROVED AND PASSED BY THE DALLAS CITY COUNCIL THIS_____, 2019.

APPROVED AS TO FORM:

_____
City Attorney, City of Dallas, Texas

PASSED BY THE FORT WORTH CITY COUNCIL THIS_____, 2019.

_____
Mayor, City of Fort Worth, Texas

(Seal)

ATTEST:

_____
City Secretary, City of Fort Worth, Texas

APPROVED AS TO FORM AND LEGALITY:

_____
City Attorney, City of Fort Worth, Texas

THE STATE OF TEXAS :
COUNTY OF DALLAS :
CITY OF DALLAS :

I,_____, City Secretary of the City of Dallas, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of a Fifty-Sixth Supplemental Concurrent Bond Ordinance that was duly presented and passed by the City Council of the City of Dallas, at a regular meeting held on_____, 2019, which ordinance is duly of record in the minutes of said City Council and in 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 seal of the City of Dallas, Texas, this_____day of_____, 2019.

_____
City Secretary,
City of Dallas, Texas

(SEAL)

THE STATE OF TEXAS :
COUNTY OF TARRANT :
CITY OF FORT WORTH :

I,_____, 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 the Fifty-Sixth Supplemental Concurrent Bond Ordinance, duly presented and passed by the City Council of the City of Fort Worth, Texas, at a regular meeting held on_____, 2019, as same appears of record in 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_____, 2019.

_____
City Secretary,
City of Fort Worth, Texas

(SEAL)

EXHIBIT A
DEFINITIONS

All terms not herein defined shall have the meanings given to said terms by the Master Bond Ordinance and the Fifty-Fifth Supplement or as otherwise defined in this Fifty-Sixth Supplement. As used in this Fifty-Sixth Supplement, the terms below defined shall be construed, are used and are intended to have the following meanings, unless the text hereof specifically indicates otherwise:

The term "*Advances*" means Advances or loans under the Promissory Note to refund Commercial Paper Notes pursuant to a CP Credit Agreement.

The term "*Bank*" means any lender which becomes a party to a CP Credit Agreement, or any other financial institution executing a CP Credit Agreement.

The term "*Commercial Paper Note*" means a Note issued pursuant to the provisions of this Fifty-Sixth Supplement, having the terms and characteristics specified in Section 2.02 and in the form described in Exhibit B hereto.

The term "CP Credit Agreement" means a Credit Agreement entered into with respect to Commercial Paper Notes as authorized by Section 2.08 of this Fifty-Sixth Supplement.

The term "*Dealer*" shall mean each dealer appointed by the Board, through an Authorized Officer, pursuant to this Fifty-Sixth Supplement and any successor thereto.

The term "*Dealer Agreement*" means each dealer agreement executed and delivered by the Board and a Dealer pursuant to Section 3.04 hereof, as each such agreement may be amended from time to time pursuant to the terms thereof.

The term "*DTC*" shall mean The Depository Trust Company, New York, New York, or any successor securities depository.

The term "*DTC Participant*" shall mean securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

The term "*Eligible Project*" shall mean Costs of the Airport authorized by the Acts.

The term "*Fifty-Sixth Supplement*" shall mean this Fifty-Sixth Supplemental Concurrent Bond Ordinance adopted by the Cities and effective _____.

The terms "*Holder*" or "*Noteholder*" shall mean the Registered Owner or any person, firm, association, or corporation who is in possession of any Note issued to bearer or in blank.

The term "*Issuance Request*" shall mean the instructions provided to the Issuing and Paying Agent by an Authorized Officer in the manner set forth in Section 3.01 of this Fifty-Sixth Supplement.

The terms "*Issuing and Paying Agent*" and "*Paying Agent*", "*Paying Agent/Registrar*" and "*Registrar*" shall mean with respect to the Notes the agent appointed pursuant to Sections 2.05 and 3.03 hereof, or any successor to such agent.

The term "*Issuing and Paying Agent Agreement*" shall mean the Issuing and Paying Agency Agreement, between the Board and the Issuing and Paying Agent, approved and authorized to be entered into by Section 3.03 hereof, a form of which is attached hereto as **Exhibit C**, as from time to time amended or supplemented, or any subsequent agreement entered into with any Issuing and Paying Agent regarding any series of Notes.

The term "*Master Note*" shall mean the DTC master note, in substantially the form set forth in **Exhibit D** to this Fifty-Sixth Supplement.

The term "*Maximum Interest Rate*" or "*Max Rate*" shall mean the lesser of: (i) nine percent (9%) per annum and (ii) the maximum net effective interest rate permitted by law to be paid on obligations issued or incurred by the Cities in the exercise of its borrowing powers (prescribed by Chapter 1204, Texas Government Code, as amended).

The term "*Maximum Maturity Date*" shall mean the fortieth (40th) anniversary of the date of passage of this Fifty-Sixth Supplement.

The term "*Moody's*" shall mean Moody's Investors Service or, if such entity is dissolved or liquidated or otherwise ceases to perform securities rating services, such other nationally recognized securities rating agency as may be designated in writing by the Board.

The term "*Note*" or "*Notes*" means the evidences of indebtedness authorized to be issued and at any time outstanding pursuant to this Fifty-Sixth Supplement and shall include Commercial Paper Notes (including the Master Note) or Promissory Notes as appropriate. The term excludes notes, if any, issued as priority obligations as contemplated by the Master Bond Ordinance.

The term "*Note Date*" shall have the meaning given in Section 2.02.

The term "*Note Payment Fund*" shall mean that fund created pursuant to Section 2.10. The

term "*Paying Agent*" see Issuing and Paying Agent.

The term "*Promissory Note*" means the promissory note issued pursuant to the provisions of this Fifty-Sixth Supplement and a CP Credit Agreement in evidence of Advances made by the Bank to refund any Commercial Paper Note, or the interest thereon, having the terms and characteristics contained in a CP Credit Agreement and issued in accordance therewith, including any renewals or modifications thereof.

The term "*Registered Owner*" shall mean the person or entity in whose name any Note is registered in the Registration Books.

The term "*Registration Books*" shall mean books or records relating to the registration, payment, and transfer or exchange of the Notes maintained by the Issuing and Paying Agent pursuant to Section 2.06 hereof.

The term "*S&P*" shall mean S&P Global Ratings, a Standard & Poor's Financial Services LLC business, or, if such entity is dissolved or liquidated or otherwise ceases to perform securities rating services, such other nationally recognized securities rating agency as may be designated in writing by the Board.

EXHIBIT B
FORM OF NOTES

UNITED STATES OF AMERICA
STATE OF TEXAS
CITIES OF DALLAS AND FORT WORTH
DALLAS FORT WORTH INTERNATIONAL AIRPORT
SUBORDINATE LIEN JOINT REVENUE
COMMERCIAL PAPER NOTE, SERIES I (TAXABLE)

Note	Interest	Note	
Number _____	Rate _____	Date_____	$_____

On_____(the "Original Maturity Date") for value received, the Cities of Dallas and Fort Worth, Texas (the "Cities")

Promise To Pay To The Order of _____
The Principal Sum Of _____
Payable At_____
(the "Issuing and Paying Agent"),

and to pay interest, if any, on said principal amount, specified above, on said Maturity Date, from the above specified Note Date to said Maturity Date at the per annum Interest Rate specified above (computed on the basis of actual days elapsed and a360-day year, unless otherwise set forth in an exhibit attached to this Commercial Paper Note) solely from the sources hereinafter identified and as hereinafter stated; both principal and interest on this Commercial Paper Note being payable in immediately available lawful money of the United States of America at the designated corporate office of the Issuing and Paying Agent, specified above, or its successor. No interest will accrue on the principal amount hereof after said Maturity Date.

Both principal and interest on this Note shall be payable in immediately available lawful money of the United States of America at the principal corporate office of the Issuing and Paying Agent, specified above, or its successor.

This Commercial Paper Note is one of an issue of Notes (the "Notes") which has been duly authorized and issued in accordance with the provisions of a Master Bond Ordinance, as amended, (the "Master Bond Ordinance"), the Fifty-Fifth Supplemental Concurrent Bond Ordinance (the "Fifty-Fifth Supplement") and the Fifty-Sixth Supplemental Concurrent Bond Ordinance thereto (the "Fifty-Sixth Supplement"; the provisions of the Master Bond Ordinance and the Fifty-Fifth Supplement are incorporated by reference in the Fifty-Sixth Supplement and the Master Bond Ordinance, Fifty-Fifth Supplement and the Fifty-Sixth Supplement shall hereinafter be referred to collectively as the "Supplement") passed by the Cities for the purpose of financing Costs of the Airport of Eligible Projects (each as defined in the Supplement) and to refinance, renew and refund

the Notes and other Subordinate Lien Obligations and Obligations; all in accordance and in strict conformity with the provisions of Applicable Laws. Capitalized terms used herein and not otherwise defined shall have the meaning given in the Supplement.

This Note, together with the other Notes and any other Subordinate Lien Obligations, is payable from and equally secured by a subordinate lien on Pledged Revenues and Pledged Funds; provided, however, that the subordinate lien on and pledge of the Pledged Revenues and Pledged Funds is on parity with Subordinate Lien 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 7/11ths thereof) and by the City of Fort Worth (to the extent of 4/11ths thereof); and, each and every Noteholder shall by his acceptance of this Note consent and agree that no claim, demand, suit, or judgment for the payment of 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 the City of Dallas an amount equal to $7/11^{ths}$ of the total amount asserted or demanded, and in the case of the City of Fort Worth an amount equal to 4/11ths of the total amount asserted or demanded. The Noteholders hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

This Note is not an obligation described in section 103(a) of the Code.

Reference is hereby made to the Supplement and the Fifty-Fifth Supplement, copies of which may be obtained upon request to the Board, and by acceptance of this Note the Noteholder hereof hereby assents to all of the terms and provisions of the Supplement, including, but not limited to, provisions relating to definitions of terms; the description of and the nature of the security for the Notes and the Pledged Revenues and Pledged Funds; the conditions upon which the Supplement may be amended or supplemented with or without the consent of the Noteholders; and the right to issue obligations payable from and secured by the Pledged Revenues and Pledged Funds.

It is hereby certified and recited that all acts, conditions, and things required by law and the Supplement to exist, to have happened, and to have been performed precedent to and in the issuance of this Note, do exist, have happened, and have been performed in regular and in due time, form, and manner as required by law and that the issuance of this Note, together with all other Notes, is not in excess of the principal amount of Notes permitted to be issued under the Supplement.

This Note has all the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

This Note may be registered to bearer or to any designated payee. Title to any Note registered to bearer shall pass by delivery. If not registered to bearer, this Note may be transferred only on the books maintained at the designated office of the Issuing and Paying Agent. Upon surrender hereof at the designated office of the Issuing and Paying Agent, this Note may be exchanged for a like aggregate principal

amount of fully registered (which registration may be to bearer) Notes of authorized denominations of like interest rate and maturity, but only in the manner, and subject to the limitations, and upon payment of the charges provided in the Supplement and upon surrender and cancellation of this Note.

This Note shall not be entitled to any benefit under the Supplement or be valid or become obligatory for any purpose until this Note shall have been authenticated by the execution by the Issuing and Paying Agent of the Certificate of Authentication hereon.

The Cities covenant to pay the principal of and interest on this Note when due, whether by reason of maturity or redemption prior to maturity.

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 Note 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 Note 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, Texas

_____

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]

ISSUING AND PAYING AGENT'S CERTIFICATE
OF AUTHENTICATION

This Note is one of the Notes delivered pursuant to the within mentioned Fifty-Sixth Supplement.

_____,
as Issuing and Paying Agent

By: Authorized Signatory

[The remainder of this page intentionally left blank.]

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 Note and all rights thereunder, and hereby irrevocably constitutes and appoints

_____

attorney to transfer the within Note on the books kept for registration thereof, with full power substitution in the premises.

DATED:____

Signature Guaranteed

NOTICE: The signature of the registered owner must be guaranteed by a member of the New York Stock Exchange or a commercial bank or trust company.

NOTICE: The signature on this Assignment must correspond with the name of the registered owner as it appears upon the face of the within Note in every particular.

[The remainder of this page intentionally left blank.]

EXHIBIT C
FORM OF MASTER NOTES

The Depository Trust Company
A subsidiary of The Depository Trust & Clearing Corporation

MUNICIPAL COMMERCIAL PAPER — DFW AIRPORT MASTER NOTE

Taxable

_____
(Date of Issuance)

The Cities of Dallas and Fort Worth, Texas ("Issuer"), for value received, hereby promises to pay to Cede & Co., as nominee of The Depository Trust Company, or to registered assigns: (i) the principal amount, together with unpaid accrued interest thereon, if any, on the maturity date of each obligation identified on the records of Issuer (the "Underlying Records") as being evidenced by this Master Note, which Underlying Records are maintained by The Bank of New York Mellon Trust Company, N.A., ("Paying Agent"); (ii) interest on the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records; and (iii) the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records. Interest shall be calculated at the rate and according to the calculation convention specified on the Underlying Records. Payments shall be made solely from the sources stated on the Underlying Records by wire transfer to the registered owner from Paying Agent without the necessity of presentation and surrender of this Master Note.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS MASTER NOTE SET FORTH ON THE REVERSE HEREOF.

This Master Note is a valid and binding obligation of Issuer.

Not Valid Unless Countersigned for Authentication by Paying Agent.

CITES OF DALLAS AND FORT WORTH, TEXAS

By: _____ By: __See attached signatures___

(Authorized Countersignature) (Authorized Signature)

DTCC
The Depository Trust & Clearing Corporation

The provisions of the Dallas Fort Worth International Airport Subordinate Lien Joint Revenue Commercial Paper Note, Series I (Taxable), a form of which is attached hereto, are incorporated herein and made a part hereof for all purposes.

At the request of the registered owner, Issuer shall promptly issue and deliver one or more separate note certificates evidencing each obligation evidenced by this Master Note. As of the date any such note certificate or certificates are issued, the obligations which are evidenced thereby shall no longer be evidenced by this Master Note.

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto

_____

(Name, Address, and Taxpayer Identification Number of Assignee)

the Master Note and all rights thereunder, hereby irrevocably constituting and appointing _____ _____ attorney to transfer said Master Note on the books of Issuer with full power of substitution in the premises.

Date:

Signature(s) Guaranteed:

_____

(Signature)

Notice: The signature on this assignment must correspond with the name as written upon the face of this Master Note, in every particular, without alteration or enlargement or any change whatsoever.

Unless this certificate is presented by an Authorized Officer of The Depository Trust Company, a New York corporation ("DTC"), to Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an Authorized Officer of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an Authorized Officer of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Signature Page to:

Municipal Commercial Paper – TECP
Dallas Fort Worth International Airport Subordinate Lien Joint Revenue
Commercial Paper Note, Series I (Taxable)

COUNTERSIGNED:

City Manager,
City of Dallas, Texas

Mayor,
City of Dallas, Texas

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]

EXHIBIT D
ISSUING AND PAYING AGENT AGREEMENT

EXHIBIT E
DEALER AGREEMENT

Agenda Information Sheet

File #: 19-1054 **Item #:** 56.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 10

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205) for construction of the Lake Highlands Trail Phase II-A and II-B, and Lake Highlands Northern Extension in the amount of approximately $8,263,490.00, of which the Federal portion is $5,676,494.00, TxDOT indirect costs portion is $383,950.00, and the City of Dallas' local match is $2,203,046.00; **(2)** a portion of the required local match of $2,203,046.00 in the amount of $135,194.00 to be paid by warrant check to the State at the beginning of the project; **(3)** the receipt and deposit of Transportation Alternatives Set-Aside Funds in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program Fund; and **(4)** the establishment of appropriations in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program Fund; **(5)** allocation of $84.57 in 2006 Bond Funds, $606,449.25 in 2012 Bond Funds and $1,596,512.18 in 2017 Bond Funds as the City of Dallas' local match; and **(6)** execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total Amount $8,263,490.00 - Financing: Transportation Alternatives Set-Aside Program Funds ($5,676,494.00), Texas Department of Transportation Funds ($383,950.00), Park and Recreation Facilities Fund (2006 Bond Funds) ($84.57), Street and Transportation Improvements Fund (2012 Bond Funds) ($606,449.25), and Park and Recreation Facilities (B) Fund (2017 Bond Funds) ($1,596,512.18)

BACKGROUND

In July 2017, the City of Dallas was awarded the TASA Program funding from the North Central Texas Council of Governments in the amount of $5,676,494.00, for construction of two trail projects. Lake Highlands Trail Phase II-A and II-B will be a trail connection from the existing White Rock Creek Trail in Harry Moss Park to the existing Lake Highlands Trail at Lake Highlands High School; and Lake Highlands Northern Extension from the Dallas Area Rapid Transit (DART) Lake Highlands Station to Church Road.

The TASA Program utilizes federal funding, administered by TxDOT. Acceptance of all federal-aid project funds are subject to Disadvantaged Business Enterprises Program (DBE) requirements and

the City must operate under TxDOT's DBE program, rather than the City's Business Inclusion and Development Plan. This Advance Funding Agreement sets forth the parameters for both agencies and specifies the responsibilities of each.

This action will use the City of Dallas' local matching funds in the amount of $2,203,046.00 to leverage $5,676,494.00 in Federal funds, and $383,950.00 in TxDOT indirect costs for construction of the Lake Highlands Trail Phase II-A and II-B, and Lake Highlands Northern Extension Project for a total amount of $8,263,490.00.

The scope of work for the project includes:

Lake Highlands Trail Phase II-A and II-B:

- A 12-feet wide concrete multi-use trail
- Concrete panel boardwalk under the Walnut Hill Lane bridge at Harry Moss Park to avoid muddy area
- Curb and gutter extended into Arborside Drive along a portion of Harry Moss Park to the Oncor right-of-way with the trail installed behind the curb to protect the green space and narrowing the roadway for traffic calming
- Extending the trail within Oncor right-of-way from Harry Moss Park to Arbor Park
- A ramp from the Oncor right-of-way up to Abrams Road
- A pedestrian hybrid beacon signal on Abrams Road to allow pedestrians and cyclists to cross safely
- Sidewalk improvements from Arbor Park to White Rock Trail roadway along Skillman Street and Church Road
- Curb and gutter extended into White Rock Trail roadway from Church Road to the existing Lake Highlands Trail at Lake Highlands High School with removal of existing on-street bicycle lanes
- Trail nodes, trailheads and trail amenities will be included, as allowed by the budget

Lake Highlands Northern Extension:

- A 12-feet wide concrete multi-use trail
- Extending the trail within DART right-of-way from the existing trail stub-out at the Lake Highlands DART Station at Walnut Hill Lane to the intersection of Church Road and White Rock Trail roadway
- Concrete panel boardwalk over the creek within the DART right-of-way

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2018
Complete Design	June 2020
Begin Construction	October 2020
Complete Construction	March 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 23, 2017, the Park and Recreation Board authorized six transportation alternative project applications.

Information about this item was provided to the Quality of Life & Environment Committee on April 10, 2017.

On April 12, 2017, City Council authorized application of seven candidate projects to the North Central Texas Council of Governments through the Transportation Alternatives Set-Aside Program for cost reimbursement in (a) the Active Transportation Project category for the proposed: Katy Trail Bridges Project, Lake Highlands Northern Extension, Lake Highlands Trail Phase 2A, 2B Project, Ridgewood Trail Lighting Project, Trinity Forest Spine Trail Project, Trinity Strand Trail Phase II Project, and Union Bikeway Connector Project and (b) the Safe Routes to School Project category: Lake Highlands Northern Extension Project; and a required local match by Resolution No. 17-0598.

On October 24, 2018, City Council authorized an Advance Funding Agreement with the TxDOT for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-205, CFDA No. 20.205) in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project; and a required local match by Resolution No. 18-1521.

On June 26, 2019, City Council authorized Amendment No. 1 to the Advance Funding Agreement with the TxDOT for the Trinity Strand Trail - Phase II Project (Agreement No. CSJ 0918-47-205, CFDA No. 20.205), previously approved on October 24, 2018, by Resolution No. 18-1521 to revise the funding agreement amount from $7,074,496.00 to $7,434,427.00 (which includes $359,931.00 in indirect State costs); and an increase in the amount of $160,784.00 for review, inspection and oversight of construction activities; thereby increasing the City of Dallas funding from $2,074,496.00 to $2,235,280.00, increasing the total project amount from $7,434,427.00 to $7,595,211.00 by Resolution No. 19-1030.

On August 1, 2019, the Park and Recreation Board authorized an Advance Funding Agreement with the TxDOT for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47 -206) for construction of the Lake Highlands Trail Phase II-A and II-B, and Lake Highlands Northern Extension.

FISCAL INFORMATION

The total estimated project cost is $8,263,490.00 with the following components:

Transportation Alternatives Set-Aside Program Funds - $5,676,494.00
Texas Department of Transportation Funds - $383,950.00
Park and Recreation Facilities Fund (2006 Bond Funds) - $84.57
Street and Transportation Improvements Fund (2012 Bond Funds) - $606,449.25
Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $1,596,512.18

MAP

Attached

powered by Legistar™



0 400 800 1,600 2,400 Feet

Lake Highlands Trail

Phase II-A, II-B

Northern Extension

District 10

WHEREAS, in July 2017, the City of Dallas was awarded Transportation Alternatives Set-Aside Program funding from the North Central Texas Council of Governments, in the amount of $5,676,494.00, for construction of the Lake Highlands Trail - Phase II-A, II-B, and Lake Highlands Northern Extension; and

WHEREAS, the City of Dallas desires to enter into an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205) for construction of the Lake Highlands Trail - Phase II-A, II-B, and Lake Highlands Northern Extension; and

WHEREAS, the Federal portion of the project is $5,676,494.00 and the City of Dallas' local match is $2,203,046.00, for a total amount of $7,879,540.00; and

WHEREAS, the City of Dallas will issue a warrant check to the State at the beginning of the project in the amount of $135,194.00; and

WHEREAS, the City of Dallas will be responsible for any change orders or bid overruns.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute an Advance Funding Agreement with the TxDOT for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205), approved as to form by the City Attorney, for construction of the Lake Highlands Trail Phase II-A and II-B, and Lake Highlands Northern Extension and all terms, conditions, and documents required by the grant agreement, which may be terminated under the conditions as stated in the Master Agreement. This Advance Funding Agreement may be terminated by the State if the project is inactive for thirty-six months or longer and no expenditures have been charged against federal funds.

SECTION 2. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT (239588), in the amount of $135,194.00, as follows:

Street and Transportation Improvements Fund		
Fund 1T22, Department PBW, Unit S617, Object 4599		
Activity HIBT, Program PB12S617		
Encumbrance/Contract No. PKR-2019-00010730	$	84.57

SECTION 2. (continued)

Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S617, Object 4599 Activity HIBT, Program PB12S617 Encumbrance/Contract No. PKR-2019-00010730	$ 89,548.25
Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S617, Object 4599 Activity HIBT, Program PB12S617 Encumbrance/Contract No. PKR-2019-00010730	$ 45,561.18
Total amount	$135,194.00

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit any unused Current Funds advanced to TxDOT pertaining to this project into Fund 1V00, Department PKR, Balance Sheet Account 032A.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program, Fund F580, Department PKR, Unit 3899, Revenue Code 6506.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program Fund, Fund F580, Department PKR, Unit 3899, Object 4599.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $7,879,540.00 in accordance with the terms and conditions of the agreement, as follows:

Lake Highlands Trail PH2 TASA Program Fund Fund F580, Department PKR, Unit 3899, Object 4599 Activity HIBT, Program PB12S617	$5,676,494.00
Street and Transportation Improvements Fund Fund 1T22, Department PBW, Unit S617, Object 4599 Activity HIBT, Program PB12S617	$ 84.57
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S617, Object 4599 Activity HIBT, Program PB12S617	$ 89,548.25

SECTION 6. (continued)

Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S617, Object 4599 Activity HIBT, Program PB12S617	$ 516,901.00
Park and Recreation Facilities (B) Fund Fund 1V00, Department PKR, Unit VB18, Object 4599 Activity HIBT, Program PK17VB18	$1,596,512.18
Total amount	$7,879,540.00

SECTION 7. 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 8. 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 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-1042 **Item #:** 57.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a construction contract for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park located at 3505 Maple Avenue with The Playwell Group, Inc. through the Texas Association of School Boards cooperative agreement - Not to exceed $83,350.00 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)

BACKGROUND

On June 28, 2019, a proposal was received for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park. The Playwell Group, Inc., a Texas Association of School Boards (BuyBoard) vendor provided a bid proposal in the amount of $83,350.00.

This action authorizes a construction contract with The Playwell Group, Inc. for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park in an amount not to exceed $83,350.00.

The scope of work for this project includes:

- Removal and disposal of existing rubber surfacing
- Preparation of sub-base for new surfacing
- Installation of 5,000 square feet of new poured-in-place rubber safety surfacing
- Clean up site and haul away any construction materials

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

ESTIMATED SCHEDULE OF PROJECT

Begin Construction September 2019
Complete Construction December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 1, 2019, the Park and Recreation Board authorized a construction contract with The Playwell Group, Inc. through the Texas Association of School Boards cooperative agreement for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park located at 3505 Maple Avenue.

FISCAL INFORMATION

Park and Recreation Facilities Fund (2006 Bond Funds) - $83,350.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$83,350.00	Construction	25.00%	100.00%	$83,350.00
• This contract exceeds the M/WBE goal.				
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs), however, the prime contractor is a certified M/WBE.				

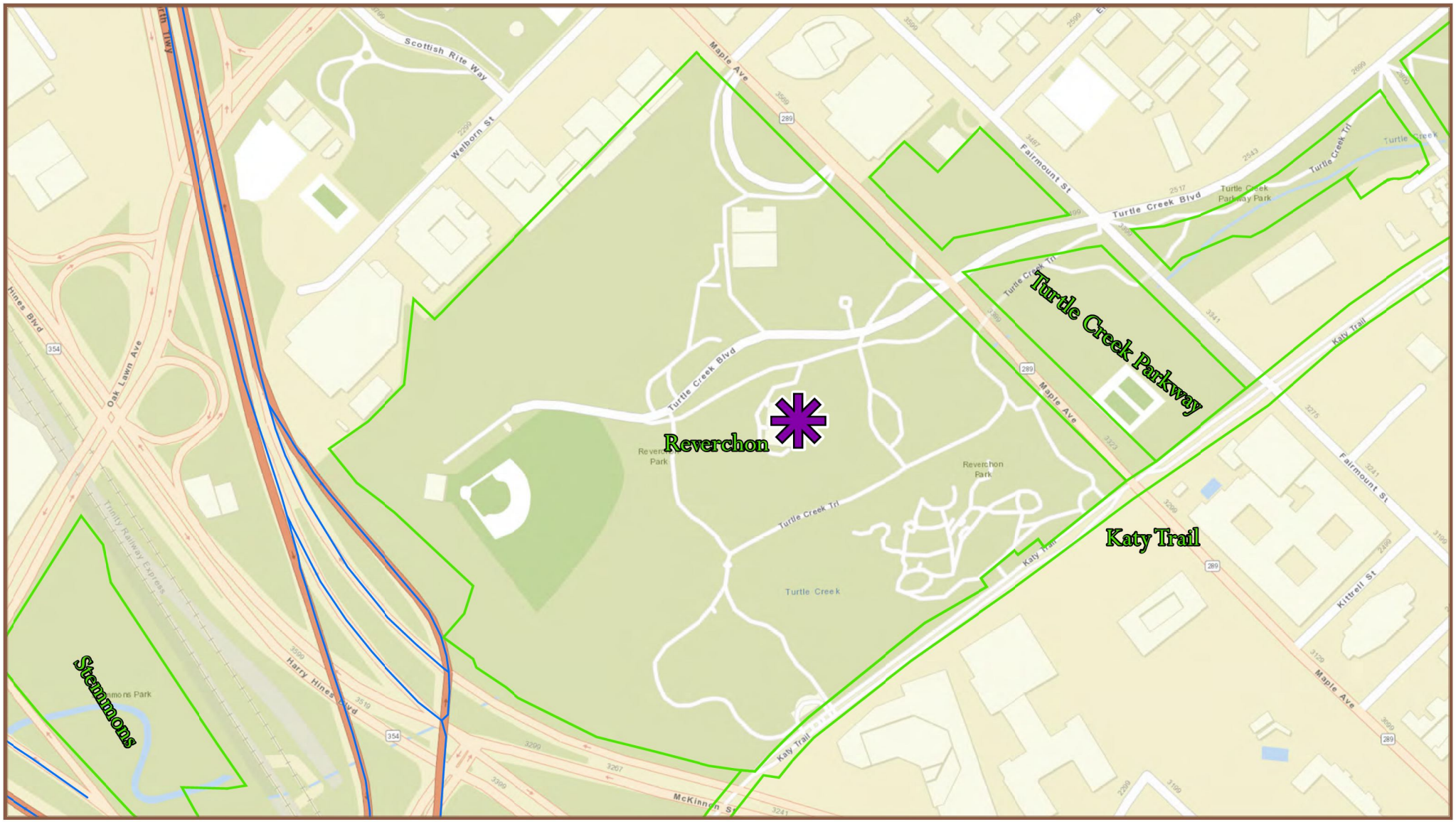
OWNER

The Playwell Group, Inc.

James Robertson, General Manager

MAP

Attached



Dallas Park & Recreation

Reverchon Park
(3505 Maple Ave)

District 2

WHEREAS, the City desires to enter into a construction contract with The Playwell Group, Inc. through the Texas Association of School Boards cooperative agreement for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park located at 3505 Maple Avenue, in an amount not to exceed $83,350.00.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a construction contract with The Playwell Group, Inc. through the Texas Association of School Boards cooperative agreement, approved as to form by the City Attorney, for the replacement of the poured-in-place rubber safety surfacing for the playground at Reverchon Park located at 3505 Maple Avenue, in an amount not to exceed $83,350.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $83,350.00 to The Playwell Group, Inc., as follows:

Park and Recreation Facilities Fund Fund 1T00, Department PKR, Unit T353 Object 4599, Activity RFSI, Program PK06T353 Encumbrance/Contract No. CX-PKR-2019-00010900 Commodity 93165, Vendor 262795	$43,240.96
Park and Recreation Facilities Fund Fund 2T00, Department PKR, Unit T353 Object 4599, Activity RFSI, Program PK06T353 Encumbrance/Contract No. CX- PKR-2019-00010900 Commodity 93165, Vendor 262795	$40,109.04
Total amount not to exceed	$83,350.00

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

Agenda Information Sheet

File #: 19-1096 **Item #:** 58.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a public hearing to be held on September 11, 2019, 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; and, at the close of the hearing, adopt an ordinance re-establishing and continuing in effect the standards - 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.

On June 11, 1997, City Council adopted Ordinance No. 23159 that 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; on September 13, 2017, by Ordinance No. 30650; and on August 22, 2018, by Ordinance No. 30976. Chapter 12 will expire on September 12, 2019 unless sooner extended by City Council.

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 to be held on May 25, 2016.

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 held a public hearing to receive comments of 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 and authorized approval of an ordinance to readopt Chapter 12 of the Dallas City Code by Resolution No. 16-0867.

On August 3, 2017, the Park and Recreation Board authorized a public hearing to be held on September 13, 2017.

On August 23, 2017, City Council authorized a public hearing on September 13, 2017, by Resolution No. 17-1497.

On September 13, 2017, City Council held a public hearing to receive comments of 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 and authorized approval of an ordinance to readopt Chapter 12 of the Dallas City Code by Resolution No. 17-1497.

On August 2, 2018, the Park and Recreation Board authorized a public hearing to be held on September 12, 2018.

On September 12, 2018, City Council held a public hearing 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 and authorized approval of an ordinance to readopt Chapter 12 of the Dallas City Code by Resolution No. 18-1301.

On August 1, 2019, the Park and Recreation Board authorized a public hearing to be held on September 11, 2019.

FISCAL INFORMATION

No cost consideration to the City.

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WHEREAS, the City of Dallas has a long history of providing recreational programs for youth ages five through thirteen years, which programs contribute to the overall well-being of the city's youth and families; and

WHEREAS, the City Council found 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, 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 the City to annually readopt the standards of care for city-sponsored youth programs after holding 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; on September 13, 2017, by Ordinance No. 30650; on September 13, 2017, by Ordinance No. 30976; and on August 22, 2018, by Ordinance No. 30976; and

WHEREAS, Chapter 12 of the Dallas City Code will expire on September 12, 2019 unless extended by ordinance of the City Council; and

WHEREAS, it is now necessary for the City Council to readopt its standards of care for city-sponsored youth programs; and

Now, Therefore,

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

August 28, 2019

SECTION 1. That a public hearing on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, which establishes standards of care for certain City youth programs sponsored by the City of Dallas, will be held on Wednesday, September 11, 2019.

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 City Council on Wednesday, September 11, 2019, 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 Information Sheet

File #: 19-1168 **Item #:** 59.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Police Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/27 Grant (Grant No. 608-20-DPD0000) from the Motor Vehicle Crimes Prevention Authority (MVCPA) in an amount not to exceed $625,000.00 to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; **(2)** the establishment of appropriations in an amount not to exceed $625,000.00 in the FY20 MVCPA -Commercial Auto Theft Interdiction Squad/27 Fund; **(3)** the receipt and deposit of funds in an amount not to exceed $625,000.00 in the FY20 MVCPA-Commercial Auto Theft Interdiction Squad/27 Fund; **(4)** a local match in an amount not to exceed $137,939.00; **(5)** an in-kind contribution in an approximate amount of $637,833.51; and **(6)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total not to exceed $1,400,772.51 - Financing: Motor Vehicle Crimes Prevention Authority Grant Funds ($625,000.00), In-Kind Contributions ($637,833.51) and General Fund ($137,939.00) (subject to appropriations)

BACKGROUND

Approval of this item will allow the City to continue to fund a specialized, proactive investigative unit focused on the prevention of automobile theft. The City has been a recipient of the MVCPA Grant for 27 years and has received over $12.5M in grant funding during that time.

The group targets commercial auto theft offenders who profit from vehicles stolen each year in Dallas, including salvage yards, chop shops, wrecker services, used car dealers, and large organized auto theft rings. Work done through this unit allow Dallas Police Department to recover stolen vehicles and proactively combat auto theft and burglaries.

From 2005 to 2018, the total number of unauthorized use of vehicles reported has decreased from over 14,000 to about 7,500. Additionally, the case clearance rate has increased from 6.5% in 2010 to 10.5% in 2018.

If accepted, this grant will fund one sergeant and four senior corporals, require matching cash funds of $137,939.00, and in-kind contributions in the amount of $637,833.51. The cash match will be met by the use of one senior corporal assigned to the grant. The in-kind match will be met by one office assistant and four senior corporals assigned full-time to grant activities. This funding is already programmed into the departmental budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 22, 2015, City Council authorized an application for the Commercial Auto Theft Interdiction Squad/23 Grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile burglary and theft program for the period September 1, 2015 through August 31, 2016; a local match; an In-Kind Contribution; and execution of the grant agreement by Resolution No. 15-0805.

On August 26, 2015, City Council authorized the acceptance of the Commercial Auto Theft Interdiction Squad/23 Grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile theft program for the period September 1, 2015 through August 31, 2016; a local match; an In-kind Contribution; and execution of the grant agreement by Resolution No. 15-1550.

On August 24, 2016, City Council authorized the acceptance of the Commercial Auto Theft Interdiction Squad/24 Grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile theft program for the period September 1, 2016 through August 31, 2017; a local match; an In-kind Contribution; and execution of the grant agreement by Resolution No. 16-1340.

On May 24, 2017, City Council authorized an application for the Commercial Auto Theft Interdiction Squad/25 Grant from the Texas Automobile Burglary and Theft Prevention Authority to provide a specialized proactive automobile theft program for the period of September 1, 2017 through August 31, 2018; a local match; In-Kind Contribution; and an application for the continuation or modification of the grant for subsequent years by Resolution No. 17-0850.

On September 13, 2017, City Council authorized the acceptance of the Commercial Auto Theft Interdiction Squad/25 Grant from the Texas Automobile Burglary & Theft Prevention Authority to provide specialized proactive automobile theft project for the period September 1, 2017 through August 31, 2018; local match; In-Kind Contribution; and execution of the grant agreement by Resolution No. 17-1439.

On June 27, 2018, City Council authorized the application for and acceptance of the Commercial Auto Theft Interdiction Squad/26 Grant from the Texas Automobile Burglary & Theft Prevention Authority to provide specialized proactive automobile theft project for the period September 1, 2018 through August 31, 2019; local match; In-Kind Contribution; and execution of the grant agreement by Resolution No. 18-0945.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

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FISCAL INFORMATION

Motor Vehicle Crimes Prevention Authority Funds - $625,000.00
General Fund - $137,939.00
In-Kind Contributions - $637,833.51

WHEREAS, the Motor Vehicle Crimes Prevention Authority (MVCPA) has made funds available for law enforcement projects during the 2019-20 fiscal year; and

WHEREAS, On May 22, 2019, City Council authorized an application for the Commercial Auto Theft Interdiction Squad/27 Grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile theft program, for the period September 1, 2019 through August 31, 2020; requiring a local match and an In-kind match contribution by Resolution No. 19-0794; and

WHEREAS, the increased funding source would benefit the City of Dallas in its endeavor to reduce crime; and

WHEREAS, under the provisions of the Texas Revised Civil Status Article 4413(37) and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the MVCPA to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat automobile burglary in the jurisdiction; and

WHEREAS, this grant program will assist this jurisdiction to combat automobile burglary and theft; and

WHEREAS, the City of Dallas has agreed that in the event of loss or misuse of the grant funds, the City of Dallas assures that the grant will be returned in full to the MVCPA.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept the Commercial Auto Theft Interdiction Squad/27 Grant (Grant No. 608-20-DPD0000) from the MVCPA in an amount not to exceed $625,000.00 to provide specialized proactive automobile theft program, for the period of September 1, 2019 through August 31, 2020; and execute the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $625,000.00 in FY20 MVCPA-Commercial Auto Theft Interdiction Squad/27 Fund, Fund S343, Department DPD, Unit 4161, various Object Codes in accordance to 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 $625,000.00 in the FY20 MVCPA-Commercial Auto Theft Interdiction Squad/27 Fund, Fund S343, Department DPD, Unit 4161, Revenue Code 6516.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $625,000.00 from FY20 MVCPA-Commercial Auto Theft Interdiction Squad/27 Fund, Fund S343, Department DPD, Unit 4161, various Object Codes, in accordance to the attached Schedule A.

SECTION 5. That the Chief Financial Officer is hereby authorized to provide a local cash match in an amount not to exceed $137,939.00 (subject to appropriations) from General Fund, Fund 0001, Department DPD, Unit 2161, various Object Codes in accordance to the attached Schedule A.

SECTION 6. That the Chief Financial Officer is hereby authorized to provide an In-Kind Contribution in the approximate amount of $637,833.51, in accordance to the attached Schedule A.

SECTION 7. That in the event of loss or misuse of funds, the City of Dallas will return all funds to the Motor Vehicle Crimes Prevention Authority 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 8. 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 9. That this contract is designated as Contract No. DPD-2019-00011140.

SECTION 10. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

SCHEDULE A
Commercial Auto Theft Interdiction Squad/27 Grant
Fund S343, Department DPD, Unit 4161, Revenue Code 6516
September 1, 2019-August 31, 2020

Object Code	Description	Amount
1102	Salary/Uniformed	$ 426,294.14
1302	Pensions/Uniformed	$ 154,461.31
1303	Life	$ 165.00
1304	Health Insurance	$ 36,835.00
1306	FICA	$ 7,109.55
1309	Wellness	$ 135.00
	Grant Total	**$ 625,000.00**

Matching Funds
Cash Match
Fund 0001, Department DPD, Unit 2161

Object Code	Description	Amount
1102	Salary/Uniformed	96,000.00
1302	Pensions/Uniformed	33,120.00
1303	Life	33.00
1304	Health Insurance	7,367.00
1306	Fica	1,392.00
1309	Wellness	27.00
	Total	**$137,939.00**

In-Kind Contribution
City of Dallas
Fund 0001, Department DPD, Unit 2161

Object Code	Description	Amount
1101	Salary/Civilian	$ 28,073.48
1102	Personnel	$ 434,858.76
1301	Pensions/Civilian	$ 4,042.58
1302	Pension/Uniformed	$ 127,939.46
1303	Life	$ 135.00
1304	Health Insurance	$ 36,835.00
1306	Fica	$ 5,784.23
1309	Wellness	$ 165.00
	Total	**$ 637,833.51**

Agenda Information Sheet

File #: 19-1181 **Item #:** 60.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Police Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** renewal of the contract with El Centro College of the Dallas County Community College District (DCCCD) for instructional services for police academy training; **(2)** the receipt and deposit of funds from El Centro College of DCCCD; and **(3)** an increase in appropriations in an amount not to exceed $550,548.00 in the DCCCD El Centro Police Training Funds for the two-year period September 1, 2019 through August 31, 2021 - Not to exceed $550,548.00 - Financing: DCCCD El Centro Police Training Funds

BACKGROUND

The City of Dallas operates a police academy that provides basic training to all new recruits as well as in-service training to all veteran personnel. Through this agreement, the Texas Higher Education Coordinating Board in coordination with El Centro College of DCCCD will reimburse the City of Dallas for instructional and administrative costs in support of the academy training program including, but not limited to, instructional aids, operational equipment and supplies, and staff development. 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. The reimbursement is paid to the City based on certifiable instructional hours from the Texas Higher Education Coordinating Board.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 26, 2015, City Council authorized renewal of the contract with El Centro College of DCCCD for instructional services for police academy training by Resolution No. 15-1554.

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 by Resolution No. 16-1817.

On August 23, 2017, City Council authorized the renewal of the contract with El Centro College of DCCCD for instructional services for police academy training by Resolution No. 17-1318.

City Council will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

DCCCD El Centro Police Training Funds - $550,548.00

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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 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 $400,548.00, 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 $75,000.00, from $6,215,373.00 to $6,290,373.00, 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; and

WHEREAS, on August 23,2017, 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, 2017 through August 31, 2019, in an amount not to exceed $500,548.00, by Resolution No. 17-1318.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute renewal of the contract with El Centro College of the Dallas County Community College District, approved as to form by the City Attorney, for instructional services for police academy training for the two-year period September 1, 2019 through August 31, 2021, in an amount not to exceed $550,548.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $550,548.00 in DCCCD El Centro Police Training Fund, Fund 0699, Department DPD, Unit 6303, Revenue Code 6526.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $550,548.00, in accordance with the attached Schedule A.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $550,548.00 in DCCCD El Centro Police Training Fund, Fund 0699, Department DPD, Unit 6303, in accordance with the attached Schedule A.

SECTION 5. That this contract is designated as Contract No. DPD-2019-00011155.

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

DCCCD El Centro Policing Training

Fund 0699, Unit 6303

September 1, 2019 - August 31, 2021

OBJT	Current Budget	Increase for 2019-2021 Budget	2019-2021 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

DCCCD El Centro Policing Training

Fund 0699, Unit 6303

September 1, 2019 - August 31, 2021

OBJT	Current Budget	Increase for 2019-2021 Budget	2019-2021 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 Information Sheet

File #: 19-967 **Item #:** 61.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 7

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation, for construction of water and wastewater main relocations and appurtenance adjustments along S.M. Wright Freeway from U.S. Highway 175 (C.F. Hawn Freeway) to Interstate Highway 45 (Julius Schepps Freeway) in the amount of $2,005,289.13 - Financing: Water Utilities Capital Construction Funds ($77,757.00) and Water Utilities Capital Improvement Funds ($1,927,532.13)

BACKGROUND

This project consists of the design and construction of Dallas Water Utilities (DWU) water and wastewater main relocations and adjustments in conjunction with the paving and drainage improvements for S.M. Wright Freeway Phase II from U.S. Highway 175 (C.F. Hawn Freeway) to Interstate Highway 45 (Julius Schepps Freeway), by the Texas Department of Transportation (TxDOT). TxDOT will administer the project and has agreed to incorporate the water and wastewater main relocations and appurtenance adjustments into its design and construction contracts.

Under the Advance Funding Agreement, DWU will provide funding (including any actual cost overruns that the City is notified of in writing by TxDOT pursuant to the Advance Funding Agreement), construction inspection services, and review of the design for water and wastewater relocations and appurtenance adjustments. TxDOT will be responsible for administering the design and construction of the water and wastewater main relocation and appurtenance adjustments.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	October 2019
Complete Construction	January 2023

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

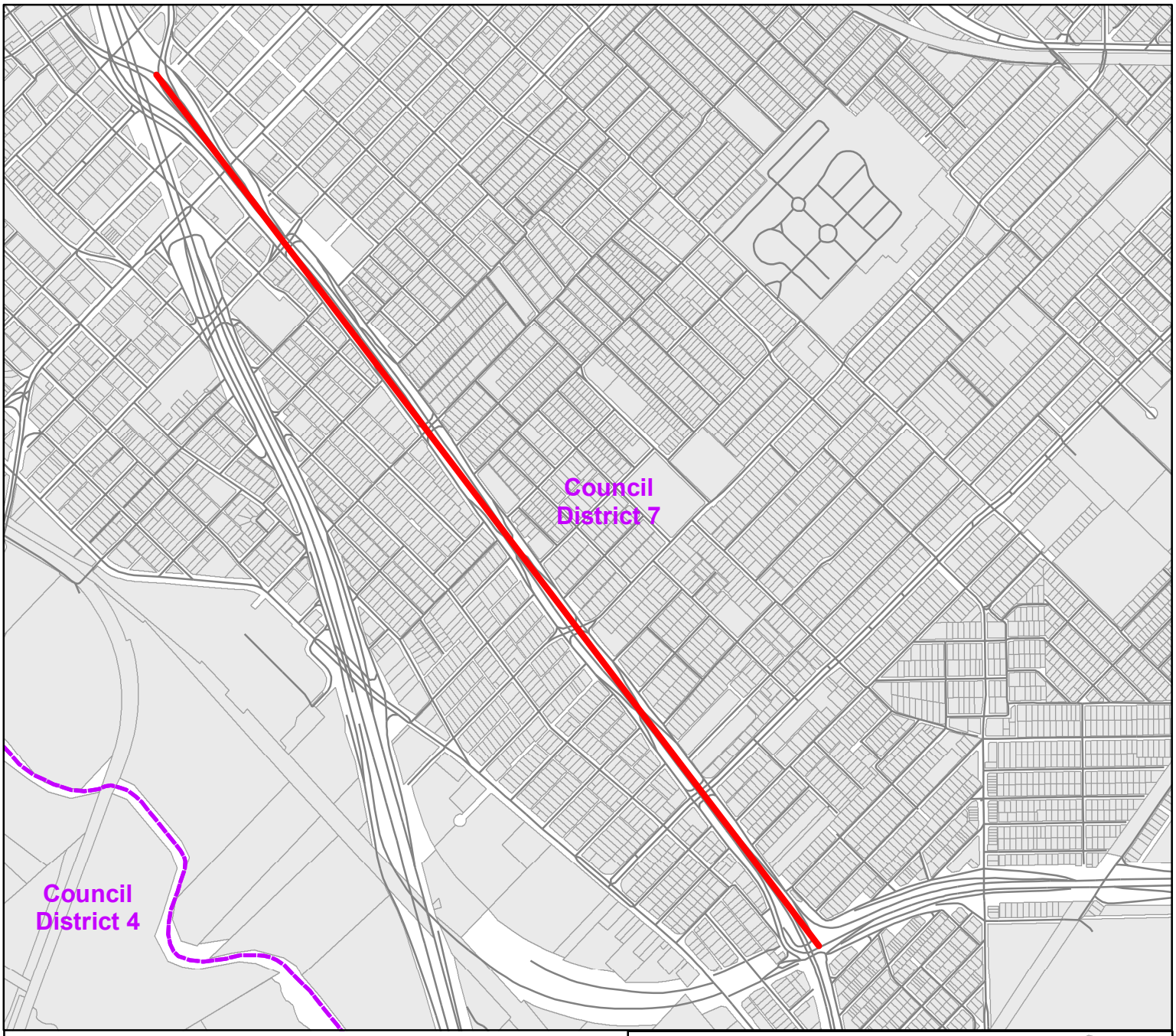
This item has no prior action.

FISCAL INFORMATION

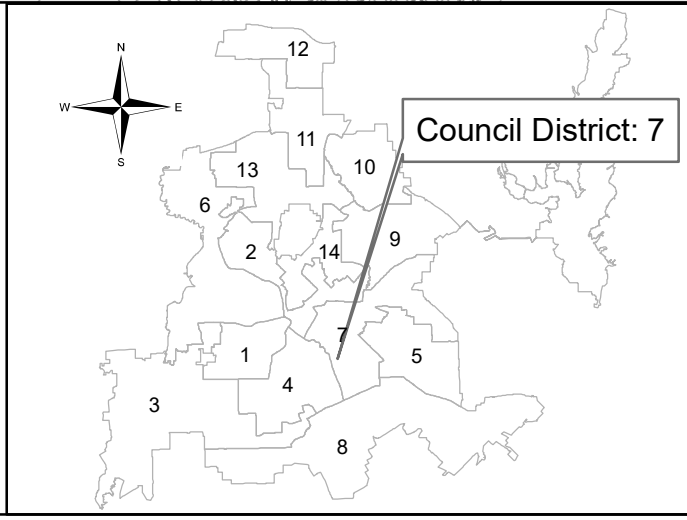
Water Utilities Capital Construction Funds - $77,757.00
Water Utilities Capital Improvement Funds - $1,927,532.13

MAP

Attached



U.S. Highway 175 (C.F. Hawn Freeway) to Interstate Highway 45



Dallas Water Utilities
SM Wright Freeway Phase II

August 28, 2019

WHEREAS, the State of Texas, acting through the Texas Department of Transportation (TxDOT) proposes to construct paving and drainage improvements at S.M. Wright Freeway from U.S. Highway 175 (C.F. Hawn Freeway) to Interstate Highway 45 (Julius Schepps Freeway) (S.M. Wright Phase II); and

WHEREAS, TxDOT has agreed to incorporate the relocation and appurtenance adjustments of certain Dallas Water Utilities (DWU) water and wastewater mains into the design and construction contracts for S.M. Wright Phase II pursuant to the terms of an Advance Funding Agreement between TxDOT and the City in order to avoid causing delays to TxDOT's construction schedule; and

WHEREAS, under the Advance Funding Agreement, DWU will provide all funding, including actual cost overruns, construction inspection services, and approval of the design for the water and wastewater main relocations and adjustments.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute an Advance Funding Agreement with the State of Texas, acting through TxDOT, approved as to form by the City Attorney, for construction of water and wastewater main relocations and appurtenance adjustments along S.M. Wright Freeway from U.S. Highway 175 (C.F. Hawn Freeway) to Interstate Highway 45 (Julius Schepps Freeway), in the amount of $2,005,289.13, plus any actual cost overruns that the City is notified of in writing by TxDOT pursuant to the Advance Funding Agreement.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $2,005,289.13, as follows:

Water Capital Improvement Fund	
Fund 3115, Department DWU, Unit PW42	
Object 4550, Program 719201, Vendor 020318	
Encumbrance/Contract No. CX-DWU-2019-00009836	$1,174,975.00
Water Construction Fund	
Fund 0102, Department DWU, Unit CW42	
Object 3221, Program 719201X, Vendor 020318	
Encumbrance/Contract No. CX-DWU-2019-00009836	$ 48,958.00
Wastewater Capital Improvement Fund	
Fund 2116, Department DWU, Unit PS42	
Object 4560, Program 719202, Vendor 020318	
Encumbrance/Contract No. CX-DWU-2019-00009836	$ 547,170.00

August 28, 2019

Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 3222, Program 919202X, Vendor 020318 Encumbrance/Contract No. CX-DWU-2019-00009836	$ 28,799.00
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 719199, Vendor 020318 Encumbrance/Contract No. CX-DWU-2019-00009836	$ 139,663.25
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4111, Program 719200, Vendor 020318 Encumbrance/Contract No. CX-DWU-2019-00009836	$ 65,723.88
Total amount	$2,005,289.13

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

Agenda Information Sheet

File #: 19-982 **Item #:** 62.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Water Utilities Department
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC to expand the West Electrical Substation at the Elm Fork Water Treatment Plant - Not to exceed $871,192.00 - Financing: Water Construction Fund

BACKGROUND

The Elm Fork Water Treatment Plant located in Carrollton, Texas was originally constructed in the 1950s and is the second largest of three water treatment plants serving the customers of Dallas Water Utilities. The existing Pump Station No. 1 was constructed in 1952 and served as the plant's original raw water and potable water pump station. Due to its age, replacement of the facility is necessary to address aging infrastructure and bring the facility up to current standards and capacity requirements. On September 27, 2017, City Council authorized the construction of a new pump station, which is currently under construction.

The construction of this new pump station will require an expansion of the Oncor West Electrical Substation located inside the Elm Fork Water Treatment Plant. The substation expansion is necessary to provide reliable electrical service to the new pump station. Without this substation expansion, failure of one of the existing transformers at the Elm Fork West Substation would severely limit the pumping capacity of the pump station.

The substation expansion will be authorized in two council actions. The first council action is for the Discretionary Service Agreement, which secures funding to allow Oncor to proceed with design and materials procurement for the substation expansion to meet the pump station construction deadline for electrical service. A second council action will be required to approve a Facilities Extension Agreement that includes the full terms of the facility expansion. The Facilities Extension Agreement is being negotiated and will be presented to City Council for approval in Fall 2019.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Construction Fund - $871,192.00

Future cost of construction will be determined by The Facilities Extension Agreement

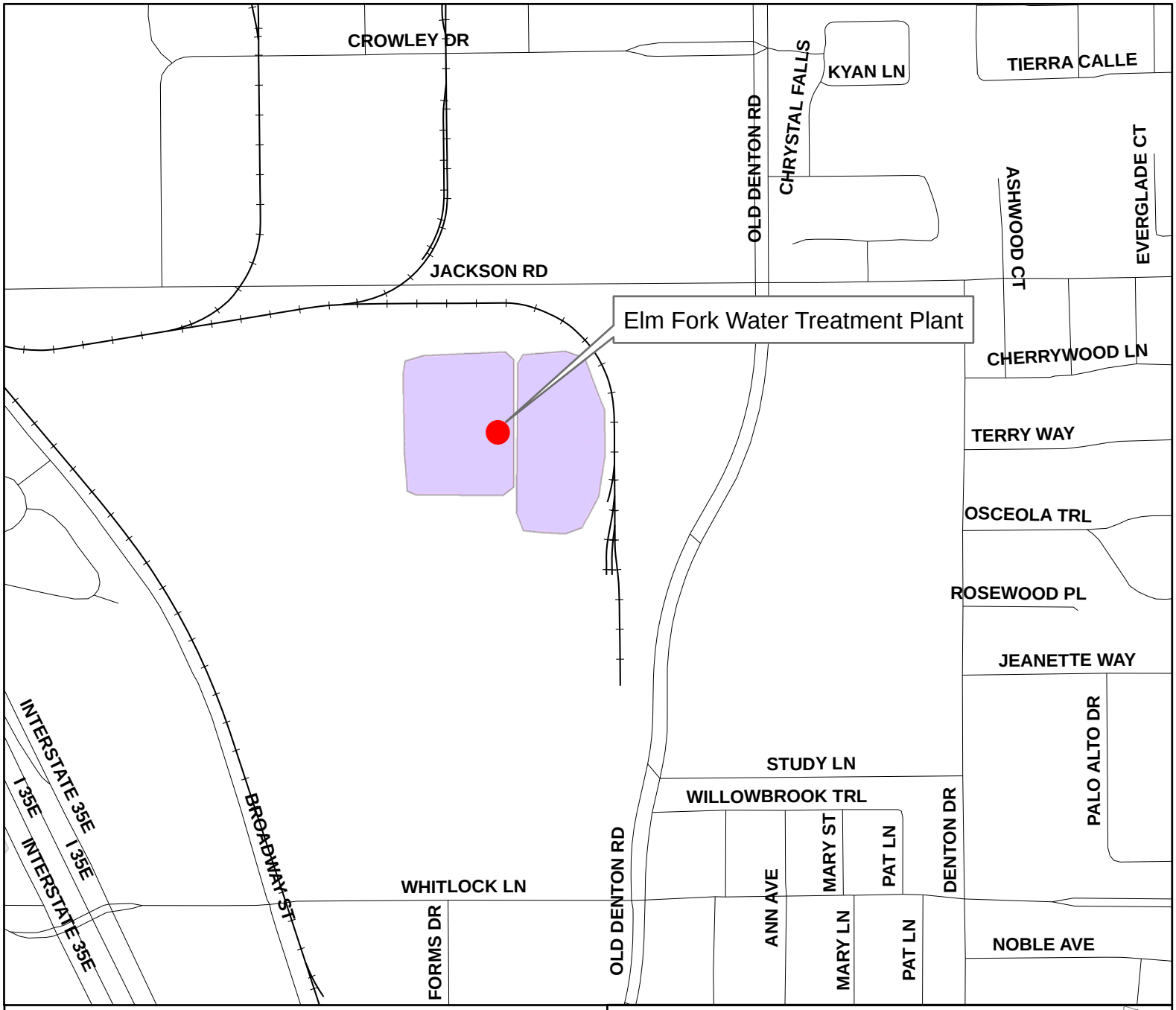
OWNER

Oncor Electric Delivery LLC

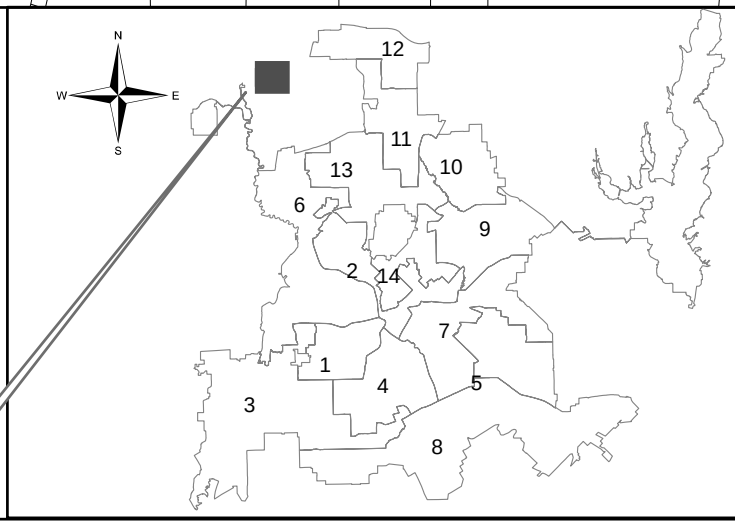
Allen Nye, Chief Executive Officer

MAP

Attached



Mapsco: 2 T



Council District: Outside City Limits

Dallas Water Utilities
Contract No. 19-423
West Electrical Substation at the Elm Fork Water Treatment Plant

August 28, 2019

WHEREAS, the Oncor West Electrical Substation at the Elm Fork Water Treatment Plant requires expansion to meet the electrical demands of the new Pump Station No. 1 and to provide improved reliability; and

WHEREAS, it is necessary to authorize a Discretionary Service Agreement between the City of Dallas and Oncor Electric Delivery LLC to proceed with design and materials procurement for the substation expansion to meet the pump station construction deadline for electrical service; and

WHEREAS, the City of Dallas and Oncor Electric Delivery LLC believe this agreement is in the best interest of both parties.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a Discretionary Service Agreement between the City and Oncor Electric Delivery LLC, approved as to form by the City Attorney, to expand the West Electrical Substation at the Elm Fork Water Treatment Plant, in an amount not to exceed $871,192.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $871,192.00, to Oncor Electric Delivery LLC from Water Construction Fund, Fund 0102, Department DWU, Unit CW31, Object 3099, Program 719423, Encumbrance/Contract No. CX-DWU-2019-00010256, Vendor 399181.

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

Agenda Information Sheet

File #: 19-1094 **Item #:** 63.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the creation of digital aerial photography - Not to exceed $40,226.00 - Financing: Storm Drainage Management Operations Fund

BACKGROUND

The City of Dallas has participated with the North Central Texas Council of Governments (NCTCOG) to obtain digital orthophotography since 1990. The City's Geographic Information System (GIS) has archived digital orthophotography from 1995, 1997, 2000, 2003, 2005, 2007, 2009, 2011, 2013, 2015 and 2017 derived from Interlocal Agreements between the City of Dallas and NCTCOG.

The digital orthophotography map is a mosaic of aerial photographs that have been computerized and oriented to the correct geographical locations in the city. This digital map is of a known (and consistent) accuracy and is the base level map that supports the entire City's GIS. It is utilized for determining impervious surface areas required for stormwater fees; These photos also enable users to discern features on the ground that were previously not identifiable. Examples are parking meters, street markings, large signs, fence lines (property), hydrants, manholes, etc. Additionally, the acquisition of biannual digital orthophotos provide the City with the ability to monitor historical trends on growth and new subdivisions can be identified programmatically. The digital photos also assist the City while improving emergency response and tactical strategy, and assisting in coordination with the City and between neighboring jurisdictions.

NCTCOG will select the vendor and be the technical owner of the data. A number of municipalities participate this reducing the city's cost in obtaining these data separately. The data then becomes proprietary and saves the City of Dallas tens of thousands of dollars.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 8, 2017, City Council authorized an Interlocal Agreement with NCTCOG for the creation of digital aerial photography by Resolution No 17-1768.

FISCAL INFORMATION

Storm Drainage Management Operations Fund - $40,226.00

OWNER

North Central Texas Council of Governments

Mike Eastland, Executive Director

powered by Legistar™

August 28, 2019

WHEREAS, on May 2, 1993, City Council authorized the development of a City and Regional Geographic Information System by Resolution No. 93-1779; and

WHEREAS, the City of Dallas Infrastructure Management is being developed and maintained using updated land base information, including biannual digital aerial orthophotography; and

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has made a most advantageous offer to the City of Dallas for the purchase of digital aerial orthophotography of areas in and around the city of Dallas; and

WHEREAS, the City of Dallas desires to enter into an Interlocal Agreement with the NCTCOG for the creation of digital aerial photography.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute an Interlocal Agreement with NCTCOG, approved as to form by the City Attorney, for the creation of digital aerial photography, in an amount not to exceed $40,226.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $40,226.00 from Stormwater Drainage Management Operations Fund, Fund 0061, Department SDM, Unit 4908, Object 3070, Activity SD01, Encumbrance/Contract No. CX-SDM-2019-00010843, Vendor 066264.

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

Agenda Information Sheet

File #: 19-830 **Item #:** 64.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1, 2, 5, 7, 11, 13

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for the installation of water and wastewater mains at 14 locations (list attached to the Agenda Information Sheet) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - Not to exceed $13,756,649.00 - Financing: Water Utilities Capital Drinking Water TWDB Funds ($7,705,024.70) and Water Utilities Capital Clean Water TWDB Funds ($6,051,624.30)

BACKGROUND

This action consists of the replacement and rehabilitation of approximately 30,318 feet of water and wastewater mains. This includes the installation of approximately 90 feet of 6-inch, 9,405 feet of 8-inch, 5,179 feet of 12-inch, 165 feet of 16-inch, 9 feet of 20-inch, 51 feet of 24-inch, and 1,232 feet of 36-inch water mains, and approximately 9,767 feet of 8-inch, 2,592 feet of 12-inch, 1,290 feet of 16-inch, and 538 feet of 30-inch wastewater mains.

The existing water and wastewater mains were built between 1930 and 1971. These mains are contributing to an increase in maintenance costs as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

The following chart illustrates John Burns Construction Company of Texas, Inc.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	0	0	0
Change Orders	0	2	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Begin Construction October 2019
Complete Construction October 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Drinking Water TWDB Funds - $7,705,024.70
Water Utilities Capital Clean Water TWDB Funds - $6,051,624.30

Council District	Amount
1	$ 526,606.94
2	$ 819,867.09
5	$ 832,029.95
7	$ 8,377,059.56
11	$ 876,176.64
13	$ 2,324,908.82
Total	$13,756,649.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$13,756,649.00	Construction	25.00%	24.60%	$3,383,500.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

The following three bids with quotes were opened on May 17, 2019:

*Denotes successful bidder

Bidders	**Bid Amount**
*John Burns Construction Company of Texas, Inc. 655 East Main Street Lewisville, Texas 75057	$13,756,649.00
Camino Construction, L.P.	$13,815,841.00
SYB Construction Company, Inc.	$15,884,640.00

OWNER

John Burns Construction Company of Texas, Inc.

William B. O'Malley, Owner

MAPS

Attached

powered by Legistar™

Segment List
Contract No. 18-463/464
Water and Wastewater Main Installation

District 1

Alley between Hampton Road and Hollywood Avenue from Wilton Avenue to Brandon Street

District 2

Cesar Chavez Boulevard from Seegar Street northwest
Cesar Chavez Boulevard from Seegar Street to Corinth Street

District 5

St Regis Drive from Seco Boulevard to Lonsdale Avenue

District 7

Brigham Lane from Marne Street to Malcolm X Boulevard
Council Street from Myrtle Street to Echo Avenue
Echo Avenue from Brigham Lane to Council Street
Elsie Faye Heggins Street from Malcolm X Boulevard to Cason Street
Elsie Faye Heggins Street from Central Expressway to Malcolm X Boulevard
Malcolm X Boulevard from Peary Avenue to Brigham Lane

District 11

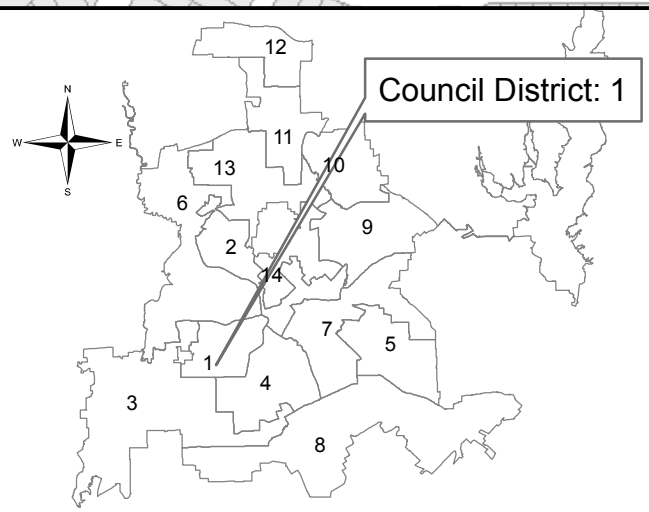
Forest Lane from Forest Court east

District 13

Inwood Road from Northaven Road south
Northaven Court from Webb Chapel Road to Northaven Road
Northaven Road from Inwood Road east



Alley between Hampton Road and Hollywood Avenue from Wilton Avenue to Brandon Street



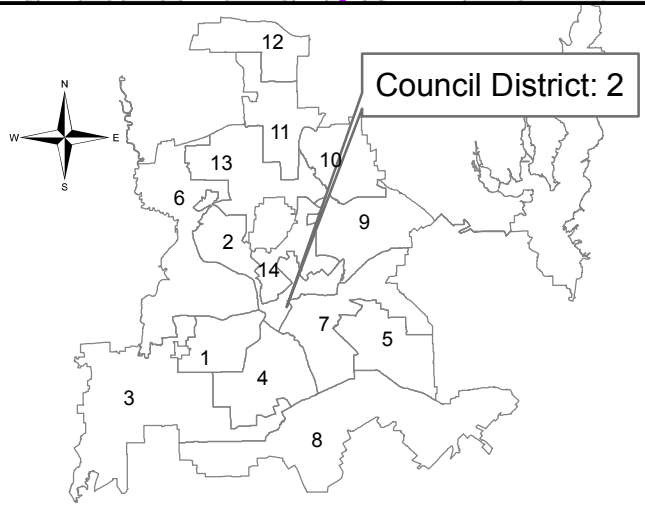
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 5060

Segment 1 of 14



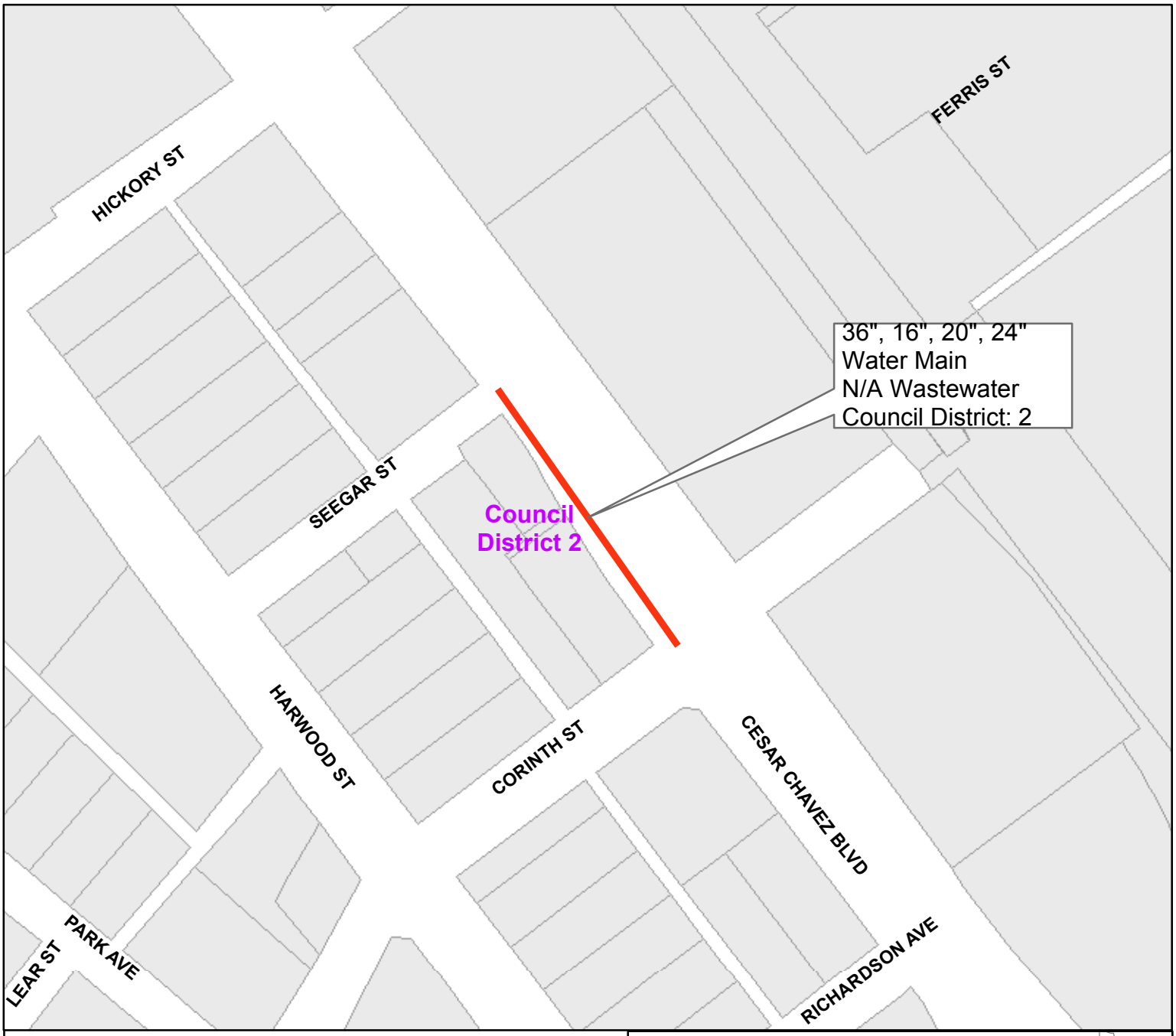
Cesar Chavez Boulevard
from Seegar Street northwest



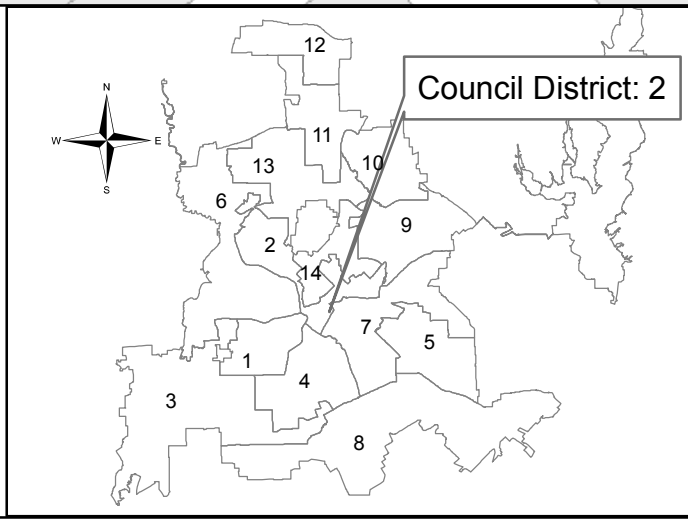
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 6030

Segment 2 of 14



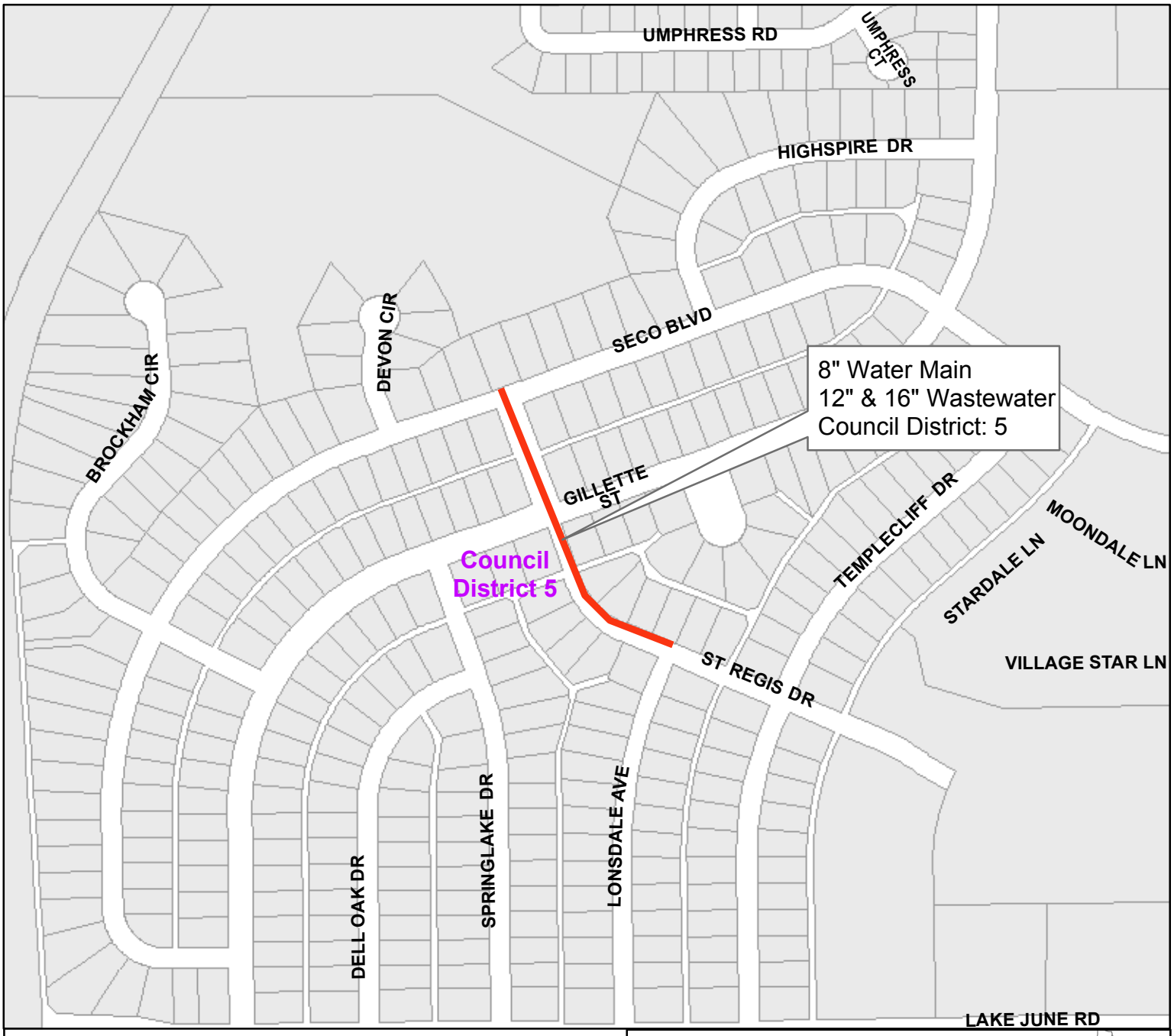
Cesar Chavez Boulevard
from Seegar Street to Corinth Street



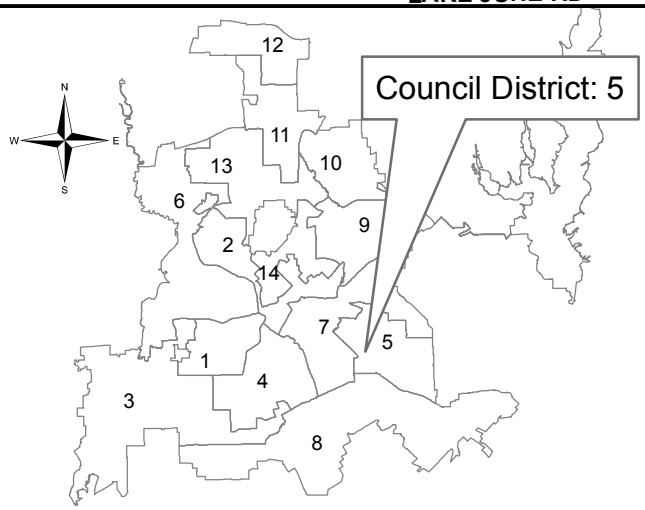
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 6031

Segment 3 of 14



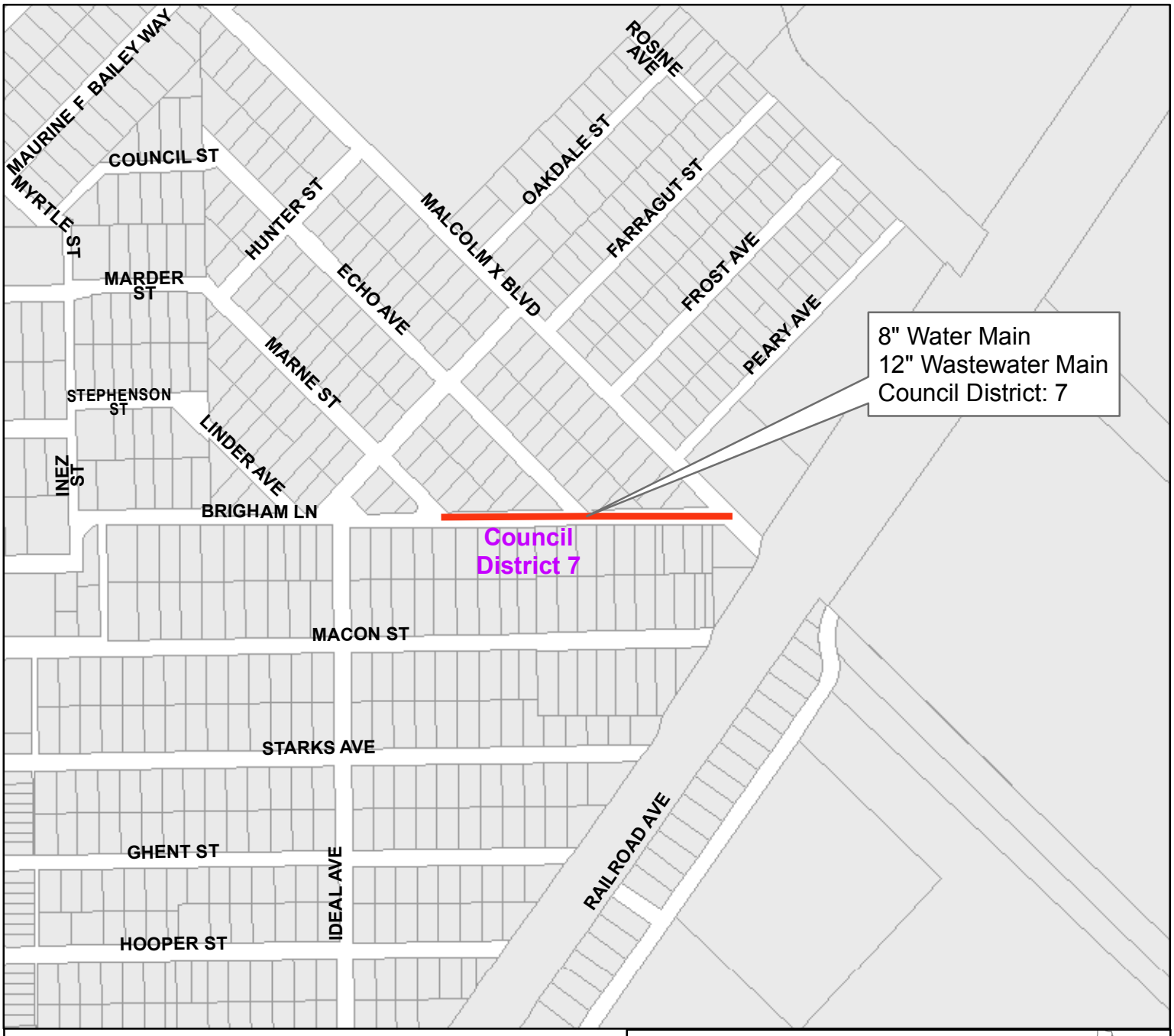
St Regis Drive
from Seco Boulevard to Lonsdale Avenue



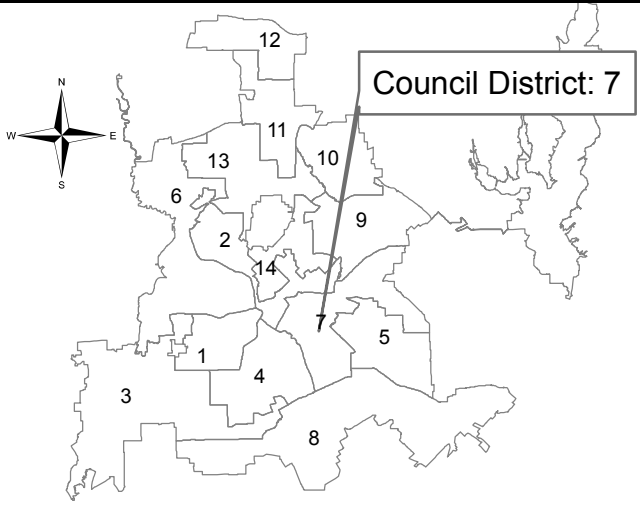
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 4540

Segment 4 of 14



Brigham Lane
from Marne Street to Malcolm X Boulevard

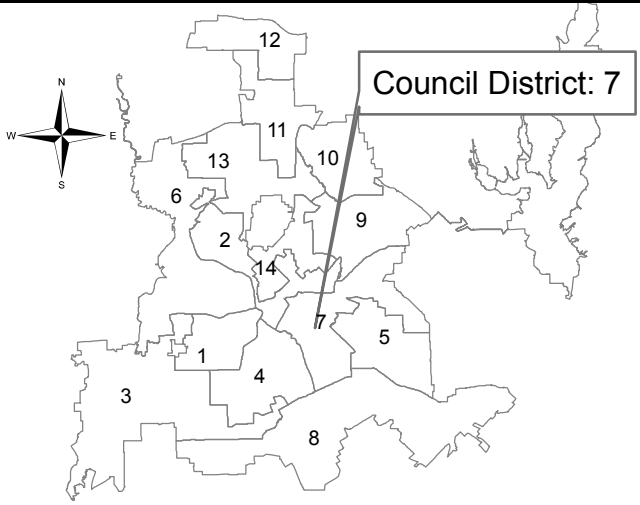


Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 6104



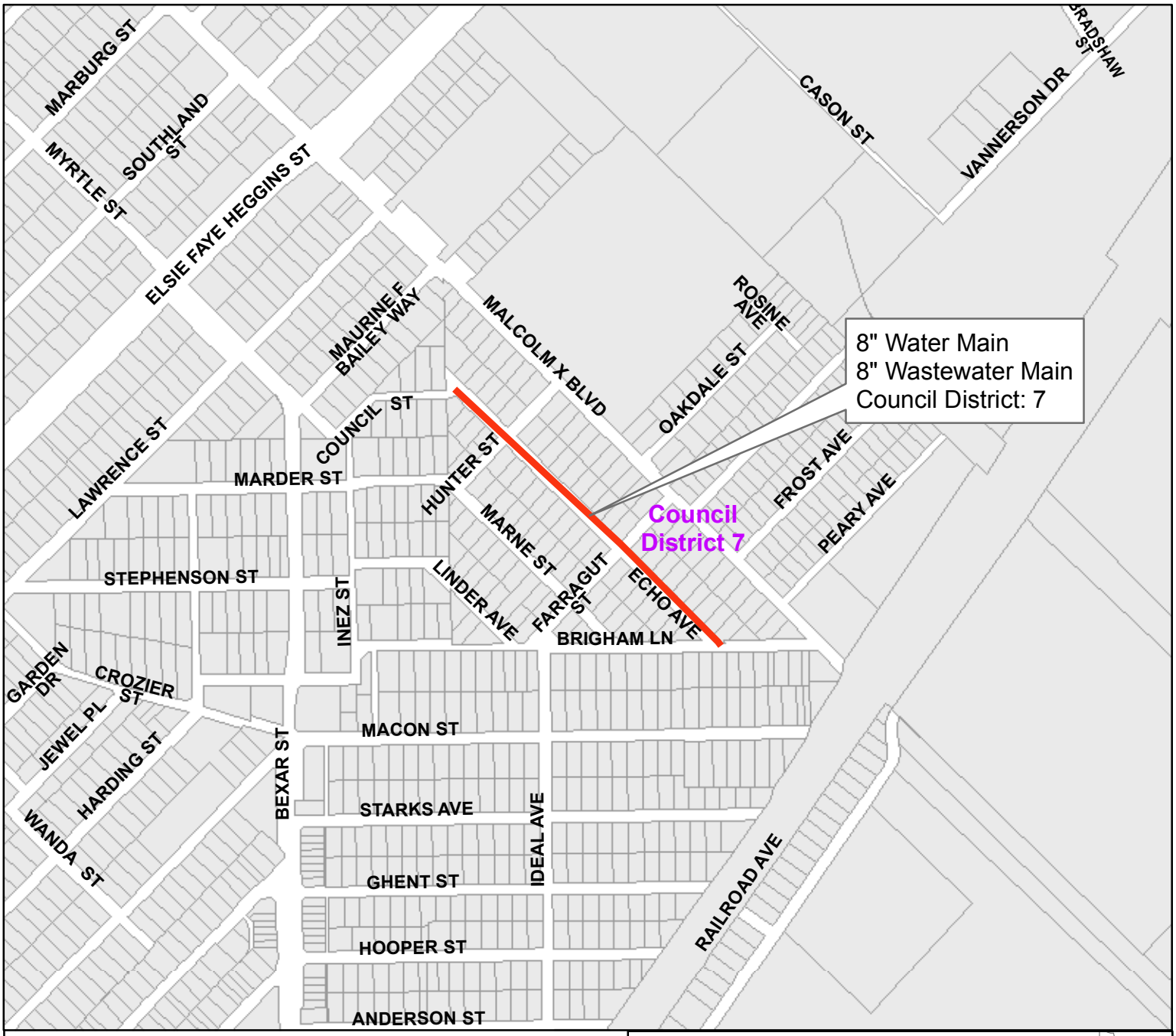
Council Street
from Myrtle Street to Echo Avenue



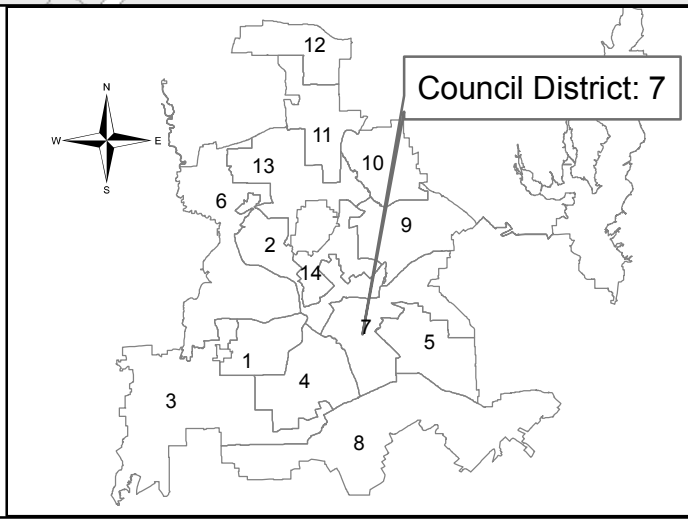
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 6106

Segment 6 of 14



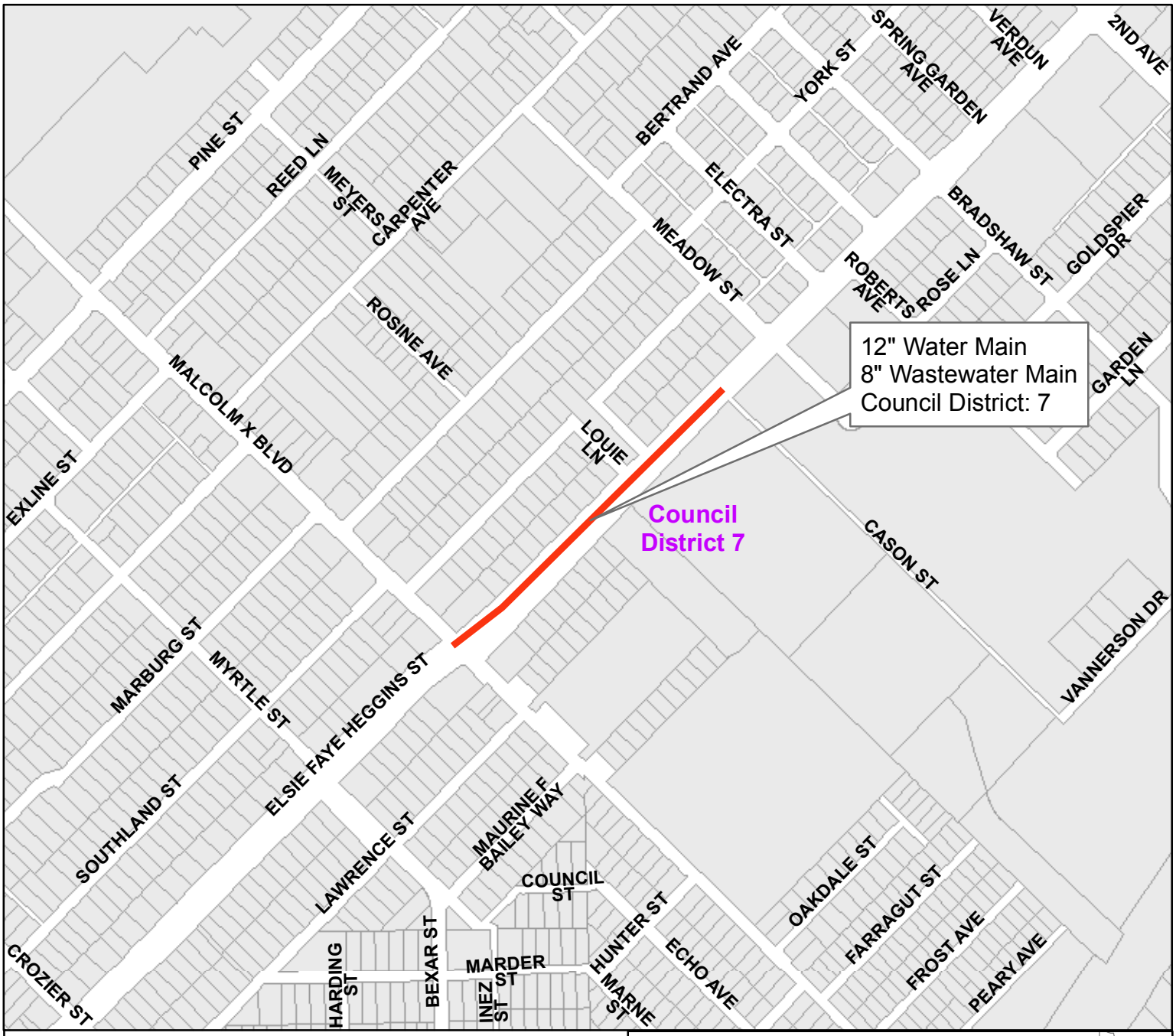
Echo Avenue
from Brigham Lane to Council Street



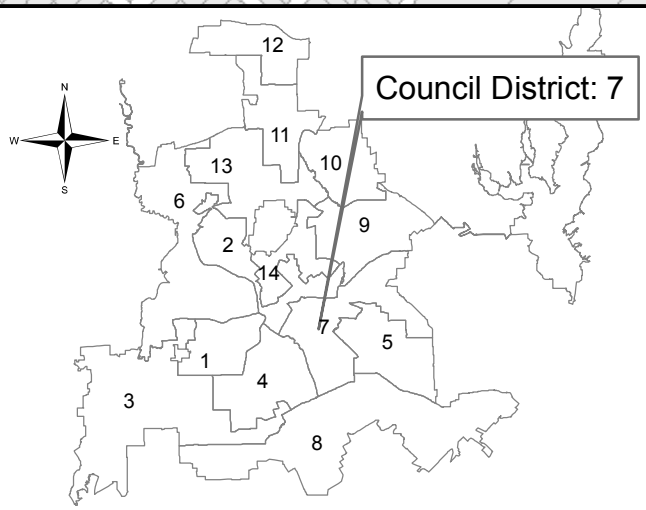
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 6105

Segment 7 of 14



Elsie Faye Heggins Street
from Malcolm X Boulevard to Cason Street



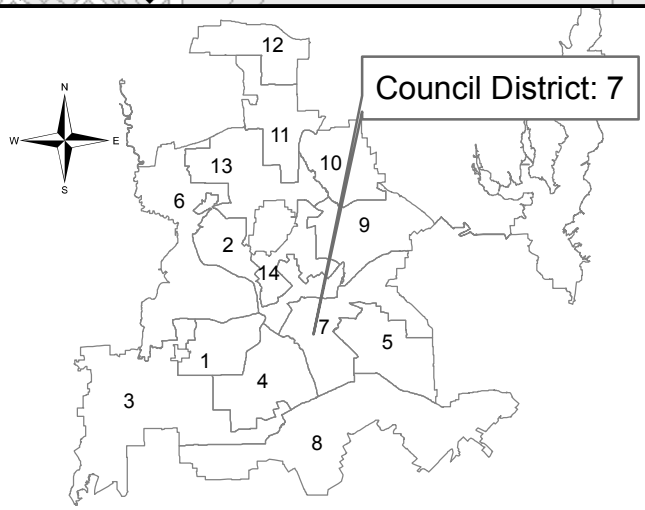
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 5750

Segment 8 of 14



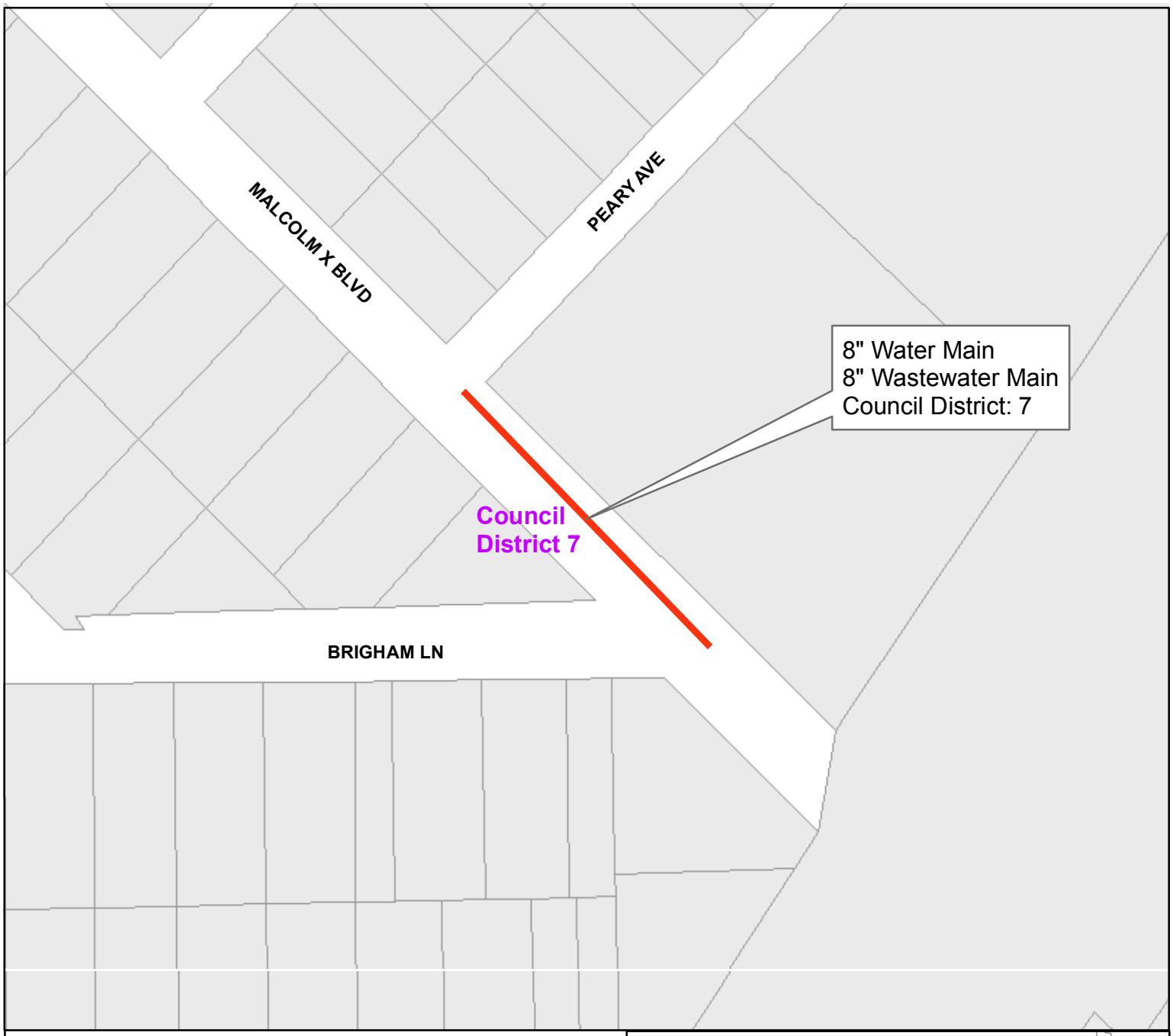
Elsie Faye Heggins Street
from Central Expressway to Malcolm X Boulevard



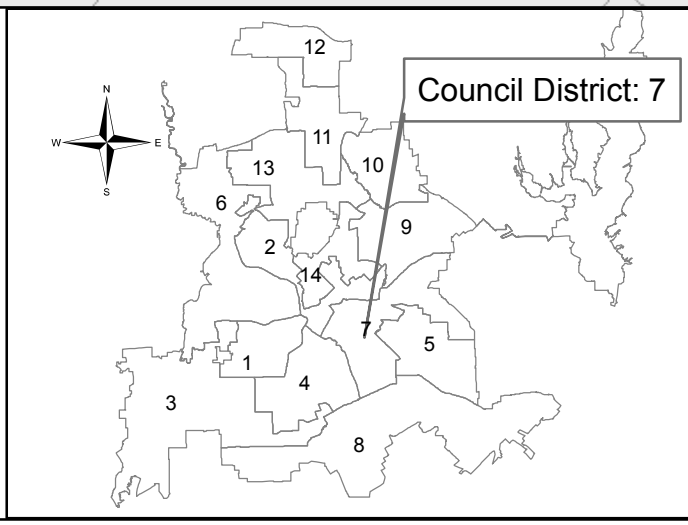
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 3196

Segment 9 of 14

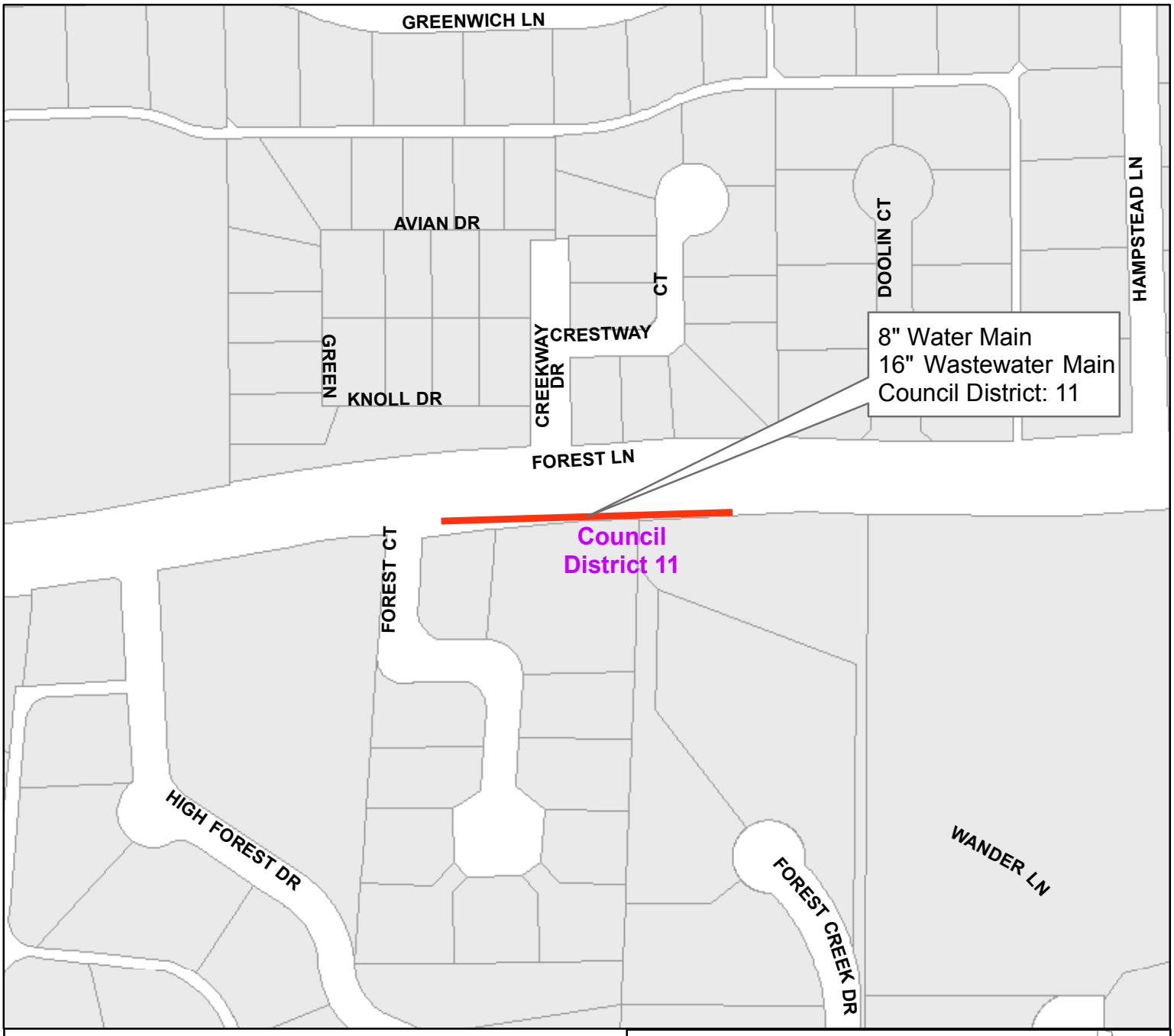


Malcolm X Boulevard
from Peary Avenue to Brigham Lane

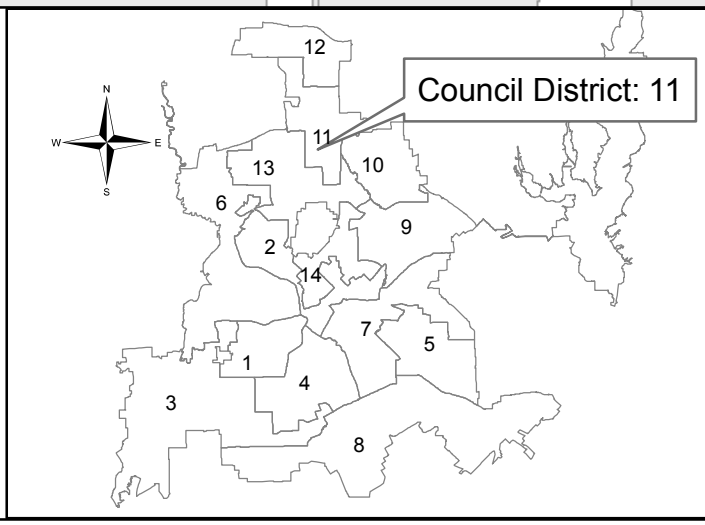


Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 6103



Forest Lane
from Forest Court east



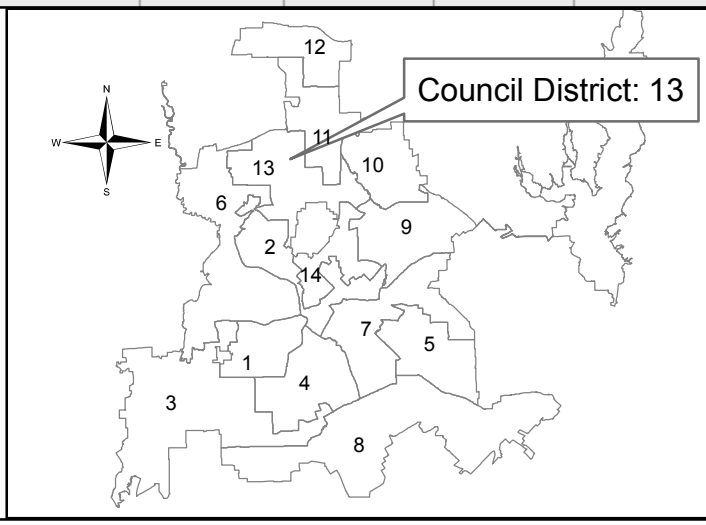
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 4939

Segment 11 of 14



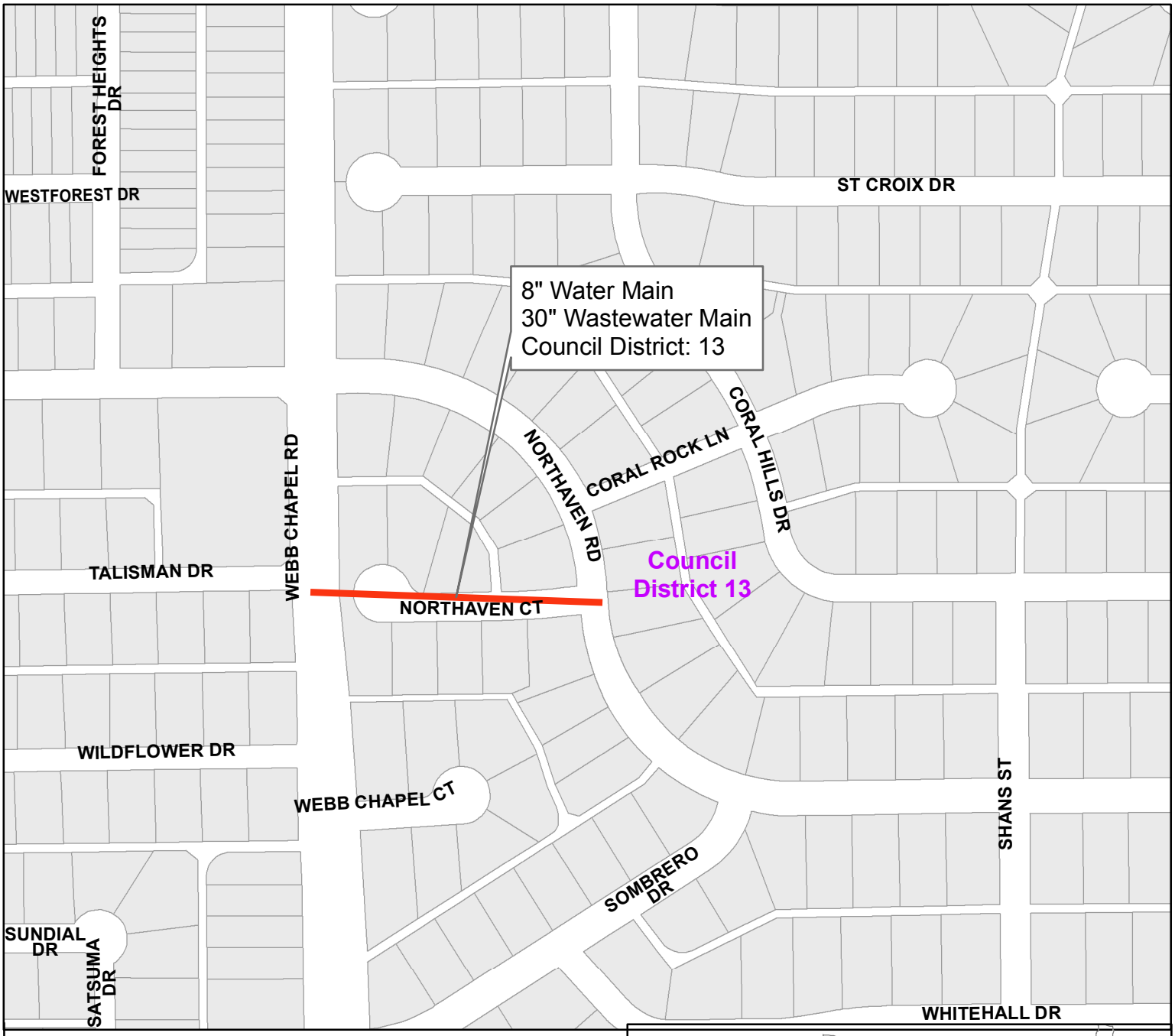
Inwood Road
from Northaven Road south



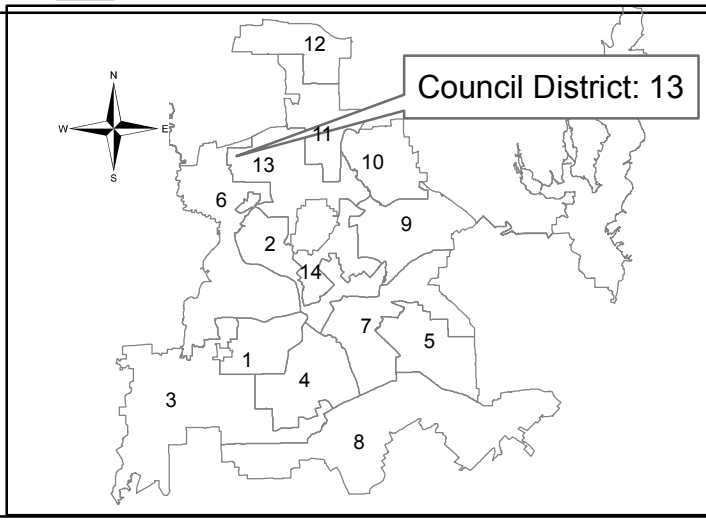
Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 4791

Segment 12 of 14

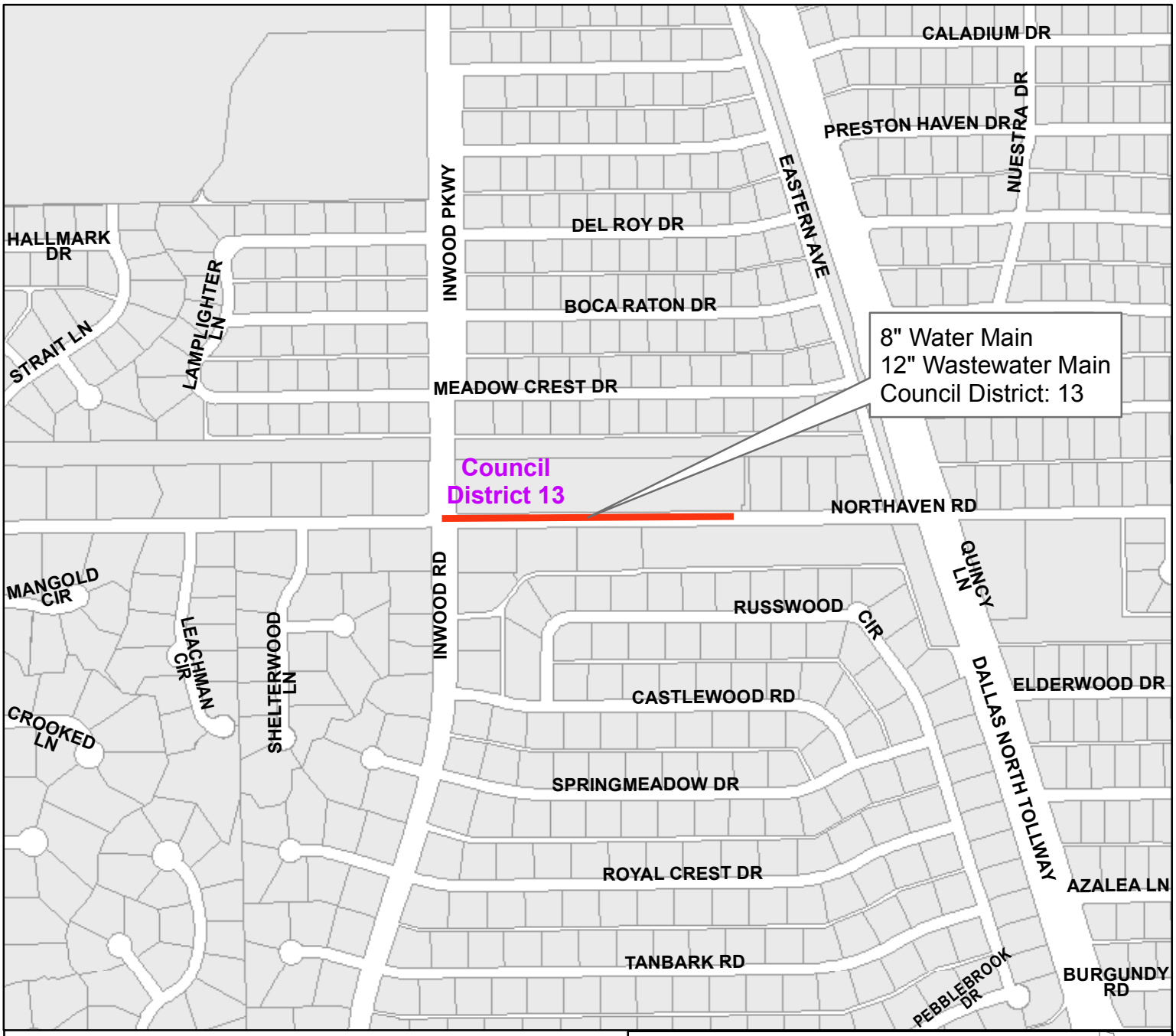


Northaven Court
from Webb Chapel Road to Northaven Road

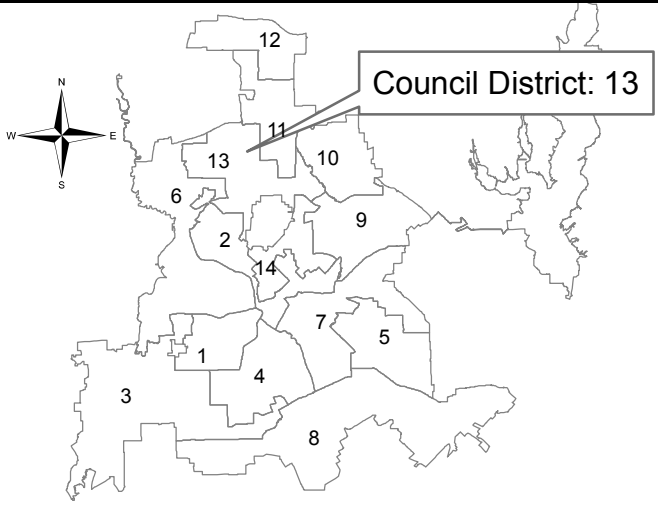


Contract No. 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 4600



Northaven Road
from Inwood Road east



Contract No.: 18-463/464
Water and Wastewater Main Installations
at 14 Locations

PID: 4790

Segment 14 of 14

August 28, 2019

WHEREAS, on May 17, 2019, three bids were received for the installation of water and wastewater mains at 14 locations, Contract No. 18-463/464, listed as follows:

Bidders	**Bid Amount**
John Burns Construction Company of Texas, Inc.	$13,756,649.00
Camino Construction, L.P.	$13,815,841.00
SYB Construction Company, Inc.	$15,884,640.00

WHEREAS, the bid submitted by John Burns Construction Company of Texas, Inc., 655 East Main Street, Lewisville, Texas 75057, in the amount of $13,756,649.00, is the lowest and best of all bids received.

Now, Therefore,

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

SECTION 1. That the bid submitted by John Burns Construction Company of Texas, Inc., in the amount of $13,756,649.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 18-463/464, be accepted.

SECTION 2. That the City Manager is hereby authorized to execute a construction contract with John Burns Construction Company of Texas, Inc., approved as to form by the City Attorney, for the installation of water and wastewater mains at 14 locations, in an amount not to exceed $13,756,649.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds, in an amount not to exceed $13,756,649.00, to John Burns Construction Company of Texas, Inc., as follows:

Water (Drinking Water)-TWDB 2018 Fund Fund 1150, Department DWU, Unit FW40 Object 4550, Program 718463, Vendor 199054 Encumbrance/Contract No. CX-DWU-2019-00010561	$ 7,705,024.70
Wastewater (Clean Water)-TWDB 2018 Fund Fund 1151, Department DWU, Unit FS40 Object 4560, Program 718464, Vendor 199054 Encumbrance/Contract No. CX-DWU-2019-00010561	$ 6,051,624.30
Total amount not to exceed	$13,756,649.00

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

Agenda Information Sheet

File #: 19-864 **Item #:** 65.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1, 2, 5, 7, 9, 14

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for the installation of water and wastewater mains at 16 locations (list attached to the Agenda Information Sheet) - Camino Construction, L.P., lowest responsible bidder of four - Not to exceed $12,396,377.00 - Financing: Water Utilities Capital Drinking Water TWDB Fund ($9,161,882.00) and Water Utilities Capital Clean Water TWDB Fund ($3,234,495.00)

BACKGROUND

This action consists of the replacement and rehabilitation of approximately 35,515 feet of water and wastewater mains. This includes the installation and rehabilitation of approximately 870 feet of 4-inch, 800 feet of 6-inch, 14,825 feet of 8-inch, 3,730 feet of 12-inch, 480 feet of 16-inch and 820 feet of 24-inch water mains, and approximately 310 feet of 6-inch, 12,170 feet of 8-inch, 810 feet of 12-inch, and 700 feet of 36-inch wastewater mains.

The existing water and wastewater mains were built between 1923 and 1969. These mains are contributing to an increase in maintenance costs as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

The following chart illustrates Camino Construction, L.P.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	6	1	0
Change Orders	9	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Begin Construction October 2019
Complete Construction October 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Drinking Water TWDB Fund - $9,161,882.00
Water Utilities Capital Clean Water TWDB Fund - $3,234,495.00

Council District	Amount
1	$ 2,021,322.69
2	$ 2,563,137.48
5	$ 4,327,118.70
7	$ 2,997,177.73
9	$ 201,091.65
14	$ 286,528.75
Total	$12,396,377.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$12,396,377.00	Construction	25.00%	72.02%	$8,927,309.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following four bids with quotes were opened on June 7, 2019:

*Denotes successful bidder

Bidders	Bid Amount
*Camino Construction, L.P. 1208 Metro Park Lewisville, Texas 75057	$12,396,377.00
Venus Construction Company	$12,696,121.00

powered by Legistar™

SYB Construction Company, Inc.	$12,932,232.50
John Burns Construction Company of Texas, Inc.	$13,417,110.00

OWNER

Camino Construction, L.P.

Rogelio Ayala, President

MAPS

Attached

powered by Legistar™

Segment List
Contract No. 19-005/006
Water and Wastewater Main Installation

District 1

12th Street from Hollywood Avenue to Marlborough Avenue
Alley between Montclair Avenue and Rosemont Avenue
from Page Avenue to Burlington Boulevard
Tyler Street from 10th Street to 7th Street

District 2

Alley between R.L. Thornton Freeway and Samuell Boulevard
from Sibley Avenue to Owenwood Avenue
Boone Avenue from Samuell Boulevard to Merrifield Avenue
Merrifield Avenue from Owenwood Avenue to Boone Avenue
Owenwood Avenue from Merrifield Avenue north
Samuell Boulevard from Sibley Avenue west
Sibley Avenue from Samuell Boulevard to R.L. Thornton Freeway

District 5

Cardella Avenue from Quinn Street south
Jennie Lee Lane from Buckner Boulevard to Blanton Street
Lovett Avenue from Howard Avenue to Lasca Street

District 7

Kingsford Avenue from Scyene Road north
Samuell Boulevard from east of Boone Avenue east

District 9

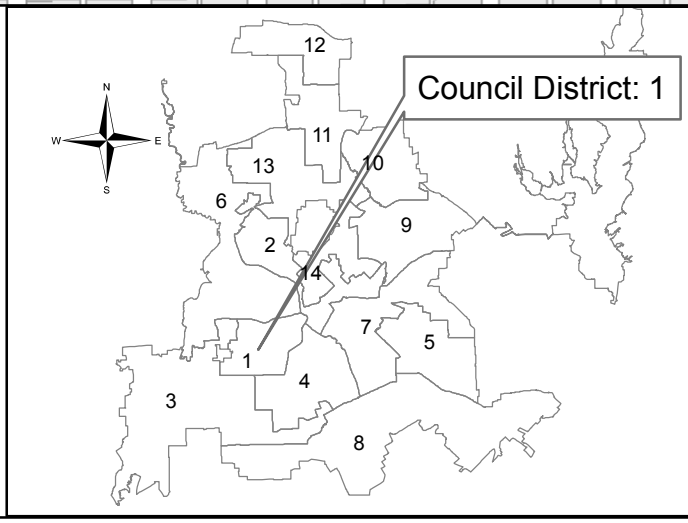
Easement southwest of Dulaney Drive from Ferguson Road to Valley Glen Drive

District 14

Alley between Avondale Avenue and Irving Avenue from Oak Lawn Avenue east



12th Street
from Hollywood Avenue to Marlborough Avenue



Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

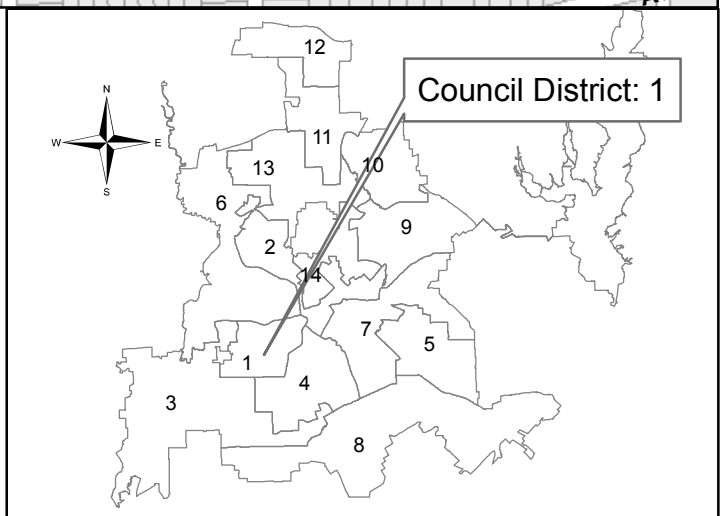
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Segment 1 of 16



Alley between Montclaire Avenue and Rosemont Avenue

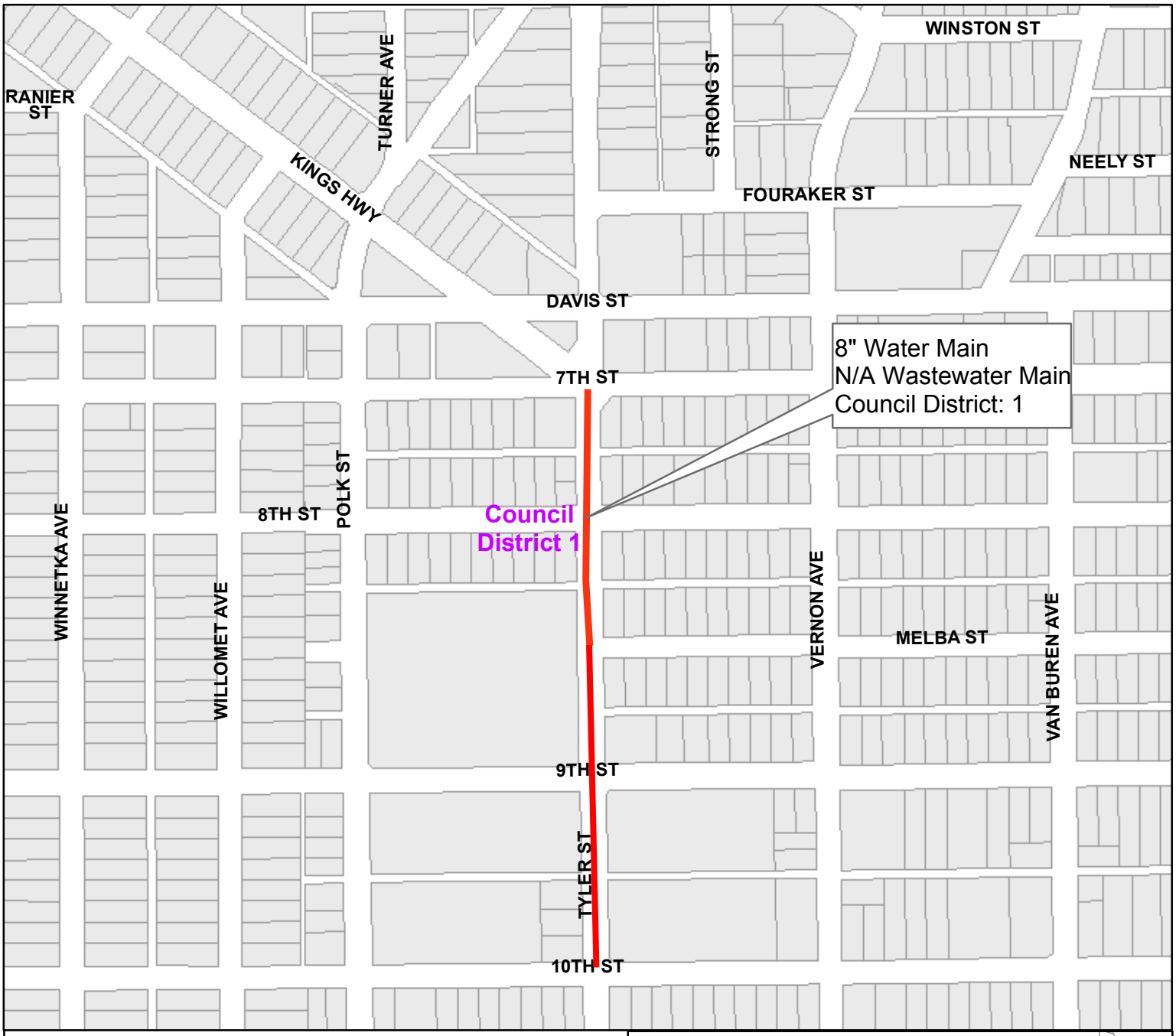
from Page Avenue to Burlington Boulevard



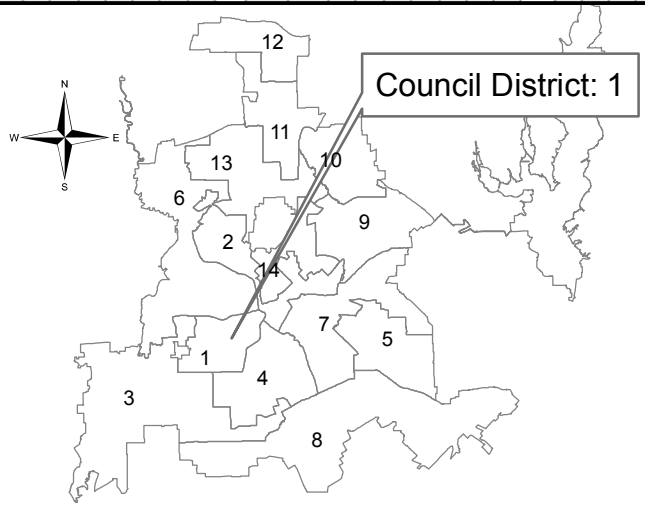
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 5756

Segment 2 of 16



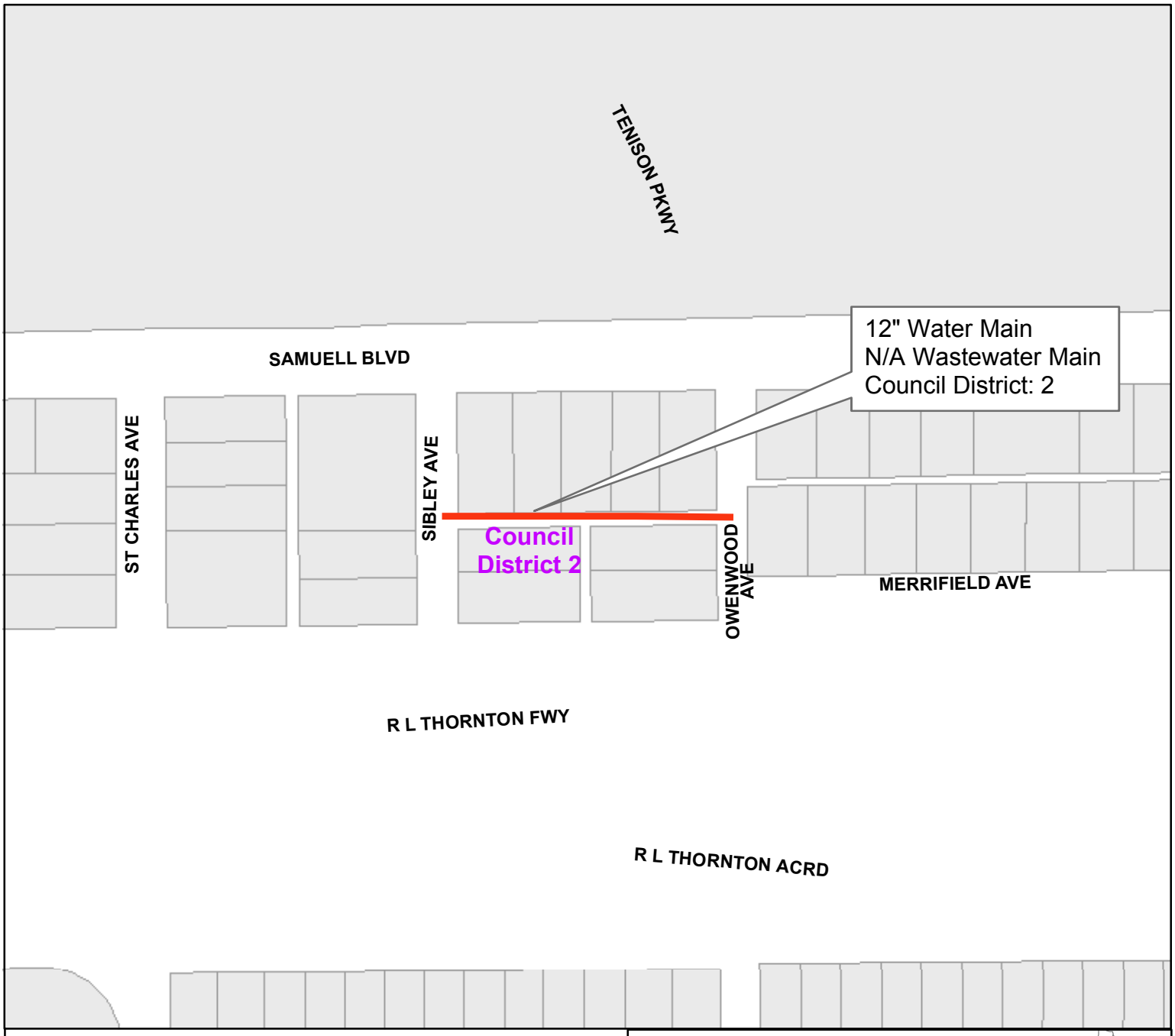
Tyler Street
from 10th Street to 7th Street



Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

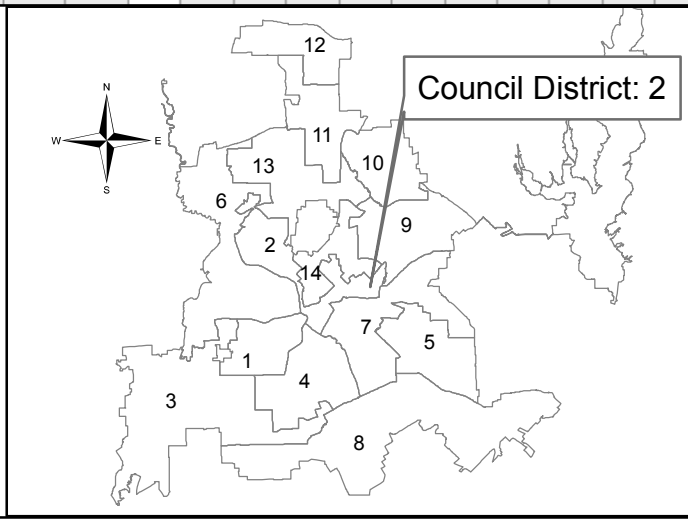
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Segment 3 of 16



Alley between beteween R.L. Thornton Freeway and Samuell Boulevard

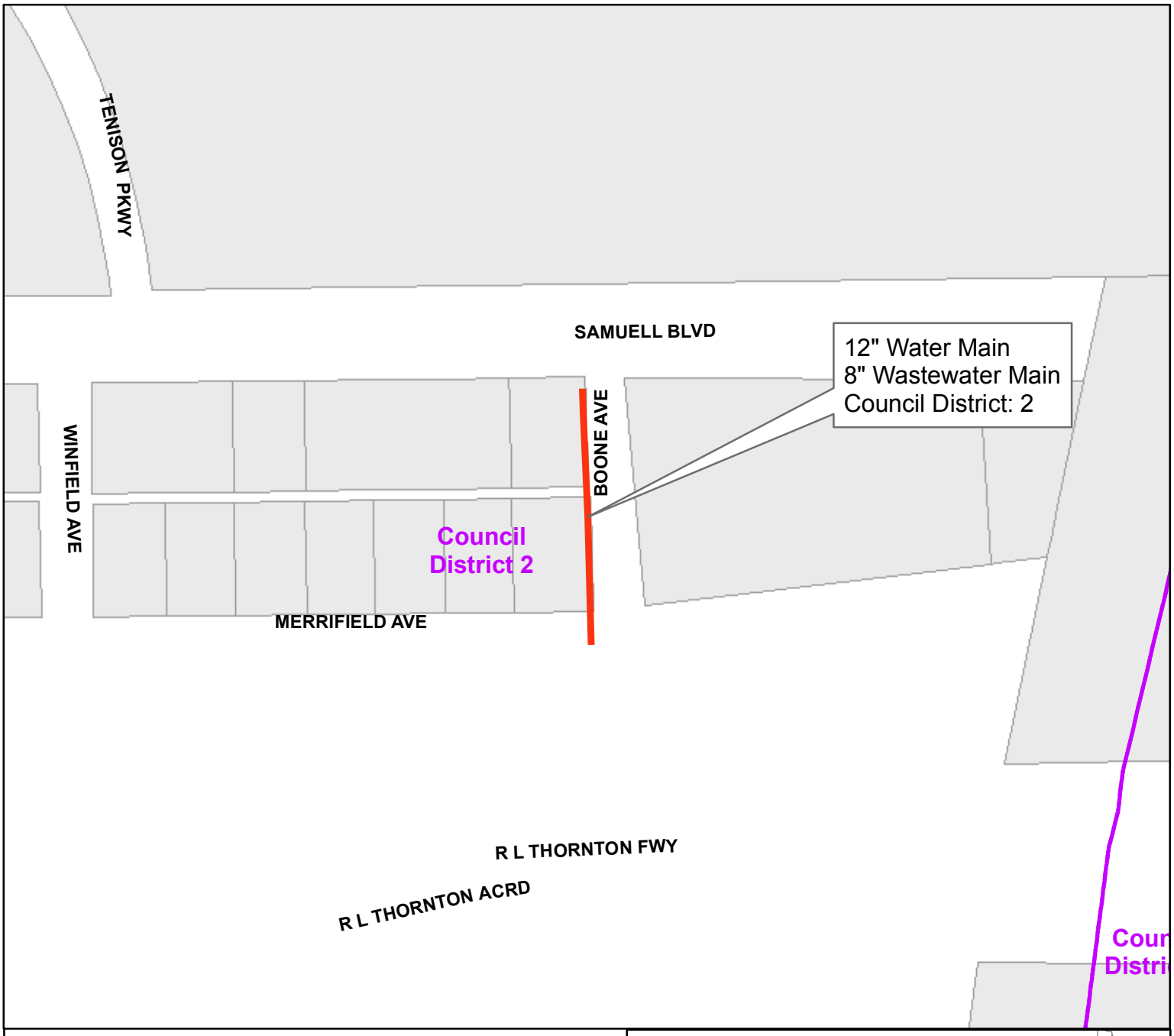
from Sibley Avenue to Owenwood Avenue



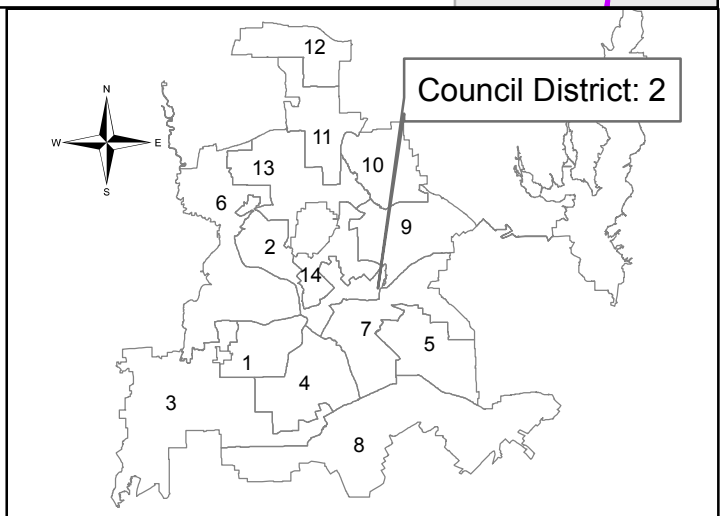
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 3118

Segment 4 of 16



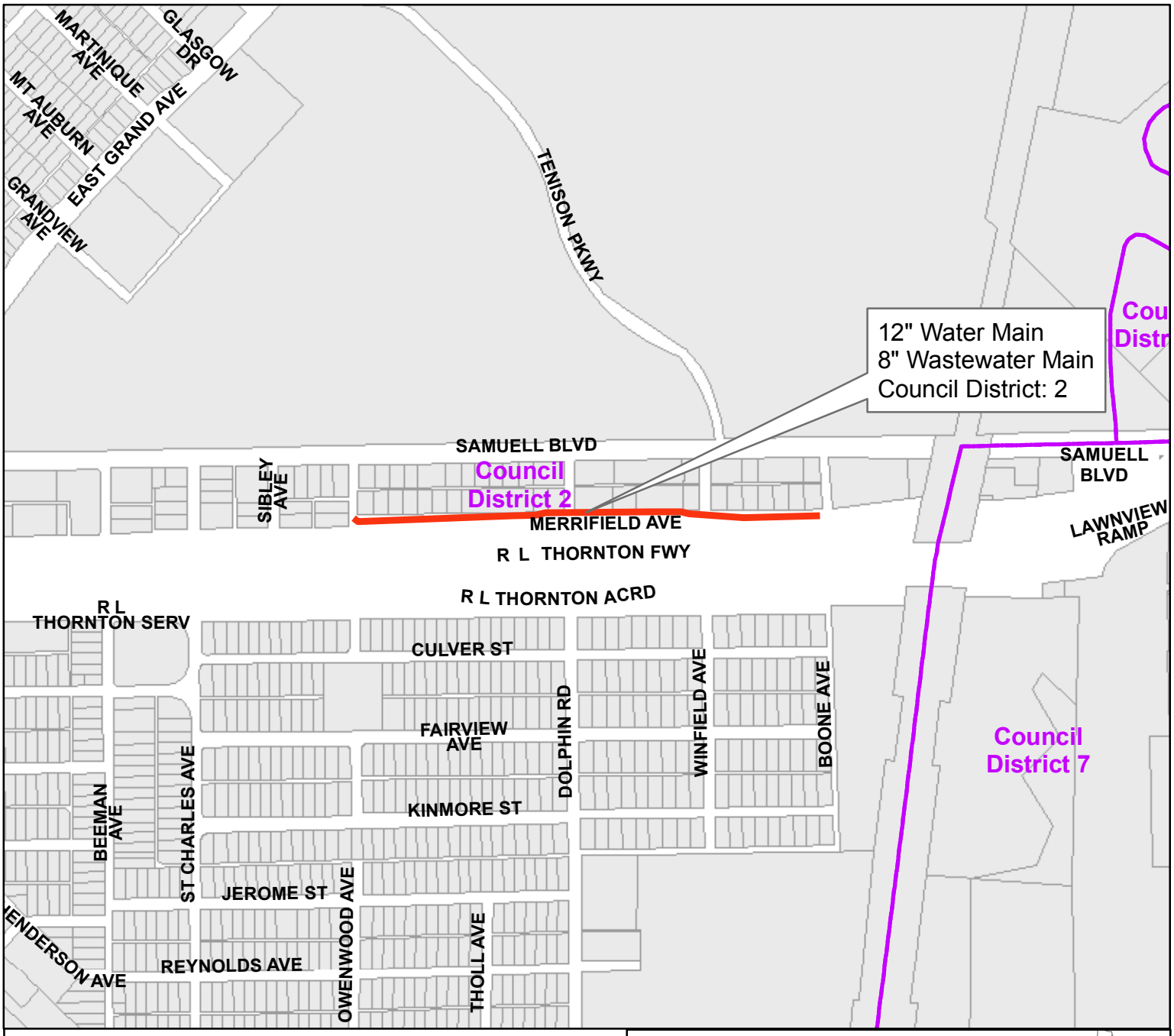
Boone Avenue
from Samuell Boulevard to Merrifield Avenue



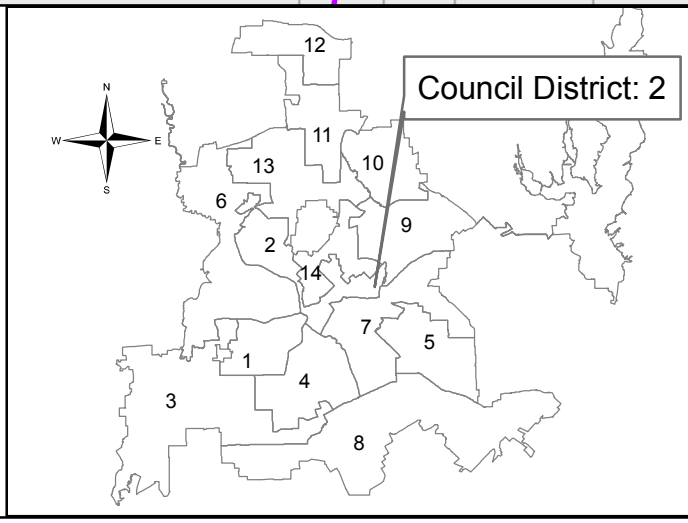
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 3120

Segment 5 of 16



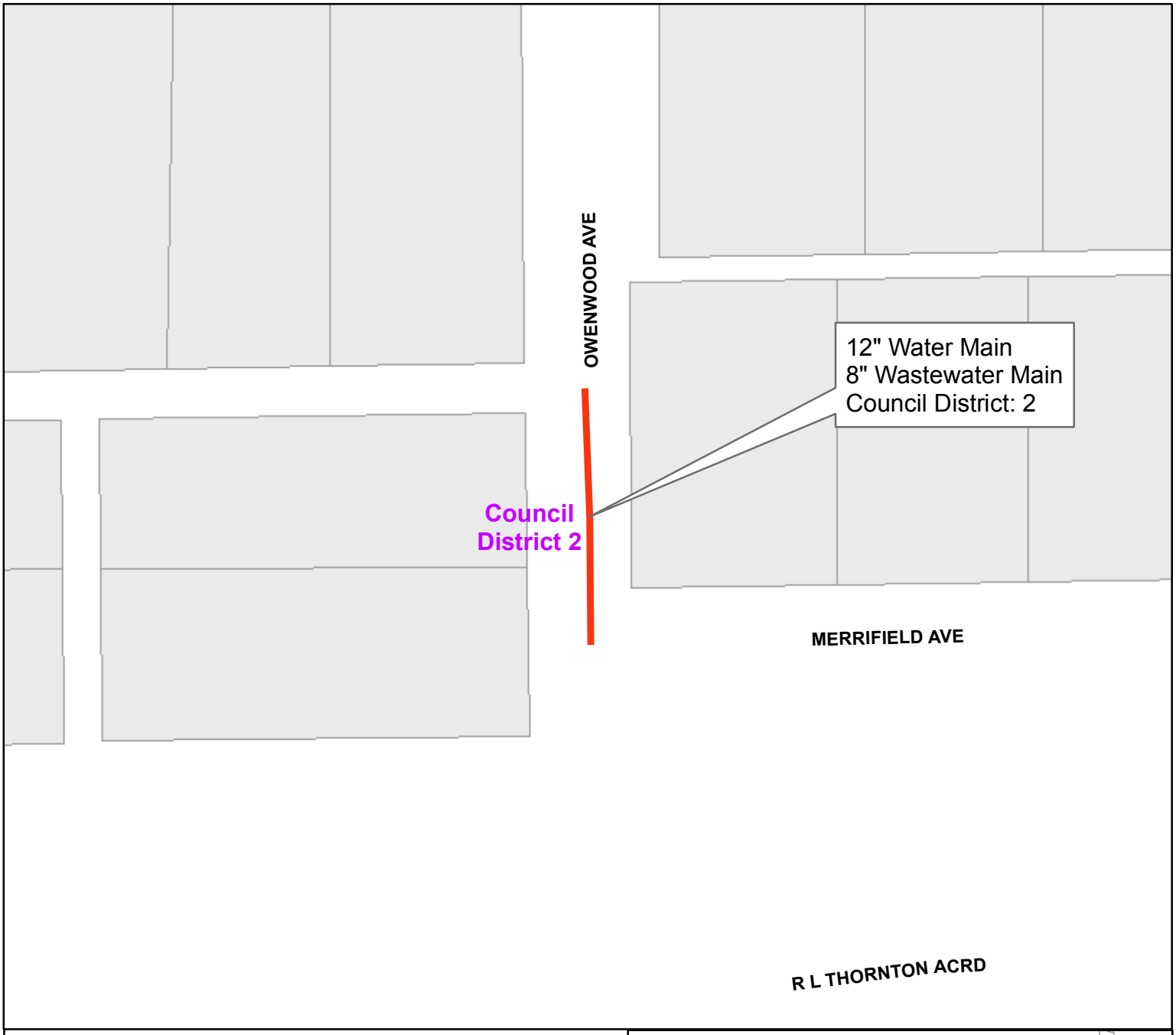
Merrifield Avenue
from Owenwood Avenue to Boone Avenue



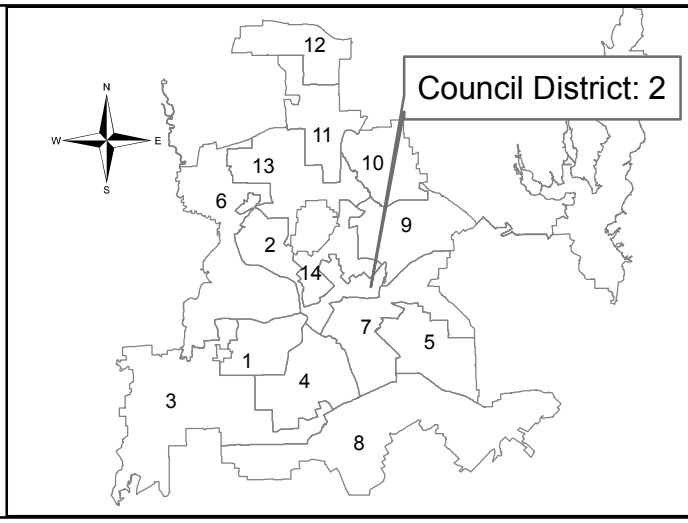
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 3116

Segment 6 of 16

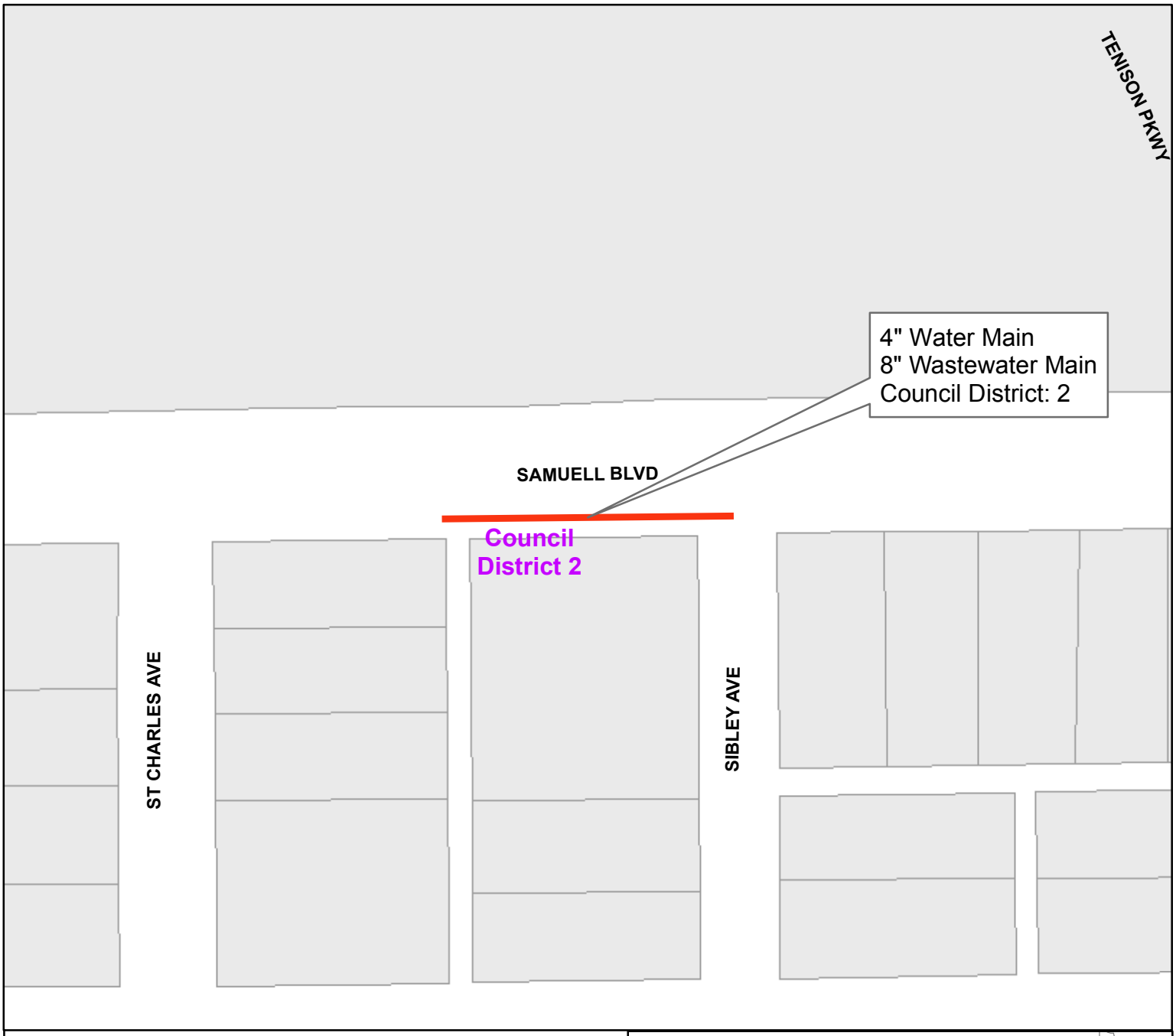


Owenwood Avenue
from Merrifield Avenue north

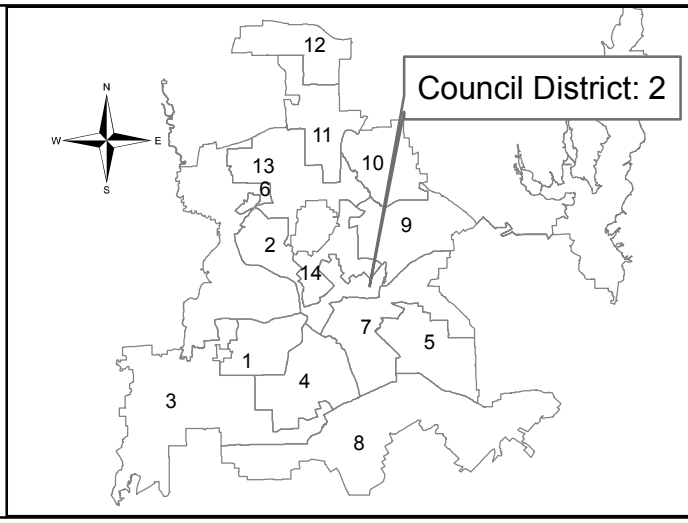


Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 3119

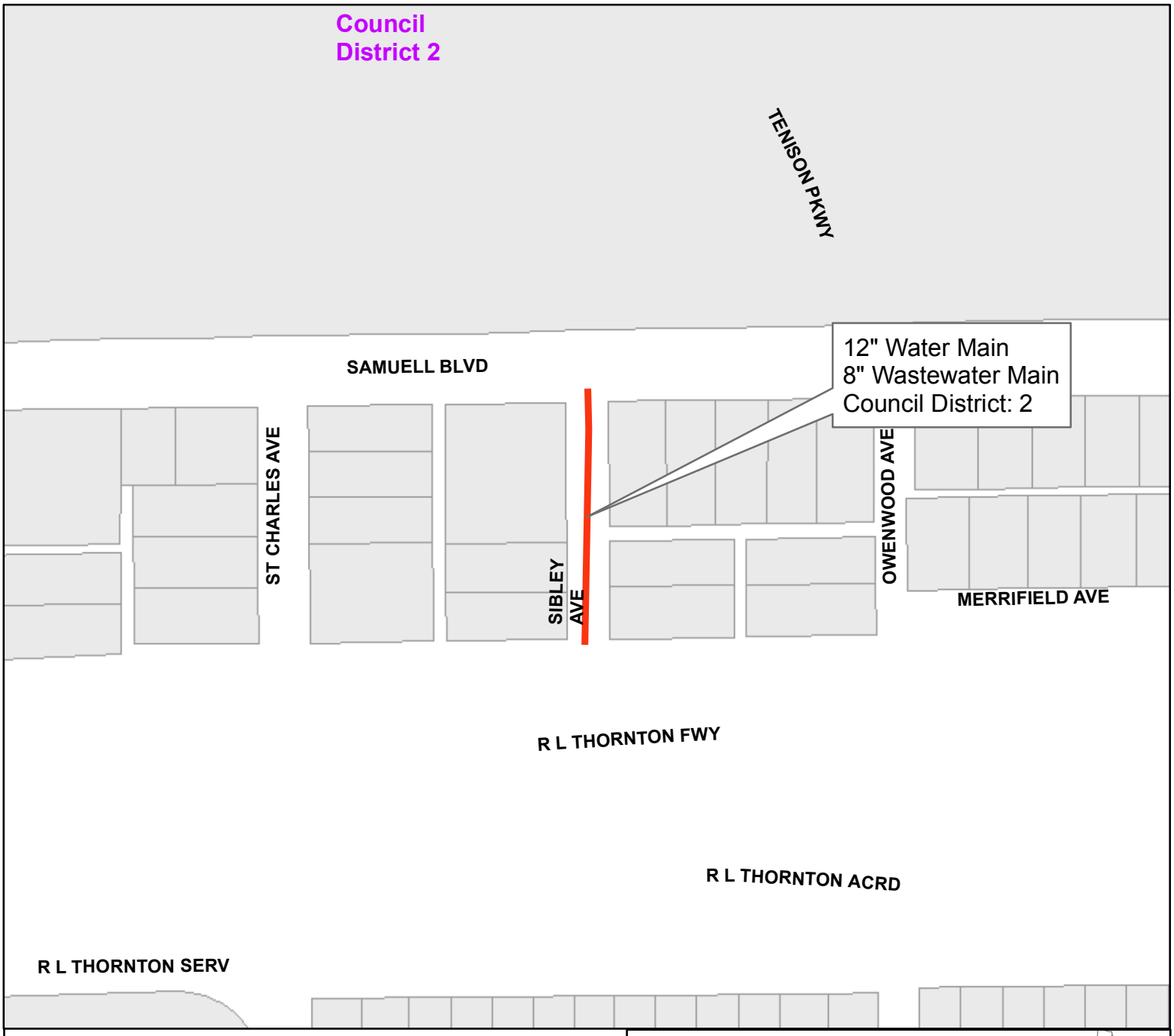


Samuell Boulevard
from Sibley Avenue west



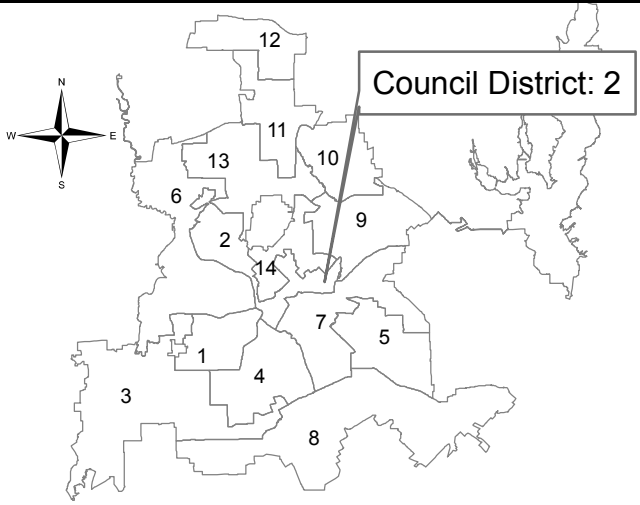
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 1405



Sibley Avenue

from Samuell Boulevard to R.L. Thornton Freeway



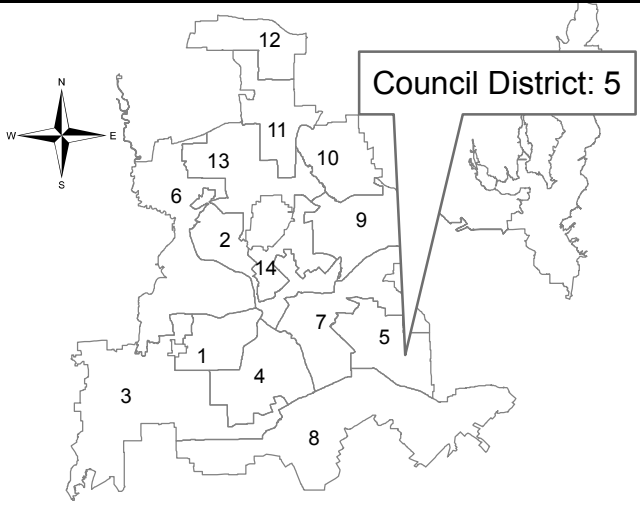
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 3117

Segment 9 of 16



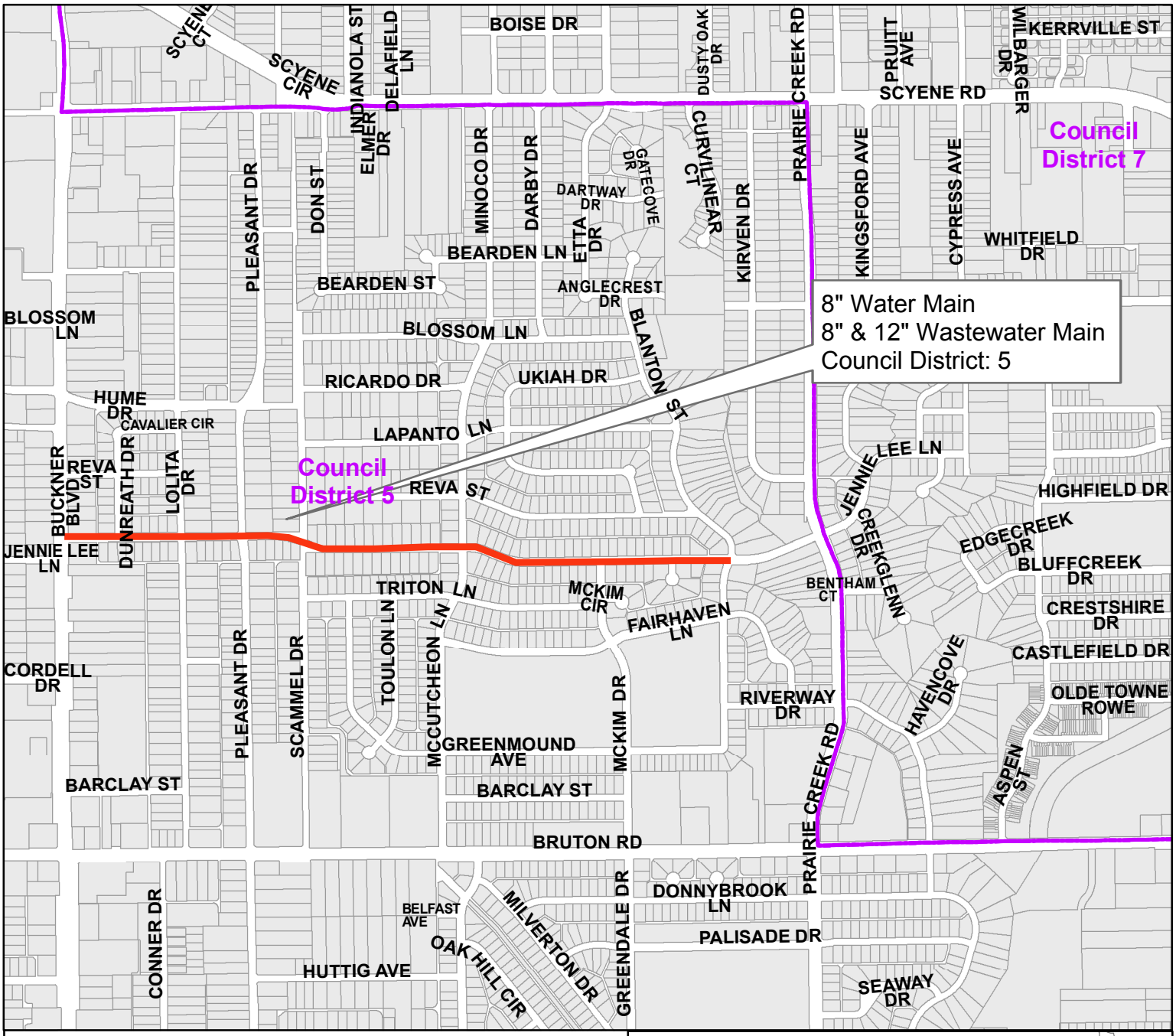
Cardella Avenue
from Quinn Street south



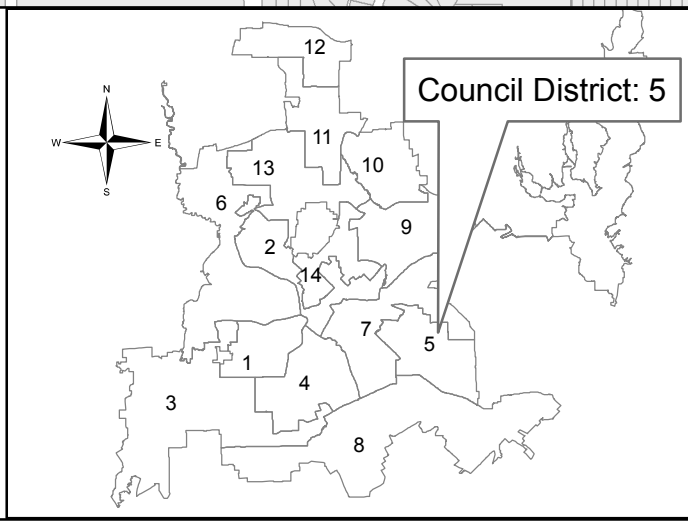
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 5893

Segment 10 of 16



Jennie Lee Lane
from Buckner Boulevard to Blanton Street



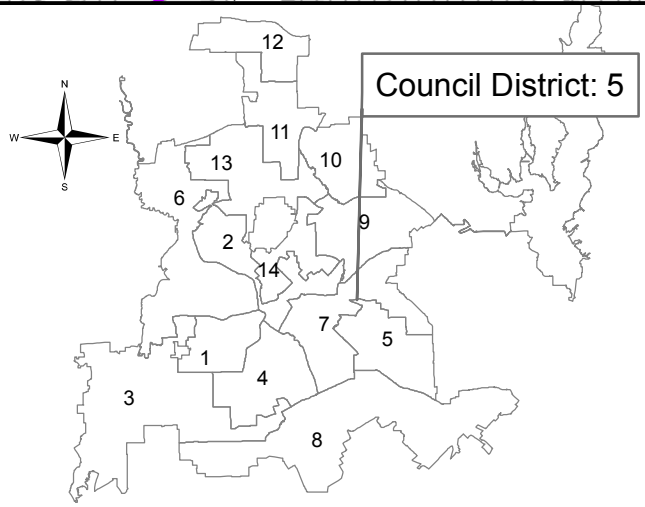
Contract No. 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 3202

Segment 11 of 16



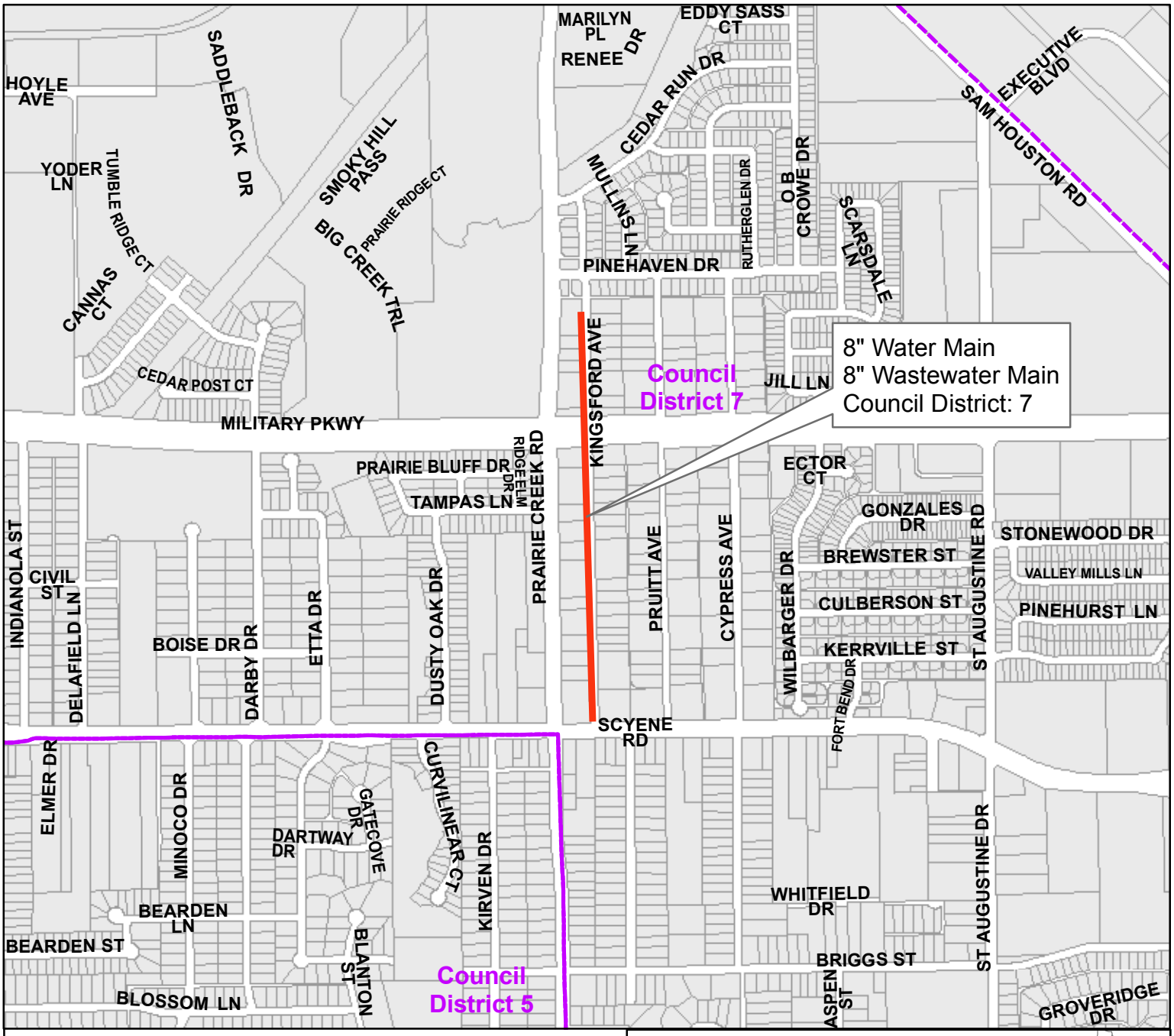
Lovett Avenue
from Howard Avenue to Lasca Street



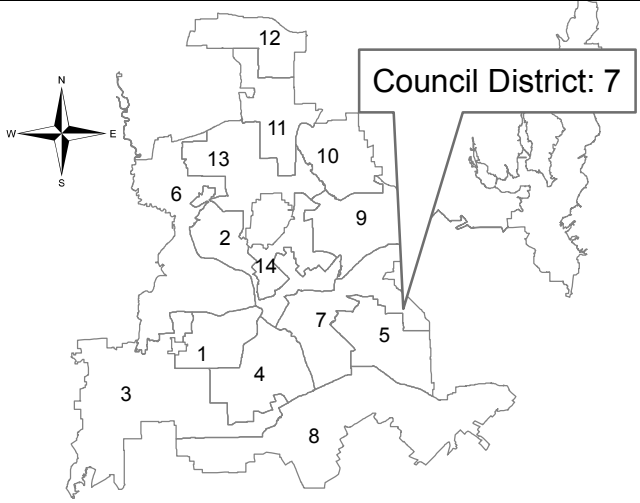
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 5734

Segment 12 of 16



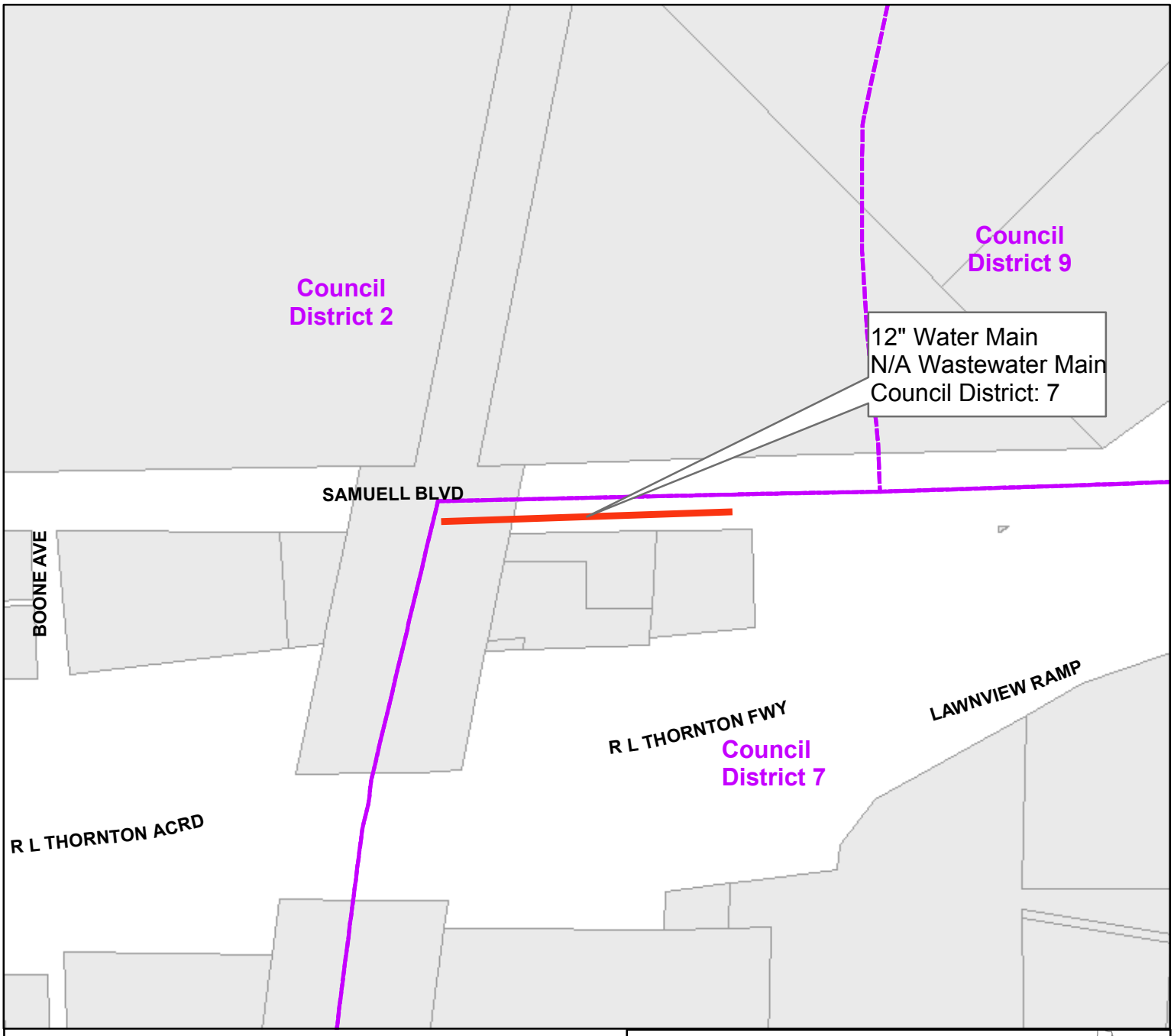
Kingsford Avenue
from Scyene Road north



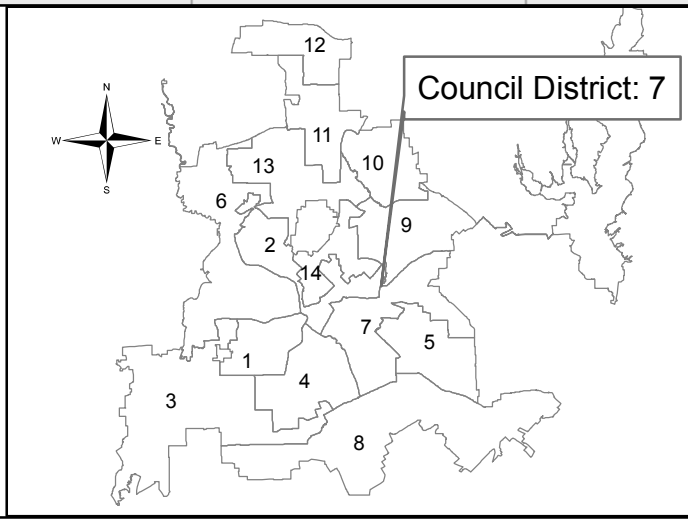
Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 5819

Segment 13 of 16

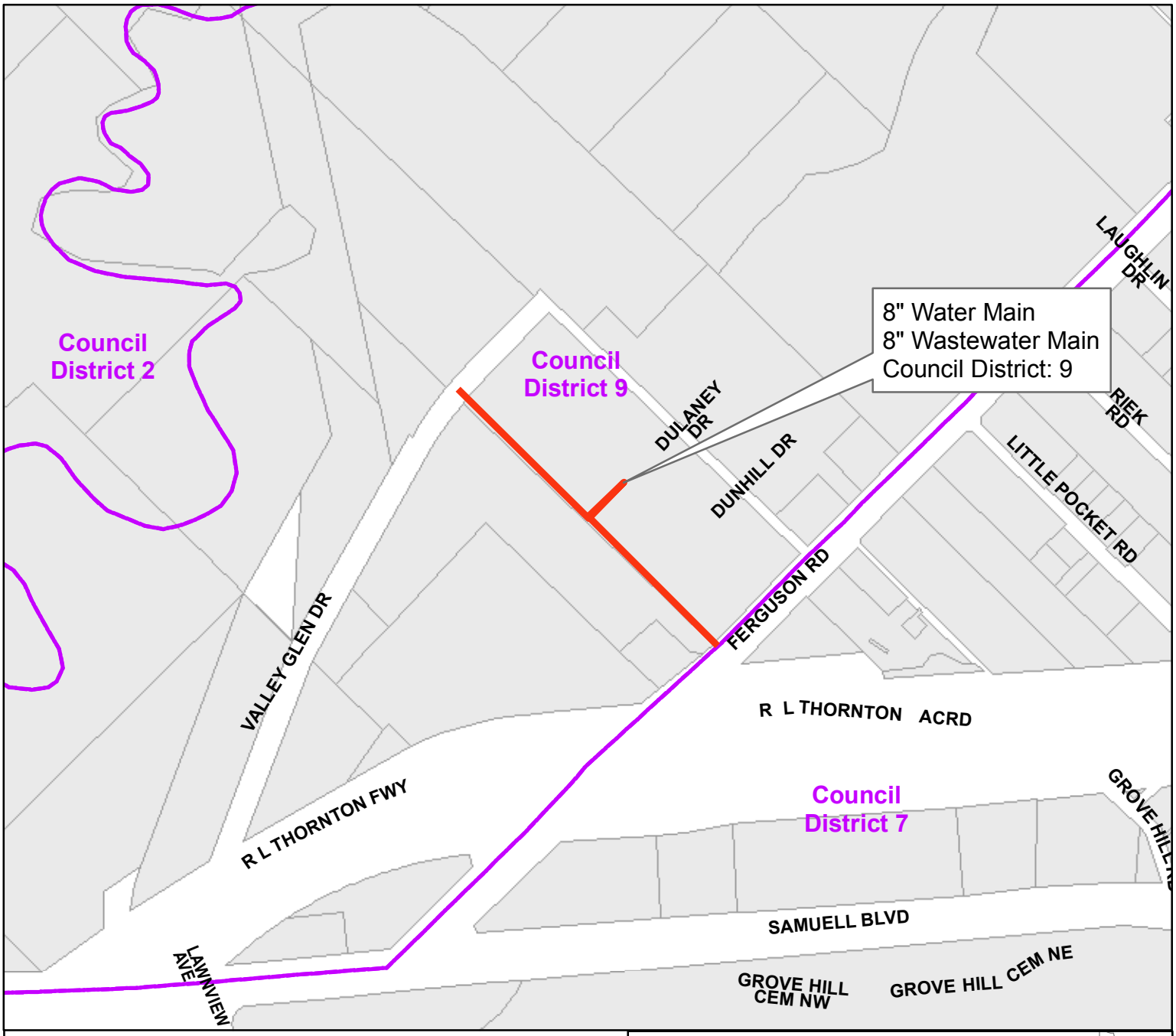


Samuell Boulevard
from east of Boone Avenue east

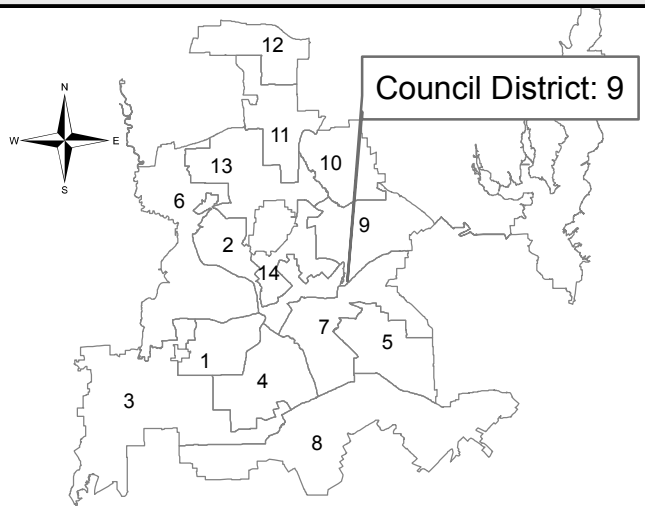


Contract No.: 19-005/006
Water and Wastewater Main Installations
at 16 Locations

PID: 5173

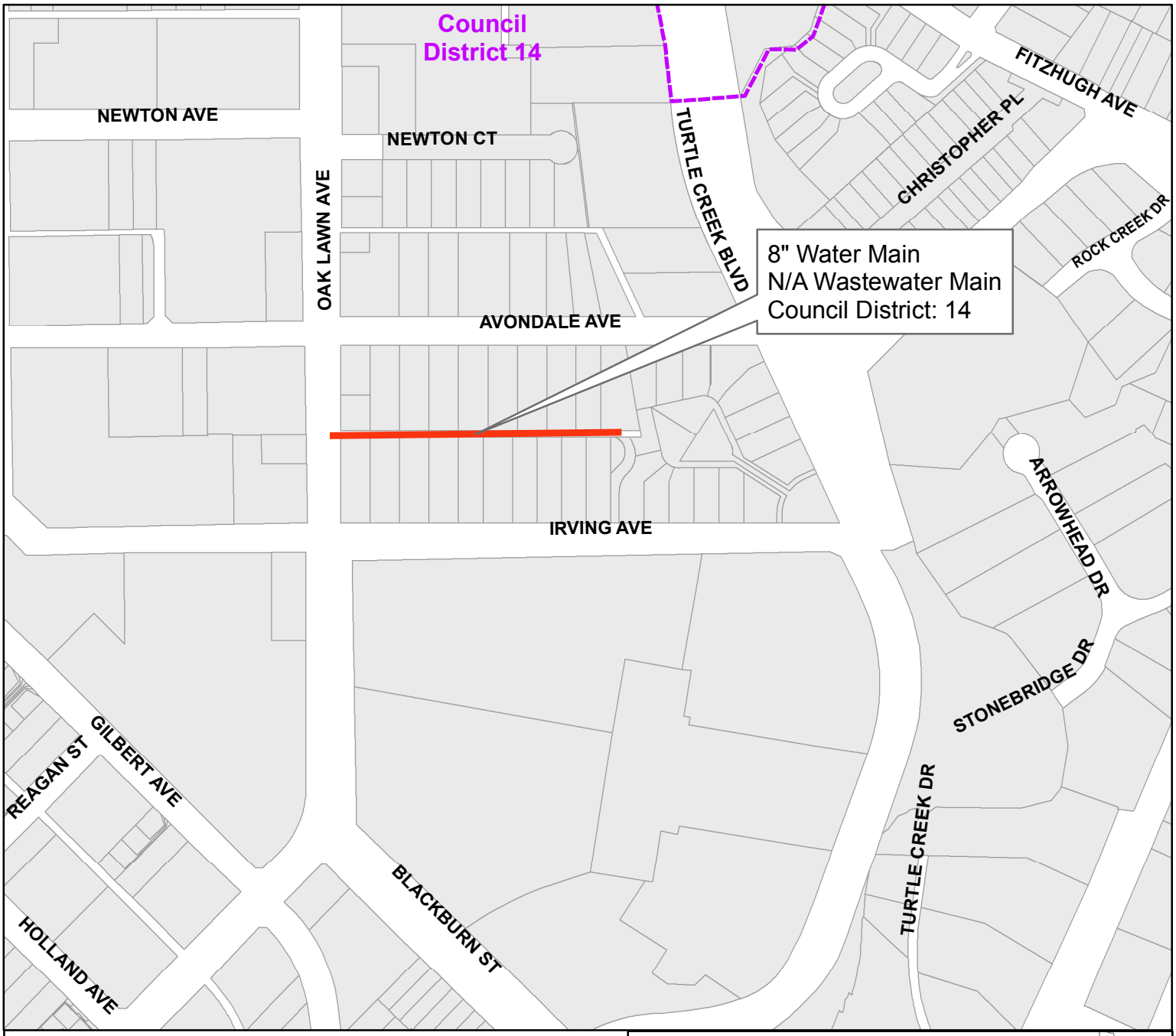


Easement southwest of Dulaney Drive from Ferguson Road to Valley Glen Drive

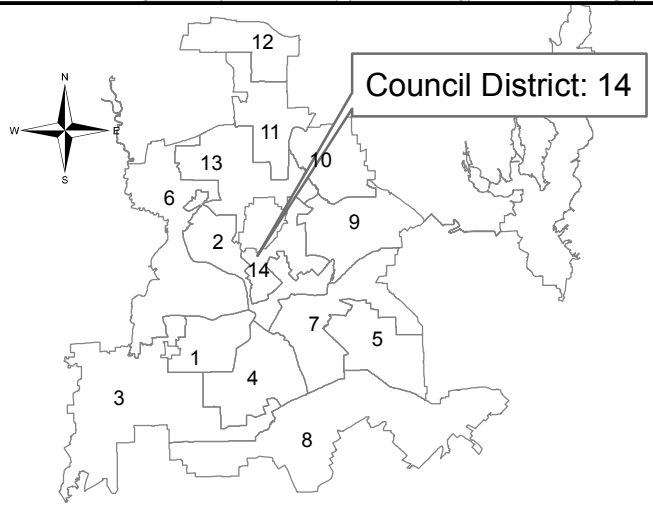


Contract No.: 19-005/006
Water and Wastewater Main Installations at 16 Locations

PID: 3108



Alley between Avondale Avenue and Irving Avenue from Oak Lawn Avenue east



Contract No. 19-005/006
Water and Wastewater Main Renewals
at 16 Locations

PID: 5979

Segment 16 of 16

August 28, 2019

WHEREAS, on June 7, 2019, four bids were received for the installation of water and wastewater mains at 16 locations, Contract No. 19-005/006, listed as follows:

Bidders	**Bid Amount**
Camino Construction, L.P.	$12,396,377.00
Venus Construction Company	$12,696,121.00
SYB Construction Company, Inc.	$12,932,232.50
John Burns Construction Company of Texas, Inc.	$13,417,110.00

WHEREAS, the bid submitted by Camino Construction, L.P., 1208 Metro Park, Lewisville, Texas 75057, in the amount of $12,396,377.00, is the lowest and best of all bids received.

Now, Therefore,

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

SECTION 1. That the bid submitted by Camino Construction, L.P., in the amount of $12,396,377.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 19-005/006, be accepted.

SECTION 2. That the City Manager is hereby authorized to execute a construction contract with Camino Construction, L.P., approved as to form by the City Attorney, for the installation of water and wastewater mains at 16 locations, in an amount not to exceed $12,396,377.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $12,396,377.00 to Camino Construction, L.P., as follows:

Water (Drinking Water)-TWDB 2018 Fund	
Fund 1150, Department DWU, Unit FW40	
Object 4550, Program 719005, Vendor 144735	
Encumbrance/Contract No. CX-DWU-2019-00010911	$ 9,161,882.00
Wastewater (Clean Water)-TWDB 2018 Fund	
Fund 1151, Department DWU, Unit FS40	
Object 4560, Program 719006, Vendor 144735	
Encumbrance/Contract No. CX-DWU-2019-00010911	$ 3,234,495.00
Total amount not to exceed	$12,396,377.00

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

Agenda Information Sheet

File #: 19-898 **Item #:** 66.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, Outside City Limits

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract for heating, ventilation, air conditioning and refrigeration maintenance and minor repairs at Dallas Water Utilities facilities - Berger Engineering Co., lowest responsible bidder of two - Not to exceed $2,875,337.00 - Financing: Water Utilities Capital Construction Funds ($2,536,210.00) and Storm Drainage Management Capital Construction Funds ($339,127.00)

BACKGROUND

Dallas Water Utilities (DWU) has over 3,000 pieces of heating, ventilation, air conditioning and refrigeration (HVACR) equipment, including fans, cooling towers, boilers, chillers, DX split systems, unit heaters (gas and electric), roof top units, air handling units and heating coils at its 270 buildings. HVACR equipment at DWU facilities is generally exposed to more aggressive and corrosive environments due to the chemicals used in some of the treatment processes. With this exposure HVACR materials break down at a higher rate, necessitating frequent repair and maintenance to properly manage these assets.

This action will authorize monthly, semi-annual and annual maintenance services to the HVACR equipment by certified technicians at DWU's facilities to protect and extend the life of the existing equipment. This action will also provide minor repairs and 24/7 emergency repair service to help mitigate extended outages that could damage process equipment at its facilities, thereby ensuring continued reliable water and wastewater services provided to approximately 2.5 million customers in Dallas and its customer cities.

Berger Engineering Co. has had no contractual activities with the City of Dallas within the past three years.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction September 2019
Complete Construction April 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $2,536,210.00
Storm Drainage Management Capital Construction Funds - $339,127.00

Council District	Amount
1	$ 9,837.17
2	$ 14,538.09
3	$ 60,006.71
4	$ 462,102.34
5	$ 23,609.20
6	$ 647,030.28
7	$ 25,576.63
8	$ 685,317.53
9	$ 113,127.40
10	$ 48,202.11
11	$ 13,772.03
12	$ 5,902.30
14	$ 26,560.35
Outside City Limits	$ 739,754.86
Total	$2,875,337.00

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$2,875,337.00	Construction	25.00%	100.00%	$2,875,337.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following two bids with quotes were opened on May 31, 2019:

*Denotes successful bidder

Bidders	Bid Amount
*Berger Engineering Co. 10900 Shady Trail Dallas, Texas 75220	$2,875,337.00
Assured Mechanical Solutions, LLC	$4,351,076.00

OWNER

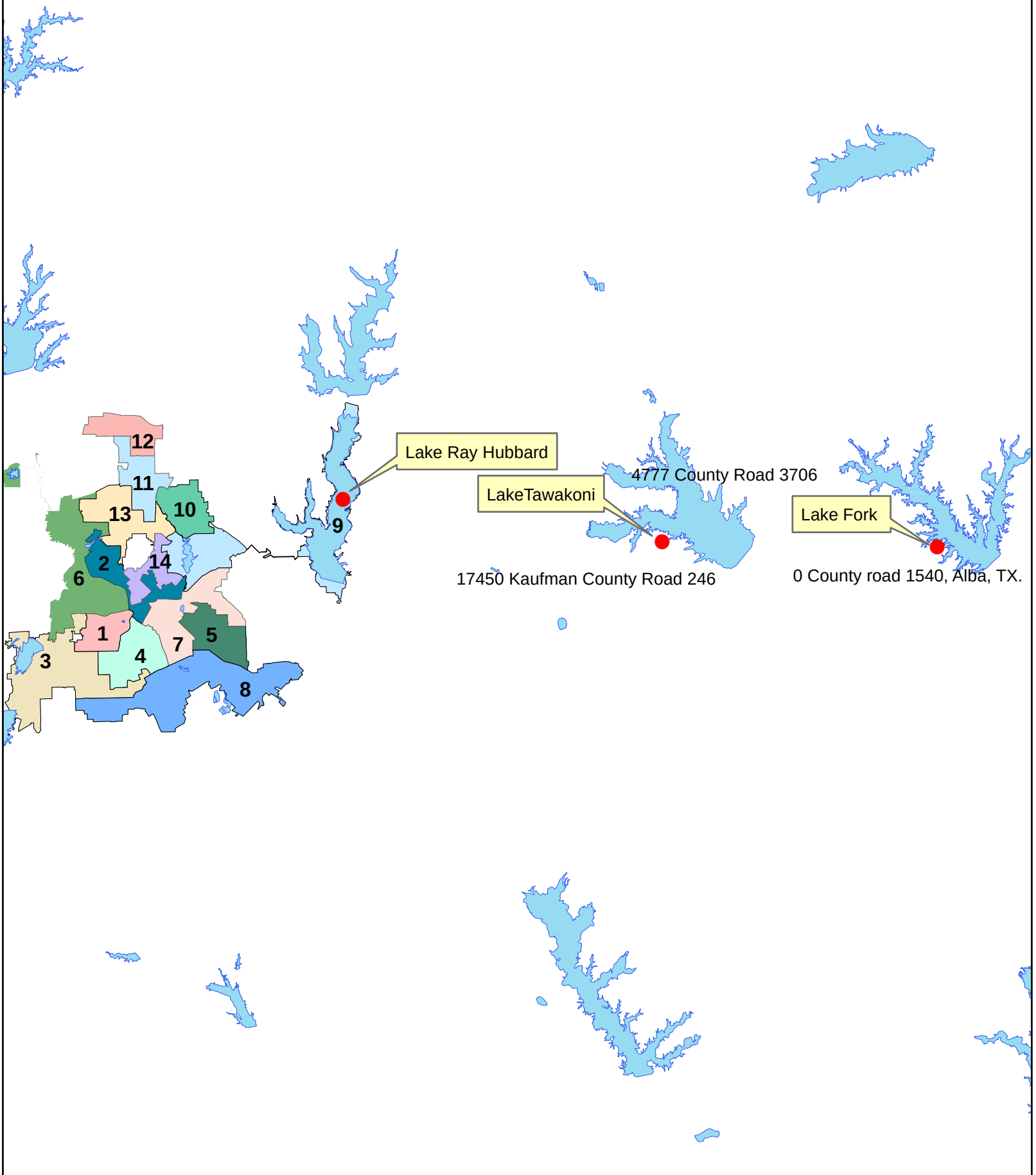
Berger Engineering Co.

Scott Berger, President

MAP

Attached

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Dallas Water Utilities
Contract No. 19-019/020
HVACR Maintenance, Repairs and Minor Replacements

August 28, 2019

WHEREAS, on May 31, 2019, two bids were received for heating, ventilation, air conditioning and refrigeration (HVACR) maintenance and minor repairs at Dallas Water Utilities facilities, Contract No. 19-019/020, listed as follows:

Bidders	**Bid Amount**
Berger Engineering Co.	$2,875,337.00
Assured Mechanical Solutions, LLC	$4,351,076.00

WHEREAS, the bid submitted by Berger Engineering Co., 10900 Shady Trail, Dallas, Texas 75220 in the amount of $2,875,337.00, is the lowest and best of all bids received.

Now, Therefore,

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

SECTION 1. That the bid submitted by Berger Engineering Co., in the amount of $2,875,337.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 19-019/020, be accepted.

SECTION 2. That the City Manager is hereby authorized to execute a construction contract with Berger Engineering Co., approved as to form by the City Attorney, for HVACR maintenance and minor repairs at Dallas Water Utilities facilities, in an amount not to exceed $2,875,337.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,875,337.00 to Berger Engineering Co., as follows:

Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 3110, Program 719019, Vendor VS0000050631 Encumbrance/Contract No. CX-DWU-2019-00010908	$1,419,503.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 3110, Program 719020, Vendor VS0000050631 Encumbrance/Contract No. CX-DWU-2019-00010908	$1,116,707.00
Storm Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit 4793, Activity SD01 Object 3110, Vendor VS0000050631 Encumbrance/Contract No. CX-DWU-2019-00010908	$ 339,127.00
Total amount not to exceed	$2,875,337.00

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

Agenda Information Sheet

File #: 19-966 **Item #:** 67.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1, 2, 6

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Espey Consultants, Inc. dba RPS to provide additional engineering services for the East Bank Diversion Project and 90-inch wastewater interceptor along Interstate Highway 35 (R.L. Thornton Freeway) - Not to exceed $928,854.00, from $2,610,166.00 to $3,539,020.00 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

On February 26, 2014, City Council awarded a professional services contract to Espey Consultants, Inc. dba RPS Espey, to evaluate piping and equipment associated with wastewater conveyance in the downtown Dallas area to determine impacts of the Texas Department of Transportation Horseshoe Project. The project included condition assessments, flow studies, evaluation of proper rehabilitation and replacement methods, design of recommended improvements, and other related services concerning options for handling wastewater flows should existing wastewater interceptors fail.

The study recommended that several areas of the existing 90-inch wastewater main in downtown Dallas (installed in 1947) be rehabilitated. The study also recommended that a 48-inch wastewater diversion system be constructed from the 90-inch wastewater main to the existing 120-inch wastewater main along the west bank of the Trinity River. Included with the diversion project, the study also recommended that two new wastewater mains (“N” and “Y”) be designed and constructed to increase capacity and flexibility to convey flows in the collection system.

This action will authorize Supplemental Agreement No. 1 to provide additional engineering services to complete the plans and specifications for the East Bank Diversion Project and wastewater mains “N” and “Y”, assistance in obtaining a Section 408 Permit from the United States Corps of Army Engineers and provide construction phase services associated with the East Bank Diversion and 90-inch wastewater main. This work is necessary to continue providing reliable conveyance of wastewater through the downtown area to the Central Wastewater Treatment Plant.

ESTIMATED SCHEDULE OF PROJECT

Began Design April 2014
Complete Design December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 26, 2014, City Council authorized a professional services contract with Espey Consultants, Inc. dba RPS Espey to provide engineering services to evaluate alternatives and provide designs for the renewal of Wastewater Interceptor Mains impacted by Texas Department of Transportation's Downtown Horseshoe project; and renewal of deteriorated water and wastewater mains at various locations by Resolution No. 14-0415.

FISCAL INFORMATION

Wastewater Capital Improvement Fund - $928,854.00

Design	$2,610,166.00
Supplemental Agreement No. 1 (this action)	$ 928,854.00
Total Project Cost	$3,539,020.00

Council District	Amount
1	$309,618.00
2	$309,618.00
6	$309,618.00
Total	$928,854.00

The estimated total construction cost for this project is $18,000,000.00.

M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$928,854.00	Architectural & Engineering	25.66%	60.17%	$558,897.00
• This contract exceeds the M/WBE goal.				
• Supplemental Agreement No. 1 - 42.48% Overall M/WBE Participation				

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OWNER

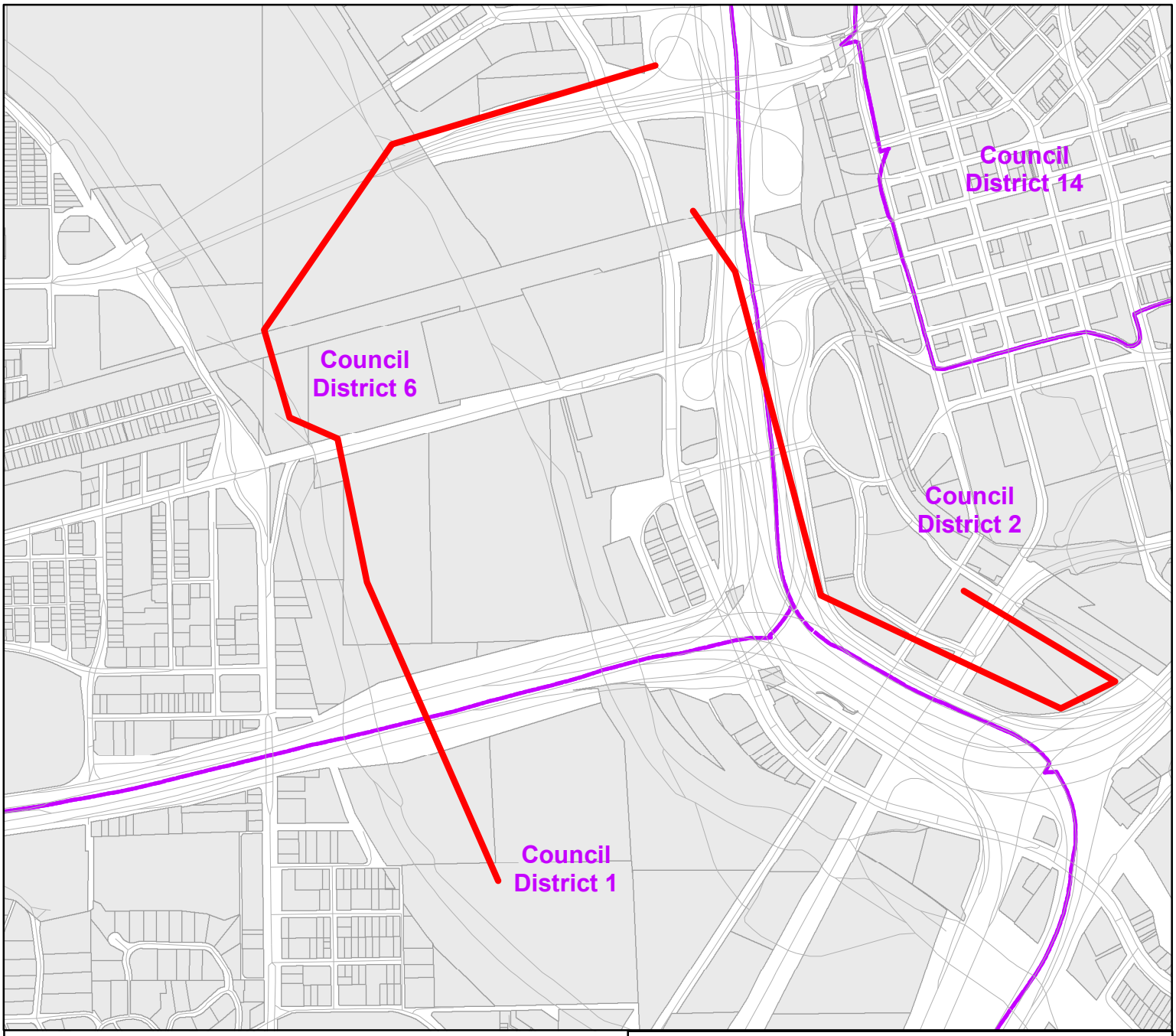
Espey Consultants, Inc. dba RPS Espey

Peter Fearn, President and Chief Executive Officer

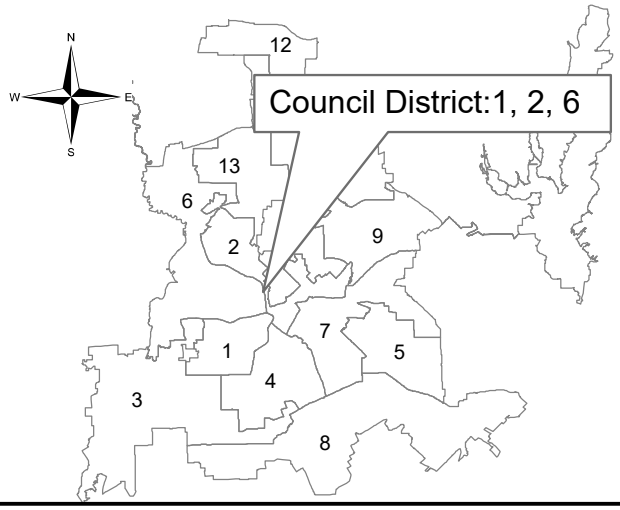
MAP

Attached

powered by Legistar™



East Bank Diversion Project



Dallas Water Utiltiies
Contract No. 14-115/116E
Supplemental Agreement #1
East Bank Diversion Project

WHEREAS, on February 26, 2014, City Council authorized a professional services contract with Espey Consultants, Inc. dba RPS Espey, to provide engineering services to evaluate alternatives and provide designs for the renewal of Wastewater Interceptor Mains impacted by Texas Department of Transportation's Downtown Horseshoe Project, in an amount not to exceed $2,610,166.00, by Resolution No. 14-0415; and

WHEREAS, the City of Dallas has identified the need for additional engineering services to complete the plans and specifications for the East Bank Diversion project and wastewater mains "N" and "Y", assistance in obtaining a Section 408 permit from the United States Army Corps of Engineers, and provide construction phase services associated with the East Bank Diversion and 90-inch wastewater main; and

WHEREAS, Espey Consultants, Inc. dba RPS, 2777 North Stemmons, Suite 1102, Dallas, Texas 75207, has submitted an acceptable proposal to provide these engineering services; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 14-115/116E be increased by $928,854.00, from $2,610,166.00 to $3,539,020.00.

Now, Therefore,

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

SECTION 1. That the proposed Supplemental Agreement No. 1 to the professional services contract be accepted and that Contract No. 14-115/116E with Espey Consultants, Inc. dba RPS, be revised accordingly.

SECTION 2. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Espey Consultants, Inc. dba RPS, approved as to form by the City Attorney, to provide additional engineering services for the East Bank Diversion Project and 90-inch wastewater interceptor along Interstate Highway 35 (R.L. Thornton Freeway), in an amount not to exceed $928,854.00, increasing the contract amount from $2,610,166.00 to $3,539,020.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $928,854.00 to Espey Consultants, Inc. dba RPS from the Wastewater Capital Improvement Fund, Fund 2116, Department DWU, Unit PS42, Object 4111, Program 714116, Encumbrance CT-DWU-714116CP, Vendor 509163.

SECTION 4. That this contract is designated as Contract No. DWU-2019-00009822.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Information Sheet

File #: 19-1183 **Item #:** 68.

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary’s Office

SUBJECT

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

Agenda Information Sheet

File #: 19-1056 **Item #:** 69.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize the second step of acquisition for condemnation by eminent domain to acquire approximately 6,587 square feet of land located in Dallas County from The Joyce Clark Living Trust Agreement for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $15,584.00, increased from $7,500.00 ($5,355.00, plus closing costs and title expenses not to exceed $2,154.00) to $23,084.00 ($20,584.00, plus closing costs and title expenses not to exceed $2,500.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes the second step of acquisition for condemnation by eminent domain to acquire approximately 6,587 square feet of land located in Dallas County, from The Joyce Clark Living Trust Agreement. An offer was presented to the property owners on June 13, 2019 reflecting the appraised value of $20,584.00. The owner did not accept the City's offer.

The first resolution approved on June 22, 2011, by Resolution No. 11-1714, authorized the purchase in the amount of $5,355.00.

This acquisition is part of the Long Range Water Master Plan and the Water Distribution Master Plan. The water transmission main is required to facilitate conveyance of treated water to the South and Southwest portions of Dallas and its customer cities. Installation of approximately 32 miles of 96-inch and 120-inch water transmission pipeline is needed to meet near term critical demands associated with the population growth as determined through master planning efforts. The overall pipeline is sized to meet future water demands. The consideration is based on an independent appraisal. There are no relocation benefits associated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2011, City Council authorized acquisition, including the exercise of the right eminent domain, if such becomes necessary, from Thomas Kay and Sue Kay of a tract of land containing approximately 6,587 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project by Resolution No. 11-1714.

FISCAL INFORMATION

Water Construction Fund - $7,500

Resolution No. 11-1714	$ 7,500.00
Additional Amount (this action)	$18,584.00
Total Authorized Amount	$23,084.00

OWNER

The Joyce Clark Living Trust Agreement

MAP

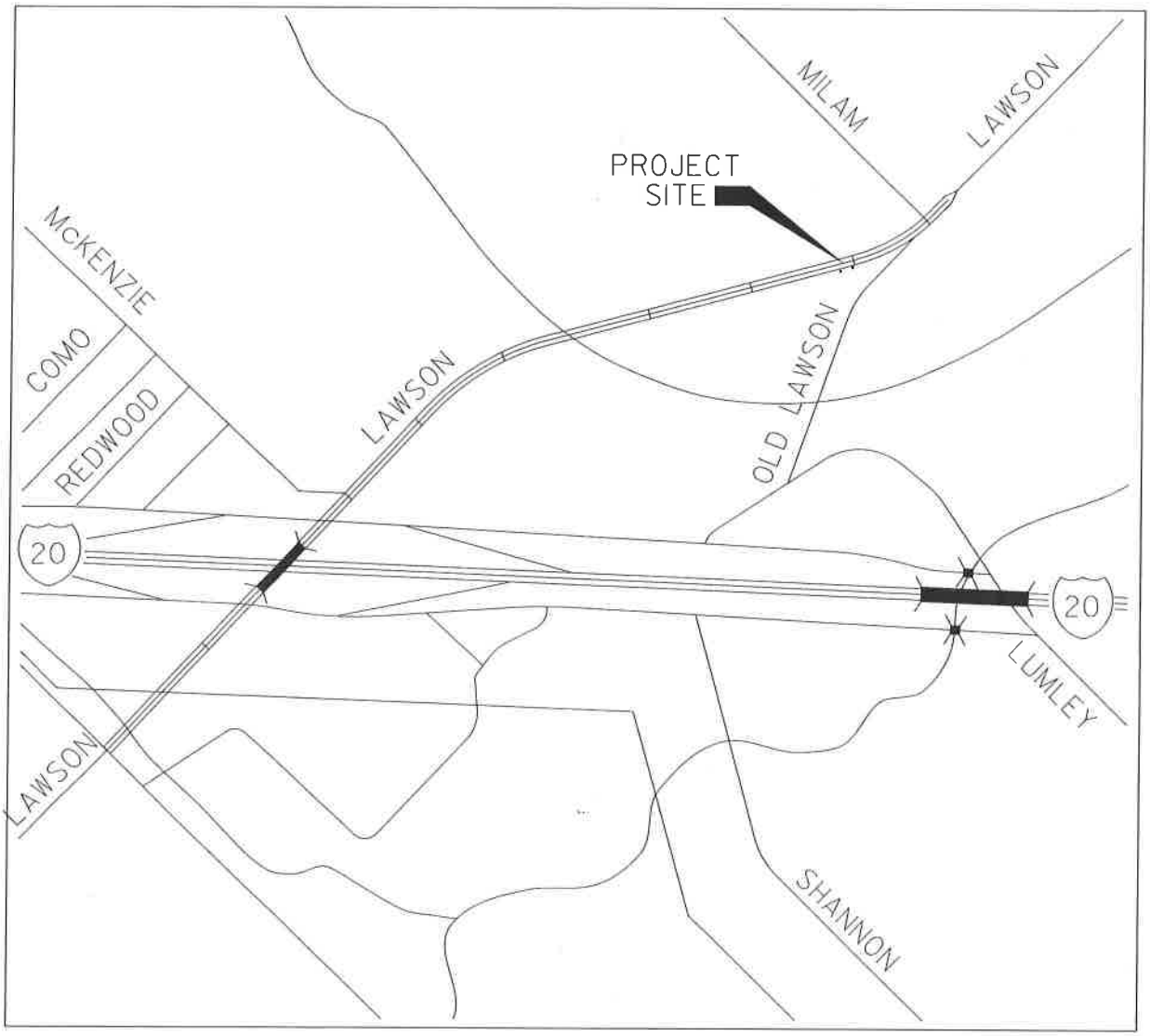
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CITY OF DALLAS ACQUISITION PARCEL E-248

CITY OF MESQUITE, DALLAS COUNTY, TEXAS

MAPSCO NO. 60A W



LOCATION MAP

NOT TO SCALE

5/16/2011 4:25:16 PM I:\25000s\25143\CADD\LOCATOR MAPS\E248_ACCESS_LOCMAP-25143.dgn Design 2E_JR5570_MON_FS_FW.plt

August 28, 2019

A RESOLUTION AUTHORIZING CONDEMNATION FOR THE ACQUISITION OF REAL PROPERTY.

All capitalized terms are defined in Section 1 below.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION found that the USE of the PROPERTY INTEREST in and to the PROPERTY for the PROJECT is a public use; and

WHEREAS, the Dallas City Council by the FIRST RESOLUTION found that a public necessity requires that CITY acquire the PROPERTY INTEREST in and to the PROPERTY from OWNER for the PROJECT; and

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase, of the PROPERTY INTEREST in and to the PROPERTY held by OWNER for the PROJECT; and

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

WHEREAS, the Dallas City Council desires to authorize the City Attorney to acquire the PROPERTY INTEREST in and to the PROPERTY by condemnation for the OFFICIAL OFFER AMOUNT stated herein.

Now, Therefore,

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

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

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 11-1714 approved by the Dallas City Council on June 22, 2011, which is incorporated herein by reference.

"PROPERTY": Approximately 6,587 square feet of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

"PROPERTY INTEREST": Fee Simple

"PROJECT": Southwest 120/96-inch Water Transmission Pipeline

SECTION 1. (continued)

"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.

"OWNER": The Joyce Clark Living Trust Agreement provided, however, that the term "OWNER" as used in this resolution means all persons or entities having an ownership interest, regardless of whether those persons or entities are actually named herein.

"OFFICIAL OFFER AMOUNT": $20,584.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,500.00

"AUTHORIZED AMOUNT": $23,084.00 (OFFICIAL OFFER AMOUNT plus CLOSING COSTS AND TITLE EXPENSES)

"DESIGNATED FUNDS":

$7,500.00 from Water Capital Improvement Fund, Fund 3115, Department DWU, Unit PW40, Activity MPSA, Program 706623, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00010856.

$15,584.00 from Water Capital Construction Fund, Fund 0102, Department DWU, Unit CW40, Activity MPSA, Program 706623, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00010856.

SECTION 2. That the CITY will pay court costs as may be assessed by the Special Commissioners' or the Court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid out of and charged to the DESIGNATED FUNDS.

SECTION 3. That the City Attorney is authorized and requested to file the necessary proceeding and take the necessary action for the acquisition of the PROPERTY INTEREST in and to the PROPERTY by condemnation or in any manner provided by law.

SECTION 4. That in the event it is subsequently determined that additional persons or entities other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceeding and/or suit.

SECTION 5. That in the event the Special Commissioners' appointed by the Court return an award that is the same amount, or less, than the OFFICIAL OFFER AMOUNT, the City Attorney is hereby authorized to acquire the PROPERTY INTEREST in and to the PROPERTY by instrument, or judgment, for the Special Commissioners' Award Amount. If the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to the County Clerk of Dallas County, Texas, to be deposited into the registry of the Court, to enable CITY to take possession of the PROPERTY INTEREST in and to the PROPERTY without further action of the Dallas City Council. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The Special Commissioners' Award Amount and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

BY: _____
Assistant City Attorney

EXHIBIT A

PARCEL E-248
CITY OF DALLAS RIGHT-OF-WAY
0.1512 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NUMBER 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

BEING a tract of land situated in the John P. Anderson Survey, Abstract Number 1, City of Mesquite, Dallas County, Texas, and being a part of that tract of land described in Warranty Deed dated March 23, 1993, to Robert E. Carathers and wife, Margaret Carathers and Thomas Ray and wife, Sue Kay as recorded in Volume 93057, Page 7225 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and a part of that tract of land described in Cash Warranty Deed dated September 28, 1993, to Thomas Kay and Sue Kay as recorded in Volume 93188, Page 3455, D.R.D.C.T., said tract also being part of Lot 1, Block 1 of Lawson Road Estates, Block 1, Lots 1 and 2, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 93156, Page 1575, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod with "RPLS 3963" cap for the most northerly common corner of said Lot 1 and Lot 2, Block 1 of said Lawson Road Estates addition on the southeasterly right-of-way line of Lawson Road (a 100 foot wide right-of-way as described in Agreed Judgment as recorded in Volume 89184, Page 3595, D.R.D.C.T.);

THENCE South 18 degrees 06 minutes 15 seconds East, with the common line between said Lots 1 and 2, a distance of 25.05 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner;

THENCE South 75 degrees 27 minutes 54 seconds West, departing said common line, over and across said Lot 1, with a line offset 25 feet southeasterly from and parallel to said southeasterly right-of-way line of Lawson Road, a distance of 256.98 feet to a 1/2-inch set iron rod with cap for corner on the common southwest line of said Lot 1 the northeast line of that tract of land described in deed to Dennis Rogers and wife, Linda Rogers as recorded in Volume 82023, Page 1930, D.R.D.C.T.;

THENCE North 44 degrees 47 minutes 21 seconds West, departing said parallel offset line, with said common line, a distance of 28.94 feet to a 1/2-inch set iron rod with cap for the west corner of said Lot 1 on said southeasterly right-of-way line of Lawson Road, and from which a 4-inch metal fence corner post bears South 12 degrees 06 minutes 47 seconds East a distance of 1.46 feet;

REVIEWED BY [illegible] 1/27/11

EXHIBIT A

PARCEL E-248
CITY OF DALLAS RIGHT-OF-WAY
0.1512 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NUMBER 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

THENCE North 75 degrees 27 minutes 54 seconds East, departing said common line, with the common northwest line of said Lot 1 and said southeasterly right-of-way line of Lawson Road, a distance of 270.00 feet to the POINT OF BEGINNING and containing 6,587 square feet or 0.1512 of an acre of land, more or less.

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

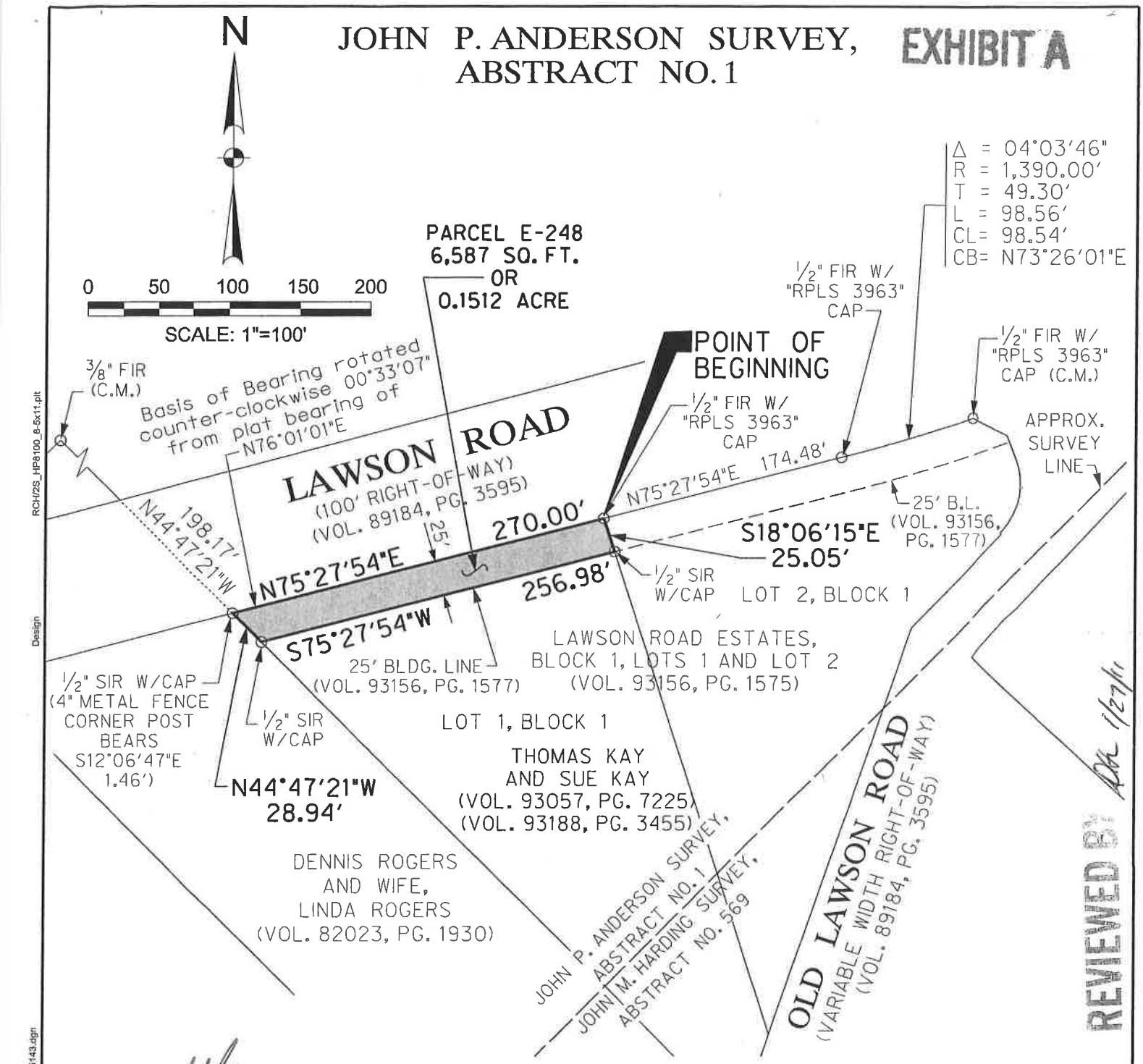
STATE OF TEXAS
REGISTERED
JASON A. JERNIGAN
6023
PROFESSIONAL
LAND SURVEYOR

20 DEC 2010

REVIEWED BY [illegible] 1/27/11

JOHN P. ANDERSON SURVEY, ABSTRACT NO. 1

EXHIBIT A



REVIEWED 1/27/11

30 DEC 2010

STATE OF TEXAS
REGISTERED
JASON A. JERNIGAN
6023
PROFESSIONAL
LAND SURVEYOR

NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

LEGEND

1/2" SIR W/CAP	1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF"
(C.M.)	CONTROL MONUMENT
FIR	FOUND IRON ROD

PARCEL E-248
CITY OF DALLAS RIGHT-OF-WAY
0.1512 ACRE TRACT
JOHN P. ANDERSON SURVEY, ABSTRACT NO. 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

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

DATE: DEC., 2010
AVO.: 25143
PAGE 3 OF 3

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Agenda Information Sheet

File #: 19-1200 **Item #:** 70.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

EXECUTIVE: Michael Mendoza

SUBJECT

Authorize **(1)** preliminary adoption of Substantial Amendment No. 4 to the FY 2018-19 Action Plan for the HOME Investment Partnerships Program to **(a)** receive and deposit unanticipated program income in an amount of $3,600,000.00; and **(b)** increase appropriations from $1,000,000.00 to $4,600,000.00 to be used for housing, associated administrative and soft costs; and **(2)** a public hearing to be held on October 9, 2019 to receive comments on Substantial Amendment No. 4 to the FY 2018-19 Consolidated Plan - Estimated Revenue: $3,600,000.00

BACKGROUND

On August 15, 2018, the City submitted the FY 2018-19 Action Plan to U.S. Department of Housing and Urban Development (HUD). HUD grant programs covered by the Action Plan include the Community Development Block Grant, HOME Investment Partnerships Program Grant (HOME), Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Grant. The Action Plan provides a detailed description of programs and services to be undertaken with the grant funds over the twelve-month period of October 1, 2018 through September 30, 2019, to address priority needs in the community designed to improve Dallas residents' quality of life for low- and moderate-income persons.

Federal regulations and the City's Citizen Participation Plan require a public hearing to authorize a substantial amendment and require that a public hearing be held with not less than a 30-day public review and comment period to allow for public comments and input with respect to any substantial amendment.

This action authorizes **(1)** preliminary adoption of Substantial Amendment No.4 to the FY 2018-19 Action Plan for the HOME for housing, associated administrative and soft costs to **(a)** receive and deposit unanticipated program income in an amount of $3,600,000.00; and **(b)** increase appropriations from $1,000,000.00 to $4,600,000.00 to be used for similar eligible activities; and **(2)** a public hearing to be held on October 9, 2019 to receive comments on Substantial Amendment No. 4 to the FY 2018-19.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2018, City Council authorized the adoption of the FY 2018-19 Consolidated Plan Budget and the FY 2017-18 Reprogramming Budget, an amendment to the
Five-Year Consolidated Plan to extend the covered period by one year, from September 30, 2018 to September 30, 2019, by Resolution No. 18-0987.

On April 10, 2019, City Council authorized the final adoption of Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2018-19 Action Plan by Resolution No. 19-0556.

On June 26, 2019, City Council authorized the adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan by Resolution No. 19-1061.

On August 14, 2019, City Council held a public hearing to receive comments on Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant Program to reallocate funds from Emergency Shelter, Rapid Re-Housing, and Homeless Management Information System eligible activities to Street Outreach and Homelessness Prevention eligible activities; and approved the final adoption of Substantial Amendment No. 3 to FY 2018-19 Action Plan by Resolution 19-1162.

The Economic Development and Housing Committee will be briefed by memorandum regarding this matter on August 23, 2019.

FISCAL INFORMATION

Estimated Revenue: $3,600,000.00

WHEREAS, on June 27, 2018, City Council adopted the FY 2018-19 HUD Consolidated Plan Budget and the Proposed FY 2017-18 Reprogramming Budget, and the amendment to the five-year Consolidated Plan- by Resolution No. 18-0987; and

WHEREAS, on April 10, 2019, City Council authorized the final adoption of Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2018-19 Action Plan by Resolution No. 19-0556; and

WHEREAS, on April 24, 2019, City Council authorized the preliminary adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan for the HOME Investment Partnerships Program (HOME) and Community Development Block Grant Program (CDBG) by Resolution No. 19-0639; and

WHEREAS, on June 26, 2019, City Council held a public hearing to receive comments on Substantial Amendment No. 2 to the FY 2018-19 Action plan for the HOME Investment Partnerships Program and Community Development Block Grant Program and authorized the final adoption of Substantial Amendment No. 2 to the FY 2018-19 Action Plan by Resolution No. 19-1061; and

WHEREAS, on June 26, 2019, City Council authorized the preliminary adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant Program to reallocate FY17 ESG funds by Resolution No. 19-1063; and

WHEREAS, on August 14, 2019, City Council held a public hearing to receive comments on Substantial Amendment No. 3 to the FY 2018-19 Action Plan for the Emergency Solutions Grant Program to reallocate FY17 ESG funds and approved the final adoption of Substantial Amendment No. 3 to the FY 2018-19 Action Plan by Resolution No. 19-1162; and

WHEREAS, the City desires to provide housing opportunities for persons of low- and moderate-income.

Now, Therefore,

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

SECTION 1. That the City Council hereby authorizes preliminary adoption of Substantial Amendment No. 4 to the FY 2018-19 Action Plan for the HOME Investment Partnerships Program for housing, associated administrative and soft costs to **(a)** receive and deposit unanticipated program income in an amount of $3,600,000.00; **(b)** increase appropriations from $1,000,000.00 to $4,600,000.00 to be used for similar eligible activities; and **(c)** hold a public hearing on October 9, 2019 to receive comments on Substantial Amendment No. 4 to the FY 2018-19.

SECTION 2. That a public hearing will be held on October 9, 2019 before the Dallas City Council to receive comments on Substantial Amendment No. 4 to the FY 2018-19 for the HOME Program, to receive and deposit unanticipated program income and increase appropriations for housing, associated administrative and soft costs.

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

Agenda Information Sheet

File #: 19-1223 **Item #:** 71.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 4, 6, 9, 13, 14

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis Winters

SUBJECT

Authorize the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement - Not to exceed $98,985.00 - Financing: Park Beautification Fund ($9,105.00), P & R Athletic Field Maintenance Fund ($35,900.00) and Recreation Program Fund ($53,980.00) (This item was deferred on August 14, 2019)

BACKGROUND

The Park and Recreation Department is prepared to implement Phase IV of the automated athletic field lighting control system from Musco Corporation dba Musco Sports Lighting, LLC. The Musco Control Link System will integrate with the Park and Recreation 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 Control Link 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 will be attached to the outside of the load center at each complex. 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 $7,725.00 for nine units, $7,855.00 for two units, and the installation cost per unit is $1,250.00. Phase IV total cost is $98,985.00 (11 units and installations). Musco Corporation dba Musco Sports Lighting, LLC is the manufacturer and only distributor.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On 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 was provided to the Quality of Life, Arts and Culture Committee on August 14, 2017.

On August 23, 2017, City Council authorized 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 by Resolution No. 17-1312.

On June 20, 2019, the Park and Recreation Board authorized the purchase and installation of the Musco Control Link System at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Department's RecTrac Reservation System from Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement.

On August 14, 2019, this item was deferred by Councilmember Casey Thomas.

FISCAL INFORMATION

Park Beautification Fund - $9,105.00
P & R Athletic Field Maintenance Fund - $35,900.00
Recreation Program Fund - $53,980.00

Council District	Amount
4	$53,980.00
6	$17,950.00
9	$ 8,975.00
13	$ 9,105.00
14	$ 8,975.00
Total	$98,985.00

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M/WBE INFORMATION

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

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$98,985.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

OWNER

Musco Corporation dba Musco Sports Lighting, LLC

Joe P. Crookham, President
Christopher K. Hyland, Treasurer
James M. Hanson, Secretary

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WHEREAS, the City desires to enter into a contract with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement for the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System, in an amount not to exceed $98,985.00.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Musco Corporation dba Musco Sports Lighting, LLC through the Texas Association of School Boards cooperative agreement, approved as to form by the City Attorney, for the purchase and installation of the Musco Control Link System which will provide an automated athletic field lighting control system at Kiest Park located at 3080 South Hampton Road, Tietze Park located at 2700 South Skillman Street, Winfrey Point located at 950 East Lawther Drive, Fair Oaks Park located at 7600 Fair Oaks Avenue and Crown Park located at 2300 Crown Road and integrate with the Park and Recreation Department's RecTrac Reservation System, in an amount not to exceed $98,985.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $98,985.00 to Musco Corporation dba Musco Sports Lighting, LLC, as follows:

Park Beautification Fund	
Fund 0641, Department PKR, Unit 8266	
Object 4890, Activity PK02, Project 0641-18-8266-002	
Encumbrance/Contract No. PKR-2019-00010646	
Commodity 28527, Vendor VS86283	$ 9,105.00
Recreation Program Fund	
Fund 0341, Department PKR, Unit 5784	
Object 4890, Activity PK02, Project 0341-18-5784-102	
Encumbrance/Contract No. PKR-2019-00010646	
Commodity 28527, Vendor VS86283	$53,980.00

SECTION 2. (continued)

P & R Athletic Field Maintenance Fund	
Fund 0349, Department PKR, Unit 6093	
Object 4890, Activity PK02, Project 0349-18-6093-005	
Encumbrance/Contract No. PKR-2019-00010646	
Commodity 28527, Vendor VS86283	$35,900.00
Total amount not to exceed	$98,985.00

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

Agenda Information Sheet

File #: 19-1166 **Item #:** 72.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay for McAdams Cemetery (409 Guthrie Street) on property zoned an RR Regional Retail District on the north side of Guthrie Street, west of R. L. Thornton Freeway
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Recommendation of the Landmark Commission: Approval, subject to preservation criteria
Z167-310(LC)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-310(LC) **DATE FILED:** July 6, 2015

LOCATION: North side of Guthrie Street, west of R. L. Thornton Freeway

COUNCIL DISTRICT: 4 **MAPSCO:** 54 U

SIZE OF REQUEST: 0.1986 acres **CENSUS TRACT:** 62.00

APPLICANT/OWNER:	McAdams Cemetery
REPRESENTATIVE:	None
REQUEST:	An application for an Historic Overlay for McAdams Cemetery (409 Guthrie Street) on property zoned an RR Regional Retail District.
SUMMARY:	McAdams Cemetery is located at 409 Guthrie Street in southwest Dallas. The Landmark Commission initiated the historic designation of this cemetery as a City of Dallas Landmark at the request of Preservation Dallas. A City of Dallas Landmark property must meet three of 10 designation criteria. This property has been determined to meet six.
CPC RECOMMENDATION:	**Approval**, subject to preservation criteria.
LMC RECOMMENDATION:	**Approval**, subject to preservation criteria.
STAFF RECOMMENDATION:	**Approval**, subject to preservation criteria.

BACKGROUND INFORMATION:

- Nathaniel McAdams filed a Dedication for the 'McAdams Family Graveyard' in Dallas County on February 1, 1892.

- Nathaniel is the original owner of the property. He moved to Texas from Tennessee in 1847 and created a family farm near the community of Lisbon, an area that later became part of Oak Cliff. Nathaniel served in a variety of public offices for Dallas County from 1856 to 1897.

- The cemetery contains burials of the McAdams' family members and extended family members, the Rogers and Stewarts. The only non-family member buried in the cemetery is that of infant Edgar Earl Bumpus, whose relationship to the McAdams family is unknown.

- The earliest known burial is that of Nathaniel's wife Mary McAdams in 1882. The last burial was from 1921. McAdams Cemetery is no longer active or in use. Future burials are not allowed.

- McAdams Cemetery was designated as a Historic Texas Cemetery by the Texas Historical Commission on February 7, 2011.

- After the Landmark Commission authorized the public hearing on June 6, 2015, the Designation Committee of the Landmark Commission met two times to work on the landmark nomination form and preservation criteria.

- The Designation Committee approved the designation report, comprised of the landmark nomination form and preservation criteria, on September 20, 2017.

- The Landmark Commission approved the designation on May 7, 2018.

- There are no proposed changes to the cemetery, or its use, at this time.

STAFF ANALYSIS:

Comprehensive Plan:

The historic overlay is consistent with the Land Use Element of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation of open spaces that are historically and environmentally significant creates a direct, visual link to the past, contributing to a "sense of place."

LAND USE ELEMENT

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.2 Promote Desired Development

Policy 1.2.2 Establish clear and objective standards for land use planning.

CPC ACTION:
July 11, 2019

Motion: It was moved to recommend **approval** of an Historic Overlay for McAdams Cemetery (409 Guthrie Street), subject to preservation criteria on property zoned an RR Regional Retail District on property on the north side of Guthrie Street, west of R. L. Thornton Freeway.

Maker: Shidid
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 14
Replies: For: 0 Against: 1

Speakers: For: David Preziosi, 2922 Swiss Ave., Dallas, TX, 75204
Against: None

LANDMARK COMMISSION ACTION:
May 7, 2018

This item appeared on the Commission's discussion agenda.

Motion: Approval, subject to preservation criteria.

Maker:	Amonett
Second:	Sherman
Results:	13/0

Ayes:	*Allender, Amonett, Bumpas, Hinojosa, Montgomery, Payton, Richter, Seale, *Sherman, Spellicy, Strickland, Swann, Williams
Against:	None
Absent:	*Childers, De La Harpe, Flabiano
Vacancies:	District 3

Dallas Landmark Commission
Landmark Nomination Form

1. Name

historic: McAdams Cemetery
and/or common: N/A
date: c. 1882 - 1921

2. Location

address: 409 Guthrie Street, Dallas, Texas *(site access is from Brookhaven Street)*
location/neighborhood: South Cliff Heights, Oak Cliff
Joseph R. Robertson Survey, Abstract 1219
tract size: 0.21 acres (approximately)

3. Current Zoning

current zoning: Regional Retail (RR)

4. Classification

Category	***Ownership***	***Status***	***Present Use***	
____*district*	____*public*	____*occupied*	____*agricultural*	____*museum*
____*building(s)*	_x_ *private*	_x_ *unoccupied*	____*commercial*	____*park*
____*structure*	____*both*	____*work in progress*	____*educational*	____*residence*
_x_ *site*			____*entertainment*	____*religious*
____*object*	***Public Acquisition***	***Accessibility***	____*government*	____*scientific*
	____*in progress*	_x_ *yes: restricted*	____*industrial*	____*transportation*
	____*being considered*	____*yes: unrestricted*	____*military*	____*other, specify*
		____*no*		_x_ *Cemetery*

5. Ownership

Current Owner: McAdams Cemetery
Contact: NA ***Phone:*** NA
Address: Unknown (per DCAD) ***City:*** Dallas ***State:*** Texas ***Zip:*** 75224-0000

6. Form Preparation

Date: April 13, 2017
Name & Title: Michael Amonett, Alicia Quintans, Daron Tapscott and Marcel Quimby
Organization: Old Oak Cliff Conservation League
Contact: Michael Amonett ***Phone:*** (214) 213-9304

7. Representation on Existing Surveys

	local	state	national	
Alexander Survey (citywide)				National Register
H.P.L. Survey (CBD)	A	B	C	D	Recorded TX Historic Ldmk
Oak Cliff					TX Antiquities Ldmk
Victorian Survey					√ TX Cemetery Dedication (THC)
Dallas Historic Resources Survey, Phase ____	___ high	___ medium	___ low		

For Office Use Only

Date Rec'd:_____ ***Survey Verified: Y N by:***_____ ***Field Check by:***_____ ***Petitions Needed: Y N***
Nomination: ***Archaeological*** ***Site*** ***Structure(s)*** ***Structure & Site*** ***District***

8. Historic Ownership

original owner: Nathaniel O. McAdams
significant later owner(s): Unknown

9. Construction Dates

original: c. 1882
alterations/additions: Unknown

10. Architect

original construction: N/A
alterations/additions: N/A

11. Site Features

natural: The site is relatively flat, with slight slope to the west where a deep drainage creek adjoins the property. Site has moderate tree coverage with ground cover and some shrubs throughout. A chain link fence surrounds the site and supports brush and tree growth. Vacant land lies to the north and south, Brookhaven Street - an abandoned road that parallels the southbound lane of Interstate 35 East (I-35E) - adjoins the east property line while a creek is located to the immediate west of the site. Access to the site is by a gate that opens from Brookhaven Street.

urban design: N/A

12. Physical Description

Condition, check one:			*Check one:*
____ *excellent*	__X__ *deteriorated*	__X__ *unaltered*	__x__ *original site*
____ *good*	____ *ruins*	____ *altered*	____ *moved(date_____)*
____ *fair*	____ *unexposed*		

The historic McAdams Cemetery is approximately 0.2 acres in size and rectangular in size. It is located in the South Cliff Heights in the Oak Cliff area of the City of Dallas, and approximately four miles south of downtown Dallas. It is located a few hundred yards south from the southwest corner of the intersection of West Illinois Avenue and I-35E. Sam Street's Map of Dallas County of 1900 shows this area of the county as rural property with no treed areas, indicating the land was probably farmland (refer to Figure 1). There were numerous creeks in the surrounding areas that drained the flat land. The cemetery is rectangular in shape with its longer width orientated east-west.

Historic Context

The subject site is part of the Joseph M. Robertson Abstract, an original Peters Colony land grant (abstract 1219). This property and those to the north, south, west and those to the immediate east are orientated per the cardinal direction and are typically either one, two or four sections in size (160, 320 or 640 acres). The Sam Street's Map shows the McAdams farmhouse as the only house in the Robertson Abstract, indicating that the family probably owned the entire property and portions of adjacent abstracts. The land surrounding the McAdams farmhouse shows a few owner-occupied and renter-occupied houses scattered around the area, which was typical for rural areas in Dallas County at the time. The nearest communities at that time were Lisbon,

about two miles to the southeast from the McAdams farmhouse and the town of Oak Cliff about one-and-a-half miles to the north

Existing Context

Nathaniel McAdams' farm and that of his neighbors have since become part of Oak Cliff and in 1903 were incorporated into the City of Dallas. As Dallas grew to the south, it was later developed for residential and commercial use. The McAdams farm property is now part of the South Cliff Heights neighborhood, Wynnewood neighborhood, Wynnewood Shopping Center, Interstate 35E right-of-way and the surrounding neighborhoods. Much of the development in the immediate areas occurred immediately after WW II - in the 1940s, 1950s and 1960s. The nearby major streets - Illinois and Zang - are currently commercial, including Sonic Drive-in, Church's Chicken, automobile related businesses, Walgreens and multi-family uses; the residential neighborhoods noted above surround this commercial hub.

The cemetery lies within South Cliff neighborhood which was originally bounded by Illinois Avenue to the north, Zang Boulevard to the west, West Saner Avenue to the south and South Beckley Avenue to the east. When the construction of I-35E cut through the South Cliff neighborhood, it separated those blocks to the west of I-35E from the majority of the neighborhood to the east. The western portion of the neighborhood, including the McAdams Cemetery, was then flanked by two major roads - I-35E on the east and Zang Boulevard, a six-lane divided major artery, on the west. These remaining east-west streets were then only one block (or less) long, and the properties facing Zang soon became commercial uses, resulting in the demolition of many of these small homes. In conjunction with the interstate construction, a creek adjacent to and to the west of the cemetery, and those few lots between the creek and I-35E, are further separated them from their original residential neighbors; this included the cemetery.



Aerial view of McAdams Cemetery c. 1995, showing cemetery (red rectangle) and remnants of the South Cliff neighborhood between Zang Boulevard and I-35E. South Cliff neighborhood lies to the east of the interstate. Courtesy of Google Earth.

The cemetery is now flanked by adjacent vacant property to the north, Brookhaven Drive to the east, adjacent vacant property to the south and the creek to the west. Brookhaven Drive extends from West Illinois Avenue south to the cemetery - where the street ends. Brookhaven is asphalt, without curbs and appears to function only

to serve the cemetery; it is in very poor condition with dirt shoulders. The interstate lies immediately to the east, and is separated from the street only by a chain link fence that is in poor repair, as well as ground cover and vegetation that appears to not be regularly maintained.

Although the cemetery's address is on Guthrie Street, the portion of Guthrie Street that the cemetery originally fronted on was demolished during the construction of I-35E and no longer exists. Guthrie Street, to the west of the creek, is largely commercial with a Sonic Drive-In at the northeast corner of Zang Boulevard and Guthrie, and a large parking lot on the south side of what is now a dead end street that stops at the creek and does not extend to the cemetery.

Cemetery Site

The cemetery site is rectangular in size, approximately 138' in width at the north and south boundaries and 63' along the east and west boundaries, and approximately 0.2 acres in size. The site is relatively flat, with a slight slope to the west where a deep drainage creek adjoins the property. The site has moderate tree coverage and most of site is covered with ground cover. A historic woven wire fence surrounds much of the site with intertwined brush and tree growth; the southern portion of the east property line has a newer, chain link fence. The east fence line has a gate with a sign that notes 'McAdams Cemetery' above it. From Brookhaven Drive, the immediate view is of a fence with overgrown vegetation; if the traffic is light on I-35E, one's first impression is of a quiet and somewhat isolated peaceful cemetery.

From within the cemetery, the perimeter fencing, trees and vegetation provide a natural tree canopy and enclosure for the cemetery, with vacant, overgrown property to the south, west and north sides. From the gate, the ground cover offers a lush carpet for the cemetery, and the pedestrian trails are visible and lead you to several nearby white or gray stone gravestones. While there are a few that remain intact, most appear to have fallen over; it is not clear if these were natural occurrences or were vandalized. Some of the grave markers were tall and quite ornate, while others were smaller and are now covered by the ground cover. These visible gravestones are located in the southeast quadrant of the cemetery.



Enlarged aerial view of McAdams Cemetery (red rectangle), showing cemetery between creek (blue dashed line) at west and I-35E at east. Brookhaven Street parallels I-35E and dead ends at cemetery entrance. Courtesy of Google Earth

13. Historical Significance

Nathaniel O. McAdams (1820 - 1897)

Nathaniel O. McAdams was born on November 23, 1820 in Tennessee and moved to Texas in 1847 - along with many others settlers who moved to Texas during its' early years of statehood. McAdams (commonly known as N. O. McAdams) had married Mary M. Smith while in Tennessee. He, Mary and their young children, Mary and Thomas A., moved to Dallas County in 1854. A second daughter, Elizabeth, was born in 1861 in Dallas County.

The family settled on a large farm near the community of Lisbon (now in the Oak Cliff area of Dallas) where he engaged in farming and raised stock.[1] His property extended to what is now the Wynnewood Shopping Center at Zang and Polk, which is located on a portion of the McAdams land.[2] The 1860 census notes a farm laborer and three other men living on the farm, presumably also hired farm laborers who helped run the large farm.[3] McAdams remained on his farm throughout his life.[4] Thomas McAdams (1853-1919), his son, married Nancy Marina Rogers (1850-1948). Nancy had moved to Dallas County in 1866 and married Thomas in 1877. The couple had three children – son, Edgar A. McAdams, and two daughters, Mrs. P. L. McDonaugh and Mrs. J. W. Beasley. A *Dallas Morning News* article notes that Thomas and Nancy lived on South Beckley until 1913 'when they moved to Oak Cliff'.[5] Thomas died in 1919 and Nancy in 1948.

McAdams eldest daughter Mary (1851-1916) married William Bedford Rogers (1850-1921) who lived near the McAdams farm. The 1900 Sam Street's Map of Dallas County shows a house owned by U. S. Rogers to the west of the McAdams property - presumably McAdams' son-in-law's family. The cemetery includes the gravesites of their young daughter - Alice E. Rogers, born March 13, 1881 and died in April 1881, and noted as d/o (daughter of) W. B. and M. M. Rogers.[6]

McAdams younger daughter Elizabeth (1861-1896) married M. B. Stewart. The gravesite of their young son David B. H. Stewart (April 25, 1892 - February 1, 1893) and of her husband (d. 1893) are in the cemetery. Elizabeth died only three years after their deaths and is also interred there.

McAdams son Thomas and his daughter Mary and their families remained in the Oak Cliff and Dallas area; his obituary noted there were several grandchildren but does not list their names.

In addition to farming, McAdams was involved in local politics and the Democratic Party, and served in a variety of public offices in Dallas County from 1856 until his death in 1897 - over a span of forty-one years. In addition to his interest in politics, McAdams was a member of the Christian Church and of the Masonic Brotherhood. He joined the Tannehill Masonic Lodge in 1853 and demitted in September 1890. He then joined the Oak Cliff Lodge No. 705 in August 1891 and dimitted June 22, 1897.[7]

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[1] 'Round About Town', *The Dallas Morning News*, November 28, 1892, page 1.
[2] Wilonsky, Robert, "Two Dallas cemeteries dating back to the 1800s begin long road to historic designation" *The Dallas Morning News*, July 2015 www.dallasnews.com.
[3] James, Frances, *'McAdams Family Cemetery,' From the Ground Up, Volume 1*. p87-89.
[4] A Pioneer Gone" *The Dallas Morning News, September 8, 1897*, p10.
[5] 'Death takes Pioneer Resident who came to Dallas in 1866', *The Dallas Morning News*, January 25, 1948.
[6] Harrington, noted 'marker not in evidence'.
[7] James, Frances, *'McAdams Family Cemetery,' From the Ground Up, Volume 1*. p87-89.

In July 1897, McAdams was stricken with paralysis by a stroke. Reports of McAdams illness and possible death reached the county courthouse. While still pending verification, his impending death was incorrectly published in *The Dallas Morning News*. When County officials arrived at McAdams house, they discovered that while he had suffered a severe stroke, he was still alive and sitting up.[8] His health improved somewhat over the next two months but he passed away on September 7, 1897 at the age of 76. He was survived by his son Thomas, daughter Mary McAdams Rogers and several grandchildren; his wife Mary had preceded him in death in 1882.[9] Forty-three of those years had been spent in Dallas County.[10]

McAdams' funeral took place at the Oak Cliff family farm on September 8, 1897 and his body was then interred in the family burial ground that was a short distance from the family home. Attendance was large with the leading citizens of the county present. Gen. R. M. Gano, considered a Dallas pioneer, well respected businessman and leader in the Christian Church, presided at the funeral.[11] The funeral was under the auspices of the Masonic order and McAdams was described as a 'most uncompromising Democrat, a member of the Christian Church and a prominent member of the Masonic brotherhood. He was held in high esteem by old and young alike.' [12, 13]

At the time of his death in 1897, McAdams had served eleven terms as Dallas County Commissioner, two as Dallas County Sheriff and two as Justice of the Peace - at the time the longest serving elected public official in Dallas County history with a total of forty years as an elected official serving Dallas County.[14] McAdams Avenue - located in the Summit Lawn neighborhood (between Illinois to the north, Saner to the south, Polk to the East and Hampton to the West) was named for McAdams and his family.[15]

N. O. McAdams - Public service in Dallas County

McAdams began his long career as a public official for Dallas County with his election to serve as Justice of the Peace, Precinct 3, in August 1856, and served two 2-year terms, until 1860.[16, 17] He then returned to his farm but in 1862 ran successfully for Dallas County Sheriff as a Democrat, serving during the Civil War from August 14, 1862 - June 25, 1866, when the first statewide election held during Reconstruction allowed voters to choose between candidates on a Conservative ticket and a Unionist ticket. This action removed all elected Democrats from statewide office, including McAdams.[18, 19, 20]
In 1875-1876 McAdams served as one of four Dallas County Commissioners; this was prior to the

[8] "Stricken with Paralysis" *The Dallas Morning News,* July 18,1897, pg. 24.
[9] Nathaniel O. McAdams Obituary, Dallas Morning News, September 8, 1897, p10 and September 9, 1897, p8.
[10] "A Pioneer Gone" *The Dallas Morning News,* September 8, 1897, pg. 10.
[11] Ibid.
[12] Ibid. 8.
[13] Ibid. 10.
[14] Ibid.
[15] Google Maps Search McAdams Ave. Dallas, Texas.
[16] 'Round About Town', *The Dallas Morning News*, November 28, 1892, p1 (this newspaper article noted McAdams served as Justice of the Peace for Precinct 3).
[17] Historical List of Elected Officials, Dallas County, 1846 - Present. https://www.dallascounty.org/department/districtclerk/forms/CombinedMasterFinalOfficials.pdf, p56. (this document indicates McAdams was Justice of the Peace for Precinct 2, Place 2, 1856-1860).
[18] Ibid. 35.
[19] Memorial and Biographical History of Dallas County, Texas. Chicago: Lewis Publishing Co., 1892 p186-189.
[20] *Handbook of Texas Online*, Carl H. Moneyhon, "Reconstruction," accessed April 13, 2017, http://www.tshaonline.org/handbook/online/articles/mzr01.

establishment of Dallas County Commissioner districts, and these were countywide positions. In 1876 he was elected as Dallas County Commissioner for District 4, a position he held for sixteen years until he was defeated by Deacon N. F. Barcus in 1894. McAdams ran for this office again in 1896, defeating Barcus, and served until his death in 1897.[21]

McAdams tenure as a Dallas County Commissioner was during an era that saw great changes within Dallas County. In 1850 the County's population was 2,743, with 430 residing in the town of Dallas; in 1860, the County's population had increased to 8,665. By 1900, a few years after McAdams death, Dallas County's population had grown to 82,720 - almost a tenfold increase during the years he held public office.[22, 23] Other changes he observed during this time included the construction of the first permanent bridge over the Trinity River (constructed by Alexander Cochran in 1855), the Civil War, and the arrival of the Houston & Texas Central Railroad in 1872. The railroad spurred the County's largest growth in population over a decade - from 13,314 to 33,488 - a 250% growth rate.

On February 7, 1890 a fire destroyed the Dallas County Courthouse - the County's fifth courthouse.[24] The County hired architect Orlopp & Kusener of Little Rock, Arkansas to design a new facility. Their design was a large, four-story Richardson Romanesque style building with a prominent, tall bell tower. The following August, Dallas County Commissioners selected a contractor for this "fine, modern, fireproof structure to be erected over the ashes of the old building… ranking the second finest building in Texas, the state capitol ranking first." Clad in fireproof stone, the exterior walls of the first story were of rusticated blue granite and the remainder was of Pecos Red sandstone with the openings trimmed in blue granite.[25] Completed in 1892, the structure still stands today and features a stone marker at the east entrance that has inscribed the names of the Dallas County Commissioners of 1890 - 1892 - including that of 'N. O. McAdams'.

Lisbon Community

The community of Lisbon dates from the 1840s but only became known as Lisbon in 1870 when it received a post office; the community was named for Elizabeth (nicknamed Lisbon) Williamson, who had a hotel at the community. Lisbon was the first stagecoach stop out of Dallas toward Central Texas. The town grew slowly and by 1885 had a population of fifty, a steam gristmill and cotton gin, a general store, a blacksmith, a church, a school, and a doctor. By 1890 it reported a population of eighty, a general store, two blacksmiths, a corn mill and gin, a meat market, a carpenter, a painter, a physician, and a livestock agent. Its population was 150 in 1896. In the 1910s suburban developers began purchasing farms and redeveloping the land for suburban housing; Interurban trains provided transportation to and from Dallas.[26] Lisbon was annexed by the City of Dallas in 1929.

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[21] Historical List of Elected Officials, Dallas County, 1846 - Present. https://www.dallascounty.org/department/districtclerk/forms/CombinedMasterFinalOfficials.pdf, p28, 29.
[22] Historic Dallas County Population: 1850 - Present. Compiled by The County Information Program, Texas Association of Counties. http://www.txcip.org/tac/census/hist.php?FIPS=48113.
[23] Historic Dallas County Population: 1850 - Present. https://texasalmanac.com/sites/default/files/images/CityPopHist%20web.pdf.
[24] "A Great Heap of Ruins" *The Dallas Morning News,* February 9, 1897, pg. 2.
[25] "The County Courthouse" *The Dallas Morning News,* July 2, 1895, pg. 2.
[26] *Handbook of Texas Online,* Lisa C. Maxwell, *"Lisbon, TX,"* accessed March 08, 2017, http://www.tshaonline.org/handbook/online/articles/hvl59.

History of McAdams Cemetery

McAdams Cemetery Ownership information

As the cemetery was on McAdams farm and Nathanial wanted legal protection for it, he filed a Dedication for the 'McAdams Family Graveyard' in Dallas County on February 1, 1892 with S. B. Scott, County Clerk for Dallas County. This Dedication noted the 'graves of my buried dead be preserved and perpetuated' and this parcel of land be 'exclusively as a family burying ground for myself, children and their dependents perpetually; and said land shall never be sold disposed of or used for any other purposes than a family burying ground.' The cemetery site is described as being 140' by 65' and marked by stones in the ground and a 'small branch'. This dedication was later typed (for the record) in February 23, 1973. This area of Dallas County was later annexed by the City of Dallas and entered into the County's Plat Book, as block 12/4048. The cemetery occupies the southern 30' (+/-) of lots 2 - 5 of Block 12/4048, and extends into the right-of-way of Guthrie Street; the size of the cemetery is not legible in this plat.

The remaining (northern and larger) portions of these lots 2 - 5 were sold by H. W. Jones on April 27, 1927 to Lillie Beth Whaley and H. B. Jones. These remaining portions of these lots continue to be owned by the Whaley Family Trust in California and are vacant. Correspondence from Craig Whaley noted his grandparents' land comprised those northern portions of lots 2 - 5 and a larger, adjacent lot to the east; he recalls there were two houses on their property - his grandparents house and a large white house that stood in the front of the cemetery. With the construction of the adjacent interstate (I-35E), the eastern portion of his grandparent's property was taken for purposes of an easement and drainage channel for the new highway in 1961. Both houses were soon demolished for the construction of the new interstate highway in the early 1960s.[27, 28]

Current Dallas County Appraisal District property information notes the property at 409 Guthrie Street is owned by 'McAdams Cemetery' and the owners' address is unknown. Their website notes the cemetery is 0.1157 acres in size - about half the size of the *Texas Historic Cemetery Dedication* Exhibit A (which states the cemetery is 140' x 65' in size, for 0.2089 acres) and plats in Dallas County records.

McAdams Cemetery Burials and Records of Burials

Like farms elsewhere in the nineteenth century, the McAdams farm contained a small cemetery for the final resting place of family members and friends. This family cemetery was located 'a short distance' from the McAdams house. The first known inventory of the cemetery was by Mr. Robert T. Gill of Arlington, Texas and provided to W. R. Conger in 1961. A subsequent survey was done in 1986 by Fred and Olivia Harrington. Several stones identified in the earlier survey were not found and some were broken. This combined survey is the basis for this nomination. A copy of this document is attached.

The cemetery contains the burials of the McAdams family members and extended family members - the Rogers (husband of Mary McAdams Rogers) and Stewarts (husband of Elizabeth McAdams). The earliest gravesite is of that of Nathaniel's wife Mary McAdams in 1882. The only non-family is that of infant Edgar Earl Bumpus; the relationship of the Bumpus family and the McAdams is not known. The latest marked gravesite identified in

[27] Email from Craig Whalen to Sue (unknown), January 16, 2003. In this correspondence, he refers to the cemetery being an 'easement' on his grandparent's property.

[28] Easement for Highway Purposes, Dallas County records, Vol. 5720, page 52, re: Block 12/4048, part lots 1 & 2, dated September 30, 1961.

the inventory is that of William Bedford Rogers in 1921. And like other cemeteries in the nineteenth and early twentieth century, there are several gravesites of young children.

Marked gravesites included in the Gill/Harrington inventory include:

Nathaniel McAdams, 1820 - 1897
Mary M. McAdams, 1825-1882, wife of Nathaniel McAdams
Thomas McAdams (1853-1919), son of Nathaniel and Mary McAdams
Roger Owens McAdams (1882-1889), young son of Thomas McAdams, and grandson of N. O. McAdams

William Bedford Rogers. 1850-1921, husband of Mary McAdams Rogers
Mary McAdams Rogers, 1851-1916, daughter of Nathaniel McAdams
Alice E. Rogers (1881-1882), infant daughter of Mary and William Rogers, and granddaughter of Nathaniel McAdams

Elizabeth McAdams Stewart (1861-1896), daughter of Nathaniel McAdams
M. B. Stewart (d.1893), husband of Elizabeth McAdams Stewart.
David B. Stewart (1892-1893), infant son of Elizabeth and M. B. Stewart, and grandson of Nathaniel McAdams.

Edgar Earl Bumpus (1901-1901), infant child.

These gravesites that are still visible are located at the eastern side of the cemetery. Like other historic family cemeteries, it is possible that there are other gravesites that have lost their markers or were unmarked.

Maintenance of the cemetery has been sporadic since the last burial in 1921, and especially since the construction of the adjacent Interstate highway, which cut off any visible access to the site. The North Texas Cemetery Preservation organization maintained the cemetery in the early 2000s with volunteers from the Texas Youth Commission.[29] Cemetery Historian, Frances James, noted an Eagle Scout performed an inventory of the cemetery but this has not been found. More recently, members of Old Oak Cliff Conservation League and at least one descendent of McAdams supported the preservation of this historic cemetery and participated in a Saturday cleanup effort in March 2015.[30]

The McAdams Cemetery was designated as a Historic Texas Cemetery by the Texas Historical Commission (THC) on February 7, 2011. The documentation for this designation was provided to THC by Frances James, a well-known cemetery expert and preservationist in Dallas County.

[29] Letters from Frances James to Gerron Hite, September 22, 2006 and November 26, 2006.
[30] Roy Appleton, 'Conservation League members show Oak Cliff Cemetery some respect', *The Dallas Morning News*, March 8, 2015.

14. Bibliography

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Dallas City Directories

Dallas County Tax Records, 1890 – 1900

James, Frances, *'McAdams Family Cemetery,' From the Ground Up, Volume 1*

Memorial and Biographical History of Dallas County, Texas. Chicago: Lewis Publishing Co., 1892

The Dallas Morning News, various articles

Websites:

Texasescapes- www.texasescapes.com/DallasTexas/Dallas-County-Courthouse-Dallas-Texas.htm#1881 - Flanders Courthouse

Historical List of Elected Officials, Dallas County, 1846 - Present.
https://www.dallascounty.org/department/districtclerk/forms/CombinedMasterFinalOfficials.pdf, p56

The County Information Program, Texas Association of Counties.
http://www.txcip.org/tac/census/hist.php?FIPS=48113.

Texas Almanac - www.texasalmanac.com

Handbook of Texas Online, various articles. www.tshaonline.org

15. Maps and Figures

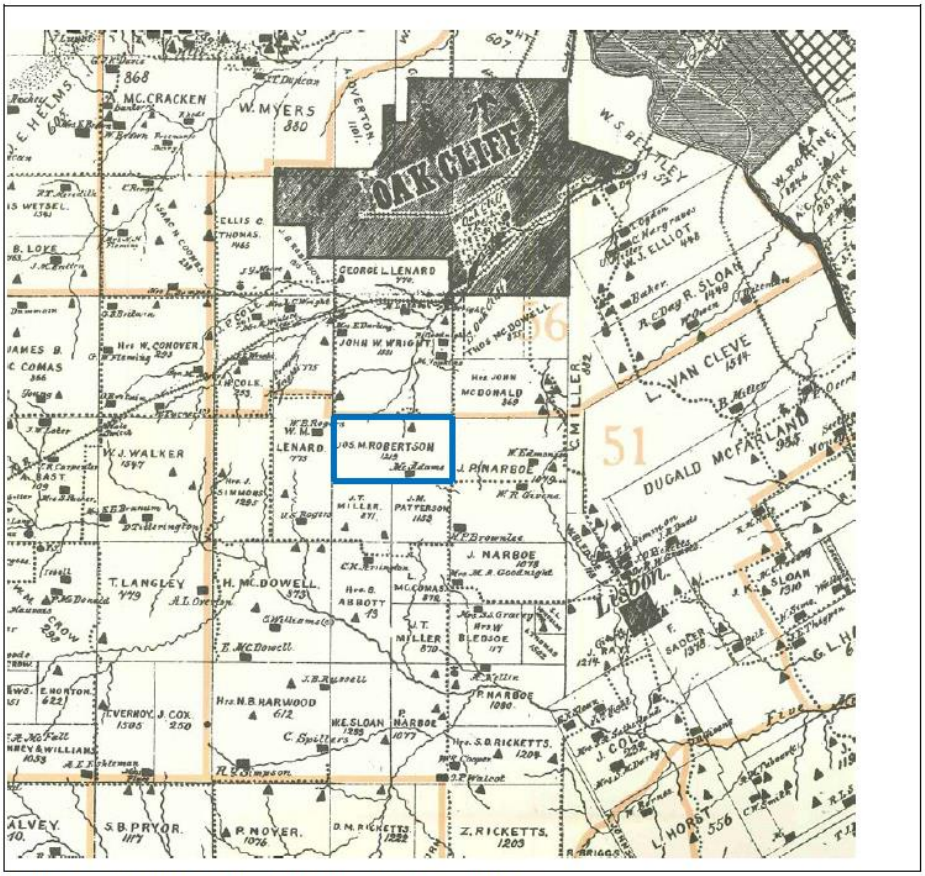


Figure 1: Sam Street's Map of Dallas County, Texas of 1900.
Aug. Gast Bank Note & Litho. Map Publishers, St. Louis, MO, 1900; Reprinted by the Dallas Public Library Inc., 1988.
Joseph M Robertson Survey outlined in blue; McAdams farm was located within this abstract; McAdams farmhouse is located at the south edge of this survey. The nearest communities are Lisbon to the southeast and the larger town of Oak Cliff to the north.

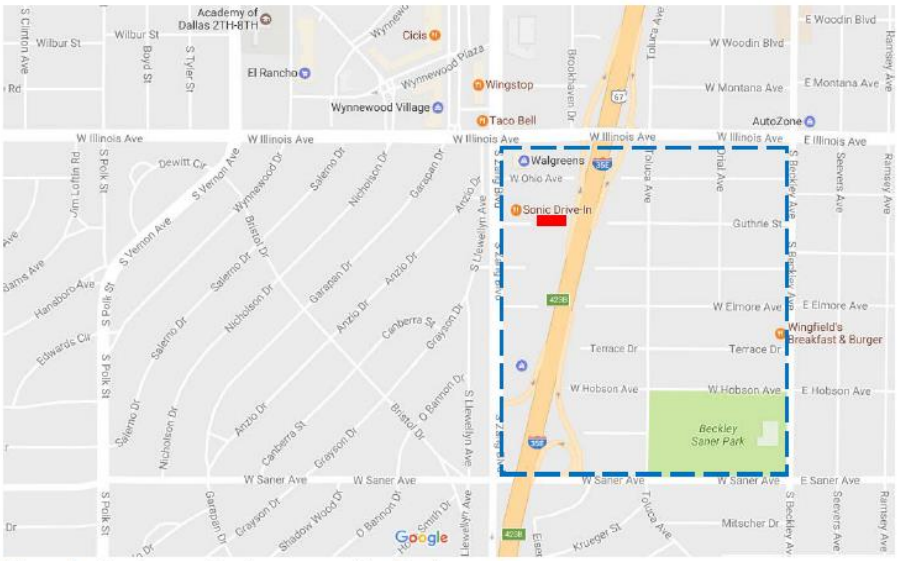


Figure 2: Google map showing surrounding development

Map shows South Cliff Heights neighborhood as originally platted (dashed blue line) with McAdams Cemetery (red rectangle) partially located within the right-of-way of Guthrie Street and the four lots on the north side of the street.

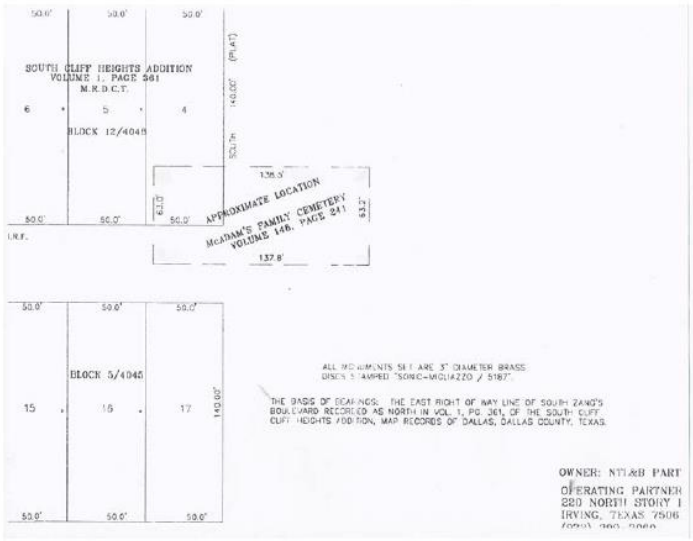


Figure 3: Plat of South Cliff Heights addition and location of McAdams Cemetery, no date.

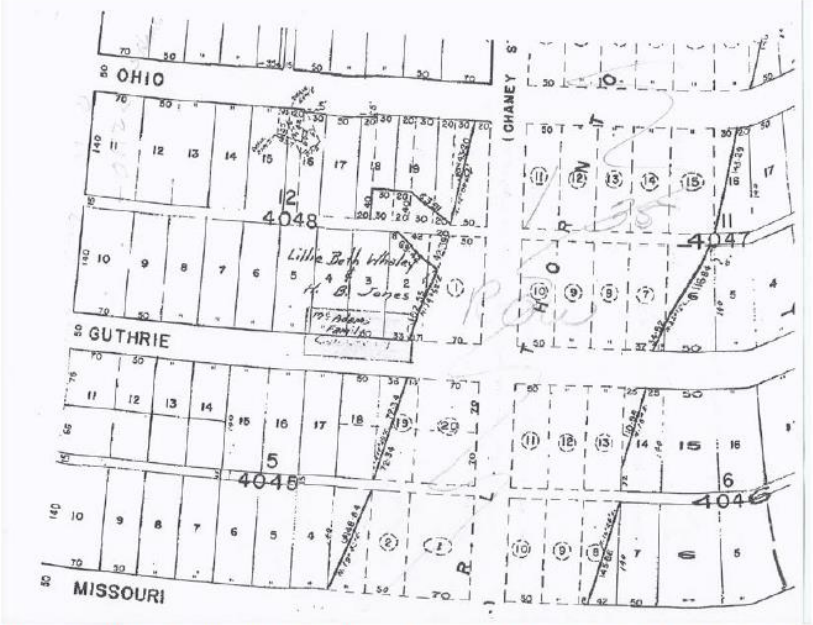


Figure 4: Dallas County Plat book, showing cemetery's location on Guthrie Street with nearby lots taken for I-35E right-of-way; c. 1960.

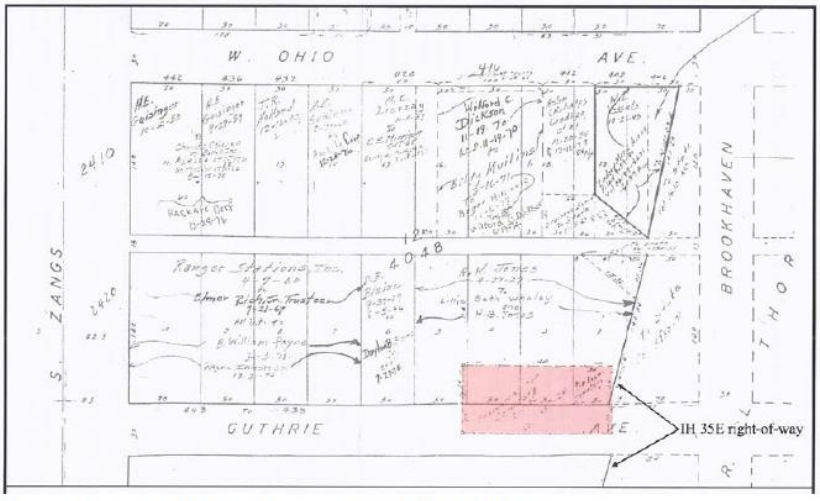
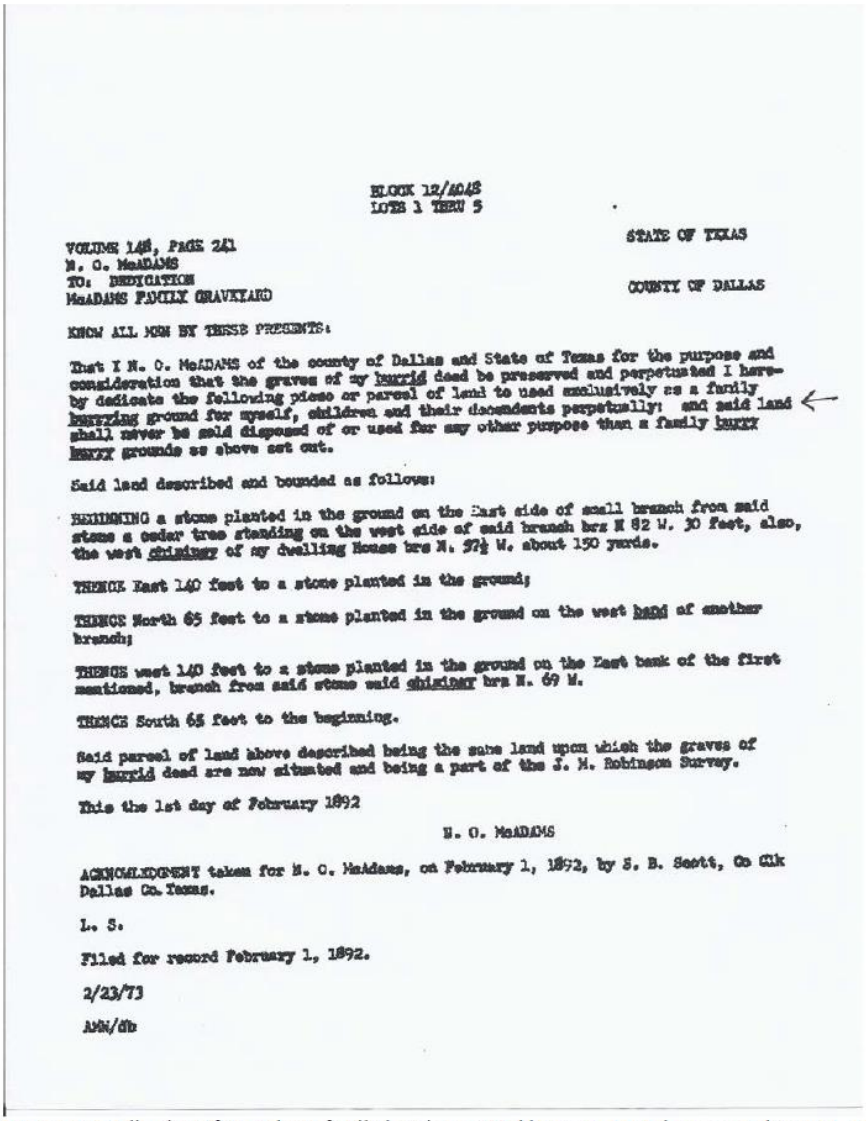


Figure 5: City of Dallas Plat Books, Plat of Block 12/4048, c. 1960
Map shows subject property at bottom of Abstract 1387, Block 8770, lot 33. Like Figure 4 above, this reflects nearby lots taken for 1-35E right-of-way; c. 1960.



BLOCK 12/6048
LOTS 1 THRU 5

VOLUME 148, PAGE 241
N. O. McADAMS
TO: DEDICATION
McADAMS FAMILY GRAVEYARD

STATE OF TEXAS

COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

That I N. O. McADAMS of the county of Dallas and State of Texas for the purpose and consideration that the graves of my burried dead be preserved and perpetuated I hereby dedicate the following piece or parcel of land to used exclusively as a family burrying ground for myself, children and their decendents perpetually: and said land shall never be said disposed of or used for any other purpose than a family burry burry grounds as above set out.

Said land described and bounded as follows:

BEGINNING a stone planted in the ground on the East side of small branch from said stone a cedar tree standing on the west side of said branch brs N 82 W. 30 feet, also, the west chimney of my dwelling House brs N. 37½ W. about 150 yards.

THENCE East 140 feet to a stone planted in the ground;

THENCE North 65 feet to a stone planted in the ground on the west bank of another branch;

THENCE west 140 feet to a stone planted in the ground on the East bank of the first mentioned, branch from said stone said chimney brs N. 69 W.

THENCE South 65 feet to the beginning.

Said parcel of land above described being the same land upon which the graves of my burried dead are now situated and being a part of the J. M. Robinson Survey.

This the 1st day of February 1892

N. O. McADAMS

ACKNOWLEDGMENT taken for N. O. McAdams, on February 1, 1892, by S. B. Scott, Co Clk Dallas Co. Texas.

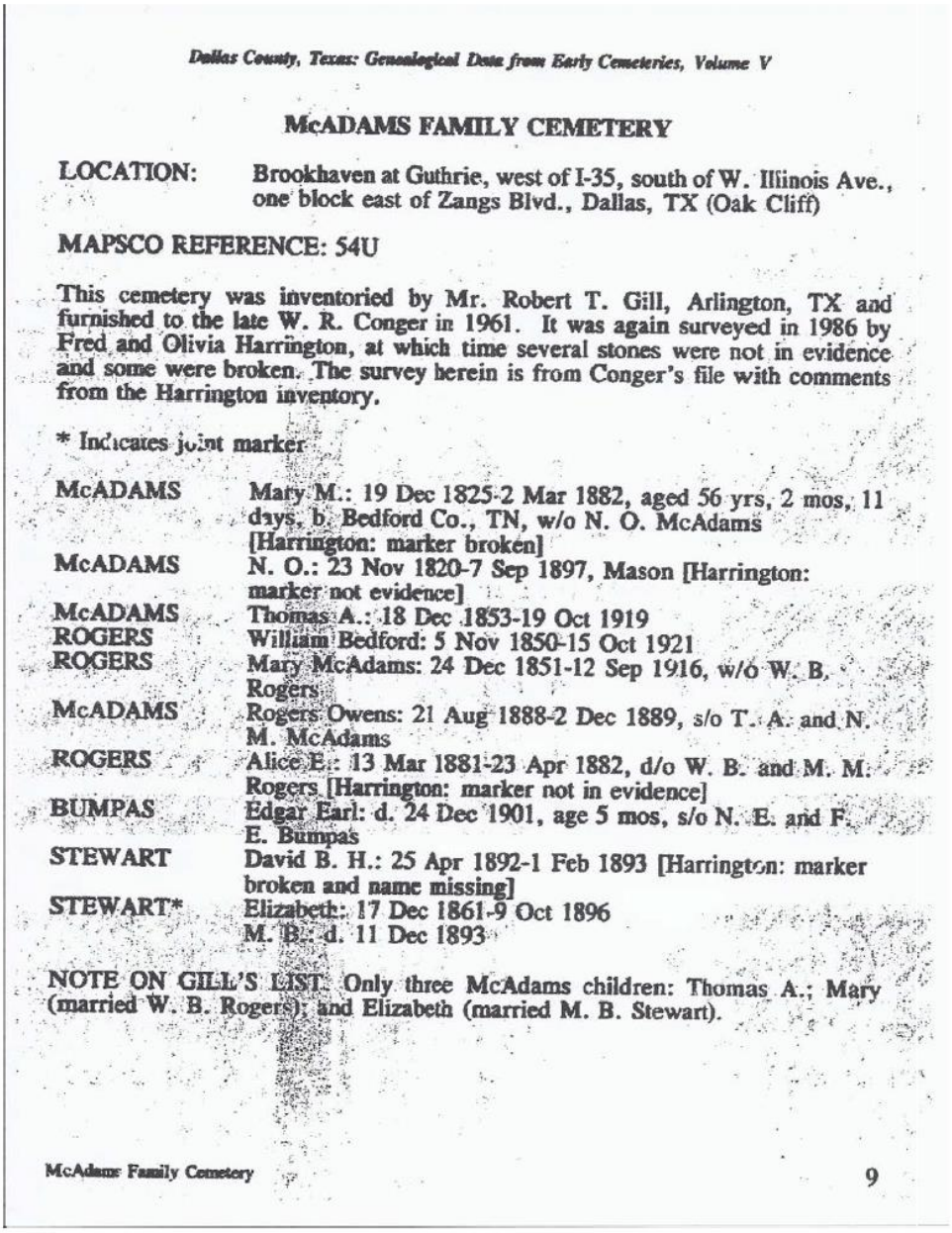
L. S.

Filed for record February 1, 1892.

2/23/73

ANN/db

Figure 6: Dedication of McAdams family burying ground by N. O. McAdams, on February 1, 1892, and recorded with Dallas County Clerk of Court. This was later typed for the record on February 23, 1973.



Dallas County, Texas: Genealogical Data from Early Cemeteries, Volume V

McADAMS FAMILY CEMETERY

LOCATION: Brookhaven at Guthrie, west of I-35, south of W. Illinois Ave., one block east of Zangs Blvd., Dallas, TX (Oak Cliff)

MAPSCO REFERENCE: 54U

This cemetery was inventoried by Mr. Robert T. Gill, Arlington, TX and furnished to the late W. R. Conger in 1961. It was again surveyed in 1986 by Fred and Olivia Harrington, at which time several stones were not in evidence and some were broken. The survey herein is from Conger's file with comments from the Harrington inventory.

* Indicates joint marker

McADAMS	Mary M.: 19 Dec 1825-2 Mar 1882, aged 56 yrs, 2 mos, 11 days, b. Bedford Co., TN, w/o N. O. McAdams [Harrington: marker broken]
McADAMS	N. O.: 23 Nov 1820-7 Sep 1897, Mason [Harrington: marker not evidence]
McADAMS	Thomas A.: 18 Dec 1853-19 Oct 1919
ROGERS	William Bedford: 5 Nov 1850-15 Oct 1921
ROGERS	Mary McAdams: 24 Dec 1851-12 Sep 1916, w/o W. B. Rogers
McADAMS	Rogers Owens: 21 Aug 1888-2 Dec 1889, s/o T. A. and N. M. McAdams
ROGERS	Alice E.: 13 Mar 1881-23 Apr 1882, d/o W. B. and M. M. Rogers [Harrington: marker not in evidence]
BUMPAS	Edgar Earl: d. 24 Dec 1901, age 5 mos, s/o N. E. and F. E. Bumpas
STEWART	David B. H.: 25 Apr 1892-1 Feb 1893 [Harrington: marker broken and name missing]
STEWART*	Elizabeth: 17 Dec 1861-9 Oct 1896 M. B.: d. 11 Dec 1893

NOTE ON GILL'S LIST. Only three McAdams children: Thomas A.; Mary (married W. B. Rogers); and Elizabeth (married M. B. Stewart).

McAdams Family Cemetery 9

Figure 7: McAdams Family Cemetery Inventory, 1961

16. Photographs



View of McAdams Cemetery from Brookhaven Street, looking west, courtesy Marcel Quimby, April 5, 2017



Sign at cemetery entrance from Brookhaven Street, looking west, courtesy Marcel Quimby, April 5, 2017



View into cemetery from entrance gate, courtesy of Alicia Quintans, March 2015



Grave markers, courtesy of Marcel Quimby, April 5, 2017



Grave marker, courtesy of Marcel Quimby, April 5, 2017



Cemetery, looking west, courtesy of Marcel Quimby, April 5, 2017

16. Statement of Significance

The McAdams Cemetery is a legacy of Dallas County's past. This area of the county was originally rural, agricultural land that has since become developed and incorporated in the City of Dallas. This cemetery survives as a reminder of a family cemetery that was typical of those located on family farms in rural communities across Texas.

The period of significance for the McAdams Cemetery is from 1882 to 1921, reflecting the date of the first known burial to the date of the last known burial.

17. Designation Criteria

__x__ ***History, heritage and culture:*** *Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.*

____ ***Historic event:*** *Location of or association with the site of a significant historic event.*

_x__ ***Significant persons:*** *Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.*

____ ***Architecture:*** *Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.*

____ ***Architect or master builder:*** *Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country*

____ ***Historic context:*** *Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.*

__x__ ***Unique visual feature:*** *Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.*

__x__ ***Archeological:*** *Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.*

__x__ ***National and state recognition:*** *Eligible of or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.*

__x__ ***Historic education:*** *Represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.*

Recommendation

The Designation Committee requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.

Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Sustainable Development and Construction Department.

Date: April 19, 2017

Daron Tapscott - Chair
Designation Committee

Liz Casso
Historic Preservation Planner

8-28-19

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following property:

BEING a lot, tract or parcel of land situated in the Joseph H. Robinson Survey, Abstract No. 1219, and being a part of Lots 2, 3, 4 and 5, Block 12 (Block 12/4048 Official City of Dallas Block Numbers) of the South Cliff Heights Addition, City of Dallas, Dallas County, Texas; and containing 0.1986 acres;

by establishing Historic Overlay District No. H-153 (McAdams Cemetery); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property described in this ordinance; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. H-153 on the property described in Exhibit A (McAdams Cemetery), which is attached to and made a part of this ordinance.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit B.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. 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

Passed_____

EXHIBIT A

Field Notes Describing
A 8,649 Square Foot (0.1986 Acre) Tract of Land
To Be Designated for Historic Preservation as
A Historic Graveyard Site
Currently Owned by the McAdams Family Graveyard

BEING a 8,649 Square Foot, or 0.1986 Acre tract of land situated in the City of Dallas, Dallas County, Texas, and lying in the Joseph H. Robinson Survey, Abstract No. 1219, and being a part of Lots 2, 3, 4 and 5, Block 12 (Block 12/4048 Official City of Dallas Block Numbers) of the South Cliff Heights Addition, an addition of the City of Dallas recorded in Volume 1, Page 361 of the Map Records of Dallas County, Texas and part of Guthrie Avenue (a 50 foot wide Right-of-Way by the said Addition), described in a deed of Dedication to the McAdams Family Graveyard, recorded in Volume 148, Page 241 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

NOTE: All coordinates are State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011). Distances and Area are surface values, calculated with the TXDOT scale factor of 1.000136506.

COMMENCING at a 5/8 inch iron rod with yellow cap found (controlling monument, N=6948463.12, E=2482043.58) at the intersection of the North line of said Guthrie Avenue and the West line of South Zang's Boulevard (a variable width Right-of-Way), same being at the Southwest corner of Sonic Migliazzo Addition, an addition to the City of Dallas, recorded in Volume 99116, Page 64 of the Deed Records of Dallas County, Texas, and said Block 12/4048, same being at the Southwest corner of a 10 foot by 10 foot Right-of-Way dedication (corner clip) by the above said Sonic Migliazzo Addition;

THENCE North 89°11'59" East, with the said North line of Guthrie Avenue, same being the South line of said Sonic Migliazzo Addition, a distance of 219.68 feet to the Southeast corner of said Addition, same being the Southwest corner of Lot 6 of said Block 12/4048 of said South Cliff Heights Addition, from which a ½ inch iron rod with yellow cap found bears North 89°15'15" East, a distance of 0.29 feet (N=6948466.19, E=2482263.52) and continuing for a total distance of 302.28 feet to its intersection with a fence line (not monumented);

THENCE North 0°44'28" West, departing said North line and with said fence line a distance of 27.99 feet to a fence corner lying in the area of Lot 5 of said Block 12/4048 of said South Cliff Heights Addition and **POINT OF BEGINNING** (N=6948495.33, E=2482345.47) of the herein described tract of land;

THENCE North 89°28'08" East, over and across said Block 12/4048 and Lots 5 through Lot 2 with said fence line a distance of 137.79 feet to a fence post being in the area of said Lot 2 (N=6948496.61, E=2482483.25);

THENCE South 0°40'40" West, continuing with said fence line over and across said Lot 2 of said Block 12/4048 and continuing over and across the Right-of-Way of said Guthrie Avenue a distance of 62.81 feet to a fence post (N=6948433.80, E=2482482.51);

THENCE South 89°11'15" West, over and across the Right-of-Way of said Guthrie Avenue with said fence line a distance of 136.23 feet to a fence post (N=6948431.87, E=2482346.29) being the Southwest corner of the herein described tract of land;

THENCE North 0°44'28" West, continuing with said fence line over and across said Right-of-Way of Guthrie Avenue and said Lot 5 of said Block 12/4048 a distance of 63.47 feet to the **POINT OF BEGINNING**, containing 8,649 Square Feet, or 0.1986 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).



EXHIBIT B
PRESERVATION CRITERIA
McAdams Cemetery
409 Guthrie Street

GENERAL.

1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.

1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.

1.3 Certificate of appropriateness.

a. A person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.

b. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.

c. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.

d. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

1.4 A person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.

1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library or on the National Park Service website.

1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.

1.7 The period of historic significance for this district is the period from 1882 to 1921.

2. DEFINITIONS.

2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.

2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.

2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.

2.4 DIRECTOR means the Director of the Department of Sustainable Development and Construction or the Director's representative.

2.5 DISTRICT means Historic Overlay District No. _____, the McAdams Cemetery Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit B.

2.6 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.

2.7 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

2.8 GRADE means the existing ground surface elevation.

2.9 GRAVE means the space of ground used or intended to be used for the permanent interment of human remains.

2.10 GRAVE MARKER means a permanent marker that identifies the locations of one or more graves. Grave markers may be stone or metal and typically are inscribed with the name and dates of birth and death. Grave markers can be located at the head or foot of a single grave, or located to mark a collection of graves (family gravesites).

2.11 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.

2.12 REINTERMENT means the reburial of human remains.

2.13 REMAINS means the body, or parts of the body, of a deceased person.

3. SITE AND LANDSCAPING.

3.1 Activities that require the disturbance of more than six inches (depth) of surface soil in the district require a certificate of appropriateness in advance of the activities. Archeological studies should be considered as part of the certificate of appropriateness to prevent the inadvertent disturbance of unmarked graves.

3.2 New sidewalks, walkways, paths, and steps must be constructed of pavers, brick, or other appropriate soft material. Artificial grass, concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted. Crushed gravel, stone, or stone chips may be used at sidewalks and paths only when used within an edge band on all sides.

3.3 Driveways and parking areas are not allowed.

3.4 No path or walkway may be extended over a grave.

3.5 Outdoor lighting must be appropriate. Light poles may not exceed 16 feet in height.

3.6 Except for reinternments, the grade of any area should not be changed. After a reinterment is completed, the grade of that area must be restored.

3.7 Landscaping.

a. Landscaping must be appropriate, enhance the district and surroundings, and may not obscure significant views of protected memorial monuments and fences.

b. A routine certificate of appropriateness is required to remove any trees or shrubs, or to install any landscaping material. Dead trees must be cut as low to the ground as possible. The tree stump and roots should not be removed from the ground.

c. No new or replacement shrubs or trees may be planted on a grave.

d. No new destructive or invasive ground cover, such as Boston Ivy or Asian Jasmine, may be planted on or allowed to extend over a grave.

3.8 Fencing.

a. It is encouraged that the remaining historic fence along the property lineof the cemetery be retained and preserved.

b. If needed, perimeter fencing of the Property is allowed. Fences must be appropriately located for a cemetery setting, 70 percent open, and may not exceed six feet in height. Decorative metal is preferred.

c. Replacement fences at individual gravesites or at a collection of graves (family gravesites) may be allowed only if evidence exists that there was a fence at the location, and adequate documentation exists that may be used as a guide for reconstruction. Replacement fences must match the material, design, style, and height of the original fence as near as possible.

4. GRAVE MARKERS

4.1 Existing grave markers and memorial monuments are protected.

4.2 It is recommended that existing, or relocated, grave markers be preserved and restored and that damaged grave markers be repaired.

4.3 The identification of unidentified graves is encouraged. Following research to determine the deceased or other pertinent information, marking of unidentified graves is encouraged.

4.4 It is encouraged that grave markers that are no longer in place, missing, or irreplaceably damaged be replaced with grave markers that are similar in design, material, color, and size to the original grave markers at that location. Granite grave markers are not permitted.

4.5 If the design of the original grave marker is not known, new flat grave markers may be used, similar to the veteran replacement grave markers.

4.6 Texas Historical Commission grave markers may be placed at graves.

4.7 New replacement family grave markers may be used.

4.8 No new vertical monuments may be erected, but new historic markers that provide details of the history of McAdams Cemetery or the individuals buried there are permitted.

5. BURIALS AND REINTERMENTS.

5.1 In the event that human remains, or artifacts suggestive of the presence of a grave, are encountered during any activity, the site of the discovery must be secured, the

city historic preservation staff must be notified, and all ground-disturbing activities in the immediate area must cease. A certificate of appropriateness to restore the site or relocate the grave must be obtained before any activities can resume.

5.2 Any future relocation of marked or unmarked graves must be conducted according to the Texas Historical Commission guidelines for preserving historic cemeteries, coordinated with the state archeologist, and if required, done pursuant to a Texas Antiquities Permit.

5.3 Reinterment within the district is allowed. Locations of proposed reinterments must be reviewed through the certificate of appropriateness process.

6. PROTECTED ELEMENTS.

6.1 The following elements are considered important features and are protected.

a. Grave markers.

b. Historic fencing.

c. Historic gravesite fences.

7. CONSERVATION, REPAIR, AND MAINTENANCE OF EXISTING GRAVE MARKERS.

7.1 It is encouraged that existing grave markers be cleaned on a regular basis, but not more than once every 18 months.

7.2 Routine cleaning of grave markers that are in good condition must be done by washing with water, then softly brushing with mild detergent, then thoroughly rinsing with water.

7.3 Grave markers that have a friable or surgery surface; a grainy surface that readily falls away; or other indications that the stone is delicate, brittle, or otherwise vulnerable should not be cleaned.

7.4 Removal of lichen and algae from grave markers that are in good condition must be done by thoroughly soaking the stone with water and then using a wood scraper to gently remove the biological growth. It may be necessary to repeat this process several times to fully remove lichen or algae.

7.5 If a grave marker falls or is otherwise damaged, a temporary grave marker must be installed at the grave marker location before the damaged grave marker is removed for repair.

7.6 Grave markers that have broken into two or more pieces must be repaired using standards accepted by the Association for Grave Stone Studies (278 Main Street, Suite 207, Greenfield, MA 01301, ph. 413-772-0836 or http://www.gravestone studies.org) or in "A Graveyard Preservation Primer" by Lynette Stranstad.

7.7 Fallen or broken grave markers may not be repaired by embedding them (typically face up) in concrete or using metal splints because both methods are detrimental to the integrity of the stone.

7.8 Lawnmowers without bumpers and weed whackers with metal wire may not be used directly around grave markers as these cause irreversible damage to the stone when they strike or touch the stone. Lawnmower bumpers, fabricated from rubber tires or inner tubes, may be attached to lawnmowers to provide a buffer between the machine and the grave markers and memorial monuments. Weed whackers with soft nylon whips may be used around grave markers.

8. NEW CONSTRUCTION.

8.1 New construction is prohibited.

9. SIGNS.

9.1 Only premise signs, park signs, cemetery identification signs, street signs, interpretive signs, movement control signs, and historic markers may be erected, and only if the sign is sensitive and compatible with the district.

9.2 All signs must comply with the provisions of the Dallas City Code, as amended.

10. ARCHEOLOGICAL STUDIES.

10.1 Any archeological studies must have a certificate of appropriateness prior to any ground-disturbing activities. A registered professional archeologist or a physical anthropologist must conduct any archeological studies in accordance with the Texas Historical Commission guidelines for preserving historic cemeteries.

11. ENFORCEMENT.

11.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

11.2 A person is criminally responsible for a violation of these preservation criteria if:

a. the person knowingly commits the violation or assists in the commission of the violation;

b. the person owns part or all of the property and knowingly allows the violation to exist;

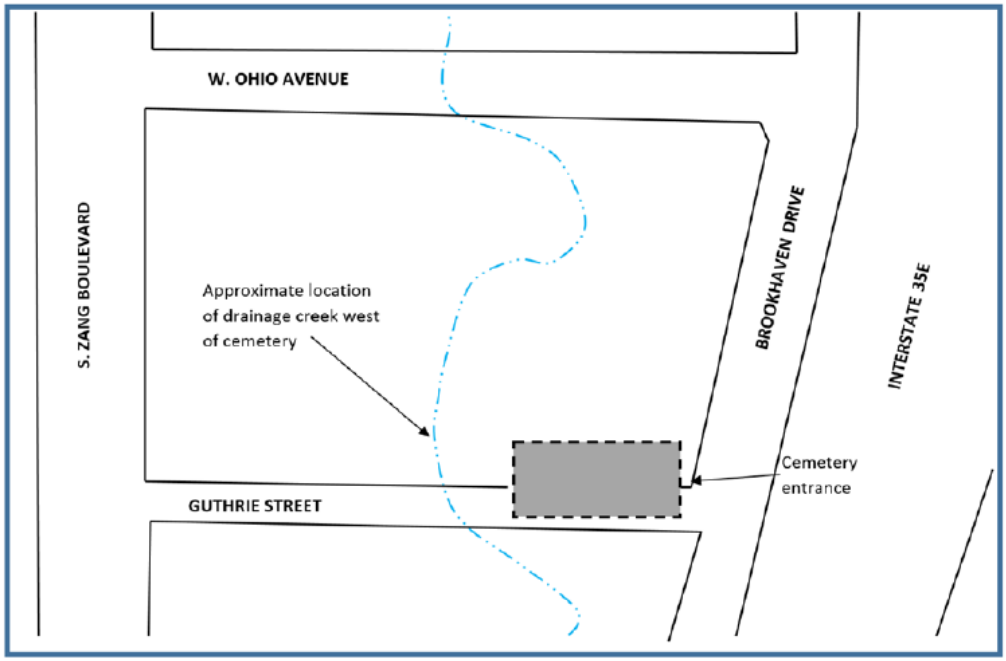
c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or

d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.

11.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.

11.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

Exhibit C
McAdams Cemetery
409 Guthrie Street
Dallas, TX

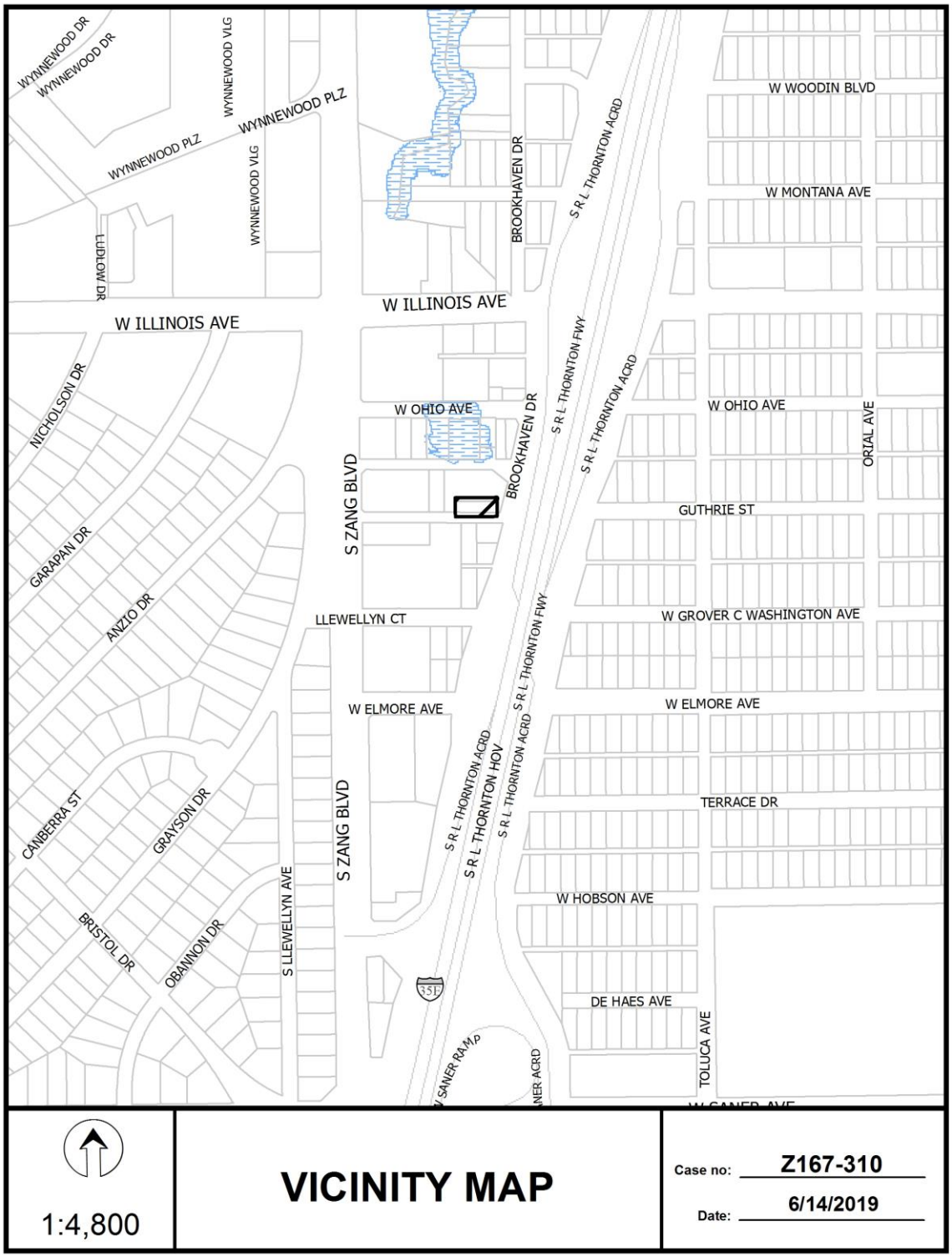


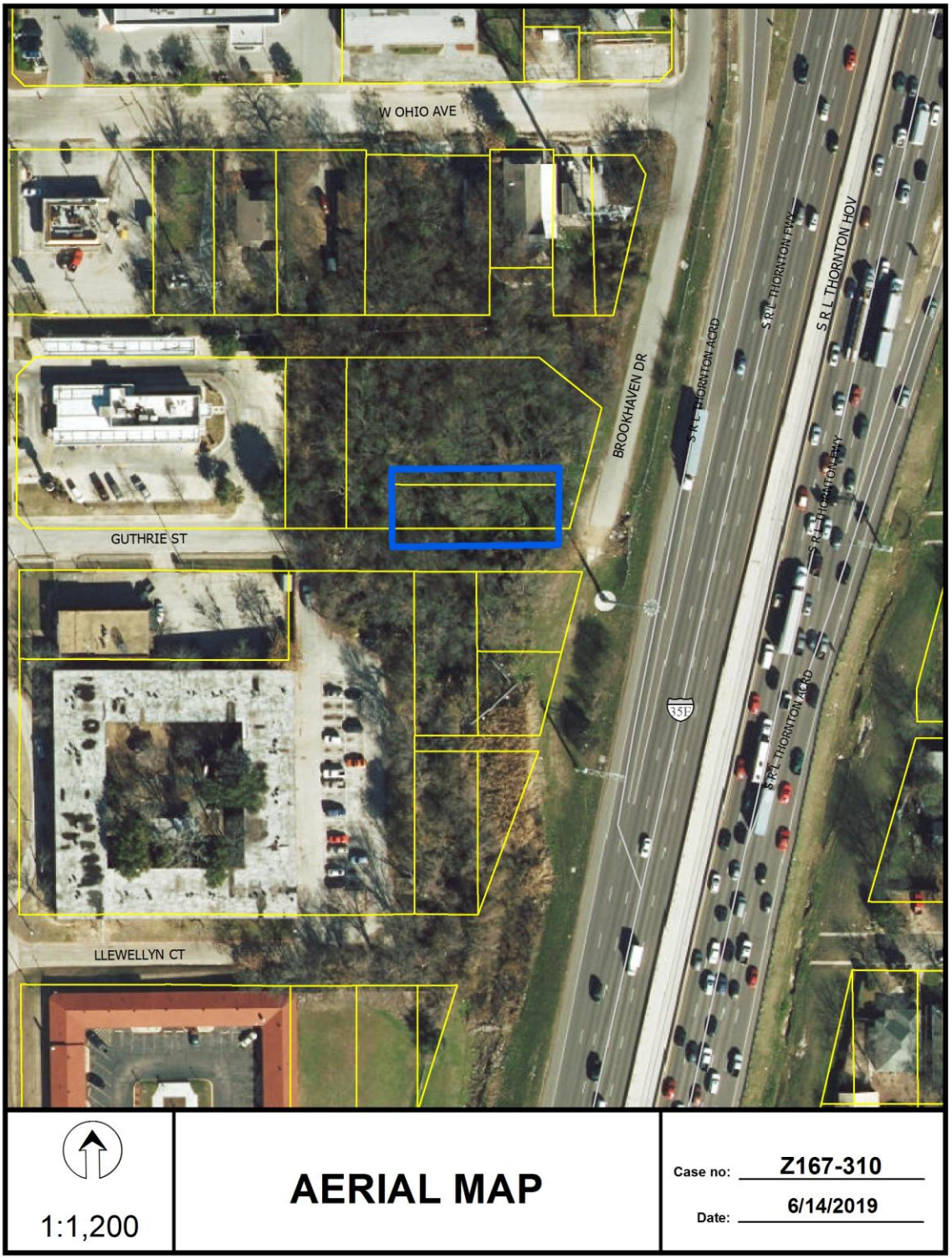
LEGEND

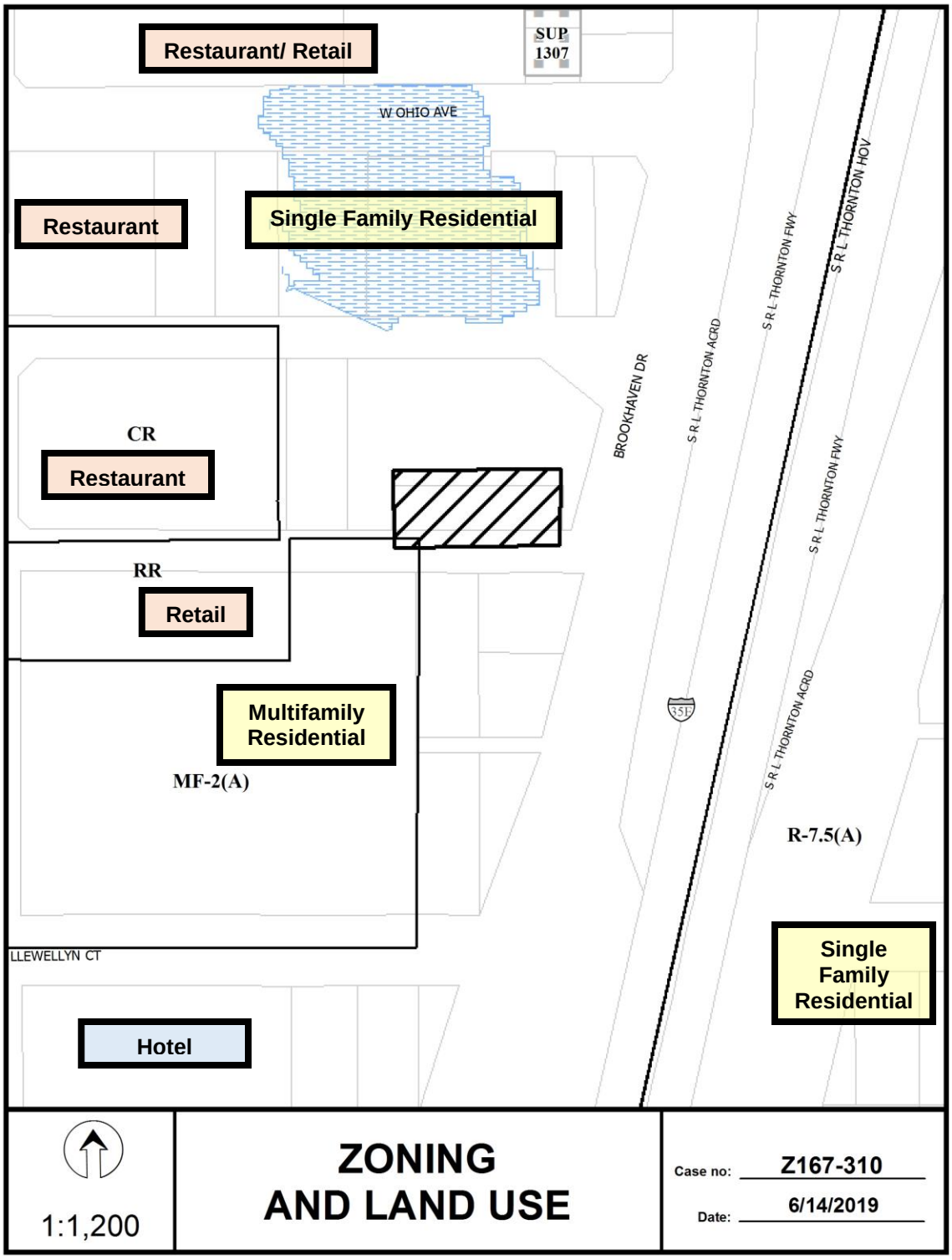
Limits of Designation

McAdams Cemetery

N


WYNNEWOOD DR
WYNNEWOOD DR
WYNNEWOOD VLG
WYNNEWOOD PLZ
WYNNEWOOD PLZ
WYNNEWOOD VLG
LUDLOW DR
W ILLINOIS AVE
W ILLINOIS AVE
BROOKHAVEN DR
S R L THORNTON ACRD
W WOODIN BLVD
W MONTANA AVE
S R L THORNTON FWY
S R L THORNTON ACRD
W OHIO AVE
W OHIO AVE
ORIAL AVE
BROOKHAVEN DR
NICHOLSON DR
S ZANG BLVD
GUTHRIE ST
GARAPAN DR
ANZIO DR
LLEWELLYN CT
W GROVER C WASHINGTON AVE
S R L THORNTON FWY
W ELMORE AVE
W ELMORE AVE
S R L THORNTON ACRD
S R L THORNTON HOV
S R L THORNTON ACRD
TERRACE DR
CANBERRA ST
GRAYSON DR
S ZANG BLVD
W HOBSON AVE
BRISTOL DR
OBANNON DR
S LLEWELLYN AVE
351
DE HAES AVE
TOLUCA AVE
W SAINER RAMP
SAINER ACRD
1:4,800
VICINITY MAP
Case no: Z167-310
Date: 6/14/2019


W OHIO AVE
BROOKHAVEN DR
S R L THORNTON FWY
S R L THORNTON HOV
GUTHRIE ST
LLEWELLYN CT
1:1,200
AERIAL MAP
Case no: Z167-310
Date: 6/14/2019


Restaurant/ Retail
SUP 1307
W OHIO AVE
Restaurant
Single Family Residential
CR
Restaurant
RR
Retail
Multifamily Residential
MF-2(A)
BROOKHAVEN DR
S R L THORNTON ACRD
S R L THORNTON FWY
S R L THORNTON HOV
S R L THORNTON FWY
S R L THORNTON ACRD
351
R-7.5(A)
Single Family Residential
LLEWELLYN CT
Hotel
1:1,200
ZONING AND LAND USE
Case no: Z167-310
Date: 6/14/2019

CPC RESPONSES



07/10/2019

Reply List of Property Owners

Z167-310

14 Property Owners Notified ***0 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	409	GUTHRIE ST	WHALEY CRAIG S TR & TK TR
	2	409	GUTHRIE ST	MCADAMS CEMETERY
	3	2451	S R L THORNTON FWY	PETERSON BERNARD J &
	4	2454	S ZANG BLVD	TEXAS FOREIGN INVESTMENTS LLC
	5	2444	S ZANG BLVD	DANIELS CROSS LODGE #1578
X	6	2415	S R L THORNTON FWY	INTERRANTE ANTHONY J
	7	408	GUTHRIE ST	NUCHE TONY
	8	432	W OHIO AVE	CROWN CASTLE TOWER 05 LLC
	9	428	W OHIO AVE	VILLEREAL ARMANDO
	10	424	W OHIO AVE	MARQUEZ MARIA INES
	11	416	W OHIO AVE	416 W OHIO DALLAS TRUST
	12	412	W OHIO AVE	CUADROS FERMAN &
	13	2412	S ZANG BLVD	ROGERS RE LLC
	14	404	W OHIO AVE	DALLAS SMSA TWR HOLDINGS

Agenda Information Sheet

File #: 19-1167 **Item #:** 73.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1954 for a commercial amusement (inside) limited to a Class A dance hall on property zoned a CR Community Retail District on the northwest corner of Singleton Boulevard and Peoria Avenue
Recommendation of Staff and CPC: Approval for a two-year period, subject to a revised site plan and conditions
Z189-114(JM/AU)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-114(JM/AU) **DATE FILED:** October 25, 2018

LOCATION: Northwest corner of Singleton Boulevard and Peoria Avenue

COUNCIL DISTRICT: 6 **MAPSCO:** 42 R

SIZE OF REQUEST: ±1.29 acres **CENSUS TRACT:** 106.01

OWNER: David Flores

APPLICANT/ REPRESENTATIVE: Rodolfo R. Flores

REQUEST: An application for the renewal of Specific Use Permit No. 1954 for a commercial amusement (inside) limited to a Class A dance hall on property zoned a CR Community Retail District.

SUMMARY: The purpose of the request is to allow for the continued use of a dance floor within an existing structure that is operating as a ballroom/banquet hall [Flores Ballroom 4615].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The request site contains four buildings being used for ballroom/banquet hall, personal service (beauty salon), office, and auto related uses. The main building, 5,660 square feet in area, is being used as a ballroom and contains a 625 square feet dance hall. Only the dance hall portion requires a Specific Use Permit.
- Specific Use Permit No. 1954 for a commercial amusement (inside) limited to a Class A dance hall was approved by City Council on April 25, 2012, for a two-year period. Subsequent renewals were approved in 2014 and 2016. This request is for the third renewal of the existing SUP No. 1954. The SUP was due to expire on October 26, 2018; however, the applicant submitted the SUP renewal on October 25, 2018.
- On March 29, 2012, a Certificate of Occupancy for Flores Ball Room was issued to the applicant for a commercial amusement (inside) limited to a banquet hall. The dance hall portion was not included in the Certificate of Occupancy. If this request is approved, a new Certificate of Occupancy to include the dance hall use is required.
- The purpose of this request is to allow the continued use of a dance hall within an existing structure that operates as a ballroom/banquet hall for rental for special events. The applicant is also proposing to update the site plan to accurately reflect the minor changes on site that include parking lot restriping and a new building used as carport and storage.
- Since the last City Plan Commission meeting on June 6, 2019, the applicant has corrected the non-compliant items on site and submitted a revised site plan to accurately reflect the parking lot as it is currently developed. The revised site plan is attached to this report.

Zoning History

There have not been any zoning cases in the area over the past five years.

Thoroughfares/Streets

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Singleton Boulevard	Principal Arterial	80 ft.	100 ft.
Peoria Avenue	Local	50 ft.	50 ft.

Traffic

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a significantly impact the existing street system.

Land Use

Area	Zone	Use
Site	CR w/SUP No. 1954	Commercial amusement (inside) with a dance hall, personal service (beauty salon), office, and auto-related use
North	R-5(A)	Single family residential
East	CS w/ DR allowing only CR uses	Auto-related use
South	IM	Warehouse and distribution
West	CR	Retail and auto-related use

STAFF ANALYSIS

Comprehensive Plan

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The applicant's request is consistent with the following goals and policies of the comprehensive plan.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

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.

Area Plan

In May 1999, City Council approved *West Dallas Comprehensive Land Use Study*, with the mission to inventory all existing West Dallas land uses and identify zoning issues and strategic options that will influence the positive redevelopment and stability of the area.

3.4. Future land use policy recommendations

Policies:

- In industrial zoned areas, require landscape and architectural buffers to minimize visual impacts along major corridors. Strengthen buffer and setback requirements to shield existing residential neighborhoods from more intensive adjacent land uses.
- Encourage adequate buffering between single family and multifamily; commercial, industrial and residential; and between industrial and commercial uses.
- Encourage neighborhood retail and personal service uses in CR zoning districts (with the exception of auto related uses that adversely impact the residential areas) to meet the needs of the community for such uses.

The applicant's request is consistent with the goals and policies of *West Dallas Comprehensive Land Use Study*.

Land Use Compatibility

The 1.29-acre property includes four buildings:

- one main building, that is 5,660 square feet in area and is fronting Singleton Boulevard, that operates as a ballroom/banquet hall with a 625 square-foot dance hall area, and an 854 square-foot retail portion for the beauty salon;
- a 1,500 square-foot building, in the center of the lot, that is used as an office;
- a 1,600 square-foot building on the western side of the property, facing Singleton Boulevard, that is used as a tire shop; and,

- a 1,200 square-foot building at the northwest corner of the property that is used as a carport and storage.

The property is enclosed with a six-foot decorative metal fence that is doubled with a three-foot high solid wood fence and has two gated access points from Singleton Boulevard and Peoria Street.

The SUP renewal request is only for the 625 square-foot dance hall, a portion of the main building. The SUP request includes revisions to the existing site plan to reflect the minor changes on site. The changes consist of restriping 70 parking spaces, providing six new parking spaces, and the addition of a new building on the northwest corner of the property.

The request site is adjacent to light industrial and community retail type uses along Singleton Boulevard. The surrounding area is developed with a mix of community retail, commercial, industrial and single family uses. The surface parking lot on the request site is a buffer between the commercial amusement (inside) use and the adjacent residential uses.

The request property is located in an area that transitions from industrial to residential uses, within a CR Community Retail District. This transition area has been zoned for industrial and commercial uses adjacent to residential uses since the adoption of the Comprehensive Zoning Ordinance in 1965.

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 CR District on the north side of Singleton Boulevard aims to serve as a buffer and transition from the IM Industrial Manufacturing District south of Singleton Boulevard to

residential zoning on the north side of the request site. Considering this and the compatibility of the request use with residential, retail as well as industrial areas, and the goals and policies established for West Dallas by the comprehensive and area plans, staff recommends approval of the SUP request.

Landscaping

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Since there is no additional impervious coverage proposed with this site plan amendment, no additional landscaping is required. The SUP requires compliance with landscaping per the approved site plan. The City Arborist found the site to be in compliance.

Parking

The off-street parking requirement for a commercial amusement (inside) use is one space for each 100 square feet of floor area and for a dance hall is one space per 25 square feet of floor area. The dance hall portion contains 625 square feet and requires 25 parking spaces. The revised site plan includes 140 parking spaces, with five ADA parking spaces. This exceeds the minimum requirements of 81 off-street parking spaces for the combination of uses that are currently operating on the property.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the subject site is not located within a designated market type, Category H can be found to the north of the site.

Crime Report:

From December 2016, to December 2017, eight phone calls were placed to the Dallas Police Department (DPD) for the location Flores Ballroom, of which three calls were coded urgent. DPD also reported the following three incidents and no arrest charges as detailed below within the same period since the previous SUP approval action.

Incidents:

Incident Number	Incident	Premise	Date	Time
161405-2017	UUMV	Parking Lot (All Others)	7/15/2017	11:15:00 PM
233596-2017	BURGLARY-BUSINESS	Commercial Property Occupied/Vacant	10/11/2017	4:40:00 AM
233599-2017	FOUND	Parking Lot (All Others)	10/12/2017	4:40:00 AM

CPC Action
July 11, 2019

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1954 for a commercial amusement (inside) limited to a Class A dance hall for a two-year period, subject to a revised site plan and conditions on property zoned a CR Community Retail District on the northwest corner of Singleton Boulevard and Peoria Avenue.

Maker: Carpenter
Second: Shidid
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Shidid, Carpenter, Brinson, Lewis*, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 23
Replies: For: 5 Against: 0

Speakers: For: Gill Cerda, 1107 Parlay Cr., Dallas, TX, 75211
Mandy Watkins, 811 Headwater Dr., Arlington, TX, 76015
David Flores, 4615 Singleton Blvd., Dallas, TX, 75212
Against: None

LIST OF OFFICERS

Flores Ballroom:

- Rodolfo Flores, Partner
- Marcus Flores, Partner
- David Flores, Partner

SUP CONDITIONS
CPC RECOMMENDED

1. USE: The only use authorized by this specific use permit is commercial amusement (inside) 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 expires on ~~October 28, 2018~~ (two-year period from the passage of this ordinance).

4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.

5. FLOOR AREA: The maximum dance floor area is 625 square feet in the location shown on the site plan.

6. HOURS OF OPERATION: The commercial amusement (inside) limited to a Class A dance hall may only operate between 8:00 a.m. and 10:00 p.m., Monday through Thursday, and between 8:00 a.m. and 1:00 a.m. (the next day), Friday and Saturday.

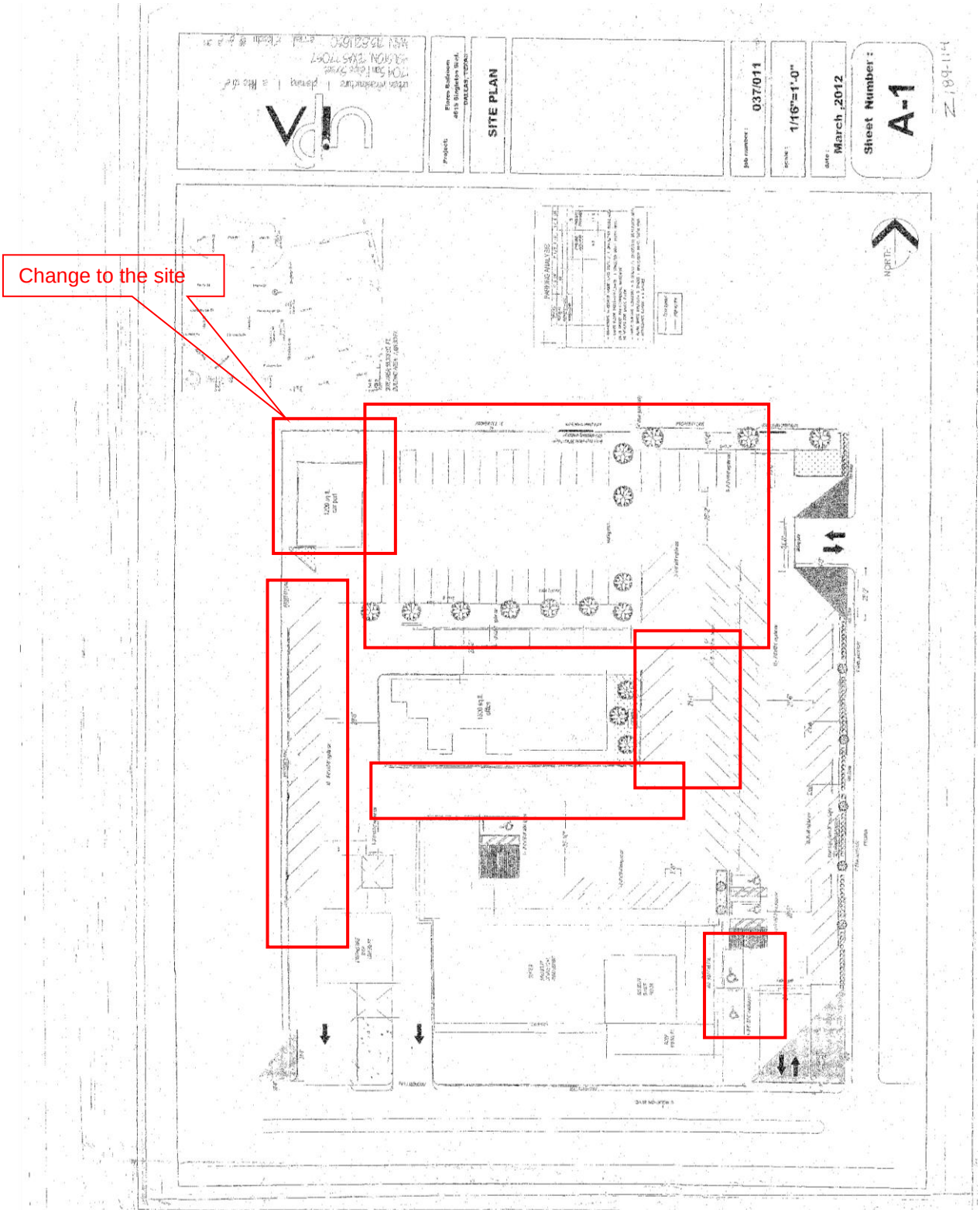
7. PARKING:
   A. Parking must be located as shown on the attached site plan. Delta credits may not be used to meet the off-street parking requirements.
   B. "No Parking — Loading and Unloading Only" signs must be installed and maintained in front of the facade facing Singleton Boulevard.

8. SCREENING: A solid screening fence must be maintained along the northern Property line in the locations shown on the attached site plan.

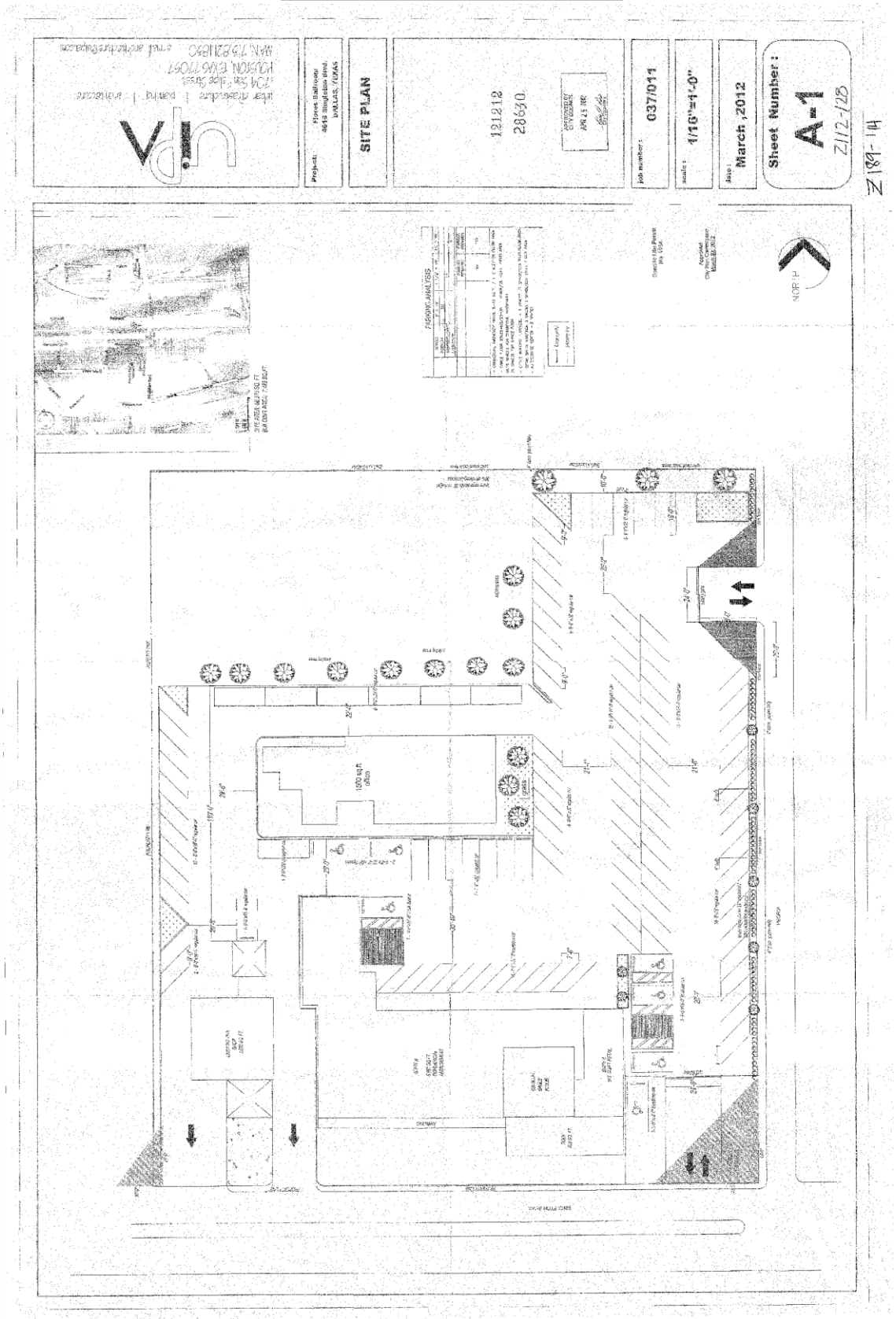
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

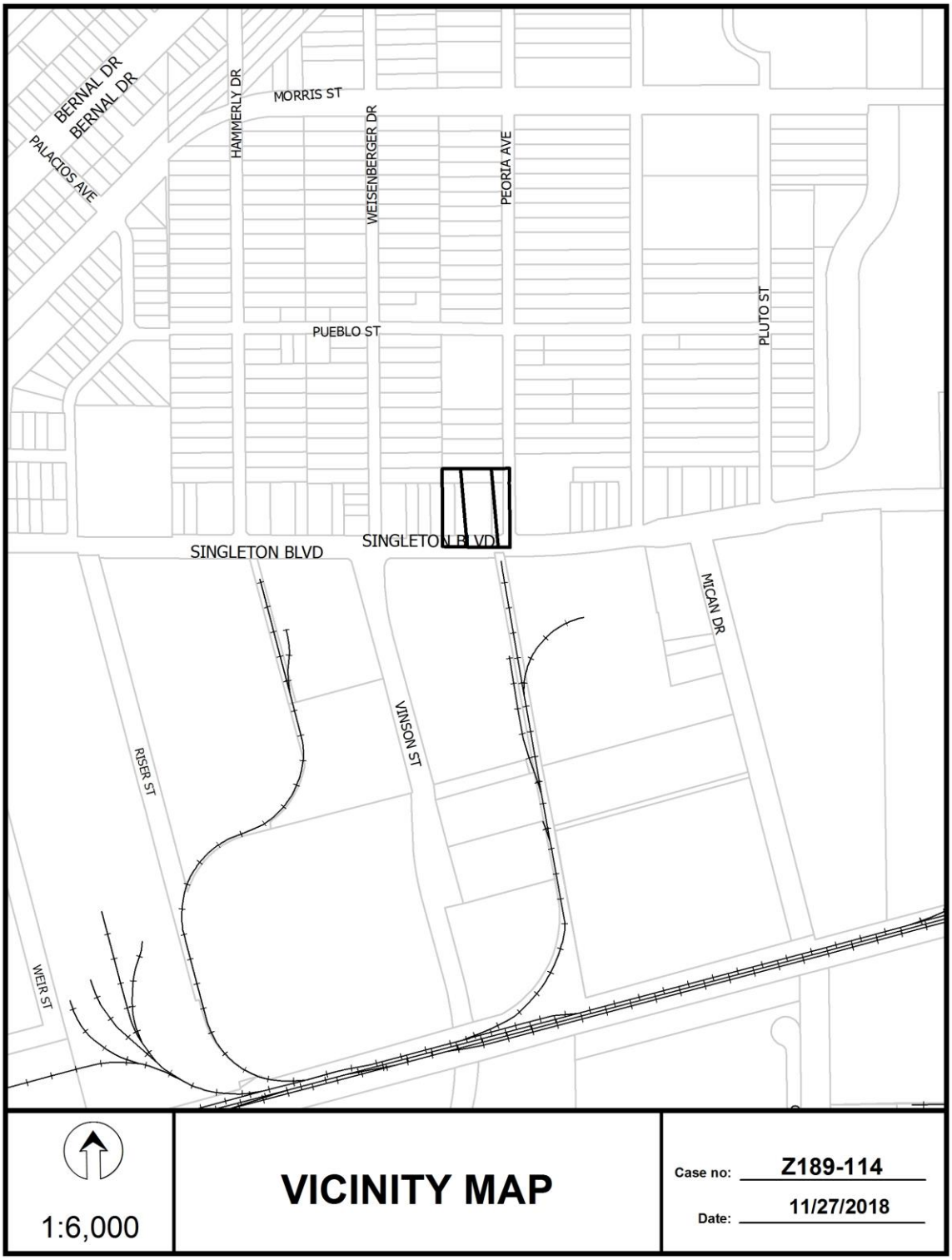
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

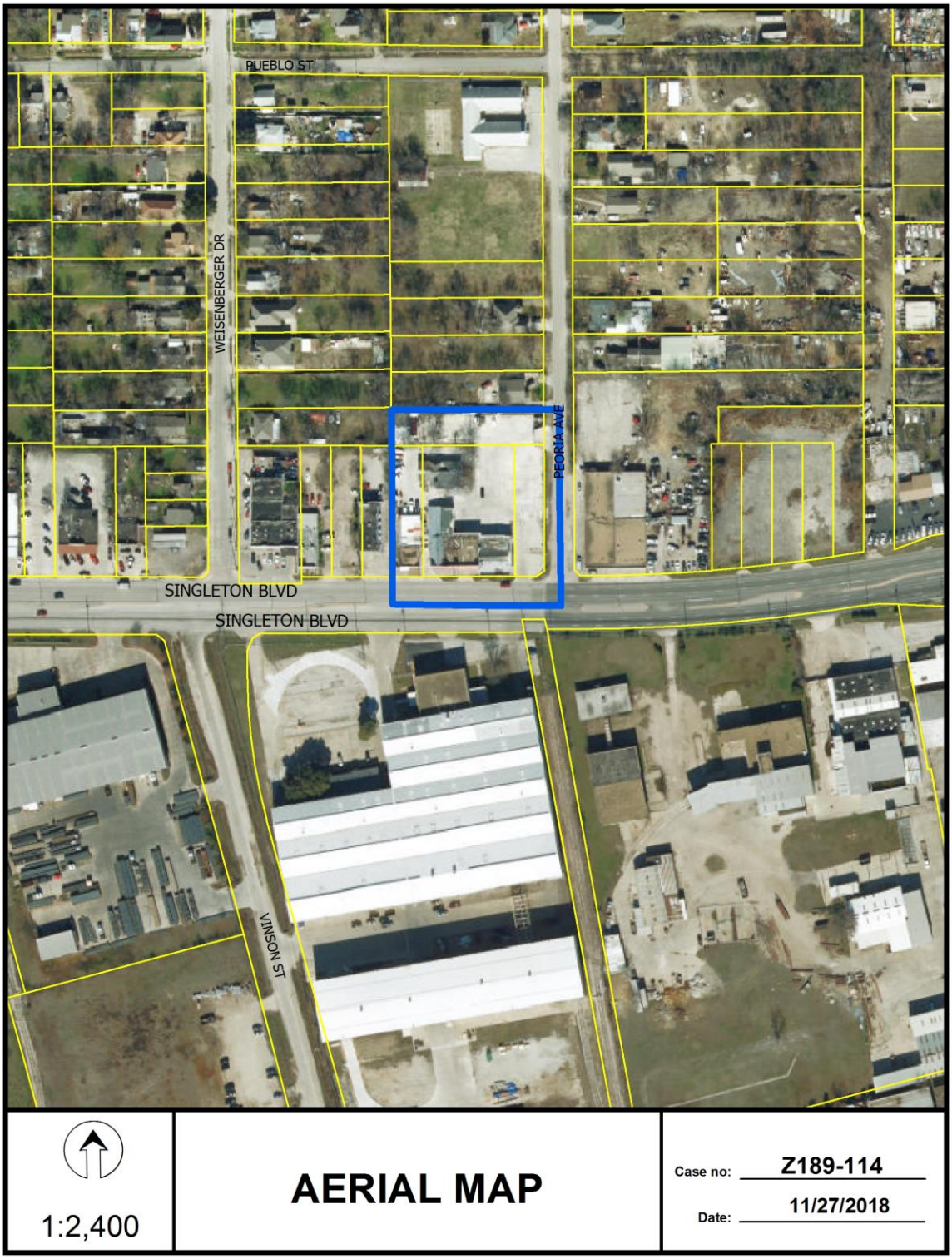
PROPOSED REVISED SITE PLAN

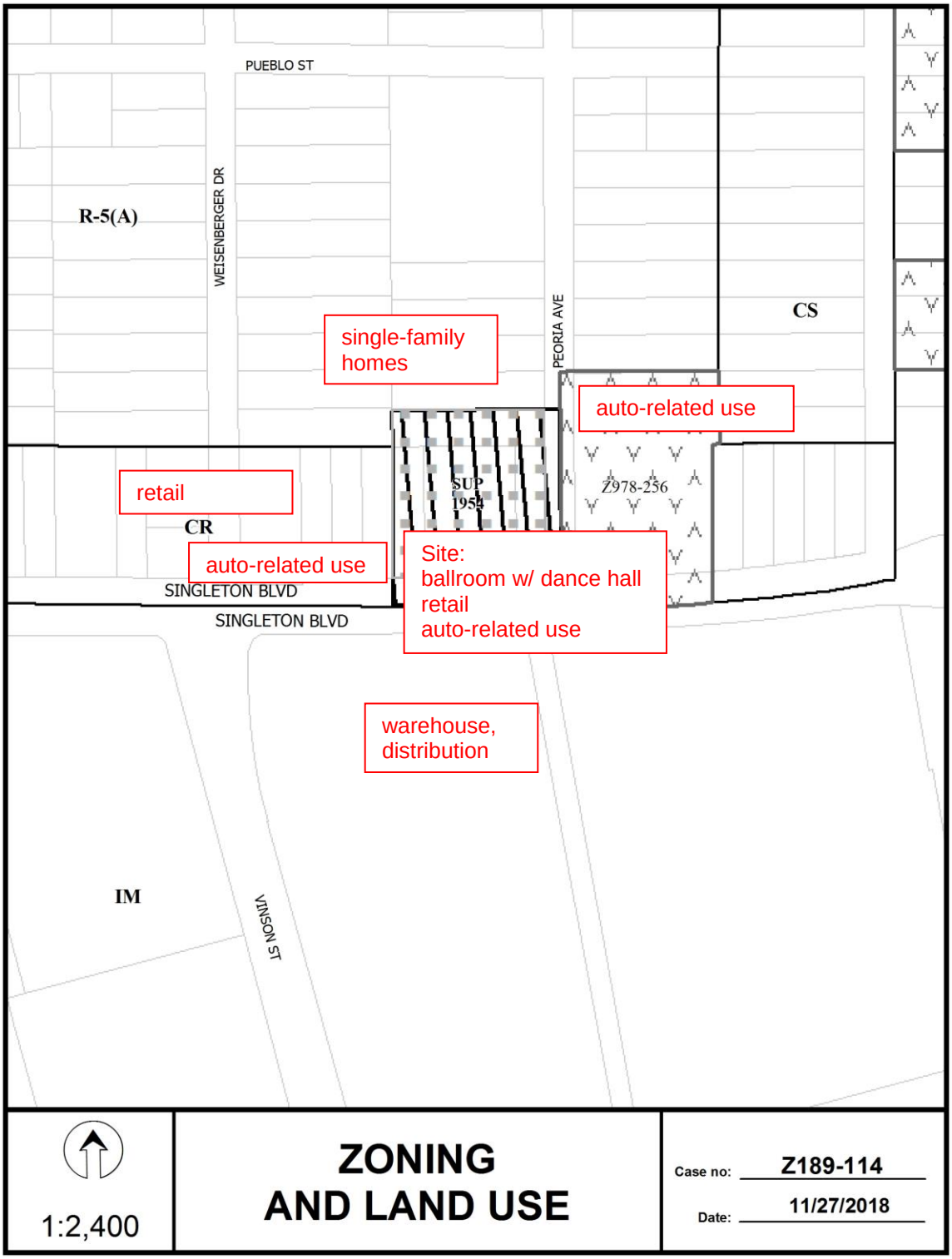


EXISTING SITE PLAN

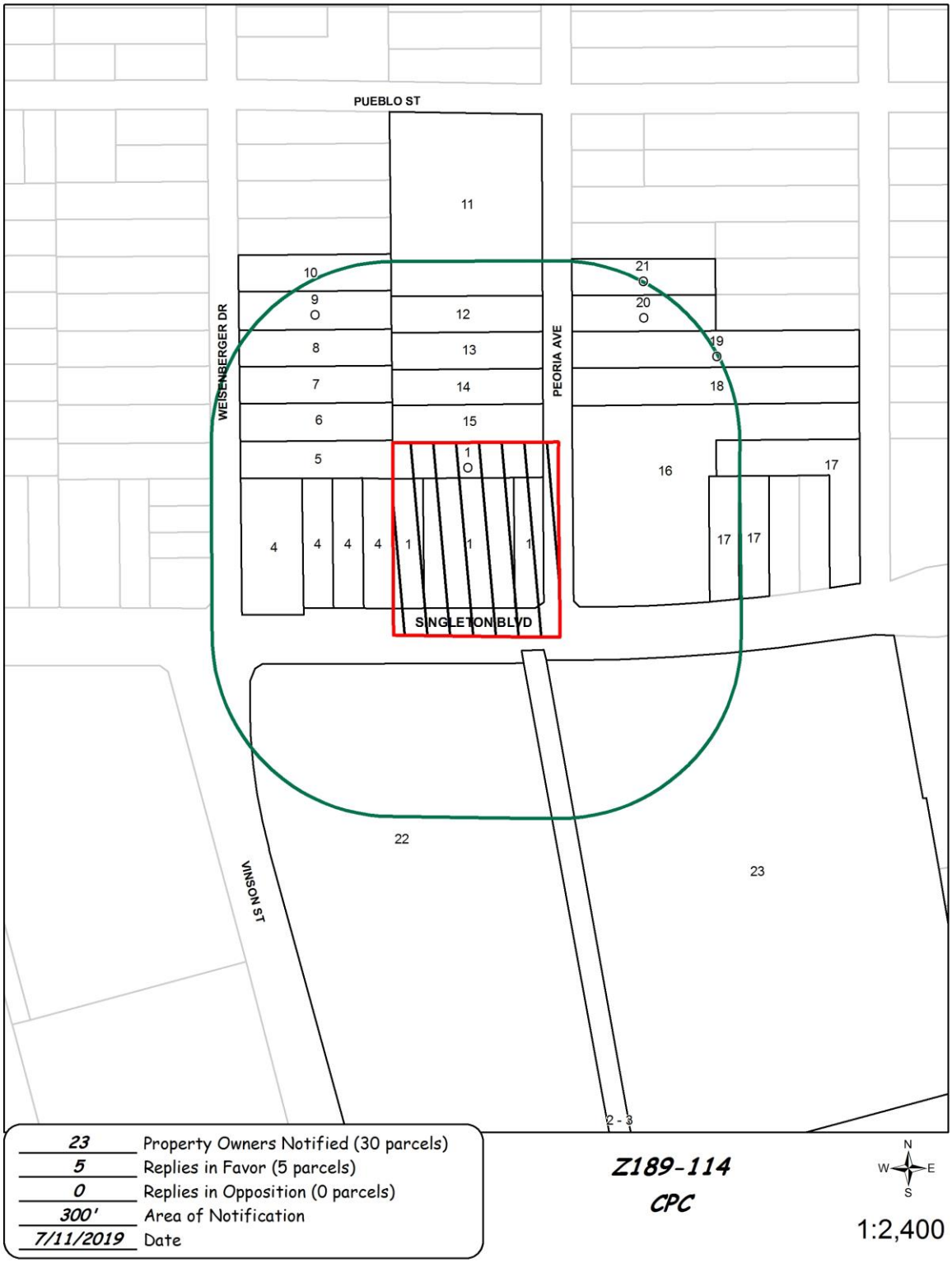



BERNAL DR
BERNAL DR
PALACIOS AVE
HAMMERLY DR
MORRIS ST
WEISENBERGER DR
PEORIA AVE
PLUTO ST
PUEBLO ST
SINGLETON BLVD
SINGLETON BLVD
MICAN DR
VINSON ST
RISER ST
WEIR ST
1:6,000
VICINITY MAP
Case no: Z189-114
Date: 11/27/2018


PUEBLO ST
WEISENBERGER DR
PEORIA AVE
SINGLETON BLVD
SINGLETON BLVD
VINSON ST
1:2,400
AERIAL MAP
Case no: Z189-114
Date: 11/27/2018


PUEBLO ST
WEISENBERGER DR
R-5(A)
PEORIA AVE
CS
single-family homes
auto-related use
SUP 1954
Z978-256
retail
CR
auto-related use
Site:
ballroom w/ dance hall
retail
auto-related use
SINGLETON BLVD
SINGLETON BLVD
warehouse, distribution
IM
VINSON ST
1:2,400
ZONING AND LAND USE
Case no: Z189-114
Date: 11/27/2018


GALLAGHER ST
ABILENE ST
ODESSA ST
BERNAL DR
BERNAL DR
MORRIS ST
PALACIOS AVE
PEORIA AVE
PLUTO ST
PUEBLO ST
HAMMERLY DR
WEISENBERGER DR
Z189-114
SINGLETON BLVD
SINGLETON BLVD
MCAN DR
VINSON ST
RISER ST
WEBB ST
MVACluster
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1:6,000
Market Value Analysis
Printed Date: 11/27/2018


PUEBLO ST
WEISENBERGER DR
PEORIA AVE
SINGLETON BLVD
VINSON ST
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21
20
19
18
16
17
17
17
22
23
2 - 3
23 Property Owners Notified (30 parcels)
5 Replies in Favor (5 parcels)
0 Replies in Opposition (0 parcels)
300' Area of Notification
7/11/2019 Date
Z189-114
CPC
N
W
E
S
1:2,400

07/10/2019

Reply List of Property Owners

Z189-114

23 Property Owners Notified ***5 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	4613 SINGLETON BLVD	FLORES DAVID &
	2	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
	3	9999 NO NAME ST	UNION PACIFIC RR CO
	4	4639 SINGLETON BLVD	CHU DAVID & MISON
	5	3020 WEISENBERGER DR	HERNANDEZ ADRIANA
	6	3026 WEISENBERGER DR	IBARRA LUVIA & RUBEN
	7	3030 WEISENBERGER DR	SANTIAGO MARIBEL HERNANDEZ DE
	8	3102 WEISENBERGER DR	VARELA YOLANDA
	10	3112 WEISENBERGER DR	QUEZADA ALEJANDRA P
	11	3125 PEORIA AVE	FIRST LAOTIAN BAPTIST CHURCH OF DALLAS
	12	3107 PEORIA AVE	DABOUB CATHERINE MARY
	13	3103 PEORIA AVE	SANCHEZ MARIO
	14	3031 PEORIA AVE	BRISENO LEONARDO
	15	3025 PEORIA AVE	RAMOS JESUS ANTONIO &
	16	4535 SINGLETON BLVD	BENITEZVILLATOLE FREDIS
	17	4519 SINGLETON BLVD	VILLATOLE FREDIS BENITEZ
	18	3030 PEORIA AVE	SALAZAR MANUEL &
	22	4606 SINGLETON BLVD	G T INDUSTRIAL PROPERTIES INC
	23	4528 SINGLETON BLVD	HEAT TREATMENT SVCS INC
O	A1	3108 WEISENBERGER DR	PENA FLORENTINA EST OF
O	A2	3021 PEORIA AVE	FLORES DAVID &
O	A3	3108 PEORIA AVE	LUNA JOHN & GENOVEA
O	A4	3112 PEORIA AVE	LUNA JOHN & GENOVEVA
O	A5	3102 PEORIA AVE	LUNA JOHN JR &

Agenda Information Sheet

File #: 19-1170 **Item #:** 74.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District at the northwest corner of Telephone Road and Bonnie View Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z189-252(CY)

powered by Legistar™

HONORABLE MAYOR AND CITY COUNCIL **WEDNESDAY AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-252(CY) **DATE FILED:** April 23, 2019

LOCATION: Northwest corner of Telephone Road and Bonnie View Road

COUNCIL DISTRICT: 8 **MAPSCO:** 76 G

SIZE OF REQUEST: Aprox. 55.446 acres **CENSUS TRACT:** 167.03

APPLICANT: RPG Acquisitions, LLC

OWNER: Clemmie Skief

REPRESENTATIVE: Rob Baldwin, Baldwin and Associates

REQUEST: An application for an LI Light Industrial District with deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of this request is to allow for the development of warehouse uses. The volunteered deed restrictions would limit the allowed uses.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is zoned an A(A) Agricultural District and is comprised of four tracts of land.
- The site is largely undeveloped with some single family dwelling uses located along Telephone Road.
- The purpose of requesting the zoning change is to develop the site with warehouse uses.
- On January 3, 2019, at the request of the applicant, the City Plan Commission, recommended denial without prejudice of an application for an LI Light Industrial District for the area of request.
- The warehouse land use is defined as a wholesale, distribution, and storage use in the Dallas Development code. This land use is allowed by right in the proposed LI Light Industrial District.
- The applicant is volunteering deed restrictions that would prohibit certain main uses and certain accessory uses.

Zoning History: There have been five zoning change requests in the surrounding area in the past five years:

1. **Z156-354:** On January 11, 2017, the City Council approved Planned Development District No. 980 for non-residential uses on property located on the south line of Cedardale Road, west of Cleveland Road, northwest of the area of request.
2. **Z167-243:** On August 23, 2017, the City Council approved a CS Commercial Services District with volunteered deed restrictions on property zoned an A(A) Agricultural District, on the south line of Telephone Road, east of Travis Trail; southwest of the area of request.
3. **Z167-253:** On June 28, 2017, the City Council approved a CS Commercial Service District and Specific Use Permit No. 2248 for a commercial motor vehicle parking on property zoned an A(A) Agricultural District, located on the west line of Bonnie View Road, south of Telephone Road; south of the area of request.
4. **Z178-246:** On August 8, 2018, the City Council approved a CS Commercial Services District on property zoned an A(A) Agricultural District, located on the south side of Telephone Road, east of Travis Trail, south of the area of request.
5. **Z178-288:** On January 3, 2019, at the request of the applicant, the City Plan Commission, recommended denial without prejudice of an application for an LI Light Industrial District for the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bonnie View Road	Major Arterial	100 feet	100 feet
Telephone Road	Minor Arterial	80 feet	80 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.2 Focus on Southern Sector development opportunities.

The *forwardDallas! Comprehensive Plan* indicates that targeting economic development opportunities to the southern sector, especially to improve access to jobs, is a key implementation measure to achieve this goal. The area of request is within the International Inland Port of Dallas (IIPOD), an intermodal and logistics region that encompasses 7,500 acres of land and five municipalities [Dallas, Hutchins, Lancaster, Wilmer, and Ferris]. The request of an LI Light Industrial District, is in alignment with the goal of promoting development in the southern sector.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The *forwardDallas!* Vision Illustration 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. The request is characteristic of the building block in that its purpose is to develop the site with a distribution warehouse.

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. A 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 Plan:

The site is located in close proximity to the Agile Port Industrial Area Plan site as identified by the *forwardDallas! Comprehensive Plan* adopted by the City Council in June 2006. This area, just west of Bonnie View Road, is considered to be a highly sophisticated information-based industry that seeks to minimize inventories and respond to the growing demand for next-day or even several-times a day delivery. Shifts in the warehousing and logistics industry have been accelerated by global trade, containerization and standardized packaging, just-in-time (JIT) inventory management, outsourcing delivery and increased technological capabilities The Southern Sector's Agile Port Industrial Area is striving to become an intermodal freight facilities complex that can move goods from one transportation system to another (e.g. rail to truck) on a huge scale. The proposed zoning change to allow for distribution warehouse uses is consistent with the Area Plan.

Surrounding Land Uses:

	Zoning	Land Use
Site	A(A)	Single Family and Undeveloped land
North/ Northwest	PD No. 980 and A(A)	Single Family, undeveloped land, warehouse building.
Northeast	A(A) and R-7.5(A)	Single Family, undeveloped land
East	A(A)	Single Family, undeveloped land
South / Southeast	PD No. 761(LI), A(A), CS with SUP No. 2145, and SUP No. 2248	Undeveloped land, Truck Sales and Service, and Commercial Motor Vehicle Parking
West/ Southwest	A(A) and CS w/DRs	Commercial Motor Vehicle Parking, Undeveloped land, and Single Family

Land Use Compatibility:

The 55.446-acre area of request is largely undeveloped, with some scattered single family uses located primarily along Telephone Road.

Surrounding land uses consist of undeveloped land, and single family to the northeast and to the east. To the southeast, across Bonnie View Road, and to the south across Telephone Road, there are additional undeveloped tracts of land, truck sales and service, and commercial motor vehicle parking uses. To the southwest and west, there is a commercial motor vehicle parking use and additional single family dwellings. Lastly, to the northwest there is undeveloped land and a large warehouse building that is still under construction.

The subject site is currently zoned an A(A) Agricultural District. The Dallas Development Code describes the purpose of this district as largely transformational. As the area develops with utilities and resources become available, the area changes based on development needs.

While the properties abutting the area of request to the southwest, northeast and a portion of the north boundary are also zoned A(A) Agricultural District, a broader view of the zoning surrounding the site, shows clear indication that the area is transitioning to more a commercial and industrial area. Consequently, LI Light Industrial and CS Commercial Service Districts are found in close proximity to the west, southwest and south. Additionally, Planned Development District No. 761, the Dallas Logistics Port Special Purpose District, established in 2007, is to the southeast, directly across Bonnie View Road, extending to the east and north; and Planned Development District No. 980 for

commercial and business service and industrial uses, established in 2017, is abutting the property to the northwest, extending northwest to Cedardale Road.

The proposed LI Light Industrial District is intended to provide for light industrial office, research and development, and commercial uses in an industrial park setting. This district is designed to be located in areas appropriate for industrial development which may be adjacent to residential communities.

The applicant has volunteered deed restrictions to prohibit the following main uses:

- Gas drilling and production
- Cemetery or mausoleum
- Open enrollment charter school or private school
- Vehicle display, sales and service
- Commercial bus station and terminal
- Heliport
- Helistop

The deed restrictions will also prohibit the following accessory uses:

- Accessory pathological waste incinerator
- Accessory medical/infectious waste incinerator

Lastly, the volunteered restrictions indicate that a temporary concrete or asphalt batching plant use, will be limited to concrete or asphalt produced at the property and to be used only on the property

The proposed LI Light Industrial District is complementary to the surrounding trend in land uses shifting from A(A) District uses to industrial uses including PD No. 980 to the northwest and PD No. 761 (for LI uses), the Dallas Logistics Port Special Purpose District, to the southeast. Staff supports the zoning change request as it is foreseen to be consistent with the surrounding area.

Development Standards:

District	Setbacks		Height	Lot Coverage	Lot Size	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: A(A)	50’	20’ side 50’ rear for SFD, 10’ other structures	24’	10% for residential 25% for non-residential	Min. 3 acres for residential uses.	-	Agricultural & single family.
Proposed: LI	15’	30’ adj. to res. (not including A(A)) 0’ all others	70’	80%	No min.	RPS*	Commercial & business service, industrial, institutional, retail & personal service, wholesale, distribution, and storage, and office.

* Properties in an A(A) Agricultural District, are not site of origination for RPS (Sec. 51A-4.412(a)(3))

Land Use Comparison:

The table below includes the list of uses allowed in the existing zoning district and those allowed in the proposed district.

USE	A(A) Agricultural District (Existing)	LI Light Industrial District (Proposed)
AGRICULTURAL USES	ANIMAL PRODUCTION	
	COMMERCIAL STABLE	
	CROP PRODUCTION	CROP PRODUCTION
COMMERCIAL AND BUSINESS SERV.	NONE PERMITTED	BUILDING REPAIR AND MAINTENANCE SHOP (RAR)
		BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY (RAR)
		CATERING SERVICE
COMMERCIAL AND BUSINESS SERV.	NONE PERMITTED	COMMERCIAL BUS STATION AND TERMINAL
		COMMERCIAL CLEANING OR LAUNDRY PLANT (RAR)
		CUSTOM BUSINESS SERVICES
		CUSTOM WOODWORKING, FUNITURE CONSTRUCTION OR REPAIR
		ELECTRONICS SERVICE CENTER
		JOB OR LITHOGRAPHIC PRINTING (RAR)
		LABOR HALL (SUP)
		MACHINE OR WELDING SHOP (RAR)
		MACHINERY, HEAVY EQUIPMENT, OR TRUCK SALES AND SERVICES (RAR)
		MEDICAL OR SCIENTIFIC LABORATORY
		TECHNICAL SCHOOL
		TOOL OR EQUIPMENT RENTAL
		VEHICLE OR ENGINE REPAIR OR MAINTENANCE
INDUSTRIAL USES		ALCOHOLIC BEVERAGE MANUFACTURING (RAR)
	GAS DRILLING AND PRODUCTION (SUP)	GAS DRILLING AND PRODUCTION (SUP)
		INDUSTRIAL INSIDE FOR LIGHT MANUFACTURING
		INDUSTRIAL OUTSIDE
		INSIDE INDUSTRIAL (RAR)

USE	A(A) Agricultural District	LI Light Industrial District
INDUSTRIAL USES	MINING (SUP)	
	ORGANIC COMPOST RECYCLING FACILITY (SUP)	
	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)
INSTITUTIONAL AND COMMUNITY SERVICE USES	ADULT DAY CARE FACILITY (SUP)	ADULT DAY CARE FACILITY
	CEMETERY OR MAUSOLEUM (SUP)	CEMETERY OR MAUSOLEUM (SUP)
	CHILD-CARE FACILITY (SUP)	CHILD-CARE FACILITY
	CHURCH	CHURCH
	COLLEGE, UNIVERSITY OR SEMINARY	COLLEGE, UNIVERSITY OR SEMINARY
	COMMUNITY SERVICE CENTER (SUP)	COMMUNITY SERVICE CENTER (SUP)
	CONVALECENT AND NURSING HOMES, HOSPICE CARE AND RELATED INSTITUTIONS (SUP)	
INSTITUTIONAL AND COMMUNITY SERVICE USES	CONVENT OR MONASTERY	
	FOSTER HOME (SUP)	
		HALFWAY HOUSE (SUP)
	HOSPITAL (SUP)	HOSPITAL (RAR)
	LIBRARY, ART GALLERY OR MUSEUM (SUP)	
	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)
	PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)	PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)
LODGING USES	NONE PERMITTED	EXTENDED STAY HOTEL OR MOTEL (SUP)
		HOTEL OR MOTEL (RAR)
		LODGING OR BOARDING HOUSE
		OVERNIGHT GENERAL PURPOSE SHELTER

USE	A(A) Agricultural District	LI Light Industrial District
MISCELLANEOUS USES		ATTACHED NON-PREMISE SIGN (SUP)
	CARNIVAL OR CIRCUS (TEMPORARY) (By special authoriztion of the BO)	CARNIVAL OR CIRCUS (TEMPORARY) (By special authorization of the BO)
	TEMPORARY CONSTRUCTION OR SALES OFFICE	TEMPORARY CONSTRUCTION OR SALES OFFICE
OFFICE USES	NONE PERMITTED	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)
		FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW
		FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (RAR)
		MEDICAL OR AMBULATORY SURGICAL CENTER
		OFFICE
RECREATION USES	COUNTRY CLUB WITH PRIVATE MEMBERSHIP (SUP)	COUNTRY CLUB WITH PRIVATE MEMBERSHIP
	PRIVATE RECREATION CENTER, CLUB OR AREA (SUP)	PRIVATE RECREATION CENTER, CLUB OR AREA
	PUBLIC PARK, PLAYGROUND OR GOLF COURSE	PUBLIC PARK, PLAYGROUND OR GOLF COURSE
RESIDENTIAL USES	COLLEGE DORMITORY, FRATERNITY, OR SORORITY HOUSE	NONE PERMITTED
	HANDICAPPED GROUP DWELLING UNIT	
	SINGLE FAMILY	
RETAIL AND PERSONAL SERVICE USES		ALCOHOLIC BEVERAGE ESTABLISHMENT
	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUN	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS
	ANIMAL SHELTER OR CLINIC WITH OUTSIDE RUN (SUP)	ANIMAL SHELTER OR CLINIC WITH OUTSIDE RUNS (SUP may be required)
		AUTO SERVICE CENTER (RAR)
		BUSNIESS SCHOOL
		CARWASH (RAR)
		COMMERCIAL AMUSEMENT INSIDE (SUP May be required)
	COMMERCIAL AMUSEMENT OUTSIDE (SUP)	

USE	A(A) Agricultural District	LI Light Industrial District
RETAIL AND PERSONAL SERVICE USES	DRIVE-IN THEATER (SUP)	COMMERCIAL MOTOR VEHICLE PARKING (By SUP only if within 500 feet of a residential district)
		COMMERCIAL PARKING LOT OR GARAGE (RAR)
		DRY CLEANING OR LAUNDRY STORE
		FURNITURE STORE
		GENERAL MERCHANDISE STORE OR FOOD STORE 3,500 SQUARE FEET OR LESS
		GENERAL MERCHANDISE STORE OR FOOD STORE 100,000 SQUARE FEET OR MORE (SUP)
		HOME IMPROVEMENT CENTER, LUMBER, BRICK OR BUILDING MATERIALS SALES YARD (RAR)
		HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR
		LIQUEFIED NATURAL GAS FUELING STATION (By SUP only if the use has more than 4 fuel pumps or is within1,000 feet of a residential district or a PD that allows residential uses)
		MOTOR VEHICLE FUELING STATION
	NURSERY, GARDEN SHOP, OR PLANT SALES.	
		PARAPHERNALIA SHOP (SUP)
		PERSONAL SERVICE USES
		RESTAURANT WITHOUT DRIVE-IN OR DRIVE-THROUGH SERVICE (RAR)
		RESTAURANT WITH DRIVE-IN OR DRIVE-THROUGH SERVICE (DIR)
		TAXIDERMIST
		TEMPORARY RETAIL USE
		THEATER
		TRUCK STOP (SUP)
		VEHICLE DISPLAY SALES AND SERVICE (RAR)

USE	A(A) Agricultural District	LI Light Industrial District
TRANSPORTATION USES		COMMERCIAL BUS STATION AND TERMINAL (RAR)
		HELIPORT (SUP)
	HELISTOP (SUP)	HELISTOP (SUP)
		RAILROAD PASSENGER STATION (SUP)
	TRANSIT PASSENGER SHELTER	TRANSIT PASSENGER SHELTER
	TRANSIT PASSENGER STATION OR TRANSFER CENTER (SUP)	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)
UTILITY AND PUBLIC SERVICE USES	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION (SUP)	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION (SUP)
	ELECTRICAL SUBSTATION (SUP)	ELECTRICAL SUBSTATION
	LOCAL UTILITIES (SUP or RAR may be required)	LOCAL UTILITIES (SUP or RAR may be required)
	POLICE OR FIRE STATION (SUP)	POLICE OR FIRE STATION
		POST OFFICE
	RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)	RADIO, TELEVISION, OR MICROWAVE TOWER (RAR)
	REFUSE TRANSFER STATION (SUP)	
	SANITARY LANDFILL (SUP)	
	SEWAGE TREATMENT PLANT (SUP)	
	TOWER/ANTENNA FOR CELLULAR COMMUNICATION	TOWER/ANTENNA FOR CELLULAR COMMUNICATION
	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)
	WATER TREATMENT PLANT (SUP)	WATER TREATMENT PLANT (SUP)
WHOLESALE, DISTRIBUTION AND STORAGE USES		FREIGHT TERMINAL (RAR)
	LIVESTOCK AUCTION PENS OR SHEDS (SUP)	MANUFACTURED BUILDING SALES LOT (RAR)
		MINI-WAREHOUSE
		OFFICE SHOWROOM/ WAREHOUSE
		OUTSIDE STORAGE (RAR)
		RECYCLING BUY-BACK CENTER
		RECYCLING COLLECTION CENTER
	RECYCLING DROP-OFF CONTAINER	RECYCLING DROP-OFF CONTAINER
	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION
	SAND, GRAVEL, OR EARTH SALES AND STORAGE (SUP)	
		TRADE CENTER
		WAREHOUSE (RAR)

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. A portion of the site lies within Category F. The remainder is uncategorized. The surrounding properties are also either uncategorized, or within Category F.

Parking:

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. A warehouse use will require one space per 1,000 square feet of floor area up to 20,000 square feet, and one space per 4,000 square feet of floor area over 20,000 square feet. A general zone change application does not require the submittal of a site/development plan; therefore, the total parking requirement for the proposed warehouse will be determined at permitting based on the total floor area.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

CPC Action
June 20, 2019

Motion: In considering an application for an LI Light Industrial District on property zoned an A(A) Agricultural District at the northwest corner of Telephone Road and Bonnie View Road, it was moved to **hold** this case under advisement until July 11, 2019.

Maker: Lewis
Second: Housewright
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 27
Replies: For: 0 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX 75226
Against: None

CPC Action
July 11, 2019

Motion: It was moved to recommend **approval** of an LI Light Industrial District, subject to deed restrictions volunteered by the applicant on property zoned an A(A) Agricultural District at the northwest corner of Telephone Road and Bonnie View Road.

Maker: Lewis
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 27
Replies: For: 2 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX 75226
Against: None

List of Officers

Owner:

Clemmie Skief	Sole owner

Applicant:

RPG Acquisitions, LLC.

Mike Gray	Manager
Greg Thurman	Manager

VOLUNTEERED DEED RESTRICTIONS

DEED RESTRICTIONS

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

I.

The undersigned, Clemmie Skief ("the Owner"), is the owner of the following described property ("the Property"), being a tract in City Block No. 8309, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Kenneth Wayne Waterson and Lacelia Mayes Waterson, by deed dated July 6, 2001, and recorded in Volume 200131 Page 6282, land conveyed to the Owner by Sylvia Jones Graves, by deed dated March 20, 2001, and recorded in Instrument Number 200302299130, land conveyed to the Owner by Agricultural Production Credit Association, by deed dated March 3, 1993, and recorded in Instrument Number 199300515824, in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. The following main uses are prohibited:

   (A) Industrial uses.

   -- Gas drilling and production.

   (B) Institutional and community service uses.

   -- Cemetery or mausoleum.
   -- Open enrollment charter school or private school.

(C) Retail and personal service uses.

-- Vehicle display, sales, and service.

(D) Transportation uses.

-- Commercial bus station and terminal.
-- Heliport.
-- Helistop.

2. For a temporary concrete or asphalt batching plant use, concrete or asphalt produced at the Property is restricted to use on the Property.

3. The following uses are prohibited as accessory uses:

-- Accessory pathological waste incinerator.
-- Accessory medical/infectious waste incinerator.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

THE OWNER AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY FROM AND AGAINST ALL CLAIMS OR LIABILITIES ARISING OUT OF OR IN CONNECTION WITH THE PROVISIONS OF THIS DOCUMENT.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

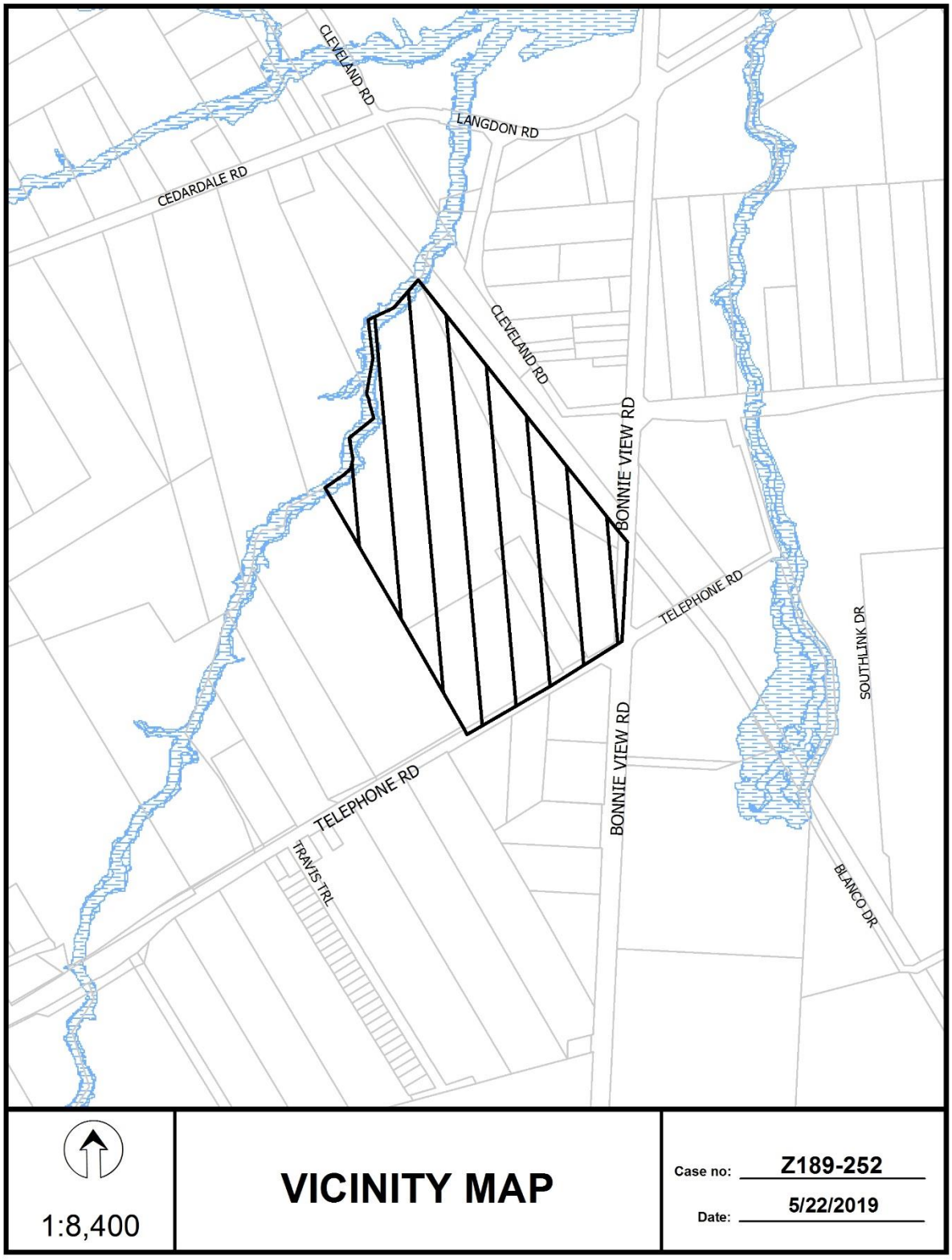
The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

XII.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.


CLEVELAND RD
LANGDON RD
CEDARDALE RD
CLEVELAND RD
BONNIE VIEW RD
TELEPHONE RD
SOUTHLINK DR
BONNIE VIEW RD
TELEPHONE RD
TRAVIS TRL
BLANCO DR
1:8,400
VICINITY MAP
Case no: Z189-252
Date: 5/22/2019

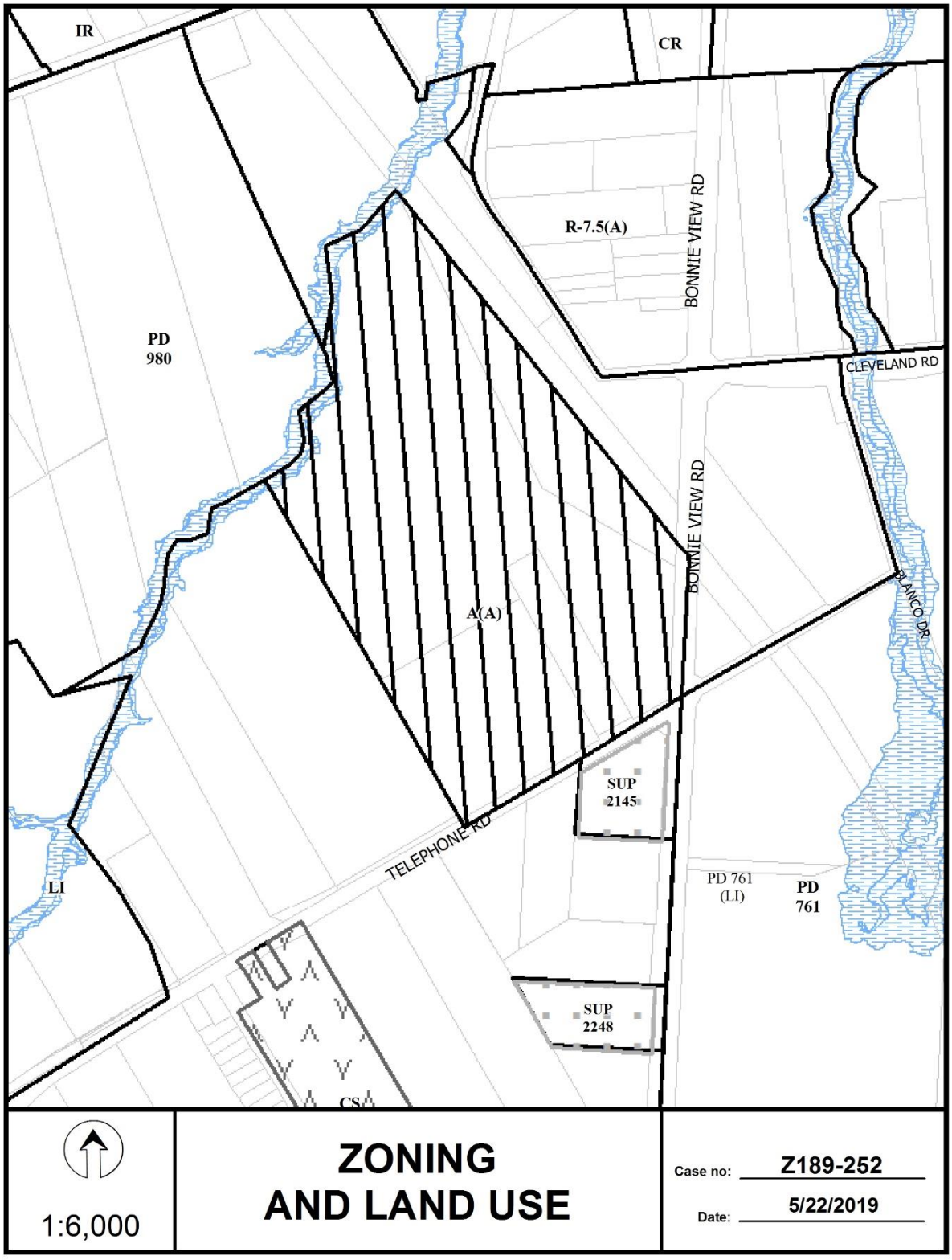


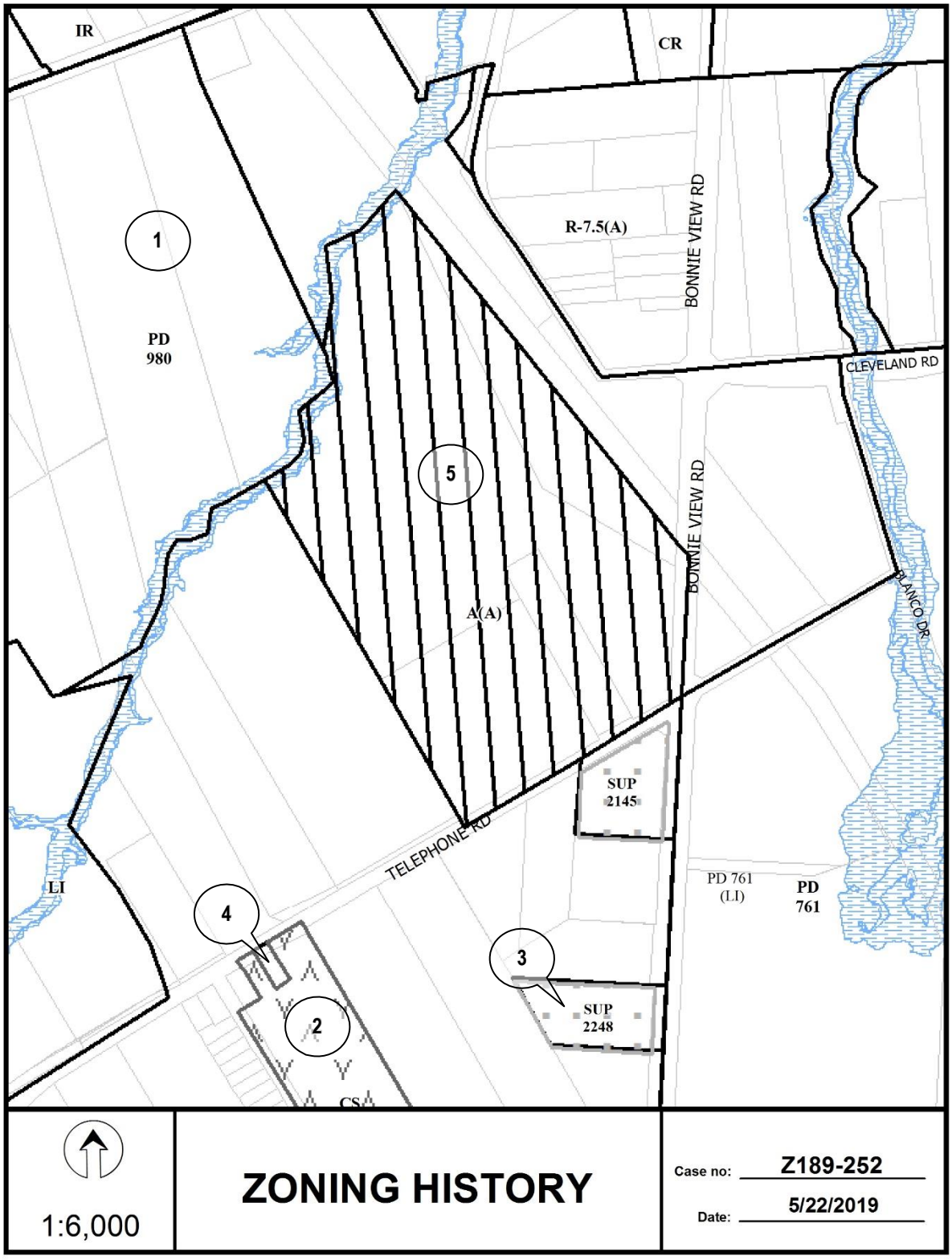
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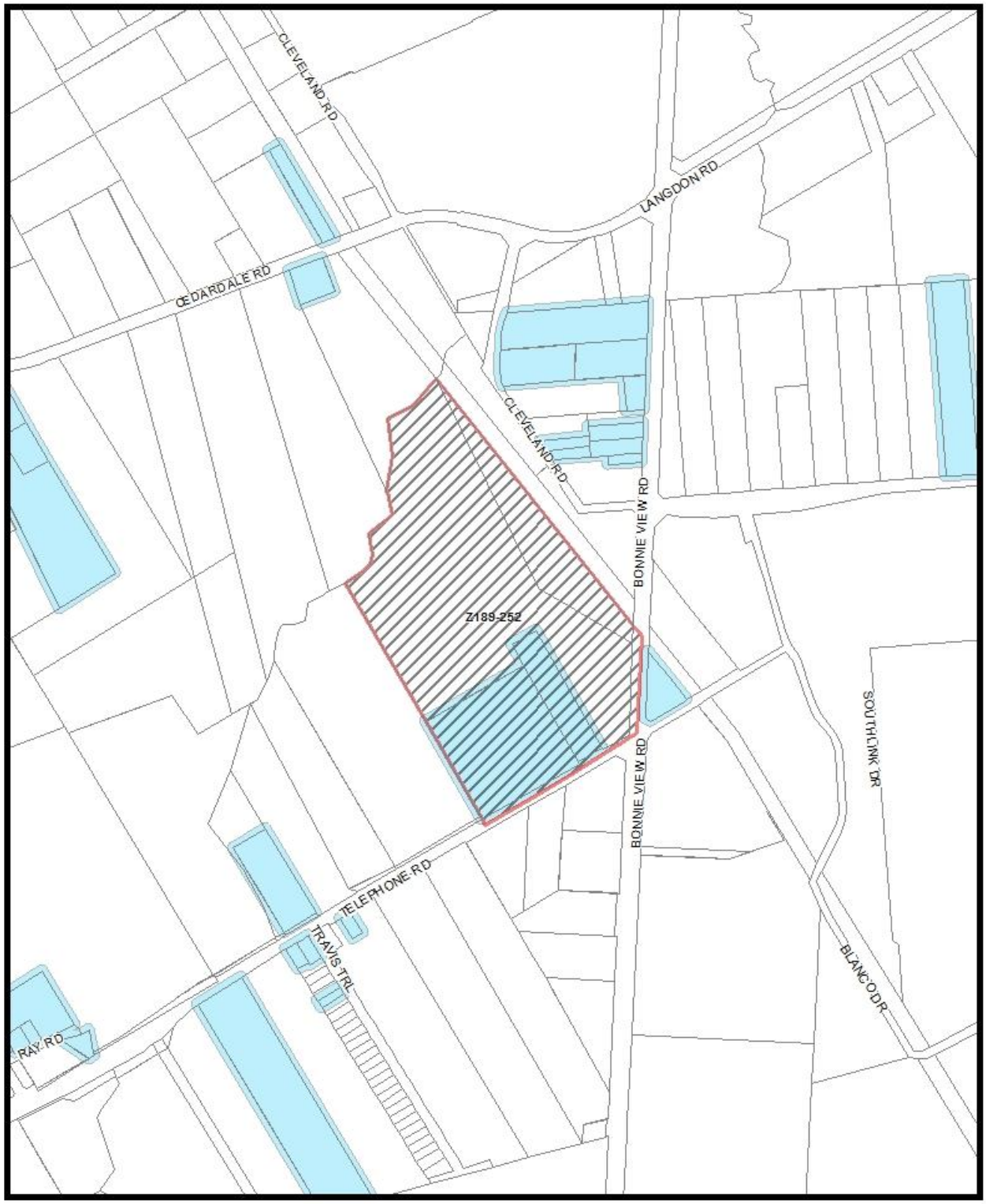
AERIAL MAP

Case no: Z189-252

Date: 5/22/2019


IR
CR
R-7.5(A)
BONNIE VIEW RD
PD
980
CLEVELAND RD
BONNIE VIEW RD
A(A)
BLANCO DR
SUP
2145
TELEPHONE RD
LI
PD 761
(LI)
PD
761
SUP
2248
CS
1:6,000
ZONING
AND LAND USE
Case no: Z189-252
Date: 5/22/2019


IR
CR
1
PD
980
R-7.5(A)
BONNIE VIEW RD
CLEVELAND RD
5
A(A)
BONNIE VIEW RD
BLANCO DR
SUP
2145
TELEPHONE RD
LI
PD 761
(LI)
PD
761
4
3
SUP
2248
2
CS
1:6,000
ZONING HISTORY
Case no: Z189-252
Date: 5/22/2019



MVA Cluster A B C D E F G H I NA

1:8,400

Market Value Analysis

Printed Date: 5/22/2019

CPC RESPONSES



Reply List of Property Owners

Z189-252

27Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4243	CLEVELAND RD	SKIEF CLEMMIE
	2	4125	TELEPHONE RD	SKIEF CLEMMIE
	3	4200	CLEVELAND RD	SKIEF CLEMMIE
	4	8900	BONNIE VIEW RD	LINICOMN VERNON
	5	9100	TELEPHONE RD	TEXAS UTILITIES ELEC CO
	6	4200	CLEVELAND RD	KAMY REAL PPTY TRUST
	7	4100	CLEVELAND RD	BUCKELEW UTILITIES INC
	8	8625	BONNIE VIEW RD	FLORES MIGUEL
	9	4188	CLEVELAND RD	BANKS WILFRED JR
	10	4101	CLEVELAND RD	ARNOLD RODNEY B
	11	8825	BONNIE VIEW RD	COLEMAN JANICE
	12	8821	BONNIE VIEW RD	SALAZAR SAQUEO & PATRICIA
	13	4241	CLEVELAND RD	HARDMON ADDYS
	14	8829	BONNIE VIEW RD	GUEVARA FIDEL
	15	8837	BONNIE VIEW RD	MITCHELL ANDRE D &
	16	4000	LANGDON DR	DLH LOGISTICS LLC
	17	4041	TELEPHONE RD	ADAMS JOHN H
	18	4200	CLEVELAND RD	SKIEF CLEMMIE
	19	3900	CEDARDALE RD	CEDARDALE PHASE I LLC
O	20	4100	TELEPHONE RD	FENNER PAT &
	21	4333	TELEPHONE RD	STAFFORD KATHLEEN
	22	3400	CEDARDALE RD	MARTINEZ FERNANDO
O	23	4050	TELEPHONE RD	FENNER PAT
	24	4200	TELEPHONE RD	SOTO JUAN CARLOS CRUZ
	25	4130	TELEPHONE RD	BENSON FREDDIE LEE &
	26	4200	TELEPHONE RD	GARCIA JAIME

07/10/2019

Reply	*Label #*	*Address*		*Owner*
	27	9300	BONNIE VIEW RD	NOSHAHI MOHAMMAD H

Agenda Information Sheet

File #: 19-1171 **Item #:** 75.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Commercial amusement (outside) on property zoned Subarea A within Planned Development District No. 741, on the northeast line of Olympus Boulevard, between Wharf Road and Cypress Waters Boulevard
Recommendation of Staff and CPC: Approval for a two-year period, subject to site plan and conditions
Z189-265(CT)

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HONOARABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-265(CT) **DATE FILED:** May 2, 2019

LOCATION: Northeast line of Olympus Boulevard, between Wharf Road and Cypress Waters Boulevard

COUNCIL DISTRICT: 6 **MAPSCO:** 11A L

SIZE OF REQUEST: ±6.23 acres **CENSUS TRACT:** 141.27

OWNER: The Neighborhoods of Cypress Waters Association, Inc.

APPLICANT: BDDC, Inc.

REPRESENTATIVE: Bradley J. Moss

REQUEST: An application for a Specific Use Permit for a Commercial amusement (outside) on property zoned Subarea A within Planned Development District No. 741.

SUMMARY: The purpose of this request is to allow for an outdoor event space to include a 2,002-square-foot stage to accommodate events such as concerts, festivals, charity races, movie nights, and BOHO markets.

CPC RECOMMENDATION: **Approval** for a two-year period, subject to site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- PDD No. 741 was established by Ordinance No. 26233, passed by the Dallas City Council on January 25, 2006.

- On October 8, 2014, the City Council approved an expansion of Subareas A-1 and A-2 of Planned Development District No. 741 onto property zoned an A(A) Agricultural District, to incorporate Subareas F and G into Subarea A-2 of Planned Development District No. 741, and to terminate Specific Use Permit No. 1806 for gas drilling and production. Subsequent to that request, on February 24, 2016, the City Council also approved an amendment to the development and landscape plans on property zoned Subarea A-2 of Planned Development District No. 741.

- On July 21, 2016, the City Plan Commission approved a request to waive the two-year waiting period to allow for the submittal of an application to create Subarea A within Planned Development District No. 741 by combining Subareas A-1, A-2 and H.

- On September 28, 2016, the City Council approved an amendment to Planned Development No. 741 to expand Subarea A by incorporating 36.984 acres of land reclaimed from North Lake and all four acres of Subarea H.[Z156-296]

- The area of request is currently developed with a 2,002-square-foot stage and hardscape.

Zoning History: There have been two zoning changes in the surrounding area in the past five years including the area of request.

1. **Z189-135** On March 27, 2019, City Council approved a request for a Specific Use Permit for a winery on property zoned Subarea A within Planned Development District No. 741.

2. **Z156-296** On September 28, 2016, City Council approved an amendment to Planned Development No. 741 to expand Subarea A by incorporating 36.984 acres of land reclaimed from North Lake and all four acres of Subarea H.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Cypress Waters Boulevard	Local	94 feet
Olympus Boulevard	Local	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

URBAN DESIGN

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Land Use
Site	PD 741 – Subarea A	Outdoor Event Space
North	PD 741 – Subarea A	Restaurant w/o drive-in or drive-through window North Lake
East	PD 741 – Subarea A	Undeveloped
South	PD 741 – Subarea A	Office
West	PD 741 – Subarea A	Restaurant, Office, Multifamily

Land Use Compatibility:

The approximate 6.23-acre site is zoned Subarea A within Planned Development District No. 741 and is currently developed with an outdoor event space with a 2,002-square-foot stage and hardscape.

The applicant has improved the site with a 2,002-square-foot stage and hardscape to accommodate event patrons. The event space plans to serve as an entertainment option for "The Sound at Cypress Waters" development located within Planned Development District No. 741. Proposed events include concerts, festivals, charity race, movie nights and Boho markets.

Uses surrounding the area of request include restaurant and a multi-tenant office building to the south of the property, restaurant and multifamily uses are to the west. Undeveloped land to the east and North Lake to the north of the area of request. Much of the area surrounding the subject site is under construction.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

In general, the applicant's request is consistent with the existing zoning, the general provisions for a Specific Use Permit and is not foreseen to have a negative impact on the surrounding properties. Staff recommends approval for a two-year period. This has been the standard for the proposed use and allows for review of the use after the initial two-year period.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request Site is not within an identifiable MVA Category; however, it is in proximity to a "D" MVA Cluster to the southeast across Olympus Boulevard.

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 each use. For a commercial amusement (outside) use, the minimum parking requirement pursuant to the Dallas Development Code may be established by the ordinance granting the SUP, otherwise one space per 200 square feet of floor area, plus one space per 400 square feet of site area exclusive of parking area is required.

Landscaping:

No new development is proposed; therefore, no additional landscaping is required. Any additions to the property that exceed 35 percent of the existing floor area or 2,000 square feet of new non-permeable pavement will require landscaping per Article X of the Dallas Development Code.

CPC ACTION:
JULY 11, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for a Commercial amusement (outside) for a two-year period, subject to a site plan and conditions on property zoned Subarea A within Planned Development District No. 741, on the northeast line of Olympus Boulevard, between Wharf Road and Cypress Waters Boulevard.

Maker: Carpenter
Second: Lewis
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

Notices: Area: 400 Mailed: 10
Replies: For: 0 Against: 0

Speakers: None

List of Officers

The Neighborhoods of Cypress Waters Association, Inc.

Lucy Billingsley, President/Treasurer

Kimberly H. Meyer, Senior Vice President

Kenneth D. Mabry, Senior Vice President/Secretary

Lucilo Pena, Vice President

BDDC, Inc.

Lucilo Pena, President/Treasurer

Lucy Billingsley, Senior Vice President

Kimberly H. Meyer, Senior Vice President

Kenneth D. Mabry, Senior Vice President/Secretary

Lucy Paige Burns, Vice President

George H. Billingsley, Vice President

Summer Billingsley, Vice President

Brett Johnson, Vice President

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is commercial amusement (outside).

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (two-year period from the passage of this ordinance).

4. AREAS: The maximum combined site area and floor area for a commercial amusement (outside) use is 271,522 square feet.

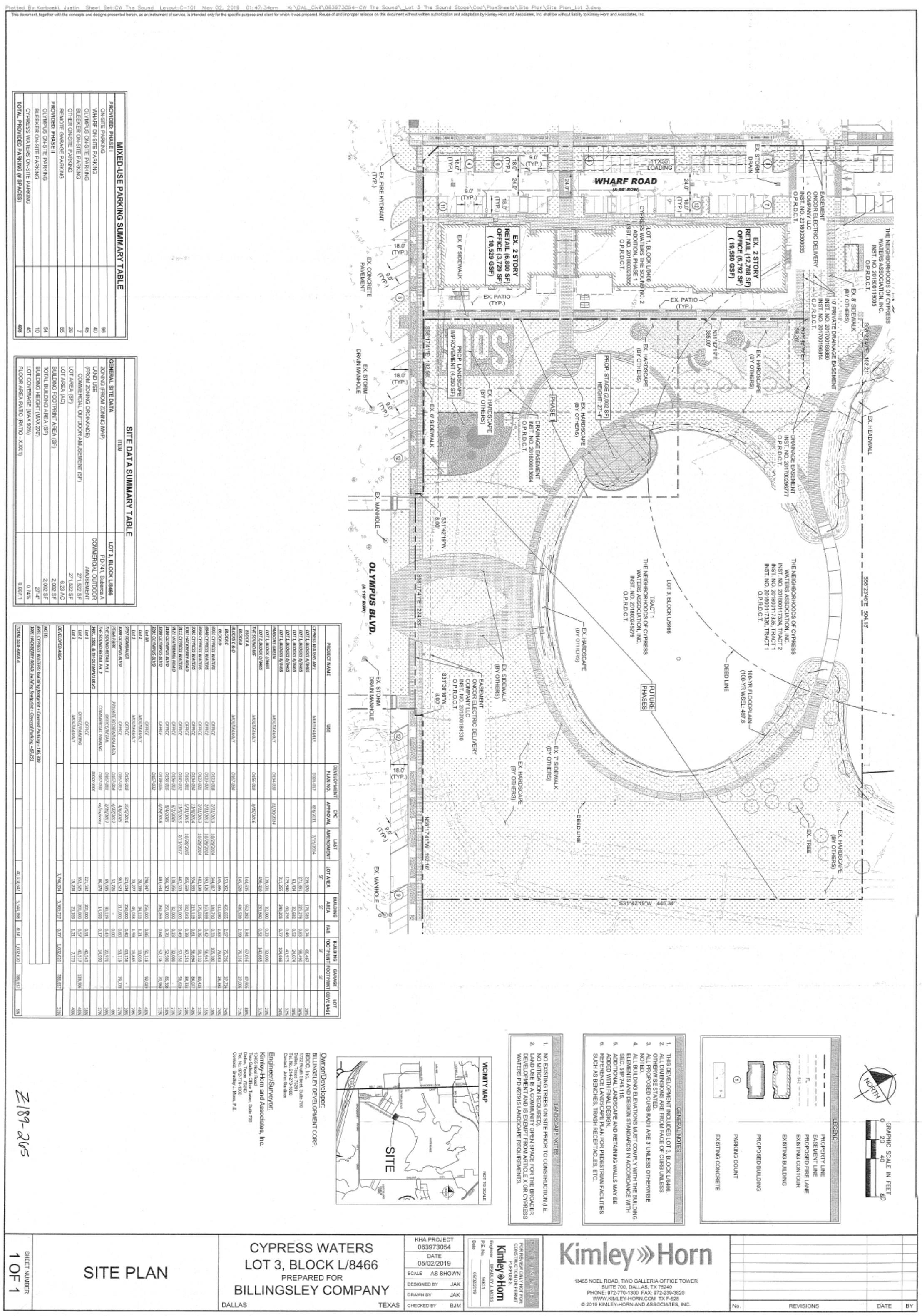
5. PARKING: Parking must be located as shown on the attached site plan.

6. HOURS OF OPERATION: The commercial amusement (outside) use may only operate between the hours of 8 a.m. to 10 p.m.

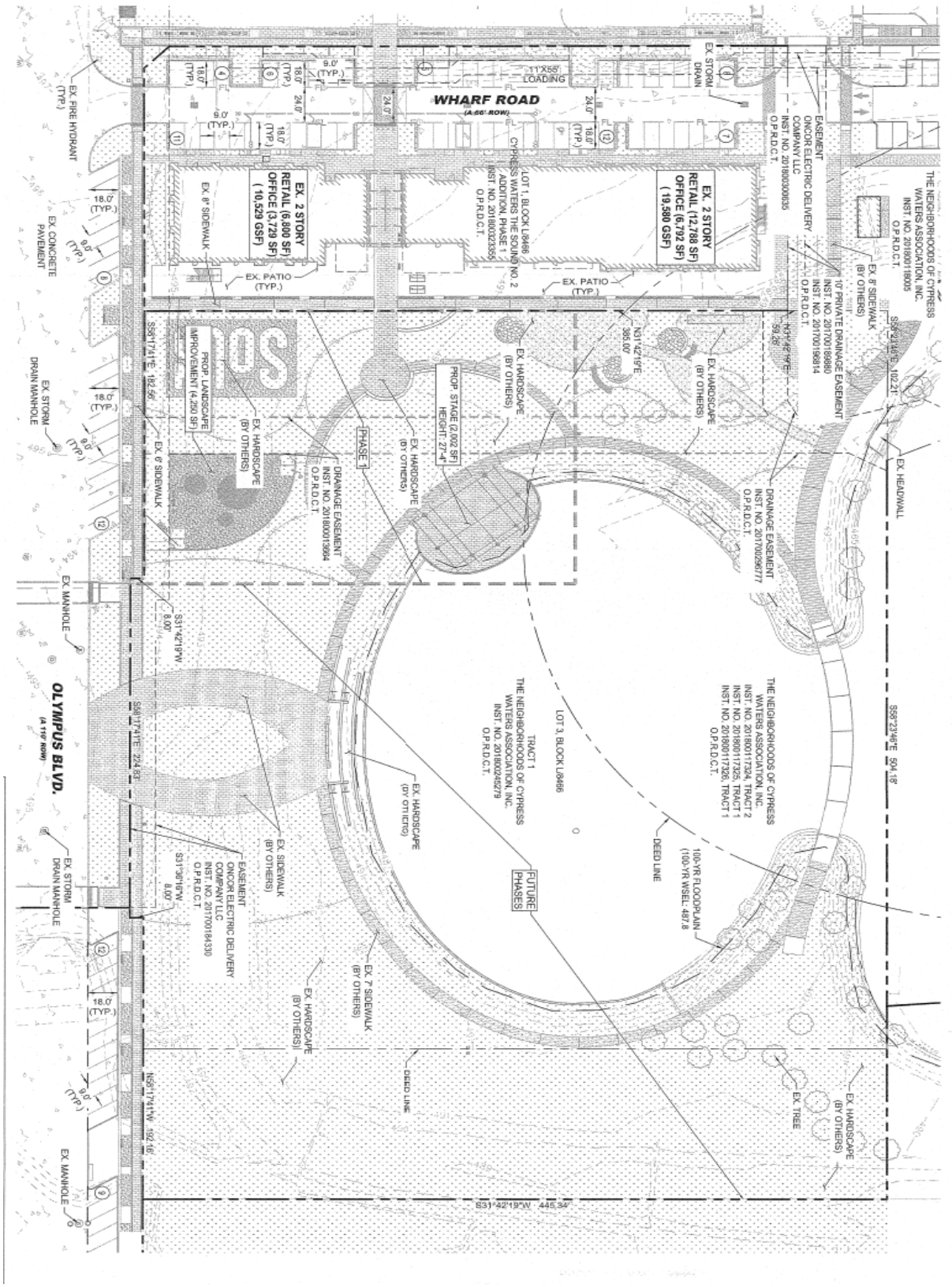
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

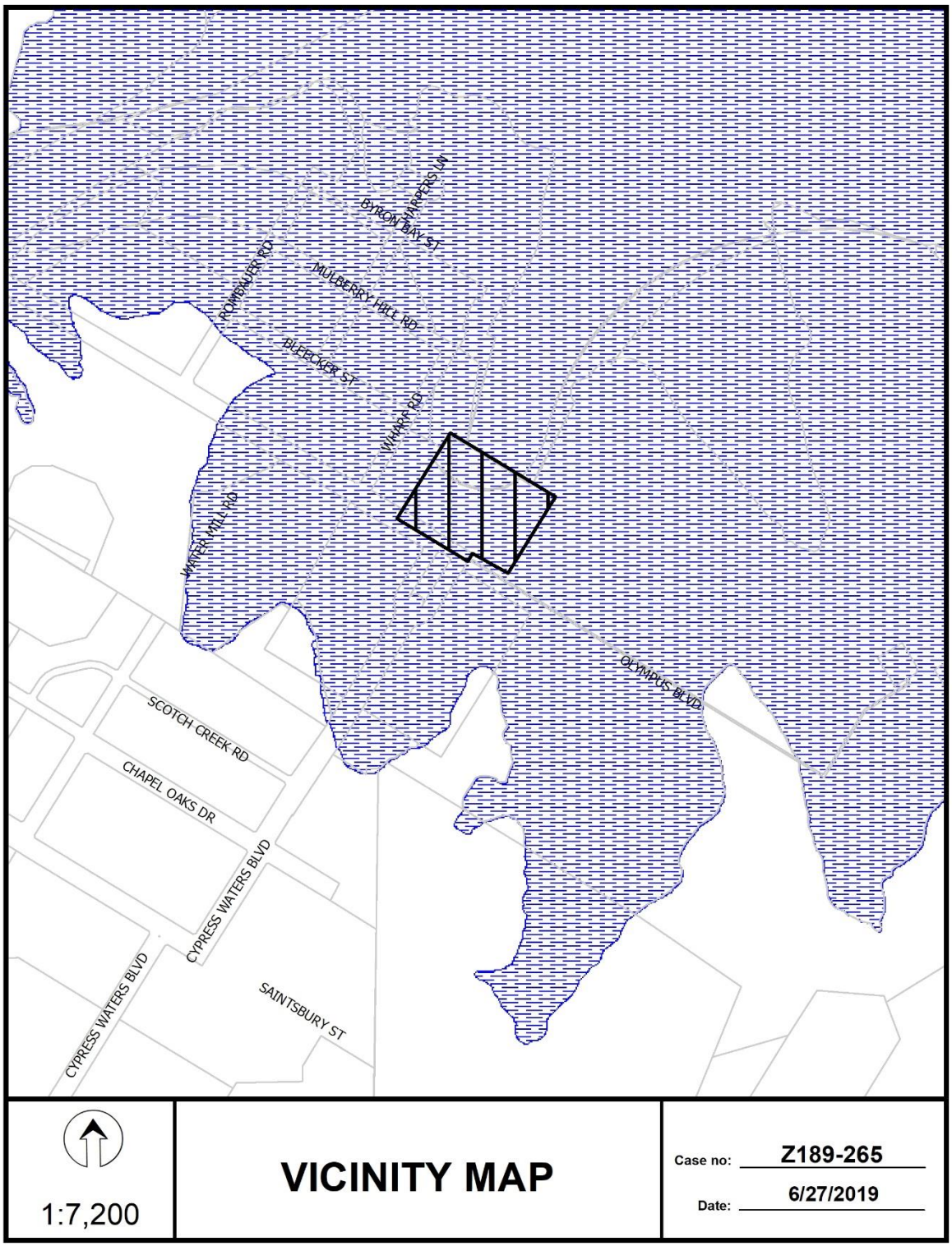
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances rules and regulations of the City of Dallas.

PROPOSED SITE PLAN



PROPOSED SITE PLAN
(Enlarged)




ROMBAUER RD
BYRON BAY ST
HARPERS LN
MULBERRY HILL RD
BLEECKER ST
VINHAP RD
WATER HILL RD
OLYMPUS BLVD
SCOTCH CREEK RD
CHAPEL OAKS DR
CYPRESS WATERS BLVD
CYPRESS WATERS BLVD
SAINTSBURY ST
1:7,200
VICINITY MAP
Case no: Z189-265
Date: 6/27/2019

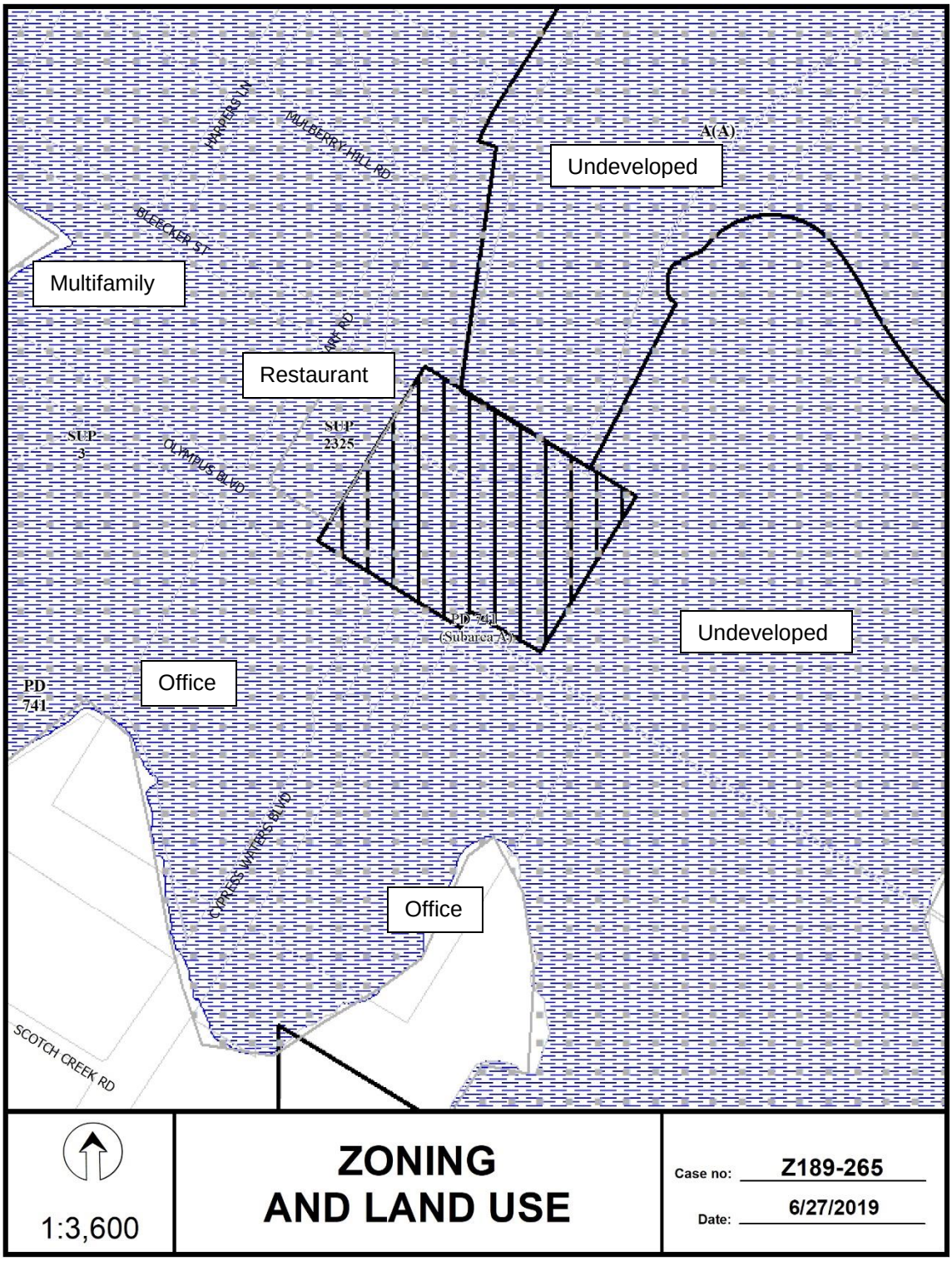


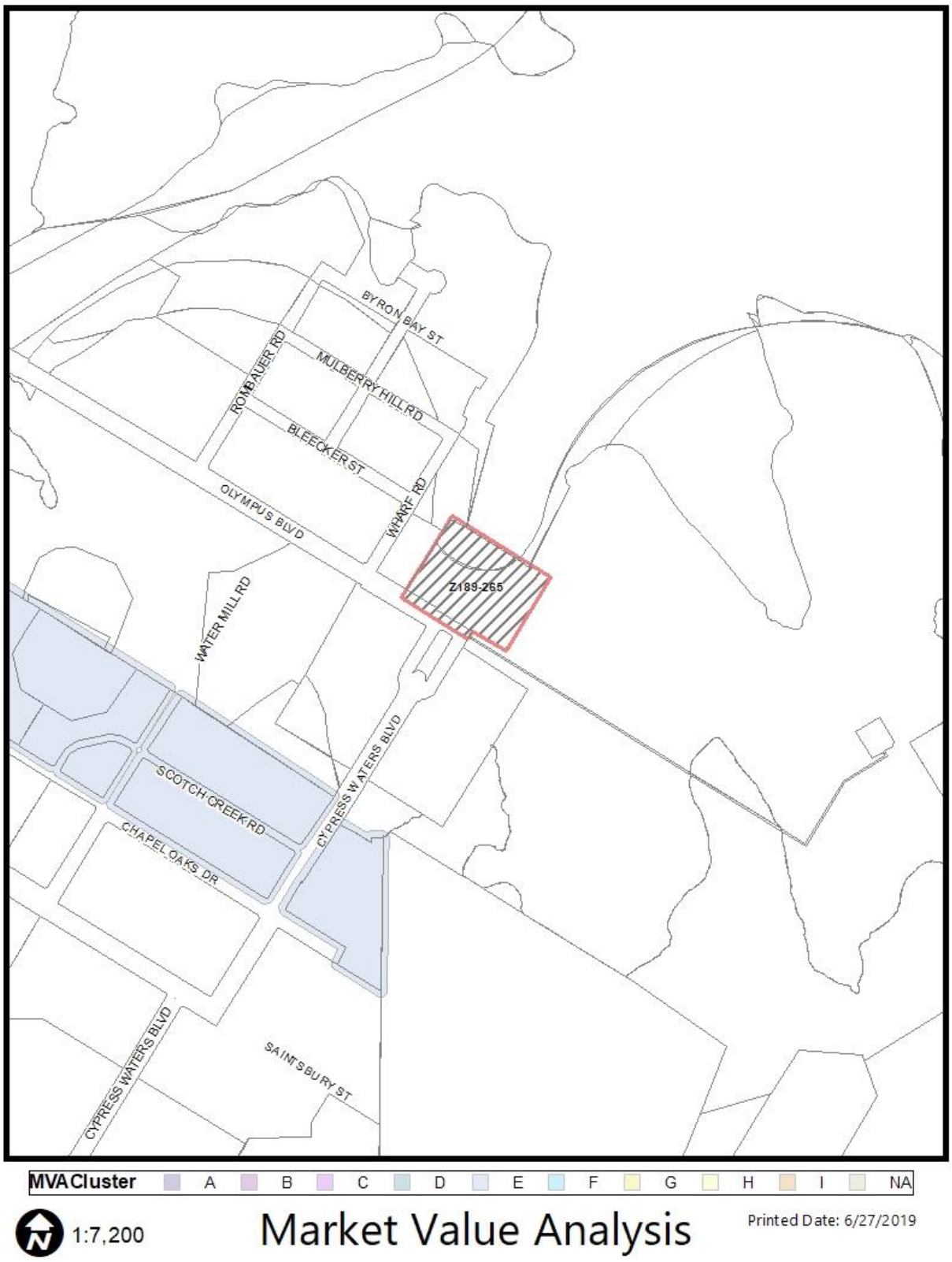
1:3,600

AERIAL MAP

Case no: Z189-265

Date: 6/27/2019


HARPERS LN
MULBERRY HILL RD
BLEECKER ST
Multifamily
A(A)
Undeveloped
Restaurant
SUP
2325
SUP
3
OLYMPUS BLVD
PD 741
(Subarea A)
Undeveloped
PD
741
Office
CYPRESS WATERS BLVD
Office
SCOTCH CREEK RD
1:3,600
ZONING
AND LAND USE
Case no: Z189-265
Date: 6/27/2019


BYRON BAY ST
RONBAUER RD
MULBERRY HILL RD
BLEECKER ST
OLYMPUS BLVD
WHARF RD
Z189-265
WATER MILL RD
CYPRESS WATERS BLVD
SCOTCH CREEK RD
CHAPEL OAKS DR
CYPRESS WATERS BLVD
SAINTSBURY ST
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:7,200
Market Value Analysis
Printed Date: 6/27/2019

CPC Responses



07/10/2019

Reply List of Property Owners

Z189-265

10 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	9000	DYNAMO DR	COPPELL CITY OF
	2	9000	DYNAMO DR	COPPELL CITY OF
	3	9000	DYNAMO DR	CWR3 LAND LTD
	4	3100	OLYMPUS BLVD	CYPRESS WATER LAND A LTD
	5	3000	OLYMPUS BLVD	CWO7 LAND LTD
	6	9000	DYNAMO DR	CWR4 LAND LTD
	7	3100	OLYMPUS BLVD	CWO8 LAND LTD
	8	3090	OLYMPUS BLVD	THE NEIGHBORHOODS OF CYPRESS
	9	3201	OLYMPUS BLVD	CW SHORELINE LAND LTD
	10	9655	WHARF RD	SOUN A LAND LTD

Agenda Information Sheet

File #: 19-1172 **Item #:** 76.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for **(1)** a new subdistrict for a single family use; and **(2)** the reduction of Shopfront Overlay No. 7 on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with an SH Shopfront Overlay, and existing deed restrictions, in an area between North Zang Boulevard and North Beckley Avenue, north of East Neely Street; with consideration being given to and a resolution accepting; **(3)** the termination of existing deed restrictions (Z156-222) and an ordinance granting the reduction of SH Shopfront Overlay No. 7
Recommendation of Staff and CPC: Denial of a new subdistrict for single-family use; approval of the reduction of Shopfront Overlay No. 7; and approval of the termination of existing deed restrictions (Z156-222)
Z178-222(JM/AU)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-222(JM/AU) **DATE FILED:** March 28, 2018

LOCATION: Between North Zang Boulevard and North Beckley Avenue, north of East Neely Street

COUNCIL DISTRICT: 1 **MAPSCO:** 54 D

SIZE OF REQUEST: ±2.146 acres **CENSUS TRACT:** 42.01

APPLICANT/OWNER: Texas InTown Homes, LLC

REPRESENTATIVE: Audra Buckley, Permitted Development

REQUEST: An application for **(1)** a new subdistrict for single family use; and, **(2)** the reduction of Shopfront Overlay No. 7 on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with an SH Shopfront Overlay, and existing deed restrictions, with consideration being given to **(3)** the termination of existing deed restrictions [Z156-222].

SUMMARY: The applicant's initial request for a Planned Development Subdistrict to allow for the construction of a shared access development comprised of a maximum of 54 single family attached dwelling units has changed after discussions with the neighborhood representatives. The applicant is now proposing the reduction of the Shopfront Overlay that would remove the subject site to allow for a strictly residential development, and the termination of the existing deed restrictions which prohibit an apartment development type.

CPC RECOMMENDATION: **Denial** of a new subdistrict for single-family use; **approval** of the reduction of Shopfront Overlay No. 7; and **approval** of the termination of existing deed restrictions (Z156-222).

STAFF RECOMMENDATION: **Denial** of a new subdistrict for single-family use; **approval** of the reduction of Shopfront Overlay No. 7; and **approval** of the termination of existing deed restrictions (Z156-222).

BACKGROUND INFORMATION:

- Planned Development No. 468 was established by City Council on March 12, 1997 and comprises approximately 842 acres. The purpose of PD No. 468 is to provide standards to meet the needs of the Oak Cliff Gateway corridor which has been designated as an area of historical, cultural and architectural importance and significance.

- In February 2009, the City Council approved the creation of Article XIII of the Dallas Development Code, which created the form-based zoning districts. The Form Based Districts provide an additional tool for the implementation of *ForwardDallas!* and create walkable urban neighborhoods where higher density mixed uses and mixed housing types promote less dependence on the automobiles. On June 13, 2018, the City Council approved several amendments to Article XIII.

- On May 13, 2015, the City Council adopted Ordinance No. 29743 which enlarged and amended Planned Development District No. 468 to adopt form district regulations with modifications and created ten Shopfront Overlays.

- The area of request is zoned Subdistrict E within PD No. 468 which is regulated by the WMU-8 Walkable Urban Mixed-Use 8 Form District. WMU-8 District is considered a medium-density district.

- Additionally, the site is a part of Shopfront Overlay No. 7. The Shopfront Overlay is intended to create pedestrian shopping streets through the designation of specific street frontages with development types that support the active use. In addition, a "Primary Street" means the principal frontage for a building site. Any street designated with an SH overlay is a primary street.

- On September 14, 2016, The City Council accepted deed restrictions for an approximately 1.86-acre portion of the request site that prohibit the apartment development type.

- The site is mostly undeveloped, with one single family structure.

- The applicant's initial proposal for a new subdistrict to allow for the construction of 54 townhomes in a shared access development has changed after discussions with the neighborhood representatives. The applicant is now proposing to remove the subject site from the Shopfront Overlay and the termination of the existing deed restrictions to allow for a strictly residential development that can be an apartment type. The applicant is now proposing to develop the same type of residential product that will resemble a townhome development but will comply with the development requirements of the current zoning subdistrict.

- The initial request contained proposed deviations from the townhouse development standards that would increase the maximum allowable height and stories, allow attached front garage access within the shared access easement area, modify the

landscaping requirements, require interior sidewalks, prohibit dumpsters, modify the guest and live/work parking requirements, classify North Beckley Avenue as a secondary street, and add building design standards.

Zoning History

There have been six zoning changes requested in the area during the past five years.

1. Z178-185: On April 25, 2018, the City Council approved a demolition delay overlay district (DDO-3) on area generally bound by the north side of Colorado Boulevard, R.L. Thornton Freeway, both sides of 12th Tyler Street, Page Avenue, Buckalew Street, Brooklyn Avenue, Polk Street, Jefferson Boulevard, 10th Street, both sides of Marlborough Avenue, both sides of David Street, both sides of Woodlawn Avenue, both sides of Neches Street, both sides of Bishop Avenue, and Colorado Boulevard.

2. Z167-321: On December 13, 2017, the City Council approved the creation of Subdistrict M on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with a SH Shopfront Overlay, and the termination of existing deed restrictions [Z867-185 No. 3], located on the southeast corner of North Zang Boulevard and East 6th Street.

3. Z167-300: On November 8, 2017, the City Council approved the creation of Subdistrict L on property zoned Subdistrict C within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the southwest corner of North Zang Boulevard and West Neely Street.

4. Z156-222: On September 14, 2016, the City Council approved the creation of Subdistrict K and the reduction of Shopfront Overlay No. 7 on properties zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on property generally on the north side of East Davis Street, between North Zang Boulevard and North Beckley Avenue and on the northeast corner of West Neely Street and North Zang Boulevard.

5. Z145-341: On November 10, 2015, the City Council approved a Demolition Delay Overlay for nearby properties that also included the area of request. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

6. Z134-135: On March 26, 2014, the City Council approved Specific Use Permit No. 2079 for a child-care facility on property zoned Tract 2B in Planned Development District No. 160, on the west side of North Zang Boulevard, north of West Canty Street.

Thoroughfares/Streets

Thoroughfare/Street	Type	Existing ROW	Required ROW
North Beckley Avenue	Collector	60 ft.	60 ft.
Zang Boulevard	Minor Arterial	115 ft.	115 ft.
East Neely Street	Abandoned Local	--	--

Traffic

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

The initial request included a revised street section exhibit for the proposed subdistrict. The exhibit showed temporary indented parking along the North Beckley Avenue frontage, thereby expanding the right-of-way as currently required by the Thoroughfare Plan, while not adding a driving lane until a future amendment goes through which is planned to reduce the lanes on North Beckley Avenue from four lanes, to maintain the existing two-lane configuration. This exhibit has been vetted by the Transportation Planning and Engineering Divisions and is in compliance of current requirements and possible future changes to North Beckley Avenue, pending future right-of-way dedications. The new street section is no longer needed as a new subdistrict is not requested.

STAFF ANALYSIS

Comprehensive Plan

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request does not support the following Plan's goals or policies.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC EVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.3 Ensure attractive gateways into the city

NEIGHBORHOOD PLUS AREA PLAN

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

The proposed residential development adds diversity in housing options and types in the area. The applicant's intended residential development that will resemble a townhome product will still maintain the overall scale and character of the neighborhood.

The Oak Cliff Gateway Area is envisioned as a regional town center of Southwest Dallas, characterized by an economically vibrant and environmentally sustainable mix of moderate to high density residential and non-residential land uses, supported by an enhanced system of streets and open spaces. The goals of this special purpose district are as follows:

1) Encourage development that creates a diverse mix of compatible land uses designed to support a pedestrian, bicycle and transit friendly environment, reduce the dominance of visible parking, and reduce environmental impacts.

2) Create a network of well-maintained, publicly accessible open spaces with a range of sizes and functions, designed to enhance the quality of life for the growing resident population and workforce.

3) Create a network of connected streets and pathways designed to enhance the multi-modal accessibility while reducing automobile-dependence through improvements that support pedestrian, bicycle, and transit circulation.

Land Use

	Zoning w/in PD No. 468	Land Use
Site	Subdistrict E, Shopfront 7, WMU-8, DRs	Single Family and Undeveloped Land
North	Subdistrict E, Shopfront 7, WMU-8, DRs	Single Family, Multifamily, Medical Office and Child-care Facility
East	Subdistrict A, RTN	Single Family
South	Subdistrict K, WMU-8	Multifamily and Undeveloped Land
West	Subdistrict B, WR-3	Multifamily, Single Family, Office, and Undeveloped Land

Land Use Compatibility

The 2.146-acre site is largely undeveloped with an exception of a vacant one-story residential structure. The request site is adjacent to a single-family dwelling and multifamily to the north and a vacant lot to the southeast. The area beyond the subject block contains medical offices and a child-care facility to the north; single family uses to the east; multifamily and undeveloped land to the south; and, multifamily, single family, office, and undeveloped land to the west. In addition, the subject site is located within 600 feet of a trolley station (Bishop Arts Station).

The initial request for a new subdistrict within PD No. 468 was intended to provide a townhouse development type and live/work environment within a shared access development. After discussions with the neighborhood representatives, the applicant has changed their initial request and is now proposing a residential development that will resemble a townhome development type and will comply with the existing development standards. The request site is regulated by PD No. 468, the Oak Cliff Gateway Special Purpose District, and Article XIII: Form District. There are two Form District designations on the site, a Walkable Urban Mixed Use (WMU-8) District and a Shopfront Overlay.

The Walkable Urban Mixed Use (WMU-8) District is intended to accommodate a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment. The Shopfront (-SH) Overlay is intended to create pedestrian shopping streets through the designation of specific street frontages with development types that support active uses. The WMU-8 District permits a maximum height of 125 feet and eight stories. The townhouse development type permits a maximum height of 50 feet and three-and-a-half stories.

The proposed development will not have retail activities on the ground level which is why the Shopfront Overlay has been requested to be removed from the site. While the proposed use is not mixed in nature, the site would contribute to the overall mix of uses in the surrounding area.

The initial proposal included a new subdistrict with the following deviations from the townhouse development standards:

- To allow encroachments up to four feet into the five-foot minimum required front yard for awnings, canopies, cantilevered roof eaves and ordinary architectural projections.

- An increase from three-and-a-half stories and 50 feet-in-height to four stories and 55 feet-in-height, plus four feet-in-height for parapet walls is requested.

- To allow attached garage access from the front of the structure, within the shared access easement.

- To modify the shared access development landscaping standards to apply the Article X requirements rather than Article XIII.

- To add a minimum of four-foot wide interior sidewalks as shown on the proposed development plan because typically a shared access development is not required to provide sidewalks within the shared access area.

- To prohibit the use of dumpsters.

- To require 0.30 guest parking for the shared-access development rather than 0.25 guest parking spaces per dwelling unit.

- To decrease the threshold to require parking for a live/work unit from one per 1,000 square feet for the nonresidential component, to one per 500 square feet.

- To designate North Beckley Avenue as a secondary street to allow the indented parking along North Beckley Avenue.

- To add building design standards regarding glass reflectivity and prohibited materials.

Considering the fact that the applicant's initial proposal for a new subdistrict to allow for the construction of 54 townhomes in a shared access development has changed after discussions with the neighborhood representatives and that the applicant is now proposing the removal of the Shopfront Overlay from the request site and the termination of the existing deed restrictions to allow for a strictly residential development, staff does not believe the request for a new subdistrict is needed. If this part of the request is denied, the applicant will still be able to develop the site according to the uses and standards allowed by right in PD No. 468, Subdistrict E.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policymakers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site and properties to the west are located within Category C. Properties to the east are within Category F. Finally, properties to the north and south are unclassified.

Parking

Considering the change in the applicant's intentions, any proposed development will have to comply with the parking requirements included in the PD No. 468, Subdistrict E. PD No. 468, Subdistrict E includes requires for residential development one parking space per one-bedroom or smaller multifamily living unit, two spaces per two-bedroom or larger multifamily living unit.

However, the initial request for a shared-access development type proposed two tandem parking spaces per dwelling unit, as allowed by Article XIII, to a total of 108 tandem parking spaces for the 54 dwelling units proposed, which exceeded the minimum required one parking space per dwelling unit per Sec. 51A-4.112.

Additionally, the PD No. 468 parking requirement for a live/work unit is one space per live/work unit. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use. Off-street loading is not required. The applicant initially proposed to decrease the threshold for requiring parking for a live/work unit from 1,000 square feet for the nonresidential component, to 500 square feet, to avoid any potential parking conflicts.

Finally, in a shared access development, Sec. 51A-4.411 requires 0.25 unassigned parking spaces for guest parking. The initial request included a requirement for 0.30 guest parking for the shared-access development rather than 0.25 guest parking spaces per dwelling unit and proposed a total of 17 guest parking spaces according to the initial development plan.

Landscaping

Considering the change in the applicant's intentions, any proposed development will have to comply with the landscaping requirements included in the PD No. 468, Subdistrict E and Article XIII.

The applicant's initial proposal included a landscape plan that the City Arborist considered an acceptable alternative from the standard requirements of PD No. 468 and Article XIII. Overall, the applicant initially has chosen to modify the shared access development landscaping standards to apply the Article X requirements rather than Article XIII. The proposal was for the lesser standard of one tree per 4,000 square feet of site area, as required in Article X that would have led to a significant decrease in trees for the site from 54 to 27. However, according to the landscape plan, an additional 27 large trees were to be provided as street trees, plus 70 shrubs, and groundcover/sod. A combined total of 54 trees were proposed and a landscape area of 18 percent of the overall development site.

CPC Action
July 11, 2019

Motion: It was moved to recommend 1) **denial** of a new subdistrict for a single- family use; 2) **approval** of the reduction of the Shopfront Overlay No. 7; and 3) **approval** of the termination of existing deed restrictions [Z156-222] on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with an SH Shopfront Overlay, and existing deed restrictions [Z156-222], between North Zang Boulevard and North Beckley Avenue, north of East Neely Street.

Maker: MacGregor
Second: Shidid
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 121
Replies: For: 0 Against: 0

Speakers: For: Audra Buckley, 1414 Belleview St., Dallas, TX, 75215
Against: Jared Adams, 724 N. Beckley Ave., Dallas, TX, 75203

LIST OF OFFICERS

Texas Intown Homes, LLC

Frank Liu – Manager
Helen Ghozali – Manager
Ming Liu - Manager

Deed Restrictions to be Terminated

161480

DEED RESTRICTIONS

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

I.

The undersigned, Dallas County Schools ("the Owner"), is the owner of the following described property ("the Property"), being all of Lots 1A, 3, and 4 of Block C/3369, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Agreed Final Judgement, dated August 25, 2011, and recorded in Instrument Number 201100232217 in the Deed Records of Dallas County, Texas; that same tract of land conveyed to the Owner by Dallas City Homes, by deed dated October 15, 2008, and recorded in Instrument Number 20080333319; and that same tract of land conveyed to the Owner by Sherriff's Deed dated June 22, 2010, and recorded in Instrument Number 201000315620 and 201000315621.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The following Development Type is not permitted:

-- Apartment.

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

APPLICANT'S INITIAL PROPOSED PD CONDITIONS

Note:
Subsequent to the initial submittal that contained a request for a new subdistrict, the applicant indicated he no longer wants the proposed new subdistrict. The conditions are being provided in the case report due to the request for a new subdistrict being the applicant's official request. CPC did not recommend approval of the proposed conditions.

SEC. 51P-468.109. SUBDISTRICT X

(a) Development plan.

Development and use of the Property in Subdistrict X as a Shared Access Development must comply with the Subdistrict X development plan (Exhibit 468.X). If there is a conflict between the text of this article and the Subdistrict X development plan, the text of this article controls.

(b) Main uses permitted. The following uses are the only main uses permitted:

(1) Miscellaneous uses.
-- Live/work unit as defined in Section 51P-468.104
-- Temporary construction or sales office.
-- Private recreation club or area

(2) Residential uses.
-- Single-family

(3) Utility and public service uses.
-- Local utilities.

(c) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, see Section 51A-4.217.

(d) 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 Article 13, Section 51A-13.304. Development Types (4) TH. If there is a conflict between this section and Division 51A-13.304, this section controls.)

(1) Setbacks – Shared Access Development.

(A) Zang Boulevard. Minimum setback is five (5) feet. Maximum setback is 15 feet.

(B) North Beckley Avenue. Minimum setback is five (5) feet.

Maximum setback is 15 feet.

(C) Encroachments. Awnings, canopies, cantilevered roof eaves and ordinary architectural projections, may encroach into the minimum setbacks no more than four (4) feet into the building setback as long as the structure is set back a minimum of five (5) feet.

(2) Side and rear yard. Minimum is five (5) feet.

(3) Density. Maximum dwelling unit density is 54 units.

(4) Floor area ratio. No maximum floor area ratio.

(5) Height. Maximum structure height is 55 feet with an additional four feet for parapet walls and roof appurtenances.

(6) Stories. Maximum number of stories above grade is four (4).

(7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. For purposes of lot coverage, this subdistrict shall be treated as one lot.

(8) Lot size. Minimum lot size is 1200 sq. ft.

(9) Garages. Garages must be attached to the dwelling unit.

(e) Shared Access Development.

(1) Lots may have frontage on two opposite sides.
(2) A minimum of 6 feet must be provided by plat between each group of single-family structures.
(3) Shared Access drives must have a minimum pavement width of 20 feet. Pavement width is measured perpendicularly from the edge of the pavement to the opposite edge of the pavement.
(4) Common areas. Mailboxes, water features, pools, pool houses, and accessory structures are allowed in common areas.
(5) Dumpsters. Dumpsters are prohibited.

(f) Off-street parking and loading.

(1) In general. For purposes of off-street parking and loading requirements, this subdistrict may be treated as one lot.

(2) Single-Family. Off- street parking shall be provided at two parking spaces per unit and may be provided in tandem.

(3) Live/work unit. Live/work units are permitted along Zang Boulevard. If the nonresidential component of this use exceeds 500 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use. Off-street loading is not

required.

(4) Guest parking. Guest parking shall be provided at a ratio of 0.30 per unit and those spaces may cross lot lines without the requirement of a vehicular access easement agreement. On-street parking along Zang Boulevard and Beckley Avenue is permitted and may count towards guest parking requirements. Parking may be reduced in accordance with 51A-13.403. Parking Reductions.

(5) Private recreation or club area: No off-street parking required.

(g) Landscaping.

(A) Shared access development. Shared access developments must comply with the following requirements:

(i) Except as follows, a landscape plan meeting the requirements of Section 51A-10.104 and Section 51A-10.123 must be approved before a building permit for grading is issued or a private development contract pursuant to Section 51A-8.612 is approved, in conjunction with construction. Landscape may be provided in phases.

(ii) The minimum required landscape area for a shared access development is determined by the number of individual lots. Landscape areas in individual lots may be included in the total landscape area measurement for developments with a maximum of 54 individual lots. Permeable pavement does not count as landscape area.

(aa) Shared access developments with a maximum of 54 individual lots must provide a minimum landscape area equal to 15 percent of the total shared access development area.

(iii) One site tree must be provided for every 4,000 square feet within the shared access development. The trunk of any site tree must be located at least two-and-one-half feet from any pavement. Site trees must be species listed in the approved tree list. Large or medium nursery stock trees may not be planted within 20 feet on center of the nearest point of an overhead electric line.

(iv) One plant group must be provided for every 40 feet of street frontage. Plant groups may be located within the front yard or parkway if all private licensing requirements of the city code and charter are met. In this subparagraph, parkway means the portion of a street right-of-way between the projected street curb and the front lot line or corner side lot line. If the director determines that a large or medium tree would interfere with utility lines, one substitute small tree from a species listed in the approved tree list may be provided. No street trees are required for Neely Street since it has been abandoned. The plant groups for the other streets are not represented (as below) on the landscape plan. This will need to be addressed before permits or city contracts are issued. The locations for underground utilities should be fully identified on plans to address if any conflicts exist.

(B) Plant groups for shared access developments must include the following:

(i) one large tree and two small trees;

(ii) one large tree and three large evergreen shrubs; or

(iii) one large tree, two small trees, and one large evergreen shrub.

(h) Signs. Signs must comply the provisions for business zoning districts in Article VII.

(i) Sidewalks. Must be provided as shown on the development plan. Interior sidewalks are not required but if provided they shall be a minimum of four (4) feet.

(j) Minor streets and streetscapes. Except as provided in this subsection, Division 51A-13.500, "Minor Streets and Streetscapes," applies. This subsection applies only to new construction.

(1) The block lengths and perimeters requirements in Section 51A-13.502(a) may be broken by ungated shared access easements.

(2) In lieu of compliance with Section 51A-13.503, "Existing Streets," the following street sections must be completed as follows:

(A) West side of Beckley Avenue between abandoned Neely Street and Canty Street. Beckley Avenue shall be considered a secondary street. On-street parking shall be provided in accordance with Mixed Use Streetscape (ST-1) in Article XIII.

(k) Building design standards.

(1) Glass. In this paragraph, GLASS REFLECTIVITY means 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.

(A) For the first and second stories, glass reflectivity may not exceed 15 percent.
(B) For all other stories, glass reflectivity may not exceed 27 percent.

(2) Masonry. Simulated brick and unfinished concrete masonry units are prohibited as facade materials.

(3) Metal. Aluminum siding and reflective metal panels are prohibited.

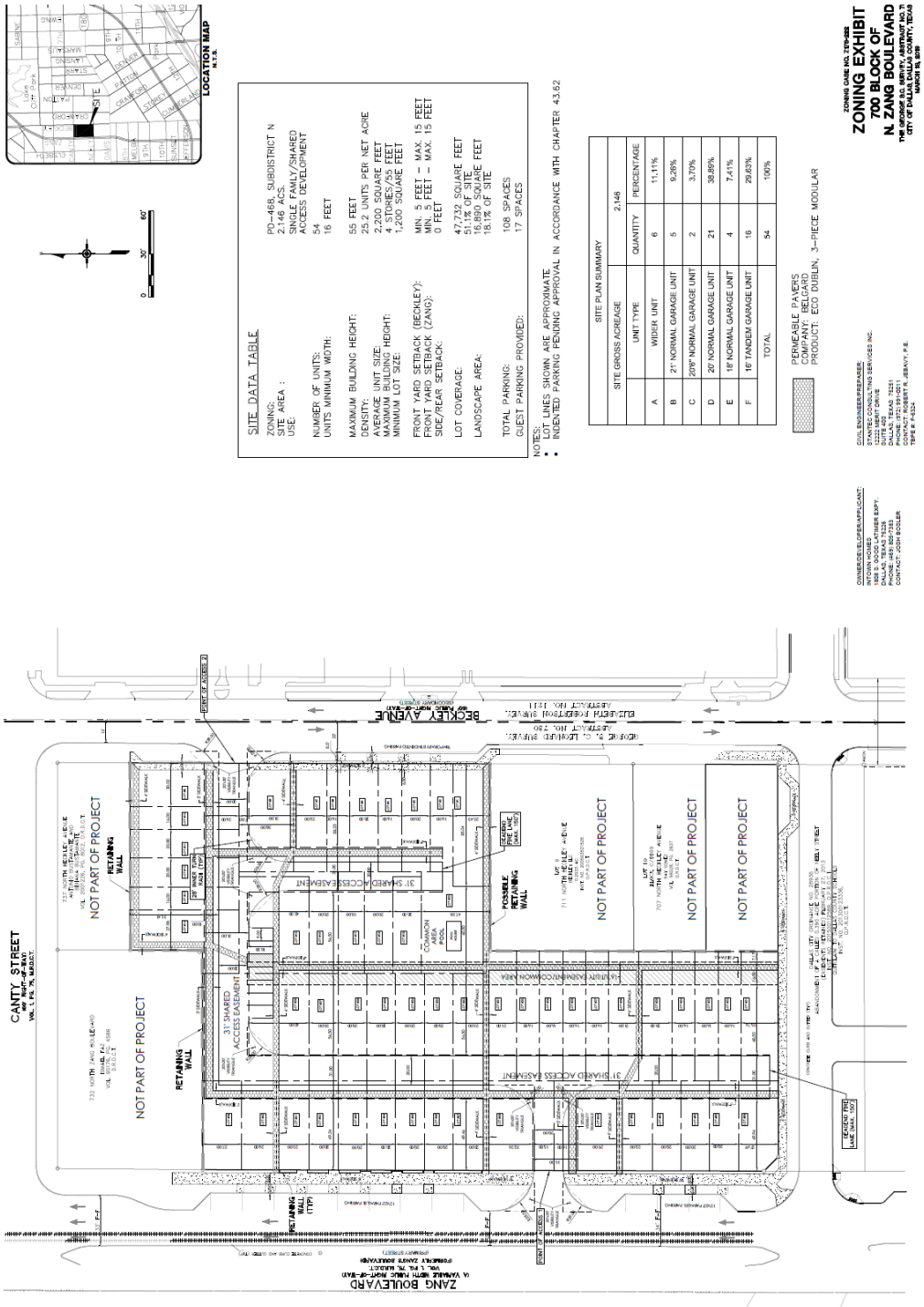
(4) Plastic and vinyl. Plastic siding and vinyl siding are prohibited.

(5) Corner units. Corner units adjacent to Beckley Avenue and abandoned Neely Street shall be constructed to engage the corner as well as the shared access drives.

(6) Beckley Avenue units. Steps shall be provided on all units along Beckley Avenue.

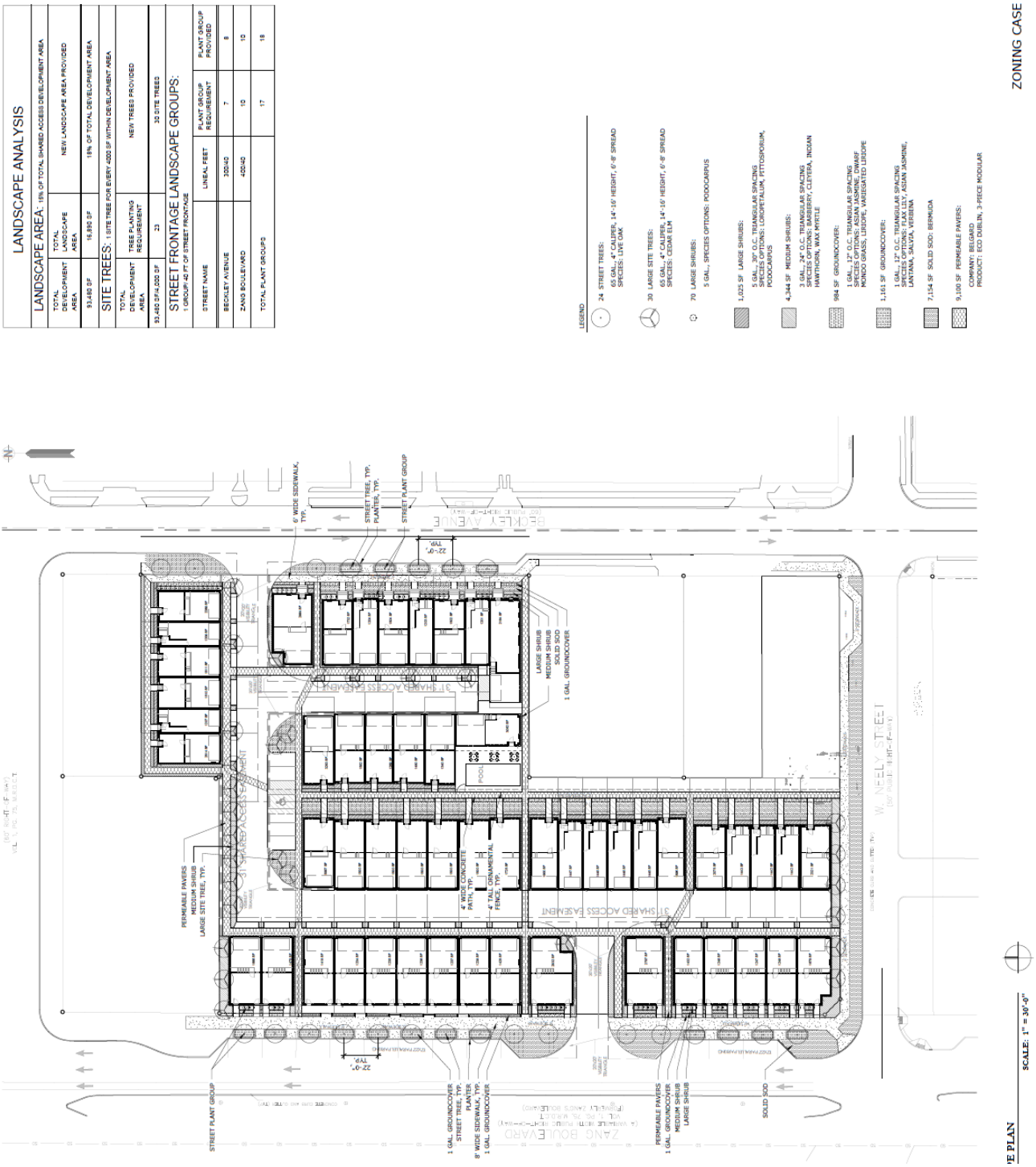
APPLICANT'S INITIAL PROPOSED DEVELOPMENT PLAN

Note:
Subsequent to the initial submittal that contained a request for a new subdistrict, the applicant indicated he no longer wants the proposed new subdistrict. The development plan is being provided in the case report due to the request for a new subdistrict being the applicant's official request. CPC did not recommend approval of the proposed development plan.



APPLICANT'S INITIAL PROPOSED LANDSCAPE PLAN

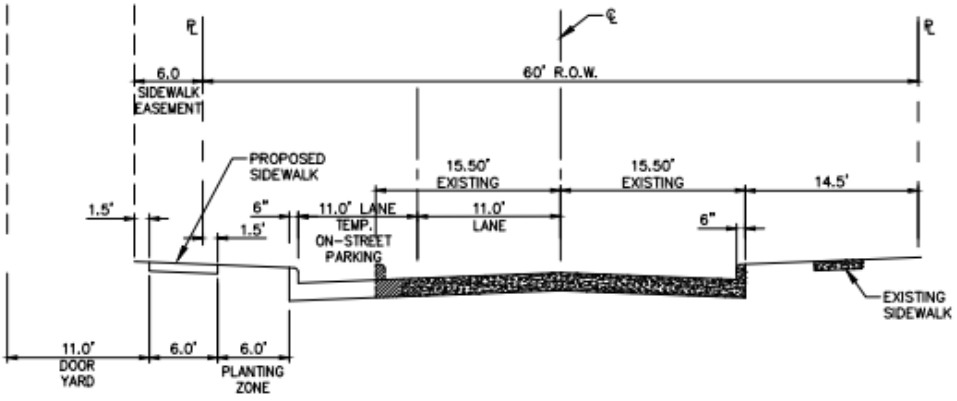
Note:
Subsequent to the initial submittal that contained a request for a new subdistrict, the applicant indicated he no longer wants the proposed new subdistrict. The development plan is being provided in the case report due to the request for a new subdistrict being the applicant's official request. CPC did not recommend approval of the proposed landscape plan.



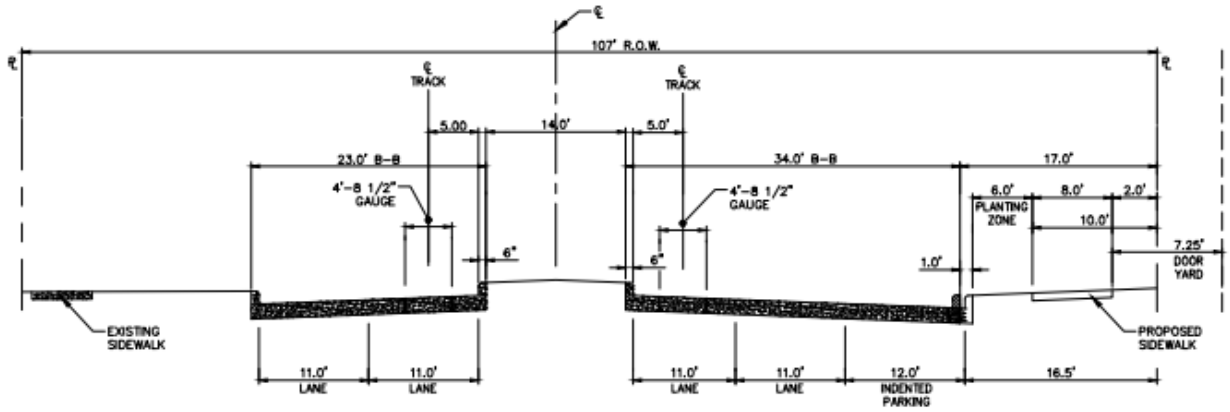
APPLICANT'S INITIAL PROPOSED STREET SECTION EXHIBIT

Note:
Subsequent to the initial submittal that contained a request for a new subdistrict, the applicant indicated he no longer wants the proposed new subdistrict. The development plan is being provided in the case report due to the request for a new subdistrict being the applicant's official request. CPC did not recommend approval of the proposed Typical Street Sections.

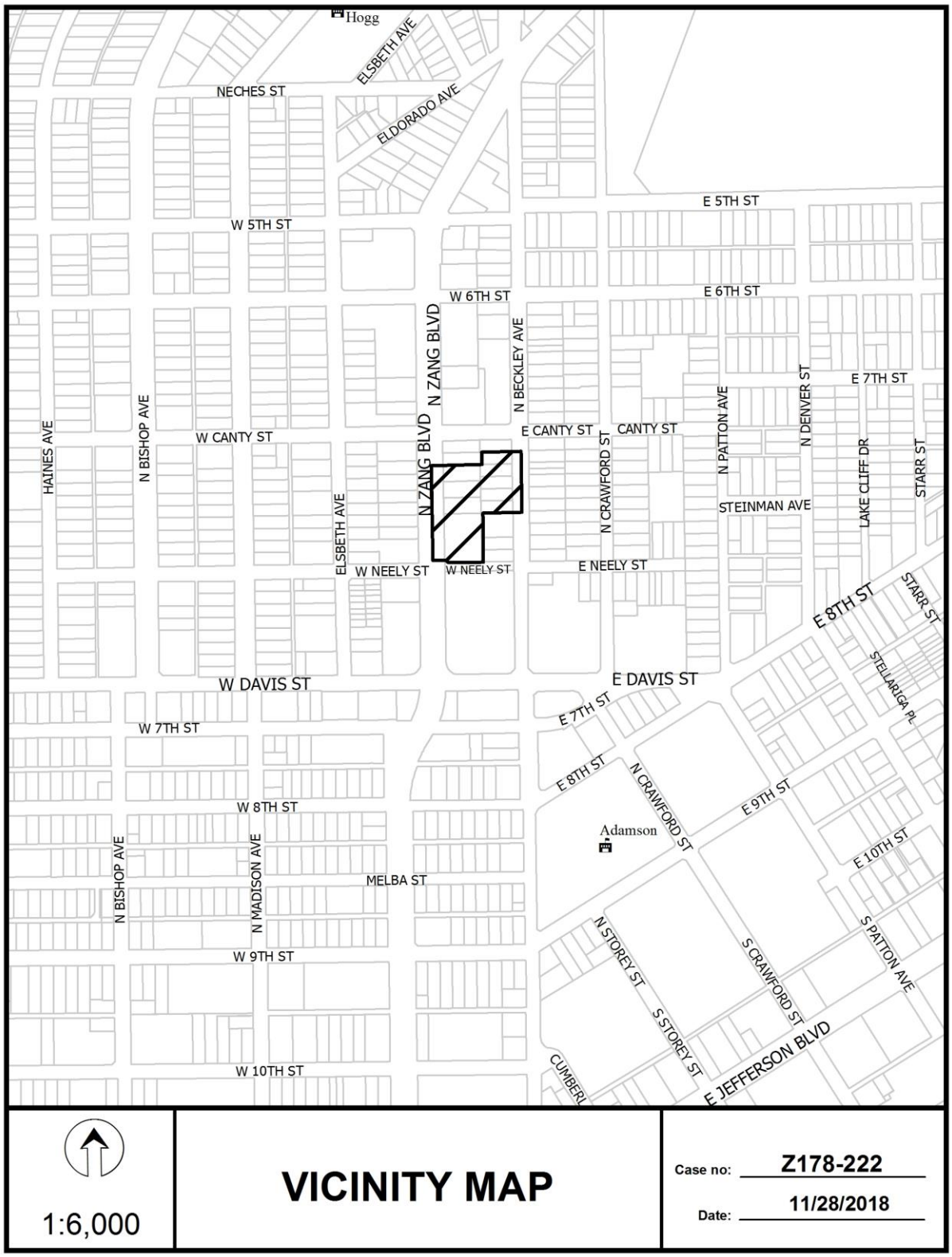
TYPICAL STREET SECTIONS

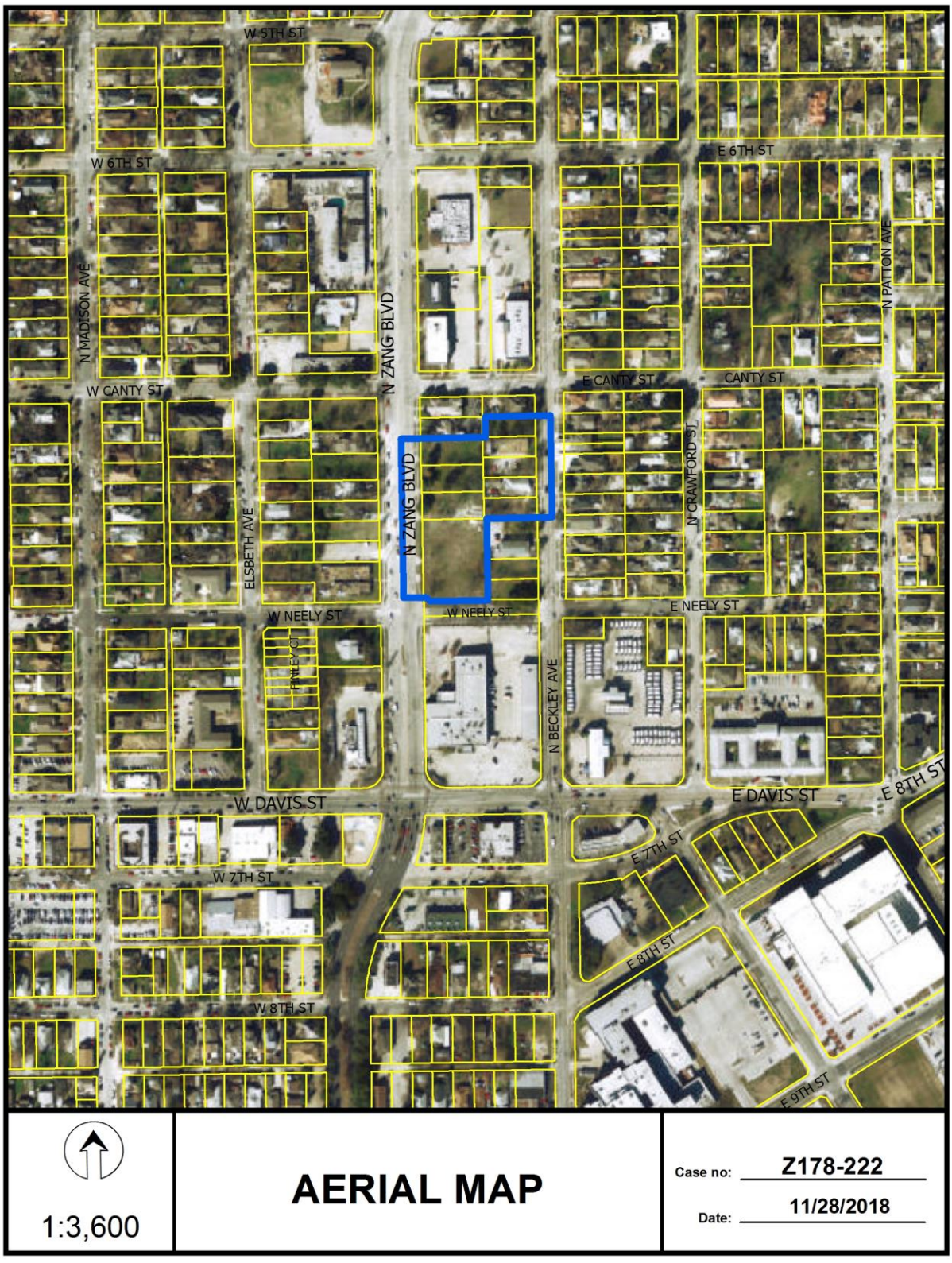


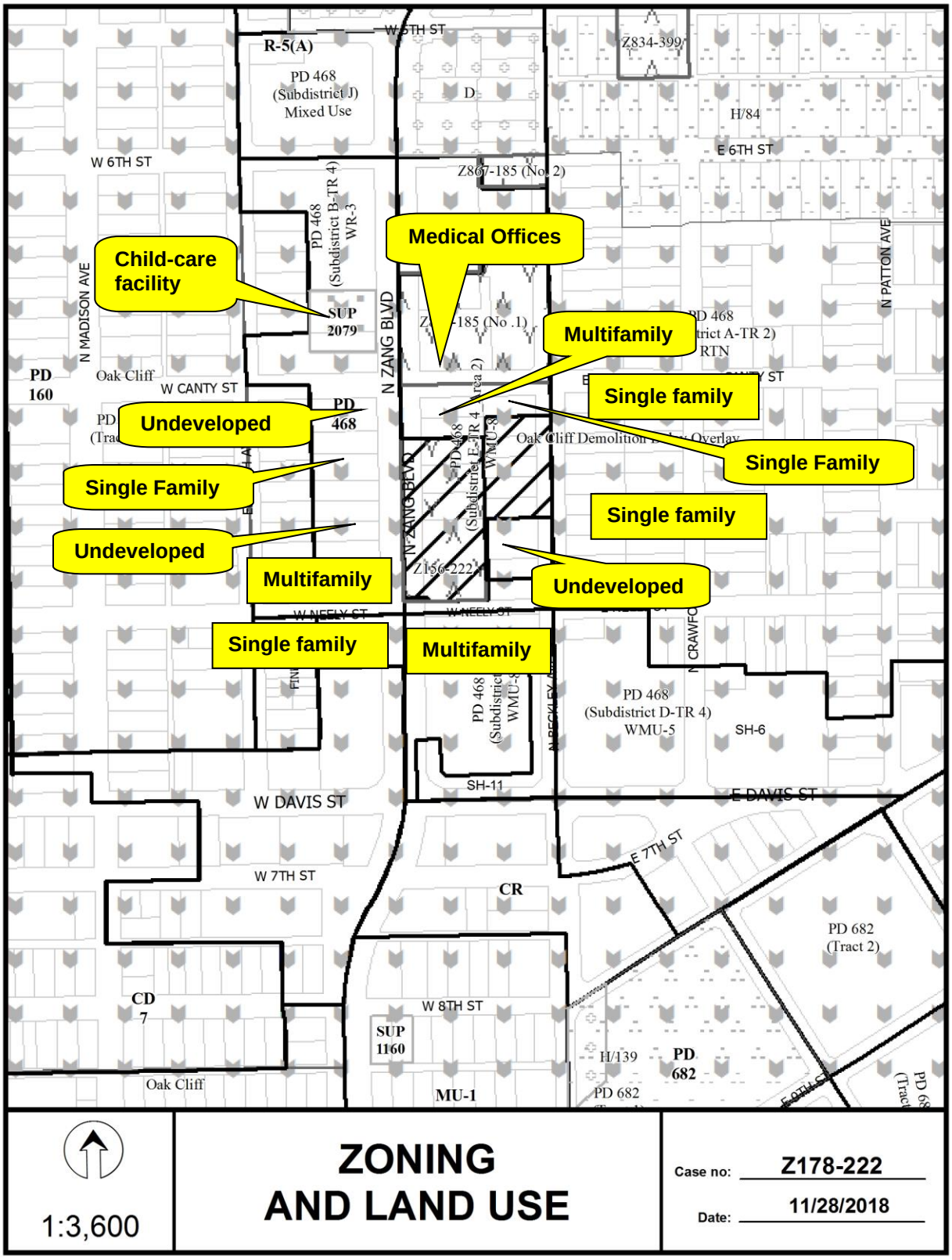
BECKLEY AVENUE
LOOKING NORTH
NTS

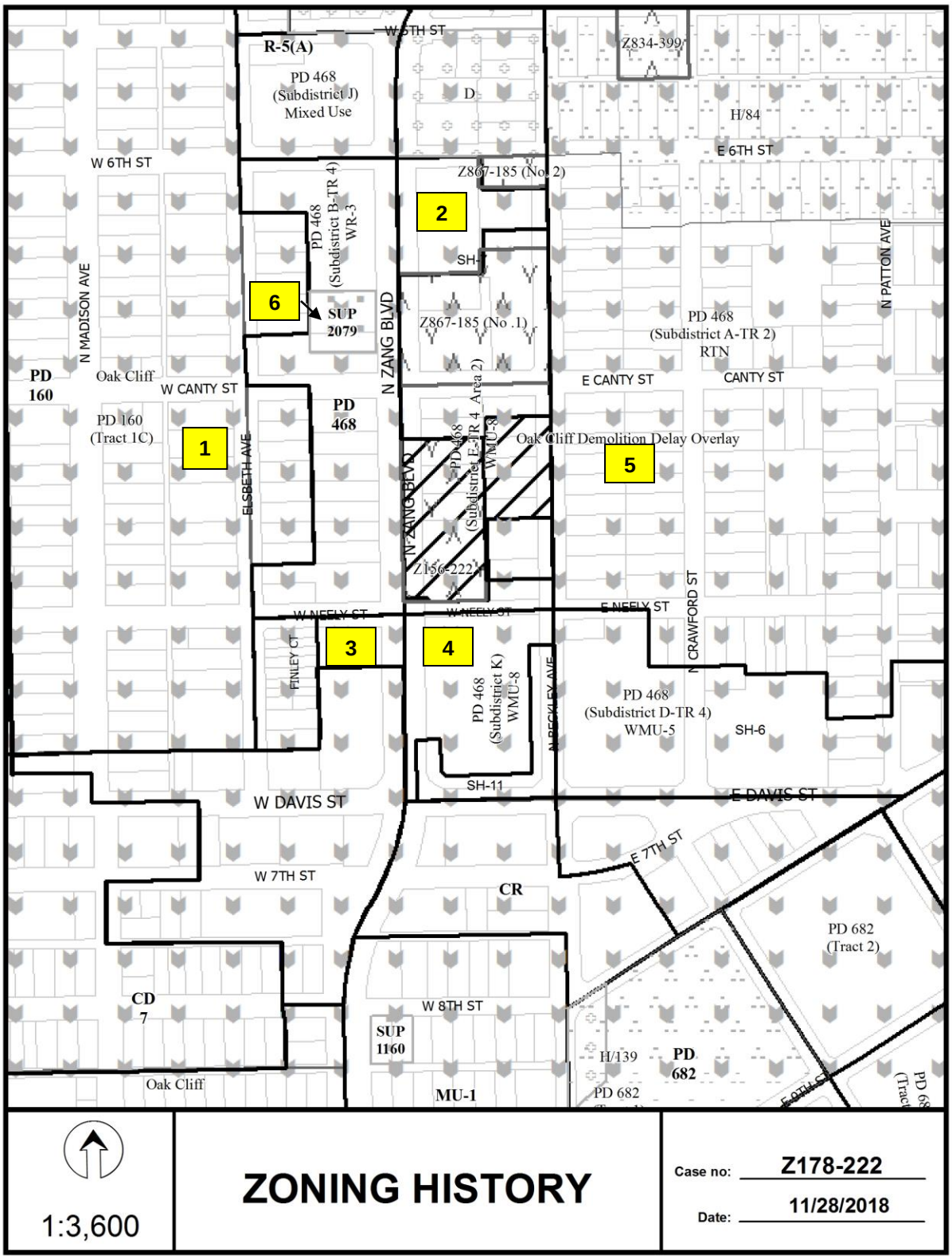


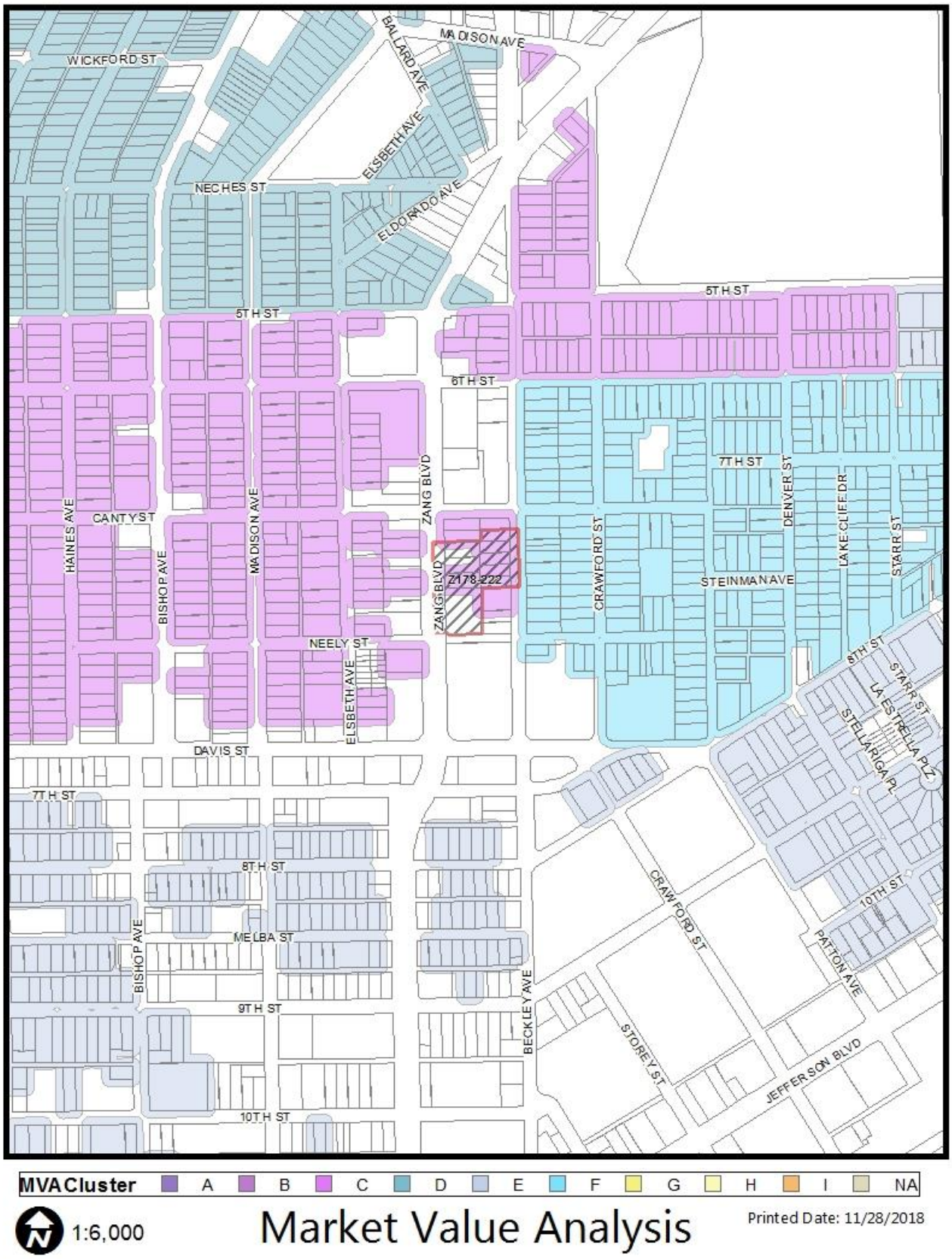
ZANG BOULEVARD
LOOKING NORTH
NTS


Hogg
ELSBETH AVE
NECHES ST
ELDORADO AVE
E 5TH ST
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W 6TH ST
E 6TH ST
N ZANG BLVD
N BECKLEY AVE
E 7TH ST
N PATTON AVE
N DENVER ST
HAINES AVE
N BISHOP AVE
W CANTY ST
E CANTY ST
CANTY ST
N CRAWFORD ST
LAKE CLIFF DR
STARR ST
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ELSBETH AVE
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STELLARIGA PL
W DAVIS ST
E DAVIS ST
E 7TH ST
W 7TH ST
E 8TH ST
N CRAWFORD ST
E 9TH ST
W 8TH ST
Adamson
E 10TH ST
N BISHOP AVE
N MADISON AVE
MELBA ST
N STOREY ST
S CRAWFORD ST
S PATTON AVE
W 9TH ST
S STOREY ST
E JEFFERSON BLVD
W 10TH ST
1:6,000
VICINITY MAP
Case no: Z178-222
Date: 11/28/2018

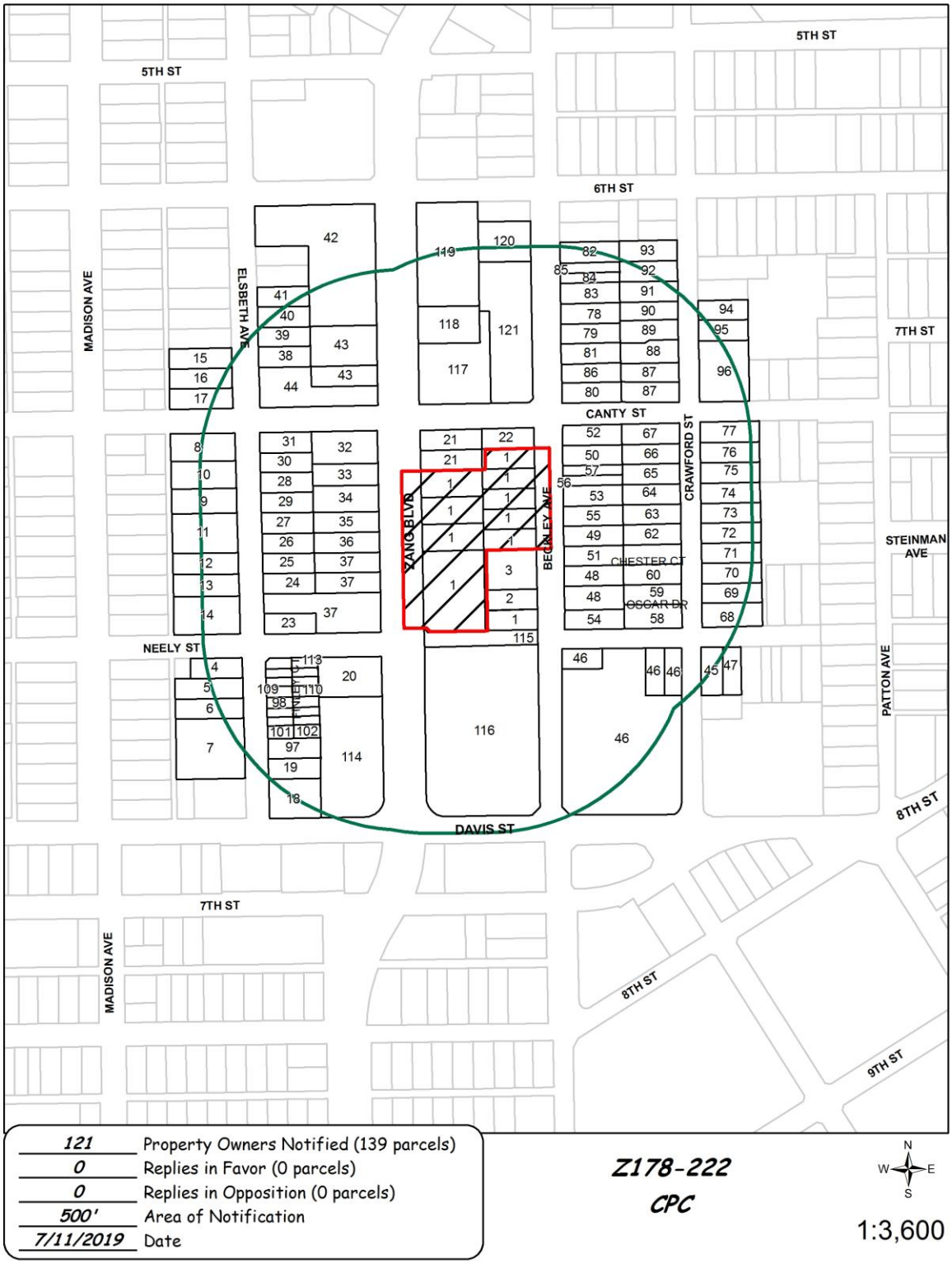

W 5TH ST
W 6TH ST
E 6TH ST
N MADISON AVE
N ZANG BLVD
N PATTON AVE
W CANTY ST
E CANTY ST
CANTY ST
N CRAWFORD ST
ELSBETH AVE
W NEELY ST
E NEELY ST
N BECKLEY AVE
W DAVIS ST
E DAVIS ST
E 8TH ST
E 7TH ST
W 7TH ST
W 8TH ST
E 9TH ST
1:3,600
AERIAL MAP
Case no: Z178-222
Date: 11/28/2018


Child-care facility
Medical Offices
Multifamily
Single family
Undeveloped
Single Family
Single Family
Undeveloped
Single family
Multifamily
Undeveloped
Single family
Multifamily
R-5(A)
PD 468 (Subdistrict J) Mixed Use
W 5TH ST
W 6TH ST
E 6TH ST
H/84
Z834-399
Z867-185 (No. 2)
PD 468 (Subdistrict B-TR 4) WR-3
N MADISON AVE
SUP 2079
N ZANG BLVD
N PATTON AVE
PD 160
Oak Cliff
W CANTY ST
PD 468
PD 468 (Subdistrict A-TR 2) RTN
PD 468 (Subdistrict E-TR 4 WMU-3
Oak Cliff Demolition Delay Overlay
Z156-222
W NEELY ST
N CRAWFORD
PD 468 (Subdistrict D-TR 4) WMU-5
SH-6
SH-11
W DAVIS ST
E DAVIS ST
E 7TH ST
W 7TH ST
CR
PD 682 (Tract 2)
CD 7
W 8TH ST
SUP 1160
H/139
PD 682
MU-1
Oak Cliff
1:3,600
ZONING AND LAND USE
Case no: Z178-222
Date: 11/28/2018


R-5(A)
W 5TH ST
PD 468
(Subdistrict J)
Mixed Use
D
Z834-399
H/84
W 6TH ST
E 6TH ST
Z867-185 (No .2)
PD 468
(Subdistrict B-TR 4)
WR-3
2
SH-7
N MADISON AVE
6
SUP
2079
Z867-185 (No .1)
N ZANG BLVD
PD 468
(Subdistrict A-TR 2)
RTN
N PATTON AVE
PD
160
Oak Cliff
W CANTY ST
E CANTY ST
CANTY ST
PD 160
(Tract 1C)
1
PD
468
ELSBETH AVE
PD 468
(Subdistrict E-TR 4 Area 2)
WMU-8
Oak Cliff Demolition Delay Overlay
5
N ZANG BLVD
Z156-222
W NEELY ST
E NEELY ST
N CRAWFORD ST
FINLEY CT
3
4
PD 468
(Subdistrict K)
WMU-8
N BECKLEY AVE
PD 468
(Subdistrict D-TR 4)
WMU-5
SH-6
SH-11
W DAVIS ST
E DAVIS ST
E 7TH ST
W 7TH ST
CR
PD 682
(Tract 2)
CD
7
W 8TH ST
SUP
1160
H/139
PD
682
Oak Cliff
MU-1
PD 682
1:3,600
ZONING HISTORY
Case no: Z178-222
Date: 11/28/2018


WICKFORD ST
BALLARD AVE
MADISON AVE
ELSBETH AVE
NECHES ST
ELDORADO AVE
5TH ST
6TH ST
7TH ST
HAINES AVE
CANTY ST
BISHOP AVE
MADISON AVE
ZANG BLVD
Z178-222
CRAWFORD ST
DENVER ST
LAKECLIFF DR
STARR ST
STEINMAN AVE
NEELY ST
ELSBETH AVE
DAVIS ST
8TH ST
LA ESTRELLA PLZ
STELLARIGA PL
MELBA ST
9TH ST
10TH ST
PATTON AVE
BECKLEY AVE
STOREY ST
JEFFERSON BLVD
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 11/28/2018

CPC Responses



07/10/2019

Reply List of Property Owners

Z178-222

121 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	718 N ZANG BLVD	TEXAS INTOWNHOMES LLC
	2	707 N BECKLEY AVE	GOMEZ RAY
	3	711 N BECKLEY AVE	BECKLEY LLC
	4	629 ELSBETH ST	HINES JASON C & ANDREA MARIE
	5	627 ELSBETH ST	ACQUISTO MICHAEL F
	6	621 ELSBETH ST	MENAECHEGARY JACQUELINE
	7	615 ELSBETH ST	MATRIX PARTNERS LP
	8	210 W CANTY ST	MACIAS JESUS & IRMA V
	9	727 ELSBETH ST	MARTINEZ JOSE SANTOS &
	10	733 ELSBETH ST	MACIAS EDGAR A
	11	719 ELSBETH ST	ACQUISTO AMY F
	12	713 ELSBETH ST	FLORES DORA
	13	709 ELSBETH ST	CANALES ROBERTO M &
	14	701 ELSBETH ST	701 ELSBETH LLC &
	15	809 ELSBETH ST	A & E HOUSING LLC
	16	805 ELSBETH ST	MARTINEZ AGUSTIN
	17	801 ELSBETH ST	CLIMER NICHOLAS I &
	18	600 ELSBETH ST	ALIGN LP
	19	610 ELSBETH ST	GWC TX INVESTMENTS LLC
	20	635 N ZANG BLVD	BISHOP 1910 PARTNERS LTD
	21	732 N ZANG BLVD	FAZ ISMAEL
	22	737 N BECKLEY AVE	BUSTAMANTE ANTONIO &
	23	700 ELSBETH ST	BROOKS NICHOLES
	24	708 ELSBETH ST	3M 707 ZANG LLC
	25	712 ELSBETH ST	3M 707 ZANG LLC
	26	716 ELSBETH ST	LEE MARIE E

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	27	720 ELSBETH ST	AFA DEVELOPMENT LLC
	28	732 ELSBETH ST	PENA JESUS H &
	29	726 ELSBETH ST	GAUCIN ROGER
	30	734 ELSBETH ST	CASTILLO GERARDO
	31	736 ELSBETH ST	YOUNG SAMUEL G & CYNTHIA W
	32	737 N ZANG BLVD	FIELDS OF FAITH MINISTRIES INTL
	33	733 N ZANG BLVD	PENA IRMA
	34	727 N ZANG BLVD	CARRION CROW HOLDINGS LLC SERIES D
	35	723 N ZANG BLVD	CARRION CROW HOLDINGS LLC
	36	719 N ZANG BLVD	BANCO POPULAR NORTH AMERICA
	37	715 N ZANG BLVD	3M 707 ZANG LLC
	38	810 ELSBETH ST	COUCH KEDRIC
	39	814 ELSBETH ST	LOPEZ BENITO JR
	40	818 ELSBETH ST	ELAINE S GORENSTEIN
	41	820 ELSBETH ST	TOVAR MARTIN
	42	835 N ZANG BLVD	GEMSK LLC
	43	813 N ZANG BLVD	ARELLANO MIGUEL
	44	801 N ZANG BLVD	RSRG INVESTMENTS LLC
	45	202 E NEELY ST	CASIAS MARIA DE CARMEN VILLA &
	46	632 N BECKLEY AVE	HEB GROCERY COMPANY LP
	47	204 E NEELY ST	CUEVAS MAGDALENA A
	48	710 N BECKLEY AVE	MARTINEZ SILVERIO SR
	49	716 N BECKLEY AVE	CALDERON JORGE A
	50	732 N BECKLEY AVE	MONTOYA BLANCA E L
	51	714 N BECKLEY AVE	YBARRA MAGDALENA
	52	736 N BECKLEY AVE	FIRA MARIA DEL CARMEN
	53	724 N BECKLEY AVE	ADAMS JARED J
	54	702 N BECKLEY AVE	MARTINEZ BENJAMIN
	55	720 N BECKLEY AVE	ORTIZ JESUS & MARIA
	56	728 N BECKLEY AVE	MOLLETT KENYA
	57	730 N BECKLEY AVE	DIODATI MONICA CHIARA

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	58	701 N CRAWFORD ST	ARECHAR CELIA
	59	707 N CRAWFORD ST	GONZALEZ BAYRON R &
	60	711 N CRAWFORD ST	JASSO JUANA H &
	61	715 N CRAWFORD ST	CHAVEZ ROMEO
	62	719 N CRAWFORD ST	LOPEZ JUAN CARLOS &
	63	723 N CRAWFORD ST	TORRES CLAUDIA
	64	727 N CRAWFORD ST	TORRES OLGA M
	65	731 N CRAWFORD ST	GOEN ERIK D
	66	735 N CRAWFORD ST	DIAZ MARIA TERESA
	67	739 N CRAWFORD ST	DIAZ ELENO NINO &
	68	700 N CRAWFORD ST	CENDEJAS VICENTE A
	69	706 N CRAWFORD ST	ROJAS HUMBERTO CARLOS &
	70	710 N CRAWFORD ST	MUNIZ MIGUEL & MARIA D C
	71	714 N CRAWFORD ST	JUAREZ MARIO
	72	718 N CRAWFORD ST	GRBK FRISCO LLC
	73	722 N CRAWFORD ST	GRBK FRISCO LLC
	74	728 N CRAWFORD ST	FLORES MAURILIO &
	75	730 N CRAWFORD ST	ORTIZ JESUS &
	76	734 N CRAWFORD ST	HERNANDEZ PEDRO & FELIPA
	77	738 N CRAWFORD ST	CARRIZALES EDWARD
	78	818 N BECKLEY AVE	MP KING CAPITAL LLC
	79	812 N BECKLEY AVE	TORRES MARTIN
	80	800 N BECKLEY AVE	OCASIO ANGEL PEREZ
	81	808 N BECKLEY AVE	SAUCEDO NICOLAS & MARIA
	82	828 N BECKLEY AVE	JOINER FAITH RENEE &
	83	820 N BECKLEY AVE	GARCIA RAFAEL QUEVEDO &
	84	824 N BECKLEY AVE	CHRISTENSEN JANELLE M
	85	826 N BECKLEY AVE	MCNUTT CHRIS
	86	804 N BECKLEY AVE	MOZIK VINCE
	87	801 N CRAWFORD ST	SALDIVAR FAMILY I LIMITED PARTNERSHIP
	88	809 N CRAWFORD ST	MENDEZ MANUEL

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	89	811 N CRAWFORD ST	ESTRADA FEDERICO &
	90	817 N CRAWFORD ST	MOONEY MICHAEL
	91	823 N CRAWFORD ST	MOONEY RICHARD LEE
	92	825 N CRAWFORD ST	FAZDUARTE CRISOFORO &
	93	829 N CRAWFORD ST	COLLIE LUIS R
	94	816 N CRAWFORD ST	JONES EDWARD M III
	95	812 N CRAWFORD ST	COUCH KEDRIC & PAT COUCH
	96	800 N CRAWFORD ST	CHUPA JAMES EDWARD &
	97	612 ELSBETH ST	BRIONES MARIA & ADOLFO
	98	639 FINLEY CT	CRAWFORD KRISTIN &
	99	627 FINLEY CT	YEUNG TERRY
	100	615 FINLEY CT	KERSHNER BRANDON WADE &
	101	603 FINLEY CT	ANTOA NICOLAU
	102	602 FINLEY CT	PATEL NISHI &
	103	614 FINLEY CT	DALRYMPLE RICHARD &
	104	626 FINLEY CT	FOLEY PATRICK
	105	638 FINLEY CT	NEWSOM BRIAN P
	106	687 FINLEY CT	PERNISCO JOSEPH & MONA
	107	675 FINLEY CT	CHARPENTIER BETH
	108	663 FINLEY CT	SCHROEDER KELLI LEE
	109	651 FINLEY CT	COVER JAMES S & MALIA D
	110	650 FINLEY CT	VON LANKEN NICHOLAS AARON &
	111	662 FINLEY CT	OSEIBONSU ABENA
	112	674 FINLEY CT	CULHANE AMANDA K 2017 TRUST
	113	686 FINLEY CT	LODDER DARIN
	114	235 W DAVIS ST	ALAMO MANHATTAN BISHOP
	115	710 N ZANG BLVD	PR II CRESCENT BISHOP ARTS LP
	116	612 N ZANG BLVD	PR II CRESCENT BISHOP ARTS LP
	117	810 N ZANG BLVD	AHA GROUP LP
	118	820 N ZANG BLVD	SBK INVESTMENT LLC
	119	830 N ZANG BLVD	MPC ZANG III LLC

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	120	835 N BECKLEY AVE	MPC ZANG III LLC
	121	815 N BECKLEY AVE	SHERRY IRWIN H & DALIA D TRUST NO 1

Agenda Information Sheet

File #: 19-1173 **Item #:** 77.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 1382 for a processing use on property zoned Planned Development District No. 540, on the southeast side of River Oaks Road, east of South Central Expressway
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Recommendation of CPC: Approval for a five-year period, subject to a revised site plan and conditions
Z189-113(JM/AU)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-113(JM/AU) **DATE FILED:** October 23, 2018

LOCATION: Southeast side of River Oaks Road, east of South Central Expressway

COUNCIL DISTRICT: 8 **MAPSCO:** 67 A; E; F

SIZE OF REQUEST: ±50.8383 acres **CENSUS TRACT:** 202.00

REPRESENTATIVE: Michael Coker, Michael Coker Company

APPLICANT/OWNER: Oldcastle Lawn & Garden, Inc.

REQUEST: An application for an amendment to and a renewal of Specific Use Permit No. 1382 for a processing use on property zoned Planned Development District No. 540.

SUMMARY: The applicant proposes to continue the operation of a landscaping materials processing facility, which processes raw, untreated, and unpainted wood into mulch bags. Proposed changes to the site plan include relocating the existing hopper, conveyor, and shaker zones and increasing the maximum height for materials storage from eight feet to fifteen feet. Additional screening along the Joppa Preserve has been provided.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently used for the processing of raw, untreated and unpainted wood, as allowed by SUP No. 1382.

- Pursuant to Planned Development District No. 540, a processing use means the mechanical grinding of raw material wood products into small wood chips suitable for use in landscaping mulch. This use also includes the inside and outside storage and bagging of raw material wood products. Materials stored outdoors may not be stacked more than eight feet in height. The processing of painted or treated wood products or construction salvage material is prohibited. Composting is prohibited.

- SUP No. 1382 for a processing use was approved on the site on March 24, 1999, for a two-year period with eligibility for automatic renewals for additional two-year periods and amended on April 9, 2003. The SUP was automatically renewed in 2000 (December), 2004 and 2006, and finally in 2009 and 2014 for a five-year period with eligibility for automatic renewals for additional five-year periods. The current term expires on March 25, 2019.

- Proposed changes to the site plan include expanding the existing hopper, conveyor, and shaker zones and increasing the maximum height for materials storage from eight feet to fifteen feet. Renewal of the SUP is also requested at this time. The case was submitted on October 23, 2018, within the automatic renewal period. The expiration for automatic renewal passed on November 25, 2018.

Zoning History: There has been one zoning case in the area over the past five years.

1. **Z178-383:** On January 17, 2019, the City Plan Commission recommended denial without prejudice of an application for a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District, located south of the intersection of Bird Lane and the South Central Expressway service road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
River Oaks Road	Local	20 feet
Catanbo Lane	Local	20 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

Area	Zone	Use
Site	PD No. 540 w/SUP No. 1382	Processing use (landscaping materials)
North	IR Industrial Research District	Joppa Preserve
East	IR Industrial Research District	Joppa Preserve
South	IR Industrial Research District	Undeveloped; industrial
West	IR Industrial Research District	Industrial use

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The applicant's request is consistent with the following goals and policies of the comprehensive plan.

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.

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.

Area Plans:

The ***Trinity River Corridor Comprehensive Land Use Plan*** identifies the request site as within *Study Area 3, the Southward Industrial District*. This study area is one of the largest within the Trinity River Corridor. Much of this study area is undeveloped or used by a variety of industrial operations, while a substantial part of this area is in the floodplain and planned for park and open space uses in the future. The majority of the study area is planned for Industrial – Light uses.

On March 18, 1997, the Dallas County Commissioners' Court adopted the Dallas County Trail Plan. The Trinity River Corridor Master Implementation Plan follows the County's plan and includes an extensive network of trails within the Trinity River Corridor. The Great Trinity Forest Trail will be located in an area known as the Great Trinity Forest; Phase 1 of this trail was constructed adjacent to the request site. Upon creation of the trail, the applicant coordinated with the Trinity River Corridor Project office to address visual buffering of the site to ensure compatibility with the trail. After review of the existing conditions by walking the trail, additional landscaping is proposed along with this request to enhance screening of the site from the trail and preserve area. This is especially imperative with increasing the maximum height for materials storage from eight feet to fifteen feet.

Land Use Compatibility:

The ±50.8383-acre request site is zoned Planned Development District No. 540, which requires an SUP for a processing use. The applicant requests renewal of SUP No. 1382 to continue operation of a plant that processes raw, untreated and unpainted wood for use as landscape mulch. The proposed amendments will allow for updating of the existing hopper, conveyor, and shaker zone and increasing the maximum height for materials storage from eight feet to fifteen feet.

The update in the existing hopper, conveyor, and shaker zone includes the removal of one area and an increase in another which will now be properly depicted on the plan. In the increase area which was always paved, the machines were moveable within the zone. Now, this is properly depicted and actually represents a net loss of 1,000 square feet of hopper, conveyor, and shaker zone area. For clarity, the plan now separates the total indoor floor area from the total impervious lot area.

The increase in materials storage height is the main change with this request. Staff toured the facility and walked along the Joppa Preserve Park and the Great Trinity Forest Trail beside the entire length of the site. There is a change in grade from the preserve, which is at a higher elevation, than the subject site which is lower. Additionally, the natural buffer is dense and tall, filled with trees and natural habitat. The plan requires the natural buffer be maintained. Where there were gaps, existing programmed landscaping, a berm, and proposed landscaping work to eliminate view of the operations within the site.

The request site is surrounded by the Joppa Preserve including the Great Trinity Forest Trail to the north and east; undeveloped and industrial uses to the south; and, industrial uses to the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request; subject a site plan and conditions, complies with the general provisions for consideration of an SUP. A site inspection revealed the property to be in compliance with the approved site plan and conditions; however, driveways were lacking required paving. Staff recommends that the SUP permit be recommended for approval, subject to installing the required paving. The applicant must install the required paving by applying for a paving and drainage permit in order for the SUP amendment and renewal request to progress to City Council. Additional landscaping proposed with this amendment will provide extra screening to the Joppa Preserve and the Great Trinity Forest Trail, as well as along the property boundary to the south. The site was not found to be visible from the Great Trinity Forest Trail within the Joppa Preserve.

Staff supports the overall use, as regulated by the proposed conditions and revised site plan and subject to paving the existing driveway.

Landscaping:

In accordance with Planned Development District No. 540, landscaping is required per Article X of the Dallas Development Code, except as provided below:

- Street trees are not required along Catanbo Lane

- A 50-foot-wide landscape buffer must be provided along any portion of the property abutting the Joppa Reserve, as shown on the tree inventory. Landscaping located within the buffer and identified on the tree inventory must be maintained in a healthy growing condition. A total of 100 additional five gallon shrubs must be planted within those portions of the landscape buffer identified in the tree inventory as sections 2, 4 and 5.

In addition, to create a buffer between the site and the Great Trinity Forest Trail, a condition was included to require a 5,000-square-foot area on the southeastern portion of the site. The area was inspected and found to contain the required 34 Yaupon Holly, as required. However, screening of additional areas at the entrance of the site will be provided. Finally, additional screening of the parking lot and processing use along the rail line will also be provided. In all, 87 new large shrubs will be added to screen the property more effectively.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the subject site is not located within a designated market type, Category H can be found to the northwest.

Parking:

Pursuant to Planned Development District No. 540, parking for a processing use must be provided as shown on the site plan, which depicts 30 spaces. All other uses must be parked per Division 51A-4.200 of the Dallas Development Code. A site inspection revealed the property to be in compliance with the site plan.

CPC Action
March 7, 2019

Motion: It was moved to recommend **approval** of an amendment to and a renewal of Specific Use Permit No. 1382 for a processing use for a five-year period, subject to a revised site plan and conditions to include installation of paved driveway prior to Council meeting on property zoned Planned Development District No. 540, on the southeast side of River Oaks Road, east of South Central Expressway.

Maker: Lewis
Second: Schulte
Result: Carried: 11 to 0

For: 11 - MacGregor, Schulte, Criss, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Ridley, Tarpley

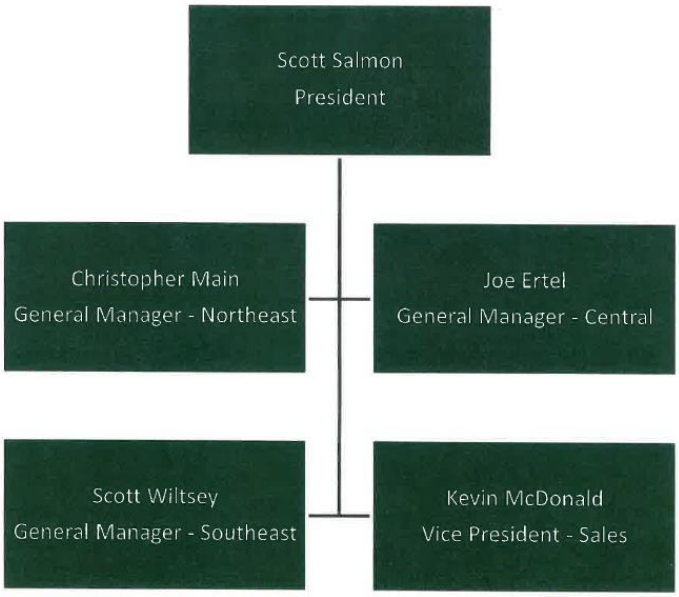
Against: 0
Absent: 1 - Murphy
Vacancy: 3 - District 4, District 7, District 12

Notices: Area: 500 Mailed: 11
Replies: For: 0 Against: 0

Speakers: None

LIST OF OFFICERS

Oldcastle Lawn & Garden



Z189-113

Oldcastle APG
A CRH COMPANY

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a processing use.

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 ~~March 25, 2019~~ (five-years from the passage of this ordinance).

Staff's Recommendation:

3. TIME LIMIT: This specific use permit expires on ~~March 25, 2019~~ (five-years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amendment. 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 day but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPING:

a. Except as provided in this section, landscaping must be provided and maintained in accordance with the requirements of the ordinance governing Planned Development District No. 540.

b. A 5,000 square foot screening area must be provided in the location shown on the attached site plan. Four rows of yaupon hollies must be provided in the screening area at 10-foot intervals and must be at least two caliper inches at the time of planting. The two westernmost rows of yaupon hollies must be provided by April 1, 2009. The remaining rows must be provided by April 1, 2010.

c. All required plant materials must be located a maximum of 100 feet from an irrigation source with a permanently installed threaded hose connection. Proposed watering methods (irrigation or otherwise) must be:

(1) shown on the site plan; and

(2) capable of maintaining the plant materials in a healthy, growing condition at all times.

d. Plant materials must be maintained in healthy, growing condition.

5. PARKING: Parking areas must be constructed before issuance of a certificate of occupancy. Parking must be located as shown on the attached site plan.

6. HOURS OF OPERATION: The processing use may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.

7. FLOOR AREA: The maximum floor area is 41,000 square feet, as shown on the attached site plan.

8. OUTSIDE STORAGE:

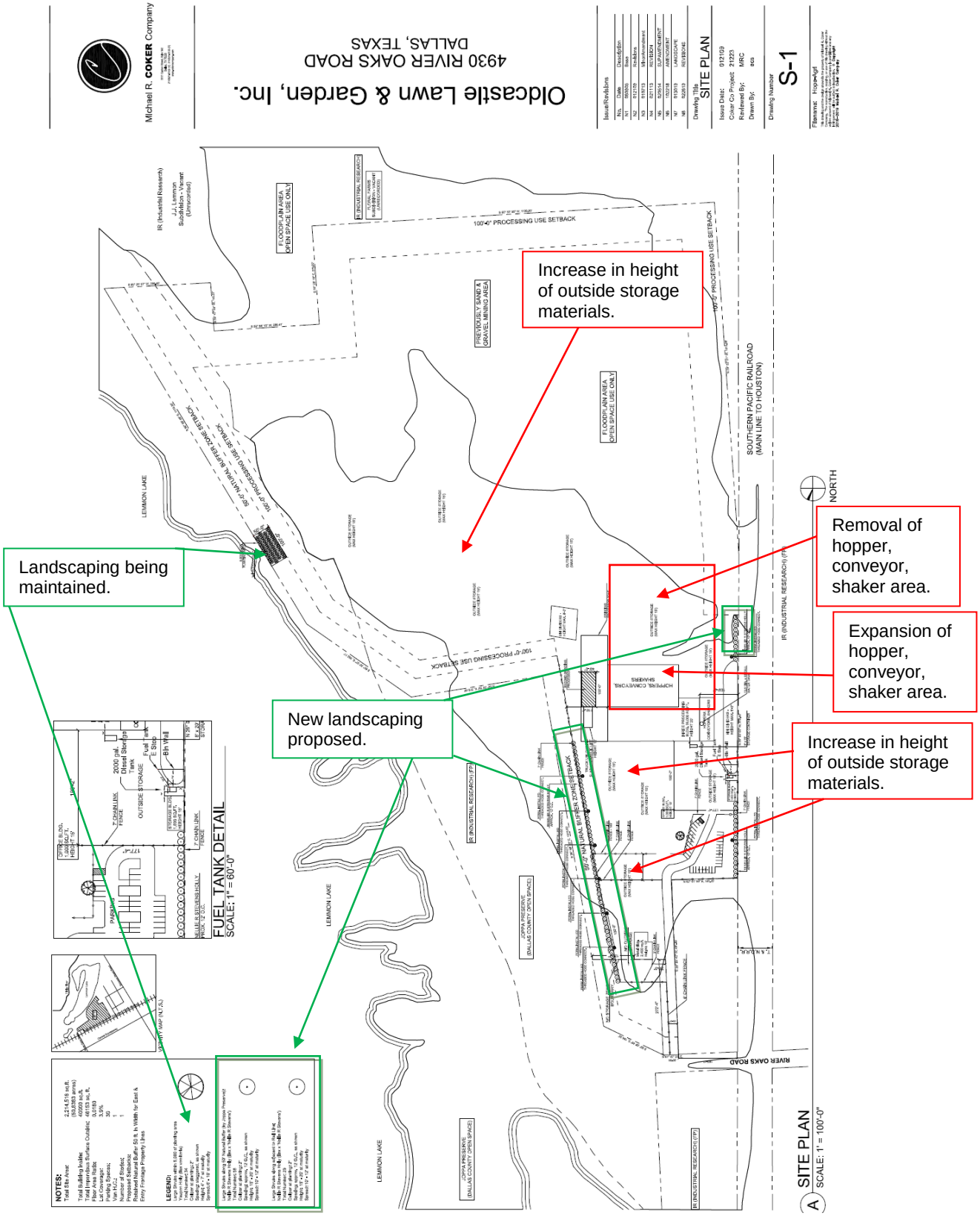
a. The maximum stacking height of outside storage is [~~eight feet~~] fifteen feet in the locations shown on the attached site plan.

b. Outside storage may not encroach into the 50-foot landscape buffer or within any designated floodplain areas shown on the attached site plan. Permanent stakes must be provided to delineate the approved processing and storage areas from the required setback and open space floodplain areas.

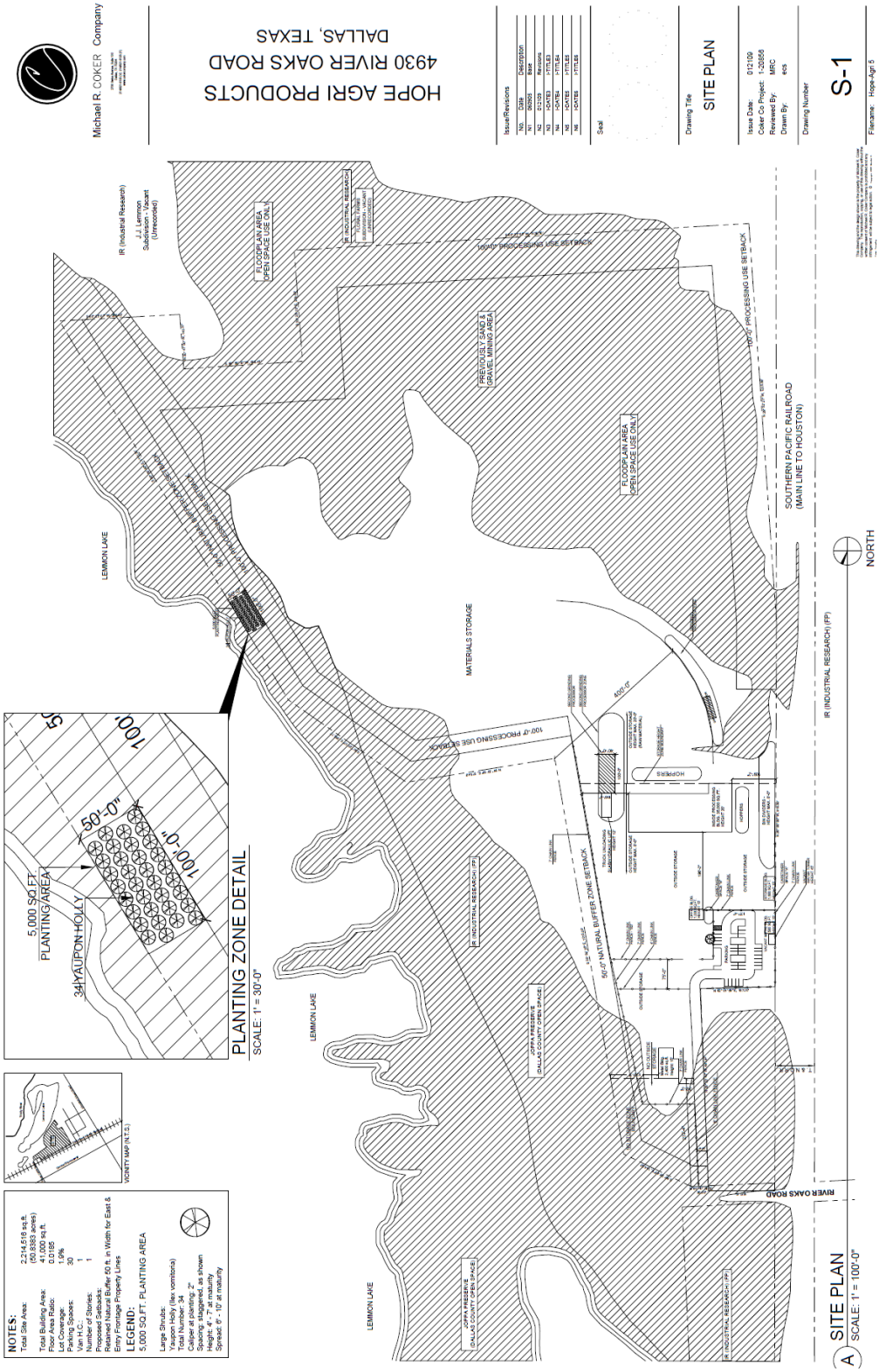
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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 REVISED SITE PLAN

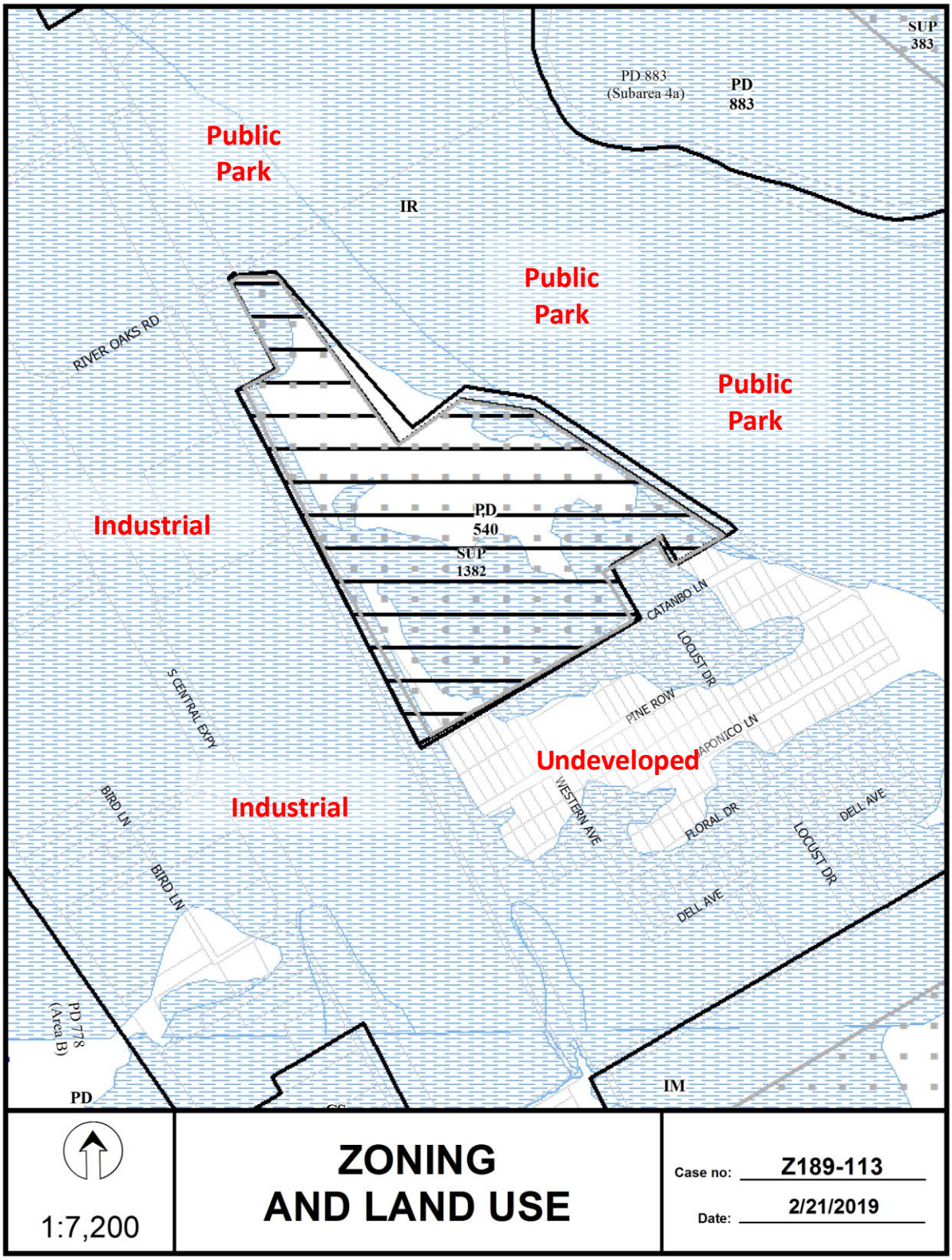


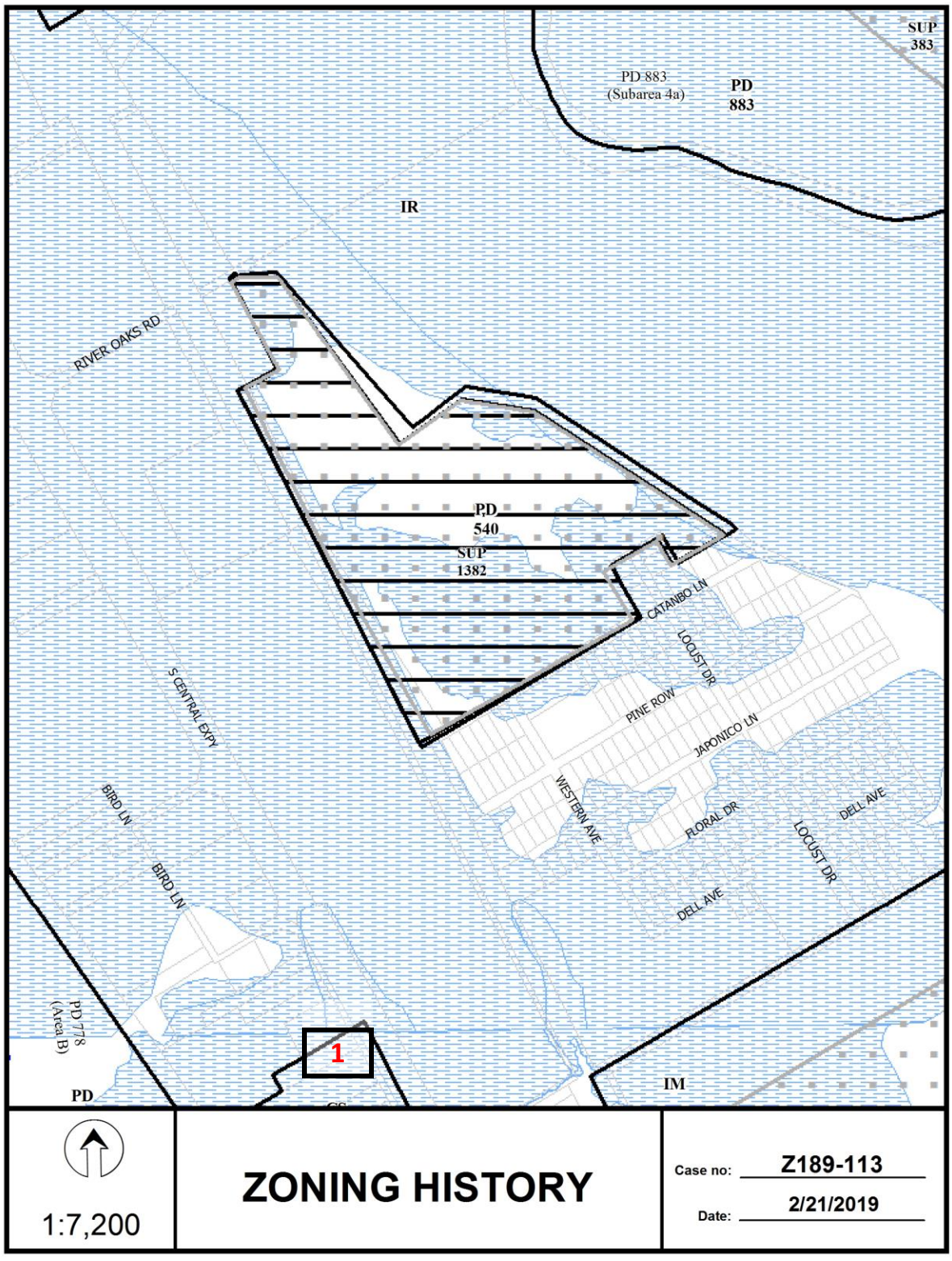
EXISTING SITE PLAN

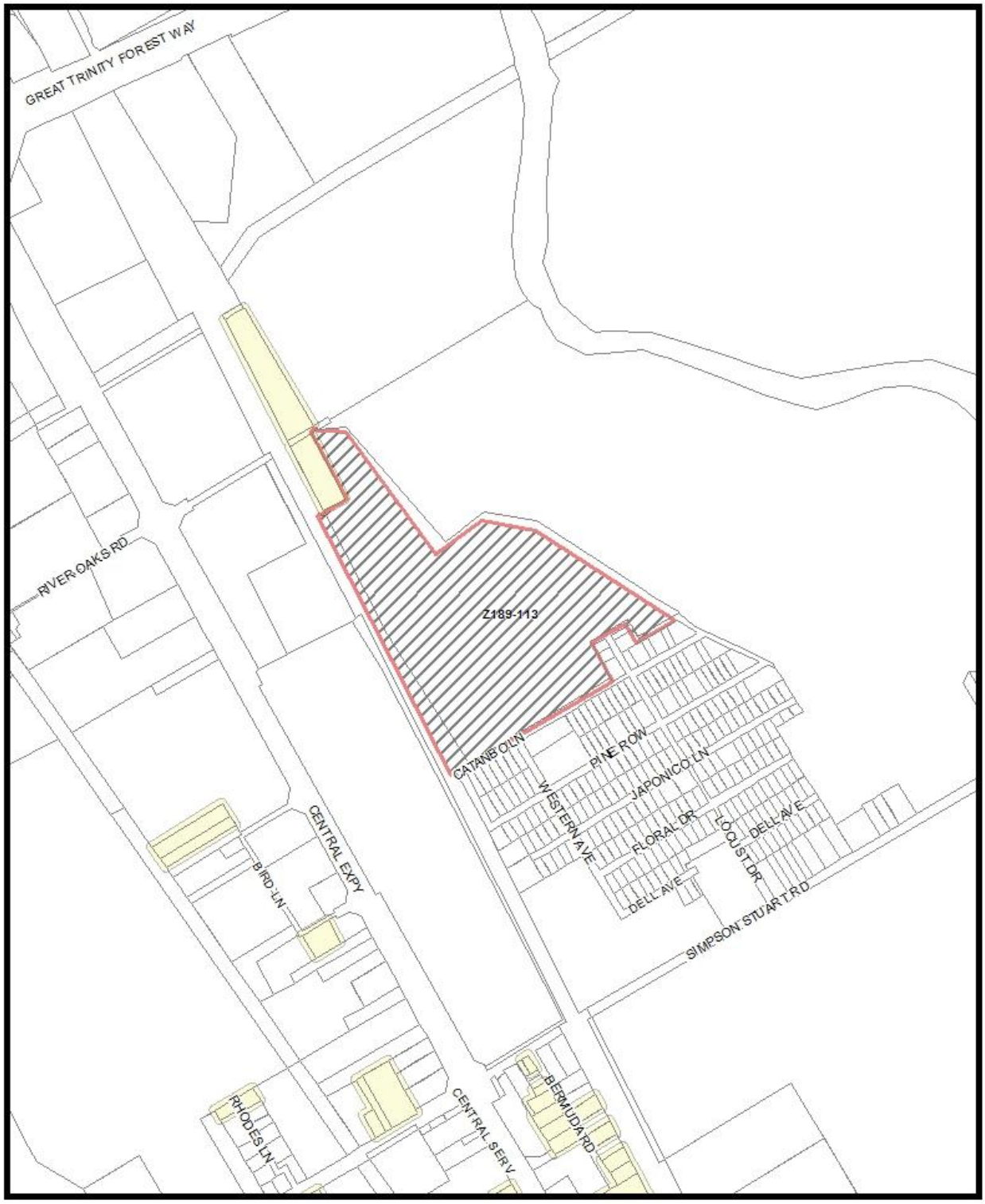



RIVER OAKS RD
BIRD LN
LOCUST DR
SIMPSON STUART RD
BERMUDA RD
RHODES LN
ON STUART RD
S CENTRAL
S CE
1:9,600
VICINITY MAP
Case no: Z189-113
Date: 2/21/2019


RIVER OAKS RD
S CENTRAL EXPY
BIRD LN
CATAWBA LN
PINE ROW
LOCUST DR
JADWICO LN
WESTERN AVE
FLORAL DR
DELL AVE
SIMPSON STUART RD
1:7,200
AERIAL MAP
Case no: Z189-113
Date: 2/21/2019


SUP
383
PD 883
(Subarea 4a)
PD
883
Public
Park
IR
Public
Park
Public
Park
RIVER OAKS RD
Industrial
PD
540
SUP
1382
CATANBO LN
LOCUST DR
PINE ROW
APONICO LN
S CENTRAL EXPY
Undeveloped
WESTERN AVE
FLORAL DR
DELL AVE
LOCUST DR
DELL AVE
Industrial
BIRD LN
BIRD LN
PD 778
(Area B)
PD
IM
1:7,200
ZONING
AND LAND USE
Case no: Z189-113
Date: 2/21/2019


SUP
383
PD 883
(Subarea 4a)
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RIVER OAKS RD
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CATANBO LN
LOCUST DR
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DELL AVE
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PD 778
(Area B)
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ZONING HISTORY
Case no: Z189-113
Date: 2/21/2019



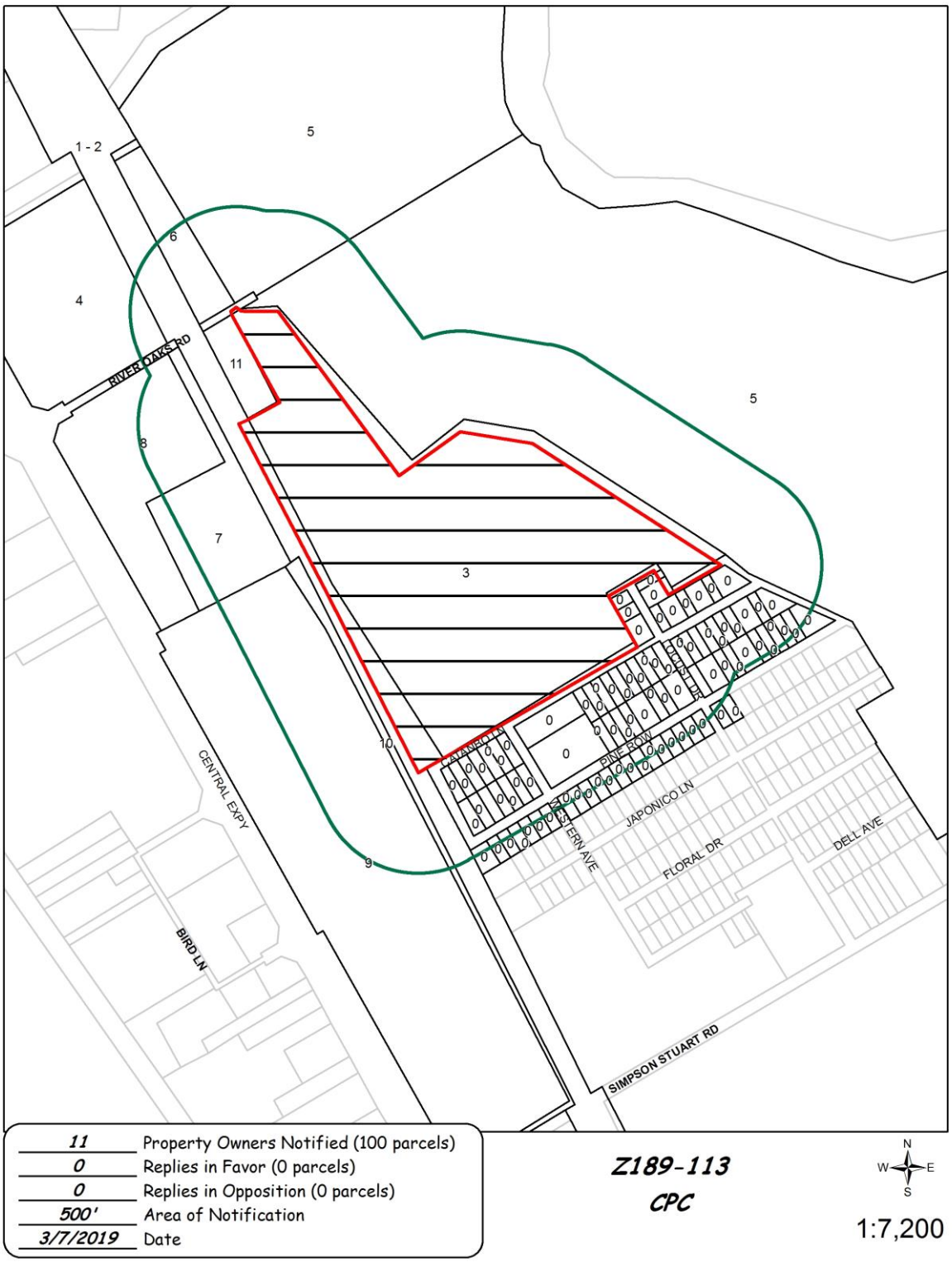
MVA Cluster A B C D E F G H I NA

1:9,600

Market Value Analysis

Printed Date: 2/21/2019

CPC RESPONSES



03/06/2019

Reply List of Property Owners

Z189-113

11 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	2	9999	NO NAME ST	UNION PACIFIC RR CO
	3	4930	RIVER OAKS RD	OLDCASTLE LAWN & GARDEN INC
	4	8770	S CENTRAL EXPY	W W ROWLAND INV CO INC
	5	4911	RIVER OAKS RD	County of Dallas
	6	4911	RIVER OAKS RD	VILLAGRAN FILEMON
	7	8800	S CENTRAL EXPY	OCCIDENTAL CHEMICAL CORP
	8	8800	S CENTRAL EXPY	TSEGU RUSOM
	9	9000	S CENTRAL EXPY	UTSI FINANCE INC
	10	8900	S CENTRAL EXPY	SOUTHERN PACIFIC TRANS CO
	11	4912	RIVER OAKS RD	MITCHELL RALPH POSEY

Agenda Information Sheet

File #: 19-1175 **Item #:** 78.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for nonresidential uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Cedar Springs Road and Olive Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions
Z189-237(AU)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-237(AU) **DATE FILED:** April 5, 2019

LOCATION: Southwest corner of Cedar Springs Road and Olive Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45 F

SIZE OF REQUEST: +/- 0.525 acres **CENSUS TRACT:** 19.00

OWNER: T2 Development, LLC

APPLICANT: Crescent Uptown, Ltd.

REPRESENTATIVE: David Martin/Tommy Mann - Winstead

REQUEST: An application for a Planned Development Subdistrict for nonresidential uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant proposes to develop the site with a hotel with a maximum of 230 rooms and restaurant, coffee shop and meeting space as accessory uses. The applicant requests to: 1) increase the floor area ratio (FAR) from 4.0:1 to 7.1:1; 2) increase the minimum front yard setback from zero to ten feet; and, 3) reduce the off-street parking requirement for hotel uses from one space per room to 0.5 spaces per room. Hotel developments within the new subdistrict will be subject to urban design standards, a development plan, and a landscape plan.

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:

- On February 8, 1985, City Council approved Planned Development District No. 193, the Oak Lawn Special Purpose District. The PD is comprised of approximately 2,593 acres. PD 193 is divided into residential districts (A, R, TH, MF) and non-residential districts (O, NS, SC, GR, LC, HC, CA, I). PD 193 also contains 146 subdistricts.

- The request site is located within the HC Heavy Commercial Subdistrict and is currently developed with a one- and two-story retail strip with three suites, which will be demolished.

- The applicant proposes to redevelop the site with a hotel with a maximum of 230 rooms and restaurant, coffee shop and meeting space as accessory uses, and an underground parking garage. The building will be approximately 162,000 square feet in area and with a high-rise portion extending a maximum of 240 feet in height.

- The applicant requests to create a new subdistrict within PD No. 193 that will include additional development standards for hotel uses only. The proposed standards will deviate from the HC district regulations for a hotel use only as follows: 1) increase the floor area ratio (FAR) from 4.0:1 to 7.1:1; 2) increase the minimum front yard setback from zero to ten feet; and, 3) reduce the off-street parking requirement for hotel uses from one space per room to 0.5 spaces per room. Hotel developments within the new subdistrict will be subject to urban design standards, a development plan, and a landscape plan.

Zoning History:

There have been no zoning cases requested in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Cedar Springs Road	Minor Arterial	80 feet
Olive Street	Community Collector	50 feet Bike Plan

Traffic:

The applicant submitted a Traffic Impact Analysis that identifies traffic generation characteristics and potential traffic related impacts on the local street system.
According to the study, the proposed development at the subject site is expected to

generate approximately 82 new weekdays AM peak hour trip end and 76 new weekday PM peak hour trip ends at buildout. The trip generation presented in the study is based on the development containing 230 hotel rooms. The distribution of the site-generated traffic volumes onto the street system was based on the surrounding roadway network, existing traffic patterns, and the project's proposed access locations.

The Engineering Division of the Sustainable Development and Construction Department reviewed the request and the Traffic Impact Analysis submitted with the application and determined that the proposed development is not foreseen to cause a significant impact to the adjacent roadways.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies that can serve as a framework for assisting in evaluating the applicant's request. The applicant's request is consistent with the following goals and policies of the comprehensive plan.

Economic Element

Goal 2.3 Build a dynamic and expanded downtown

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

Urban Design Element

Goal 5.2 Promote a sense of place, safety and walkability

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.2 Define urban character in Downtown and urban cores.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

Goal 5.3 Establishing walk-to convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Area Plans:

The *Downtown Dallas 360 Plan* was adopted in April 2011 and updated in December 2017. The Plan was adopted as a guide to future City Council actions concerning land use and development regulations, transportation and economic development, and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street.

The Plan recognizes Uptown as one of the Core / Supporting Districts as "one of the city's most vibrant urban neighborhood, boasting a lively mix of residences and retailers, restaurants and offices, walkable, bikeable streets, and green spaces, all connected via the area's beloved McKinney Avenue Trolley."

The Plan's key recommendations:

- Create a transit-oriented, walkable neighborhood by developing new projects and redeveloping existing buildings with small setbacks, ground floors with high transparency, and retail/restaurant uses; address parking needs while envisioning no surface parking in front of buildings.
- Improve walkability on key streets such as Field/Moody/Pearl, Cedar Springs and Maple by calming traffic, introducing on-street parking, making sidewalk widths consistent, and planting street trees.

The applicant's request is consistent with the goals and policies of the *Dallas 360* Area Plan.

The *Oak Lawn Special Purpose District* and the *Oak Lawn Plan* was established in February 1985 and includes ten objectives for the area. The applicant's proposal is consistent with the following objectives highlighted by the Plan:

(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.

(7) To promote landscape/streetscape quality and appearance.

The urban design standards in the proposed subdistrict conditions, ensure the proposed building is urban in form by requiring wide sidewalks with amenities, publicly accessible open space, and transparent and directly accessible accessory uses at the first floor of the building with the possibility of outdoor patios to activate the pedestrian area around the site.

The placement of the required off-street parking within an underground garage structure is also contributing to the Oak Lawn Vision as highlighted in the objectives.

The proposed landscape plan includes streetscape treatment along Olive Street and Cedar Springs Road. Due to the existing elevation that severely drops along Olive Street, a portion of the underground garage will be visible along the street. The applicant proposes to conceal any visible portion with a combination of landscaping and screening walls with planting materials.

STAFF ANALYSIS

Surrounding:

	Zoning	Land Use
Site	PD No. 193, HC	Retail
Northwest	PD No. 193, HC SUP No. 1527	Office Bank
Northeast	PD No. 334, Phase 2	Multifamily
East	PD No. 193, HC	Mixed-use: office, restaurants, retail
Southeast	PD No. 193, PDS 50	Mixed-use: restaurants, retail
South	PD No. 193, HC	Multifamily
Southwest	PD No. 193, I-2	Under construction
West	PD 193, PDS 52	Mixed-use: office, restaurants

Land Use Compatibility:

The request site is 0.525 acres in area, and it is the northern, triangular-shaped portion of the block created by Cedar Spring Road, N Harwood Street, and Olive Street. The southern portion of this block, immediately adjacent to the request site is developed with an eight-story multifamily building. The site is developed with a one- and two-story retail building that contains three suites with surface parking.

Surrounding properties include a mid-rise office building to the northwest, with a five-story above-ground parking garage, a high-rise multifamily building to the northeast, a mixed-use building with street level restaurants and retail uses and an above-ground parking structure at the upper levels to the east and southeast. To the southwest there is a site currently under construction. To the west side of the site there is a high-rise mixed-use building with office and restaurant uses and a seven-level above-ground parking garage. Further northeast, along Olive Street, there is The Ritz-Carlton Dallas hotel, a high-rise building as well.

The applicant proposes to redevelop the site with a high-rise tower, maximum 240 feet in height, on the northeast side facing the corner and Cedar Springs Road, and a mid-rise portion, maximum 50 feet in height, on the southwest side along Olive Street. The height form of the building is taking advantage of the frontage along Cedar Springs Road, that is wider and more pedestrian active, by attempting to ease the building mass along the narrower Olive Street, while at the same time allowing the open views of the multifamily building immediately adjacent to the south. A three-level underground parking garage accessible from Olive Street is proposed for this development.

The proposed use is a hotel comprised of a maximum of 230 rooms, with restaurants, coffee shops and meeting rooms being provided as accessory uses, some having direct access from the sidewalk to increase permeability of the building and activate the public realm. The main entrance for the hotel will be along Cedar Springs Road and will be recessed to allow a drop-off and pick-up area for hotel guests.

Development Standards:

PD No. 193 Subdistrict	**Setbacks**		**FAR**	**Height** (max)	**Lot Coverage** (max)
	Front (min)	**Side / Rear** (min)			
HC (existing)	0’	0’	4:1 4.5:1**	240’	100%
PDS No. ___ (proposed)	**Olive Street:** 10’* For hotel uses For any portion below 20 feet above grade **Cedar Springs Road:** 10’	0’	7.1:1 For hotel uses	240’	70% For hotel uses

* For Olive Street, underground parking may be located within the front yard

** An additional 0.5:1 FAR is allowed where there is a minimum 1:1 component of a residential use.

The proposed conditions also include urban design standards for façade transparency, blank wall area restrictions, required architectural elements, sidewalks and pedestrian amenities, requirements for ground-level activating uses, and a requirement for a minimum 3,800 square feet of pedestrian open space.

The applicant requests three major modifications from the HC district regulations that will be applicable for hotel uses only: 1) increase the floor area ratio (FAR) from 4.0:1 to 7.1:1; 2) increase the minimum front yard setback from zero to ten feet; and, 3) reduce the off-

street parking requirement for hotel uses from one space per room to 0.5 spaces per room.

Floor Area Ratio:

The Dallas Development Code has two definitions for this section. First, *floor area ratio (FAR)* means the ratio of floor area to lot area. Second, *floor area* means the total square feet of floor space in a building excluding area used solely for off-street parking.

The purpose of FAR is to uniformly limit the amount of building mass within the building envelope prescribed by setbacks, height, and lot coverage. However, since above ground parking structures contribute to building mass but are not included in the calculation of FAR because parking garages do not count as floor area, developments that contain above-ground parking structures, which are prevalent in the surrounding properties, have more building mass without increasing floor area ratio.

Therefore, staff supports the additional floor area ratio increase by 3.1 FAR, for a total of 7.1:1, for hotel uses because 1) the applicant has committed to a prohibition of above-ground parking structures, and a mixture of uses which is a factor in achieving additional FAR in the Chapter 51A Mixed Use Districts; 2) the proposed design standards will ensure that the development is urban in form, and the decreased maximum lot coverage from 100 percent to 70 percent for hotel uses will ensure an increase in publicly accessible open space at street level.

Front yard setbacks:

At this location, the existing HC Heavy Commercial Subdistrict regulations require a zero-front setback. The applicant is proposing a ten-foot setback along Cedar Springs Road to allow for a wider sidewalk and a landscape screening area for the vehicular drop-off/pick-up area. Along Olive Street, the front setback for the building portion under 20 feet in height would be ten feet to allow additional publicly accessible open space. This requirement would not apply to the underground garage and upper stories of the tower.

Staff supports the applicant's request of a minimum 10-foot front setback and the proposed exceptions for the side along Olive Street considering the particularity of the shape of the request site that imposes design and functionality constraints.

Parking:

The applicant proposes to reduce the required minimum off-street parking for hotel uses from one space per room to 0.5 spaces per room. No additional parking is required for

allowed accessory uses to the hotel use. The applicant provided the Engineering Department with a parking demand analysis for hotel uses that included information in the published parking data, observations on the parking demand in this part of the city and site-specific considerations. Considering the published parking as outdated and not maintained with recent changes in transportation with the rapid growth of shared mobility and transportation network companies, the parking analysis is basing the conclusions and recommendations mostly on the observed parking demand for similar situation and the specificity of the request site. The parking data collected from other similar hotels in North Dallas show an average of 0.46 parked vehicles per occupied room. The study accounts for the existing transit services within a walking distance from the request site. Considering the findings of the parking study and the vision and availability of Uptown, staff supports this request for a parking reduction.

The applicant proposes to provide the off-street parking in an underground structure accessible from Olive Street, this being encouraged in the Oak Lawn Special Purpose District and the Oak Lawn Plan.

Landscaping:

Landscaping for hotel uses must be provided in accordance with the proposed landscaping plan. Also, included in the conditions provided are the following requirements: minimum 25 percent of the lot area must be landscaped, a 1.5-foor landscape buffer is required between the sidewalk and the vehicular drop-off area along Cedar Spring Road.

The applicant has provided the following comparison table to identify how the proposed landscape plan differs from Part I of Planned Development District No. 193.

	Required by PD 193	**Proposed**
Minimum landscape site area	4,577 sf. (20% of the lot area)	6,341 sf. (27% of the lot area)
Minimum general planting area	2,289 sf. (50% of the minimum landscape site area)	2,313 sf. (51% of the minimum landscape site area)
Minimum special planting area	458 sf. (20% of the minimum general planting area)	1,270 sf. (55% of the minimum general planting area)
Minimum caliper trees	3.5 inches	5 inches (43% increase)

CPC Action
July 11, 2019

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for nonresidential uses, subject to a development plan, landscape plan, and revised conditions to include a modification to Sec. S__107, YARD, LOT, AND SPACE REGULATIONS., (c) Lot Coverage., (2) to delete "Aboveground parking structure are included in the lot coverage calculations;" on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Cedar Springs Road and Olive Street.

Maker: Ridley
Second: Murphy
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 289
Replies: For: 112 Against: 0

Speakers: For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75201
James Reeder, 1925 Cedar Springs Rd., Dallas, TX, 75201
Against: Steven Seidenfeld, 2011 Cedar Springs Rd., Dallas, TX, 75201

LIST OF PARTNERS

Crescent Uptown Ltd.

PEMCO Uptown, LLC – Managing General Partner
David W. Pemberton – Managing Member

Wall Street Realty, Inc. – General Partner
David W. Pemberton – Director / President

G.S. Interests, Inc. – General Partner
Gary Shafer – Director / President

T2 DEVELOPMENT, LLC

Mike Patel – CEO
Mont Williamson – President / COO
Hartford Brown – Executive Vice President
Nayiri Madenlian – CFO
Rashik Patel – Vice President
Greg LeBon – Vice President
Ryan Phelps – Vice President
Neil Madhav – Vice President
Bo Patel – Chief Portfolio Officer

MKPONE, LLC – Manager
Mike Patel – Member

PD CONDITIONS
CPC RECOMMENDED

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 generally fronting on the southeast line of Olive Street, on the west line of Cedar Springs Road, and north of Harry Hines Boulevard. The size of PD Subdistrict __ is approximately ____ acres.

SEC. S-__.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions contained in Chapter 51 and in 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, SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a nonresidential zoning district.

(e) 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 articulations greater than 12 inches in depth. Blank wall area is measured horizontally on each story.

(f) FACADE means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate facades are oriented in one direction, or in directions within 45 degrees of one another, they are to be considered as part of a single façade.

(g) GROUND-LEVEL means the level of a building closest to, adjacent to, and above the street.

(h) PEDESTRIAN OPEN SPACE means a pedestrian area, facility, or feature that is located on the property, outside of the public right-of-way, and that is publicly accessible and privately maintained. Examples include but are not limited to green space, public art, hardscape, and seating areas. Pedestrian open space may be located beneath a cantilevered portion of a building.

(i) TRANSPARENCY means the total area of window and door openings filled with glass, expressed as a percentage of facade area.

SEC. S-__.104. DEVELOPMENT PLAN.

(a) For a hotel use, development and use of the Property must comply with the development plan (Exhibit S-__A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

SEC. S-__.105. MAIN USES PERMITTED.

The only main uses permitted in this subdistrict are those main uses permitted in the HC Heavy Commercial Subdistrict, subject to the same conditions applicable in the HC Heavy Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted in the HC Heavy Commercial 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 HC Heavy Commercial Subdistrict is subject to DIR in this subdistrict; etc.

SEC. S-__.106. 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) For a hotel use, the following accessory uses may have no exterior advertising or signs:

(1) Restaurant.

(2) Meeting rooms.

(c) Ground-level accessory uses must have direct access to the sidewalk on a pedestrian path and may include areas for outdoor dining and gathering.

SEC. S-__.107. YARD, LOT, AND SPACE REGULATIONS.

(a) Except as provided in this section, the yard, lot, and space regulations for the HC Heavy Commercial Subdistrict apply.

(b) Front yard.

(1) Olive Street.

(A) For a hotel use, and except as provided below, for any portion of a building 20 feet above grade and below, minimum front yard is 10 feet. No minimum front yard is required for all other uses.

(B) For a hotel use, a portion of an underground parking structure may be located in the front yard and above the street and must be concealed by a combination of landscaping or screening wall with planting materials. Ground-level transparency is not required for the portion of the underground parking structure that is located above the street.

(C) For a hotel use, retaining walls, planters, railings, access ramps, outdoor dining areas, enhanced paving, canopies, balconies, and architectural elements may be located within the required front yards.

(2) Cedar Springs Road.

(A) For a hotel use, minimum front yard is 10 feet.

(B) For a hotel use, retaining walls, planters, railings, access ramps, outdoor dining areas, enhanced paving, canopies, balconies, and architectural elements may be located within the required front yards.

(c) Lot coverage.

(1) For a hotel use, maximum lot coverage is 70 percent.

(2) Surface parking lots, underground parking, and portions of predominantly underground parking structures are not included in the lot coverage calculations.

(d) Floor area ratio. For a hotel use, maximum floor area ratio is 7.1:1.

SEC. S-__.108. URBAN DESIGN STANDARDS.

For a hotel use, the following standards apply:

(a) Transparency.

(1) Ground-level.

(A) Any street-facing facade, other than a portion of an underground parking structure that is partially located above the street, must have a minimum transparency of 70 percent for the portion of the building on the ground-level between grade and 12 feet in height.

(B) A minimum of 60 percent of the required minimum transparency must allow views into the ground-level use to a minimum depth of four feet. Windows must be clear or unpainted, or, if treated, must be transparent or translucent. Spandrel glass and backpainted glass are not considered transparent for purposes of this requirement.

(2) Above ground-level.

All of the street-facing facades above ground-level must have a minimum transparency of 50 percent combined.

(b) Glass. For the areas of the facade utilizing glass, only spandrel, non-vision glass is allowed where indicated on the development plan.

(c) Blank wall area.

(1) Blank wall areas located on street-facing facades may not exceed 30 feet in length.

(2) A minimum of two different facade materials must be provided on each street-facing facade.

(d) Architectural Elements. A minimum of one architectural element, including but not limited to the following, must be provided at each public entry point:

(1) Canopies,
(2) Awnings,
(3) Attached towers,
(4) Turrets,
(5) Porte cocheres, or
(6) Similar architectural features intended to accentuate the building entrance.

(e) Sidewalks.

(1) Minimum width is six feet and must be located outside a five-foot landscape buffer measured from the back of the street curb.

(2) Tree wells and street lamps may be located along the street frontages of the property but may not be located in visibility triangles.

(3) Sidewalk materials must change and be distinguished by color and/or texture from intersecting driveways.

(4) Sidewalks must remain level across all driveways.

(f) Pedestrian Lighting. One street lamp is required per every 50 feet along the sidewalk. The building official may approve minor deviations in street lamp locations at time of building permit due to utility, tree, planting, or driveway conflicts.

(g) Pedestrian Amenities.

A minimum of one of each of the following pedestrian amenities must be provided along the Cedar Springs Road and Olive Street frontages:

(1) Bench,
(2) Trash and recycling receptacle, and
(3) Bicycle rack.

(h) Screening of rooftop equipment. All mechanical and related equipment located on the rooftop of any building must be screened so as not to be visible from any public right-of-way.

(i) Utility boxes. All electrical and utility boxes at the ground-level shall be screened and located away from public view.

(j) Above-ground parking. Except as otherwise provided in section S-__.107 of this division, above-ground parking structures are prohibited

(k) Ground-level activating uses. A minimum of 800 square feet of accessory restaurant or retail uses must be on located in the ground-level of the building.

(l) Outdoor seating. Outdoor seating is required along Olive Street in the area designated on the development plan.

(m) Pedestrian open space. A minimum 3,800 square feet of contiguous pedestrian open space is required.

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) Required parking for a hotel use is 0.5 spaces per guest room. No additional parking is required for accessory uses such as restaurants, retail, and meeting rooms.

SEC. S-__.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-__.111. LANDSCAPING.

(a) In general, landscaping and screening must be provided in accordance with Part I of this article.

(b) Hotel Use.

(1) Landscaping must be provided as shown on the landscape plan (Exhibit S-__B).

(2) Minimum landscape site area is 25% of the lot area.

(3) Minimum general planting area is 35% of the minimum landscape site area.

(4) Minimum special planting area is 50% of the minimum general planting area.

(5) The building official may approve minor deviations in tree planting locations at time of building permit due to utility or driveway conflicts.

(6) A 1.5-foot vertical landscape buffer is required between the sidewalk and the vehicular drop-off area along Cedar Springs Road as shown on the landscape plan.

(7) Required trees must have a minimum trunk caliper at planting of five inches measured at a point 12 inches above the root ball.

(8) No landscape buffer is required between a predominantly underground parking structure and adjacent uses or streets.

(9) Minimum screening of off-street loading and garbage areas must be solid and must consist of masonry, evergreen plantings, extended building walls, or a combination thereof.

(10) Plant materials must be maintained in a healthy, growing condition.

SEC. S-__.112. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII.

SEC. S-__.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

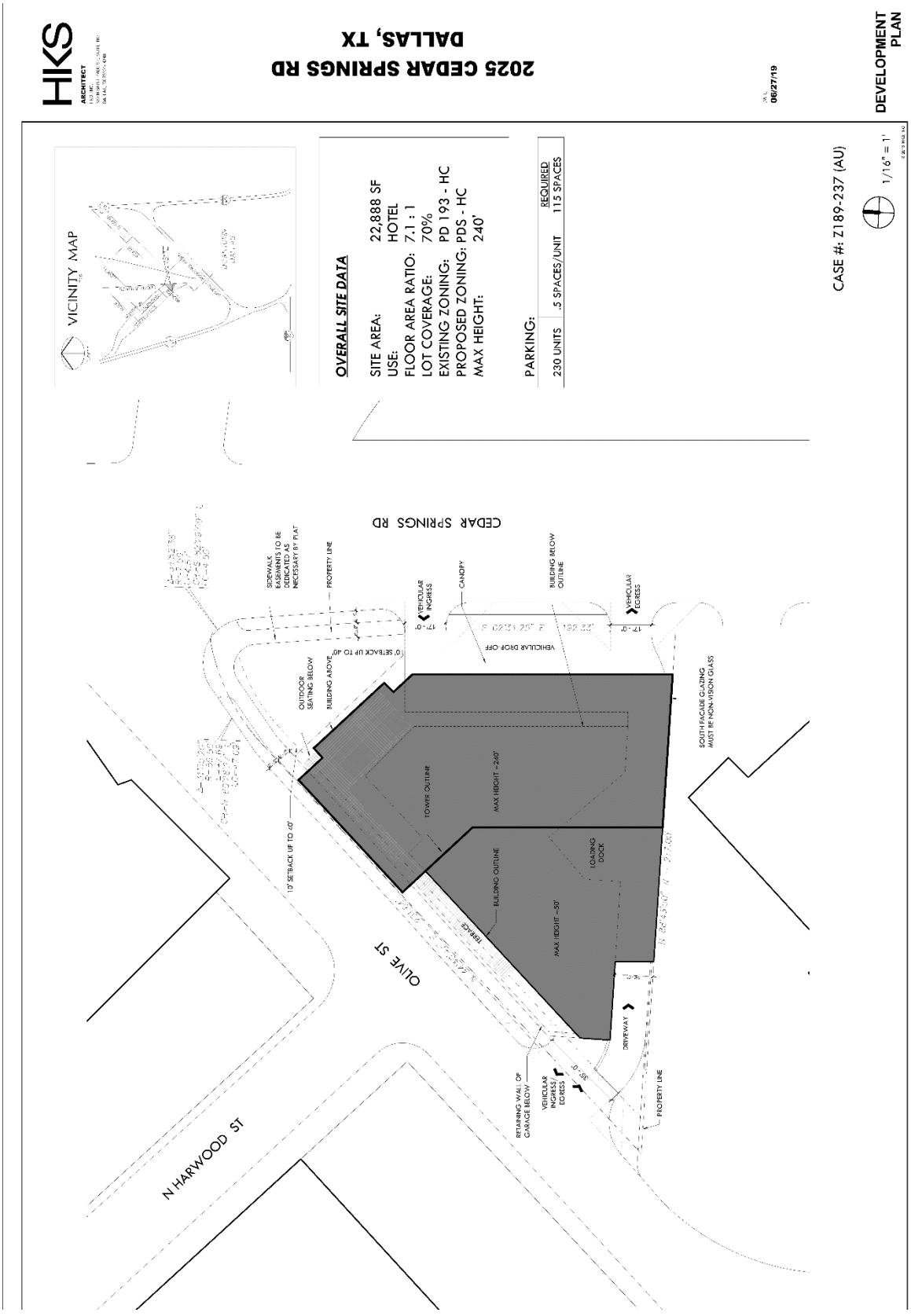
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Development and use of the Property must comply with Part I of this article.

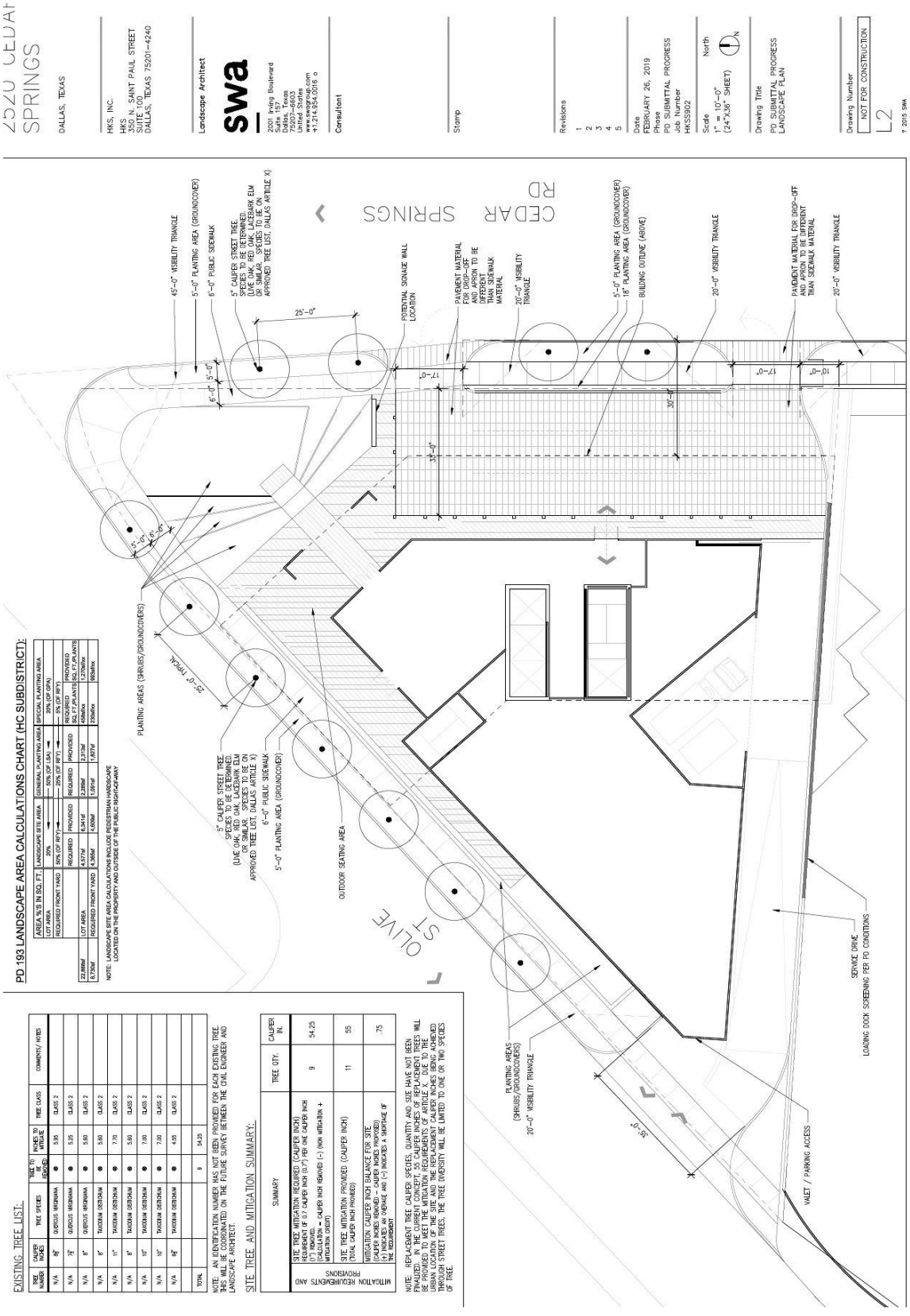
SEC. S-__.114. COMPLIANCE WITH CONDITIONS.

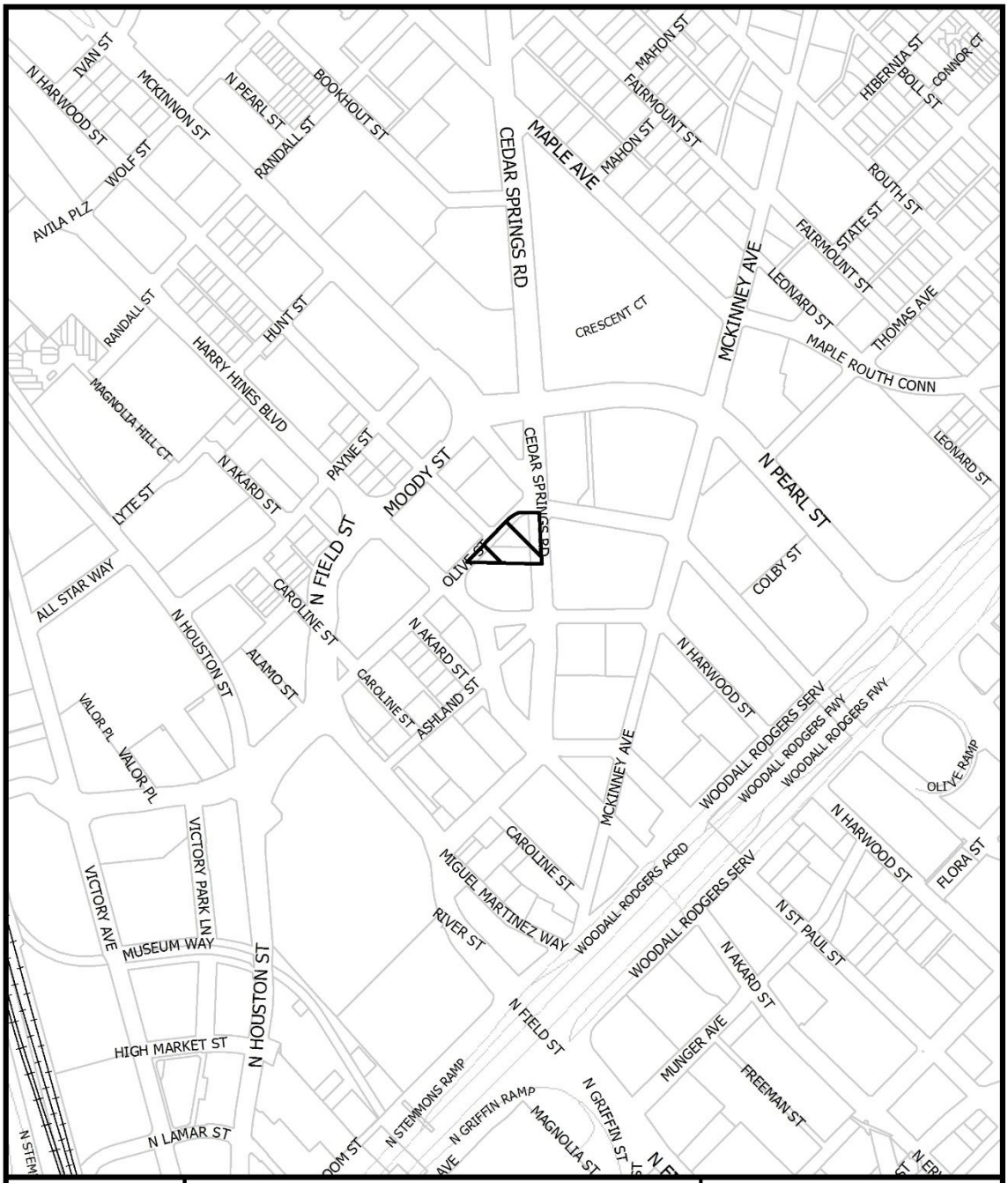
The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN



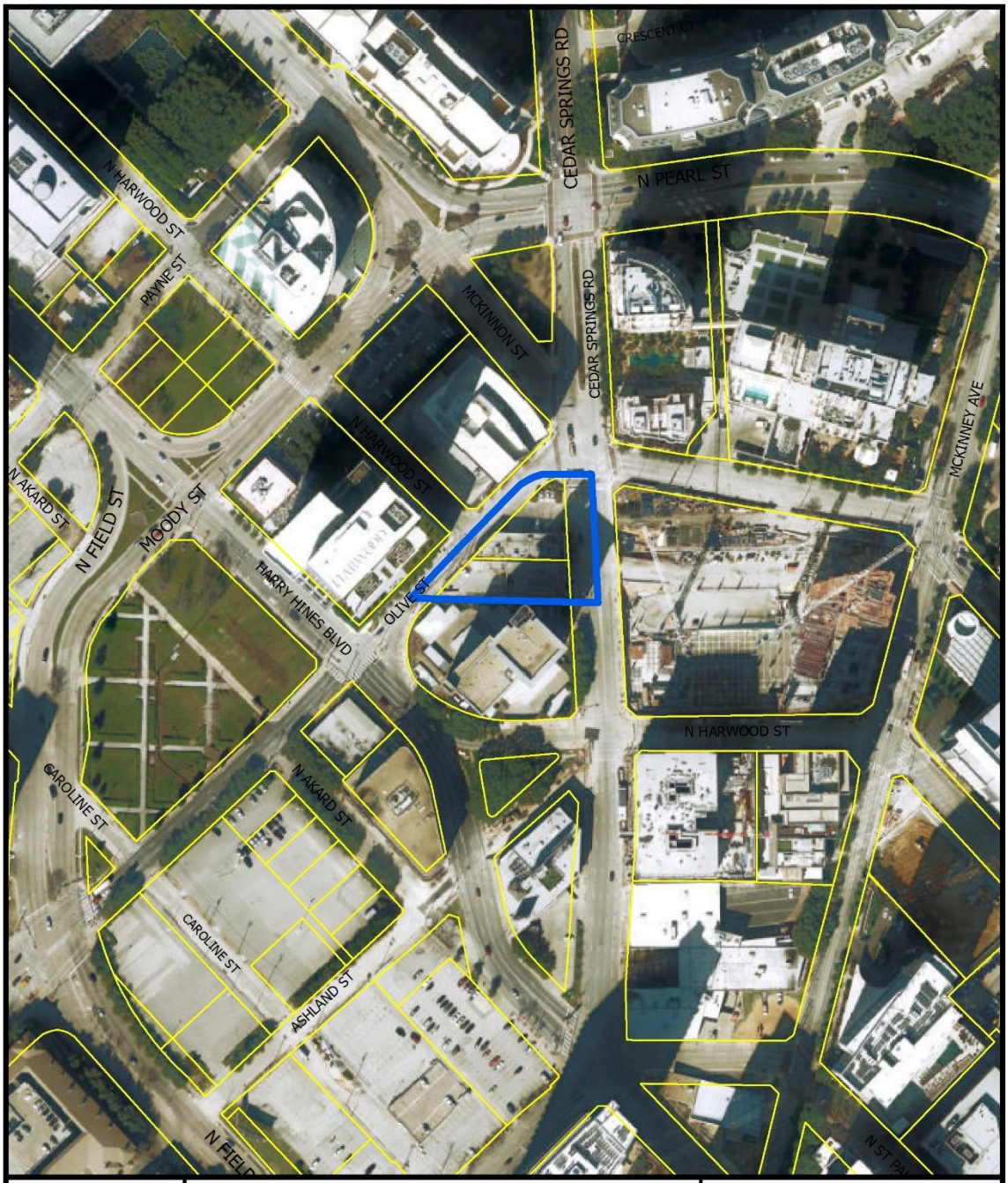


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VICINITY MAP

Case no: Z189-237

Date: 5/8/2019

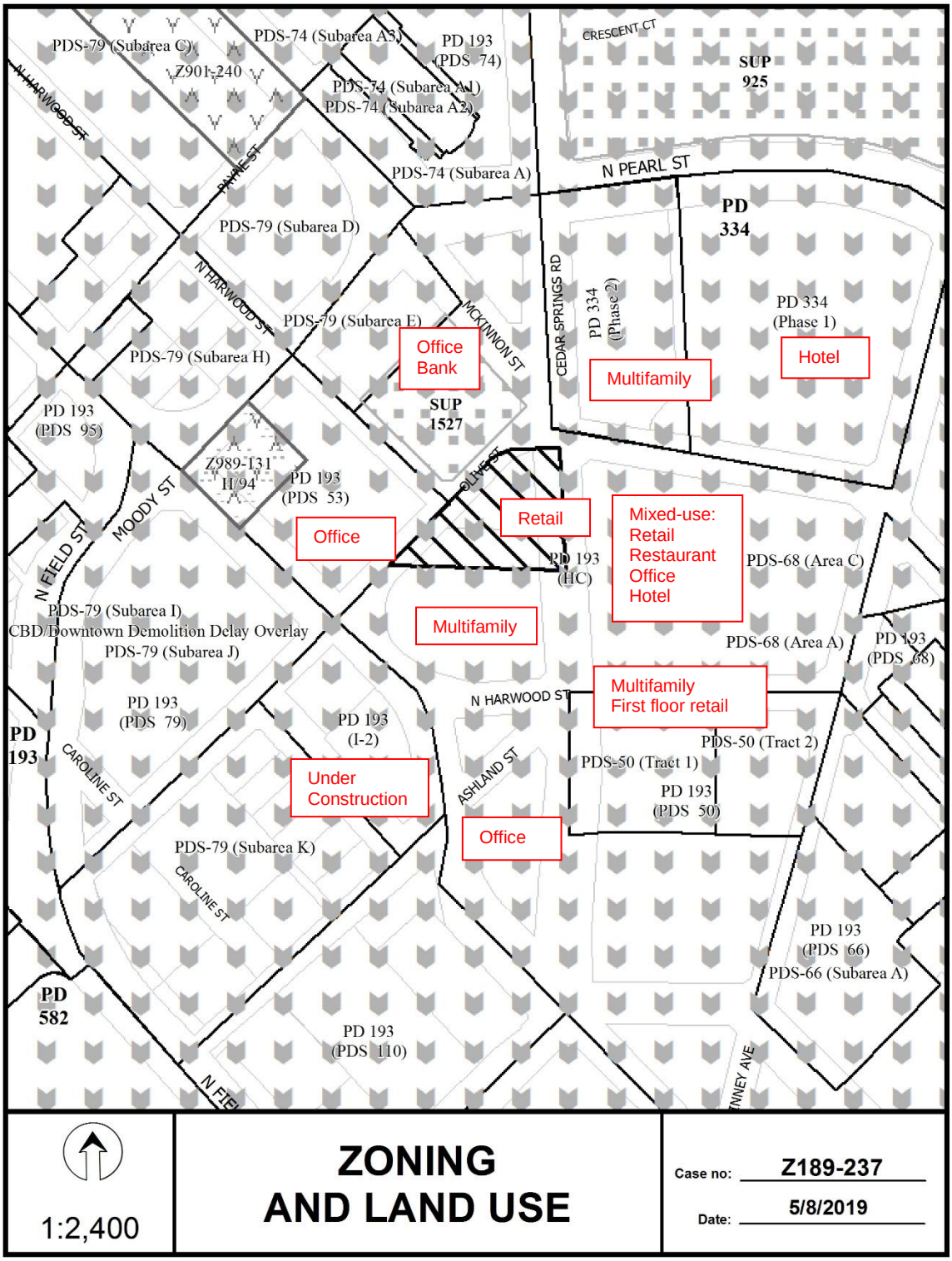


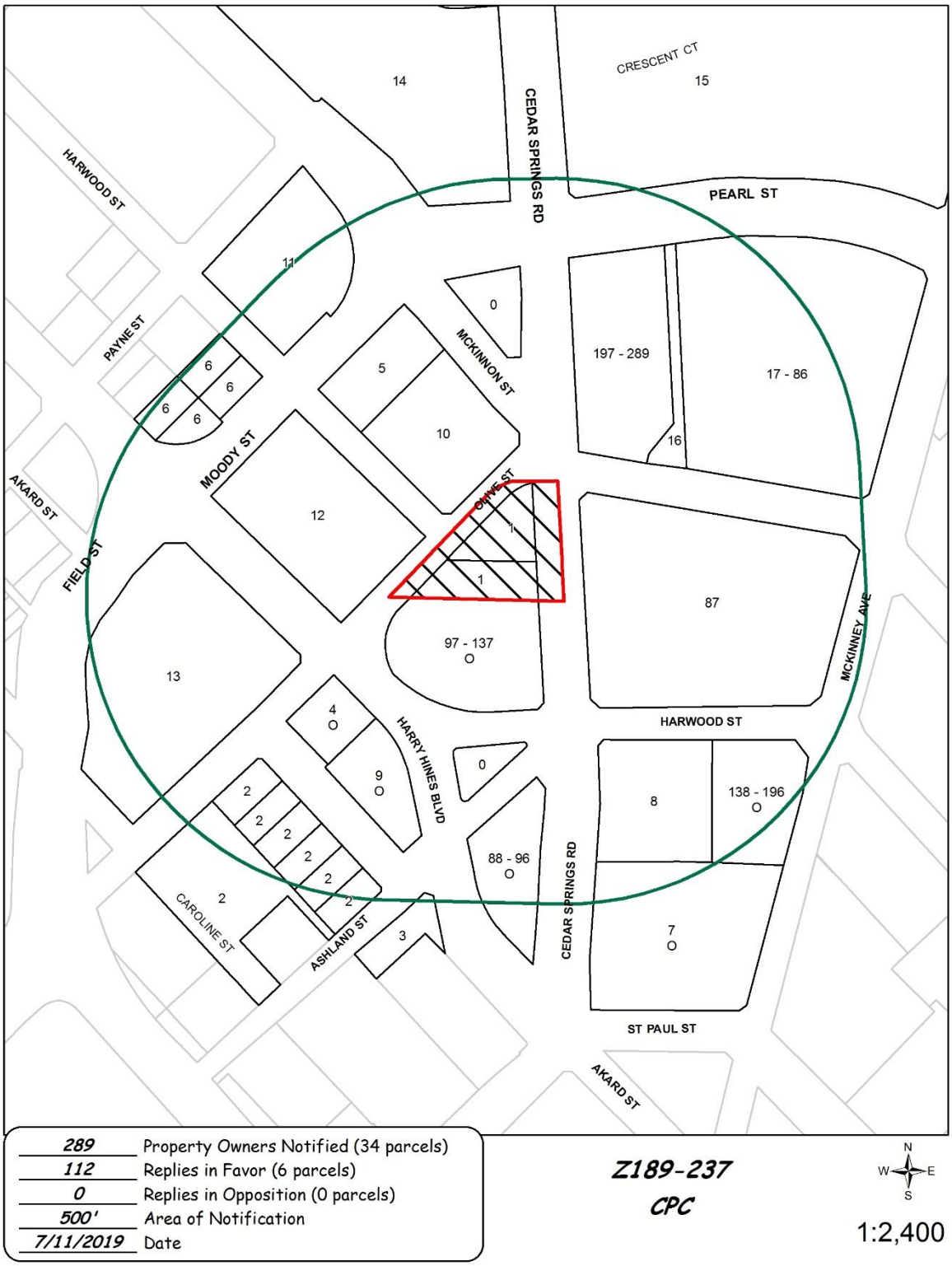
1:2,400

AERIAL MAP

Case no: Z189-237

Date: 5/8/2019


PDS-79 (Subarea C)
Z901-240
PDS-74 (Subarea A3)
PD 193 (PDS 74)
PDS-74 (Subarea A1)
PDS-74 (Subarea A2)
CRESCENT CT
SUP 925
N HARWOOD ST
PAYNE ST
PDS-74 (Subarea A)
N PEARL ST
PD 334
PDS-79 (Subarea D)
N HARWOOD ST
PDS-79 (Subarea E)
MCKINNON ST
CEDAR SPRINGS RD
PD 334 (Phase 2)
PD 334 (Phase 1)
Office Bank
Hotel
PDS-79 (Subarea H)
Multifamily
PD 193 (PDS 95)
SUP 1527
Z989-131 H/94
PD 193 (PDS 53)
OLIVE ST
MOODY ST
Retail
Mixed-use: Retail Restaurant Office Hotel
Office
N FIELD ST
PD 193 (HC)
PDS-68 (Area C)
PDS-79 (Subarea I)
CBD/Downtown Demolition Delay Overlay
PDS-79 (Subarea J)
Multifamily
PDS-68 (Area A)
PD 193 (PDS 68)
PD 193 (PDS 79)
N HARWOOD ST
Multifamily First floor retail
PD 193 (I-2)
PDS-50 (Tract 2)
PD 193
CAROLINE ST
PDS-50 (Tract 1)
ASHLAND ST
Under Construction
PD 193 (PDS 50)
Office
PDS-79 (Subarea K)
CAROLINE ST
PD 193 (PDS 66)
PDS-66 (Subarea A)
PD 582
PD 193 (PDS 110)
N FIEL
NNEY AVE
1:2,400
ZONING AND LAND USE
Case no: Z189-237
Date: 5/8/2019


14
CRESCENT CT
15
CEDAR SPRINGS RD
HARWOOD ST
PEARL ST
11
0
MCKINNON ST
PAYNE ST
6
6
6
6
5
10
197 - 289
17 - 86
16
MOODY ST
AKARD ST
OLIVE ST
12
1
1
FIELD ST
87
MCKINNEY AVE
97 - 137
13
4
HARRY HINES BLVD
HARWOOD ST
9
0
8
138 - 196
2
2
2
2
2
2
88 - 96
CEDAR SPRINGS RD
2
CAROLINE ST
ASHLAND ST
3
7
ST PAUL ST
AKARD ST
289 Property Owners Notified (34 parcels)
112 Replies in Favor (6 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
7/11/2019 Date
Z189-237
CPC
N
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1:2,400

07/10/2019

Reply List of Property Owners

Z189-237

289 Property Owners Notified ***112 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*	*Owner*
	1	2017 CEDAR SPRINGS RD	CRESCENT POINT LTD
	2	2421 N AKARD ST	FSR LP
	3	2325 N AKARD ST	UNION UPTOWN DALLAS LLC THE
	5	2012 MOODY ST	IC VIII HOLDINGS LLC
	6	2607 N HARWOOD ST	PHASE VII DEVELOPMENT AT INTERNATIONAL CENTER LP
	8	1900 CEDAR SPRINGS RD	MIRO GCP LLC
	10	2525 MCKINNON ST	CIO 2525 MCKINNON LIMITED PS
	11	2651 N HARWOOD ST	HARWOOD INTERNATIONAL CENTER I LP
	12	2501 N HARWOOD ST	INTERNATIONAL CENTER DEV
	13	2616 OLIVE ST	HARWOOD INTERNATIONAL CENTER X LP
	14	2101 CEDAR SPRINGS RD	ROSEWOOD COURT LLC
	15	100 CRESCENT CT	CRESCENT TC INVESTORS LP
	16	2510 CEDAR SPRINGS RD	CRESCENT REAL ESTATE
	17	2121 MCKINNEY AVE	CRESCENT PLZ HOTEL OWNER
	18	2525 N PEARL ST	STRONG ASA & NANCY
	19	2525 N PEARL ST	ADELGLASS JEFFREY &
	20	2525 N PEARL ST	SONNENSCHEIN INVESTMENTS LTD
	21	2525 N PEARL ST	HIXSON ROBERT L JR &
	22	2525 N PEARL ST	CHEW ALBERT E III & GEORGINA
	23	2525 N PEARL ST	RAK PROPERTIES INC
	24	2525 N PEARL ST	FRICKE MICHAEL T & ARLENE S
	25	2525 N PEARL ST	COTTEL WILLIS I TRUSTEE
	26	2525 N PEARL ST	BOSSE JEFFREY F & DONNA S
	27	2525 N PEARL ST	DYMERSKA JUSTYNA
	28	2525 N PEARL ST	QUIST SHARON S
	29	2525 N PEARL ST	MOSER FAMILY TRUST

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	30	2525 N PEARL ST	PEJOVICH BRENDA FAMILY LIVING TRUST THE
	31	2525 N PEARL ST	STERN MATT D
	32	2525 N PEARL ST	MCKENZIE ARETA B &
	33	2525 N PEARL ST	OHRE DAVID E
	34	2525 N PEARL ST	POWELL MARK W
	35	2525 N PEARL ST	DAS NATASHA
	36	2525 N PEARL ST	TOELLER GARY RICHARD & ANNE S TRUSTEES
	37	2525 N PEARL ST	HASHEM OMAR & MIASSAR
	38	2525 N PEARL ST	FONBERG PETER
	39	2525 N PEARL ST	ELLINGTON SCOTT
	40	2525 N PEARL ST	CARLOW CORP
	41	2525 N PEARL ST	SMITH LINDA J
	42	2525 N PEARL ST	DIXON GENE JR &
	43	2525 N PEARL ST	ABOU QAMAR MAAMOUN Y
	44	2525 N PEARL ST	MITCHELL F LANE
	45	2525 N PEARL ST	GALLETTA NANCY J
	46	2525 N PEARL ST	BAILEY CHARLES R & VIRGINIA H
	47	2525 N PEARL ST	KLS INVESTMENTS LLC
	48	2525 N PEARL ST	FDRE LLC
	49	2525 N PEARL ST	MISTRETTA ERIC & NICOLE
	50	2525 N PEARL ST	MANUEL GREGORY W &
	51	2525 N PEARL ST	MACRAE TERRY & MARY
	52	2525 N PEARL ST	ZISMAN AVI & SANDY R
	53	2525 N PEARL ST	VAN CLEAVE ROBERT C &
	54	2525 N PEARL ST	GUBA RAYMOND KERSHAW
	55	2525 N PEARL ST	BROWER SHANNON
	56	2525 N PEARL ST	KIM TAESEUNG BEN &
	57	2525 N PEARL ST	YAMINI SARA M
	58	2525 N PEARL ST	QUIST SHARON S
	59	2525 N PEARL ST	1013 NW LOOP 410 VENTURE
	60	2525 N PEARL ST	MCKNIGHT JAMES ROSS & BILLIE

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	61	2525 N PEARL ST	MITCHELL KEITH & LOIS TRUST THE
	62	2525 N PEARL ST	ALVARADO JOSEPH
	63	2525 N PEARL ST	HAUSLEIN FERDINAND A JR
	64	2525 N PEARL ST	WALKER ROBERT M & GUDRUN S
	65	2525 N PEARL ST	LEE JAMES J & DORIS P
	66	2525 N PEARL ST	TAYLOR BERNARD &
	67	2525 N PEARL ST	THOMPSON SCOTT
	68	2525 N PEARL ST	DOUGLASS GREGORY
	69	2525 N PEARL ST	NURENBERG PAMELA &
	70	2525 N PEARL ST	PARKS JAMES LEE
	71	2525 N PEARL ST	ROMAN FRANK
	72	2525 N PEARL ST	CROWDER KEVIN & KAREN
	73	2525 N PEARL ST	ROBINSON STEPHEN W & JEAN M
	74	2525 N PEARL ST	ROSS STEPHANIE REVOCABLE TRUST
	75	2525 N PEARL ST	SCHAKE ERIC
	76	2525 N PEARL ST	LUDEMAN CHRISTOPHER R & LYNDA M
	77	2525 N PEARL ST	SCHNITZER KENNETH LEE JR
	78	2525 N PEARL ST	MAYER TOM & SUSAN
	79	2525 N PEARL ST	KARKOUTLY AMAN &
	80	2525 N PEARL ST	WITZKE DAVID
	81	2525 N PEARL ST	QUINN TERRENCE JEROME &
	82	2525 N PEARL ST	WAGNER DUER III
	83	2525 N PEARL ST	HADDOCK RON W &
	84	2525 N PEARL ST	SOLOMON WILLIAM T & GAY F
	85	2525 N PEARL ST	LARKIN JOHN G &
	86	2525 N PEARL ST	ANDERSON CHARLES C JR & MOLLY R
	87	2021 MCKINNEY AVE	CRESCENT MCKINNEY OLIVE LP
O	88	1925 CEDAR SPRINGS RD	ROLLIN PROPERTIES LP
O	89	1925 CEDAR SPRINGS RD	1933 CEDAR SPRINGS LLC
O	90	1925 CEDAR SPRINGS RD	ROMANO PHILIP J
O	91	1925 CEDAR SPRINGS RD	THREE BRIDS PROPERTY LP

07/10/2019

Reply	*Label #*	*Address*	*Owner*
O	92	1925 CEDAR SPRINGS RD	ADLER PROPERTY COMPANIES LLP
O	93	1925 CEDAR SPRINGS RD	DAWSON WILLIAM B &
O	94	1925 CEDAR SPRINGS RD	SMITH THOMAS L
O	96	1925 CEDAR SPRINGS RD	BALDRIDGE JERALD TR ETAL
O	97	2011 CEDAR SPRINGS RD	HUFFMAN HENRY T
O	98	2011 CEDAR SPRINGS RD	REIFSCHNEIDER ERIC
O	99	2011 CEDAR SPRINGS RD	HERMAN JOHN H
O	100	2011 CEDAR SPRINGS RD	JUBEI LIVING TRUST
O	101	2011 CEDAR SPRINGS RD	TOLER KATHY A
O	102	2011 CEDAR SPRINGS RD	WIGMORE ANDREW & MARILU BUSTAMANTE
O	103	2011 CEDAR SPRINGS RD	SBORLINI DIANE M
O	104	2011 CEDAR SPRINGS RD	NICHOLS CHAD
O	105	2011 CEDAR SPRINGS RD	RODINE LIVING TRUST
O	106	2011 CEDAR SPRINGS RD	RAHHAL STEVEN
O	107	2011 CEDAR SPRINGS RD	BRIGGS CHARLES A &
O	108	2011 CEDAR SPRINGS RD	BHARDWAJ ANTONIO VERSACE
O	110	2011 CEDAR SPRINGS RD	KANGERGA RADE MORGAN
O	111	2011 CEDAR SPRINGS RD	ROBERTS RANDY C & JACKIE
O	112	2011 CEDAR SPRINGS RD	GRAY BRENDA RICHARDS
O	113	2011 CEDAR SPRINGS RD	CALHOUN HOLT E
O	114	2011 CEDAR SPRINGS RD	FLORI CHRISTOPHER GEORGE REVOCABLE TRUST
O	115	2011 CEDAR SPRINGS RD	DAVIDOW JOAN C
O	116	2011 CEDAR SPRINGS RD	SMARTT MICHAEL A & STEVA
O	117	2011 CEDAR SPRINGS RD	NILSEN CHRISTOPHER C
O	118	2011 CEDAR SPRINGS RD	SEIDENFELD STEVEN M &
O	119	2011 CEDAR SPRINGS RD	BARON JAMES D & ELIZABETH S
O	120	2011 CEDAR SPRINGS RD	GANO HEATHER M
O	121	2011 CEDAR SPRINGS RD	COIL JOHN A
O	122	2011 CEDAR SPRINGS RD	LEVITAN DANIEL S
O	123	2011 CEDAR SPRINGS RD	FINEGOLD ELIEZER MOSHE
O	124	2011 CEDAR SPRINGS RD	SHAH MONAL B

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Reply	*Label #*	*Address*	*Owner*
O	125	2011 CEDAR SPRINGS RD	FAIGH LAWRENCE P & RITA D
O	126	2011 CEDAR SPRINGS RD	CEDAR COWBOYS LLC
O	127	2011 CEDAR SPRINGS RD	SMITH JAMES B TRUSTEE OF JAMES B SMITH REV TRUST
O	128	2011 CEDAR SPRINGS RD	TAYLOR LARRY W
O	129	2011 CEDAR SPRINGS RD	SMARTT MICHAEL ADRIAN & STEVA
O	130	2011 CEDAR SPRINGS RD	KALTERRA INVESTMENTS LP
O	131	2011 CEDAR SPRINGS RD	SOLOMON GERALD
O	132	2011 CEDAR SPRINGS RD	MARTINDUARTE PAMELA HAGERTY
O	133	2011 CEDAR SPRINGS RD	MARTIN DAREN K
O	134	2011 CEDAR SPRINGS RD	PAJAK FRASER D & MARGARET A
O	135	2011 CEDAR SPRINGS RD	NESS LARRY E &
O	136	2011 CEDAR SPRINGS RD	CRUZ PONCIANO D JR
O	137	2011 CEDAR SPRINGS RD	LIBRE VENTURES LLC
O	138	1999 MCKINNEY AVE	SIROIS RICHARD N & MARY
O	139	1999 MCKINNEY AVE	MOORE F DAVID
O	140	1999 MCKINNEY AVE	ARROYO DEANNE ALYSSA
O	141	1999 MCKINNEY AVE	HARTL PAUL A
O	142	1999 MCKINNEY AVE	1999 MCKINNEY 405 HOLDINGS &
O	143	1999 MCKINNEY AVE	KALIL STEPHEN A &
O	144	1999 MCKINNEY AVE	GARRETT MICHAEL L &
O	145	1999 MCKINNEY AVE	FOX JAMES P & KATHLEEN K
O	146	1999 MCKINNEY AVE	JAIN ANISH K &
O	147	1999 MCKINNEY AVE	PALMER RICHARD W & BETH G
O	148	1999 MCKINNEY AVE	BELMER REBECCA SADLER
O	149	1999 MCKINNEY AVE	CURTIS AUDREY A THE LIVING TRUST
O	150	1999 MCKINNEY AVE	STONE JANE
O	151	1999 MCKINNEY AVE	HUTCHINSON WILLIAM L & SUZANNE S
O	152	1999 MCKINNEY AVE	SHARP THOMAS L
O	153	1999 MCKINNEY AVE	DEANE BELINDA
O	154	1999 MCKINNEY AVE	BUGG ROBERT C
O	155	1999 MCKINNEY AVE	MCELWAIN CLARK W & CAROL A

07/10/2019

Reply	*Label #*	*Address*	*Owner*
O	156	1999 MCKINNEY AVE	MEDINA MICHAEL A
O	157	1999 MCKINNEY AVE	STEHNEY JEFFREY ALLEN & JOYCE KAY
O	158	1999 MCKINNEY AVE	CHIP BRIGITTE A
O	159	1999 MCKINNEY AVE	STUVE OLAF &
O	160	1999 MCKINNEY AVE	LASSITER ANNA
O	161	1999 MCKINNEY AVE	GOTTBERG TERRY D &
O	162	1999 MCKINNEY AVE	HOUSE JAMES A &
O	163	1999 MCKINNEY AVE	HALBERT LINDSEY &
O	164	1999 MCKINNEY AVE	BARTLETT CHARLES M & MELISSA S
O	165	1999 MCKINNEY AVE	STRONG BRENDA L
O	166	1999 MCKINNEY AVE	MOORE LARRY H & DORRINE B
O	167	1999 MCKINNEY AVE	SCHUBERT FRANK B &
O	168	1999 MCKINNEY AVE	DOWLING MAUREEN F
O	169	1999 MCKINNEY AVE	PRAGADA JESSICA E & ROBERT V
O	170	1999 MCKINNEY AVE	BENDER MICHAEL JEROME &
O	171	1999 MCKINNEY AVE	1999 LISA K HAINES TRUST
O	172	1999 MCKINNEY AVE	HODGE CHARLES
O	173	1999 MCKINNEY AVE	FLANDERS ROBERT
O	174	1999 MCKINNEY AVE	BRINK RICHARD R &
O	175	1999 MCKINNEY AVE	OBERING MIHOKO K
O	176	1999 MCKINNEY AVE	BRADFORD TED R
O	177	1999 MCKINNEY AVE	ARNOLD THOMAS D
O	178	1999 MCKINNEY AVE	WOMACK STEVEN W
O	179	1999 MCKINNEY AVE	FULLERTON CLIFFORD T &
O	181	1999 MCKINNEY AVE	SAWYER MARK WILLIAM
O	182	1999 MCKINNEY AVE	CRAMM HOPE & GENE
O	183	1999 MCKINNEY AVE	ABINGTON TOM E & GLYNDA C
O	184	1999 MCKINNEY AVE	MILLER JAMES H & ROSANNE T
O	185	1999 MCKINNEY AVE	NAIK SURAJ
O	186	1999 MCKINNEY AVE	WINTER F DAVID JR & RENEE
O	187	1999 MCKINNEY AVE	WILKINS SARA

07/10/2019

Reply	*Label #*	*Address*	*Owner*
O	188	1999 MCKINNEY AVE	BALDOR JORGE L
O	189	1999 MCKINNEY AVE	FRENCH ROBERT P & MARSHA B
O	190	1999 MCKINNEY AVE	WUNDERLICK JOHN ROBERT
O	191	1999 MCKINNEY AVE	MCLAREN JEFFREY
O	192	1999 MCKINNEY AVE	GRINDSTAFF CHARLES C &
O	193	1999 MCKINNEY AVE	HOPKIN DANIEL J
O	194	1999 MCKINNEY AVE	EISENSTEIN ABRAM &
O	195	1999 MCKINNEY AVE	ACKERMAN JOHN & SUNNY
O	196	1999 MCKINNEY AVE	LEDBETTER FINLEY & JONI
	197	2555 N PEARL ST	FOSS ERIC
	198	2555 N PEARL ST	CRESCENT TOWER RESIDENCES LP
	199	2555 N PEARL ST	TORRENCE FLP
	200	2555 N PEARL ST	COOM EVERETT & CELIA
	201	2555 N PEARL ST	CREWS KYLE W & ANNE C
	202	2555 N PEARL ST	CREWS KYLE W & ANNE C CREWS
	203	2555 N PEARL ST	ZAVISLAK DINA
	204	2555 N PEARL ST	ALEXANDER GREG
	205	2555 N PEARL ST	AMENDED AND RESTATED DAGNON REV TRUST
	206	2555 N PEARL ST	BUCKLER JO ALICE
	207	2555 N PEARL ST	STEPHANIAN EDIC
	208	2555 N PEARL ST	ELTIS BENJAMIN B
	209	2555 N PEARL ST	THELIN THOMAS
	210	2555 N PEARL ST	ZOYS GEORGE N
	211	2555 N PEARL ST	VEERARAGHAVAN UMA & KRISHNA
	212	2555 N PEARL ST	CHI WEIWEI &
	213	2555 N PEARL ST	RITZ TOWER 405 LLC
	214	2555 N PEARL ST	CLARKE DIEN S & FRED E III
	215	2555 N PEARL ST	HENRY JAMES J & PATRICIA M
	216	2555 N PEARL ST	ATTICUS PEARL STREET LLC
	217	2555 N PEARL ST	HASHEM OMAR & MIASSAR
	218	2555 N PEARL ST	CEDARS BROWDER LTD

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	219	2555 N PEARL ST	DAVISON TODD & RENEE
	220	2555 N PEARL ST	TILLS MANAGEMENT TRUST THE
	221	2555 N PEARL ST	PAKRASHI SUBHESH
	222	2555 N PEARL ST	ROGERSSTILL KAREN LYNN
	223	2555 N PEARL ST	MUSSULMAN DANIEL G
	224	2555 N PEARL ST	KERNSTINE KEMP & CASSANDRA
	225	2555 N PEARL ST	CLAUSE CARL & ROSALIE
	226	2555 N PEARL ST	CAMMACK BRUCE A & MICHELE G
	227	2555 N PEARL ST	MARTIN DEBORAH L IRREV TRUST
	228	2555 N PEARL ST	PESSES IAN &
	229	2555 N PEARL ST	GRAY EAGLE PROPERTIES LP
	230	2555 N PEARL ST	FRANKS BRENT J
	231	2555 N PEARL ST	ROSS THEO
	232	2555 N PEARL ST	HILL CHARLES W & JANA L
	233	2555 N PEARL ST	YOUNGMAN STEPHEN A & DENISE A
	234	2555 N PEARL ST	ROBERSON SHANNON G
	235	2555 N PEARL ST	GRASSANO ANDREW
	236	2555 N PEARL ST	CAMPBELL VICKIE SUE LARSON &
	237	2555 N PEARL ST	PORTER ZACHARY & EMILY RAY
	238	2555 N PEARL ST	HEEBE ADREA D
	239	2555 N PEARL ST	KLAASSEN LIVING TRUST
	240	2555 N PEARL ST	RODER RICHARD
	241	2555 N PEARL ST	BRITTINGHAM MACKENZIE
	242	2555 N PEARL ST	WEISS MELISSA L
	243	2555 N PEARL ST	GINERIS MARC A & JEAN M
	244	2555 N PEARL ST	HARGIS KENNETH & DARLENE LIVING TRUST
	245	2555 N PEARL ST	FAURIA THOMAS J & RENEE
	246	2555 N PEARL ST	HARASYM STEVEN MICHAEL
	247	2555 N PEARL ST	SHORECREST FAMILY LP
	248	2555 N PEARL ST	KCZC INVESTMENTS LTD
	249	2555 N PEARL ST	RIPPETO J DOUGLAS

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	250	2555 N PEARL ST	MOON DANIEL J
	251	2555 N PEARL ST	CRAIN LARRY P JR & JOY R
	252	2555 N PEARL ST	MUHL BRADLEY GILBERT & HOLLY BOWEN
	253	2555 N PEARL ST	FRAZIER DEBBIE
	254	2555 N PEARL ST	BLUE CRESCENT VENTURE LP
	255	2555 N PEARL ST	FOX PATRICK K & CYNTHIA E
	256	2555 N PEARL ST	FORD SCOTT T & JOAN D
	257	2555 N PEARL ST	CRADICK CAROLINE CHARETTE TR
	258	2555 N PEARL ST	SANTAGA GREGORY P & ANN M JOINT REVOCABLE TRUST
	259	2555 N PEARL ST	AVANT HARRY L
	260	2555 N PEARL ST	BARSACHS EDWIN HARRY JR &
	261	2555 N PEARL ST	DORF ROGER & SANDRA DORF
	262	2555 N PEARL ST	TROVATO MATTHEW JOHN &
	263	2555 N PEARL ST	TROVATO MATTHEW JOHN &
	264	2555 N PEARL ST	MD COMMONS COMMERCIAL PPTY LLC
	265	2555 N PEARL ST	MD COMMONS COMMERCIAL
	266	2555 N PEARL ST	LAZOF FAMILY TRUST
	267	2555 N PEARL ST	MOTSENBOCKER ALAN K & ANNE B
	268	2555 N PEARL ST	DUNN FREDRICK L & PRISCILLA A
	269	2555 N PEARL ST	AKBARI HOMAIRA
	270	2555 N PEARL ST	MUHL BRADLEY GILBERT & HOLLY
	271	2555 N PEARL ST	SIKKEL MARK
	272	2555 N PEARL ST	SANTAGA GREGORY P & ANN M
	273	2555 N PEARL ST	SANTAGA 2005 JOINT REVOCABLE TRUST
	274	2555 N PEARL ST	OLSON R CASEY & MARGARET L
	275	2555 N PEARL ST	RC TRUST THE &
	276	2555 N PEARL ST	GORES ALEC ELIAS REV LIVING TRUST THE
	277	2555 N PEARL ST	ROGERS MARY MCDANIEL
	278	2555 N PEARL ST	ROGERS ROBYN M REVOCABLE
	279	2555 N PEARL ST	THE FRONT PORCH LLC
	280	2555 N PEARL ST	FRONT PORCH LLC THE

07/10/2019

Reply	*Label #*	*Address*	*Owner*
	281	2555 N PEARL ST	FOUR LECHONS LLC
	282	2555 N PEARL ST	MAGINNIS KELLY ANNE
	283	2555 N PEARL ST	SHINN LLOYD &
	284	2555 N PEARL ST	HEDGEHOG REAL ESTATE LLC
	285	2555 N PEARL ST	CORTEBA SA DE CV
	286	2555 N PEARL ST	KAPLAN GABRIEL TR
	287	2555 N PEARL ST	GRANGER KIMBERLEY
	288	2555 N PEARL ST	TWOMEY FAMILY TR
	289	2555 N PEARL ST	VAN WOLFSWINKEL RANDALL
O	A1	1925 CEDAR SPRINGS RD	REEDER JAMES B
O	A2	1999 MCKINNEY AVE	MALONE MICHAEL W
O	A3	1919 MCKINNEY AVE	HKS BUILDINGS LP
O	A4	2414 N AKARD ST	TRITON 2414 LLC
O	A5	2422 AKARD ST	TRITON 2422 LLC
O	A6	2011 CEDAR SPRINGS RD	IVANOVSKIS GEORGE & RHONDA DUWAJI

Agenda Information Sheet

File #: 19-1176 **Item #:** 79.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	August 28, 2019
COUNCIL DISTRICT(S):	1
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 2238 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a private club-bar on property zoned Subdistrict 6 within Planned Development District No. 830, on the east line of North Tyler Street, north of West Davis Street
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z189-258(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-258(SM)	**DATE FILED:**	April 29, 2019
LOCATION:	East line of North Tyler Street, north of West Davis Street		
COUNCIL DISTRICT:	1	**MAPSCO:**	54 B
SIZE OF REQUEST:	Approx. 1,797 sq. ft.	**CENSUS TRACT:**	42.01

OWNER: Good Space X, LLC, David Spence, President, Sole Owner

APPLICANT: Tiny Victories, Brandon Hays, Sole Owner

REPRESENTATIVE: Santos Martinez, La Sierra Planning Group

REQUEST: An application for an amendment to and renewal of Specific Use Permit No. 2238 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a private club-bar on property zoned Subdistrict 6 within Planned Development District No. 830.

SUMMARY: The applicant [Tiny Victories] requests to construct a roof over the existing 350-square-foot patio and to continue to operate within the existing facility.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The request site is located in an area that was formerly dry for TABC purposes. In 2010, a local option election allowed holders of a food and beverage certificate to sell alcohol for on-premise consumption. This then allowed restaurants to sell and serve alcohol without a private club license.

- Since the 2010 local option election did not allow on-premise consumption of alcohol without a food and beverage certificate, the existing use cannot be a bar, lounge, or tavern use and therefore must be a private club-bar use.

- On April 12, 2017, the City Council approved SUP No. 2238 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a private club-bar.

- On December 11, 2017, TABC issued the premise a private club registration permit.

- The request site is approximately 1,797 square feet of land out of the 38,500-square-foot overall building site. The overall building site is developed with two structures: 1) a 12,000-square-foot multi-tenant "legacy building" which was built in 1935 and is located on the northeast corner North Tyler Street and West Davis Street and 2) a church building that was constructed in 1949, is on the northwest corner of North Tyler Street and Fouraker Street, and was converted to a restaurant use on May 9, 2018.

- The applicant proposes to construct a roof over the existing 350-square-foot patio and to continue to operate within the existing private club-bar suite with approximately 1,007 square feet of floor area on the western portion of the legacy building. On April 16, 2019, the Board of Adjustment granted a special exception to the visual obstruction regulations for the proposed patio cover.

Zoning History: There has been one zoning change requested in the past five years.

1. **Z134-308**: On August 12, 2015, the City Council approved a renewal of Specific Use Permit No. 2016 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery or winery on property zoned Subdistrict 6 within Planned Development District No. 830 for a three-year period with eligibility for automatic renewals for additional three-year periods, on the southeast corner of North Tyler Street and West Davis Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	TP Designation; ROW
North Tyler Street	Major Arterial	2 lanes undivided, 60 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.

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.

URBAN DESIGN ELEMENT

GOAL 5.3 Establishing Walk-to Convenience

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 830, Subdistrict 6, SUP No. 2238	Private club-bar
North	PDD No. 830, Subdistrict 6	Restaurant
South	PDD No. 830, Subdistrict 6	Retail-related uses
East	PDD No. 830, Subdistrict 6	Retail-related uses
West	PDD No. 830, Subdistrict 5, CD No. 1	Auto repair, Single family

Land Use Compatibility:

The applicant's request to renew and amend the existing Specific Use Permit will allow for the continued operation of a private club-bar[1] within the existing retail development. The applicant's request to cover an existing outside patio that is located on the northern

[1] A private-club bar is "an establishment holding a private-club permit under Chapter 32 and 33 of the Texas Alcoholic Beverage Code that derives 35 percent or more of its gross revenue from the sale or service of alcoholic beverages for on-premise consumption and that is located within a dry area as defined in Title 6 (Local Option Elections) of the Texas Alcoholic Beverage Code. Private-Club Bar does not include a fraternal or veterans organization, as defined in the Texas Alcoholic Beverage Code, holding a private club permit under Chapter 32 or 33 of the Texas Alcoholic Beverage Code. Private-Club bar does not include the holder of a food and beverage certificate, as defined in the Texas Alcoholic Beverage Code."

building facade is considered compatible with surrounding uses because it is located on the interior portion of the overall building site and is not expected to significantly alter the current operation of the existing use. Additionally, the outdoor patio space will continue to be limited to a maximum of 350 square feet of area and continue to be limited to the operating hours between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.

The request site is adjacent to a variety of retail and personal service use that are located within the building to the east and south. There is a one-story structure to the north that was previously a church and is now has a Certificate of Occupancy for a restaurant. Properties to the west, across North Tyler Street, are developed with an auto related use and a residential use.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be 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 request to continue the existing use is compatible with the mix of mainly retail uses in the area because the conditions include hours of operation, prohibits rooftop patios, and limits the outdoor speaker height and regulates when outdoor speakers must be turned-off. Further, the addition of a patio cover will dampen ambient noise produced by the site and is therefore an improvement upon the existing conditions of the site.

Landscaping:

The proposed work will not increase the impervious coverage and therefore will not trigger compliance with landscaping requirements.

Parking:

Pursuant to Section 51P-830.117(b)(2), off-street parking for retail-related uses and office uses within a legacy building[2] is not required. PDD No. 830 also identifies certain uses as retail-related uses which include an antique shop, art gallery, dry cleaning or laundry store, general merchandise or food store, nursery, garden shop, or plant sales and personal service uses. Because a private club-bar is not included in retail-related uses it is required to provide off-street parking when the use is converted or expanded[3] from an existing use with less parking required.

The off-street parking for a private club-bar is one space for each 100 square feet of floor area. Because the applicant proposes to cover the outdoor patio space, which is considered additional floor area, it will now be included in the calculation of off-street parking requirement. Therefore, the 1,007 square feet of interior floor area and 350 square feet of covered patio total 1,357 square feet of total floor area which results in 14 spaces required.

The proposed covered patio expansion of the private-club bar will comply with minimum parking requirements because 1) the retail and church buildings were constructed in 1935 and 1949, respectively, and therefore, the site has retained some delta credits; 2) the off-street parking lot was constructed to meet the additional parking requirements of converting the church to a restaurant and the former retail building to the private-club bar, and 3) PDD No. 830 allows on-street parking to count towards off-street parking requirements. Should Building Inspection, determine additional parking is needed at the time of permit application for the patio cover, the applicant can utilize reductions for providing bicycle parking pursuant to Section 51A-4.314 or by executing a special parking agreement pursuant to PDD No. 830 or 51A-4.320 (e.g. remote parking by lease or shared parking with compatibly overlapping hours of operation).

[2] Reference Section 51P-830.118 of the Dallas Development Code for legacy building criteria.
[3] Reference Section 51A-4.704(b)(4) of the Dallas Development Code for nonconformity as to parking.

Dallas Police Department:

Staff obtained the following list of four calls for 604 North Tyler Street since SUP No. 2238 was approved on April 12, 2017. No offense or arrest data was available during this period.

Master Incident No.	Date	Time	Problem	Priority Description
18-0808146	5/8/2018	1:20:00 PM	7X - Major Accident	2 - Urgent
18-1645419	9/9/2018	1:15:00 AM	40/01 - Other	2 - Urgent
18-2180261	12/2/2018	3:30:00 AM	07 - Minor Accident	3 - General Service
19-0535735	3/27/2019	4:41:00 PM	07 - Minor Accident	3 - General Service

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, the site is in the vicinity of a “C” MVA cluster on the west side of North Tyler Street and a “D” MVA cluster on the north side of Fouraker Street.

CPC Action
June 20, 2019

Motion: In considering an application for an amendment to and renewal of Specific Use Permit No. 2238 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a private club-bar on property zoned Subdistrict 6 within Plan Development District No. 830, on the east line of North Tyler Street, north of West Davis Street, it was moved to **hold** this case under advisement until July 11, 2019.

Maker: Brinson
Second: Schulte
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright*, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 14
Replies: For: 1 Against: 0

Speakers: None

CPC Action
July 11, 2019

Motion: It was moved to recommend **approval** of an amendment to and the renewal of Specific Use Permit No. 2238 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a private club-bar for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned Subdistrict 6 within Plan Development District No. 830, on the east line of North Tyler Street, north of West Davis Street.

Maker: MacGregor
Second: Schultz
Result: Carried: 7 to 5

For: 7 - MacGregor, Shidid, Brinson, Housewright, Schultz, Murphy, Tarpley

Against: 5 - Schulte, Carpenter, Lewis, Jung, Ridley
Absent: 2 - Criss, Johnson
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 14
Replies: For: 2 Against: 1

Speakers: For: Santos Martinez, 52 Cheerful Way, Angel Fire, NM, 87710,
Against: Pam Conley, P.O. Box 5212, Dallas, TX, 75208

CPC Recommended SUP No. 2238 Amendments

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to [~~a bar, lounge, or tavern and~~] a private club-bar.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance) [~~April 12, 2020~~], but is eligible for automatic renewals for additional five-year periods pursuant to Section 5 1A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. FLOOR AREA:

   A. The maximum floor area within a legacy building is 1,007 square feet.

   B. The maximum floor area for a covered patio is 350 square feet.

5. HOURS OF OPERATION: The alcoholic beverage establishment limited to [~~a bar, lounge, or tavern or~~] a private club-bar may only operate between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.

6. OUTDOOR SPEAKERS:

   A. Outdoor speakers may be installed a minimum of six feet and a maximum of 40 feet from the east line of Tyler Street.

   B. Outdoor speakers must be installed to face downward toward the ground.

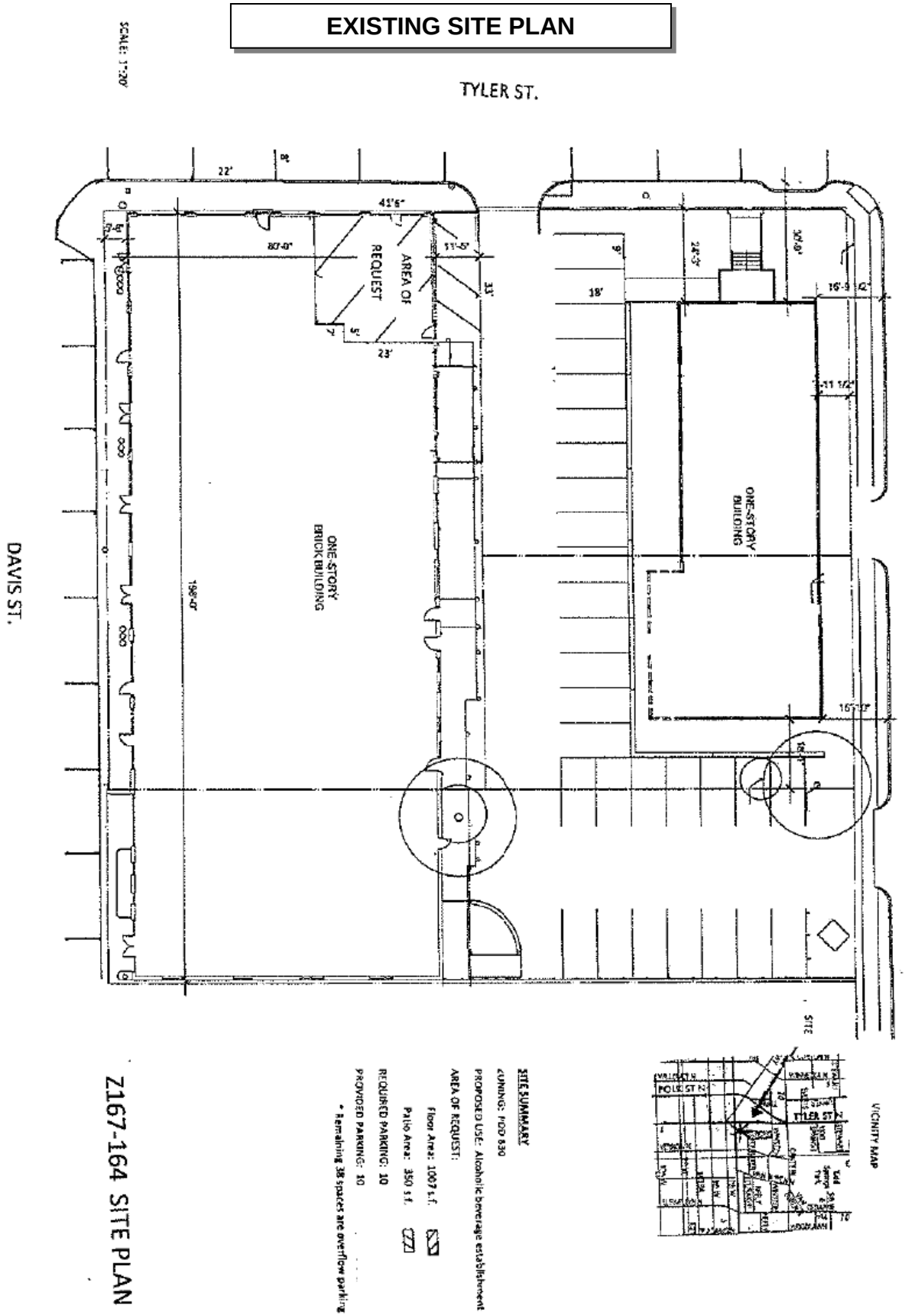
   C. Outdoor speakers may only operate between 11:00 a.m. and 10:00 p.m., Monday through Sunday.

7. ROOFTOP PATIO: A rooftop patio is prohibited [~~The maximum outdoor patio area is 350 square feet~~].

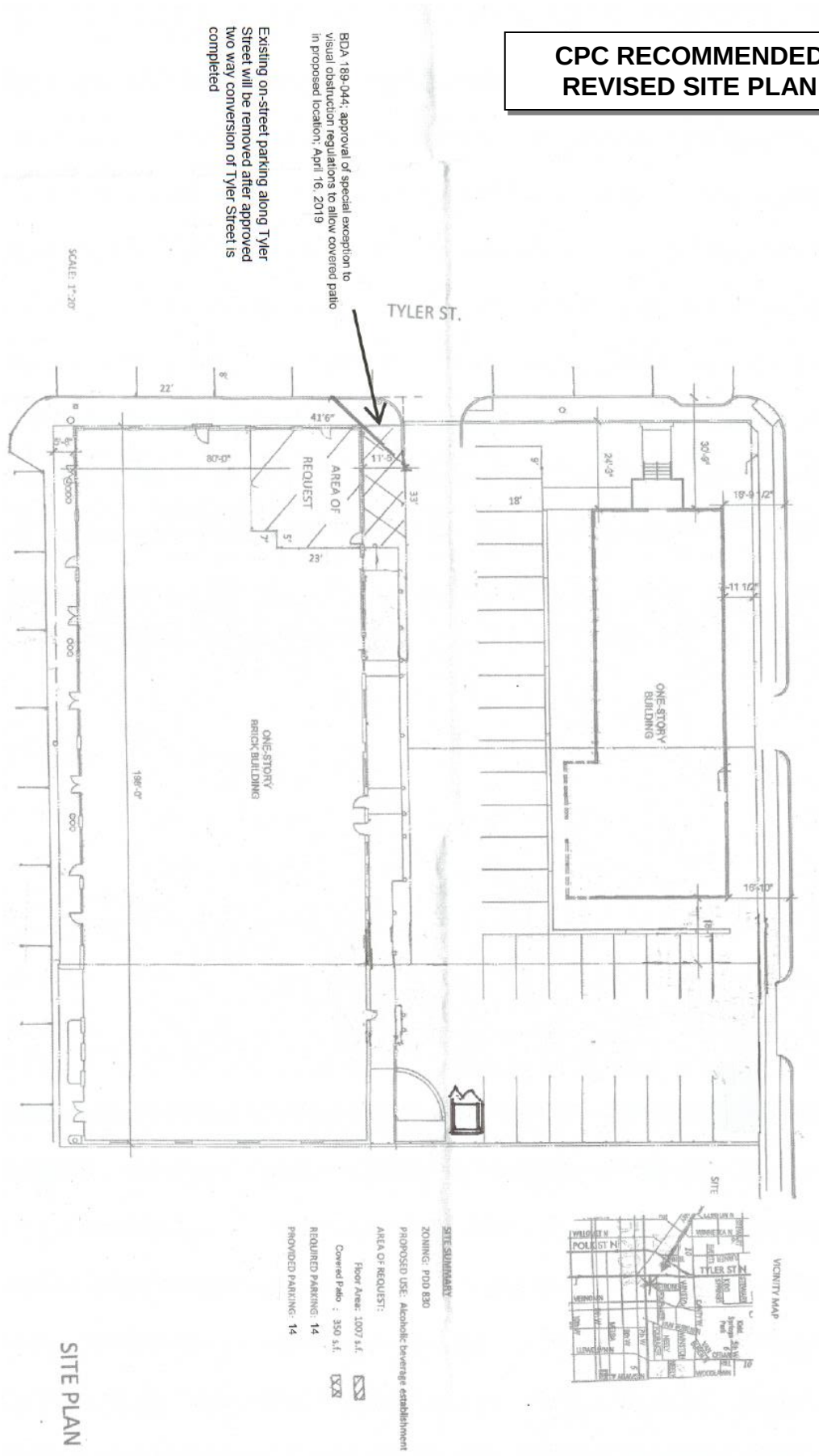
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN



CPC RECOMMENDED REVISED SITE PLAN





1:4,800

VICINITY MAP

Case no: Z189-258

Date: 6/3/2019

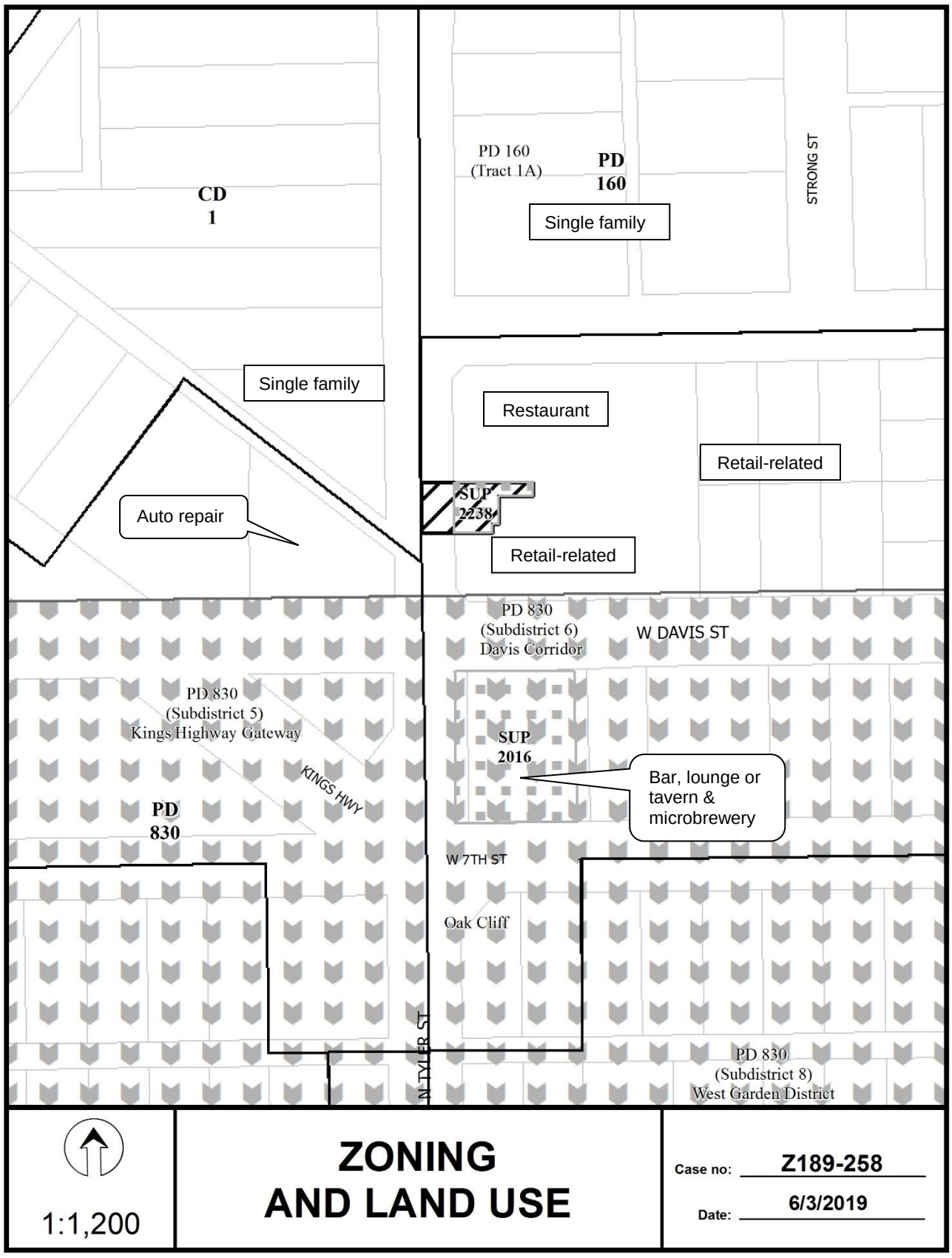


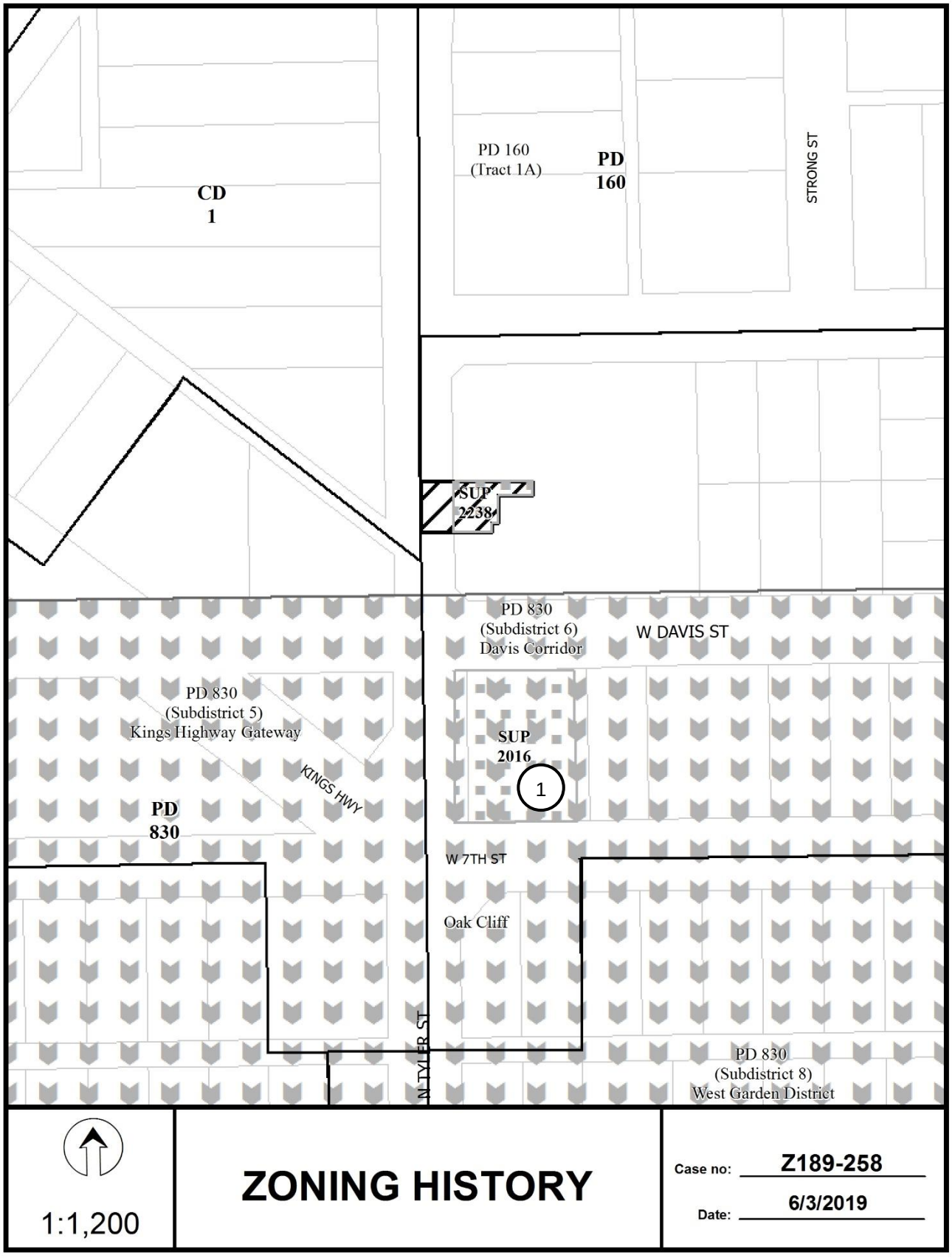
1:1,200

AERIAL MAP

Case no: Z189-258

Date: 6/3/2019


CD
1
PD 160
(Tract 1A)
PD
160
STRONG ST
Single family
Single family
Restaurant
Retail-related
SUP
2238
Auto repair
Retail-related
PD 830
(Subdistrict 6)
Davis Corridor
W DAVIS ST
PD 830
(Subdistrict 5)
Kings Highway Gateway
SUP
2016
Bar, lounge or
tavern &
microbrewery
KINGS HWY
PD
830
W 7TH ST
Oak Cliff
N TYLER ST
PD 830
(Subdistrict 8)
West Garden District
1:1,200
ZONING
AND LAND USE
Case no: Z189-258
Date: 6/3/2019


CD
1
PD 160
(Tract 1A)
PD
160
STRONG ST
SUP
2238
PD 830
(Subdistrict 6)
Davis Corridor
W DAVIS ST
PD 830
(Subdistrict 5)
Kings Highway Gateway
KINGS HWY
SUP
2016
1
PD
830
W 7TH ST
Oak Cliff
N TYLER ST
PD 830
(Subdistrict 8)
West Garden District
1:1,200
ZONING HISTORY
Case no: Z189-258
Date: 6/3/2019



14	Property Owners Notified (17 parcels)
2	Replies in Favor (2 parcels)
1	Replies in Opposition (1 parcels)
200'	Area of Notification
7/11/2019	Date

Z189-258
CPC

N
W E
S

1:1,200

07/10/2019

Reply List of Property Owners

Z189-258

14 Property Owners Notified ***2 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	600	N TYLER ST	GOOD SPACE X LLC
	2	817	W DAVIS ST	VALPARAISO HOLDINGS LLC
	3	819	W DAVIS ST	VALPARAISO HOLDINGS LLC
	4	820	FOURAKER ST	VALPARAISO HOLDINGS LLC
	5	833	W 7TH ST	GIURA PETER
	6	828	W DAVIS ST	828 DAVIS LLC
	7	623	STRONG ST	TEJADA JESUS S &
X	8	624	N TYLER ST	ANDREW GONZALES
	9	900	W DAVIS ST	TYLER ARTS DISTRICT INVESTMENTS LLC
	10	625	N TYLER ST	GRBK FRISCO LLC
	11	617	N TYLER ST	617 N TYLER ST LLC
O	12	611	N TYLER ST	SALINAS SALVADOR &
	13	901	W DAVIS ST	WILSON VERNON E
	14	1001	KINGS HWY	RAHIM TAISER

Agenda Information Sheet

File #: 19-926 **Item #:** 80.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast
Recommendation of Staff: Denial
Recommendation of CPC: Approval
Z189-149(JM)
Note: This item was deferred by the City Council before opening the public hearing on June 12, 2019, and is scheduled for consideration on August 28, 2019

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-149(JM) **DATE FILED:** December 11, 2018

LOCATION: East of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast

COUNCIL DISTRICT: 2 **MAPSCO:** H 6

SIZE OF REQUEST: ±0.378 acres **CENSUS TRACT:** 4.06

APPLICANT: Kaminski Development Corp.

OWNER: Maria Strattin

REPRESENTATIVE: Rob Baldwin, Baldwin and Associates

REQUEST: An application for an MF-2(A) Multifamily District on property zoned a CS Commercial Service District.

SUMMARY: The purpose of the request is to allow for the development of townhouses.

CPC RECOMMENDATION: **Approval.**

STAFF RECOMMENDATION: **Denial.**

BACKGROUND INFORMATION:

- The subject site contains 0.378 acres. The existing zoning is a CS Commercial Service District.
- The purpose of the request is to allow for the development of townhouses. Adjacent properties to the east and south, as well as across Mail Avenue to the northeast contain single family uses within a MF-2(A) Multifamily District.
- The earliest historic aerials with a clear view of the property show the lots being used for vehicle storage since 2001.

Zoning History: There have not been any zoning requests in the surrounding area in the past five years:

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Mail Avenue	Local	50 feet	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request does not comply with the goals and policies outlined in the *forwardDallas! Comprehensive Plan.*

Surrounding Land Uses:

	Zoning	Land Use
Site	CS Commercial Service	Undeveloped/vehicle storage
North	CS Commercial Service, MF-2(A) Multifamily, and CS w/SUP No. 588	Single family and office

East	CS Commercial Service and MF-2(A) Multifamily	Single family
South	CS Commercial Service	Furniture store and auto related uses
West	CS Commercial Service	Auto related uses and retail

Land Use Compatibility:

The subject site contains 0.378 acres. The existing zoning is a CS Commercial Service District. The purpose of the request is to allow for the development of townhouses. Surrounding land uses include single family and office to the north; single family to the east; a furniture store and auto related uses to the south; and, auto related and retail uses to the west.

Adjacent properties to the south and across Mail Avenue to the northeast contain single family uses within a MF-2(A) Multifamily District. However, the CS District includes adjacent properties to the east, southwest, northeast, and across Mail Avenue to the north and northwest. The property is a part of a tract of CS District zoned parcels extending into what has developed into a single family neighborhood in an MF-2(A) District. Rezoning this parcel would create an alternating pattern of CS and MF-2(A) District zoning along Mail Avenue and would greatly impact the CS District properties adjacent to the site due to residential adjacency standards for additional setbacks. While the eastern adjacent property contains a single family use, that is no longer an allowable land use in the existing CS zoning district.

The earliest historic aerials with a clear view of the property show the lots being used for vehicle storage since 2001. City records indicate there are no Certificates of Occupancy on record for the subject site.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The subject site is mostly uncategorized, with a small portion of the property located in Category H. Adjacent properties to the east are also within Category H.

Development Standards:

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing: CS	15' 0'	20' adj. to res. (not including A(A)) 0' all others	45'	80%	RPS Visual Intrusion	Commercial and business service, institutional and community service, office, retail and personal service, transportation, utility and public service, and wholesale, distribution and storage uses.
Proposed: MF-2(A)	15'	0' for SF 5-15' Others	36'	60%	RPS 15' spacing between each group of 8 SF units	Residential and institutional and community service uses.

Overall, the most significant changes in development rights would include changing to primarily residential land uses and decreasing both the maximum allowable height and lot coverage requirements.

The following chart indicates where there is a proposed change in the use regulations. All uses being maintained are not shown.

Land Use Comparison:	Proposed	Existing
Use	**MF-2(A)**	**CS**
Building repair and maintenance shop.		**RAR**
Bus or rail transit vehicle maintenance or storage facility.		**RAR**
Catering service.		**X**
Commercial bus station and terminal.		**Check use.**
Commercial cleaning or laundry plant.		**RAR**
Custom business services.		**X**
Custom woodworking, furniture construction, or repair.		**X**
Electronics service center.		**X**
Job or lithographic printing.		**RAR**
Labor hall.		**SUP**
Machine or welding shop.		**RAR**
Machinery, heavy equipment, or truck sales and services.		**RAR**

Land Use Comparison:	**Proposed**	**Existing**
Use	**MF-2(A)**	**CS**
Medical or scientific laboratory.		**X**
Technical school.		**X**
Tool or equipment rental.		**X**
Vehicle or engine repair or maintenance.		**RAR**
Industrial (inside) for light manufacturing.		**X**
Adult day care facility.	**SUP**	**X**
Child-care facility.	**SUP**	**X**
College, university, or seminary.	**SUP**	**X**
Convalescent and nursing homes, hospice care, and related institutions.	**RAR**	
Foster home.	**X**	
Hospital.	**SUP**	**RAR**
Library, art gallery, or museum.	**SUP**	
Open-enrollment charter school or private school.	**SUP**	**SUP**
Public school other than open-enrollment charter school.	**SUP**	**RAR**
Extended stay hotel or motel.		**SUP**
Hotel or motel.		**RAR or SUP**
Overnight general purpose shelter.		**Check use.**
Attached non-premise sign.		**SUP**
Alternative financial establishment.		**SUP**
Financial institution without drive-in window.		**X**
Financial institution with drive-in window.		**RAR**
Medical clinic or ambulatory surgical center.		**X**
Office.		**X**
Country club with private membership.	**RAR**	**X**
Private recreation center, club, or area.	**SUP**	**X**
Duplex.	**X**	
Group residential facility.	**Check use.**	
Handicapped group dwelling unit.	**Check use.**	
Multifamily.	**X**	
Residential hotel.	**X**	
Retirement housing.	**X**	
Single family.	**X**	

Land Use Comparison:	**Proposed**	**Existing**
Use	**MF-2(A)**	**CS**
Alcoholic beverage establishments.		**Check use.**
Ambulance service.		**RAR**
Animal shelter or clinic without outside runs.		**RAR**
Animal shelter or clinic with outside run.		**Check use.**
Auto service center.		**RAR**
Business school.		**X**
Car wash.		**RAR**
Commercial amusement (inside).		**Check use.**
Commercial amusement (outside).		**DIR**
Commercial motor vehicle parking.		**Check use.**
Commercial parking lot or garage.		**RAR**
Convenience store with drive-through.		**SUP**
Drive-in theater.		**SUP**
Dry cleaning or laundry store.		**X**
Furniture store.		**X**
General merchandise or food store 3,500 square feet or less.		**X**
General merchandise or food store greater than 3,500 square feet.		**X**
General merchandise or food store 100,000 square feet or more.		**SUP**
Home improvement center, lumber, brick or building materials sales yard.		**RAR**
Household equipment and appliance repair.		**X**
Liquefied natural gas fueling station.		**SUP**
Liquor store.		**X**
Mortuary, funeral home, or commercial wedding chapel.		**X**
Motor vehicle fueling station.		**X**
Nursery, garden shop, or plant sales.		**X**
Paraphernalia shop.		**SUP**
Outside sales.		**SUP**
Pawn shop.		**X**
Personal service uses.		**X**
Restaurant without drive-in or drive-thru service.		**RAR**
Restaurant with drive-in or drive-through service.		**DIR**
Swap or buy shop.		**SUP**
Taxidermist.		**X**

Land Use Comparison:	**Proposed**	**Existing**
Use	**MF-2(A)**	**CS**
Temporary retail use.		**X**
Theater.		**X**
Truck stop.		**SUP**
Vehicle display, sales, and service.		**RAR**
Commercial bus station and terminal.		**DIR**
Heliport.		**SUP**
Helistop.		**SUP**
Railroad passenger station.		**SUP**
Transit passenger station or transfer center.	**SUP**	**Check use.**
Commercial radio or television transmitting station.		**X**
Electrical substation.	**SUP**	**X**
Local utilities.		**SUP or RAR**
Police or fire station.	**SUP**	**X**
Post office.		**X**
Radio, television, or microwave tower.	**SUP**	**RAR**
Auto auction.		**SUP**
Building mover's temporary storage yard.		**SUP**
Contractor's maintenance yard.		**RAR**
Freight terminal.		**RAR**
Manufactured building sales lot.		**RAR**
Mini-warehouse.		**X**
Office showroom/warehouse.		**X**
Outside storage.		**RAR**
Petroleum product storage and wholesale.		**SUP**
Recycling buy-back center.		**Check use.**
Recycling collection center.		**Check use.**
Sand, gravel, or earth sales and storage.		**SUP**
Trade center.		**X**
Vehicle storage lot.		**SUP**
Warehouse.		**RAR**

X *indicates permitted by right.*
SUP *indicates permitted with a Specific Use Permit.*
RAR *indicates permitted, but subject to Residential Adjacency Review.*
Check use *indicates special provisions in Sec.51A-4.200.*
CBO *indicates by authorization of the Chief Building Official.*

Alternating color pattern indicates a new category of uses as separated in the Dallas Development Code.

Parking:

Pursuant to the Dallas Development Code, off-street parking must be provided in accordance with Division 51A-4.200. A townhouse development is classified as a single family use and requires two parking spaces per dwelling unit when located in an MF-2(A) Multifamily District.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

CPC Action
April 4, 2019

Motion: In considering an application for an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast, it was moved to **hold** this case under advisement until April 18, 2019.

Maker: Schulte
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

Notices: Area: 200 Mailed: 16
Replies: For: 0 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
April 16, 2019

Motion: In considering an application for an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast, it was moved to **hold** this case under advisement until May 2, 2019.

Maker: Schulte
Second: Lewis
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss*, Johnson, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 16
Replies: For: 1 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: George Rubio Jr., 3707 Duchess Trl., Dallas, TX, 75229

CPC Action
May 2, 2019

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily District on property zoned a CS Commercial Service District, east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast.

Maker: Schulte
Second: Criss
Result: Carried: 13 to 0

For: 13 - MacGregor, Schulte, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 1 - District 12

Notices: Area: 200 Mailed: 16
Replies: For: 1 Against: 1

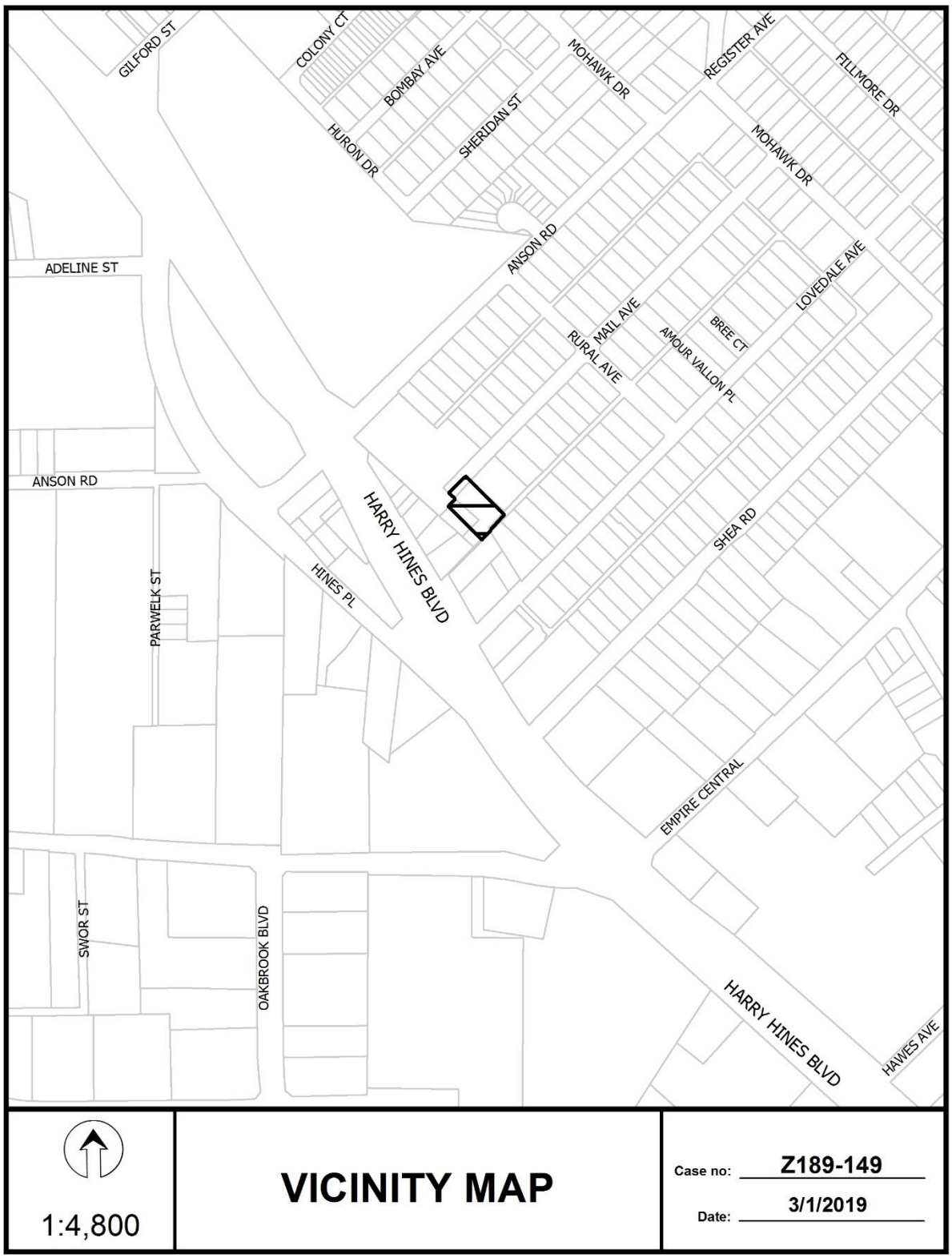
Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

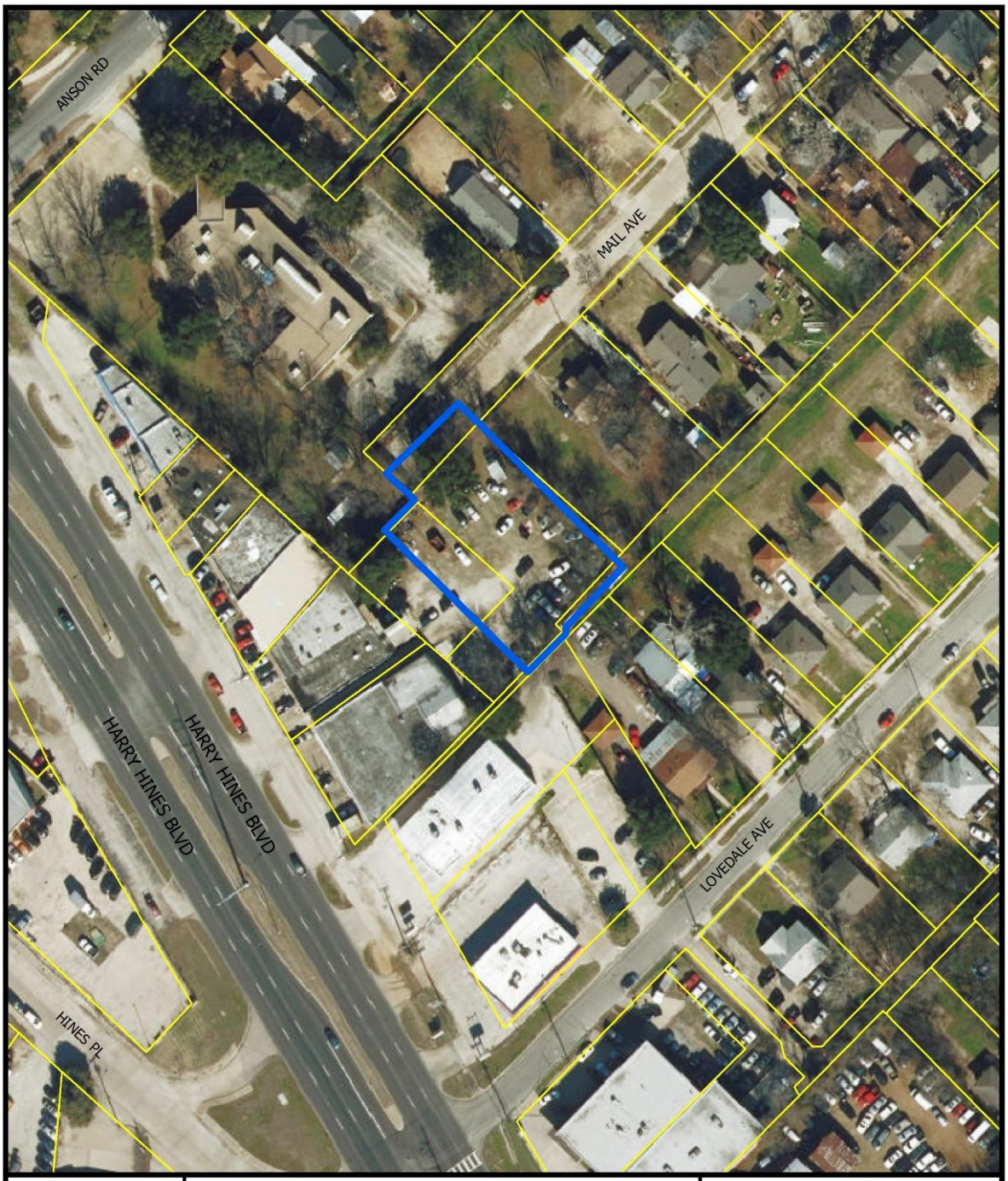
List of Officers

Kaminski Development Corp, LLC

Bruce Kaminski, sole member and manager

Z189-149


GILFORD ST
COLONY CT
BOMBAY AVE
HURON DR
SHERIDAN ST
MOHAWK DR
REGISTER AVE
FILLMORE DR
MOHAWK DR
ANSON RD
ADELINE ST
LOVEDALE AVE
MAIL AVE
RURAL AVE
BREE CT
AMOUR VALLON PL
ANSON RD
HARRY HINES BLVD
SHEA RD
HINES PL
PARWELK ST
EMPIRE CENTRAL
SWOR ST
OAKBROOK BLVD
HARRY HINES BLVD
HAWES AVE
1:4,800
VICINITY MAP
Case no: Z189-149
Date: 3/1/2019

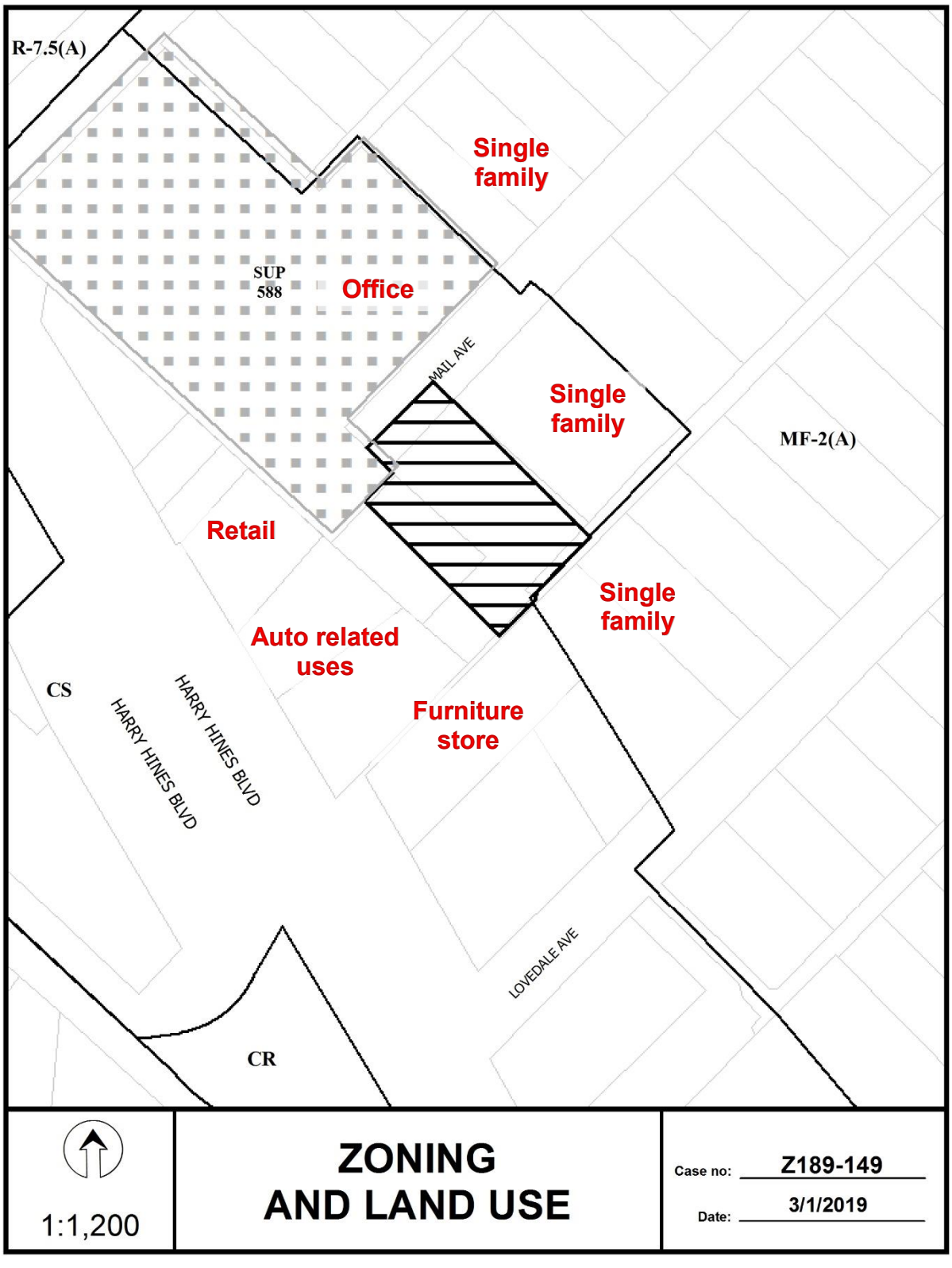


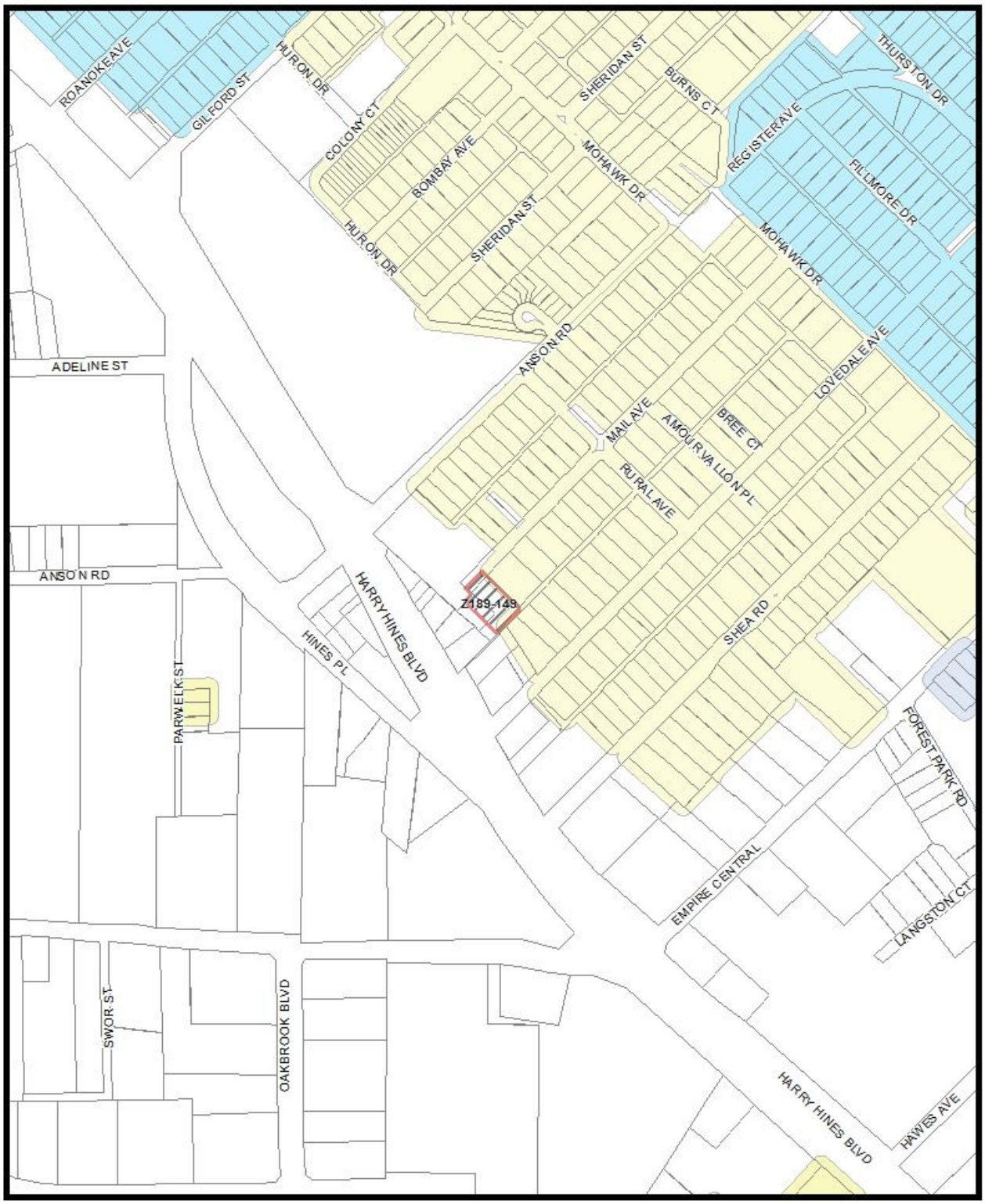
1:1,200

AERIAL MAP

Case no: Z189-149

Date: 3/1/2019


R-7.5(A)
Single family
SUP 588
Office
MAIL AVE
Single family
MF-2(A)
Retail
Single family
Auto related uses
CS
HARRY HINES BLVD
HARRY HINES BLVD
Furniture store
LOVEDALE AVE
CR
1:1,200
ZONING AND LAND USE
Case no: Z189-149
Date: 3/1/2019


ROANOKE AVE
GILFORD ST
HURON DR
COLONY CT
BOMBAY AVE
SHERIDAN ST
BURNS CT
THURSTON DR
REGISTER AVE
FILLMORE DR
MOHAWK DR
ADELINE ST
ANSON RD
MAIL AVE
AMOURVALLON PL
BREE CT
LOVEDALE AVE
RURAL AVE
Z189-149
HARRY HINES BLVD
HINES PL
PARKWELL ST
SHEA RD
FOREST PARK RD
EMPIRE CENTRAL
LANGSTON CT
SWOR ST
OAKBROOK BLVD
HAWES AVE
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:4,800
Market Value Analysis
Printed Date: 3/1/2019

CPC RESPONSES



16	Property Owners Notified (23 parcels)
1	Replies in Favor (4 parcels)
1	Replies in Opposition (1 parcels)
200'	Area of Notification
5/2/2019	Date

Z189-149
CPC

N
W E
S

1:1,200

05/01/2019

Reply List of Property Owners

Z189-149

16 Property Owners Notified ***1 Property Owner in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	7318	HARRY HINES BLVD	STRATTIN MARIA C
	2	2114	ANSON RD	PTS EQUITY INC
	3	2137	LOVEDALE AVE	LOVEDALE II LTD
	4	2125	LOVEDALE AVE	ACEVEDO GERONIMO &
	5	2121	LOVEDALE AVE	VIELMA HECTOR J JR
	6	2119	LOVEDALE AVE	MIDBELT PROPERTIES LP
X	7	2130	MAIL AVE	RUBIO GEORGE ETAL
	8	2134	MAIL AVE	QUEZADA FERNANDO
	9	2142	MAIL AVE	BUENO ARTURO P
	10	2130	ANSON RD	ARGUETA TELMA
	11	2135	MAIL AVE	LOPEZ JUAN &
	12	2139	MAIL AVE	UNITED CARPET DISTR INC
	13	7412	HARRY HINES BLVD	KANG SOOK HEE &
	14	7406	HARRY HINES BLVD	RUBIN CANDACE
	15	7400	HARRY HINES BLVD	RAOUFPOUR SAADAT K
	16	7408	HARRY HINES BLVD	RUBIN CANDACE

Agenda Information Sheet

File #: 19-969 **Item #:** 81.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-5(A) Single Family District uses and a public school other than an open enrollment charter school on property zoned an R-5(A) Single Family District and CR Community Retail District, generally bounded by Bickers Street to the north, North Westmoreland Road to the east, Gallagher Street to the south, and Furey Street to the west
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan, a traffic management plan, and conditions
Z189-168(JM)
Note: This item was deferred by the City Council before opening the public hearing on June 26, 2019, and is scheduled for consideration on August 28, 2019

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FILE NUMBER:	Z189-168(JM)	**DATE FILED:**	January 9, 2019
LOCATION:	Bounded by Bickers Street to the north, North Westmoreland Road to the east, Gallagher Street to the south, and Furey Street to the west		
COUNCIL DISTRICT:	6	**MAPSCO:**	43 K
SIZE OF REQUEST:	± 5.224 acres	**CENSUS TRACT:**	105.00

APPLICANT/OWNER: Dallas Independent School District

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application for a Planned Development District for R-5(A) Single Family District uses and a public school other than an open enrollment charter school on property zoned an R-5(A) Single Family District and a CR Community Retail District.

SUMMARY: The purpose of this request is to allow for the expansion of the Dallas Environmental Science Academy located at the Amelia Earhart Learning Center.

CPC RECOMMENDATION: **Approval**, subject to a development/landscape plan, a traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development/landscape plan, a traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The subject site contains approximately 5.224 acres of land currently developed with a two-story public school use that was originally built in 1951 according DCAD [the Dallas Environmental Science Academy at the Amelia Earhart Learning Center]. The school is primarily zoned an R-5(A) Single Family District, with a portion of the site along North Westmoreland Road zoned a CR Community Retail District.
- The CR District allows a public school other than open enrollment or charter school to operate by right, while the R-5(A) Single Family District requires a Specific Use Permit. The school operates as a nonconforming use in the R-5(A) portion of the subject site.
- The Dallas Development Code allows nonconforming schools to expand by 2,000 square feet without obtaining an SUP per Sec. 51A-4.204(17)(E)(iv).
- No new classrooms are proposed with this request; however, the applicant proposed to expand by 3,100 square feet which requires the nonconforming use to come into compliance by obtaining an SUP.
- Currently, the site contains a main building with 43,422 square feet of floor area and seven modular (portable) buildings with 12,122 square feet of floor area for a combined total of 55,544 square feet. The proposed maximum floor area for the school is 58,650 square feet including the proposed eight modular building with about 3,100 square feet. The school has a current enrollment of 459 students in grades 6th through 8th and has an enrollment capacity of 500 students. There are 22 total classrooms with eight being in portable [modular] buildings.
- The current request is for a Planned Development District to allow:
    - A public school use by right;
    - Existing parking in the required front yard along Gallagher Street;
    - Lighting standards up to 30 feet-in-height within setback areas;
    - Other encroachments including steps and handrails into required setback areas;
    - Playground equipment in required setback areas; and,
    - No screening of the existing loading area, as identified on the proposed development/landscape plan.

Zoning History: There has been one recent zoning request in the area within the last five years.

1. **Z156-117:** On February 24, 2016, the City Council approved an application for the amendment to a development plan for Tract 12 of Planned Development District No. 508 on the northeast corner of Singleton Boulevard and North Westmoreland Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bickers Street	Local	50 feet	50 feet
North Westmoreland Road	Principal Arterial	100 feet	100 feet
Gallagher Street	Local	50 feet	50 feet
Furey Street	Local	50 feet	50 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

Surrounding Land Uses:

Area	Zoning	Use
Site	R-5(A) and CR	Public School
North	R-5(A) and CR	Single Family and Undeveloped
East	PD No. 508, Area 1 w/SUP No. 1422	Retirement Housing
South	R-5(A) and CR	Single Family, Undeveloped, and Church
West	R-5(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.

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 and undeveloped land to the north and west; retirement housing to the east; and, single family, undeveloped land, and a church to the south. The school has been serving the community for over 60 years. The use continues to be compatible with surrounding residential uses in the area.

The site contains 43,422 square feet of floor area. The proposed maximum floor area for the school is 58,650 square feet. The school has a current enrollment of 459 students in grades 6th through 8th and has an enrollment capacity of 500 students. There are 22 total classrooms with eight being in portable [modular] buildings. No new classrooms are proposed with this request.

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.

Staff supports the applicant's request to allow a public school other than an open-enrollment charter school use by right because the school has operated within the community for over 60 years. Further, staff considers the use to be compatible with the surrounding single-family neighborhood because compliance with the proposed PD conditions, a development/landscape plan, and a Traffic Management Plan requiring periodic updates will ensure the operation runs optimally in the future.

Staff supports the applicant's request to allow lighting standards up to 30 feet-in-height, encroachments including steps and handrails, and playground equipment within setback areas because the encroachments currently exist and pose no harm to the surrounding properties or neighborhood. A PD request allows the opportunity to rectify nonconforming regulations.

Development Standards:

DISTRICT	SETBACKS		Density	Lot Size	FAR/ Max Floor Area	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear						
Existing: R-5(A) Single Family	20'	5' SF 10' Others	One dwelling unit per lot.	5,000 SF	--	30'	45% SF 25% Others	Single family.
Existing: CR Community Retail	15'	20' w/Res Adj 0' Others	--	No Min.	0.5 Office 0.75 Combined	54' RPS applies	60%	Retail and personal service.
Proposed: PD for R-5(A) and public school	*20'	5' SF 10' Others	One dwelling unit per lot.	5,000 SF	58,650 SF for public school	30' 24' for public school 30' for lights	45% SF 25% Others	Single family and public school by right.

*Encroachments allowed

Staff supports the applicant's request to not require screening of the existing loading area, as identified on the proposed development/landscape plan. The existing loading area is identified on the proposed development/landscape plan, adjacent to the screened dumpsters along the northern boundary on Bickers Street. The pavement conditions and building areas make the addition of loading screening impossible to accomplish without relocation. The applicant has requested relief from required screening of the loading area. While it would be ideal to move the loading area, staff acknowledges the limitations of the site and supports this element of the request.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the area of request is not categorized as being within an MVA cluster, surrounding properties to the north, south, and west are located within a Category "I". Properties located across North Westmoreland Road to the east are designated a Category "H".

Parking:

The school contains a total of 22 classrooms. The Dallas Development Code requires three-and-a-half parking spaces for each junior high/middle school classroom. The school is required to provide 77 parking spaces. According to the development plan, the site will have 77 parking spaces, as required.

The applicant proposes to allow parking in the required front yards where parking is prohibited in residential districts. The existing parking lot along Gallagher Street is not in a front yard, but the applicant has requested to make all street frontages front yards with 20-foot setbacks. This request is made to remedy the existing parking lots within the proposed required front yard along Gallagher Street. The parking lot along the south side of the site facing residential uses will be renovated to connect the two smaller lots into one parking lot. This is a component of the TMP improvements to get queuing of vehicles primarily off of the Gallagher Street frontage facing residential uses. This improvement will alleviate congestion for residents and improve safety for students.

Landscaping:

The applicant proposes to comply with the landscaping on the proposed development/landscape plan. All landscaping identified on the proposed development/landscape plan represents existing conditions. No new landscaping is proposed. A site inspection by the area arborist found the site to be in general compliance with the requirements of Article X; however, irrigation will be required per Section 51A-10.106.

The existing parking lot is not currently screened. A three-foot solid fence will be added to shield adjacent single family properties from the parking lot and car lights. The proposed screening will not obstruct visibility triangles found at the driveway entrances. Staff supports the continued use of front yard areas with appropriate screening. Section 51A-10.126(c) states that screening must be at least three-feet-in-height. This provision will mitigate vehicle head-light glare for residents across the street, as well as for those passing through the area, thereby improving the overall view from surrounding areas into the school property.

CPC Action
May 16, 2019

Motion: It was moved to recommend **approval** a Planned Development District for R-5(A) Single Family District uses and a public school other than an open enrollment charter school, subject to a development/landscape plan, a revised traffic management plan, and conditions on property zoned an R-5(A) Single Family District and a CR Community Retail District in an area bounded by Bickers Street to the north, North Westmoreland Road to the east, Gallagher Street to the south, and Furey Street to the west.

Maker: Carpenter
Second: Housewright
Result: Carried: 13 to 0

For: 13 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 105
Replies: For: 0 Against: 4

Speakers: For: Lindsay Krammer, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Maria Padilla, 3331 Bickers St., Dallas, TX, 75212
Jesus Padilla, 3331 Bickers St., Dallas, TX, 75212
Against: Debra Moore, 3739 Homeland St., Dallas, TX, 75212

List of Officers

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores, President
District 2	Dustin Marshall
District 3	Dan Micciche, 1st Vice President
District 4	(vacant)
District 5	Maxie Johnson
District 6	Joyce Foreman, 2nd Vice President
District 7	Ben Mackey
District 8	Miguel Solis
District 9	Justin Henry, Board Secretary

CPC Recommended Proposed PD Conditions

SEC. 51P-xxx.101. LEGISLATIVE HISTORY.

PD XXX was established by Ordinance No. XXXX, passed by the Dallas City Council on XXXX

SEC. 51P-XXX.102. PROPERTY LOCATION AND SIZE.

PD XXX is established on property generally located in an area bounded by Westmoreland Road, Gallagher Street, Furey Street and Bickers Street. The size of PD XXX is approximately 7.758 acres.

SEC. 51P-xxx.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-xxx.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit xxxA: development/landscape plan.

SEC. 51P-xxx.105. DEVELOPMENT/LANDSCAPE PLAN.

(a) For a public school other than an open enrollment charter school development and use of the Property must comply with the development/landscape plan (Exhibits xxxA). If there is a conflict between the text of this article and the development/landscape plans, the text of this article controls

(b) For all other permitted uses, Paragraph 51A.4.702(c)2 through Subsection 51A-4.702(j), governing the requirements for a site plan, a development plan, and amendments to a development plan, do not apply.

SEC. 51P-xxx.106. MAIN USES PERMITTED.

(a) Except as provided in below, all uses permitted in the R-5(A) Single Family District, subject to the same conditions applicable in the R-5(A) Single Family District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the R-5(A) Single Family District by specific use permit (SUP) only is permitted in this planned development district by SUP. A use subject to development impact review (DIR) in the R-5(A) Single Family District is subject to DIR in this planned development district, etc.

(b) Public school, other than an open enrollment charter school, is allowed by right.

SEC. 51P-xxx.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-xxx.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. Expect as provided in this section, standards for R-5(A) Single Family District, subject to the same conditions applicable in the R-5(A) Single Family District, as set out in the Dallas Development Code, as amended.

(b) Public School

(i) Floor area: Maximum floor area for a public school other than an open enrollment charter school use is 58,650 square feet.

(ii) Height: Maximum height for a public school other than an open enrollment charter school is 24 feet. Light poles are allowed a maximum height of 30 feet.

(iii) Setbacks: All street frontages are front yards with a minimum setback of 20 feet.

(iv) Encroachments: Steps, handrails and light poles and playground equipment are allowed in the required setbacks.

SEC. 51P-xxx.109. OFF STREET PARKING AND LOADING.

(a) Off-street parking must be provided in accordance with Division 51A-4.300 et seq.

(b) For a public school use, parking is allowed in the required front yard.

SEC. 51P-xxx.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-xxx.111. LANDSCAPING.

(a) Except as provided in this section, landscaping for a public school other than an open enrollment charter school must be provided in accordance with the attached Development/Landscape Plan.

(b) Landscaping must be provided in accordance with Article X.

(c) For a public school use, parking lot screening must be provided as shown on the attached Development/Landscape Plan and must be a minimum height of 3 feet.

(d) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-xxx.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P-xxx.113. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) No screening is required for any required loading spaces.

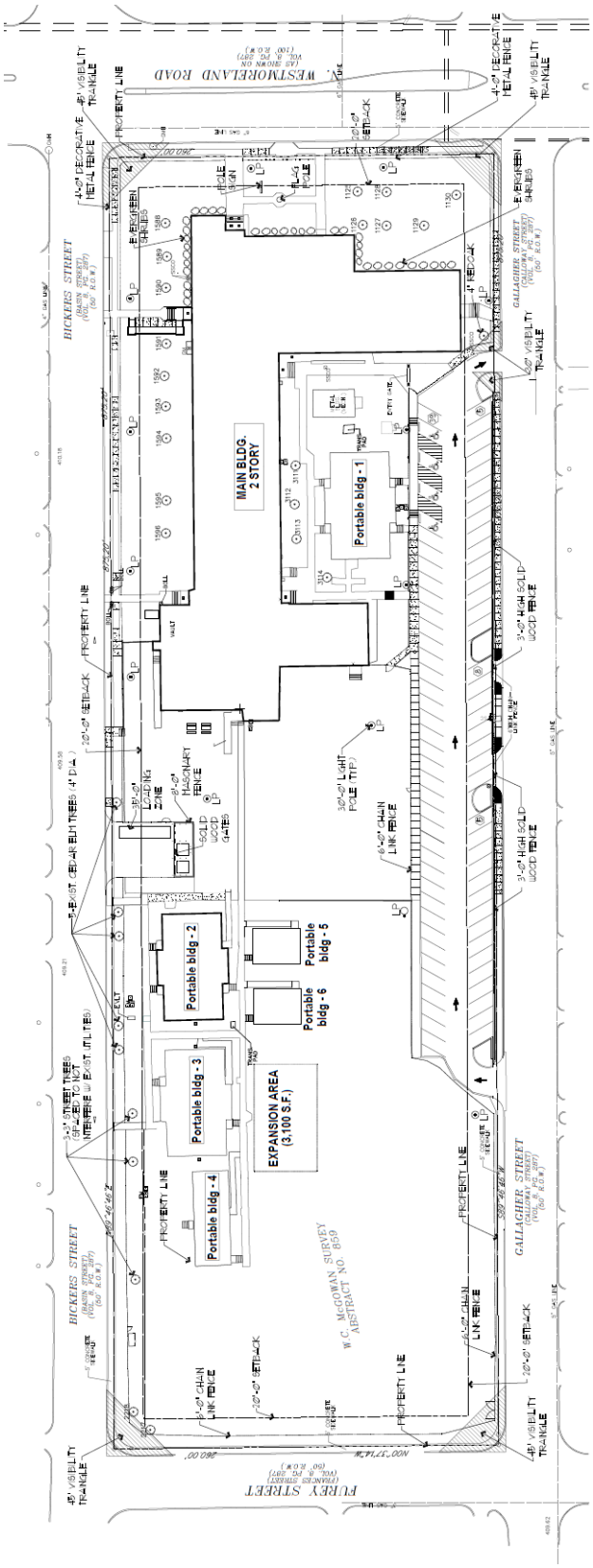
(d) For a public school other than an open enrollment charter school use, fencing may be provided in the required yards with a maximum height of six feet. Baseball backstops with a maximum height of 10 feet are allowed in the required setback.

SEC. 51P-xxx.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 director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy for 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 TABLE	
USE:	PUBLIC SCHOOL
ZONING:	PD, R-5(A)
LAND AREA:	222,560 S.F.
EXISTING FLOOR AREA:	TOTAL 55,544 S.F.
MAIN BUILDING	43,422 S.F.
PORTABLE BUILDINGS	12,122 S.F.
TOTAL EXISTING FLOOR AREA:	55,544 S.F.
FUTURE EXPANSION AREA:	3,100 S.F.
MAXIMUM ALLOWED FLOOR AREA	58,644 S.F.
LOT COVERAGE:	19.7%
EXISTING BUILDING HEIGHT (2 STORY)	22 FT.
EXISTING CLASSROOMS	TOTAL 22
MAIN BUILDING	14
PORTABLE BUILDINGS	8
REQUIRED PARKING SPACES:	77
TOTAL PARKING SPACES:	77

TREE TABLE	
POINT NO.	DESCRIPTION
1125	12" BALD CYPRESS
1126	12" BALD CYPRESS
1127	10" BALD CYPRESS
1128	10" BALD CYPRESS
1129	5" BALD CYPRESS
1130	6" BALD CYPRESS
1588	7" BALD CYPRESS
1589	14" BALD CYPRESS
1590	12" BALD CYPRESS
1591	16" BALD CYPRESS
1592	12" BALD CYPRESS
1593	12" BALD CYPRESS
1594	12" BALD CYPRESS
1595	10" BALD CYPRESS
1596	10" BALD CYPRESS
2217	12" BALD CYPRESS
2218	12" BALD CYPRESS
3111	2" CEDAR ELM
3112	2" CEDAR ELM
3113	2" CEDAR ELM
3114	2" PECAN

⊙ - 30'-0" LIGHT POLE (TYP.)

01 DEVELOPMENT / LANDSCAPE PLAN

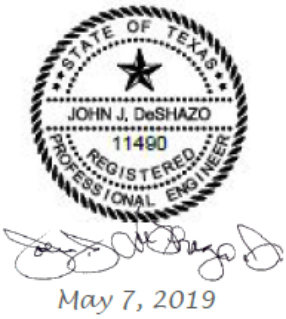
SCALE 1/32" = 1'-0"

Proposed Traffic Management Plan

DeShazo Group

Traffic. Transportation Planning. Parking. Design.

Texas Registered Engineering Firm F-3199



May 7, 2019

Technical Memorandum

To: Mr. Karl Crawley – Masterplan

From: DeShazo Group, Inc.

Date: May 7, 2019

Re: Traffic Management Plan for Dallas Environmental Science Academy
DeShazo Project Number 18045

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm based in Dallas, Texas, providing licensed engineers and planners skilled in the field of traffic and transportation engineering. DeShazo's services were retained Masterplan to provide a traffic management plan (TMP) for Dallas Environmental Science Academy (DESA) located at 3531 N Westmoreland Road in Dallas, Texas.

The school is currently in operation at the subject site with an enrollment of 459 students in grades 6th through 8th and has an enrollment capacity of 500 students.

The school site is zoned R-5(A) (Single Family) and will be undergoing construction to connect the two parking lots on Gallagher Street and retain existing portable classrooms. As part of the approval process, submittal of a TMP to the City of Dallas is required as a record of the preferred strategies to be used by the school to ensure overall traffic safety and efficiency. This TMP is intended to assess existing and anticipated traffic conditions at the school during the morning drop-off and afternoon pick-up peak periods on the basis of satisfying these objectives. By consent of the TMP, the School agrees to be held self-accountable for the enforcement of the strategies presented herein until and unless the City of Dallas deems further measures are necessary. (NOTE: In this report, the term "parent" refers to any individual who is involved in the drop-off or pick-up of one or more students at the School.)

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 the vehicular traffic generated during critical periods, the safety and efficiency of other modes of travel—including pedestrian traffic—will also inherently improve and the operational impact on the public street system should also be minimized. **This plan, however, should not be considered a comprehensive set of instructions to ensure adequate safety; it should be used as a tool to facilitate a safer and more efficient environment.**

School Operational Characteristics

As required by the City of Dallas, DeShazo observed on-site traffic on four different occasions at the following times.

- Thursday, November 15, 2018, during student dismissal
- Monday, November 26, 2018, during student dismissal
- Tuesday, November 27, 2018, during student arrival
- Tuesday, November 27, 2018, during student dismissal
- Friday, April 12, 2019, during student dismissal
- Monday, April 15, 2019, during student arrival

Field observations indicate that current practices during the morning drop-off period present minor obstruction of vehicular traffic. Arrival of vehicles in the morning is also notably more sporadic than any traffic generated during the afternoon pick-up period. **Table 1** summarizes the school's operational characteristics assumed in this analysis.

Table 1. School Operational Characteristics

	Existing Conditions	Proposed Conditions
Enrollment (by grade)	6th Grade – 164 students 7th Grade – 150 students 8th Grade – 145 students *Total: 459 students*	*Total: 500 students*
Daily Start/End Schedule	All Grades: >Start: 8:20 AM >End: 3:40 PM	No significant changes
Approximate Percentage of Students Travelling by Mode Other Than Drop-off/Pick-up	By 16 School Buses: ≅ 88% By 54 Vehicles: ≅ 12%	By 16 School Buses: ≅ 88% By 60 Vehicles: ≅ 12%

NOTE #1: Dallas Environmental Science Academy does not have a specific attendance boundary. Instead, the Academy serves students within the entire City. Therefore, the percentage of students who take the bus is likely to be higher compared to schools that serve a specific attendance boundary.

NOTE #2: To the highest degree practical, the accounts of "existing conditions" presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s)/conditions and from personal interviews of school representatives. The analyses and recommendations presented in this report for "proposed" or "future" conditions were based upon evaluations of "existing conditions" and may be supplemented by DeShazo's professional judgment and experience. "Proposed"/"Future" conditions are intended to reflect the anticipated day-to-day conditions at full occupancy.

NOTE #3: Occasional functions or other events may be held at the school, which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

EXISTING TRAFFIC CONDITIONS

Site Access and Circulation

The subject site currently has one point of ingress and one point of egress for each of the two parking lots on Gallagher Street. However, once the two parking lots are connected the site will have one point of ingress (easternmost driveway) and one point of egress (westernmost driveway) on Gallagher Street.

Student Loading

During the morning drop-off period all students, whether dropped off by parent or by bus are dropped off on Bickers Street **(Exhibit 1A)**. Once students are dropped off they are greeted by school staff and proceed to the school entrance on Bickers Street, which is currently the only entrance with a metal detector.

As previously mentioned, arrival of vehicles in the morning is notably more sporadic than afternoon. Observations found a total of five vehicles and two buses during the peak drop-off time. Once parent vehicles and buses have dropped off students they proceed east towards N Westmoreland Road.

During the afternoon pick-up period **(Exhibit 1B)** parents park on either side of Gallagher Street and wait for students to be dismissed. Buses proceed eastbound on Bickers Street upon arriving and queue in front of the school. DeShazo measured the maximum number of cars at the site location during pick-up time was about 54 vehicles (38 on Gallagher Street, 4 on Bickers Street and 12 on the eastern side parking). Eleven full size school buses and 4/5 small buses were counted during the data collection on Bickers Street. Bus loading is facilitated by two to three school staff members. Once all buses are loaded they proceed east towards N Westmoreland Road.

Vehicular Queue Lengths

Dallas Environmental Science Academy should accommodate all morning arrival traffic and all afternoon dismissal traffic operations in accordance with **Exhibit 3**. School staff should try to maximize efficiency of student loading operations at all times. Maximum accumulation of vehicles is subject to both the rate of arrival traffic and the rate at which the school staff is able to load/unload students into their corresponding cars; any delay or inadequacy in the loading/unloading operations results in unwarranted accumulation of traffic. The more number of staff undertakes the traffic operations, the less chances of vehicle queue to get in the public right-of-way.

School Crossing Guards

The relatively low number of students (approximately 12%) that are picked-up by their parents are seen getting inside the car in the middle of the street. As all parking, stopping or standing is prohibited on public right of way, the pick-up of students on the middle of the street is also prohibited. DeShazo did not observe any pedestrian traffic to or from the school to the neighborhood. A crossing guard is not required based on these assumptions.

DART Bus Route

DART bus route does not conflict with the school peak hour traffic. **Exhibit 4** showes the DART route in the vicinity of the school.

RECOMMENDATIONS

The school administration should 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 face constantly. Despite the anticipated practices and operational characteristics at Dallas Environmental Science Academy, full cooperation of all school staff members, students and parents is crucial for the success of the systematic queue. Proper training of school staff on the duties and

expectations pertaining to this plan is recommended. Sufficient communication at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended. DeShazo recommends consideration of the following recommendations to optimize queue operations:

Traffic Queue Operations

- Implementation of an "Advance Passenger Identification System" to expedite queue operations. This system uses hangtags displayed through the windshield of arriving vehicles to identify arriving vehicles with the name(s) of corresponding student(s).
- Use of apps or software (e.g., Driveline Dispatch®) to expedite queue operations. This software efficiently displays family names of upcoming vehicles on indoor screens and provides students and school staff with a chart of vehicles approaching the loading zone.
- Staff participating in student drop-off/pick-up operations should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages "STOP" and "SLOW". Optional additional equipment for staff may include whistles (for audible warnings) and flashlights (for visual warnings) in order to gain the attention of motorists.
- Morning arrival and afternoon dismissal traffic operations should be managed in accordance with the traffic circulation, & loading zones depicted in **Exhibit 3**. An appropriate number of school staff shall be assigned to fulfill the duties of student supervision, traffic control, and other related duties as generally depicted on the plan. The additional number of vehicles may queue on the curb side of the school (WB direction only) during peak hours only when the inside loading area is full.

Student Safety

- Student safety should remain paramount at all times. School administration should continuously remind students, parents and staff of their expectations relative to this traffic management plan 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.
- 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.

SUMMARY

This TMP should be used by Dallas Environmental Science Academy to provide safe and efficient transportation of students, staff, and faculty to and from the site. The plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school within the site at peak traffic periods. School administration should review details of this TMP on a regular basis to confirm its effectiveness.

END OF MEMO

SCHOOL REVIEW AND COMMITMENT

This plan was developed for Dallas Environmental Science Academy with the intent of optimizing safety and efficiency related to vehicular traffic generated by the School during peak traffic periods. A concerted effort and full participation by the School administration, staff, students and parents are essential to maintain safe and efficient traffic operations.

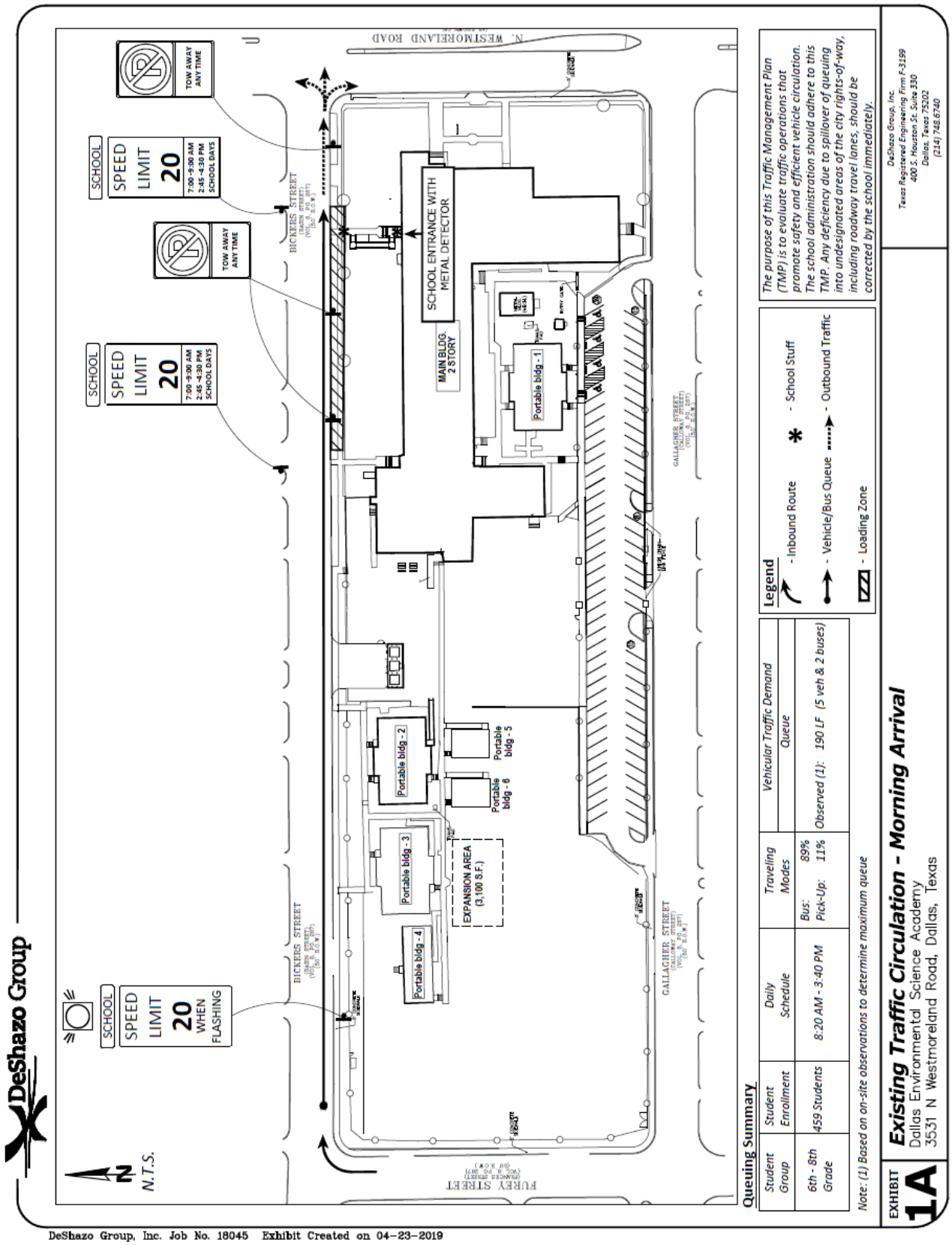
The school also confirms that it will implement an advance passenger identification system (i.e., name card/hangtags) and use STOP signs, whistles and vests.

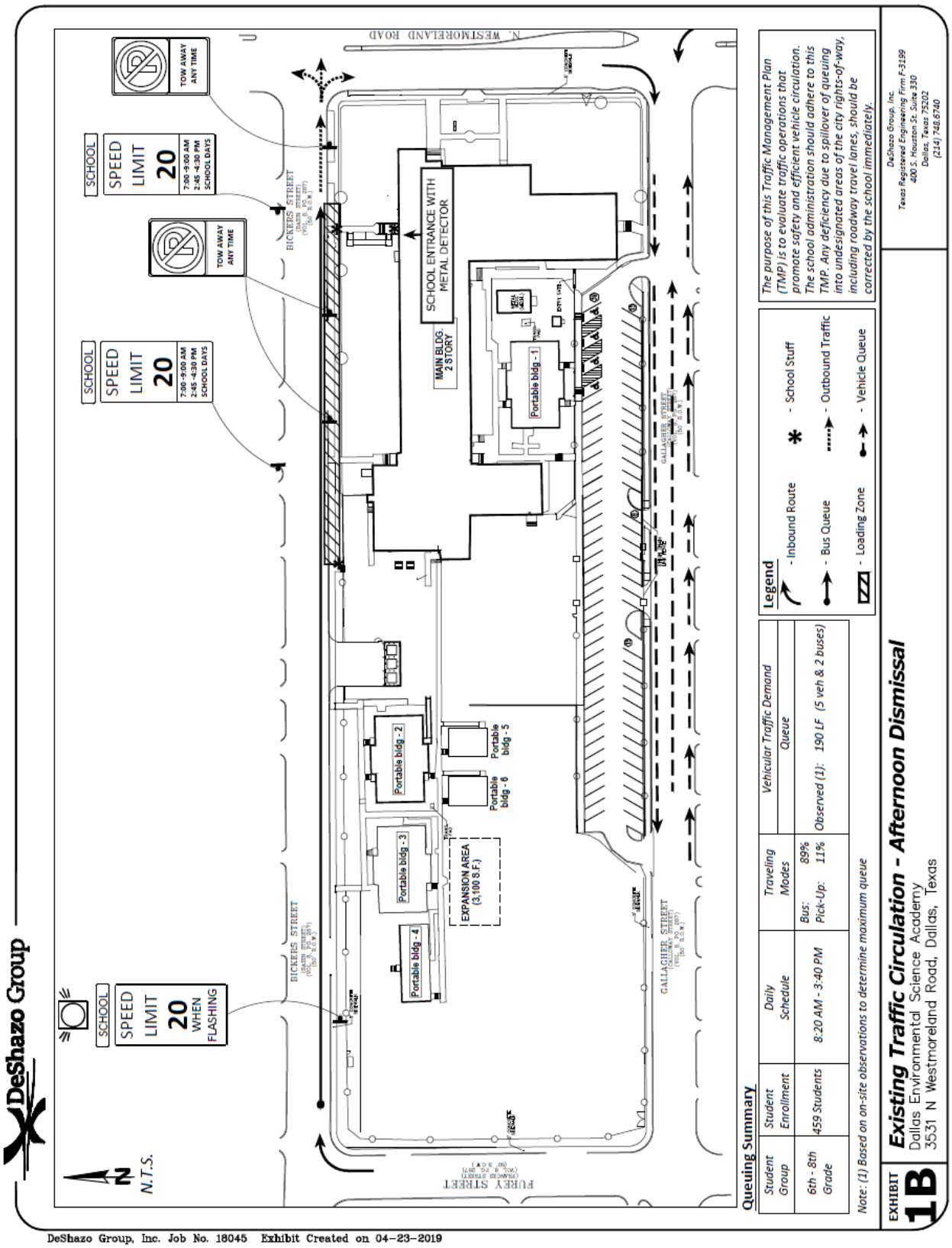
The School has reviewed the Traffic Management Plan and is in support of the strategies presented herein.

The School is committed to continually reviewing and assessing the effectiveness of the TMP and if warranted, will implement changes in the interest of increasing safety, efficiency and minimizing impacts on the surrounded community.

Arnoldo Zuniga, Principal
Dallas Environmental Science Academy

5-22-19
Date


DeShazo Group
N.T.S.
SCHOOL
SPEED LIMIT 20 WHEN FLASHING
SCHOOL
SPEED LIMIT 20 7:00-9:00 AM 2:45-4:30 PM SCHOOL DAYS
TOW AWAY ANY TIME
SCHOOL
SPEED LIMIT 20 7:00-9:00 AM 2:45-4:30 PM SCHOOL DAYS
TOW AWAY ANY TIME
SCHOOL ENTRANCE WITH METAL DETECTOR
MAIN BLDG. 2 STORY
Portable bldg - 1
Portable bldg - 2
Portable bldg - 3
Portable bldg - 4
Portable bldg - 5
Portable bldg - 6
EXPANSION AREA (3,100 S.F.)
BICKERS STREET
GALLAGHER STREET
FUREY STREET
N. WESTMORELAND ROAD
Queuing Summary
Student Group
Student Enrollment
Daily Schedule
Traveling Modes
Vehicular Traffic Demand
Queue
6th - 8th Grade
459 Students
8:20 AM - 3:40 PM
Bus: 89%
Pick-Up: 11%
Observed (1): 190 LF (5 veh & 2 buses)
Note: (1) Based on on-site observations to determine maximum queue
Legend
- Inbound Route
- School Stuff
- Vehicle/Bus Queue
- Outbound Traffic
- Loading Zone
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.
EXHIBIT 1A
Existing Traffic Circulation - Morning Arrival
Dallas Environmental Science Academy
3531 N Westmoreland Road, Dallas, Texas
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. 18045 Exhibit Created on 04-23-2019


DeShazo Group
N.T.S.
SCHOOL
SPEED LIMIT 20 WHEN FLASHING
SCHOOL
SPEED LIMIT 20 7:00-9:00 AM 2:45-4:30 PM SCHOOL DAYS
TOW AWAY ANY TIME
SCHOOL
SPEED LIMIT 20 7:00-9:00 AM 2:45-4:30 PM SCHOOL DAYS
TOW AWAY ANY TIME
N. WESTMORELAND ROAD
BICKERS STREET
SCHOOL ENTRANCE WITH METAL DETECTOR
MAIN BLDG. 2 STORY
Portable bldg - 1
GALLAGHER STREET
Portable bldg - 2
Portable bldg - 3
Portable bldg - 4
Portable bldg - 5
Portable bldg - 6
EXPANSION AREA (3,100 S.F.)
FUREY STREET
Legend
- Inbound Route
- School Stuff
- Bus Queue
- Outbound Traffic
- Loading Zone
- Vehicle Queue
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.
Queuing Summary
Student Group
Student Enrollment
Daily Schedule
Traveling Modes
Vehicular Traffic Demand Queue
6th - 8th Grade
459 Students
8:20 AM - 3:40 PM
Bus: 89%
Pick-Up: 11%
Observed (1): 190 LF (5 veh & 2 buses)
Note: (1) Based on on-site observations to determine maximum queue
EXHIBIT 1B
Existing Traffic Circulation - Afternoon Dismissal
Dallas Environmental Science Academy
3531 N Westmoreland Road, Dallas, Texas
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. 18045 Exhibit Created on 04-23-2019

DeShazo Group

EXHIBIT 2: STUDENT DISMISSAL QUEUE MODEL

DeShazo Model for Public Schools 2019 *DeShazo No. 19019*

PROJECT INFORMATION

School Name:	*Dallas Environmental Science Academy*	Grades:	*6th - 8th*
City, State:	*Dallas, Texas*	District:	
School Type:	*Middle School*	Date:	*4/23/2019*

STUDENT DISMISSAL QUEUE MODEL

i) Projected Inbound PM Peak Hour Trips:	T_{in}=	60	cars
ii) Student Loading Area:	LA=	230	LF
ii) Maximum Loading Stations (LA/23.5):	S =	18	stations
ii) Average service time per vehicle:	F_Q=	9	cars/min
iii) Estimated Time of Carpool Operations (mins):	T_O=	12	mins
iii) Estimated Peak Arrival Rate (sec/car):	R_A=	6	sec/car

iv) Theoretical Peak Queue:

$$Q_{max} = T_{in} \times \frac{60}{T_O} \times \frac{60}{S * F_Q} \times \frac{x}{60} R_A = 11$$ *vehicles in theoretical peak queue*

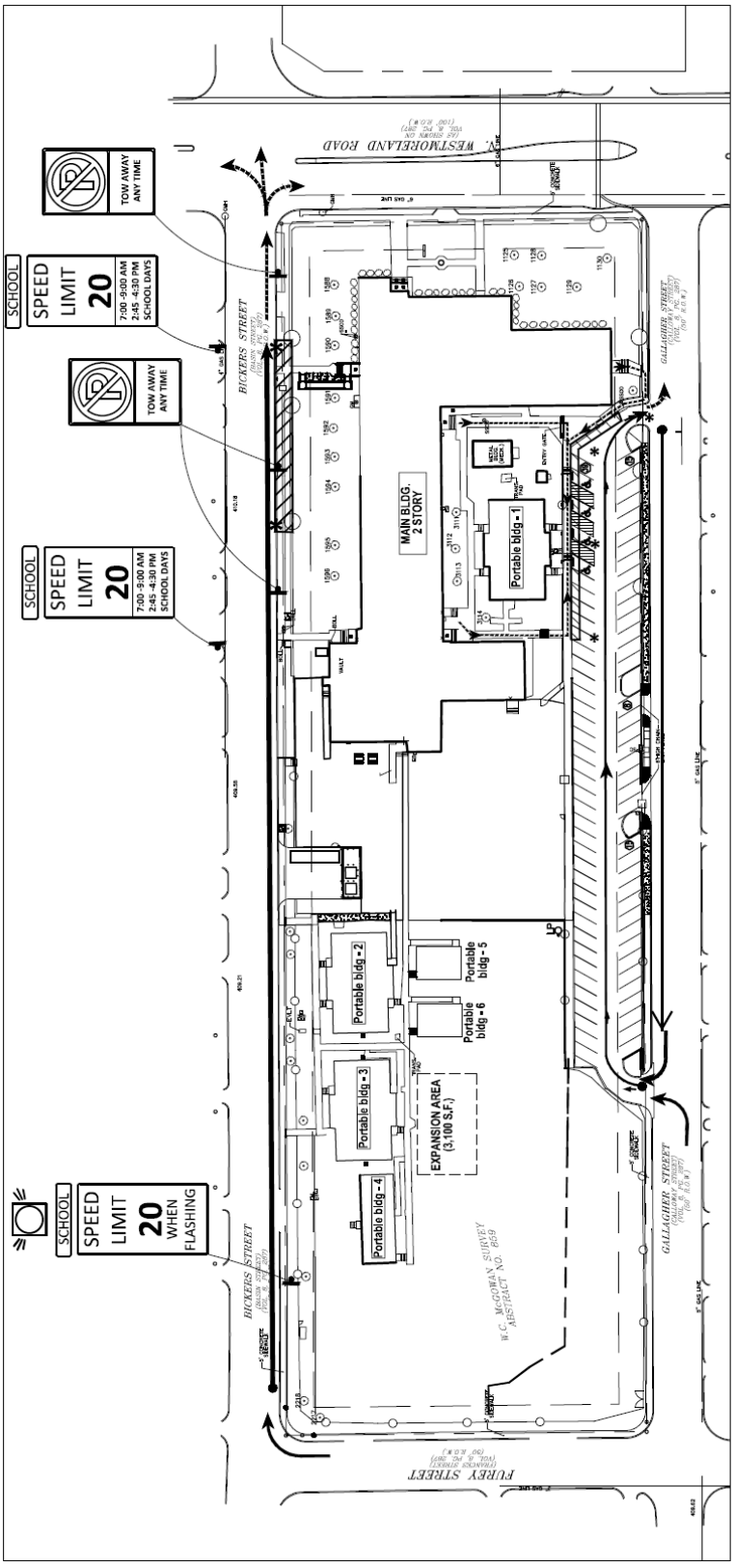
iv) Adjusted Peak Queue:

- Traffic Management In Effect: yes → F_m = *0.10*
  [i.e., coordinated inbound traffic/queuing plan; range: 0.00-0.47]
- Mixed Traffic Circulation: no → F_c = *0.00*
  [i.e. apportioned location for each mode of transp.; range: 0.00-0.25]
- Parking Allocation: no → F_P = *0.00* *(see Exhibit for details)*
  [i.e. portion of theoretical peak queue heading to a parking stall; 0.00 for mandatory queues]

v) Projected Peak Queue:

$Q_{proj} = Q_{max} \times (1 + F_M + FC - F_P)$ = **13 vehicles** (306 LF @ 23.5 feet/vehicle)

Proposed Traffic Management Plan



Legend

- Inbound Route
- Vehicle Queue
- Bus Queue
- Loading Zone
- School Staff
- Outbound Route
- Pedestrian Walking Route

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.

N

N.T.S.

Queuing Summary

Student Group	Student Capacity	Daily Schedule	Traveling Modes	Vehicular Traffic Demand – Queue
6th - 8th Grade	500 Students	8:20 AM - 3:40 PM	Bus: 89% Pick-Up: 11%	Projected (1): 968 LF (43 veh) Provided: 1,175 LF (50 veh) Surplus: 50 LF (2 veh)

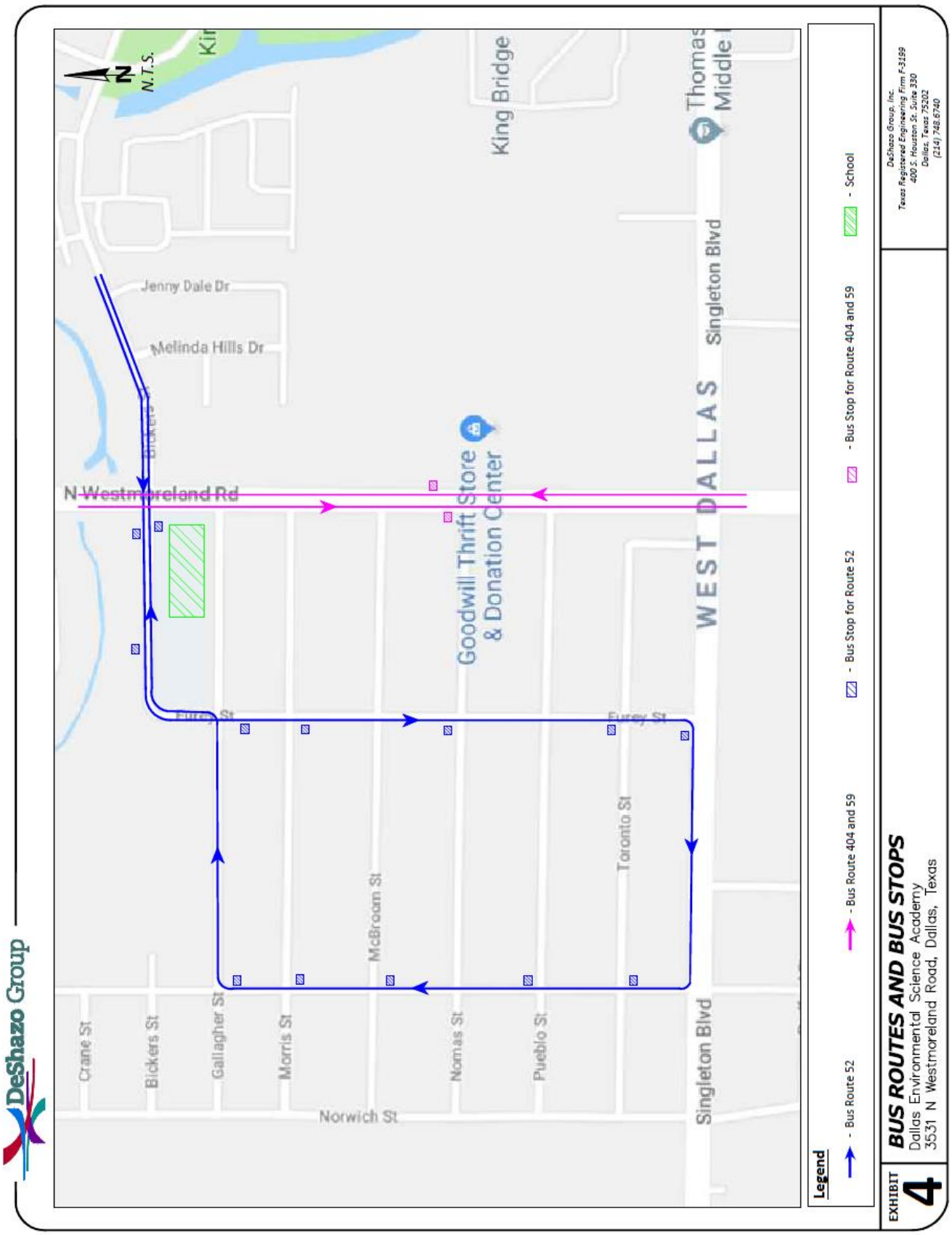
Note: (1) Based on on-site observations to determine maximum queue

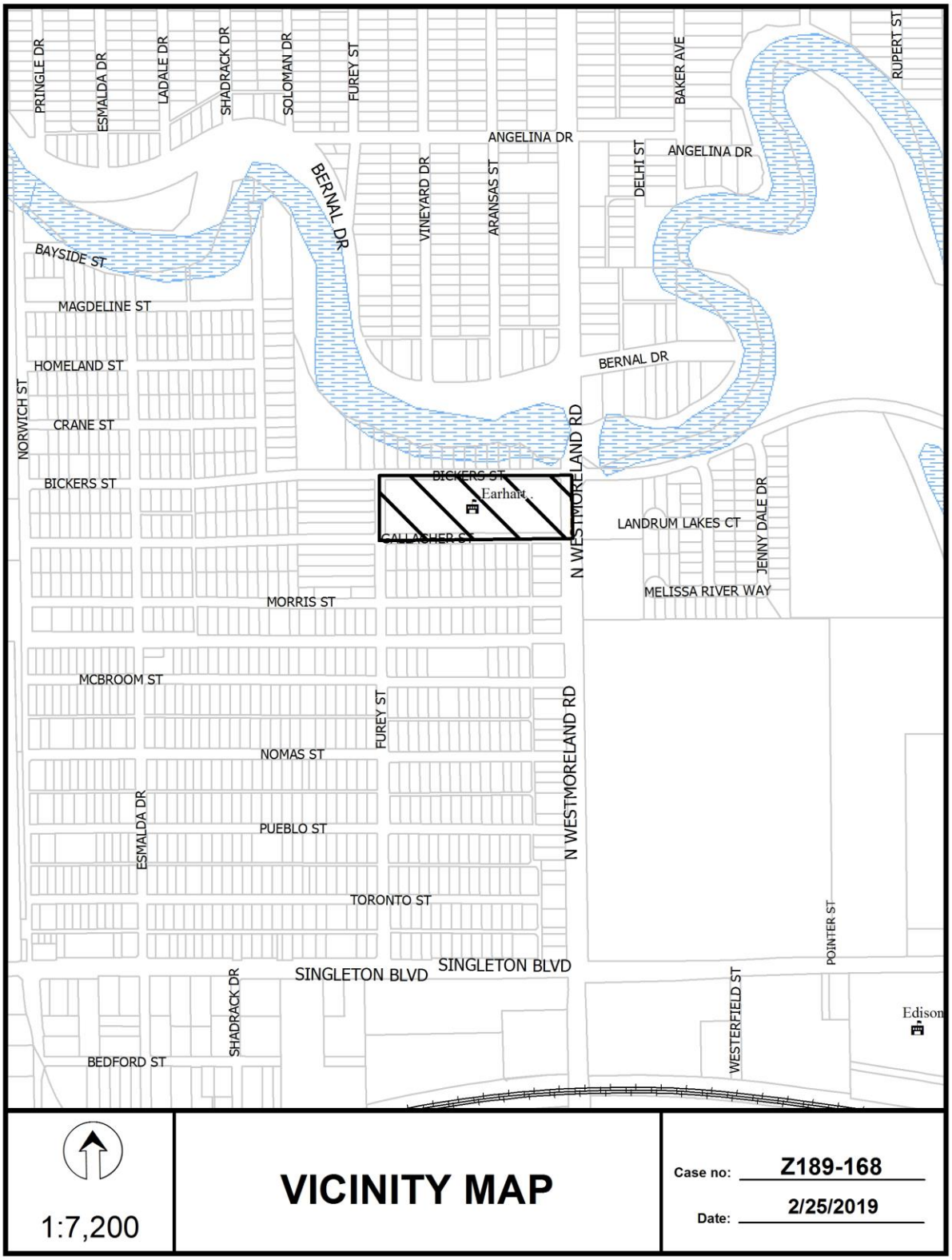
EXHIBIT **3**

Traffic Management Plan - Morning Arrival/Afternoon Dismissal

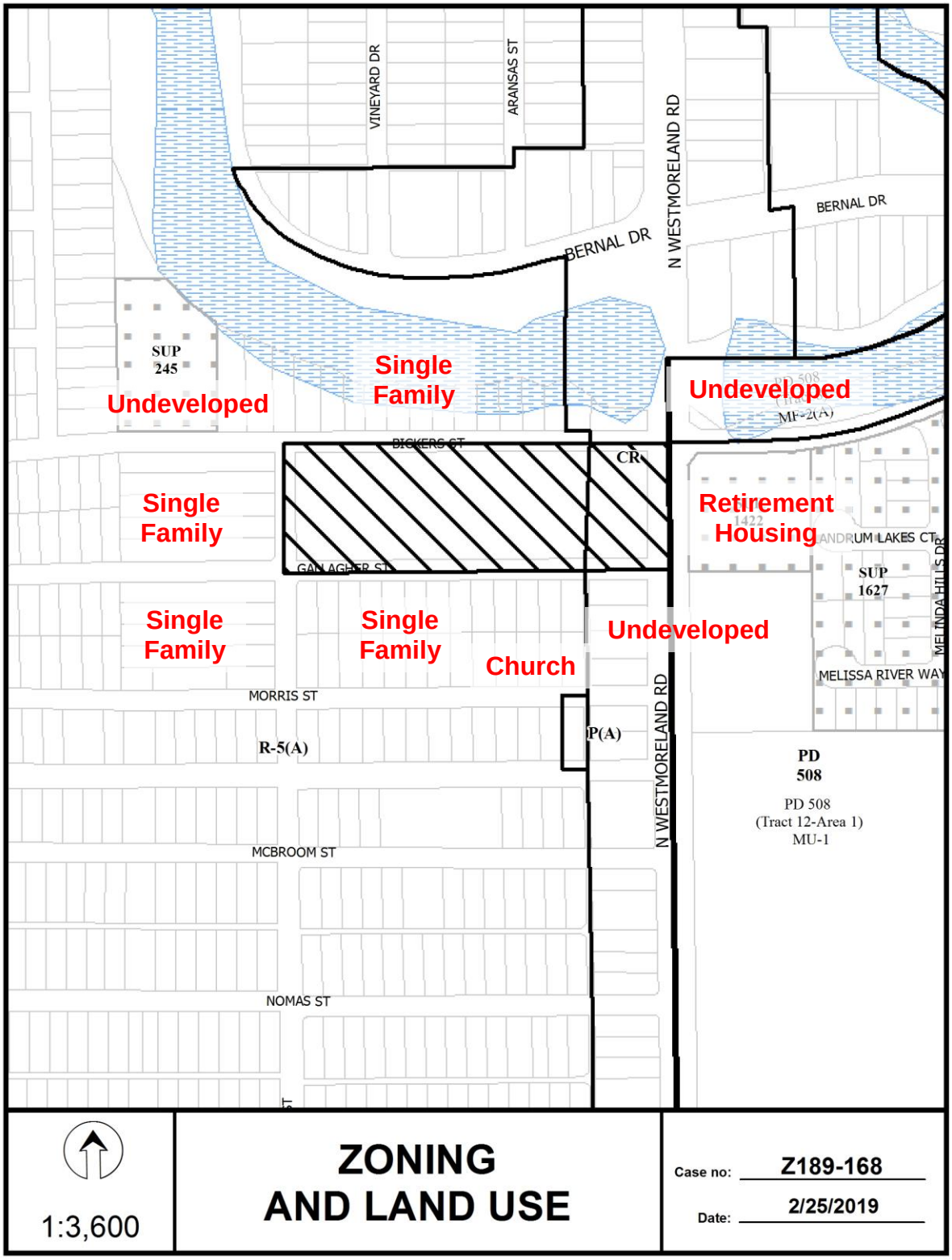
Dallas Environmental Science Academy
3531 N Westmoreland Road, Dallas, Texas

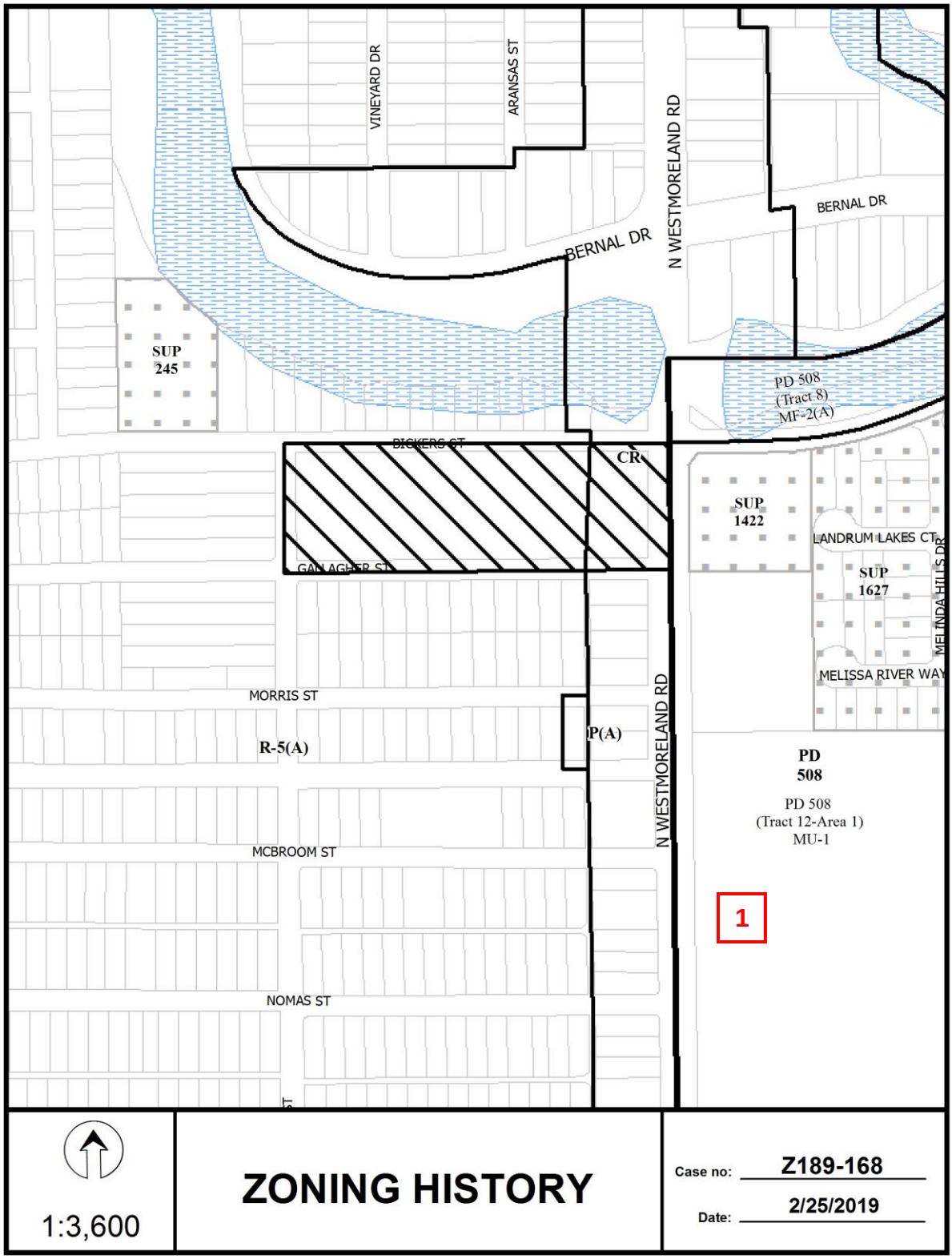
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748 6740

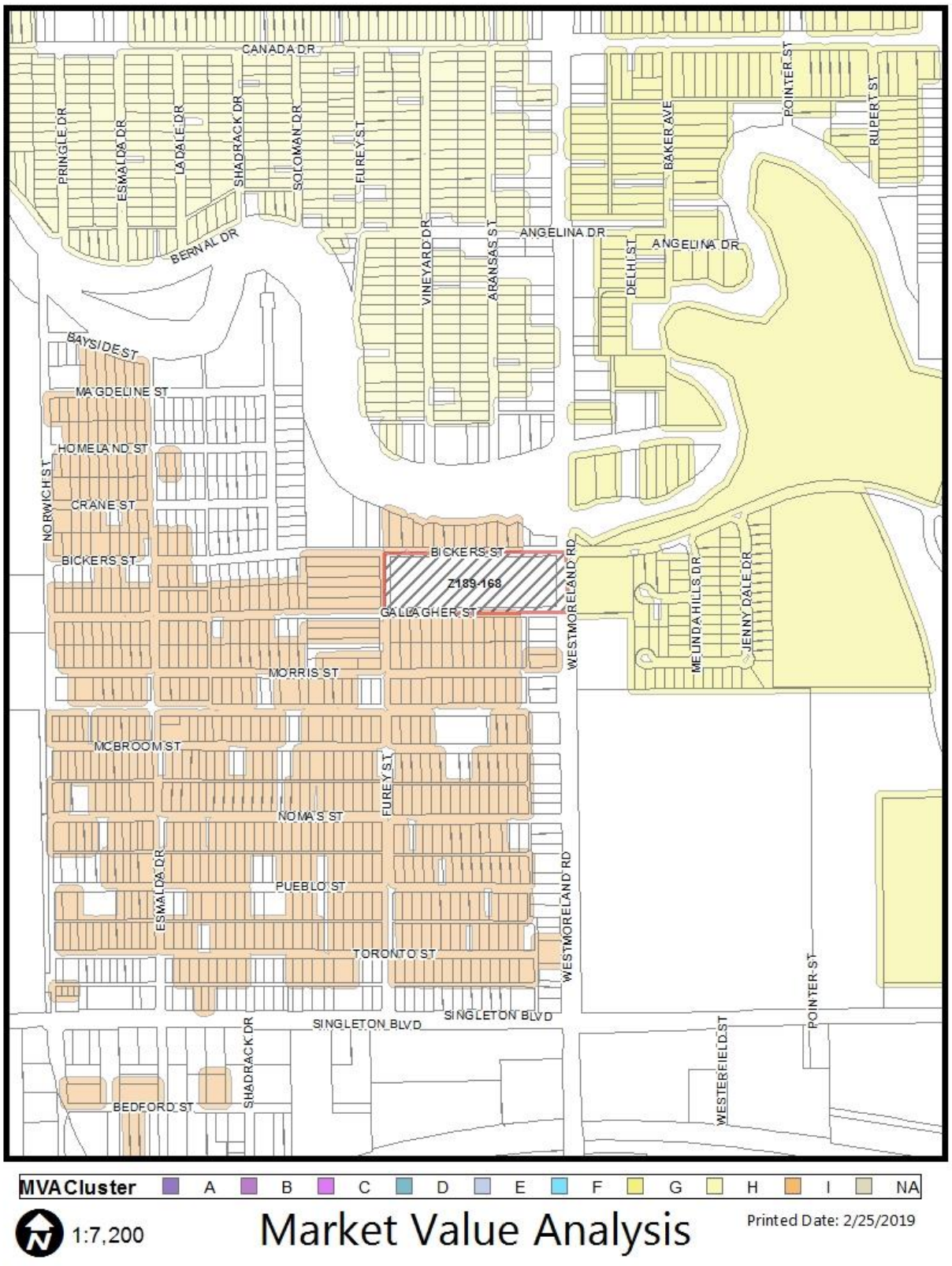

DeShazo Group
N
N.T.S.
King Bridge
Thomas
Middle
Jenny Dale Dr
Melinda Hills Dr
Bickers St
N Westmoreland Rd
Goodwill Thrift Store & Donation Center
WEST DALLAS
Singleton Blvd
Furey St
Furey St
McBroom St
Toronto St
Crane St
Bickers St
Gallagher St
Morris St
Nomas St
Pueblo St
Norwich St
Singleton Blvd
Legend
- Bus Route 52
- Bus Route 404 and 59
- Bus Stop for Route 52
- Bus Stop for Route 404 and 59
- School
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
4001 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748 6740
EXHIBIT
4
BUS ROUTES AND BUS STOPS
Dallas Environmental Science Academy
3531 N Westmoreland Road, Dallas, Texas


PRINGLE DR
ESMALDA DR
LADALE DR
SHADRACK DR
SOLOMAN DR
FUREY ST
BAKER AVE
RUPERT ST
ANGELINA DR
DELHI ST
ANGELINA DR
BERNAL DR
VINEYARD DR
ARANSAS ST
BAYSIDE ST
MAGDELINE ST
HOMELAND ST
BERNAL DR
NORWICH ST
CRANE ST
N WESTMORELAND RD
BICKERS ST
BICKERS ST
Earhart
CALLASHER CT
LANDRUM LAKES CT
JENNY DALE DR
MELISSA RIVER WAY
MORRIS ST
MCBROOM ST
FUREY ST
N WESTMORELAND RD
NOMAS ST
ESMALDA DR
PUEBLO ST
TORONTO ST
POINTER ST
SINGLETON BLVD
SINGLETON BLVD
SHADRACK DR
WESTERFIELD ST
Edison
BEDFORD ST
1:7,200
VICINITY MAP
Case no: Z189-168
Date: 2/25/2019

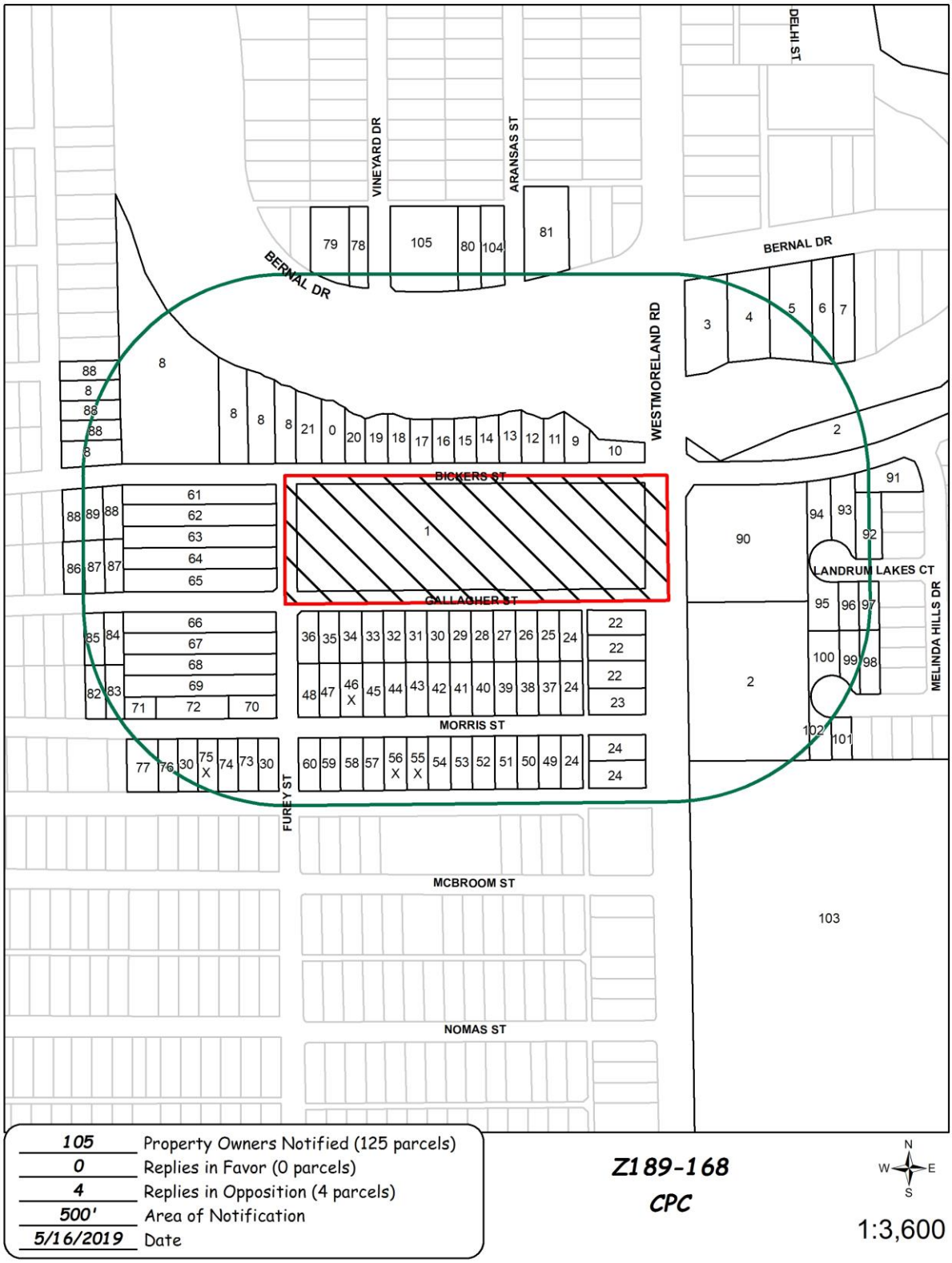

VINEYARD DR
ARANSAS ST
BERNAL DR
BERNAL DR
N WESTMORELAND RD
BICKERS ST
GALLAGHER ST
LANDRUM LAKES CT
MELINDA HILLS DR
MELISSA RIVER WAY
MORRIS ST
MCBROOM ST
NOMAS ST
N WESTMORELAND RD
1:3,600
AERIAL MAP
Case no: Z189-168
Date: 2/25/2019


VINEYARD DR
ARANSAS ST
N WESTMORELAND RD
BERNAL DR
BERNAL DR
SUP 245
Undeveloped
Single Family
Undeveloped
MF-2(A)
DICKERS CT
CR
Single Family
Retirement Housing
GALLAGHER ST
SUP 1627
Single Family
Single Family
Church
Undeveloped
MELISSA RIVER WAY
MORRIS ST
R-5(A)
P(A)
PD 508
PD 508
(Tract 12-Area 1)
MU-1
MCBROOM ST
NOMAS ST
1:3,600
ZONING AND LAND USE
Case no: Z189-168
Date: 2/25/2019


VINEYARD DR
ARANSAS ST
N WESTMORELAND RD
BERNAL DR
BERNAL DR
SUP 245
PD 508 (Tract 8) MF-2(A)
BICKERS CT
CR
SUP 1422
LANDRUM LAKES CT
SUP 1627
MELINDA HILLS DR
MELISSA RIVER WAY
GALLAGHER ST
MORRIS ST
R-5(A)
P(A)
N WESTMORELAND RD
PD 508
PD 508 (Tract 12-Area 1) MU-1
MCBROOM ST
1
NOMAS ST
1:3,600
ZONING HISTORY
Case no: Z189-168
Date: 2/25/2019


CANADA DR
PRINGLE DR
ESMALDA DR
LADALE DR
SHADRACK DR
SOLOMAN DR
FUREY ST
VINEYARD DR
ARANSAS ST
ANGELINA DR
DELHI ST
BAKER AVE
POINTER ST
RUPERT ST
BERNAL DR
BAYSIDE ST
MAGDELINE ST
HOMELAND ST
NORWICH ST
CRANE ST
BICKERS ST
Z189-168
GALLAGHER ST
WESTMORELAND RD
MELINDA HILLS DR
JENNY DALE DR
MORRIS ST
MCBROOM ST
NOMA ST
PUEBLO ST
TORONTO ST
SINGLETON BLVD
WESTERFIELD ST
BEDFORD ST
MVACluster
A
B
C
D
E
F
G
H
I
NA
1:7,200
Market Value Analysis
Printed Date: 2/25/2019

CPC RESPONSES



05/15/2019

Reply List of Property Owners

Z189-168

105 Property Owners Notified ***0 Property Owners in Favor*** ***4 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3531	N WESTMORELAND RD	Dallas ISD
	2	3020	BICKERS ST	DALLAS HOUSING AUTHORITY
	3	3230	BERNAL DR	WILLIS TIM H &
	4	3226	BERNAL DR	NUNEZ JULIAN ESTATE OF
	5	3218	BERNAL DR	TEMPLO APOSENTO ALTO
	6	3210	BERNAL DR	CAZARES JOSE PEDRO &
	7	3206	BERNAL DR	BARRIENTOS ANNA P ET AL
	8	3451	BICKERS ST	MIERS HARRIS WOOD JR &
	9	3315	BICKERS ST	JOHNSON GWENDOLYN HILL
	10	3603	N WESTMORELAND RD	HAYES LENA RUTH
	11	3321	BICKERS ST	JONES KATIE M
	12	3327	BICKERS ST	KING JOYCE
	13	3331	BICKERS ST	PADILLA JESUS & MARIA E
	14	3335	BICKERS ST	MUNOS LORENZO FERNANDEZ &
	15	3403	BICKERS ST	LANDSET LLC
	16	3407	BICKERS ST	RODRIGUEZ JOSE MANUEL JR &
	17	3411	BICKERS ST	ROGERS LOIS LIFE ESTATE
	18	3417	BICKERS ST	PECINA DAGOBERTO RUIZ &
	19	3423	BICKERS ST	CORIA J SANTOS
	20	3427	BICKERS ST	ALARCON RAFAEL & ROSA
	21	3435	BICKERS ST	CASTILLO GUADALUPE
	22	3517	N WESTMORELAND RD	VESTAL FREDDY TRUSTEE
	23	3303	MORRIS ST	HMK LTD
	24	3316	GALLAGHER ST	NEW MOUNT CALVARY BAPTIST CHURCH
	25	3320	GALLAGHER ST	SALGADO JOSE &
	26	3324	GALLAGHER ST	BENJAMIN THOMAS JR ETAL

05/15/2019

Reply	*Label #*	*Address*		*Owner*
	27	3330	GALLAGHER ST	EUSEBIO CARLOS
	28	3334	GALLAGHER ST	ORTIZ MARISOL
	29	3402	GALLAGHER ST	SILVA PAULINO &
	30	3404	GALLAGHER ST	CORIA J SANTOS
	31	3410	GALLAGHER ST	GOLDEN JOE ESTATE OF
	32	3416	GALLAGHER ST	BRISCOE C W
	33	3420	GALLAGHER ST	GUERRERO GLORIA
	34	3426	GALLAGHER ST	BENNETT JESSE L
	35	3430	GALLAGHER ST	FAGGETT MARTHA A
	36	3434	GALLAGHER ST	VILLALTA LUIS A
	37	3321	MORRIS ST	HOMEX CHANGE LLC
	38	3327	MORRIS ST	HAYDEN I V
	39	3331	MORRIS ST	HAYDEN LONDELL &
	40	3335	MORRIS ST	PACHECO MIGUEL CHAN
	41	3403	MORRIS ST	SAENZ MISAEL
	42	3405	MORRIS ST	BONILLA SONIA
	43	3411	MORRIS ST	BETHANY BERTHA FAY
	44	3417	MORRIS ST	SIMMONS ANGELA
	45	3421	MORRIS ST	MARTINEZ ENGLANTINA P
X	46	3427	MORRIS ST	LEARY GLORIA JEAN
	47	3431	MORRIS ST	CONLEY JUDY
	48	3435	MORRIS ST	MCGEE IRENE
	49	3320	MORRIS ST	MORALES GRACIELA
	50	3326	MORRIS ST	MENDOZA VERONICA &
	51	3330	MORRIS ST	HAYDEN NATALIE
	52	3336	MORRIS ST	BUSSEY M C
	53	3400	MORRIS ST	MITCHELL MERLERICK H
	54	3404	MORRIS ST	RAMOS ROSALIO L
X	55	3410	MORRIS ST	ORTEGA WILLIAM
X	56	3416	MORRIS ST	SAMPSON & SONS INC
	57	3420	MORRIS ST	VEGAMEDINA J LEONARDO

05/15/2019

Reply	*Label #*	*Address*		*Owner*
	58	3426	MORRIS ST	CORIA CARLOS
	59	3430	MORRIS ST	PEREZ NOE JR
	60	3434	MORRIS ST	SILVA ANTONIO MIRANDA
	61	3547	FUREY ST	MORGAN DARLENE &
	62	3543	FUREY ST	LARRY LUCIES
	63	3539	FUREY ST	SIMPSON MATTIE M EST OF
	64	3535	FUREY ST	SHAW MARQUITA ET AL
	65	3531	FUREY ST	MELENDEZ SEVERO &
	66	3510	GALLAGHER ST	LOMAS & SONS CONSTRUCTION LLC
	67	3517	FUREY ST	CRUZ RESENDO F
	68	3511	FUREY ST	MARTINEZ RODOLFO
	69	3507	FUREY ST	ROCK IMA JENE EST OF
	70	3503	FUREY ST	LUCIANO EUSEBIO C
	71	3500	MORRIS ST	SEBASTIAN PROPERTIES LLC
	72	3511	MORRIS ST	WRIGHT ROSEMARY
	73	3506	MORRIS ST	REZAIE SEMIRA
	74	3510	MORRIS ST	ST ANTHONY
X	75	3512	MORRIS ST	LEARY GLORIA J
	76	3522	MORRIS ST	BURTON JESSIE
	77	3526	MORRIS ST	BARRON MARIA DELALUZ &
	78	3401	BERNAL DR	ALCANTAR ESTEFANIA
	79	3407	BERNAL DR	SLOAN TYENESHA D
	80	3331	BERNAL DR	CASTORENA JOSE J &
	81	3315	BERNAL DR	JUNG CHUN SIK
	82	3535	MORRIS ST	BURTON JESSIE JR
	83	3531	MORRIS ST	BURTON RODNEY
	84	3530	GALLAGHER ST	TAYLOR RONALD KEITH & PATRICIA LYNN
	85	3534	GALLAGHER ST	WOODARD R A
	86	3539	GALLAGHER ST	SEBASTIAN PROPERTIES
	87	3535	GALLAGHER ST	FIELDS EUNICE
	88	3530	BICKERS ST	GONZALEZ GUADALUPE C

05/15/2019

Reply	*Label #*	*Address*		*Owner*
	89	3534	BICKERS ST	YINETT MULTI PROFESSIONAL SCVS
	90	3260	BICKERS ST	HAMPTON SUPPORTIVE
	91	3541	MELINDA HILLS DR	NISCOLN LLC
	92	3103	LANDRUM LAKES CT	GUZMAN HERIBERTO & ALICIA
	93	3107	LANDRUM LAKES CT	TALLEY TRAVON L
	94	3111	LANDRUM LAKES CT	RODRIGUEZ JOSE PAEZ
	95	3110	LANDRUM LAKES CT	DELLINGER LYNNELLE
	96	3106	LANDRUM LAKES CT	JONES LAUREN
	97	3102	LANDRUM LAKES CT	NISCOLN LLC
	98	3141	MELISSA RIVER WAY	NGUYEN NGA N & DAI TRIEU
	99	3145	MELISSA RIVER WAY	NGUYEN CHIEN M & MONG T DANG
	100	3149	MELISSA RIVER WAY	LE MUOI & LE T NGUYEN
	101	3146	MELISSA RIVER WAY	TRAN TUAN VAN
	102	3150	MELISSA RIVER WAY	MONROY KAREN
	103	3020	N WESTMORELAND RD	GOODWILL INDUSTRIES OF
	104	3327	BERNAL DR	ROGERS TONY G JR
	105	3339	BERNAL DR	GENERAL CONFERENCE OF

Agenda Information Sheet

File #: 19-1230 **Item #:** 82.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the northeast corner of Greenville Avenue and Oram Street
Recommendation of Staff: Approval, subject to staff's recommended conditions
Recommendation of CPC: Approval, subject to conditions
Z189-206(SM)
Note: This item was considered by the City Council at a public hearing on August 14, 2019, and was held under advisement until August 28, 2019, with the public hearing open

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, AUGUST 28, 2019**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z189-206(SM)	**DATE FILED:**	February 20, 2019
LOCATION:	Northeast corner of Greenville Avenue and Oram Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	36 X
SIZE OF REQUEST:	11,100 square feet	**CENSUS TRACT:**	11.01

OWNER: Lande Greenville Ave, LLC.

APPLICANT: Gideon Interests, Inc.

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay.

SUMMARY: The applicant proposes to create a new subdistrict to allow for an existing building to be occupied with a mixture of uses with no off-street parking for office uses and retail and personal service uses when located within the existing building. The applicant has also proposed to prohibit a second story, outdoor speakers, rooftop uses, and prohibiting public entrances facing south or east. The applicant has also proposed to limit a restaurant to 3,000 square feet and, if a restaurant is proposed in the future, will provide off-street parking at a ratio of one space per 100 square feet of restaurant floor area at a remote location.

CPC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to staff's recommended conditions.

BACKGROUND INFORMATION:

- Dallas Central Appraisal District records indicate that the building was constructed in 1925.

- On October 21, 1987, the City Council created the MD-1 Modified Delta Overlay District in those areas where it was determined that a continued operation of the delta theory is not justified because there is no longer a need to encourage redevelopment and adaptive reuse of existing structures, or a continued application of the delta theory will create traffic congestion and public safety problems and would not be in the public interest.

- The MD-1 Overlay District establishes that the right to carry forward nonconforming parking and loading spaces under the delta theory terminates when a use is discontinued or remains vacant for 12 months or more [Ord. 19726].

- On April 1, 2010, Lula B's Antique Mall vacated 2004 Greenville Avenue, according to a Dallas Observer article.

- On January 26, 2011 City Council approved Planned Development No. 842. The purpose of the district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.

- The area of request has no off-street parking provided and is developed with a one-story nonresidential structure with approximately 10,500 square feet of floor area.

    - 2000 Greenville Avenue is currently occupied by a retail store (IBC Design Studio) and contains approximately 3,500 square feet of floor area and has retained 18 delta credits.

    - The remainder of the site, 2004 Greenville Avenue, is currently unoccupied but was previously occupied by another retail store (DBA Lula B's Antique Mall) and is approximately 7,000 square feet in floor area. Since 2004 Greenville Avenue has been vacant for more than 12 months, the MD-1 Overlay prescribes that the 35 delta credits may not be carried forward to the next certificate of occupancy.

- The applicant envisions utilizing the existing building in two ways: 1) to have a mix of restaurant, retail, and office uses or 2) to have a small hotel with up to 60 guest rooms. In either scenario, the applicant is not proposing to acquire off-street parking spaces for the proposed uses.

Zoning History: There have been 17 zoning change requests in the area within the last five years.

1. **Z189-170** On April 24, 2019, the City Council renewed Specific Use Permit No. 1881 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses located on the northwest corner of Greenville Avenue and Bell Avenue for a three-year period.

2. **Z145-189** On June 10, 2015, the City Council renewed Specific Use Permit No. 1881 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 for CR Community Retail District Uses located on the northwest corner of Greenville Avenue and Bell Avenue for a four-year period.

3. **Z156-217** On June 22, 2016, the City Council renewed Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property within Planned Development District No. 842 for CR Community Retail District Uses with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, north of Prospect Avenue for a five-year period.

4. **Z189-150** On April 10, 2019, the City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period.

5. **Z167-367** On December 13, 2017, the City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to a site plan and conditions.

6. **Z178-304** On November 14, 2018, the City Council approved the renewal of Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period, subject to conditions.

7. **Z189-124** On March 7, 2019, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive without prejudice.

8. **Z189-126** On March 7, 2019, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive without prejudice.

9. **Z189-131** On February 7, 2018, the City Plan Commission denied an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Street and La Vista Drive without prejudice.

10. **Z156-224** On June 22, 2016, the City Council approved Specific Use Permit No. 2230 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period.

11. **Z178-281** On September 26, 2018, the City Council approved amendment to Subdistricts 1, 2, and 4 within Planned Development District No. 691 with a MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion to allow a tower/antenna for cellular communication, located on the northwest corner of Greenville Avenue and Lewis Street, subject to a revised development plan, elevation, and conditions.

12. **Z167-238** On December 13, 2017 the City Council approved an amendment to Planned Development District No. 691, with a MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion, located on the northwest corner of Greenville Avenue and Lewis Street, subject to conditions.

13. **Z178-387** On January 23, 2019, the City Council approved the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive through service for a two-year period.

14. **Z167-342** On October 11, 2017, the City Council approved the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive through service for a one-year period.

15. **Z156-294** On October 26, 2016, the City Council approved the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to a bar, lounge or tavern for a three-year period.

16. **Z178-272** On October 23, 2018, the City Council approved Subdistrict 1 within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the west side of Greenville Avenue, north of Alta Avenue.

17. **Z156-300** On October 26, 2016, the City Council renewed Specific Use Permit No. 1905 for a late-hours establishment limited to a restaurant without drive-in or drive-through use on property within Planned Development District No. 842 for CR Community Retail District uses with an MD-1 Modified Delta Overlay, on the west line of Greenville Avenue, south of Sears Street for a four-year period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Local	60 feet
Oram Street	Local	40 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that staff's recommendation will not significantly impact the surrounding roadway 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.

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.

Area Plans:

Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Modified Delta Overlay No. 1:

In general terms, 'delta theory' means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded.

The 'modified delta', in effect, limits the scope of delta theory due to an increasing need to encourage redevelopment and adaptive reuse of existing structures or that the continued application of the delta theory will create traffic congestion and public safety issues.

The site lies within Modified Delta Overlay No. 1 (MD-1), which was adopted by the City Council on October 1, 1987. MD-1 consists of three 'Areas' in an area generally bounded by Ellsworth Avenue, west of Matilda Street, north of Ross Avenue, and east of Summit Avenue/Worcola Street. This site lies within the Area 3 portion of MD-1.

On June 14, 1995, City Council approved a resolution that provides for replacing parking in the right-of-way that is lost due to locating public dining space (subject to the granting of a private license) within this area and requires parking for public dining areas at a ratio of 1 space per 300 square feet of public dining space. The most recent amendment was approved by City Council on June 28, 1995, which provides for the following: 1) a use that is discontinued or remains vacant for 12 months loses the right to carry forward nonconforming parking/loading under the delta theory; 2) the Board of Adjustment may not grant a special exception for required parking; 3) walking distance for remote parking is increased to 900 feet; and, 4) special parking may account for more than 50 percent of required parking for a use.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 842, MD-1	Vacant and retail
North	PD No. 842, MD-1, and SUP No. 2272	Restaurants
East	CR, MD-1, and SUP No. 285	Electric Substation
South	PD No. 842, MD-1	Vacant restaurant, retail, and restaurant
West	PD No. 842(Subdistrict 1), MD-1	Vacant

Land Use Compatibility:

The area of request has no off-street parking provided and is developed with a one-story nonresidential structure with approximately 10,500 square feet of floor area that is divided into two suites. The applicant proposes a new subdistrict that is consistent with the permitted and prohibited uses of the site directly to the west, within Subdistrict 1, which is similar to this request, with two exceptions. The applicant proposes to allow a liquor store and a restaurant without drive-in or drive-through service use.

The site is surrounded by the nonresidential uses noted in the table above and residential uses farther away to the east and west. Staff supports the applicant's requested land uses because it is more restrictive than the existing permitted uses and therefore more compatible with the surrounding neighborhood.

Development Standards:

The applicant proposes one change to the existing development standards: limit restaurant floor area to 3,000 square feet. Staff does not object to the applicant's request to limit restaurant uses; however, it is staff's position that any size restaurant use would be compatible with the surrounding properties when off-street parking is provided per code.

Parking:

In general, the delta theory means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded. The Greenville Avenue Modified Delta Overlay District establishes that the right to nonconforming delta parking credits are lost if the use is vacant for 12 months or more.

The area of request has no off-street parking provided and is developed with a one-story nonresidential structure with approximately 10,500 square feet of floor area that is divided into two suites with two addresses. 2000 Greenville Avenue is currently occupied by a retail store (DBA: IBC Design Studio) and contains approximately 3,500 square feet of floor area and has retained 18 delta credits. The remainder of the site, 2004 Greenville Avenue, is currently unoccupied but was previously occupied by another retail store (DBA: Lula B's Antique Mall) and is approximately 7,000 square feet in floor area. Since the suite addressed at 2004 Greenville Avenue has been vacant for more than 12 months, the MD-1 Overlay prescribes that the 35 delta credits may not be carried forward to the next certificate of occupancy. Therefore, the existing zoning regulations require that any use of 2004 Greenville provide the minimum parking requirements on-site, through a parking agreement, or the Board of Adjustment may approve the reinstatement of the 35 lost delta credits if the applicant can demonstrate that there was not an intent to abandon the use.

CPC supports the applicant's proposal to adaptively reuse the existing structure without providing any parking for most retail and personal service uses that close by 9:00 p.m. and all office uses without hours of operations restrictions. The Dallas Development Code generally requires a minimum of one parking space for most retail and personal service uses[1] and medical offices at a ratio of one space per 200 square feet of floor area and offices are required to provide one space per 333 square feet of office floor area. The applicant has agreed to provide the full amount of off-street parking required for restaurant uses, at a ratio of one space per 100 square feet of floor area, which complies with the Dallas Development Code.

CPC and staff support the applicant's request that parking requirements for a hotel use be determined through the process of obtaining a Specific Use Permit; however, the applicant has not provided a parking demand analysis or a parking management plan to support the requested parking reductions for office and retail uses that close by 9:00 p.m. and therefore, staff cannot fully support the applicant's request. However, staff can support a parking exception for uses that would close by 7:00 p.m. thereby activating the building for daytime uses and have parking ratios that would effectively reinstate the 35 delta credits that were lost due to the Modified Delta Overlay. Staff's rationale for this recommendation is because the Lower Greenville nonresidential area is primarily developed with uses that have parking ratios of one space per 100 square feet of floor

[1] Furniture stores require parking at a ratio of 1:500 SF, most commercial amusement (inside) uses require 1:100 SF, and restaurants and bars require 1:100 SF. Therefore, applicant's request does not require parking for a furniture store, but would require parking for restaurant and bar uses.

area (such as bar, lounge, or tavern, restaurant, and inside commercial amusement uses) with peak parking demand times in the evenings.

Special Parking:

The Dallas Development Code, as amended, provides alternatives to provide the off-street parking requirements such as remote parking and shared parking. Moreover, the Greenville Avenue Modified Delta Overlay District enhances the availability of these special parking provisions by allowing for the walking distances for the remote parking to be increased from 600 feet to 900 feet and allows for special parking to account for more than 50 percent of the off-street parking required for any use.

Staff can support the applicant's request to allow parking agreements by lease because it has been adopted in many other areas in Dallas, including but not limited to, the Bishop Art's District (PDD No. 830) and Deep Ellum/Near East Side District (PDD No. 269); however, staff would prefer special parking regulations to be consistent throughout the overall planned development district or more globally within the Modified Delta Overlay.

Additionally, the applicant requested that the walking distance for remote parking agreements for the site be extended anywhere within PDD No. 842. This portion of the applicant's request is not eligible to be included in the request because the Modified Delta Overlay extends the Dallas Development Code walking distances and therefore, the PDD cannot alter Modified Delta Overlay regulations. To consider the applicant's request, the Modified Delta Overlay would need to be terminated or amended. Further, staff does not support the concept of the applicant's request because PDD No. 842 extends south of Ross Avenue and north to Belmont Avenue, which extends the walking distance beyond industry-accepted maximums.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any additions to the property that exceed 35 percent of the existing floor area or 2,000 square feet of new non-permeable pavement will require landscaping per Article X of the Dallas Development Code.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials

and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, the site is surrounded by a “C” MVA cluster in all directions.

CPC Action
May 16, 2019

Motion: In considering an application for a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay on the northeast corner of Greenville Avenue and Oram Street, it was moved to **hold** this case under advisement until June 20, 2019.

Maker: Ridley
Second: Murphy
Result: Carried: 13 to 0

For: 13 - MacGregor, Criss, Johnson, Shidid, Carpenter, Brinson, Lewis, Jung*, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Schulte
Vacancy: 1 - District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 138
Replies: For: 15 Against: 4

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC Action
June 20, 2019

Motion: It was moved to recommend **approval** of a new subdistrict, subject to staff's recommended conditions with the following changes: 1) to require an SUP for a hotel or motel under Sec. 106.(b); 2) retail uses must close by 9 PM to obtain a parking waiver under Sec 109(c) and no limit on office; 3) parking ratio for restaurant, bar or tavern uses in the legacy building reduced to 1/100 square feet; 4) no second story or roof top buildout; 5) no outdoor speakers or amplified music; 6) main entry to be on Greenville Avenue only, with only fire exits on Oram; and 7) remove condition prohibiting accessory uses within Planned Development No. 842 with a MD-1 Modified Delta Overlay on the northeast corner of Greenville Avenue and Oram Street.

Maker: Ridley
Second: Schultz
Result: Carried: 12 to 0

For: 12 - MacGregor, Schulte, Criss, Shidid, Carpenter, Brinson, Lewis, Jung, Housewright, Schultz, Murphy, Ridley

Against: 0
Absent: 2 - Johnson, Tarpley
Vacancy: 1 - District 12

Notices: Area: 500 Mailed: 138
Replies: For: 18 Against: 5

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Beth Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Jon Hetzel, 2622 Commerce St., Dallas, TX, 75226
Against: None

List of Officers

Lande Greenville, LLC

Gail K. Bayer, Director
Sheri R. Vine, Director

Gideon Interests, Inc.

Steve Schwartz, President and sole member

CPC Recommended Conditions

PD 842.

SEC. 51P-842.101. LEGISLATIVE HISTORY.

PD 842 was established by Ordinance No. 28109, passed by the Dallas City Council on January 26, 2011. (Ord. 28109)

SEC. 51P-842.102. PROPERTY LOCATION AND SIZE.

PD 842 is established on property located on both sides of Greenville Avenue between Belmont Avenue and Bryan Street. The size of PD 842 is approximately 50.598 acres. (Ord. Nos. 28109; 28825)

SEC. 51P-842.103. PURPOSE.

The purpose of this district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional- serving, late-night venues. (Ord. 28109)

SEC. 51P-842.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds.

(2) LATE-HOURS ESTABLISHMENT means a retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m. See Section 51P-842.113.

(2.1) LEGACY BUILDING means a building and building facade which exists within Subdistrict 2 prior to 1926.

(3) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(4) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment, but does not include permanent makeup application or intradermal cosmetics

as a component or service of a duly licensed beauty parlor or salon.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P-842.104.1 EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 842A: Subdistrict map.

SEC. 51P-842.104.2 SUBDISTRICT.

This district contains the following subdistricts: Subdistrict 1 and Subdistrict 2 as shown on the subdistrict map (Exhibit 842A).

SEC. 51P-842.105. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 28109)

SEC. 51P-842.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) The following use is permitted only by SUP:

-- Hotel and motel. *[SUP in Subdistrict 2.]*
-- Late-hours establishment. *[See Section 51P-842.113.]*

(c) In Subdistricts 1 and 2, the following uses are prohibited.

-- Alcoholic beverage establishment.
-- Alternative financial establishment.
-- Auto service center.
-- Bail bond office.
-- Car wash.

-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Convenience store with drive-through.
-- Late-hours establishment.
-- Liquor store. *[Prohibited in Subdistrict 1 only.]*
-- Massage establishment.
-- Mini-warehouse.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Paraphernalia shop.
-- Restaurant without drive-in or drive-through service. *[Prohibited in Subdistrict 1 only.]*
-- Restaurant with drive-in or drive-through service.
-- Swap or buy shop.
-- Tattoo studio.

SEC. 51P-842.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A- 4.217. (Ord. 28109)

SEC. 51P-842.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the CR Community Retail District apply.

(b) Floor area ratio.

(1) In Subdistrict 1, maximum floor total floor area for office and retail and personal service uses combined is 6,000 square feet.

(2) In Subdistrict 2, a restaurant use may not exceed 3,000 square feet.

(c) Stories. In Subdistrict 2, except for mezzanines within a legacy building, maximum number of stories is one.

SEC. 51P-842.109. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Subdistrict 1. No off-street parking or loading is required for an office use or a retail and personal service use that only operates between 6:00 a.m. and 7:00 p.m. and has parking ratio of 1:200 or less.

(c) Subdistrict 2.

CPC recommended:

(1) Except for a restaurant without drive-in or drive-through service, no parking or loading is required for retail and personal service uses within a legacy building that only operate between 6:00 a.m. and 9:00 p.m. and have parking ratios of 1:200 or less.

(2) No parking is required for office uses within a legacy building.

Staff recommended:

(1) Except for a restaurant without drive-in or drive-through service, no parking or loading is required for office and retail and personal service uses within a legacy building that only operate between 6:00 a.m. and 7:00 p.m. and have parking ratios of 1:200 or less.

(3) A minimum of one space per 100 square feet is required for a restaurant use and bar, lounge, or tavern use. Delta credits may not be used to meet this off-street parking requirement.

(4) For a hotel use, the off-street parking requirement may be established in the ordinance granting a Specific Use Permit.

(5) Except as provided in this subsection, remote parking must be in accordance with 51A-4.320. An agreement authorizing a nonresidential use or a mixed use development to use special parking for nonresidential uses may be based on a lease of the special parking spaces only if the lease:

(A) is in writing;

(B) contains legal descriptions of the properties affected;

(C) specifies the special parking being provided and the hours of operation of any use involved;

(D) is governed by the laws of the state of Texas;

(E) is signed by all owners of the properties affected;

(F) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(G) is for a minimum term of three years; and

(H) provides both the owner of the lot occupied by the nonresidential use or mixed use development use and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

SEC. 51P-842.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 28109)

SEC. 51P-842.111. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 28109)

SEC. 51P-842.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. 28109)

SEC. 51P-842.113. ADDITIONAL PROVISIONS.

(a) In general. The Property must be properly maintained in a state of good repair and neat appearance.

(b) Compliance. Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Late-hours operations.

(1) Except for late-hours establishments operating under a valid specific use permit, all services for the public must be stopped and all customers must be removed from the establishment between 12 a.m. (midnight) and 6 a.m. Any retail and personal service use that offers services to the public or that has customers remaining in the establishment between 12 a.m. (midnight) and 6 a.m. is a late-hours establishment.

(2) No occupancy shall have nonconforming rights to operate between 12 a.m. (midnight) and 6 a.m. All occupancies must come into compliance with this subsection by September 23, 2011.

(d) Traffic impact analysis waiver. A traffic impact analysis is not required in connection with an application for a specific use permit for a late-hours establishment.

(e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

(1) the number of citations issued by police to patrons of the establishment;

(2) the number of citations issued by police for noise ordinance violations by the establishment;

(3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;

(4) the number of Texas Alcoholic Beverage Code violations of the establishment;
and

(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

(f) Street improvements. If the city has not begun streetscape enhancements within this district by January 1, 2017, the director shall request that the city plan commission authorize a public hearing to determine proper zoning with consideration given to repeal of this district. For purposes of this subsection, "streetscape enhancements" means improvements to the streetscape such as wider sidewalks, street landscaping, and pedestrian lighting.

(g) Subdistrict 2.

(1) Except for maintenance, use of rooftops are prohibited.

(2) Outdoor speakers and amplified music are prohibited.

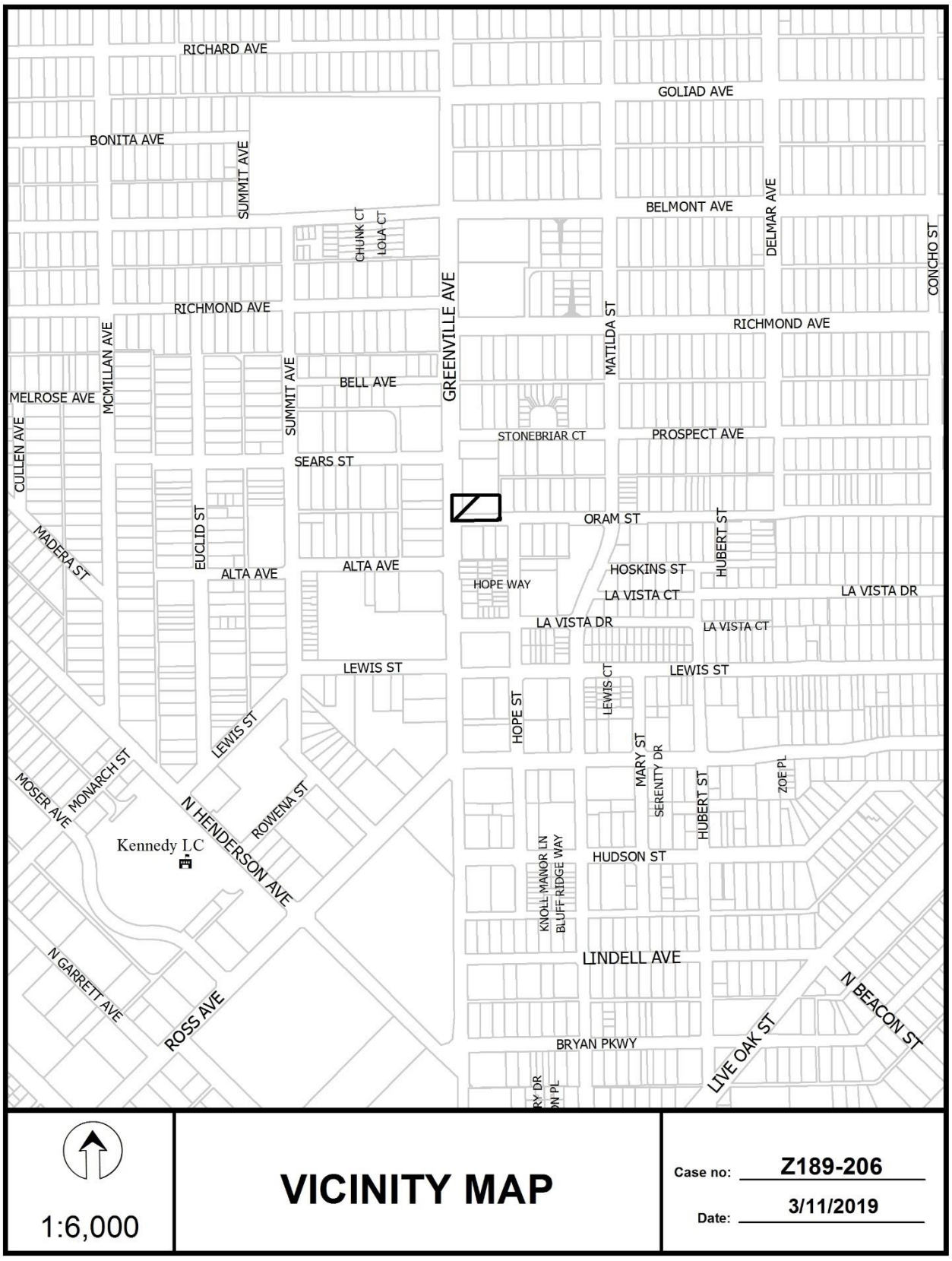
(3) Main entry to be on Greenville Avenue, with only fire exits on Oram Street.

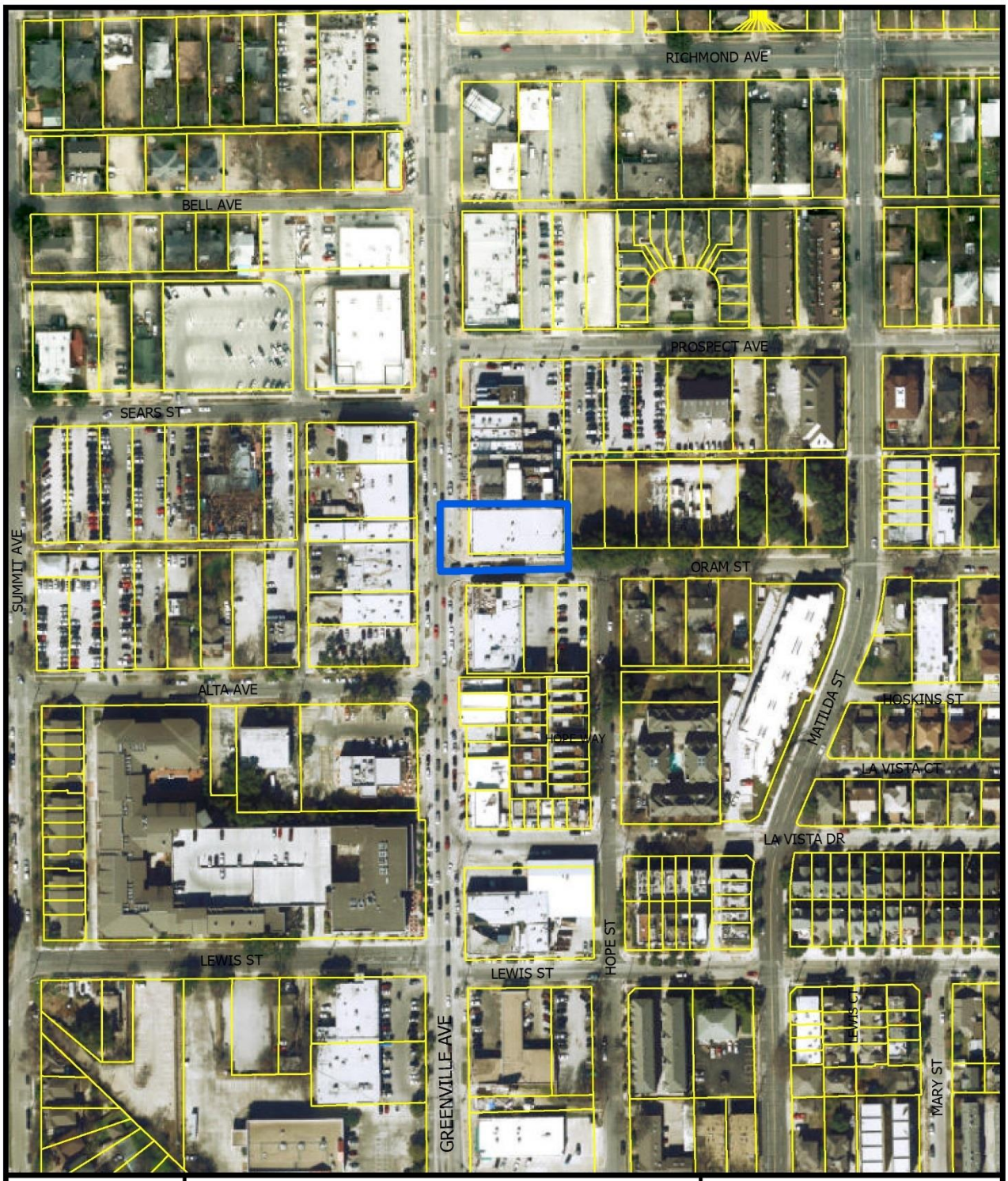
SEC. 51P-842.114. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction

of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 28109)


RICHARD AVE
GOLIAD AVE
BONITA AVE
SUMMIT AVE
CHUNK CT
LOLA CT
BELMONT AVE
DELMAR AVE
CONCHO ST
GREENVILLE AVE
MATILDA ST
RICHMOND AVE
MCMILLAN AVE
BELL AVE
MELROSE AVE
CULLEN AVE
STONEBRIAR CT
PROSPECT AVE
SEARS ST
ORAM ST
HUBERT ST
EUCLID ST
MADERA ST
ALTA AVE
HOPE WAY
HOSKINS ST
LA VISTA CT
LA VISTA DR
LEWIS ST
LEWIS CT
HOPE ST
MARY ST
SERENITY DR
ZOE PL
MONARCH ST
MOSER AVE
N HENDERSON AVE
ROWENA ST
Kennedy LC
KNOLL MANOR LN
BLUFF RIDGE WAY
HUDSON ST
LINDELL AVE
N GARRETT AVE
ROSS AVE
BRYAN PKWY
LIVE OAK ST
N BEACON ST
1:6,000
VICINITY MAP
Case no: Z189-206
Date: 3/11/2019

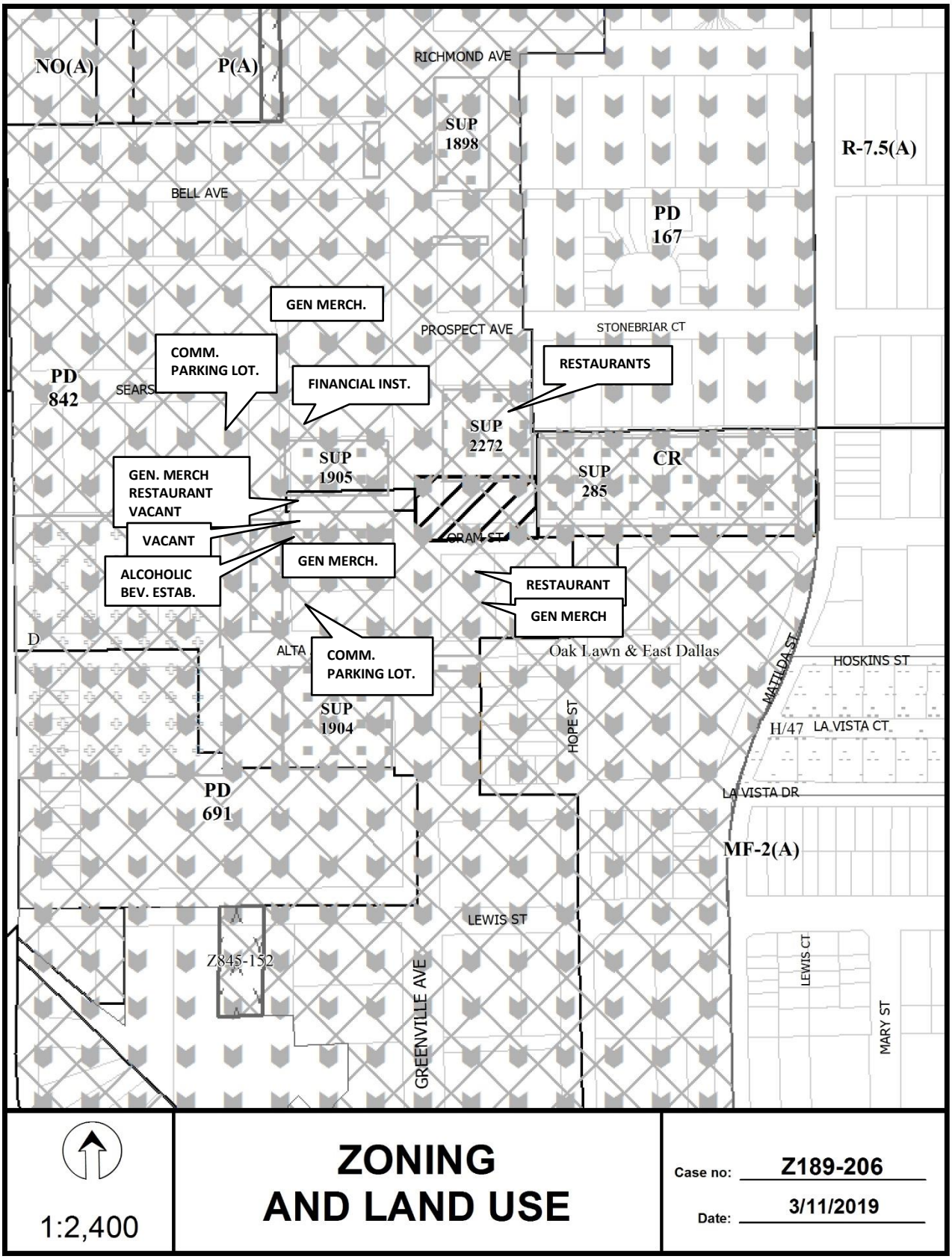


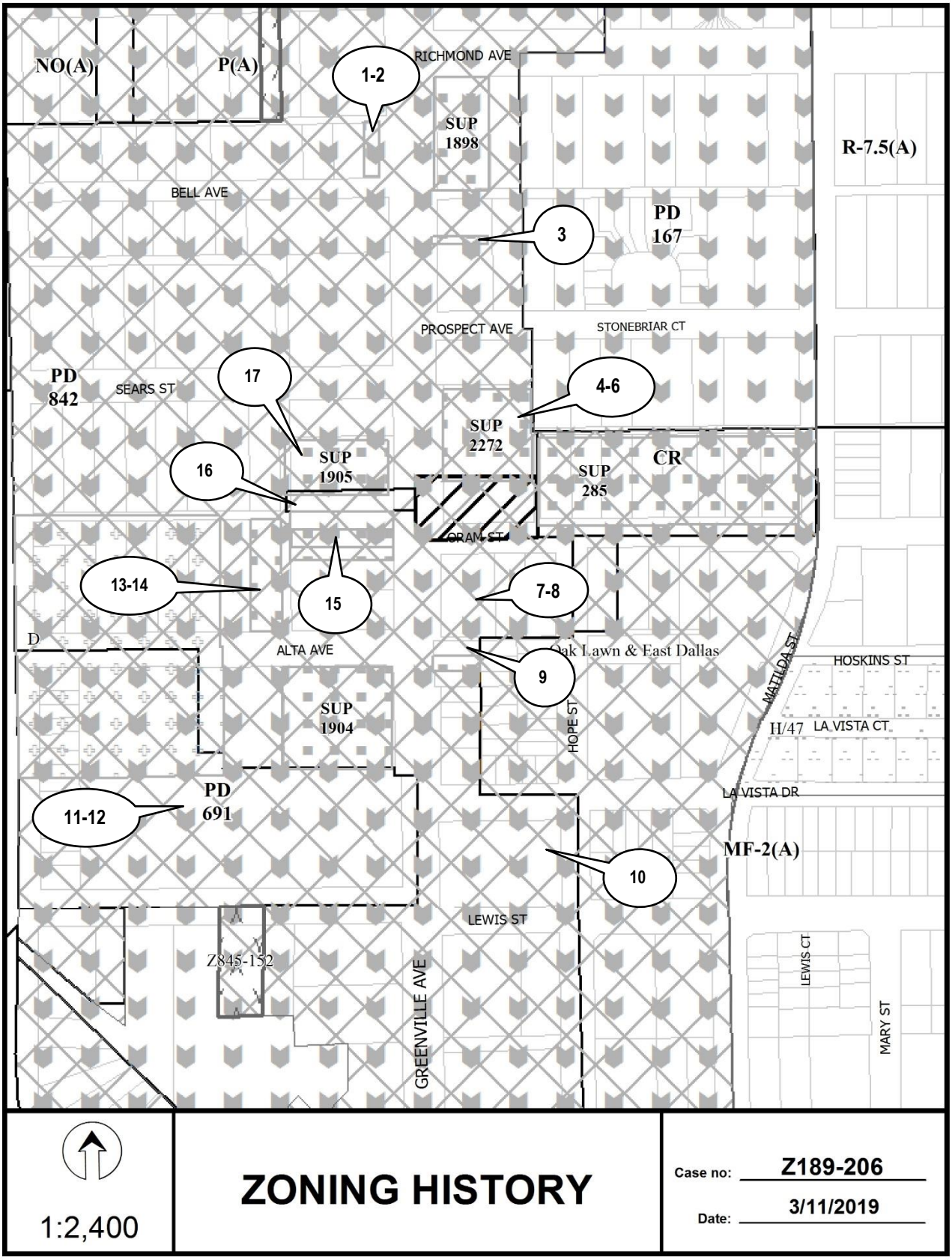
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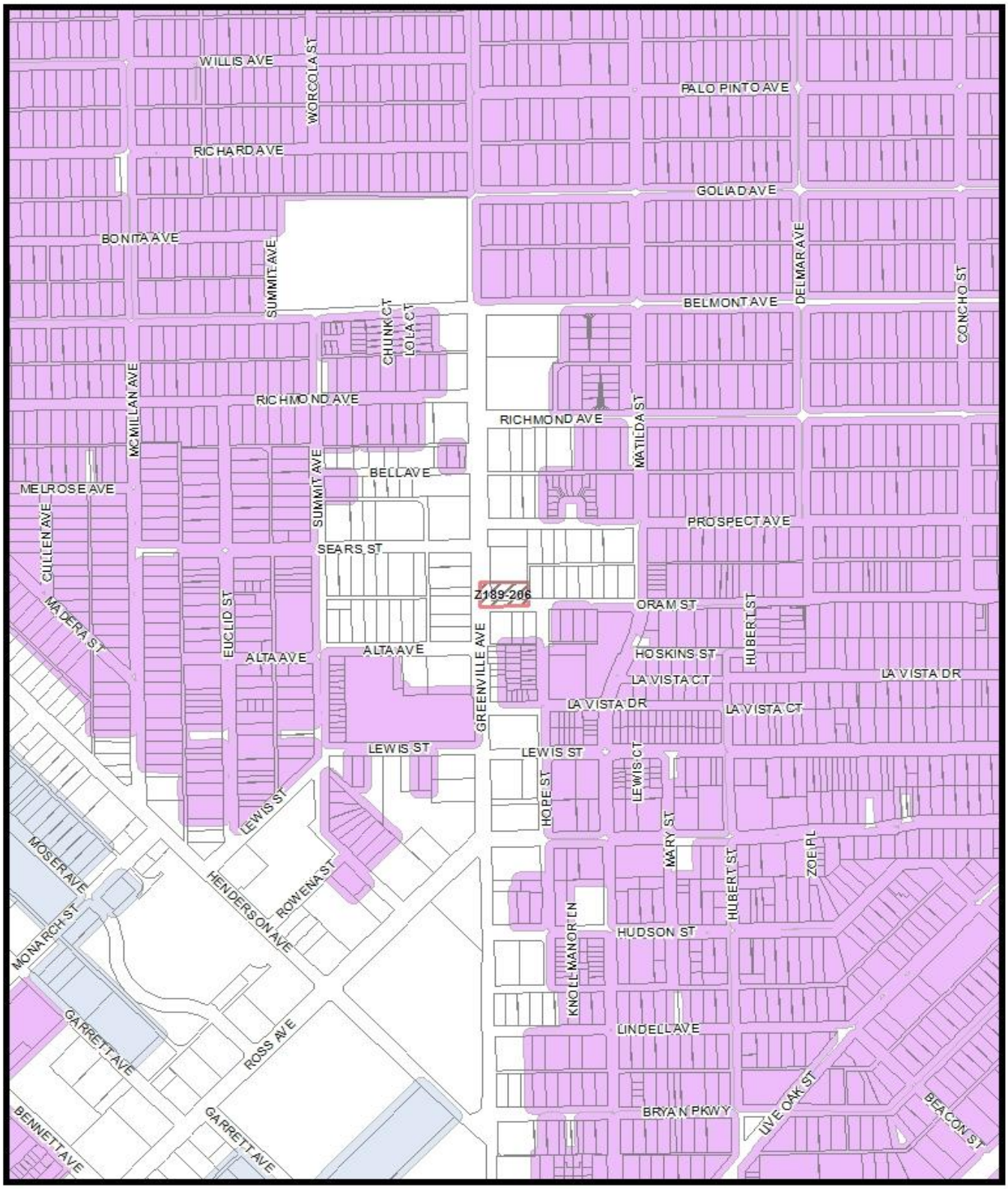
AERIAL MAP

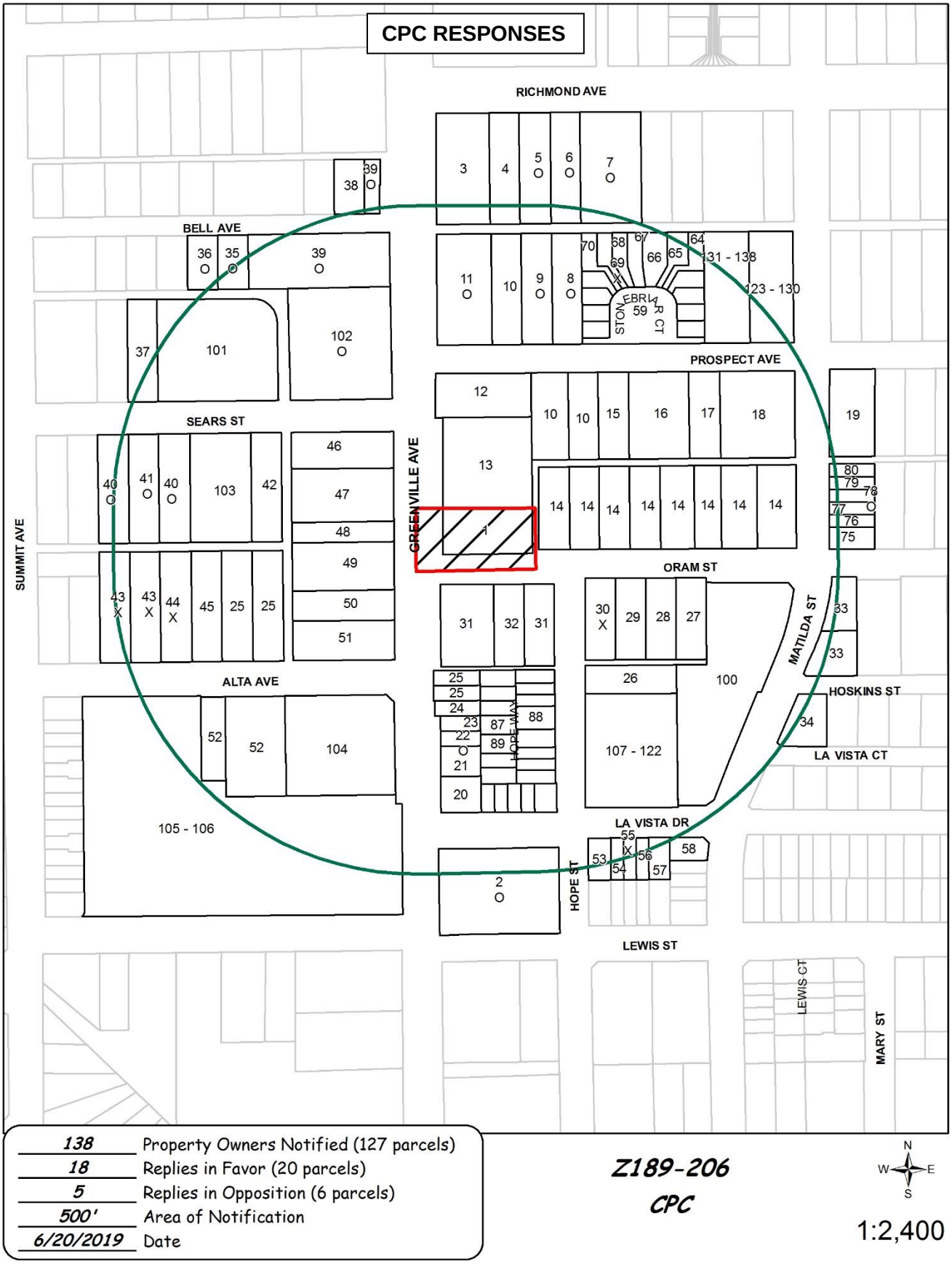
Case no: Z189-206

Date: 3/11/2019


NO(A)
P(A)
RICHMOND AVE
SUP 1898
R-7.5(A)
BELL AVE
PD 167
GEN MERCH.
PROSPECT AVE
STONEBRIAR CT
COMM. PARKING LOT.
FINANCIAL INST.
RESTAURANTS
PD 842
SEARS
SUP 2272
SUP 1905
CR
SUP 285
GEN. MERCH
RESTAURANT
VACANT
VACANT
ORAM ST
ALCOHOLIC BEV. ESTAB.
GEN MERCH.
RESTAURANT
GEN MERCH
D
ALTA
COMM. PARKING LOT.
Oak Lawn & East Dallas
MATILDA ST
HOSKINS ST
SUP 1904
HOPE ST
H/47
LA VISTA CT.
PD 691
LA VISTA DR
MF-2(A)
LEWIS ST
Z845-152
GREENVILLE AVE
LEWIS CT
MARY ST
1:2,400
ZONING AND LAND USE
Case no: Z189-206
Date: 3/11/2019


NO(A)
P(A)
RICHMOND AVE
1-2
SUP 1898
R-7.5(A)
BELL AVE
3
PD 167
PROSPECT AVE
STONEBRIAR CT
PD 842
SEARS ST
17
4-6
SUP 2272
16
SUP 1905
SUP 285
CR
ORAM ST
13-14
15
7-8
D
ALTA AVE
Oak Lawn & East Dallas
9
HOSKINS ST
MATILDA ST
SUP 1904
HOPE ST
H/47
LA VISTA CT
PD 691
11-12
LA VISTA DR
MF-2(A)
10
LEWIS ST
Z845-152
GREENVILLE AVE
LEWIS CT
MARY ST
1:2,400
ZONING HISTORY
Case no: Z189-206
Date: 3/11/2019


WILLIS AVE
WORCOLA ST
PALO PINTO AVE
RICHARD AVE
GOLIAD AVE
BONITA AVE
SUMMIT AVE
DELMAR AVE
CONCHO ST
BELMONT AVE
CHUNK CT
LOLA CT
MCMILLAN AVE
RICHMOND AVE
RICHMOND AVE
MATILDA ST
BELL AVE
MELROSE AVE
SUMMIT AVE
PROSPECT AVE
CULLEN AVE
SEARS ST
Z189-206
ORAM ST
MADERA ST
EUCLID ST
ALTA AVE
ALTA AVE
GREENVILLE AVE
HUBERT ST
HOSKINS ST
LA VISTA CT
LA VISTA DR
LA VISTA DR
LA VISTA CT
LEWIS ST
LEWIS ST
LEWIS CT
HOPE ST
LEWIS ST
MARY ST
MOSER AVE
HENDERSON AVE
ROWENA ST
HUBERT ST
ZOE PL
MONARCH ST
HUDSON ST
KNOLLMANOR LN
GARRETT AVE
ROSS AVE
LINDELL AVE
BRYAN PKWY
LIVE OAK ST
BEACON ST
BENNETT AVE
GARRETT AVE
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 3/11/2019



138	Property Owners Notified (127 parcels)
18	Replies in Favor (20 parcels)
5	Replies in Opposition (6 parcels)
500'	Area of Notification
6/20/2019	Date

Z189-206
CPC

N
W E
S

1:2,400

06/19/2019

Reply List of Property Owners

Z189-206

138 Property Owners Notified ***18 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2000	GREENVILLE AVE	LANDE PAUL &
O	2	1802	GREENVILLE AVE	1800 GREENVILLE PARTNERS LLC
	3	5702	RICHMOND AVE	GREENVILLE ROSS PTNR LTD
	4	5710	RICHMOND AVE	SANCHEZ FIDENCIO
O	5	5714	RICHMOND AVE	REESE GRANDCHILDRENS &
O	6	5716	RICHMOND AVE	REESE GRANDCHILDRENS TRUST NO 1 &
O	7	5722	RICHMOND AVE	RICHMOND 5700 LLC
O	8	5719	PROSPECT AVE	MADISON PACIFIC DEV COM
O	9	5715	PROSPECT AVE	REESE GRANDCHILDRENS
	10	5711	PROSPECT AVE	ANDRES FAMILY TRUST
O	11	2100	GREENVILLE AVE	GREENVILLE 2100 LTD
	12	2026	GREENVILLE AVE	ANDRES FAMILY TRUSTS THE
	13	2008	GREENVILLE AVE	LAVO PROPERTIES LLC
	14	5715	ORAM ST	TEXAS UTILITIES ELEC CO
	15	5724	PROSPECT AVE	ANDRES FAMILY TRUST
	16	5728	PROSPECT AVE	WALL JOHN E JR
	17	5736	PROSPECT AVE	BLACK HAWK MGMT INC
	18	5740	PROSPECT AVE	BLACK HAWK MGMT INC
	19	5800	PROSPECT AVE	LUFESA INVESTMENT PROPERTIES LLC
	20	1900	GREENVILLE AVE	TRUST REAL ESTATE
	21	1904	GREENVILLE AVE	GREENVILLE PARKS LP
O	22	1908	GREENVILLE AVE	GREENVILLE PARKS LP
	23	1910	GREENVILLE AVE	MORENO RICHARD
	24	1912	GREENVILLE AVE	CAMPBELL OLIVER
	25	1914	GREENVILLE AVE	LOWGREEN PS LTD
	26	1916	HOPE ST	1916 HOPE LLC

Reply	*Label #*	*Address*		*Owner*
	27	5734	ORAM ST	SUBDIVISIONS REALTY LLC
	28	5730	ORAM ST	SOUZA DIANA FAYE
	29	5726	ORAM ST	TARL CABOT LLC &
X	30	5722	ORAM ST	MCKINNEY FEARGAL &
	31	5712	ORAM ST	LOWGREEN PS
	32	5710	ORAM ST	SOURIS GEORGIA REVOCABLE TRUST
	33	5800	ORAM ST	JOUNEGHANI FATINA GHASSEMI
	34	5749	LA VISTA CT	MEEHAN COLIN RYDER
O	35	5626	BELL ST	FOREMOST PROPERTY HOLDINGS LLC
O	36	5622	BELL ST	BELL AVENUE HOLDINGS II LLC
	37	5615	SEARS ST	RUNGRUANGPHOL VEERACHAI &
	38	5643	BELL ST	BELL AVENUE HOLDINGS LLC
O	39	2101	GREENVILLE AVE	2001 GREENVILLE VENTURE
O	40	5610	SEARS ST	GREENVILLE HOLDINGS CO
O	41	5614	SEARS ST	GREENVILLE HOLDINGS INC
	42	5628	SEARS ST	ANDRES FAMILY TRUSTS
X	43	5611	ALTA AVE	THACKER RICHARD E
X	44	5619	ALTA AVE	THACKER RICHARD E JR
	45	5623	ALTA AVE	GREENWAYSEARS LP
	46	1931	GREENVILLE AVE	GREENWAY SEARS LP
	47	1919	GREENVILLE AVE	1919 27 GREENVILLE LTD
	48	1917	GREENVILLE AVE	SEB GROUP LLC
	49	1911	GREENVILLE AVE	INTERCITY INVESTMENT PROP
	50	1909	GREENVILLE AVE	WORLDWIDE FOOD INC
	51	1903	GREENVILLE AVE	LOWGREEN PS
	52	5626	ALTA AVE	LATORRE ROBERT INC
	53	5702	LA VISTA DR	JOHNSON C RYAN
	54	5704	LA VISTA DR	BIERING JOSH D
X	55	5706	LA VISTA DR	KRAUS SUSANNE S REVOCABLE
	56	5708	LA VISTA DR	MCLEOD ALEXANDER W &
	57	5710	LA VISTA DR	REED JASON

Reply	*Label #*	*Address*		*Owner*
	58	1811	MATILDA ST	RUCKDESCHEL CALEB A &
	59	2100	STONEBRIAR CT	STONEBRIAR CT H O A
	60	15	STONEBRIAR CT	PARRA JUAN P
O	61	14	STONEBRIAR CT	SCHRENKEISEN FRANK S
	62	13	STONEBRIAR CT	BLACKLEDGE KATHRYN & EFREN
O	63	12	STONEBRIAR CT	HOSEK HERVE &
	64	11	STONEBRIAR CT	MA QUIGGANG
	65	10	STONEBRIAR CT	MITTS CALVIN S
	66	9	STONEBRIAR CT	KORZENIEWSKI KERI
	67	8	STONEBRIAR CT	KORZENIEWSKI DREW A & KERI
	68	7	STONEBRIAR CT	LEE BRANDON D
X	69	6	STONEBRIAR CT	KELLEY STEPHANIE C &
	70	5	STONEBRIAR CT	WHITELEY ANDREW
	71	4	STONEBRIAR CT	STOKES ROBERT CHARLES
	72	3	STONEBRIAR CT	MATTHEW JOHN W &
	73	2	STONEBRIAR CT	GERDES ANDREW KIRK
	74	1	STONEBRIAR CT	HOOPER NICOLE E
	75	2002	MATILDA ST	TURMAN KYLE
	76	2004	MATILDA ST	GREENSPAN MICHAEL THE
	77	2006	MATILDA ST	HAWORTH KEVIN
O	78	2008	MATILDA ST	VAYNER BRIAN JAMES & RYAN
	79	2010	MATILDA ST	POINDEXTER BRIAN R &
	80	2012	MATILDA ST	WHALEY MATTHEW
	81	1919	HOPE WAY	NGUYEN NGOC DIEP
	82	1922	HOPE WAY	ELGUEA CARLOS &
	83	1917	HOPE WAY	MCFALL JAMES
	84	1920	HOPE WAY	ISAACSON CHRISTOPHER M
O	85	1918	HOPE WAY	MARCH SEAN
	86	1915	HOPE WAY	ALARCON WALDO & YAZMIN R
	87	1913	HOPE WAY	HERNDON LINDSEY
	88	1916	HOPE WAY	OTOOLE TIMOTHY

Reply	*Label #*	*Address*		*Owner*
	89	1911	HOPE WAY	NIEHUUS MICHAEL
	90	1912	HOPE WAY	SHUCH MATTHEW T &
	91	1910	HOPE WAY	DANISH DAVID
	92	1909	HOPE WAY	JOHNSON RONALD L
	93	1908	HOPE WAY	GANDHI ANUPAMA K
	94	1907	HOPE WAY	WEINER ERIC DAVID
	95	1906	HOPE WAY	ABOUJAOUDE DORY
	96	5715	LA VISTA DR	CATHCART DAVID
	97	5713	LA VISTA DR	JACOBSON TYLER B &
	98	5711	LA VISTA DR	WHITE JULIUS
	99	5709	LA VISTA DR	SHANE MARIO M & RACHELLE
	100	1965	MATILDA ST	1965 MATILDA LLC
	101	5623	SEARS ST	2001 GREENVILLE VENTURE LTD
O	102	2001	GREENVILLE AVE	2001 GREENVILLE VENTURE LTD
	103	5622	SEARS ST	5624 SEARS STREET LTD
	104	1827	GREENVILLE AVE	LOWGREEN PS
	105	1811	GREENVILLE AVE	EGW GREENVILLE INVESTMENTS LP
	106	1811	GREENVILLE AVE	GREENWAY GREENVILLE LP
	107	1910	HOPE ST	MOJICA EDWARD
	108	1910	HOPE ST	KEELING THOMAS
	109	1910	HOPE ST	CALVERT DAVID
	110	1910	HOPE ST	KUPERMAN YELENA
	111	1910	HOPE ST	CROUCH EDIE D
	112	1910	HOPE ST	HANLON WILLIAM R &
	113	1910	HOPE ST	BEAHM CYNTHIA DIANE
	114	1910	HOPE ST	RADIGAN MEGAN M
	115	1910	HOPE ST	UTKOV GARY S & CAROL C
	116	1910	HOPE ST	KOBAYASHI AARON S &
	117	1910	HOPE ST	MERZ RYAN E
	118	1910	HOPE ST	HOPE STREET RENTAL COMPANY LLC
	119	1910	HOPE ST	ANKERSEN KRISTEN A

06/19/2019

Reply	*Label #*	*Address*		*Owner*
	120	1910	HOPE ST	DROUILLARD SUZETTE M
	121	1910	HOPE ST	VITALE JOSEPH K & ANNE
	122	1910	HOPE ST	BREWSTER LLOYD R & DANA L
	123	5747	PROSPECT AVE	SALVATO ANTHONY III
	124	5747	PROSPECT AVE	COLLINSWORTH ASHLEY WALKER
	125	5747	PROSPECT AVE	
	126	5747	PROSPECT AVE	HALL TYLER & BRITTNEY
	127	5747	PROSPECT AVE	STOCKIN TAMARA MICHELLE
	128	5747	PROSPECT AVE	LIN ANDREW EUGENE
	129	5747	PROSPECT AVE	WITTE NATHAN
	130	5747	PROSPECT AVE	SANDRIDGE STEFANI LYNN
	131	5743	PROSPECT AVE	COOPER SAMANTHA &
	132	5743	PROSPECT AVE	DUNCAN NEAL C
	133	5743	PROSPECT AVE	APPLEGATE LANDON
	134	5743	PROSPECT AVE	THOMAS MITCHEM HUGH &
	135	5743	PROSPECT AVE	SCOTTI STEPHEN
	136	5743	PROSPECT AVE	TABER RICHARD A
	137	5743	PROSPECT AVE	ASSAR PRATAP N
	138	5743	PROSPECT AVE	BUSHEY SARAH

Agenda Information Sheet

File #: 19-983 **Item #:** 83.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Beaumont Street from Akard Street to Ervay Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

Doug Caudill, a developer, requested an amendment to the City of Dallas Thoroughfare Plan to delete Beaumont Street from Akard Street to Ervay Street from the Thoroughfare Plan. Beaumont Street is a residential street within the historic Cedars neighborhood. Beaumont Street is on the Thoroughfare Plan as a four-lane undivided roadway in 60 feet of right-of-way and 40 feet of pavement. This roadway currently operates as a two-lane undivided roadway within 40 feet of right-of-way and 26 feet of pavement.

The developer would need to demolish part of his building to expand the right-of-way to meet the requirements of the Thoroughfare Plan.

Staff recommends approval to the City of Dallas Thoroughfare Plan to delete Beaumont Street from Akard Street to Ervay Street.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 30, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

On June 20, 2019, the City Plan Commission acted on this item and followed staff recommendation.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

powered by Legistar™

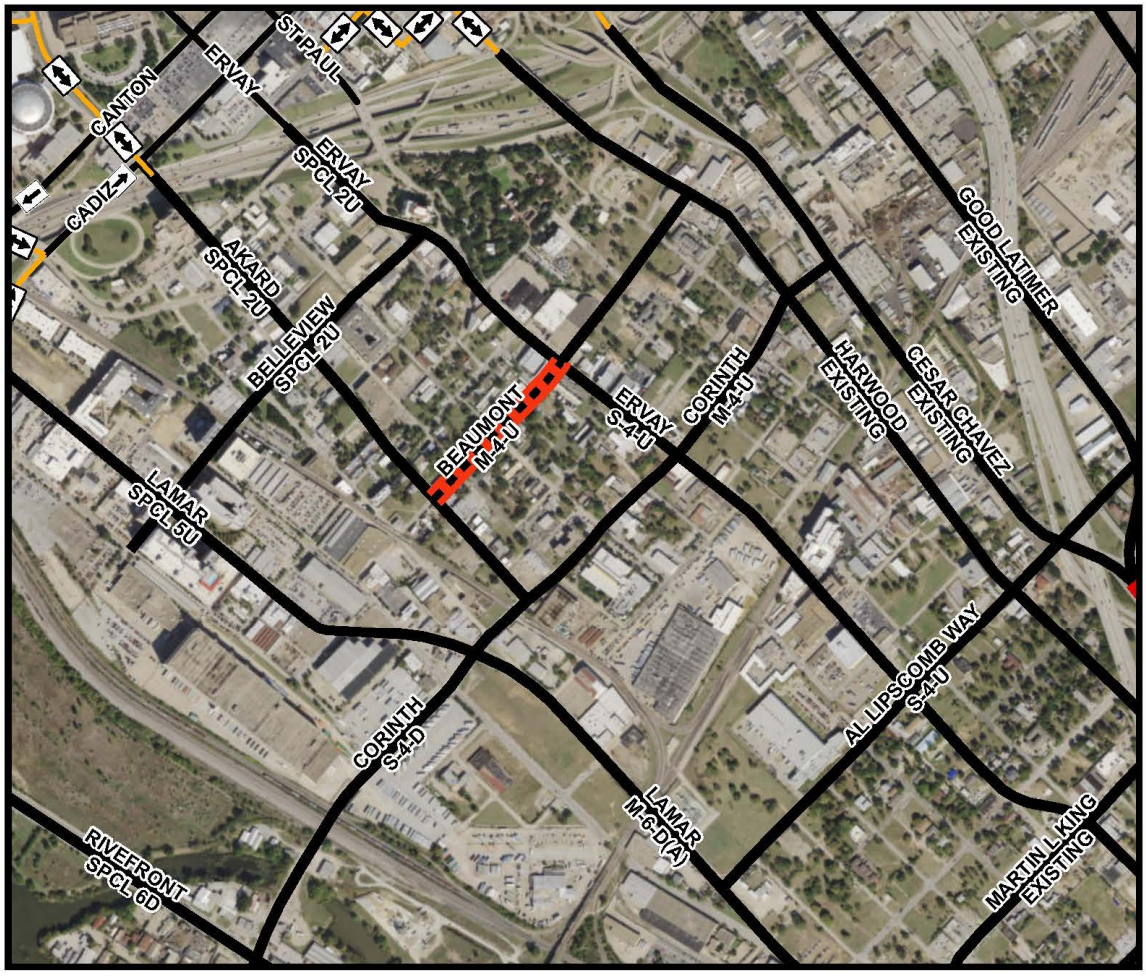
Beaumont Street

Akard Street to Ervay Street

Council District: 2
MAPSCO: 45U,V

Thoroughfare Plan Amendment Map





Agenda Information Sheet

File #: 19-984 **Item #:** 84.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Beaumont Street from Ervay Street to Harwood Street; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

Keystone Development, LLC requested an amendment to the City of Dallas Thoroughfare Plan to delete Beaumont Street from Ervay Street to Harwood Street. Beaumont Street is a residential street within the historic Cedars neighborhood. Beaumont Street is on the Thoroughfare Plan as a four-lane undivided roadway in 60 feet of right-of-way and 40 feet of pavement. This roadway currently operates as a two-lane undivided roadway within 40 feet of right-of-way and 26 feet of pavement.

Keystone Development, LLC is proposing to develop the land on the southside of Beaumont Street into a walkable community that connects to the Dallas Heritage Village on the northside of Beaumont Street.

Staff recommends approval to amend the City of Dallas Thoroughfare Plan to delete Beaumont Street from Ervay Street to Harwood Street.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 30, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

On June 20, 2019, the City Plan Commission acted on this item and followed staff recommendation.

FISCAL INFORMATION

No cost consideration to the City.

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MAP

Attached

powered by Legistar™

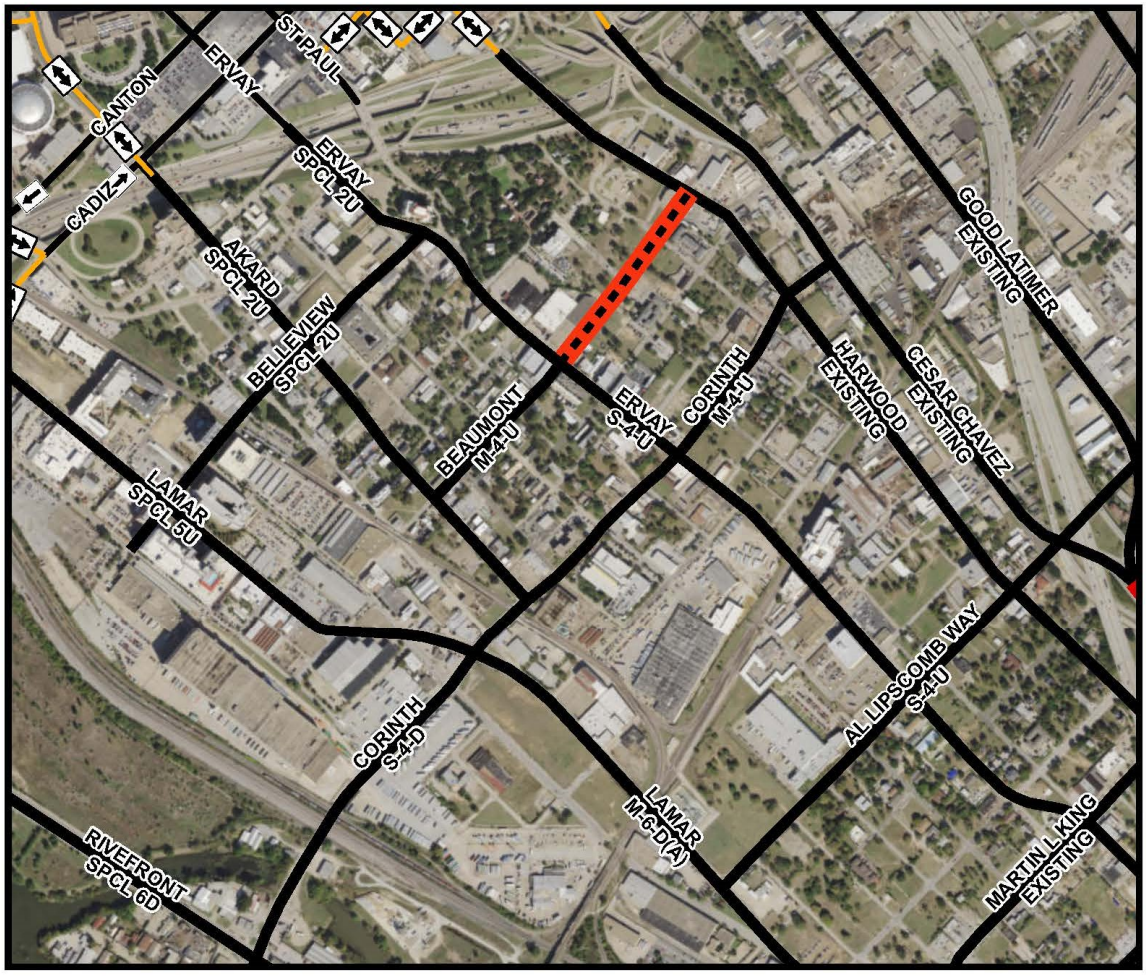
Beaumont Street

Ervay Street to Harwood Street

Council District: 2
MAPSCO: 45R,V

Thoroughfare Plan Amendment Map





Agenda Information Sheet

File #: 19-985 **Item #:** 85.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Beckley Avenue from Davis Street to Zang Boulevard from a four-lane undivided roadway (S-4-U) to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

Crescent Communities requested to amend the City of Dallas Thoroughfare Plan roadway designation of Beckley Avenue between Davis Street to Zang Boulevard. The City of Dallas Thoroughfare Plan designates Beckley Avenue as a four-lane roadway with two-lanes northbound and two-lanes southbound within 44 feet of pavement and 60 feet of right-of-way (S-4-U). This roadway currently operates as a two-lane roadway with one-lane northbound and one-lane southbound within 30 feet of pavement and 60 feet of right-of-way. Crescent Communities requested to modify the designation of Beckley Avenue to the existing 30 feet of pavement with one-lane northbound and one-lane southbound. The curbs will not change, and no right-of-way will be required to make the proposed operational change.

Staff recommends approval to the City of Dallas Thoroughfare Plan to change the dimensional classification of Beckley Avenue from Davis Street to Zang Boulevard from a four-lane undivided roadway (S-4-U) to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 30, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

On June 20, 2019, the City Plan Commission acted on this item and followed staff recommendation.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

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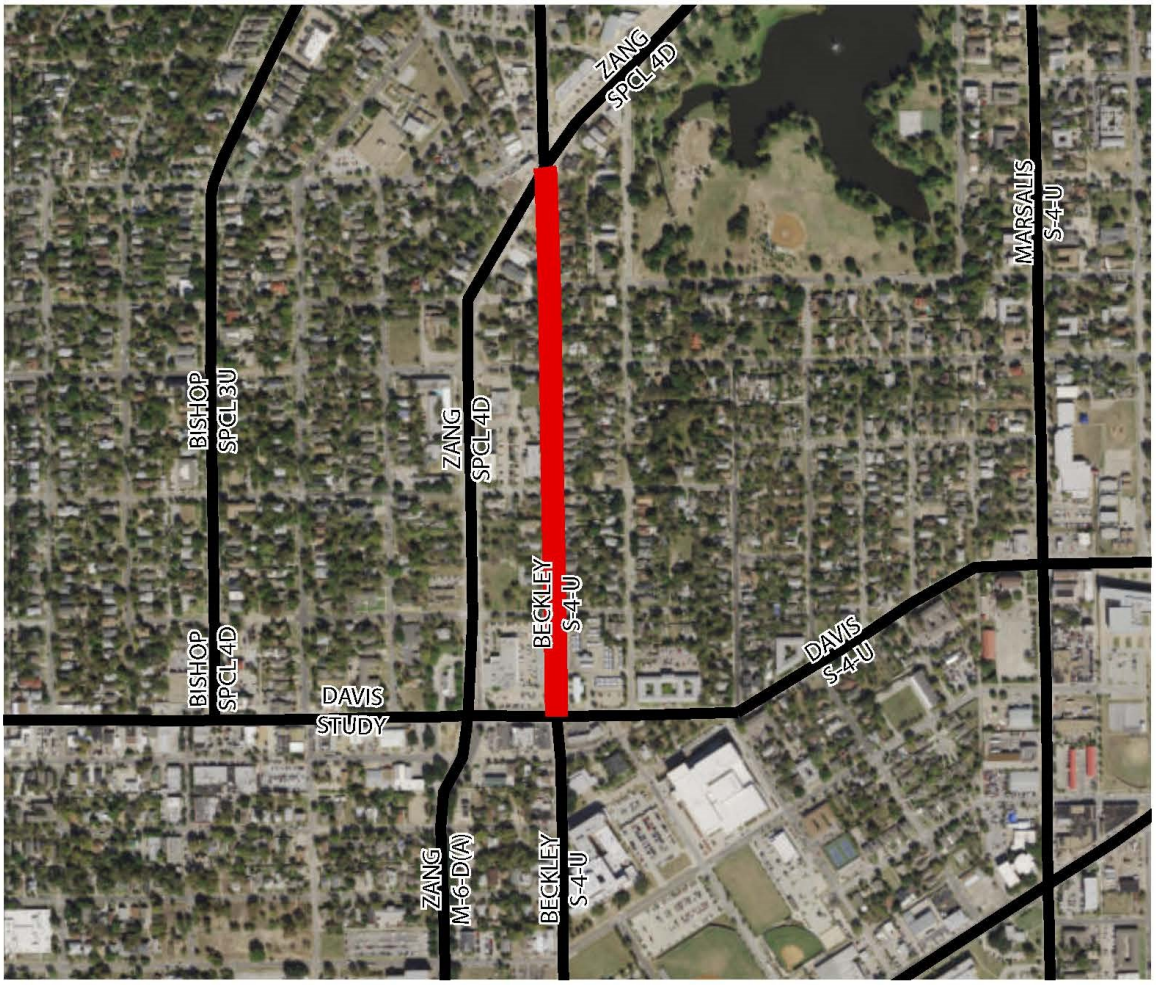
Beckley Avenue

Davis Street to Zang Boulevard

Council District: 1
MAPSCO: 44Z, 54D

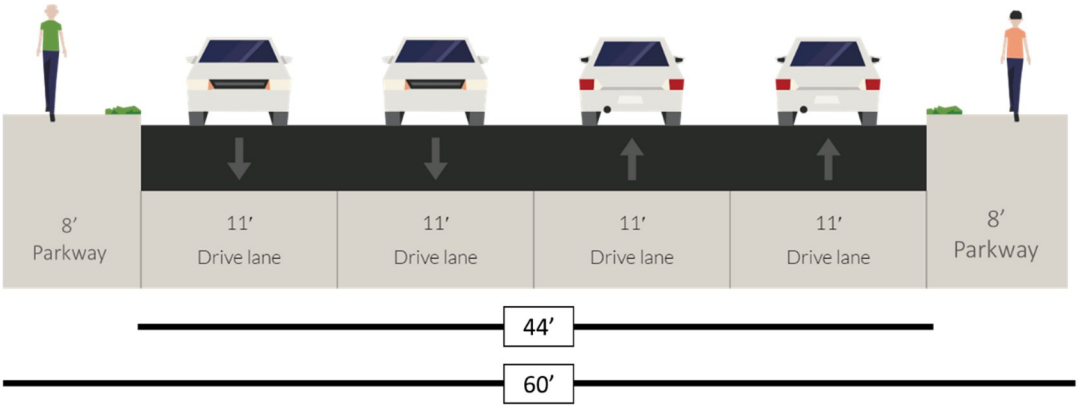
Thoroughfare Plan Amendment Map



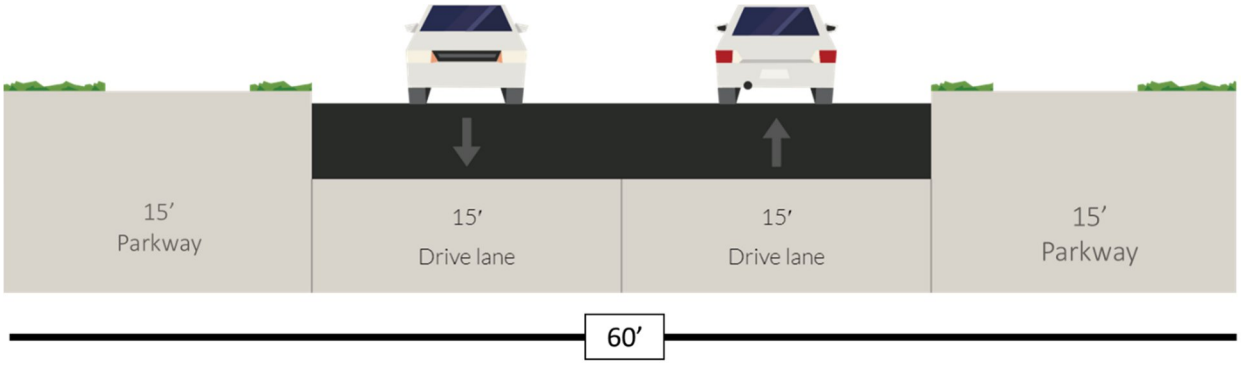


Beckley Avenue from Davis Street to Zang Boulevard

Existing Designation



Existing Operation and Proposed Designation



SEC. 51A-13.503. EXISTING STREETS.

(a) Applicability.

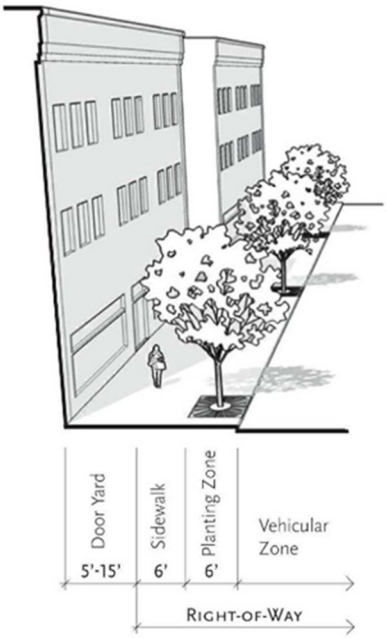
(1) The streetscape requirements of this section apply to all new development and to the addition of any floor area or pervious cover to the site.

(2) Where the proposed addition of floor area or pervious cover is associated with only one specific tenant space, only the portion of the streetscape associated with that tenant space must be constructed.

(3) These standards apply to the maximum extent feasible on streets regulated by the Texas Department of Transportation (TXDOT), as determined by TXDOT.

(b) Mixed Use Streetscape (ST-1).

The following streetscape standard applies to property within a WMU or WR district that abuts an existing street.



Agenda Information Sheet

File #: 19-986 **Item #:** 86.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Burbank Street from Harry Hines Boulevard to Denton Drive from a four-lane undivided roadway (S-4-U) to a special four-lane undivided roadway (SPCL 4U) with one-lane westbound, two-lanes eastbound, and a center turn-lane in 60 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

Southwest Airlines requested an amendment to the City of Dallas Thoroughfare Plan on Burbank Street to improve traffic flow. They are planning to construct a driveway on Burbank Street to serve their west campus. This driveway will provide their employees with additional access to existing parking lots on the north side of Burbank Street, which are currently only accessible from Wyman Street.

Burbank Street currently operates as two-lanes westbound and two-lanes eastbound. The street has residential and commercial lane uses on the south side of the street and warehouse and office on the north side of the street. The curbside eastbound lane is used for on-street parking for residents.

The proposed operation of Burbank Street is one-lane westbound, two-lanes eastbound, and a center turn-lane. This configuration will accommodate left-turns into the existing parking lots on the north side of Burbank Street, allow traffic to flow from Harry Hines Boulevard to Denton Drive, and retain on-street parking for residents. The proposed cross-section will accommodate the traffic volumes.

Staff recommends approval to the City of Dallas Thoroughfare Plan to change the dimensional classification of Burbank Street from Harry Hines Boulevard to Denton Drive from a four-lane undivided roadway (S-4-U) to a special four-lane undivided roadway (SPCL 4U) with one-lane westbound, two-lanes eastbound, and a center turn-lane in 60 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 30, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

On June 20, 2019, the City Plan Commission acted on this item and followed staff recommendation.

FISCAL INFORMATION

No cost consideration to the City.

MAPS

Attached

Burbank Street

Harry Hine Boulevard to
Denton Drive

Council District: 2
MAPSCO: 33H,L,M

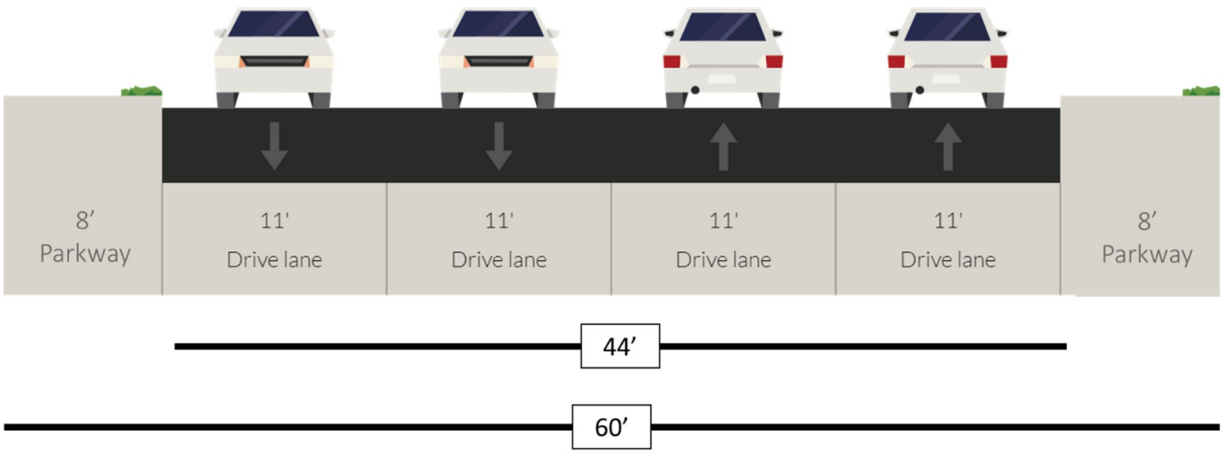
Thoroughfare Plan Amendment Map



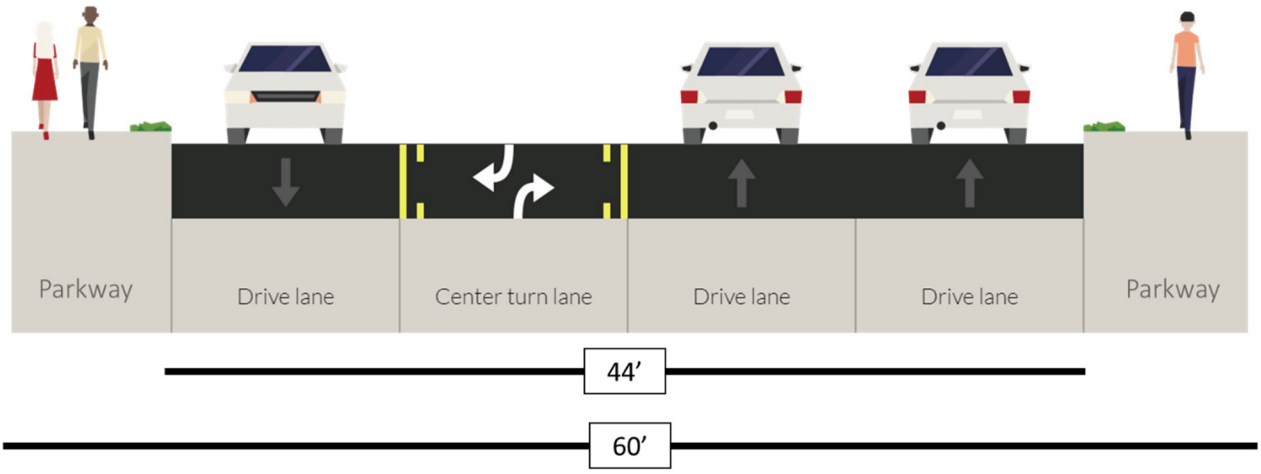


Burbank Street between Harry Hines Boulevard and Denton Drive

Existing Operation/Designation



Proposed Operation/Designation



Agenda Information Sheet

File #: 19-989 **Item #:** 87.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 1, 4

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete Fleming Place from Jefferson Boulevard to Interstate Highway 35E; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas Department of Transportation is requesting an amendment to the City of Dallas Thoroughfare Plan to delete Fleming Place from Jefferson Boulevard to Interstate Highway 35E (IH-35E). Fleming Place is currently on the Thoroughfare Plan as a four-lane undivided roadway (S-4-U) in 60 feet of right-of-way. This roadway was removed to facilitate the Texas Department of Transportation Southern Gateway/IH-35E reconstruction project. Prior to the removal, Fleming Place connected Jefferson Boulevard to the IH-35E northbound service road. With this removal, connections to IH-35E northbound remain at Colorado Boulevard and 8th Street.

Staff recommends approval to amend the City of Dallas Thoroughfare Plan to delete Fleming Place from Jefferson Boulevard to IH-35E.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 30, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

On June 20, 2019, the City Plan Commission acted on this item and followed staff recommendation.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

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Fleming Place

Jefferson Boulevard to IH-35E

Council District: 1, 4
MAPSCO: 55A

Thoroughfare Plan Amendment Map





Agenda Information Sheet

File #: 19-990 **Item #:** 88.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 2, 6

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Market Center Boulevard from Oak Lawn Avenue to Harry Hines Boulevard from a Study roadway to a special four-lane divided roadway (SPCL 4D) with two-lanes southbound, two-lanes northbound, and a separated shared use path on the west side in 100 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

BACKGROUND

The City of Dallas Park and Recreation Department has requested to amend the City of Dallas Thoroughfare Plan roadway designation of Market Center Boulevard between Oak Lawn Avenue and Harry Hines Boulevard. They have made this request to facilitate a vital connection of the City's trail network which will consist of a 3.5-mile shared use path. The Trinity Strand Trail will connect the rapidly redeveloping areas of Interstate Highway 35E, including the Dallas Design District, Market Center, and the Southwest Medical District.

Market Center Boulevard is currently a divided six-lane roadway with three-lanes going south and three-lanes going north in 100 feet of right-of-way. The request is to modify the roadway and Thoroughfare Plan to a divided roadway with two-lanes southbound and three-lanes northbound with a separated shared use path (SPCL 5D) in 100 feet of right-of-way, to implement this phase of the Trinity Strand Trail project. Traffic volumes can be accommodated on the proposed roadway.

Staff recommends approval to the City of Dallas Thoroughfare Plan to change the dimensional classification of Market Center Boulevard from Oak Lawn Avenue to Harry Hines Boulevard from a Study roadway to a special five-lane divided roadway (SPCL 5D) with two-lanes southbound, three-lanes northbound, and a separated shared use path on the west side in 100 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 30, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff's recommendation.

On June 20, 2019, the City Plan Commission acted on this item and did not follow staff's recommendation. City Plan Commission recommended to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Market Center Boulevard from Oak Lawn Avenue to Harry Hines Boulevard from a Study roadway to a special four-lane divided roadway (SPCL 4D) with two-lanes southbound, two-lanes northbound, and a separated shared use path on the west side in 100 feet of right-of-way.

FISCAL INFORMATION

This action has no cost consideration to the City. The future cost for project implementation includes approximately $2,010,182.00 from the 2012 Bond Program and $5,000,000.00 funded by the 2017 TA Set-Aside Funding Award.

MAPS

Attached

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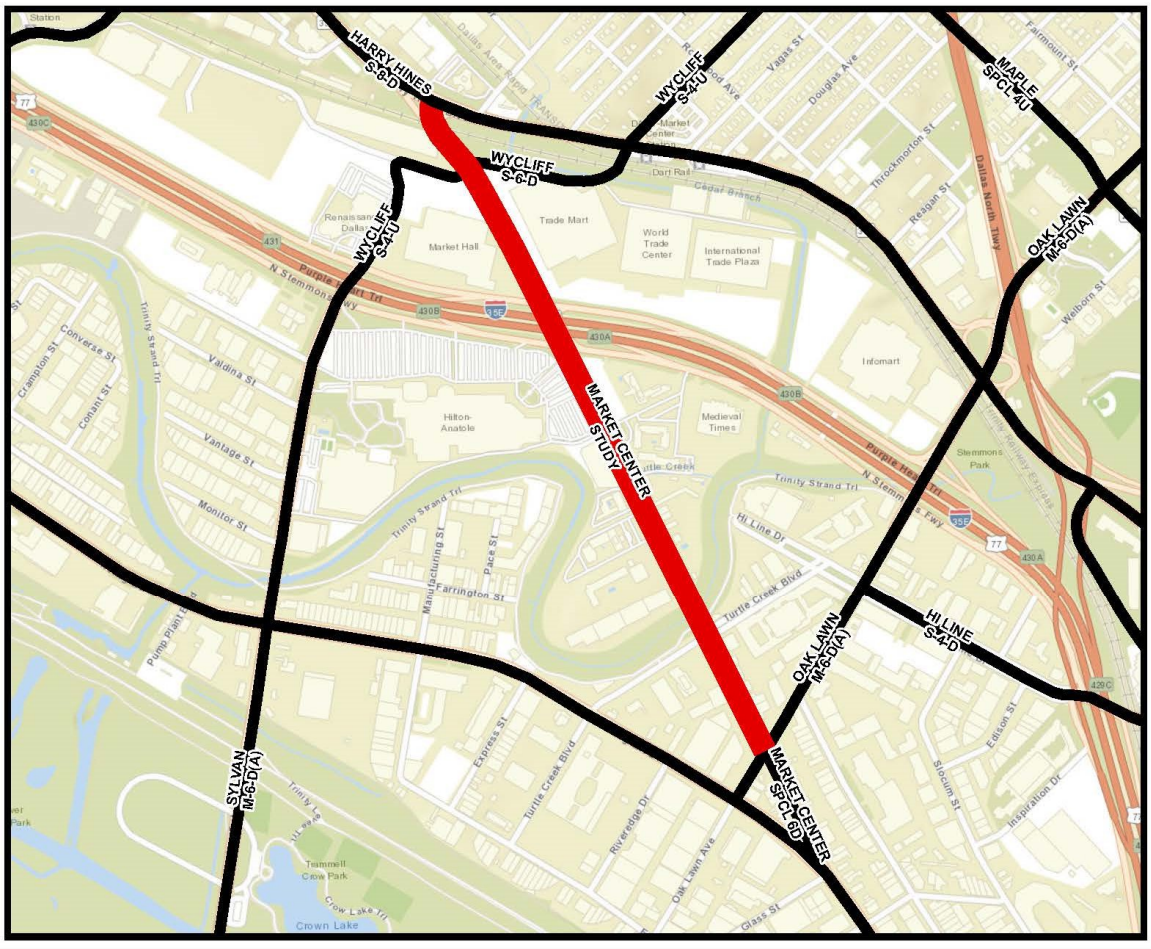
Market Center Boulevard

Oak Lawn Avenue to
Harry Hine Boulevard

Council District: 2 and 6
MAPSCO: 34Y, 44C,D,H

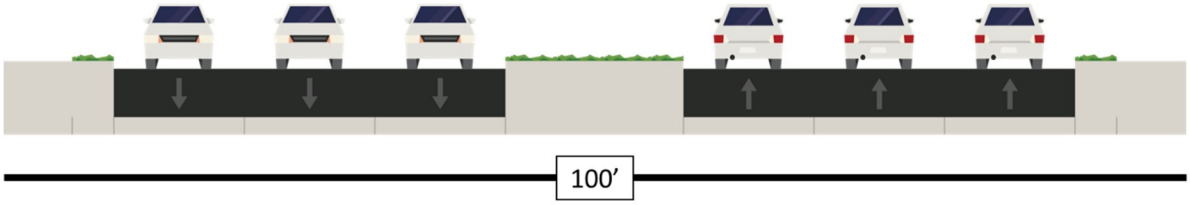
Thoroughfare Plan Amendment Map



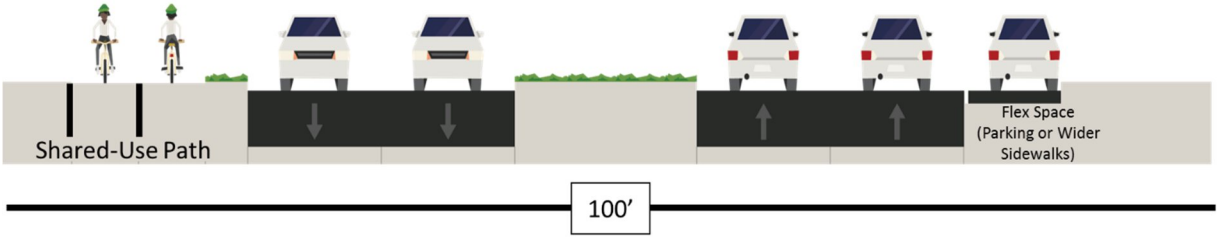


Market Center Boulevard from Oak Lawn Avenue to Harry Hines Boulevard

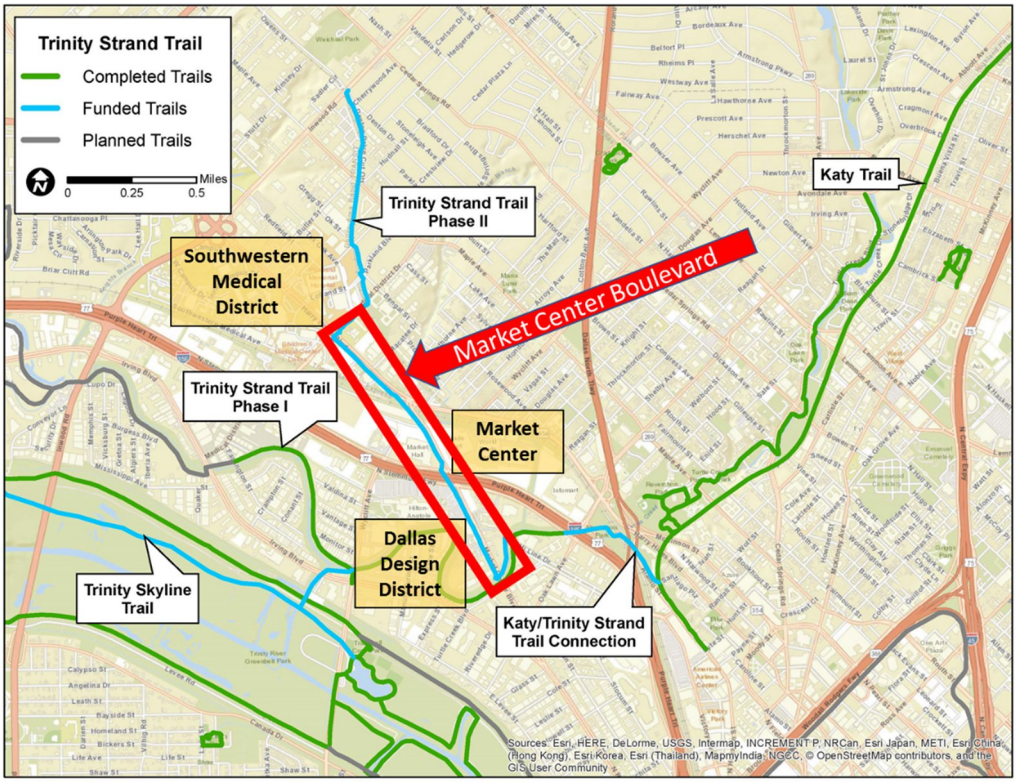
Existing Operation



Proposed Operation



City of Dallas Trail Network



Agenda Information Sheet

File #: 19-991 **Item #:** 89.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): 5, 7, 8

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of: **(1)** Pemberton Hill Road from Great Trinity Forest Way to Elam Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 100 feet of right-of-way with a shared use path on the west side of the roadway; and **(2)** Pemberton Hill Road from Elam Road to Lake June Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-way with a shared use path on the westside of the roadway; and at the close of the hearing, authorize an ordinance implementing the change - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

BACKGROUND

The City of Dallas Department of Transportation is requesting an amendment to Pemberton Hill Road from Lake June Road to Great Trinity Forest Way to facilitate a 2017 Bond Complete Streets Project. The proposed project will add sidewalks on the east side of the road and a shared use path on the west side of the road. The project will connect segments of the Trinity Forest Trail on Lake June Road and Elam Road.

Pemberton Hill Road currently operates as a two-lane undivided unimproved (asphalt) roadway. This project is a full reconstruction of the road to a two-lane undivided roadway with sidewalks, curb, and gutter. The City of Dallas owns all right-of-way needed for this roadway. There will not be any right-of-way acquired to implement this project.

Staff recommends approval to the City of Dallas Thoroughfare Plan to change the dimensional classification of: **(1)** Pemberton Hill Road from Great Trinity Forest Way to Elam Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 100 feet of right-of-way with a shared use path on the west side of the roadway; and **(2)** Pemberton Hill Road from Elam Road to Lake June Road from a four-lane undivided roadway (M-4-U) in 60 feet of right-of-way to a special two-lane undivided roadway (SPCL 2U) in 60 feet of right-of-

way with a shared use path on the westside of the roadway.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 30, 2019, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

On June 20, 2019, the City Plan Commission acted on this item and followed staff recommendation.

FISCAL INFORMATION

This action has no cost consideration to the City. Future estimated cost includes approximately $13,980,00.00 for design and construction to be funded by the 2017 Bond Program.

MAPS

Attached

Pemberton Hill Road

1) Great Trinity Forest Way to Elam Road

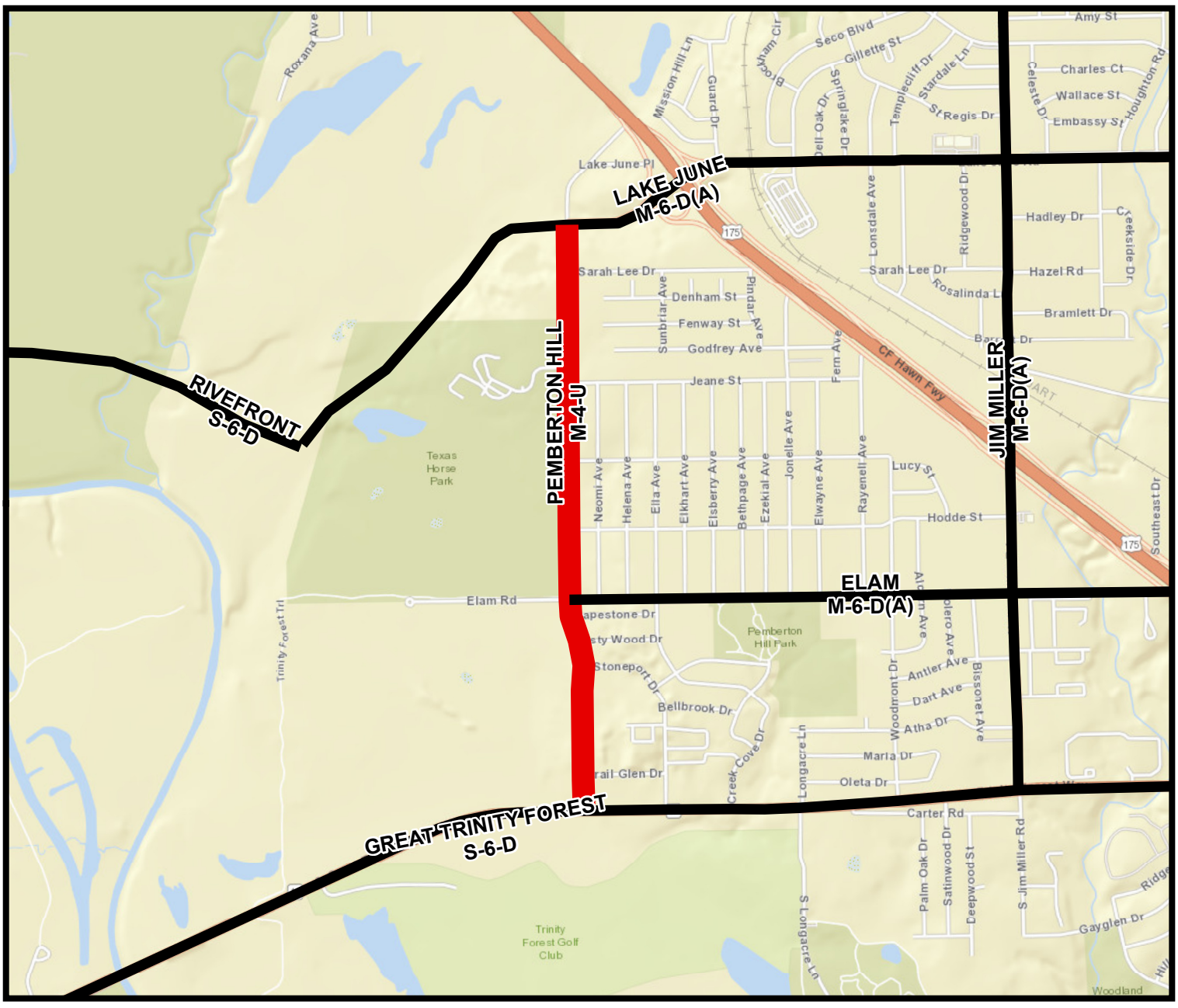
2) Elam Road to Lake June Road

Council District: 5, 7, 8

MAPSCO: 57-L,Q,U,Y

Thoroughfare Plan Amendment Map





Agenda Information Sheet

File #: 19-681 **Item #:** 90.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: August 28, 2019

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

A public hearing to receive comments on the FY 2019-20 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds public hearings to provide the residents of Dallas the opportunity to speak on the upcoming year's budget. Resident input is an important part of the budget development process.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2019, City Council authorized a public hearing to be held on August 28, 2019, by Resolution No. 19-1109.

FISCAL INFORMATION

No cost consideration to the City.

August 28, 2019

WHEREAS, the City Council is committed to providing the residents of Dallas with the opportunity to speak on the City's FY 2019-20 budget.

Now, Therefore,

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

SECTION 1. That a public hearing on the City's FY 2019-20 Operating, Capital, and Grant & Trust Budgets will be held on August 28, 2019 in the City Council Chambers.

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.