MAY 25, 2016 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated May 25, 2016. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

A.C. Gonzalez
City Manager

5-13-16
Date

Jeanne Chipperfield
Chief Financial Officer

5/13/2016
Date

RECEIVED
2016 MAY 13 PM 6:45
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

May 25, 2016
Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

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

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

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

Rules of Courtesy

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

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

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

Información General

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

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

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

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

Reglas de Cortesía

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

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

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

SUPPLEMENTAL NOTICE

"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 pistola oculta), una persona con licencia según el subcapitulo h, capitulo 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 subcapitulo h, capitulo 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, MAY 25, 2016
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 - 37
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 38 - 58
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 59 - 74

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

AGENDA

CITY COUNCIL MEETING

MAY 25, 2016

CITY OF DALLAS

1500 MARILLA

COUNCIL CHAMBERS, CITY HALL

DALLAS, TEXAS 75201

9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the May 11, 2016 City Council Meeting and the May 17, 2016 Special Called City Council Meeting

CONSENT AGENDA

Aviation

2. Authorize **(1)** acceptance of FY 2016 grant from the Texas Department of Transportation Aviation Division for the Routine Annual Maintenance Program at Dallas Executive Airport in an amount not to exceed $50,000 or 50% of eligible project costs whichever is less; **(2)** a local cash match in the amount of $50,000 for airport maintenance projects; and **(3)** execution of the grant agreement - Total not to exceed $100,000 - Financing: Aviation Current Funds ($50,000) (subject to appropriations) and Texas Department of Transportation Grant Funds ($50,000)

Business Development & Procurement Services

3. Authorize a three-year service contract for emergency generator repair and maintenance - Clifford Power Systems, Inc. in the amount of $431,280 and Allegiance Power Systems, Inc. in the amount of $214,275, lowest responsible bidders of seven - Total not to exceed $645,555 - Financing: Current Funds ($630,255) and Convention and Event Services Current Funds ($15,300) (subject to annual appropriations)

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

4. Authorize a three-year master agreement for smoke detectors for Fire-Rescue - Fine Line Products, lowest responsible bidder of six - Not to exceed $227,220 - Financing: Current Funds

City Attorney's Office

5. Authorize Supplemental Agreement No. 3 to the professional services contract with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional services on matters relating to the pending disputes between the City of Dallas and the Sabine River Authority - Not to exceed $75,000, from $450,000 to $525,000 - Financing: Water Utilities Current Funds

6. An ordinance amending Chapter 2 of the Dallas City Code by **(1)** changing the name of the guest prosecutor program to the guest assistant city attorney program; and **(2)** authorizing the city attorney to expand the volunteer guest prosecutor program to allow, under certain conditions, attorneys who work for private law firms or organizations that provide pro bono legal services to perform work for the city in hearing officer's court, municipal court, and other courts, and to appear before city, state, or federal boards, commissions, and agencies - Financing: No cost consideration to the City

Code Compliance

7. An ordinance amending Chapter 43A, "Swimming Pools," of the Dallas City Code by **(1)** amending definitions, enforcement authority, and safety standards for public and semi-public pools and spas; **(2)** adding Section 43A-3.1, incorporating Texas Health and Safety Code Regulations for multiunit pool enclosures; **(3)** adding Article IV on spa safety standards; and **(4)** making conforming changes; and providing a penalty not to exceed $2,000 - Financing: No cost consideration to the City

Communication and Information Services

8. Authorize **(1)** the release of funds from Entap, Inc. for the acquisition and service contract for a budget preparation management system in the amount of $1,541,957; and **(2)** a one-year service contract for the implementation in the amount of $1,141,296, and a thirty-month service contract for cloud services and support in the amount of $400,661, for a budget preparation and management system - Oracle America, Inc., through the Department of Information Resources, State of Texas Cooperative - Not to exceed $1,541,957 - Financing: Municipal Lease Agreement Funds ($784,012) and Current Funds ($757,945) (subject to annual appropriations)

CONSENT AGENDA (Continued)

Housing/Community Services

9. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Camden Homes, LLC for the construction of affordable houses; **(2)** the sale of 18 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Camden Homes, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 18 properties that may have been filed by the City - Financing: No cost consideration to the City

10. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Confia Homes, L.L.C. for the construction of affordable houses; **(2)** the sale of 11 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.; and **(3)** execution of a release of lien for any non-tax liens on the 11 properties that may have been filed by the City - Financing: No cost consideration to the City

11. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Cooper Homes, Inc. for the construction of affordable houses; **(2)** the sale of 17 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Cooper Homes, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 17 properties that may have been filed by the City - Financing: No cost consideration to the City

12. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Milton Semper for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Milton Semper; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City

13. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Simply Custom for the construction of affordable houses; **(2)** the sale of 9 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Simply Custom; and **(3)** execution of a release of lien for any non-tax liens on the 9 properties that may have been filed by the City - Financing: No cost consideration to the City

Office of Cultural Affairs

14. Authorize a contract with C Solano SL for the design, fabrication and installation of a site-specific artwork honoring the Vaughn Brothers at Kiest Park located at 3080 South Hampton Road - Not to exceed $75,200 - Financing: 2006 Bond Funds ($47,200) and Capital Gifts, Donation and Development Funds ($28,000)

CONSENT AGENDA (Continued)

Park & Recreation

15. Authorize a contract with Phoenix I Restoration and Construction, Ltd., best value proposer of five, for renovations at Bachman Recreation Center located at 2750 Bachman Drive - Not to exceed $576,240 - Financing: 2006 Bond Funds

Public Works Department

16. Authorize a twenty-four month sidewalk and barrier free ramp installation paving services contract No. 2 and water and wastewater adjustments at various locations throughout the city - Ragle Inc., lowest responsible bidder of three - Not to exceed $3,198,230 - Financing: 2003 Bond Funds ($100,000), 2006 Bond Funds ($894,310), Current Funds ($347,780) (subject to annual appropriations), 2014-15 Community Development Block Grant Funds ($237,024), 2015-16 Community Development Block Grant Funds ($449,616), Regional Toll Revenue Funds ($1,000,000) and Water Utilities Capital Construction Funds ($169,500)

17. Authorize a construction contract with DENCO CS Corporation, lowest responsible bidder of three, for improvements to the east kitchen of the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $1,673,292 - Financing: Convention Center Capital Construction Funds

18. Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $3,000,000; and **(3)** an increase in appropriations in the amount of $3,000,000 in the Capital Projects Reimbursement Fund - Not to exceed $3,000,000 - Financing: Capital Projects Reimbursement Funds

Second Avenue Bridge over White Rock Creek

Note: Item Nos. 19 and 20 must be considered collectively.

19. * Authorize a waiver agreement with the Texas Department of Transportation for the local match fund participation requirement on the northbound Second Avenue Bridge over White Rock Creek as an approved project for the Federal Off-System Bridge Program - Financing: No cost consideration to the City

20. * Authorize a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the replacement or rehabilitation of the northbound Second Avenue Bridge over White Rock Creek as an approved project for the Federal Off-System Bridge Program - Financing: No cost consideration to the City

21. Authorize Supplemental Agreement No. 3 to the professional services contract with Gensler to provide design, construction documents, and construction administration services for select repairs identified in the assessment report for the Dallas Love Field Garage A & B and Pedestrian Concourse, located at 8025 Cedar Springs Road - Not to exceed $560,176, from $256,622 to $816,798 - Financing: Aviation Capital Construction Funds

CONSENT AGENDA (Continued)

Sanitation Services

22. Authorize Supplemental Agreement No. 3 to the contract with Biggs & Mathews Environmental, Inc. to exercise the second of three, twelve-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station - Not to exceed $153,539, from $995,430 to $1,148,969 - Financing: Sanitation Current Funds (subject to annual appropriations)

Street Services

23. Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2015 Highway Safety Improvement Program grant to design, upgrade and construct seven traffic signals and associated off system intersection improvements at Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; **(2)** a required local match in the amount of $213,421; and **(3)** an amendment to Resolution No. 16-0648, previously approved on April 27, 2016, to identify a required local match for design of the traffic signals in the amount of $163,700 - Total not to exceed $2,209,371 - Financing: Texas Department of Transportation Grant Funds ($1,832,251) and Current Funds ($213,421)

Sustainable Development and Construction

24. Authorize **(1)** the deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Diann Tessman Slaton, et al., Cause No. CC-14-01509-B, pending in Dallas County Court at Law No. 2, to acquire approximately 27.68 acres of land located at 1005 IH-20, Hutchins, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; **(2)** an amendment to Resolution No. 11-0174, previously approved on January 12, 2011, to correct the funding information; and **(3)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $911,105 ($904,259 being the amount of the award, plus closing costs and title expenses not to exceed $6,846); an increase of $222,000 from the amount Council originally authorized for this acquisition - Financing: Water Utilities Capital Improvement Funds

25. An ordinance abandoning portions of Zang Boulevard to Alamo Manhattan BAD, LLC, the abutting owner, containing a total of approximately 8,579 square feet of land, located near the intersection of Zang Boulevard and Davis Street, and authorizing the quitclaim - Revenue: $220,476, plus the $20 ordinance publication fee

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

26. An ordinance abandoning two variable width alley reservations, an alley site reservation, a portion of an alley easement, a detention area reservation, and a portion of a detention area reservation to the City of Dallas, the abutting owner, containing a total of approximately 139,787 square feet of land, located near the intersection of Garland Road and Tavaros Avenue, and providing for the dedication of approximately 5,967 square feet of land for needed right-of-way and approximately 12,511 square feet for needed detention area easements - Revenue: $27,000, plus the $20 ordinance publication fee

27. An ordinance abandoning a drainage reservation, a sanitary sewer reservation, a sanitary sewer easement and a water reservation to the City of Dallas, the abutting owner, containing a total of approximately 9,087 square feet of land, located near the intersection of Garland Road and Tavaros Avenue, and providing for the dedication of drainage easements, water easements and wastewater easements containing a total of approximately 16,098 square feet - Revenue: $5,400 plus the $20 ordinance publication fee

28. An ordinance abandoning a water easement to United States Cold Storage, L.P., the abutting owner, containing approximately 8,201 square feet of land, located near the intersection of Cockrell Hill Road and La Reunion Parkway - Revenue: $5,400, plus the $20 ordinance publication fee

29. An ordinance abandoning three sanitary sewer easements to Trinity Basin Preparatory, Inc., the abutting owner, containing a total of approximately 1,521 square feet of land, located near the intersection of East 8th Street and East Jefferson Boulevard - Revenue: $5,400 plus the $20 ordinance publication fee

30. An ordinance amending Ordinance No. 29383, previously approved on June 25, 2014, which abandoned a portion of Straightway Drive, located near the intersection of Northwest Highway and Straightway Drive, to Northwest Overlake, L.L.C. and Rizos Land Group Northwest Highway, LLC to extend the final replat and dedication requirement from two years to 30 months - Revenue: $5,400, plus the $20 ordinance publication fee

Trinity Watershed Management

31. Authorize a professional services contract with LIM & Associates, Inc. for the engineering design of six erosion control improvement projects (list attached) - Not to exceed $97,977 - Financing: 2012 Bond Funds ($69,625) and Water Utilities Capital Improvement Funds ($28,352)

32. A resolution authorizing the conveyance of an easement and right-of-way containing approximately 159 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City owned land located on Barber Avenue near its intersection with Mural Lane - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Trinity Watershed Management (Continued)

33. A resolution authorizing the conveyance of an easement and right-of-way containing approximately 1,315 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City owned land located on Barber Avenue near its intersection with Mural Lane - Financing: No cost consideration to the City

Water Utilities

34. Authorize a thirty-year contract with the City of Lewisville to continue providing wholesale water services, from June 4, 2016 through June 3, 2046 - Estimated Annual Revenue: $3,559,204

35. Authorize a contract for the installation of water and wastewater mains at 39 locations (list attached) - RKM Utility Services, Inc., lowest responsible bidder of four - Not to exceed $15,471,590 - Financing: Water Utilities Capital Improvement Funds

36. Authorize a contract for the construction of biological filtration optimization improvements at the East Side Water Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of five - Not to exceed $24,904,983 - Financing: Water Utilities Capital Improvement Funds

37. Authorize Supplemental Agreement No. 4 to the professional services contract with Black & Veatch Corporation to provide additional construction phase services for water quality improvements at the East Side Water Treatment Plant - Not to exceed $2,910,000, from $16,501,885 to $19,411,885 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

38. 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)

Mayor and City Council

39. A resolution naming the Lamar-McKinney Bridge (also known as the Continental Avenue Bridge) in honor of former Dallas Assistant City Attorney, Dallas Mayor, and United States Trade Representative, Ronald Kirk - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Sustainable Development and Construction

40. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Carol Arriaga a/k/a Caroline Arriaga, of approximately 6,000 square feet of land improved with a single-family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights City Service and Maintenance Facilities Project - Not to exceed $23,500 ($21,500, plus closing costs and title expenses not to exceed $2,000) - Financing: 2006 Bond Funds

ITEMS FOR FURTHER CONSIDERATION

Public Works Department

41. Authorize a construction services contract with Unified Services of Texas, Inc. for replacement of underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street, and at the I.C. Harris Service Center located at 5620 Parkdale Drive - Not to exceed $970,171 - Financing: 2006 Bond Funds ($480,298) and Capital Construction Funds ($489,873)

Trinity Watershed Management

42. Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $2,764,000 - Financing: 2006 Bond Funds

43. Authorize a professional services contract with Black & Veatch Corporation for construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $17,350,000 - Financing: 2006 Bond Funds

44. Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed $209,894,515 - Financing: General Obligation Commercial Paper Funds ($209,179,636), Water Utilities Capital Construction Funds ($25,600) and Water Utilities Capital Improvement Funds ($689,279)

45. Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $6,126,500, from $15,993,488 to $22,119,988 - Financing: 2006 Bond Funds ($6,105,000) and Water Utilities Capital Improvement Funds ($21,500)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

46. Authorize a conditional grant agreement with AAA Home Builder, LLC for construction of seven single family homes for the Fannie Project in West Dallas located on Fannie Street - Not to exceed $140,000 - Financing: 2012 Bond Funds

47. Authorize a conditional grant agreement with AAA Home Builder, LLC for infrastructure and construction of twenty single family homes for the Shady Hollow Project in Oak Cliff located on Shady Hollow Lane - Not to exceed $971,130 - Financing: 2012 Bond Funds

48. Authorize a conditional grant agreement with Bosco Investments, Ltd. for land development for 35 single family homes for the Sandyland Estates Project located at 9301 Sandyland Road - Not to exceed $402,819 - Financing: 2012 Bond Funds

49. Authorize a conditional grant agreement with Camden Homes at Shady Oaks, LLC for construction of 40 single family homes for the Shady Oaks Project located at Highway 175 and South Woody Road - Not to exceed $1,200,000 - Financing: 2012 Bond Funds

50. Authorize a conditional grant agreement with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at 3831 North Prairie Creek Road - Not to exceed $844,192 - Financing: 2012 Bond Funds

51. Authorize on-site reconstruction of six homes in accordance with the requirements of the Reconstruction Program Statement for the properties located at: 2614 South Ewing Avenue in the amount of $103,000; 3812 Atlanta Street in the amount of $103,000; 1422 Montague Avenue in the amount of $103,000; 1822 Mentor Avenue in the amount of $103,000; 7923 Rilla Avenue in the amount of $103,000; and 3912 Hammerly Drive in the amount of $103,000 - Total not to exceed $618,000 - Financing: 2012-13 Community Development Block Grant Reprogramming Funds ($91,001), 2012-13 HOME Investment Partnerships Program Grant Funds ($12,000), 2013-14 Community Development Block Grant Funds ($139), 2014-15 Community Development Block Grant Funds ($30,045), 2014-15 HOME Investment Partnerships Program Grant Funds ($93,000) and 2015-16 Community Development Block Grant Funds ($391,815)

52. Authorize **(1)** a housing development loan in an amount not to exceed $250,000; and **(2)** a conditional grant agreement in an amount not to exceed $200,000 with KAH Holdings, Inc. dba Karrington & Company for construction of ten single family homes for the Ferguson Road Townhomes Project to be located in 7839 Ferguson Road - Total not to exceed $450,000 - Financing: 2011-12 HOME Investment Partnership Program Grant Funds ($57,260), 2012-13 HOME Investment Partnership Program Grant Funds ($17,683), 2013-14 HOME Investment Partnership Program Grant Funds ($42,053), FY 2014-15 HOME Program Income #1 ($72,326), 2015-16 HOME Investment Partnership Program Grant Funds ($60,678) and 2012 Bond Funds ($200,000)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Housing/Community Services (Continued)

53. Authorize **(1)** a housing development loan in an amount not to exceed $440,000; and **(2)** a conditional grant agreement in an amount not to exceed $280,000 with Dallas Area Habitat for Humanity for construction of 18 single family homes for the Joppa Neighborhood Project - Total not to exceed $720,000 - Financing: 2014-15 HOME Investment Partnership Program Grant Funds ($440,000) and 2012 Bond Funds ($280,000)

54. Authorize a housing development loan with Builders of Hope Community Development Corporation, a certified Community Housing Development Organization, for construction of 20 single family homes in the Prairie Creek area - Not to exceed $450,000 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds

55. Authorize a housing development loan with City Wide Community Development Corporation, a certified Community Housing Development Organization, for construction of five single family homes located on scattered sites in Dallas - Not to exceed $225,000 - Financing: 2010-11 Neighborhood Stabilization Program 3 Funds ($90,000), 2014-15 HOME Investment Partnership Program Funds ($94,011) and FY 2014-15 HOME Program Income #1 ($40,989)

56. Authorize a housing development loan with East Dallas Community Organization a certified Community Housing Development Organization, for construction of ten single family homes at scattered sites in Dallas - Not to exceed $707,208 - Financing: FY 2014-15 HOME Program Income #1 ($74,736), 2015-16 HOME Investment Partnership Program Grant Funds ($577,452) and 2010-11 Neighborhood Stabilization Program 3 Funds ($55,020)

57. Authorize a housing development loan with South Dallas Fair Park/Innercity Community Development Corporation, a certified Community Housing Development Organization, for construction of ten single family homes for the Frank Street Project to be located in the Mill City area - Not to exceed $771,355 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds ($561,355) and 2010-11 Neighborhood Stabilization Program 3 Funds ($210,000)

58. A resolution **(1)** declaring 14 City-owned lots located at East 9th Street and Starr Street unwanted and unneeded and authorizing their conveyance for no cost consideration to Notre Dame Place, Inc. by Deed without Warranty for affordable housing; and **(2)** authorize a housing development loan with Notre Dame Place, Inc., a Texas nonprofit organization, for construction of 14 single family homes for the La Estrella Project - Not to exceed $489,322 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

59. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay northwest of the intersection of Centerville Road and Aledo Drive
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z145-339(OTH)

60. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an MF-2(A) Multifamily District on the southeast line of Munger Avenue, between Annex Avenue and North Prairie Avenue
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z156-172(WE)

61. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District on the southwest corner of Oates Drive and Michael Lane
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z156-206(SM)

62. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2029 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Planned Development District No. 619 with Historic Overlay No. 48, the Harwood Historic District on the southwest corner of Pacific Avenue and North Harwood Street
Recommendation of Staff and CPC: Approval for three-year period, subject to conditions
Z156-209(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL

63. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District, public school, and private recreation center, club, or area uses on property zoned an R-7.5(A) Single Family District on the southwest corner of West Northwest Highway and Durham Street
Recommendation of Staff: Approval, subject to a development plan, landscape plan, traffic management plan, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a development plan, landscape plan, traffic management plan, and conditions
Z156-195(SM)

ZONING CASES UNDER ADVISEMENT - INDIVIDUAL

64. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District and mini-warehouse uses and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-2 Mixed Use District on the south side of Meadow Road, west of Greenville Avenue
Recommendation of Staff: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan and conditions
Recommendation of CPC: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for automatic renewals for additional fifteen-year periods, subject to a site plan and conditions
Z145-183(WE)
Note: This item was considered by the City Council at a public hearing on May 11, 2016, and was held under advisement until May 25, 2016, with the public hearing open

65. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1814 for a vehicle display, sales, and service use and a commercial motor vehicle parking lot on property zoned Subdistrict 5A within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the northeast line of C.F. Hawn Service Road, west of Southeast Drive
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/landscape plan and conditions
Z145-291(LHS)
Note: This item was considered by the City Council at a public hearing on May 11, 2016, and was deferred until May 25, 2016, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES UNDER ADVISEMENT - INDIVIDUAL (Continued)

66. A public hearing to receive comments regarding an application for and an ordinance granting 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 on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z145-329(OTH)
Note: This item was considered by the City Council at public hearings on March 23, 2016, and April 27, 2016, and was deferred until May 25, 2016, with the public hearing open

DESIGNATED ZONING CASES - INDIVIDUAL

67. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 104 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street
Recommendation of Staff and CPC: Approval, subject to pavement width exhibit and conditions
Z156-166(WE)

68. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 512 on the south corner of Woody Road and Seagoville Road
Recommendation of Staff and CPC: Approval, subject to a revised development plan, revised traffic management plan, and conditions
Z156-196(WE)

FLOODPLAIN APPLICATIONS

Trinity Watershed Management

69. A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.0105 acres of the current 0.0343 acres of land, located at 8722 Eustis Avenue, of which the 0.0343 acres are within the floodplain of Ash Creek, Fill Permit 16-01 - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Mayor and City Council

70. A public hearing to receive comments and consider authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 521 on property generally located along both sides of Interstate Highway 20 between Spur 408 and Clark Road on the east and Mountain Creek Parkway and FM 1382 on the west and containing approximately 2,925 acres with consideration given to appropriate zoning for the area including permitted uses, development standards, and other appropriate regulations - Financing: No cost consideration to the City (via Councilmembers Thomas, Medrano, Callahan, McGough, and Deputy Mayor Pro Tem Wilson)

Office of Environmental Quality

71. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Extra Space Properties Two LLC located near the intersection of South Haskell Avenue and Interstate Highway 30 and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Extra Space Properties Two LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Office of Financial Services

72. A public hearing to receive comments on the FY 2016-17 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City

Park & Recreation

73. A public hearing to receive comments on the proposed change of use and sale of a portion of the Kleberg Trail located at 10600 Rylie Road, totaling approximately 71,109 square feet of land, to the Texas Department of Transportation for construction of improvements to I-20 Frontage Roads; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Estimated Revenue: $18,365

74. 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, at the close of the hearing, approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Land Bank (DHADC) Sale of Lots to
Camden Homes, LLC
Agenda Item # 9

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4030 Maryland	65E	4	$12,266.14
2. 4250 Maryland	65E	4	$18,125.64
3. 1439 Adelaide	65K	4	$ 3,964.36
4. 1418 Owega	65K	4	$21,639.88
5. 1510 Owega	65K	4	$15,563.89
6. 1507 Kingsley	65K	4	$ 8,473.44
7. 1511 Kingsley	65K	4	$12,221.03
8. 2130 Shellhorse	65M	8	$14,666.79
9. 2517 Kool	66N	8	$ 7,608.53
10. 2631 Kool	66N	8	$ 6,585.65
11. 2656 Pall Mall	66N	8	$11,203.99
12. 6214 Teague	66S	8	$ 9,593.04
13. 6510 Teague	66V	8	$ 9,040.64
14. 2441 Lyola	66V	8	$ 9,343.09
15. 2517 Kirkley	66V	8	$ 3,523.75
16. 6043 Plum Dale	66N	8	$ 9,079.92
17. 6047 Plum Dale	66N	8	$ 8,228.98
18. 3508 Keyridge	66K	8	$ 6,924.67

Land Bank (DHADC) Sale of Lots to
Confia Homes, L.L.C.
Agenda Item # 10

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 7005 Brierfield	64U	3	$14,703.00
2. 6816 Brierfield	64U	3	$ 9,939.69
3. 731 Neomi	57Q	5	$ 4,758.00
4. 526 Ezekial	57V	5	$20,464.00
5. 542 Helena	57V	5	$ 8,171.00
6. 1239 E. Woodin	55P	4	$18,430.49
7. 1508 S. Denley	55P	4	$ 5,068.87
8. 1619 E. Woodin	55P	4	$ 9,669.33
9. 3529 Nomas	43K	6	$14,668.65
10. 3715 Nomas	43J	6	$ 7,234.32
11. 3718 Nomas	43J	6	$17,189.69

Land Bank (DHADC) Sale of Lots to
Cooper Homes, Inc.
Agenda Item # 11

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 3515 Keyridge	66K	8	$11,788.15
2. 2543 Custer	65D	4	$16,193.24
3. 2656 Custer	65D	4	$ 2,521.28
4. 1318 Exeter	65F	4	$20,826.93
5. 1349 Exeter	65F	4	$15,438.19
6. 2631 Exeter	55Z	4	$ 2,424.82
7. 4170 Gladewater	65D	4	$ 6,809.11
8. 5035 Ivy	66E	8	$ 5,954.36
9. 5103 Ivy	66J	8	$11,174.98
10. 2605 E. Ledbetter	66E	4	$ 1,334.72
11. 1734 Mentor	65G	4	$19,538.74
12. 1143 E. Missouri	55S	4	$ 6,953.19
13. 1623 E. Overton	65B	4	$16,778.11
14. 2835 E. Overton	56S	4	$30,154.63
15. 2519 Randolph	65M	8	$ 7,471.23
16. 2551 Randolph	66J	8	$ 8,108.48
17. 2453 Randolph	65M	8	$13,478.78

Land Bank (DHADC) Sale of Lots to
Milton Semper
Agenda Item # 12

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4159 Biglow	65C	4	$14,179.80
2. 4002 Biglow	65C	4	$12,835.08

Land Bank (DHADC) Sale of Lots to Simply Custom
Agenda Item # 13

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 1819 Park Row	46S	7	$ 5,694.77
2. 2413 Peabody	46S	7	$ 22,334.72
3. 2816 Meadow	46P	7	$ 19,766.61
4. 3833 Holmes	56B	7	$105,410.64
5. 3717 Colonial	46X	7	$ 3,223.31
6. 2524 Al Lipscomb	46S	7	$ 12,683.91
7. 2814 Holmes	45Z	7	$ 3,879.80
8. 1313 Pennsylvania	46W	7	$ 25,574.72
9. 1317 Pennsylvania	46W	7	$ 48,922.25

Professional Services Contracts for Six Erosion Control Projects
Agenda Item # 31

Location	Council District	Amount
Group 11		
Anderson Bonner Park Site 1	11	$43,266.89
Kiowa Parkway Hike and Bike Trail	11	$19,230.46
Abrams Road Bridge Hike and Bike Trail	10	$11,775.37
Harry Moss Park Site 1 S. of Pedestrian Bridge	10	$ 9,061.92
Martin Weiss Park Site 1 Pavilion	1	$ 7,321.18
Martin Weiss Park Site 3 Pedestrian Bridge	1	$ 7,321.18

Installation of Water and Wastewater Mains
Agenda Item # 35

District 1

Claudette Avenue from Duval Drive southwest
Duval Drive from Jefferson Boulevard to Cain Boulevard
Easement east of Wynnewood Drive from Illinois Avenue north

District 2

Alley between Garland Avenue and Lindsley Avenue from Caldwell Avenue to Carroll Avenue
Alley between Gilford Street and Colony Court from Colony Court to Huron Drive
Alley east of Mohawk Drive from Colony Court southeast
Inwood Road at Sadler Circle
Loop 12 (Northwest Highway) from Webb Chapel Road northeast
Prudential Drive from south of Empire Central southeast
*State Highway 78 (Garland Road) from Gaston Avenue to White Rock Drive

District 4

Corinth Street Road from 11th Street north

District 6

Monroe Drive from Merrell Road south
Singleton Boulevard from Winnequah Street west
Winnequah Street from Richey Street to Singleton Boulevard

District 9

Lake Terrace Circle from Lake Terrace Drive South
Meadow Lake Avenue from Winsted Drive to Delrose Drive
*(State Highway 78 (Garland Road) from Gaston Avenue to White Rock Drive) (See District 2)

District 10

Dandridge Drive from Towns Street to Oberlin Drive
Hallum Street from Ebony Drive to Oberlin Drive
Oberlin Drive from Campanella Drive to Hallum Street

Installation of Water and Wastewater Mains
Agenda Item # 35 (Continued)

District 11

Dallas Parkway from Spring Valley Road north
Easement between Spring Valley Road and Preston Oaks Road from Montfort Drive to Dallas Parkway

District 13

Alley between Amherst Avenue and Lovers Lane from Linwood Avenue to Menier Street
Dartmoor Drive from Coral Hills Drive north
Dorset Road from Lennox Lane to Strait Lane
Easement southwest of Stonegate Road from Briarwood Lane northeast
Prestonshire Lane from Edgemere Road to Hillcrest Road
Royal Lane from Marquis Lane west
Royal Lane from Cox Lane east
Royal Lane from Cromwell Drive west

District 14

Alley between Palo Pinto Avenue and Velasco Avenue from Concho Street to Skillman Street
Cecille Street from Richmond Avenue north
Delmar Avenue from Prospect Avenue north
Empire Drive from Richmond Avenue to Oram Street
Federal Street from Akard Street west
Glencoe Street from McCommas Boulevard south
Herschel Avenue from Douglas Avenue to Throckmorton Street
Lemmon Avenue from McKinney Avenue southeast
Richmond Avenue from Cecille Street to Empire Drive
Skillman Street from Oram Street to Live Oak Street

*Project limits in more than one Council District

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.

2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.

3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.

4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.

5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.

6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA DATE May 25, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the May 11, 2016 City Council Meeting and the May 17, 2016 Special Called City Council Meeting
2			3	C	AVI	$50,000.00	NA	NA	Authorize (1) acceptance of FY 2016 grant from the Texas Department of Transportation Aviation Division for the Routine Annual Maintenance Program at Dallas Executive Airport in an amount not to exceed $50,000 or 50% of eligible project costs whichever is less; (2) a local cash match in the amount of $50,000 for airport maintenance projects; and (3) execution of the grant agreement - Total not to exceed $100,000 - Financing: Aviation Current Funds ($50,000) (subject to appropriations) and Texas Department of Transportation Grant Funds ($50,000)
3			All	C	PBD, CIS, CES, EBS, FIR, PKR, STS	$645,555.00	65.16%	1.65%	Authorize a three-year service contract for emergency generator repair and maintenance - Clifford Power Systems, Inc. in the amount of $431,280 and Allegiance Power Systems, Inc. in the amount of $214,275, lowest responsible bidders of seven - Total not to exceed $645,555 - Financing: Current Funds ($630,255) and Convention and Event Services Current Funds ($15,300) (subject to annual appropriations)
4			All	C	PBD, FIR	$227,220.00	0.00%	0.00%	Authorize a three-year master agreement for smoke detectors for Fire-Rescue - Fine Line Products, lowest responsible bidder of six - Not to exceed $227,220 - Financing: Current Funds
5			N/A	C	ATT, WTR	$75,000.00	0.00%	0.00%	Authorize Supplemental Agreement No. 3 to the professional services contract with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional services on matters relating to the pending disputes between the City of Dallas and the Sabine River Authority - Not to exceed $75,000, from $450,000 to $525,000 - Financing: Water Utilities Current Funds
6			N/A	C	ATT	NC	NA	NA	An ordinance amending Chapter 2 of the Dallas City Code by (1) changing the name of the guest prosecutor program to the guest assistant city attorney program; and (2) authorizing the city attorney to expand the volunteer guest prosecutor program to allow, under certain conditions, attorneys who work for private law firms or organizations that provide pro bono legal services to perform work for the city in hearing officer's court, municipal court, and other courts, and to appear before city, state, or federal boards, commissions, and agencies - Financing: No cost consideration to the City
7			All	C	CCS	NC	NA	NA	An ordinance amending Chapter 43A, "Swimming Pools," of the Dallas City Code by (1) amending definitions, enforcement authority, and safety standards for public and semi-public pools and spas; (2) adding Section 43A-3.1, incorporating Texas Health and Safety Code Regulations for multiunit pool enclosures; (3) adding Article IV on spa safety standards; and (4) making conforming changes; and providing a penalty not to exceed $2,000 - Financing: No cost consideration to the City
8			All	C	CIS	$1,541,956.91	NA	NA	Authorize (1) the release of funds from Entap, Inc. for the acquisition and service contract for a budget preparation management system in the amount of $1,541,957; and (2) a one-year service contract for the implementation in the amount of $1,141,296, and a thirty-month service contract for cloud services and support in the amount of $400,661, for a budget preparation and management system - Oracle America, Inc., through the Department of Information Resources, State of Texas Cooperative - Not to exceed $1,541,957 - Financing: Municipal Lease Agreement Funds ($784,012) and Current Funds ($757,945) (subject to annual appropriations)
9			4, 8	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Camden Homes, LLC for the construction of affordable houses; (2) the sale of 18 vacant lots from Dallas Housing Acquisition and Development Corporation to Camden Homes, LLC; and (3) execution of a release of lien for any non-tax liens on the 18 properties that may have been filed by the City - Financing: No cost consideration to the City
10			3, 4, 5, 6	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Confia Homes, L.L.C. for the construction of affordable houses; (2) the sale of 11 vacant lots from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.; and (3) execution of a release of lien for any non-tax liens on the 11 properties that may have been filed by the City - Financing: No cost consideration to the City
11			4, 8	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Cooper Homes, Inc. for the construction of affordable houses; (2) the sale of 17 vacant lots from Dallas Housing Acquisition and Development Corporation to Cooper Homes, Inc.; and (3) execution of a release of lien for any non-tax liens on the 17 properties that may have been filed by the City - Financing: No cost consideration to the City

AGENDA DATE May 25, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
12			4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Milton Semper for the construction of affordable houses; (2) the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Milton Semper; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City
13			7	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Simply Custom for the construction of affordable houses; (2) the sale of 9 vacant lots from Dallas Housing Acquisition and Development Corporation to Simply Custom; and (3) execution of a release of lien for any non-tax liens on the 9 properties that may have been filed by the City - Financing: No cost consideration to the City
14			4	C	OCA, PKR	$75,200.00	NA	NA	Authorize a contract with C Solano SL for the design, fabrication and installation of a site-specific artwork honoring the Vaughn Brothers at Kiest Park located at 3080 South Hampton Road - Not to exceed $75,200 - Financing: 2006 Bond Funds ($47,200) and Capital Gifts, Donation and Development Funds ($28,000)
15			6	C	PKR	$576,240.00	99.05%	52.45%	Authorize a contract with Phoenix I Restoration and Construction, Ltd., best value proposer of five, for renovations at Bachman Recreation Center located at 2750 Bachman Drive - Not to exceed $576,240 - Financing: 2006 Bond Funds
16			All	C	PBW, HOU, PVN, WTR	$1,511,590.40	25.55%	25.31%	Authorize a twenty-four month sidewalk and barrier free ramp installation paving services contract No. 2 and water and wastewater adjustments at various locations throughout the city - Ragle Inc., lowest responsible bidder of three - Not to exceed $3,198,230 - Financing: 2003 Bond Funds ($100,000), 2006 Bond Funds ($894,310), Current Funds ($347,780) (subject to annual appropriations), 2014-15 Community Development Block Grant Funds ($237,024), 2015-16 Community Development Block Grant Funds ($449,616), Regional Toll Revenue Funds ($1,000,000) and Water Utilities Capital Construction Funds ($169,500)
17			2	C	PBW, CES	$1,673,292.00	56.90%	27.94%	Authorize a construction contract with DENCO CS Corporation, lowest responsible bidder of three, for improvements to the east kitchen of the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $1,673,292 - Financing: Convention Center Capital Construction Funds
18			6	C	PBW	GT	NA	NA	Authorize (1) a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard; (2) the receipt and deposit of funds from Dallas County in an amount not to exceed $3,000,000; and (3) an increase in appropriations in the amount of $3,000,000 in the Capital Projects Reimbursement Fund - Not to exceed $3,000,000 - Financing: Capital Projects Reimbursement Funds
19			7	C	PBW	NC	NA	NA	Second Avenue Bridge over White Rock Creek: Authorize a waiver agreement with the Texas Department of Transportation for the local match fund participation requirement on the northbound Second Avenue Bridge over White Rock Creek as an approved project for the Federal Off-System Bridge Program - Financing: No cost consideration to the City
20			7	C	PBW	NC	NA	NA	Second Avenue Bridge over White Rock Creek: Authorize a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the replacement or rehabilitation of the northbound Second Avenue Bridge over White Rock Creek as an approved project for the Federal Off-System Bridge Program - Financing: No cost consideration to the City
21			2	C	PBW, AVI	$560,176.00	100.00%	42.29%	Authorize Supplemental Agreement No. 3 to the professional services contract with Gensler to provide design, construction documents, and construction administration services for select repairs identified in the assessment report for the Dallas Love Field Garage A & B and Pedestrian Concourse, located at 8025 Cedar Springs Road - Not to exceed $560,176, from $256,622 to $816,798 - Financing: Aviation Capital Construction Funds
22			3, 6, 8, 13	C	SAN	$153,539.00	77.20%	29.35%	Authorize Supplemental Agreement No. 3 to the contract with Biggs & Mathews Environmental, Inc. to exercise the second of three, twelve-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station - Not to exceed $153,539, from $995,430 to $1,148,969 - Financing: Sanitation Current Funds (subject to annual appropriations)

AGENDA DATE May 25, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
23			1, 2, 4, 7, 10, 11, 13	C	STS	$213,420.10	NA	NA	Authorize (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2015 Highway Safety Improvement Program grant to design, upgrade and construct seven traffic signals and associated off system intersection improvements at Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; (2) a required local match in the amount of $213,421; and (3) an amendment to Resolution No. 16-0648, previously approved on April 27, 2016, to identify a required local match for design of the traffic signals in the amount of $163,700 - Total not to exceed $2,209,371 - Financing: Texas Department of Transportation Grant Funds ($1,832,251) and Current Funds ($213,421)
24			Outside	C	DEV, ATT	$222,000.00	NA	NA	Authorize (1) the deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Diann Tessman Slaton, et al., Cause No. CC-14-01509-B, pending in Dallas County Court at Law No. 2, to acquire approximately 27.68 acres of land located at 1005 IH-20, Hutchins, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; (2) an amendment to Resolution No. 11-0174, previously approved on January 12, 2011, to correct the funding information; and (3) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $911,105 ($904,259 being the amount of the award, plus closing costs and title expenses not to exceed $6,846); an increase of $222,000 from the amount Council originally authorized for this acquisition - Financing: Water Utilities Capital Improvement Funds
25			1	C	DEV	REV $220,476	NA	NA	An ordinance abandoning portions of Zang Boulevard to Alamo Manhattan BAD, LLC, the abutting owner, containing a total of approximately 8,579 square feet of land, located near the intersection of Zang Boulevard and Davis Street, and authorizing the quitclaim - Revenue: $220,476, plus the $20 ordinance publication fee
26			9	C	DEV, PKR	REV $27,000	NA	NA	An ordinance abandoning two variable width alley reservations, an alley site reservation, a portion of an alley easement, a detention area reservation, and a portion of a detention area reservation to the City of Dallas, the abutting owner, containing a total of approximately 139,787 square feet of land, located near the intersection of Garland Road and Tavaros Avenue, and providing for the dedication of approximately 5,967 square feet of land for needed right-of-way and approximately 12,511 square feet for needed detention area easements - Revenue: $27,000, plus the $20 ordinance publication fee
27			9	C	DEV, PKR	REV $5,400	NA	NA	An ordinance abandoning a drainage reservation, a sanitary sewer reservation, a sanitary sewer easement and a water reservation to the City of Dallas, the abutting owner, containing a total of approximately 9,087 square feet of land, located near the intersection of Garland Road and Tavaros Avenue, and providing for the dedication of drainage easements, water easements and wastewater easements containing a total of approximately 16,098 square feet - Revenue: $5,400 plus the $20 ordinance publication fee
28			6	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a water easement to United States Cold Storage, L.P., the abutting owner, containing approximately 8,201 square feet of land, located near the intersection of Cockrell Hill Road and La Reunion Parkway - Revenue: $5,400, plus the $20 ordinance publication fee
29			1	C	DEV	REV $5,400	NA	NA	An ordinance abandoning three sanitary sewer easements to Trinity Basin Preparatory, Inc., the abutting owner, containing a total of approximately 1,521 square feet of land, located near the intersection of East 8th Street and East Jefferson Boulevard - Revenue: $5,400 plus the $20 ordinance publication fee
30			2	C	DEV	REV $5,400	NA	NA	An ordinance amending Ordinance No. 29383, previously approved on June 25, 2014, which abandoned a portion of Straightway Drive, located near the intersection of Northwest Highway and Straightway Drive, to Northwest Overlake, L.L.C. and Rizos Land Group Northwest Highway, LLC to extend the final replat and dedication requirement from two years to 30 months - Revenue: $5,400, plus the $20 ordinance publication fee
31			1, 10, 11	C	TWM, DWU	$97,977.00	100.00%	100.00%	Authorize a professional services contract with LIM & Associates, Inc. for the engineering design of six erosion control improvement projects - Not to exceed $97,977 - Financing: 2012 Bond Funds ($69,625) and Water Utilities Capital Improvement Funds ($28,352)
32			7	C	TWM	NC	NA	NA	A resolution authorizing the conveyance of an easement and right-of-way containing approximately 159 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City owned land located on Barber Avenue near its intersection with Mural Lane - Financing: No cost consideration to the City

AGENDA DATE May 25, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
33			7	C	TWM	NC	NA	NA	A resolution authorizing the conveyance of an easement and right-of-way containing approximately 1,315 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City owned land located on Barber Avenue near its intersection with Mural Lane - Financing: No cost consideration to the City
34			All	C	WTR	REV $3,559,204	NA	NA	Authorize a thirty-year contract with the City of Lewisville to continue providing wholesale water services, from June 4, 2016 through June 3, 2046 - Estimated Annual Revenue: $3,559,204
35			1, 2, 4, 6, 9, 10, 11, 13, 14	C	WTR	$15,471,589.50	91.09%	25.11%	Authorize a contract for the installation of water and wastewater mains at 39 locations - RKM Utility Services, Inc., lowest responsible bidder of four - Not to exceed $15,471,590 - Financing: Water Utilities Capital Improvement Funds
36			Outside	C	WTR	$24,904,983.00	5.20%	25.14%	Authorize a contract for the construction of biological filtration optimization improvements at the East Side Water Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of five - Not to exceed $24,904,983 - Financing: Water Utilities Capital Improvement Funds
37			Outside	C	WTR	$2,910,000.00	98.42%	29.35%	Authorize Supplemental Agreement No. 4 to the professional services contract with Black & Veatch Corporation to provide additional construction phase services for water quality improvements at the East Side Water Treatment Plant - Not to exceed $2,910,000, from $16,501,885 to $19,411,885 - Financing: Water Utilities Capital Improvement Funds
38			N/A	I	SEC	NC	N/A	N/A	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
39			All	I	MCC	NC	NA	NA	A resolution naming the Lamar-McKinney Bridge (also known as the Continental Avenue Bridge) in honor of former Dallas Assistant City Attorney, Dallas Mayor, and United States Trade Representative, Ronald Kirk - Financing: No cost consideration to the City
40			4	I	DEV, PBW	$23,500.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Carol Arriaga a/k/a Caroline Arriaga, of approximately 6,000 square feet of land improved with a single-family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights City Service and Maintenance Facilities Project - Not to exceed $23,500 ($21,500, plus closing costs and title expenses not to exceed $2,000) - Financing: 2006 Bond Funds
41			2, 7	I	PBW, OEQ	$970,170.97	0.00%	69.13%	Authorize a construction services contract with Unified Services of Texas, Inc. for replacement of underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street, and at the I.C. Harris Service Center located at 5620 Parkdale Drive - Not to exceed $970,171 - Financing: 2006 Bond Funds ($480,298) and Capital Construction Funds ($489,873)
42			2, 7, 14	I	TWM	$2,764,000.00	97.22%	98.00%	Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $2,764,000 - Financing: 2006 Bond Funds
43			2, 7, 14	I	TWM	$17,350,000.00	100.00%	26.97%	Authorize a professional services contract with Black & Veatch Corporation for construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $17,350,000 - Financing: 2006 Bond Funds
44			2, 7, 14	I	TWM, WTR	$209,894,515.00	19.93%	32.63%	Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed $209,894,515 - Financing: General Obligation Commercial Paper Funds ($209,179,636), Water Utilities Capital Construction Funds ($25,600) and Water Utilities Capital Improvement Funds ($689,279)
45			2, 7, 14	I	TWM, WTR	$6,126,500.00	77.52%	26.63%	Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $6,126,500, from $15,993,488 to $22,119,988 - Financing: 2006 Bond Funds ($6,105,000) and Water Utilities Capital Improvement Funds ($21,500)
46			6	I	HOU	$140,000.00	NA	NA	Authorize a conditional grant agreement with AAA Home Builder, LLC for construction of seven single family homes for the Fannie Project in West Dallas located on Fannie Street - Not to exceed $140,000 - Financing: 2012 Bond Funds

AGENDA DATE May 25, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
47			3	I	HOU	$971,130.00	NA	NA	Authorize a conditional grant agreement with AAA Home Builder, LLC for infrastructure and construction of twenty single family homes for the Shady Hollow Project in Oak Cliff located on Shady Hollow Lane - Not to exceed $971,130 - Financing: 2012 Bond Funds
48			8	I	HOU	$402,819.00	NA	NA	Authorize a conditional grant agreement with Bosco Investments, Ltd. for land development for 35 single family homes for the Sandyland Estates Project located at 9301 Sandyland Road - Not to exceed $402,819 - Financing: 2012 Bond Funds
49			8	I	HOU	$1,200,000.00	NA	NA	Authorize a conditional grant agreement with Camden Homes at Shady Oaks, LLC for construction of 40 single family homes for the Shady Oaks Project located at Highway 175 and South Woody Road - Not to exceed $1,200,000 - Financing: 2012 Bond Funds
50			7	I	HOU	$844,192.00	NA	NA	Authorize a conditional grant agreement with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at 3831 North Prairie Creek Road - Not to exceed $844,192 - Financing: 2012 Bond Funds
51			4, 5, 6, 7	I	HOU	GT	NA	NA	Authorize on-site reconstruction of six homes in accordance with the requirements of the Reconstruction Program Statement for the properties located at: 2614 South Ewing Avenue in the amount of $103,000; 3812 Atlanta Street in the amount of $103,000; 1422 Montague Avenue in the amount of $103,000; 1822 Mentor Avenue in the amount of $103,000; 7923 Rilla Avenue in the amount of $103,000; and 3912 Hammerly Drive in the amount of $103,000 - Total not to exceed $618,000 - Financing: 2012-13 Community Development Block Grant Reprogramming Funds ($91,001), 2012-13 HOME Investment Partnerships Program Grant Funds ($12,000), 2013-14 Community Development Block Grant Funds ($139), 2014-15 Community Development Block Grant Funds ($30,045), 2014-15 HOME Investment Partnerships Program Grant Funds ($93,000) and 2015-16 Community Development Block Grant Funds ($391,815)
52			9	I	HOU	$200,000.00	NA	NA	Authorize (1) a housing development loan in an amount not to exceed $250,000; and (2) a conditional grant agreement in an amount not to exceed $200,000 with KAH Holdings, Inc. dba Karrington & Company for construction of ten single family homes for the Ferguson Road Townhomes Project to be located in 7839 Ferguson Road - Total not to exceed $450,000 - Financing: 2011-12 HOME Investment Partnership Program Grant Funds ($57,260), 2012-13 HOME Investment Partnership Program Grant Funds ($17,683), 2013-14 HOME Investment Partnership Program Grant Funds ($42,053), FY 2014-15 HOME Program Income #1 ($72,326), 2015-16 HOME Investment Partnership Program Grant Funds ($60,678) and 2012 Bond Funds ($200,000)
53			7	I	HOU	$280,000.00	NA	NA	Authorize (1) a housing development loan in an amount not to exceed $440,000; and (2) a conditional grant agreement in an amount not to exceed $280,000 with Dallas Area Habitat for Humanity for construction of 18 single family homes for the Joppa Neighborhood Project - Total not to exceed $720,000 - Financing: 2014-15 HOME Investment Partnership Program Grant Funds ($440,000) and 2012 Bond Funds ($280,000)
54			7	I	HOU	GT	NA	NA	Authorize a housing development loan with Builders of Hope Community Development Corporation, a certified Community Housing Development Organization, for construction of 20 single family homes in the Prairie Creek area - Not to exceed $450,000 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds
55			4, 8	I	HOU	GT	NA	NA	Authorize a housing development loan with City Wide Community Development Corporation, a certified Community Housing Development Organization, for construction of five single family homes located on scattered sites in Dallas - Not to exceed $225,000 - Financing: 2010-11 Neighborhood Stabilization Program 3 Funds ($90,000), 2014-15 HOME Investment Partnership Program Funds ($94,011) and FY 2014-15 HOME Program Income #1 ($40,989)
56			2, 4, 7	I	HOU	GT	NA	NA	Authorize a housing development loan with East Dallas Community Organization a certified Community Housing Development Organization, for construction of ten single family homes at scattered sites in Dallas - Not to exceed $707,208 - Financing: FY 2014-15 HOME Program Income #1 ($74,736), 2015-16 HOME Investment Partnership Program Grant Funds ($577,452) and 2010-11 Neighborhood Stabilization Program 3 Funds ($55,020)

AGENDA DATE May 25, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
57			7	I	HOU	GT	NA	NA	Authorize a housing development loan with South Dallas Fair Park/Innercity Community Development Corporation, a certified Community Housing Development Organization, for construction of ten single family homes for the Frank Street Project to be located in the Mill City area - Not to exceed $771,355 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds ($561,355) and 2010-11 Neighborhood Stabilization Program 3 Funds ($210,000)
58			1	I	HOU	GT	NA	NA	A resolution (1) declaring 14 City-owned lots located at East 9th Street and Starr Street unwanted and unneeded and authorizing their conveyance for no cost consideration to Notre Dame Place, Inc. by Deed without Warranty for affordable housing; and (2) authorize a housing development loan with Notre Dame Place, Inc., a Texas nonprofit organization, for construction of 14 single family homes for the La Estrella Project - Not to exceed $489,322 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds
59			9	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay northwest of the intersection of Centerville Road and Aledo Drive
60			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an MF-2(A) Multifamily District on the southeast line of Munger Avenue, between Annex Avenue and North Prairie Avenue
61			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District on the southwest corner of Oates Drive and Michael Lane
62			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2029 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Planned Development District No. 619 with Historic Overlay No. 48, the Harwood Historic District on the southwest corner of Pacific Avenue and North Harwood Street
63			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District, public school, and private recreation center, club, or area uses on property zoned an R-7.5(A) Single Family District on the southwest corner of West Northwest Highway and Durham Street
64			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District and mini-warehouse uses and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-2 Mixed Use District on the south side of Meadow Road, west of Greenville Avenue
65			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1814 for a vehicle display, sales, and service use and a commercial motor vehicle parking lot on property zoned Subdistrict 5A within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the northeast line of C.F. Hawn Service Road, west of Southeast Drive
66			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial/Research District on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street
67			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 104 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street
68			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 512 on the south corner of Woody Road and Seagoville Road

AGENDA DATE May 25, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
69			9	PH	TWM	NC	NA	NA	A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.0105 acres of the current 0.0343 acres of land, located at 8722 Eustis Avenue, of which the 0.0343 acres are within the floodplain of Ash Creek, Fill Permit 16-01 - Financing: No cost consideration to the City
70			3	PH	MCC	NC	NA	NA	A public hearing to receive comments and consider authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 521 on property generally located along both sides of Interstate Highway 20 between Spur 408 and Clark Road on the east and Mountain Creek Parkway and FM 1382 on the west and containing approximately 2,925 acres with consideration given to appropriate zoning for the area including permitted uses, development standards, and other appropriate regulations - Financing: No cost consideration to the City (via Councilmembers Thomas, Medrano, Callahan, McGough, and Deputy Mayor Pro Tem Wilson)
71			2	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Extra Space Properties Two LLC located near the intersection of South Haskell Avenue and Interstate Highway 30 and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Extra Space Properties Two LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
72			N/A	PH	OFS	NC	NA	NA	A public hearing to receive comments on the FY 2016-17 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City
73			8	PH	PKR	REV $18,365	NA	NA	A public hearing to receive comments on the proposed change of use and sale of a portion of the Kleberg Trail located at 10600 Rylie Road, totaling approximately 71,109 square feet of land, to the Texas Department of Transportation for construction of improvements to I-20 Frontage Roads; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Estimated Revenue: $18,365
74			All	PH	PKR	NC	NA	NA	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, at the close of the hearing, approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

TOTAL $292,076,565.88

AGENDA ITEM # 2

KEY FOCUS AREA: Public Safety

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 3

DEPARTMENT: Aviation

CMO: Ryan S. Evans, 671-9837

MAPSCO: 63L

SUBJECT

Authorize **(1)** acceptance of FY 2016 grant from the Texas Department of Transportation Aviation Division for the Routine Annual Maintenance Program at Dallas Executive Airport in an amount not to exceed $50,000 or 50% of eligible project costs whichever is less; **(2)** a local cash match in the amount of $50,000 for airport maintenance projects; and **(3)** execution of the grant agreement - Total not to exceed $100,000 - Financing: Aviation Current Funds ($50,000) (subject to appropriations) and Texas Department of Transportation Grant Funds ($50,000)

BACKGROUND

The Routine Airport Maintenance Project (RAMP) for fiscal year 2016 is a reimbursement that will enable the Department of Aviation to conduct needed repairs on the airport for annual maintenance. Some of the examples of these programs in the Ramp include runway crack seal and ramp area crack seal. The primary objective of the project is:

- Conduct repairs as needed under the Routine Airport Maintenance Program under the guidelines of Texas Department of Transportation (TxDOT).

TxDOT will determine that the repairs are within the scope of eligible projects for the TxDOT Grant for Routine Airport Maintenance Program Funds and will participate in an amount equal to 50% of the eligible project costs, TxDOT reimbursement not to exceed $50,000.00.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council authorized the acceptance of grant funds from TxDOT Aviation Division for RAMP maintenance cost on May 13, 2015 by Resolution No. 15-0834.

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

City Council authorized a two-year service contract for airport runway concrete crack and joint repairs with MRK Industrial Flooring, Inc. on August 26, 2015 by Resolution No. 15-1518.

Information about this item will be provided to the Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

$50,000.00 - Aviation Current Funds (subject to annual appropriation)
$50,000.00 - Texas Department of Transportation Grant Funds

May 25, 2016

WHEREAS, the City of Dallas intends to enhance the city's economic vibrancy; particularly within the city's southern sector; and,

WHEREAS, Dallas Executive Airport has proven to be a significant economic generator within the city's southern sector; and,

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

WHEREAS, the Texas Department of Transportation has indicated that routine airport maintenance is a project that is eligible for state funding through their grant for Routine Airport Maintenance Program (RAMP) and will participate in an amount equal to 50% of the eligible costs, not to exceed $50,000; and,

WHEREAS, on May 13, 2015, City Council authorized the acceptance of grant funds from TxDOT Aviation Division for RAMP maintenance costs in 2015 by Resolution No. 15-0834; and,

WHEREAS, the total maintenance cost for fiscal year 2016 is estimated to be up to $100,000 and the City of Dallas will be responsible for the total project costs with a reimbursement by TxDOT of 50% of the total project cost in an amount not to exceed $50,000; and,

WHEREAS, City Council authorized a two-year service contract for airport runway concrete crack and joint repairs with MRK Industrial Flooring, Inc. on August 26, 2015 by Resolution No. 15-1518.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to **(1)** accept FY 2016 grant from the Texas Department of Transportation Aviation Division (Grant CSJ No. M1618 DLEX) for the Routine Annual Maintenance Program (RAMP) at Dallas Executive Airport in an amount not to exceed $50,000 or 50% of eligible project costs whichever is less; **(2)** provide a local cash match in the amount of $50,000 for airport maintenance projects; and **(3)** execute the grant agreement for a total not to exceed $100,000.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit the grant reimbursement funds in an amount not to exceed $50,000 in Fund S278, Dept. AVI, Unit 1747, Revenue Source 6526.

Section 3. That the City Manager is hereby authorized to increase appropriations in Fund S278, Dept. AVI, Unit 1747, Object Code 3099 in an amount not to exceed $50,000 as approved by TxDOT for each fiscal year reimbursement.

Section 4. That the Chief Financial Officer is hereby authorized to reimburse Aviation Operating Fund 0130, Dept. AVI, Unit 7731, Object 5011 for the amount that is approved by TxDOT Routine Airport Maintenance Program (RAMP) for annual reimbursement from the Aviation Grant Fund S278 Dept. AVI, Unit 1747, Object 3099 in an amount not to exceed $50,000.

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 thirty days after the receipt of the report.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 3

KEY FOCUS AREA: E-Gov

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services
Convention and Event Services
Equipment & Building Services
Fire
Park & Recreation
Street Services

CMO: Jeanne Chipperfield, 670-7804
Mark McDaniel, 670-3256
Ryan S. Evans, 671-9837
Jill A. Jordan, P.E., 670-5299
Eric Campbell, 670-3255
Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for emergency generator repair and maintenance - Clifford Power Systems, Inc. in the amount of $431,280 and Allegiance Power Systems, Inc. in the amount of $214,275, lowest responsible bidders of seven - Total not to exceed $645,555 - Financing: Current Funds ($630,255) and Convention and Event Services Current Funds ($15,300) (subject to annual appropriations)

BACKGROUND

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

This three year service contract will provide maintenance and repair of emergency electrical power generators. Each year, an annual preventative maintenance service schedule will be performed, followed by a quarterly preventative maintenance service schedule. Other repair services will be provided when there is a problem which would impede the generator from performing at optimum efficiency.

BACKGROUND (Continued)

This service contract will provide services for 93 generators throughout the City. Departments utilizing this service contract include but are not limited to Fire-Rescue, Equipment and Building Services, Park and Recreation, Communication and Information Services, Street Services and Convention and Event Services. The successful vendor is to insure that the station generators are serviced, maintained, and running properly throughout the year.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 1.06% increase over comparable unit prices for services. Additionally, this solicitation also required bidders to submit discounts/mark ups on parts to be ordered from manufacturer's catalogs. Therefore this bid also resulted in an average percentage discount from manufacturer's catalog of 35% compared to an average discount of 10% for the bid awarded in 2011.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 530 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

The recommended vendor meets the wage floor rate of $10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2011, City Council authorized a three-year service contract for preventative maintenance and repairs for backup generators by Resolution No. 11-1978.

Information about this item will be provided to the Budget, Finance and Audit Committee on May 16, 2016.

FISCAL INFORMATION

$630,255.00 - Current Funds (subject to annual appropriations)
$ 15,300.00 - Convention and Event Services Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

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

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

ETHNIC COMPOSITION

Clifford Power Systems, Inc.

White Male	108	White Female	32
Black Male	0	Black Female	2
Hispanic Male	7	Hispanic Female	16
Other Male	7	Other Female	3

Allegiance Power Systems, Inc.

White Male	5	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	2	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BN1612 and were opened on December 18, 2015. This service contract is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount of Bid
*Clifford Power Supply, Inc.	9310 E. 46th St. North Tulsa, OK 74117	Multiple Groups

BID INFORMATION (Continued)

Bidders	Address	Amount of Bid
*Allegiance Power Systems, Inc.	7900 Bar K Ranch Road Lago Vista, TX 78645	Multiple Groups
Waukesha-Pearce Industries	850 E. Industrial Ave. Saginaw, TX 76131	Multiple Groups
Loftin Equipment Company	5204 Bear Creek Ct. Irving, TX 75061	Multiple Groups
Power Pro-Tech Services, Inc.	377 Maitland Ave. #1010 Altamonte Springs, FL 32701	Multiple Groups
Dunamis Power Systems, LLC	509 S. Sunnyvale Rd. Del City, OK 73115	Multiple Groups
LJ Power, Inc.	9301 Hwy. 290 West Unit #100 Austin, TX 78736	Multiple Groups

OWNERS

Clifford Power Systems, Inc.

James Boyles, President
Ken Clifford, Vice President
Thomas Clifford, Secretary
Frauke Quiroga, Treasurer

Allegiance Power Systems, Inc.

Mynde Smith, President
John Smith, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for emergency generator repair and maintenance - Clifford Power Systems, Inc. in the amount of $431,280 and Allegiance Power Systems, Inc. in the amount of $214,275, lowest responsible bidders of seven - Total not to exceed $645,555 - Financing: Current Funds ($630,255) and Convention and Event Services Current Funds ($15,300) (subject to annual appropriations)

Clifford Power Systems, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. Allegiance Power Systems Inc. is non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$420,646.00	65.16%
Total non-local contracts	$224,909.00	34.84%
TOTAL CONTRACT	$645,555.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Progenis Services, Inc.	BMDB04385Y0716	$10,634.00	4.73%
Total Minority - Non-local		$10,634.00	4.73%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$10,634.00	1.65%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$10,634.00	1.65%

May 25, 2016

WHEREAS, on August 10, 2011, City Council authorized a three-year service contract for preventative maintenance and repairs for backup generators by Resolution No. 11-1978; and,

WHEREAS, on September 27, 2013, Administrative Action No. 13-6086 authorized a twelve month extension to the service contract from August 23, 2013 to August 23, 2014; and,

WHEREAS, on June 17, 2014, Administrative Action No. 14-6193 authorized a two year extension to the service contract from August 23, 2014 to August 23, 2016;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a contract with Clifford Power Systems, Inc. (354227) in the amount of $431,280.00 and Allegiance Power Systems, Inc. (VS0000047139) in the amount of $214,275.00 for emergency generator repair and maintenance for a term of three years in a total amount not to exceed $645,555.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Clifford Power Systems, Inc. and Allegiance Power Systems, Inc. shall be based only on the amount of services directed to be performed by the City and properly performed by Clifford Power Systems, Inc. and Allegiance Power Systems, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $645,555.00 (subject to annual appropriations) from Service Contract number BN1612.

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

AGENDA ITEM # 4

KEY FOCUS AREA:	Public Safety
AGENDA DATE:	May 25, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Fire
CMO:	Jeanne Chipperfield, 670-7804 Eric Campbell, 670-3255
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for smoke detectors for Fire-Rescue – Fine Line Products, lowest responsible bidder of six - Not to exceed $227,220 - Financing: Current Funds

BACKGROUND

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

This master agreement will provide smoke detectors for Fire-Rescue's (DFR) Smoke Detector Installation Program. Smoke detectors are installed in neighborhoods selected by DFR utilizing fire injury data to determine areas that have high rates of injury from fire. The smoke detectors are installed by DFR personnel and volunteers canvassing door-to-door, offering the smoke detectors to residents living in one and two family dwellings. Residents not available at the time of the canvas will be provided information on how to contact 311 to request a smoke detector. There is no charge to the residents for the smoke detector or installation service provided. The goal of this program is to provide a source for early fire detection thus reducing fire injuries and deaths in resident's homes.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a decrease of 4% over comparable unit prices for the bid awarded in 2013.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 706 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLink Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 8, 2012, City Council authorized a two-year master agreement for the purchase of smoke detectors by Resolution No. 12-1889.

On September 11, 2013, City Council authorized a two-year master agreement for the purchase of smoke detectors by Resolution No. 13-1551.

Information about this item will be provided to the Budget, Finance & Audit Committee on May 16, 2016.

FISCAL INFORMATION

$227,220.00 - Current Funds

M/WBE INFORMATION

169 – Vendors contacted
169 – No response
0 – Response (Bid)
0 – Response (No Bid)
0 – Successful

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

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

ETHNIC COMPOSITION

Fine Line Products

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

BID INFORMATION

The following bids were received from solicitation number BV1604 and were opened on March 4, 2016. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Fine Line Products	5533 Glasgow Place Columbus, OH 43235	$227,220.00
J. Alperin Co., Inc.	2170 Jerome Avenue Bronx, NY 10453	$229,950.00
Asset Lighting & Electric, Inc.	Thorndike Avenue Lakewood, NJ 08701	$232,680.00
EVCO Partners, LC dba Burgoon Company	2727 Broadway Galveston, TX 77553	$269,010.00
HD Supply Facilities Maintenance LTD	10641 Scripps Summit Court San Diego, CA 92131	$314,790.00
HD Supply Facilities Maintenance LTD (Alternate Bid)	10641 Scripps Summit Court San Diego, CA 92131	$314,790.00

OWNER

Fine Line Products

Eric Hoffrichter, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for smoke detectors for Fire-Rescue – Fine Line Products, lowest responsible bidder of six - Not to exceed $227,220 - Financing: Current Funds

Fire Line Products is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$227,200.00	100.00%
TOTAL CONTRACT	$227,200.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

May 25, 2016

WHEREAS, on August 8, 2012, City Council authorized a two-year master agreement for the purchase of smoke detectors by Resolution No. 12-1889; and,

WHEREAS, on September 11, 2013, City Council authorized a two-year master agreement for the purchase of smoke detectors by Resolution No. 13-1551; and,

WHEREAS, on October 12, 2015, Administrative Action No. 15-6881 authorized to extend the master agreement for a one year term from September 11, 2015 to September 10, 2016; and,

WHEREAS, on April 21, 2016, Administrative Action No. 16-5778 authorized additional funds in the amount of $50,000.00, increasing the master agreement amount from $209,436.00 to $259,436.00;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of smoke detectors for Fire-Rescue is authorized with Fine Line Products (VS0000033221) for a term of three years in an amount not to exceed $227,220.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for smoke detectors for Fire-Rescue. If a written contract is required or requested for any or all purchases of smoke detectors for Fire-Rescue under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $227,220.00 from Master Agreement number BV1604.

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

AGENDA ITEM # 5

KEY FOCUS AREA: E-Gov

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Water Utilities

CMO: Christopher D. Bowers, 670-3491
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 3 to the professional services contract with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional services on matters relating to the pending disputes between the City of Dallas and the Sabine River Authority - Not to exceed $75,000, from $450,000 to $525,000 - Financing: Water Utilities Current Funds

BACKGROUND

Supplemental Agreement No. 3 will authorize Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C. to provide additional services necessary on matters relating to the pending disputes between the City of Dallas and the Sabine River Authority.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed in Closed Session on December 3, 2014.

City Council authorized Supplemental Agreement No. 1 with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional legal services in connection with the pending disputes between the City of Dallas and the Sabine River Authority on December 10, 2014, by Resolution No. 14-2191.

Council was briefed in Closed Session on January 14, 2015.

Council was briefed in Closed Session on November 3, 2015.

City Council authorized Supplemental Agreement No. 2 with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional legal services in connection with the pending disputes between the City of Dallas and the Sabine River Authority on November 10, 2015, by Resolution No. 15-2136.

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

Council was briefed in Closed Session on April 6, 2016.

Council will be briefed in Closed Session on May 18, 2016.

FISCAL INFORMATION

$75,000 - Water Utilities Current Funds

M/WBE INFORMATION

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

OWNER

Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C.

Norman J. Gordon, Partner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 3 to the professional services contract with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional services on matters relating to the pending disputes between the City of Dallas and the Sabine River Authority - Not to exceed $75,000, from $450,000 to $525,000 - Financing: Water Utilities Current Funds

Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$0.00	0.00%
Non-local contracts	$75,000.00	100.00%
TOTAL THIS ACTION	$75,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

May 25, 2016

WHEREAS, on October 1, 2014, pursuant to Administrative Action No. 14-6720, the City authorized a professional services contract with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., in an amount not to exceed $50,000.00 to provide consultation to the City in connection with the pending disputes between the City of Dallas and the Sabine River Authority; and,

WHEREAS, on December 10, 2014, the City Council authorized Supplemental Agreement No. 1, in the amount of $250,000.00, with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., by Resolution No. 14-2191, for additional legal services in connection with the pending disputes between the City of Dallas and the Sabine River Authority; and,

WHEREAS, on November 10, 2015, the City Council authorized Supplemental Agreement No. 2, in the amount of $150,000.00, with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., by Resolution No. 15-2136, for additional legal services in connection with the pending disputes between the City of Dallas and the Sabine River Authority; and,

WHEREAS, the professional legal services of Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., continue to be necessary; **Now, Therefore,**

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 3 to the professional services contract with Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., for additional services on matters relating to the pending disputes between the City of Dallas and the Sabine River Authority, in an amount not to exceed $75,000.00, increasing the contract amount from $450,000.00 to $525,000.00.

Section 2. That the Chief Financial Officer is hereby authorized to disburse, in periodic payments to Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C., an amount not to exceed $75,000.00 from Fund 0100, Department DWU, Unit 7015, Obj. 3033, Encumbrance No. CTDWU7015A1606, Vendor No. 513285.

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

AGENDA ITEM # 6

KEY FOCUS AREA: E-Gov

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Christopher D. Bowers, 670-3035

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 2 of the Dallas City Code by **(1)** changing the name of the guest prosecutor program to the guest assistant city attorney program; and **(2)** authorizing the city attorney to expand the volunteer guest prosecutor program to allow, under certain conditions, attorneys who work for private law firms or organizations that provide pro bono legal services to perform work for the city in hearing officer's court, municipal court, and other courts, and to appear before city, state, or federal boards, commissions, and agencies - Financing: No cost consideration to the City

BACKGROUND

The guest prosecutor program was established in 2000 by Ordinance 24219. The guest prosecutor program allows attorneys from private law firms to participate as guest prosecutors in municipal court, which permits private law firm attorneys to gain valuable trial experience while, at the same time, providing a public service that benefits the city and its residents.

This ordinance would expand the program to include attorneys from organizations that provide pro bono legal services and to allow the volunteer attorneys to appear in more forums.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was briefed to the Budget, Finance, and Audit Committee on March 21, 2016.

FISCAL INFORMATION

No cost consideration to the City.

5/2/16

ORDINANCE NO. _____

An ordinance amending Chapter 2, "Administration," of the Dallas City Code, by amending Section 2-20.1; changing the guest prosecutor program name to the guest assistant city attorney program; authorizing the city attorney to expand the volunteer guest prosecutor program to allow, under certain conditions, attorneys who work for private law firms or organizations that provide pro bono legal services to perform work for the city in hearing officer's court, municipal court, and other courts, and to appear before city, state, or federal boards, commissions, and agencies; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Section 2-20.1 of Article II, "Assistant City Attorneys," of Chapter 2, "Administration," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 2-20.1. GUEST ASSISTANT CITY ATTORNEY [~~PROSECUTOR~~] PROGRAM.

(a) The city attorney is authorized to conduct a volunteer program known as the guest assistant city attorney [~~prosecutor~~] program. The purpose of the program is to allow attorneys who are employed by private law firms or organizations that provide pro bono legal services to obtain valuable trial experience [~~at the municipal court level~~] on a temporary and voluntary basis while, at the same time, providing a public service that benefits the city and its citizens.

(b) The city attorney may, without further city council approval, enter into arrangements with private law firms and organizations that provide pro bono legal services within the city through which volunteer attorneys are recommended and provided by the law firms and pro bono legal service organizations to perform work in hearing officer's court, [~~the~~] municipal court, and other courts, and to appear before city, state, or federal boards, commissions, and agencies.

(c) To participate in the guest assistant city attorney program, a [~~every~~] volunteer attorney: [~~recommended by a private law firm for the guest prosecutor program~~]

(1) must be approved by the city attorney;

(2) pass a conflict of interests check and a background check; and

(3) may not owe the city any delinquent, taxes, fees, charges, or penalties.

(d) [~~(c)~~] While participating in the guest assistant city attorney [~~prosecutor~~] program, a volunteer attorney is not an employee of the city [~~but remains an employee of a private law firm~~], except that, for purposes of the city's officer and employee liability plan, a volunteer attorney is deemed a plan member under Section 31A-4(5)(D) of this code. The city is not [~~private law firm employing the volunteer attorney is solely and exclusively~~] liable for compensation or [~~and~~] benefits (including but not limited to workers' compensation insurance coverage) to be paid to the volunteer attorney during the period of participation in the guest assistant city attorney [~~prosecutor~~] program. Nothing in this section, or in any other provision of this code, may be construed to require the city to pay a volunteer attorney or the attorney's firm or organization for services rendered during the period of the volunteer attorney's participation in the program.

(e)[~~(d)~~] A volunteer attorney, while participating in the guest assistant city attorney [~~prosecutor~~] program, is subject to the direction of the city attorney and to the direction of any assistant city attorney designated to supervise the volunteer attorney.

(1) Guest assistant city attorneys prosecuting cases in municipal court. A volunteer attorney may [~~shall~~] prosecute cases in the municipal court and perform tasks incidental to work as a municipal prosecutor, if [~~as~~] directed by the city attorney. For purposes of this article, the city charter, and Section 45.201 of the Texas Code of Criminal Procedure, as amended, a volunteer attorney participating in the guest assistant city attorney program is deemed an assistant city attorney while carrying out the limited duties of prosecuting cases in municipal court and performing tasks incidental to work as a municipal prosecutor.

(2) Guest assistant city attorneys not prosecuting cases in municipal court. A volunteer attorney may handle cases in hearing officer's court or other courts, or appear before city, state, or federal boards, commissions, and agencies, and perform tasks incidental to those duties, if directed by the city attorney. For purposes of this article, the city charter, as amended, and any other applicable laws, a volunteer attorney participating in the guest assistant city attorney program is deemed an assistant city attorney while carrying out the limited duties of handling cases in hearing officer's court and other courts, and appearing before city, state, or federal boards commissions, and agencies, and performing tasks incidental to those duties.

(f)[~~(e)~~] While participating in the guest assistant city attorney [~~prosecutor~~] program, a volunteer attorney may [~~shall~~] not:

(1) perform any legal work for the city other than work described in this section and approved by the city attorney or any assistant city attorney designated to supervise the volunteer attorney; or

(2) represent any person in a lawsuit, claim, or other proceeding to which the city is a party, if the interests of that person are adverse to the interests of [~~against~~] the city.

(g) While participating in the guest assistant city attorney program, a private law firm or organization that provides pro bono legal services may not represent any person in a lawsuit,

claim, or other proceeding to which the city is a party, if the interests of that person are adverse to the interests of the city.

(h)[~~(f)~~] A volunteer attorney, while participating in the guest assistant city attorney [~~prosecutor~~] program, is subject to the restrictions of Chapter 12A [~~Section 2-122~~] of this code, as amended. A violation of any provision of Chapter 12A [~~Section 2-122~~], this section, or a directive of the city attorney or any assistant city attorney designated to supervise the volunteer attorney may result in termination of the volunteer attorney's participation in the program. The city attorney may also, in the city attorney's discretion, terminate any arrangement with the private law firm or organizations that provide pro bono legal services that employs a volunteer attorney who commits a violation of any provision described in this subsection.

SECTION 2. That Chapter 2 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. 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 4. 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 D. BOWERS, Interim City Attorney

By_____
Assistant City Attorney

Passed_____

AGENDA ITEM # 7

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Code Compliance

CMO: Joey Zapata, 670-3009

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 43A, “Swimming Pools,” of the Dallas City Code by **(1)** amending definitions, enforcement authority, and safety standards for public and semi-public pools and spas; **(2)** adding Section 43A-3.1, incorporating Texas Health and Safety Code Regulations for multiunit pool enclosures; **(3)** adding Article IV on spa safety standards; and **(4)** making conforming changes; and providing a penalty not to exceed $2,000 - Financing: No cost consideration to the City

BACKGROUND

Chapter 43A, “Swimming Pools”, of the Dallas City Code establishes rules to regulate and inspect commercial pools, health club pools, hotel/motel and institutional pools. The current and proposed amendments do not impact pool design and construction requirements in Chapter 43A “Swimming Pools”. The proposed ordinance would amend Sections 43A-1, 43A-2, 43A-3, 43A-6, 43A-9, 43A-11, 43A-15, 43A-16, 43A-19, 43A-20, and 43A-21 of Chapter 43A, "Swimming Pools", of the Dallas City Code.

The Quality of Life & Environment Committee was briefed by memorandum regarding the amendments on April 25, 2016 and May 9, 2016.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Quality of Life & Environment Committee on April 25, 2016 and May 9, 2016

FISCAL INFORMATION

No cost consideration to the City.

5-11-16

ORDINANCE NO. _____

An ordinance amending Chapter 43A, "Swimming Pools," of the Dallas City Code by amending Sections 43A-1, 43A-2, 43A-3, 43A-6, 43A-9, 43A-11, 43A-15, 43A-16, 43A-19, 43A-20, and 43A-21; amending definitions, enforcement authority, and safety standards for public and semi-public pools and spas; adding Section 43A-3.1, incorporating Texas Health and Safety Code Regulations multiunit pool enclosures; adding Article IV on spa safety standards; making conforming changes; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Section 43A-1, "Definitions," of Article I, "General Provisions," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"**SEC. 43A-1. DEFINITIONS.**

(a) The terms used in this chapter have the meanings ascribed to them in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Section 182, as amended.

(b) In addition to the terms defined in Subsection (a), the terms in this chapter have the following meaning [~~this chapter~~]:

(1) DIRECTOR means the director of the department designated by the city manager to enforce and administer this chapter or the director's designated representative.

(2) PERSON means an individual, partnership, company, corporation, association, firm, organization, institution, or similar entity.

(3) PRIVATE POOL means a swimming pool appurtenant to a single-family or duplex residence (including condominiums and townhouses) and used only by the occupants of the residence and their guests.

(4) PUBLIC POOL means a swimming pool to which the general public has access.

(5) SEMI-PUBLIC POOL means a swimming pool that is privately owned and open only to an identifiable class of persons, including, but not limited to, motel guests, apartment residents, and club members.

[~~(6) SWIMMING POOL or POOL means a structure that is used for swimming, bathing, or water play, including all equipment and appurtenant facilities.~~]"

SECTION 2. That Section 43A-2, "Permit Required; Application; Issuance," of Article I, "General Provisions," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"**SEC. 43A-2. PERMIT REQUIRED; APPLICATION; ISSUANCE.**

No person may construct, modify, or repair a [~~swimming~~] pool in the city without obtaining a permit. The application for a permit must be on a form provided by the building official and must be accompanied by the required fee and a specified number of copies of the plans of which the applicant seeks approval. If the building official and the director are satisfied that the proposed [~~swimming~~] pool will conform in all respects to the requirements of the law, a permit shall be issued by the building official to the applicant."

SECTION 3. That Section 43A-3, "Inspections and Reinspections," of Article I, "General Provisions," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"**SEC. 43A-3. INSPECTIONS AND REINSPECTIONS.**

(a) The director shall have all of the authority granted to the city under the Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Section 207, as amended, to [~~may~~] inspect a [~~swimming~~] pool at any reasonable time and [~~has authority~~] to enter upon the premises where a pool is located to the extent necessary to make a full examination for compliance with this chapter and state law.

(b) Advanced notice or permission for inspections or investigations by the director is not required. Public pools and semi-public pools, excluding multiunit, shall be inspected at least annually, and multiunit pools shall be inspected with the graded inspections for multitenant properties in accord with Chapter 27 of the Dallas City Code. For purposes of this subsection, "multiunit" has the meaning ascribed to it in Texas Health and Safety Code Section 757.001, as amended.

(c) Water samples from a pool may be taken.

(d) If a reinspection is required, the fee for the reinspection is $43."

SECTION 4. That Article I, "General Provisions," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended by adding a new Section 43A-3.1, "Incorporation of Health and Safety Code Regulations for Multiunit Pool Enclosures," to read as follows:

"**Sec. 43A-3.1. INCORPORATION OF HEALTH AND SAFETY CODE REGULATIONS FOR MULTIUNIT POOL ENCLOSURES.**

The provisions of Texas Health and Safety Code Chapter 757, as amended, apply and supersede any regulations in this chapter for pools owned, controlled, or maintained by the owner or manager of a multiunit rental complex or by a property owner's association and for doors and windows of rental dwellings opening into the pool yard of a multiunit rental complex or condominium, cooperative, or town home project."

SECTION 5. That Subsection (e) of Section 43A-6, "Depth and Slope; Depth Markings," of Article II, "Pool Design and Construction," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"(e) Depth of water must be marked at or above the water surface on the vertical pool wall or on the edge of the deck next to the pool, at maximum and minimum depth points, at points of break between deep and shallow areas, and at intermediate increments of depth, spaced at not more than 25 foot intervals around the entire perimeter of the pool. Depth markings and additional signage for pools must be consistent with the requirements in Texas Administrative Code Title 25, Chapter 265, Subsections 265.199(c)-(f), as amended. [~~Markings must be in numerals of a minimum height of four inches and in a color contrasting with the background.~~] Depth markers are not required for private pools."

SECTION 6. That Section 43A-9, "Steps, Ladders, and Towers," of Article II, "Pool Design and Construction," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended by adding a new Subsection (e) to read as follows:

"(e) Handrails, ladders, steps, seat ledges, and coping must also comply with the standards for pool safety in Texas Administrative Code Title 25, Part 1, Subchapter L, Chapter 265, Subsection 199(a), as amended."

SECTION 7. That Subsection (c) of Section 43A-11, "Deck Area; Pool Enclosure; Spectator Separation," of Article II, "Pool Design and Construction," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"(c) The pool enclosure must comply with requirements of the Dallas Building Code and Texas Administrative Code Title 25, Part 1, Subchapter L, Chapter 265, Section 200, as amended."

SECTION 8. That Section 43A-15, "Lighting," of Article II, "Pool Design and Construction," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended by adding Subsection (c) to read as follows:

"(c) Deck and underwater lighting must also comply with the standards in Texas Administrative Code Title 25, Part 1, Subchapter L, Chapter 265, Subsection 265.199(k), as amended."

SECTION 9. That Section 43A-16, "Toilet Facilities," of Article II, "Pool Design and Construction," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended by adding Subsection (c) to read as follows:

"(c) Dressing and toilet facilities at public and semi-public pools must comply with the standards in Texas Administrative Code Title 25, Part 1, Subchapter L, Chapter 265, Section 201, as amended."

SECTION 10. That Section 43A-19, "Operation of a Pool," Article III, "Maintenance and Operation of Swimming Pools," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"**SEC. 43A-19. OPERATION OF A POOL.**

(a) A manager of operations, a manager of premises on which a public or semi-public pool is located, or the owner of a public or semi-public pool shall not:

(1) knowingly permit a condition to exist that endangers the life, health, or safety of a swimmer or that violates a provision of this article;

(2) knowingly permit a person to swim in a pool who has skin abrasions, open sores, cuts, skin disease, eye disease, nasal or ear discharge, or communicable disease;

(3) [~~knowingly permit a person to carry glass within a pool area or enclosure;~~

~~(4)~~] knowingly allow dogs within a pool area or enclosure;

(4[~~5~~]) fail to post placards containing pool regulations and instructions in conspicuous places within a pool area or enclosure;

(5[~~6~~]) fail to maintain a pool in accordance with the standards of health and safety provided in Sections 43A-20 and 43A-21;

(6) knowingly violate or permit any person to violate the regulations relating to food, beverages, and trash containers in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Section 202, as amended; or

(7) knowingly violate or permit any person to violate the lifeguard training and personnel requirements in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsection 265.199(g), as amended.

(b) A manager of operations, a manager of premises on which a public or semi-public pool is located, and the owner of a public or semi-public pool must also comply with pool and spa standards in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsections 265.203(a)-(l), as amended."

SECTION 11. That Section 43A-20, "Quality of Water; Public and Semi-Public Pools," of Article III, "Maintenance and Operation of Swimming Pools," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"**SEC. 43A-20. QUALITY OF WATER; PUBLIC AND SEMI-PUBLIC POOLS.**

(a) Water quality. A manager of operations, a manager of premises on which a public or semi-public pool is located, and the owner of a public or semi-public pool must comply with the water quality standards in Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsection 265.204 and Figure 265.204(a), as amended. [~~Acidity-alkalinity. The water in a public or semi-public pool must be maintained in an alkaline condition so that the pH of the water is between 7.2 and 8.2.~~

~~(b) Clarity. The water in a public or semi-public pool must be sufficiently clear to permit a distinct view of the main drain from outside the pool.~~]

(b[~~c~~]) Disinfectant. In a public or semi-public pool disinfectant capable of killing bacteria and algae, but not harmful to humans, shall be added to the pool water through a continuous feed machine. If chlorine or bromine is used, a residual level shall be maintained consistent with the levels in Texas Administrative Code Title 25, Part 1, Chapter 265,

Subchapter L, Subsection 265.204 and Figure 265.204(a), as amended [~~of one part per million of chlorine, or greater~~].

(c[~~d~~]) Algae. A public or semi-public pool must be kept free of algae.

(d[~~e~~]) Circulation. The recirculation system of a public or semi-public pool must be in operation at all times.

(e[~~f~~]) Heating. Hot water must not enter a public or semi-public pool at a temperature exceeding 110 degrees Fahrenheit.

(f[~~g~~]) Level. Fresh water must be added to a public or semi-public pool at a rate that will keep the pool water at a level sufficient to allow skimming devices or overflow gutters to work properly.

(g[~~h~~]) Cleaning. The walls, floors, equipment, and appurtenant facilities of a public or semi-public pool must be maintained in a clean and sanitary condition at all times."

SECTION 12. That Section 43A-21, "Safety Equipment," of Article III, "Maintenance and Operation of Swimming Pools," of Chapter 43A, "Swimming Pools," of the Dallas City Code is amended to read as follows:

"**SEC. 43A-21. SAFETY EQUIPMENT**.

Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsection 265.199(b), Subsections 265.199(g)-(h), and (j), and Subsection 265.199(i)(1)(A)-(B), as amended, are hereby adopted and incorporated by reference into this chapter [~~The following safety equipment must be available for use at anytime a public or semi-public pool is open:~~

~~(1) a life pole or shepherd's crook pole capable of reaching each part of a pool; and~~

~~(2) a guard line separating the shallow portion from the deep portion of a pool at the break point depth~~]."

SECTION 13. That Article IV, "Spas," of Chapter 43A, "Swimming Pools," of the Dallas City Code is added to read as follows:

"**ARTICLE IV. SPAS.**

SEC. 43A-26. SPA SAFETY STANDARDS.

Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L, Subsection 265.205(f), as amended, is hereby adopted and incorporated by reference into this chapter."

SECTION 14. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 15. That Chapter 43A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 16. 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 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 D. BOWERS, Interim City Attorney

By_____
Assistant City Attorney

Passed_____

AGENDA ITEM # 8

KEY FOCUS AREA: E-Gov

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Communication and Information Services

CMO: Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize **(1)** the release of funds from Entap, Inc. for the acquisition and service contract for a budget preparation management system in the amount of $1,541,957; and **(2)** a one-year service contract for the implementation in the amount of $1,141,296, and a thirty-month service contract for cloud services and support in the amount of $400,661, for a budget preparation and management system - Oracle America, Inc., through the Department of Information Resources, State of Texas Cooperative - Not to exceed $1,541,957 - Financing: Municipal Lease Agreement Funds ($784,012) and Current Funds ($757,945) (subject to annual appropriations)

BACKGROUND

This contract will provide the installation of a budget preparation management system and a subscription agreement for cloud services, which includes upgrades and support. The new budget preparation management system will allow for the integration of multiple applications to provide one centralized tool utilized by City staff for the development of the annual budget. Some additional advantages of the system include:

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

Currently, the City utilizes several different applications and manual processes to develop the annual budget, generate annual budget books, record and track performance measures and monitor the adopted budget. All of these tasks are accomplished with no integration between the various applications, including the financial and human resource systems. The implementation of the new budget preparation management system will provide a single application for the development and monitoring of the City's budget.

BACKGROUND (continued)

On March 25, 2015, a five-year service contract valued at $2,292,719 was awarded to Entap, Inc. for the acquisition, maintenance and support of a Hyperion (an Oracle product) budget preparation management system. To continue performance while resolving a contract dispute, the City is awarding a service contract to Oracle for the implementation and support of the Hyperion system.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

Information about this item will be provided to the Budget, Finance and Audit Committee on May 16, 2016.

FISCAL INFORMATION

$784,012.12 - Municipal Lease Agreement Funds
$757,944.79 - Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Oracle America, Inc.

White Male	206	White Female	79
Black Male	11	Black Female	12
Hispanic Male	10	Hispanic Female	8
Other Male	84	Other Female	12

OWNER

Oracle America, Inc.

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

May 25, 2016

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

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to release funds from Entap, Inc. for the acquisition and service contract for a budget preparation management system in the amount of $1,541,956.91 and execute a one-year service contract for the implementation in the amount of $1,141,296.00, and a thirty-month service contract for cloud services and support in the amount of $400,660.91 with Oracle America, Inc. (500311) through the Department of Information Resources, State of Texas Cooperative in a total amount not to exceed $1,541,956.91, after it has been approved as to form by the City Attorney.

Section 2. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,541,956.91 (subject to annual appropriations) from Service Contract number MASC DSV19BDGTPREP.

FUND	DEPT	UNIT	OBJ	AMOUNT	FY
ML13	DSV	E327	3070	$784,012.12	2016
0198	DSV	1665	3070	$357,283.88	2016
0198	DSV	1665	3099	$37,507.50	2016
0198	DSV	1665	3099	$150,030.00	2017
0198	DSV	1665	3099	$150,030.00	2018
0198	DSV	1665	3099	$63,093.41	2019

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

AGENDA ITEM # 9

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 4, 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 65E K M V 66K N S

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Camden Homes, LLC for the construction of affordable houses; **(2)** the sale of 18 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Camden Homes, LLC; and **(3)** execution of a release of lien for any non-tax liens on the 18 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor 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 developments. The City Council then established 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 on January 28, 2004.

Camden Homes, LLC has submitted a proposal and development plan to DHADC for 18 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 18 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Camden Homes, LLC to DHADC, the sale of those lots from DHADC to Camden Homes, LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Camden Homes, LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Camden Homes, LLC and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Camden Homes, LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,200 to 2,100 square feet and from $110,000 to $150,000. The lots will be deed restricted for sale to low income families.

DHADC will receive $90,000.00 for the sales price of the vacant lots to Camden Homes, LLC, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council established 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 September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On April 21, 2016, the DHADC board of directors approved the development plan and sale of 18 lots from DHADC to Camden Homes, LLC.

Information about this item will be provided to the Housing Committee on May 16, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Camden Homes, LLC

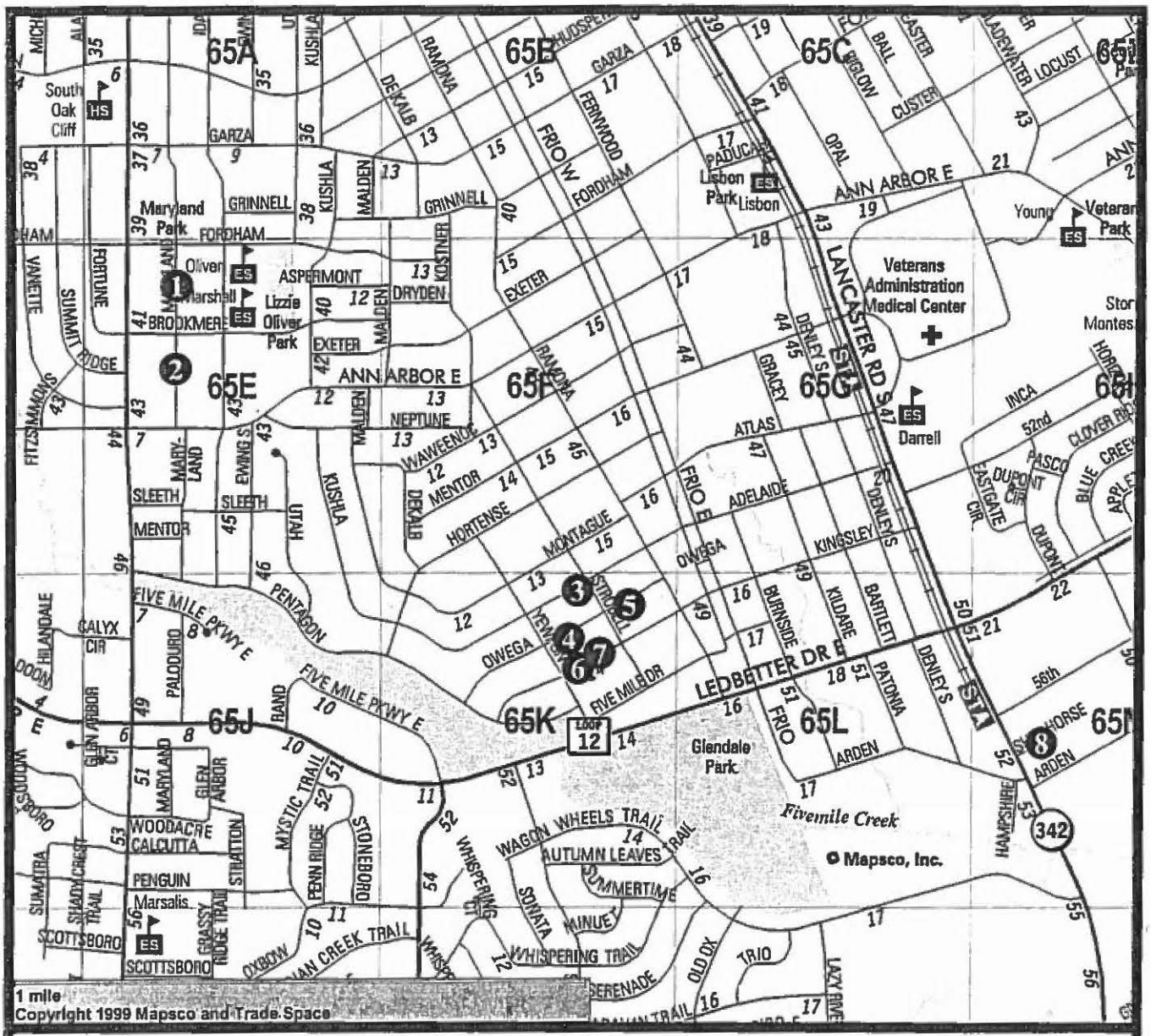
M. T. Akhavizadeh, Director

MAP

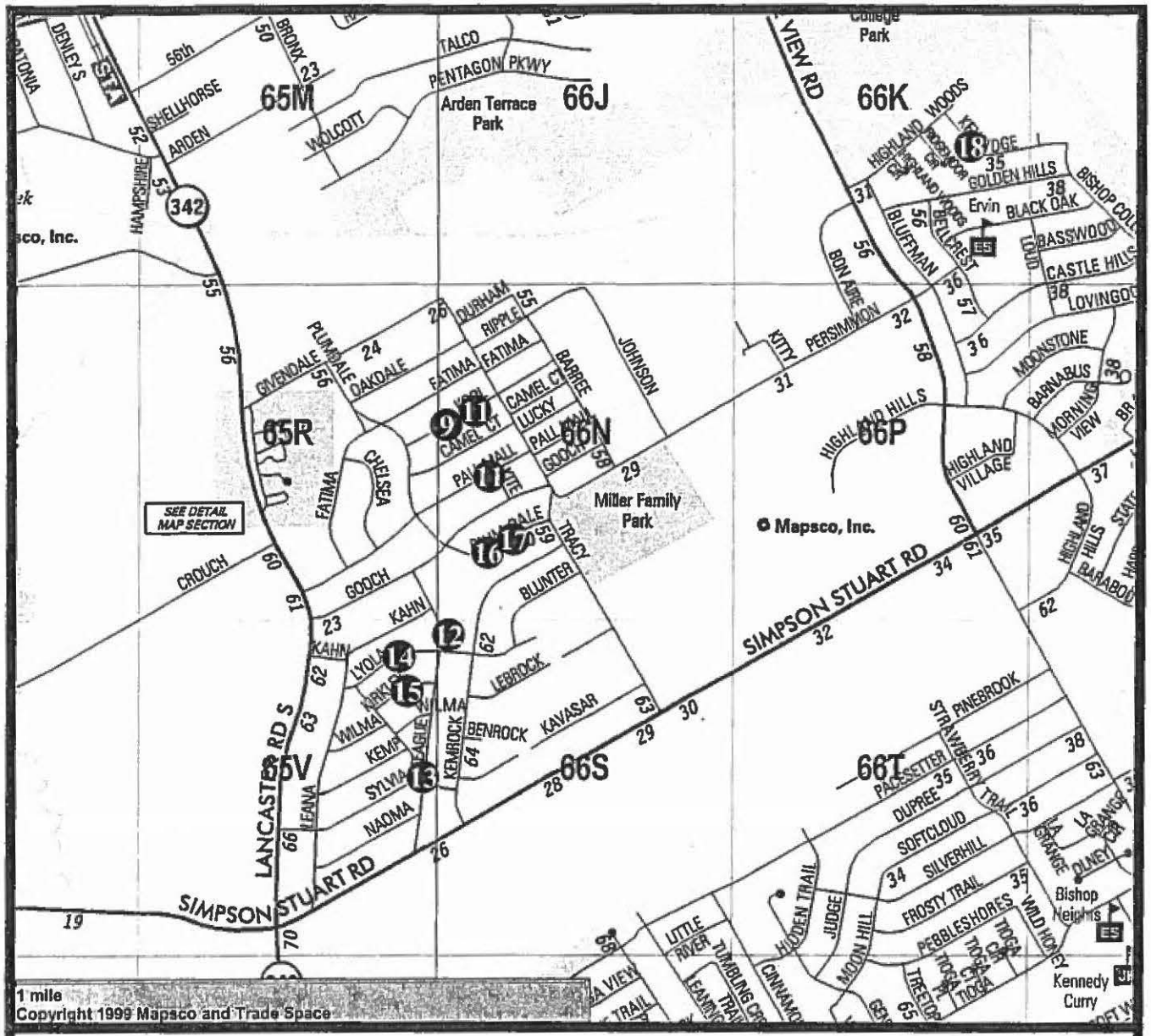
Attached

Land Bank (DHADC) Sale of Lots to Camden Homes, LLC

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4030 Maryland	65E	4	$12,266.14
2. 4250 Maryland	65E	4	$18,125.64
3. 1439 Adelaide	65K	4	$ 3,964.36
4. 1418 Owega	65K	4	$21,639.88
5. 1510 Owega	65K	4	$15,563.89
6. 1507 Kingsley	65K	4	$ 8,473.44
7. 1511 Kingsley	65K	4	$12,221.03
8. 2130 Shellhorse	65M	8	$14,666.79
9. 2517 Kool	66N	8	$ 7,608.53
10. 2631 Kool	66N	8	$ 6,585.65
11. 2656 Pall Mall	66N	8	$11,203.99
12. 6214 Teague	66S	8	$ 9,593.04
13. 6510 Teague	66V	8	$ 9,040.64
14. 2441 Lyola	66V	8	$ 9,343.09
15. 2517 Kirkley	66V	8	$ 3,523.75
16. 6043 Plum Dale	66N	8	$ 9,079.92
17. 6047 Plum Dale	66N	8	$ 8,228.98
18. 3508 Keyridge	66K	8	$ 6,924.67



Property Address	Mapsco	Council District
1. 4030 Maryland	65E	4
2. 4250 Maryland	65E	4
3. 1439 Adelaide	65K	4
4. 1418 Owega	65K	4
5. 1510 Owega	65K	4
6. 1507 Kingsley	65K	4
7. 1511 Kingsley	65K	4
8. 2130 Shellhorse	65M	8



Property Address	Mapsco	Council District
9. 2517 Kool	66N	8
10. 2631 Kool	66N	8
11. 2656 Pall Mall	66N	8
12. 6214 Teague	66S	8
13. 6510 Teague	65V	8
14. 2441 Lyola	65V	8
15. 2517 Kirkley	65V	8
16. 6043 Plum Dale	66N	8
17. 6047 Plum Dale	66N	8
18. 3508 Keyridge	66K	8

May 25, 2016

WHEREAS, on January 28, 2004, City Council established 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, Camden Homes, LLC submitted a proposal and development plan to DHADC for 18 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Camden Homes, LLC and authorize the sale of the said 18 lots from DHADC to Camden Homes, LLC to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Camden Homes, LLC and the sale of 18 lots shown on Exhibit "A" from DHADC to Camden Homes, LLC is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**4030 Maryland** Lot 7, Green Acres Addition No. 2 Block E/6005	Camden Homes, LLC	1	$5,000.00
2	**4250 Maryland** Lot 11, Green Acres Addition No. 2 Block D/6005	Camden Homes, LLC	1	$5,000.00
3	**1439 Adelaide** Lot 9, Glendale Park Addition Block 7/4348	Camden Homes, LLC	1	$5,000.00
4	**1418 Owega** Lot 5, Glendale Park Addition Block 9/4350	Camden Homes, LLC	1	$5,000.00
5	**1510 Owega** Lot C, Glendale Acres Addition Block 2/4343	Camden Homes, LLC	1	$5,000.00
6	**1507 Kingsley** Part of Lot 3, Glendale Acres Addition Block 2/4343	Camden Homes, LLC	1	$5,000.00
7	**1511 Kingsley** Part of Lot 3, Glendale Acres Addition Block 2/4343	Camden Homes, LLC	1	$5,000.00
8	**2130 Shellhorse** Lot N Block 3/5839	Camden Homes, LLC	1	$5,000.00
9	**2517 Kool** Lot 6, Carver Heights Addition No. 1 Block 9/6889	Camden Homes, LLC	1	$5,000.00
10	**2631 Kool** Lot 19, Carver Heights Addition No. 1 Block 9/6889	Camden Homes, LLC	1	$5,000.00
TOTAL				**$50,000.00**

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
11	**2656 Pall Mall** Lot 18, Carver Heights Addition Block 5/6889	Camden Homes, LLC	1	$5,000.00
12	**6214 Teague** Lot 4, Alameda Heights Addition No. 1 Block 16/6887	Camden Homes, LLC	1	$5,000.00
13	**6510 Teague** Lot 1, Alameda Heights Addition Block 5/6887	Camden Homes, LLC	1	$5,000.00
14	**2441 Lyola** Lot 7, Alameda Heights Addition Block 14/6887	Camden Homes, LLC	1	$5,000.00
15	**2517 Kirkley** West 40 Feet of Lot 16, Alameda Heights Addition Block 13/6887	Camden Homes, LLC	1	$5,000.00
16	**6043 Plum Dale** Lot 11, Carver Heights Addition No. 1 Block 3/6889	Camden Homes, LLC	1	$5,000.00
17	**6047 Plum Dale** Lot 12, Carver Heights Addition No. 1 Block 3/6889	Camden Homes, LLC	1	$5,000.00
18	**3508 Keyridge** Lot 6, Highland Woods No. 2 Addition Block 18/6866	Camden Homes, LLC	1	$5,000.00
TOTAL				**$40,000.00**
GRAND TOTAL				**$90,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 18

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

see attached

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built _____
Square Footage range of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages ____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price range without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built 9
Square Footage range of each home 1,200 - 1,700
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 0-2 Number of Carports ____ Detached ____ Attached
Type of Exterior Veneer Brick/Siding Which sides _____
Your Sales Price range without Subsidies to Qualified Low Income Buyer $110K - $140K

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built 9
Square Footage range of each home 1,600 - 2,100
Number of Bedrooms/Baths in each home 4 / 2
Number of Garages 0-2 Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Brick/Siding Which sides _____
Your Sales Price range without Subsidies to Qualified Low Income Buyer $115K - $150K

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Start of Construction: 180 days after receiving the deed to the property

Completion of Construction: 90 days after start of construction

Sale of first affordable housing unit to low income household: 120 days after completion of construction

Sale of last affordable unit to low income households: TBD days after completion of first house

4030 MARYLAND	Dallas	Texas	Camden Homes	1
4250 MARYLAND	Dallas	Texas	Camden Homes	2
1439 ADELAIDE	Dallas	Texas	Camden Homes	3
1418 OWEGA	Dallas	Texas	Camden Homes	4
1510 OWEGA	Dallas	Texas	Camden Homes	5
1507 KINGSLEY	Dallas	Texas	Camden Homes	6
1511 KINGSLEY	Dallas	Texas	Camden Homes	7
2130 SHELLHORSE	Dallas	Texas	Camden Homes	8
2517 KOOL	Dallas	Texas	Camden Homes	9
2631 KOOL	Dallas	Texas	Camden Homes	10
2656 PALL MALL	Dallas	Texas	Camden Homes	11
6214 TEAGUE	Dallas	Texas	Camden Homes	12
6510 TEAGUE	Dallas	Texas	Camden Homes	13
2441 LYOLA	Dallas	Texas	Camden Homes	14
2517 KIRKLEY	Dallas	Texas	Camden Homes	15
6043 PLUM DALE	Dallas	Texas	Camden Homes	16
6047 PLUM DALE	Dallas	Texas	Camden Homes	17
3508 KEYRIDGE	Dallas	Texas	Camden Homes	18

AGENDA ITEM # 10

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 3, 4, 5, 6

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 43J K 55P 57Q V 64U

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Confia Homes, L.L.C. for the construction of affordable houses; **(2)** the sale of 11 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Confia Homes, L.L.C.; and **(3)** execution of a release of lien for any non-tax liens on the 11 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor 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 developments. The City Council then established 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 on January 28, 2004.

Confia Homes, L.L.C. has submitted a proposal and development plan to DHADC for 11 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 11 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Confia Homes, L.L.C. to DHADC, the sale of those lots from DHADC to Confia Homes, L.L.C. and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Confia Homes, L.L.C. will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Confia Homes, L.L.C. and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Confia Homes, L.L.C. will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,300 to 1,400 square feet and from $90,000 to $115,000. The lots will be deed restricted for sale to low income families.

DHADC will receive $55,000.00 for the sales price of the vacant lots to Confia Homes, L.L.C., as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council established 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 September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On April 21, 2016, the DHADC board of directors approved the development plan and sale of 11 lots from DHADC to Confia Homes, L.L.C.

Information about this item will be provided to the Housing Committee on May 16, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Confia Homes, L.L.C.

RobertsCarrillo Management, Inc., Manager

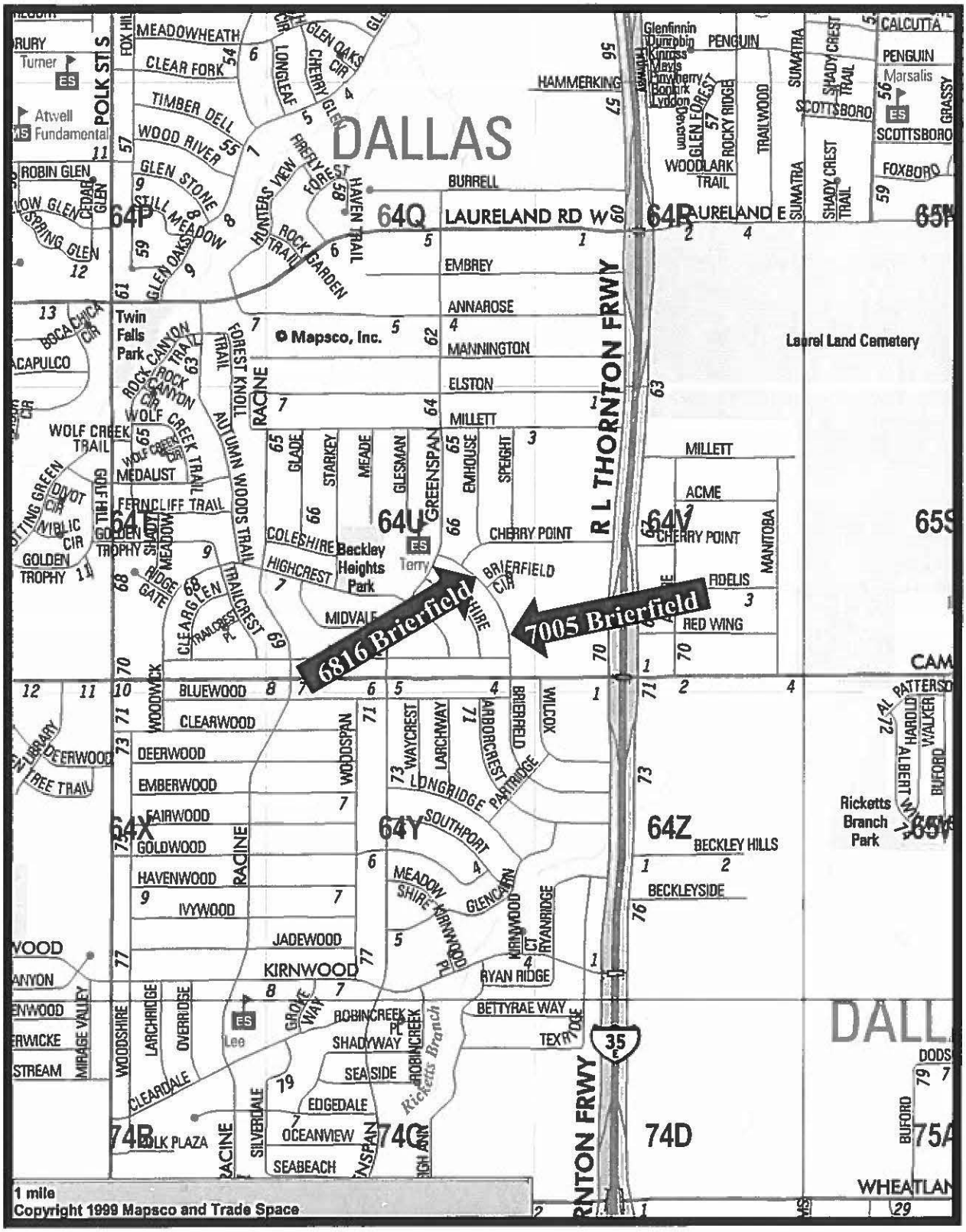
Kenneth E. Roberts, Chief Operating Officer
Ricardo Alonso-Carrillo, President

MAP

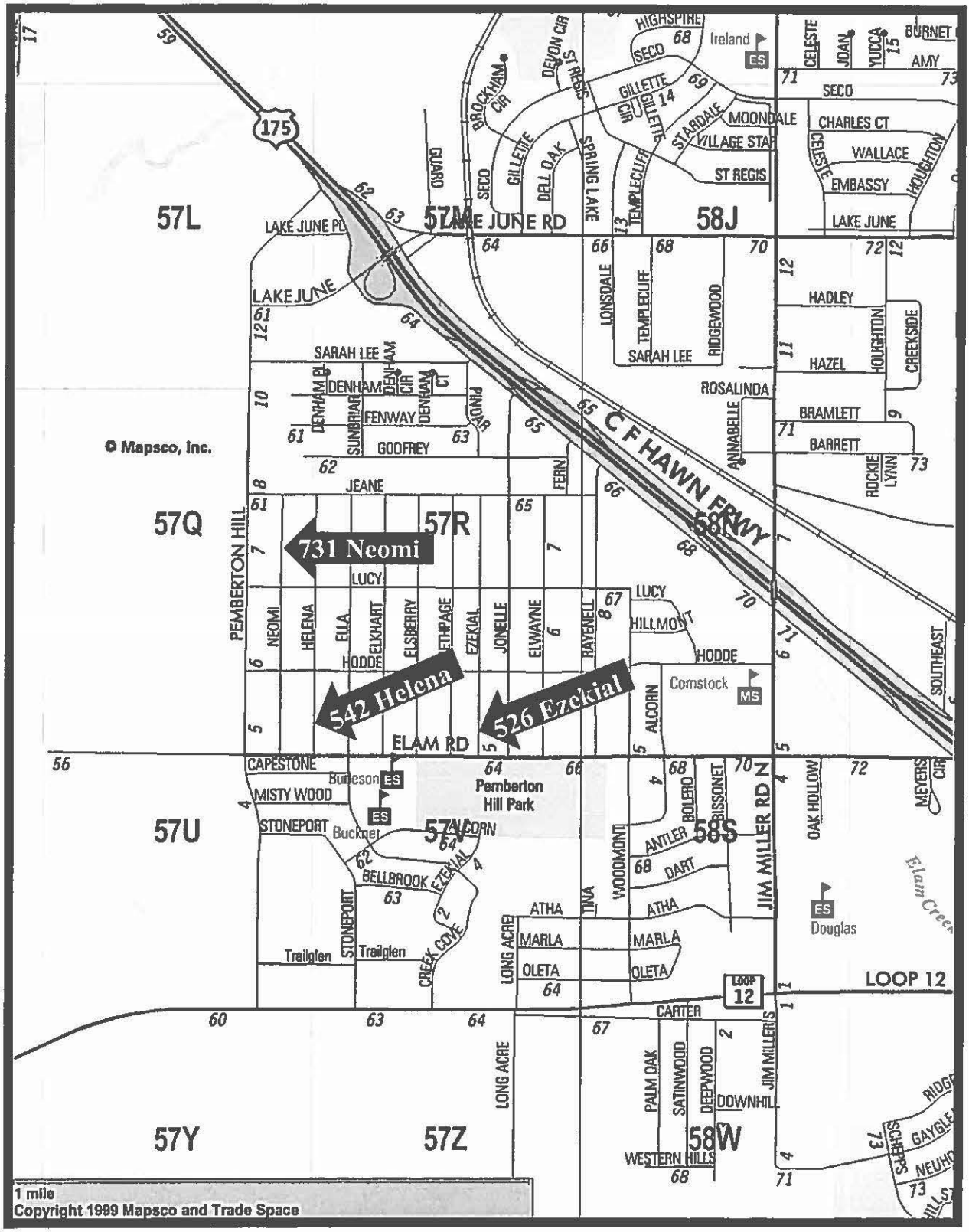
Attached

Land Bank (DHADC) Sale of Lots to
Confia Homes, L.L.C.

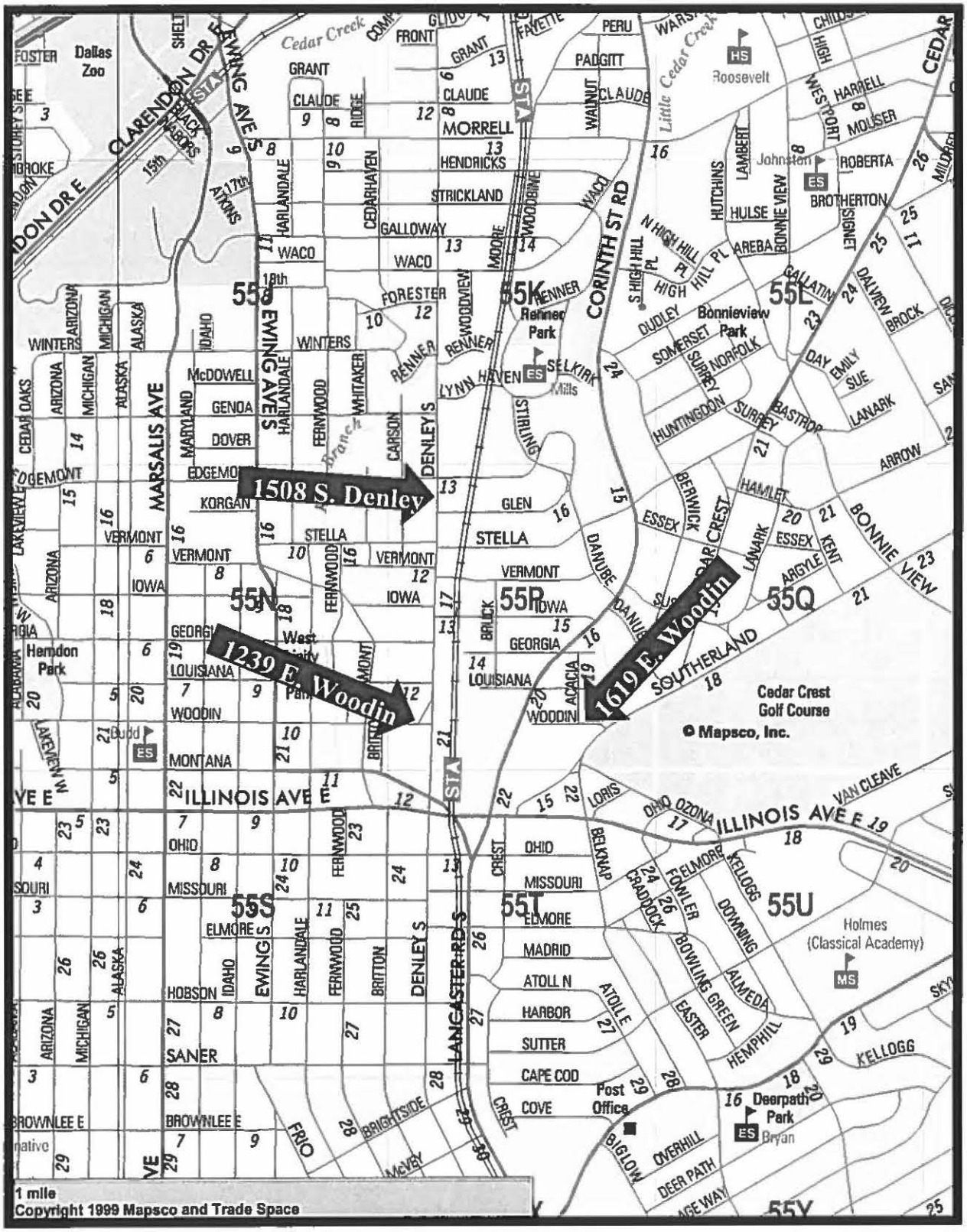
Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 7005 Brierfield	64U	3	$14,703.00
2. 6816 Brierfield	64U	3	$ 9,939.69
3. 731 Neomi	57Q	5	$ 4,758.00
4. 526 Ezekial	57V	5	$20,464.00
5. 542 Helena	57V	5	$ 8,171.00
6. 1239 E. Woodin	55P	4	$18,430.49
7. 1508 S. Denley	55P	4	$ 5,068.87
8. 1619 E. Woodin	55P	4	$ 9,669.33
9. 3529 Nomas	43K	6	$14,668.65
10. 3715 Nomas	43J	6	$ 7,234.32
11. 3718 Nomas	43J	6	$17,189.69


DALLAS
6816 Brierfield
7005 Brierfield
LAURELAND RD W
LAURELAND E
R L THORNTON FRWY
Laurel Land Cemetery
Mapsco, Inc.
Beckley Heights Park
Ricketts Branch Park
Twin Falls Park
Atwell Fundamental
Turner
Marsalis
Lee
Terry
64P
64Q
64R
64U
64V
64X
64Y
64Z
74B
74C
74D
65S
65W
75A
1 mile
Copyright 1999 Mapsco and Trade Space

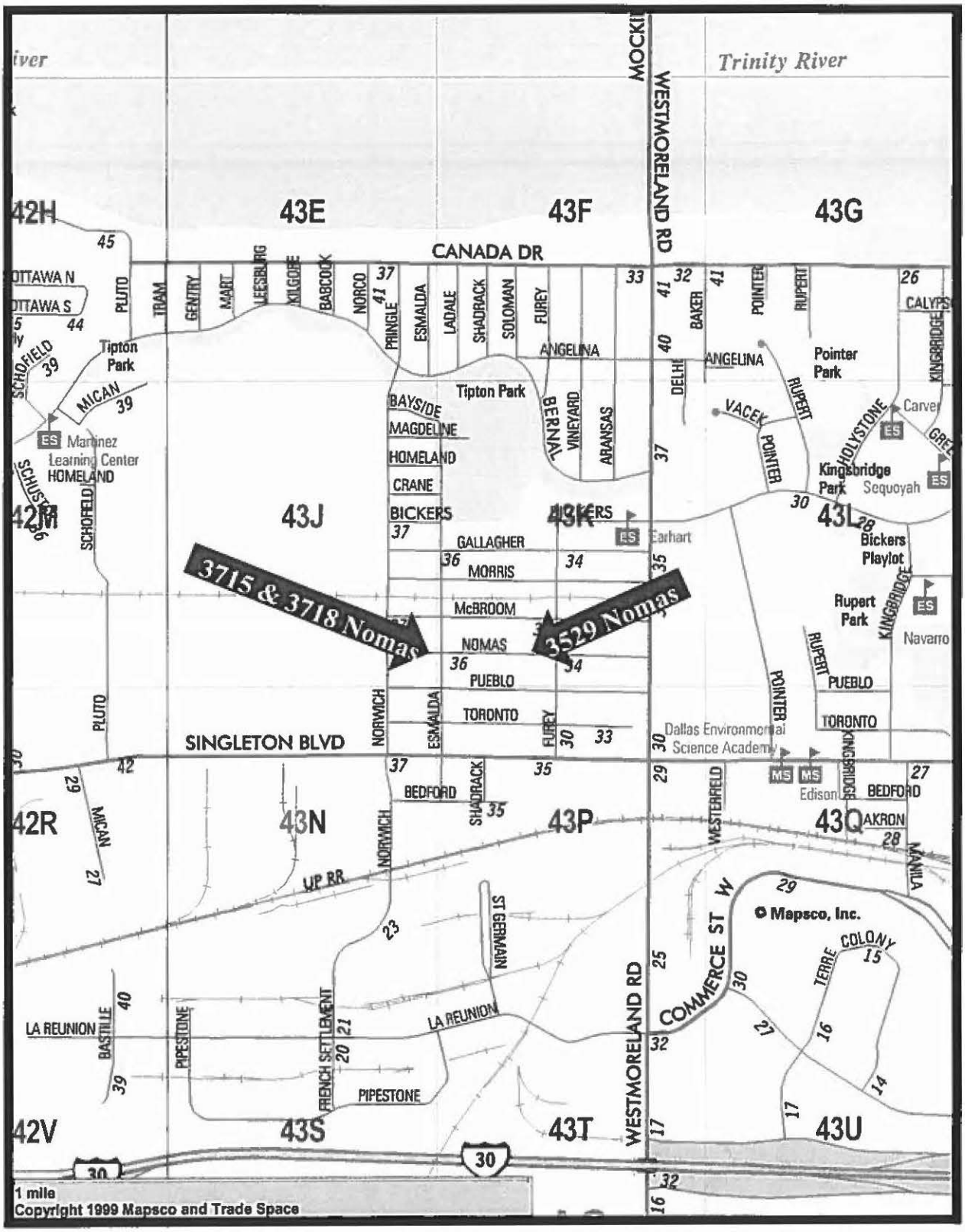
MAPSCO 64U



MAPSCO 57Q & 57V


1508 S. Denley
1239 E. Woodin
1619 E. Woodin
55J
55K
55L
55N
55P
55Q
55S
55T
55U
55Y
Cedar Crest Golf Course
© Mapsco, Inc.
Dallas Zoo
Roosevelt
Johnston
Renner Park
Bonnieview Park
Hemdon Park
Holmes (Classical Academy)
Post Office
Deerpath Park
Bryan
Cedar Creek
Little Cedar Creek
CLARENDON DR E
EWING AVE S
MARSALIS AVE
DENLEY S
CORINTH ST RD
ILLINOIS AVE E
LANCASTER RD S
BONNIE VIEW
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 55P



MAPSCO 43J & 43K

May 25, 2016

WHEREAS, on January 28, 2004, City Council established 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, Confia Homes, L.L.C. submitted a proposal and development plan to DHADC for 11 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Confia Homes, L.L.C. and authorize the sale of the said 11 lots from DHADC to Confia Homes, L.L.C. to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Confia Homes, L.L.C. and the sale of 11 lots shown on Exhibit "A" from DHADC to Confia Homes, L.L.C. is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**7005 Brierfield** Lot 17, Oakland Hills Addition, 1st Section Block E/6637	Confia Homes, L.L.C.	1	$5,000.00
2	**6816 Brierfield** Lot 26, Oakland Hills, 1st Addition Block D/6637	Confia Homes, L.L.C.	1	$5,000.00
3	**731 Neomi** Lot 29 & North 6 Feet of Lot 30, Home Gardens No. 3 Addition Block E/6256	Confia Homes, L.L.C.	1	$5,000.00
4	**526 Ezekial** Lot 10, Home Gardens No. 3 Addition Block 28/6256	Confia Homes, L.L.C.	1	$5,000.00
5	**542 Helena** Lot 6, Home Gardens No. 3 Addition Block W/6256	Confia Homes, L.L.C.	1	$5,000.00
6	**1239 E. Woodin** Lot 13, Trinity Heights Addition No. 3 Block 37/3709	Confia Homes, L.L.C.	1	$5,000.00
7	**1508 S. Denley** Lot 3, Edgemont Addition Block 6/3566	Confia Homes, L.L.C.	1	$5,000.00
8	**1619 E. Woodin** Lot 10, Trinity Heights Addition No. 3 Block 55/3729	Confia Homes, L.L.C.	1	$5,000.00
9	**3529 Nomas** Lot 8, Westmoreland Park Addition Block 9/7144	Confia Homes, L.L.C.	1	$5,000.00
10	**3715 Nomas** Middle 40 Feet of Lot 2, Eagle Ford Gardens Addition Block G/7152	Confia Homes, L.L.C.	1	$5,000.00
11	**3718 Nomas** West 40 Feet of Lot 7, Eagle Ford Gardens Addition Block F/7152	Confia Homes, L.L.C.	1	$5,000.00
TOTAL				**$55,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 11

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

See property list.

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 3
Square Footage of each home 1300 - 1400
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer Brick/Siding Which sides Brick - FS / Siding - R
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 90K - 115K

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 5
Square Footage of each home 1300 - 1400
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer Brick/Siding Which sides Brick - FS / Siding - R
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 90K - 115K

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 3
Square Footage of each home 1300 - 1400
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer Brick/Siding Which sides Brick - FS / Siding - R
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 90K - 115K

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 30 days
Completion of Construction 120 days
Sale of first affordable housing unit to low income households 30 days
Sale of last affordable unit to low income households 120 days

Proposed Lot Acquisition List for Confia Homes, LLC

	Street #	Address
	7005	BRIERFIELD
	6816	BRIERFIELD
	731	NEOMI
	526	EZEKIAL
	542	HELENA
	1239	E. WOODIN
	1508	S. DENLEY
	1619	E. WOODIN
	3529	NOMAS
	3715	NOMAS
	3718	NOMAS

AGENDA ITEM # 11

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 4, 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 55S Z 56S 65B D F G M 66E J K

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Cooper Homes, Inc. for the construction of affordable houses; **(2)** the sale of 17 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Cooper Homes, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 17 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor 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 developments. The City Council then established 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 on January 28, 2004.

Cooper Homes, Inc. has submitted a proposal and development plan to DHADC for 17 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 17 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Cooper Homes, Inc. to DHADC, the sale of those lots from DHADC to Cooper Homes, Inc. and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Cooper Homes, Inc. will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Cooper Homes, Inc. and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Cooper Homes, Inc. will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,200 to 1,500 square feet and from $120,000 to $150,000. The lots will be deed restricted for sale to low income families.

DHADC will receive $95,000.00 for the sales price of the vacant lots to Cooper Homes, Inc., as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council established 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 September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On April 21, 2016, the DHADC board of directors approved the development plan and sale of 17 lots from DHADC to Cooper Homes, Inc.

Information about this item will be provided to the Housing Committee on May 16, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Cooper Homes, Inc.

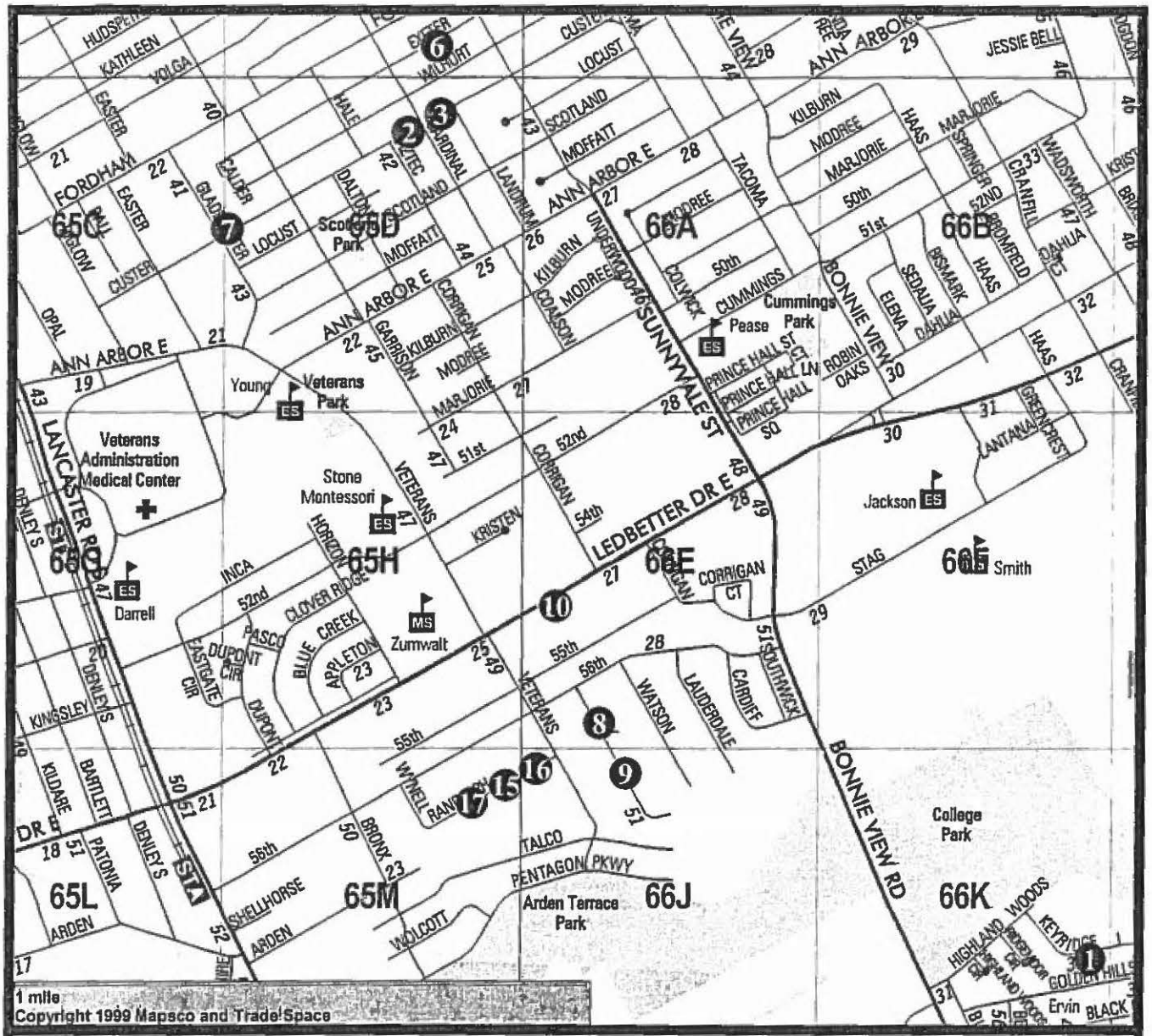
Simmie Cooper, President

MAP

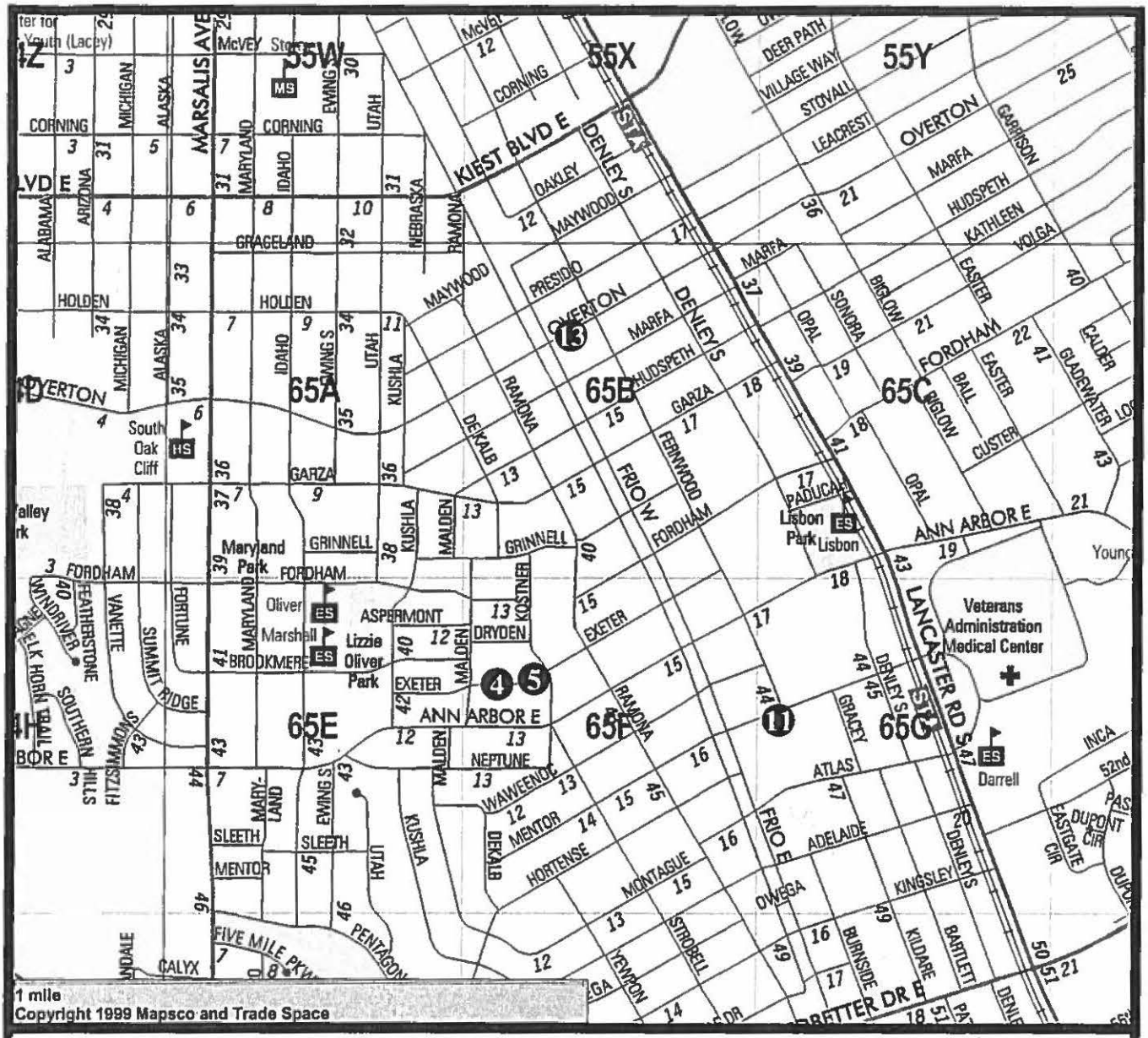
Attached

Land Bank (DHADC) Sale of Lots to Cooper Homes, Inc.

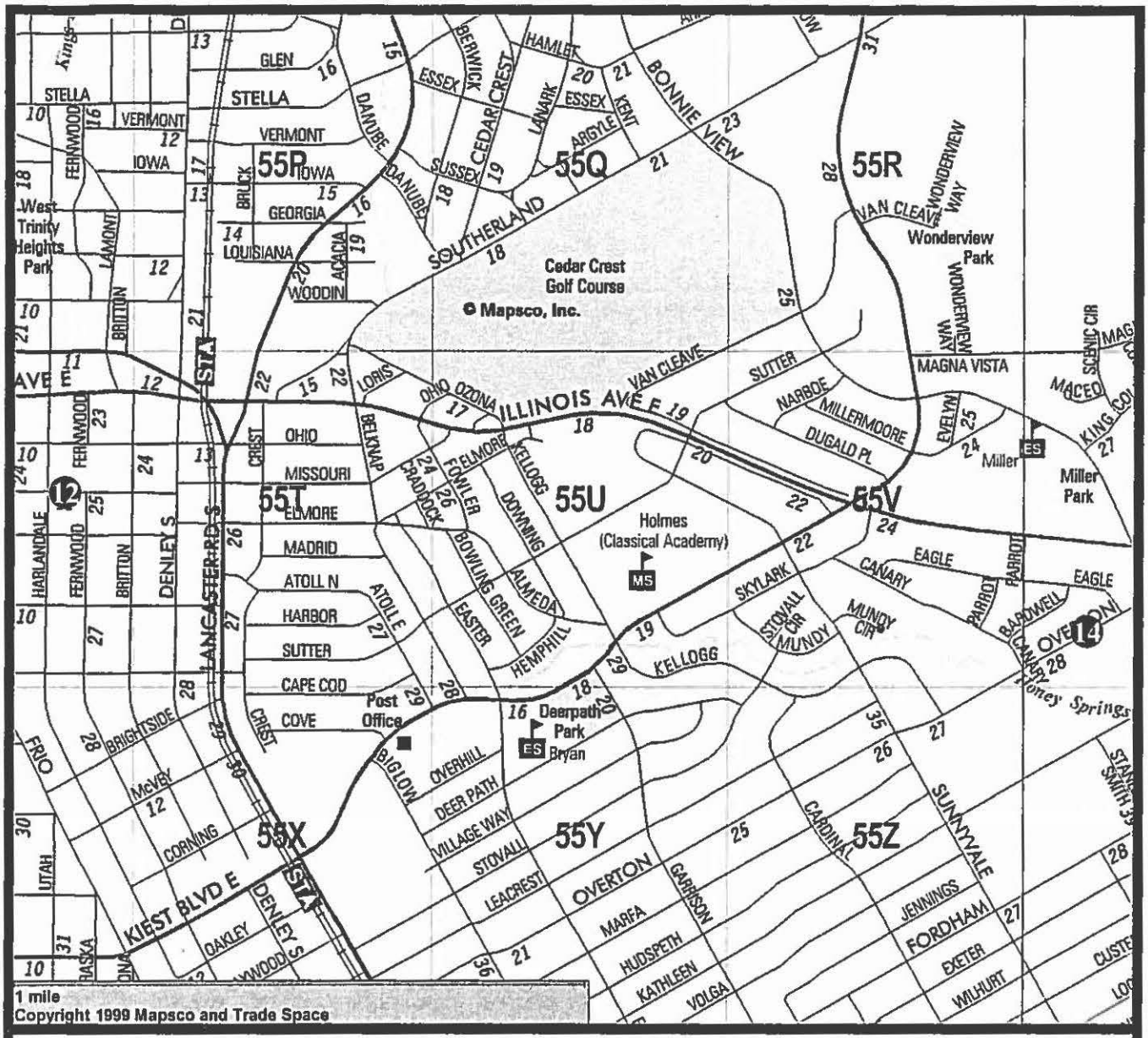
Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 3515 Keyridge	66K	8	$11,788.15
2. 2543 Custer	65D	4	$16,193.24
3. 2656 Custer	65D	4	$ 2,521.28
4. 1318 Exeter	65F	4	$20,826.93
5. 1349 Exeter	65F	4	$15,438.19
6. 2631 Exeter	55Z	4	$ 2,424.82
7. 4170 Gladewater	65D	4	$ 6,809.11
8. 5035 Ivy	66E	8	$ 5,954.36
9. 5103 Ivy	66J	8	$11,174.98
10. 2605 E. Ledbetter	66E	4	$ 1,334.72
11. 1734 Mentor	65G	4	$19,538.74
12. 1143 E. Missouri	55S	4	$ 6,953.19
13. 1623 E. Overton	65B	4	$16,778.11
14. 2835 E. Overton	56S	4	$30,154.63
15. 2519 Randolph	65M	8	$ 7,471.23
16. 2551 Randolph	66J	8	$ 8,108.48
17. 2453 Randolph	65M	8	$13,478.78



Property Address	Mapsco	Council District
1. 3515 Keyridge	66K	8
2. 2543 Custer	65D	4
3. 2656 Custer	65D	4
6. 2631 Exeter	55Z	4
7. 4170 Gladewater	65D	4
8. 5035 Ivy	66E	8
9. 5103 Ivy	66J	8
10. 2605 E. Ledbetter	66E	4
15. 2519 Randolph	65M	8
16. 2551 Randolph	66J	8
17. 2453 Randolph	65M	8



Property Address	Mapsco	Council District
4. 1318 Exeter	65F	4
5. 1349 Exeter	65F	4
11. 1734 Mentor	65G	4
13. 1623 E. Overton	65B	4



Property Address	Mapsco	Council District
12. 1143 E. Missouri	55S	4
14. 2835 E. Overton	56S	4

May 25, 2016

WHEREAS, on January 28, 2004, City Council established 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, Cooper Homes, Inc. submitted a proposal and development plan to DHADC for 17 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Cooper Homes, Inc. and authorize the sale of the said 17 lots from DHADC to Cooper Homes, Inc. to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Cooper Homes, Inc. and the sale of 17 lots shown on Exhibit "A" from DHADC to Cooper Homes, Inc. is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**3515 Keyridge** Lot 9, Highland Woods Subdivision No. 2 Addition Block 1/6865	Cooper Homes, Inc.	1	$5,000.00
2	**2543 Custer** Lot 22, Lisbon Heights Addition Block 5/5852	Cooper Homes, Inc.	1	$5,000.00
3	**2656 Custer** Lot 5, Southgate Annex No. 2 Addition Block 12/6081	Cooper Homes, Inc.	1	$5,000.00
4	**1318 Exeter** Lots 11 & 12, Belmeade Addition Block M/4870	Cooper Homes, Inc.	2	$10,000.00
5	**1349 Exeter** Lot 20-A of a Resubdivision of Part of Lot 19 and Lots 20 & 21, Belmeade Addition Block L/4869	Cooper Homes, Inc.	1	$5,000.00
6	**2631 Exeter** Lot 17, Lisbon Heights Addition Block 2/5852	Cooper Homes, Inc.	1	$5,000.00
7	**4170 Gladewater** Lot 6C, Oak Cliff Gardens Addition Block 4/5848	Cooper Homes, Inc.	1	$5,000.00
8	**5035 Ivy** North 53 Feet of Lot 5, Goldmine No. 3 Addition Block E/6855	Cooper Homes, Inc.	1	$5,000.00
9	**5103 Ivy** North 53 Feet of Lot 6, Goldmine No. 3 Addition Block E/6855	Cooper Homes, Inc.	1	$5,000.00
10	**1734 Mentor** Lot 11, Bellevue Addition Block 19/4315	Cooper Homes, Inc.	1	$5,000.00
TOTAL				**$55,000.00**

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
11	**1143 E. Missouri** Lot 5, Broadmoor Addition Block 27/4226	Cooper Homes, Inc.	1	$5,000.00
12	**1623 E. Overton** Lot 19, Liberty Heights Addition Block 19/4074	Cooper Homes, Inc.	1	$5,000.00
13	**2835 E. Overton** Lot 27, Honey Crest Heights Revision Addition Block H/6086	Cooper Homes, Inc.	1	$5,000.00
14	**2519 Randolph** West 50 Feet of Lot 19, Goldmine #2 Addition Block B/6854	Cooper Homes, Inc.	1	$5,000.00
15	**2551 Randolph** West 50 Feet of Lot 15, Goldmine 2nd Addition Block B/6854	Cooper Homes, Inc.	1	$5,000.00
16	**2453 Randolph** East 50 Feet of Lot 22, Goldmine No. 2 Addition Block B/6854	Cooper Homes, Inc.	1	$5,000.00
17	**2605 E. Ledbetter** Part of Lots 47, 48 & 49 Block 44/5845	Cooper Homes, Inc.	2	$10,000.00
TOTAL				**$40,000.00**
GRAND TOTAL				**$95,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 17

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

See attached

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built 4
Square Footage range of each home 1200 - 1500 sq ft.
Number of Bedrooms/Baths in each home 3-4 / 1-2
Number of Garages 0-2 Number of Carports ___ Detached ___ Attached X
Type of Exterior Veneer siding &/or Brick Which sides All sides
Your Sales Price range without Subsidies to Qualified Low Income Buyer $120,000 - $150,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built 12
Square Footage range of each home 1200 - 1500 sq ft.
Number of Bedrooms/Baths in each home 3-4 / 1-2
Number of Garages 0-2 Number of Carports ___ Detached ___ Attached X
Type of Exterior Veneer siding &or Brick Which sides All sides
Your Sales Price range without Subsidies to Qualified Low Income Buyer $120,000 $150,000

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built 1
Square Footage range of each home 1200 - 1500 sq ft
Number of Bedrooms/Baths in each home 3-4 / 1-2
Number of Garages 0-2 Number of Carports ___ Detached ___ Attached X
Type of Exterior Veneer siding /&or Brick Which sides All sides
Your Sales Price range without Subsidies to Qualified Low Income Buyer $120,000 $150,000

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Start of Construction: 180 days after receiving the deed to the property

Completion of Construction: 100 days after start of construction

Sale of first affordable housing unit to low income household: 120 days after completion of construction

Sale of last affordable unit to low income households: TBD days after completion of first house

3515 KEYRIDGE	Dallas	Texas	Cooper Homes	1
2543 CUSTER	Dallas	Texas	Cooper Homes	2
2656 CUSTER	Dallas	Texas	Cooper Homes	3
1318 EXETER	Dallas	Texas	Cooper Homes	4
1349 EXETER	Dallas	Texas	Cooper Homes	5
2631 EXETER	Dallas	Texas	Cooper Homes	6
4170 GLADEWATER	Dallas	Texas	Cooper Homes	7
5035 IVY	Dallas	Texas	Cooper Homes	8
5103 IVY	Dallas	Texas	Cooper Homes	9
2605 LEDBETTER, E.	Dallas	Texas	Cooper Homes	10
1734 MENTOR	Dallas	Texas	Cooper Homes	11
1143 MISSOURI, E.	Dallas	Texas	Cooper Homes	12
1623 OVERTON, E.	Dallas	Texas	Cooper Homes	13
2835 OVERTON, E.	Dallas	Texas	Cooper Homes	14
2519 RANDOLPH	Dallas	Texas	Cooper Homes	15
2551 RANDOLPH	Dallas	Texas	Cooper Homes	16
2453 RANDOLPH	Dallas	Texas	Cooper Homes	17

AGENDA ITEM # 12

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 65C

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Milton Semper for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Milton Semper; and **(3)** execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor 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 developments. The City Council then established 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 on January 28, 2004.

Milton Semper has submitted a proposal and development plan to DHADC for 2 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 2 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Milton Semper to DHADC, the sale of those lots from DHADC to Milton Semper and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Milton Semper will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Milton Semper and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Milton Semper will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,700 to 1,900 square feet and from $108,000 to $124,000. The lots will be deed restricted for sale to low income families.

DHADC will receive $10,000.00 for the sales price of the vacant lots to Milton Semper, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council established 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 September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On April 21, 2016, the DHADC board of directors approved the development plan and sale of 2 lots from DHADC to Milton Semper.

Information about this item will be provided to the Housing Committee on May 16, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

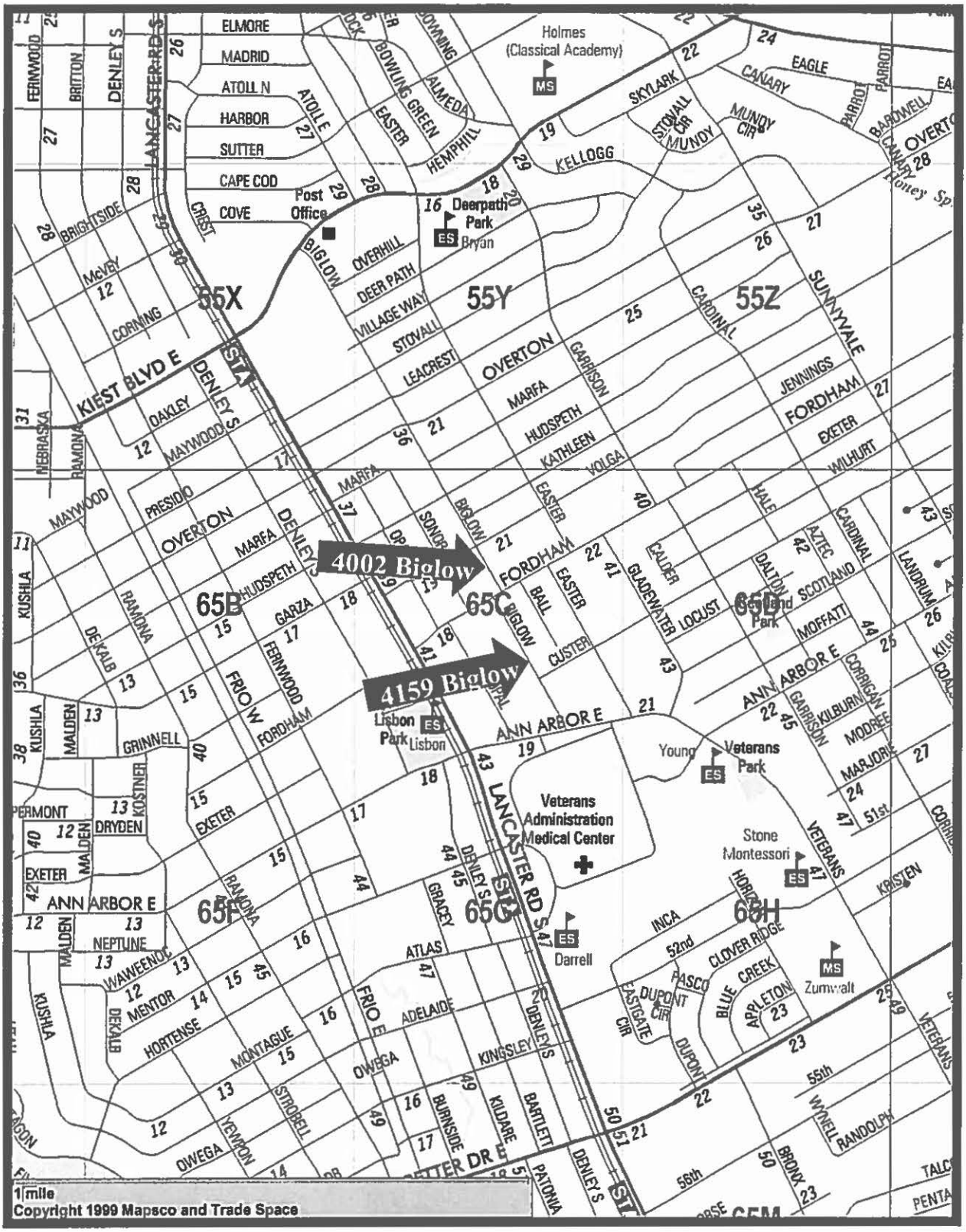
Milton Semper

MAP

Attached

Land Bank (DHADC) Sale of Lots to
Milton Semper

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4159 Biglow	65C	4	$14,179.80
2. 4002 Biglow	65C	4	$12,835.08


4002 Biglow
4159 Biglow
Holmes (Classical Academy)
Post Office
Deerpath Park
Bryan
Lisbon Park
Lisbon
Veterans Administration Medical Center
Young
Veterans Park
Stone Montessori
Darrell
Zumwalt
55X
55Y
55Z
65B
65C
65D
65F
65G
65H
KIEST BLVD E
LANCASTER RD S
ANN ARBOR E
OVERTON
FORDHAM
BIGLOW
DENLEY S
FRIO W
FRIO E
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 65C

May 25, 2016

WHEREAS, on January 28, 2004, City Council established 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, Milton Semper submitted a proposal and development plan to DHADC for 2 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Milton Semper and authorize the sale of the said 2 lots from DHADC to Milton Semper to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Milton Semper and the sale of 2 lots shown on Exhibit "A" from DHADC to Milton Semper is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**4159 Biglow** South 50 Feet of Lot 5, Oak Cliff Gardens Addition Block 1/4340 1/2	Milton Semper	1	$5,000.00
2	**4002 Biglow** Part of Lots 28, 29 & 30, Fordham Heights Addition Revised Block D/5854	Milton Semper	1	$5,000.00
TOTAL				**$10,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 2

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

4159 & 4002 Biglow

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages ____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 2
Square Footage of each home 1,700-1,900
Number of Bedrooms/Baths in each home 3/2
Number of Garages 2 Number of Carports 0 Detached ____ Attached X
Type of Exterior Veneer **Brick 80%** Which sides **ALL SIDES**
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer **108-124k**

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots _____
Square Footage of each home _____
Number of Bedrooms/Baths in each home _____ / _____
Number of Garages ____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer _____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer _____

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction **90 days**
Completion of Construction **180days**
Sale of first affordable housing unit to low income households **210days**
Sale of last affordable unit to low income households **280days**

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 45Z 46P S W X 56B

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Simply Custom for the construction of affordable houses; **(2)** the sale of 9 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Simply Custom; and **(3)** execution of a release of lien for any non-tax liens on the 9 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor 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 developments. The City Council then established 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 on January 28, 2004.

Simply Custom has submitted a proposal and development plan to DHADC for 9 lots shown on the attached list. The DHADC board of directors has approved the development plan and sale of the 9 lots, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Simply Custom to DHADC, the sale of those lots from DHADC to Simply Custom and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Simply Custom will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Simply Custom and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Simply Custom will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,200 to 1,900 square feet and from $120,000 to $180,000. The lots will be deed restricted for sale to low income families.

DHADC will receive $45,000.00 for the sales price of the vacant lots to Simply Custom, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2004, City Council established 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 September 21, 2015, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On April 21, 2016, the DHADC board of directors approved the development plan and sale of 9 lots from DHADC to Simply Custom.

Information about this item will be provided to the Housing Committee on May 16, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Simply Custom

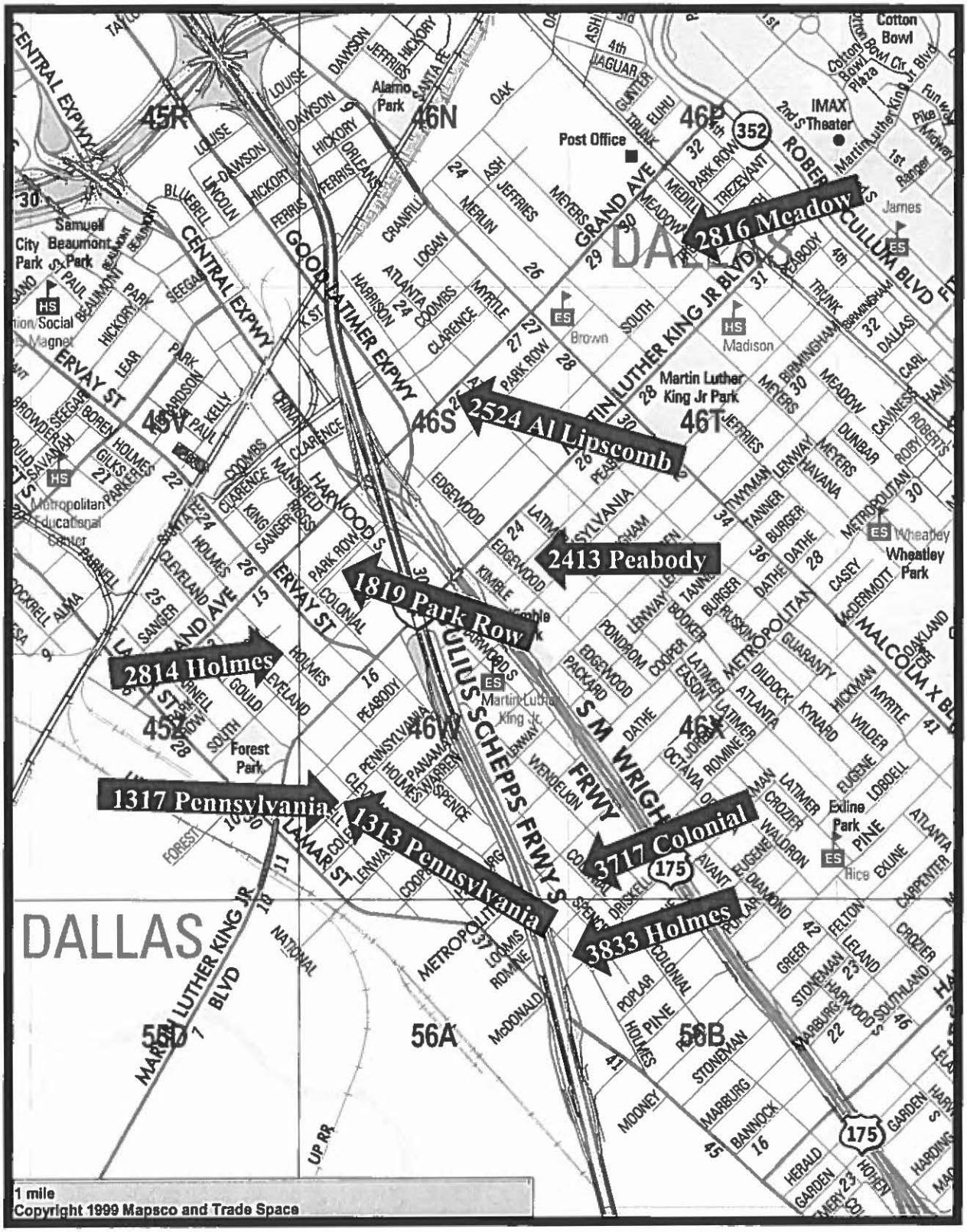
Kevin Brown, Partner
Jeannette Sneed, Partner

MAP

Attached

Land Bank (DHADC) Sale of Lots to Simply Custom

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 1819 Park Row	46S	7	$ 5,694.77
2. 2413 Peabody	46S	7	$ 22,334.72
3. 2816 Meadow	46P	7	$ 19,766.61
4. 3833 Holmes	56B	7	$105,410.64
5. 3717 Colonial	46X	7	$ 3,223.31
6. 2524 Al Lipscomb	46S	7	$ 12,683.91
7. 2814 Holmes	45Z	7	$ 3,879.80
8. 1313 Pennsylvania	46W	7	$ 25,574.72
9. 1317 Pennsylvania	46W	7	$ 48,922.25



45Z, 46P,S,W,X, 56B

May 25, 2016

WHEREAS, on January 28, 2004, City Council established 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, Simply Custom submitted a proposal and development plan to DHADC for 9 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Simply Custom and authorize the sale of the said 9 lots from DHADC to Simply Custom to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Simply Custom and the sale of 9 lots shown on Exhibit "A" from DHADC to Simply Custom is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a Deed without Warranty and releases of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**1819 Park Row** Lot 13, Edgewood Place Addition Block 1/1123	Simply Custom	1	$5,000.00
2	**2413 Peabody** Lots 25 & 26, South Park Addition Block 18/1296	Simply Custom	1	$5,000.00
3	**2816 Meadow** Southwest 1/2 of Lot 12, Bomar's Grand Avenue Addition Block A/1346	Simply Custom	1	$5,000.00
4	**3833 Holmes** Part of Lot 4, Mechanics Addition Part of Lot 1, Peterson's Addition Block A/1675 Block 1676	Simply Custom	1	$5,000.00
5	**3717 Colonial** Lot 16, Ervay Street Heights Addition Block 6/1209	Simply Custom	1	$5,000.00
6	**2524 Al Lipscomb (FKA Grand)** Lot 7, Edgewood Addition Block 3/1283	Simply Custom	1	$5,000.00
7	**2814 Holmes** Lot 4, Chestnut Hill Addition Block 4/1129	Simply Custom	1	$5,000.00
8	**1313 Pennsylvania** Lot 11, E.M. Kahn & Co. Employees Loan & Savings Association Addition Block D/1154	Simply Custom	1	$5,000.00
9	**1317 Pennsylvania** Lot 10 & West 10 Feet of Lot 9, E.M. Kahn & Co. Employees Loan & Savings Association Addition Block D/1154	Simply Custom	1	$5,000.00
TOTAL				**$45,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 9

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

See Attached Addendum for locations.

DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built 3
Square Footage **range** of each home 1,200 — 1,500 SF
Number of Bedrooms/Baths in each home 2-3 / 1.5-2
Number of Garages 1-2 Number of Carports ____ Detached ____ Attached X
Type of Exterior Veneer Brick & Hardy Which sides Front, Left, Right (Rear H.)
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer $120,000-$140,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built 3
Square Footage **range** of each home 1,400 – 1,600 SF
Number of Bedrooms/Baths in each home 3-4 / 2 – 2.5
Number of Garages 2 Number of Carports ____ Detached ____ Attached X
Type of Exterior Veneer Brick & Hardy Which sides Front, Left, Right (Rear H.)
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer $140,000-$160,000

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built 3
Square Footage **range** of each home 1,600 – 1,900 SF
Number of Bedrooms/Baths in each home 3-4 / 2-3
Number of Garages 2 Number of Carports ____ Detached ____ Attached X
Type of Exterior Veneer Brick & Hardy Which sides Front, Lt, Rt (Rear & 2nd F.H
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer $150,000–$180,000

Attach extra sheet(s) breaking out above information for each different model of home.
PROVIDE FLOOR PLANS AND ELEVATIONS .

B. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Start of Construction: within 30 days after receiving the deed to the property

Completion of Construction: 270 days after start of construction

Sale of first affordable housing unit to low income household: 30 days after completion of construction

Sale of last affordable unit to low income households: 90 days after completion of first house

Addendum

1819 Park Row Dallas, TX
2413 Peabody Dallas, TX
2816 Meadow Dallas, TX
3833 Holmes Dallas, TX
3717 Colonial Ave Dallas, TX
2524 Al Lipscomb Way Dallas, TX
2814 Holmes Dallas, TX
1313 Pennsylvania Dallas, TX
1317 Pennsylvania Dallas, TX

AGENDA ITEM # 14

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

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Office of Cultural Affairs
Park & Recreation

CMO: Joey Zapata, 670-3009
Willis Winters, 670-4071

MAPSCO: 53V

SUBJECT

Authorize a contract with C Solano SL for the design, fabrication and installation of a site-specific artwork honoring the Vaughn Brothers at Kiest Park located at 3080 South Hampton Road - Not to exceed $75,200 - Financing: 2006 Bond Funds ($47,200) and Capital Gifts, Donation and Development Funds ($28,000)

BACKGROUND

This action authorizes a contract for the design, fabrication and installation of public art at Kiest Park honoring the contributions of Jimmie Lee Vaughan and Stevie Ray Vaughan, known as the Vaughan Brothers, as approved by the Public Art Committee of the Cultural Affairs Commission, the full Cultural Affairs Commission, the Planning and Design Committee of the Park and Recreation Board, and the full Park and Recreation Board.

The artist, Casto Solano, was selected via competitive selection process as directed by the City of Dallas Cultural Policy, and was approved by the Public Art Committee on April 12, 2016 and by the Cultural Affairs Commission on April 21, 2016.

On March 27, 2015, by Resolution No. 15-0952, the City Council approved a contract with the Oak Cliff Foundation authorizing the Foundation to participate in the development of the project scope, and the artist selection process, and authorized acceptance of $68,000 from the Foundation in support of the project ($28,000 to augment the project budget and $40,000 for future maintenance needs). The Oak Cliff Foundation donated the funds for the Kiest Park public art project to the City of Dallas on October 20, 2015 and February 10, 2016.

ESTIMATED SCHEDULE OF PROJECT

Purchase Materials and begin fabrication	June 2016
Fabrication of artwork 50% complete	May 2017
Fabrication of artwork 100% complete	July 2017
Sculpture installed	August 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 27,2015, City Council authorized (1) the receipt and deposit of funds from the Oak Cliff Foundation in an amount not to exceed $68,000; (2) the establishment of appropriations in the amount of $68,000 in the Capital Gift, Donation and Development Fund; and (3) a contract with the Oak Cliff Foundation to contribute $68,000 to the funding for the Kiest Park public art project by Resolution No. 15-0952.

On April 12, 2016, the Public Art Committee recommended Casto Solano to fabricate and install the proposed design.

On April 21, 2016, the Cultural Affairs Commission approved Casto Solano to fabricate and install the proposed design.

On May 19, 2016, the Park and Recreation Board will consider authorizing a contract for Casto Solano to fabricate and install the approved design for the Kiest Park public art project; a tribute to Stevie Ray and Jimmie Vaughan at the approved location in Kiest Part located at 300 South Hampton Road.

Information about this item will be provided to the Arts, Culture and Libraries Committee on May 16, 2016.

FISCAL INFORMATION

$47,200 - 2006 Bond Funds
$28,000 - Capital Gifts, Donation and Development Funds

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

C Solano SL

Other Male	1

OWNER

C Solano SL

Casto Solano, Artist

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with C Solano SL for the design, fabrication and installation of a site-specific artwork honoring the Vaughn Brothers at Kiest Park located at 3080 South Hampton Road - Not to exceed $75,200 - Financing: 2006 Bond Funds ($47,200) and Capital Gifts, Donation and Development Funds ($28,000)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$75,200.00	100.00%
TOTAL CONTRACT	$75,200.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$0.00	0.00%

Copyright City of Dallas



Kiest Park Public Art

City of Dallas

DISCLAIMER

This data has been compiled for City of Dallas.
Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

N

May 25, 2016

WHEREAS, Chapter 2, Article X of the Dallas City Code establishes a Public Art Program to include works of art and design services of artists for certain City capital improvement projects; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Cultural Affairs Commission and the Park and Recreation Board, has identified a public art project, attached hereto as "Concept Design", to be located at Kiest Park (3080 South Hampton Road), which will honor and celebrate the contributions of Jimmie Lee Vaughan and Stevie Ray Vaughan, known as the Vaughan Brothers, to the City's rich creative culture; and

WHEREAS, Casto Solano was selected for the project and was approved by the Public Art Committee of the Cultural Affairs Commission, the full Cultural Affairs Commission, the Planning and Design Committee of the Park and Recreation Board, and the full Park and Recreation Board; and

WHEREAS, $47,200.00 is available from 2006 Bond Funds to support the design, fabrication and installation of a site specific artwork; and

WHEREAS, the Oak Cliff Foundation has contributed $68,000 in support of this project, of which $28,000 is for design, fabrication and installation of the artwork, and the remaining funds are designated to support future maintenance needs.

Now, Therefore,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute a contract with C Solano SL to design, fabricate and install a site-specific artwork at Kiest Park located at 3080 South Hampton Road.

Section 2. That the Chief Financial Officer is hereby authorized to disburse payments to C Solano SL from the following appropriations in an amount not to exceed $75,200.00:

Fund	Dept	Unit	Obj	Amount	Program #	Encumbrance #	Vendor #
1T00	PKR	N810	4425	$47,200.00	PKKIESTPA	PKR16019554	VC15555
0530	PKR	P958	4425	$28,000.00	PKKIESTPA	PKR16019554	VC15555

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.

Kiest Park Public Art Project
Concept Design



AGENDA ITEM # 15

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

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 33-B C

SUBJECT

Authorize a contract with Phoenix I Restoration and Construction, Ltd., best value proposer of five, for renovations at Bachman Recreation Center located at 2750 Bachman Drive - Not to exceed $576,240 - Financing: 2006 Bond Funds

BACKGROUND

On March 18, 2016, five proposals were received for renovations at Bachman Recreation Center. Phoenix I Restoration and Construction, Ltd. was selected as the best value proposer for the Base Price and Alternate Nos. 1, 2 , 3, 4 and 5, in the amount of $576,240. The scope of work includes: roof replacement; re-grading in front of building; cleaning and painting steel at existing pool shed; exterior masonry façade repairs; building perimeter joint sealant; replacing storefront and two exterior doors at gymnasium; painting porte-cochère and replacing light fixtures.

Proposals based on RFCSP are evaluated on pre-set criteria which include cost, qualifications of the prime contractor, construction amount and schedule ratings, which are based on mathematical formulas, with the best price and best schedule being given the highest scores. Ratings "1" to "10" are given for each criterion with "10" being the best rating. These ratings are multiplied by the weighting to obtain the score for each criterion.

BACKGROUND (Continued)

The following is a list of the rating criteria and values for each criterion:

Rating Criteria	Value
1. Proposed Construction Contract Award	45%
2. Qualifications/Experience/References for Prime Firm	20%
3. Subcontractor Experience	10%
4. Business Inclusion and Development Plan	15%
5. Financial Sufficiency	5%
6. Schedule/Time of Completion	5%
	100%

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2013
Completed Design	February 2016
Begin Construction	July 2016
Complete Construction	November 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the advertisement for a Request for Competitive Sealed Proposals on February 4, 2016.

The Park and Recreation Board authorized award of the contract on May 5, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on May 23, 2016.

FISCAL INFORMATION

2006 Bond Funds - $576,240

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Phoenix I Restoration and Construction, Ltd.

White Male	24	White Female	5
Hispanic Male	37	Hispanic Female	0
Black Male	0	Black Female	0
Other Male	0	Other Female	0

PROPOSAL INFORMATION

The following five proposals were received and opened on March 18, 2016:

*Denotes successful proposer

Proposer's	Base Price	Alternate Nos. 1, 2, 3, 4 & 5**	Total Price	Scores
*Phoenix I Restoration and Construction, Ltd. 14032 Distribution Way Farmers Branch, Texas 75234	$530,000	$73,000	$603,000	4442.00
DENCO Construction Specialists	$455,000	$22,760	$477,760	4084.00
MART, Inc.	$673,000	$46,500	$719,500	3806.75
Furstenberg Construction Co.	$1,039,064	$58,138	$1,097,202	2560.25
Vincent's Roofing, Inc.	$595,182	$89,400	$684,582	2499.50

**Alternate No. 1 - provides for cleaning and painting of exiting corroded steel at pool equipment shed.
**Alternate No. 2 - provides for exterior masonry facade repairs.
**Alternate No. 3 - provides for building perimeter joint.
**Alternate No. 4 - provides for replacement of storefront and exterior doors at gym.
**Alternate No. 5 - provides for porte cochere paint and lighting replacement.

Note: After value engineering, the best and final offer from Phoenix I Restoration and Construction, Ltd. for Base Price and Alternate Nos. 1, 2, 3, 4 and 5 was for $576,240.

OWNER

Phoenix I Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Phoenix I Restoration and Construction, Ltd., best value proposer of five, for renovations at Bachman Recreation Center located at 2750 Bachman Drive - Not to exceed $576,240 - Financing: 2006 Bond Funds

Phoenix I Restoration and Construction, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$570,768.00	99.05%
Total non-local contracts	$5,472.00	0.95%
TOTAL CONTRACT	$576,240.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

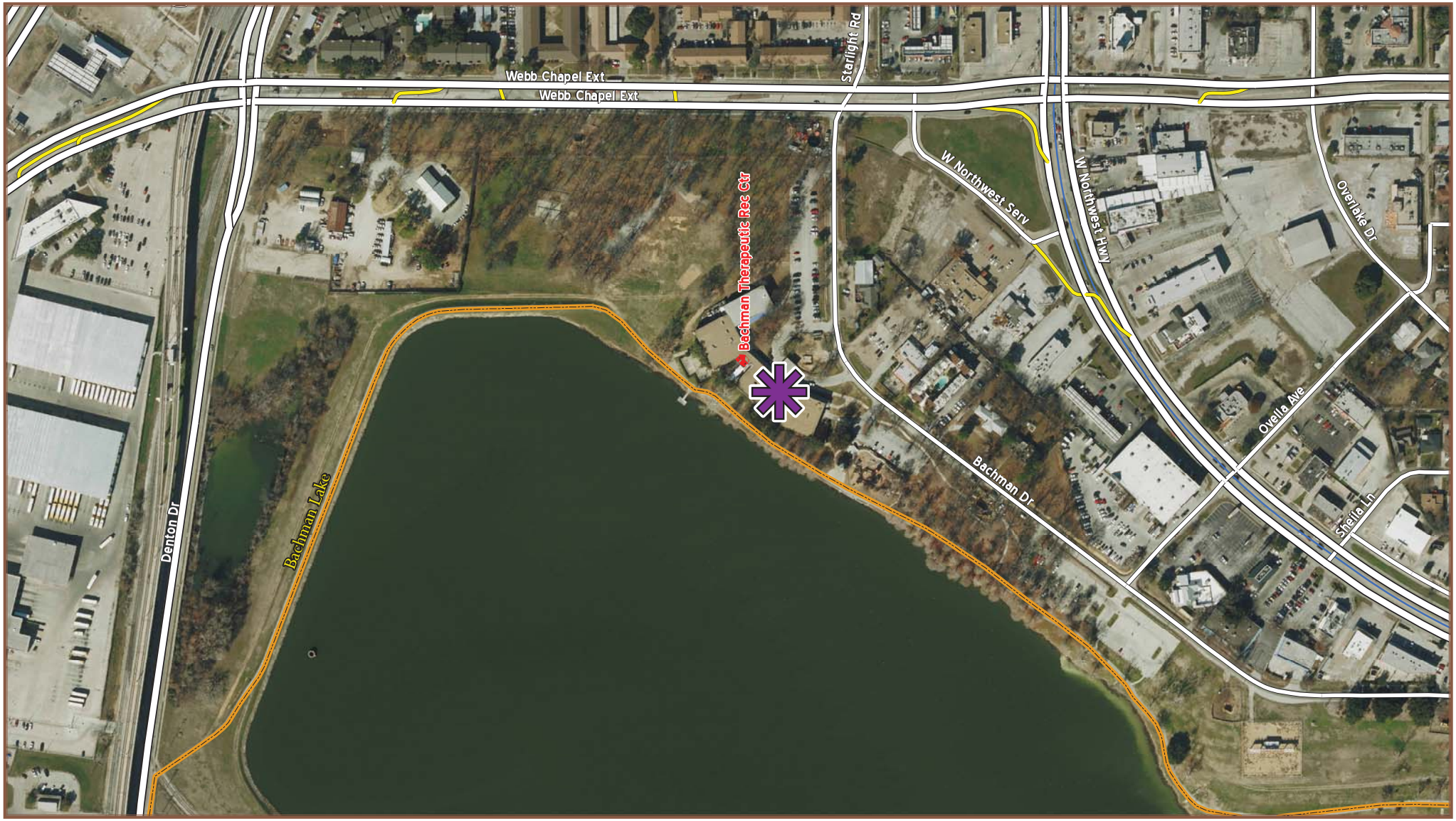
Local	Certification	Amount	Percent
Texas Roof Management	WFWB26655N0716	$293,597.00	51.44%
Instant Rain Designs	WFWB61739N0516	$8,631.00	1.51%
Total Minority - Local		$302,228.00	52.95%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$302,228.00	52.95%	$302,228.00	52.45%
Total	$302,228.00	52.95%	$302,228.00	52.45%



0 112.5 225 450 675 Feet

May 5, 2016

Bachman Recreation Center
(2750 Bachman Dr)

Mapsco
33 B, C

District
6

May 25, 2016

WHEREAS, on March 18, 2016, five competitive sealed proposals were received for renovations at Bachman Recreation Center located at 2750 Bachman Drive; and

Proposer's	Base Price	Alternate Nos. 1, 2, 3, 4 & 5**	Total Price	Scores
Phoenix I Restoration and Construction, Ltd.	$530,000	$73,000	$603,000	4442.00
DENCO Construction Specialists	$455,000	$22,760	$477,760	4084.00
MART, Inc.	$673,000	$46,500	$719,500	3806.75
Furstenberg Construction Co.	$1,039,064	$58,138	$1,097,202	2560.25
Vincent's Roofing, Inc.	$595,182	$89,400	$684,582	2499.50

**Alternate No. 1 - provides for cleaning and painting of exiting corroded steel at pool equipment shed.
**Alternate No. 2 - provides for exterior masonry facade repairs.
**Alternate No. 3 - provides for building perimeter joint.
**Alternate No. 4 - provides for replacement of storefront and exterior doors at gym.
**Alternate No. 5 - provides for porte cochere paint and lighting replacement.

Note: After value engineering, the best and final offer from Phoenix I Restoration and Construction, Ltd. for Base Price and Alternate Nos. 1, 2, 3, 4 and 5 was for $576,240.

WHEREAS, it has been determined that acceptance of the best and final offer from Phoenix I Restoration and Construction, Ltd., in an amount not to exceed $576,240 is the best value for the City of Dallas. **Now, Therefore,**

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into a contract with Phoenix I Restoration and Construction, Ltd. for renovations at Bachman Recreation Center, in an amount not to exceed $576,240.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a contract with Phoenix I Restoration and Construction, Ltd., after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed $576,240 from (2006) Park and Recreation Facilities Improvement Fund, Fund 2T00, Department PKR, Unit T013, Object 4310, Activity MMCF, Program PK06T013, CT-PKR16019547, Commodity 91200, Vendor VC0000003594.

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

AGENDA ITEM # 16

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Public Works Department
Housing/Community Services
Planning and Urban Design
Water Utilities

CMO: Jill A. Jordan, P.E., 670-5299
Alan Sims, Chief of Neighborhood Plus, 670-1611
Mark McDaniel, 670-3256

MAPSCO: Various

SUBJECT

Authorize a twenty-four month sidewalk and barrier free ramp installation paving services contract No. 2 and water and wastewater adjustments at various locations throughout the city - Ragle Inc., lowest responsible bidder of three - Not to exceed $3,198,230 - Financing: 2003 Bond Funds ($100,000), 2006 Bond Funds ($894,310), Current Funds ($347,780) (subject to annual appropriations), 2014-15 Community Development Block Grant Funds ($237,024), 2015-16 Community Development Block Grant Funds ($449,616), Regional Toll Revenue Funds ($1,000,000) and Water Utilities Capital Construction Funds ($169,500)

BACKGROUND

This action will authorize a twenty-four month sidewalk and barrier free ramp installation paving services contract No. 2 for the sidewalk and barrier free ramp program. The installation of barrier free ramps throughout the city is required in order to be in compliance with the Americans with Disabilities Act (ADA). Sidewalk projects for Low Income Seniors in the Neighborhood Plus target areas, DART Bus Stop Accessibility, and Safe Routes to Schools will also be implemented through this contract with funding provided in the CDBG FY 2015-16 Budget.

Other projects being implemented with this contract include the Oak Cliff Gardens sidewalk project, the Housing Department's West Dallas/Ann Avenue sidewalk projects, sidewalk and maintenance access paths to the White Rock Creek Trail in the 6800 block of Alpha Road and the 13900-14000 blocks of Hillcrest Road that will be constructed with re-programmed funds from the 2006 Bond Program Alpha Road project, and a sidewalk along the north side of Perryton Drive west of South Hampton Road.

BACKGROUND (Continued)

Ragle Inc. has not had any contractual activities with the City of Dallas for the past 3 years.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	July 2016
Complete Construction	July 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

2003 Bond Funds - $100,000.00
2006 Bond Funds - $894,310.40
Current Funds - $347,780.00 (subject to annual appropriations)
Regional Toll Revenue Funds - $1,000,000.00
2014-15 Community Development Block Grant Funds - $237,023.60
2015-16 Community Development Block Grant Funds - $449,616.00
Water Utilities Capital Construction Funds - $169,500.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Ragle Inc.

Hispanic Female	1	Hispanic Male	20
African-American Female	0	African-American Male	2
Other Female	0	Other Male	4
White Female	0	White Male	5

BID INFORMATION

The following bids with quotes were received and opened on January 29, 2016.

*Denotes successful bidder

BIDDERS	BID AMOUNT
*Ragle Inc. P.O. Box 1130 Euless, Texas 76039	$3,198,230.00
Omega Contracting	$3,824,201.00
Ken-Do Contracting LP	$4,457,375.00

OWNER

Ragle Inc.

Troy Ragle, Vice President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a twenty-four month sidewalk and barrier free ramp installation paving services contract No. 2 and water and wastewater adjustments at various locations throughout the city - Ragle Inc., lowest responsible bidder of three - Not to exceed $3,198,230 - Financing: 2003 Bond Funds ($100,000), 2006 Bond Funds ($894,310), Current Funds ($347,780) (subject to annual appropriations), 2014-15 Community Development Block Grant Funds ($237,024), 2015-16 Community Development Block Grant Funds ($449,616), Regional Toll Revenue Funds ($1,000,000) and Water Utilities Capital Construction Funds ($169,500)

Ragle Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$817,000.00	25.55%
Total non-local contracts	$2,381,230.00	74.45%
TOTAL CONTRACT	$3,198,230.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
CNT Redi Mix	WFWB20926N1117	$500,000.00	61.20%
W.O.E. Construction	WFWB12230N0516	$257,000.00	31.46%
Total Minority - Local		$757,000.00	92.66%

Non-Local Contractors / Sub-Contractors

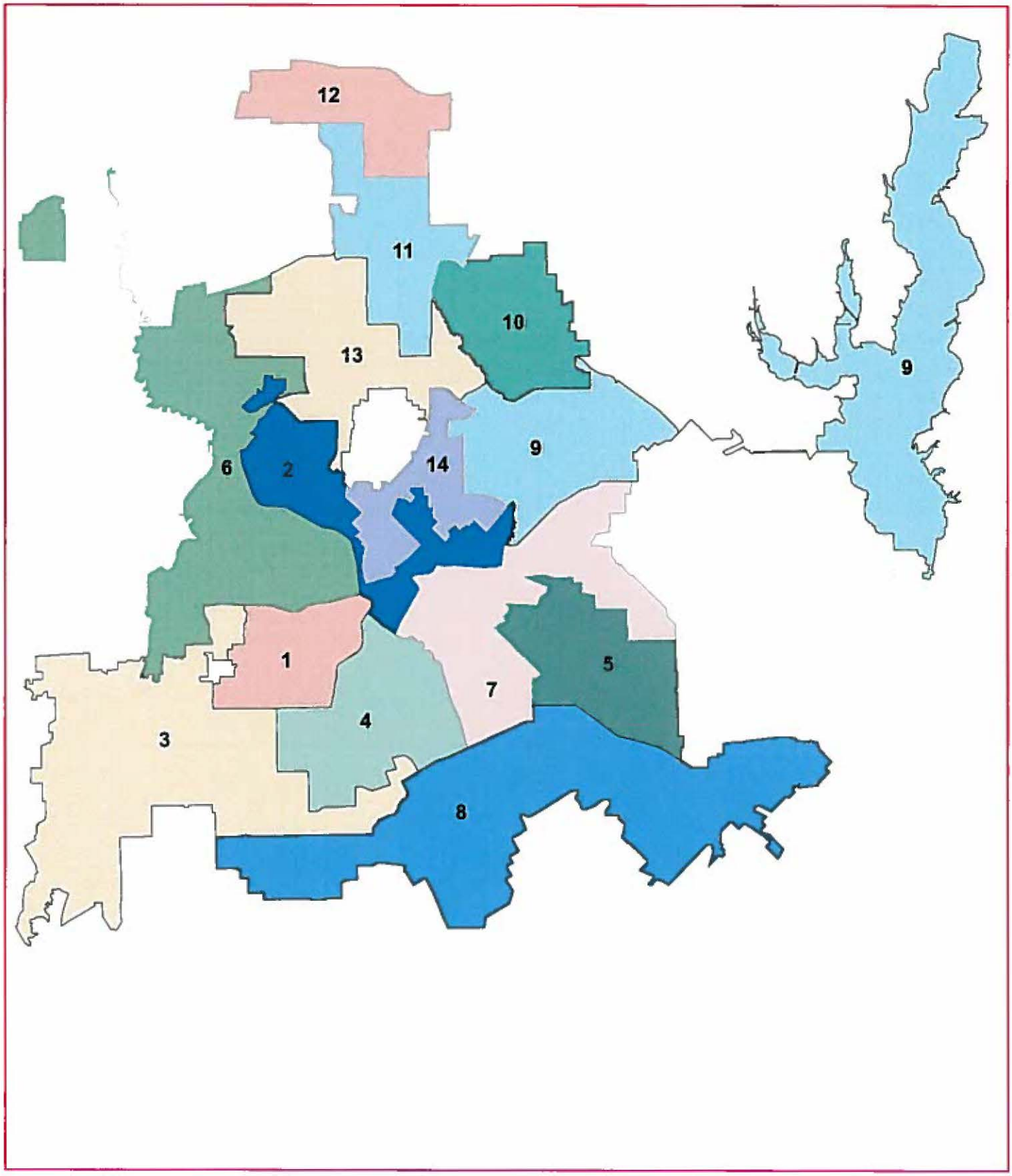
Non-local	Certification	Amount	Percent
Shankle Construction	BMDB77809Y0616	$52,500.00	2.20%
Total Minority - Non-local		$52,500.00	2.20%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$52,500.00	1.64%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$757,000.00	92.66%	$757,000.00	23.67%
Total	$757,000.00	92.66%	$809,500.00	25.31%

PAVING SERVICES CONTRACT

Infrastructure at Various Locations



May 25, 2016

WHEREAS, the City desires to re-program Alpha Road funds from the 2006 Bond Program that is currently on hold; funding for a total of $220,000 for the sidewalk and maintenance access paths to the White Rock Creek Trail in the 6800 block of Alpha Road and the 13900-14000 blocks of Hillcrest Road; and,

WHEREAS, bids were received on January 29, 2016, for sidewalk and barrier free ramp installation paving services contract No. 2 that includes water and wastewater adjustments at various locations throughout the city:

BIDDERS	**BID AMOUNT**
Ragle Inc.	$3,198,230.00
Omega Contracting	$3,824,201.00
Ken-Do Contracting, LP	$4,457,375.00

WHEREAS, the bid submitted by Ragle Inc. in the amount of $3,198,230.00 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 City Manager is hereby authorized to execute a twenty-four month contract with Ragle Inc. for sidewalk and barrier free ramp installation paving services contract No. 2, that includes water and wastewater adjustments, in an amount not to exceed $3,198,230.00 this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

Section 2. That the City Manager is hereby authorized to re-program Alpha Road project from the 2006 Bond Program for the sidewalk and maintenance access paths to the White Rock Creek Trail in the 6800 block of Alpha Road and the 13900-14000 blocks of Hillcrest Road in an amount not to exceed $220,000.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,198,230.00 (subject to annual appropriations) from Service Contract number MASCPBWH2016RAGLEINC.

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

AGENDA ITEM # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Convention and Event Services

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 45P

SUBJECT

Authorize a construction contract with DENCO CS Corporation, lowest responsible bidder of three, for improvements to the east kitchen of the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $1,673,292 - Financing: Convention Center Capital Construction Funds

BACKGROUND

This action will authorize a construction contract with DENCO CS Corporation, the lowest responsible bidder, to furnish labor and materials for construction of improvements to the east kitchen of the Kay Bailey Hutchison Convention Center Dallas. The kitchen is aged and in need of ventilation, infrastructure, and equipment improvements if it is to meet the food service demands of the Convention Center.

The scope of work includes demolition and construction required to replace the kitchen floor and ceilings, kitchen hoods and utility wall, plumbing, electrical, lighting, ventilation, and coordination with the equipment supplier to replace the kitchen equipment.

The firm of Campos Engineering, Inc. provided engineering services for the design and construction documents of improvements to the east kitchen. A request for bids for the project was advertised following City of Dallas purchasing guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	June 2016
Complete Construction	October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Supplemental Agreement No. 1 to the engineering services contract with Campos Engineering, Inc. on October 14, 2015, by Resolution No. 15-1879.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

Convention Center Capital Construction Funds - $1,673,292

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

DENCO CS Corporation

Hispanic Female	1	Hispanic Male	25
African-American Female	0	African-American Male	2
White Female	1	White Male	19
Other Female	0	Other Male	0

BID INFORMATION

The following bids were received and opened on March 18, 2016:

*Denotes successful bidder

BIDDERS	AMOUNT
*DENCO CS Corporation 5525 Lyons Road Garland, Texas 75043	$1,673,292
Decker Mechanical, Inc.	$1,729,134
J.C. Commercial, Inc.	withdrew bid

OWNER

DENCO CS Corporation

Steve Smith, Director of Construction

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract with DENCO CS Corporation, lowest responsible bidder of three, for improvements to the east kitchen of the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed $1,673,292 - Financing: Convention Center Capital Construction Funds

DENCO CS Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$952,133.00	56.90%
Total non-local contracts	$721,159.00	43.10%
TOTAL CONTRACT	$1,673,292.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

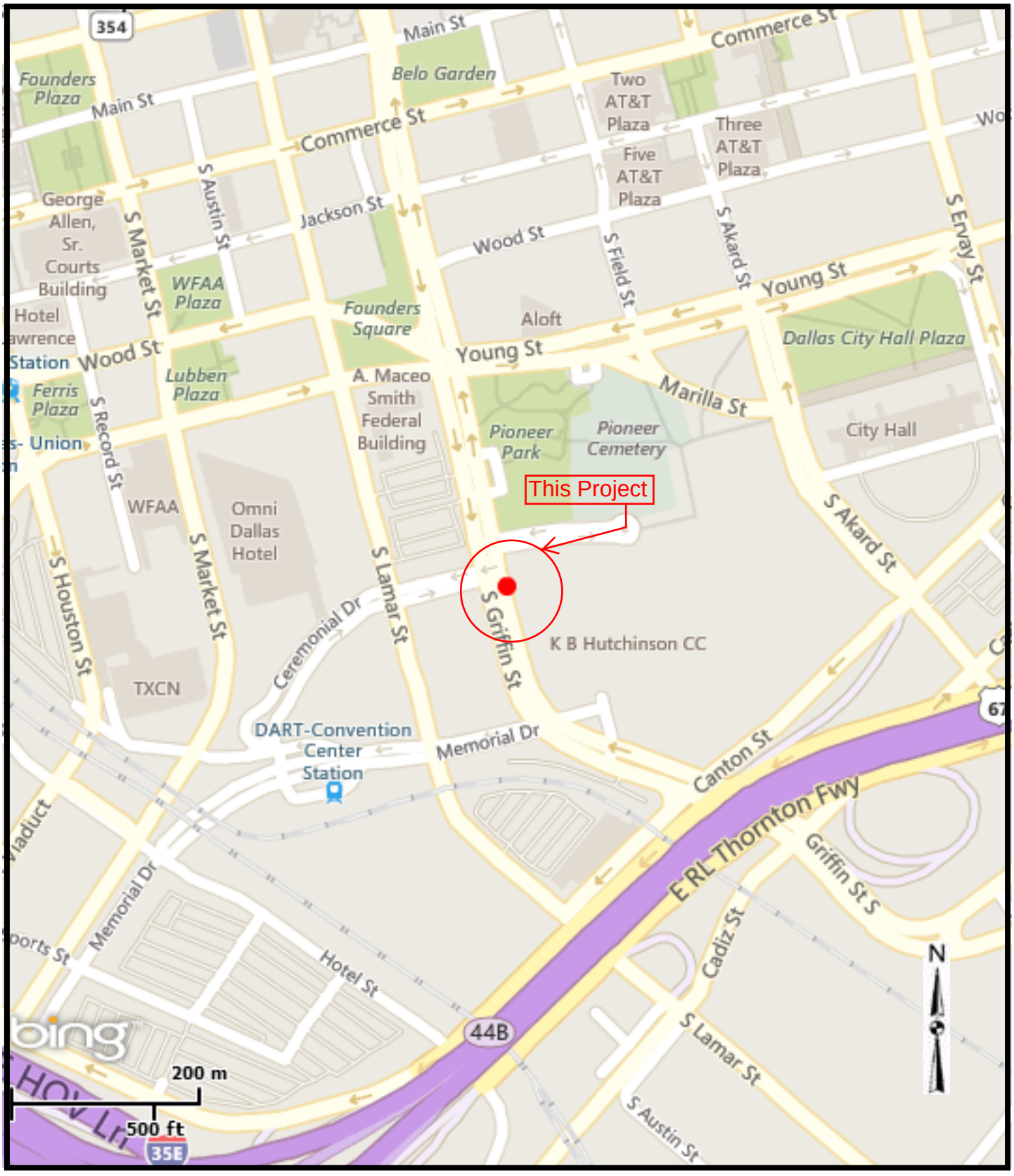
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
OAC Construction	HMMB64794N0417	$467,559.00	64.83%
Total Minority - Non-local		$467,559.00	64.83%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$467,559.00	27.94%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$0.00	0.00%	$467,559.00	27.94%

Kay Bailey Hutchison Convention Center Dallas - Kitchen Improvements



Kay Bailey Hutchison Convention Center Dallas

650 South Griffin Street

45-P

May 25, 2016

WHEREAS, improvements to the east kitchen at the Kay Bailey Hutchison Convention Center Dallas are needed for the safety of its staff, to meet code requirements, and to meet the projected food service demands at the facility; and,

WHEREAS, on October 6, 2014, Administrative Action No. 14-6841 authorized an engineering services contract with Campos Engineering, Inc. to provide engineering services for the replacement of the east kitchen exhaust system, in the amount of $49,950.00; and,

WHEREAS, on October 14, 2015, Resolution No. 15-1879 authorized Supplemental Agreement No. 1 to the engineering services contract with Campos Engineering, Inc. to provide design, construction documents, and construction administration services for improvements to the east kitchen, in the amount of $88,500.00, from $49,950.00 to $138,450.00; and,

WHEREAS, on February 16, 2016, Administrative Action No. 16-5660 authorized Supplemental Agreement No. 2 to the engineering services contract with Campos Engineering, Inc. to provide additional engineering services to complete the renovation of the east kitchen, in the amount of $44,210.00, from $138,450.00 to $182,660.00; and,

WHEREAS, on March 18, 2016, the following competitive bids were received and opened for construction of improvements to the east kitchen:

BIDDERS	**AMOUNT**
DENCO CS Corporation	$1,673,292
Decker Mechanical, Inc.	$1,739,134
J.C. Commercial, Inc.	withdrew bid

WHEREAS, it is now desirable to authorize a construction contract with DENCO CS Corporation, lowest responsive bidder of three, for improvements to the east kitchen of the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street, in an amount not to exceed $1,673,292.00.

Now, Therefore,

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

May 25, 2016

Section 1. That the City Manager is hereby authorized to execute a contract with DENCO CS Corporation for improvements to the east kitchen of the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street, in an amount not to exceed $1,673,292.00, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Convention Center Capital Construction Funds
Fund 0082, Dept. CCT, Unit W073, Act. CCIM
Obj. 4310, Program PBC00038, CT PBWC00038H1
Vendor # VS0000062071, in an amount not to exceed $1,673,292.00

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

AGENDA ITEM # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 44P T

SUBJECT

Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $3,000,000; and **(3)** an increase in appropriations in the amount of $3,000,000 in the Capital Projects Reimbursement Fund - Not to exceed $3,000,000 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard is a partnership project between the City of Dallas and Dallas County. This project was submitted and subsequently selected for implementation in Dallas County's 2008 Major Capital Improvement Program (MCIP) Fifth Call for Projects. This action will authorize a Project Specific Agreement with Dallas County for funding participation for the design and construction of paving and drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard.

The scope of the project entails reconstructing the existing six-lane divided roadway to a four-lane divided roadway with dedicated bike lanes; this project will also provide new traffic signals, enhanced crosswalks at signalized intersections, landscaping, drainage improvements, and water and wastewater upgrades. The City is the lead agency for this project and is responsible for administering the design and construction. The design for this project is complete, and construction is estimated to commence summer 2016 and be complete in late 2017.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2013
Completed Design	March 2016
Begin Construction	August 2016
Complete Construction	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Master Agreement with Dallas County governing Major Capital Improvement Program on January 10, 2001, by Resolution No. 01-0104.

Authorized a new Master Agreement with Dallas County governing Major Capital Improvement Program on April 13, 2011, by Resolution No. 11-0927.

Authorized a professional services contract for engineering services on February 27, 2013, by Resolution No. 13-0414.

Authorized Supplemental Agreement No. 2 to the professional services contract for engineering services on April 22, 2015, by Resolution No. 15-0759.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

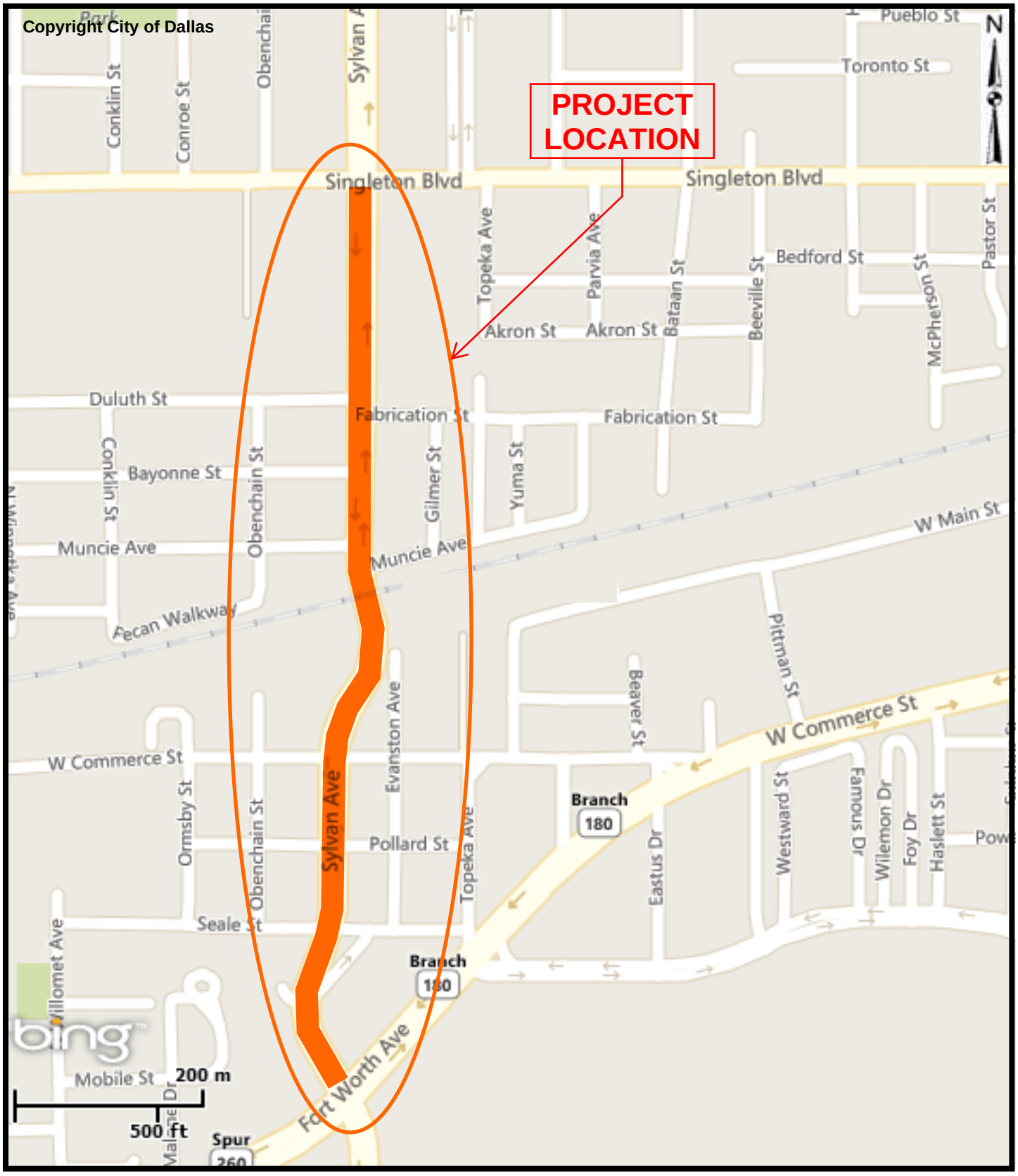
Capital Projects Reimbursement Funds - $3,000,000.00

City of Dallas' share - PBW	$ 3,000,000.00
Dallas County's share (this action)	$ 3,000,000.00
Design	$ 565,654.00
Supplemental Agreement No. 1	$ 49,635.00
Supplemental Agreement No. 2	$ 49,800.00
Construction	
Paving & Drainage - PBW	$ 5,292,918.00 (est.)
Water & Wastewater - DWU	$ 991,993.00 (est.)
Total	$ 6,950,000.00 (est.)

MAP

Attached.

Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard



Mapsco 44 P & T

May 25, 2016

WHEREAS, on January 10, 2001, Resolution No. 01-0104 authorized a Master Agreement with Dallas County governing Major Capital Improvement Program (MCIP) to be jointly funded and developed by Dallas County and the City of Dallas, and;

WHEREAS, on June 23, 2008, the Transportation and Environment Committee (TEC), now known as Transportation and Trinity River Corridor Project Council Committee, was briefed on the MCIP overview for the submission, acceptance, and implementation of the City of Dallas candidate projects for Dallas County's 2008 MCIP Fifth Call for Projects, and;

WHEREAS, on August 12, 2008, the TEC was briefed on project recommendations for submission, and;

WHEREAS, Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard was submitted and subsequently selected for implementation in Dallas County's 2008 MCIP Fifth Call for Projects, and;

WHEREAS, on April 13, 2011, Resolution No. 11-0927 authorized a new Master Agreement with Dallas County governing Major Capital Improvement Program (MCIP) with Dallas County, and;

WHEREAS, the City of Dallas is the lead agency for the project development, and;

WHEREAS, Dallas County has agreed to participate with the project costs in the amount of $3,000,000.00, and;

WHEREAS, on February 27, 2013, Resolution No. 13-0414 authorized a professional services contract with Urban Engineers Group, Inc. for the engineering design of street improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard, in the amount of $565,654.00, and;

WHEREAS, on May 29, 2013, Administrative Action No. 13-1178 authorized Supplemental Agreement No. 1 to the contract with Urban Engineers Group, Inc. to include the design of 7.24 miles of on-street bicycle facilities with relevant pavement markings, striping and signage in an amount not to exceed $49,635, from $565,654 to $615,289; and,

WHEREAS, on April 22, 2015, Resolution No. 15-0759 authorized Supplemental Agreement No. 2 to the professional services contract with Urban Engineers Group, Inc. for engineering design services for additional drainage improvements for Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard and traffic signal modifications at Sylvan Avenue, and Singleton Boulevard, in the amount of exceed $49,800.00, from $615,289.00 to $665,089.00; and,

May 25, 2016

WHEREAS, it is now necessary to authorize a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements on Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard and the receipt of payment from Dallas County in an amount not to exceed $3,000,000.00 for Dallas County's share of the project costs.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute the Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements on Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard and the receipt and deposit of payment from Dallas County in an amount not to exceed $3,000,000.00 for Dallas County's share of the project costs, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds for the design and construction from Dallas County in an amount not to exceed $3,000,000.00 into Revenue Code RSRC 6511, Fund 0556, Unit U802, Department PBW, Activity THRF.

Section 3. That the City Manager is hereby authorized to increase appropriations in Fund 0556, Unit U802, Department PBW, Activity THRF, Object Code 4510 in the amount of $3,000,000.00.

Section 4. That in accordance with the provisions of the Project Specific Agreement with Dallas County, the Chief Financial Officer is hereby authorized to return any unused funds and interest earned on the funds upon completion of this project to Dallas County.

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 ITEMS # 19,20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Public Works Department

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 47W

SUBJECT

Second Avenue Bridge over White Rock Creek

* Authorize a waiver agreement with the Texas Department of Transportation for the local match fund participation requirement on the northbound Second Avenue Bridge over White Rock Creek as an approved project for the Federal Off-System Bridge Program - Financing: No cost consideration to the City
* Authorize a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the replacement or rehabilitation of the northbound Second Avenue Bridge over White Rock Creek as an approved project for the Federal Off-System Bridge Program - Financing: No cost consideration to the City

BACKGROUND

The Federal Off-system Bridge Program is administered by the Texas Department of Transportation (TxDOT) to replace or rehabilitate structurally deficient or functionally obsolete bridges located on public roads and streets off the designated state highway system. Under this program, TxDOT selects certain bridges or cross-drainage structures to be programmed for replacement or rehabilitation. The eligibility of those structures and the extent of proposed improvements depend on their condition as determined by the state's inspection reports. Under this program, the funding participation ratio of eligible costs are usually 80% federal, 10% state, and 10% local to be funded by the City of Dallas. In this particular case, however, the local share will be waived.

Texas Administrative Code, Title 43, Section 15.55(d) provides that the 10 percent City match fund participation requirement may be waived if the City requests such a waiver provided that the City agrees to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction. This type of structural improvement work is referred to as an "Equivalent-Match Project" (EMP).

BACKGROUND (Continued)

The project on which local fund participation is to be waived is referred to as the "Participation-Waived Project" (PWP). The northbound Second Avenue Bridge (National Bridge Inventory Structure No. 18-057-09S23-40-003) over White Rock Creek will be the "Participation-Waived" Project to be repaired by TxDOT at a cost of $1,036,965. The southbound Second Avenue Bridge (NBI Structure No. 18-057-09S23-40-008) over White Rock Creek will be the Equivalent-Match Project that the City of Dallas will perform the structural and safety improvements at a cost of $210,720, and receive a waiver of the local match fund participation requirement on the "Participation-Waived" Project. The design of the EMP project was funded by the 2012 Bond Program and the design contract was awarded by Council on January 13, 2016. This action will authorize the waiver and advanced funding agreement with TxDOT, which is necessary for the replacement or rehabilitation of the "Participation-Waived" Project.

ESTIMATED SCHEDULE OF PROJECT

Participation-Waived Project (TxDOT)

Second Avenue Bridge (northbound) over White Rock Creek (NBI Structure No. 18-057-09S23-40-003)

Begin Design	July 2016
Complete Design	May 2017
Begin Construction	October 2017
Complete Construction	December 2018

Equivalent-Match Project (City)

Second Avenue Bridge (southbound) over White Rock Creek (NBI Structure No. 18-057-09S23-40-008)

Began Design	March 2016
Complete Design	July 2016
Begin Construction	January 2017
Complete Construction	October 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with TranSystem Corporation dba TranSystem Corporation Consultants for the Second Avenue Bridge over White Rock Creek (NBI Structure No. 18-057-09S23-40-008) on January 13, 2016, by Resolution No. 16-0089.

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

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

No cost consideration to the City.

Participation-Waived Project (TxDOT)

Second Avenue Bridge over White Rock Creek (NBI Structure No. 18-057-09S23-40-003)

Design	$ 150,000 (est.)
Construction	$ 886,965 (est.)
Total project	$ 1,036,965 (est.)

Equivalent-Match Project (City)

Second Avenue Bridge over White Rock Creek (NBI Structure No. 18-057-09S23-40-008)

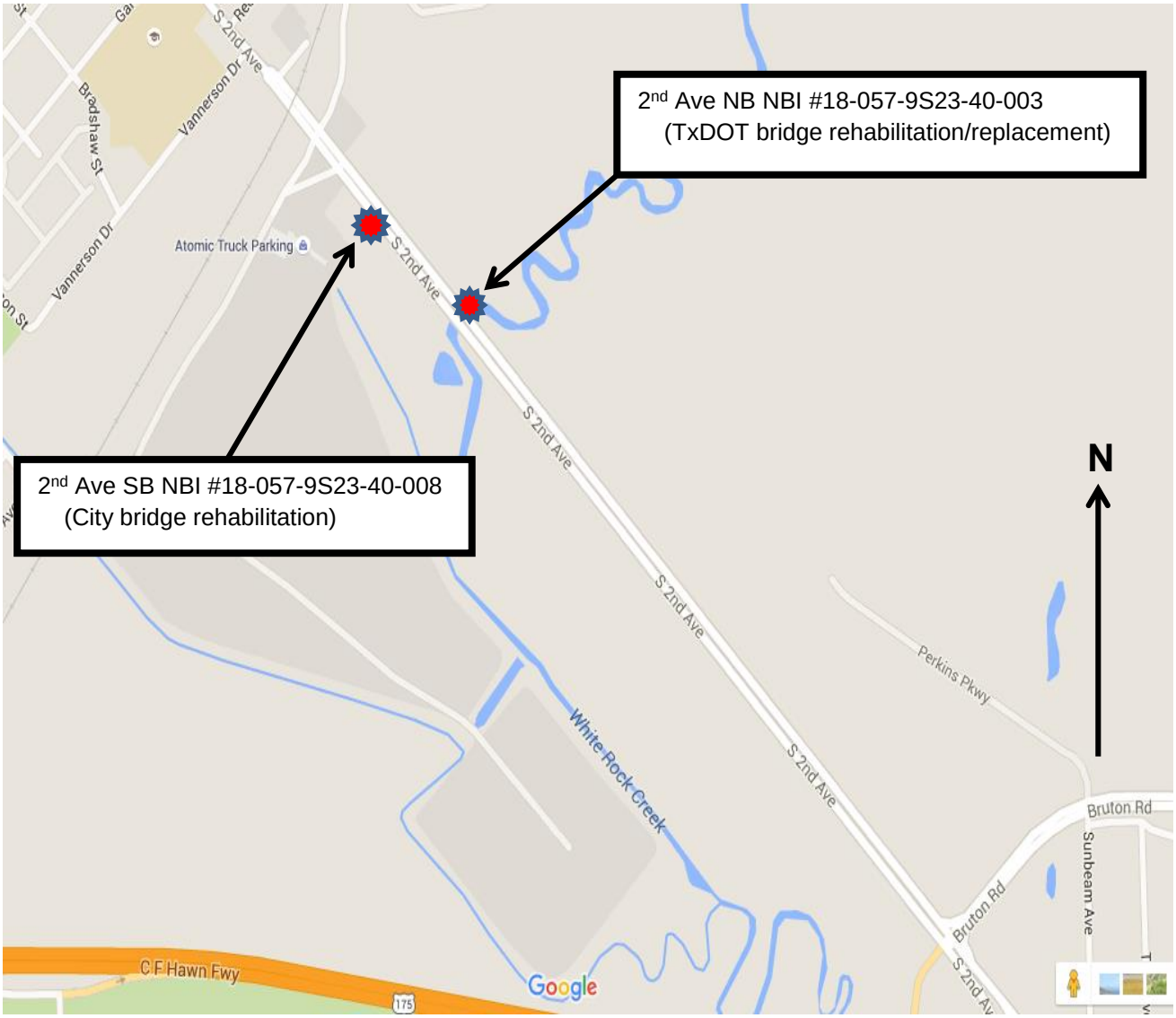
Design	$ 17,772 (est.)
Construction	$ 192,948 (est.)
Total project	$ 210,720 (est.)

MAP

Attached.

TxDOT and Dallas PWP-EMP Project
for Second Avenue bridges over White Rock Creek

TxDOT PWP Project for bridge #18-057-9S23-40-003
and Dallas EMP Project for bridge #18-057-9S23-40-008



Mapsco 47W

May 25, 2016

WHEREAS, the Federal Off-system Bridge Program is administered by Texas Department of Transportation (TxDOT) to replace or rehabilitate structurally-deficient and functionally obsolete bridges located on public roads and streets off the designated state highway system; and,

WHEREAS, the City of Dallas owns a bridge located at Second Avenue (northbound) on White Rock Creek, National Bridge Inventory (NBI) Structure Number 18-057-09S23-40-003; and,

WHEREAS, the City of Dallas owns a bridge located at Second Avenue (southbound) on White Rock Creek, NBI Structure Number 18-057-09S23-40-008; and,

WHEREAS, a project to remedy the bridges is included in the currently-approved program of projects as authorized by Texas Transportation Commission Minute Order 114417 dated November 19, 2015 for Control-Section-Job (CSJ) Numbers 0918-47-147; and,

WHEREAS, the usual fund participation ratio for projects on such programs is 80 percent federal, 10 percent state and 10 percent Local Government; and,

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d) (43TAC Section 15.55(d) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waived with agreement by the Local Government to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an “Equivalent-Match Project”; and,

WHEREAS, the City of Dallas’ estimated local match fund participation requirement on the approved federal off-system bridge project is $192,948.00, such participation requirement the City proposes be waived and in return perform or cause to be performed “Equivalent-Match Project” of structural improvement work; and,

WHEREAS, the City of Dallas plans to perform structural and safety improvement work on an “Equivalent-Match Project”, Second Avenue (southbound) on White Rock Creek, National Bridge Inventory (NBI) Structure Number 18-057-09S23-40-008, for an estimated eligible total cost of $210,720 in return for a waiver of the local match fund participation requirement on the “Participation-Waived Project”; and,

WHEREAS, on January 13, 2016, Resolution No. 16-0089 authorized a professional services contract with TranSystems Corporation dba TranSystems Corporation Consultants to provide engineering design for the Second Avenue Bridge (southbound) on White Rock Creek (NBI#18-057-09S23-40-008), in the amount of $186,047.00; and,

May 25, 2016

WHEREAS, the City of Dallas desires to enter into a waiver agreement with TxDOT to waive the local match fund participation requirement on the Participation-Waived Project for Second Avenue (northbound) on White Rock Creek, National Bridge Inventory (NBI) Structure Number 18-057-09S23-40-003.

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 waiver agreement with Texas Department of Transportation to waive the local match fund participation requirement on the Participation-Waived Project, Second Avenue (northbound) on White Rock Creek, NBI Structure Number 18-057-09S23-40-003, after it has been approved as to form by the City Attorney.

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.

May 25, 2016

WHEREAS, the Federal Off-system Bridge Program is administered by Texas Department of Transportation (TxDOT) to replace or rehabilitate structurally-deficient and functionally obsolete bridges located on public roads and streets off the designated state highway system; and,

WHEREAS, the City of Dallas owns a bridge located at Second Avenue (northbound) on White Rock Creek, National Bridge Inventory (NBI) Structure Number 18-057-09S23-40-003; and,

WHEREAS, the City of Dallas owns a bridge located at Second Avenue (southbound) on White Rock Creek, NBI Structure Number 18-057-09S23-40-008; and,

WHEREAS, a project to remedy the bridges is included in the currently approved program of projects as authorized by the Texas Transportation Commission Minute Order 114417 dated November 19, 2015 for Control-Section-Job (CSJ) Numbers 0918-47-147; and,

WHEREAS, a Local Project Advanced Funding Agreement with TxDOT is necessary for the design and construction of a Participation-Waived Project, Second Avenue (northbound) on White Rock Creek, NBI Structure Number 18-057-09S23-40-003; and,

WHEREAS, TxDOT is the lead agency for the development of the Participation-Waived Project; and,

WHEREAS, the City of Dallas desires to execute a Local Project Advanced Funding Agreement with TxDOT for the design and construction of the Participation-Waived Project, Second Avenue (northbound) on White Rock Creek, NBI Structure Number 18-057-09S23-40-003 as part of the Federal Off-system Bridge Program.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a Local Project Advanced Funding Agreement with Texas Department of Transportation for the design and construction of the Participation-Waived Project, Second Avenue (northbound) on White Rock Creek, NBI Structure Number 18-057-09S23-40-003, as part of the Federal Off-system Bridge Program, after it has been approved as to form by the City Attorney.

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

AGENDA ITEM # 21

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 34-E

SUBJECT

Authorize Supplemental Agreement No. 3 to the professional services contract with Gensler to provide design, construction documents, and construction administration services for select repairs identified in the assessment report for the Dallas Love Field Garage A & B and Pedestrian Concourse, located at 8025 Cedar Springs Road - Not to exceed $560,176, from $256,622 to $816,798 - Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize Supplemental Agreement No. 3 to the contract with Gensler to provide design, construction documents, and construction administration services for repairs to Dallas Love Field Garage A & B and the Pedestrian Concourse.

Gensler performed condition assessments of Dallas Love Field Garage A & B and the Pedestrian concourse to identify, prioritize, and provide estimated costs of needed repairs. It was determined that repairs recommended in the assessments as immediate of the type including life safety, code, and preventive maintenance should be done to maintain and extend the useful life of the Garages and Pedestrian Concourse.

The design and construction documents to be provided are for repairs of Life Safety items that include replacement of guardrails and handrails, emergency signage & warning striping, replacement of shear transfer devices, and electrical work. The items for Code include railing modifications, electrical modifications, and lighting. The items for Preventive Maintenance include repairs to stairs, bearing pad replacement, expansion joint replacement, exposed steel repairs, concrete crack sealing & epoxy injection, and concrete spall repair.

ESTIMATED PROJECT SCHEDULE

Begin Design	June 2014
Complete Design	June 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council authorized a professional services contract with M. Arthur Gensler, Jr. & Associates, Inc. dba Gensler to perform a condition assessment of Dallas Love Field Garages A & B and the Pedestrian Concourse, located at 8025 Cedar Springs Road by Resolution No. 14-1012.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

Aviation Capital Construction Funds - $560,176

Design		$228,140
Supplemental Agreement No. 1		$ 10,882
Supplemental Agreement No. 2		$ 17,600
Supplemental Agreement No. 3	(this action)	$560,176
	Total Contract	$816,798

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gensler

Hispanic Female	2	Hispanic Male	6
African-American Female	3	African-American Male	0
White Female	54	White Male	49
Other Female	1	Other Male	3

OWNER

Gensler

Tom Kollaja, Principal

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 3 to the professional services contract with Gensler to provide design, construction documents, and construction administration services for select repairs identified in the assessment report for the Dallas Love Field Garage A & B and Pedestrian Concourse, located at 8025 Cedar Springs Road - Not to exceed $560,176, from $256,622 to $816,798 - Financing: Aviation Capital Construction Funds

Gensler is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$560,176.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$560,176.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Campos Engineering, Inc.	HMDB64625Y0316	$29,785.00	5.32%
JQ Infrastructure	IMDB80158Y0716	$150,000.00	26.78%
Access by Design	WFDB48336Y0616	$3,010.00	0.54%
Total Minority - Local		$182,795.00	32.63%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$29,785.00	5.32%	$119,085.00	14.58%
Asian American	$150,000.00	26.78%	$215,000.00	26.32%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$3,010.00	0.54%	$11,350.00	1.39%
Total	$182,795.00	32.63%	$345,435.00	42.29%

Dallas Love Field Garage A & B and Pedestrian Concourse



Dallas Love Field Garage A & B and Pedestrian Concourse

8025 Cedar Springs Rd.
34-E

WHEREAS, it was decided that a condition assessment of Dallas Love Field Garage A & B and the Pedestrian Concourse was necessary to identify repairs needed to extend its useful life; and,

WHEREAS, on June 25, 2014, Resolution No. 14-1012 authorized a professional services contract with M. Arthur Gensler, Jr. & Associates, Inc. dba Gensler to perform a condition assessment of Dallas Love Field Garages A & B and the Pedestrian Concourse to identify and prioritize needed repairs and provide estimated costs of the repairs, in an amount not to exceed $228,140.00; and,

WHEREAS, on November 24, 2014, Administrative Action No.14-7192 authorized Supplemental Agreement No. 1 to the contract with Gensler to provide water infiltration testing as part of the assessment, in the amount of $10,882.00, increasing the contract from $228,140.00 to $239,022.00; and,

WHEREAS, on July 7, 2015, Administrative Action No.15-6347 authorized Supplemental Agreement No. 2 to the contract with Gensler to provide additional assessment data, prioritize repairs, and cost analysis, in the amount of $17,600.00, increasing the contract from $239,022.00 to $256,622.00; and,

WHEREAS, it was determined that repairs identified as immediate of the type including life safety, code, and preventive maintenance should be implemented; and,

WHEREAS, it is now desirable to authorize Supplemental Agreement No. 3 to the contract with Gensler to provide design, construction documents, and construction administration services for repairs to the Dallas Love Field Garage A & B and Pedestrian Concourse, located at 8025 Cedar Springs Road, in the amount of $560,176.00, increasing the contract from $256,622.00 to $816,798.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 3 to the professional services contract with Gensler to provide design, construction documents, and construction administration services for select repairs to the Dallas Love Field Garage A & B and Pedestrian Concourse, located at 8025 Cedar Springs Road, in an amount not to exceed $560,176.00, increasing the contract amount from $256,622.00 to $816,798.00, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Aviation Capital Construction Funds
Fund 0131, Dept. AVI, Unit 8738, Act. MMCF
Obj. 3070, Program No. AV8738, CT AVIMAGA0414
Vendor No. VS0000001122, in an amount not to exceed $560,176

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

AGENDA ITEM # 22

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 3, 6, 8, 13

DEPARTMENT: Sanitation Services

CMO: Joey Zapata, 670-3009

MAPSCO: 26R, 33F, 63E, 67K

SUBJECT

Authorize Supplemental Agreement No. 3 to the contract with Biggs & Mathews Environmental, Inc. to exercise the second of three, twelve-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station - Not to exceed $153,539, from $995,430 to $1,148,969 - Financing: Sanitation Current Funds (subject to annual appropriations)

BACKGROUND

On June 26, 2013, City Council authorized a twenty-four month professional engineering contract, with three twelve-month renewal options, with Biggs & Mathews Environmental, Inc. for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station. This action will exercise the second of three twelve-month renewal options.

The operation of the City's solid waste disposal facilities, which includes the McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station, is governed by state-issued operational permits. Each permit requires environmental protections for air, water and waste, as regulated by the Texas Commission on Environmental Quality (TCEQ).

BACKGROUND (continued)

The regulatory requirements include:

- Periodic groundwater monitoring
- Environmental compliance (Tier II Annual Report, Air Emission Inventory Annual Report, Green House Gas Annual Report, Groundwater Test and Monitoring Quarterly Results, and updating the Spill Prevention Countermeasures and Control Plan and Storm Water Pollution Prevention Plan)
- Reporting and implementing response actions related to ground water protection
- Leachate monitoring/disposal and related services
- Site operation plan revisions and permit modifications
- Installation and maintenance of monitoring instruments

A portion of the monitoring services require specialized equipment and technical expertise that is best performed by a professional engineering services contractor who has trained environmental sampling staff, equipment, an analytical chemistry laboratory and statistical analysis software for interpreting monitoring results that are needed to complete the regulatory requirements.

ESTIMATED SCHEDULE OF PROJECT

Begin Contract Extension Option	July 2016
Complete Contract Extension Option	June 2017

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized a twenty-four month professional engineering contract to Biggs & Mathews Environmental, Inc., with three twelve-month renewal options for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station, and Southwest Transfer Station and waste cell design and construction oversight at McCommas Bluff Landfill, by Resolution No. 13-1082.

On June 10, 2015, City Council authorized Supplemental Agreement No. 2 to Biggs & Mathews Environmental, Inc., to exercise the first of three, twelve-month renewal options for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station, and Southwest Transfer Station and waste cell design and construction oversight at McCommas Bluff Landfill, by Resolution No. 15-1059.

Information about this item will be provided to the Quality of Life & Environment Committee on May 23, 2016.

FISCAL INFORMATION

$153,539.00 – Sanitation Current Funds (subject to annual appropriations)

Council District	Amount
3	$ 1,000
6	$ 1,000
8	$150,539
13	$ 1,000
Total	$153,539

ETHNIC COMPOSITION

Biggs & Mathews Environmental, Inc.

White Male	15	White Female	7
Black Male	1	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	0

OWNER

Biggs & Mathews Environmental, Inc.

Kerry D. Maroney, President
Michael Snyder, Vice President
Kenneth J. Welch, Secretary/Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 3 to the contract with Biggs & Mathews Environmental, Inc. to exercise the second of three, twelve-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station - Not to exceed $153,539, from $995,430 to $1,148,969 - Financing: Sanitation Current Funds (subject to annual appropriations)

Biggs & Mathews Environmental, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$118,539.00	77.20%
Non-local contracts	$35,000.00	22.80%
TOTAL THIS ACTION	$153,539.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
CP & Y	PMMB64115Y0217	$10,525.00	8.88%
Total Minority - Local		$10,525.00	8.88%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Davis Groundwater Services	WFWB62667N0716	$35,000.00	100.00%
Total Minority - Non-local		$35,000.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$125,000.00	10.88%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$10,525.00	6.85%	$33,699.50	2.93%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$35,000.00	22.80%	$178,578.00	15.54%
Total	$45,525.00	29.65%	$337,277.50	29.35%

May 25, 2016

WHEREAS, on June 26, 2013, City Council authorized a twenty-four month professional engineering contract to Biggs & Mathews Environmental Inc., with three twelve-month renewal options for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station, and Southwest Transfer Station and waste cell design and construction oversight at McCommas Bluff Landfill as required by Resolution No. 13-1082; and

WHEREAS, on August 27, 2013, Administrative Action No. 13-6172 authorized Supplemental Agreement No. 1, with Biggs & Mathews Environmental Inc., for additional installation and testing of Geo-probes at McCommas Bluff Landfill; and

WHEREAS, on June 10, 2015, City Council authorized Supplemental Agreement No. 2, with Biggs & Mathews Inc., to exercise the first of three, twelve-month renewal options to the professional engineering contract with Biggs & Mathews Environmental, Inc. for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, by Resolution No. 15-1059.

NOW, THEREFORE,

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

Section 1. That after approval as to form by the City Attorney, the City Manager is hereby authorized to execute Supplemental Agreement No. 3 to the contract with Biggs & Mathews Environmental, Inc., (501084) to exercise the second of three, twelve-month renewal options to the professional engineering contract for hydrogeology and groundwater monitoring at McCommas Bluff Landfill, Northeast Transfer Station, Northwest Transfer Station and Southwest Transfer Station in an amount not to exceed $153,539.00, from $995,430.00 to $1,148,969.00.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed $153,539.00 (subject to annual appropriations):

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE
0440	SAN	3591	3070	Biggs&MathewsFY2016

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

AGENDA ITEM # 23

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 1, 2, 4, 7, 10, 11, 13

DEPARTMENT: Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 3D 4Z 18W 33R 45W 46W 56S

SUBJECT

Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2015 Highway Safety Improvement Program grant to design, upgrade and construct seven traffic signals and associated off system intersection improvements at Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; **(2)** a required local match in the amount of $213,421; and **(3)** an amendment to Resolution No. 16-0648, previously approved on April 27, 2016, to identify a required local match for design of the traffic signals in the amount of $163,700 - Total not to exceed $2,209,371 - Financing: Texas Department of Transportation Grant Funds ($1,832,251) and Current Funds ($213,421)

BACKGROUND

The City of Dallas was awarded grant funding totaling $6.22 million from the 2015 Highway Safety Improvement Program (HSIP) administered by the Texas Department of Transportation (TxDOT) to reconstruct and install several traffic signals at high accident intersections in the City of Dallas.

This action will use local matching funds totaling $377,120.10 to leverage $1,832,250.51 in Federal and State funds for construction and associated intersection improvements at seven intersections for a total not to exceed cost of $2,209,370.61. Specifically, the City is required to pay State fees in the amount of $20,890.10, professional design services in the amount of $163,700.00 (through a separate contract with Kimley-Horn and Associates), and 10% match for Direct State Engineering and construction costs for off system intersections, totaling $192,530.00, bringing the City's portion of the project to $377,120.10.

BACKGROUND (Continued)

Any change orders or overruns are the responsibility of the City of Dallas.

The traffic signals will be constructed over three years. Design will commence in FY 2016 and construction of the seven (7) traffic signals will commence in FY 2017.

Construction of the seven signals listed below will commence in 2017.

- Arapaho Road and Montfort Drive/Knoll Trail Drive (CSJ#0918-47-152), (Upgrade) (CD 11)
- Colorado Boulevard and Marsalis Avenue (CSJ#0918-47-154), (Upgrade) (CD 1)
- Forest Lane and Plano Road (CSJ#0918-47-156), (Upgrade) (CD 10)
- Harry Hines Boulevard and Empire Central Drive (CSJ#0918-47-158), (Upgrade) (CD 2)
- Illinois Avenue and Bonnie View Road (CSJ#0918-47-159), (Upgrade) (CD 4)
- Marsh Lane and Royal Lane (CSJ#0918-47-162), (Upgrade) (CD 13)
- Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street (CSJ#0918-47-163), (Upgrade) (CD 7)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 27, 2016, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services for 39 traffic signals at various intersections and other related tasks by Resolution No. 16-0648.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	June 2016
Complete Construction	December 2019

FISCAL INFORMATION

Design (previously approved by Resolution No. 16-0648) - $163,700.00
Texas Department of Transportation Grant Funds (this action) - $1,832,250.51
Current Funds (this action) - $213,420.10

The total value of this funding agreement is $2,209,370.61 with the following components:

Federal and State Funds (TxDOT)	$1,832,250.51
Match (City of Dallas)	$ 377,120.10

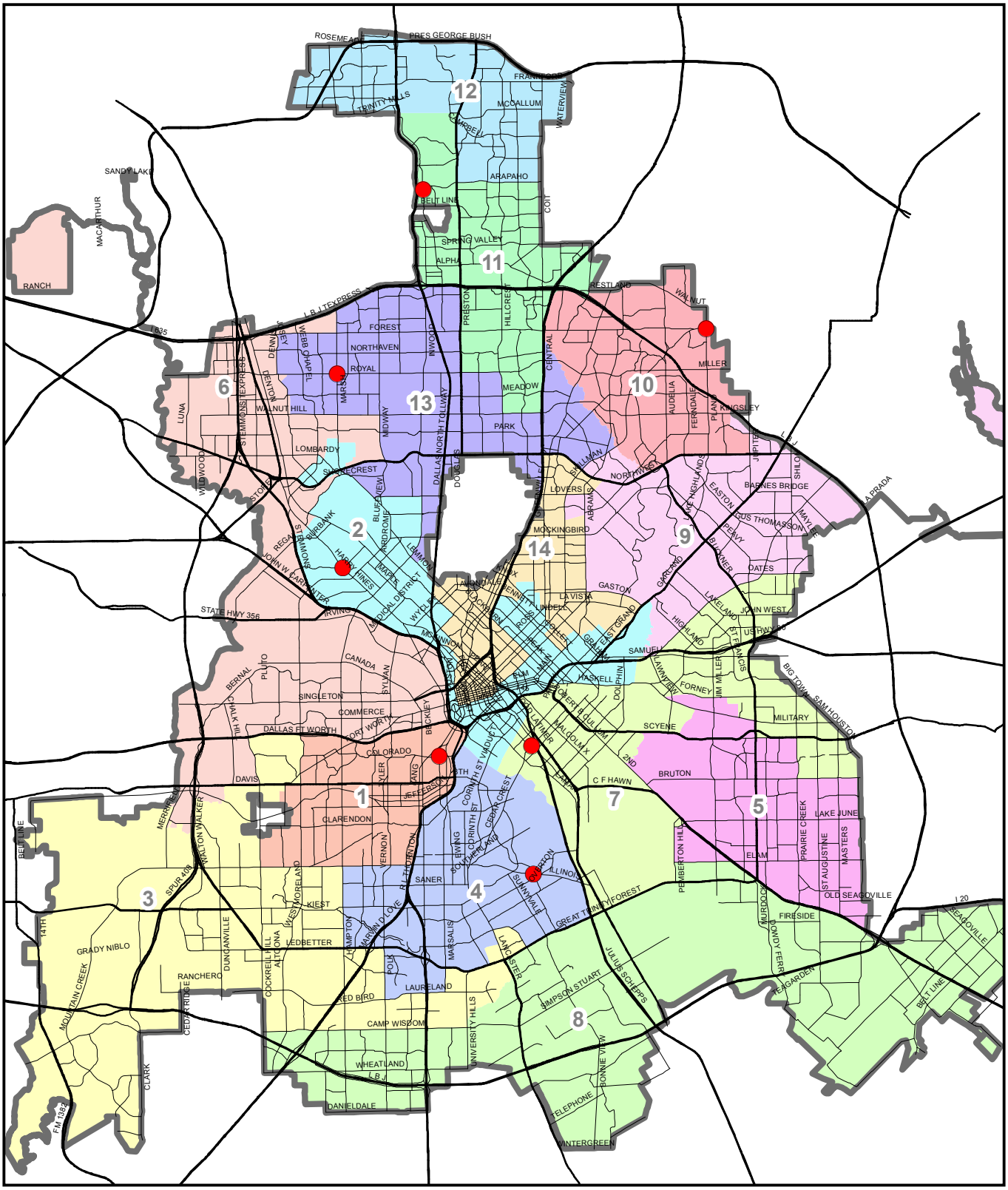
FISCAL INFORMATION (Continued)

Council District	Amount
1	$ 280,281.52
2	$ 340,781.52
4	$ 325,081.51
7	$ 283,081.51
10	$ 367,381.52
11	$ 312,981.52
13	$ 299,781.51
Total	$2,209,370.61

MAP

Attached

HSIP 2015 Submittal
with Seven Intersections (CSJ 0918-47-152,etc)



Council Districts 1, 2, 4, 7, 10, 11, 13
Mapsco Pages 3D, 4Z, 18W, 33R, 45W, 46W, 56S

Map by Transportation GIS, March 2016

May 25, 2016

WHEREAS, the City of Dallas desires to enter into a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for a U.S. Department of Transportation - Federal Highway Administration 2015 Highway Safety Improvement Program (HSIP) Project to fund the design, upgrade and/or construction of seven traffic signals and associated off system intersection improvements at Arapaho Road and Montfort Drive/Knoll Trail Drive, Colorado Boulevard and Marsalis Avenue, Forest Lane and Plano Road, Harry Hines Boulevard and Empire Central Drive, Illinois Avenue and Bonnie View Road, Marsh Lane and Royal Lane, Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street; and,

WHEREAS, on April 27, 2016, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services by Resolution No. 16-0648, the portion of the match funding for this project totals $163,700.00; and,

WHEREAS, the Federal/State portion of the grant is $1,832,250.51 and the City of Dallas local match is $377,120.10 for a total amount not to exceed $2,209,370.61; and,

WHEREAS, the City of Dallas will issue a warrant check at the beginning of the project in the amount of $213,420.10 for the off system locations; and,

WHEREAS, the City of Dallas will be responsible for any change orders or bid overruns; and,

WHEREAS, that this action hereby authorizes an amendment to Resolution No. 16-0648, previously approved on April 27, 2016, to identify a required local match for design of the traffic signals in the amount of $163,700.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2015 Highway Safety Improvement Program grant to design, upgrade and construct seven traffic signals and associated off system intersection improvements, Agreement numbers CSJ#0918-47-152 (Arapaho Road and Montfort Drive/Knoll Trail Drive), CSJ#0918-47-154 (Colorado Boulevard and Marsalis Avenue), CSJ#0918-47-156 (Forest Lane and Plano Road), CSJ#0918-47-158 (Harry Hines Boulevard and Empire Central Drive), CSJ#0918-47-159 (Illinois Avenue and Bonnie View Road), CSJ#0918-47-162 (Marsh Lane and Royal Lane), and CSJ#0918-47-163 (Martin Luther King Jr. Boulevard and Colonial Avenue/Ervay Street), CFDA 20.205, which may be terminated under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds; and that this action hereby authorizes an amendment to Resolution No. 16-0648, previously approved on April 27, 2016, to identify a required local match for design of the traffic signals in the amount of $163,700.00.

Section 2. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT in the amount of $213,420.10, Vendor #020318, in accordance with the terms and conditions of the agreement from Fund 0001, Dept. STS, Unit 3049, Obj. 4820.

Section 3. That the Chief Financial Officer is hereby authorized to reclassify the disbursement to a Prepaid Expense, BSA 032B, if required by general accepted accounting principles.

Section 4. That the Chief Financial Officer is hereby authorized to deposit any unused Current Funds advanced to TxDOT pertaining to this project into Fund 0001, Department STS, BSA 032B.

Section 5. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 24

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	May 25, 2016
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction City Attorney's Office
CMO:	Ryan S. Evans, 671-9837 Christopher D. Bowers, 670-3491
MAPSCO:	67V

SUBJECT

Authorize **(1)** the deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Diann Tessman Slaton, et al., Cause No. CC-14-01509-B, pending in Dallas County Court at Law No. 2, to acquire approximately 27.68 acres of land located at 1005 IH-20, Hutchins, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; **(2)** an amendment to Resolution No. 11-0174, previously approved on January 12, 2011, to correct the funding information; and **(3)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed $911,105 ($904,259 being the amount of the award, plus closing costs and title expenses not to exceed $6,846); an increase of $222,000 from the amount Council originally authorized for this acquisition - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

On January 12, 2011, City Council authorized the acquisition of this property by Resolution No. 11-0174. The property owners were offered $180,852 which was based on a written appraisal from an independent certified appraiser. However, this offer did not include the lease for billboards. The property owners did not accept the offer.

On March 27, 2013, City Council authorized the acquisition of this property by Resolution No. 13-0521 based on a second appraisal performed determining a market value of $683,955. The property owners did not accept the offer and the City filed an eminent domain proceeding to acquire the property. After a hearing on September 22, 2015, the Special Commissioners awarded the property owners $904,259.

This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is $215,154 more than the City Council originally authorized for this acquisition, plus closing costs and title expenses not to exceed $6,846.

BACKGROUND (Continued)

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

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed by memorandum on January 5, 2011.

Authorized acquisition on January 12, 2011, by Resolution No. 11-0174.

Council was briefed by memorandum on March 6, 2013.

Authorized acquisition on March 27, 2013, by Resolution No. 13-0521.

Information about this item will be provided to the Economic Development Committee on May 16, 2016.

Council will be briefed in Closed Session on May 18, 2016.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $222,000

Resolution No. 13-0521	$689,105
Additional Amount (this action)	$222,000
Total Authorized Amount	$911,105

OWNERS

Diann Tessman Slaton

Patti Tessman Rea Luttrell

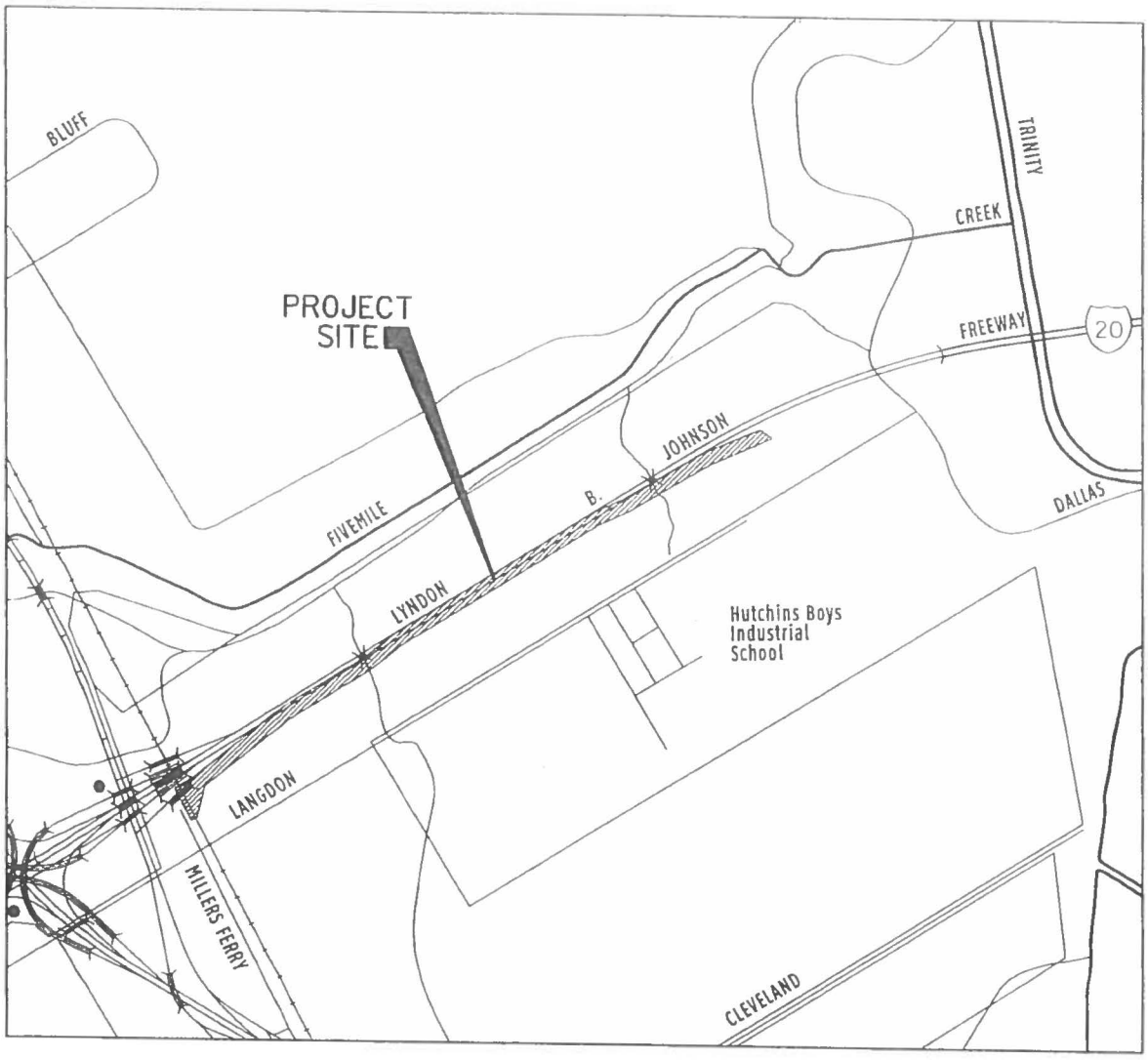
AT&T Corp. d/b/a AT&T East Corp. (easement)

City of Hutchins (easement)

MAP

Attached.

PARCEL E-128



SUBJECT:

6/3/2010 10:02:37 AM ah2419 DWU i:\25000s\25143\CADD\LOCATOR MAPS\E128_LOCMAP-25143.dgn Design RCH/2E_IR5570_B-5x11.plt

May 25, 2016

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS AWARD, AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED, THE LAWSUIT ARISING FROM THE CONDEMNATION PROCEEDING FOR THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

"CONDEMNATION PROCEEDING": Cause No. CC-14-01509-B, in Dallas County Court at Law No. 2, and styled City of Dallas v. Diann Tessman Slaton, et al., filed pursuant to City Council Resolution No. 13-0521.

"PROPERTY": Approximately 27.68 acres of land located in Dallas County, as described in the Condemnation Suit.

"PROJECT": Southwest 120/96-inch Water Pipeline Project

"OFFICIAL OFFER": $683,955

"AWARD": $904,259.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed: $6,846

"AUTHORIZED AMOUNT": Not to exceed: $911,105

"DESIGNATED FUNDS":

$184,002 from Water Utilities Capital Improvement Funds, Fund No. 3115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CT-DWU706623CPAM

$505,103 from Water Utilities Capital Improvement Funds, Fund No. 2115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CT-DWU706623CPAMA

$222,000 from Water Utilities Capital Improvement Funds, Fund No. 3115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CT-DWU706623CPAMA

WHEREAS, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and,

May 25, 2016

WHEREAS, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made an Award which the City Council wishes to deposit with the County Clerk of Kaufman County, Texas, so that the City may take possession of the PROPERTY; and,

WHEREAS, the owner of the PROPERTY objected to the AWARD, which converted the CONDEMNATION PROCEEDING into a lawsuit; and,

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD; **Now, Therefore,**

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

SECTION 1. That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the District Clerk of Kaufman County, Texas, to be deposited by the City Attorney with the Clerk and in the amount of the CLOSING COSTS and TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 2. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

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

APPROVED AS TO FORM:
CHRISTOPHER D. BOWERS
Interim City Attorney

BY _____
Assistant City Attorney

AGENDA ITEM # 25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 54D

SUBJECT

An ordinance abandoning portions of Zang Boulevard to Alamo Manhattan BAD, LLC, the abutting owner, containing a total of approximately 8,579 square feet of land, located near the intersection of Zang Boulevard and Davis Street, and authorizing the quitclaim - Revenue: $220,476, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of Zang Boulevard to Alamo Manhattan BAD, LLC, the abutting owner. The area will be included with the property of the abutting owner for a mixed-use development. The abandonment fee is based on an independent appraisal.

Notices were sent to 32 property owners located within 300 feet of the proposed abandonment area. There was one response received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

Revenue: $220,476, plus the $20 ordinance publication fee

OWNER

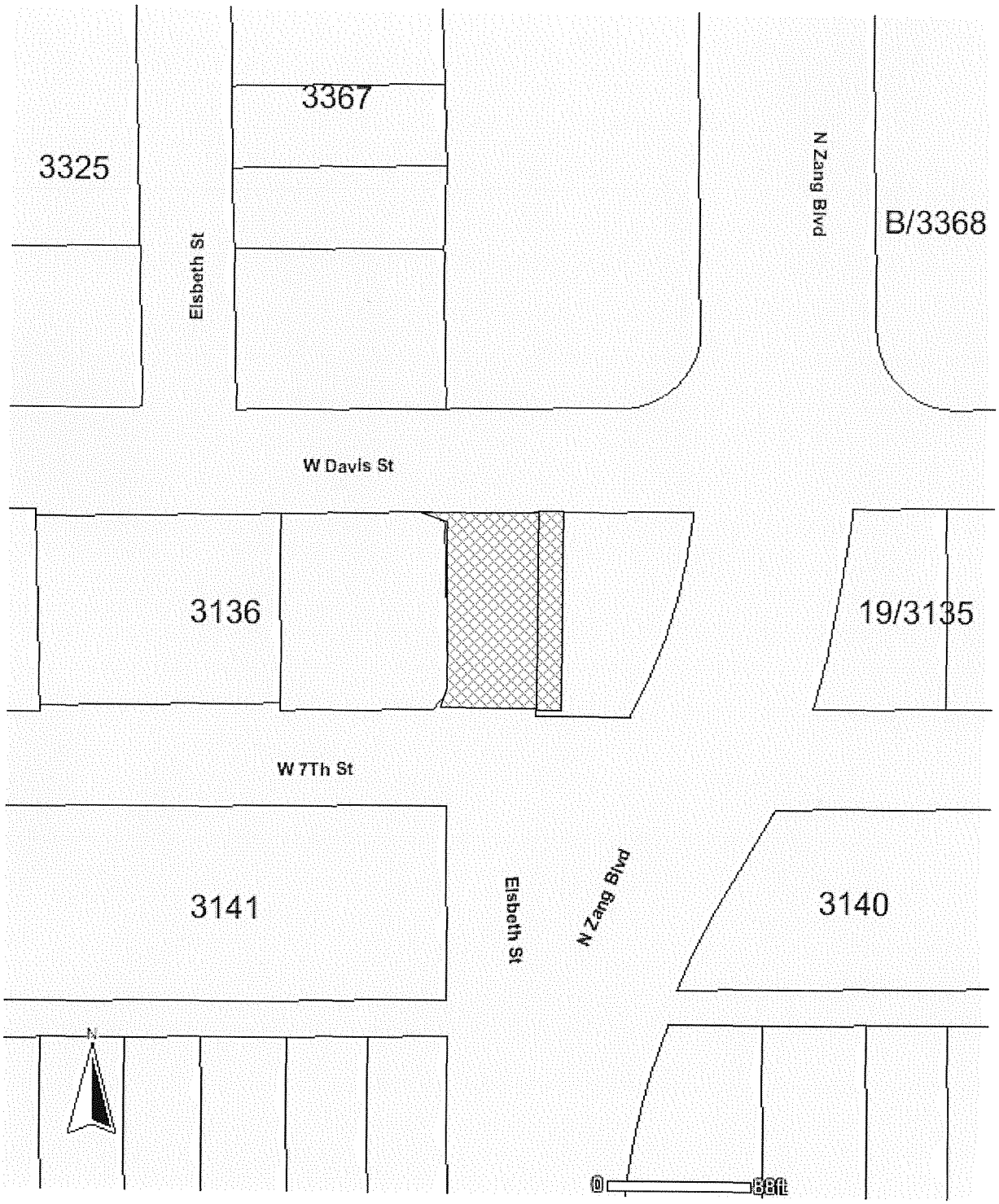
Alamo Manhattan BAD, LLC

Alamo Manhattan Properties, LLC

G. H. Stool, Member

MAP

Attached


3325
3367
Elsbeth St
N Zang Blvd
B/3368
W Davis St
3136
19/3135
W 7Th St
3141
Elsbeth St
N Zang Blvd
3140
N
0
Abandonment Areas:

ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of Zang Boulevard (formerly known as Washington Avenue) located in City Block 19/3135 and adjacent to City Block 12/3136 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Alamo Manhattan BAD, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Alamo Manhattan BAD, LLC, a Texas limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of Zang Boulevard are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **TWO HUNDRED TWENTY THOUSAND FOUR HUNDRED SEVENTY-SIX AND NO/100 DOLLARS ($220,476.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9 and 10, 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 of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any “hazardous substances” under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any “hazardous substance” under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any “hazardous chemicals” or “toxic chemicals” under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and

(f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned areas are located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. 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, 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, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney.

The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 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 D. BOWERS
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

RIGHT-OF-WAY ABANDONMENT
PART OF ZANG BOULEVARD
ADJACENT TO BLOCKS 12/3136 AND 19/3135
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 7,364 square foot (0.169 acre) tract of land situated in the G. Leonard Survey, Abstract No. 770, City of Dallas, Dallas County, Texas, the subject tract being a portion of Zang Boulevard, a variable width, undedicated public street at this location, as shown on City of Dallas property map K–13–W, on file in the City of Dallas Survey Records Vault (formerly known as Washington Avenue), and being a portion of a corner clip being the intersection of the said west line of said Zang Boulevard with the south line of Davis Street (62' R.O.W.), and a portion of a corner clip being the intersection of the west line of said Zang Boulevard with the north line of Seventh Street, a variable width, undedicated public street at this location as shown on City of Dallas property map K–13–W, on file in the City of Dallas Survey Records Vault, said corner clips being created by the Final Plat of Lot 9A, Block 12/3136, Long John Silver Addition, an addition recorded in Volume 86078, Page 2034 of the Deed Records, Dallas County, Texas (DRDCT), with the subject tract being more particularly described as follows:

BEGINNING at a point on the west line of a tract conveyed to the City of Dallas by Warranty Deed recorded in Instrument Number 201300391118 of the Official Public Records, Dallas County, Texas (OPRDCT) and on the east line of Zang Boulevard, and from which a PK nail found for the northwest corner of said City of Dallas tract bears N 01°08'04" W, 3.03 feet, said PK nail being on the south line of Davis Street, a 60 foot wide right–of–way created by the Map of the Miller and Stemmons Addition, recorded in Volume 1, Page 25 of the Map Records, Dallas County, Texas;

THENCE S 01°08'04" E, 121.55 feet along the east line of Zang Boulevard and the west line of said City of Dallas tract, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set for the southwest corner of said City of Dallas tract;

THENCE S 89°20'20" W, through and across Zang Boulevard, passing at 59.89 feet the east line of said right–of–way dedication, and continuing through said dedication a total distance of 68.43 feet to a point for corner on the southerly corner clip of said Lot 9A, Block 12/3136, Long John Silver Addition, as conveyed to Alamo Manhattan BAD, LLC, by Special Warranty Deed recorded in Instrument Number 201500331375 OPRDCT, and from which a 5/8" iron rod with plastic cap found for the south end of said corner clip bears S 44°06'31" W, 2.05 feet, said rod being on the north line of Seventh Street, a 60 foot right–of–way created by the plat of Dallas Land and Loan Company's Addition to Oak Cliff, recorded in Volume 106, Page 230, Map Records, Dallas County, Texas (MRDCT);

THENCE N 44°06'31" E, 12.04 feet along the northwest line of said corner clip and the lower southeast line of said Lot 9A and said Alamo Manhattan BAD tract, to a 5/8" iron rod with plastic cap found for corner (controlling monument);

THENCE N 01°07'18" W, 103.00 feet along the east line of said Lot 9A and said Alamo Manhattan BAD tract, and along the west line of Zang Boulevard, to a 5/8" iron rod with plastic cap found (controlling monument) for the south end of the northeast corner clip created by said Final Plat of Lot 9A, Block 12/3136, Long John Silver Addition;

THENCE N 45°53'29" W, 14.20 feet along said corner clip to a point for corner;

THENCE N 89°20'20" E, 69.86 feet departing said corner clip through and across Zang Boulevard to the POINT OF BEGINNING and containing 7,364 square feet or 0.169 acres of land.

(For SPRG use only)
Reviewed By: David Scott
Date: 4.5.16
SPRG No: 3567

NOTES:

1. Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network–Texas State Plane Coordinate System, NAD83–2011, North Central Zone (4202).
2. A parcel plat map of even date hereby accompanies this legal description.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

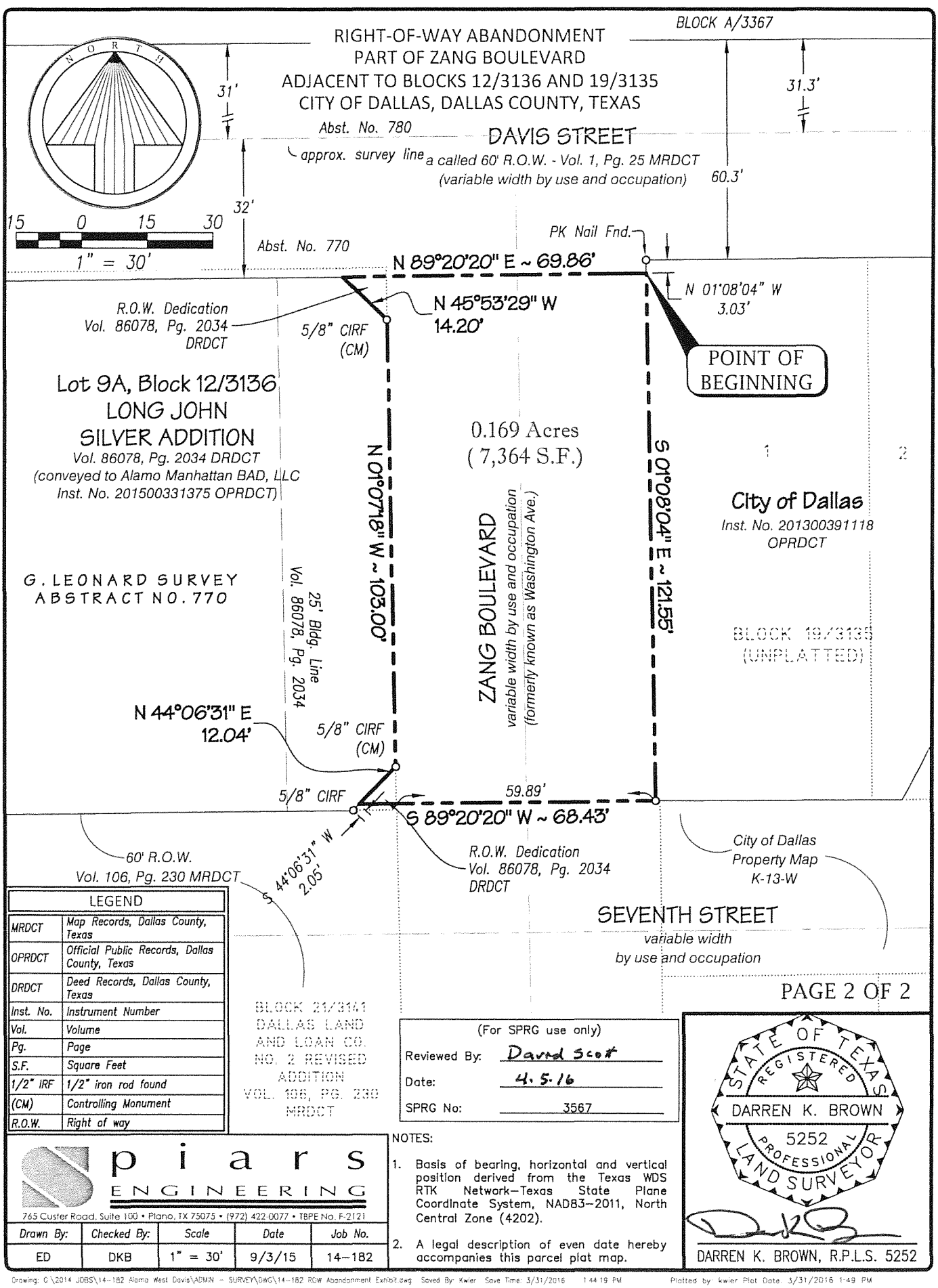
DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		9/8/15	14–182

Drawing: C:\2014 JOBS\14-182 Alamo West Davis\ADMIN - SURVEY\DWG\14-182 ROW Abandonment Exhibit.dwg Saved By: Kwier Save Time: 3/31/2016 1:44:19 PM Plotted by: kwier Plot Date: 3/31/2016 1:49 PM

EXHIBIT A-TRACT 1



PAGE 2 OF 2

LEGEND	
MRDCT	Map Records, Dallas County, Texas
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
S.F.	Square Feet
1/2" IRF	1/2" iron rod found
(CM)	Controlling Monument
R.O.W.	Right of way

(For SPRG use only)

Reviewed By: David Scott

Date: 4.5.16

SPRG No: 3567

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 30'	9/3/15	14-182

NOTES:

1. Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83-2011, North Central Zone (4202).
2. A legal description of even date hereby accompanies this parcel plat map.

Drawing: C:\2014 JOBS\14-182 Alamo West Davis\ADMIN - SURVEY\DWG\14-182 ROW Abandonment Exhibit.dwg Saved By: Kwier Save Time: 3/31/2016 1:44:19 PM Plotted by: kwier Plot Date: 3/31/2016 1:49 PM

EXHIBIT A-TRACT 2

STREET RIGHT-OF-WAY ABANDONMENT
GEORGE L. LEONARD SURVEY, ABSTRACT NO. 770
PART OF BLOCK 19/3135
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 1,215 square foot (0.028 acre) tract of land situated in the George L. Leonard Survey, Abstract No. 770, City of Dallas, Dallas County, Texas, the subject tract being a portion of a called 10,260 square foot (0.236 acre) tract of land described in Warranty Deed from Roy L. Smith, Inc., to City of Dallas, executed December 31, 2013 as recorded in Instrument No. 201300391118, Official Public Records, Dallas County, Texas, said 10,260 square foot (0.236 acre) City of Dallas tract being acquired for Zang–Davis Median Improvement by Resolution No. 13–2093 dated December 11, 2013, said 1,215 square foot (0.028 acre) tract being more particularly described as follows:

BEGINNING at a point on the west line of said City of Dallas tract and on the east line of Zang Boulevard, a variable width undedicated public street at this location as shown on City of Dallas Property Map K–13–W, on file in the City of Dallas Survey Records Vault, and from which a PK nail found (controlling monument) for the northwest corner of said City of Dallas tract bears N 01°08'04" W, 3.03 feet, said PK nail being on the south line of Davis Street, a called 60 foot wide right–of–way (variable width by use and occupation) created by the Map of the Miller and Stemmons Addition, recorded in Volume 1, Page 25 of the Map Records, Dallas County, Texas;

THENCE N 89°20'20" E, 10.00 feet departing the east line of Zang Boulevard, into said City of Dallas tract to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE S 01°08'04" E, 121.55 feet into said City of Dallas tract to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the south line of said City of Dallas tract and the north line of Seventh Street, a variable width, undedicated public street at this location as shown on City of Dallas property map K–13–W, on file in the City of Dallas Survey Records Vault;

THENCE S 89°20'20" W, 10.00 feet along the south line of said City of Dallas tract and the north line of said Seventh Street to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the east line of Zang Boulevard, for the southwest corner of said City of Dallas tract, and from which a 5/8" iron rod with plastic cap found (controlling monument) for the south end of a corner clip at the southwest corner of Lot 9A, Block 12/3136, Long John Silver Addition, an addition to the City of Dallas, Texas, created by plat recorded in Volume 86078, Page 2034 of the Deed Records, Dallas County, Texas (DRDCT), as conveyed to Alamo Manhattan BAD, LLC, by Special Warranty Deed recorded in Instrument Number 201500331375, Official Public Records, Dallas County, Texas, bears S 88°08'54" W, 69.89 feet;

THENCE N 01°08'04" W, 121.55 feet along the east line of Zang Boulevard and the west line of said City of Dallas tract, to the POINT OF BEGINNING and containing 1,215 square feet or 0.028 acres of land.

(For SPRG use only)
Reviewed By: David Scott
Date: 4.5.16
SPRG No: 3568

spiars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		3/8/16	14–182

NOTES:
1. Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network–Texas State Plane Coordinate System, NAD83–2011, North Central Zone (4202).
2. A parcel plat map of even date hereby accompanies this legal description.

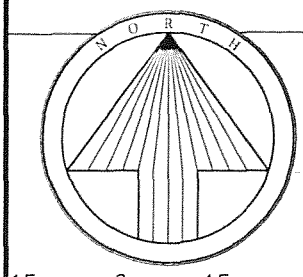
STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

Drawing: G:\2014 JOBS\14-182 Alamo West Davis\ADMIN - SURVEY\DWG\14-182 Purchase Exhibit.dwg Saved By: Edavis Save Time: 3/30/2016 8:19:04 AM Plotted by: kwier Plot Date: 3/31/2016 1:48 PM

EXHIBIT A-TRACT 2

STREET RIGHT-OF-WAY ABANDONMENT
GEORGE L. LEONARD SURVEY, ABSTRACT NO. 770
PART OF BLOCK 19/3135
CITY OF DALLAS, DALLAS COUNTY, TEXAS



BLOCK A/3367
Abst. No. 780
31.3'
approx. survey line
60.3'
Abst. No. 770

DAVIS STREET
a called 60' R.O.W. - Vol. 1, Pg. 25 MRDCT
(variable width by use and occupation)

32'

N 89°20'20" E
10.00'

N 01°08'04" W, 3.03'
PK Nail
Fnd. (CM)

R.O.W. Dedication
Vol. 86078, Pg. 2034
DRDCT

5/8" CIRF

POINT OF BEGINNING

0.028 Acres
(1,215 Sq. Ft.)

Lot 9A, Block 12/3136
LONG JOHN
SILVER ADDITION
Vol. 86078, Pg. 2034 DRDCT
(Alamo Manhattan BAD, LLC - Inst. No. 201500331375 OPRDCT)

ZANG BOULEVARD
variable width by use and occupation
(formerly known as Washington Ave.)

N 01°08'04" W ~ 121.55'

S 01°08'04" E ~ 121.55'

BLOCK 19/3135
(UNPLATTED)

City of Dallas
Inst. No. 201300391118
OPRDCT

25' Bldg. Line
Vol. 86078, Pg. 2034

GEORGE L.
LEONARD SURVEY
ABSTRACT NO. 770

City of Dallas
Vol. 2295, Pg. 536 DRDCT

R.O.W. Dedication
Vol. 86078, Pg. 2034
DRDCT

5/8" CIRF

S 88°08'54" W ~ 69.89'

S 89°20'20" W
10.00'

60' R.O.W.
Vol. 106, Pg. 230 MRDCT

5/8" CIRF
(CM)

30'

City of Dallas
Property Map
K-13-W

SEVENTH STREET
variable width by
use and occupation

PAGE 2 OF 2

LEGEND	
OPRDCT	Official Public Records, Dallas County, Texas
DRDCT	Deed Records, Dallas County, Texas
Inst. No.	Instrument Number
Vol.	Volume
Pg.	Page
Sq. Ft.	Square Feet
o	1/2" iron rod w/ plastic cap stamped "SPIARSENG" set, unless otherwise noted
1/2" IRF	1/2" iron rod found
1/2" CIRF	1/2" iron rod with plastic cap stamped "SPIARSENG" found
(CM)	Controlling Monument
R.O.W.	Right of way

(For SPRG use only)
Reviewed By: David Scott
Date: 4.5.16
SPRG No: 3568

NOTES:
1. Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network–Texas State Plane Coordinate System, NAD83–2011, North Central Zone (4202).
2. A legal description of even date hereby accompanies this parcel plat map.

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 30'	3/8/16	14–182

Drawing: C:\2014 JOBS\14-182 Alamo West Davis\ADMIN - SURVEY\DWG\14-182 Purchase Exhibit.dwg Saved By: Edavis Save Time: 3/30/2016 8:19:04 AM
Plotted by: kwier Plot Date: 3/31/2016 1:48 PM

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM # 26

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	May 25, 2016
COUNCIL DISTRICT(S):	9
DEPARTMENT:	Sustainable Development and Construction Park & Recreation
CMO:	Ryan S. Evans, 671-9837 Willis Winters, 670-4071
MAPSCO:	37R

SUBJECT

An ordinance abandoning two variable width alley reservations, an alley site reservation, a portion of an alley easement, a detention area reservation, and a portion of a detention area reservation to the City of Dallas, the abutting owner, containing a total of approximately 139,787 square feet of land, located near the intersection of Garland Road and Tavaros Avenue, and providing for the dedication of approximately 5,967 square feet of land for needed right-of-way and approximately 12,511 square feet for needed detention area easements - Revenue: $27,000, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of two variable width alley reservations, an alley site reservation, a portion of an alley easement, a detention area reservation, and a portion of a detention area reservation to the City of Dallas, the abutting owner. The area will be included with the property of the abutting owner for the construction of a parking garage benefiting the Dallas Arboretum. The owner will dedicate approximately 5,967 square feet of land for needed right-of-way and approximately 12,511 square feet for needed detention area easements. The abandonment fee is the minimum.

Notices were sent to 27 property owners located within 300 feet of the proposed abandonment areas. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board approved the acceptance of the bid on April 9, 2014.

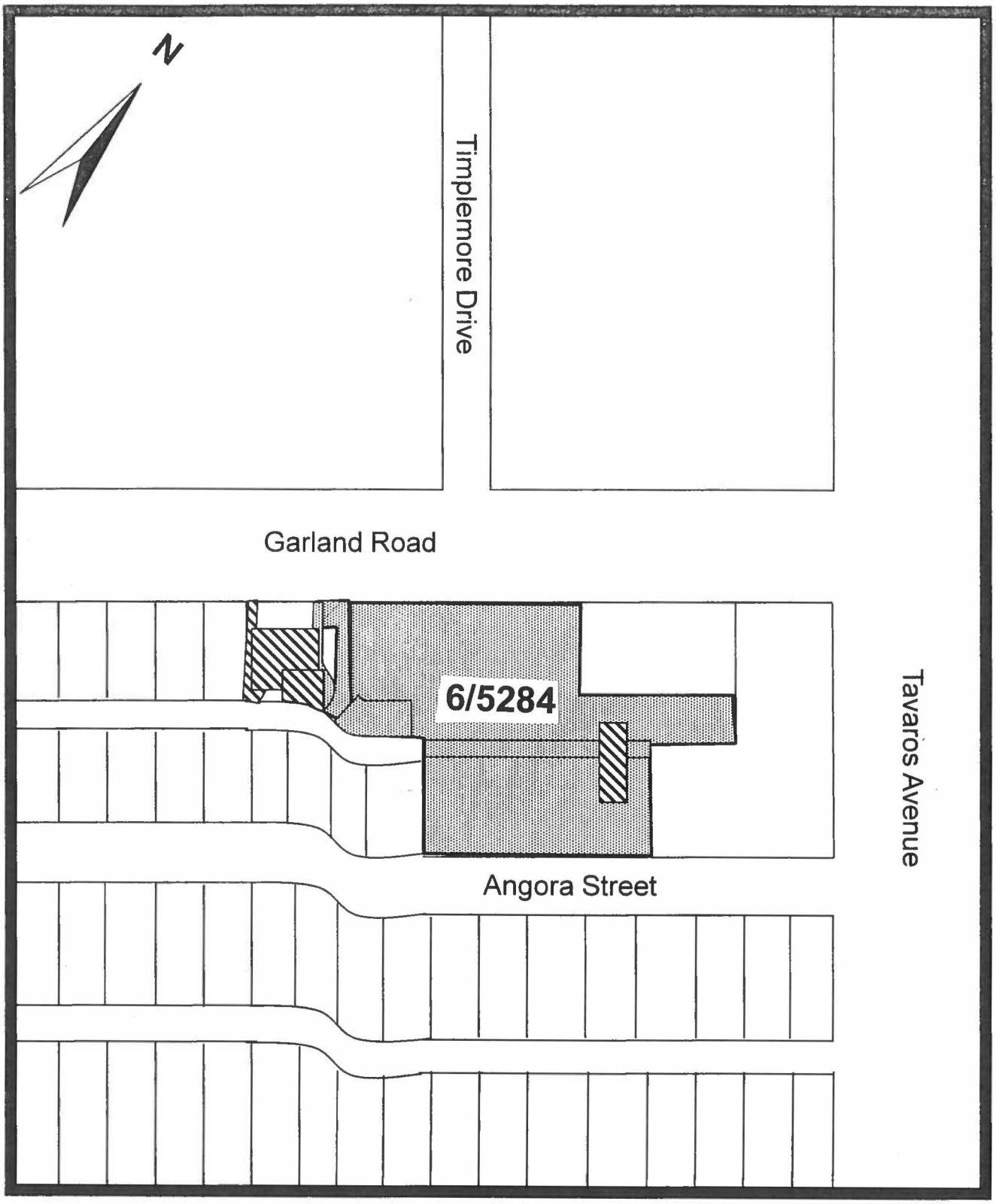
Information about this item will be provided to the Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

Revenue: $27,000, plus the $20 ordinance publication fee

MAP

Attached


N
Timplemore Drive
Garland Road
6/5284
Tavaros Avenue
Angora Street
= Abandonment Areas
= Dedication Areas

ORDINANCE NO. _____

An ordinance providing for the abandonment of two variable width alley reservations, an alley sight reservation, a portion of an alley easement, a detention area reservation, and a portion of a detention area reservation located in City Block 6/5284 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to the City of Dallas; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed reservations 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 the City of Dallas, a Texas municipal corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said reservations and portion of easement are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **TWENTY-SEVEN THOUSAND AND NO/100 DOLLARS ($27,000.00)** paid by the Dallas Arboretum & Botanical Society, Inc., and the further consideration described in Sections 8, 9, and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, to the extent allowed by law, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and

(f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, Dallas Arboretum & Botanical Society, Inc. shall record a final replat of the adjoining properties within (1) one year of the effective date of this ordinance showing the dedication by reservation of not less than 5,967 square feet of needed variable width alley reservations and not less than 112 square feet for an alley site reservation in City Block 6/5284, and not less than 9,196 square feet for a detention area easement in City Block 6/5284 and not less than 3,315 square feet for a detention area easement in City Block 6/5284. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A Tracts 1, 2, 3 and 4 in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A Tracts 1, 2, 3 and 4 closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 9, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 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 D. BOWERS
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

Variable Width Alley Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 3,832 square foot (0.088 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas and part of that certain tract of land described in General Warranty Deed to Dallas Arboretum & Botanical Society, Inc. recorded in Instrument No. 201200144549 of said Official Public Records; said tract also being all of that certain tract of land described as a variable width alley reservation, depicted and reserved by the said plat of Dallas Arboretum Addition; said 3,832 square foot (0.088 acre) tract being more particularly described as follows (bearing system for this survey based on the North American Datum of 1983,Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a "+" cut in concrete found (controlling monument) in the southeast right-of-way line of Garland Road (State Highway No. 78 a variable width right-of-way, formerly known as Bankhead Highway, by use and occupation); said point being the northernmost corner of that certain tract of unplatted land described in Special Warranty Deed to Tamale Partners, Ltd. recorded in Instrument No. 201100295906 of said Official Public Records and the westernmost corner of said Lot 1A, Block 6/5284;

THENCE, North 43 degrees, 50 minutes, 54 seconds East, along said southeast line of Garland Road and the northwest line of said Lot 1A, Block 6/5284, a distance of 15.00 feet to a point; said point being the northernmost corner of said Alley Reservation;

THENCE, departing said southeast line of Garland Road and the said northwest line of Lot 1A, Block 6/5284 and into and across said Lot 1A, Block 6/5284, along the northeast line of said Alley Reservation, the following (3) calls:

South 46 degrees, 09 minutes, 55 seconds East, , a distance of 80.73 feet to a point at the point of curvature of a tangent curve to the left;

Along said curve to the left, having a central angle of 46 degrees, 34 minutes, 03 seconds, a radius of 40.00 feet, a chord bearing and distance of South 69 degrees, 26 minutes, 57 seconds East, 31.62 feet, an arc distance of 32.51 feet to the point of reverse curvature;

Along said reverse curve to the right, having a central angle of 104 degrees, 37 minutes, 50 seconds, a radius of 40.00 feet, a chord bearing and distance of South 40 degrees, 25 minutes, 03 seconds East, 63.31 feet, an arc distance of 73.05 feet to a point in the northwest line of that certain tract of land described as "for alley purposes" in Warranty Deed to the City of Dallas, Texas recorded in Volume 2958, Page 400 of the Deed Records of Dallas County, Texas and the westernmost southeast line of said Lot 1A, Block 6/5284; said point being in a non-tangent curve to the left and the easternmost corner of said Alley Reservation;

REVIEWED BY
JL 11-25-13
SPRS 2748

EXHIBIT A-TRACT 1

Variable Width Alley Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

THENCE, along the said northwest line of the "for alley purposes" tract, the said southwest line of Lot 1A Block 6/5284, the southwest line of said Alley Reservation tract and said curve to the left, having a central angle of 12 degrees, 16 minutes, 16 seconds, a radius of 115.60 feet, a chord bearing and distance of South 74 degrees, 56 minutes, 00 seconds West, 24.71 feet, an arc distance of 24.76 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found; said point being the easternmost corner of said Tamale Partners tract and the westernmost south corner of said Lot 1A, Block 6/5284 and the southernmost corner of said Alley Reservation;

THENCE, North 46 degrees, 09 minutes, 55 seconds West, departing the said northwest line of the "for alley purposes" tract, along the southernmost southwest line of said Lot 1A, Block 6/5284, the southwest line of the Alley Reservation tract and the northeast line of said Tamale Partners tract, a distance of 160.01 feet to the **POINT OF BEGINNING;**

CONTAINING, 3,832 square feet or 0.088 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

REVIEWED BY
SL 11-25-13
SIRA 2768

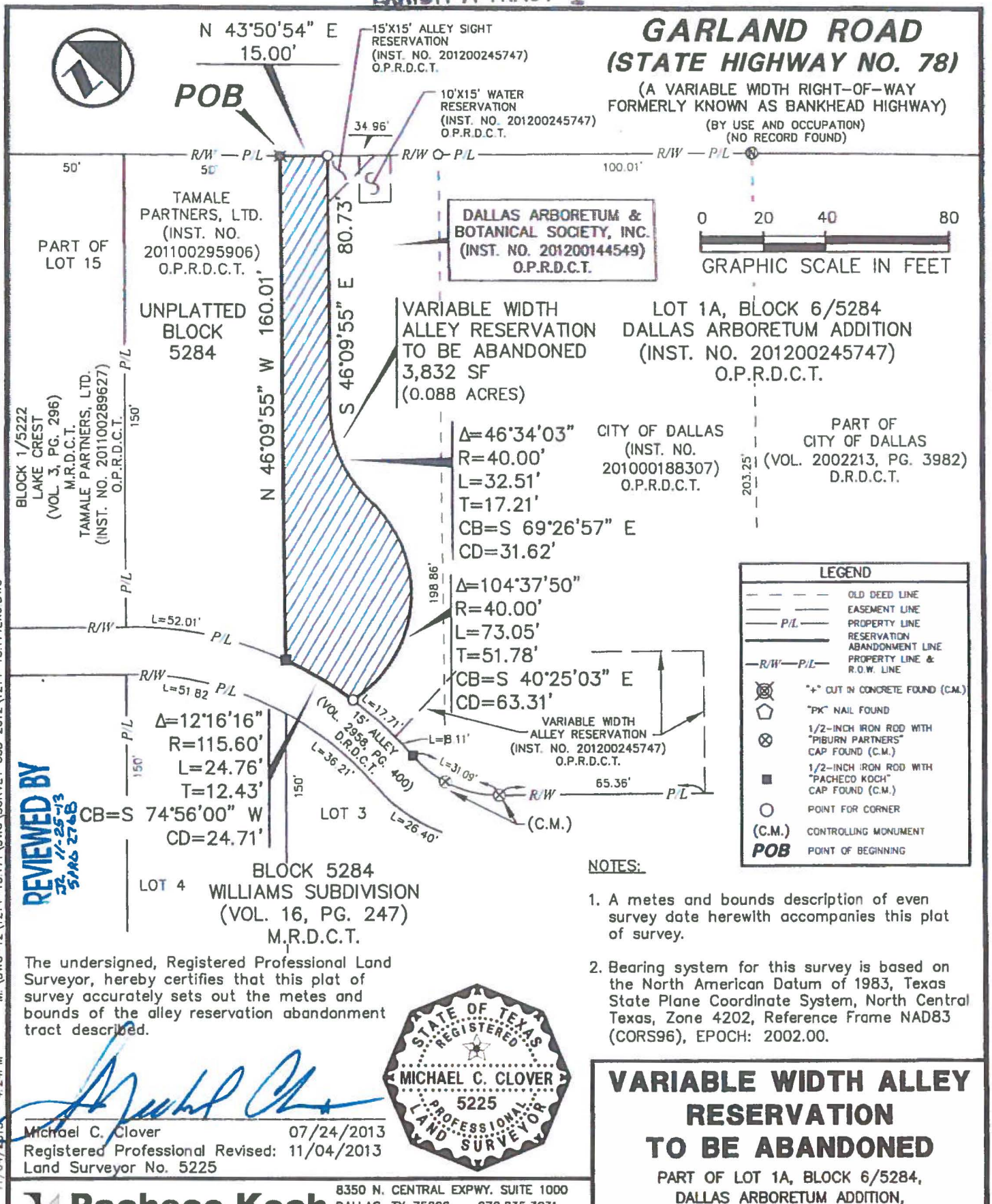
The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the alley reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
Revised: 11/04/2013

EX6 - 3832 SF Tract-REV.docx sbp
1214-13.131EX6.dwg sbp

EXHIBIT A-TRACT 1



REVIEWED BY JK 11-25-13 SMG 2748

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the alley reservation abandonment tract described.

STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Revised: 11/04/2013
Land Surveyor No. 5225

VARIABLE WIDTH ALLEY RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION,
AN ADDITION TO THE CITY OF DALLAS,
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
SBP/DB	MCC	1"=40'	JULY 2013	1214-13.171

DWG FILE: 1214-13.171EX6.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX6.DWG 11/04/2013 - 4:24PM MCLOVER

EXHIBIT A-TRACT 2

Variable Width Alley Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 3,932 square foot (0.090 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas; said tract also being part of that certain tract of land described in Warranty Deed to the City of Dallas recorded in Instrument No. 201000188307 of said Official Public Records and part of that certain tract of land described in General Warranty Deed to Dallas Arboretum & Botanical Society, Inc. recorded in Instrument No. 201200144549 of said Official Public Records; said 3,932 square foot (0.090 acre) tract being more particularly described as follows (bearing system for this survey based on the North American Datum of 1983,Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a point in the northwest line of that certain tract of land described as "for alley purposes" in Warranty Deed to the City of Dallas, Texas recorded in Volume 2958, Page 400 of the Deed Records of Dallas County, Texas and the westernmost southeast line of said Lot 1A, Block 6/5284; said point being the easternmost corner of said alley reservation tract and South 43 degrees, 50 minutes, 06 seconds West, a distance of 17.50 feet from a 1/2-inch iron rod found (controlling monument) at the northernmost corner of the northeast terminus of said City of Dallas "for alley purposes" tract and a reentrant corner of said Lot 1A, Block 6/5284;

THENCE, in a southwesterly direction, along the said northwest line of said City of Dallas "for alley purposes" tract, the said southeast line of Lot 1A, Block 6/5284 and the southeast line of said alley reservation tract, the following three (3) calls:

REVIEWED BY
JL 11-25-13
SPAL 2749

South 43 degrees, 50 minutes, 06 seconds West, a distance of 65.36 feet to a 1/2-inch iron rod with "PIBURN PARTNERS" cap found (controlling monument) at the point of curvature of a tangent curve to the right;

Along said curve to the right, having a central angle of 50 degrees, 01 minutes, 59 seconds, a radius of 35.60 feet, a chord bearing and distance of South 68 degrees, 51 minutes, 06 seconds West, 30.11 feet, an arc distance of 31.09 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found at the point of reverse curvature;

Along said reverse curve to the left, having a central angle of 04 degrees, 01 minutes, 10 seconds, a radius of 115.60 feet, a chord bearing and distance of North 88 degrees, 08 minutes, 29 seconds West, 8.11 feet, an arc distance of 8.11 feet to a point; said point being the southernmost corner of said alley reservation tract;

THENCE, departing the said northwest line of the City of Dallas "for alley purposes" tract, the said southeast line of Lot 1A, Block 6/5284 and the said southeast line of the alley reservation tract and into and across said Lot 1A, Block 6/5284, the following four (4) calls:

North 02 degrees, 46 minutes, 44 seconds West, along the southwest line of said alley reservation tract, a distance of 44.50 feet to a point; said point being the westernmost corner of said alley reservation tract;

EXHIBIT A-TRACT 6

Variable Width Alley Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

North 88 degrees, 13 minutes, 42 seconds East, along the west line of said alley reservation tract, a distance of 8.72 feet to a point; said point being a reentrant corner of said alley reservation tract;

North 43 degrees, 50 minutes, 06 seconds East, along the northwest line of said alley reservation tract, a distance of 61.26 feet to a point; said point being the northernmost corner of said alley reservation tract;

South 46 degrees, 09 minutes, 54 seconds East, along the northeast line of said alley reservation tract, a distance of 45.00 feet to the **POINT OF BEGINNING**;

CONTAINING, 3,932 square feet or 0.090 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the alley reservation abandonment tract described.

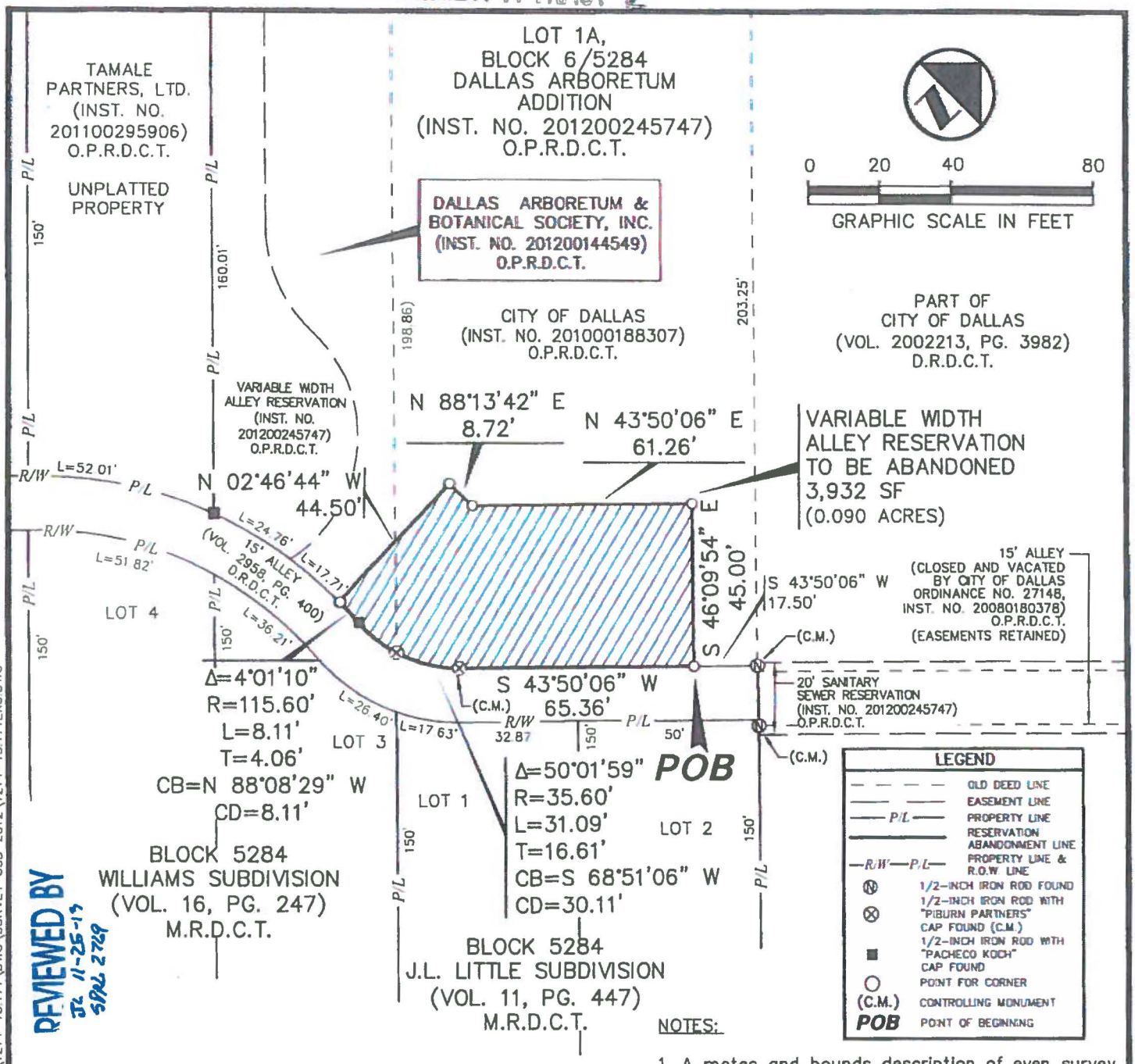
REVIEWED BY
JZ 11-25-13
SPRS 2749



Michael C. Clover 07/24/2013
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
Revised: 11/04/2013

EX5 - 3932 SF Tract-REV.docx sbp
1214-13.131EX5.dwg sbp

EXHIBIT A-TRACT 2



REVIEWED BY
JL 11-25-13
SPRL 2729

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the alley reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Revised: 11/04/2013
Land Surveyor No. 5225

VARIABLE WIDTH ALLEY RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION,
AN ADDITION TO THE CITY OF DALLAS,
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
DALLAS COUNTY, TEXAS
SHEET 3 OF 3

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
SBP/DB	MCC	1"=40'	JULY 2013	1214-13.171

DWG FILE: 1214-13.171EX5.DWG

11/04/2013 - 3:48PM M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX5.DWG MCLOVER

EXHIBIT A-TRACT 3

Alley Sight Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 112 square foot (0.003 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas and part of that certain tract of land described in General Warranty Deed to Dallas Arboretum & Botanical society, Inc. recorded in Instrument No. 201200144549 of said Official Public Records; said tract also being all of that certain tract of land described as a 15-foot by 15-foot Alley Sight Reservation, depicted on and reserved by, said plat; said 112 square foot (0.003 acre) tract being more particularly described as follows (bearing system for this survey based on the North American Datum of 1983,Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a point in the southeast right-of way line of Garland road (State Highway No. 78 a variable width right-of-way formerly known as Bankhead Highway, by use and occupation) and the northwest line of said Lot 1A; said point being North 43 degrees, 50 minutes, 54 seconds East, a distance of 15.00 feet from a "+" cut in concrete found (controlling monument) at the westernmost corner of said Lot 1A and the northernmost corner of that certain tract of unplatted land described in Special Warranty Deed to Tamale Partners, Ltd., recorded in Instrument No. 201100295906 of said Official Public Records;

THENCE, North 43 degrees, 50 minutes, 54 seconds East, along the said southeast line of Garland Road and the said northwest line of Lot1A, a distance of 15.00 feet to a point;

THENCE, departing the said southeast line of Garland Road and the said northwest line of Lot 1A and into and across said Lot 1A, the following two (2) calls:

South 01 degrees, 09 minutes, 31 seconds East, a distance of 21.21 feet to a point;

North 46 degrees,09 minutes,55 seconds West, a distance of 15.00 feet to the **POINT OF BEGINNING**;

CONTAINING, 112 square feet or 0.003 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

REVIEWED BY
JL 11-25-13
SAG 2775

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

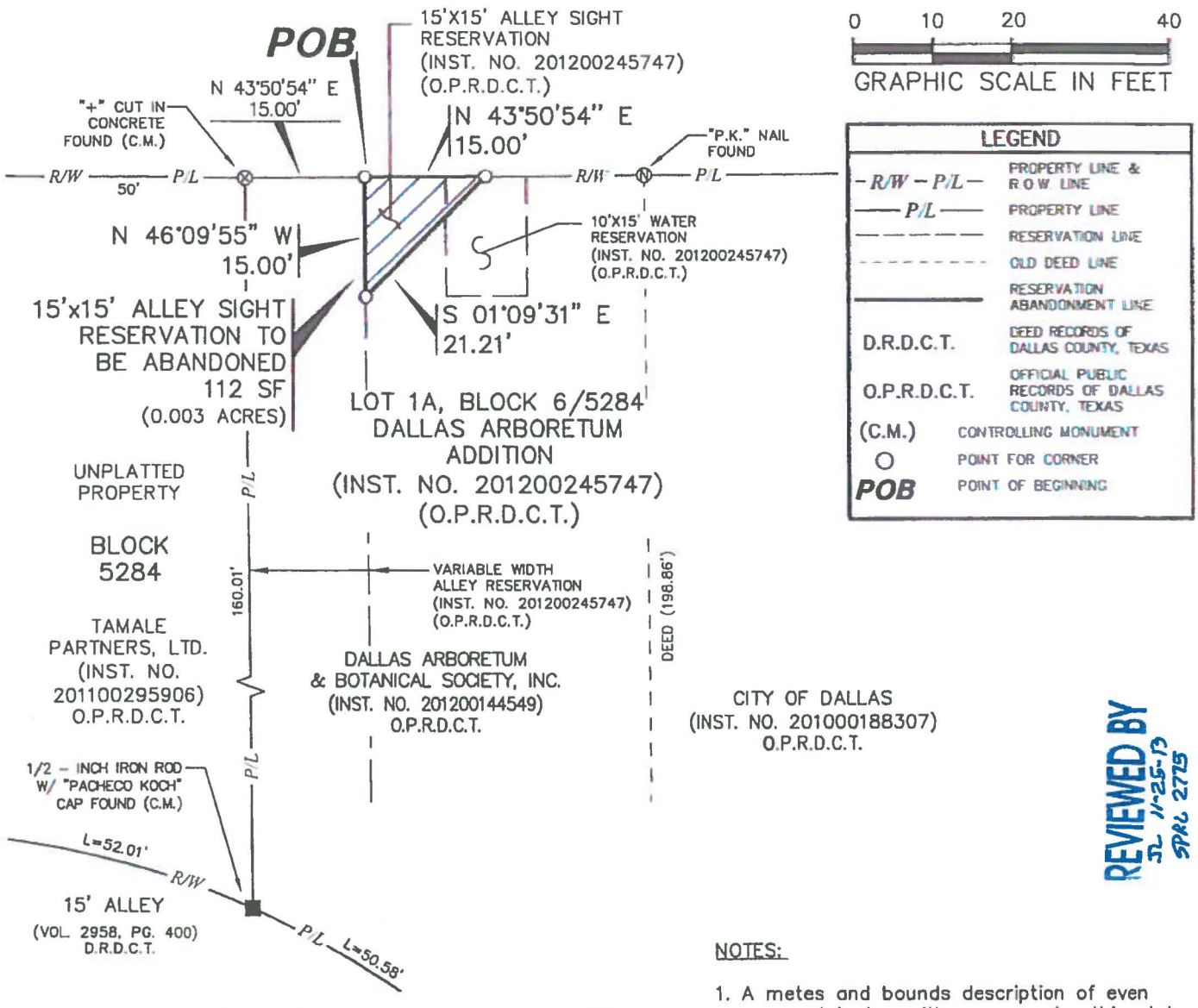
Michael C. Clover 07/24/2013
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
Revised: 11/04/2013

EX7 – 112 SF Tract.doc
1214-13.171EX7.DWG CJG/DB

EXHIBIT A-TRACT 3

GARLAND ROAD
(STATE HIGHWAY NO. 78)

(A VARIABLE WIDTH RIGHT-OF-WAY
FORMERLY KNOWN AS BANKHEAD HIGHWAY)
(BY USE AND OCCUPATION)
(NO RECORD FOUND)



0 10 20 40
GRAPHIC SCALE IN FEET

LEGEND	
-R/W-P/L-	PROPERTY LINE & R.O.W. LINE
——P/L——	PROPERTY LINE
— — — —	RESERVATION LINE
- - - - - -	OLD DEED LINE
———	RESERVATION ABANDONMENT LINE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
(C.M.)	CONTROLLING MONUMENT
O	POINT FOR CORNER
POB	POINT OF BEGINNING

REVIEWED BY
JL 11-25-13
SPRL 2775

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Revised: 11/04/2013
Land Surveyor No. 5225

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CJG/DB	MCC	1"=20'	JULY 2013	1214-13.171

ALLEY SIGHT RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 2 OF 2

DWG FILE: 1214-13.171EX7.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX7.DWG
11/04/2013 - 4:44PM
MCLOVER

EXHIBIT A-TRACT 4

15-Foot Alley Right-of-Way
To be Abandoned
Part of Lot 1A, Block No. 6/5284,
Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 4,503 square foot (0.103 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas; said tract also being all of that certain portion of a 15-foot wide alley Closed and Vacated by City of Dallas Ordinance No. 27148, recorded in Instrument No. 20080180378 of said Official Public Records (easements retained); said 4,503 square foot tract being more particularly described as follows (bearing system for this survey based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a 3-inch brass monument stamped "SWB TEL CO" found for corner (controlling monument) at the intersection of the southwest line and the northwest line of a variable width alley recorded in Volume 68155, Page 1684 of the Deed Records of Dallas County, Texas; said point being the northernmost corner of said Closed and Vacated alley and a reentrant corner of said Lot 1A;

THENCE, South 45 degrees, 54 minutes, 16 seconds East, along the northeast line of said Closed and Vacated alley, a northeast line of said Lot 1A and the said southwest line of the variable width alley, a distance of 15.00 feet to a 3-inch brass monument with "SWB TEL CO" found for corner (controlling monument); said point being the easternmost corner of said Closed and Vacated alley;

THENCE, South 44 degrees, 10 minutes, 36 seconds West, departing the said southwest line of the variable width alley and the said northeast line of Lot 1A and into and across said Lot 1A along the southeast line of said Closed and Vacated alley, a distance of 300.12 feet to 1/2-inch iron rod found for corner (controlling monument) in a southwest line of said Lot 1A; said point being an angle point in said southwest line of Lot 1A, an angle point in the northeast line of Lot 2, Block 5284, J.L Little Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 11, Page 447 of the Map Records of Dallas County, Texas and the southernmost corner of said Closed and Vacated alley;

REVIEWED BY
JL 12-2-15
SPRL 3474

THENCE, North 46 degrees, 37 minutes, 02 seconds West, along the southwest line of said Closed and Vacated alley, the said southwest line of Lot 1A and the said northeast line of Lot 2, at a distance of 1.67 feet passing the northernmost corner of Lot 2 and the easternmost corner of the northeast terminus of that certain tract of land "for alley purposes" described in Warranty Deed to the City of Dallas, Texas recorded in Volume 2958, Page 400 of said Deed Records, then continuing along the said northeast terminus of the tract "for alley purposes" in all a total distance of 15.00 feet to a 1/2-inch iron rod with "JDJR" cap found for corner (controlling monument); said point being the westernmost corner of said Closed and Vacated alley;

EXHIBIT A-TRACT 4

15-Foot Alley Right-of-Way
To be Abandoned
Part of Lot 1A, Block No. 6/5284,
Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

THENCE, North 44 degrees, 10 minutes, 36 seconds East, departing the said northeast terminus of the tract "for alley purposes" and the said southwest line of Lot 1A and into and across said Lot 1A along the northwest line of said Closed and Vacated alley, a distance of 300.31 feet to the **POINT OF BEGINNING**;

CONTAINING, 4,503 square feet or 0.103 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the alley right-of-way abandonment tract described.

Revised 9/04/2015

Michael C. Clover Date
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10193805

STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

EX2–4503 SF Tract-REV-2-1.docx
1214-13 171EX2-1.DWG CM

(For SPRG use only)	
Reviewed By:	JL
Date:	12-2-15
SPRG NO:	3474

EXHIBIT A-TRACT 4

GARLAND ROAD
(STATE HIGHWAY NO. 78)

(A VARIABLE WIDTH RIGHT-OF-WAY
FORMERLY KNOWN AS BANKHEAD HIGHWAY)
(BY USE AND OCCUPATION)
(NO RECORD FOUND)



0 20 40 80
GRAPHIC SCALE IN FEET

LEGEND	
-R/W -P/L-	PROPERTY LINE & R.O.W. LINE
——P/L——	PROPERTY LINE
— — — —	RESERVATION LINE
- - - - - -	OLD DEED LINE
———	ALLEY RIGHT-OF-WAY ABANDONMENT LINE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
(C.M.)	CONTROLLING MONUMENT
POB	POINT OF BEGINNING

REVIEWED BY
JL 12-2-15
SPR & 3474

"+" CUT IN CONCRETE FOUND

3/8-INCH IRON PIPE FOUND (C.M.)

CITY OF DALLAS
(INST. NO. 201000188307)
O.P.R.D.C.T.

CITY OF DALLAS
(VOL. 2002213, PG. 3982)
D.R.D.C.T.

LOT 2, BLOCK 6/5284
VICKERS PETROLEUM
ADDITION NO. 1
(VOL. 72134, PG. 989)
D.R.D.C.T.

LOT 1A, BLOCK 6/5284
DALLAS ARBORETUM
ADDITION
(INST. NO. 201200245747)
(O.P.R.D.C.T.)

1/2-INCH IRON ROD W/ "JDJR" CAP FOUND (C.M.)

201.68'

15' SANITARY SEWER EASEMENT (VOL. 72134, PG. 989) D.R.D.C.T.

DEED LINE

1/2-INCH IRON ROD W/ "JDJR" CAP FOUND (C.M.)

15' ALLEY (VOL. 2958, PG. 400, D.R.D.C.T.)

20' SANITARY SEWER RESERVATION (INST. NO. 201200245747) (O.P.R.D.C.T.)

15' ALLEY RIGHT-OF-WAY TO BE ABANDONED
4,503 SF
(0.103 ACRES)

N 44°10'36" E
300.31'

POB

3-INCH "SWB TEL CO" BRASS MONUMENT FOUND (C.M.)

1/2-INCH IRON ROD FOUND

50'

1.67'

S 45°54'16" E
15.00'

68.74'

N 46°37'02" W
15.00'

1/2-INCH IRON ROD FOUND (C.M.)

15' ALLEY (CLOSED AND VACATED BY CITY OF DALLAS ORDINANCE NO. 27148, INST. NO. 20080180378) O.P.R.D.C.T. (EASEMENTS RETAINED)

S 44°10'36" W
300.12'

3-INCH "SWB TEL CO" BRASS MONUMENT FOUND (C.M.)

165.00'

VARIABLE WIDTH ALLEY (VOL. 68155, PG. 1684) D.R.D.C.T.

L=59.45'

LOT 2
BLOCK 5284
J.L. LITTLE
SUBDIVISION
(VOL. 11, PG. 447)
M.R.D.C.T.

149.98'

CITY OF DALLAS
(VOL. 2002213, PG. 3982)
D.R.D.C.T.

LOT 1A, BLOCK 6/5284
DALLAS ARBORETUM
ADDITION
(INST. NO. 201200245747)
(O.P.R.D.C.T.)

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the alley right-of-way abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover
Registered Professional
Land Surveyor No. 5225

Revised 9/4/2015

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CM	MCC	1"=40'	JULY 2013	1214-13.171

15' ALLEY RIGHT-OF-WAY TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

DWG FILE: 1214-13.171EX2-1.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX2-1.DWG
12/01/2015 12:52PM
MCLOVER

EXHIBIT A-TRACT 5

Detention Area Reservation
To be Abandoned
Part of Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 2.828 acre tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas; all of that certain tract of land described in Warranty Deed to the City of Dallas, Texas recorded in Instrument No. 201000188307 of said Official Public Records, all of that certain portion of a 15-foot wide alley Closed and Vacated by City of Dallas Ordinance No. 27148, recorded in Instrument No. 20080180378 of said Official Public Records, all of those certain tracts of land described in Warranty Deed to the City of Dallas, Texas recorded in Volume 2002213, Page 3982 of the Deed Records Dallas County, Texas and part of that certain tract of land described as Detention Area Reservation, depicted on and reserved by, said plat; said 2.828 acre tract being more particularly described as follows (bearing system for this survey based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a 3/8-inch iron pipe found for corner in the southeast right-of-way line of Garland Road (State Highway No. 78, a 100-foot wide right-of-way); said point being the westernmost north corner of said Lot 1A, Block 6/5284 and the westernmost corner of Lot 2, Block 6/5284 of Vickers Petroleum Addition No. 1, an addition to the City of Dallas, Texas according to the plat recorded in Volume 72134, Page 989 of said Deed Records;

THENCE, South 45 degrees, 44 minutes, 50 seconds East, departing said southeast line of Garland Road and along a northeast line of said Lot 1A and the southwest line of said Lot 2, a distance of 140.00 feet to a 1/2-inch iron rod with "JDJR" cap found for corner; said point being a reentrant corner of said Lot 1A and the southernmost corner of said Lot 2;

THENCE, North 44 degrees, 10 minutes, 25 seconds East, along the southernmost northwest line of said Lot 1A and the southeast line of said Lot 2, a distance of 201.68 feet to a 1/2-inch iron rod with "JDJR" cap found for corner in the northernmost southwest line of Lot A, Block 6/5284, Resubdivision of Part of Block 6/5284 of Shamrock Shores Addition No. 3, an addition to the City of Dallas, Texas according to the plat recorded in Volume 68155, Page 1684 of said Deed Records; said point being the northernmost corner of said Lot 1A and the easternmost corner of said Lot 2;

REVIEWED BY
SL 12-2-15
SPRL 3473

THENCE, South 45 degrees, 44 minutes, 44 seconds East, along a northeast line of said Lot 1A and the said southwest line of Lot A, a distance of 63.25 feet to a 1/2-inch iron rod with "JDJR" cap found for corner; said point being the northernmost east corner of said Lot 1A and the northernmost corner of the northeast terminus of a 15-foot wide alley across said Block 6/5284 and shown on said plat of Resubdivision of Part of Block 6/52894 of Shamrock Shores No. 3 Addition;

THENCE, South 44 degrees, 10 minutes, 36 seconds West, departing the said southwest line of Lot A, and along the northernmost southeast line of said Lot 1A and the northwest line of the second referenced alley, a distance of 99.88 feet to a 3-inch "SWB TEL CO" brass monument found for corner; said point being a reentrant corner of said Lot 1A and the northernmost corner of said Closed and Vacated alley (the first referenced alley);

EXHIBIT A-TRACT 5

Detention Area Reservation
To be Abandoned
Part of Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

THENCE, South 45 degrees, 54 minutes, 16 seconds East, departing the said northwest line of the second referenced alley and along the easternmost northeast line of said Lot 1A and the northeast line of said Closed and Vacated alley (the first referenced alley), at a distance of 15.00 feet passing a 3-inch "SWB TEL CO" brass monument found at the easternmost corner of said Closed and Vacated alley (the first referenced alley) and the westernmost corner of a variable width alley right-of-way dedication as shown on said plat of Resubdivision of Part of Block 6/52894 of Shamrock Shores Addition No. 3, then continuing along the southwest line of said variable width alley, in all a total distance of 165.00 feet to a 1/2-inch iron rod with "JDJR" cap found for corner at the intersection of the said southwest line of the variable width alley and the northwest line of Angora Street (a 50-foot wide right-of-way); said point being the easternmost corner of said Lot 1A;

THENCE, South 44 degrees, 10 minutes, 51 seconds West, departing the said southwest line of the variable width alley and along the said northwest line of Angora Street and the southernmost southeast line of said Lot 1A, a distance of 299.53 feet to a 1/2-inch iron rod with "JDJR" cap found for corner; said point being the southernmost south corner of said Lot 1A and the easternmost corner of Lot 2, Block 5284, J.L. Little Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 11, Page 447 of the Map Records of Dallas County, Texas;

THENCE, North 46 degrees, 07 minutes, 42 seconds West, departing the said northwest line of Angora Street and along the southernmost southwest line of said Lot 1A and the northeast line of the second referenced Lot 2, a distance of 149.98 feet to a 1/2-inch iron rod found at an angle point in the said southwest line of Lot 1A and the said northeast line of Lot 2; said point being the southernmost corner of said Closed and Vacated alley (the first referenced alley);

THENCE, North 46 degrees, 37 minutes, 02 seconds West, continuing along the said southwest line of Lot 1A and the said northeast line of the second referenced Lot 2 and along the southwest line of said Closed and Vacated alley (the first referenced alley), at a distance of 1.67 feet passing the northernmost corner of the second referenced Lot 2 and the easternmost corner of that certain tract of land "for alley purposes" described in Warranty Deed to the City of Dallas recorded in Volume 2958, Page 400 of said Deed Records, then continuing along the northeast line of the said City of Dallas tract "for alley purposes", at a distance of 15.00 feet passing a 1/2-inch iron rod with "JDJR" cap found at the westernmost corner of said Closed and Vacated alley (the first referenced alley), then continuing in all a total distance of 16.67 feet to a 1/2-inch iron rod found for corner; said point being a reentrant corner of said Lot 1A and the northernmost corner of said City of Dallas tract "for alley purposes";

REVIEWED BY JL 12-2-15 SPRS 3473

THENCE, in a southwesterly direction, along a southeast line of said Lot 1A and the northwest line of said City of Dallas tract "for alley purposes", the following two (2) calls:

South 43 degrees, 50 minutes, 06 seconds West, a distance of 82.86 feet to a 1/2-inch iron rod with "PIBURN PARTNERS" cap found at the point of curvature of a tangent curve to the right;

EXHIBIT A-TRACT 5

Detention Area Reservation
To be Abandoned
Part of Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

Along said curve to the right, having a central angle of 28 degrees, 47 minutes, 01 seconds, a radius of 35.60 feet, a chord bearing and distance of South 58 degrees, 13 minutes, 37 seconds West, 17.70 feet, an arc distance of 17.88 feet to a 1/2-inch iron rod with "PIBURN PARTNERS" cap found for corner; said point being a south corner of said Lot 1A and the easternmost corner of that certain tract of land described in Warranty Deed to the City of Dallas recorded in Instrument No. 201300237677 of said Official Public Records;

THENCE, North 46 degrees, 09 minutes, 55 seconds West, departing the said northwest line of said City of Dallas tract "for alley purposes" and along the northernmost southwest line of said Lot 1A and the northeast line of the last said City of Dallas tract, a distance of 198.88 feet to a PK nail found for corner in the said southeast line of Garland Road and the northernmost northwest line of said Lot 1A; said point being the northernmost corner of the last said City of Dallas tract;

THENCE, along the said southeast line of Garland Road and the said northwest line of Lot 1A, the following two (2) calls:

North 43 degrees, 50 minutes, 54 seconds East, a distance of 100.01 feet to a "+" cut in concrete found at an angle point;

North 44 degrees, 39 minutes, 30 seconds East, a distance of 200.00 feet to the **POINT OF BEGINNING**;

CONTAINING, 123,195 square feet or 2.828 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the reservation abandonment tract described.

Revised: 9/04/201

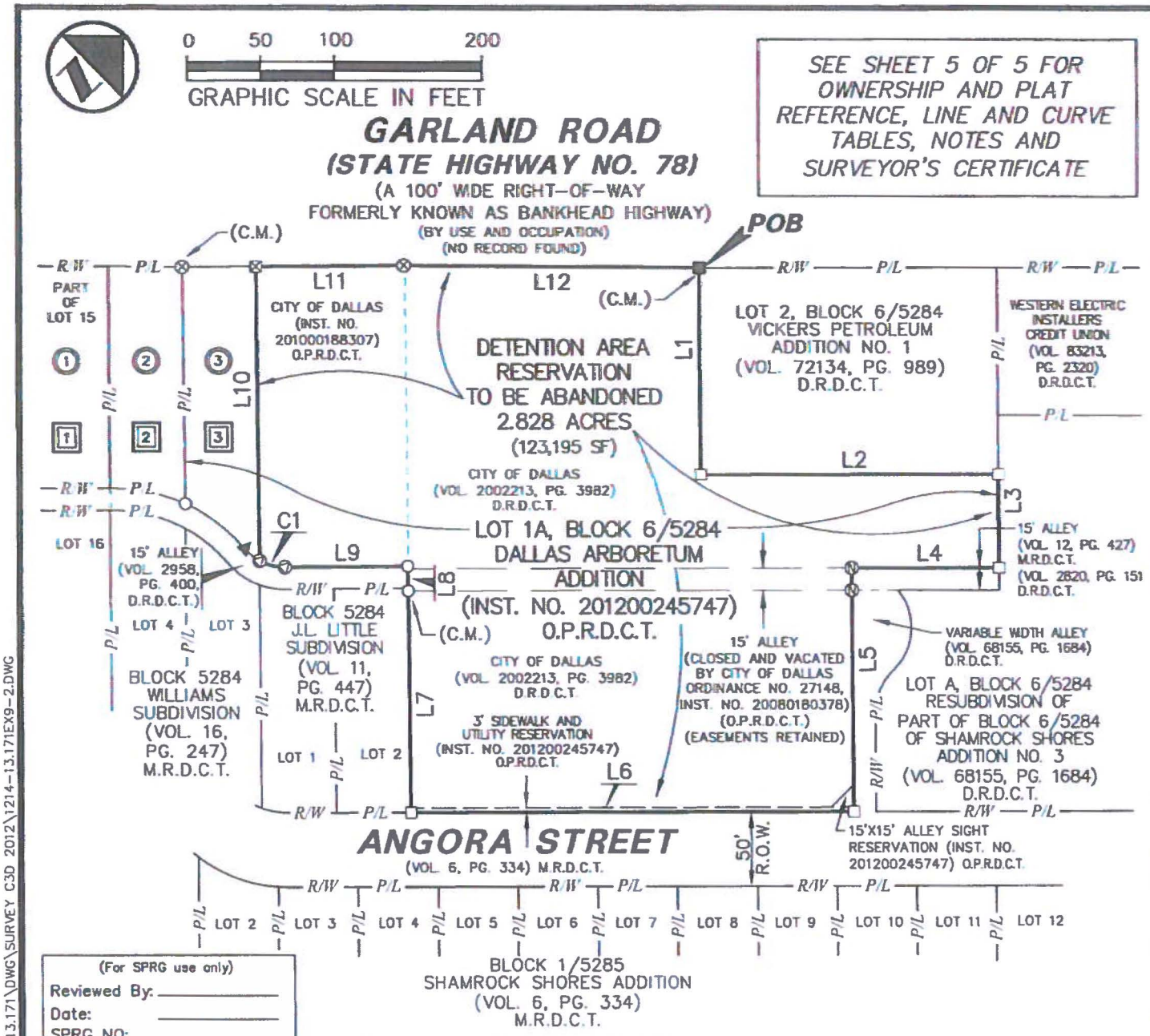
STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

Michael C. Clover Date
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
REVISED: 12/01/2015

EX9-2 – 2.828 Acre Tract-REV.doc
1214-13 171EX9-2.DWG CM

(For SPRG use only)
Reviewed By: JL
Date: 12-2-15
SPRG NO: 3473

EXHIBIT A-TRACT 5



(For SPRG use only)
Reviewed By: _____
Date: _____
SPRG NO: _____

REVIEWED BY JR 12-2-15 SPRG 3473

LEGEND

—R/W—P/L—	PROPERTY LINE & R.O.W. LINE
——P/L——	PROPERTY LINE
— — — — —	RESERVATION LINE
- - - - - - - -	OLD DEED LINE
———	RESERVATION ABANDONMENT LINE
— — —	CLOSED AND VACATED ALLEY LINE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS

(C.M.)	CONTROLLING MONUMENT
■	3/8-INCH IRON PIPE FOUND (C.M.)
□	1/2-INCH IRON ROD W/ "JDJR" CAP FOUND (C.M.)
⊗	"+" CUT IN CONCRETE FOUND
Ⓝ	3-INCH "SWB TEL CO" BRASS MONUMENT FOUND (C.M.)
○	1/2-INCH IRON ROD FOUND
Ⓟ	1/2-INCH IRON ROD W/ "PIBURN PARTNERS" CAP FOUND (C.M.)
▲	1/2-INCH IRON ROD W/ "PACHECO KOCH" CAP FOUND
⊠	"PK" NAIL FOUND

POB	POINT OF BEGINNING
1	PROPERTY OWNER TAG
[1]	PROPERTY LABEL TAG

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CM	MCC	1"=100'	JULY 2013	1214-13.171

DETENTION AREA RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 4 OF 5

DWG FILE: 1214-13.171EX9-2.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX9-2.DWG
12/01/2015 - 12:31PM
MCLOVER

EXHIBIT A-TRACT 5

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	28°47'01"	35.60'	17.88'	9.14'	S 58°13'37" W	17.70'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 45° 44' 50" E	140.00'
L2	N 44° 10' 25" E	201.68'
L3	S 45° 44' 44" E	63.25'
L4	S 44° 10' 36" W	99.88'
L5	S 45° 54' 16" E	165.00'
L6	S 44° 10' 51" W	299.53'
L7	N 46° 07' 42" W	149.98'
L8	N 46° 37' 02" W	16.67'
L9	S 43° 50' 06" W	82.86'
L10	N 46° 09' 55" W	198.88'
L11	N 43° 50' 54" E	100.01'
L12	N 44° 39' 30" E	200.00'

REVIEWED BY
JL 12-2-15
SPAL 3473

① TRACT 2
CITY OF DALLAS
(INST. NO. 201400139388)
O.P.R.D.C.T.

② TRACT 1
CITY OF DALLAS
(INST. NO. 201400139388)
O.P.R.D.C.T.

③ CITY OF DALLAS
(INST. NO. 201300237677)
O.P.R.D.C.T.

[1] BLOCK 1/5222
"LAKE CREST" ADDITION
(VOL. 3, PG. 296)
M.R.D.C.T.

[2] PART OF UNPLATTED
BLOCK 5284

[3] PART OF
LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM
ADDITION
(INST. NO. 201200245747)
O.P.R.D.C.T.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover
Registered Professional
Land Surveyor No. 5225
REVISED: 12/01/2015

Revised 9/4/2015

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10193805

DETENTION AREA RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 5 OF 5

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CM	MCC	1"=100'	JULY 2013	1214-13.171

DWG FILE: 1214-13.171EX9-2.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX9-2.DWG
12/01/2015 - 12:42PM
MCLOVER

EXHIBIT A-TRACT 6

Detention Area Reservation
To be Abandoned
Part of Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 4,213 square foot (0.097 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas; part of that certain tract of land described in Warranty Deed to the City of Dallas recorded in Instrument No. 201300237677 of said Official Public Records (hereinafter called "the first referenced COD tract") and part of that certain tract of land described as Detention Area Reservation, depicted on and reserved by, said plat; said 4,213 square foot tract being more particularly described as follows (bearing system for this survey based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a "+" cut in concrete found for corner in the southeast right-of-way line of Garland Road (State Highway No. 78, a 100-foot wide right-of-way); said point being the westernmost corner of said Lot 1A, the westernmost corner of the first referenced COD tract and the northernmost corner of that certain tract of land described as Tract 1 in Special Warranty Deed to the City of Dallas recorded in Instrument No. 201400139388 of said Official Public Records (hereinafter called "the second referenced COD tract");

THENCE, North 43 degrees, 50 minutes, 54 seconds East, along the said southeast line of Garland Road, the northernmost northwest line of said Lot 1A and the northwest line of the first referenced COD tract, a distance of 49.95 feet to a PK nail found for corner; said point being the northernmost corner of the first referenced COD tract and the westernmost corner of that certain tract of land described in Warranty Deed to the City of Dallas, Texas recorded in Instrument No. 201000188307 of said Official Public Records (hereinafter called "third referenced COD tract");

THENCE, South 46 degrees, 09 minutes, 55 seconds East, departing the said southeast line of Garland Road and the said northwest line of Lot 1A and along the northeast line of the first referenced COD tract and the southwest line of the third referenced COD tract, a distance of 198.88 feet to a 1/2-inch iron rod with "PIBURN PARTNERS" cap found for corner in the westernmost south line of said Lot 1A and the north line of that certain tract of land "for alley purposes" described in Warranty Deed to the City of Dallas, Texas recorded in Volume 2958, Page 400 of the Deed Records of Dallas County, Texas; said point being the easternmost corner of the first referenced COD tract, the southernmost corner of the third referenced COD tract and in a non-tangent curve to the right;

THENCE, in a westerly direction, along the south line of the first referenced COD tract, the said south line of Lot 1A and the said north line of the City of Dallas tract "for alley purposes", the following two (2) calls:

> Along said curve to the right, having a central angle of 21 degrees, 14 minutes, 59 seconds, a radius of 35.60 feet, a chord bearing and distance of South 83 degrees, 14 minutes, 37 seconds West, 13.13 feet, an arc distance of 13.20 feet to 1/2-inch iron rod with "PACHECO KOCH" cap found at the end of said curve; said point being the beginning of a reverse curve to the left;
>
> Along said curve to the left, having a central angle of 25 degrees, 04 minutes, 13 seconds, a radius of 115.60 feet, a chord bearing and distance of South 81 degrees, 19 minutes, 59 seconds West, 50.18 feet, an arc distance of 50.58 feet to 1/2-inch iron rod with "PACHECO KOCH" cap found for corner; said point being the southernmost corner of the first referenced COD tract, the westernmost south corner of said Lot 1A and the easternmost corner of the second referenced COD tract;

REVIEWED BY
JL 12-2-15
SPRL 3471

EXHIBIT A-TRACT 6

Detention Area Reservation to be Abandoned
Part of Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

THENCE, North 46 degrees, 09 minutes, 55 seconds West, departing the said north line of the City of Dallas tract "for alley purposes" and along the southwest line of the first referenced COD tract, the northernmost southwest line of said Lot 1A and the northeast line of the second referenced COD tract, a distance of 17.39 feet to a point for corner;

THENCE, departing the said southwest line of the first referenced COD tract, the said southwest line of Lot 1A and the said northeast line of the second referenced COD tract and traversing into and across the first referenced COD tract and said Lot 1A, the following three (3) calls:

North 44 degrees, 18 minutes, 00 seconds East, a distance of 40.71 feet to a point for corner;

North 45 degrees, 42 minutes, 00 seconds West, a distance of 113.00 feet to a point for corner;

South 44 degrees, 18 minutes, 00 seconds West, a distance of 41.63 feet to a point for corner in the said southwest line of the first referenced COD tract, the said southwest line of Lot 1A and the said northeast line of the second referenced COD tract;

THENCE, North 46 degrees, 09 minutes, 55 seconds West, along the said southwest line of the first referenced COD tract, the said southwest line of Lot 1A and the said northeast line of the second referenced COD tract, a distance of 29.61 feet to the **POINT OF BEGINNING**;

CONTAINING, 4,213 square feet or 0.097 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the reservation abandonment tract described.

Revised: 9/29/2015

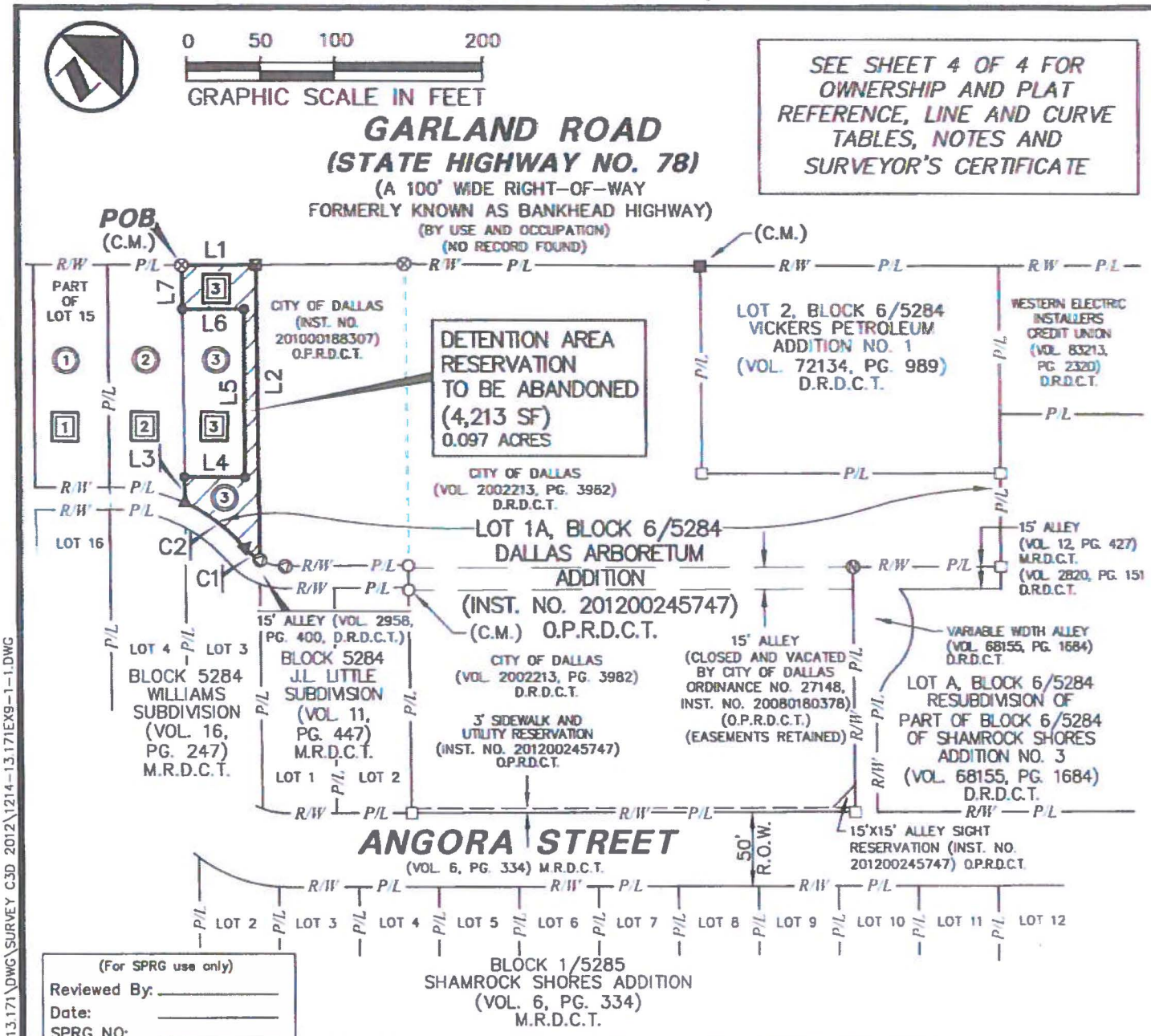
STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

Michael C. Clover Date
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
7557 Rambler Road, Suite 1400, Dallas TX 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
REVISED: 12/01/2015

EX9-1 – 0.107 Acre Tract-REV.doc
1214-13.171EX9-1.DWG CM

(For SPRG use only)	
Reviewed By:	JL
Date:	12-2-15
SPRG NO:	3471

EXHIBIT A-TRACT 6



(For SPRG use only)
Reviewed By: _____
Date: _____
SPRG NO: _____

LEGEND

—R/W—P/L—	PROPERTY LINE & R.O.W. LINE
——P/L——	PROPERTY LINE
— — — —	RESERVATION LINE
- - - - - -	OLD DEED LINE
———	RESERVATION ABANDONMENT LINE
— — —	CLOSED AND VACATED ALLEY LINE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
(C.M.)	CONTROLLING MONUMENT
■	3/8-INCH IRON PIPE FOUND (C.M.)
□	1/2-INCH IRON ROD W/ "JDJR" CAP FOUND (C.M.)
⊗	"+" CUT IN CONCRETE FOUND
Ⓢ	3-INCH "SWB TEL CO" BRASS MONUMENT FOUND (C.M.)
○	1/2-INCH IRON ROD FOUND
△	1/2-INCH IRON ROD W/ "PIBURN PARTNERS" CAP FOUND (C.M.)
▲	1/2-INCH IRON ROD W/ "PACHECO KOCH" CAP FOUND
⊠	"PK" NAIL FOUND
●	POINT FOR CORNER
POB	POINT OF BEGINNING
(1)	PROPERTY OWNER TAG
[1]	PROPERTY LABEL TAG
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER

REVIEWED BY JL 12-2-15 SPRG 3471

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CM	MCC	1"=100'	JULY 2013	1214-13.171

DETENTION AREA RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 4

DWG FILE: 1214-13.171EX9-1-1.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX9-1-1.DWG
12/01/2015 - 12:34PM
MCLOVER

EXHIBIT A-TRACT 6

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	21°14'59"	35.60'	13.20'	6.68'	S 83°14'37" W	13.13'
C2	25°04'13"	115.60'	50.58'	25.70'	S 81°19'59" W	50.18'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 43° 50' 54" E	49.95'
L2	S 46° 09' 55" E	198.88'
L3	N 46° 09' 55" W	17.39'
L4	N 44° 18' 00" E	40.71'
L5	N 45° 42' 00" W	113.00'
L6	S 44° 18' 00" W	41.63'
L7	N 46° 09' 55" W	29.61'

REVIEWED BY
JL 12-2-15
SAR 3471

① TRACT 2
CITY OF DALLAS
(INST. NO. 201400139388)
O.P.R.D.C.T.

② TRACT 1
CITY OF DALLAS
(INST. NO. 201400139388)
O.P.R.D.C.T.

③ CITY OF DALLAS
(INST. NO. 201300237677)
O.P.R.D.C.T.

[1] BLOCK 1/5222
"LAKE CREST" ADDITION
(VOL. 3, PG. 296)
M.R.D.C.T.

[2] PART OF UNPLATTED
BLOCK 5284

[3] PART OF
LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM
ADDITION
(INST. NO. 201200245747)
O.P.R.D.C.T.

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.
3. For the sake of clarity, all reservations being abandoned by separate instrument documents are not depicted hereon.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover
Registered Professional
Land Surveyor No. 5225
REVISED: 12/01/2015

Revised 9/14

DETENTION AREA RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 4 OF 4

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
CM	MCC	1"=100'	JULY 2013	1214-13.171

DWG FILE: 1214-13.171EX9-1-1.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX9-1-1.DWG
12/01/2015 1:13:35PM
MCLOVER

AGENDA ITEM # 27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction
Park & Recreation

CMO: Ryan S. Evans, 671-9837
Willis Winters, 670-4071

MAPSCO: 37R

SUBJECT

An ordinance abandoning a drainage reservation, a sanitary sewer reservation, a sanitary sewer easement and a water reservation to the City of Dallas, the abutting owner, containing a total of approximately 9,087 square feet of land, located near the intersection of Garland Road and Tavaros Avenue, and providing for the dedication of drainage easements, water easements and wastewater easements containing a total of approximately 16,098 square feet - Revenue: $5,400 plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a drainage reservation, a sanitary sewer reservation, a sanitary sewer easement, and a water reservation to the City of Dallas. These areas will be included with the property of the abutting owner for the construction of a parking garage benefiting the Dallas Arboretum. The owner will dedicate drainage easements, water easements and wastewater easements containing a total of approximately 16,098 square feet. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board approved the acceptance of the bid on April 9, 2014.

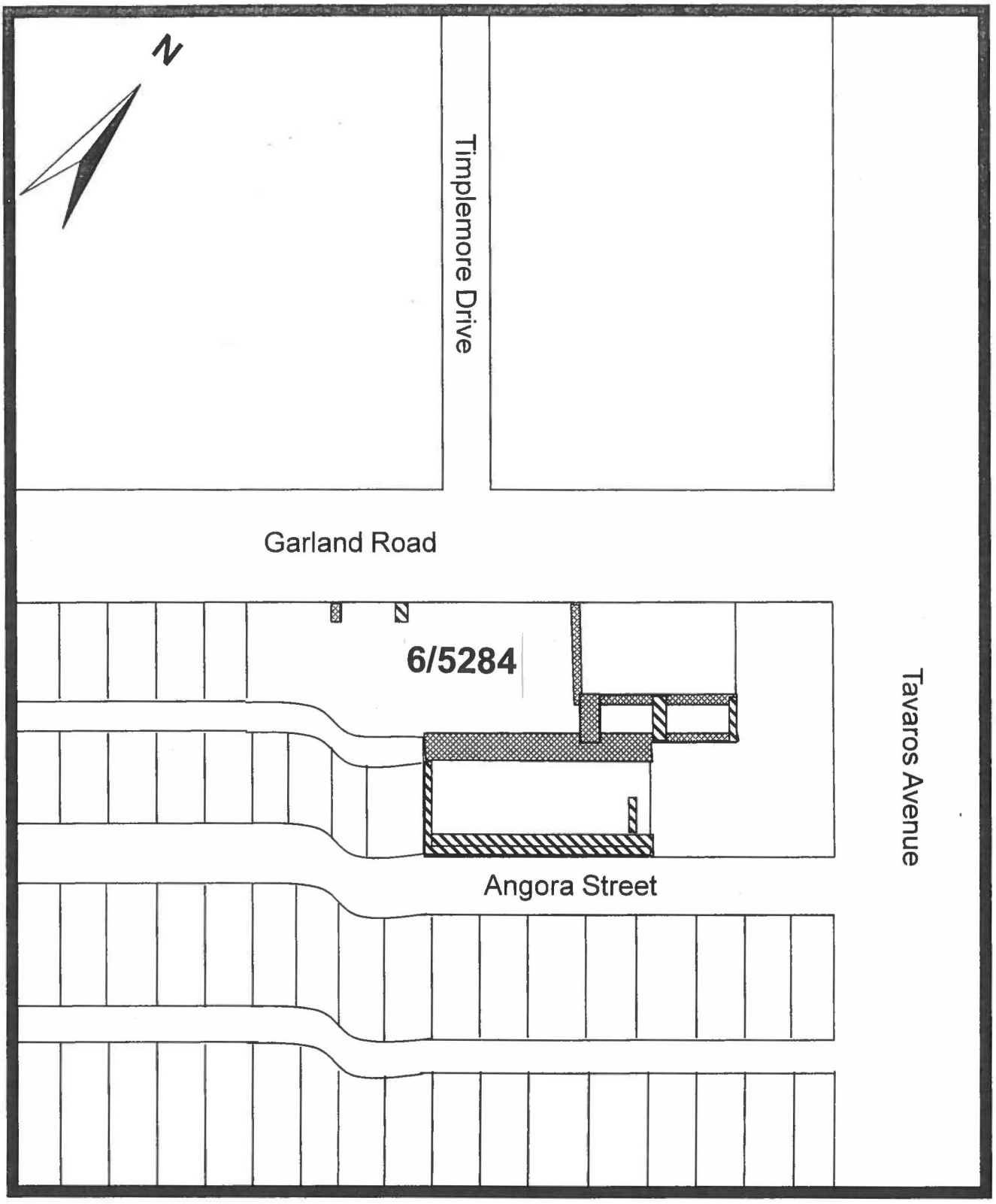
Information about this item will be provided to the Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

Revenue: $5,400, plus the $20 ordinance publication fee

MAP

Attached


N
Timplemore Drive
Garland Road
6/5284
Tavaros Avenue
Angora Street
= Abandonment Areas
= Dedication Areas

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a drainage reservation, a sanitary sewer reservation, a sanitary sewer easement, and a water reservation, located in City Block 6/5284 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to the City of Dallas; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of new reservations to the City of Dallas; 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 a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of City of Dallas, a Texas municipal corporation; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said reservations and 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 and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by the Dallas Arboretum and Botanical Society, Inc., and the further consideration described in Sections 8, 9, and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to those certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, to the extent allowed by law, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended;

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

SECTION 9. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said easement and reservations shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to the new easement, if needed to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. **GRANTEE** will grant the new easement at no cost consideration to the City and all work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 10. That as a condition of this abandonment and relinquishment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of adjoining properties within one year after passage of this ordinance showing the dedication of not less than 8,086 square feet for three drainage easements in City Block 6/5284, 225 square feet for a water easement in City Block 6/5284, and 7,787 square feet for three wastewater easements in City Block 6/5284 satisfactory to the Director of Department of Sustainable Development and Construction. This final replat shall be recorded by **GRANTEE** in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas. Failure to record a final replat in accordance with the terms of this section shall render this ordinance null and void, and of no further effect.

Further, the final replat shall be filed with the Department of Sustainable Development and Construction of the City of Dallas before a certified copy of this ordinance shall be delivered to **GRANTEE**.

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 the Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, and the recording of the final replat as set forth in Section 10, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of the Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of the 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 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 D. BOWERS
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

Drainage Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 1,734 square foot (0.040 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument Number 201200245747 of the Official Public Records of Dallas County, Texas and part of those certain tracts of land described in Warranty Deed to the City of Dallas recorded in Volume 2002213, Page 3982 of the Deed Records of Dallas County, Texas; said tract also being all of a 5-foot wide Drainage Reservation reserved by the said plat of Dallas Arboretum Addition; said 1,734 square foot (0.040 acre) tract being more particularly described as follows (bearing system for this survey based on the North American Datum of 1983,Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a 3/8-inch iron pipe found (controlling monument) in the southeast right-of-way line of Garland Road (State Highway No. 78, a variable width right-of-way formerly known as Bankhead Highway, by use and occupation); said point being the westernmost north corner of said drainage reservation, the westernmost north corner of said Lot 1A, Block 6/5284 and the westernmost corner of Lot 2, Block 6/5284, Vickers Petroleum Addition No. 1, an addition to the City of Dallas, Texas according to the plat recorded in Volume 72134, Page 989 of said Deed Records;

THENCE, South 45 degrees, 44 minutes, 50 seconds East, departing said southeast line of Garland Road and along the southwest line of said Lot 2, Block 6/5284, the southernmost northeast line of said drainage reservation and the southernmost northeast line of said Lot 1A, Block 6/5284, a distance of 140.00 feet to a 1/2-inch iron rod with "JDJR" cap found (controlling monument); said point being the southernmost corner of said Lot 2, Block 6/5284, a reentrant corner of said drainage reservation and a reentrant corner of said Lot 1A, Block 6/5284;

REVIEWED BY
JL 11-25-19
SPRL 2772

THENCE, North 44 degrees, 10 minutes, 25 seconds East, along the southeast line of said Lot 2, Block 6/5284, a northwest line of said drainage reservation and a northwest line of said Lot 1A, Block 6/5284, a distance of 201.68 feet to a 1/2-inch iron rod with "JDJR" cap found (controlling monument) in the northernmost southwest line of Lot A, Block 6/5284, Resubdivision of Part of Block 6/5284 of Shamrock Shores Addition No. 3, an addition to the City of Dallas, Texas according to the plat recorded in Volume 68155, Page 1684 of said Deed Records; said point being the easternmost corner of said Lot 2, Block 6/5284, the northernmost corner of said drainage reservation and the northernmost corner of said Lot 1A, Block 6/5284;

THENCE, South 45 degrees, 44 minutes, 44 seconds East, along the said southwest line of Lot A, Block 6/5284, the northernmost northeast line of said drainage easement and the northernmost northeast line of said Lot 1A, Block 6/5284, a distance of 5.00 feet to a point (not monumented); said point being the easternmost corner of said drainage easement;

THENCE, South 44 degrees, 10 minutes, 25 seconds West, departing the said southwest line of Lot A, Block 6/5284, the said northernmost northeast line of the drainage easement and the said northernmost northeast line of Lot 1A, Block 6/5284, a distance of 206.68 feet to a point (not monumented); said point being the southernmost corner of said drainage easement;

EXHIBIT A-TRACT 1

Drainage Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas County, Texas

THENCE, North 45 degrees, 44 minutes, 50 seconds West, a distance of 145.04 to a point (not monumented) in the said southeast line of Garland Road and the westernmost northwest line of said Lot 1A, Block 6/5284; said point being the westernmost corner of said drainage easement;

THENCE, North 44 degrees, 39 minutes, 30 seconds East, along the said southeast line of Garland Road, the westernmost northwest line of said drainage easement and the said westernmost northwest line of Lot 1A, Block 6/5284, a distance of 5.00 feet to the **POINT OF BEGINNING**;

CONTAINING, 1,734 square feet or 0.040 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

REVIEWED BY
JL 11-25-13
SPAS 2772

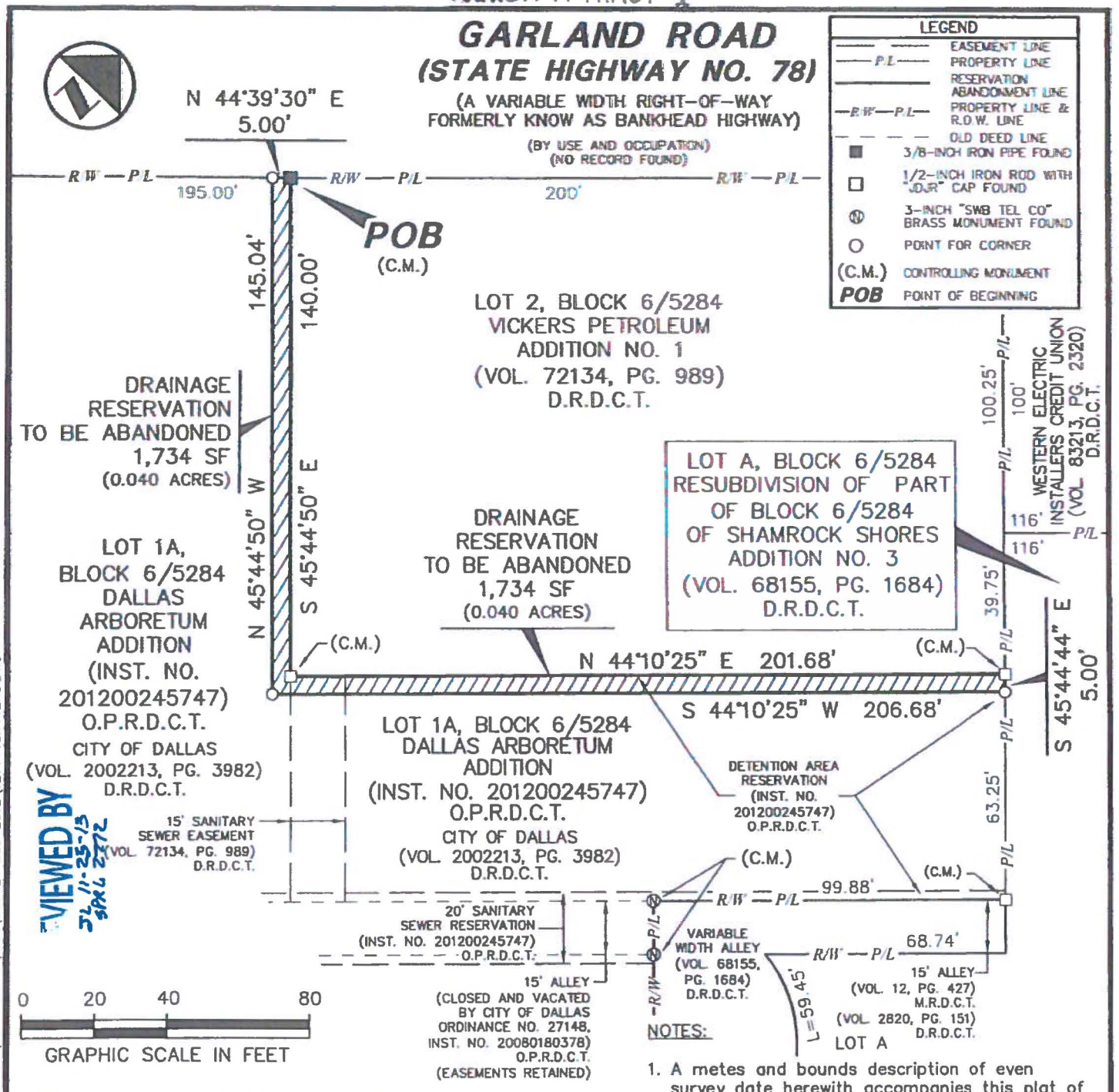
The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the drainage reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
Revised: 11/04/2013

EX3 - 1374 SF Tract-REV.docx sbp
1214-13.131EX3.dwg sbp

EXHIBIT A-TRACT 1



VIEWED BY
JL 11-25-13
SPRL 2772

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the drainage reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Revised: 11/04/2013
Land Surveyor No. 5225

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
SBP/DB	MCC	1"=40'	JULY 2013	1214-13.171

DRAINAGE RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION,
AN ADDITION TO THE CITY OF DALLAS,
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
DALLAS COUNTY, TEXAS
SHEET 3 OF 3

DWG FILE: 1214-13.171EX3.DWG

MCLOVER 11/04/2013 - 3:55PM M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX3.DWG

EXHIBIT A-TRACT 2

Sanitary Sewer Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 6,254 square foot (0.144 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas and part of those certain tracts of land described in Warranty Deed to the City of Dallas, Texas recorded in Volume 2002213, Page 3982 of the Deed Records of Dallas County, Texas; said tract also being all of that certain tract of land described as a 20-foot Sanitary Sewer Reservation, depicted on and reserved by said plat of Dallas Arboretum Addition; said 6,254 square foot (0.144 acre) tract being more particularly described as follows (bearing system for this survey based on the North American Datum of 1983,Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a 1/2-inch iron rod with "JDJR" cap found (controlling monument) in a southwest line of Lot A, Block 6/5284, Subdivision of Part of Block 6/5284, an addition to the City of Dallas, Texas according to the plat recorded in Volume 68155, Page 1684 of said Deed Records; said point being the northernmost corner of the northeast terminus of a 15-foot wide alley across said Block 6/5284 according to the plat of Shamrock Shores Addition No. 3, an addition to the City of Dallas, Texas recorded in Volume 12 Page 427 of the Map Records of Dallas County, Texas and an east corner of said Lot 1A;

THENCE, South 44 degrees, 10 minutes, 36 seconds West, departing the said southwest line of Lot A and along the northwest line of said alley and a southeast line of said Lot 1A, a distance of 99.88 feet to a 3-inch brass monument with "SWB TEL CO" found (controlling monument); said point being the northernmost corner of a 15-foot wide alley closed and vacated by City of Dallas Ordinance No. 27148 recorded in Instrument Number 20080180378 of said Official Public Records; said point also being a reentrant corner of said Lot 1A;

THENCE, South 45 degrees, 54 minutes, 16 seconds East, departing the said northwest line of the first referenced alley and along the northeast line of said closed and vacated alley (Ordinance No. 27148) and a northeast line of said Lot 1A, at a distance of 15.00 feet passing a 3-inch brass monument with "SWB TEL CO" (controlling monument) found at the easternmost corner of said closed and vacated alley (Ordinance No. 27148) and the westernmost corner of a variable width alley right-of-way dedication as shown on said plat of Subdivision of Part of Block 6/5284 recorded in Volume 68155, Page 1684 of said Deed Records, then continuing along the southwest line of said variable width alley, in all a total distance of 17.50 feet to a point;

REVIEWED BY
JL 11-25-13
SPLS 2773

THENCE, South 44 degrees, 10 minutes, 36 seconds West, departing the southwest line of said variable width alley and the said northeast line of Lot 1A and into and across said Lot 1A, a distance of 300.11 feet to a point in a southwest line of said Lot 1A and the northeast line of Lot 2, Block 5284, J.L. Little Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 11, Page 447 of said Map Records;

THENCE, North 46 degrees, 07 minutes, 42 seconds West, along said southwest line of Lot 1A and along the said northeast line of Lot 2, a distance of 2.50 feet to a 1/2-inch iron rod found (controlling monument); said point being the southernmost corner of the said closed and vacated alley (Ordinance No. 27148) and an angle point in the said southwest line Lot 1A;

EXHIBIT A-TRACT 2

Sanitary Sewer Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

THENCE, North 46 degrees, 37 minutes, 02 seconds West, continuing along said southwest line of Lot 1A and the said northeast line of Lot 2 and along the southwest line of said closed and vacated alley (Ordinance No. 27148), at a distance of 1.67 feet passing the northernmost corner of said Lot 2 and the easternmost corner of that certain tract of land "for alley purposes" described in Warranty Deed to the City of Dallas, Texas recorded in Volume 2958, Page 400 of said Deed Records, continuing along the northeast line of the last said City of Dallas tract "for alley purposes" (Volume 2958, Page 400), at a distance of 15.00 feet passing a 1/2-inch iron rod with "JDJR" cap found (controlling monument) at the westernmost corner of said closed and vacated alley (Ordinance No. 27148), then continuing in all a total distance of 16.67 feet to a 1/2-inch iron rod found; said point being the northernmost corner of the last said City of Dallas tract "for alley purposes" (Volume 2958, Page 400) and a reentrant corner of said Lot 1A;

THENCE, North 46 degrees, 09 minutes, 40 seconds West, departing the northeast line of the last said City of Dallas tract "for alley purposes" (Volume 2958, Page 400) and into Lot 1A, a distance of 0.83 feet to a point;

THENCE, North 44 degrees, 10 minutes, 36 seconds East, continuing across said Lot 1A, a distance of 400.21 feet to a point in a northeast line of said Lot 1A and the said southwest line of Lot A;

THENCE, South 45 degrees, 44 minutes, 44 seconds East, along the said northeast line of Lot 1A and the said southwest line of Lot A, a distance of 2.50 feet to the **POINT OF BEGINNING**;

CONTAINING, 6,254 square feet or 0.144 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the reservation abandonment tract described.

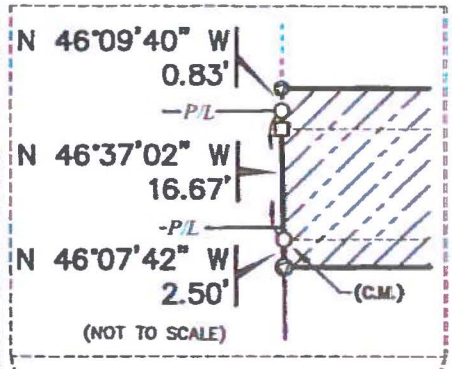
REVIEWED BY
JL 11-25-13
SPRL 2773

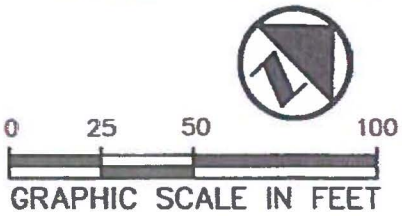


Michael C. Clover 07/24/2013
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
Revised: 11/04/2013

EX4 – 6254 SF Tract-REV.doc
1214-13 171EX4 DWG DB

EXHIBIT A-TRACT 2





GARLAND ROAD
(STATE HIGHWAY NO. 78)
(A VARIABLE WIDTH RIGHT-OF-WAY FORMERLY KNOWN AS BANKHEAD HIGHWAY)
(BY USE AND OCCUPATION)
(NO RECORD FOUND)

LEGEND	
-R/W-P/L-	PROPERTY LINE & R.O.W. LINE
——P/L——	PROPERTY LINE
— — — —	RESERVATION LINE
- - - - -	OLD DEED LINE
———	RESERVATION ABANDONMENT LINE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
(C.M.)	CONTROLLING MONUMENT
■	3/8-INCH IRON PIPE FOUND (C.M.)
□	1/2-INCH IRON ROD W/ "JDJR" CAP FOUND (C.M.)
⊗	"+" CUT IN CONCRETE FOUND
⊕	3-INCH "SWB TEL CO" BRASS MONUMENT FOUND (C.M.)
○	1/2-INCH IRON ROD FOUND
⊙	POINT FOR CORNER
POB	POINT OF BEGINNING

R/W — P/L — R/W — P/L — R/W — P/L

CITY OF DALLAS (INST. NO. 201000188307) O.P.R.D.C.T.

CITY OF DALLAS (VOL. 2002213, PG. 3982) D.R.D.C.T.

LOT 1A, BLOCK 6/5284 DALLAS ARBORETUM ADDITION (INST. NO. 201200245747) (O.P.R.D.C.T.)

LOT 2, BLOCK 6/5284 VICKERS PETROLEUM ADDITION NO. 1 (VOL. 72134, PG. 989) D.R.D.C.T.

REVIEWED BY JL 11-25-13 SAM 2773

DEED LINE

201.68'

15' SANITARY SEWER EASEMENT (VOL. 72134, PG. 989) D.R.D.C.T.

SANITARY SEWER RESERVATION TO BE ABANDONED 6,254 SF (0.144 ACRES)

15' ALLEY (VOL. 2958, PG. 400, D.R.D.C.T.)

20' SANITARY SEWER RESERVATION (INST. NO. 201200245747) (O.P.R.D.C.T.)

15' ALLEY (VOL. 12, PG. 427) M.R.D.C.T. (VOL. 2820, PG. 151) D.R.D.C.T.

S 45°44'44" E 2.50'

N 44°10'36" E 400.21'

S 44°10'36" W 99.88'

POB

68.74'

S 44°10'36" W 300.11'

S 45°54'16" E 17.50'

LOT 2 BLOCK 5284 J.L. LITTLE SUBDIVISION (VOL. 11, PG. 447) M.R.D.C.T.

149.98'

15' ALLEY (CLOSED AND VACATED BY CITY OF DALLAS ORDINANCE NO. 27148, INST. NO. 20080180378) O.P.R.D.C.T. (EASEMENTS RETAINED)

CITY OF DALLAS (VOL. 2002213, PG. 3982) D.R.D.C.T.

LOT 1A, BLOCK 6/5284 DALLAS ARBORETUM ADDITION (INST. NO. 201200245747) (O.P.R.D.C.T.)

VARIABLE WIDTH ALLEY (VOL. 68155, PG. 1684) D.R.D.C.T.

165.00'

L=59.45'

LOT A, BLOCK 6/5284 SUBDIVISION OF PART OF BLOCK 6/5284 (VOL. 68155, PG. 1684) D.R.D.C.T.

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the reservation abandonment tract described.

STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Revised: 11/04/2013
Land Surveyor No. 5225

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
DB	MCC	1"=50'	JULY 2013	1214-13.171

SANITARY SEWER RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284, DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

DWG FILE: 1214-13.171EX4.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX4.DWG
11/04/2013 - 3:57PM
MCLOVER

EXHIBIT A-TRACT 3

Sanitary Sewer Easement to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 949 square foot (0.022 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas and part of those certain tracts of land described in Warranty Deed to the City of Dallas recorded in Volume 2002213, Page 3982 of the Deed Records of Dallas County, Texas; said tract also being all of that certain tract of land described as a 15-foot Sanitary Sewer Easement on, and dedicated by, the plat of Vickers Petroleum Addition No. 1, an addition to the City of Dallas, Texas recorded in Volume 72134, Page 989 of said Deed Records; said 949 square foot (0.022 acre) tract being more particularly described as follows (bearing system for this survey based on the North American Datum of 1983,Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a 1/2-inch iron rod with "JDJR" cap found (controlling monument); said point being a reentrant corner of said Lot 1A, the southernmost corner of Lot 2, Block 6/5284 of said Vickers Petroleum Addition No. 1 and the westernmost corner of said sanitary sewer easement;

THENCE, North 44 degrees, 10 minutes, 25 seconds East, along a northwest line of said Lot 1A, the southeast line of said Lot 2 and the northwest line of said sanitary sewer easement, a distance of 15.00 feet to a point (not monumented); said point being the northernmost corner of said sanitary sewer easement;

THENCE, departing the said northwest line of Lot 1A and the said southeast line of Lot 2 and into and across said Lot 1A, the following three (3) calls:

South 45 degrees, 44 minutes, 50 seconds East, along the northeast line of said sanitary sewer easement, a distance of 63.24 feet to a point (not monumented) in the northwest line of a 15-foot wide alley closed and vacated by City of Dallas by Ordinance No. 27148 recorded in Instrument No. 20080180378 of said Official Public Records; said point being the easternmost corner of said sanitary sewer easement;

South 44 degrees, 10 minutes, 36 seconds West, along the northwest line of said alley and the southeast line of said sanitary sewer easement, a distance of 15.00 feet to a point (not monumented); said point being the southernmost corner of said sanitary sewer easement;

REVIEWED BY
SL 11-25-13
SIRS 2271

EXHIBIT A-TRACT 3

Sanitary Sewer Easement to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas County, Texas

North 45 degrees, 44 minutes, 50 seconds West, departing the northwest line of said alley and along the southwest line of said sanitary sewer easement, a distance of 63.24 feet to the **POINT OF BEGINNING**;

CONTAINING, 949 square feet or 0.022 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

REVIEWED BY JL 11-25-13 SPRL 2771

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement abandonment tract described.

STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

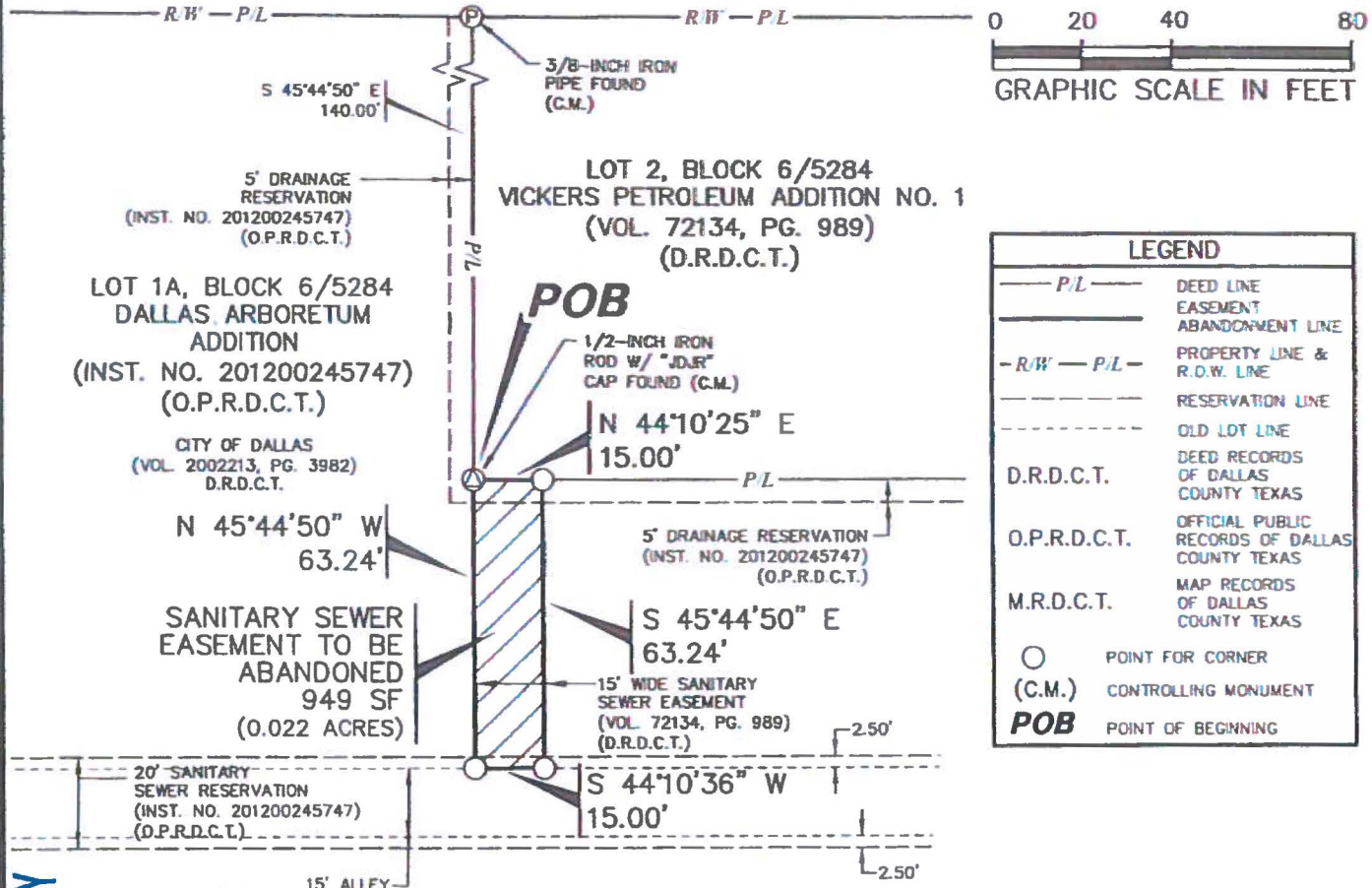
Michael C. Clover 07/24/2013
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
Revised: 11/04/2013

EX1 – 929 SF Tract-REV.doc
1214-13.171EX1.DWG GMP

EXHIBIT A TRACT 3

GARLAND ROAD
(STATE HIGHWAY NO. 78)

(A VARIABLE WIDTH RIGHT-OF-WAY
FORMERLY KNOWN AS BANKHEAD HIGHWAY)
(BY USE AND OCCUPATION)
(NO RECORD FOUND)



0 20 40 80
GRAPHIC SCALE IN FEET

LEGEND	
P/L	DEED LINE
	EASEMENT ABANDONMENT LINE
R/W — P/L	PROPERTY LINE & R.O.W. LINE
	RESERVATION LINE
	OLD LOT LINE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY TEXAS
○	POINT FOR CORNER
(C.M.)	CONTROLLING MONUMENT
POB	POINT OF BEGINNING

REVIEWED BY
JZ 11-25-13
SPRL 2771

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Revised: 11/04/2013
Land Surveyor No. 5225

Pacheco Koch

8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GMP	MCC	1"=40'	JULY, 2013	1214-13.171

SANITARY SEWER EASEMENT TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

DWG FILE: 1214-13.171EX1.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX1.DWG
11/04/2013 - 3:44PM
MCLOVER

EXHIBIT A-TRACT 4

Water Reservation to be Abandoned
In Lot 1A, Block No. 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
City of Dallas, Dallas, County, Texas

DESCRIPTION, of a 150 square foot (0.003 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, City of Dallas, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas and all of that certain tract of land described in General Warranty Deed to Dallas Arboretum & Botanical Society, Inc. recorded in Instrument No. 201200144549 of said Official Public Records; said tract also being all of that certain tract of land described as a 10-foot by 15-foot Water Reservation, depicted on and reserved by, said plat; said 150 square foot (0.003 acre) tract being more particularly described as follows (bearing system for this survey based on the North American Datum of 1983,Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00):

BEGINNING, at a point in the southeast right-of way line of Garland road (State Highway No. 78 a variable width right-of-way formerly known as Bankhead Highway, by use and occupation) and the northwest line of said Lot 1A; said point being North 43 degrees, 50 minutes, 54 seconds East, a distance of 25.00 feet from a "+" cut in concrete found (controlling monument) at the westernmost corner of said Lot 1A and the northernmost corner of that certain tract of unplatted land described in Special Warranty Deed to Tamale Partners, Ltd., recorded in Instrument No. 201100295906 of said Official Public Records;

THENCE, North 43 degrees, 50 minutes, 54 seconds East, along the said southeast line of Garland Road and the said northwest line of Lot1A, a distance of 10.00 feet to a point;

THENCE, departing the said southeast line of Garland Road and the said northwest line of Lot 1A and into and across said Lot 1A, the following three (3) calls:

South 46 degrees, 09 minutes, 55 seconds East, a distance of 15.00 feet to a point;

South 43 degrees, 50 minutes, 54 seconds West, a distance of 10.00 feet to a point;

North 46 degrees, 09 minutes, 55 seconds West, a distance of 15.00 feet to the **POINT OF BEGINNING**;

CONTAINING, 150 square feet or 0.003 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the reservation abandonment tract described.

REVIEWED BY
JL 11-25-13
SPAL 2774

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

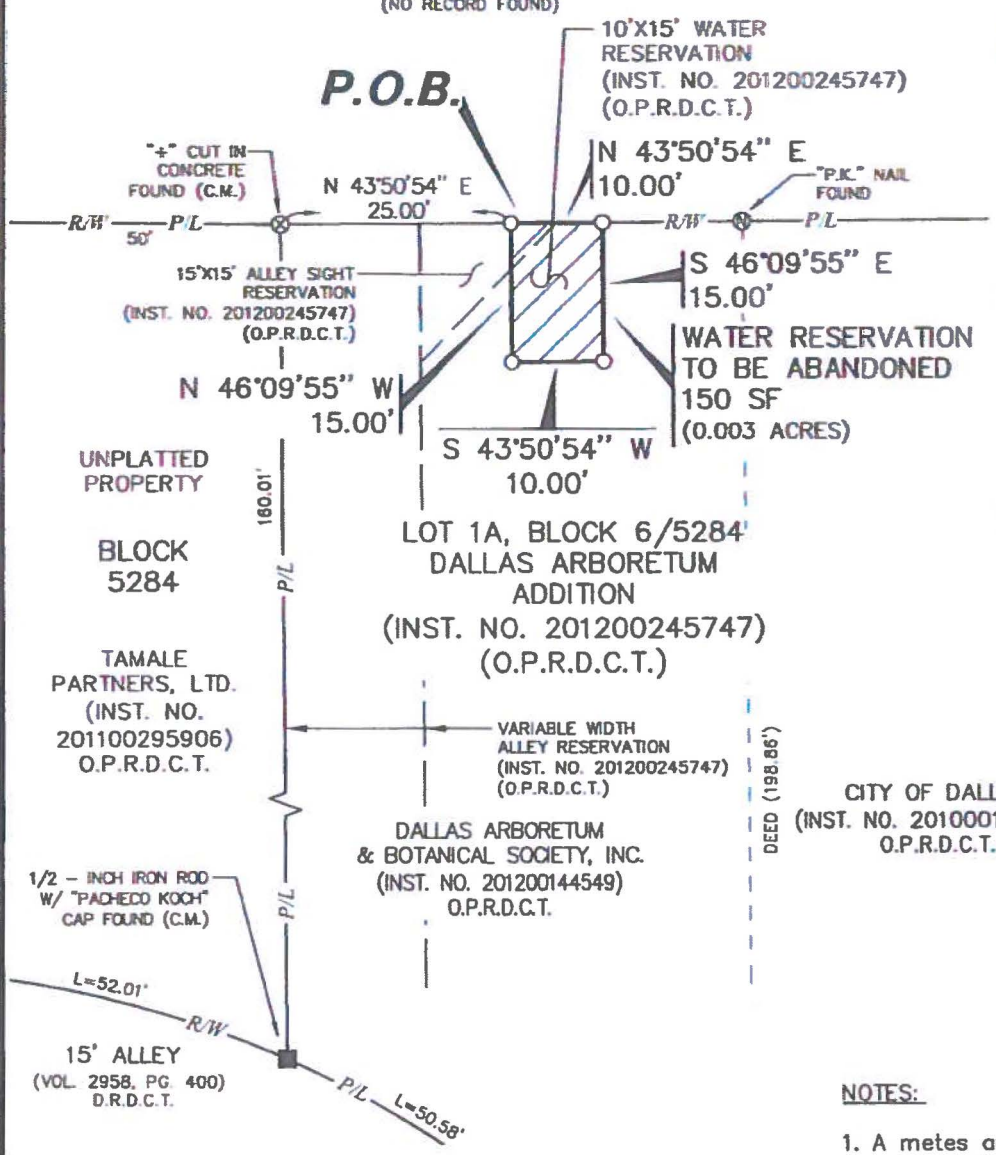
Michael C. Clover 07/24/2013
Registered Professional Land Surveyor No. 5525
Pacheco Koch, LLC
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-10193805
Revised: 11/04/2013

EX8 – 150 SF Tract-REV.doc
1214-13.171EX8.DWG DB

EXHIBIT A-TRACT 4

GARLAND ROAD
(STATE HIGHWAY NO. 78)

(A VARIABLE WIDTH RIGHT-OF-WAY
FORMERLY KNOWN AS BANKHEAD HIGHWAY)
(BY USE AND OCCUPATION)
(NO RECORD FOUND)



0 10 20 40
GRAPHIC SCALE IN FEET

LEGEND	
-R/W-P/L-	PROPERTY LINE & R.O.W. LINE
——P/L——	PROPERTY LINE
— — — —	RESERVATION LINE
- - - - - -	OLD DEED LINE
———	RESERVATION ABANDONMENT LINE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
(C.M.)	CONTROLLING MONUMENT
O	POINT FOR CORNER
POB	POINT OF BEGINNING

REVIEWED BY
JL 11-25-13
SPRL 2774

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas, Zone 4202, Reference Frame NAD83 (CORS96), EPOCH: 2002.00.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the reservation abandonment tract described.

STATE OF TEXAS
REGISTERED
MICHAEL C. CLOVER
5225
PROFESSIONAL
LAND SURVEYOR

Michael C. Clover 07/24/2013
Registered Professional Revised: 11/04/2013
Land Surveyor No. 5225

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193805

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
DB	MCC	1"=20'	JULY 2013	1214-13.171

WATER RESERVATION TO BE ABANDONED

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
RICHARD SCURRY SURVEY, ABSTRACT NO. 1382
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 2 OF 2

DWG FILE: 1214-13.171EX8.DWG

M:\DWG-12\1214-13.171\DWG\SURVEY C3D 2012\1214-13.171EX8.DWG
11/04/2013 - 5:06PM
MCLOVER

AGENDA ITEM # 28

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 42V

SUBJECT

An ordinance abandoning a water easement to United States Cold Storage, L.P., the abutting owner, containing approximately 8,201 square feet of land, located near the intersection of Cockrell Hill Road and La Reunion Parkway - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a water easement to United States Cold Storage, L.P., the abutting owner. The area will be included with the property of the abutting owner for the expansion of their cold storage facility. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

Revenue: $5,400, plus the $20 ordinance publication fee

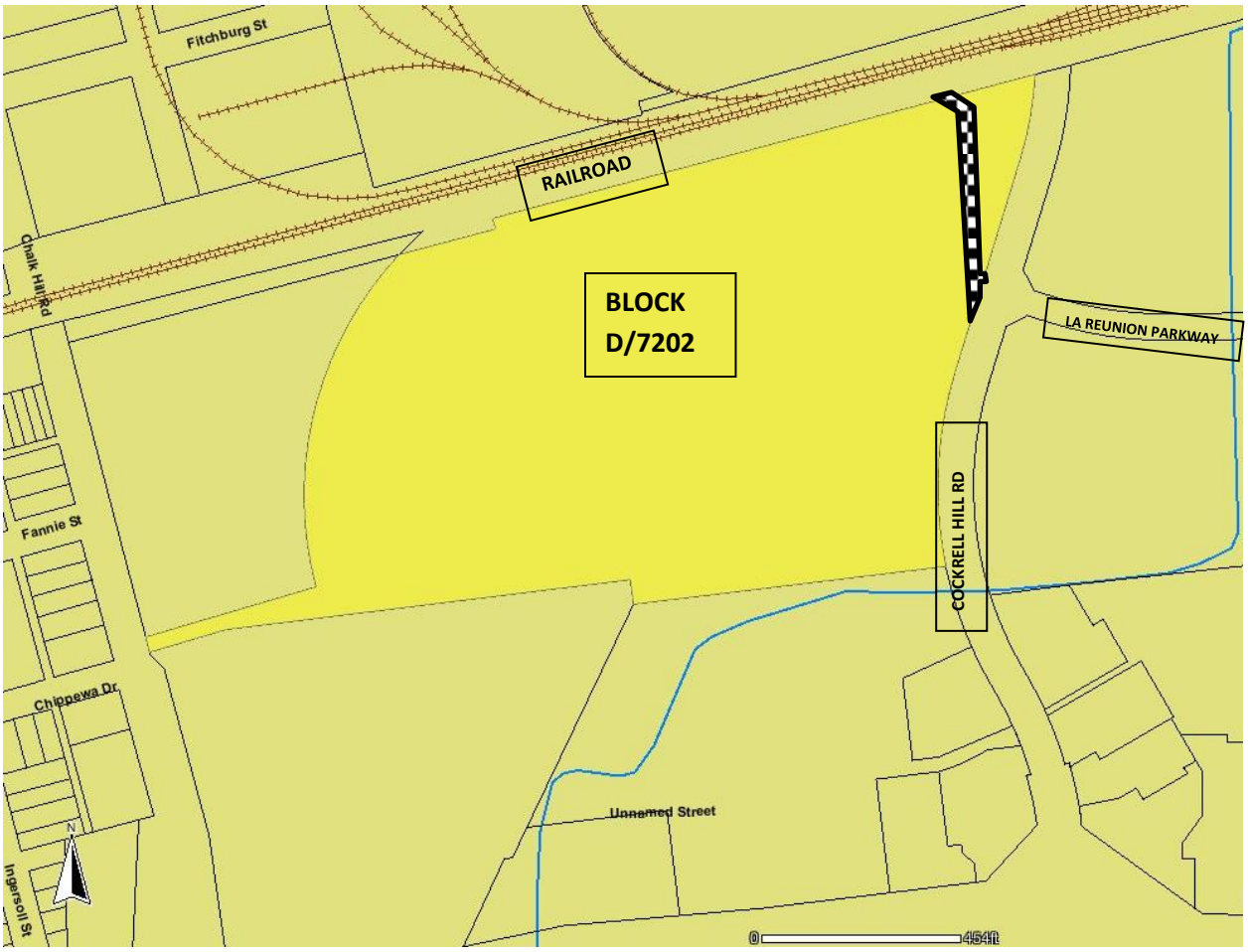
OWNER

United States Cold Storage, L.P.

Barry Ominsley, Vice President

MAP

Attached



Log: 42633 Abandonment:

Applicant: UNITED STATES COLD STORAGE, L.P.

Mapsco: 42V

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a water easement, located in City Block D/7202 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to United States Cold Storage, L.P.; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement to the City of Dallas and the relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of United States Cold Storage, L.P., a Texas limited partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract or parcel of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages , fines , penalties , costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said water easement shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE**'s expense, to the new easement, to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. 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 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER D. BOWERS
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY Loretta Williams
Assistant Director

Passed _____.

WATER EASEMENT ABANDONMENT
TURNPIKE WEST PROPER
LOT 1, BLOCK D/7202
HORACE BURNHAM SURVEY, ABSTRACT NO. 106
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

BEING a 8,201 square foot tract of land situated in the Horace Burnham Survey, Abstract No. 106, and being part of Lot 1, Block D/7202, Turnpike West Proper, an addition to the City of Dallas, according to the plat thereof recorded in County Clerk File Number 200600198974, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.) and conveyed to United States Cold Storage, L.P. by Special Warranty Deed recorded in County Clerk File Number 20070332447, O.P.R.D.C.T., said 8,201 square foot tract of land also being a portion of a water easement (hereon called water easement #1) as described in Water Easement filed in Instrument Number 201400258622, O.P.R.D.C.T., and being more particularly described as follows:

COMMENCING at a 3-1/2 inch aluminum monument stamped "TURNPIKE WEST PROPER NO. 3" and "COTTON SURVEYING CO." found for the southeast corner of said Lot 1, said corner also being the northeast corner of Lot 3A, Block D/7202, Turnpike West Proper No. 3, an addition to the City of Dallas, according to the plat thereof recorded in County Clerk File Number 200600381958, O.P.R.D.C.T. and lying on the west right-of-way line of Cockrell Hill Road (80 foot wide R.O.W.);

Thence along the south line of said Lot 1 and the north line of said Lot 3A, South 83°05'58" West, for a distance of 19.97 feet to a point on the west line of 20' Water and Wastewater Easement #1 created by document recorded in Volume 2004060, Page 113, Deed Records, Dallas County, Texas (D.R.D.C.T.) and at the beginning of a non-tangent curve to the right having a central angle of 26°00'07", a radius of 910.00 feet, and a chord which bears North 01°27'11" East, for a distance of 409.44 feet;

Thence along said west line of easement and said curve to the right, for an arc distance of 412.98 feet to a point on the north line of a water easement as described in Water Easement filed in Instrument Number 201300161669, O.P.R.D.C.T.;

Thence along said north line of water easement, South 83°05'22" West, for a distance of 10.37 feet to a point at the beginning of a curve to the left having a central angle of 00°46'24", a radius of 1510.00 feet, and a chord which bears South 82°42'10" West, for a distance of 20.38 feet;

Thence continuing along said north line of water easement and along said curve to the left, for an arc distance of 20.38 feet to a point on the east line of said water easement #1;

Thence along said east line of water easement #1, the following five (5) courses and distances:

North 08°03'48" West, for a distance of 7.22 feet to a point;

North 14°26'12" East, for a distance of 16.22 feet to a point at the beginning of a curve to the right having a central angle of 04°18'48", a radius of 490.00 feet, and a chord which bears North 16°35'36" East, for a distance of 36.88 feet;

Along said curve to the right, for an arc distance of 36.89 feet to a point;

North 18°45'00" East, for a distance of 83.50 feet to a point;

North 15°00'00" West, for a distance of 69.20 feet to a point for corner, the POINT OF BEGINNING of the herein described tract of land;

(For SPRG use only)
Reviewed by: JL
Date: 1-27-16
SPRG NO.: 3583

Basis of Bearings: The bearings are based upon the east right-of-way line of Chalk Hill Road (N14°42'18"W), as shown on plat recorded in County Clerk File No. 200600198974, Official Public Records, Dallas County, Texas.

BROCKETTE · DAVIS · DRAKE, inc.
consulting engineers
Civil & Structural Engineering Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214)824-3647, fax (214) 824-7064

WATER EASEMENT ABANDONMENT

TURNPIKE WEST PROPER
LOT 1, BLOCK D/7202
HORACE BURNHAM SURVEY, ABSTRACT NO. 106
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

THENCE leaving said east line of water easement #1, S17° 02' 19"W, for a distance of 37.70 feet to a point for corner on the west line of said water easement #1;

THENCE along said west line of water easement #1, N15° 00' 00"W, for a distance of 389.77 feet to a point for corner;

THENCE continuing along said west line of water easement #1, N60° 00' 00"W, for a distance of 32.95 feet to a point for corner;

THENCE leaving said west line of water easement #1, N75° 00' 00"E, for a distance of 28.28 feet to a point for corner on said east line of water easement #1;

THENCE along said east line of water easement #1, the following six (6) courses and distances:

S60° 00' 00"E, for a distance of 21.23 feet to a point for corner;

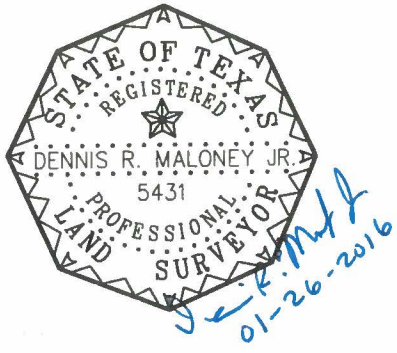
S15° 00' 00"E, for a distance of 326.77 feet to a point for corner;

N75° 00' 00"E, for a distance of 10.00 feet to a point for corner;

S15° 00' 00"E, for a distance of 10.00 feet to a point for corner;

S75° 00' 00"W, for a distance of 10.00 feet to a point for corner;

S15° 00' 00"E, for a distance of 29.33 feet to the POINT OF BEGINNING and containing 8,201 square feet or 0.1883 acres of land as computed.



(For SPRG use only)
Reviewed by: JL
Date: 1-27-16
SPRG NO.: 3583

Basis of Bearings: The bearings are based upon the east right-of-way line of Chalk Hill Road (N14°42'18"W), as shown on plat recorded in County Clerk File No. 200600198974, Official Public Records, Dallas County, Texas.

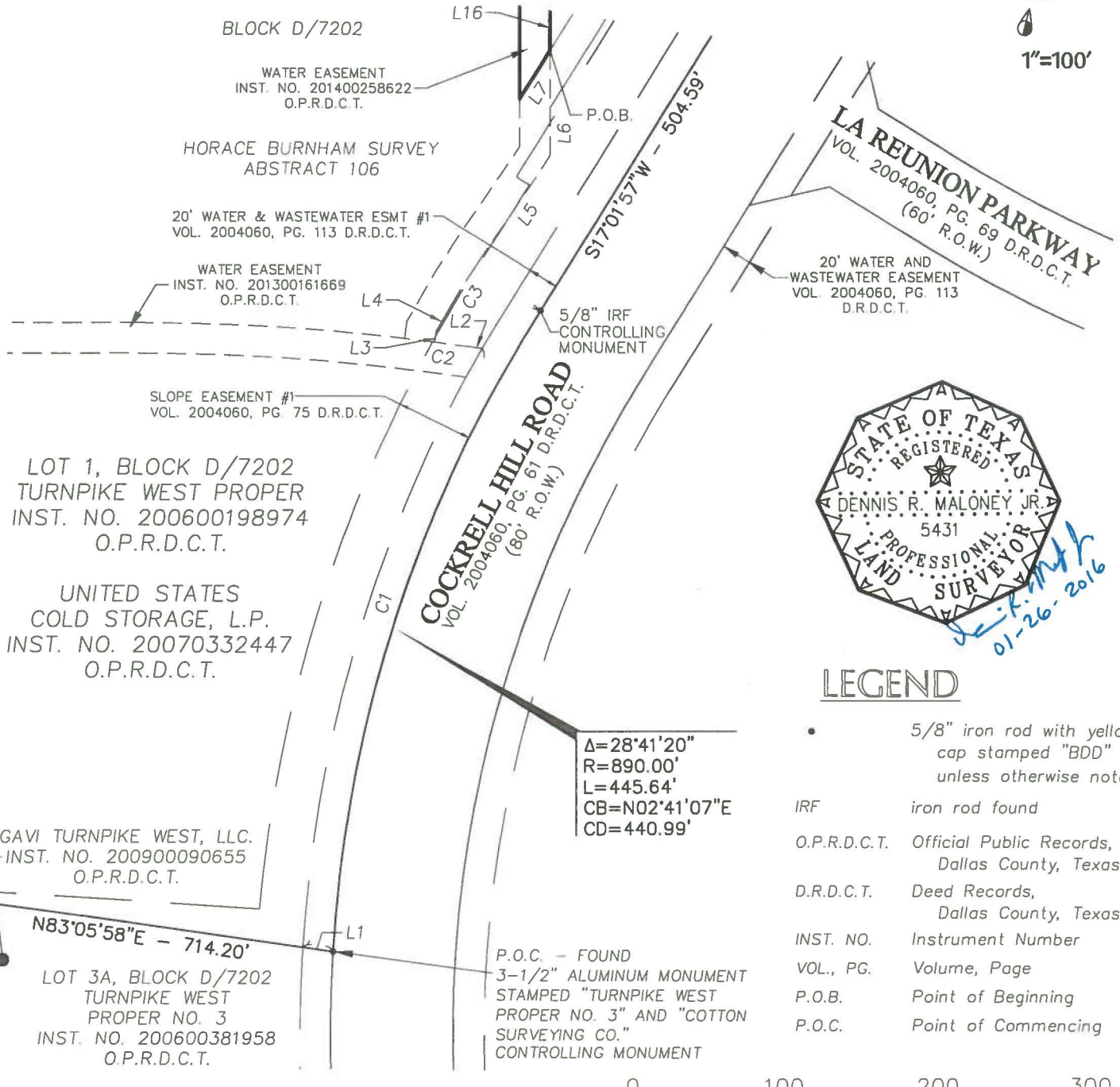
BROCKETTE · DAVIS · DRAKE, inc.
consulting engineers
Civil & Structural Engineering · Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214)824-3647, fax (214) 824-7064

EXHIBIT A

WATER EASEMENT ABANDONMENT

TURNPIKE WEST PROPER
LOT 1, BLOCK D/7202
HORACE BURNHAM SURVEY, ABSTRACT NO. 106
CITY OF DALLAS, DALLAS COUNTY, TEXAS

1"=100'



STATE OF TEXAS
REGISTERED
DENNIS R. MALONEY JR.
5431
PROFESSIONAL
LAND
SURVEYOR

01-26-2016

LEGEND

•	5/8" iron rod with yellow cap stamped "BDD" set unless otherwise noted
IRF	iron rod found
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
D.R.D.C.T.	Deed Records, Dallas County, Texas
INST. NO.	Instrument Number
VOL., PG.	Volume, Page
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing

0 100 200 300

GRAPHIC SCALE
1"=100'

Basis of Bearings: The bearings are based upon the east right-of-way line of Chalk Hill Road (N14°42'18"W), as shown on plat recorded in County Clerk File No. 200600198974, Official Public Records, Dallas County, Texas.

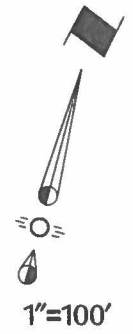
(For SPRG use only)
Reviewed by: JC
Date: 1-27-16
SPRG NO.: 3583

BROCKETTE · DAVIS · DRAKE, inc.
consulting engineers
Civil & Structural Engineering Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214)824-3647, fax (214) 824-7064

EXHIBIT A

WATER EASEMENT ABANDONMENT

TURNPIKE WEST PROPER
LOT 1, BLOCK D/7202
HORACE BURNHAM SURVEY, ABSTRACT NO. 106
CITY OF DALLAS, DALLAS COUNTY, TEXAS



TEXAS & PACIFIC RAILROAD

UNION PACIFIC R.R. CO.
NO RECORDING INFORMATION FOUND

30' TEXAS PIPE LINE CO.
VOL. 3327, PG. 303, D.R.D.C.T.
VOL. 4467, PG. 555, D.R.D.C.T.

N75°09'05"E – 1274.80'

L10
L11
L9
L12
L8
L13
L14
L15
L16
L7
L6
L5

WATER EASEMENT
INST. NO. 201400258622
O.P.R.D.C.T.

WATER EASEMENT
TO BE DEDICATED BY
SEPARATE INSTRUMENT

UNITED STATES
COLD STORAGE, L.P.
INST. NO. 20070332447
O.P.R.D.C.T.

LOT 1, BLOCK D/7202
TURNPIKE WEST PROPER
INST. NO. 200600198974
O.P.R.D.C.T.

WATER EASEMENT
ABANDONMENT
8,201 SQ. FT.
OR 0.1883 ACRES

BLOCK D/7202

WATER EASEMENT
INST. NO. 201400258622
O.P.R.D.C.T.

P.O.B.

HORACE BURNHAM SURVEY
ABSTRACT 106

20' WATER & WASTEWATER ESMT #1
VOL. 2004060, PG. 113 D.R.D.C.T.

S17°01'57"W – 504.59'

Δ=13°55'28"
R=809.83'
L=196.81'
CB=N10°04'15"E
CD=196.33'

COCKRELL HILL ROAD
VOL. 2004060, PG. 61 D.R.D.C.T.
(80' R.O.W.)

LA REUNION PARKWAY
VOL. 2004060, PG. 69 D.R.D.C.T.
(60' R.O.W.)

20' WATER AND
WASTEWATER EASEMENT
VOL. 2004060, PG. 113
D.R.D.C.T.

LEGEND

•	5/8" iron rod with yellow cap stamped "BDD" set unless otherwise noted
IRF	iron rod found
O.P.R.D.C.T.	Official Public Records, Dallas County, Texas
D.R.D.C.T.	Deed Records, Dallas County, Texas
INST. NO.	Instrument Number
VOL., PG.	Volume, Page
P.O.B.	Point of Beginning

0 100 200 300

GRAPHIC SCALE
1"=100'

Basis of Bearings: The bearings are based upon the east right-of-way line of Chalk Hill Road (N14°42'18"W), as shown on plat recorded in County Clerk File No. 200600198974, Official Public Records, Dallas County, Texas.

(For SPRG use only)
Reviewed by: JL
Date: 1-27-16
SPRG NO.: 3583

BROCKETTE · DAVIS · DRAKE, inc.
consulting engineers
Civil & Structural Engineering · Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214)824-3647, fax (214) 824-7064

WATER EASEMENT ABANDONMENT

TURNPIKE WEST PROPER

LOT 1, BLOCK D/7202

HORACE BURNHAM SURVEY, ABSTRACT NO. 106

CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

Line Table		
Line #	Direction	Length
L1	S83°05'58"W	19.97
L2	S83°05'22"W	10.37
L3	N08°03'48"W	7.22
L4	N14°26'12"E	16.22
L5	N18°45'00"E	83.50
L6	N15°00'00"W	69.20
L7	S17°02'19"W	37.70
L8	N15°00'00"W	389.77
L9	N60°00'00"W	32.95
L10	N75°00'00"E	28.28
L11	S60°00'00"E	21.23
L12	S15°00'00"E	326.77
L13	N75°00'00"E	10.00
L14	S15°00'00"E	10.00
L15	S75°00'00"W	10.00
L16	S15°00'00"E	29.33

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	412.98	910.00	26°00'07"	N01°27'11"E	409.44
C2	20.38	1510.00	00°46'24"	S82°42'10"W	20.38
C3	36.89	490.00	04°18'48"	N16°35'36"E	36.88

(For SPRG use only)
Reviewed by: JL
Date: 1-27-16
SPRG NO.: 3583

Basis of Bearings: The bearings are based upon the east right-of-way line of Chalk Hill Road (N14°42'18"W), as shown on plat recorded in County Clerk File No. 200600198974, Official Public Records, Dallas County, Texas.

BROCKETTE · DAVIS · DRAKE , inc.
consulting engineers
Civil & Structural Engineering Surveying
4144 North Central Expressway, Suite 1100 Dallas,Texas 75204
(214)824-3647, fax (214) 824-7064

AGENDA ITEM # 29

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 55A

SUBJECT

An ordinance abandoning three sanitary sewer easements to Trinity Basin Preparatory, Inc., the abutting owner, containing a total of approximately 1,521 square feet of land, located near the intersection of East 8th Street and East Jefferson Boulevard - Revenue: $5,400 plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of three sanitary sewer easements to Trinity Basin Preparatory, Inc., the abutting owner. The areas will be included with the property of the abutting owner for the construction of a new school. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

Revenue: $5,400, plus the $20 ordinance publication fee

OWNER

Trinity Basin Preparatory, Inc.

Randal C. Shaffer, President

MAP

Attached



LOG #: 42223 **Abandonments:**

Mapsco: 55A

Applicant: Trinity Basin Preparatory, Inc

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of three sanitary sewer easements, located in City Block 79/3060 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Trinity Basin Preparatory, Inc.; 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 Trinity Basin Preparatory, Inc., a Texas non-profit corporation; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, to the extent allowed by law, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this 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 D. BOWERS
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT 3, BLOCK 79/3060 - ORIGINAL TOWN OF OAK CLIFF
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1

Being a 912 square foot tract of land out of the E. Robertson Survey, Abstract No. 1211 and situated in the City of Dallas, Dallas County, Texas, said tract being all of that same easement created in a sanitary sewer easement to the City of Dallas recorded in Volume 2916, Page 282, Deed Records, Dallas County, Texas also being a portion of the property described as "TRACT ONE" in a Special Warranty Deed (Vendor's Lien Reserved and Assigned to Grantor) to Trinity Basin Preparatory, Inc. recorded as Instrument No. 201300334676, Official Public Records, Dallas County, Texas, herein described tract also being a portion of Lot 3, Block 79/3060, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 3, Page 516, Map Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch "MILLER 5665" capped steel rod set for the northwest corner of said easement, said rod being in the northerly boundary line of said Tract One and the northerly boundary line of said Lot 3 from which a 1/2 inch steel rod set in the easterly right-of-way line of Ewing Street for the northwest corner of said Lot 3 bears WEST at 174.00 feet;

Thence EAST with the northerly boundary line of said Tract One a distance of 58.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the northeast corner of said easement;

Thence SOUTH with the easterly boundary line of said easement a distance of 6.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence WEST a distance of 52.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence SOUTH with the easterly boundary line of said easement a distance of 94.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the southerly boundary line of said Lot 3;

Thence WEST with said southerly boundary line a distance of 6.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the southwest corner of said easement;

Thence NORTH with the westerly boundary line of said easement a distance of 100.00 feet to the point of beginning and containing 0.0209 acre or 912 square feet of land, more or less.

NOTE: Base Bearing is the West line of Lot B being South as recorded in Volume 9, Page 421 Map Records, Dallas County, Texas.

For SPRG Use Only
Reviewed By: JD
Date: 4/20/2016
SPRG No. 2788

4-18-16

Jason B. Rawlings Date
R.P.L.S. 5665

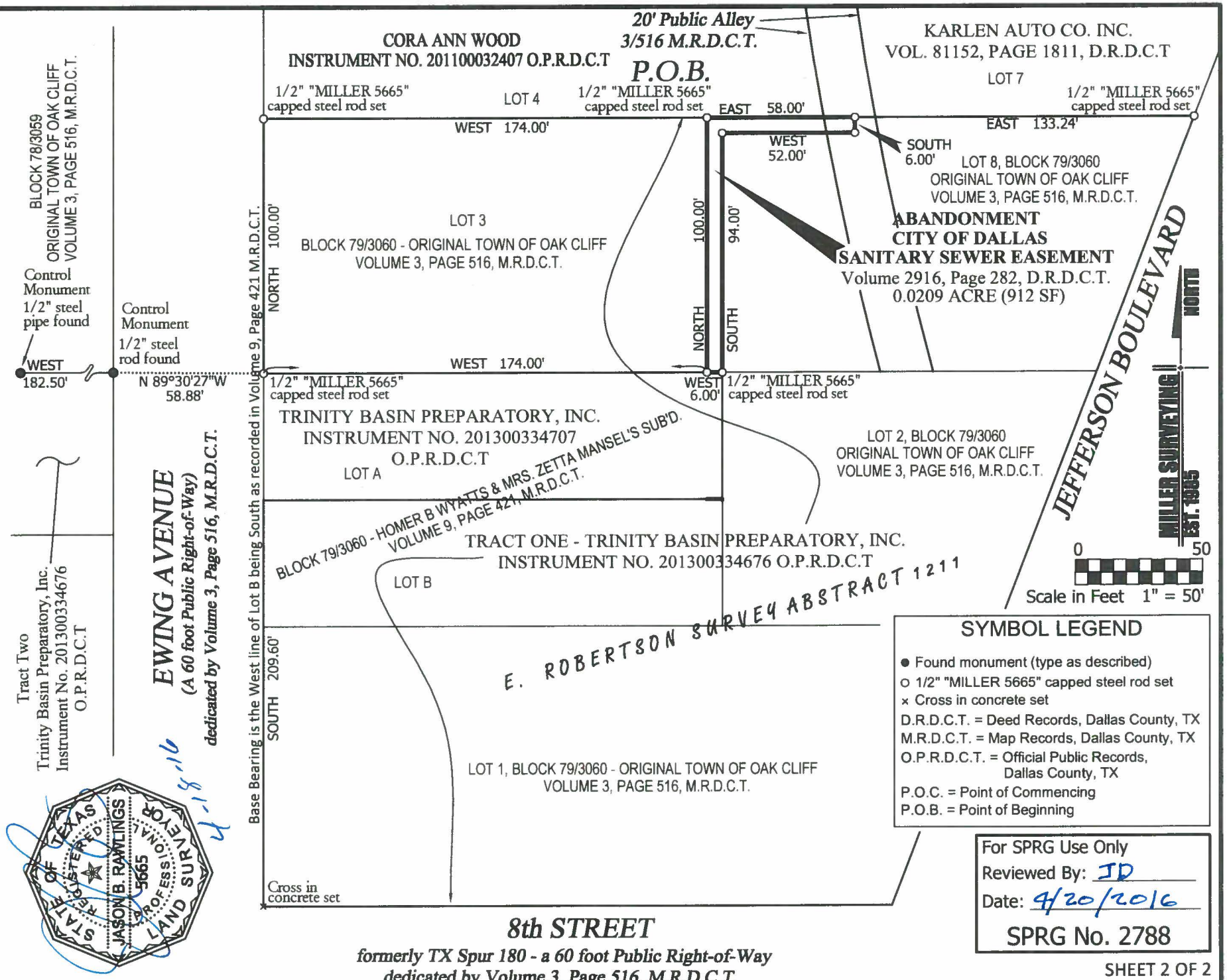
STATE OF TEXAS
REGISTERED
JASON B. RAWLINGS
5665
PROFESSIONAL
LAND SURVEYOR

MILLER
Surveying, Inc.
Commercial • Residential • Municipal
430 Mid Cities Blvd. 817-577-1052
Hurst, Texas 76054 TxLSF No. 10100400
MillerSurvey.net

SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT 3, BLOCK 79/3060 - ORIGINAL TOWN OF OAK CLIFF
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 1



STATE OF TEXAS
REGISTERED
JASON B. RAWLINGS
5665
PROFESSIONAL
LAND SURVEYOR

4-18-16

SYMBOL LEGEND

- ● Found monument (type as described)
- ○ 1/2" "MILLER 5665" capped steel rod set
- × Cross in concrete set

D.R.D.C.T. = Deed Records, Dallas County, TX
M.R.D.C.T. = Map Records, Dallas County, TX
O.P.R.D.C.T. = Official Public Records, Dallas County, TX
P.O.C. = Point of Commencing
P.O.B. = Point of Beginning

For SPRG Use Only
Reviewed By: JD
Date: 4/20/2016
SPRG No. 2788

Job No. 13052 • Plot File 13052 San Esmt Aband-3

SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT A, BLOCK 79/3060 - HOMER B WYATTS & MRS. ZETTA MANSEL'S SUB'D.
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 2

Being a 300 square foot tract of land out of the E. Robertson Survey, Abstract No. 1211 and situated in the City of Dallas, Dallas County, Texas, said tract being all of that same easement created in a sanitary sewer easement to the City of Dallas recorded in Volume 2967, Page 487, Deed Records, Dallas County, Texas also being a portion of the tract described in Special Warranty Deed (Vendor's Lien Reserved and Assigned to Grantor) to Trinity Basin Preparatory, Inc. recorded as Instrument No. 201300334707, Official Public Records, Dallas County, Texas, herein described tract also being a portion of Lot A, Block 79/3060, Homer B. Wyatts & Mrs. Zetta Mansel's Subdivision, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 9, Page 421, Map Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch "MILLER 5665" capped steel rod set for the northeast corner of said Lot A and the northeast corner of said easement;

Thence SOUTH with the easterly boundary line of said Lot A and the easterly boundary line of said easement a distance of 50.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the southeast corner of said Lot A and said easement;

Thence WEST with the southerly boundary line of said easement and the southerly boundary line of said Lot A a distance of 6.00 feet to the southwest corner of said easement;

Thence NORTH with the westerly boundary line of said easement a distance of 50.00 feet to the northwest corner thereof, same being in the northerly boundary line of said Lot A from which a 1/2 inch "MILLER 5665" capped steel rod set in the easterly right-of-way line of Ewing Avenue bears WEST at 174.00 feet;

Thence EAST with the northerly boundary line of said easement and the northerly boundary line of said Lot A a distance of 6.00 feet to the point of beginning and containing 0.0069 acre or 300 square feet of land, more or less.

NOTE: Base Bearing is the West line of Lot B being South as recorded in Volume 9, Page 421 Map Records, Dallas County, Texas.

For SPRG Use Only
Reviewed By: JD
Date: 4/20/2016
SPRG No. 2790

4-18-16
Jason B. Rawlings Date
R. P. L. S. 5665

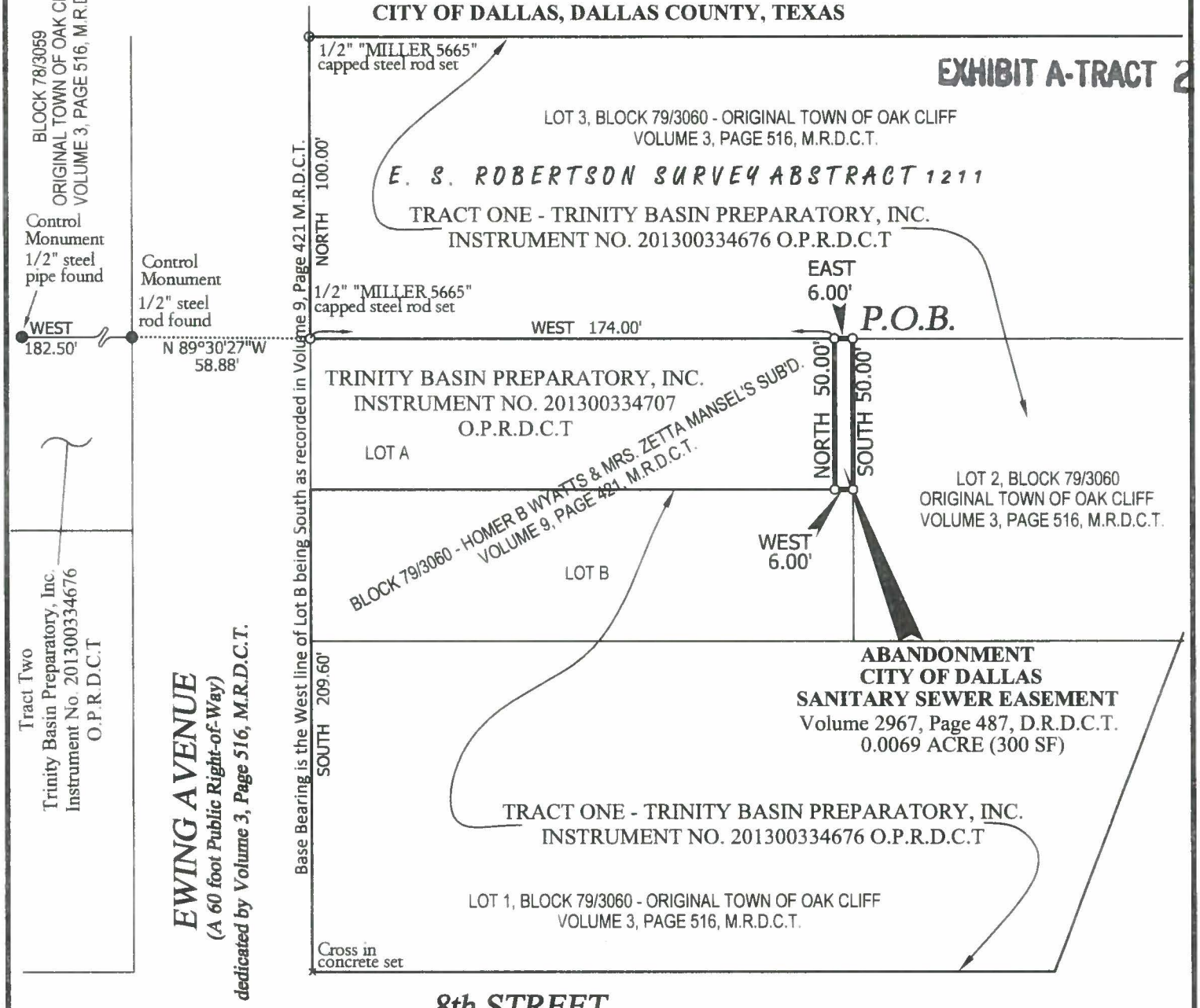
STATE OF TEXAS
REGISTERED
JASON B. RAWLINGS
5665
PROFESSIONAL
LAND SURVEYOR

MILLER
Surveying, Inc.
Commercial • Residential • Municipal
430 Mid Cities Blvd. 817-577-1052
Hurst, Texas 76054 TxLSF No. 10100400
MillerSurvey.net

Job No. 13052 • Plot File 13052 San Esmt Aband-2

SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT A, BLOCK 79/3060 - HOMER B WYATTS & MRS. ZETTA MANSEL'S SUB'D.
CITY OF DALLAS, DALLAS COUNTY, TEXAS



SYMBOL LEGEND

- ● Found monument (type as described)
- ○ 1/2" "MILLER 5665" capped steel rod set
- × Cross in concrete set

D.R.D.C.T. = Deed Records, Dallas County, TX
M.R.D.C.T. = Map Records, Dallas County, TX
O.P.R.D.C.T. = Official Public Records, Dallas County, TX
P.O.C. = Point of Commencing
P.O.B. = Point of Beginning

NORTH

0 50
Scale in Feet

STATE OF TEXAS
REGISTERED
JASON B. RAWLINGS
5665
PROFESSIONAL
LAND SURVEYOR

MILLER SURVEYING
EST. 1985

MILLER
Surveying, Inc.
Commercial • Residential • Municipal
430 Mid Cities Blvd. 817-577-1052
Hurst, Texas 76054 TxLSF No. 10100400
MillerSurvey.net

4-18-16
Jason B. Rawlings Date
R. P. L. S. 5665

For SPRG Use Only
Reviewed By: JD
Date: 4/20/2016
SPRG No. 2790

Job No. 13052 • Plot File 13052 San Esmt Aband-2

SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT B, BLOCK 79/3060 - HOMER B WYATTS & MRS. ZETTA MANSEL'S SUB'D.
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A-TRACT 3

Being a 309 square foot tract of land out of the E. Robertson Survey, Abstract No. 1211 and situated in the City of Dallas, Dallas County, Texas, said tract being all of that same easement created in a sanitary sewer easement to the City of Dallas recorded in Volume 2967, Page 486, Deed Records, Dallas County, Texas also being a portion of the tract described as "TRACT ONE" in Special Warranty Deed (Vendor's Lien Reserved and Assigned to Grantor) to Trinity Basin Preparatory, Inc. recorded as Instrument No. 201300334676, Official Public Records, Dallas County, Texas, herein described tract also being a portion of Lot B, Block 79/3060, Homer B. Wyatts & Mrs. Zetta Mansel's Subdivision, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 9, Page 421, Map Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

Commencing at a 1/2 inch "MILLER 5665" capped steel rod set for the southwest corner of said Lot B and being the northwest corner of Lot 1, Block 79/3060, Original Town of Oak Cliff, an addition to the City of Dallas as shown on the plat thereof recorded in Volume 3, Page 516, said map records, and also being in the easterly right-of-way line of Ewing Avenue from which a 1/2 inch steel rod found for the northeast corner of "TRACT TWO" of said Trinity deed bears North 30 degrees 21 minutes 42 seconnds West at 116.48 feet; Thence East with the southerly boundary line of said Lot B and the northerly boundary line of said Lot 1 a distance of 161.91 feet to the Point of Beginning of the herein described tract, same being the southwest corner of said easement;

Thence North 13 degrees 29 minutes 45 seconds East with the westerly boundary line of said easement a distance of 51.42 feet to the northwest corner thereof, same being in the northerly boundary line of said Lot B;

Thence EAST with the northerly boundary line of said easement and the northerly boundary line of said Lot B a distance of 6.09 feet to the northeast corner of said easement and the northeast corner of said Lot B, same being an inner corner of said Tract One;

Thence SOUTH with the easterly boundary line of said Lot B and the easterly boundary line of said easement a distance of 0.35 feet;

Thence South 13 degrees 29 minutes 45 seconds West with the easterly boundary line of said easement a distance of 51.05 feet to the southeast corner of said easement, same being in the southerly boundary line of said Lot B;

Thence WEST with the southerly boundary line of said easement and the southerly boundary line of said Lot B a distance of 6.17 feet to the point of beginning and containing 0.0071 acre or 309 square feet of land, more or less.

NOTE: Base Bearing is the West line of Lot B being South as recorded in Volume 9, Page 421 Map Records, Dallas County, Texas.

For SPRG Use Only
Reviewed By: JD
Date: 4/20/2016
SPRG No. 2789

4-18-16

Jason B. Rawlings Date
R. P. L. S. 5665

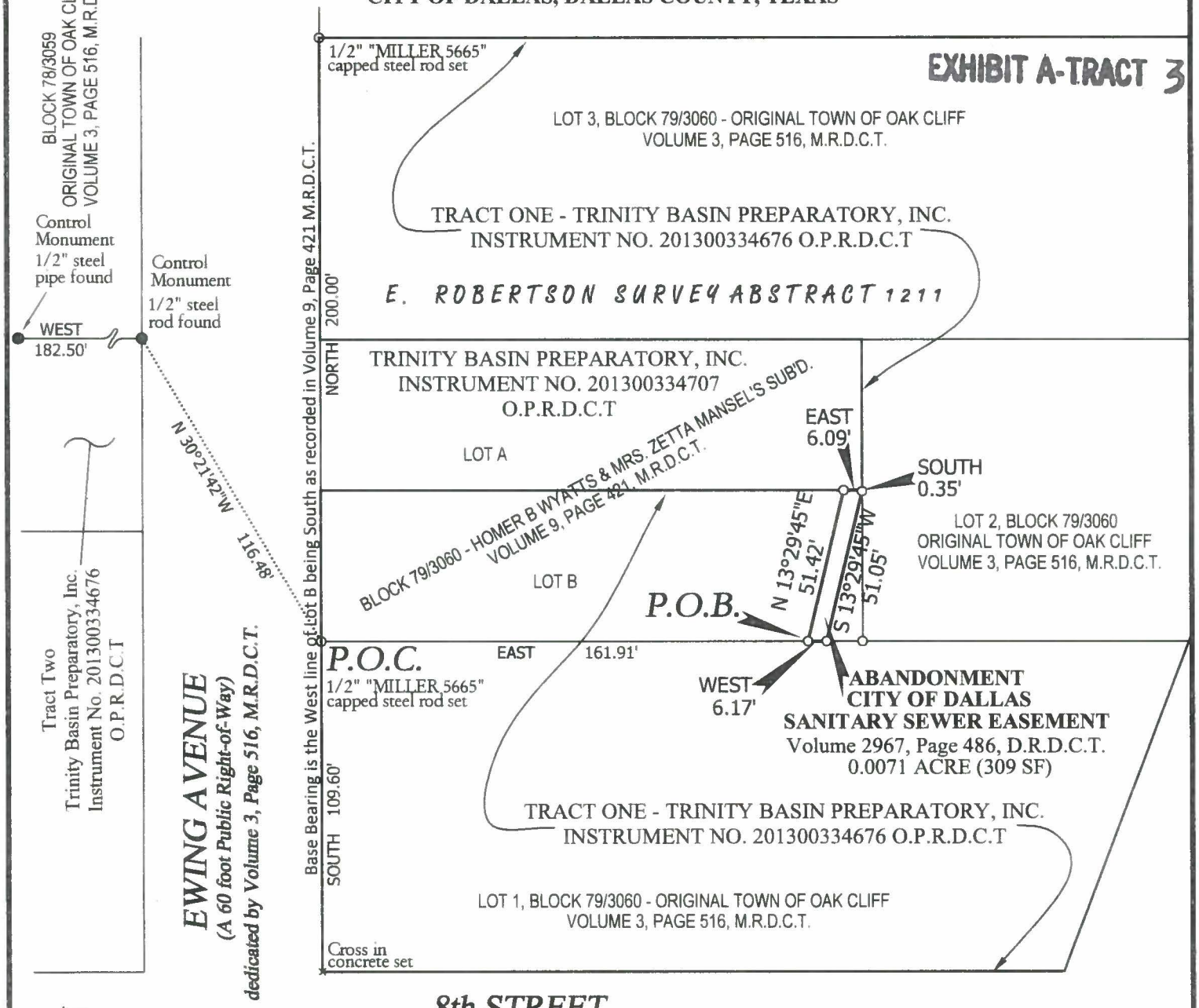
STATE OF TEXAS
REGISTERED
JASON B. RAWLINGS
5665
PROFESSIONAL
LAND SURVEYOR

MILLER
Surveying, Inc.
Commercial • Residential • Municipal
430 Mid Cities Blvd. 817-577-1052
Hurst, Texas 76054 TxLSF No. 10100400
MillerSurvey.net

Job No. 13052 • Plot File 13052 San Esmt Aband-1

SANITARY SEWER EASEMENT ABANDONMENT

PART OF LOT B, BLOCK 79/3060 - HOMER B WYATTS & MRS. ZETTA MANSEL'S SUB'D.
CITY OF DALLAS, DALLAS COUNTY, TEXAS



SYMBOL LEGEND

- ● Found monument (type as described)
- ○ 1/2" "MILLER 5665" capped steel rod set
- × Cross in concrete set

D.R.D.C.T. = Deed Records, Dallas County, TX
M.R.D.C.T. = Map Records, Dallas County, TX
O.P.R.D.C.T. = Official Public Records, Dallas County, TX
P.O.C. = Point of Commencing
P.O.B. = Point of Beginning

NORTH

MILLER SURVEYING EST. 1965

0 50
Scale in Feet

STATE OF TEXAS
REGISTERED
JASON B. RAWLINGS
5665
PROFESSIONAL
LAND SURVEYOR

MILLER
Surveying, Inc.
Commercial • Residential • Municipal
430 Mid Cities Blvd. 817-577-1052
Hurst, Texas 76054 TxLSF No. 10100400
MillerSurvey.net

4-18-16

Jason B. Rawlings Date
R.P.L.S. 5665

For SPRG Use Only
Reviewed By: JD
Date: 4/20/2016
SPRG No. 2789

Job No. 13052 • Plot File 13052 San Esmt Aband-1

AGENDA ITEM # 30

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 23X Y

SUBJECT

An ordinance amending Ordinance No. 29383, previously approved on June 25, 2014, which abandoned a portion of Straightway Drive, located near the intersection of Northwest Highway and Straightway Drive, to Northwest Overlake, L.L.C. and Rizos Land Group Northwest Highway, LLC to extend the final replat and dedication requirement from two years to 30 months - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the amendment of Ordinance No. 29383, previously approved on June 25, 2014, which abandoned a portion of Straightway Drive, located near the intersection of Northwest Highway and Straightway Drive, to Northwest Overlake, L.L.C. and Rizos Land Group Northwest Highway, LLC, the abutting owners.

This amendment will allow for the extension of the final replat and dedication requirements from two years to 30 months.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council approved Ordinance No. 29383.

Information about this item will be provided to the Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

Revenue: $ 5,400, plus the $20 ordinance publication fee

OWNERS

Northwest Overlake, L.L.C.

Oxford Enterprises, Inc.

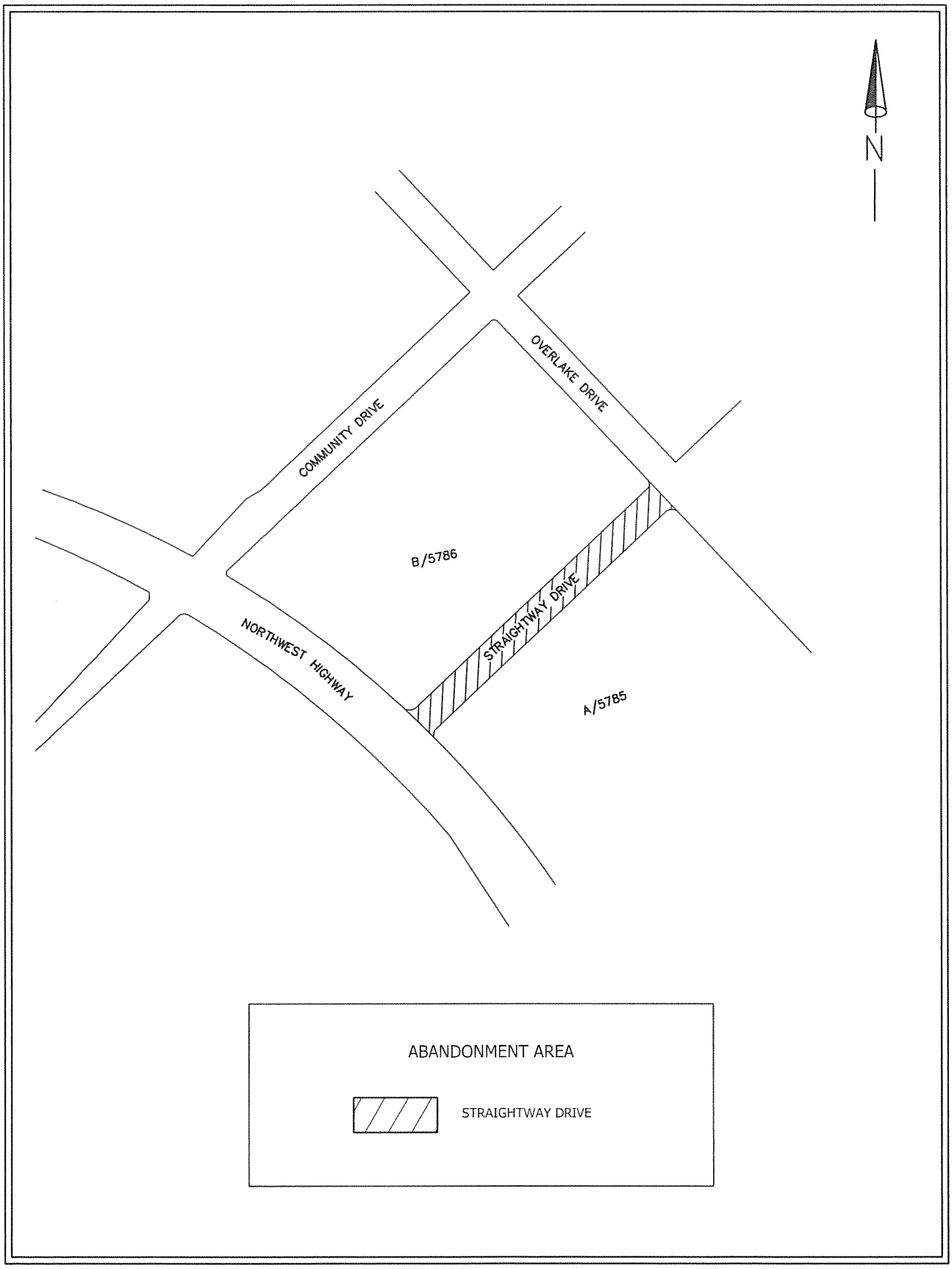
Anthony Swartz, President

Rizos Land Group Northwest Highway, LLC

Nick Rizos, Manager

MAP

Attached


N
COMMUNITY DRIVE
OVERLAKE DRIVE
B/5786
STRAIGHTWAY DRIVE
NORTHWEST HIGHWAY
A/5785
ABANDONMENT AREA
STRAIGHTWAY DRIVE

ORDINANCE NO. _____

An ordinance amending Ordinance No. 29383, by altering Section 9 to provide for a one time extension of the two year deadline to replat and dedicate needed easements; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

oooOooo

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

SECTION 1. That Ordinance No. 29383 adopted by the City Council of the City of Dallas on June 25, 2014, be and the same is hereby amended by altering and amending Section 9:

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

A) Submit application for a preliminary plat within one year of the effective date of this ordinance and record a final replat of the adjoining properties within ~~two years~~ 30 months of the effective date of this ordinance showing any dedication by easement made necessary as noted in Section 9B below and shown in Exhibit C. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

B) In conjunction with the preliminary plat submittal:

(i) Submit landscape and parkway plans acceptable to the Department of Sustainable Development and Construction, Building Inspection Division and Engineering Division, for review and approval including the following:

1) Provide a Pedestrian Access Easement along Community Drive from Overlake Drive to a point approximately 280 feet northeast of Community Drive's intersection with Northwest Highway which shall include:

a) a 5' landscape buffer within property where planted trees shall be included within the buffer; and

b) a 3' parkway to curb within City right-of-way; and

c) a 6' concrete sidewalk between the parkway and landscape buffer.

2) Provide a Pedestrian Access Easement along Northwest Highway from the abandonment area of Straightway Drive to a point approximately 237 feet east of Community Drive which shall include:

a) a 5' landscape buffer within property; and

b) a 5' parkway to curb within the State right-of-way; and

c) a 6' concrete sidewalk between the parkway and landscape buffer.

C) In conjunction with the filing of the final plat execute the approved plans by the Director of Sustainable Development and Construction and execute appropriate contracts for the construction of paving improvements.

This abandonment shall not be effective unless and until **GRANTEE** complies with this provision, and **GRANTEE**'s failure to satisfy said conditions shall render this ordinance null and void and of no further effect.

SECTION 2. That, as consideration for amending Ordinance No. 29383, Northwest Overlake, L.L.C. and Rizos Land Group Northwest Highway, LLC agrees to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** to the City of Dallas, and, by its tender thereof, accepts the terms and conditions of this ordinance.

SECTION 3. That the Chief Financial Officer is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 4. That the terms and conditions of Ordinance No. 29383 shall remain in full force and effect except as amended hereby.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for publishing this ordinance which, **GRANTEE** shall likewise pay, and the filing of the replat set forth in Section 9 and completions of the dedications set forth in Section 9, 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 (1) year after its passage.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provision of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER D. BOWERS
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

AGENDA ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 1, 10, 11

DEPARTMENT: Trinity Watershed Management
Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 15C 16W 26G 27S 53K

SUBJECT

Authorize a professional services contract with LIM & Associates, Inc. for the engineering design of six erosion control improvement projects (list attached) - Not to exceed $97,977 - Financing: 2012 Bond Funds ($69,625) and Water Utilities Capital Improvement Funds ($28,352)

BACKGROUND

This action will authorize a professional services contract with LIM & Associates, Inc. for the engineering design of six erosion control improvement projects. These projects were funded in the 2012 Bond Program. The erosion control projects have been divided into geographically based groups. This item will provide engineering design for Group 11 (Anderson Bonner Park Site 1, Kiowa Parkway Hike and Bike Trail, Abrams Road Bridge Hike and Bike Trail, Harry Moss Park Site 1, Martin Weiss Park Sites 1 and 3) as outlined in the 2012 Bond Program.

Erosion control improvement projects will include the installation of gabion walls, retaining walls, gabion mattresses, and slope and channel improvements to protect structures and minimize creek bank erosion along various creeks throughout the City.

Following are the locations, council district and design cost for each project. The selected consulting firm was selected following a qualifications-based selection process in accordance with the City of Dallas AD 4-5 procurement guidelines.

Location	Council District	Amount
Group 11		
Anderson Bonner Park Site 1 (12000 Park Central Drive)	11	$43,266.89

BACKGROUND (Continued)

Location	Council District	Amount
Kiowa Parkway Hike and Bike Trail (15200 Woodbriar Drive)	11	$19,230.46
Abrams Road Bridge Hike and Bike Trail (7000 Abrams Road)	10	$11,775.37
Harry Moss Park Site 1 S. of Pedestrian Bridge (8000 Greenville Avenue)	10	$ 9,061.92
Martin Weiss Park Site 1 Pavilion (3400 W. Clarendon Drive)	1	$ 7,321.18
Martin Weiss Park Site 3 Pedestrian Bridge (3400 W. Clarendon Drive)	1	$ 7,321.18

ESTIMATED SCHEDULE OF PROJECT

Erosion Control Improvement	Begin Design	Complete Amount
Group 11		
Anderson Bonner Park Site 1	June 2016	October 2016
Kiowa Parkway Hike and Bike Trail	June 2016	October 2016
Abrams Road Bridge Hike and Bike Trail	June 2016	October 2016
Harry Moss Park Site 1 S. of Pedestrian Bridge	June 2016	October 2016
Martin Weiss Park Site 1 Pavilion	June 2016	October 2016
Martin Weiss Park Site 3 Pedestrian Bridge	June 2016	October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be briefed to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

2012 Bond Funds - $69,625.00
Water Utilities Capital Improvement Funds - $28,352.00

FISCAL INFORMATION (Continued)

Council District	Amount
1	$14,642.36
10	$20,837.29
11	$62,497.35
Total Cost	$97,977.00

Erosion Control Improvement Projects

Group 11

Design (TWM)	$ 69,625.00
Design (DWU)	$ 28,352.00
Construction	$464,173.98 (est.)
Total Project Cost	$562,150.98 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

LIM & Associates, Inc.

Hispanic Female	0	Hispanic Male	3
African-American Female	0	African-American Male	2
Other Female	2	Other Male	5
White Female	0	White Male	1

OWNER

LIM & Associates, Inc.

Siang W. Lim, Principal

MAPS

Attached

Professional Services Contracts for Six Erosion Control Projects

Location	Council District	Amount
Group 11		
Anderson Bonner Park Site 1	11	$43,266.89
Kiowa Parkway Hike and Bike Trail	11	$19,230.46
Abrams Road Bridge Hike and Bike Trail	10	$11,775.37
Harry Moss Park Site 1 S. of Pedestrian Bridge	10	$ 9,061.92
Martin Weiss Park Site 1 Pavilion	1	$ 7,321.18
Martin Weiss Park Site 3 Pedestrian Bridge	1	$ 7,321.18

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with LIM & Associates, Inc. for the engineering design of six erosion control improvement projects (list attached) - Not to exceed $97,977 - Financing: 2012 Bond Funds ($69,625) and Water Utilities Capital Improvement Funds ($28,352)

LIM & Associates, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.
PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$97,977.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$97,977.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Lim & Associats, Inc.	PMDB01647Y0416	$87,477.00	89.28%
Geotel Engineering, Inc.	PMDB25384Y0417	$10,500.00	10.72%
Total Minority - Local		$97,977.00	100.00%

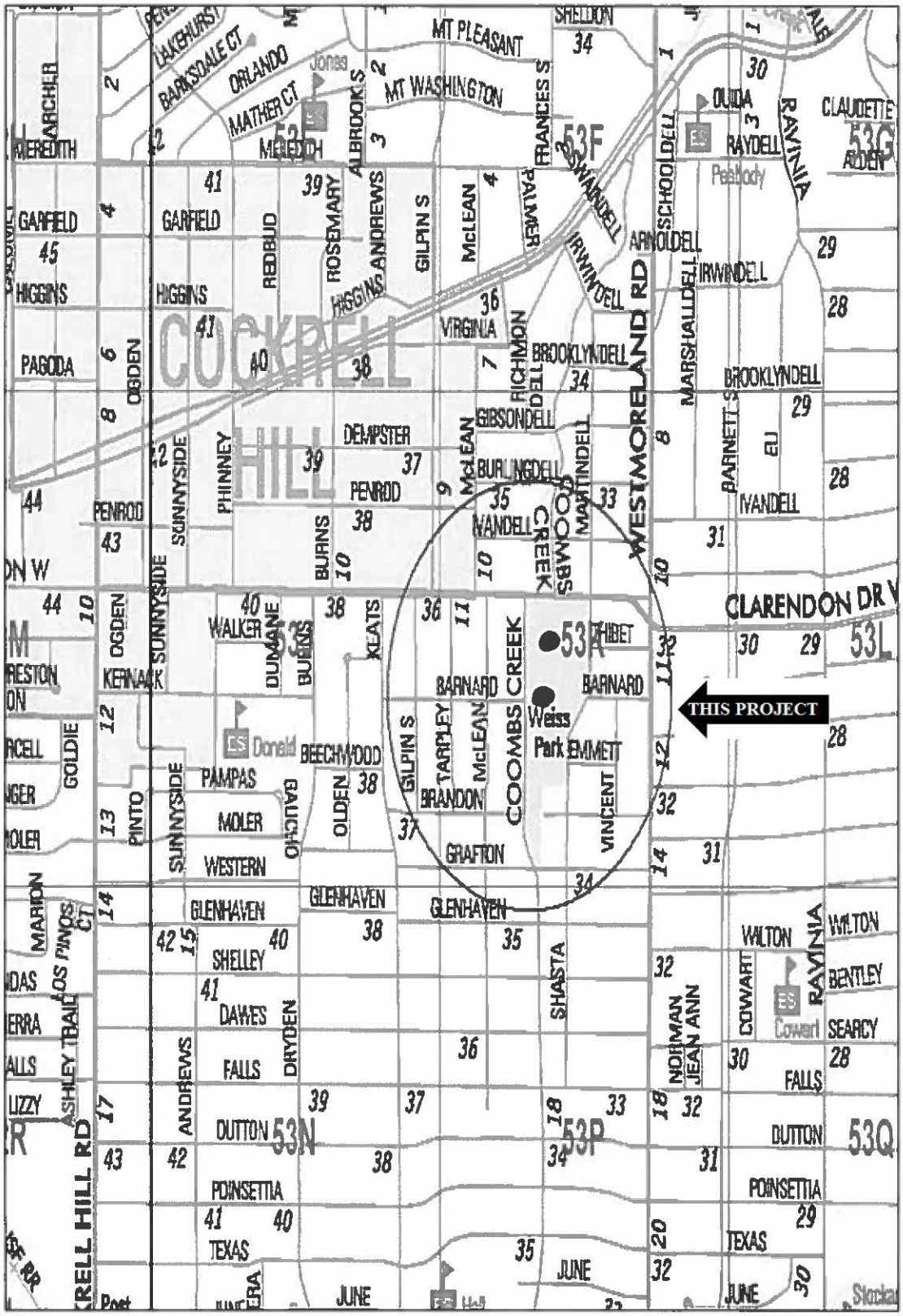
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

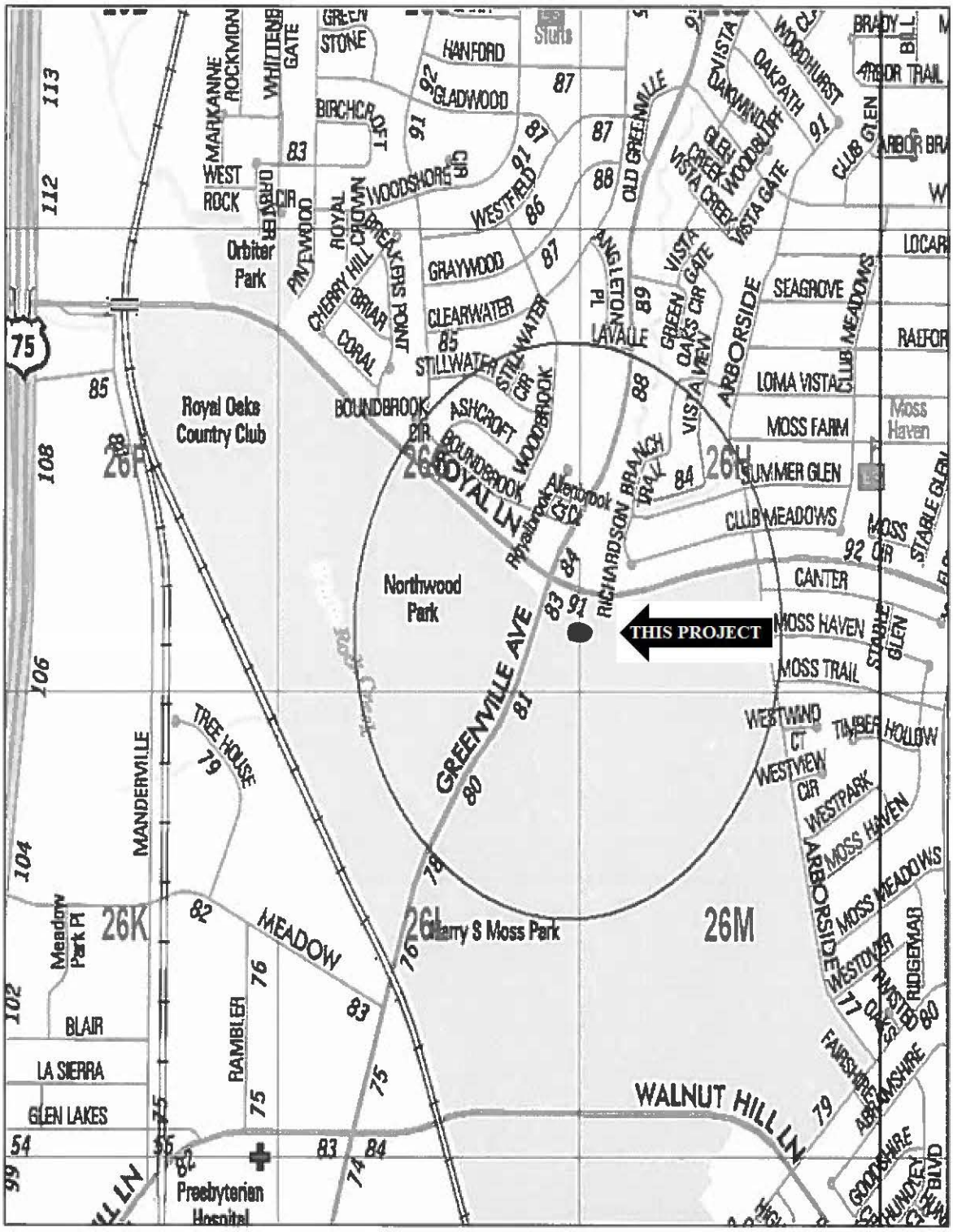
	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$97,977.00	100.00%	$97,977.00	100.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$97,977.00	100.00%	$97,977.00	100.00%

Erosion Control Group 11



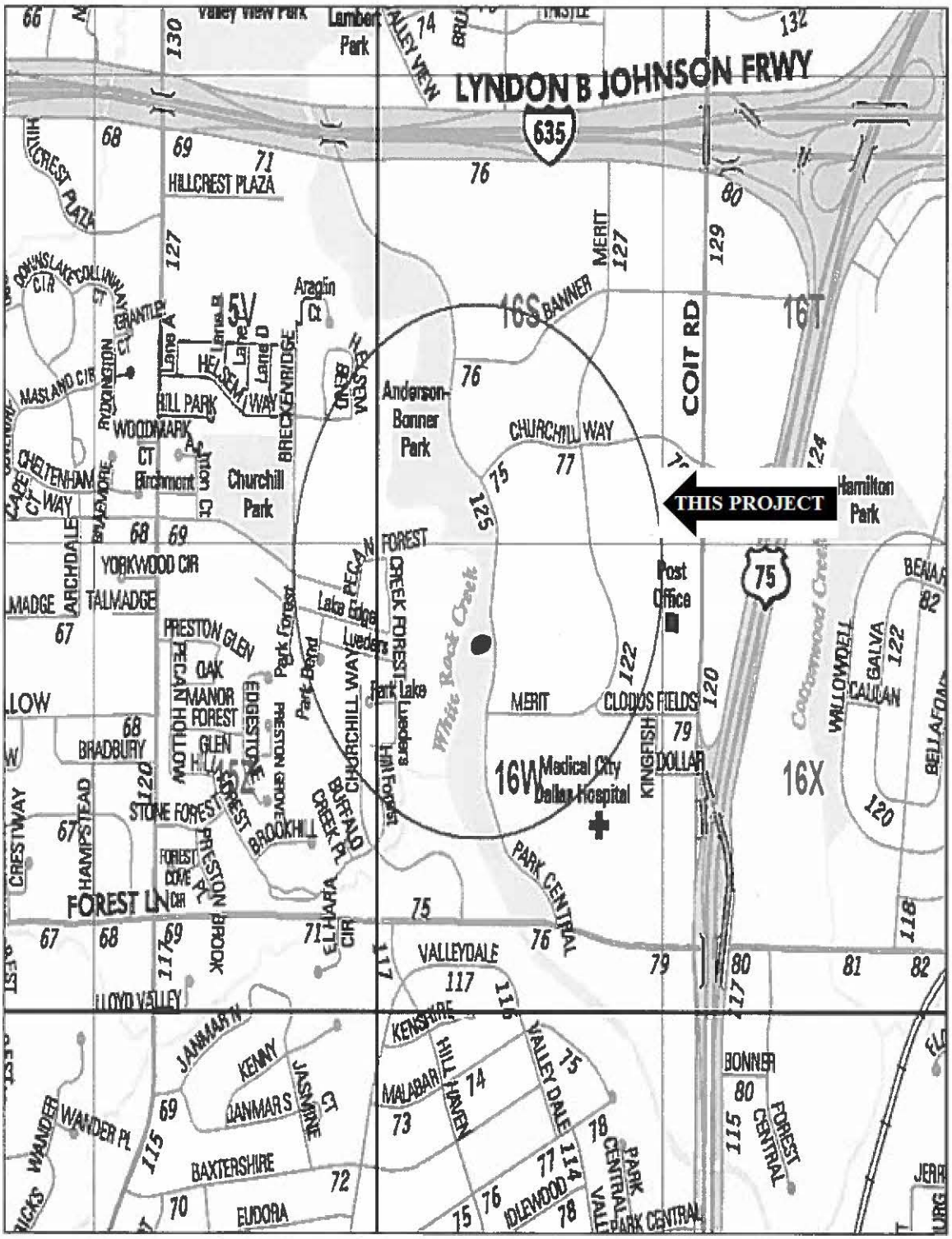
Mapsco 53-K

Erosion Control Group 11



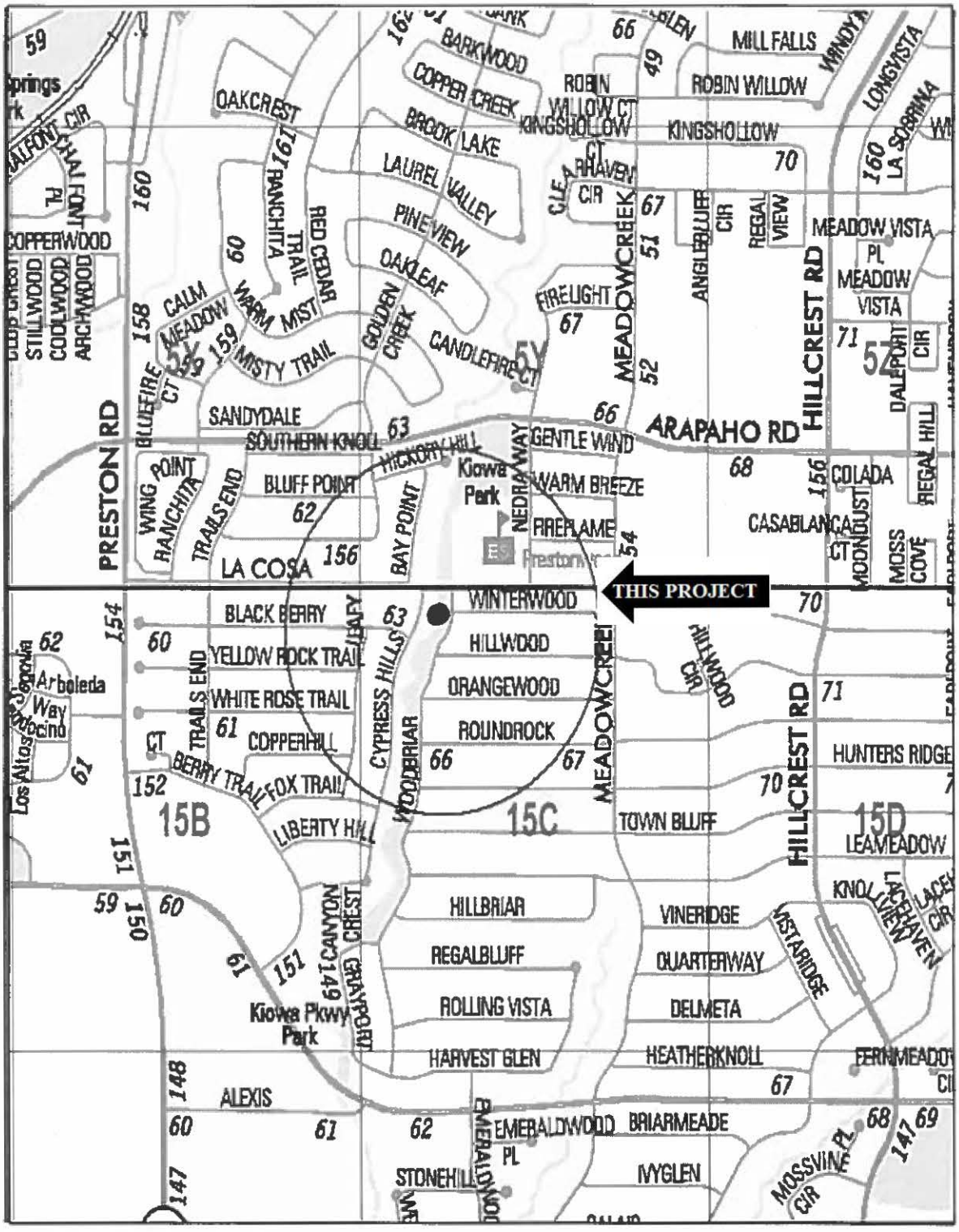
Mapsco 26-G

Erosion Control Group 11



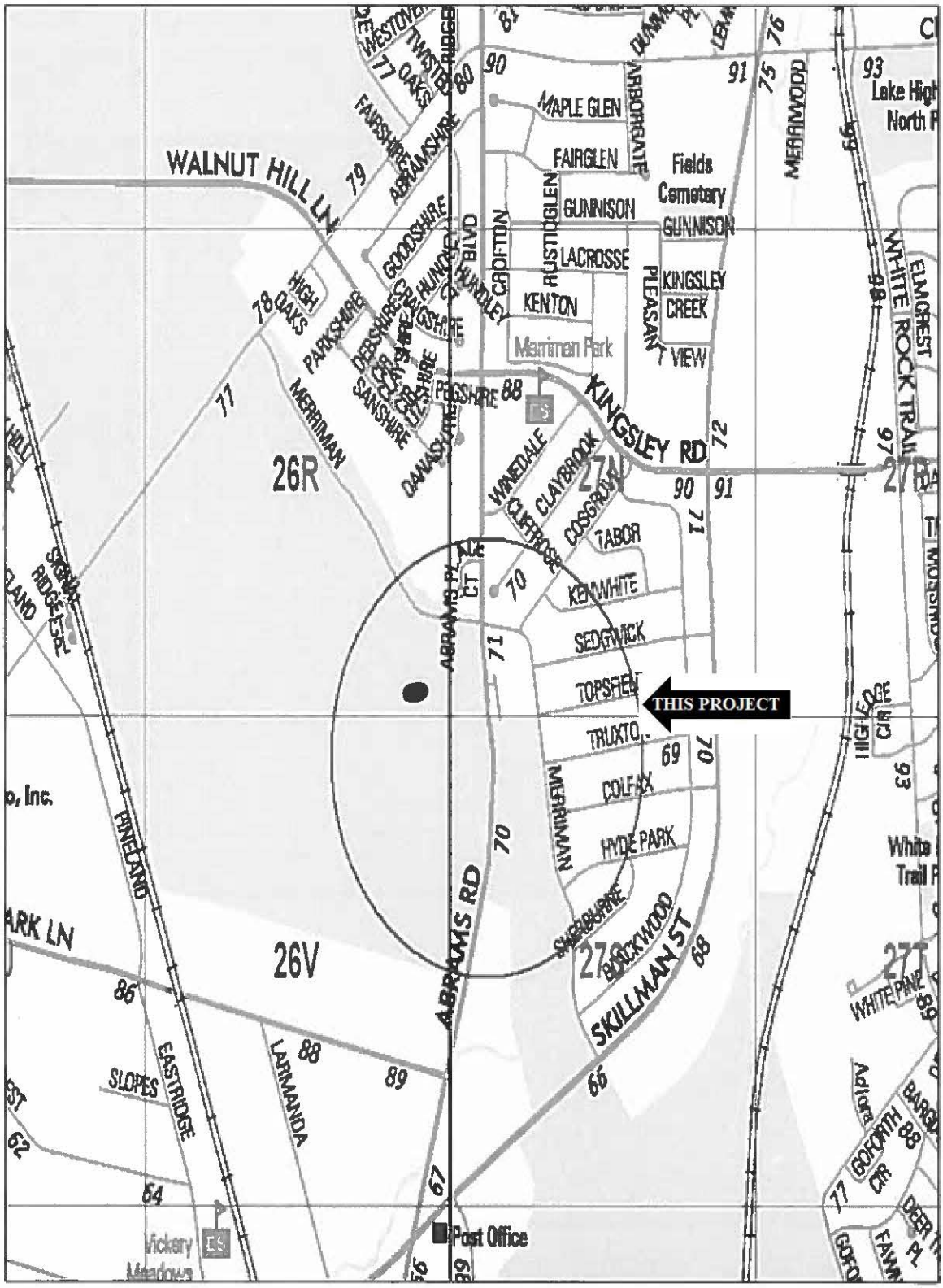
Mapsco 16-W

Erosion Control Group 11



Mapsco 15-C

Erosion Control Group 11



Mapsco 27-S

May 25, 2016

WHEREAS, LIM & Associates, Inc. was selected to provide the engineering design of six erosion control improvement projects.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with LIM & Associates, Inc. for the engineering design of six erosion control improvement projects in an amount not to exceed $97,977.00, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts from:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S701, Activity ERCT
Object 4111, Program No. TW12S701, CT TWM12S700F1
Vendor No. 514273, in an amount not to exceed $ 34,761.29

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S736, Activity ERCT
Object 4111, Program No. TW12S736, CT TWM12S700F1
Vendor No.514273, in an amount not to exceed $10,724.86

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S700, Activity ERCT
Object 4111, Program No. TW12S700, CT TWM12S700F1
Vendor No. 514273, in an amount not to exceed $ 8,940.17

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S730, Activity ERCT
Object 4111, Program No. TW12S730, CT TWM12S700F1
Vendor No. 514273, in an amount not to exceed $ 6,226.72

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S740, Activity ERCT
Object 4111, Program No. TW12S740, CT TWM12S700F1
Vendor No. 514273, in an amount not to exceed $ 4,485.98

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S741, Activity ERCT
Object 4111, Program No. TW12S741, CT TWM12S700F1
Vendor No. 514273, in an amount not to exceed $ 4,485.98

Water Capital Improvement Fund	
Fund 2115, Dept. DWU, Unit PW42	
Object 4111, Program No. 716061, CT TWM716061CP	
Vendor No. 514273, in an amount not to exceed	$ 8,505.60
Wastewater Capital Improvement Fund	
Fund 2116, Dept. DWU, Unit PS42	
Object 4111, Program No. 716062, CT TWM716062CP	
Vendor No. 514273, in an amount not to exceed	$19,846.40
Total amount not to exceed	$97,977.00

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

AGENDA ITEM # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 47 X

SUBJECT

A resolution authorizing the conveyance of an easement and right-of-way containing approximately 159 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City owned land located on Barber Avenue near its intersection with Mural Lane – Financing: No cost consideration to the City

BACKGROUND

This item authorizes the conveyance of an easement and right-of-way to Oncor Electric Delivery Company, LLC, located on Barber Avenue near its intersection with Mural Lane. This easement and right-of-way will allow for the construction, use and maintenance of power lines and electric facilities to service the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

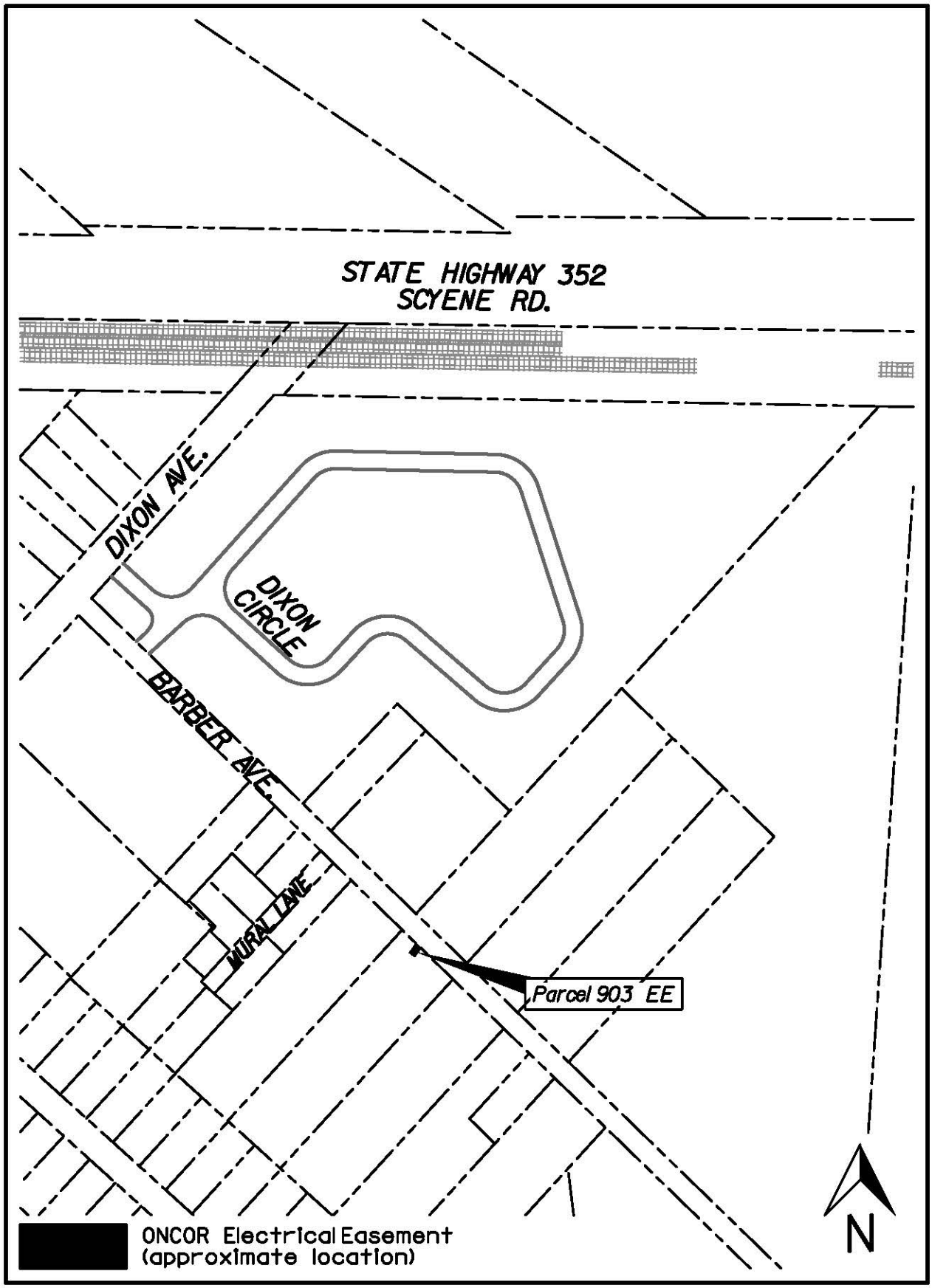
Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached


STATE HIGHWAY 352
SCYENE RD.
DIXON AVE.
DIXON CIRCLE
BARBER AVE.
MURAL LANE
Parcel 903 EE
N
ONCOR Electrical Easement
(approximate location)

May 25, 2016

WHEREAS, the City of Dallas owns certain land being part of Block 7/6122, Dallas, Dallas County, Texas, which is currently being developed for use in the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project, being the same land conveyed to the City of Dallas in a certain instrument recorded as Instrument Number 201500252050, Official Public Records of Dallas County Texas; and

WHEREAS, Oncor Electric Delivery Company, LLC has requested an Easement and Right-of-Way containing approximately 159 square feet of land, being more fully described in Exhibit A, attached hereto and incorporated herein for all purposes (the Easement); for the construction, maintenance and use of electric facilities; and

WHEREAS, the City of Dallas needs and desires said utility service to the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel and will be benefitted by the granting of said Easement and Right-of-Way;

Now, Therefore,

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

SECTION 1. That the City Manager or his designee is authorized to execute and deliver to Oncor Electric Delivery Company, LLC, an Easement and Right-of-Way to be attested by the City Secretary upon approval as to form by the City Attorney, for the construction, maintenance and use of electric facilities to service the City's facilities, including the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel, as to approximately 159 square feet of land described in Exhibit A.

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

APPROVED AS TO FORM:
Christopher D. Bowers, Interim City Attorney

BY: Benjamin N. Lopez II
Assistant City Attorney

ELECTRICAL EASEMENT
TO BE CONVEYED TO ONCOR ELCTRIC DELIVERY, LLC
City of Dallas Drawing No. 423R-54 (Parcel 903[EE])
Being a 159 Sq. Ft. or 0.0036 Acres
City of Dallas Block 7/6122
Part of Lot 14, of South Dallas Gardens Addition
All in the Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From City of Dallas

EXHIBIT A

Being a 159 square feet or 0.0036 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, being part of Lot 14, Block 7 (Official City of Dallas Block Number 7/6122) of the South Dallas Gardens Addition, recorded in Volume 1, Page 448, of the Map Records of Dallas County, Texas, being part of that tract of land conveyed to The City of Dallas, recorded in Instrument No. 20070338164 of the Official Public Records of Dallas County, Texas, and being part of that tract of land conveyed to The City of Dallas, recorded in Instrument No. 201500252050 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a found ½" Iron Rod with Broken Cap (Controlling Monument), point being in the southwest line of Barber Avenue (30'Right-of-Way) dedicated by said South Dallas Gardens Addition, and being the northwest corner of said G. Smith tract, being the northeast corner of a tract of land conveyed to Jeffery D. Smith, by Deed recorded in Instrument No. 201000184285 of the Official Public Records of Dallas County, Texas, being in the most northerly corner of said Lot 17, Block 7/6122, being in the northwesterly subdivision line of said South Dallas Gardens Addition, and being the most northerly corner of said Block 7/6122;

THENCE South 45°49'30" East, along the southwest line of said Barber Avenue, a passing distance of 165.01 feet, to a point, being at the intersection of the southeast line of Mural Lane (Variable Right-of-Way), is a ("Variable width roadway by use and occupation", referenced as a 25 feet wide street easement in following deeds: Volume 3975, Page 99; Volume 4993, Page 175; Volume 4993, Page 177), with the southeast line of Barber Avenue (30' Right-of-Way), dedicated by the South Dallas Gardens Addition, Volume 1, Page 448, of the Map Records of Dallas County, Texas, being the north corner of a tract of land conveyed to Ignacio Ramirez and Frances Ramirez, recorded in Volume 85173, Page 4130, of the Deed Records of Dallas County, Texas, and being in the northeast line of Lot 16, of said Block 7/6122, a passing distance of 300.00 feet, to a point, being the east corner of Lot 15, of said Block 7/6122, and being the north corner of said Lot 14, Block 7/6122, and being in the south line of said Barber Avenue, having a total distance of 327.00 feet, to the **POINT OF BEGINNING**, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the southwest line of said Barber Avenue, being in the northeast line of said Dallas tract, and being in the northeast line of said Lot 14, Block 7/6122;

THENCE South 45°49'30" East, continuing along the southwest line of said Barber Avenue and northeast line of said Lot 14, Block 7/6122, and being in the northeast line of said Dallas tract, a distance of 10.15 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the southwest line of said Barber Avenue, being the northeast line of said Lot 14, Block 7/6122, and being in the northeast line of said Dallas tract;

THENCE South 34°10'30" West, departing the southwest line of said Barber Avenue and northeast line of said Lot 14, Block 7/6122, and the northeast line of said Dallas tract, and over

FIELD NOTES APPROVED:
DSR 5-2-16

ELECTRICAL EASEMENT
TO BE CONVEYED TO ONCOR ELCTRIC DELIVERY, LLC
City of Dallas Drawing No. 423R-54 (Parcel 903[EE])
Being a 159 Sq. Ft. or 0.0036 Acres
City of Dallas Block 7/6122
Part of Lot 14, of South Dallas Gardens Addition
All in the Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From City of Dallas

EXHIBIT A

and across said Lot 14, Block 7/6122, a distance of 15.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664";

THENCE North 55°49'30" West, continuing over and across said Lot 14, Block 7/6122, a distance of 10.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664";

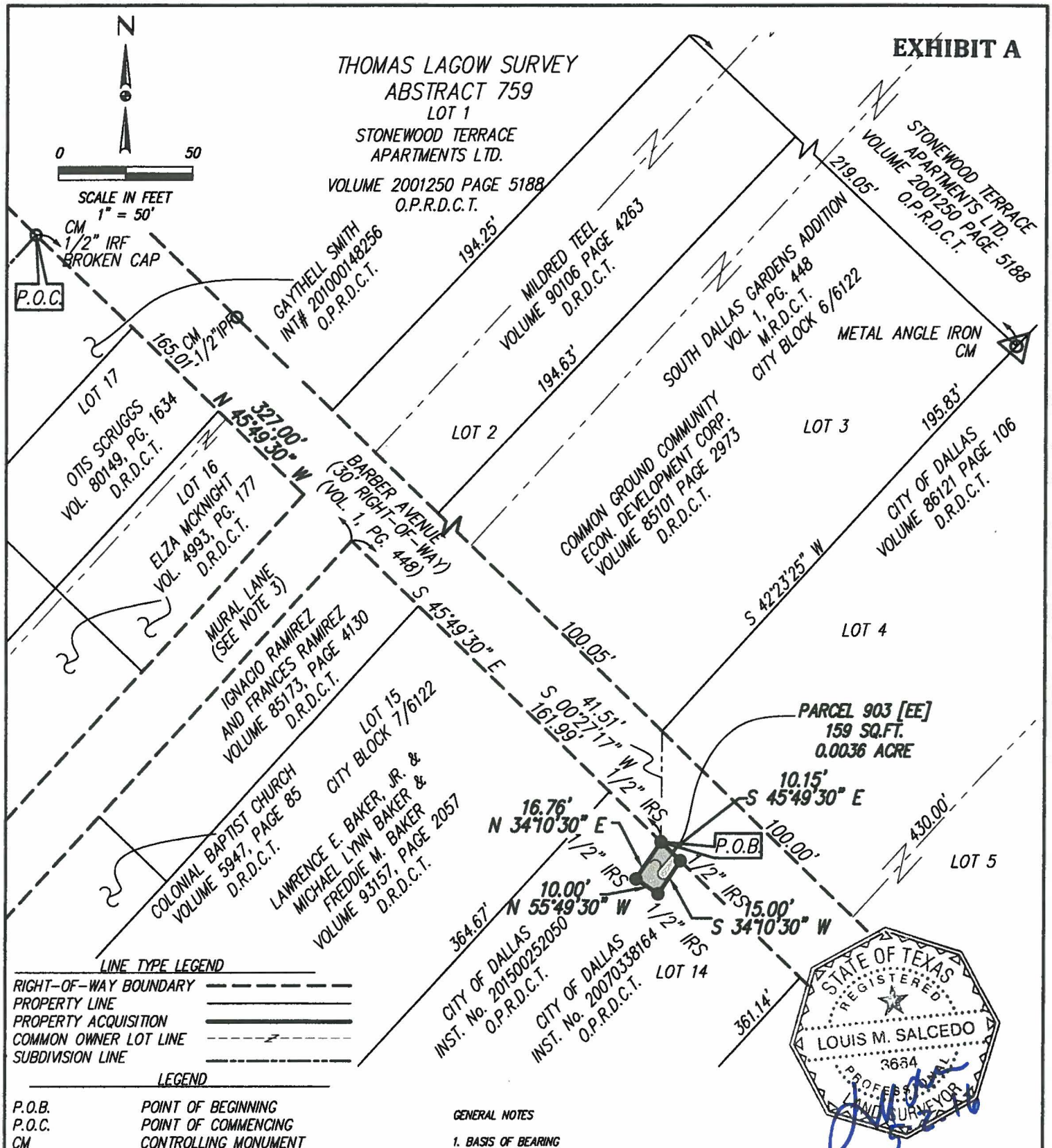
THENCE North 34°10'30" East, continuing over and across said Lot 14, Block 7/6122, a distance of 16.76 feet, to the **POINT OF BEGINNING** and containing 0.0036 acres (159 square feet) of land, more or less.

BASIS OF BEARING State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on grid values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.



FIELD NOTES APPROVED:
DER 5-2-16

EXHIBIT A



LINE TYPE LEGEND

RIGHT-OF-WAY BOUNDARY	
PROPERTY LINE	
PROPERTY ACQUISITION	
COMMON OWNER LOT LINE	
SUBDIVISION LINE	

LEGEND

P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
CM	CONTROLLING MONUMENT
IPF ○	IRON PIPE FOUND (SIZE AS NOTED)
VOL. XX, PG. XX	VOLUME XX, PAGE XX
1/2" IRS ●	IRON ROD SET WITH YELLOW CAP STAMPED "SGI RPLS 3664"
INT#	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
⊠	FOUND "X" CUT IN CONCRETE
△	FOUND ANGLE IRON

GENERAL NOTES

1. BASIS OF BEARING STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL COORDINATES ARE STATE PLANE ON GRID VALUES. ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR : 1.0001365060.

2. SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.

3. MURAL LANE IS A "VARIABLE WIDTH ROADWAY BY USE AND OCCUPATION", REFERENCED AS A 25 FEET WIDE STREET EASEMENT IN THE FOLLOWING DEEDS: VOLUME 3975, PAGE 99; VOLUME 4993, 175; VOLUME 4993, 177.

ELECTRICAL EASEMENT
TO BE CONVEYED TO ONCOR ELECTRIC DELIVERY, LLC
CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 903[EE])
159 Sq. Ft. or 0.0036 Acres
CITY OF DALLAS BLOCK 7/6122
PART OF LOT 14, OF SOUTH DALLAS GARDENS ADDITION
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From City of Dallas

SGI Salcedo Group, Inc.
Civil Engineers - Surveyors
TBPLS FIRM No. 10070800
TBPE FIRM No. 5482
PHONE: (214) 941-8610

AGENDA ITEM # 33

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 47 T

SUBJECT

A resolution authorizing the conveyance of an easement and right-of-way containing approximately 1,315 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City owned land located on Barber Avenue near its intersection with Mural Lane – Financing: No cost consideration to the City

BACKGROUND

This item authorizes the conveyance of an easement and right-of-way to Oncor Electric Delivery Company, LLC, located on Barber Avenue near its intersection with Mural Lane. This easement and right-of-way will allow for the construction, use and maintenance of power lines and electric facilities to service the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

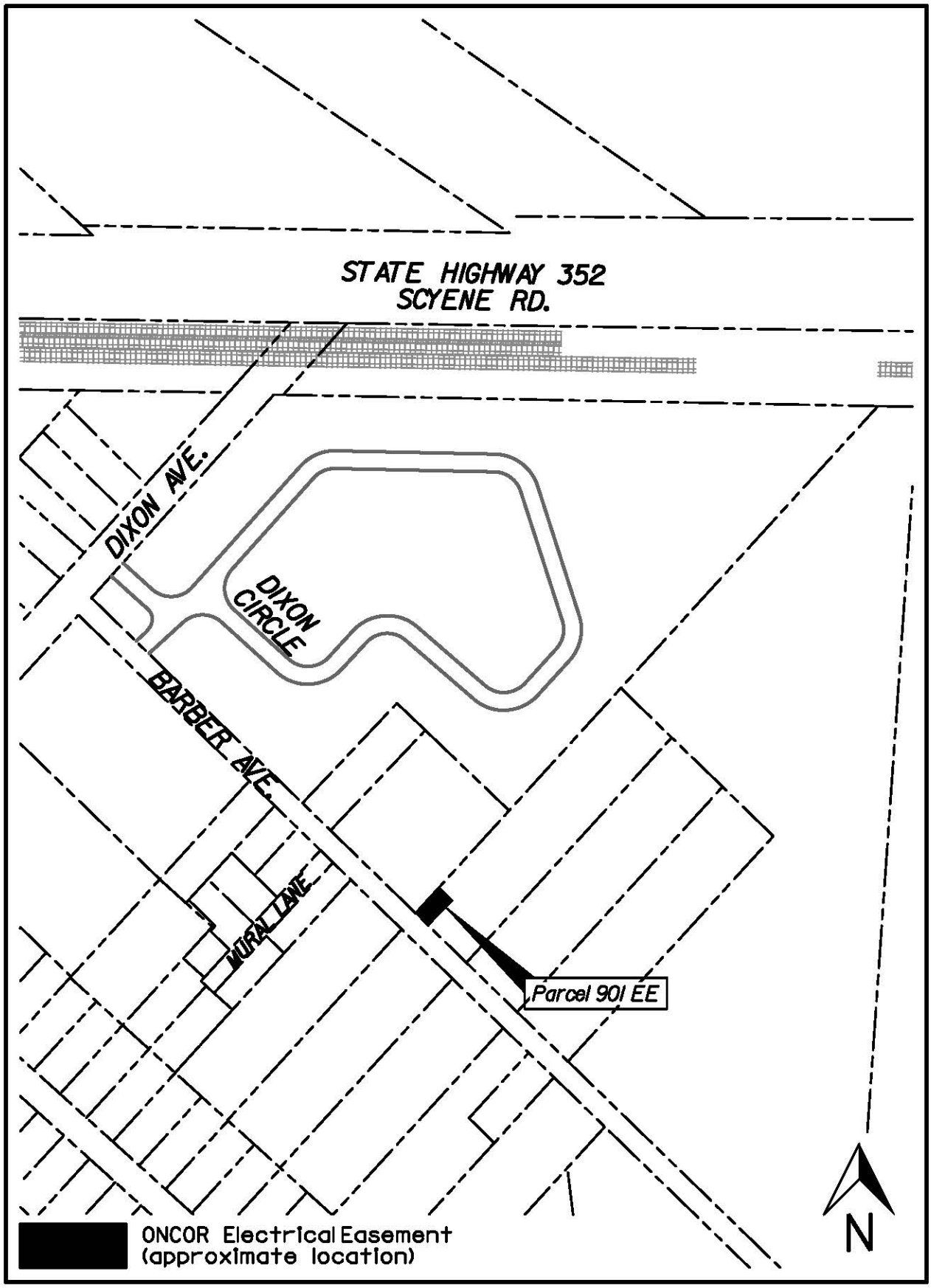
Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached


STATE HIGHWAY 352
SCYENE RD.
DIXON AVE.
DIXON CIRCLE
BARBER AVE.
MURAL LANE
Parcel 901 EE
N
ONCOR Electrical Easement
(approximate location)

May 25, 2016

WHEREAS, the City of Dallas owns certain land being part of Block 6/6122, Dallas, Dallas County, Texas, which is currently being developed for use in the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project, being the same land conveyed to the City of Dallas recorded in Volume 86121, Page 106 of the Deed Records of Dallas County Texas; and

WHEREAS, Oncor Electric Delivery Company, LLC has requested an Easement and Right-of-Way containing approximately 1,315 square feet of land, being more fully described in Exhibit A, attached hereto and incorporated herein for all purposes (the Easement); for the construction, maintenance and use of electric facilities; and

WHEREAS, the City of Dallas needs and desires said utility service to the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel and will be benefitted by the granting of said Easement and Right-of-Way;

Now, Therefore,

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

SECTION 1. That the City Manager or his designee is authorized to execute and deliver to Oncor Electric Delivery Company, LLC, an Easement and Right-of-Way to be attested by the City Secretary upon approval as to form by the City Attorney, for the construction, maintenance and use of electric facilities to service the City's facilities, including the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel, as to approximately 1,315 square feet of land described in Exhibit A.

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

APPROVED AS TO FORM:
Christopher D. Bowers, Interim City Attorney

BY: Brian N. Sage II
Assistant City Attorney

ELECTRICAL EASEMENT
TO BE CONVEYED TO ONCOR ELECTRIC DELIVERY, LLC

EXHIBIT A

City of Dallas Drawing No. 423R-54 (Parcel 901[EE])
Being a 1,315 Sq. Ft. or 0.0302 Acres
City of Dallas Block 6/6122
Part of Lot 4, of South Dallas Gardens Addition
All in the Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From City of Dallas

Being a 1,315 square feet or 0.0302 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, being part of Lot 4, Block 6/6122 of the South Dallas Gardens Addition, recorded in Volume 1, Page 448, of the Map Records of Dallas County, Texas, and being part of that tract of land conveyed to City of Dallas, recorded in Volume 86121, Page 106 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a found Angle Iron (Controlling Monument), being in the northwest line of said Lot 4, Block 6/6122, and the southeast line Lot 3, of said Block 6/6122, being the most easterly southeast corner of tract of land conveyed to Stonewood Terrace Apartments, Ltd. of the Partition of the Silas Lagow Land League by Volume 250, Page 234, recorded in Volume 2001250, Page 5188 of the Deed Records of Dallas County, Texas, being in the northeast line of said Dallas tract, and being the northeast corner of a tract of land Common Ground Community Economic Development Corporation, recorded in Volume 85101, Page 2973 of the Deed Records of Dallas County, Texas;

THENCE South 42°23'25" West, departing the most easterly southeast corner of said Stonewood tract and along the common line of Lot 3 and Lot 4, Block 6/6122, and the southeast line of said Community tract and the northwest line of Dallas tract, a distance of 145.80 feet, to the **POINT OF BEGINNING**, being a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in said common line of Lot 3 and 4, Block 6/6122, and the southeast line of said community tract and the northwest line of said Dallas tract;

THENCE South 45°49'30" East, departing said common line and southeast line of said Community tract and northwest line of said Dallas tract, and over and across said Dallas tract, a distance of 27.09 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664";

THENCE South 44°10'30" West, continuing over and across said Dallas tract, a distance of 50.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the northeast line of Barber Avenue (30' Right-of-Way), dedicated by the South Dallas Gardens Addition, Volume 1, Page 448, of the Map Records of Dallas County, Texas, being in the southwest line of said Dallas tract;

THENCE North 45°49'30" West, along the common northeast line of said Barber Avenue and the southwest line of said Dallas tract, a distance of 25.53 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the northeast line of said Barber Avenue, being the southwest corner of said Dallas tract, and being the south corner of said Community tract;

THENCE North 42°23'25" East, departing the said northeast line of said Barber Avenue and along the common line of Lot 3 and Lot 4, Block 6/6122, and the northwest line of said Dallas tract and the southeast line of said Community tract, a distance of 50.02 feet, to the **POINT OF BEGINNING** and containing 0.0302 acres (1,315 square feet) of land, more or less.

FIELD NOTES APPROVED:
DGR 5-2-16

ELECTRICAL EASEMENT
TO BE CONVEYED TO ONCOR ELECTRIC DELIVERY, LLC

EXHIBIT A

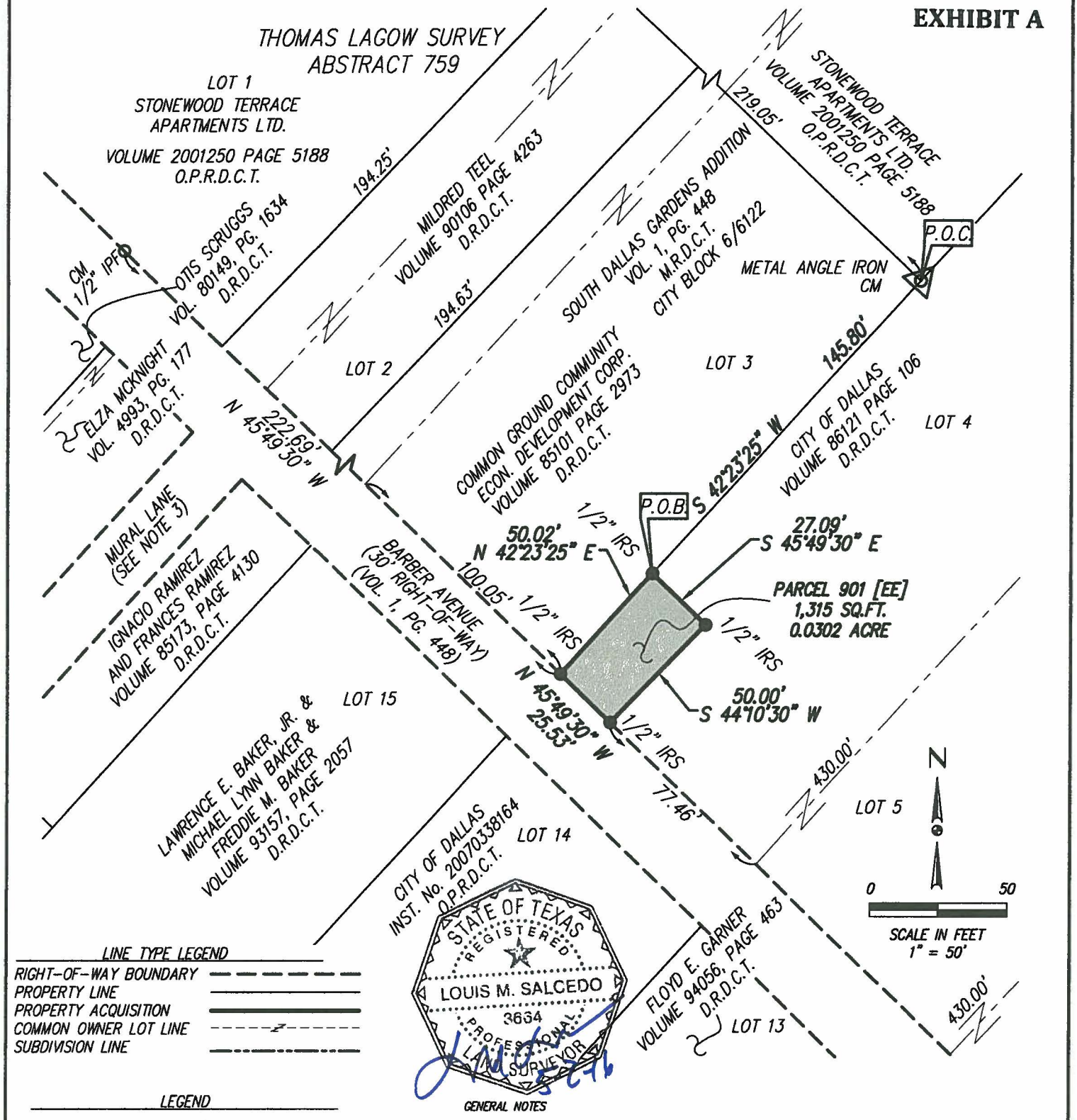
City of Dallas Drawing No. 423R-54 (Parcel 901[EE])
Being a 1,315 Sq. Ft. or 0.0302 Acres
City of Dallas Block 6/6122
Part of Lot 4, of South Dallas Gardens Addition
All in the Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From City of Dallas

BASIS OF BEARING State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on grid values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.



FIELD NOTES APPROVED:
5-2-16

EXHIBIT A



LINE TYPE LEGEND

RIGHT-OF-WAY BOUNDARY	
PROPERTY LINE	
PROPERTY ACQUISITION	
COMMON OWNER LOT LINE	
SUBDIVISION LINE	

LEGEND

P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
CM	CONTROLLING MONUMENT
IPF ○	IRON PIPE FOUND (SIZE AS NOTED)
VOL. XX, PG. XX	VOLUME XX, PAGE XX
1/2" IRS ●	IRON ROD SET WITH YELLOW CAP STAMPED "SGI RPLS 3664"
INT#	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
⊠	FOUND "X" CUT IN CONCRETE

GENERAL NOTES

1. BASIS OF BEARING
STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL COORDINATES ARE STATE PLANE ON GRID VALUES. ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR : 1.0001365060.

2. SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.

3. MURAL LANE IS A "VARIABLE WIDTH ROADWAY BY USE AND OCCUPATION", REFERENCED AS A 25 FEET WIDE STREET EASEMENT IN THE FOLLOWING DEEDS: VOLUME 3975, PAGE 99; VOLUME 4993, 175; VOLUME 4993, 177.

Sheet 3 of 3

ELECTRICAL EASEMENT
TO BE CONVEYED TO ONCOR ELECTRIC DELIVERY, LLC
CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 901[EE])
1,315 Sq. Ft. or 0.0302 Acres
CITY OF DALLAS BLOCK 6/6122
PART OF LOT 4, OF SOUTH DALLAS GARDENS ADDITION
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From City of Dallas

SGI Salcedo Group, Inc.
Civil Engineers - Surveyors
TBPLS FIRM No. 10070800
TBPE FIRM No. 5482
PHONE: (214) 941-8610

AGENDA ITEM # 34

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: Outside City Limits

SUBJECT

Authorize a thirty-year contract with the City of Lewisville to continue providing wholesale water services, from June 4, 2016 through June 3, 2046 – Estimated Annual Revenue: $3,559,204

BACKGROUND

This item is for authorization to enter into a new wholesale water contract with the City of Lewisville, Texas. This entity is currently receiving City of Dallas water services under and existing wholesale water contract which will expire on June 4, 2016.

The City of Lewisville is located within Dallas Water Utilities' service area and desires to continue to purchase wholesale water services from the City of Dallas under the terms of a standard wholesale water customer contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Wholesale Water Contract with the City of Lewisville on June 4, 1986, by Resolution No. 86-1713.

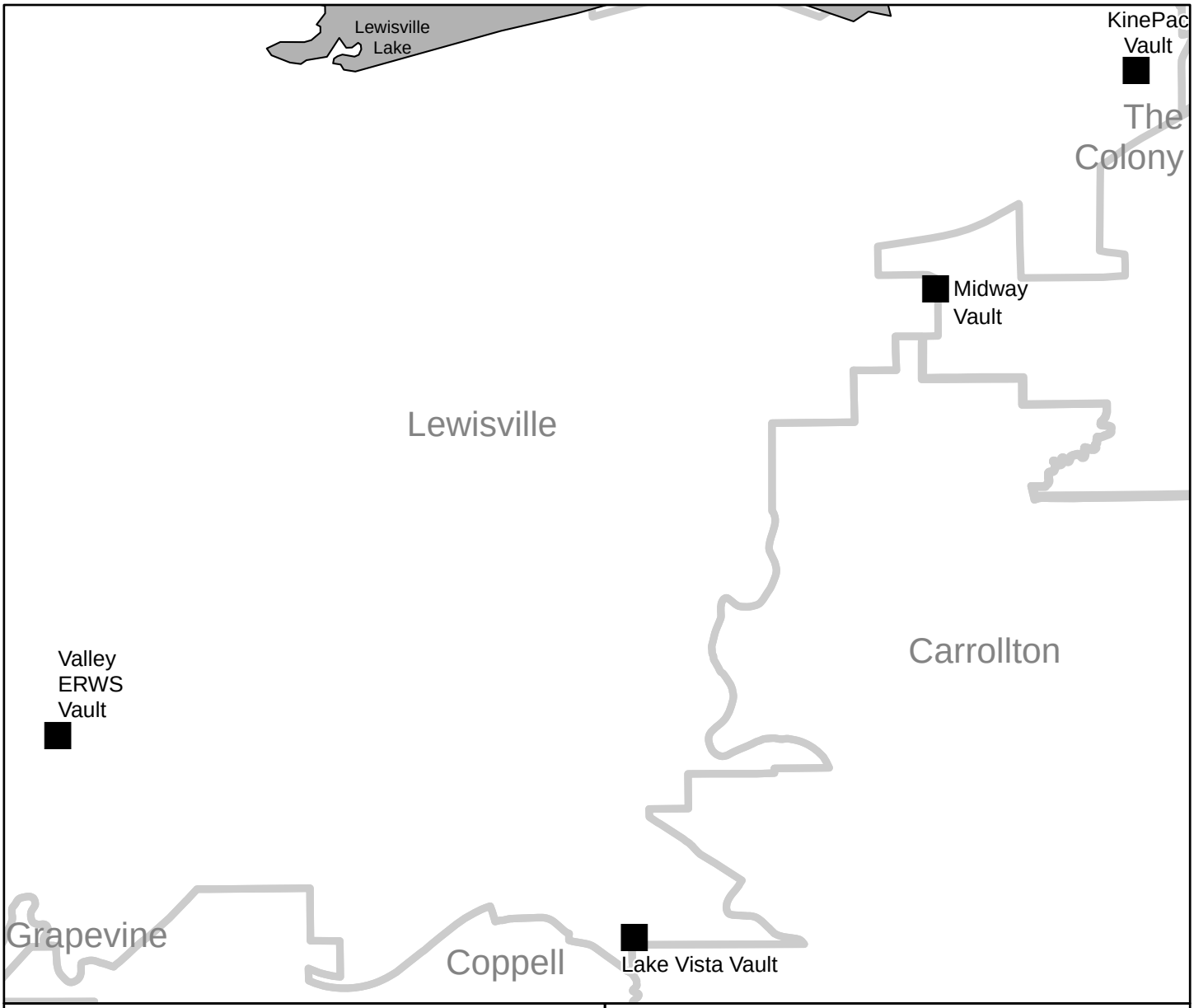
Information about this item will be provided to the Transportation & Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

Estimated Annual Revenue: $3,559,204 (at current wholesale water rate)

MAP

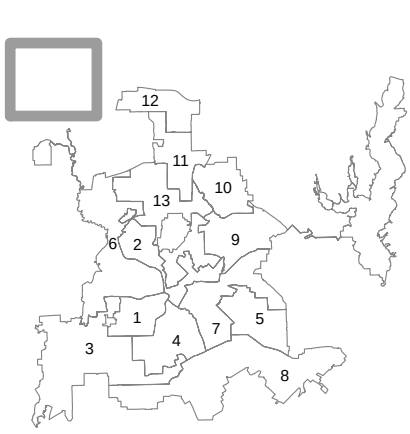
Attached



Location: Multiple Water Vaults - Lewisville

Council Districts: Outside City of Dallas

Department: DWU



City of Lewisville Wholesale Treated Water Contract

May 25, 2016

WHEREAS, the City of Lewisville, Texas currently purchases wholesale water services from the City of Dallas, and Dallas currently provides wholesale water service to Lewisville as set forth under the terms, covenants, and conditions stated in a Wholesale Treated Water Contract between the City of Dallas and the City of Lewisville dated June 18, 1986; and,

WHEREAS, Lewisville's current wholesale water contract with Dallas will expire on June 4, 2016; and,

WHEREAS, Dallas and Lewisville desire to enter into a new Wholesale Water Contract; and,

WHEREAS, the term of the new 30-year Wholesale Water Contract will be June 4, 2016 through June 3, 2046; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the City of Lewisville.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a Wholesale Water Contract with the City of Lewisville to purchase wholesale water services from the City of Dallas for the period June 4, 2016 through June 3, 2046 in the estimated annual amount of $3,559,204 after approval of the contract documents by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized and directed to deposit receipts for service provided under this contract to the Water Utilities Current Fund as follows:

FUND	DEPT	UNIT	FUNC	RESOURCE REVENUE CODE
0100	DWU	7005	7REV	7836

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

AGENDA ITEM # 35

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 1, 2, 4, 6, 9, 10, 11, 13, 14

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: Various

SUBJECT

Authorize a contract for the installation of water and wastewater mains at 39 locations (list attached) - RKM Utility Services, Inc., lowest responsible bidder of four - Not to exceed $15,471,590 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

The project consists of the installation of approximately 54,324 feet of water and wastewater mains. This includes the installation of approximately 370 feet of 4-inch, 1,310 feet of 6-inch, 21,374 feet of 8-inch, 5,040 feet of 12-inch, 2,471 feet of 16-inch and 20 feet of 24-inch water mains, and approximately 10,914 feet of 8-inch, 1,490 feet of 10-inch, 330 feet of 12-inch, 10 feet of 15-inch, 6,300 feet of 16-inch, 3,540 feet of 18-inch, and 1,155 of 24-inch wastewater mains.

The existing water and wastewater mains were built between 1932 and 1983. 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.

RKM Utility Services, Inc. completed contractual activities in the past three years:

	PBW	DWU	PKR
Projects Authorized	2	1	0
Change Orders	4	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2013
Completed Design	December 2015
Begin Construction	June 2016
Complete Construction	October 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Black & Veatch Corporation to provide engineering design services for the renewal and capacity improvements of water and wastewater mains at 28 locations on September 23, 2009, by Resolution No. 09-2331.

Authorized a professional services contract with Stream Water Group, Inc. to provide engineering design services for the renewal of water and wastewater mains at 20 locations on January 26, 2011, by Resolution No. 11-0288.

Authorized professional services contracts with Urban Engineers Group, Inc., Criado & Associates, Inc., Hayden Consultants, Inc., and RJN Group, Inc. to provide engineering services for the replacement and rehabilitation of water mains and wastewater mains at 121 locations on September 11, 2013, by Resolution No. 13-1582.

Information about this item will be provided to the Transportation & Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

$15,471,589.50 - Water Utilities Capital Improvement Funds

Design	$ 1,547,160.00
Construction (this action)	$15,471,589.50
Total Project Cost	$17,018,749.50

FISCAL INFORMATION (Continued)

Council District	Amount
1	$ 623,716.61
2	$ 1,288,870.09
4	$ 171,450.87
6	$ 2,737,233.02
9	$ 637,531.34
10	$ 2,404,868.97
11	$ 788,617.03
13	$ 4,470,823.43
14	$ 2,348,478.14
Total	$15,471,589.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

RKM Utility Services, Inc.

Hispanic Female	4	Hispanic Male	290
Black Female	0	Black Male	55
White Female	7	White Male	75
Other Female	0	Other Male	0

BID INFORMATION

The following bids with quotes were opened on February 19, 2016:

*Denotes successful bidder

Bidders	Bid Amount
*RKM Utility Services, Inc. 1805 Royal Lane, Suite 107 Dallas, Texas 75229	$15,471,589.50
Ark Contracting Services, LLC	$15,890,040.00
John Burns Construction Company of Texas, Inc.	$20,532,040.00
Atkins Bros. Equipment Co., Inc.	Non-Responsive**

**Atkins Bros. Equipment Co., Inc. was deemed non-responsive for failure to submit required documents with bid proposal.

OWNER

RKM Utility Services, Inc.

Ryan Dowdy, President and Director

MAPS

Attached

Installation of Water and Wastewater Mains

District 1

Claudette Avenue from Duval Drive southwest
Duval Drive from Jefferson Boulevard to Cain Boulevard
Easement east of Wynnewood Drive from Illinois Avenue north

District 2

Alley between Garland Avenue and Lindsley Avenue from Caldwell Avenue to Carroll Avenue
Alley between Gilford Street and Colony Court from Colony Court to Huron Drive
Alley east of Mohawk Drive from Colony Court southeast
Inwood Road at Sadler Circle
Loop 12 (Northwest Highway) from Webb Chapel Road northeast
Prudential Drive from south of Empire Central southeast
*State Highway 78 (Garland Road) from Gaston Avenue to White Rock Drive

District 4

Corinth Street Road from 11th Street north

District 6

Monroe Drive from Merrell Road south
Singleton Boulevard from Winnequah Street west
Winnequah Street from Richey Street to Singleton Boulevard

District 9

Lake Terrace Circle from Lake Terrace Drive South
Meadow Lake Avenue from Winsted Drive to Delrose Drive
*(State Highway 78 (Garland Road) from Gaston Avenue to White Rock Drive) (See District 2)

District 10

Dandridge Drive from Towns Street to Oberlin Drive
Hallum Street from Ebony Drive to Oberlin Drive
Oberlin Drive from Campanella Drive to Hallum Street

District 11

Dallas Parkway from Spring Valley Road north
Easement between Spring Valley Road and Preston Oaks Road from Montfort Drive to Dallas Parkway

District 13

Alley between Amherst Avenue and Lovers Lane from Linwood Avenue to Menier Street
Dartmoor Drive from Coral Hills Drive north
Dorset Road from Lennox Lane to Strait Lane
Easement southwest of Stonegate Road from Briarwood Lane northeast
Prestonshire Lane from Edgemere Road to Hillcrest Road
Royal Lane from Marquis Lane west
Royal Lane from Cox Lane east
Royal Lane from Cromwell Drive west

District 14

Alley between Palo Pinto Avenue and Velasco Avenue from Concho Street to Skillman Street
Cecille Street from Richmond Avenue north
Delmar Avenue from Prospect Avenue north
Empire Drive from Richmond Avenue to Oram Street
Federal Street from Akard Street west
Glencoe Street from McCommas Boulevard south
Herschel Avenue from Douglas Avenue to Throckmorton Street
Lemmon Avenue from McKinney Avenue southeast
Richmond Avenue from Cecille Street to Empire Drive
Skillman Street from Oram Street to Live Oak Street

*Project limits in more than one Council District

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the installation of water and wastewater mains at 39 locations (list attached) - RKM Utility Services, Inc., lowest responsible bidder of four - Not to exceed $15,471,590 - Financing: Water Utilities Capital Improvement Funds

RKM Utility Services, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$14,092,539.50	91.09%
Total non-local contracts	$1,379,050.00	8.91%
TOTAL CONTRACT	$15,471,589.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
LKT & Associates	WFDB26473Y1016	$2,505,886.00	17.78%
Total Minority - Local		$2,505,886.00	17.78%

Non-Local Contractors / Sub-Contractors

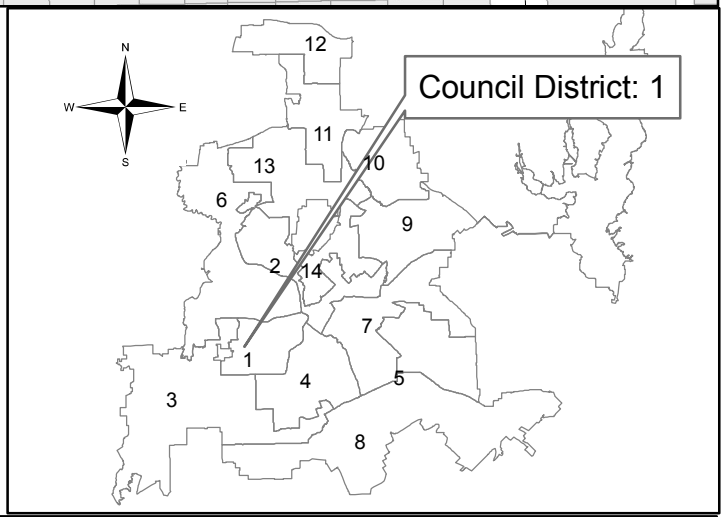
Non-local	Certification	Amount	Percent
Partnering for Success	HFMB11772Y0516	$5,500.00	0.40%
Cowtown Redi-Mix	WFWB06682Y0916	$635,000.00	46.05%
S & R/Arrow Oil	WFWB1020940717	$628,000.00	45.54%
Buyers Barricades	WFDB24016Y0516	$110,550.00	8.02%
Total Minority - Non-local		$1,379,050.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$5,500.00	0.04%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$2,505,886.00	17.78%	$3,879,436.00	25.07%
Total	$2,505,886.00	17.78%	$3,884,936.00	25.11%



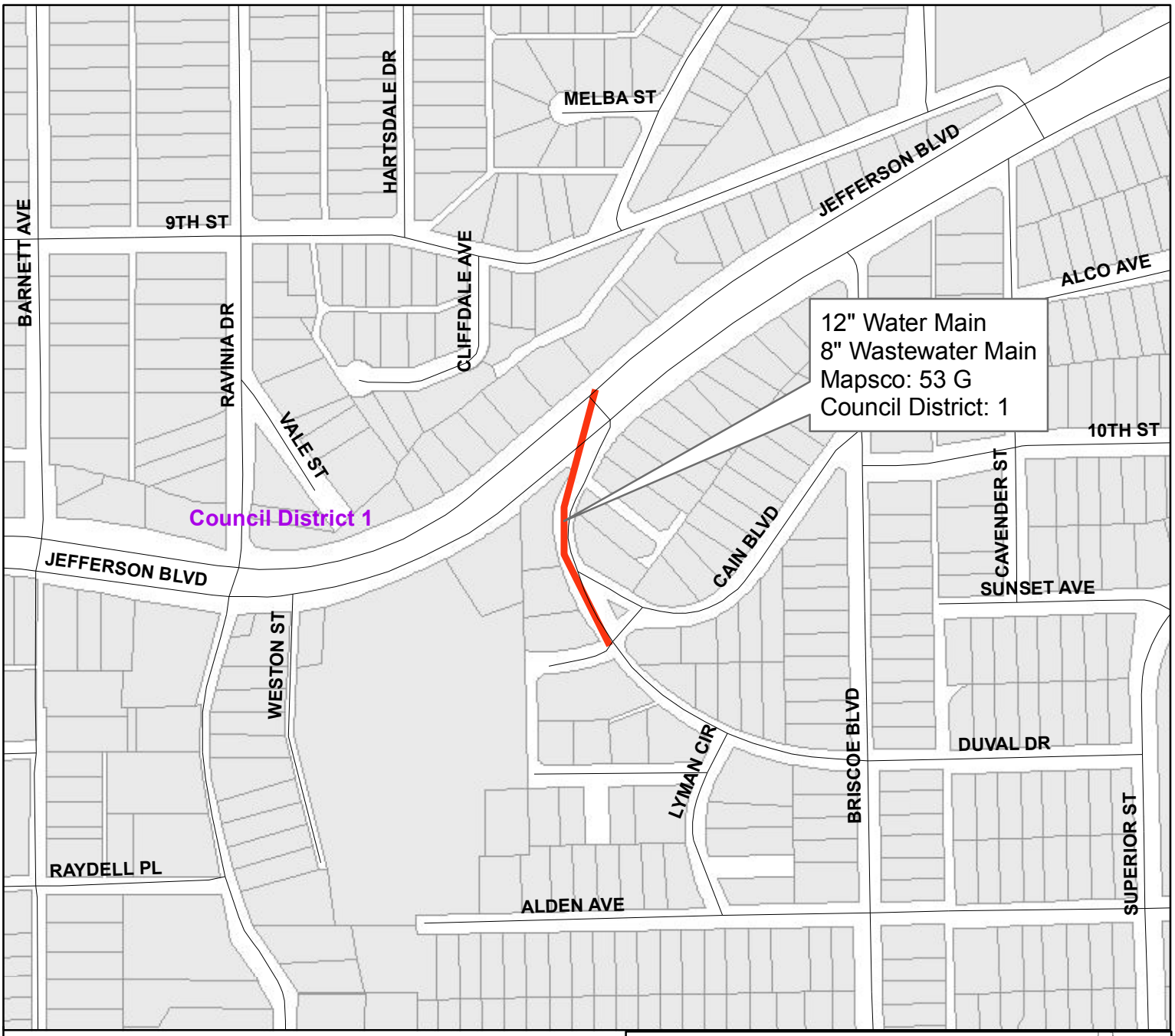
Claudette Avenue
from Duval Drive southwest



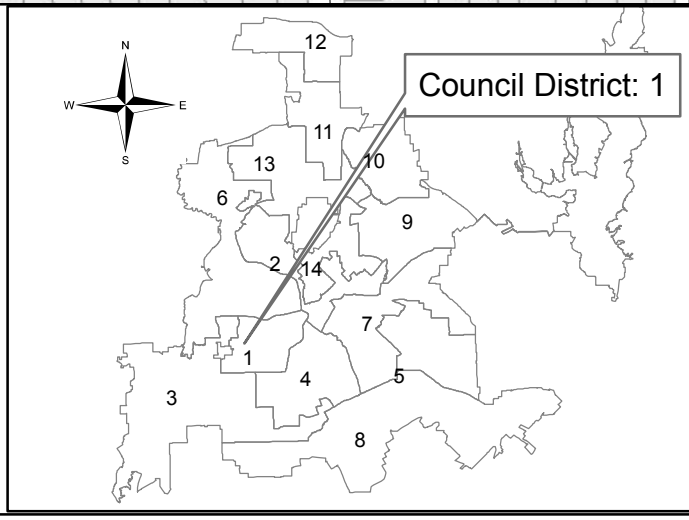
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3665

Segment 1 of 39



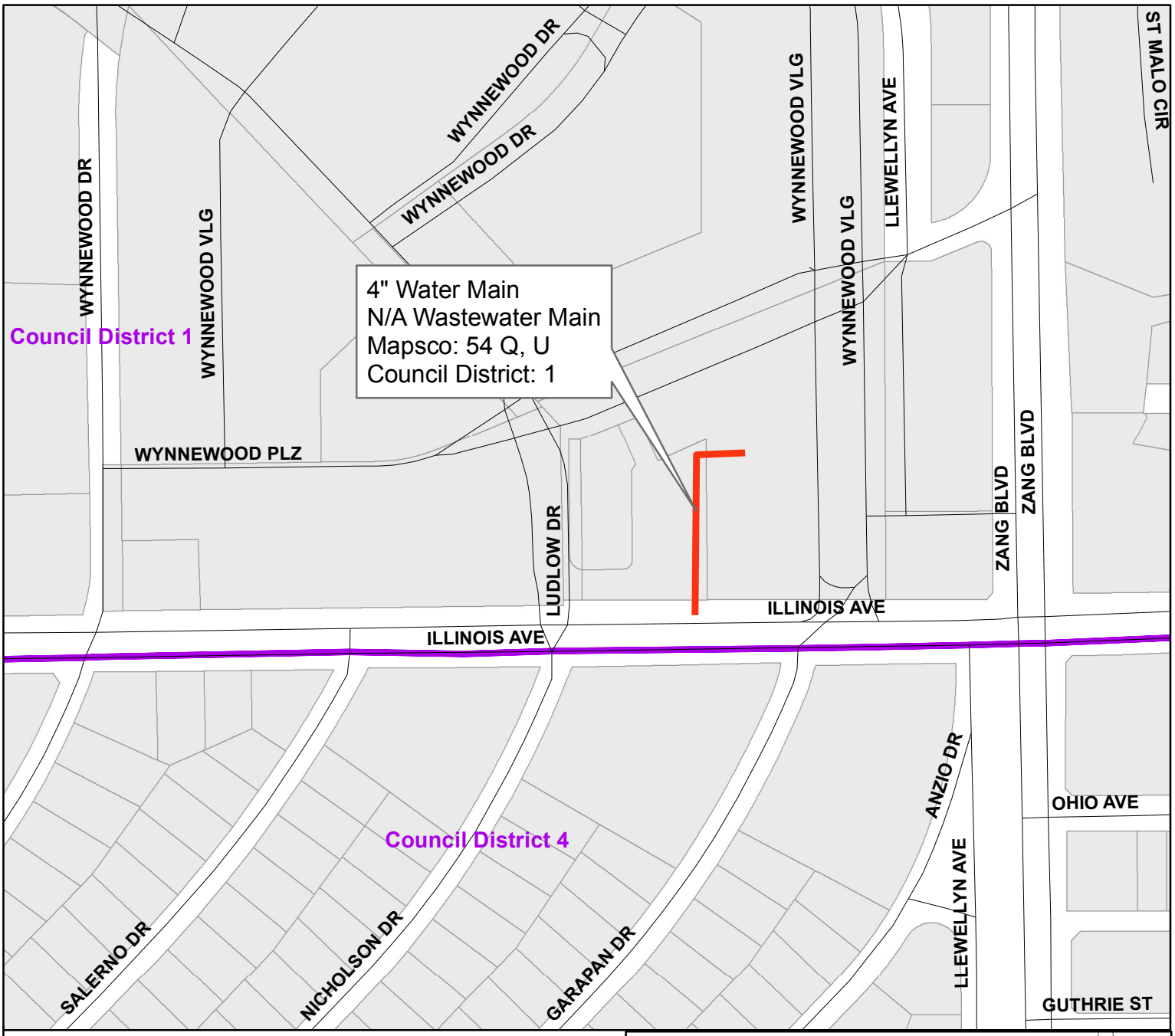
Duval Drive
from Jefferson Boulevard to Cain Boulevard



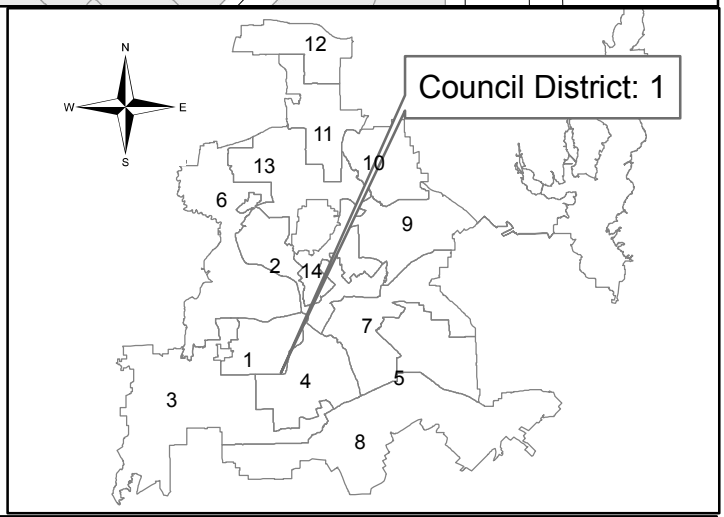
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 4469

Segment 2 of 39



Easement east of Wynnewood Drive
from Illinois Avenue north



Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

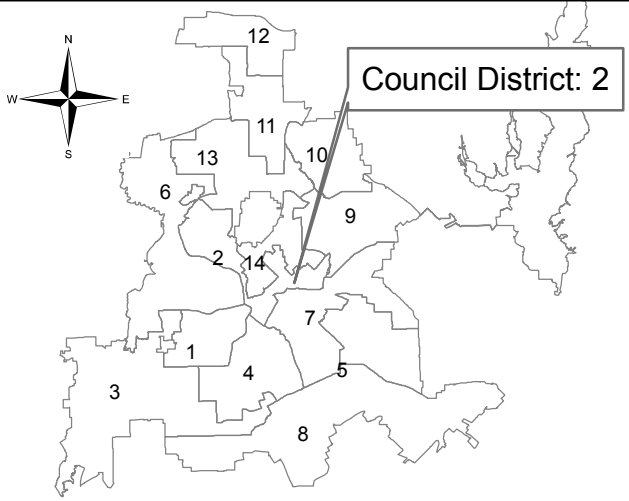
PID: 5539

Segment 3 of 39



Alley between Garland Avenue and Lindsley Avenue

from Caldwell Avenue to Carroll Avenue



Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

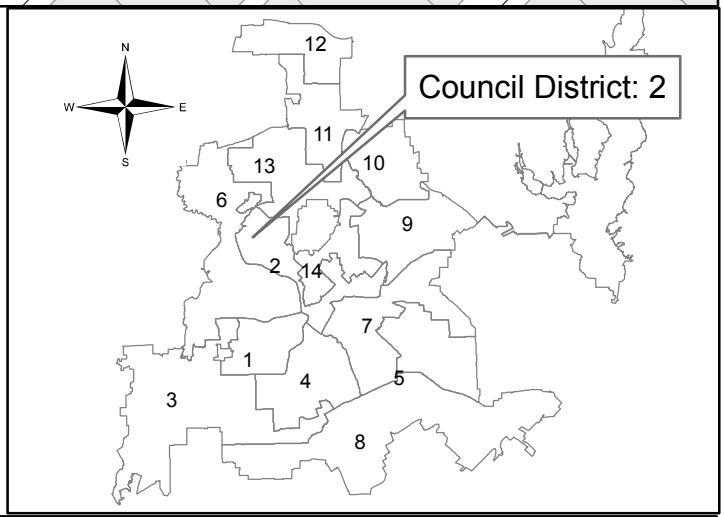
PID: 5809

Segment 4 of 39



Alley between Gilford Street and Colony Court

from Colony Court to Huron Drive



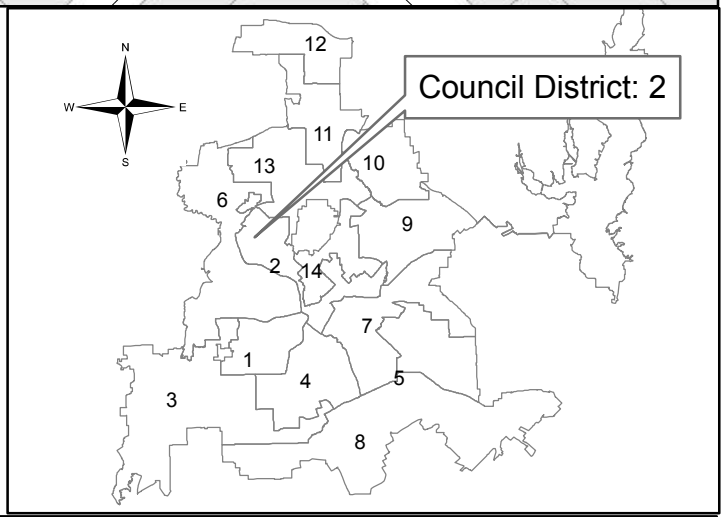
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 4709

Segment 5 of 39



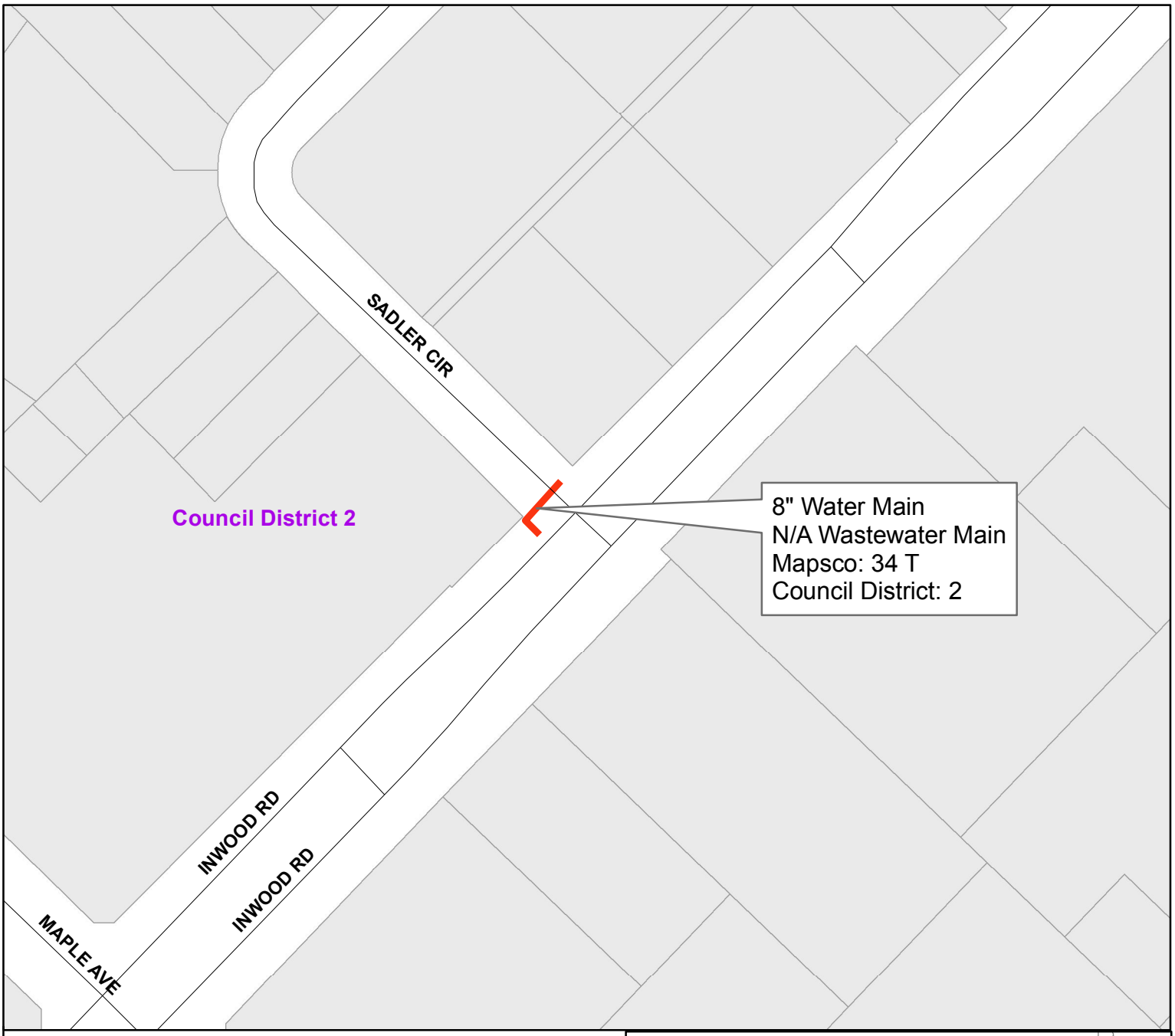
Alley east of Mohawk Drive
from Colony Court southeast



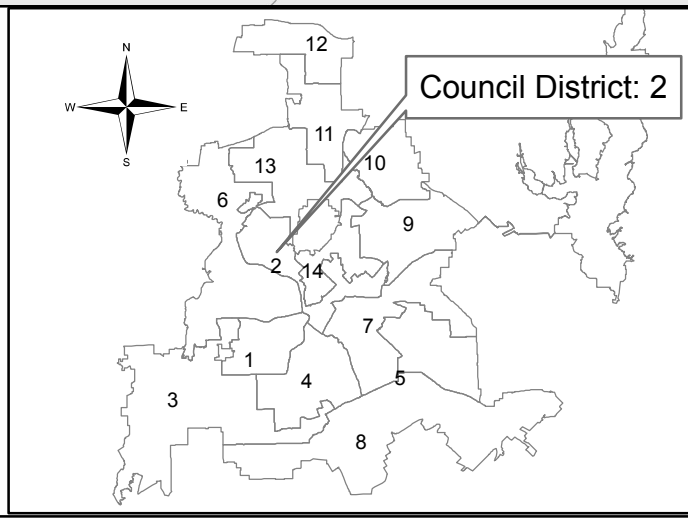
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5693

Segment 6 of 39



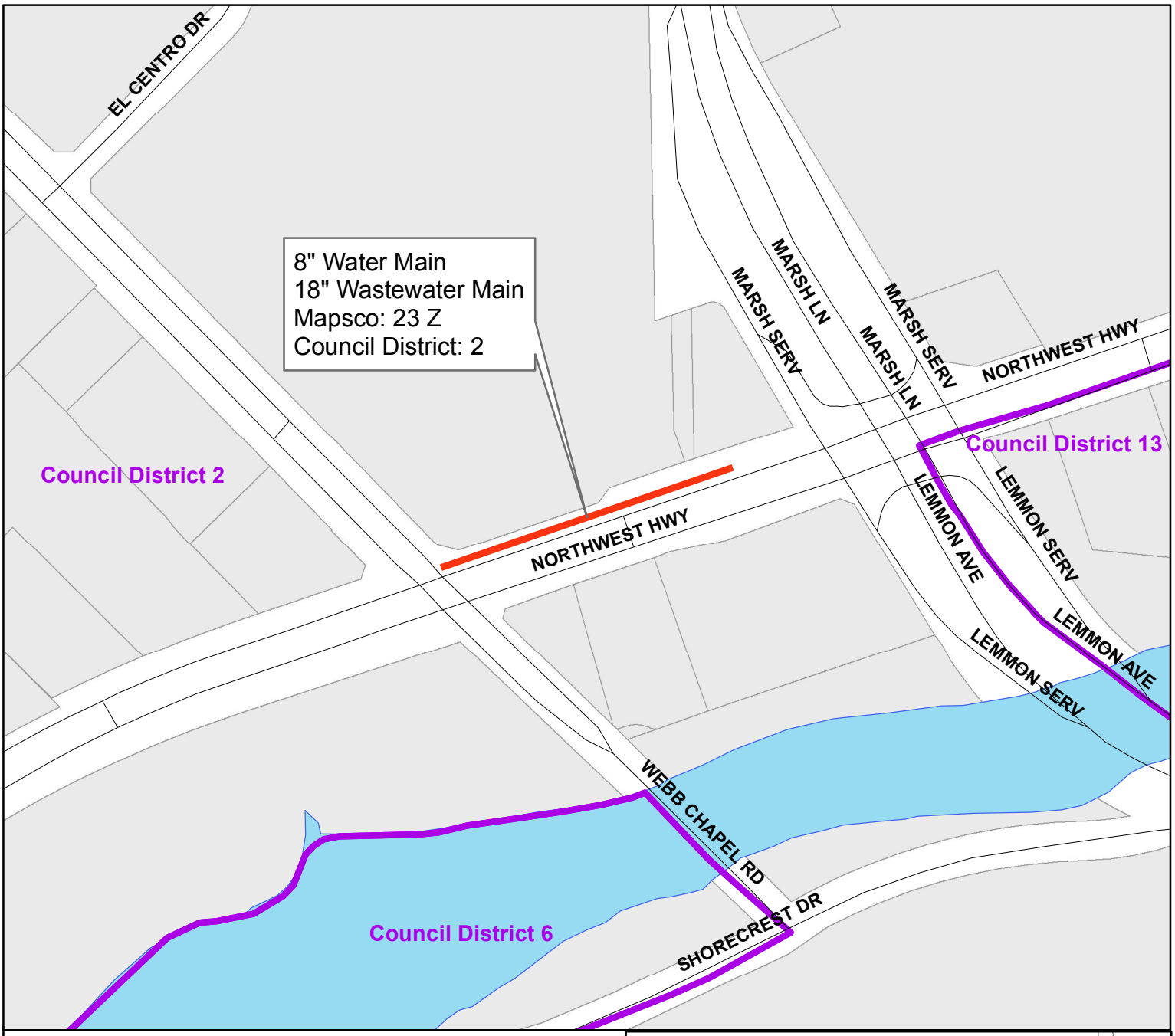
Inwood Road
at Sadler Circle



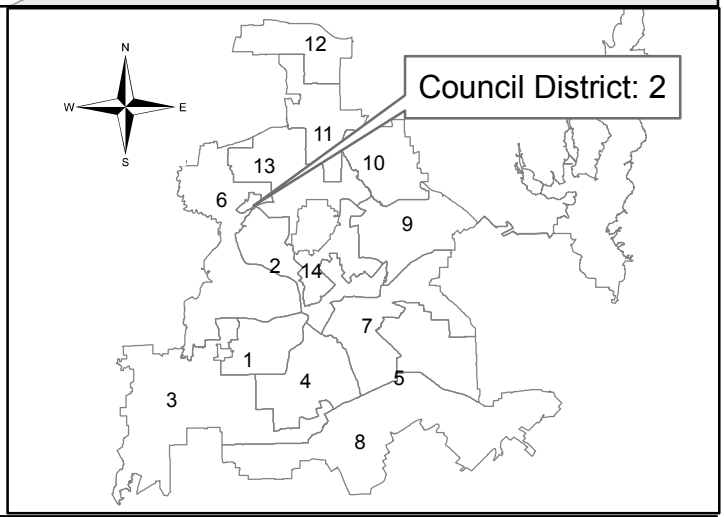
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3021

Segment 7 of 39



Loop 12 (Northwest Highway)
from Webb Chapel Road northeast



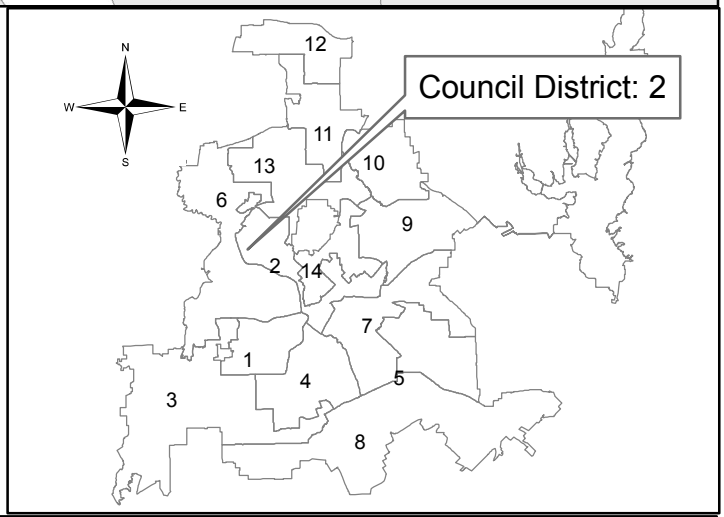
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5001

Segment 8 of 39



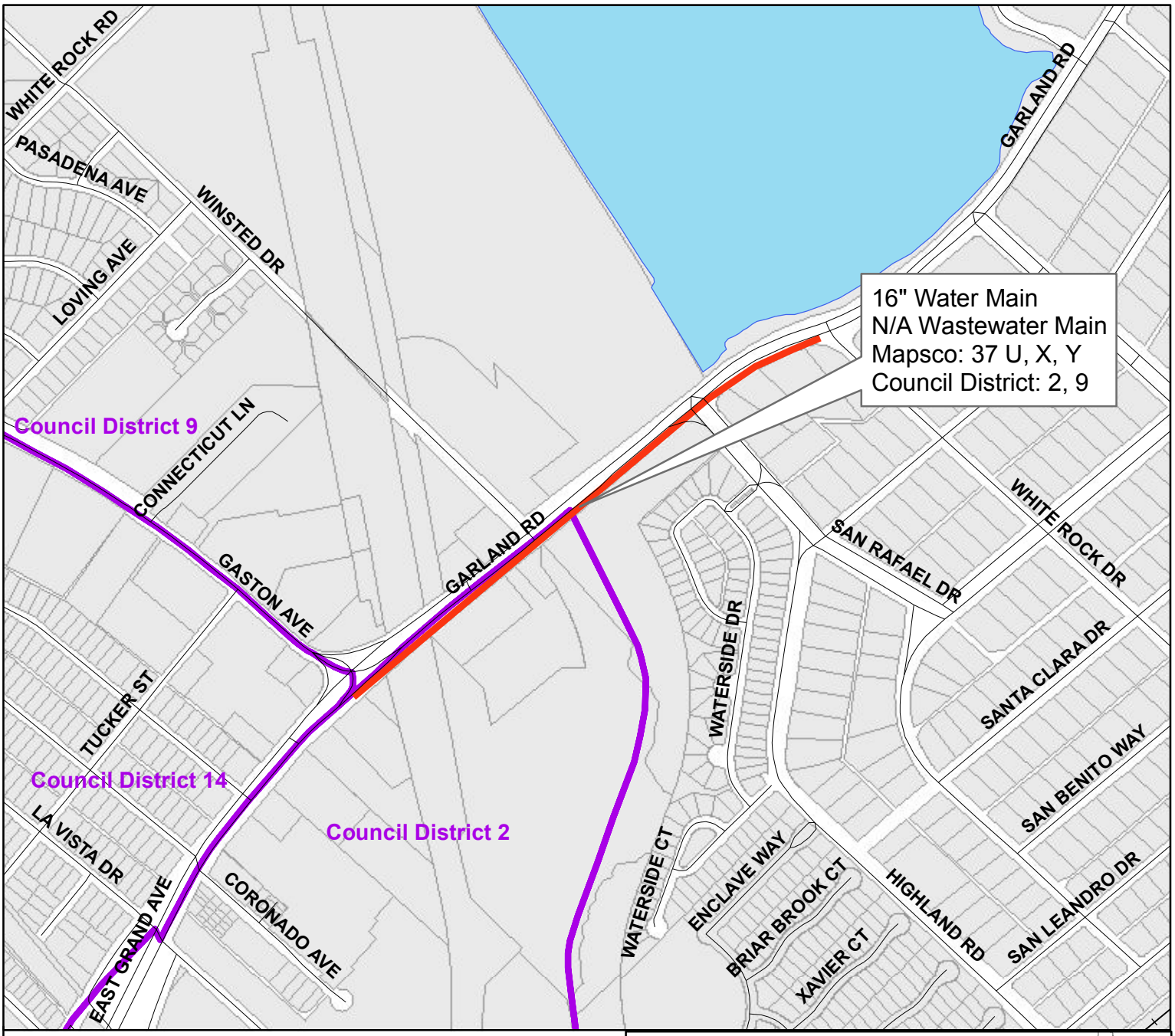
Prudential Drive
from south of Empire Central southeast



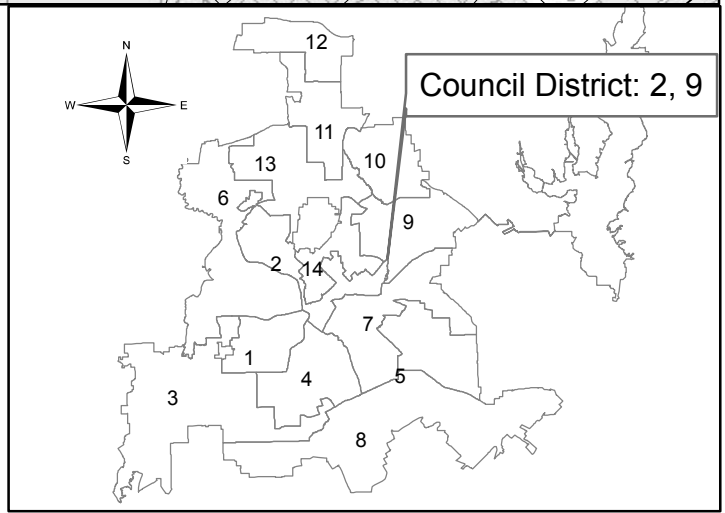
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5622

Segment 9 of 39



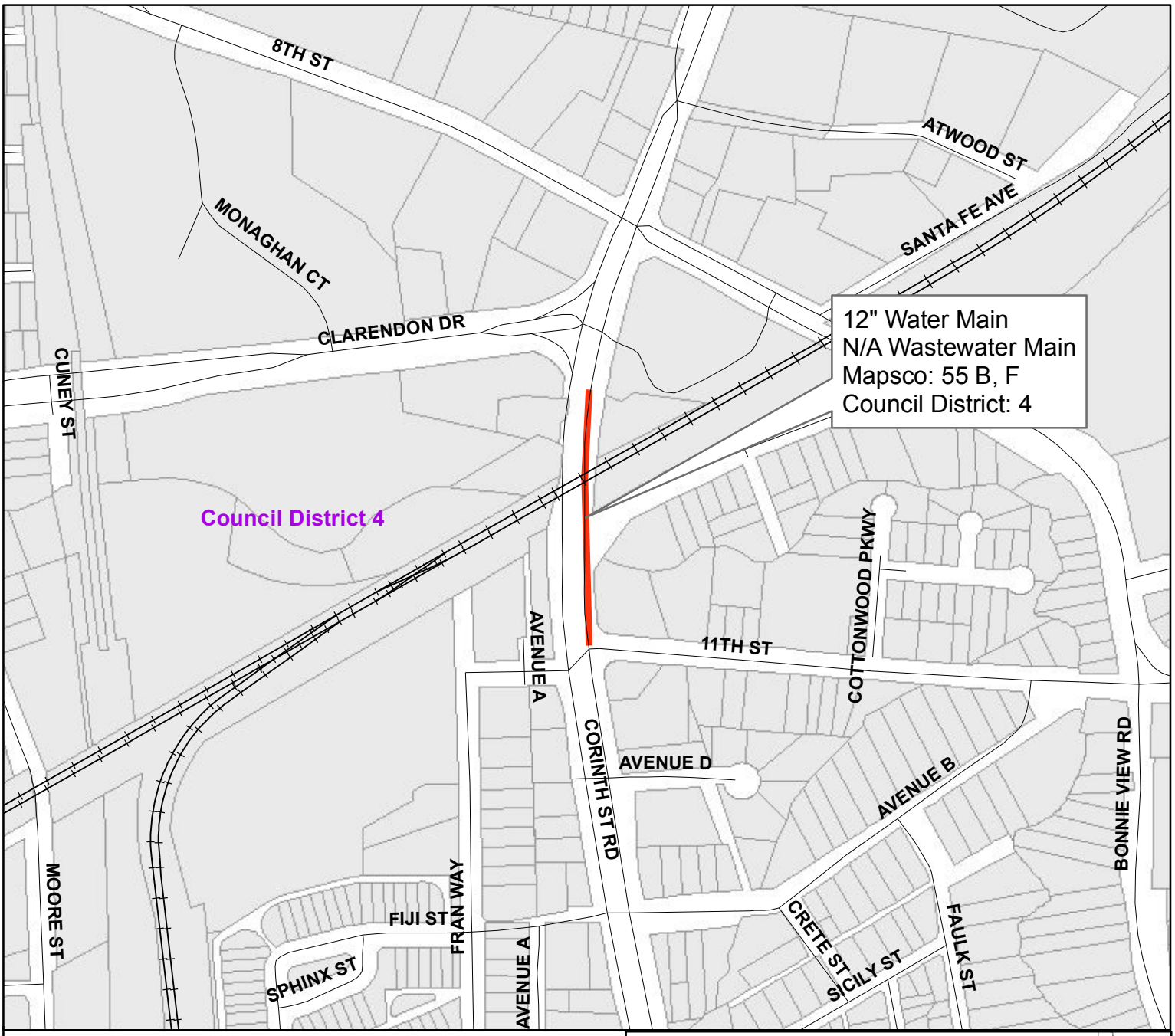
State Highway 78 (Garland Road)
from Gaston Avenue to White Rock Drive



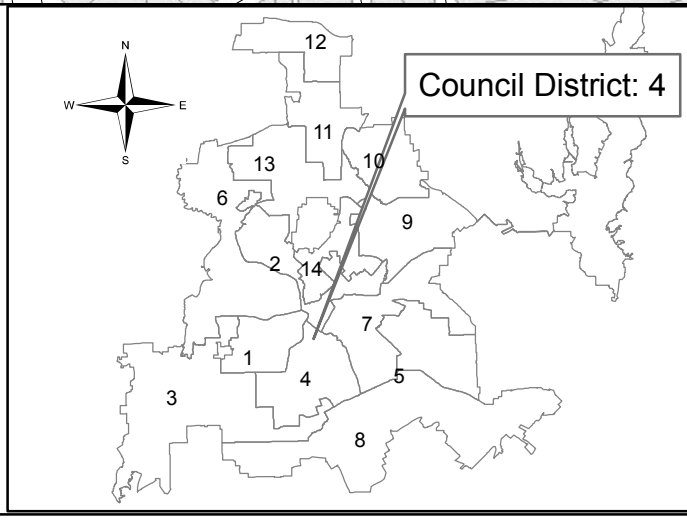
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5263

Segment 10 of 39



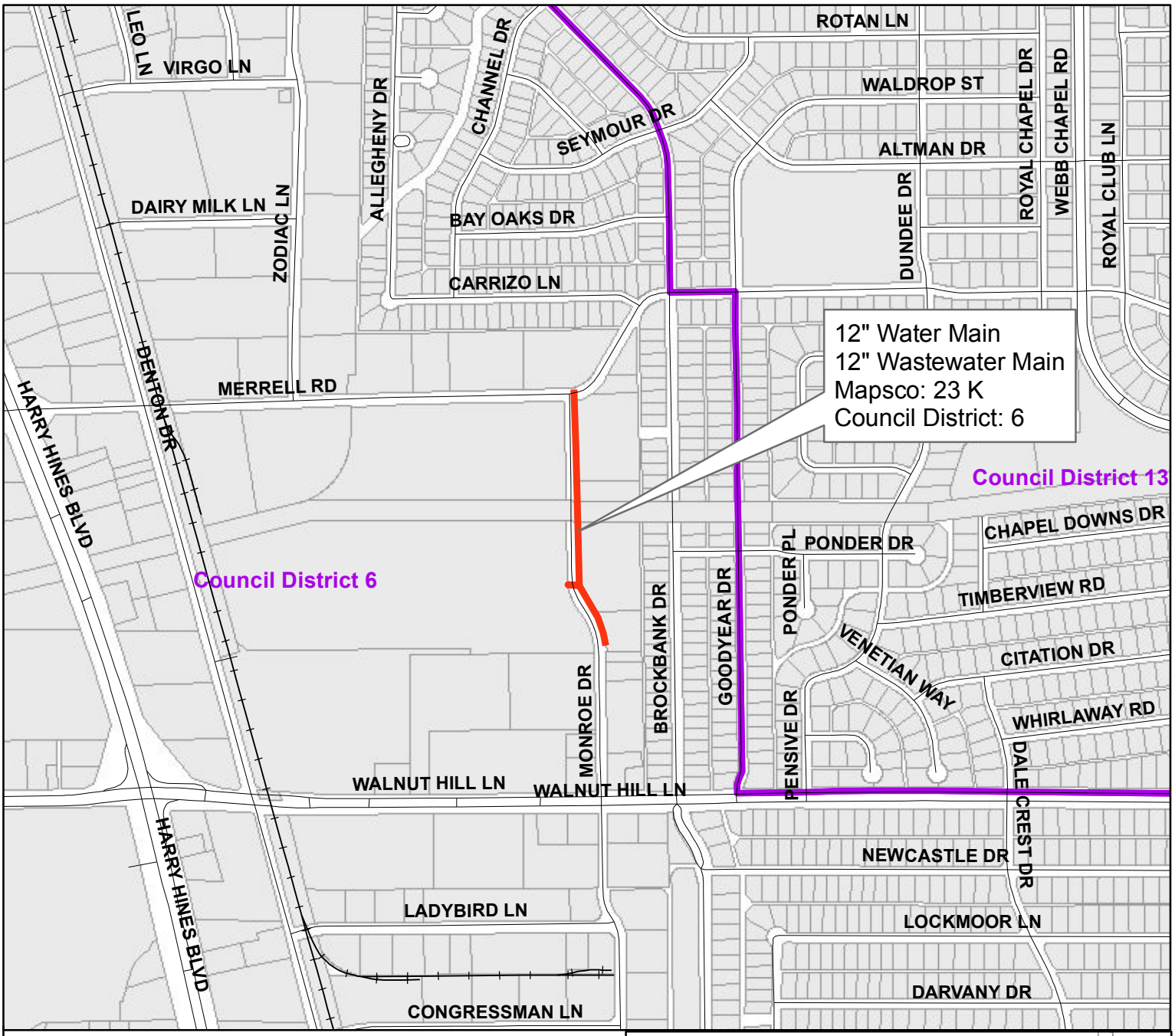
Corinth Street Road
from 11th Street north



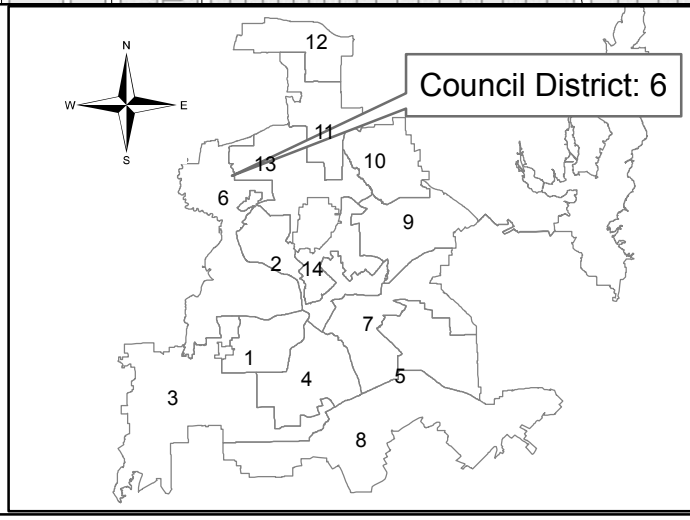
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5692

Segment 11 of 39



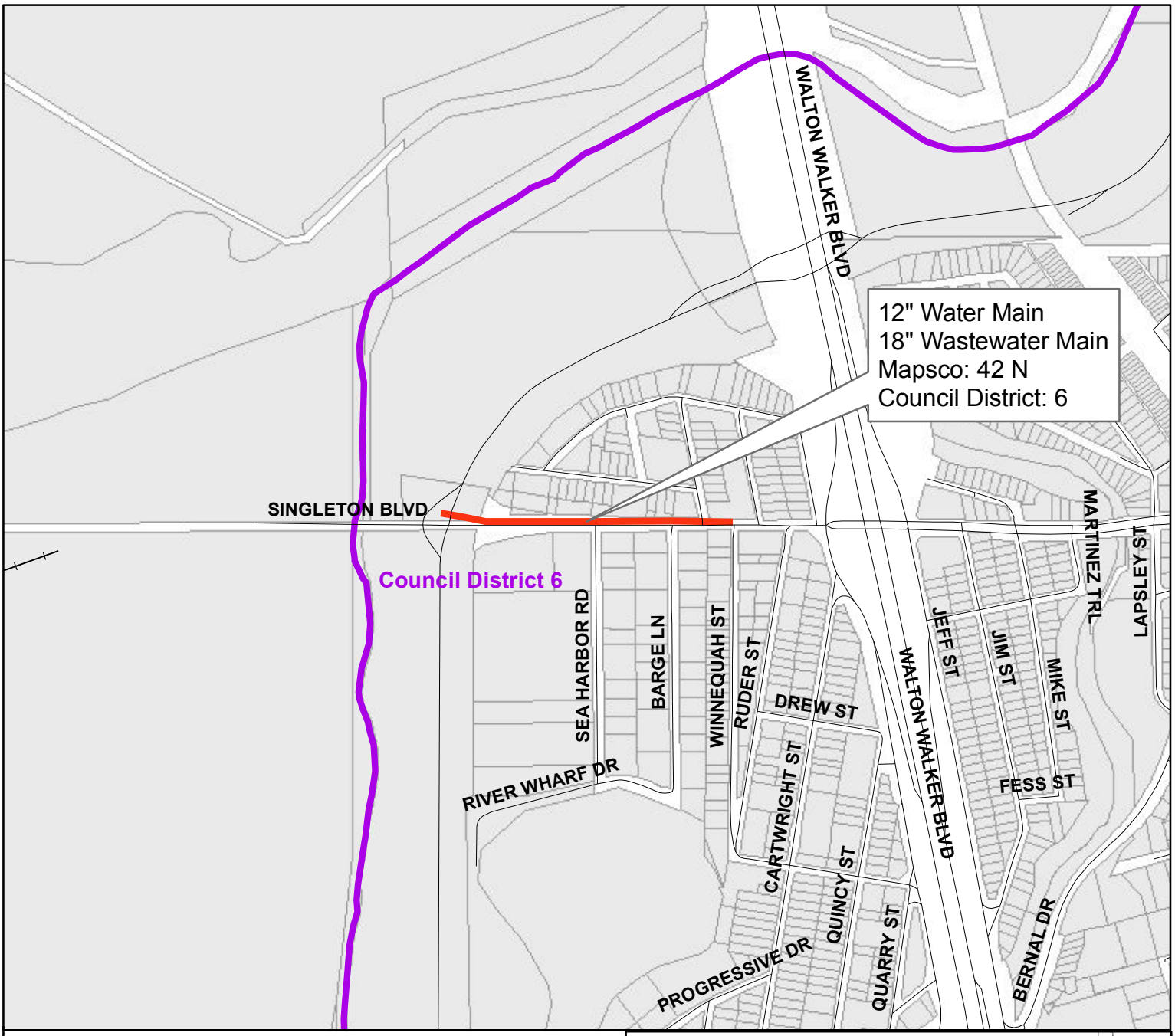
Monroe Drive
from Merrell Road south



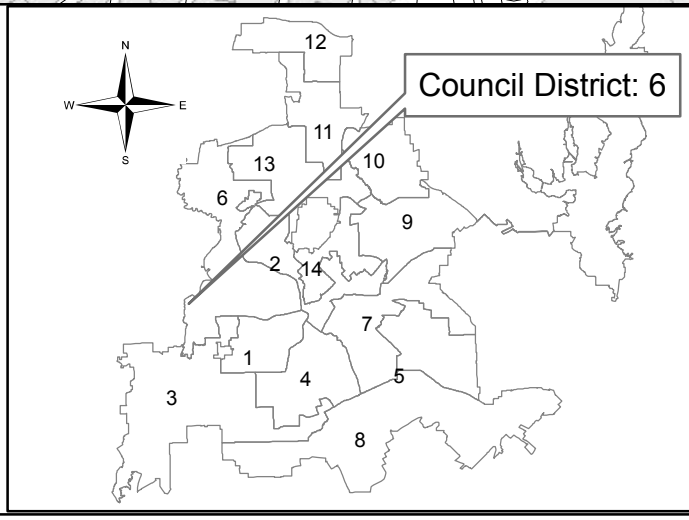
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3608

Segment 12 of 39



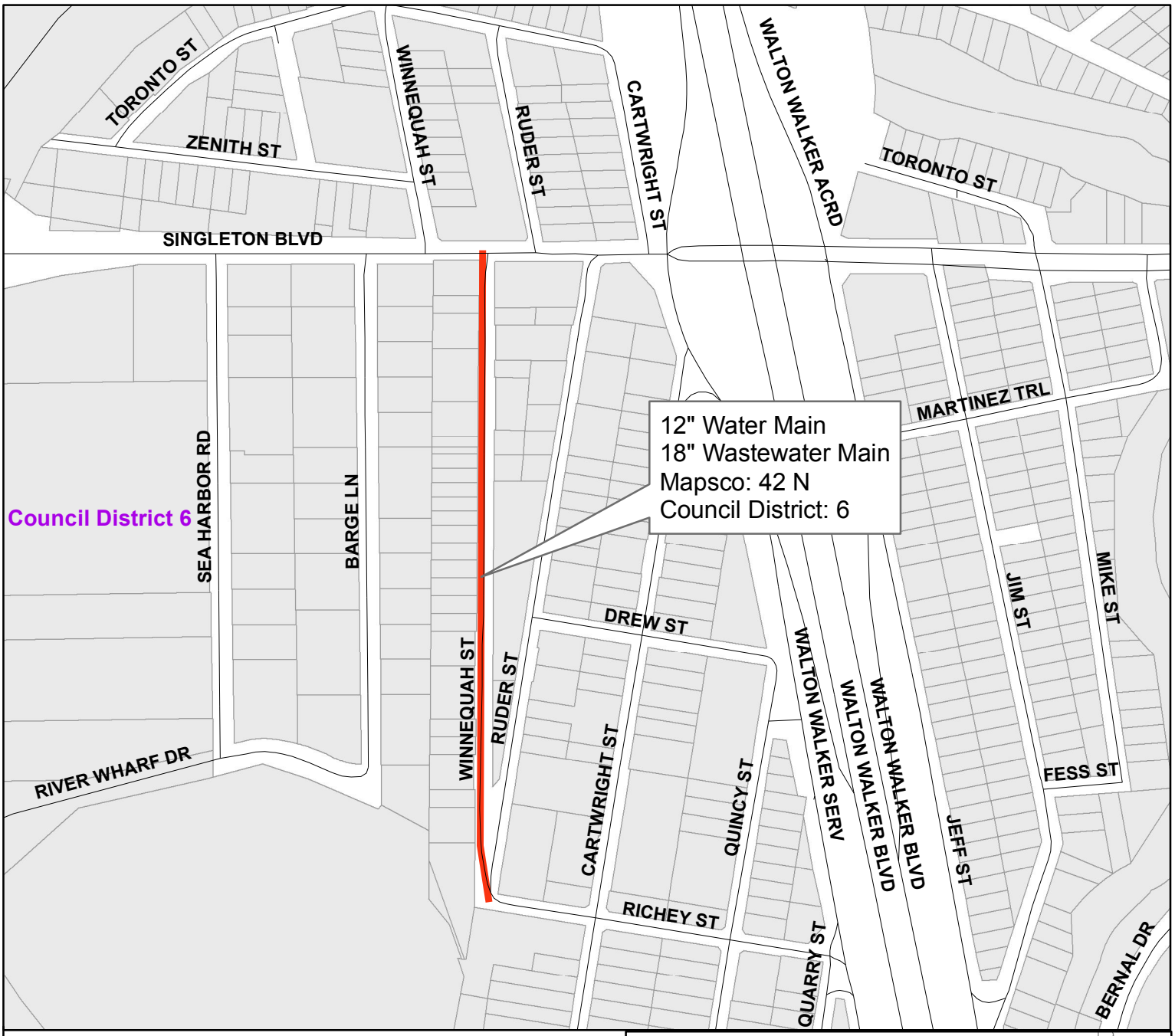
Singleton Boulevard
from Winnequah Street west



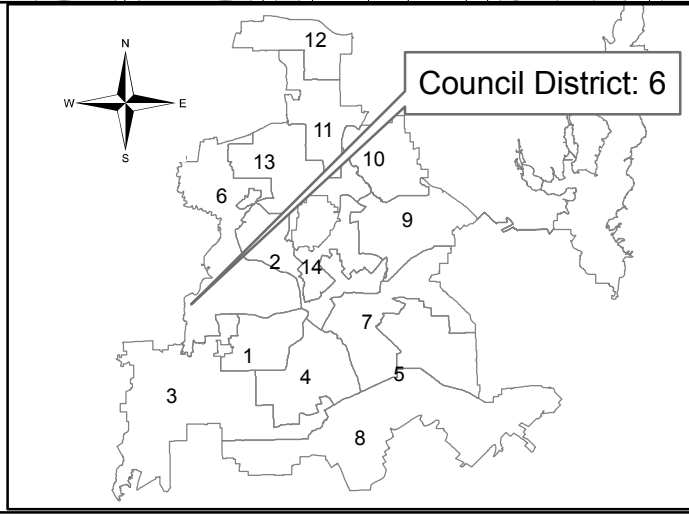
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 4994

Segment 13 of 39



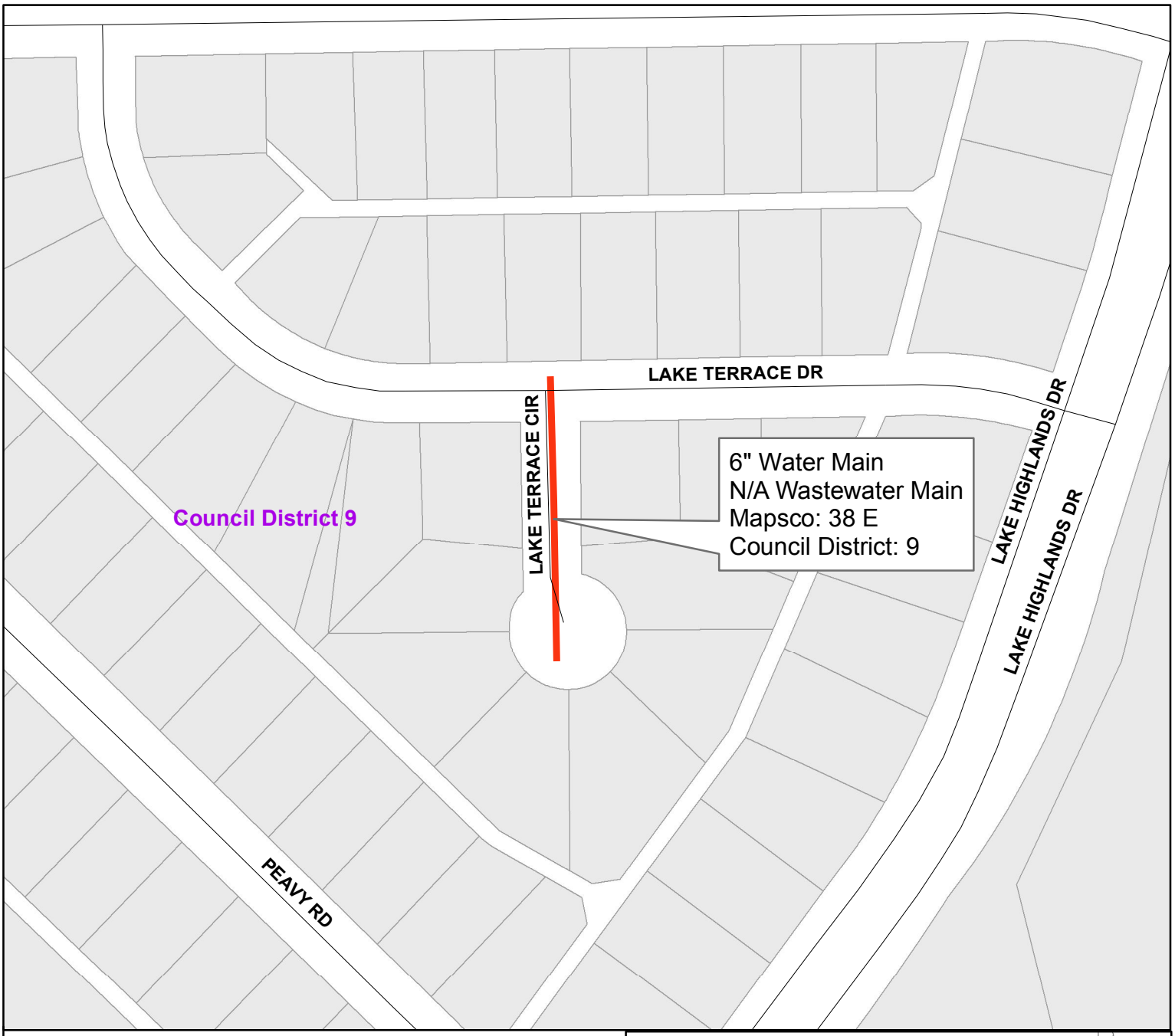
Winnequah Street
from Richey Street to Singleton Boulevard



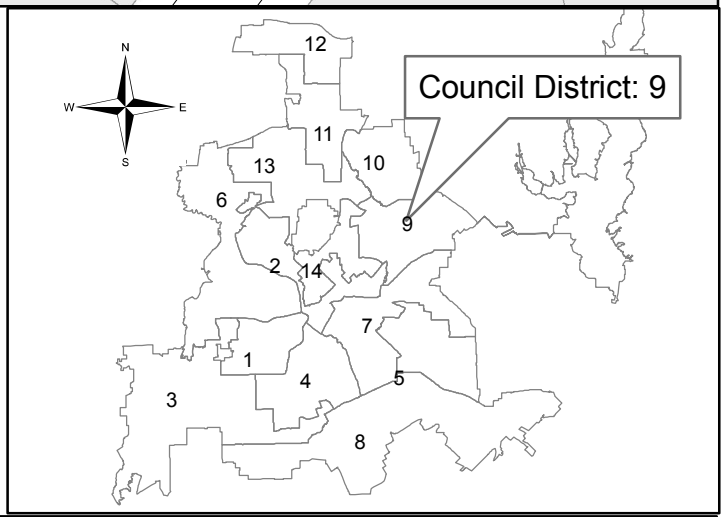
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 4993

Segment 14 of 39



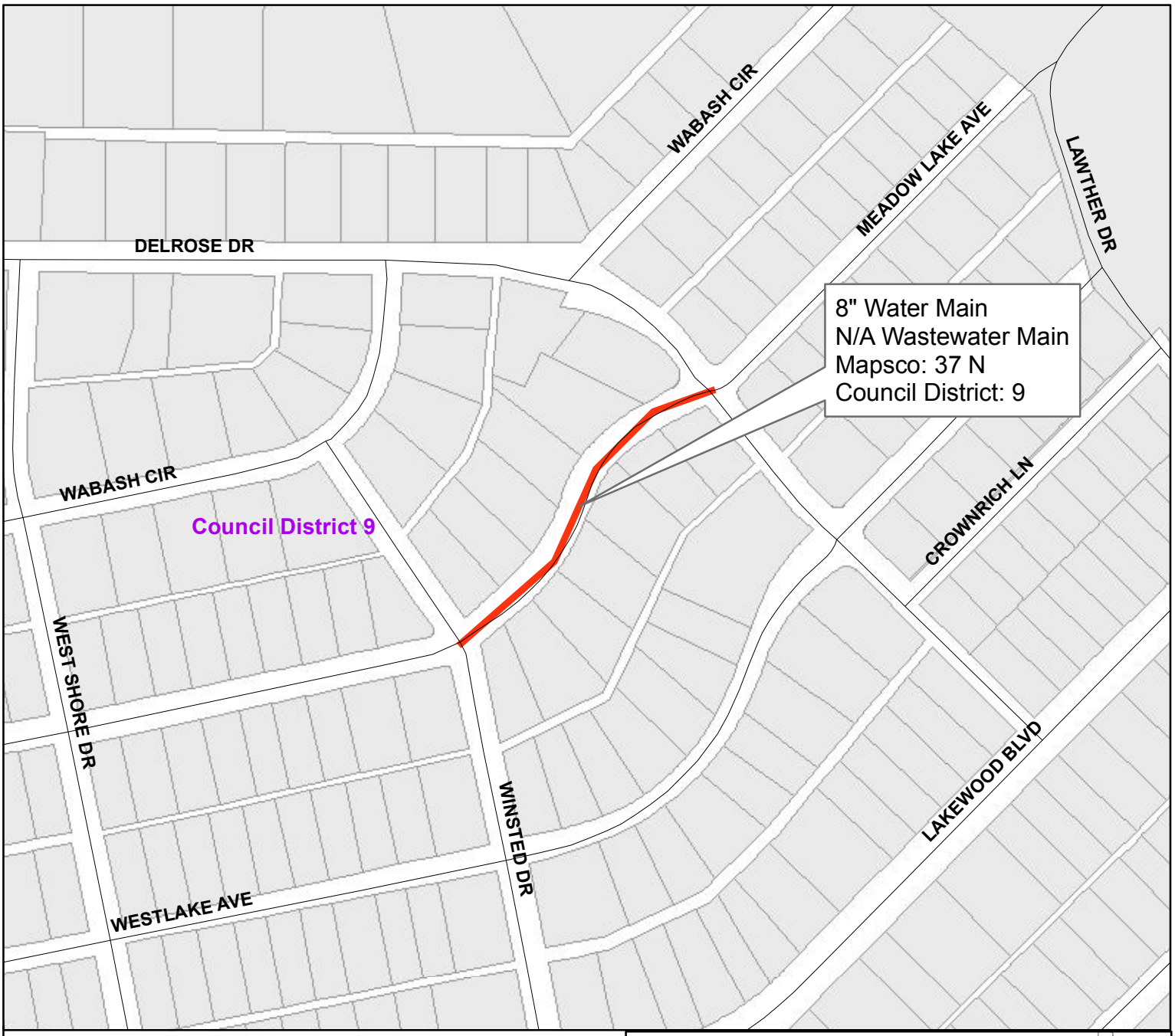
Lake Terrace Circle
from Lake Terrace Drive south



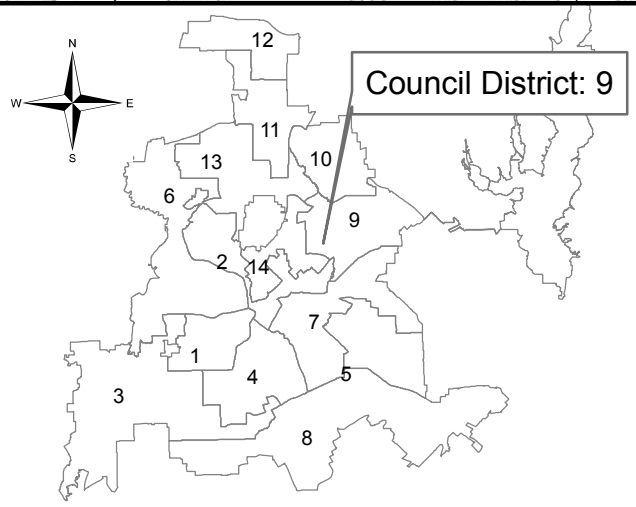
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 2969

Segment 15 of 39



Meadow Lake Avenue
from Winsted Drive to Delrose Drive



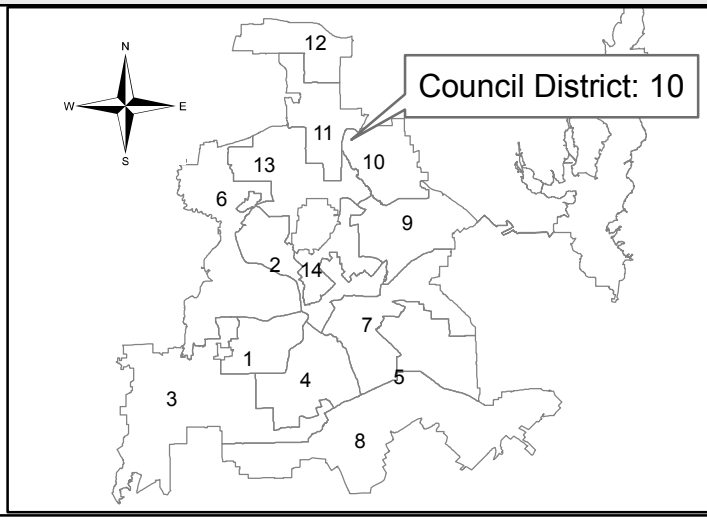
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 4570

Segment 16 of 39



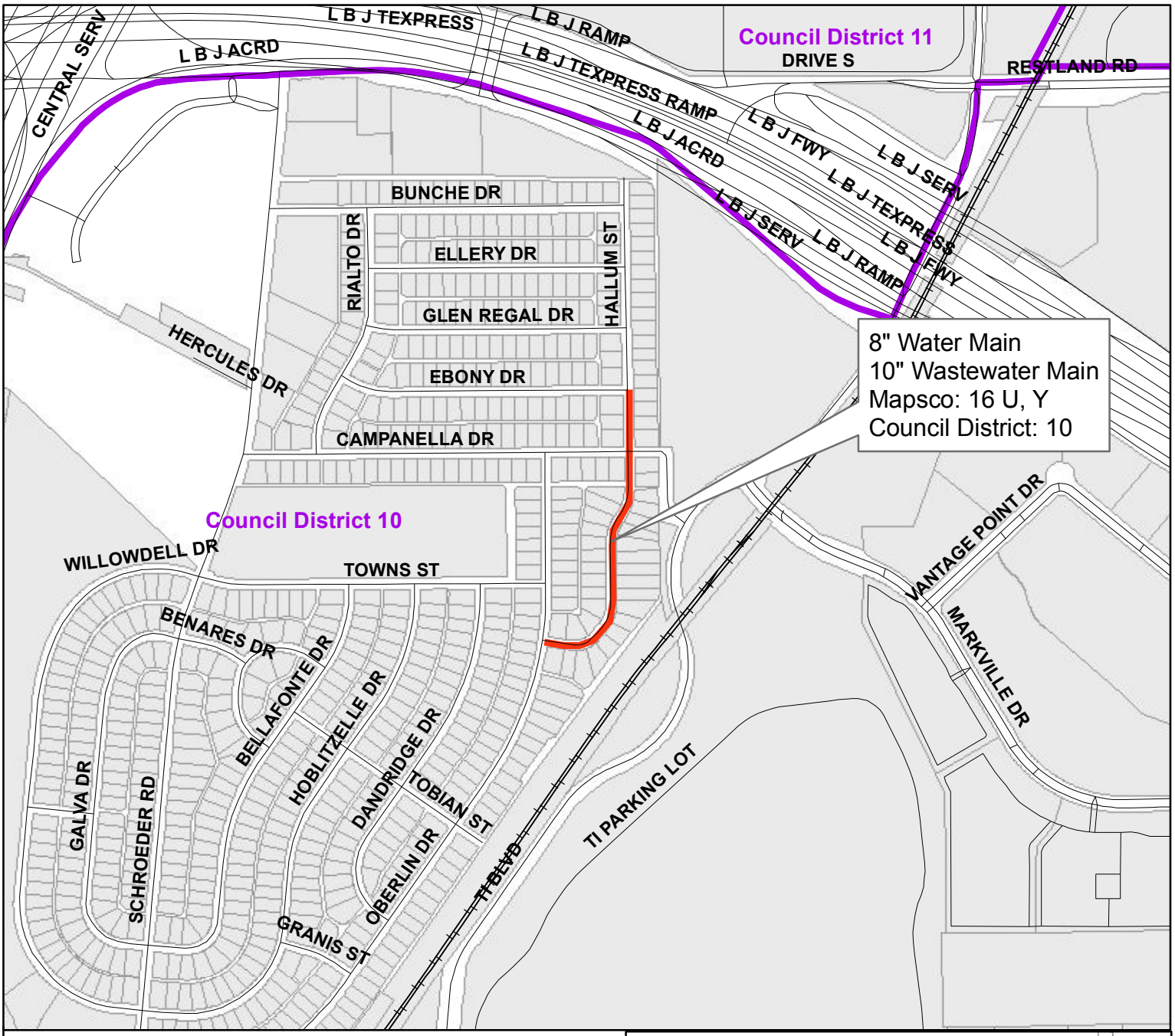
Dandridge Drive
from Towns Street to Oberlin Drive



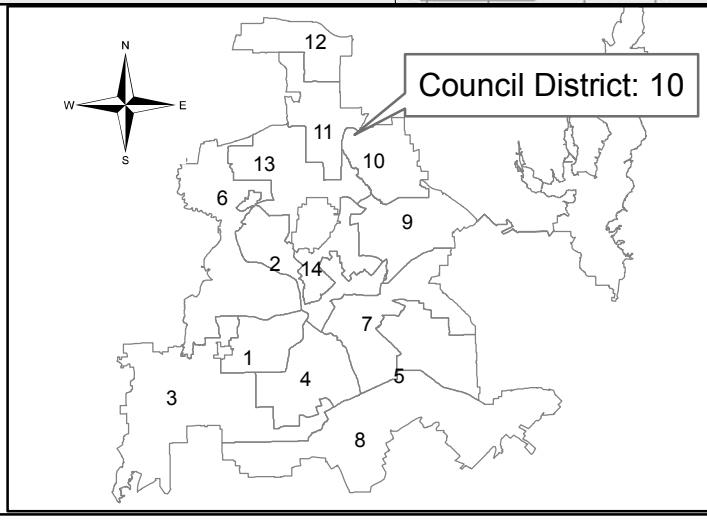
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3809

Segment 17 of 39



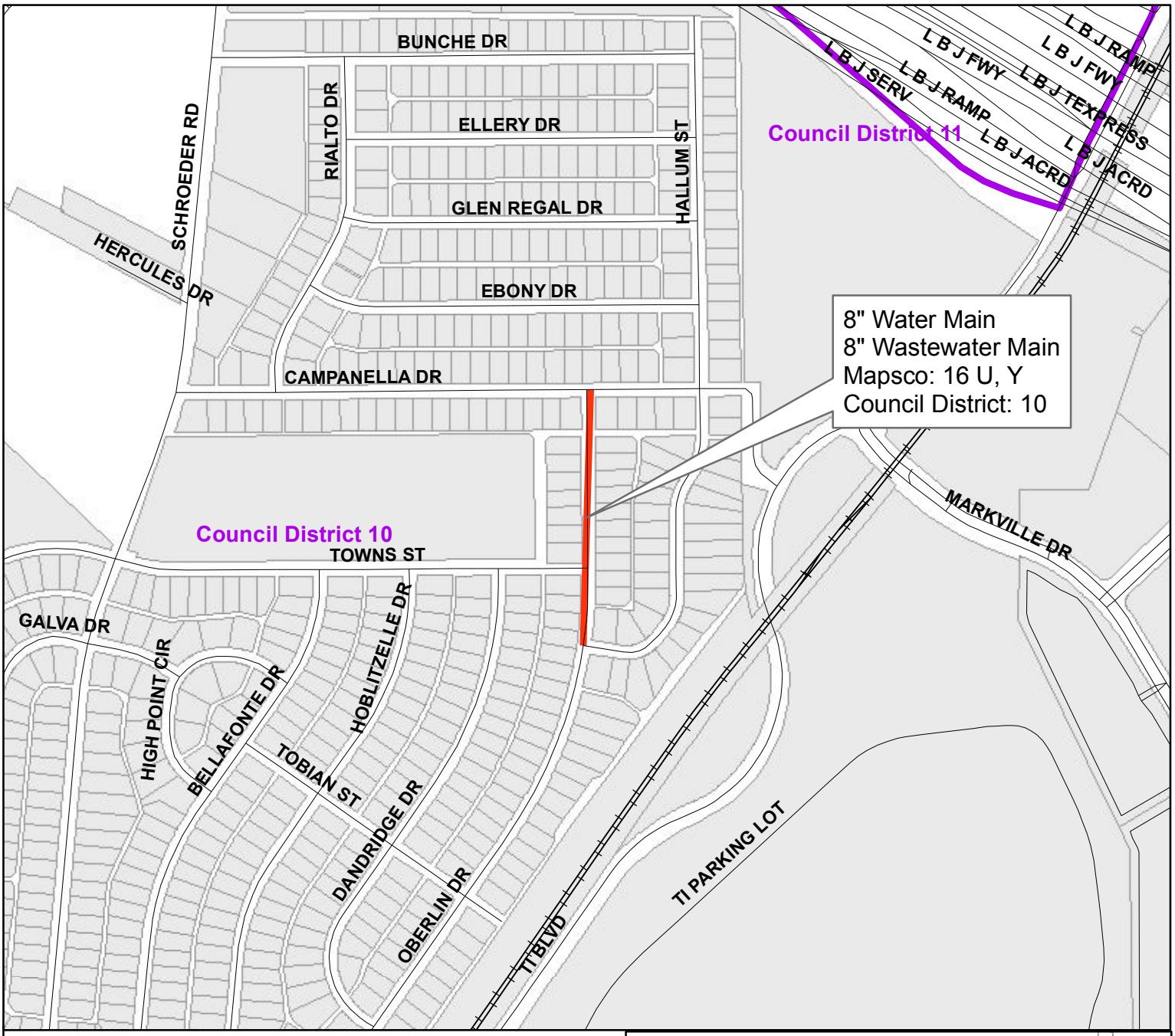
Hallum Street
from Ebony Drive to Oberlin Drive



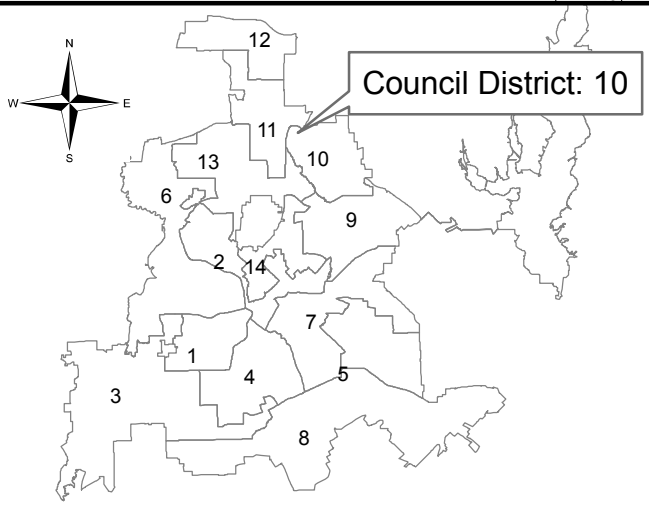
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3811

Segment 18 of 39



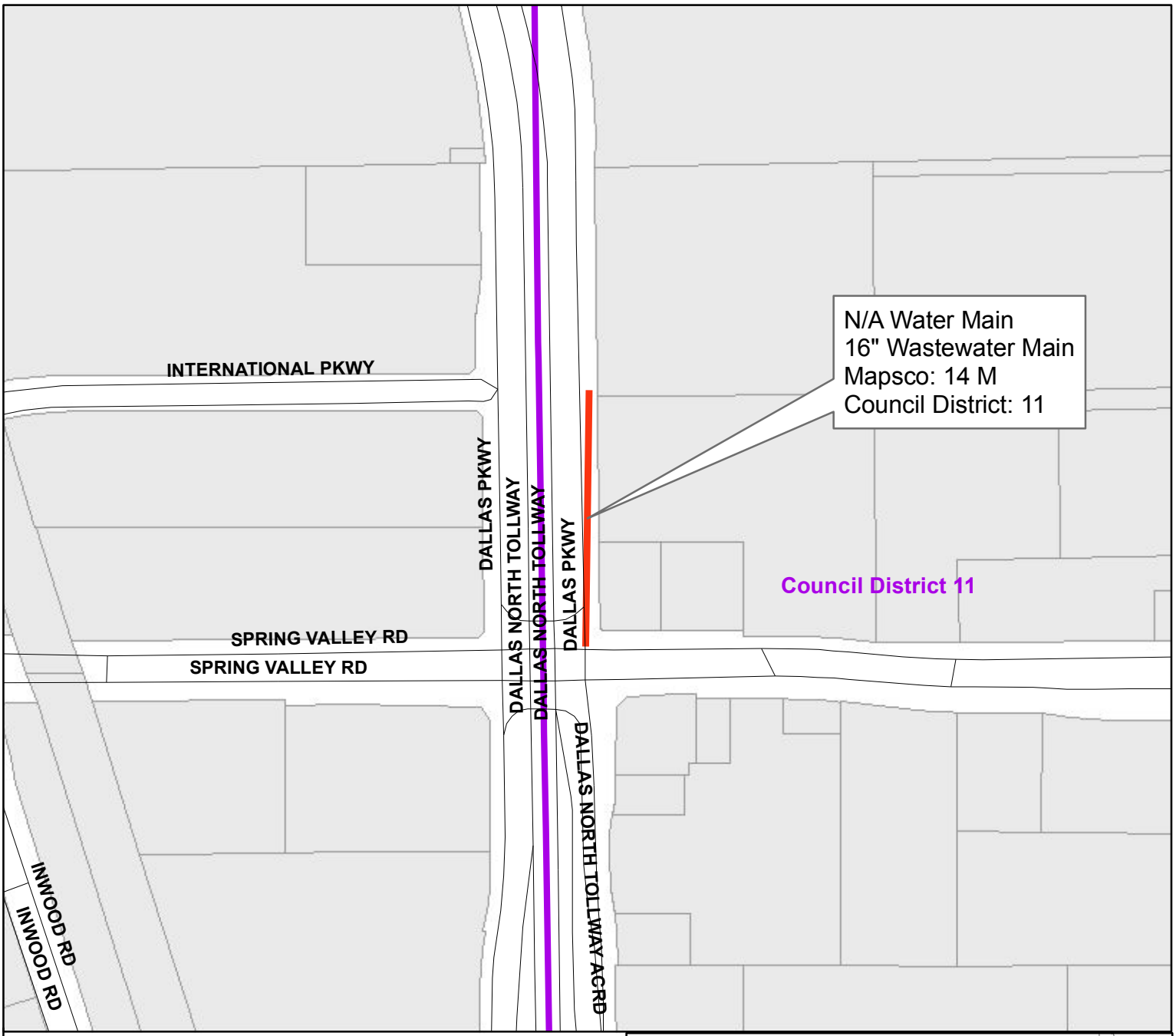
Oberlin Drive
from Campanella Drive to Hallum Street



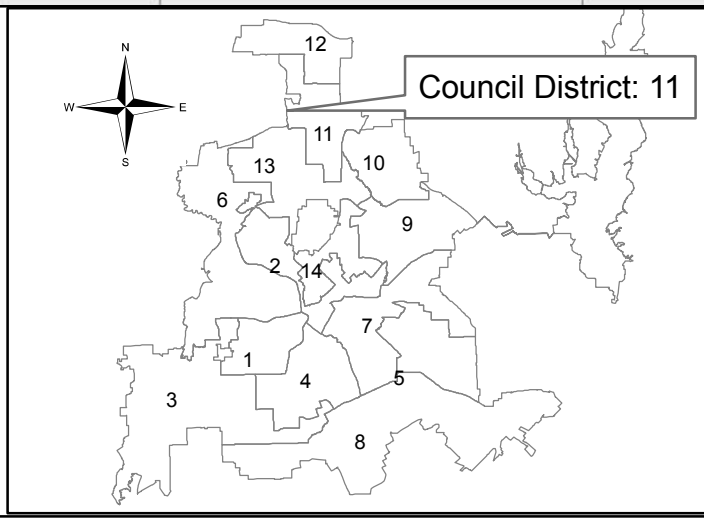
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3812

Segment 19 of 39



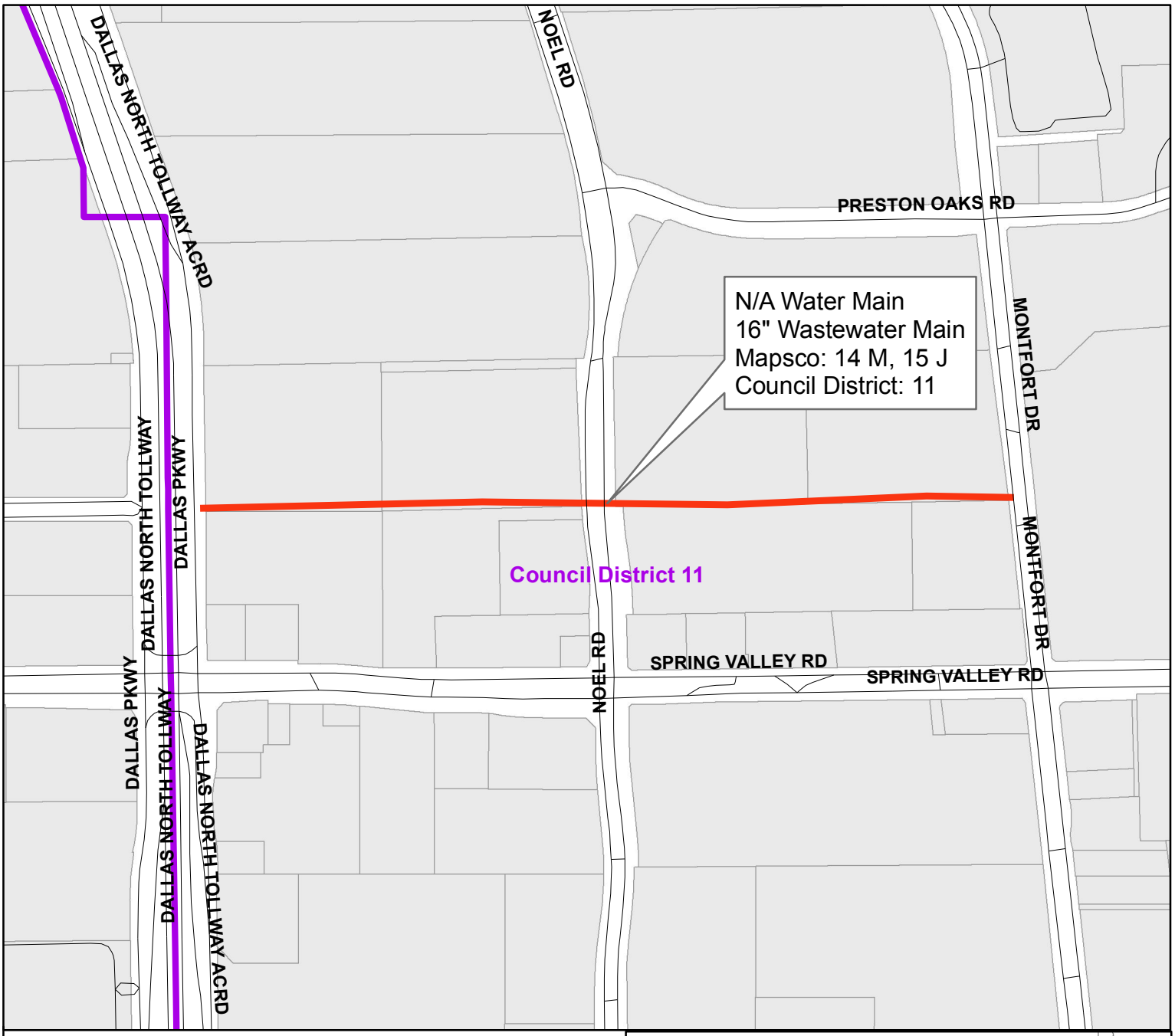
Dallas Parkway
from Spring Valley Road north



Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

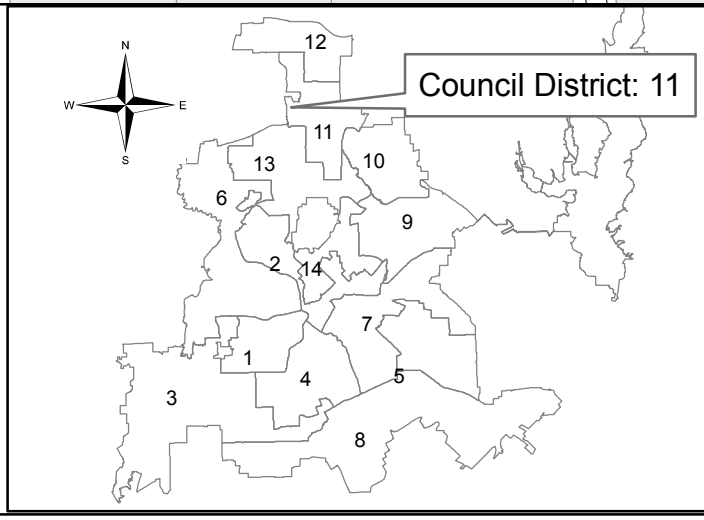
PID: 5674

Segment 20 of 39



Easement between Spring Valley Road and Preston Oaks Road

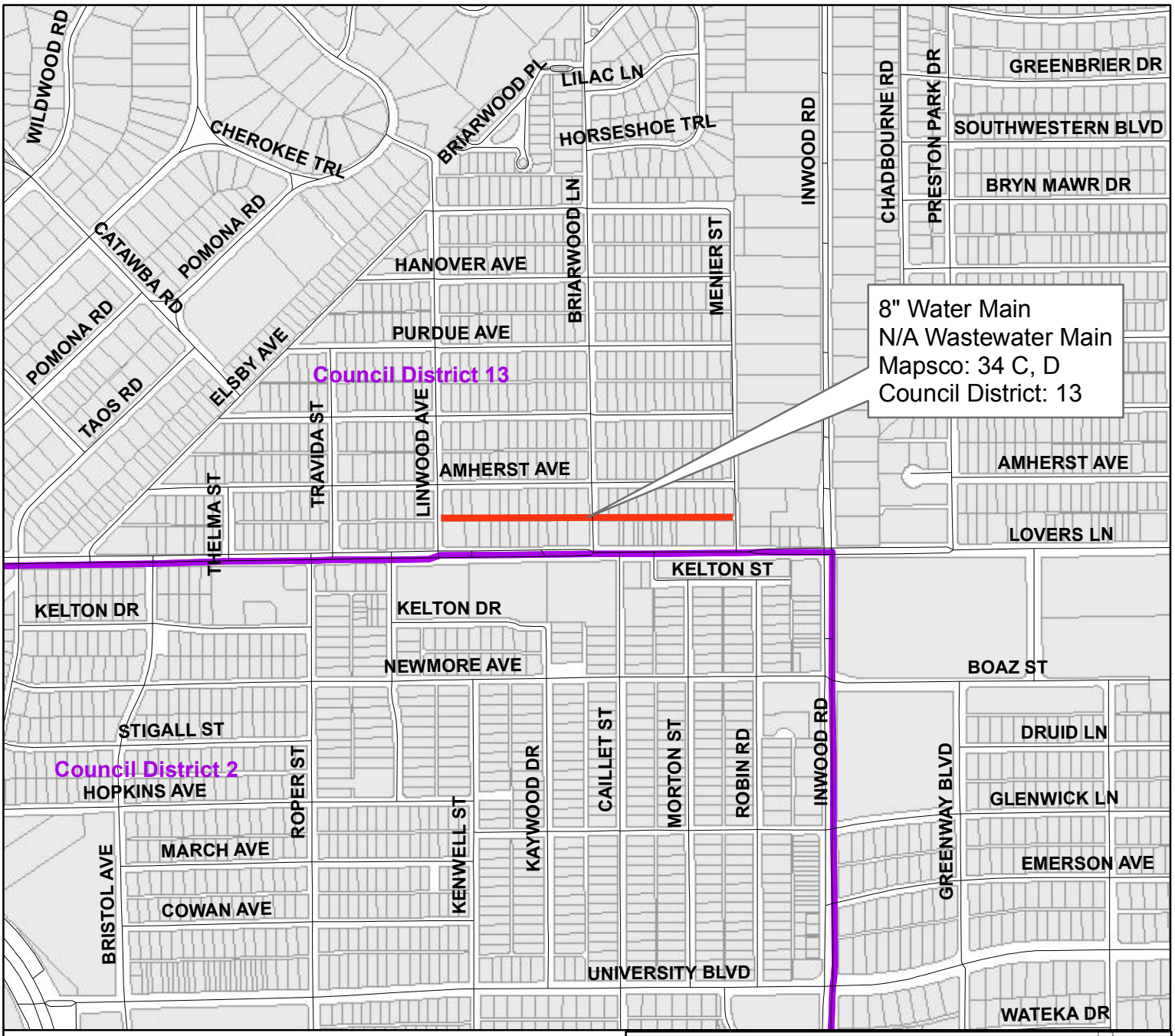
from Montfort Drive to Dallas Parkway



Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

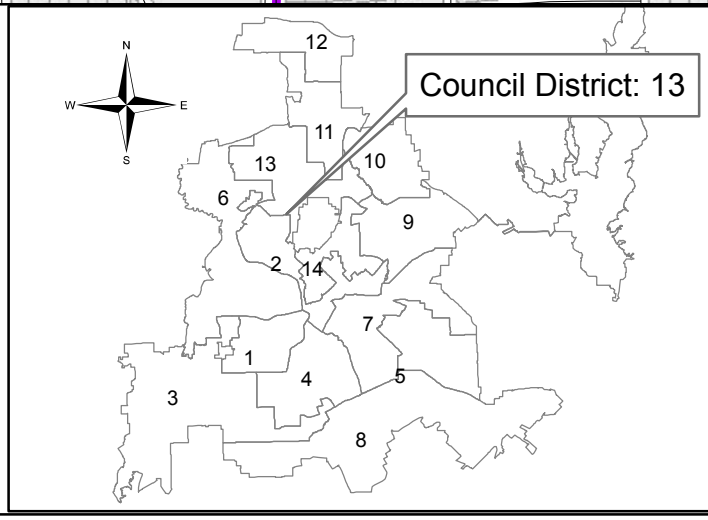
PID: 4653

Segment 21 of 39



Alley between Amherst Avenue and Lovers Lane

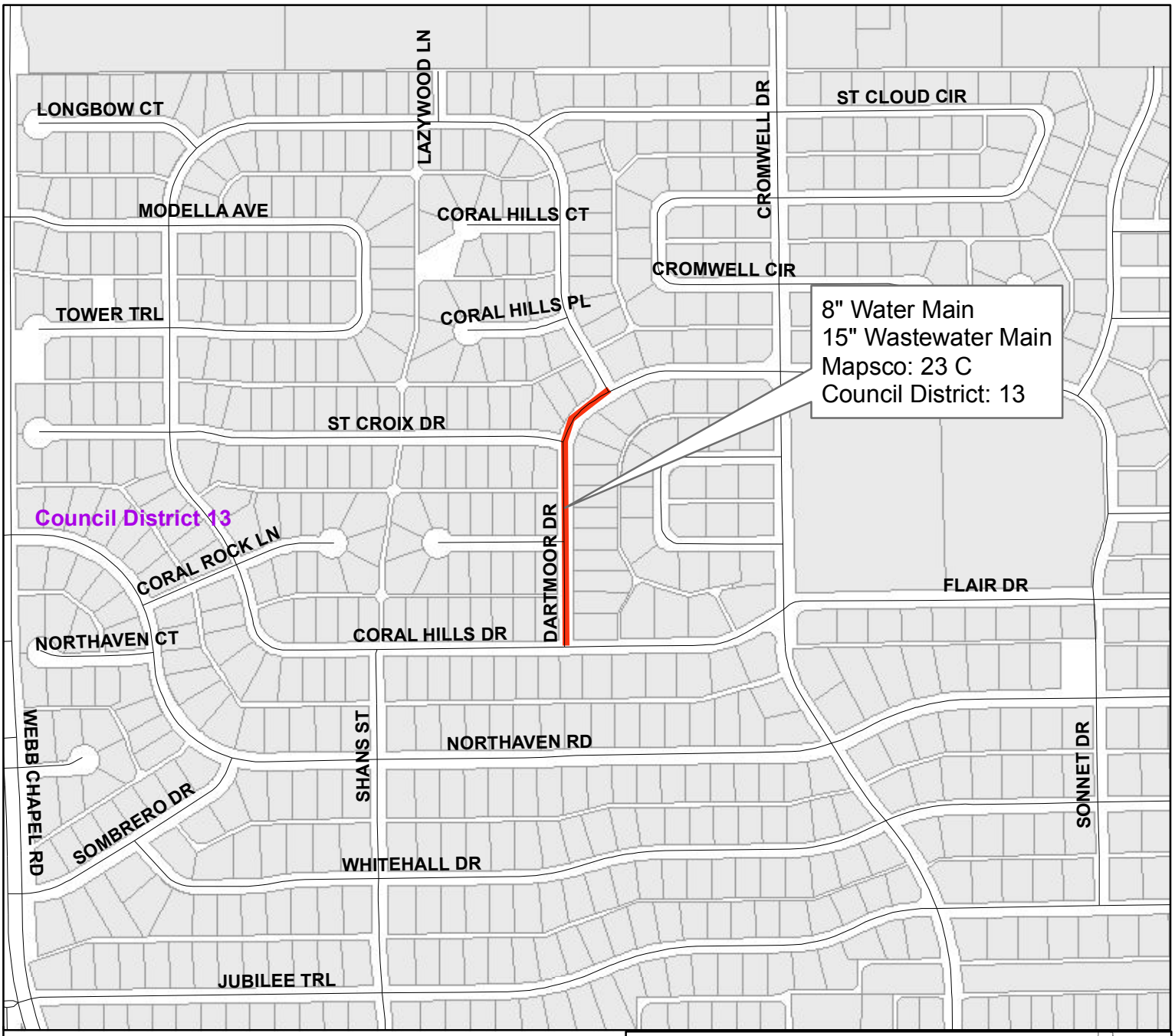
from Linwood Avenue to Menier Street



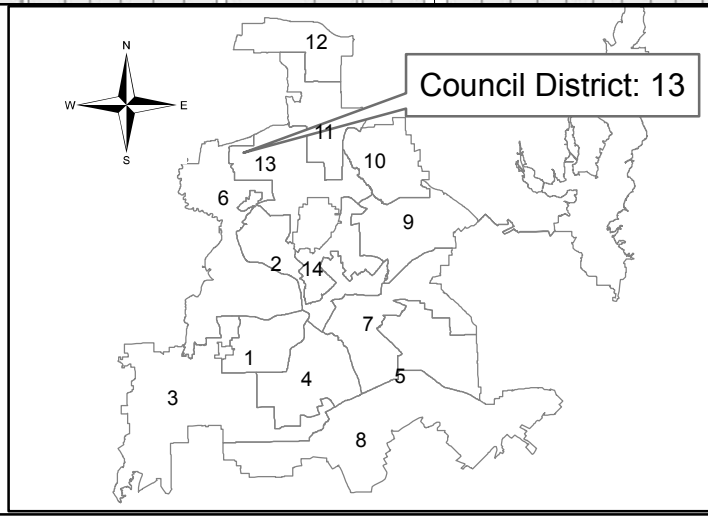
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations at 39 Locations

PID: 1206

Segment 22 of 39



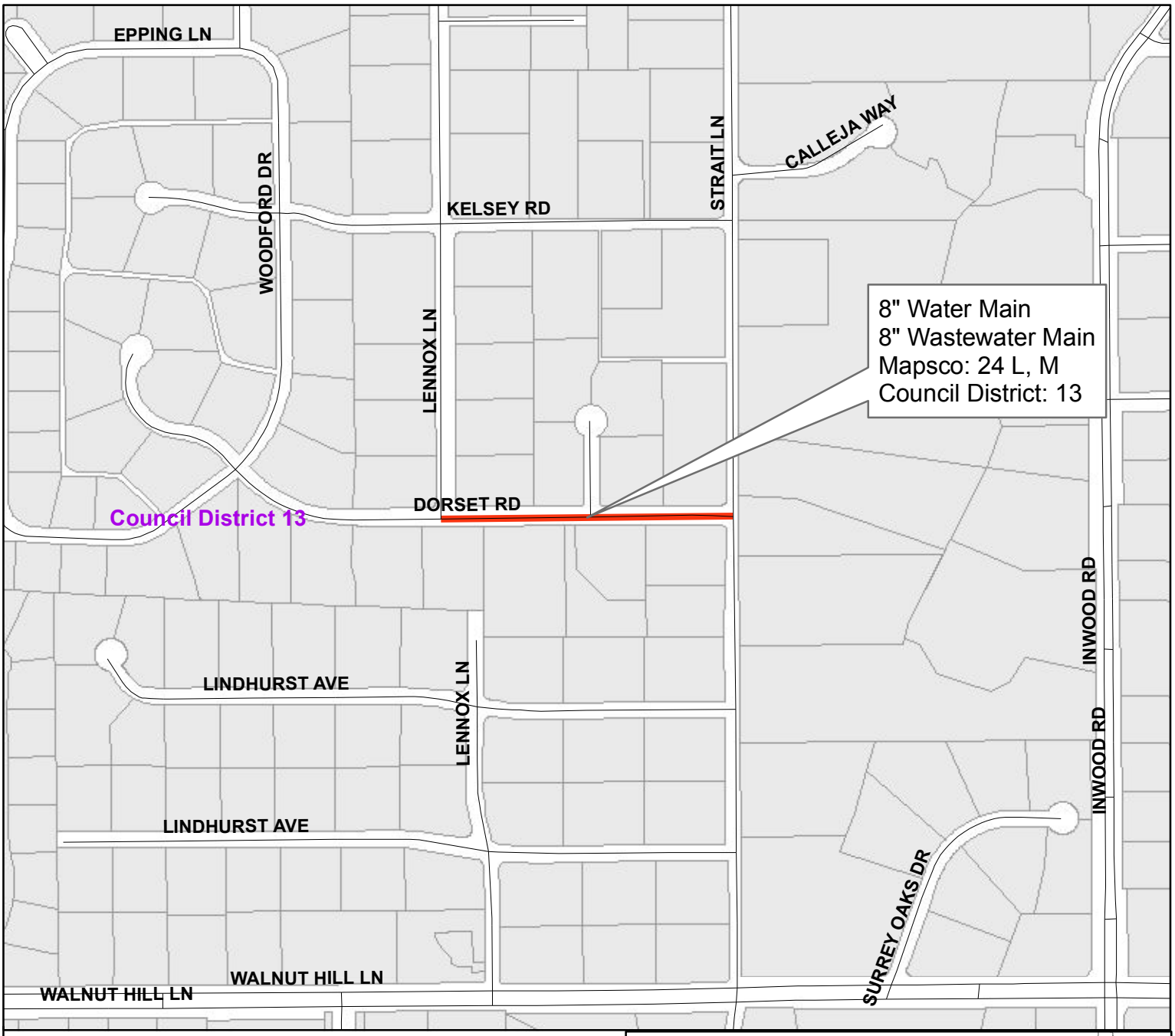
Dartmoor Drive
from Coral Hills Drive north



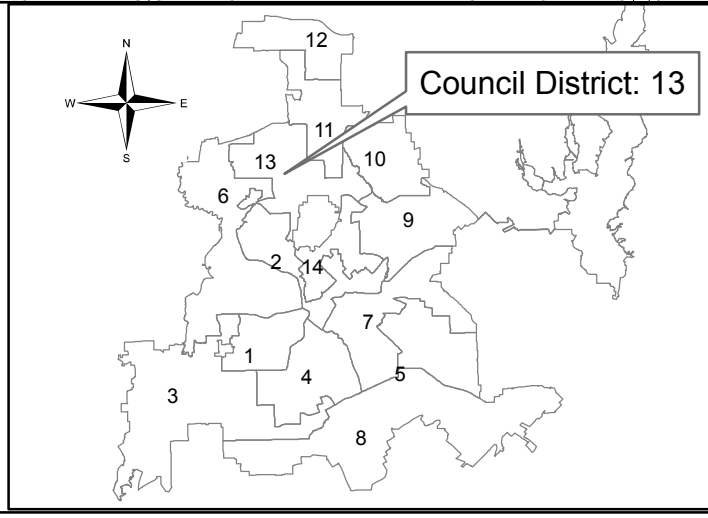
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 4608

Segment 23 of 39



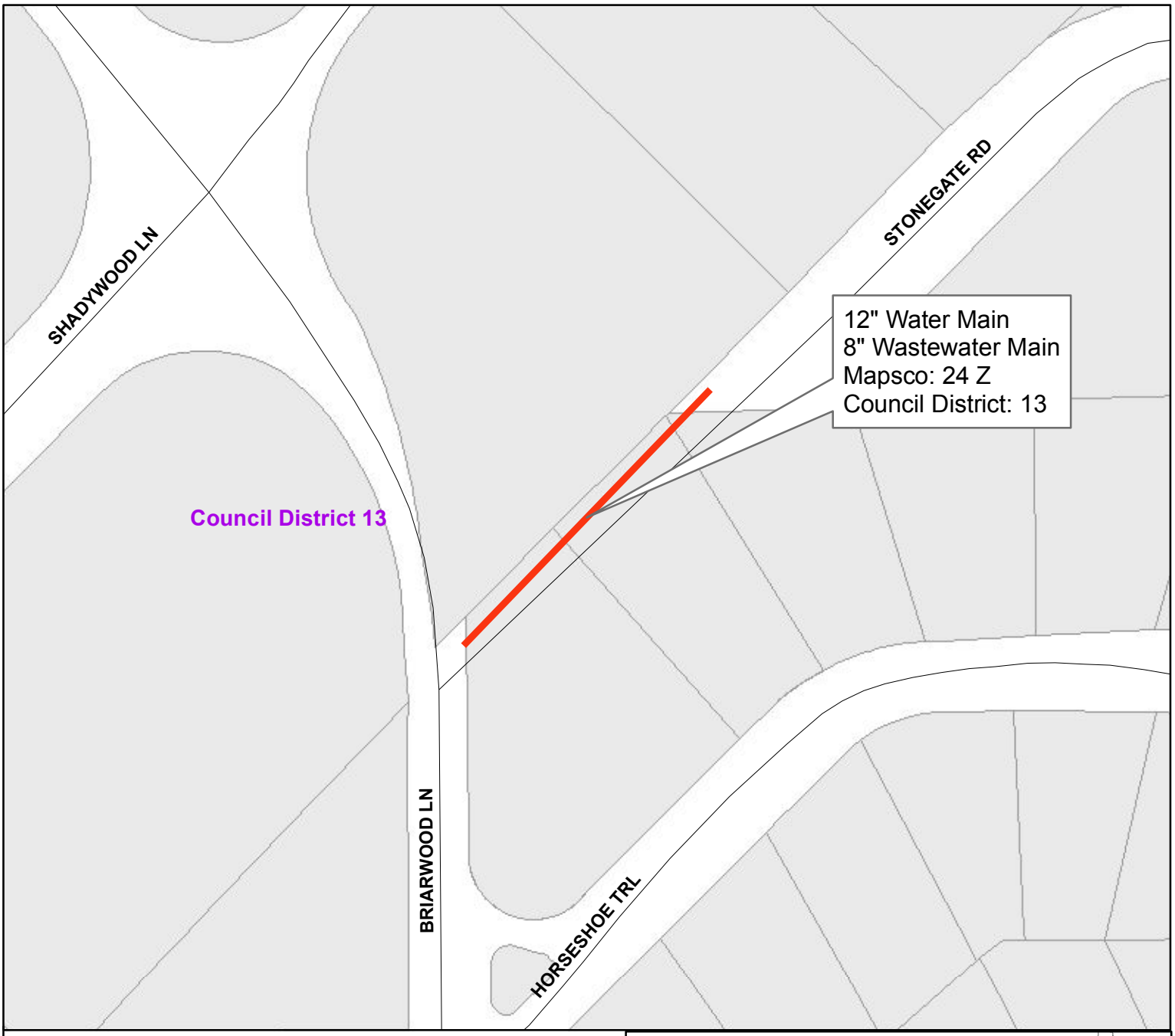
Dorset Road
from Lennox Lane to Strait Lane



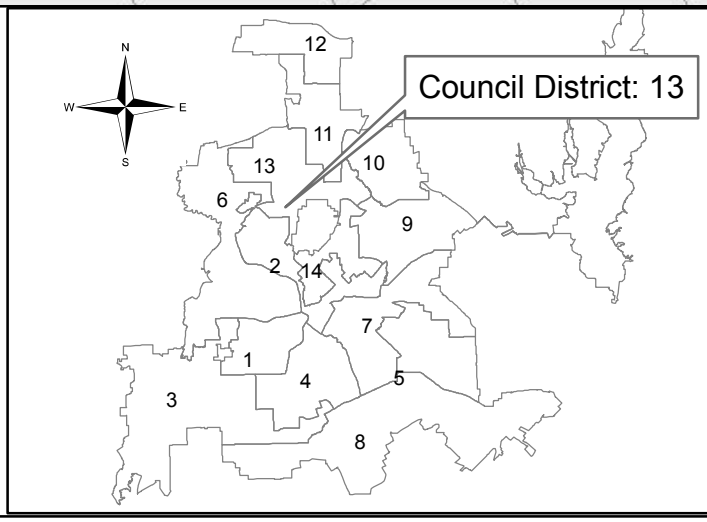
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5652

Segment 24 of 39

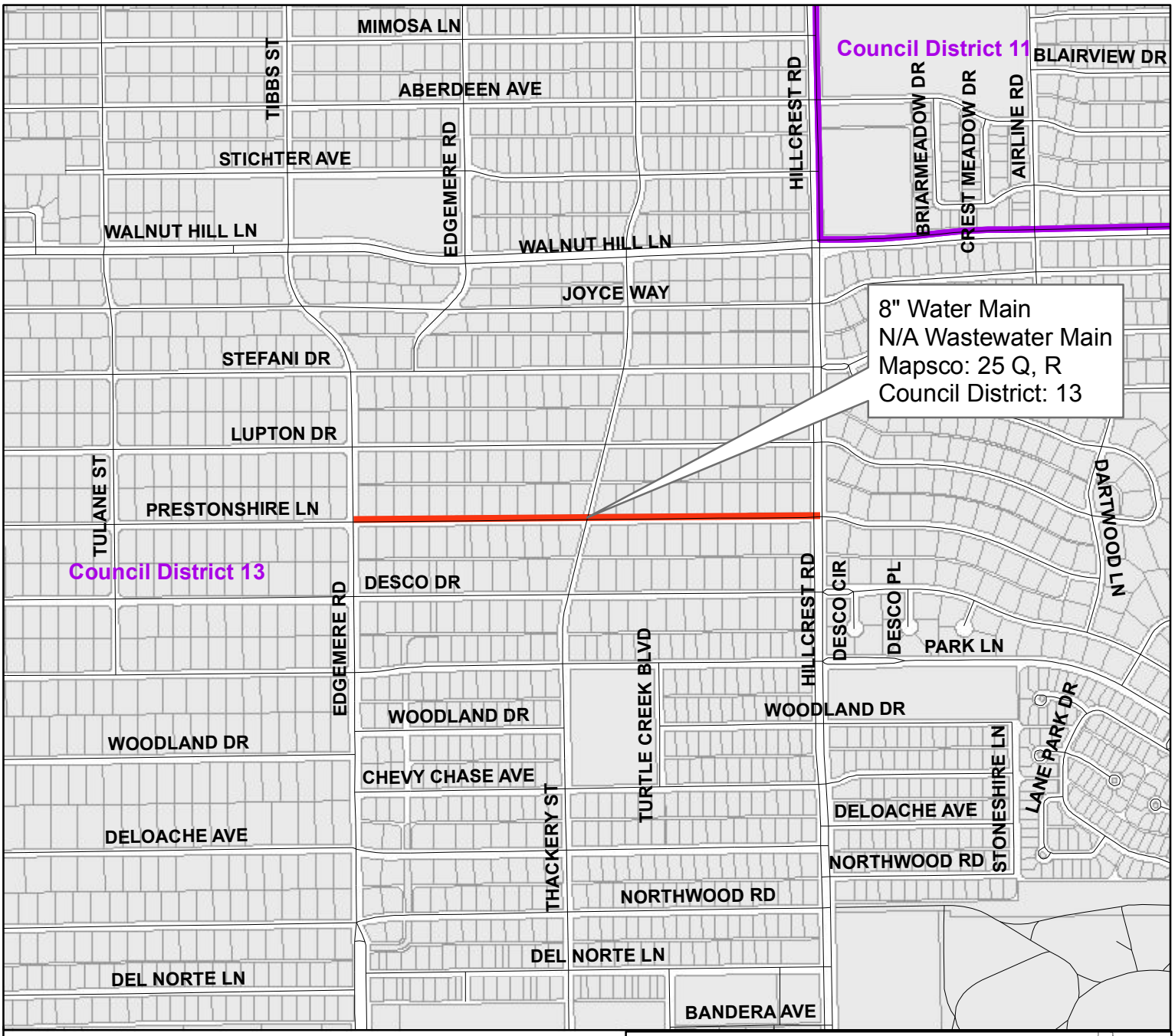


Easement southwest of Stonegate Road
from Briarwood Lane northeast

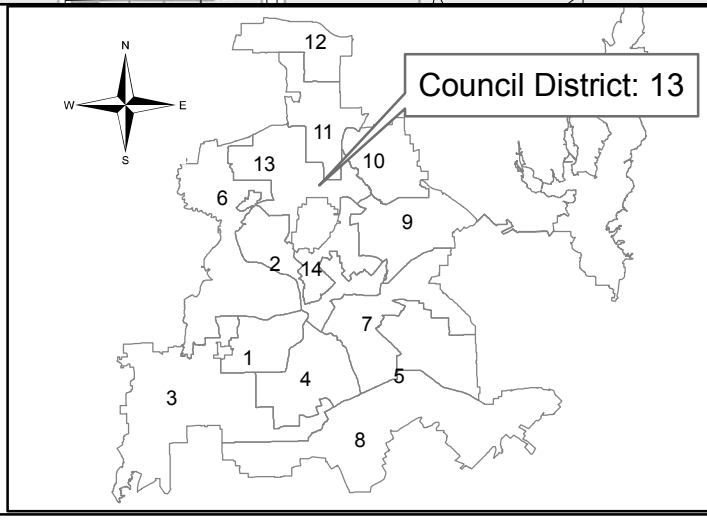


Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 4181



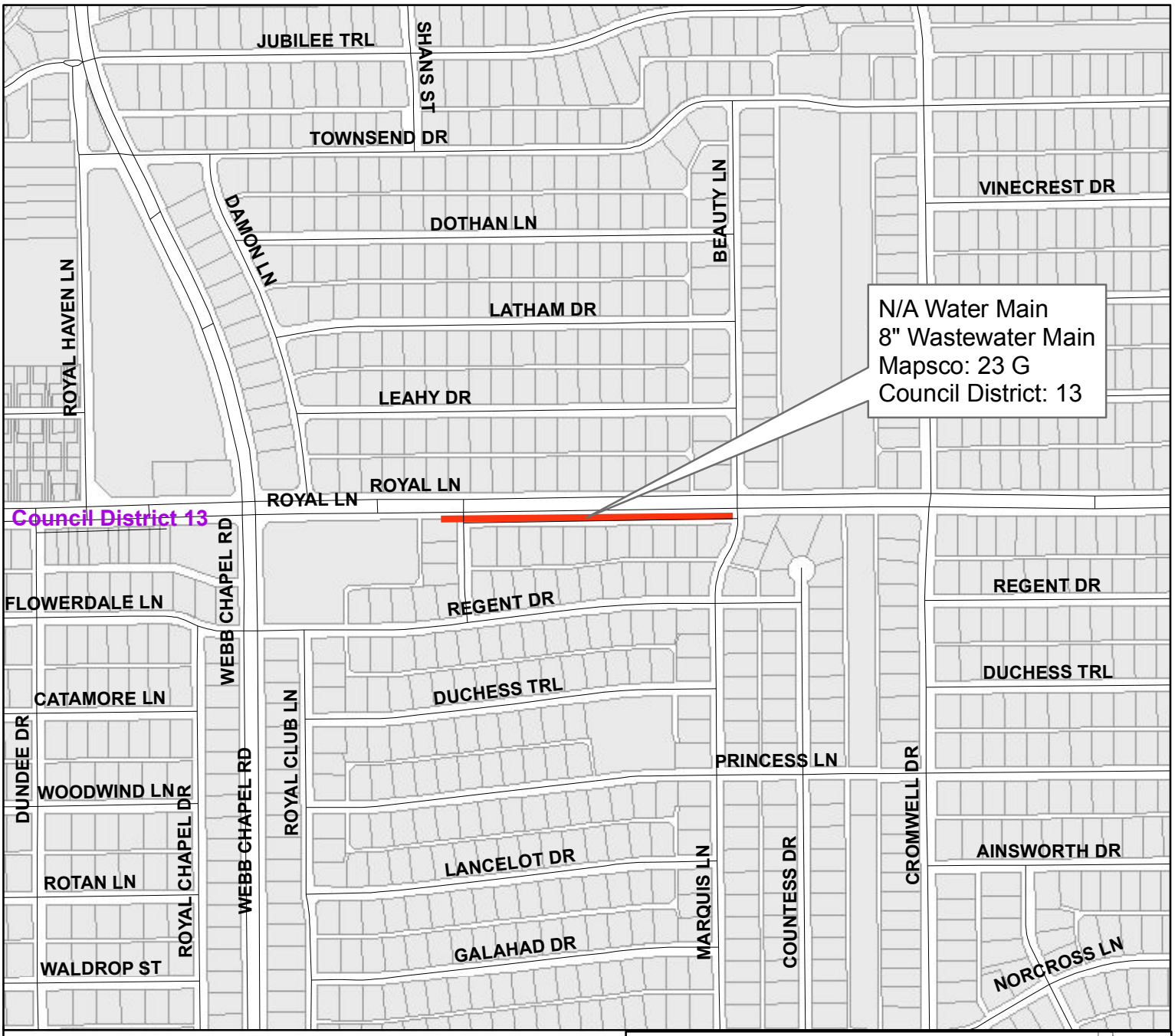
Prestonshire Lane
from Edgemere Road to Hillcrest Road



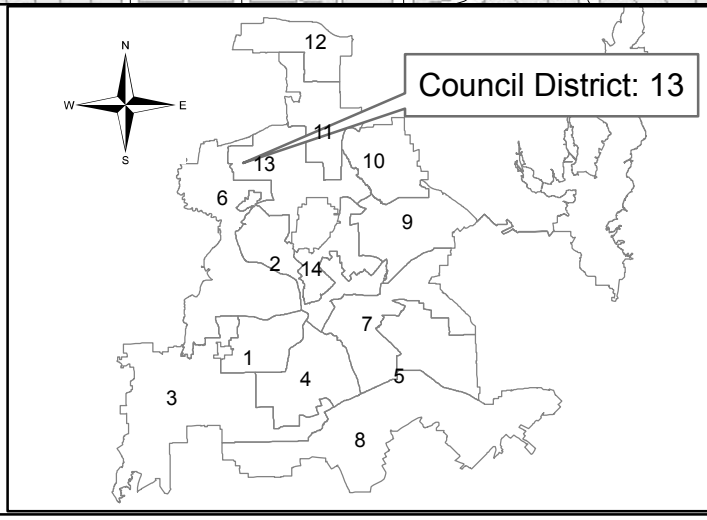
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5531

Segment 26 of 39



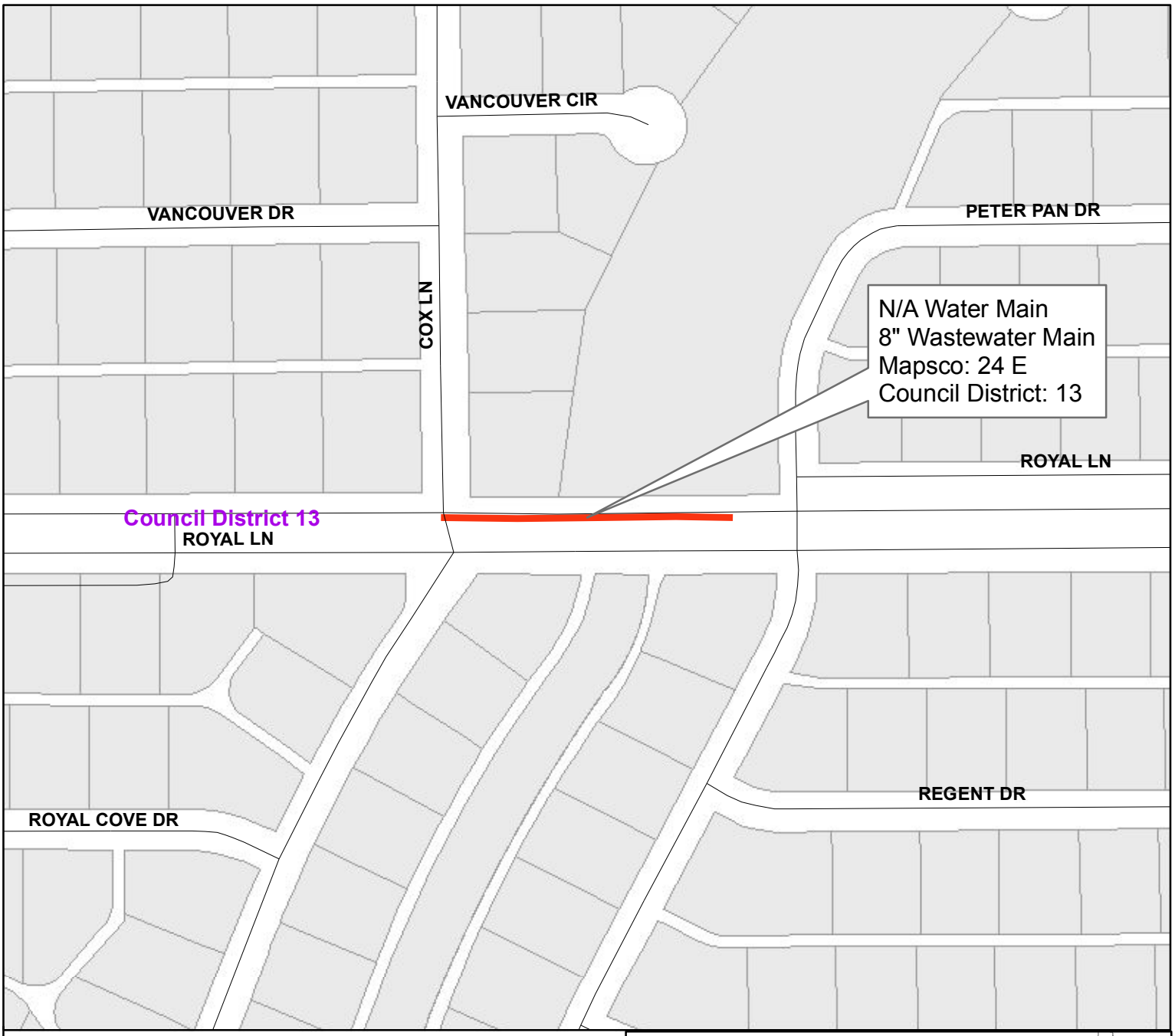
Royal Lane
from Marquis Lane west



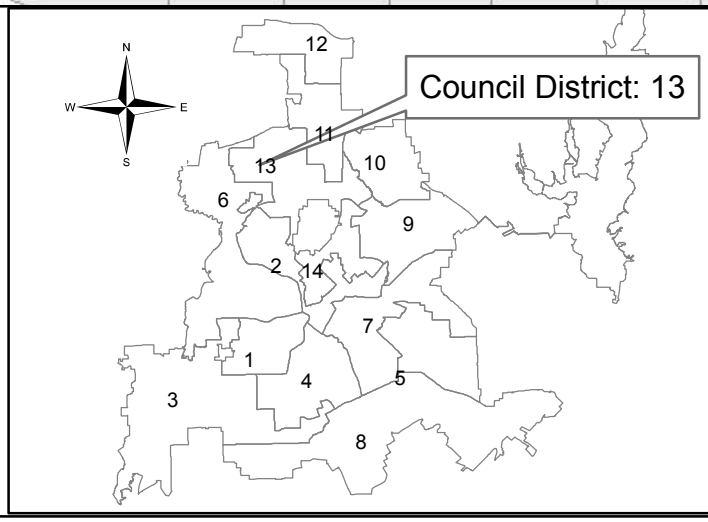
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5048

Segment 27 of 39



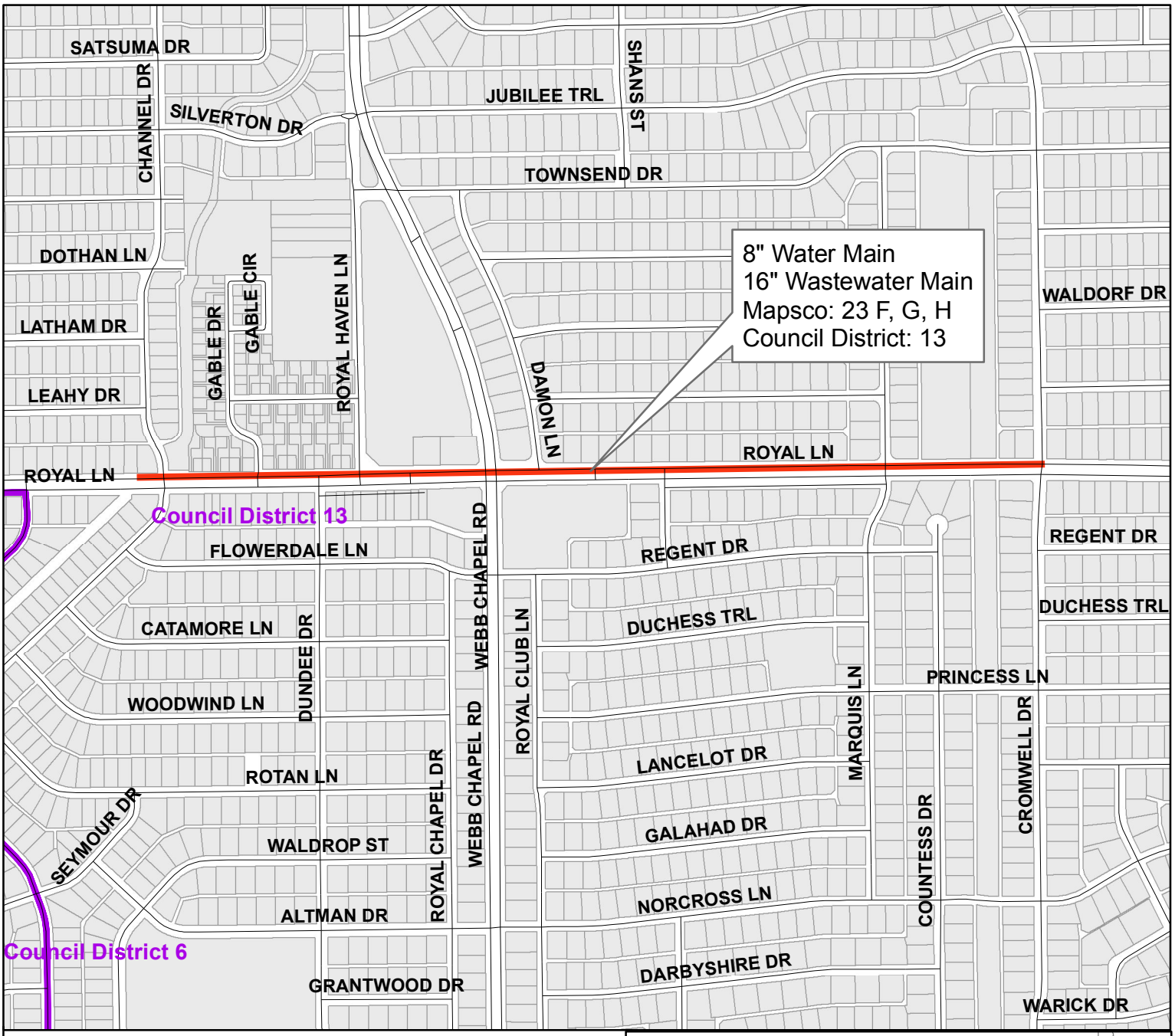
Royal Lane
from Cox Lane east



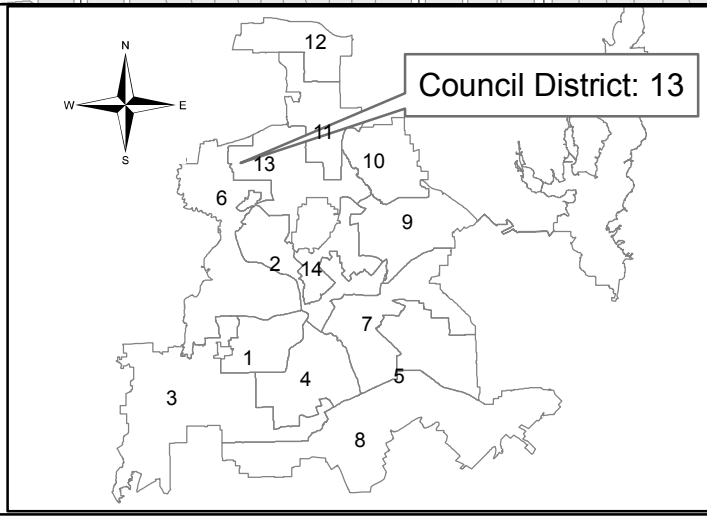
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 2534

Segment 28 of 39



Royal Lane
from Cromwell Drive west



Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

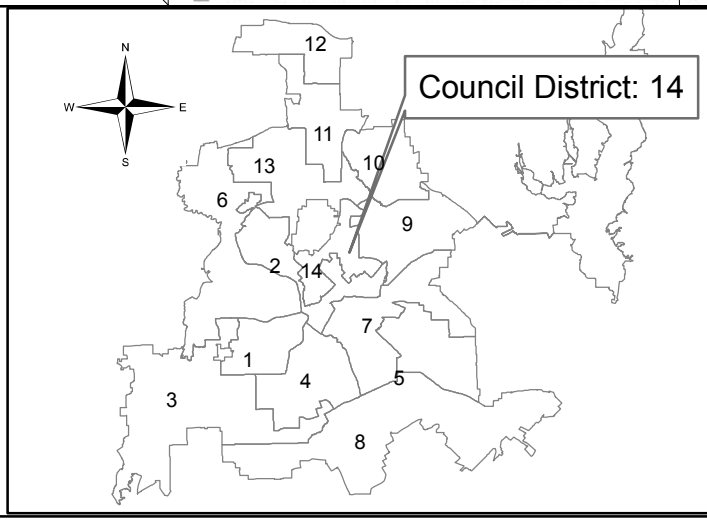
PID: 4616

Segment 29 of 39



Alley between Palo Pinto Avenue and Velasco Avenue

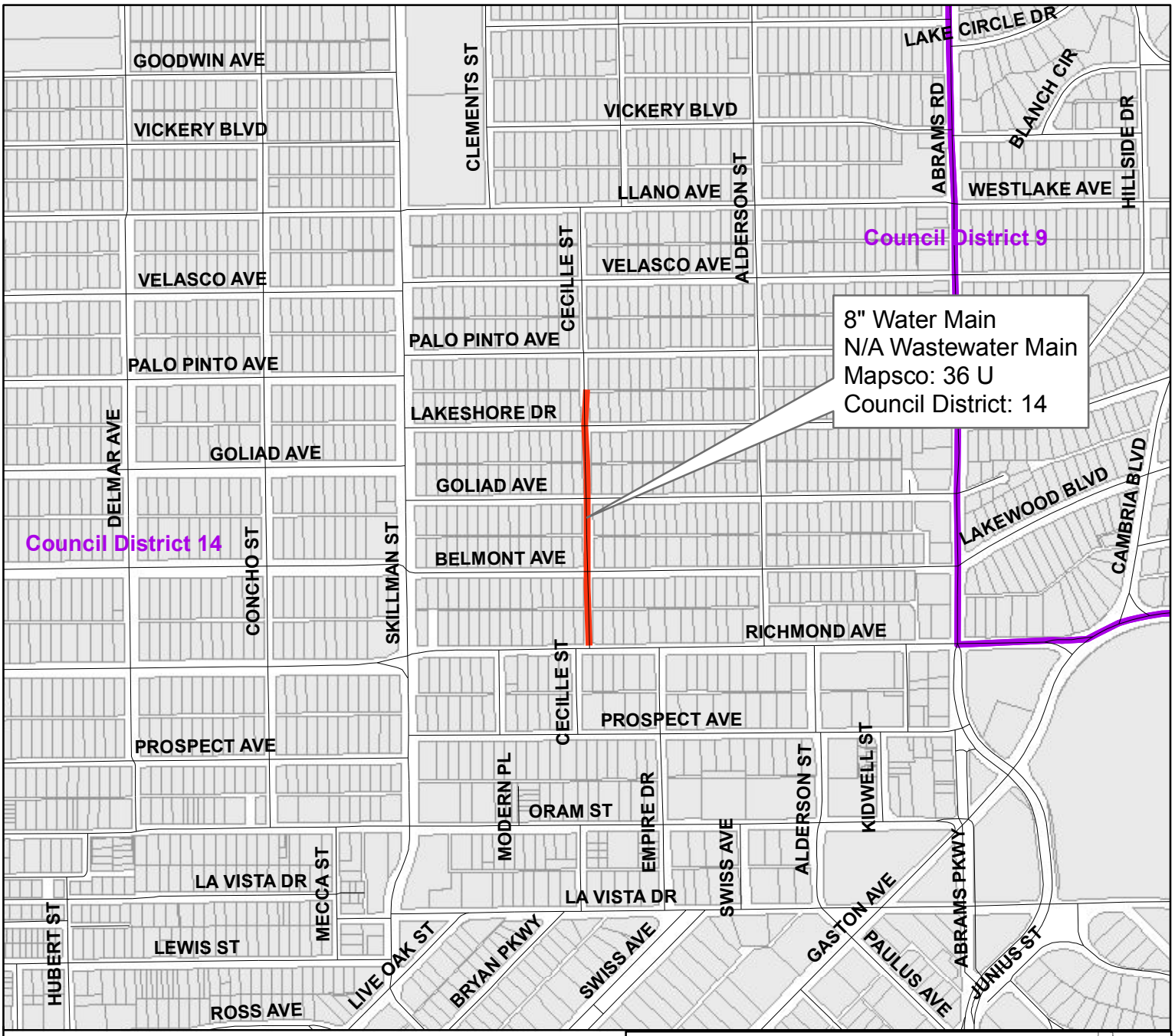
from Concho Street to Skillman Street



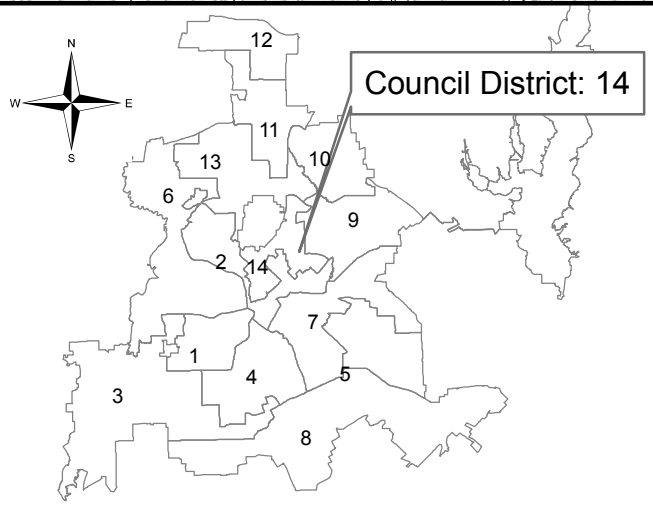
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3031

Segment 30 of 39



Cecille Street
from Richmond Avenue north



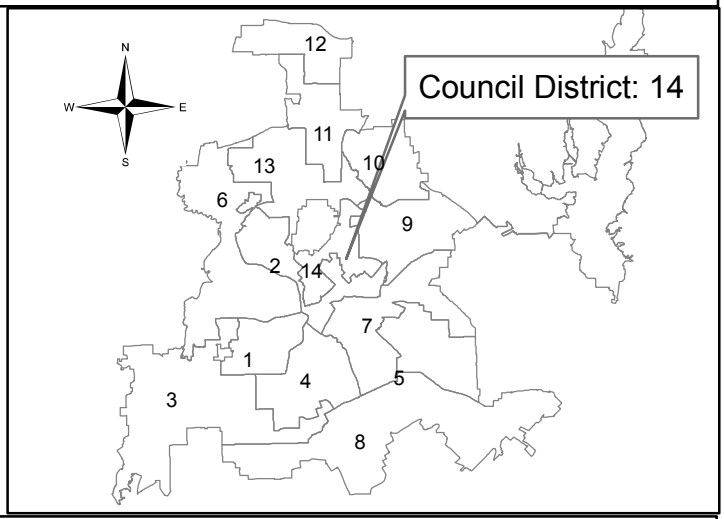
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3035

Segment 31 of 39



Delmar Avenue
from Prospect Avenue north



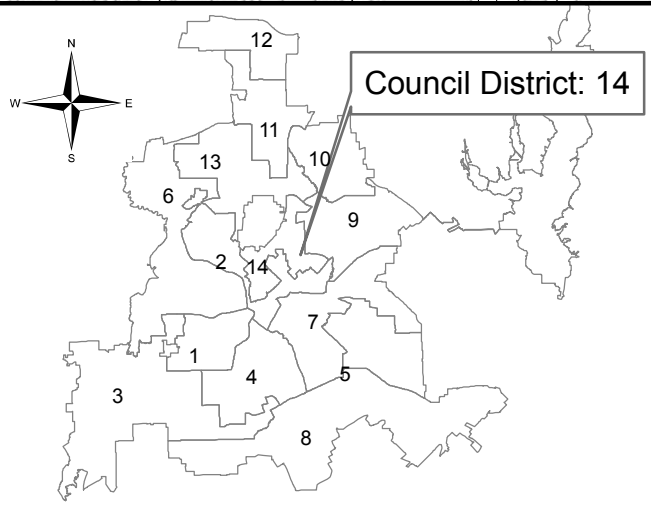
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3061

Segment 32 of 39



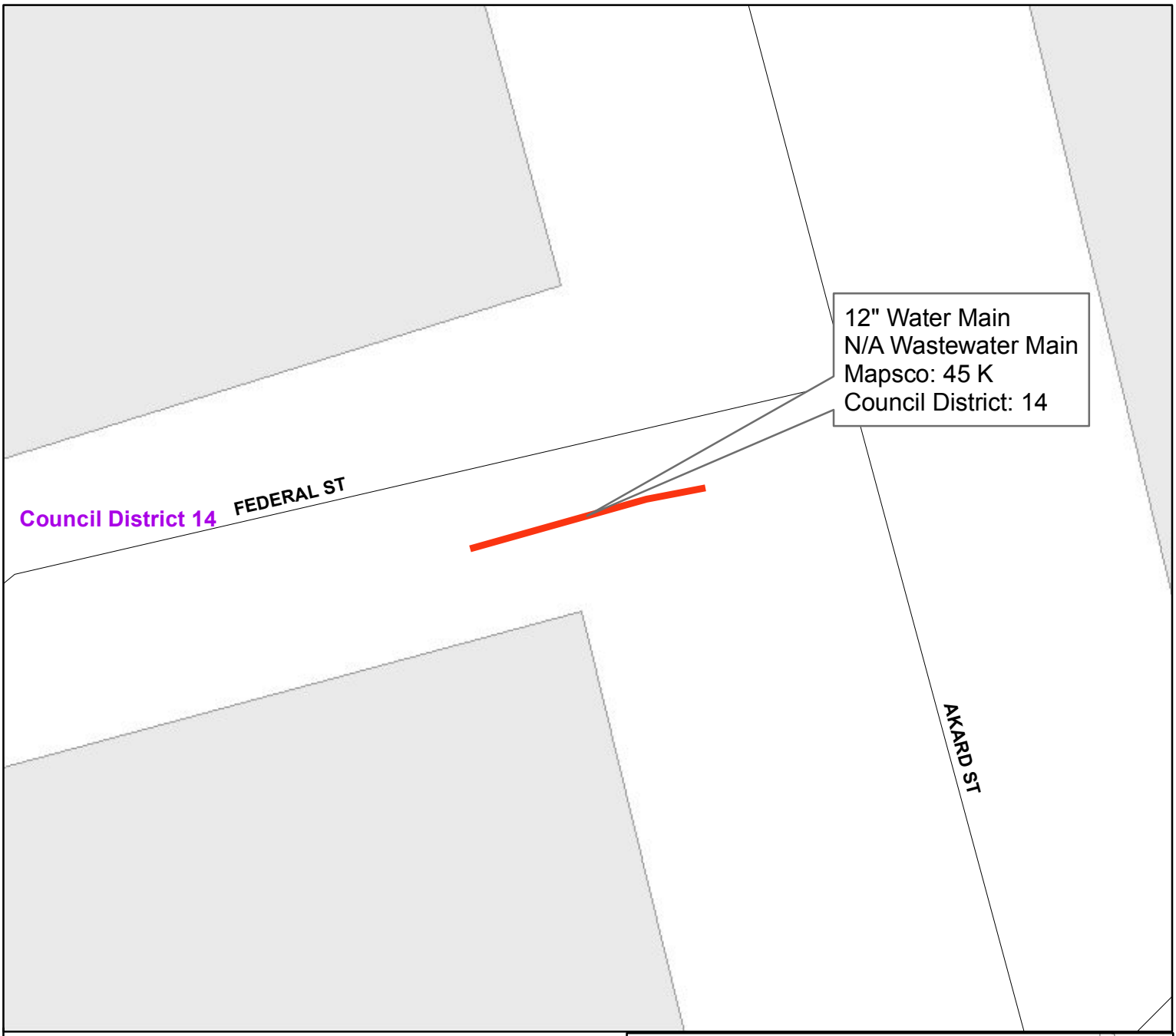
Empire Drive
from Richmond Avenue to Oram Street



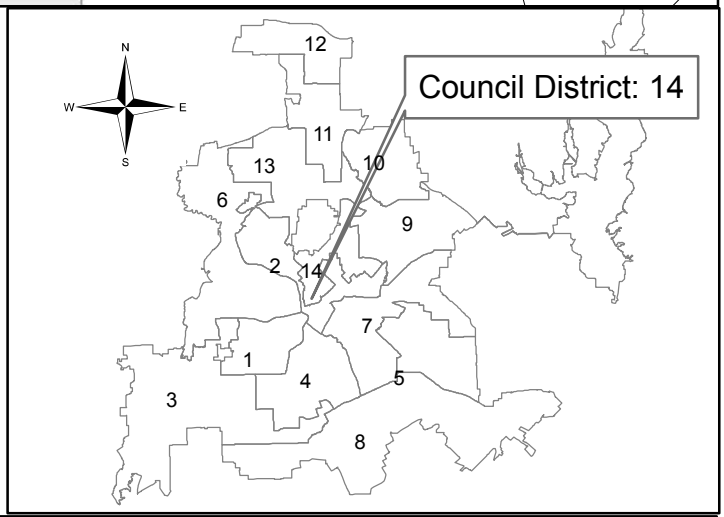
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3033

Segment 33 of 39



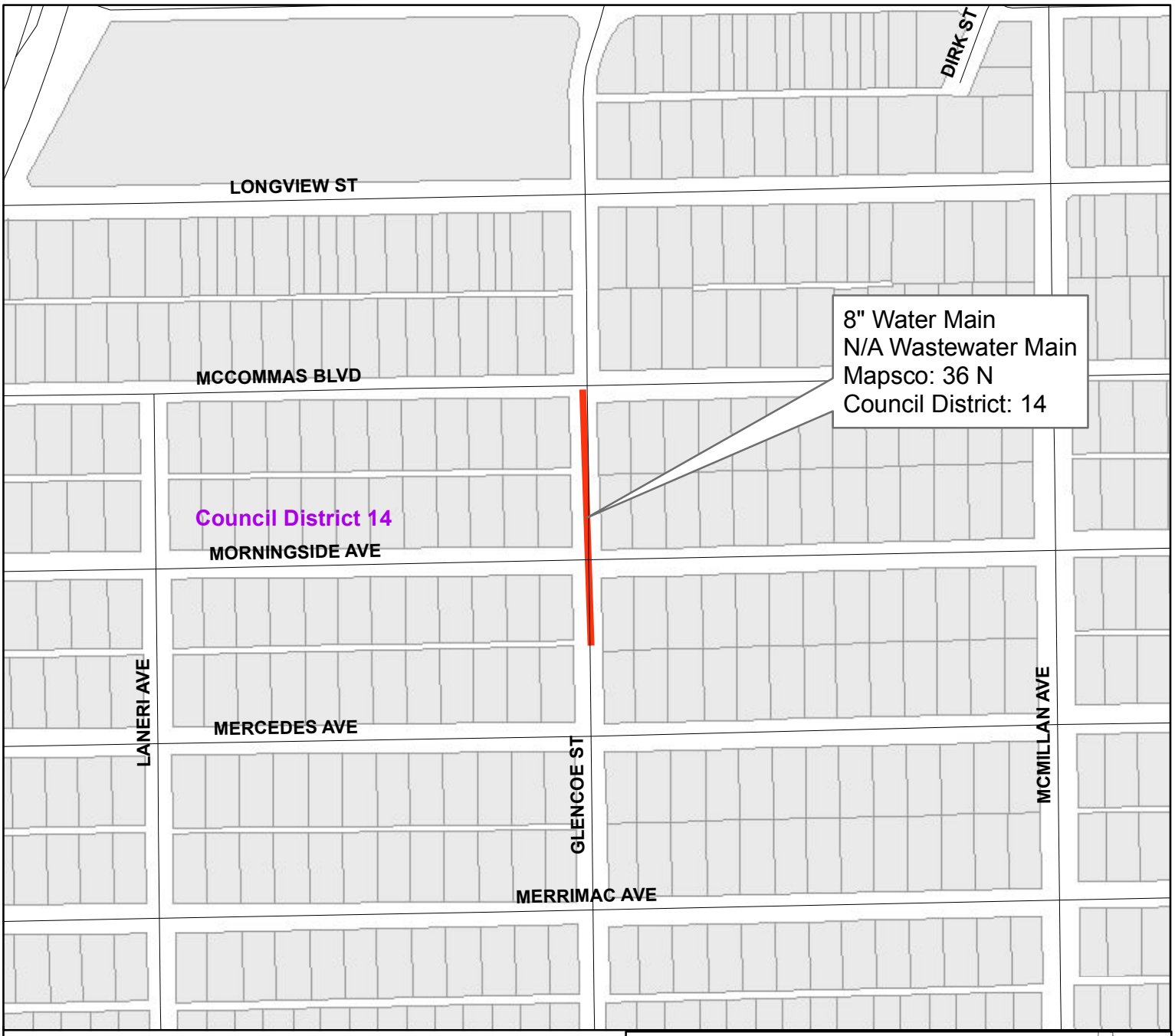
Federal Street
from Akard Street west



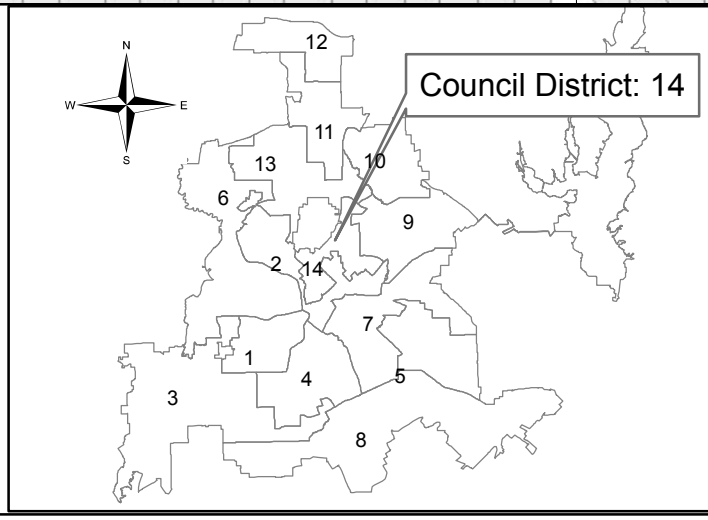
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5224

Segment 34 of 39



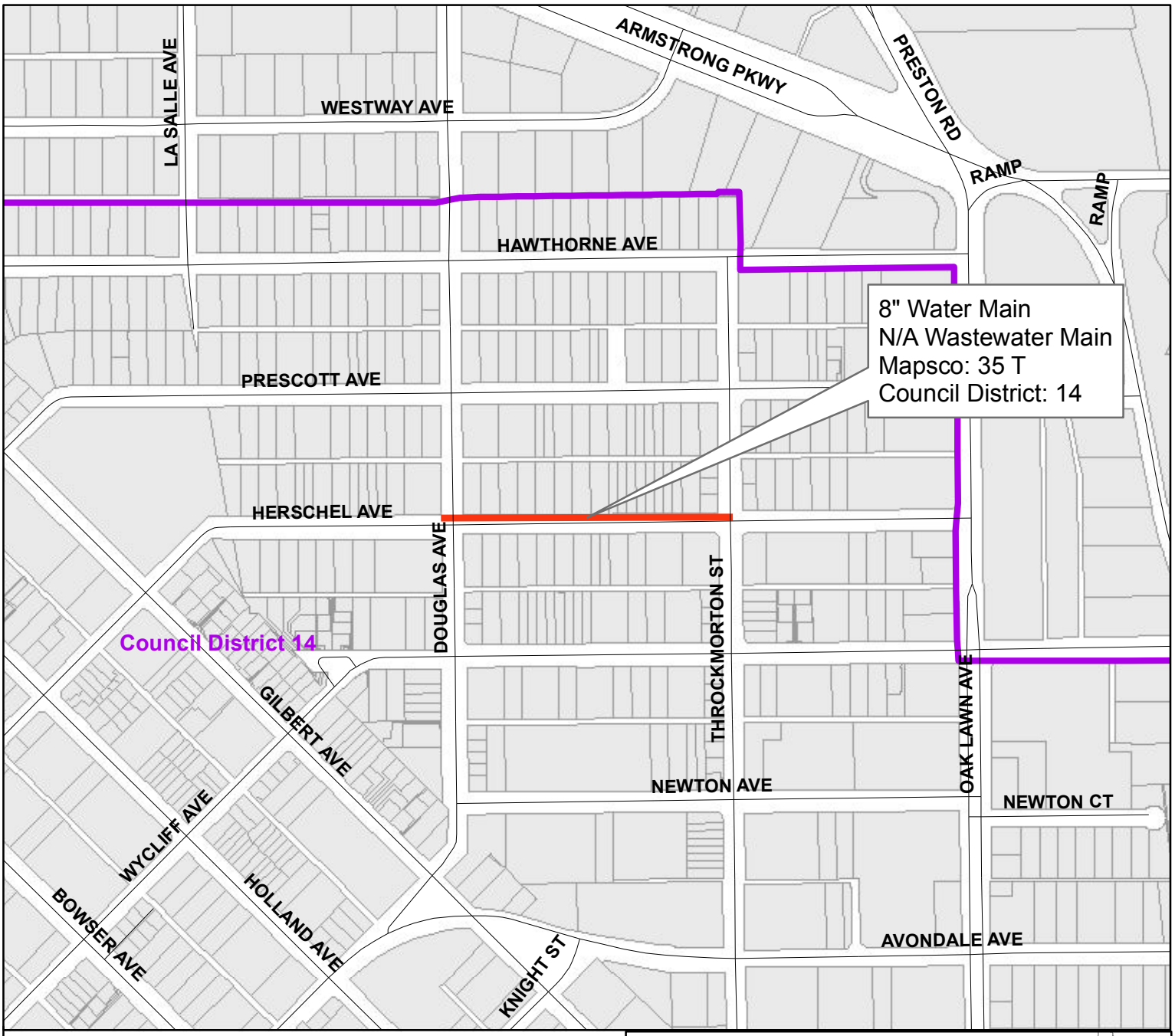
Glencoe Street
from McCommas Boulevard south



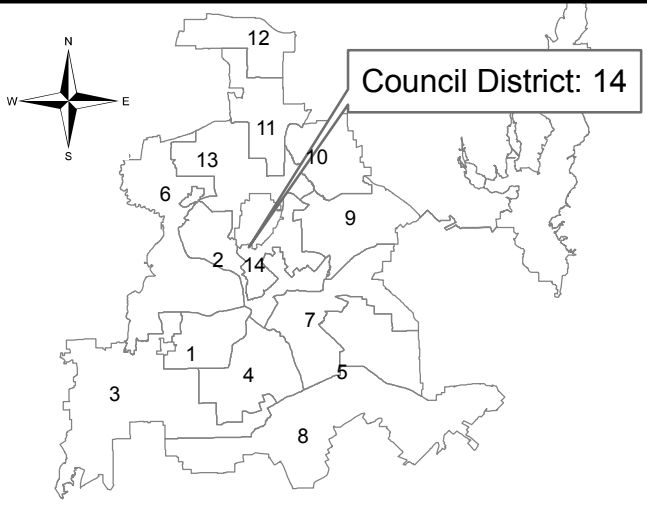
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5389

Segment 35 of 39



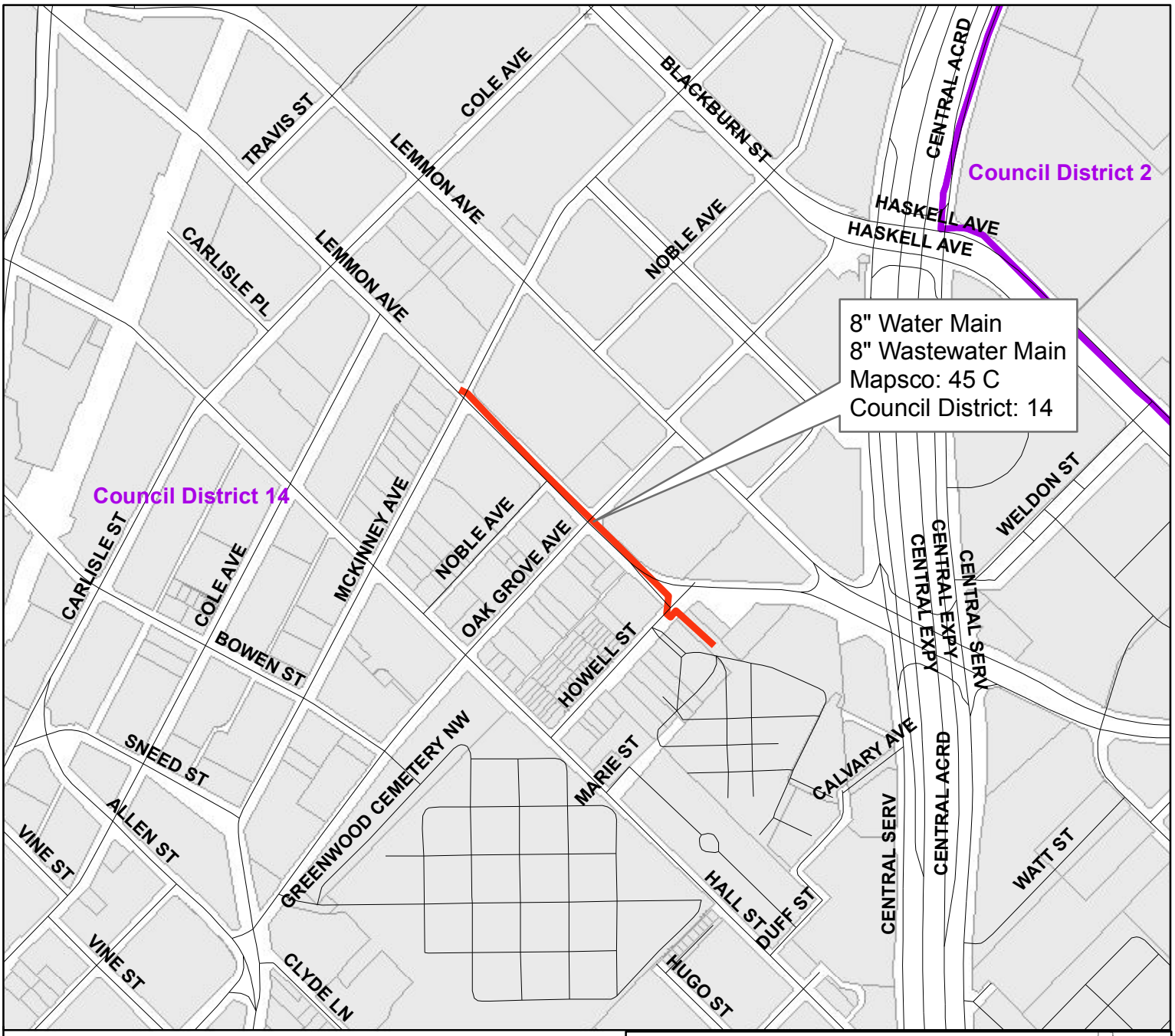
Herschel Avenue
from Douglas Avenue to Throckmorton Street



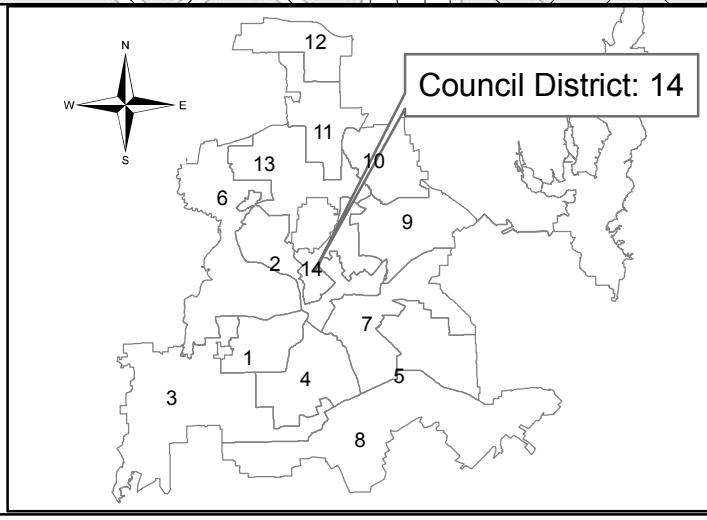
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 5662

Segment 36 of 39



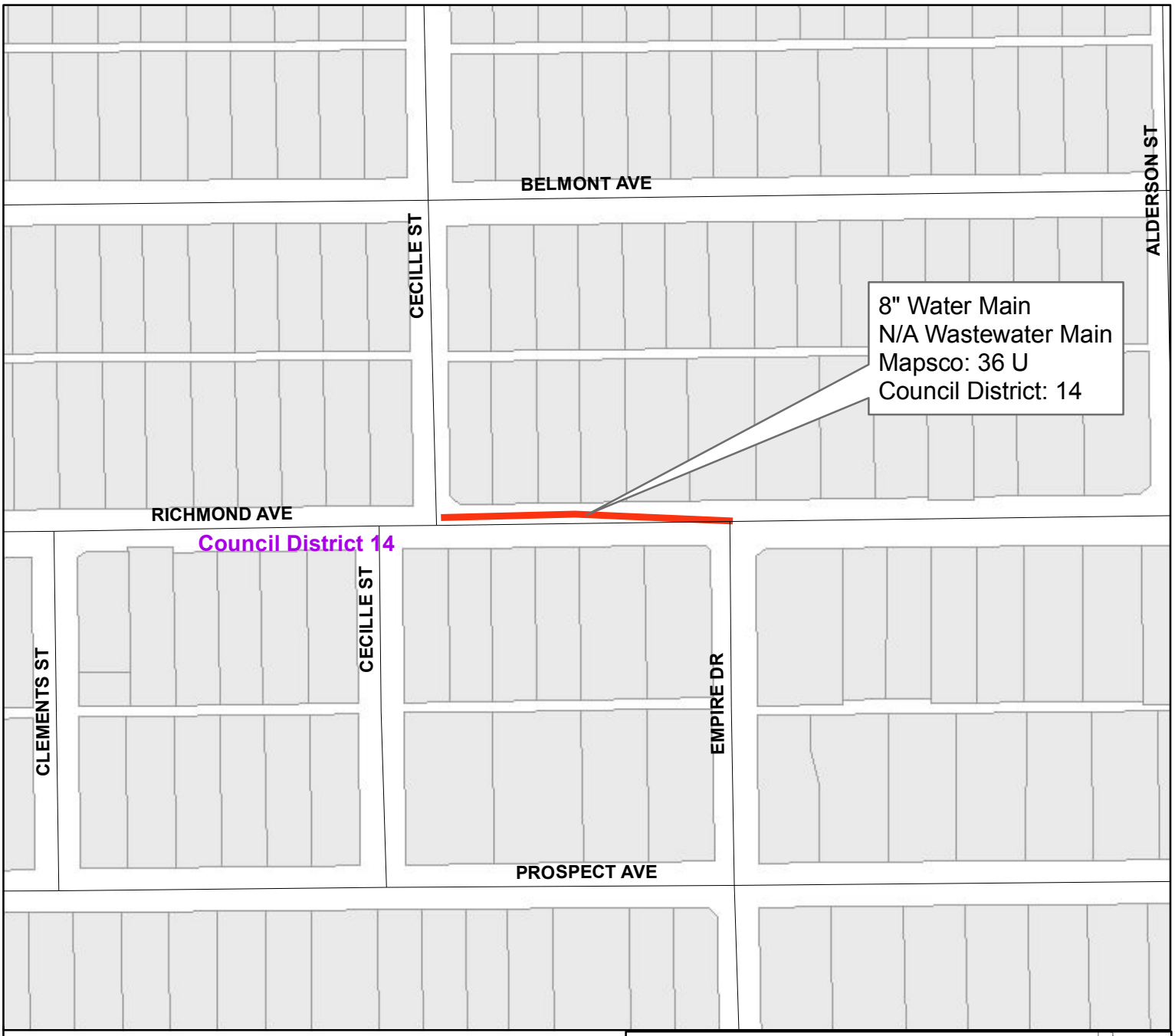
Lemmon Avenue
from McKinney Avenue southeast



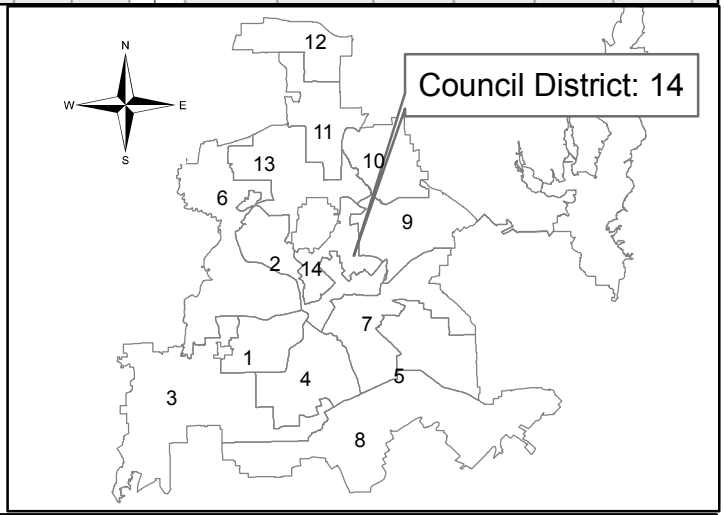
Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3103

Segment 37 of 39



Richmond Avenue
from Cecille Street to Empire Drive

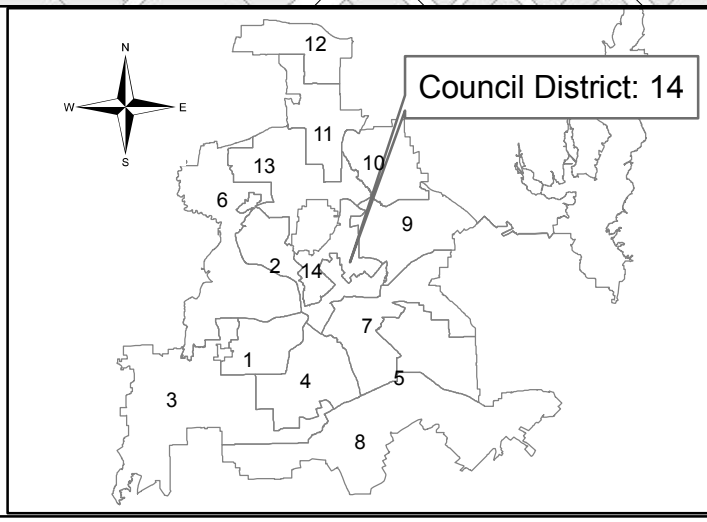


Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3034



Skillman Street
from Oram Street to Live Oak Street



Dallas Water Utilities
Contract No. 16-011/012
Water and Wastewater Main Installations
at 39 Locations

PID: 3062

Segment 39 of 39

May 25, 2016

WHEREAS, bids were received on February 19, 2016 for the installation of water and wastewater mains at 39 locations, Contract No. 16-011/012, listed as follows:

BIDDERS	**BID AMOUNT**
RKM Utility Services, Inc.	$15,471,589.50
Ark Contracting Services, LLC	$15,890,040.00
John Burns Construction Company of Texas, Inc.	$20,532,040.00
Atkins Bros. Equipment Co., Inc.	Non-responsive**

**Atkins Bros. Equipment Co., Inc. was deemed non-responsive for failure to submit required documents with bid proposal.

WHEREAS, the bid submitted by RKM Utility Services, Inc., 1805 Royal Lane, Suite 107, Dallas, Texas 75229, in the amount of $15,471,589.50, 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 RKM Utility Services, Inc., in the amount of $15,471,589.50, for doing the work covered by the plans, specifications, and contract documents, Contract No. 16-011/012, be accepted.

Section 2. That the City Manager is hereby authorized to execute a contract with RKM Utility Services, Inc., for the installation of water and wastewater mains at 39 locations, after approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $15,471,589.50 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
2115	DWU	PW40	4550	716011	CT-DWU716011CP	VS0000026242

RKM Utility Services, Inc. (Contract No. 16-011) - $12,002,627.50

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
2116	DWU	PS40	4560	716012	CT-DWU716012CP	VS0000026242

RKM Utility Services, Inc. (Contract No. 16-012) - $3,468,962.00

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

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 50A N S T

SUBJECT

Authorize a contract for the construction of biological filtration optimization improvements at the East Side Water Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of five - Not to exceed $24,904,983 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

In June 2006, DWU initiated a two-part study to investigate water quality concerns and provide recommendations to improve water quality and stability. The study and requisite testing confirmed that the treated water chemically changes as it moves through the water distribution system. As a result, the Water Quality Report recommended implementation of enhanced organic removal at all three water treatment plants to help improve the quality and stability of Dallas' water. This biological optimization project is the final construction project of three projects necessary to accomplish the conversion to the enhanced organic removal process at the Eastside Water Treatment Plant.

This item includes a new backwash pump station, chemical storage and chemical feed facilities. The new backwash pump station will allow the filters to be backwashed with non-chlorinated finished water to encourage biological activity in the filters. This item also includes new chemical storage and feed facilities that will enhance the removal of organics by the filters and improve the stability of the potable water by reducing chlorine demand in the finished water. Also included are the required electrical, instrumentation, and yard piping improvements for a complete and functioning facility.

With the completion of this construction project and the on-going flocculation and sedimentation basin improvements project, the implementation of enhanced organic removal at the Eastside Water Treatment Plant will be complete allowing the City of Dallas to treat and deliver better quality water to its customers.

BACKGROUND (Continued)

Oscar Renda Contracting, Inc. completed contractual activities in the past three years:

	PBW	DWU	PKR
Projects Authorized	0	2	0
Change Orders	0	4	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2014
Completed Design	October 2015
Begin Construction	June 2016
Complete Construction	June 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Black & Veatch Corporation to provide engineering services for the East Side Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1639.

Authorized Supplemental Agreement No. 1 to the professional services contract with Black and Veatch Corporation for additional engineering design services for the East Side Water Treatment Plant water quality improvements on June 22, 2011, by Resolution No. 11-1737.

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

Authorized Supplemental Agreement No. 2 to the professional services contract with Black and Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the East Side Water Treatment Plant on October 24, 2012, by Resolution No. 12-2673.

Authorized Supplemental Agreement No. 3 to the professional services contract with Black and Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the East Side Water Treatment Plant on September 10, 2014, by Resolution No. 14-1486.

Information about this item will be provided to the Transportation & Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

$24,904,983.00 - Water Utilities Capital Improvement Funds

Design	$ 2,047,315.00
Supplemental Agreement No. 1	$ 3,995,000.00
Supplemental Agreement No. 2	$ 4,175,570.00
Supplemental Agreement No. 3	$ 6,284,000.00
Supplemental Agreement No. 4	$ 2,910,000.00
Construction	
Filter to Waste Improvements	$21,970,756.00
Flocculation and Sedimentation Improvements	$79,259,374.00
Construction (this action)	$24,904,983.00
Total Project Cost	$145,546,998.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Oscar Renda Contracting, Inc.

Hispanic Female	4	Hispanic Male	341
Black Female	1	Black Male	17
Other Female	0	Other Male	0
White Female	13	White Male	127

BID INFORMATION

The following bids with quotes were opened on January 29, 2016:

*Denotes successful bidder

Bidders	Bid Amount
*Oscar Renda Contracting, Inc. 608 Henrietta Creek Road Roanoke, Texas 76262	$24,904,983.00
Webber-Cadagua Partners	$27,996,900.00
MWH Constructors, Inc.	$28,042,000.00
Archer Western Construction, LLC	$28,477,700.00
BAR Constructors, Inc.	$29,023,100.00

OWNER

Oscar Renda Contracting, Inc.

Frank Renda, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of biological filtration optimization improvements at the East Side Water Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of five - Not to exceed $24,904,983 - Financing: Water Utilities Capital Improvement Funds

Oscar Renda Contracting, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$1,295,689.00	5.20%
Total non-local contracts	$23,609,294.00	94.80%
TOTAL CONTRACT	$24,904,983.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Romero Steel, Inc.	HMMB63034N0916	$451,000.00	34.81%
Father & Son Masonry	HMMB64718N0417	$449,600.00	34.70%
Garland Heating & Air Conditioning	HMMB64114Y0217	$296,000.00	22.84%
Ram Tool & Supply	WFWB61372N0416	$70,000.00	5.40%
Champion Life Safety Solutions LLC	WFWB62880Y0816	$29,089.00	2.25%
Total Minority - Local		$1,295,689.00	100.00%

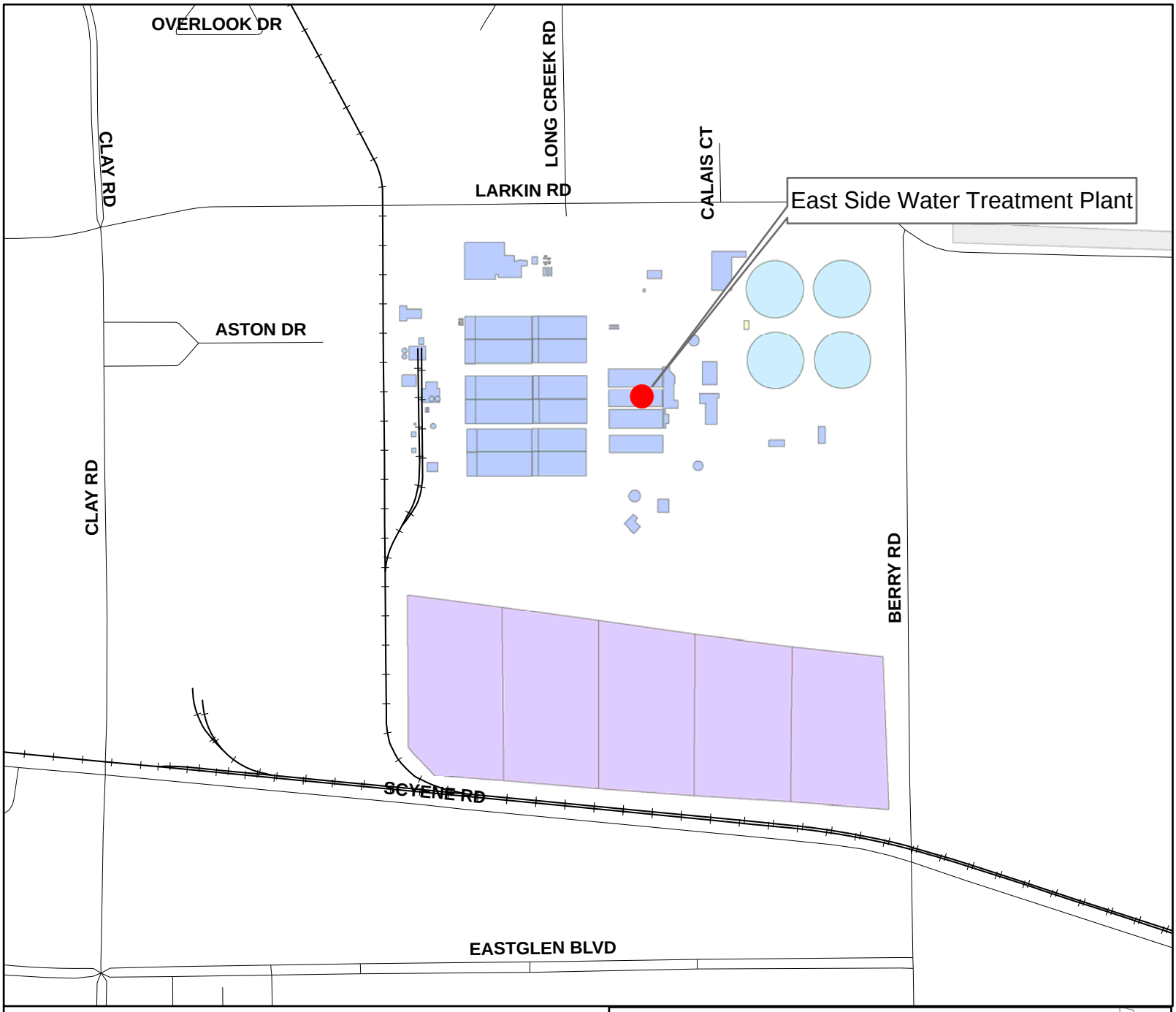
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Luis Moreno Trucking	HMDB33385Y0117	$100,000.00	0.42%
LKT & Associates, LLC	WFDB26473Y1016	$3,821,000.00	16.18%
Cody Builders Supply, Inc.	WFDB3323120218	$634,878.00	2.69%
Ricochet Fuel Distributors, Inc.	WFWB63913Y0117	$400,000.00	1.69%
ANA Consultants, Inc.	WFDB57431Y0516	$10,000.00	0.04%
Total Minority - Non-local		$4,965,878.00	21.03%

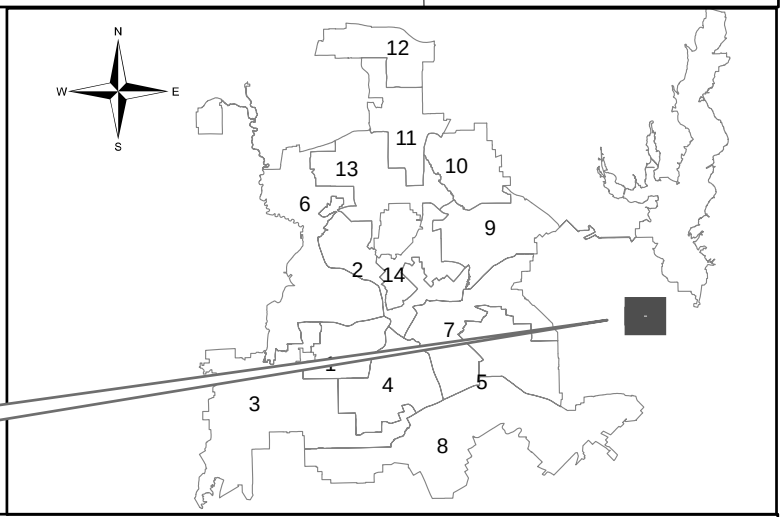
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
Page 2

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$1,196,600.00	92.35%	$1,296,600.00	5.21%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$99,089.00	7.65%	$4,964,967.00	19.94%
Total	$1,295,689.00	100.00%	$6,261,567.00	25.14%



Mapsco: 50A N S T



Council District: Outside City Limits

Dallas Water Utilities
Contract No. 16-025
East Side Water Treatment Plant
Biological Filtration Optimization Improvements

May 25, 2016

WHEREAS, bids were received on January 29, 2016 for the construction of biological filtration optimization improvements at the East Side Water Treatment Plant, Contract No. 16-025, listed as follows:

BIDDERS	**BID AMOUNT**
Oscar Renda Contracting, Inc.	$24,904,983.00
Webber-Cadagua Partners	$27,996,900.00
MWH Constructors, Inc.	$28,042,000.00
Archer Western Construction, LLC	$28,477,700.00
BAR Constructors, Inc.	$29,023,100.00

WHEREAS, the bid submitted by Oscar Renda Contracting, Inc., 608 Henrietta Creek Road, Roanoke, Texas 76262, in the amount of $24,904,983.00, is the lowest and best of all bids received.

Now, Therefore,

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

Section 1. That the bid submitted by Oscar Renda Contracting, Inc., in the amount of $24,904,983.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 16-025, be accepted.

Section 2. That the City Manager is hereby authorized to execute a contract with Oscar Renda Contracting, Inc., for the construction of biological filtration optimization improvements at the East Side Water Treatment Plant, after approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $24,904,983.00 from the Water Capital Improvement Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3115	DWU	PW32	4320	716025	CT-DWU716025CP	244607

Oscar Renda Contracting, Inc. - (Contract No. 16-025) - $24,904,983.00

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

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 50A N S T

SUBJECT

Authorize Supplemental Agreement No. 4 to the professional services contract with Black & Veatch Corporation to provide additional construction phase services for water quality improvements at the East Side Water Treatment Plant - Not to exceed $2,910,000, from $16,501,885 to $19,411,885 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

In June 2006, DWU initiated a two-part study to investigate water quality concerns and provide recommendations to improve water quality and stability. The study and requisite testing confirmed that the treated water chemically changes as it moves through the water distribution system. As a result, the Water Quality Report recommended implementation of enhanced organic removal at all three water treatment plants to help improve the quality and stability of Dallas' water.

This action includes construction phase services for the concurrently awarded Biological Filtration Optimization improvements project at the Eastside Water Treatment Plant. This action also includes additional construction phase services required to complete the flocculation and sedimentation basin improvements project awarded by Council on September 10, 2014. These construction phase services include project coordination meetings, site visits, shop drawing reviews, development of operations and maintenance manuals, equipment performance witness testing, and start-up assistance.

With the completion of this supplemental agreement and related construction projects, the implementation of enhanced organic removal at the Eastside Water Treatment Plant will be complete allowing the City of Dallas to treat and deliver better quality water to its customers.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction Phase Services June 2016
Complete Construction Phase Services September 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Black & Veatch Corporation to provide engineering services for the East Side Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1639.

Authorized Supplemental Agreement No. 1 to the professional services contract with Black & Veatch Corporation for additional engineering design services for the East Side Water Treatment Plant water quality improvements on June 22, 2011, by Resolution No. 11-1737.

Authorized Supplemental Agreement No. 2 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the East Side Water Treatment Plant on October 24, 2012, by Resolution No. 12-2673.

Authorized Supplemental Agreement No. 3 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the East Side Water Treatment Plant on September 10, 2014, by Resolution No. 14-1486.

Information about this item will be provided to the Transportation & Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

$2,910,000.00 - Water Utilities Capital Improvement Funds

Design	$ 2,047,315.00
Supplemental Agreement No. 1	$ 3,995,000.00
Supplemental Agreement No. 2	$ 4,175,570.00
Supplemental Agreement No. 3	$ 6,284,000.00
Supplemental Agreement No. 4 (this action)	$ 2,910,000.00
Construction	
Filter to Waste Improvements	$21,970,756.00
Flocculation and Sedimentation Improvements	$79,259,374.00
Biological Filtration Improvements	$24,904,983.00
Total Design/Construction Cost	$145,546,998.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Black & Veatch Corporation

Hispanic Female	1	Hispanic Male	4
Black Female	2	Black Male	1
Other Female	0	Other Male	0
White Female	6	White Male	19

OWNER

Black & Veatch Corporation

Steve Edwards, Chairman, President, and Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 4 to the professional services contract with Black & Veatch Corporation to provide additional construction phase services for water quality improvements at the East Side Water Treatment Plant - Not to exceed $2,910,000, from $16,501,885 to $19,411,885 - Financing: Water Utilities Capital Improvement Funds

Black & Veatch Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$2,864,078.00	98.42%
Non-local contracts	$45,922.00	1.58%
TOTAL THIS ACTION	$2,910,000.00	100.00%

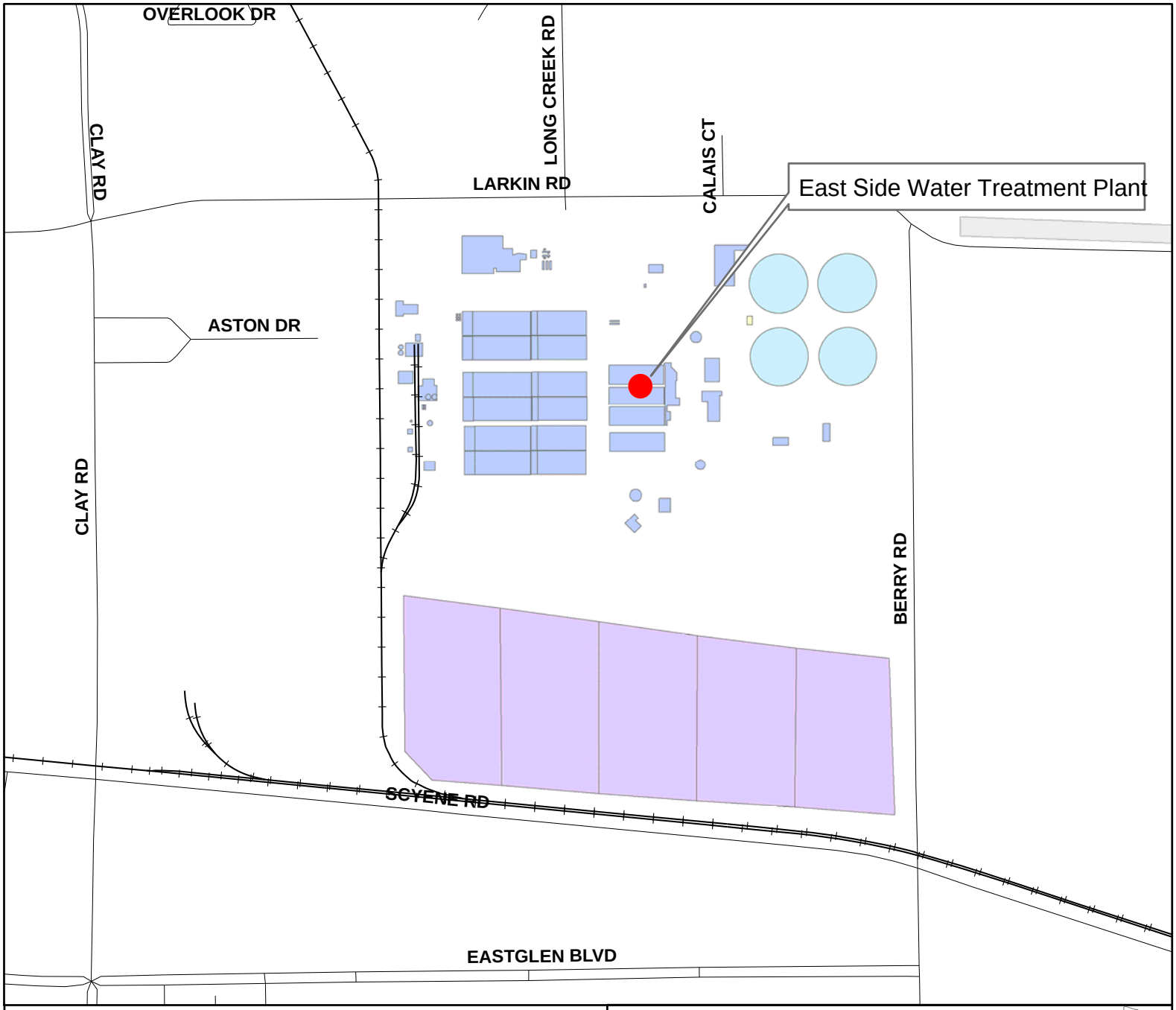
LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
JQ Infrastructure, LLC	IMDB80158Y0716	$161,980.00	5.66%
Gupta & Associates, Inc.	PMMB62419Y0716	$537,116.00	18.75%
Texas Design Professionals, LLC	WFWB61968N0516	$66,000.00	2.30%
Total Minority - Local		$765,096.00	26.71%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
DFWCZ, LLC	HMDFW113980816	$8,300.00	18.07%
Inventive Concepts, Inc.	WFDB50421Y0516	$37,622.00	81.93%
Total Minority - Non-local		$45,922.00	100.00%



Mapsco: 50A N S T



Council District: Outside City Limits

Dallas Water Utilities
Contract No. 10-031E, Supplemental Agreement No. 4
East Side Water Treatment Plant
Water Quality Improvements

May 25, 2016

WHEREAS, on June 23, 2010, the City Council awarded Contract No. 10-031E in the amount of $2,047,315.00, by Resolution No. 10-1639, to Black & Veatch Corporation, to provide engineering services for the East Side Water Treatment Plant water quality improvements; and,

WHEREAS, on June 22, 2011, the City Council awarded Supplemental Agreement No. 1, in the amount of $3,995,000.00, by Resolution No. 11-1737, to Black & Veatch Corporation, for additional engineering design services for the East Side Water Treatment Plant water quality improvements; and,

WHEREAS, on October 24, 2012, the City Council awarded Supplemental Agreement No. 2, in the amount of $4,175,570.00, by Resolution No. 12-2673, to Black & Veatch Corporation, for additional engineering design, bid phase, and construction phase services for water quality improvements at the East Side Water Treatment Plant; and,

WHEREAS, on September 10, 2014, the City Council awarded Supplemental Agreement No. 3, in the amount of $6,284,000.00, by Resolution No. 14-1486, to Black & Veatch Corporation, for additional engineering design, bid phase, and construction phase services for water quality improvements at the East Side Water Treatment Plant; and,

WHEREAS, additional construction phase services are required for water quality improvements at the Eastside Water Treatment Plant; and,

WHEREAS, Black & Veatch Corporation, 5400 441 LBJ Freeway, Suite 975, Dallas, Texas 75240, has submitted an acceptable proposal to provide these engineering services; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 10-031E be increased by $2,910,000.00, from $16,501,885.00 to $19,411,885.00.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 4 be accepted and that Contract No. 10-031E with Black & Veatch Corporation, be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,910,000.00 from the Water Capital Improvement Fund as follows:

May 25, 2016

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
3115	DWU	PW32	4111	710031	CT-DWU710031CP	089539

Black & Veatch Corporation - (Contract No. 10-031E) - $2,910,000.00

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.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$500,270.00	2.58%
Hispanic American	$8,300.00	0.29%	$153,204.67	0.79%
Asian American	$699,096.00	24.02%	$3,409,161.00	17.56%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$103,622.00	3.56%	$1,634,717.00	8.42%
Total	$811,018.00	27.87%	$5,697,352.67	29.35%

AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Mayor and City Council

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

A resolution naming the Lamar-McKinney Bridge (also known as the Continental Avenue Bridge) in honor of former Dallas Assistant City Attorney, Dallas Mayor, and United States Trade Representative, Ronald Kirk - Financing: No cost consideration to the City

BACKGROUND

Ronald Kirk, a former United States Trade Representative appointed by President Barack Obama and confirmed by the United States Senate in 2009, was responsible for the development and oversight of United States trade policy, including strategy, negotiation, and implementation and enforcement of multilateral, regional/bilateral, and sector specific trade agreements. He successfully negotiated to conclusion and congressional passage, trade agreements with Columbia, Panama, and Korea, as well as Russia's entry in the World Trade Organization. He was responsible for United States trade policy involving agriculture, industry, services and investment, intellectual property, environment, labor, and development and preference programs.

Mr. Kirk has served in the public and private sector for over 30 years, drawing on diverse legislative and economic experience at the local, state, and federal levels.

Ronald Kirk was born and raised in Austin, Texas. He holds a Bachelor of Arts in political science and sociology from Austin College in Sherman, Texas. He received his law degree from the University of Texas in Austin in 1979. He also received an honorary Humane Degree from Austin College and the Mickey Leland Leadership Award from Texas Southern University.

Ronald Kirk has served our country, our state, and the City of Dallas in various positions. He was appointed by Governor Ann Richards to serve as the Texas State Secretary. Mr. Kirk also served as Chair of the Texas General Service Commission and was a legislative aide to U.S. Senator Lloyd Benson.

BACKGROUND (Continued)

Ronald Kirk served as the Dallas Assistant City Attorney from 1983 to 1989 and was elected the first African-American Mayor of Dallas in 1995, serving in that office until 2001. During his leadership as Mayor, the City successfully passed the 1998 Bond Program, which included one of Dallas' largest public works projects, the Trinity River Corridor Project. In 1999, the City of Dallas broke ground on construction of the American Airlines Center, a project championed by Mayor Kirk while in office. He was instrumental in the establishment of Mountain Creek Park, as well as Pinnacle Park. Mayor Kirk was at the forefront of the very beginning of the restoration of Downtown Dallas. He passed seven budgets that focused on the critical needs of the City while maintaining and even lowering taxes.

Mr. Kirk is currently a Trustee for Austin College and the University of Texas Law School Foundation, as well as the Advisory Commission for the Center for American Progress.

The City of Dallas wishes to acknowledge and thank Ronald Kirk for his contributions to the United States, State of Texas, and City of Dallas by naming the Lamar-McKinney Bridge (also known as the Continental Avenue Bridge) the Ronald Kirk Bridge in his honor.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

No cost consideration to the City.

May 25, 2016

WHEREAS, in 2009, President Barak Obama nominated, and the United States Senate confirmed, Ronald Kirk to serve as the 16th United States Trade Representative; and

WHEREAS, during his tenure as the United States Trade Representative, Ronald Kirk served as the President's principal trade advisor, negotiator, and spokesperson; and

WHEREAS, Ronald Kirk was in charge of development and oversight of United States trade policy, including strategy, negotiation, and implementation and enforcement of multilateral, regional/bilateral, and sector-specific trade agreements; and

WHEREAS, Ronald Kirk successfully negotiated to conclusion and congressional passage trade agreements with Columbia, Panama, and Korea, as well as Russia's entry in the World Trade Organization; and

WHEREAS, Ronald Kirk served as a City of Dallas Assistant City Attorney from 1983 to 1989; and

WHEREAS, Ronald Kirk was elected the first African American Mayor of Dallas, and served as Mayor from 1995 to 2001, earning a reputation for bringing together diverse coalitions; and

WHEREAS, Governor Ann Richards appointed Ronald Kirk to serve as Texas Secretary of State; and

WHEREAS, Ronald Kirk also served as a legislative aide to United States Senator Lloyd Bentsen and Chair of the Texas General Service Commission; and

WHEREAS, Ronald Kirk has worked tirelessly to promote substantial improvements for the City of Dallas, including contributing to the revitalization of Victory Park, Central Business District, Trinity River Corridor, and he has improved regional mobility through successful efforts with Dallas Area Rapid Transit; and

WHEREAS, Ronald Kirk has dedicated more than 30 years to public service, working from a background of diverse legislative and economic experience on the local, state, and federal levels, championing local governments; and

WHEREAS, Ronald Kirk has unselfishly given his time and efforts to further the interests of the United States, State of Texas, City of Dallas and its citizens; and

WHEREAS, Ronald Kirk's legacy of achievements internationally, nationally, regionally, and locally in Dallas will be enjoyed and appreciated for generations to come; and

May 25, 2016

WHEREAS, the City of Dallas gives thanks to Ronald Kirk for his years of public service and his dedication to the City of Dallas, State of Texas and the United States.

NOW, THEREFORE,

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

Section 1. That the Lamar-McKinney Bridge (also known as the Continental Avenue Bridge) is to be named in honor of Ronald Kirk.

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

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction
Public Works Department

CMO: Ryan S. Evans, 671-9837
Jill A. Jordan, P.E., 670-5299

MAPSCO: 55H

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Carol Arriaga a/k/a Caroline Arriaga, of approximately 6,000 square feet of land improved with a single-family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights City Service and Maintenance Facilities Project - Not to exceed $23,500 ($21,500, plus closing costs and title expenses not to exceed $2,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 6,000 square feet of land improved with a single-family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights City Service and Maintenance Facilities Project. The use of eminent domain is being pursued because the subject property is encumbered with title issues preventing the issuance of a title policy. The consideration is based on an independent appraisal. The relocation benefits are estimated to be $62,000.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on May 16, 2016.

FISCAL INFORMATION

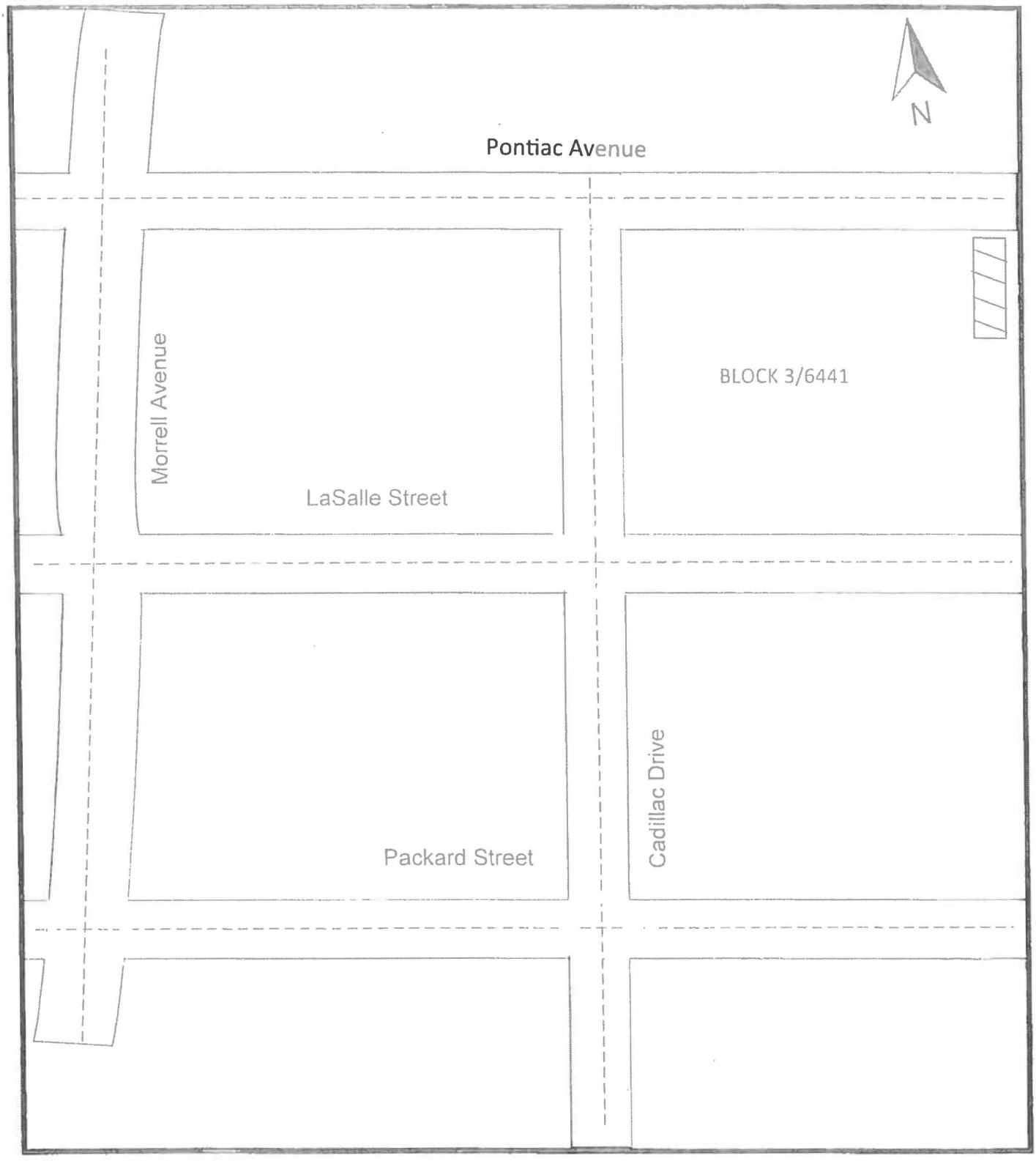
2006 Bond Funds - $23,500 ($21,500, plus closing costs and title expenses not to exceed $2,000)

OWNER

Carol Arriaga a/k/a Caroline Arriaga

MAP

Attached


N
Pontiac Avenue
Morrell Avenue
LaSalle Street
BLOCK 3/6441
Packard Street
Cadillac Drive

SUBJECT:

May 25, 2016

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

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

"CITY": The City of Dallas

“PROPERTY": Approximately 6,000 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

“PROJECT”: Cadillac Heights Phase II

“USE”: City service and maintenance facilities.

"PROPERTY INTEREST": Fee Simple

"OWNER": Carol Arriaga a/k/a Caroline Arriaga, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $21,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,000

"AUTHORIZED AMOUNT": $23,500

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

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

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

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Land Acquisition in Cadillac Heights Fund, Fund No. BT11, Department PBW, Unit T825, Activity LAAQ, Program No. PB06T825, Object 4210, Encumbrance No. SUSVL82572 The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

May 25, 2016

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
Christopher D. Bowers, Interim City Attorney

BY _____
Assistant City Attorney

EXHIBIT A

Being Lot 26, in Block 3/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas

AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2, 7

DEPARTMENT: Public Works Department
Office Of Environmental Quality

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 45Q; 47Q

SUBJECT

Authorize a construction services contract with Unified Services of Texas, Inc. for replacement of underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street, and at the I.C. Harris Service Center located at 5620 Parkdale Drive - Not to exceed $970,171 - Financing: 2006 Bond Funds ($480,298) and Capital Construction Funds ($489,873)

BACKGROUND

The two (2) 10,000-gallon existing underground fuel storage tanks at Dallas City Hall, located at 1500 Marilla Street, and the three (3) 10,000-gallon existing underground fuel storage tanks at the I.C. Harris Service Center located at 5620 Parkdale Drive have reached the end of their service life and are scheduled to be replaced. These improvements are part of a program to remove and replace several underground fuel storage tanks at different locations throughout the City that have reached the end of their service life.

The City of Dallas underground fuel storage tanks are overseen by the Office of Environmental Quality. The Office of Environmental Quality has put together a prioritized list to have several underground fuel storage tanks replaced throughout the City because they have reached the end of their service life. The tanks located at Dallas City Hall and the I.C. Harris Service Center are on the prioritized list and are scheduled to be replaced. This action will authorize a contract for construction for the removal and replacement of the underground fuel storage tanks located at Dallas City Hall and the I.C. Harris Service Center.

In December 2015, a Request for Bids was issued in accordance with the City of Dallas procurement guidelines. Unified Services of Texas, Inc. was identified through this process as the only responsive bidder of two (2), for the construction, removal, and replacement of the underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street, and the I.C. Harris Service Center located at 5620 Parkdale Drive.

BACKGROUND (Continued)

The two (2) bids submitted for this project were evaluated by taking into account the bidders' price, qualifications, experience, and responsiveness.

The bid received from Unified Services of Texas, Inc. was responsive, and at 3.3% below the engineers' estimated cost for construction. The bid received from D&H United Fueling Solutions, Inc. was non-responsive and therefore could not be considered.

Unified Services of Texas, Inc. was selected as the only responsive bidder of the two (2) bidders, and based on their submitted bid price and responsiveness, were recommended for award after a Public Works Department single bid review process was conducted and completed.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	May 2016
Complete Construction	December 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized design services contract with Arredondo, Zepeda, and Brunz, LLC on June 25, 2014 by Resolution No.14-1014 to prepare plans and specifications

Authorized the rejection of a single non-responsive bid for construction on December 9, 2015, by Resolution No. 15-2222

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 9, 2016.

On May 11, 2016, this item was deferred by Councilmember Kingston.

FISCAL INFORMATION

2006 Bond Funds - $ 480,297.50
Capital Construction Funds - $489,873.47

Council District	Amount
2	$480,297.50
7	$489,873.47
Total	$970,170.97

FISCAL INFORMATION (Continued)

Design - PBW	$ 255,222.00
Construction (this action)	$ 970,170.97
Total Project Cost	$1,225,392.97

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Unified Services of Texas, Inc.

Hispanic Female	0	Hispanic Male	6
African-American Female	0	African-American Male	1
White Female	3	White Male	15
Other Female	0	Other Male	1

PROPOSAL INFORMATION

The following sealed bids were received and opened on February 19, 2016:

*Denotes lowest responsible bidder.

Proposer	Base Bid	Alternate Bid*	Total
*Unified Services of Texas, Inc. 2110 Greenbriar Drive Southlake, TX 76092	$480,297.50	$489,873.47	$970,170.97
D&H United Fueling Solutions, Inc.	Non-responsive**		

*Alternate No. 1 - Provides for the replacement of the underground storage tanks at the I. C. Harris Service Center.
**D&H United Fueling Solutions, Inc. was deemed non-responsive due to their submission of an incomplete bid.

OWNER

Unified Services of Texas, Inc.

Marshall D. Ryan, President

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction services contract with Unified Services of Texas, Inc. for replacement of underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street, and at the I.C. Harris Service Center located at 5620 Parkdale Drive - Not to exceed $970,171 - Financing: 2006 Bond Funds ($480,298) and Capital Construction Funds ($489,873)

Unified Services of Texas, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$970,170.97	100.00%
TOTAL CONTRACT	$970,170.97	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

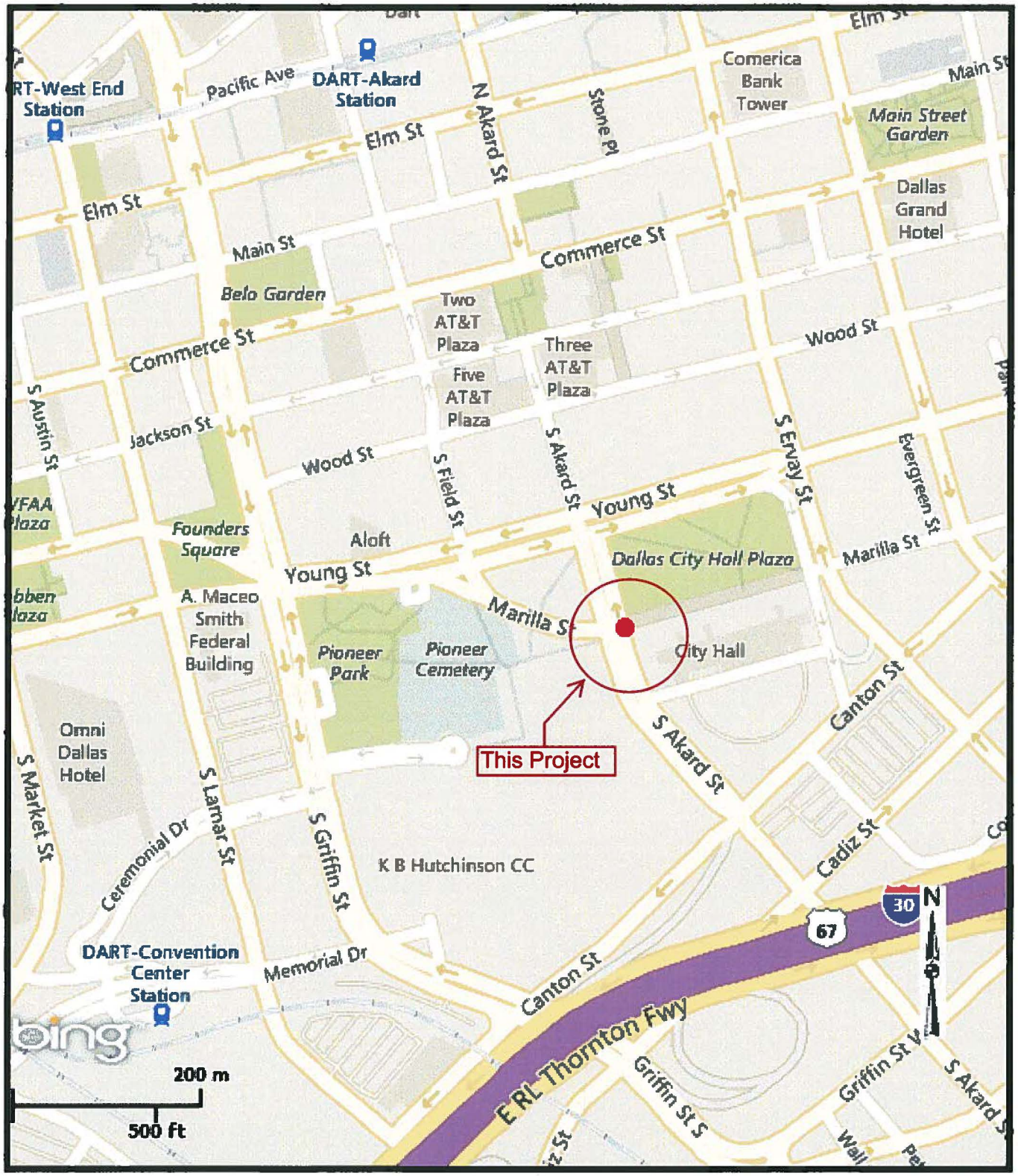
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
UST, Inc.	NMDB70228Y0816	$666,974.97	68.75%
Next-Gen Solutiions	WFDB09673Y0716	$3,750.00	0.39%
Total Minority - Non-local		$670,724.97	69.13%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$666,974.97	68.75%
WBE	$0.00	0.00%	$3,750.00	0.39%
Total	$0.00	0.00%	$670,724.97	69.13%

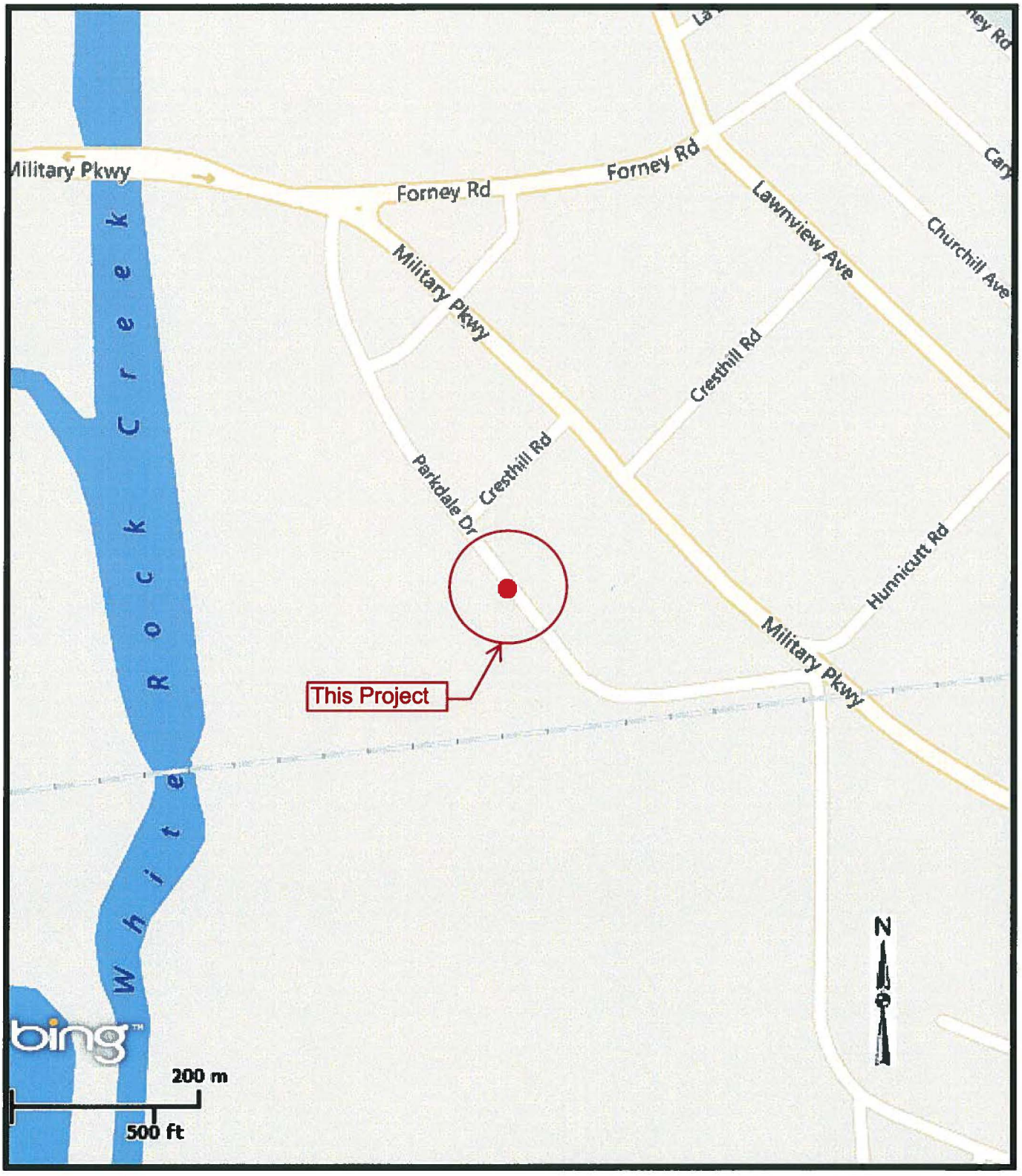
City Hall and I.C. Harris Service Center Underground Storage Tank Replacement



Dallas City Hall

1500 Marilla Street
45Q

City Hall and I.C. Harris Service Center Underground Storage Tank Replacement



I.C. Harris Service Center

5620 Parkdale Drive
47Q

May 25, 2016

WHEREAS, the existing underground fuel storage tanks at Dallas City Hall and at the I. C. Harris Service Center have reached the end of their service life; and,

WHEREAS, on June 25, 2014, Resolution No. 14-1014 authorized a professional services contract with Arredondo, Zepeda, & Brunz, LLC to provide design services for a prototypical set of drawings, preparation of construction documents, and construction management services for the removal and replacement of underground fuel storage tanks at three sites: Dallas City Hall located at 1500 Marilla Street, the I. C. Harris Service Center located at 5620 Parkdale Drive, and Dallas Executive Airport Police Helipad located at 5775 South Hampton Road, in the amount of $255,222.00 (subject to appropriations); and,

WHEREAS, on December 9, 2015, Resolution No. 15-2222 authorized the rejection of a single non-responsive bid for the removal and replacement of underground fuel storage tanks located at Dallas City Hall and the I. C. Harris Service Center, and the re-advertisement for new bids; and,

WHEREAS, two sealed bids were received and opened on February 19, 2016 and the bid received from Unified Services of Texas, Inc. was the most responsive; and,

WHEREAS, Unified Services of Texas, Inc. was recommended for contract award by the Department of Public Works after a Public Works Department single bid review process was conducted and complete; and,

WHEREAS, it is now desirable to authorize a construction contract with Unified Services of Texas, Inc. for construction, removal, and replacement of the of the underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street and the I.C. Harris Service Center located at 5620 Parkdale Drive, in an amount not to exceed $970,170.97.

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 construction contract with Unified Services of Texas, Inc. for the construction, removal, and replacement of the underground fuel storage tanks at Dallas City Hall located at 1500 Marilla Street and the I.C. Harris Service Center located at 5620 Parkdale Drive, in an amount not to exceed $970,170.97, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

City Hall, City Service and Maintenance Facilities Fund Fund 2T60, Dept. PBW, Unit T749, Act. MMCF Obj.4599, Program #PB06T749, CT PBW06T749G1 Vendor #331986, in an amount not to exceed	$480,297.50
Capital Construction Fund Fund 0671, Dept. PBW, Unit W021, Act. MMCF Obj. 4599, Program #PBCC0002, CT PBW06T749G1 Vendor #331986, in an amount not to exceed	$489,873.47
Total in an amount not to exceed	$970,170.97

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

AGENDA ITEM # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $2,764,000 - Financing: 2006 Bond Funds

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage relief tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

In 2007, Council authorized a professional services contract to study and design drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds. In 2009, Council authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep underground tunnel that will drain both watersheds into Lower White Rock Creek. In 2012, Council authorized extending the tunnel to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas.

BACKGROUND (Continued)

The construction materials testing consultant will provide all labor, supervision, and equipment for performing field or laboratory analyses for soil, concrete, air and water testing, seismic, noise and light monitoring and other necessary services. These services will typically be related to tunnel excavation and lining, pump station, street paving, storm drainage, water, wastewater and other infrastructure improvements.

This action authorizes a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Halff Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

Briefed Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the Mill Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

Authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

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

Briefed the Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

Information about this item was presented to the Transportation and Trinity River Project Committee on April 11, 2016.

On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.

FISCAL INFORMATION

2006 Bond Funds - $2,764,000

Construction Materials Testing (this action)	$ 2,764,000
Design	$ 22,119,988
Construction Management	$ 18,565,000
Construction	$209,894,515
Total Project Cost	$253,343,503

Council District	Amount
2	$ 746,280
7	$1,243,800
14	$ 773,920
Total	$2,764,000

M/WBE INFORMATION

See attached

ETHNIC COMPOSITION

Alliance Geotechnical Group, Inc.

Hispanic Female	2	Hispanic Male	19
African-American Female	0	African-American Male	19
Other Female	0	Other Male	2
White Female	10	White Male	54

OWNER

Alliance Geotechnical Group, Inc.

Robert P. Nance, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $2,764,000 - Financing: 2006 Bond Funds

Alliance Geotechnical Group, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$2,687,120.00	97.22%
Total non-local contracts	$76,880.00	2.78%
TOTAL CONTRACT	$2,764,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Alliance Geotechnical Group, Inc.	BMDB94986Y0117	$1,760,668.00	65.52%
T. Smith Inpection and Testing	BMDB72436Y0616	$857,352.00	31.91%
Design Consultant Engineers	IMDB32421Y0317	$69,100.00	2.57%
Total Minority - Local		$2,687,120.00	100.00%

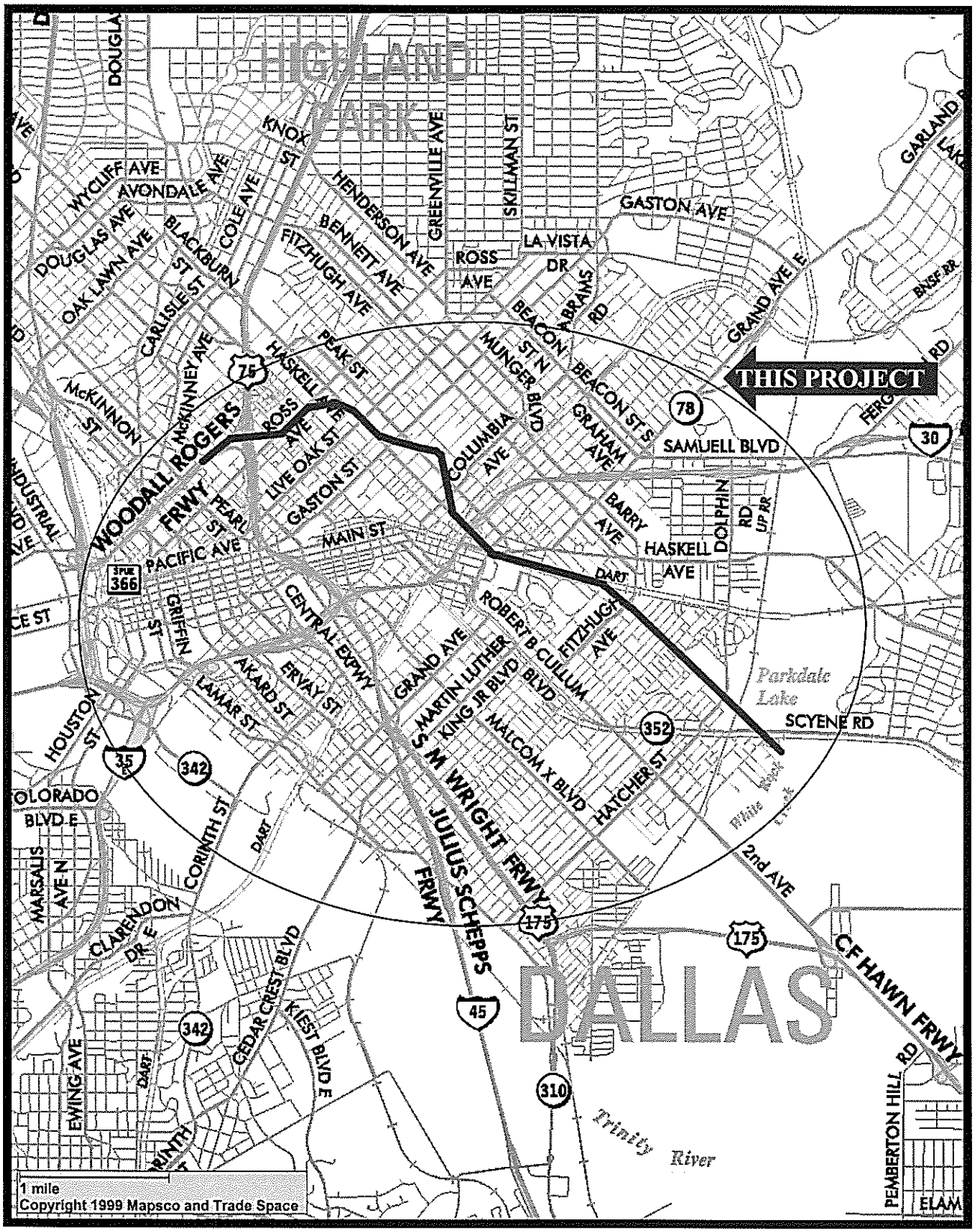
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Steel Inspectors of Texas	WMDB73989N1116	$21,600.00	28.10%
Total Minority - Non-local		$21,600.00	28.10%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$2,618,020.00	97.43%	$2,618,020.00	94.72%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$69,100.00	2.57%	$69,100.00	2.50%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$21,600.00	0.78%
Total	$2,687,120.00	100.00%	$2,708,720.00	98.00%

Mill Creek Tunnel



Mapsco 45, 46, 47

May 25, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for scope of works to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

WHEREAS, this project requires specialized construction materials testing services for performing field or laboratory analyses for soil, concrete, air, and water testing, seismic, noise and light monitoring and other necessary services, it is now necessary to authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project in an amount not to exceed $2,764,000, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund	
Fund 3T23, Department TWM, Unit T525, Act. SDRS	
Obj. 4111, Program #TW06T525, CT TWM06T525G2	
Vendor #338366, in an amount not to exceed	$2,764,000.00

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 ITEM # 43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize a professional services contract with Black & Veatch Corporation for construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $17,350,000 - Financing: 2006 Bond Funds

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

In 2007, Council authorized a professional services contract to study and design drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds. In 2009, Council authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep underground tunnel that will drain both watersheds into Lower White Rock Creek.

BACKGROUND (Continued)

In 2012, Council authorized extending the tunnel to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas. In 2015, Council authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. to provide preliminary construction management services during the design phase, including a constructability review and reviews of construction costs and schedule. This contract was terminated at the end of the construction advertisement/bidding phase in March 2016.

The construction of the tunnel will utilize a tunnel boring machine and requires specialized construction management services due to the complexity and sophistication of tunnel construction. The construction manager will minimize the project risk and serve as an extension of City staff to provide professional supervision and experienced inspection of the construction.

This action authorizes a professional services contract with Black & Veatch Corporation to provide construction management services during construction including field inspection, administration, and project coordination during the construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

Authorized a professional services contract with Halff Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

Briefed the Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the Mill Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

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

Authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

Briefed Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

Information about this item was presented to the Transportation and Trinity River Project Committee on April 11, 2016.

On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.

FISCAL INFORMATION

2006 Bond Funds - $17,350,000

Construction Management (this action)	$17,350,000
Design	$22,119,988
Preliminary Construction Management	$1,215,000
Construction Materials Testing	$2,764,000
Construction	$209,894,515
Total Project Cost	$253,343,503

Council District	Amount
2	$4,684,500
7	$7,807,500
14	$4,858,000
Total	$17,350,000

M/WBE INFORMATION

See attached

ETHNIC COMPOSITION

Black & Veatch Corporation

Hispanic Female	91	Hispanic Male	157
African-American Female	116	African-American Male	129
Other Female	116	Other Male	324
White Female	1285	White Male	3466

OWNER

Black & Veatch Corporation

Cindy Wallis-Lage, President, Black & Veatch Corporation Water

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Black & Veatch Corporation for construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $17,350,000 - Financing: 2006 Bond Funds

Black & Veatch is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$17,350,000.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$17,350,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
K Strategies Group	BFDB06673Y0317	$260,250.00	1.50%
CMTS, LLC.	BMDB05598Y8016	$1,245,730.00	7.18%
Arredondo, Zepeda & Brunz, LLC	HMDB52665Y0616	$1,960,550.00	11.30%
2M Associates	IMDB36537Y0716	$1,212,765.00	6.99%
Total Minority - Local		$4,679,295.00	26.97%

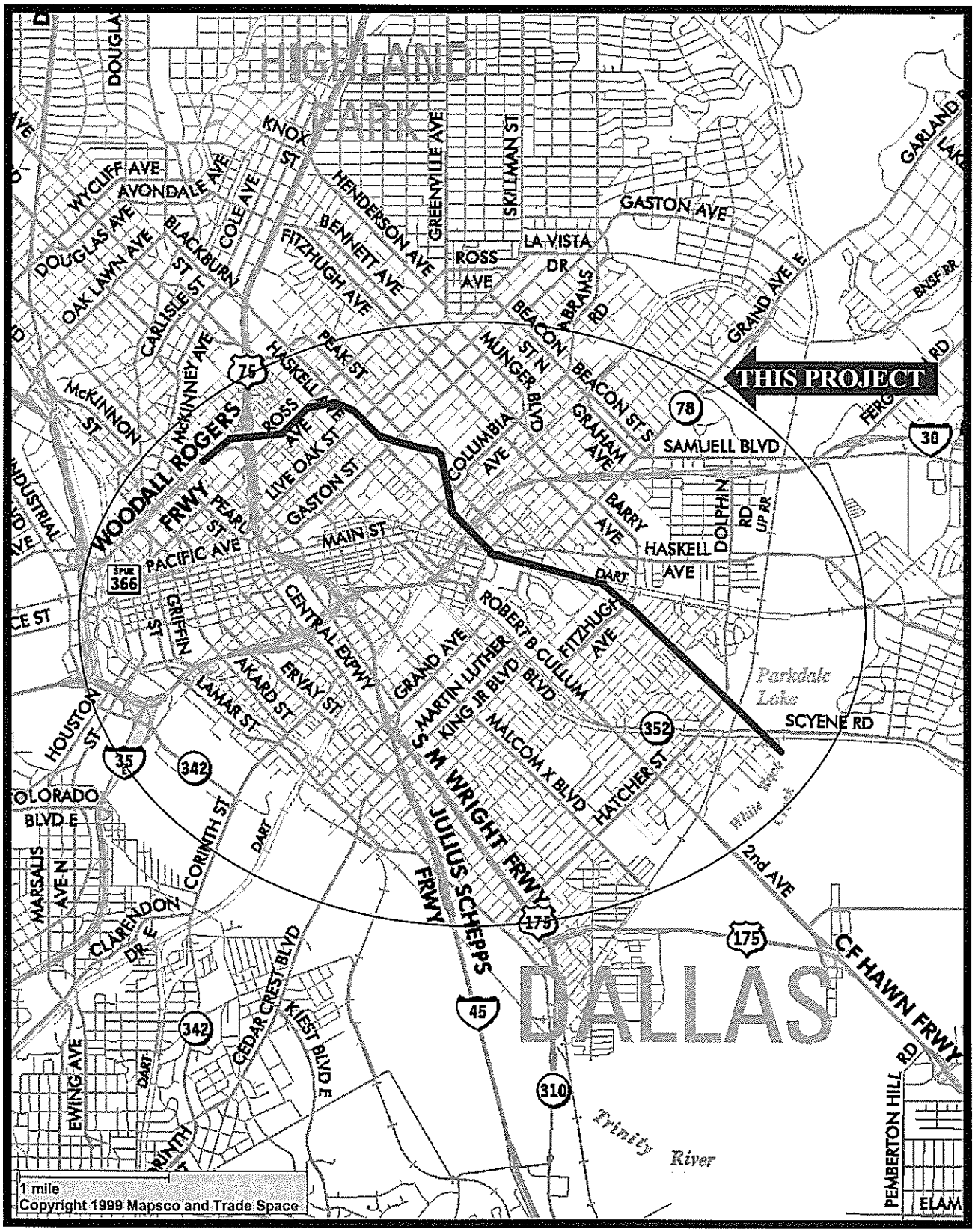
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$1,505,980.00	8.68%	$1,505,980.00	8.68%
Hispanic American	$1,960,550.00	11.30%	$1,960,550.00	11.30%
Asian American	$1,212,765.00	6.99%	$1,212,765.00	6.99%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$0.00	0.00%
Total	$4,679,295.00	26.97%	$4,679,295.00	26.97%

Mill Creek Tunnel



Mapsco 45, 46, 47

May 25, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for scope of works to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

WHEREAS, this project requires specialized construction management services due to the complexity and sophistication of tunnel construction, it is now necessary to authorize a professional services contract with Black & Veatch Corporation for construction management services during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Black & Veatch Corporation for construction management services for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project in an amount not to exceed $17,350,000, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to distribute funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund	
Fund 3T23, Department TWM, Unit T525, Act. SDRS	
Obj. 4111, Program #PB06T525, CT TWM06T525G1	
Vendor #520478, in an amount not to exceed	$17,350,000

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

AGENDA ITEM # 44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Trinity Watershed Management
Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed $209,894,515 - Financing: General Obligation Commercial Paper Funds ($209,179,636), Water Utilities Capital Construction Funds ($25,600) and Water Utilities Capital Improvement Funds ($689,279)

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

In 2007, Council authorized a professional services contract to study and design drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds. In 2009, Council authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep underground tunnel that will drain both watersheds into Lower White Rock Creek. In 2012, Council authorized extending the tunnel to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas.

BACKGROUND (Continued)

This action authorizes a contract with Southland Mole JV to construct storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project including five miles of 30-foot diameter tunnel, five intake shafts and connections, an outfall shaft, a dewatering station, associated street and surface storm drainage improvements, and water and wastewater improvements.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Halff Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

Briefed Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the MIll Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

Authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

Briefed Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

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

Information about this item was provided to the Transportation and Trinity River Project Committee on April 11, 2016.

On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - $209,179,636.00
Water Utilities Capital Construction Funds - $25,600.00
Water Utilities Capital Improvement Funds - $689,279.00

Construction	
Storm drainage improvements	$209,179,636.00
Water improvements	$ 124,234.00
Wastewater improvements	$ 590,645.00
Total Construction	$209,894,515.00
Design	$22,119,988.00
Construction Management	$18,565,000.00
Construction Materials Testing	$ 2,764,000.00
Total Project Cost	$253,343,503.00

Council District	Amount
2	$ 56,671,520
7	$ 94,452,530
14	$ 58,770,465
Total	$209,894,515

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Southland Mole JV

Hispanic Female	5	Hispanic Male	121
African-American Female	1	African-American Male	16
Other Female	6	Other Male	43
White Female	10	White Male	72

BID INFORMATION

The following bids with quotes were received and opened on December 18, 2015:
*Denotes successful bidder(s)

BIDDERS	BID AMOUNT
* Southland Mole JV 608 Henrietta Creek Road Roanoke, Texas 76262	$209,894,515
Salini Impregilo / Healy / MCM JV	$223,174,000
Archer Western / Obayashi JV	$235,355,009
Mill Creek Tunnel Constructors, LLC.	$262,946,375
Dragodos / Pulice JV	$281,449,979
Odebrecht Construction, Inc.	Non-responsive**

**Odebrecht Construction, Inc. bid was deemed non-responsive due to not meeting bid specifications.

Engineer's Estimate: $257,644,000

OWNER

Southland Mole JV

Frank Renda, Managing Member

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed $209,894,515 - Financing: General Obligation Commercial Paper Funds ($209,179,636), Water Utilities Capital Construction Funds ($25,600) and Water Utilities Capital Improvement Funds ($689,279)

Southland Mole JV is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$41,835,000.00	19.93%
Total non-local contracts	$168,064,515.00	80.07%
TOTAL CONTRACT	$209,899,515.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Clemmons Trucking Company	BFDB48714Y1016	$14,500,000.00	34.66%
Eagle Barricade LLC	BFMB6480N0417	$40,000.00	0.10%
Pannell Industries, Inc.	BMDB16064Y1116	$65,000.00	0.16%
Ibarra Consulting Engineers, Inc.	HFDB64809Y0146	$2,550,000.00	6.10%
All Janitorial, Inc.	HFDFW224960616	$55,000.00	0.13%
Partnering for Success	HFMB61772Y0516	$15,000.00	0.04%
Omega Contracting, Inc.	HMMB63334Y1016	$12,000,000.00	28.68%
GLL Corporation DBE MG Trucking	HMDB64606Y016	$500,000.00	1.20%
Romera Steel	HMMB63034N0916	$300,000.00	0.72%
Bugatti's, Inc.	IMDB86117Y0716	$5,000.00	0.01%
LKT & Associates, Inc.	WFDB26473Y1016	$10,500,000.00	25.10%
Champion Fuel Supply	WFDB79263Y0416	$1,000,000.00	2.39%
Ram Tool Supply	WFWB61372N0416	$150,000.00	0.36%
Bowden's Guranteed Hydromulch	WFWB80971N0517	$45,000.00	0.11%
Universal Fence Company, Inc.	WFDB92092Y0416	$10,000.00	0.02%
Total Minority - Local		$41,735,000.00	99.76%

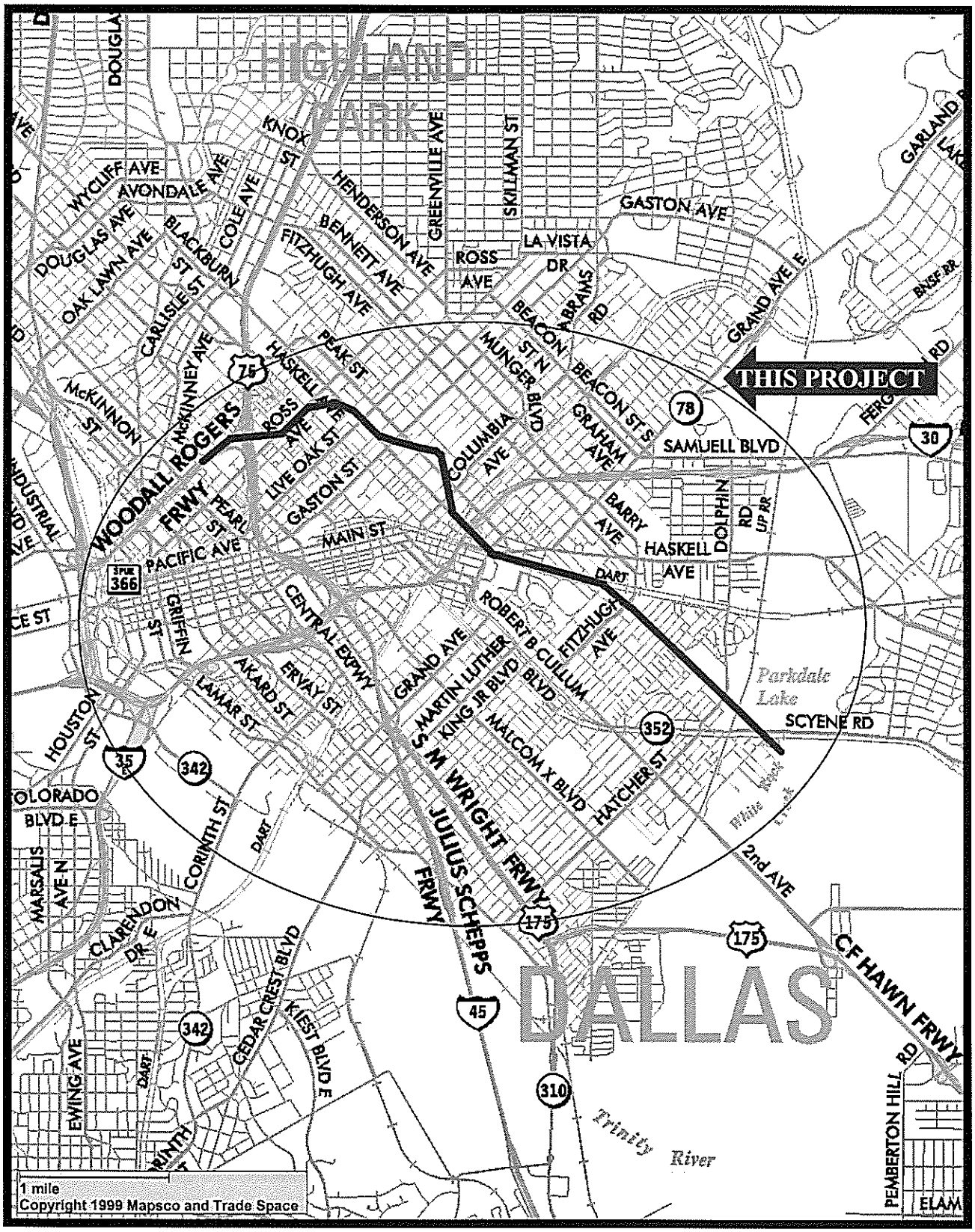
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
LeVis Consulting Group, LLC	BFMB17589Y1116	$50,000.00	0.03%
Curtis & Cartwright Transport Services, LLC	BMMB08640N1017	$1,000,000.00	0.60%
KDAT, LLC	BMDB45396Y0117	$50,000.00	0.03%
Dtech Services	BMMB61579Y0917	$25,000.00	0.01%
Luis Moreno Trucking	HMDB33385Y0117	$500,000.00	0.30%
RECS, Inc.	WFWB63026N0816	$24,000,000.00	14.28%
Suncoast Resources	WFWB3943N0117	$1,000,000.00	0.60%
A.N.A. Consultants LLC	WFDB57431Y0516	$100,000.00	0.06%
MMG Building & Construction	WFWB62284N0616	$40,000.00	0.02%
Total Minority - Non-local		$26,765,000.00	15.93%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$14,605,000.00	34.91%	$15,730,000.00	7.49%
Hispanic American	$15,420,000.00	36.86%	$15,920,000.00	7.58%
Asian American	$5,000.00	0.01%	$5,000.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$11,705,000.00	27.98%	$36,845,000.00	17.55%
Total	$41,735,000.00	99.76%	$68,500,000.00	32.63%

Mill Creek Tunnel



Mapsco 45, 46, 47

May 25, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for additional scope of work to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

May 25, 2016

WHEREAS, bids were received on December 18, 2015, for the construction of storm drainage improvements and water and wastewater improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project:

BIDDERS	**BID AMOUNT**
* Southland Mole JV 608 Henrietta Creek Road Roanoke, Texas 76262	$209,894,515
Salini Impregilo / Healy / MCM JV	$223,174,000
Archer Western / Obayashi JV	$235,355,009
Mill Creek Tunnel Constructors, LLC.	$262,946,375
Dragodos / Pulice JV	$281,449,979
Odebrecht Construction, Inc.	Non-responsive**

**Odebrecht Construction, Inc. bid was deemed non-responsive due to not meeting bid specifications.

Now, Therefore,

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

Section 1. That Southland Mole JV, Inc. is hereby awarded the contract for the construction of storm drainage improvements and water and wastewater improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project in an amount not to exceed $209,894,515, this being the lowest responsive and responsible bid received as indicated by the tabulation of bids.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to distribute funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund
Fund 4U23, Dept. TWM, Unit S769, Act. SDRS
Obj. 4540, Program #TW12S769, CT TWM12S769G1
Vendor #VS90299, in an amount not to exceed $209,179,636.00

Water Utilities Capital Improvement Fund
Fund 2115, Department DWU, Unit PW42
Obj. 4550, Program #715387, CT TWM715387CP
Vendor # VS90299, in an amount not to exceed $115,334.00

Water Utilities Construction Fund	
Fund 0102, Department DWU, Unit CW42	
Obj. 3221, Program #715387X, CT TWM715387EN	
Vendor # VS90299, in an amount not to exceed	$8,900.00
Wastewater Capital Improvement Fund	
Fund 2116, Department DWU, Unit PS42	
Obj. 4560, Program #715388, CT TWM715388CP	
Vendor # VS90299, in an amount not to exceed	$573,945.00
Wastewater Construction Fund	
Fund 0103, Department DWU, Unit CS42	
Obj. 3222, Program #715388X, CT TWM715388EN	
Vendor # VS90299, in an amount not to exceed	$16,700.00
Total in an amount not to exceed	$209,894,515.00

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

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Trinity Watershed Management
Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $6,126,500, from $15,993,488 to $22,119,988 - Financing: 2006 Bond Funds ($6,105,000) and Water Utilities Capital Improvement Funds ($21,500)

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

On June 13, 2007, Council authorized a professional services contract with Halff Associates, Inc., for the design of drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds.

BACKGROUND (Continued)

Supplemental Agreement No. 1 authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep tunnel that will drain both watersheds into Lower White Rock Creek and provided for the design of drainage relief improvements for Mill Creek, Phase II, which extends flooding protection through Fair Park to the Baylor Hospital and Buckner Park areas. Supplemental Agreement No. 2 provided for engineering design of the deep drainage tunnel extension to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas. Supplemental Agreement No. 3 provided for additional scope of work to design upgrades to water and wastewater facilities in the tunnel project area. Supplemental Agreement No. 4 provided for additional scope of work to design water and wastewater facilities related to the drainage tunnel and right-of-way acquisition support during design.

This action authorizes Supplemental Agreement No. 5 which provides for engineering design services required during construction including reviews of contractor submittals and RFIs, evaluations of contractor-proposed changes, and preparation of as-built drawings.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Halff Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

Briefed Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the Mill Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

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

Authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

Briefed the Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

Information about this item was provided to the Transportation and Trinity River Project Committee on April 11, 2016.

On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.

FISCAL INFORMATION

2006 Bond Funds - $6,105,000
Water Utilities Capital Improvement Funds - $21,500

Design	
Original contract	$ 8,571,100
Supplemental Agreement No. 1	$ 3,225,500
Supplemental Agreement No. 2	$ 2,602,200
Supplemental Agreement No. 3	$ 45,088
Supplemental Agreement No. 4	$ 1,549,600
Supplemental Agreement No. 5 (this action)	$ 6,126,500
Total Design	$ 22,119,988
Construction	$209,894,515
Construction Management	$ 18,565,000
Construction Materials Testing	$ 2,764,000
Total Project Cost	$253,343,503

Council District	Amount
2	$1,654,160
7	$2,756,920
14	$1,715,420
Total	$6,126,500

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Halff Associates, Inc.

Hispanic Female	20	Hispanic Male	75
African-American Female	7	African-American Male	12
Other Female	6	Other Male	12
White Female	91	White Male	294

OWNER

Halff Associates, Inc.

Walter Skipwith, P.E., Chairman
Pat Kunz, P.E., President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed $6,126,500, from $15,993,488 to $22,119,988 - Financing: 2006 Bond Funds ($6,105,000) and Water Utilities Capital Improvement Funds ($21,500)

Halff Associates, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$4,749,000.00	77.52%
Non-local contracts	$1,377,500.00	22.48%
TOTAL THIS ACTION	$6,126,500.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
HVJ Associates, Inc.	BMMB61733N0516	$100,000.00	2.11%
Charles Gojer & Associates	HMDB92968Y0616	$200,000.00	4.21%
Gupta & Associates Inc.	PMMB62419Y0716	$150,000.00	3.16%
Garcia Land Data	PMMB85718N0617	$115,000.00	2.42%
Nathan D Maier Consulting	WFWB62783Y0816	$655,000.00	13.79%
Total Minority - Local		$1,220,000.00	25.69%

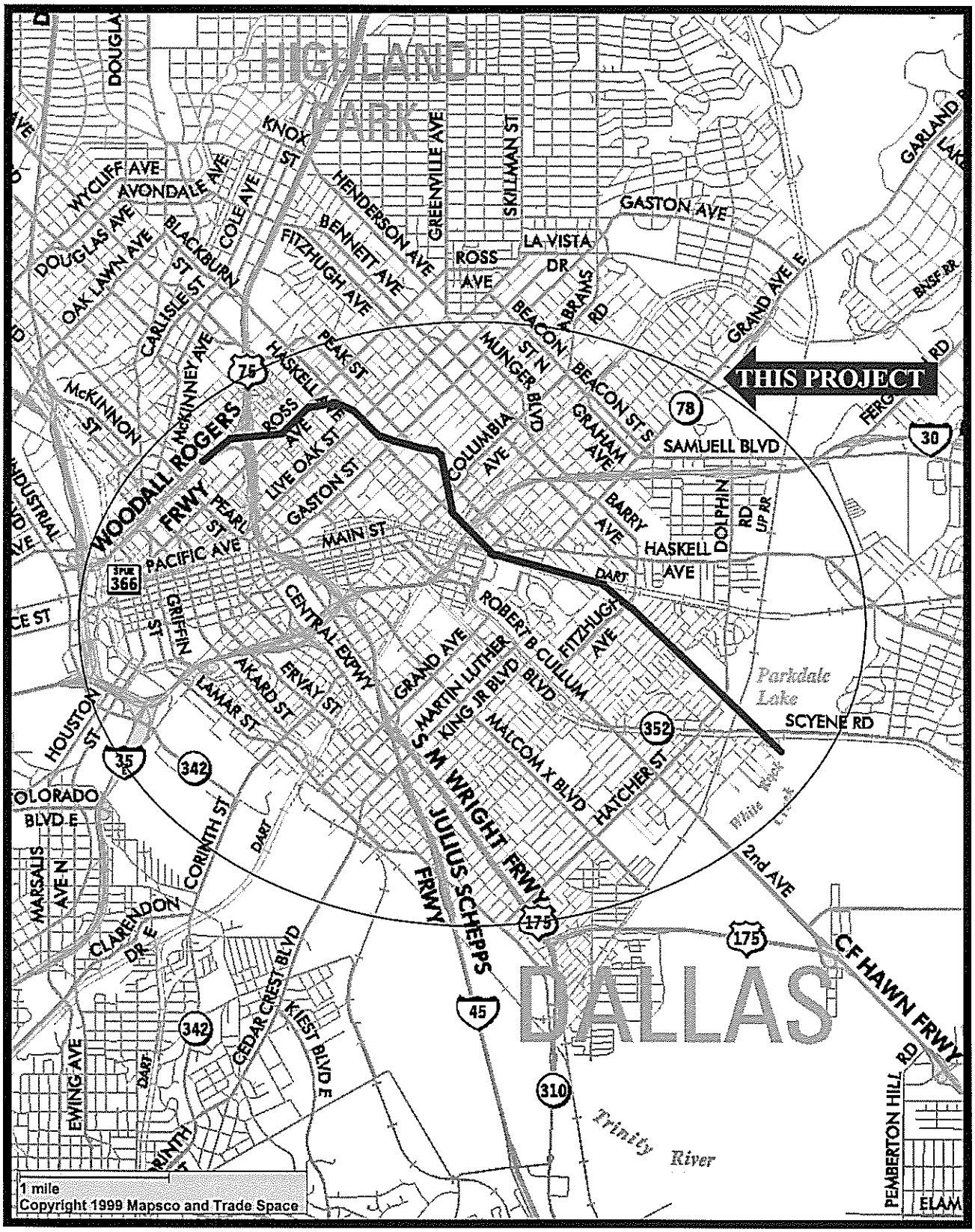
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$100,000.00	1.63%	$406,740.00	1.84%
Hispanic American	$200,000.00	3.26%	$1,988,602.68	8.99%
Asian American	$265,000.00	4.33%	$782,847.68	3.54%
Native American	$0.00	0.00%	$516,000.00	2.33%
WBE	$655,000.00	10.69%	$2,195,700.00	9.93%
Total	$1,220,000.00	19.91%	$5,889,890.36	26.63%

Mill Creek Tunnel



Mapsco 45, 46, 47

May 25, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for additional scope of work to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 5 to the professional services contract with Halff Associates, Inc. to provide for engineering design services required during construction including reviews of contractor submittals, evaluations of contractor-proposed changes, and preparation of as-built drawings.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for engineering design services required (including reviews of contractor submittals and RFIs, evaluations of contractor-proposed changes, and preparation of as-built drawings) during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel in an amount not to exceed $6,126,500, increasing the contract from $15,993,488, to $22,119,988 after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund Fund 3T23, Department TWM, Unit T525, Act. SDRS Obj. 4111, Program #PB06T536, CT PBW06T523I1 Vendor #089861, in an amount not to exceed	$6,105,000
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Obj. 4111, Program #714076, CT DWU714076CPA Vendor #089861, in an amount not to exceed	$ 21,500
Total	$6,126,500

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

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 42U

SUBJECT

Authorize a conditional grant agreement with AAA Home Builder, LLC for construction of seven single family homes for the Fannie Project in West Dallas located on Fannie Street – Not to exceed $140,000 - Financing: 2012 Bond Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. AAA Home Builder, LLC submitted a proposal to the City of Dallas for the development of seven single family units.

AAA Home Builder, LLC, has over eleven years of experience as a homebuilder in Dallas and Florida having constructed over 80 homes, 20 of them built in 2015. They have experience in commercial construction as well.

The homes will be 3-4 bedrooms, 2-2.5 baths and approximately 1,500-1,900 sq. ft. with completion of construction and occupancy within one year. AAA Home Builder, LLC has obtained private interim construction financing for the construction of the units. The City will provide bond funds for gap financing for construction of the units to be built and sold to mixed income families. A lien will be placed on the property for performance purposes and released on a partial basis as each home is built and sold to a homebuyer. Estimated private leverage will be $1,040,000.

City Council approval of this item will authorize the City Manager to execute the conditional grant documents with AAA Home Builder, LLC for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

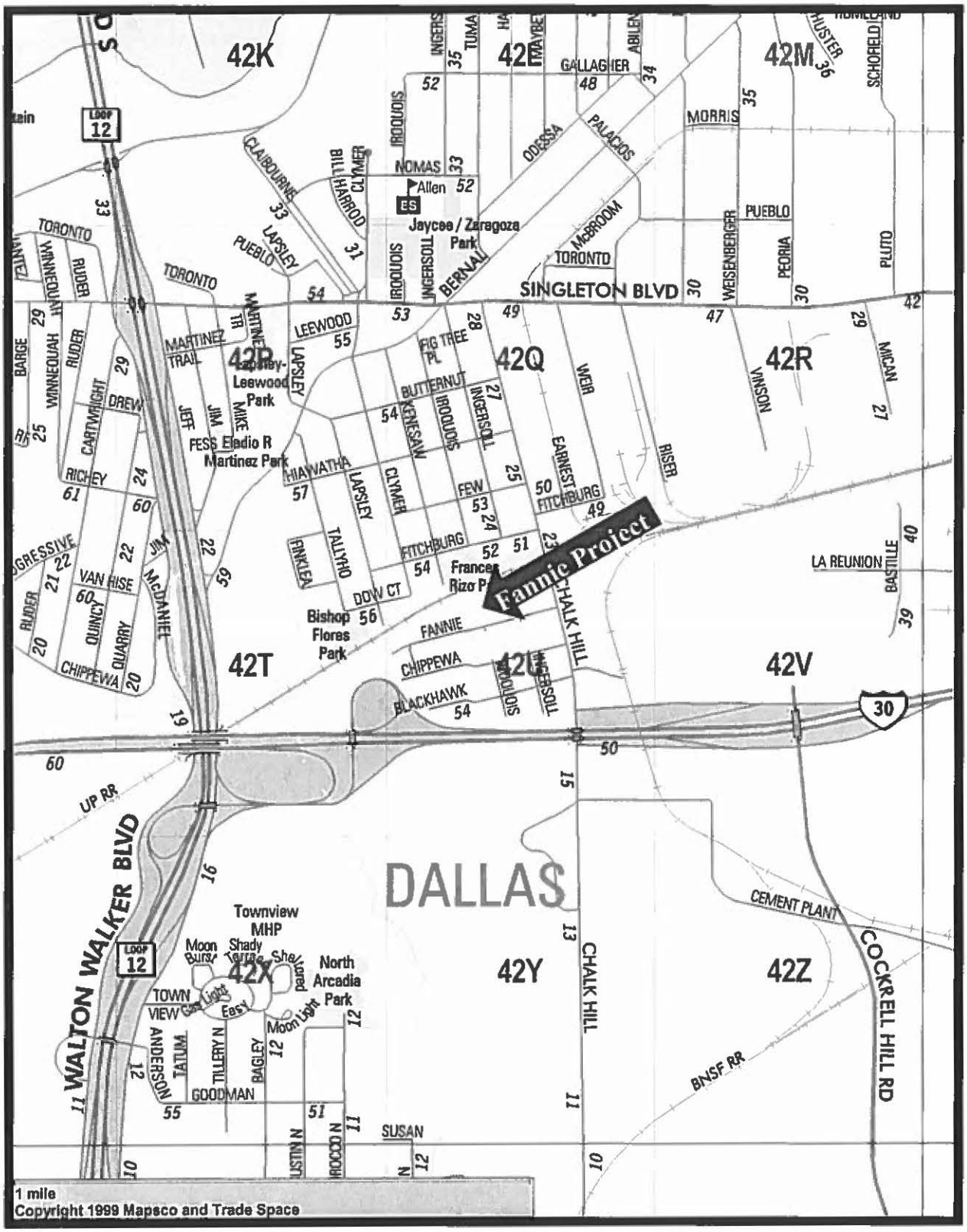
FISCAL INFORMATION

2012 Bond Funds – $140,000

OWNER	DEVELOPER
AAA Home Builder, LLC	**AAA Home Builder, LLC**
Hassan Naser, Owner	Hassan Naser, Owner

MAP

Attached


42K
42E
42M
42P
42Q
42R
42T
42U
42V
42X
42Y
42Z
SINGLETON BLVD
WALTON WALKER BLVD
DALLAS
Fannie Project
Jaycee / Zaragoza Park
Lapsley-Leewood Park
Eladio R Martinez Park
Bishop Flores Park
Frances Rizo Pk
Townview MHP
North Arcadia Park
Allen
ES
LOOP 12
30
UP RR
BNSF RR
CEMENT PLANT
COCKRELL HILL RD
CHALK HILL
LA REUNION
BASTILLE
MARTINEZ TRAIL
LEEWOOD
FIG TREE PL
BUTTERNUT
HIAWATHA
FITCHBURG
FANNIE
CHIPPEWA
BLACKHAWK
DOW CT
FINKLEA
TALLYHO
CLYMER
LAPSLEY
IROQUOIS
INGERSOLL
BERNAL
NOMAS
GALLAGHER
MORRIS
PUEBLO
TORONTO
WEISENBERGER
PEORIA
PLUTO
WEIR
RISER
VINSON
MICAN
EARNEST
FEW
KENESAW
CLAIBOURNE
BILL HARROD
ODESSA
PALACIOS
McBROOM
TUMA
ABILENE
HUSTER
SCHOFIELD
BARGE
WINNEQUAH
RUDER
CARTWRIGHT
DREW
RICHEY
JEFF
JIM
MIKE
FESS
VAN HISE
QUINCY
QUARRY
McDANIEL
CHIPPEWA
ANDERSON
TATUM
TILLERY N
BAGLEY
GOODMAN
SUSAN
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 42U

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, on May 2, 2016, the Housing Committee was briefed by memorandum on the Notice of Funding Availability for Owner Occupied Housing Development Project recommendations; and

WHEREAS, AAA Home Builder, LLC proposes to work with the City of Dallas to undertake the development of seven single family homes for the Fannie Project in West Dallas; and

WHEREAS, the City desires for AAA Home Builder, LLC to develop homes for mixed income families; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a conditional grant agreement in an amount not to exceed $140,000 with AAA Home Builder, LLC for the development of seven single family homes for the Fannie Project to be located in West Dallas.

Section 2. That the terms of the conditional grant agreement include:

(a) AAA Home Builder, LLC will execute a performance Deed of Trust on the property for performance purposes.
(b) The debt will be forgiven and the lien released on a partial basis as each home is built and sold to a homebuyer.
(c) AAA Home Builder, LLC will use the funds to gap the construction costs for the units and will retain the proceeds from the sale of the units.
(d) AAA Home Builder, LLC will have one year to complete the build out and occupancy of the homes.
(e) The City will subordinate the first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordination to senior lender and releases of liens on the properties upon compliance with the conditional grant terms.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

AAA Home Builder, LLC Vendor # VC15365

Fund	Dept	Unit	Object Code	Program #	Progam Name	Encumbrance	Amount
2U53	HOU	W082	3016	2U53HOW082	7FANNIE-WD	HOU2U53G203	$140,000

Section 5. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the conditional grant documents are duly approved by all parties and executed.

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

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 3

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 63E

SUBJECT

Authorize a conditional grant agreement with AAA Home Builder, LLC for infrastructure and construction of twenty single family homes for the Shady Hollow Project in Oak Cliff located on Shady Hollow Lane - Not to exceed $971,130 - Financing: 2012 Bond Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. AAA Home Builder, LLC submitted a proposal to the City of Dallas for the development of twenty single family homes.

AAA Home Builder, LLC has over eleven years of experience as a homebuilder in Dallas and Florida having constructed over 80 homes, 20 of them built in 2015. They have experience in commercial construction as well. AAA Home Builder, LLC has obtained private interim construction financing for the construction of the units. Estimated private leverage will be $2,888,870.

The single family homes will be 3 and 4 bedroom with 2.5-3.5 baths and 2 car garages with approximately 2700-3000 sq. ft. The City will provide Bond funds for gap financing the infrastructure and construction of the units to be sold to mixed income families. The lots will be discounted by the amount of City funds provided per lot. AAA Home Builder, LLC has requested $311,130 for infrastructure and $660,000 for gap construction. The construction work and occupancy will be completed within two years. A lien will be placed on the property for performance purposes and released on a partial basis as each City funded lot is built out and sold to a homebuyer.

City Council approval of this agenda item will authorize the City Manager to execute the conditional grant documents with AAA Home Builder, LLC for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement, by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee received a briefing memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

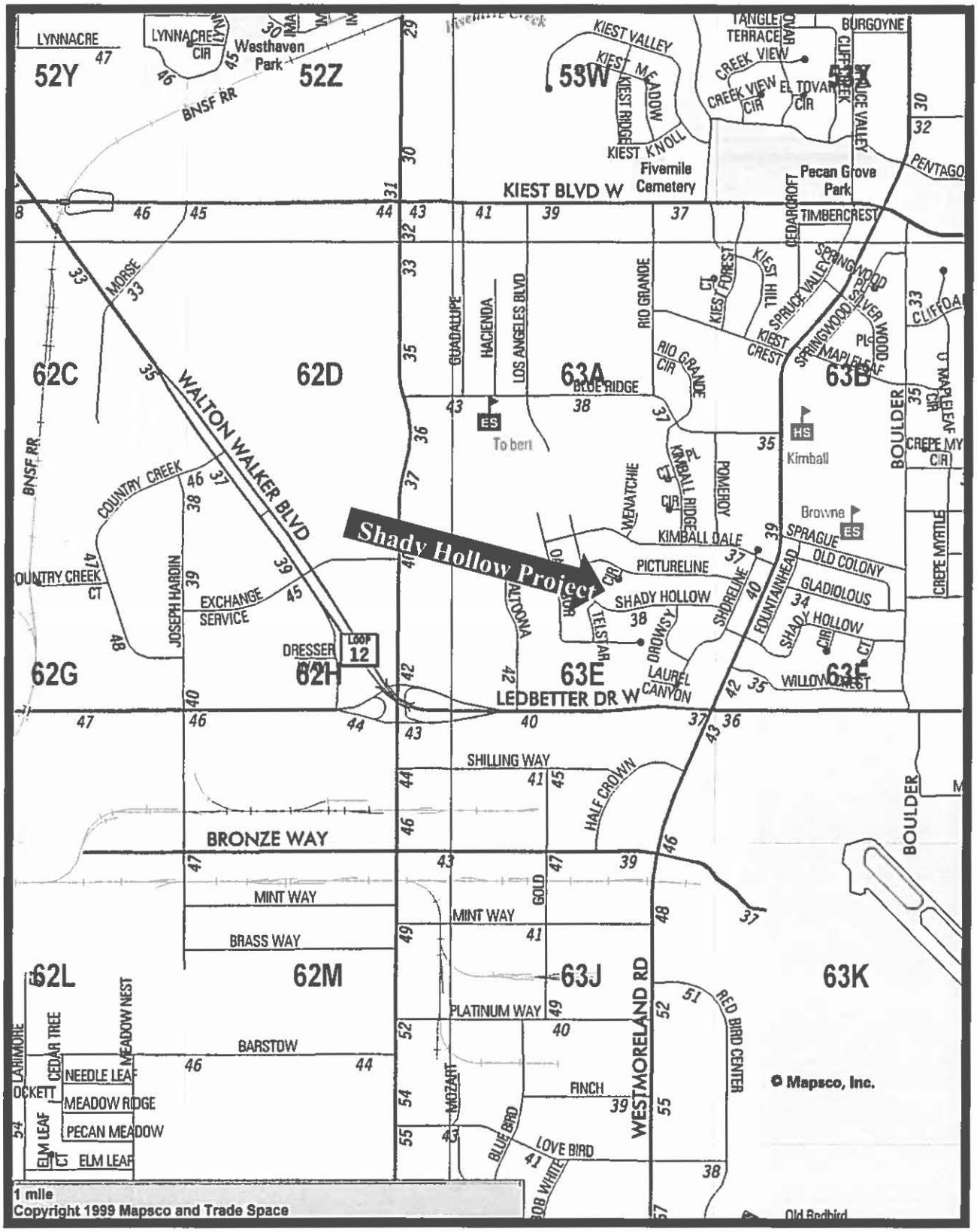
FISCAL INFORMATION

2012 Bond Funds - $971,130

OWNER	DEVELOPER
AAA Home Builder, LLC	**AAA Home Builder, LLC**
Hassan Naser, Owner	Hassan Naser, Owner

MAP

Attached


Shady Hollow Project
LYNNACRE
LYNNACRE CIR
Westhaven Park
52Y
52Z
53W
BNSF RR
KIEST VALLEY
KIEST MEADOW
KIEST RIDGE
KIEST KNOLL
Fivemile Cemetery
TANGLE TERRACE
CREEK VIEW
CREEK VIEW CIR
EL TOVAR CIR
BURGOYNE
CLIFF CREEK
SPRUCE VALLEY
Pecan Grove Park
PENTAGO
KIEST BLVD W
CEDARCROFT
TIMBERCREST
MORSE
WALTON WALKER BLVD
GUADALUPE
HACIENDA
LOS ANGELES BLVD
RIO GRANDE
RIO GRANDE CIR
KIEST FOREST CT
KIEST HILL
KIEST CREST
SPRINGWOOD
SILVER WOOD
MAPLELEAF
62C
62D
63A
63B
BLUE RIDGE
To bert
ES
HS
Kimball
BOULDER
CREPE MYRTLE CIR
CREPE MYRTLE
COUNTRY CREEK
COUNTRY CREEK CT
JOSEPH HARDIN
EXCHANGE SERVICE
DRESSER
LOOP 12
WENATCHIE
KIMBALL RIDGE CIR
POMEROY
KIMBALL DALE
Browne
SPRAGUE
OLD COLONY
PICTURELINE
SHADY HOLLOW
SHADY HOLLOW CIR
GLADIOLOUS
FOUNTAINHEAD
SHORELINE
ALTOONA
TELSTAR
DROWSY
LAUREL CANYON
WILLOW CREST
62G
62H
63E
63F
LEDBETTER DR W
SHILLING WAY
HALF CROWN
BRONZE WAY
MINT WAY
GOLD
BRASS WAY
62L
62M
63J
63K
PLATINUM WAY
WESTMORELAND RD
RED BIRD CENTER
BARSTOW
LARIMORE
CEDAR TREE
MEADOW NEST
NEEDLE LEAF
MEADOW RIDGE
PECAN MEADOW
ELM LEAF
ELM LEAF CT
OCKETT
MOZART
FINCH
BLUE BIRD
LOVE BIRD
BOB WHITE
Old Redbird
© Mapsco, Inc.
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 63E

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, on May 2, 2016, the Housing Committee received a briefing memorandum on the Notice of Funding Availability for Owner Occupied Housing Development Project recommendations; and

WHEREAS, AAA Home Builder, LLC proposes to work with the City of Dallas to undertake the development of twenty affordable units for the Shady Hollow Project in Oak Cliff; and

WHEREAS, the City desires for AAA Home Builder, LLC to develop single family homes for mixed-income families; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed $971,130 with AAA Home Builder, LLC for the development of 20 single family homes for the Shady Hollow Project to be located in Oak Cliff.

Section 2. That the terms of the conditional grant agreement include:

(a) AAA Home Builder, LLC will execute a performance Deed of Trust on the property for performance purposes.
(b) The debt will be forgiven and the lien released on a partial basis as each lot is built out and sold to a homebuyer.
(c) AAA Home Builder, LLC will use the funds to gap the infrastructure costs for the lots and gap the construction costs for the units and will retain the proceeds from the sale of the units.
(d) AAA Home Builder, LLC will have two years to complete the build out and sale of the homes.
(e) The City will subordinate the first lien position to all interim financing lenders.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordination to construction lenders and releases of liens on the properties upon compliance with the conditional grant terms.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

AAA Home Builder, LLC Vendor # VC15365

Fund	Dept	Unit	Object Code	Program #	Encumbrance	Amount
3U53	HOU	W088	3016	3U53HOW088	HOU3U53H1198	$971,130

Section 5. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the conditional grant documents are duly approved by all parties and executed.

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

AGENDA ITEM # 48

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 69J

SUBJECT

Authorize a conditional grant agreement with Bosco Investments, Ltd. for land development for 35 single family homes for the Sandyland Estates Project located at 9301 Sandyland Road – Not to exceed $402,819 - Financing: 2012 Bond Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas.

Jeff Bosse and Simmie Cooper with Bosco Investments, Ltd. submitted a proposal to the City of Dallas for the land development for 35 housing units for mixed-income families. Bosco Investments, Ltd. has over 30 years of experience as a homebuilder under Casas Modernas, LLC, having constructed over 3,000 homes since 1995.

Bosco Investments, Ltd. has obtained private interim construction financing for the development of the land. The City will provide Bond funds for gap financing for development of 35 lots for homes to be built out and sold to mixed-income families. The lots will be discounted by the amount of City funds provided per lot. The single family homes will be 3 and 4 bedrooms with 2-2.5 baths and 2 car garages with approximately 1,450-1,750 sq. ft. The construction of the homes and occupancy will be completed in two years. A lien will be placed on the property for performance purposes and released on a partial basis as each City funded lot is built out and sold to a homebuyer. Estimated private leverage will be $960,000.

City Council approval of this item will authorize the City Manager to execute the conditional grant agreement with Bosco Investments, Ltd. for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement, by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

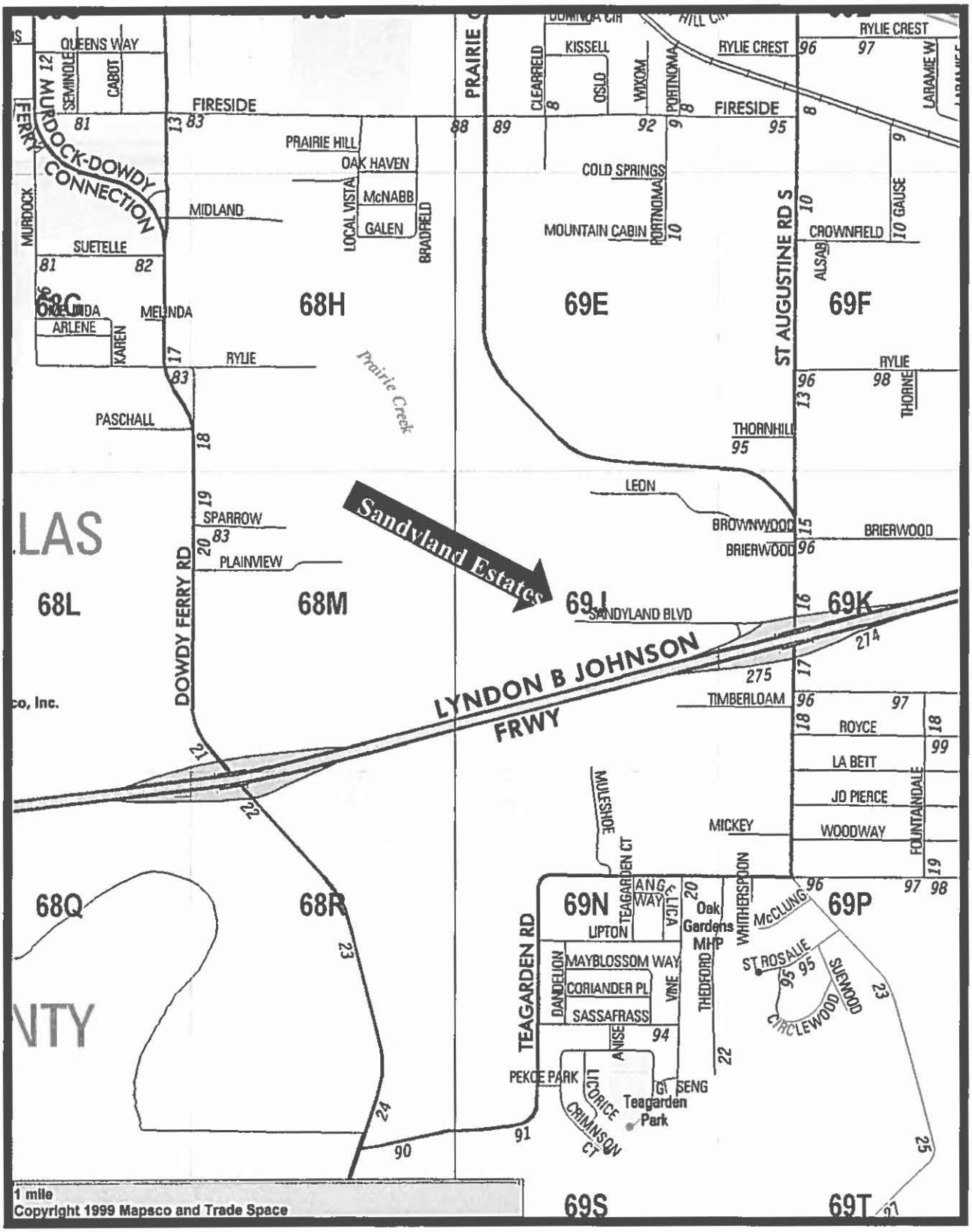
FISCAL INFORMATION

2012 Bond Funds – $402,819

OWNER	DEVELOPER
Bosco Investments, Ltd.	**Bosco Investments, Ltd.**
Jeff Bosse, President Simmie Cooper, Vice-President	Jeff Bosse, President Simmie Cooper, Vice President

MAP

Attached


QUEENS WAY
SEMINOLE
CABOT
MURDOCK-DOWDY CONNECTION
FERRY
MURDOCK
FIRESIDE
PRAIRIE HILL
OAK HAVEN
McNABB
GALEN
LOCAL VISTA
BRADFIELD
MIDLAND
SUETELLE
MELINDA
ARLENE
KAREN
RYLIE
PASCHALL
Prairie Creek
PRAIRIE
KISSELL
CLEARFIELD
OSLO
WIXOM
PORTINOMA
RYLIE CREST
COLD SPRINGS
MOUNTAIN CABIN
ST AUGUSTINE RD S
CROWNFIELD
ALSAB
GAUSE
THORNE
THORNHILL
LEON
BROWNWOOD
BRIERWOOD
Sandyland Estates
SPARROW
PLAINVIEW
DOWDY FERRY RD
SANDYLAND BLVD
LYNDON B JOHNSON FRWY
TIMBERLOAM
ROYCE
LA BETT
JD PIERCE
WOODWAY
FOUNTAINDALE
MICKEY
MUESCHOE
TEAGARDEN CT
ANG WAY
LICA
Oak Gardens MHP
WITHERSPOON
McCLUNG
TEAGARDEN RD
LIPTON
MAYBLOSSOM WAY
CORIANDER PL
SASSAFRASS
DANDELION
VINE
THEDFORD
ANISE
ST ROSALIE
SUEWOOD
CIRCLEWOOD
PEKOE PARK
LICORICE
CRIMSON CT
GI SENG
Teagarden Park
68C
68H
69E
69F
68L
68M
69I
69K
68Q
68R
69N
69P
69S
69T
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 69J

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, on May 2, 2016, the Housing Committee received a briefing memorandum on the Notice Of Funding Availability for Owner Occupied Housing Development Project recommendations; and

WHEREAS, Bosco Investments, Ltd. proposes to work with the City of Dallas to undertake the development of 35 single family homes for the Sandyland Estates Project located at 9301 Sandyland Road; and

WHEREAS, the City desires for Bosco Investments, Ltd. to develop single family homes for mixed-income families; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a conditional grant agreement in an amount not to exceed $402,819 with Bosco Investments, Ltd. for the land development for 35 single family homes for the Sandyland Estates Project to be located at 9301 Sandyland Road.

Section 2. That the terms of the conditional grant agreement include:

(a) Bosco Investments, Ltd. will execute a performance Deed of Trust on the property for performance purposes.
(b) The debt will be forgiven and the lien released on a partial basis as each home is built and sold to a homebuyer.
(c) Bosco Investments, Ltd. will use the funds to gap the infrastructure costs for the lots.
(d) Bosco Investments, Ltd. will have two years to complete the build out and sale of the homes.
(e) The City will subordinate first lien position to all interim financing lenders.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordinations to construction lenders and releases of liens on the property upon compliance with the conditional grant terms.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Bosco Investments, Ltd. Vendor # VS91063

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
3U53	HOU	W087	3016	3U53HOW087	9301SANDYLND	HOU3U53G214	$402,819

Section 5. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation, until such time as the conditional grant documents are duly approved by all parties and executed.

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

AGENDA ITEM # 49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 70N

SUBJECT

Authorize a conditional grant agreement with Camden Homes at Shady Oaks, LLC for construction of 40 single family homes for the Shady Oaks Project located at Highway 175 and South Woody Road - Not to exceed $1,200,000 - Financing: 2012 Bond Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas.

Simmie Cooper and Cyrus Akhavizadeh with Camden Homes at Shady Oaks, LLC submitted a proposal to the City of Dallas for the development of 40 housing units for mixed-income families. Camden Homes at Shady Oaks, LLC has over 18 years of experience as a homebuilder under Camden Homes, LLC having constructed over 3000 homes since 1995.

Camden Homes at Shady Oaks, LLC has obtained private interim construction financing for the construction costs. The City will provide Bond funds for gap financing for a portion of the construction costs for 40 homes to be built and sold to mixed-income families. The single family homes will be 3 and 4 bedrooms with 2-2.5 baths and 2 car garages with approximately 1,450-1,937 sq. ft. The construction and occupancy of the units will be completed within two years. A lien will be placed on the property for performance purposes and released on a partial basis as each City unit is built out and sold to a homebuyer. Estimated private leverage will be $5,000,000.

City Council approval of this item will authorize the City Manager to execute the conditional grant agreement with Camden Homes at Shady Oaks, LLC for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

FISCAL INFORMATION

2012 Bond Funds - $1,200,000

OWNER

Camden Homes at Shady Oaks, LLC

Simmie Cooper, Partner
Ted Akhavizadeh, Partner
Cyrus Akhavizadeh, Partner

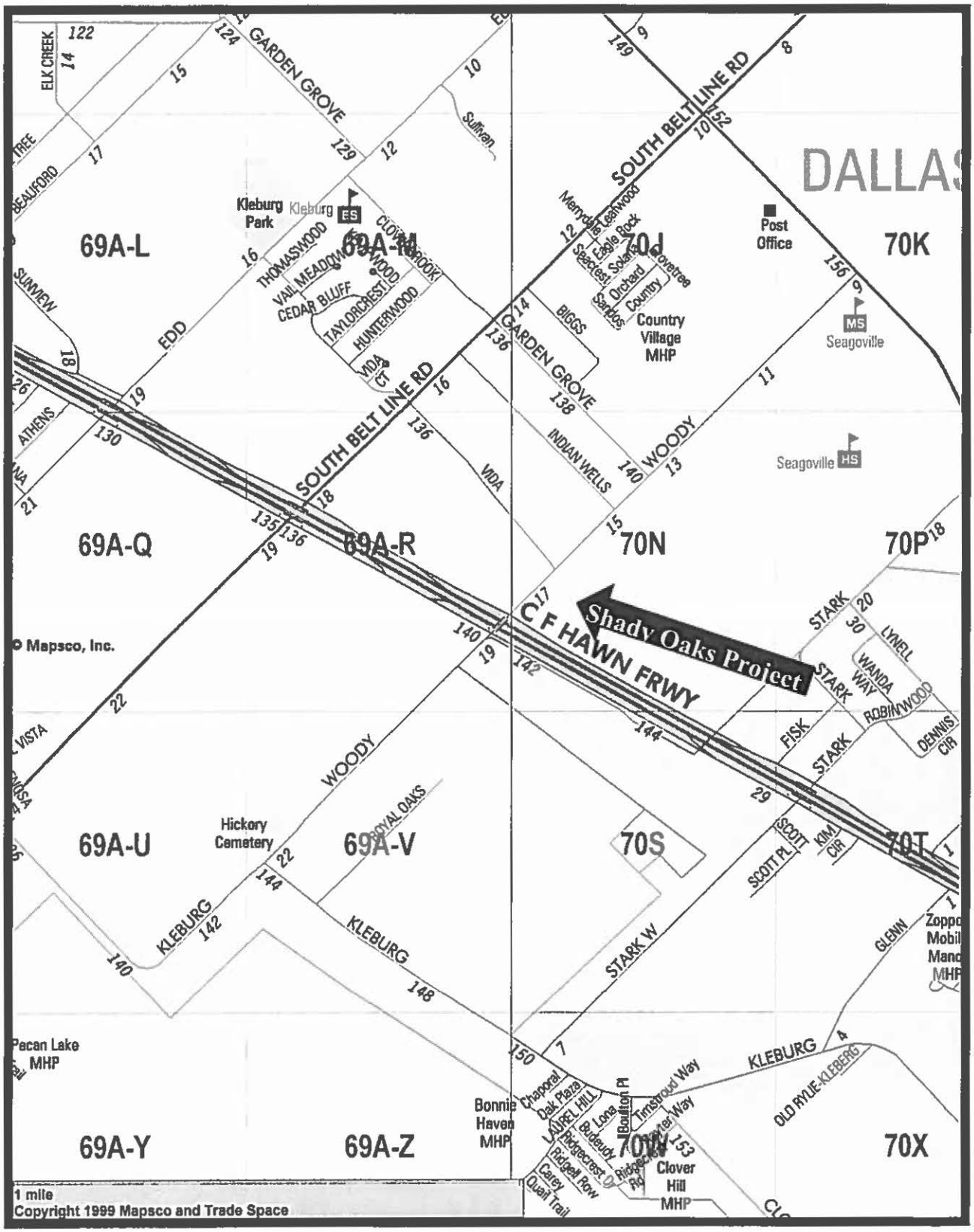
DEVELOPER

Camden Homes at Shady Oaks, LLC

Simmie Cooper, Partner
Ted Akhavizadeh, Partner
Cyrus Akhavizadeh, Partner

MAP

Attached



DALLAS
SOUTH BELT LINE RD
GARDEN GROVE
Kleburg Park
Kleburg
ES
Post Office
Seagoville
MS
HS
Country Village MHP
Merrydale
Leafwood
Eagle Rock
Seacrest
Solana
Orchard
Sandos
Country
Grovetree
BIGGS
INDIAN WELLS
WOODY
VIDA
EDD
THOMASWOOD
VAIL MEADOW
CEDAR BLUFF
TAYLORCREST
HUNTERWOOD
CLOVERBROOK
VIDA CT
ELK CREEK
BEAUFORD
SUNVIEW
ATHENS
Sullivan
69A-L
69A-M
70J
70K
69A-Q
69A-R
70N
70P
69A-U
69A-V
70S
70T
69A-Y
69A-Z
70W
70X
C F HAWN FRWY
Shady Oaks Project
STARK
LYNELL
WANDA WAY
ROBINWOOD
DENNIS CIR
FISK
SCOTT
SCOTT PL
KIM CIR
STARK W
GLENN
Zoppo Mobil Manc MHP
Hickory Cemetery
ROYAL OAKS
KLEBURG
Pecan Lake MHP
Bonnie Haven MHP
Chaporal
Oak Plaza
LAUREL HILL
Lona
Boulton Pl
Timstroud Way
Ridgecrest Dr
Ridgell Row
Carey
Quail Trail
Clover Hill MHP
OLD RYUE-KLEBERG
© Mapsco, Inc.
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 70N

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, on May 2, 2016, the Housing Committee received a briefing memorandum on the NOFA for Owner Occupied Housing Development Project recommendations; and

WHEREAS, Camden Homes at Shady Oaks, LLC proposes to work with the City of Dallas to undertake the construction of 40 single family homes for the Shady Oaks Project at Highway 175 and South Woody Road; and

WHEREAS, the City desires for Camden Homes at Shady Oaks, LLC to develop single family homes for mixed-income families; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a conditional grant agreement in an amount not to exceed $1,200,000 with Camden Homes at Shady Oaks, LLC for the construction of 40 single family homes for the Shady Oaks Project to be located at Highway 175 and South Woody Road.

Section 2. That the terms of the conditional grant agreement include:

(a) Camden Homes at Shady Oaks, LLC will execute a performance Deed of Trust on the property for performance purposes.
(b) The debt will be forgiven and the lien released on a partial basis as each lot is built out and sold to a homebuyer.
(c) Camden Homes will use the funds to gap the construction costs for the units and will retain the proceeds from the sale of the units.
(d) Camden Homes at Shady Oaks, LLC will have two years to complete the build out and sale of the homes.
(e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordinations to senior construction lender releases of liens and terminate deed restrictions on the properties upon compliance with the conditional grant terms.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Camden Homes at Shady Oaks, LLC Vendor #VS91610

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
2U53	HOU	W084	3016	2U53HOW084	40SHADYOAKS	HOU2U53G205	$1,200,000

Section 5. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation until such time as the conditional grant documents are duly approved by all parties and executed.

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

AGENDA ITEM # 50

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 49N

SUBJECT

Authorize a conditional grant agreement with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at 3831 North Prairie Creek Road – Not to exceed $844,192 - Financing: 2012 Bond Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. Victor Toledo with Greenleaf Ventures, LLC submitted a proposal to the City of Dallas for the land development for 36 single family homes for mixed income families.

Greenleaf Ventures, LLC has had previous contracts with the City to build housing in West Dallas and Pleasant Grove. Since 2002, Greenleaf Ventures, LLC and their affiliates have contributed to the redevelopment in West Dallas by selling 381 new single family lots in Greenleaf I and II.

The proposal is for 3 and 4 bedroom homes at approximately 1400-1800 sq. ft. The developer has obtained private financing for the balance of the construction costs. A lien will be placed on the property for performance purposes and released on a partial basis as each lot is built out and sold to an eligible homebuyer. The City will provide Bond funds for gap financing for land development of the lots for the units to be built on and sold to mixed income families. The lots will be discounted by the amount of City funds provided per lot. The land development, construction of homes, and sale of units will be complete in two years. Estimated private leverage will be $1,969,784.

City Council approval of this item will authorize the City Manager to execute the grant agreement with Greenleaf Ventures, LLC for these funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement, by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee received a briefing memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

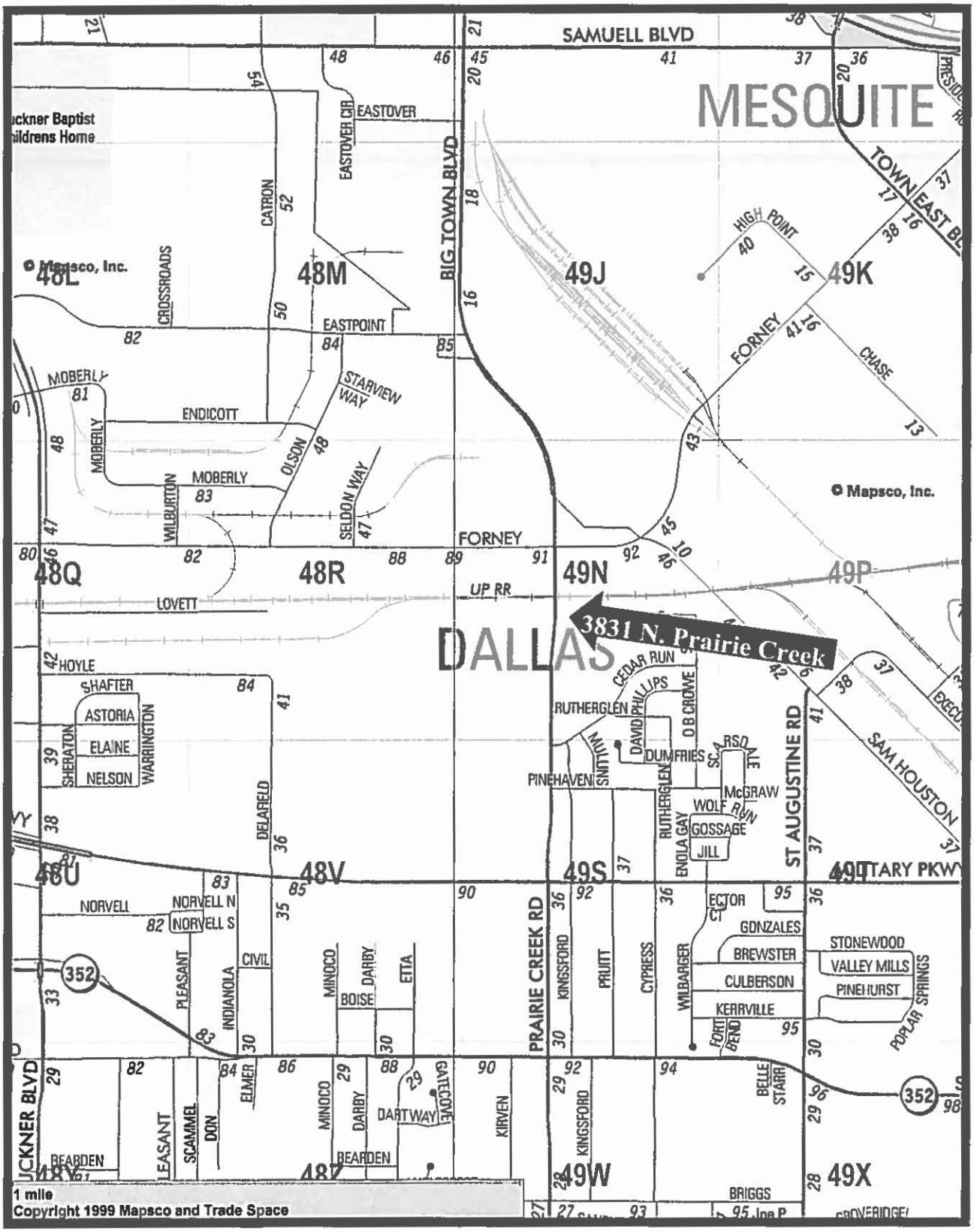
FISCAL INFORMATION

2012 Bond Funds – $844,192

OWNER	DEVELOPER
Greenleaf Ventures, LLC	**Greenleaf Ventures, LLC**
Victor Toledo, Manager Kent Casey, Manager	Victor Toledo, Manager Kent Casey, Manager

MAP

Attached


SAMUELL BLVD
MESQUITE
DALLAS
3831 N. Prairie Creek
BIG TOWN BLVD
TOWN EAST BL
EASTOVER
EASTOVER CIR
CATRON
CROSSROADS
EASTPOINT
MOBERLY
ENDICOTT
STARVIEW WAY
OLSON
WILBURTON
SELDON WAY
FORNEY
HIGH POINT
CHASE
UP RR
LOVETT
HOYLE
SHAFTER
ASTORIA
ELAINE
NELSON
SHERATON
WARRINGTON
DELAFIELD
CEDAR RUN
RUTHERGLEN
DAVID PHILLIPS
O B CROWE
DUMFRIES
SCARSDALE
PINEHAVEN
SNITTY
McGRAW
WOLF RUN
GOSSAGE
JILL
ENOLA GAY
ST AUGUSTINE RD
SAM HOUSTON
NORVELL
NORVELL N
NORVELL S
PLEASANT
INDIANOLA
CIVIL
MINOCO
DARBY
BOISE
ETTA
PRAIRIE CREEK RD
KINGSFORD
PRUITT
CYPRESS
WILBARGER
ECTOR CT
GONZALES
BREWSTER
CULBERSON
KERRVILLE
STONEWOOD
VALLEY MILLS
PINEHURST
POPLAR SPRINGS
FORT BEND
BELLE STARR
ELMER
SCAMMEL
DON
DARTWAY
GATECOVE
KIRVEN
BEARDEN
BRIGGS
352
48L
48M
49J
49K
48Q
48R
49N
49P
48U
48V
49S
49T
48Z
49W
49X
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 49N

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, on May 2, 2016, the Housing Committee received a briefing memo on the Notice of Funding Availability for Owner Occupied Housing Development Project recommendations; and

WHEREAS, Greenleaf Ventures, LLC proposes to work with the City of Dallas to undertake land development for 36 homes for the Buckner Terrace II Project in Pleasant Grove; and

WHEREAS, the City desires for Greenleaf Ventures, LLC to develop housing for households with varied income levels; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a conditional grant agreement in an amount not to exceed $844,192 with Greenleaf Ventures, LLC for land development for 36 single family homes for the Buckner Terrace II Project to be located at 3831 North Prairie Creek Road.

Section 2. That the terms of the conditional grant agreement include:

(a) Greenleaf Ventures, LLC will execute a performance Deed of Trust on the property for performance purposes.
(b) The debt will be forgiven and the lien released on a partial basis as each lot is built out and sold to a homebuyer.
(c) Greenleaf Ventures, LLC will use the funds to gap the infrastructure costs for the lots.
(d) Greenleaf Ventures, LLC will have 2 years to complete the build out and sale of the homes.
(e) The City will subordinate to first lien position to all interim financing lenders.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordinations to construction lenders and releases of liens on the properties upon compliance with the conditional grant terms.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Greenleaf Ventures, LLC Vendor # VS88080

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
2U53	HOU	W083	3016	2U53HOW083	36BUCKTERII	HOU2U53G204	$844,192

Section 5. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation until such time as the conditional grant documents are duly approved by all parties and executed.

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

AGENDA ITEM # 51

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 4, 5, 6, 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 55S 46X 65F 65G 58U 42H

SUBJECT

Authorize on-site reconstruction of six homes in accordance with the requirements of the Reconstruction Program Statement for the properties located at: 2614 South Ewing Avenue in the amount of $103,000; 3812 Atlanta Street in the amount of $103,000; 1422 Montague Avenue in the amount of $103,000; 1822 Mentor Avenue in the amount of $103,000; 7923 Rilla Avenue in the amount of $103,000; and 3912 Hammerly Drive in the amount of $103,000 - Total not to exceed $618,000 - Financing: 2012-13 Community Development Block Grant Reprogramming Funds ($91,001), 2012-13 HOME Investment Partnerships Program Grant Funds ($12,000), 2013-14 Community Development Block Grant Funds ($139), 2014-15 Community Development Block Grant Funds ($30,045), 2014-15 HOME Investment Partnerships Program Grant Funds ($93,000) and 2015-16 Community Development Block Grant Funds ($391,815)

BACKGROUND

The homeowners and the properties herein described are eligible for Reconstruction Program loans. The homeowners are below 80% AMFI and their names, ages and property addresses are as follows: Mary L. Shaw, a disabled female, 78 years old, residing at 2614 South Ewing Avenue; L.A. Ratcliff, a disabled male, 68 years old, residing at 3812 Atlanta Street; Bennie Frazier & Annie B. Frazier, an elderly couple, 77 & 74 years old, residing at 1422 Montague Avenue; John Lemons, a disabled male, 63 years old, residing at 1822 Mentor Avenue; Shirley Cole, a disabled female, 70 years old, residing at 7923 Rilla Avenue; and George Garcia & Maria O. Garcia, an elderly couple, 66 & 65 years old, residing at 3912 Hammerly Drive.

BACKGROUND (Continued)

Authorization by City Council is required before proceeding with on-site reconstruction of a home when all of the following conditions exist: (a) repairs necessary to meet the Quality Standards and all applicable codes cannot be accomplished within the program funding limits; (b) the condition of the home creates an imminent danger to the life, health and/or safety of the residents, and/or the neighborhood; and (c) repairs are not feasible to extend the life of the repaired structure beyond 15 years.

This action provides the authority to proceed with on-site reconstruction of six (6) single-family homes. Homeowners are allowed to select their builder from a certified list of contractors. The City provides the financing for the complete demolition and reconstruction for eligible homeowners. A lien and deed restrictions are placed on the home for twenty (20) years to ensure occupancy.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 25, 2011, City Council authorized modifications to the Reconstruction/SHARE Program Statement to increase the maximum Reconstruction Program Assistance Type One loan amount from up to $93,400 to up to $103,000, by Resolution No. 11-1349.

On January 22, 2014, City Council authorized modifications to the Reconstruction Program Statement to provide assistance as a twenty-year forgivable loan, by Resolution No. 14-0180.

Information about this item will be provided to the Housing Committee on May 16, 2016.

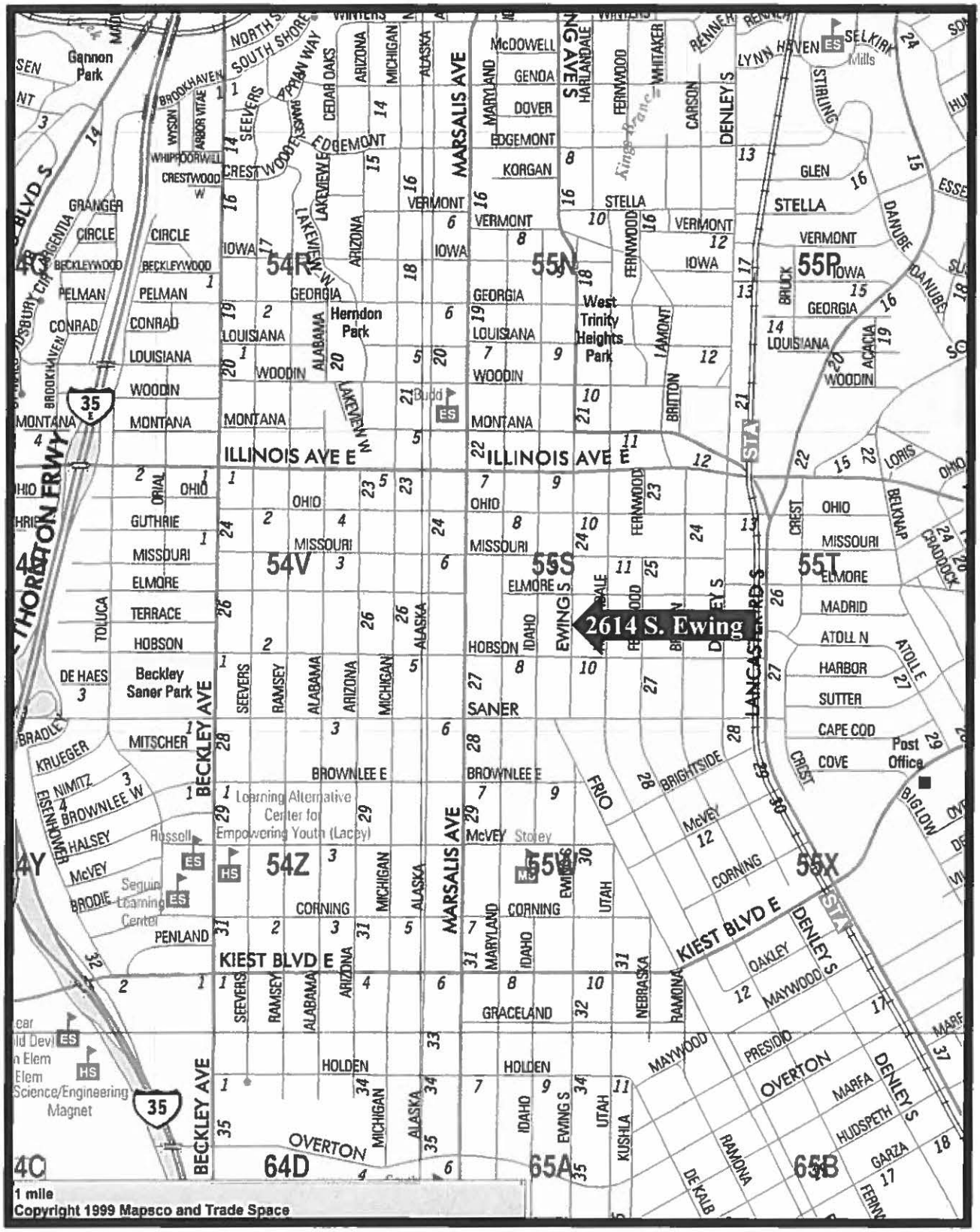
FISCAL INFORMATION

2012-13 Community Development Block Grant Reprogramming Funds - $91,000.47
2012-13 HOME Investment Partnerships Program Grant Funds - $12,000.05
2013-14 Community Development Block Grant Funds - $139.10
2014-15 Community Development Block Grant Funds - $30,045.20
2014-15 HOME Investment Partnerships Program Grant Funds - $93,000
2015-16 Community Development Block Grant Funds - $391,815.18

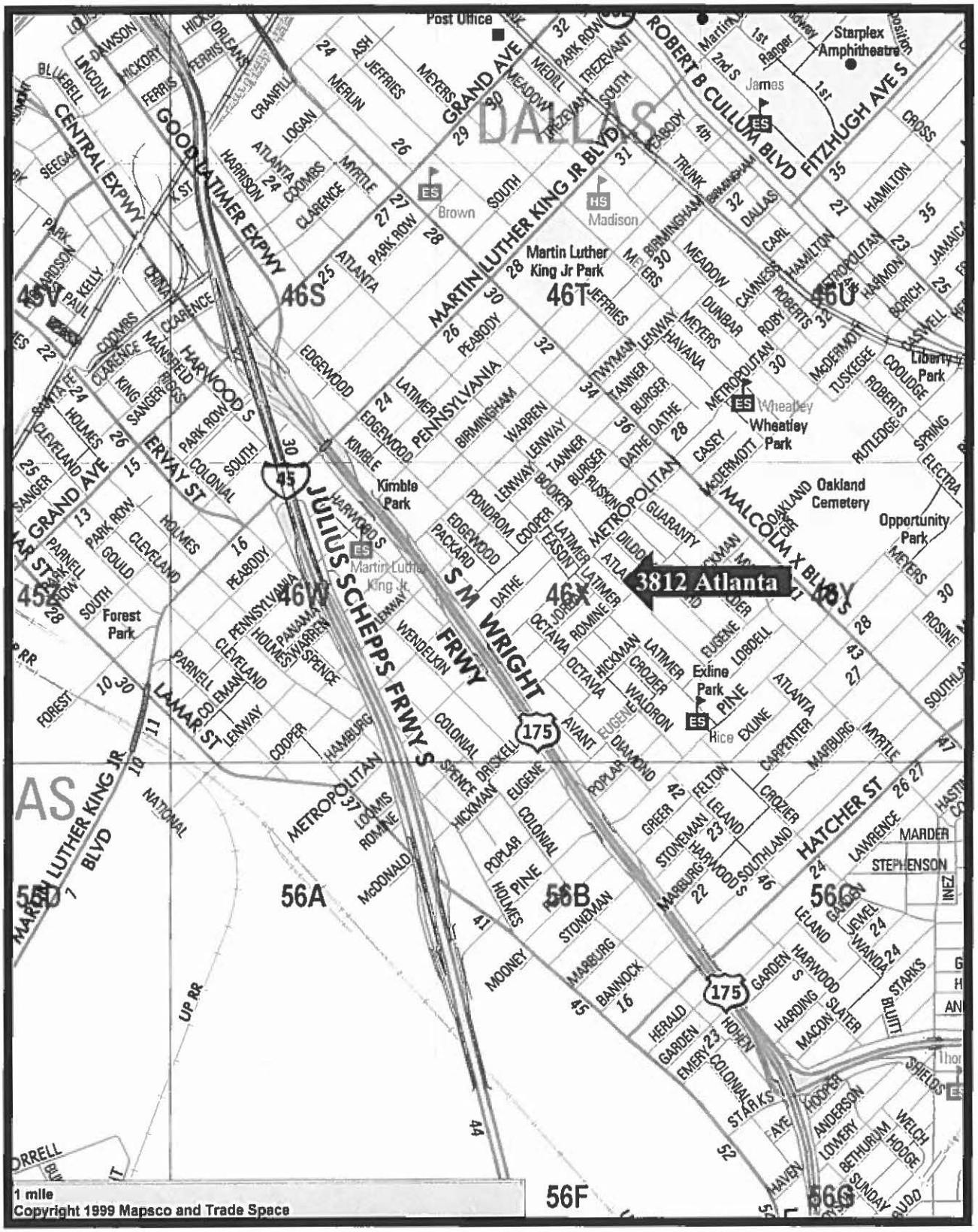
Council District	Amount
4	$309,000
5	$103,000
6	$103,000
7	$103,000
Total	$618,000

MAPS

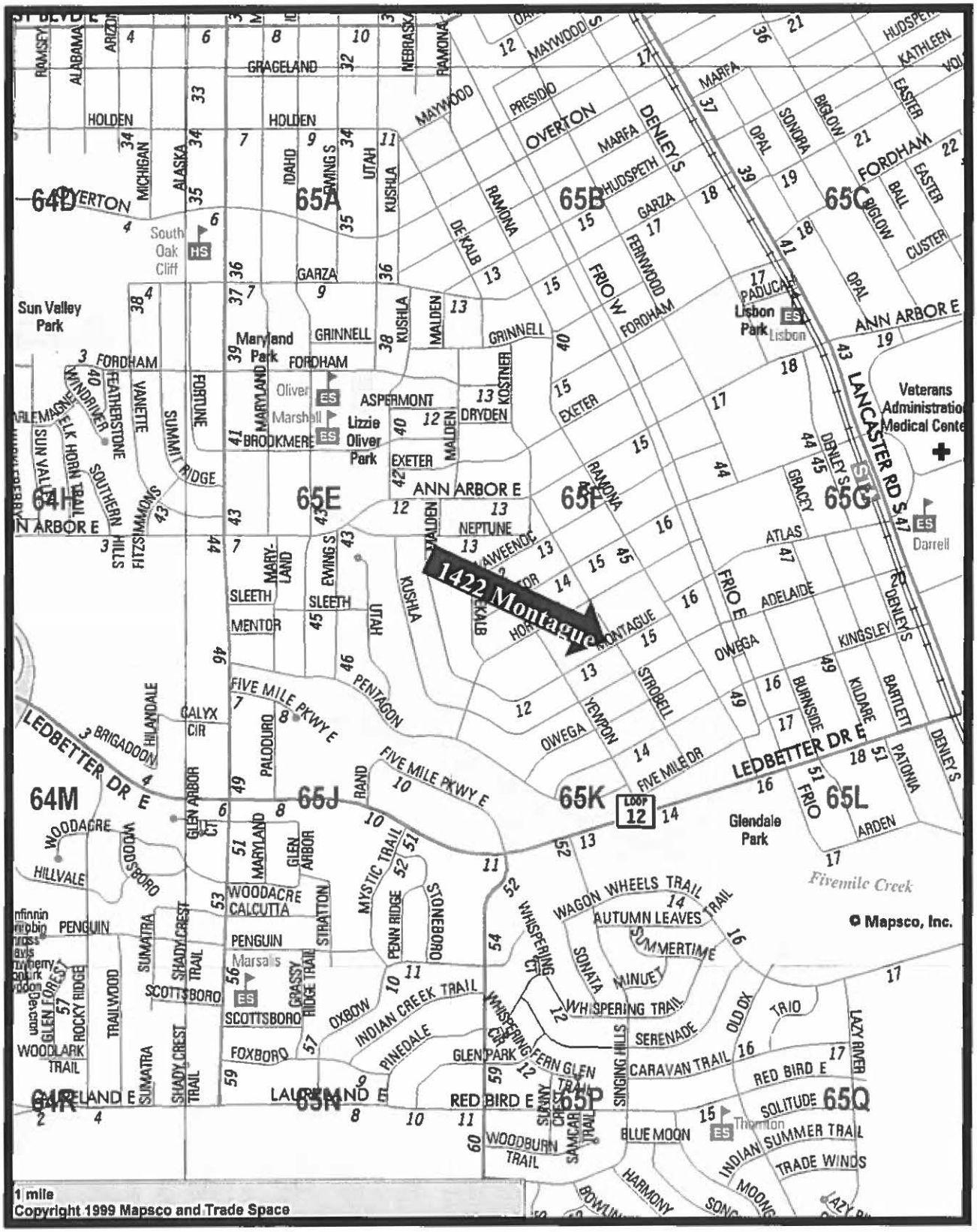
Attached


2614 S. Ewing
ILLINOIS AVE E
KIEST BLVD E
MARSALIS AVE
BECKLEY AVE
EWING S
LANCASTER RD S
DENLEY S
OVERTON
54R
55N
55P
54V
55S
55T
54Z
55W
55X
64D
65A
65B
Herndon Park
West Trinity Heights Park
Beckley Saner Park
Learning Alternative Center for Empowering Youth (Lacey)
Seguin Learning Center
Post Office
Gannon Park
Kings Branch
1 mile
Copyright 1999 Mapsco and Trade Space

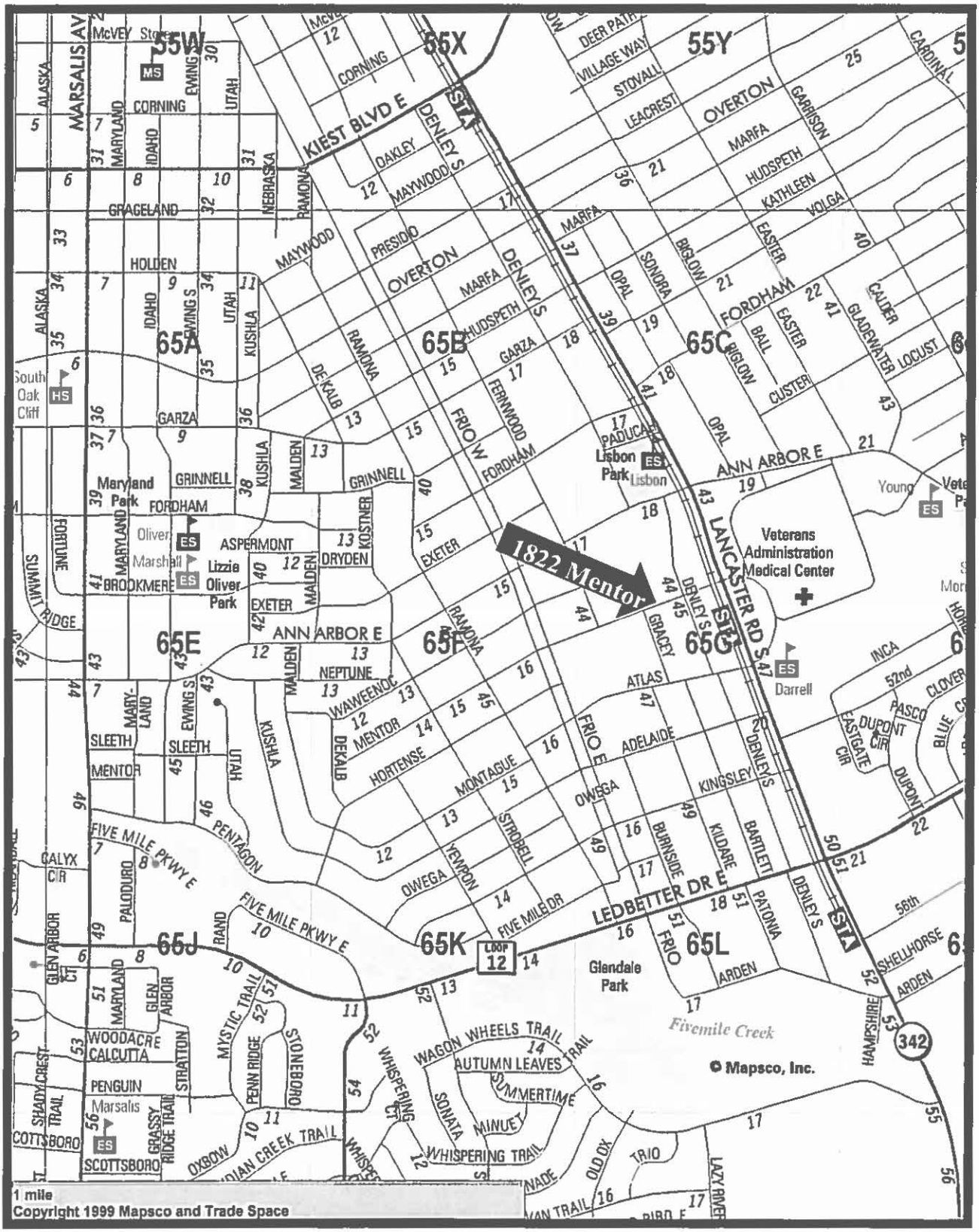
MAPSCO 55S


3812 Atlanta
DALLAS
Post Office
Starplex Amphitheatre
ROBERT B CULLUM BLVD
FITZHUGH AVE S
GRAND AVE
MARTIN LUTHER KING JR BLVD
Martin Luther King Jr Park
Brown
Madison
James
Wheatley
Wheatley Park
Liberty Park
Oakland Cemetery
Opportunity Park
Kimble Park
Martin Luther King Jr
Forest Park
Exline Park
Rice
JULIUS SCHEPPS FRWY S
S M WRIGHT FRWY
GOOD LATIMER EXPWY
CENTRAL EXPWY
HARWOOD S
ERVAY ST
LAMAR ST
METROPOLITAN
MALCOLM X BLVD
HATCHER ST
PENNSYLVANIA
PINE
45V
46S
46T
46U
45Z
46W
46X
46Y
56A
56B
56C
56D
56F
56G
175
45
1 mile
Copyright 1999 Mapsco and Trade Space

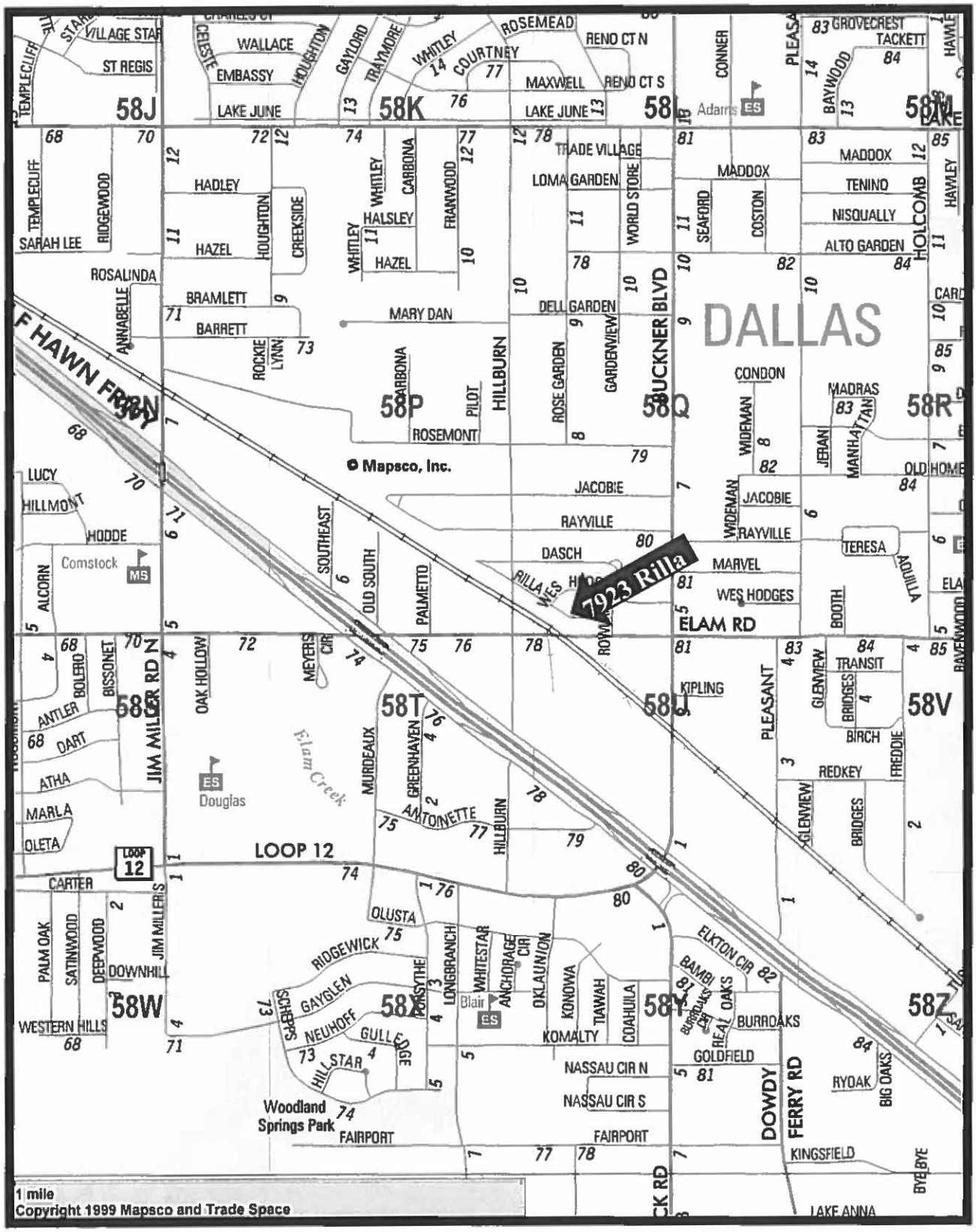
MAPSCO 46X


1422 Montague
64D
65A
65B
65C
64H
65E
65F
65G
64M
65J
65K
65L
64R
65N
65P
65Q
LEDBETTER DR E
LANCASTER RD S
ANN ARBOR E
FORDHAM
OVERTON
FRIO W
FRIO E
DENLEY S
FIVE MILE PKWY E
Sun Valley Park
South Oak Cliff
Maryland Park
Oliver Marshall
Lizzie Oliver Park
Lisbon Park
Veterans Administration Medical Center
Darrell
Glendale Park
Fivemile Creek
Marsalis
Thornton
© Mapsco, Inc.
1 mile
Copyright 1999 Mapsco and Trade Space

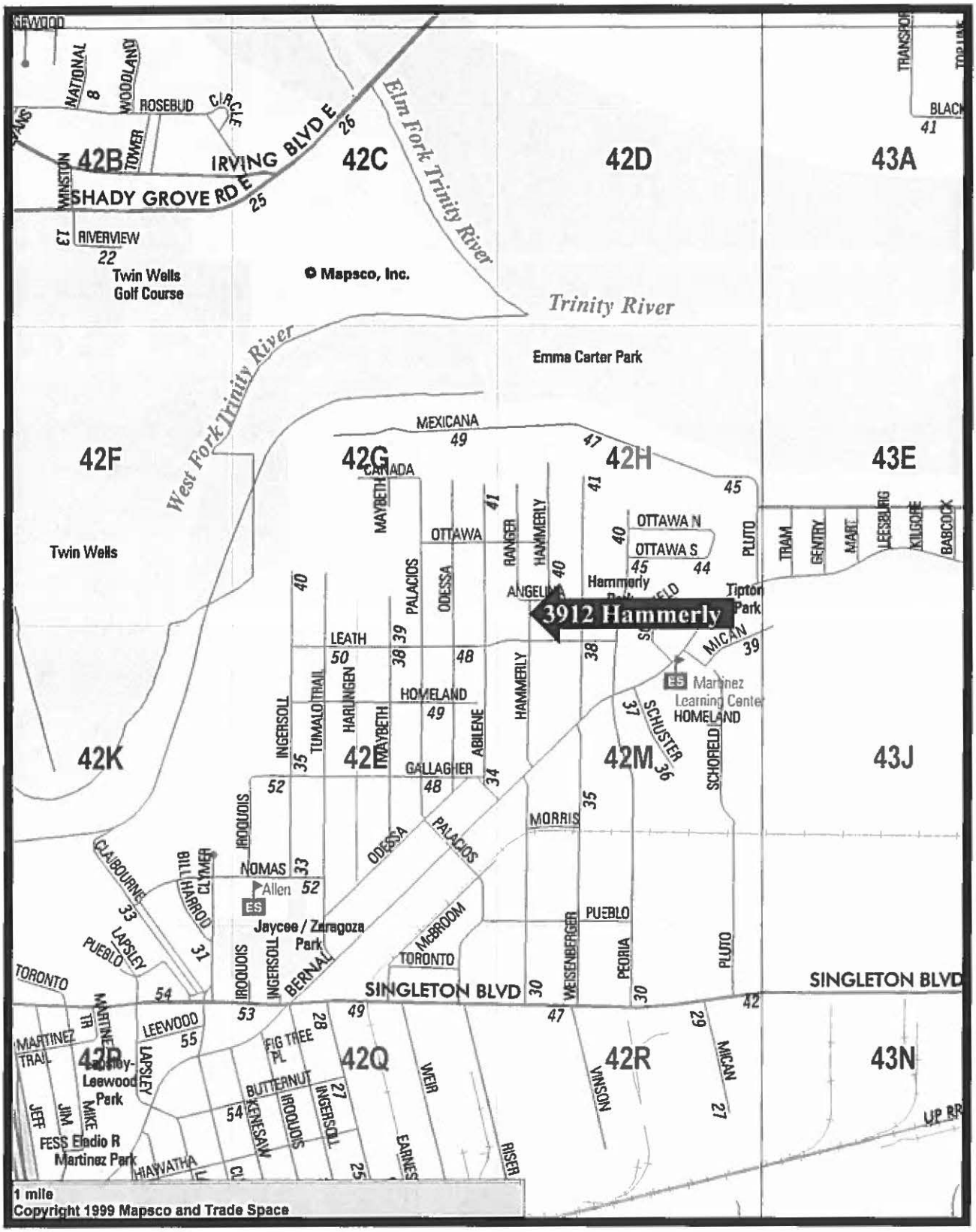
MAPSCO 65F


1822 Mentor
55W
55X
55Y
65A
65B
65C
65E
65F
65G
65J
65K
65L
KIEST BLVD E
LANCASTER RD S
ANN ARBOR E
LEDBETTER DR E
FIVE MILE PKWY E
Veterans Administration Medical Center
Lisbon Park
Maryland Park
Lizzie Oliver Park
Glendale Park
Fivemile Creek
© Mapsco, Inc.
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 65G


DALLAS
7923 Rilla
ELAM RD
LOOP 12
Elam Creek
Mapsco, Inc.
Woodland Springs Park
58J
58K
58L
58M
58N
58P
58Q
58R
58S
58T
58U
58V
58W
58X
58Y
58Z
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 58U


3912 Hammerly
42B
42C
42D
43A
42F
42G
42H
43E
42K
42E
42M
43J
42P
42Q
42R
43N
IRVING BLVD E
SHADY GROVE RD E
RIVERVIEW
Twin Wells Golf Course
© Mapsco, Inc.
Elm Fork Trinity River
Trinity River
West Fork Trinity River
Emma Carter Park
Twin Wells
MEXICANA
CANADA
OTTAWA
OTTAWA N
OTTAWA S
LEATH
HOMELAND
GALLAGHER
MORRIS
NOMAS
SINGLETON BLVD
TORONTO
PUEBLO
LEEWOOD
MARTINEZ TRAIL
Martinez Learning Center
Jaycee / Zaragoza Park
Lapsley-Leewood Park
FESS Eladio R Martinez Park
MAYBETH
RANGER
HAMMERLY
PALACIOS
ODESSA
INGERSOLL
TUMALO TRAIL
HARLINGEN
ABILENE
SCHUSTER
SCHOFIELD
IROQUOIS
BILL HARROD
CLAYBOURNE
LAPSLEY
McBROOM
BERNAL
WEISENBERGER
PEORIA
PLUTO
FIG TREE PL
BUTTERNUT
KENESAW
WEIR
VINSON
MICAN
EARNES
RISER
HIAWATHA
UP RR
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 42H

May 25, 2016

WHEREAS, on January 22, 2014, City Council authorized modifications to the Reconstruction Program Statement to provide assistance as a twenty-year forgivable loan by Resolution No. 14-0180; and

WHEREAS, the homeowners at the addresses herein described have made applications to the Home Repair Program: Mary L. Shaw at 2614 South Ewing Avenue; L.A. Ratcliff at 3812 Atlanta Street; Bennie Frazier & Annie B. Frazier at 1422 Montague Avenue; John Lemons at 1822 Mentor Avenue; Shirley Cole at 7923 Rilla Avenue; and George Garcia & Maria O. Garcia at 3912 Hammerly Drive; and

WHEREAS, all three conditions outlined in the Reconstruction Program Statement for on-site reconstruction of the homes were met for the property owners: Mary L. Shaw; L.A. Ratcliff; Bennie Frazier & Annie B. Frazier; John Lemons; Shirley Cole; and George Garcia & Maria O. Garcia;

NOW, THEREFORE,

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

SECTION 1. That the City Manager, can approve the on-site reconstruction of six homes in accordance with the requirements of the Reconstruction Program Statement for properties for: Mary L. Shaw at 2614 South Ewing Avenue; L.A. Ratcliff at 3812 Atlanta Street; Bennie Frazier & Annie B. Frazier at 1422 Montague Avenue; John Lemons at 1822 Mentor Avenue; Shirley Cole at 7923 Rilla Avenue; and George Garcia & Maria O. Garcia at 3912 Hammerly Drive.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the loan documents with each of the reconstruction eligible homeowners.

SECTION 3. That the Chief Financial Officer is authorized to make payments for reconstruction of the homes in accordance with the following funding information:

Fund 12R1, Dept. HOU, Unit 954E, Object Code 3100, CT HOU954EH1185 ($91,000.47)
Fund CD15, Dept. HOU, Unit 628H, Object Code 3100, CT HOU628HH1186 ($11,999.53)
Vendor # 337798 - Torres Construction - 2614 South Ewing Avenue

Fund HM12, Dept. HOU, Unit 896E, Object Code 3100, CT HOU896EH1187 ($12,000.05)
Fund CD15, Dept. HOU, Unit 628H, Object Code 3100, CT HOU628HH1188 ($90,999.95)
Vendor # 337798 - Torres Construction - 3812 Atlanta Street

SECTION 3. That the Chief Financial Officer is authorized to make payments for reconstruction of the homes in accordance with the following funding information: (Continued)

Fund CD14, Dept. HOU, Unit 455G, Object Code 3100, CT HOU455GH1189 ($30,045.20)
Fund CD15, Dept. HOU, Unit 628H, Object Code 3100, CT HOU628HH1190 ($72,954.80)
Vendor # 337798 - Torres Construction - 1422 Montague Avenue

Fund CD13, Dept. HOU, Unit 225F, Object Code 3100, CT HOU225FH1191 ($139.10)
Fund CD15, Dept. HOU, Unit 628H, Object Code 3100, CT HOU628HH1192 ($102,860.90)
Vendor # 337798 - Torres Construction - 1822 Mentor Avenue

Fund HM14, Dept. HOU, Unit 510G, Object Code 3100, CT HOU510GH1193 ($93,000)
Fund CD15, Dept. HOU, Unit 628H, Object Code 3100, CT HOU628HH1194 ($10,000)
Vendor # 337798 - Torres Construction - 7923 Rilla Avenue

Fund CD15, Dept. HOU, Unit 628H, Object Code 3100, CT HOU628HH1195 ($103,000)
Vendor # 337798 - Torres Construction - 3912 Hammerly Drive

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

AGENDA ITEM # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 9

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 47C

SUBJECT

Authorize **(1)** a housing development loan in an amount not to exceed $250,000; and **(2)** a conditional grant agreement in an amount not to exceed $200,000 with KAH Holdings, Inc. dba Karrington & Company for construction of ten single family homes for the Ferguson Road Townhomes Project to be located in 7839 Ferguson Road - Total not to exceed $450,000 - Financing: 2011-12 HOME Investment Partnership Program Grant Funds ($57,260), 2012-13 HOME Investment Partnership Program Grant Funds ($17,683), 2013-14 HOME Investment Partnership Program Grant Funds ($42,053), FY 2014-15 HOME Program Income #1 ($72,326), 2015-16 HOME Investment Partnership Program Grant Funds ($60,678) and 2012 Bond Funds ($200,000)

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. KAH Holdings, Inc. dba Karrington & Company submitted a proposal to the City of Dallas for the development of ten housing units to be located at 7839 Ferguson Road.

KAH Holdings, Inc. dba Karrington & Company has had prior contracts with the City to develop veterans housing. KAH Holdings, Inc. dba Karrington & Company has obtained private interim construction financing for the construction of the units. Estimated private leverage will be $1,325,000.

The project will receive HOME Investment Partnership Program Grant Funds from the U.S. Department of Housing and Urban Development (HUD) and 2012 Bond Funds. The City of Dallas will provide gap financing for construction of the units to be built and sold to households with mixed incomes which would range up to Area Median Family Income (AMFI) for HOME assisted units and above 80% AMFI for Bond assisted units.

BACKGROUND (continued)

The homes will be three-story, 2 bedroom, with approximately 1600-1700 sq. ft. and have open dining and living areas. The construction work and occupancy will be completed within two years. Upon sale, liens will be released but deed restrictions will remain on the property for 15 years.

City Council approval of this item will authorize the City Manager to execute the loan and conditional grant documents with KAH Holdings, Inc. dba Karrington & Company for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001.

On June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055.

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

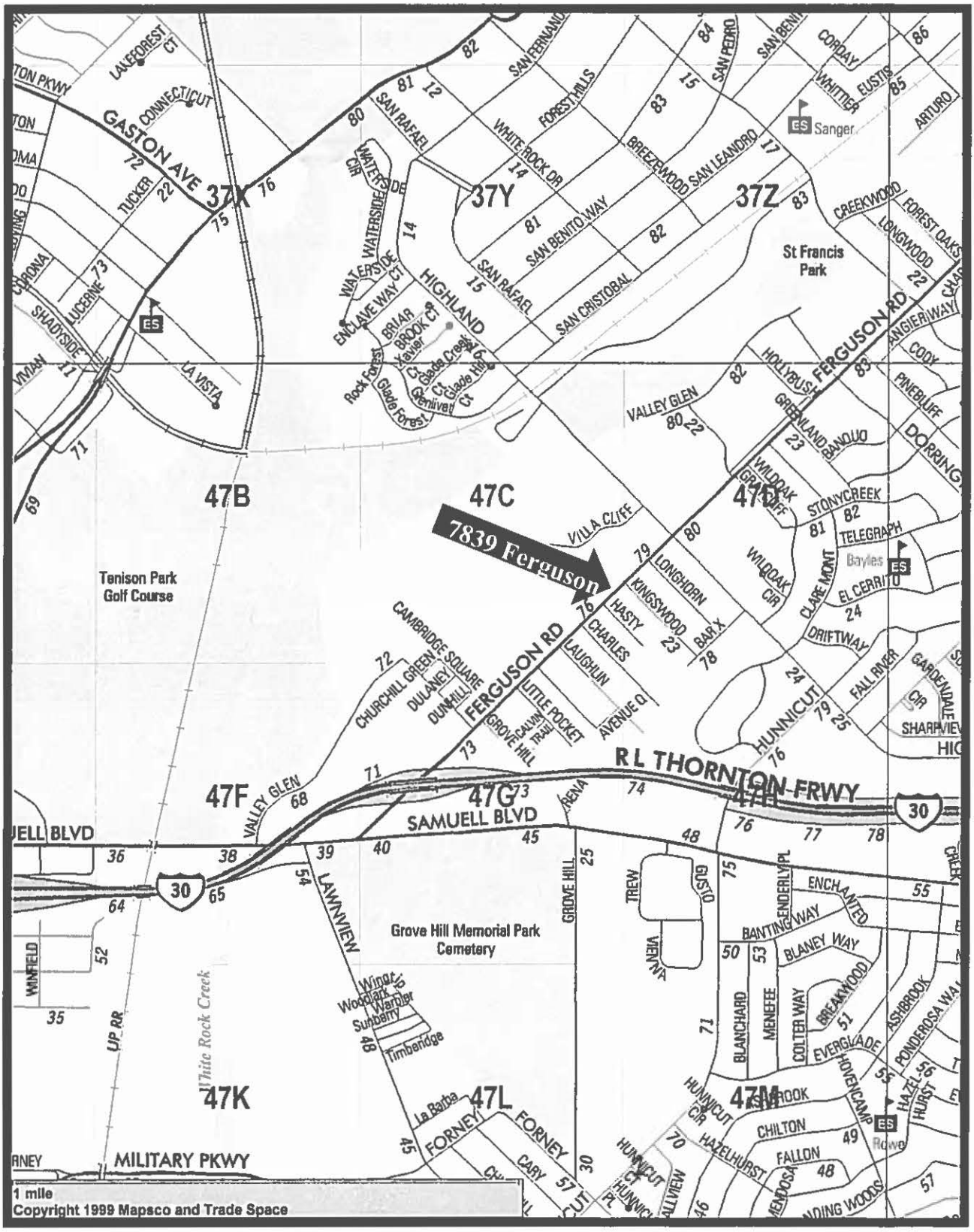
FISCAL INFORMATION

2011-12 HOME Investment Partnership Program Grant Funds - $57,260
2012-13 HOME Investment Partnership Program Grant Funds - $17,683
2013-14 HOME Investment Partnership Program Grant Funds - $42,053
FY 2014-15 HOME Program Income #1 - $72,326
2015-16 HOME Investment Partnership Program Grant Funds - $60,678
2012 Bond Funds - $200,000

OWNER	DEVELOPER
KAH Holdings, Inc. dba Karrington & Company	**KAH Holdings, Inc. dba Karrington & Company**
Gary Hasty, President	Gary Hasty, President

MAP

Attached


7839 Ferguson
FERGUSON RD
R L THORNTON FRWY
SAMUELL BLVD
GASTON AVE
MILITARY PKWY
Tenison Park Golf Course
Grove Hill Memorial Park Cemetery
White Rock Creek
St Francis Park
Sanger
Bayles
Rowe
47B
47C
47D
47F
47G
47H
47K
47L
47M
37X
37Y
37Z
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 47C

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds by Resolution No. 14-1001; and

WHEREAS, on June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, KAH Holdings, Inc. dba Karrington & Company proposes to work with the City of Dallas to undertake the development of ten single family townhomes for the Ferguson Rd. Project at 7839 Ferguson Road; and

WHEREAS, the City desires for KAH Holdings, Inc. dba Karrington & Company to develop single family units for households with varied income levels; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute (1) a housing development loan in an amount not to exceed $250,000; and (2) a conditional grant agreement in an amount not to exceed $200,000 with KAH Holdings, Inc. dba Karrington & Company for the development of ten single family homes for the Ferguson Road Townhomes Project to be located at 7839 Ferguson Road.

Section 2. That the terms of the agreements include:

(a) KAH Holdings, Inc. dba Karrington & Company must execute a note payable for $250,000 with 0% interest and deferred payments until completion with the City of Dallas.
(b) KAH Holdings, Inc. dba Karrington & Company will execute both a performance line for the bond funds, as well as a Deed of Trust securing repayment of the loan note, and deed restriction for a 15-year term for the affordable units.
(c) KAH Holdings, Inc. dba Karrington & Company will use the funds to gap the construction costs for the units and will retain the proceeds from the sale of the units. Upon sale of each unit to an eligible homebuyer, the HOME debt will be partially forgiven and the liens partially released.

Section 2. (continued)

(d) KAH Holdings, Inc. dba Karrington & Company will have two years to fully complete the project.
(e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the loan agreement and associated documents the conditional grant agreement and associated documents, subordinations to the senior construction lender, and releases of liens and terminations of deed restrictions on the property upon compliance with the loan and conditional grant terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

KAH Holdings, Inc. dba Karrington & Company # VS0000073392

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
3U53	HOU	W086	3016	3U53HOW086	7839FERGSM-TH	HOU3U53G207	$200,000
HM15	HOU	640H	3015	3U53HO640H	7839FERGSM-TH	HOU3U53G207	$60,678
14M1	HOU	489G	3015	3U53HO489G	7839FERGSM-TH	HOU3U53G207	$72,326
HM13	HOU	233F	3015	3U53HO233F	7839FERGSM-TH	HOU3U53G207	$42,053
HM12	HOU	890E	3015	3U53HO890E	7839FERGSM-TH	HOU3U53G207	$17,683
HM11	HOU	745D	3015	3U53HO745D	7839FERGSM-TH	HOU3U53G207	$57,260

Section 5. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund HM11, HM12, HM13, 14M1 and HM15 for the amount of the $250,000 loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation until such time as the loan and conditional grant documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 53

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 56V 56Z

SUBJECT

Authorize **(1)** a housing development loan in an amount not to exceed $440,000; and **(2)** a conditional grant agreement in an amount not to exceed $280,000 with Dallas Area Habitat for Humanity for construction of 18 single family homes for the Joppa Neighborhood Project - Total not to exceed $720,000 - Financing: 2014-15 HOME Investment Partnership Program Grant Funds ($440,000) and 2012 Bond Funds ($280,000)

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. Dallas Area Habitat for Humanity (Habitat) submitted a proposal to the City of Dallas for the development of 18 housing units for mixed income families.

Habitat has had prior contracts with the City to develop homes in the Joppa Neighborhood. In 2014-15, they completed construction and sold 18 homes to households at or below 80% AMFI. Habitat has obtained private interim construction financing for the construction of the units. The homes will have 3 and 4 bedrooms with approximately 1387-1578 sq. ft. with single and double car garages. Estimated private leverage will be $1,892,000.

The project will receive HOME Investment Partnership Program Grant Funds from the U.S. Department of Housing and Urban Development (HUD) and 2012 Bond Funds. The City of Dallas will provide gap financing for construction of the units to be built and sold to households with varied income levels which would range up to 80% Area Median Family Income (AMFI) for HOME assisted units and above 80% AMFI for BOND assisted units.

The construction work and sales will be completed within two years. Upon sale, the lien will be released but deed restrictions will remain on the property for 10 years.

BACKGROUND (continued)

City Council approval of this item will authorize the City Manager to execute the loan and conditional grant documents with Habitat for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for FY 2014-15 federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001.

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

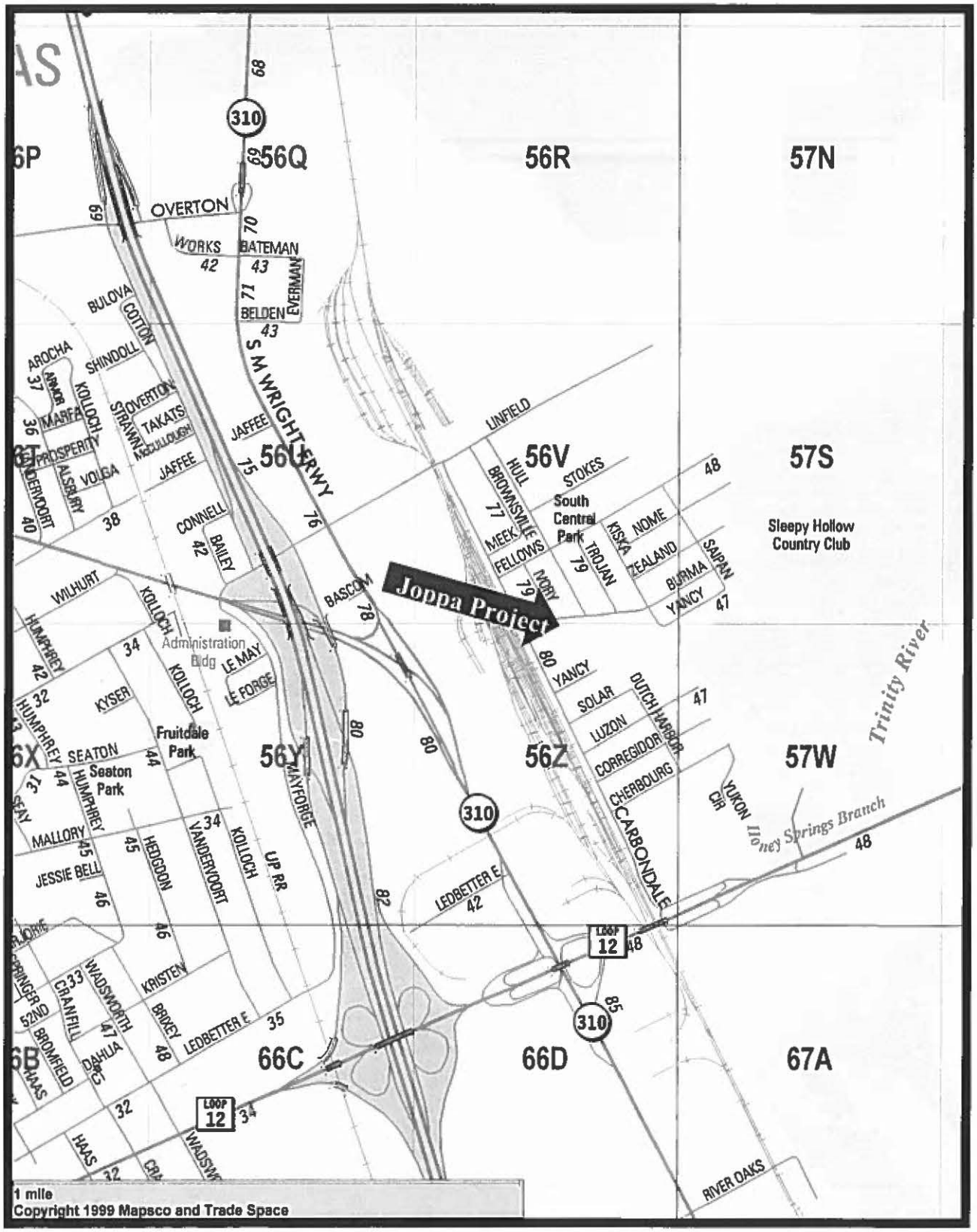
FISCAL INFORMATION

2014-15 HOME Investment Partnership Program Grant Funds - $440,000
2012 Bond Funds - $280,000

OWNER	DEVELOPER
Dallas Area Habitat for Humanity	**Dallas Area Habitat for Humanity**
Bill Hall, Chief Executive Officer	Bill Hall, Chief Executive Officer

MAP

Attached



MAPSCO 56V & 56Z

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for FY 2014-15 federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, Dallas Area Habitat for Humanity (Habitat) proposes to work with the City of Dallas to undertake the development of 18 single family units for the Joppa Neighborhood Project; and

WHEREAS, the City desires for Habitat to develop homes for households with varied income levels; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute (1) a housing development loan in an amount not to exceed $440,000; and (2) a conditional grant agreement in an amount not to exceed $280,000 with Dallas Area Habitat for Humanity for the development of 18 single family homes for the Joppa Neighborhood Project.

Section 2. That the terms of the agreements include:

(a) Habitat must execute a note payable for $440,000 with 0% interest and deferred payments until completion with the City of Dallas for the loan.
(b) Habitat will execute a performance deed of trust as well as a Deed of Trust to secure repayment of the note, and will also execute deed restrictions for a 10-year term for the affordable units.
(c) Habitat will use the funds to gap the construction costs for the units and will retain the proceeds from the sale of the units. Upon sale of each unit to an eligible homebuyer, the HOME debt will be partially forgiven and the liens partially released.
(d) Habitat will have two (2) years to fully complete the project.
(e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the loan agreement and associated documents, the conditional grant agreement and associated documents, subordinations to the senior construction lender, and releases of liens and terminations of deed restrictions on the property upon compliance with the loan and conditional grant terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Dallas Area Habitat for Humanity Vendor #VC0000002756

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
HM14	HOU	467G	3015	2U53HO467G	18JOPPA-SD	HOU2U53G206	$440,000
2U53	HOU	W085	3016	2U53HOW085	18JOPPA-SD	HOU2U53G206	$280,000

Section 5. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund HM14 for the amount of the $440,000 loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the loan and conditional grant documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 54

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 48R 48V

SUBJECT

Authorize a housing development loan with Builders of Hope Community Development Corporation, a certified Community Housing Development Organization, for construction of 20 single family homes in the Prairie Creek area - Not to exceed $450,000 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. Builders of Hope Community Development Corporation (BOH) submitted a proposal to the City of Dallas for the development of 20 single family homes for households with varied incomes.

BOH is a certified Community Housing Development Organization (CHDO) and has had prior contracts with the City to develop homes in the Prairie Creek area. For the past few years, BOH completed construction and sold 29 homes in this area to households at or below 80% AMFI. BOH owns the property and is obtaining interim construction financing with a private lender for a portion of the construction of the units. Estimated private leverage will be $2,437,660.

The project will receive HOME Investment Partnership Program Grant Funds from the U.S. Department of Housing and Urban Development (HUD). The City of Dallas will provide gap financing for construction of the units to be built and sold to families with varied incomes which would range up to 80% of area median family income. The homes will be 3-4 bedroom with approximately 1300-1700 sq. ft. The construction work and occupancy will be completed within two years. Upon sale, the lien will be released but deed restrictions will remain on the property for 10 years.

BACKGROUND (continued)

City Council approval of this item will authorize the City Manager to execute the loan documents with BOH for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055.

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA recommendations.

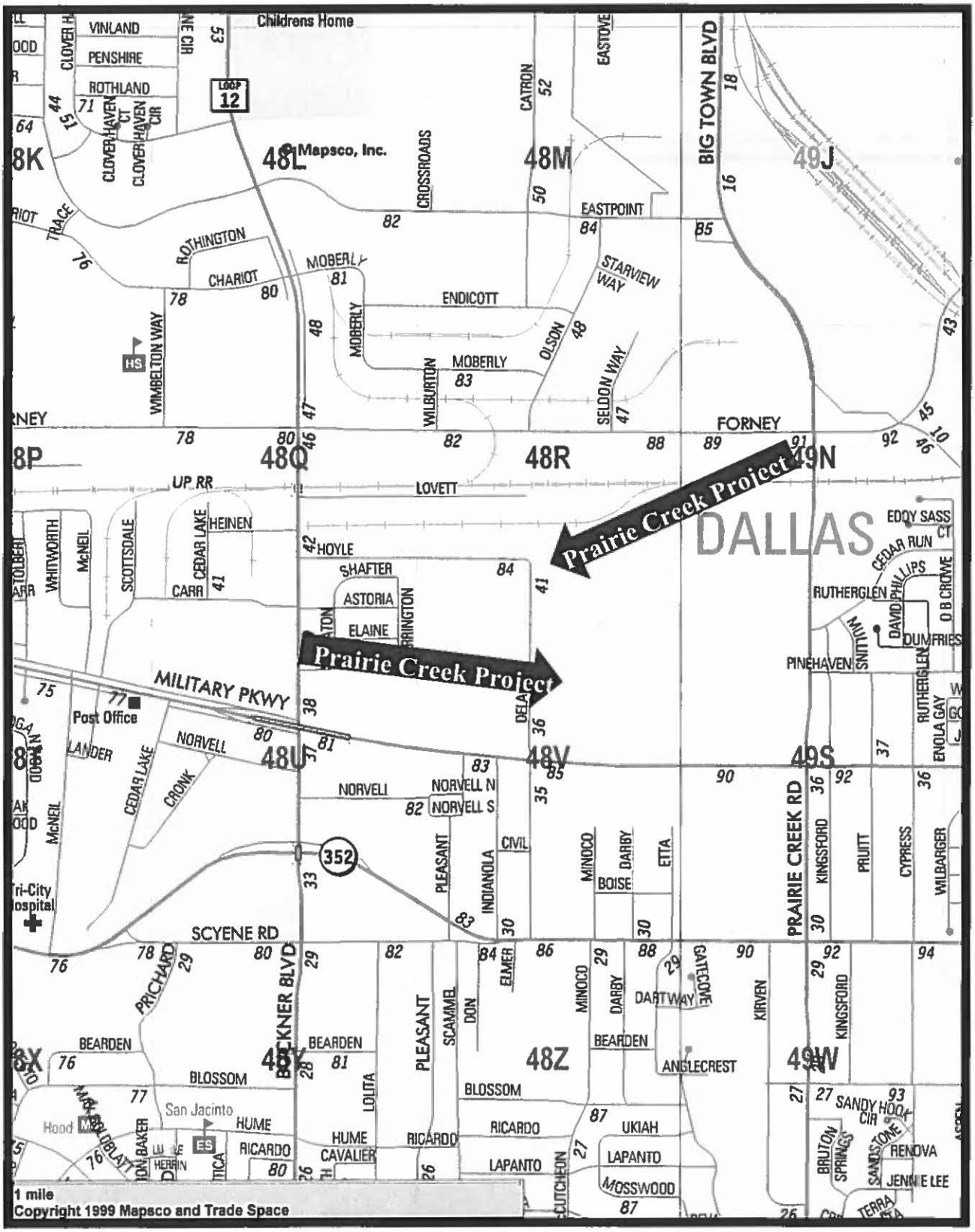
FISCAL INFORMATION

2015-16 HOME Investment Partnership Program Grant Funds - $450,000

OWNER	DEVELOPER
Builders of Hope Community Development Corporation	**Builders of Hope Community Development Corporation**
Damon Polk, Interim President	Damon Polk, Interim President

MAP

Attached



MAPSCO 48R & 48V

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055; and

WHEREAS, the Community Housing Development Organization (CHDO) Program requires a CHDO Set-Aside Project commitment within 24-months of receiving the FY 2015-16 CHDO Operating Assistance Grant award and this project satisfies that requirement; and

WHEREAS, Builders of Hope Community Development Corporation (BOH) proposes to work with the City of Dallas to undertake the development of 20 single family units in the Prairie Creek area; and

WHEREAS, the City desires for BOH to develop single family homes for mixed income families; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed $450,000 with Builders of Hope Community Development Corporation, a certified CHDO, for the development of 20 single family homes in the Prairie Creek area.

Section 2. That the terms of the loan agreement include:

(a) BOH must execute a note payable for $450,000 with 0% interest and deferred payments until completion with ~~to~~ the City of Dallas.
(b) BOH will execute a lien through a Deed of Trust and deed restriction for a 10-year term.
(c) BOH will use the funds to gap the construction costs for the units and will repay the proceeds from the sale of the units, after payment of the first lender lien. Upon repayment, the debt will be forgiven and the lien released.
(d) BOH will have two (2) years to fully complete the project.

Section 2. (continued)

(e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Builders of Hope CDC Vendor # 337558

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
HM15	HOU	640H	3015	HMHOBOH	10PRAIRIECRK	HOUHM15G208	$450,000

Section 5. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and deferred revenue-home loans in (0859) in fund HM15 for the amount of the loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the loan documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 4, 8

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 65C 65U

SUBJECT

Authorize a housing development loan with City Wide Community Development Corporation, a certified Community Housing Development Organization, for construction of five single family homes located on scattered sites in Dallas - Not to exceed $225,000 - Financing: 2010-11 Neighborhood Stabilization Program 3 Funds ($90,000), 2014-15 HOME Investment Partnership Program Funds ($94,011) and FY 2014-15 HOME Program Income #1 ($40,989)

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. City Wide Community Development Corporation (CWCDC) submitted a proposal to the City of Dallas for the development of five single family housing units.

CWCDC is a certified Community Housing Development Organization (CHDO) and has had prior contracts with the City to develop homes in Dallas. In 2014-15, CWCDC completed construction and rented 42 multifamily units in this area to low-income households. CWCDC owns the lots located on scattered sites and is obtaining interim construction financing with a private lender for a portion of the construction of the units. Estimated private leverage will be $487,665.

The project will receive FY 2014-15 HOME Investment Partnership Program Grant Funds and Neighborhood Stabilization Program Funds from the U.S. Department of Housing and Urban Development (HUD) for gap financing for construction of the units which allow CWCDC to offer these homes to households of varied income levels which would range up 120% of area median family income. The construction work will be completed within two years along with occupancy of the units. Upon sale of the homes, the lien will be released but deed restrictions will remain on the property for 15 years.

BACKGROUND (continued)

City Council approval of this item will authorize the City Manager to execute the loan documents with CWCDC for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001.

On December 9, 2015, City Council authorized the adoption of Substantial Amendment No. 4 for the Neighborhood Stabilization Program by Resolution No. 15-2263.

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA project recommendations.

FISCAL INFORMATION

2010-11 Neighborhood Stabilization Program 3 Funds - $90,000
2014-15 HOME Investment Partnership Program Grant Funds - $94,011
FY 2014-15 HOME Program Income #1 - $40,989

Council District	Amount
4	$ 90,000
8	$135,000
Total	$225,000

OWNER

City Wide Community Development Corporation

Sherman Roberts, President

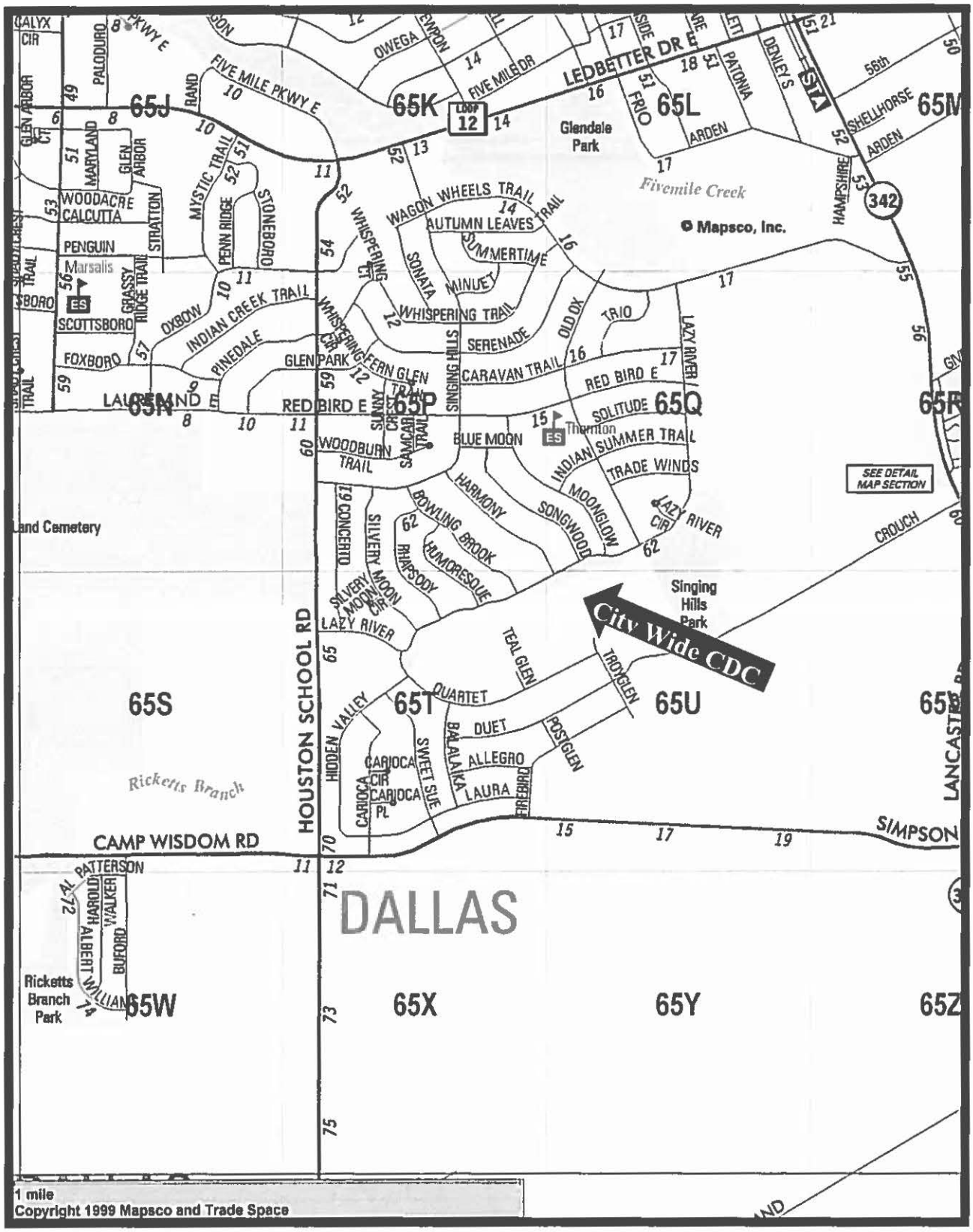
DEVELOPER

City Wide Community Development Corporation

Sherman Roberts, President

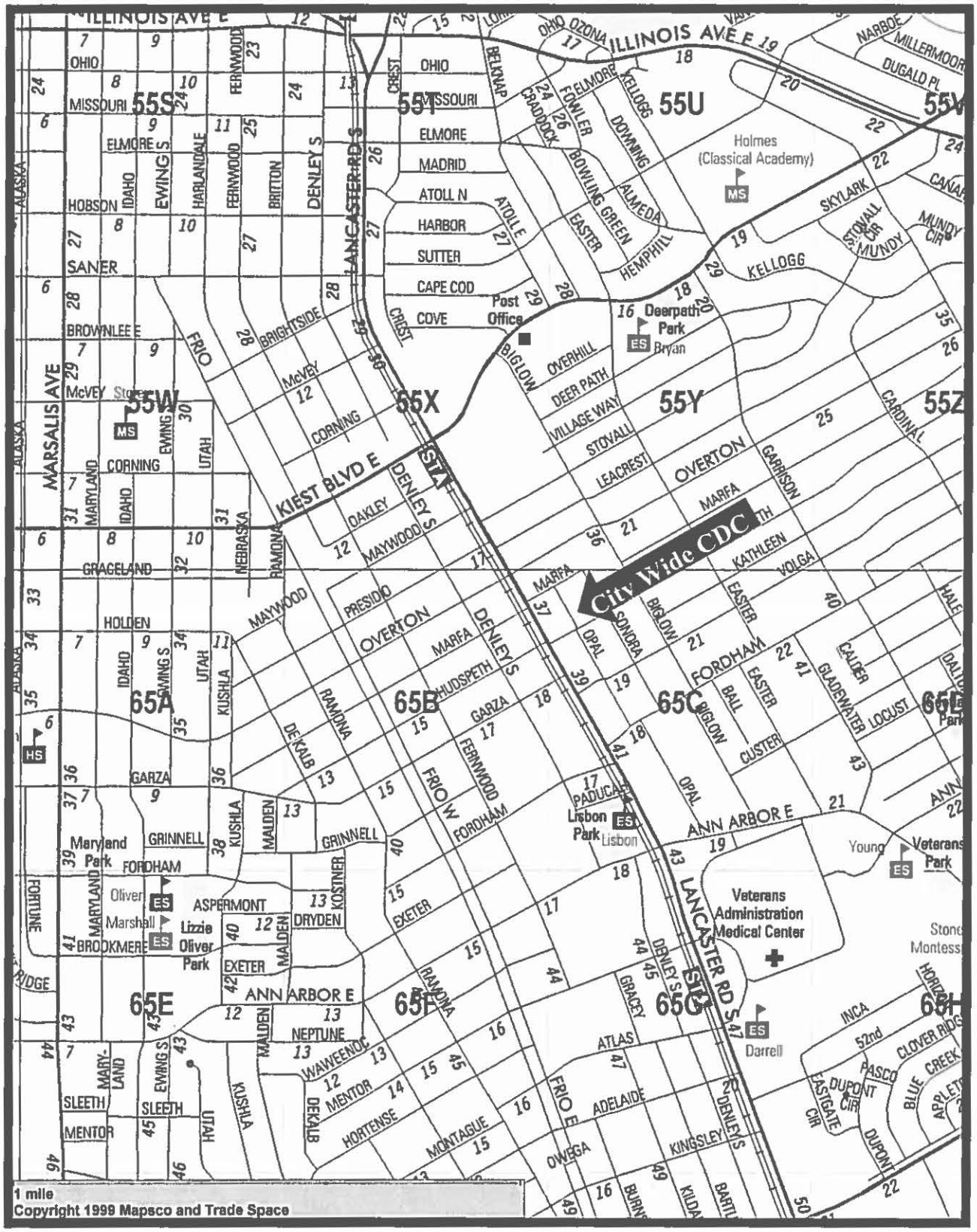
MAPS

Attached



LEDBETTER DR E
FIVE MILE PKWY E
FIVE MILE DR
OWEGA
LOOP 12
Glendale Park
Fivemile Creek
© Mapsco, Inc.
WAGON WHEELS TRAIL
AUTUMN LEAVES TRAIL
SUMMERTIME
SONATA
MINUET
WHISPERING TRAIL
SERENADE
CARAVAN TRAIL
RED BIRD E
SOLITUDE
INDIAN SUMMER TRAIL
TRADE WINDS
BLUE MOON
WOODBURN TRAIL
FERN GLEN TRAIL
GLEN PARK
PINEDALE
INDIAN CREEK TRAIL
OXBOW
STONEBORO
PENN RIDGE
MYSTIC TRAIL
STRATTON
GRASSY RIDGE TRAIL
WOODACRE
CALCUTTA
PENGUIN
Marsalis
SCOTTSBORO
FOXBORO
LAUREMAND E
65J
65K
65L
65M
65N
65P
65Q
65R
65S
65T
65U
65V
65W
65X
65Y
65Z
Thornton
SEE DETAIL MAP SECTION
Land Cemetery
Singing Hills Park
City Wide CDC
HOUSTON SCHOOL RD
CAMP WISDOM RD
SIMPSON
LANCASTER
Ricketts Branch
Ricketts Branch Park
DALLAS
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 65U


City Wide CDC
ILLINOIS AVE E
KIEST BLVD E
LANCASTER RD S
MARSALIS AVE
55S
55T
55U
55V
55W
55X
55Y
55Z
65A
65B
65C
65D
65E
65F
65G
65H
Holmes (Classical Academy)
Deerpath Park
Bryan
Post Office
Lisbon Park
Lisbon
Young Veterans Park
Veterans Administration Medical Center
Darrell
Oliver Marshall
Lizzie Oliver Park
Maryland Park
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 65C

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001; and

WHEREAS, on December 9, 2015, City Council authorized the adoption of Substantial Amendment No. 4 for the Neighborhood Stabilization Program by Resolution No. 15-2263; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, the Community Housing Development Organization (CHDO) Program requires a CHDO Set-Aside Project commitment within 24-months of receiving the FY 2014-15 CHDO Operating Assistance Grant award and this project satisfies that requirement; and

WHEREAS, City Wide Community Development Corporation (CWCDC) proposes to work with the City of Dallas to undertake the development of five single family units for the Scattered Sites Project in Dallas; and

WHEREAS, the City desires for CWCDC to develop single family homes for households with varied income levels; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed $225,000 with City Wide Community Development Corporation, a certified CHDO, for the development of five single family homes for the Scattered Sites Project to be located in Dallas.

Section 2. That the terms of the loan agreement include:

(a) CWCDC must execute a note payable for $225,000 with 0% interest and deferred payments until completion with the City of Dallas.
(b) CWCDC will execute a lien through a Deed of Trust and deed restriction for a 15-year term.
(c) CWCDC will use the funds to gap the construction costs for the units and will repay the proceeds from the sale of the units after repayment of the first lender lien. Upon repayment the debt will be forgiven and lien released.
(d) CWCDC will have two (2) years to fully complete the project.
(e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

City Wide Community Development Corporation Vendor # VS0000026872

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
HM14	HOU	463G	3015	HMHOCWCD	CWCDC-5SDAL	HOUHM14G211	$94,011
14M1	HOU	489G	3015	HMHOCWCD	CWCDC-5SDAL	HOUHM14G211	$40,989
NS10	HOU	478C	3015	HMHOCWCD	CWCDC-5SDAL	HOUHM14G211	$90,000

Section 5. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and deferred revenue-home loans in (0859) in fund HM14 and NS10 for the amount of the loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the loan documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2, 4, 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 46L 46M 47J 47N 55F 56C

SUBJECT

Authorize a housing development loan with East Dallas Community Organization a certified Community Housing Development Organization, for construction of ten single family homes at scattered sites in Dallas - Not to exceed $707,208 - Financing: FY 2014-15 HOME Program Income #1 ($74,736), 2015-16 HOME Investment Partnership Program Grant Funds ($577,452) and 2010-11 Neighborhood Stabilization Program 3 Funds ($55,020)

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. East Dallas Community Organization (EDCO) submitted a proposal to the City of Dallas for the development of ten (10) single family housing units for households with varied income levels.

EDCO is a certified Community Housing Development Organization (CHDO) and has had prior contracts with the City to develop homes in Dallas. In 2013-15, they completed construction and sold 35 homes throughout Dallas to households at or below 120% AMFI. EDCO owns the property and is obtaining interim construction financing with a private lender for a portion of the construction of the units. The homes will be 3 bedroom 2 bath and approximately 1250-1390 sq. ft. Estimated private leverage will be $1,032,792.

The project will receive HOME Investment Partnership Program Grant Funds and Neighborhood Stabilization Program Funds from the U.S. Department of Housing and Urban Development (HUD). The City of Dallas will provide interim and gap financing for construction of the units to be built and sold to households with varied income levels which would range up to 120% of area median family income. The construction work and occupancy will be completed within two years. Upon sale, the lien will be released but deed restrictions will remain on the property for 15 years.

BACKGROUND (continued)

City Council approval of this item will authorize the City Manager to execute the loan documents with EDCO for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001.

On June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for FY 2014-15 federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055.

On December 9, 2015, the City Council authorized the adoption of Substantial Amendment No. 4 for the Neighborhood Stabilization Program by Resolution No. 15-2263.

On January 13, 2016, the City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA recommendations.

FISCAL INFORMATION

FY 2014-15 HOME Program Income #1 - $74,736
2015-16 HOME Investment Partnership Program Grant Funds - $577,452
2010-11 Neighborhood Stabilization Program 3 Funds - $55,020

Council District	Amount
2	$282,880
4	$141,448
7	$282,880
Total	$707,208

OWNER

East Dallas Community Organization

Gerald Carlton, President

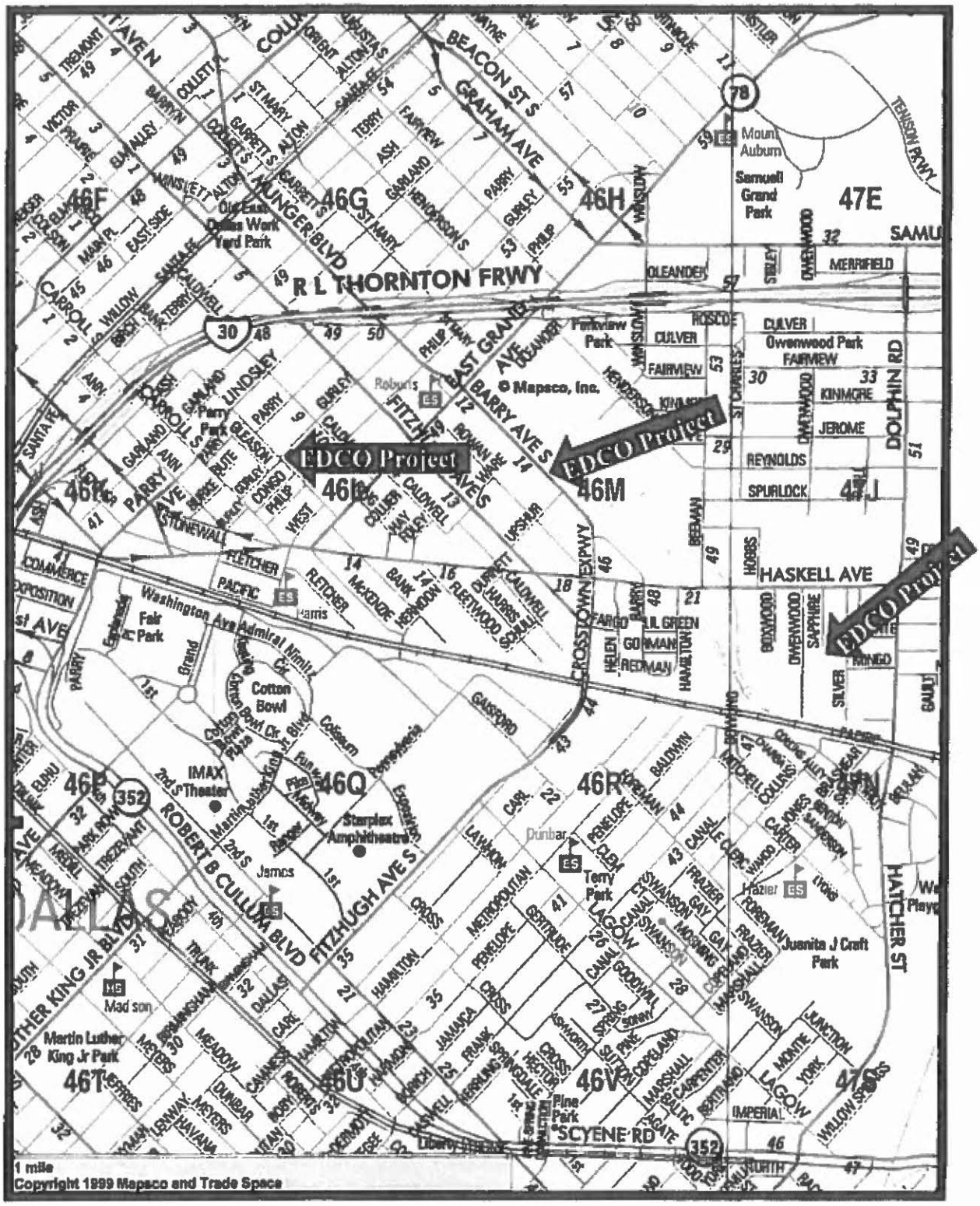
DEVELOPER

East Dallas Community Organization

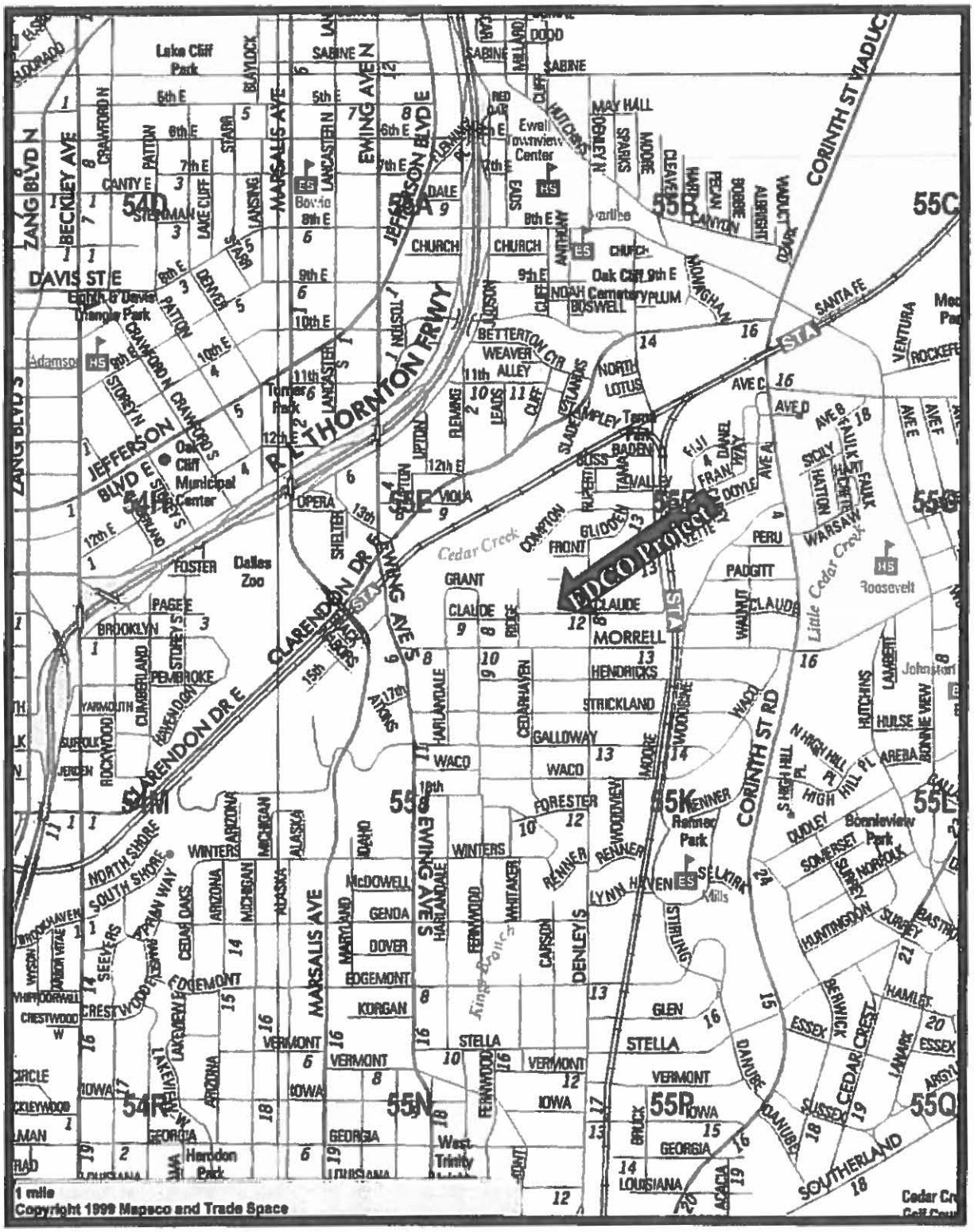
Gerald Carlton, President

MAPS

Attached

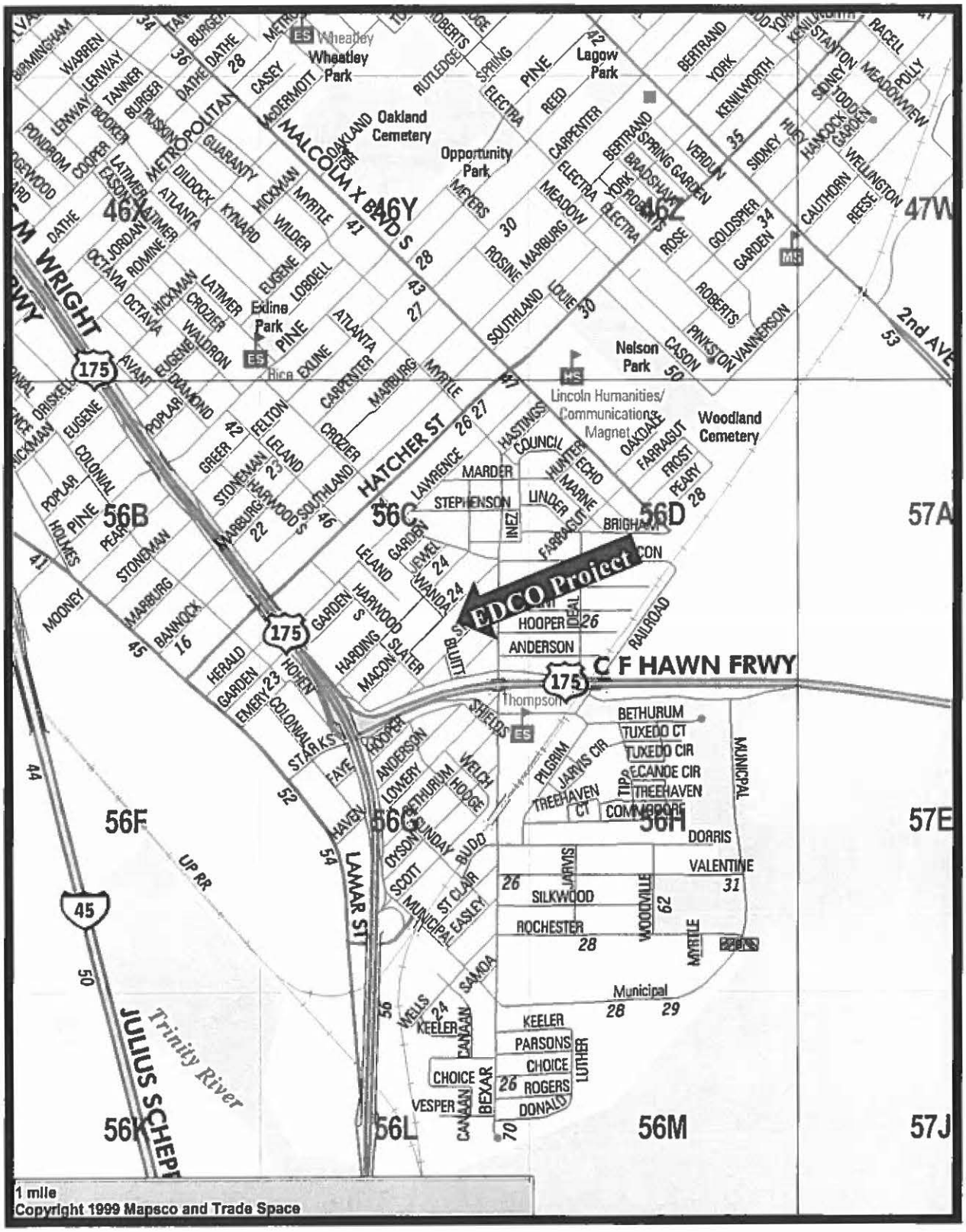


MAPSCO 46L, M; 47J, N



EDCO Project
R L THORNTON FRWY
CLARENDON DR E
JEFFERSON BLVD E
EWING AVE N
EWING AVE S
MARSALIS AVE
CORINTH ST VIADUCT
CORINTH ST RD
ZANG BLVD N
ZANG BLVD S
DAVIS ST E
BECKLEY AVE
Lake Cliff Park
Oak Cliff Municipal Center
Dallas Zoo
Ewell Townview Center
Oak Cliff Cemetery
Tomer Park
Renner Park
Bonnieview Park
Herndon Park
Roosevelt
Johnston
Cedar Creek
Little Cedar Creek
Kings Branch
Mills
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 55F


EDCO Project
C F HAWN FRWY
HATCHER ST
LAMAR ST
MALCOLM X BLVD S
WRIGHT
MUNICIPAL
JULIUS SCHEPPS
Trinity River
UP RR
Wheatley Park
Oakland Cemetery
Opportunity Park
Exline Park
Nelson Park
Lincoln Humanities/ Communications Magnet
Woodland Cemetery
Thompson
46X
46Y
46Z
47W
56B
56C
56D
56F
56G
56H
56K
56L
56M
57A
57E
57J
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 56C

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001; and

WHEREAS, on June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for FY 2014-15 federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055; and

WHEREAS, on December 9, 2015, City Council authorized the adoption of Substantial Amendment No. 4 for the Neighborhood Stabilization Program by Resolution No. 15-2263; and

WHEREAS, the Community Housing Development Organization (CHDO) Program requires a CHDO Set-Aside Project commitment within 24-months of receiving the FY 2014-15 CHDO Operating Assistance Grant award and this project satisfies that requirement; and

WHEREAS, East Dallas Community Organization (EDCO) proposes to work with the City of Dallas to undertake the development of ten single family units for the Scattered Lot Project in Dallas; and

WHEREAS, the City desires for EDCO to develop single family homes for households with varied income levels; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed $707,208 with East Dallas Community Organization, a certified CHDO, for the development of ten single family homes for the Scattered Sites Project to be located on scattered sites in Dallas.

Section 2. That the terms of the loan agreement include:

(a) EDCO must execute a note payable for $707,208 with 0% interest and deferred payment until completion with the City of Dallas.
(b) EDCO will execute a lien through a Deed of Trust and deed restriction for a 15-year term.
(c) EDCO will use the funds to interim finance and gap the construction costs for the units and will repay the proceeds from the sale of the units after payment of the first lender lien upon repayment, the debt will be forgiven and the lien released.
(d) EDCO will have two (2) years to fully complete the project.
(e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the properties upon compliance with the loan terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

East Dallas Community Organization Vendor # 354413

Fund	DeptUnit	Object Code	Program #	Progam Name	Encumbrance	Amount
14M1	HOU 489G	3015	HMHOEDCO	EDCO-10SDAL	HOUHM15G212	$74,736
HM15	HOU 644H	3015	HMHOEDCO	EDCO-10SDAL	HOUHM15G212	$577,452
NS10	HOU 478C	3015	HMHOEDCO	EDCO-10SDAL	HOUHM15G212	$55,020

Section 5. That the City Controller is hereby authorized to record notes receivable in balance sheet account (033F) and deferred revenue-home loans in (0859) in funds NS10, 14M1 and HM15 (forgivable loan) for the amount of $707,208 loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the loan documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 46R

SUBJECT

Authorize a housing development loan with South Dallas Fair Park/Innercity Community Development Corporation, a certified Community Housing Development Organization, for construction of ten single family homes for the Frank Street Project to be located in the Mill City area - Not to exceed $771,355 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds ($561,355) and 2010-11 Neighborhood Stabilization Program 3 Funds ($210,000)

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. South Dallas Fair Park/Innercity Community Development Corporation (ICDC) submitted a proposal to the City of Dallas for the development of ten (10) single family homes. Estimated private leverage will be $699,048.

ICDC is a certified Community Housing Development Organization (CHDO) and has had prior contracts with the City to develop homes in the Mill City area. In 2013-14, they completed construction and sold 6 homes in the Fair Park area to households at or below 120% AMFI. ICDC has submitted its application to build upon lots located on Frank Street and is obtaining interim construction financing with a private lender to cover the balance of the construction costs. The City will subordinate to the first lender loan. The new homes will be 3 bedroom 2 bath at approximately 1400 sq. ft. ICDC has seven preapproved homebuyers with mixed household incomes who are ready to purchase the homes.

BACKGROUND (continued)

The project will receive HOME Investment Partnership Program Grant Funds from the U.S. Department of Housing and Urban Development (HUD) and Neighborhood Stabilization Program funds for interim and gap financing for construction of the units which allows ICDC to offer these homes to households of varied income levels which would range up to 120% of area median family income. The construction work will be completed within two years along with occupancy of the units. Upon sale of the home and repayment of the proceeds to the City, the lien will be released but deed restrictions will remain on the property for 15 years.

City Council approval of this agenda item will authorize the City Manager to execute the loan documents with ICDC for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055.

On December 9, 2015, City Council authorized the adoption of Substantial Amendment No. 4 for the Neighborhood Stabilization Program by Resolution No. 15-2263.

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee received a briefing memo on the Owner Occupied Housing Development Program NOFA project recommendations.

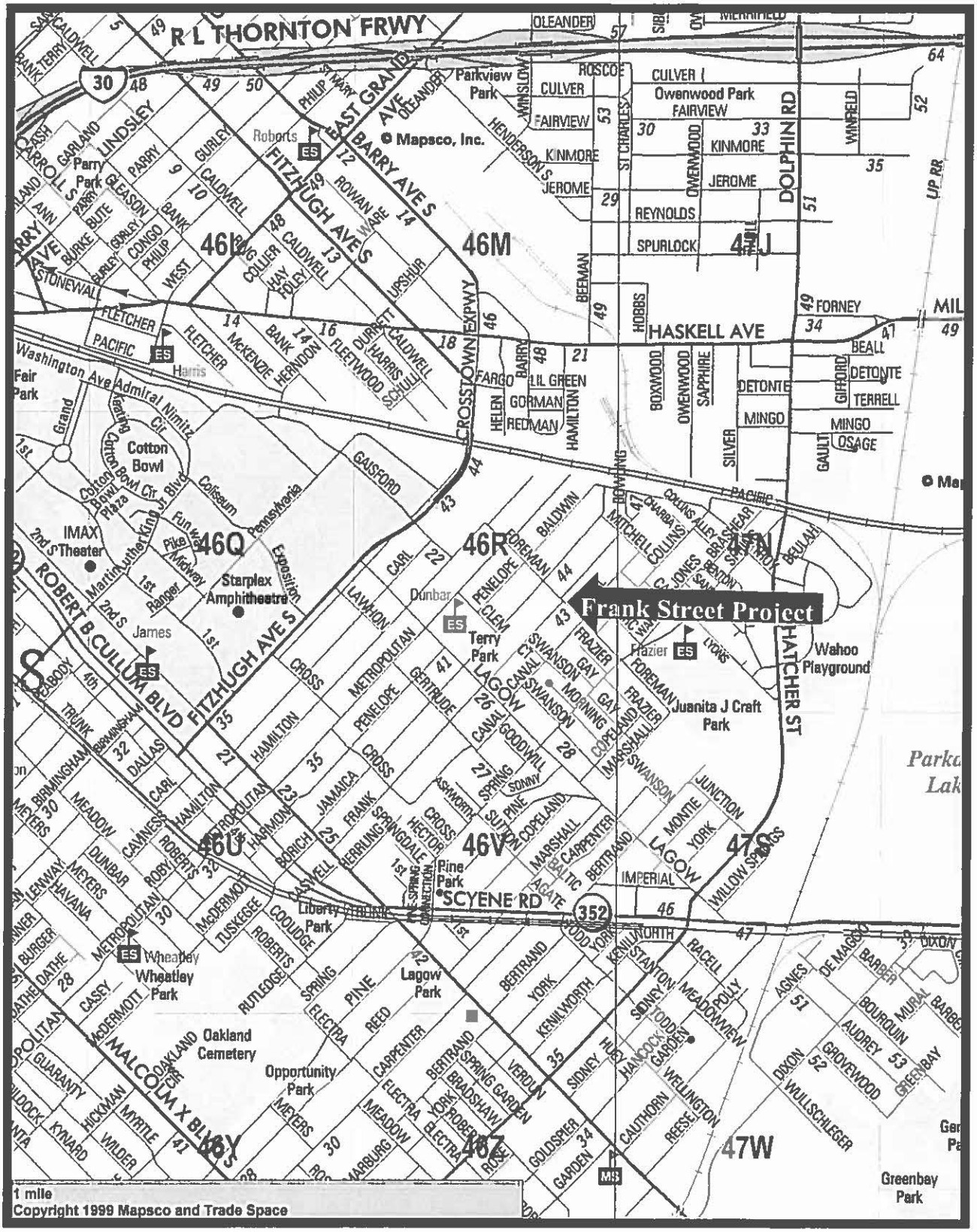
FISCAL INFORMATION

2010-11 Neighborhood Stabilization Program 3 Funds - $210,000
2015-16 HOME Investment Partnership Program Grant Funds - $561,355

OWNER	DEVELOPER
South Dallas Fair Park/ Innercity Community Development Corporation	**South Dallas Fair Park/ Innercity Community Development Corporation**
Diane Ragsdale, Managing Director	Diane Ragsdale, Managing Director

MAP

Attached


Frank Street Project
R L THORNTON FRWY
EAST GRAND AVE
BARRY AVE S
FITZHUGH AVE S
ROBERT B CULLUM BLVD
MALCOLM X BLVD
CROSSTOWN EXPWY
HASKELL AVE
SCYENE RD
DOLPHIN RD
HATCHER ST
LAGOW
Parkview Park
Roberts ES
Mapsco, Inc.
Parry Park
Fair Park
Cotton Bowl
IMAX 2nd S Theater
Starplex Amphitheatre
James ES
Dunbar ES
Terry Park
Hazier ES
Wahoo Playground
Juanita J Craft Park
Pine Park
Liberty Park
Wheatley ES
Wheatley Park
Lagow Park
Oakland Cemetery
Opportunity Park
Greenbay Park
46L
46M
46Q
46R
46U
46V
46W
46Y
46Z
47J
47N
47S
47W
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 46R

May 25, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055; and

WHEREAS, on December 9, 2015, City Council authorized the adoption of Substantial Amendment No. 4 for the Neighborhood Stabilization Program by Resolution No. 15-2263; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, the Community Housing Development Organization (CHDO) Program requires a CHDO Set-Aside Project commitment within 24-months of receiving the FY 2014-15 CHDO Operating Assistance Grant award and this project satisfies that requirement; and

WHEREAS, South Dallas Fair Park/Innercity Community Development Corporation (ICDC) proposes to work with the City of Dallas to undertake the development of ten single family homes for the Frank Street Project in the Mill City area; and

WHEREAS, the City desires for ICDC to develop owner occupied units for households of varied income levels; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed $771,355 with South Dallas Fair Park/Innercity Community Development Corporation, a certified CHDO, for the development of ten single family homes for the Frank Street Project to be located in the Mill City area.

Section 2. The terms of the loan agreement include:

(a) ICDC must execute a note payable for $771,355, with 0% interest and deferred payments until completion with the City of Dallas.
(b) ICDC will execute a lien through a Deed of Trust and deed restriction for a 15-year term.
(c) ICDC will use the funds to interim finance and gap the construction costs for the units and will repay the proceeds from the sale of the units, after payment of the first lender lien. Upon repayment, the debt will be forgiven and the lien released.

Section 2. (continued)

(d) ICDC will have two (2) years to fully complete the project.
(e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the properties upon compliance with the loan terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

South Dallas Fair Park/Innercity Community Development Corporation
Vendor # VC0000012142

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
HM15	HOU	644H	3015	HMHOICDC	10FRANKST	HOUHM15G209	$561,355
NS10	HOU	478C	3015	HMHOICDC	10FRANKST	HOUHM15G209	$210,000

Section 5. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and deferred revenue-home loans in (0859) in fund HM15 and NS10 for the amount of the loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the loan documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 1

DEPARTMENT: Housing/Community Services

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: 54D

SUBJECT

A resolution **(1)** declaring 14 City-owned lots located at East 9th Street and Starr Street unwanted and unneeded and authorizing their conveyance for no cost consideration to Notre Dame Place, Inc. by Deed without Warranty for affordable housing; and **(2)** authorize a housing development loan with Notre Dame Place, Inc., a Texas nonprofit organization, for construction of 14 single family homes for the La Estrella Project - Not to exceed $489,322 - Financing: 2015-16 HOME Investment Partnership Program Grant Funds

BACKGROUND

On January 14, 2016, the City posted a Notice of Funding Availability (NOFA) for Owner Occupied Housing Development Projects requesting developers to submit proposals to build owner occupied homes in the city limits of Dallas. Notre Dame Place, Inc. submitted a proposal to the City of Dallas for the development of 14 single family homes for households with varied income levels.

Notre Dame Place, Inc. is a Texas nonprofit organization that has had prior contracts with the City to develop homes in the Oak Cliff area. In the past few years, Notre Dame Place, Inc. completed construction and rented eight multifamily units for seniors at or below 80% AMFI. Notre Dame Place, Inc. will acquire the property and has obtained interim construction financing with a private investor for a portion of the construction of the units. Estimated private leverage will be $1,850,678. This item declares the 14 City-owned lots unwanted and unneeded and authorizes their conveyance for no cost consideration to Notre Dame Place, Inc. by Deed without Warranty for affordable housing.

BACKGROUND (continued)

The project will receive HOME Investment Partnership Program Grant Funds from the U.S. Department of Housing and Urban Development (HUD). The City of Dallas will provide gap financing for construction of the units to be built and sold to households with varied income levels which would range up to 80% of area median family income. The homes will be 2-3 bedrooms with 1.5 baths with approximately 1,300-1,500 sq. ft. The construction work and sales will be completed within two years. Upon sale, the lien will be released but deed restrictions will remain on the property for 10 years.

City Council approval of this item will authorize the City Manager to execute the loan documents with Notre Dame Place, Inc. for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055.

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 2, 2016, the Housing Committee was briefed by memorandum on the Owner Occupied Housing Development Program NOFA recommendations.

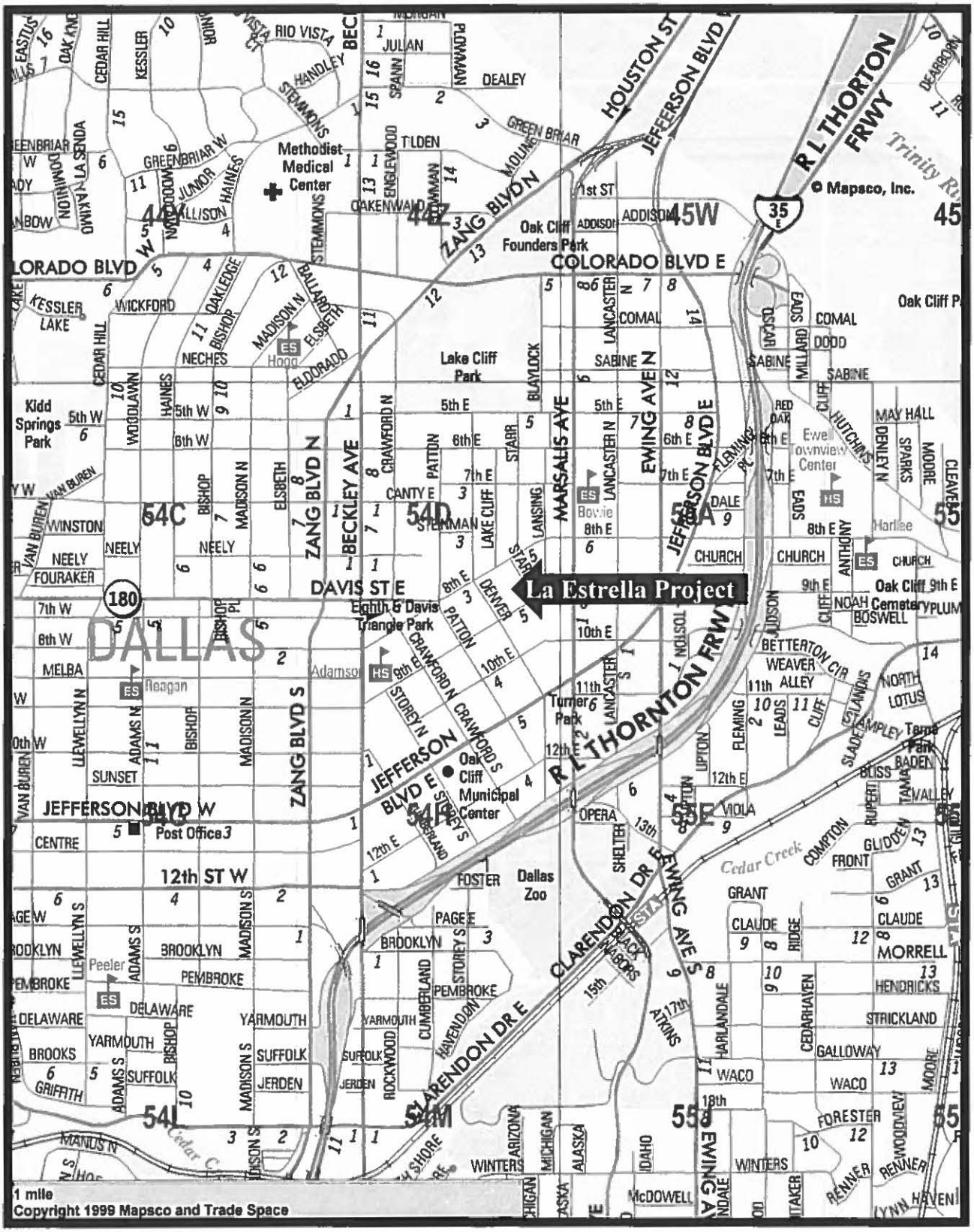
FISCAL INFORMATION

2015-16 HOME Investment Partnership Program Grant Funds - $489,322

OWNER	DEVELOPER
Notre Dame Place, Inc.	**Notre Dame Place, Inc.**
Joseph Dingman, President	Joseph Dingman, President

MAP

Attached


La Estrella Project
DALLAS
Methodist Medical Center
Oak Cliff Founders Park
Lake Cliff Park
Kidd Springs Park
Eighth & Davis Triangle Park
Oak Cliff Municipal Center
Turner Park
Dallas Zoo
Post Office
Oak Cliff Cemetery
Ewell Townview Center
Harlee
Adamson
Reagan
Peeler
Bowie
Hogg
Cedar Creek
Trinity Ri
R L THORTON FRWY
R L THORNTON FRWY
ZANG BLVD N
ZANG BLVD S
BECKLEY AVE
MARSALIS AVE
EWING AVE N
EWING AVE S
JEFFERSON BLVD E
JEFFERSON BLVD W
COLORADO BLVD E
DAVIS ST E
12th ST W
HOUSTON ST
CLARENDON DR E
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 54D

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds by Resolution No. 15-1055; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement, by Resolution No. 16-0079; and

WHEREAS, the City acquired title to a certain property, identified on Exhibit "A", attached hereto and made a part hereof, by legal description and the volume and page number of said instrument recorded in the real property records of the county in which the property is located, ("Property"); and

WHEREAS, as authorized by Section 272.001(g) of the Texas Local Government Code, the City desires to sell the Property for the development of "affordable housing" for low income persons in accordance with the nonprofit organization's written proposal for development of the Property by the purchaser; and

WHEREAS, the City recognizes certain "qualified nonprofit organizations" as those which:

(1) are 501(c)(3) corporations, as defined by the U.S. Internal Revenue Service,
(2) are in good standing with the State of Texas,
(3) are community based organizations as evidenced by at least one-third (1/3) of their boards being made up of area residents or low income persons,
(4) have articles of incorporation, charter or bylaws which show the provision of safe, decent, affordable housing to low and moderate income persons is a stated purpose of the organization, and
(5) owe no outstanding judgements, tax delinquencies, or fees to the City; and

WHEREAS, the City has received a written proposal which contains proposed end use and time frame from a qualified nonprofit organization to purchase the Property by private sale ("Proposal"), all as indicated on Exhibit "A"; and

WHEREAS, the City Council desires to declare the Property shown on Exhibit "A" unwanted and unneeded and authorize its conveyance to Notre Dame Place, Inc., a Texas nonprofit organization; and

May 25, 2016

WHEREAS, Notre Dame Place, Inc. proposes to work with the City of Dallas to undertake the development of 14 single family homes in Oak Cliff; and

WHEREAS, the City desires for Notre Dame Place, Inc. to develop single family homes for mixed income families; **NOW, THEREFORE,**

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

Section 1. That upon approval as to form by the City Attorney, the City Manager is authorized to (1) declare 14 City-owned lots located at East 9th Street and Starr Street shown on Exhibit "A" unwanted and unneeded and authorize their conveyance for no cost consideration to Notre Dame Place, Inc., a Texas nonprofit organization, by Deed without Warranty for affordable housing; and (2) authorize a housing development loan with Notre Dame Place, Inc., for construction of 14 single family homes for the La Estrella Project.

Section 2. That the Deed without Warranty to this Property will contain:

(1) deed restrictions on the Property, acceptable to the City, requiring the Property to remain affordable to households whose incomes are less than 80% of the area median family income upon resale for ten (10) years after conveyance, and
(2) a right of reverter with right of re-entry.

Section 3. That the Deed Restrictions will require the purchaser to:

(1) restrict the sale and resale of owner-occupied property to low-income individuals or families for ten (10) years after conveyance,
(2) require the nonprofit organization to develop the proposed housing unit within three (3) years after receiving the Deed without Warranty, and
(3) require any low-income individual or family to maintain each housing unit and all improvements on the land during the ten (10) year period.

Section 4. That the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, releasing the City's possibility of reverter with right of re-entry and terminating the deed restrictions to the Property upon compliance with all terms and conditions of the Proposal, and the deed restrictions.

Section 5. That the purchaser shall be responsible for the pro rata property taxes assessed from the date of closing for the remaining part of the then current calendar year. This Property shall be placed back on the tax rolls effective as of the date of execution of the deed.

Section 6. That if a title policy is desired, same shall be at the expense of the purchaser.

Section 7. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed $489,322 with Notre Dame Place, Inc. for the development of 14 single family homes.

Section 8. That the terms of the loan agreement include:

(a) Notre Dame Place, Inc. must execute a note payable for $489,322 with 0% interest and deferred payments until completion with the City of Dallas.
(b) Notre Dame Place, Inc. will execute a lien through a Deed of Trust and deed restriction for a 10-year term.
(c) Notre Dame Place, Inc. will use the funds to gap the construction costs for the units and will repay the proceeds from the sale of the units, after repayment of the first lender lien. Upon repayment, the debt will be forgiven and lien released.
(d) Notre Dame Place, Inc. will have two (2) years to fully complete the project.
(e) The City will subordinate first lien position to the interim construction lender.

Section 9. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the properties upon compliance with the loan terms and deed restrictions.

Section 10. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

Notre Dame Place, Inc. # VS0000068164

Fund	Dept	Unit	Object Code	Program #	Program Name	Encumbrance	Amount
HM15	HOU	640H	3015	HMHONDAM	LASESTRELLA	HOUHM15G213	$489,322

Section 11. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and deferred revenue-home loans in (0859) in fund HM15 for the amount of the loan.

Section 12. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the loan documents are duly approved by all parties and executed.

Section 13. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A

SURPLUS (S) PROPERTY RESALE

May 25, 2016

PARCEL NO.	STREET ADDRESS/ LEGAL DESCRIPTION	S	VACANT/ IMPROVED	INSTRUMENT NUMBER	PURCHASER	HOMEOWNER RENTAL LEASE PURCHASE	NUMBER OF DWELLING UNITS	SALE AMOUNT
1	**213 La Estrella Plaza** Lot 6A, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
2	**211 La Estrella Plaza** Lot 6B, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
3	**209 La Estrella Plaza** Lot 6C, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
4	**207 La Estrella Plaza** Lot 6D, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
5	**205 La Estrella Plaza** Lot 6E, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
6	**203 La Estrella Plaza** Lot 6F, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
7	**201 La Estrella Plaza** Lot 6G, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00

EXHIBIT A

SURPLUS (S) PROPERTY RESALE

May 25, 2016

PARCEL NO.	STREET ADDRESS/ LEGAL DESCRIPTION	S	VACANT/ IMPROVED	INSTRUMENT NUMBER	PURCHASER	HOMEOWNER RENTAL LEASE PURCHASE	NUMBER OF DWELLING UNITS	SALE AMOUNT
8	**213 Stellariga Place** Lot 7A, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
9	**211 Stellariga Place** Lot 7B, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
10	**209 Stellariga Place** Lot 7C, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
11	**207 Stellariga Place** Lot 7D, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
12	**205 Stellariga Place** Lot 7E, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
13	**203 Stellariga Place** Lot 7F, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00
14	**201 Stellariga Place** Lot 7G, Starr Row Addition, Block 90/3073	S	V	**200900307695**	Notre Dame Place, Inc.	Homeowner	1	$0.00

AGENDA ITEM # 59

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 38 G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay northwest of the intersection of Centerville Road and Aledo Drive

Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions

Z145-339(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z145-339(OTH) **DATE FILED:** August 28, 2015

LOCATION: Northwest of the intersection of Centerville Road and Aledo Drive

COUNCIL DISTRICT: 9 **MAPSCO:** 38G

SIZE OF REQUEST: Approx. 0.119 acres **CENSUS TRACT:** 127.01

APPLICANT: John Mathews

OWNER: Amedio Centerville LLC

REPRESENTATIVE: Parvez Malik, Business Zoom

REQUEST: An application for the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue to sell alcohol for off-premise consumption in conjunction with the existing general merchandise of food store. The SUP was originally approved on August 10, 2011, for a period of two years and was renewed on August 28, 2013, for another two-year period with eligibility for automatic renewals for additional five-year periods. In 2015, the applicant missed the deadline for the automatic renewal. The applicant is not proposing any changes to the site plan.

CPC RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The sale of alcoholic beverages in conjunction with the existing general merchandise or food store greater than 3,500 square feet will not impact compatibility with the surrounding land uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale of alcoholic beverages in conjunction with the existing general merchandise or food store neither contributes to nor deters the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The sale of alcoholic beverages is not a detriment to the public health, safety or general welfare of the public.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed development complies with all applicable zoning regulations and standards of the City of Dallas. No variances or special exceptions are requested.

Zoning History: There have been no zoning requests in the area within the last five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Centerville Road	Collector	60 ft.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the request and determined that it will not impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in on a Residential Neighborhood.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

Surrounding Land Uses:

	Zoning	**Land Use**
Site	CR-D-1	Retail
North	R-7.5(A)	Single family
East	R-7.5(A)	Single Family
South	CR	Office and Auto service center
West	CR-D	Office and auto service center

Land Use Compatibility:

The approximately 0.11 acre site is zoned a CR Community Retail District with a D-1 Liquor Control Overlay and is developed with a multi-tenant building, which includes an approximately 5,158 square foot general merchandise or food store. Other uses on the request site include retail, personal service, and a vehicle or engine repair or maintenance use. The applicant is proposing to continue to sell alcohol for off-premise

consumption in conjunction with the general merchandise or food store on the property, which requires a Specific Use Permit.

The adjacent land uses are single family residential to the north, and office and auto service center to the west, within the same shopping center. Surrounding land uses are single family residential to the north, and east; office and auto service center to the south.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. The applicant is up to date on this requirement.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and two parking spaces for the motor vehicle fueling station. The proposed use requires 15 spaces for the proposed use. Parking must be provided as shown on the site plan.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request does not trigger any Article X requirements, as no new construction is proposed on the site.

CPC ACTION:
April 21, 2016

Motion: It was moved to recommend **approval** of a renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay northwest of the intersection of Centerville Road and Aledo Drive.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 12
Replies: For: 0 Against: 1
Speakers: None

Police Report:

Staff obtained reported offenses for the most recent four-year period: two years prior to the approval of SUP No. 1863 and two years after. The list of offenses is provided on the following page.

2013

UCR_OFFENSE	PREMISE	DATE1	TIME1	ADDRESS
UUMV	STORE PARKING LOT	3/23/2012	18:00	01551 CENTERVILLE RD
FORGE & CONTERFEIT	STORE	2/28/2013	13:30	01551 CENTERVILLE RD

2014

UCR_Offense	Premise	Date1	Time1	Address
Not Coded	108 - CONVENIENCE	1/2/2014	13:30	01551 CENTERVILLE RD
Not Coded	108 - CONVENIENCE	1/2/2014	21:58	01551 CENTERVILLE RD
Not Coded	108 - CONVENIENCE	4/26/2014	22:45	01551 CENTERVILLE RD

2015-2016

No incidents reported.

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

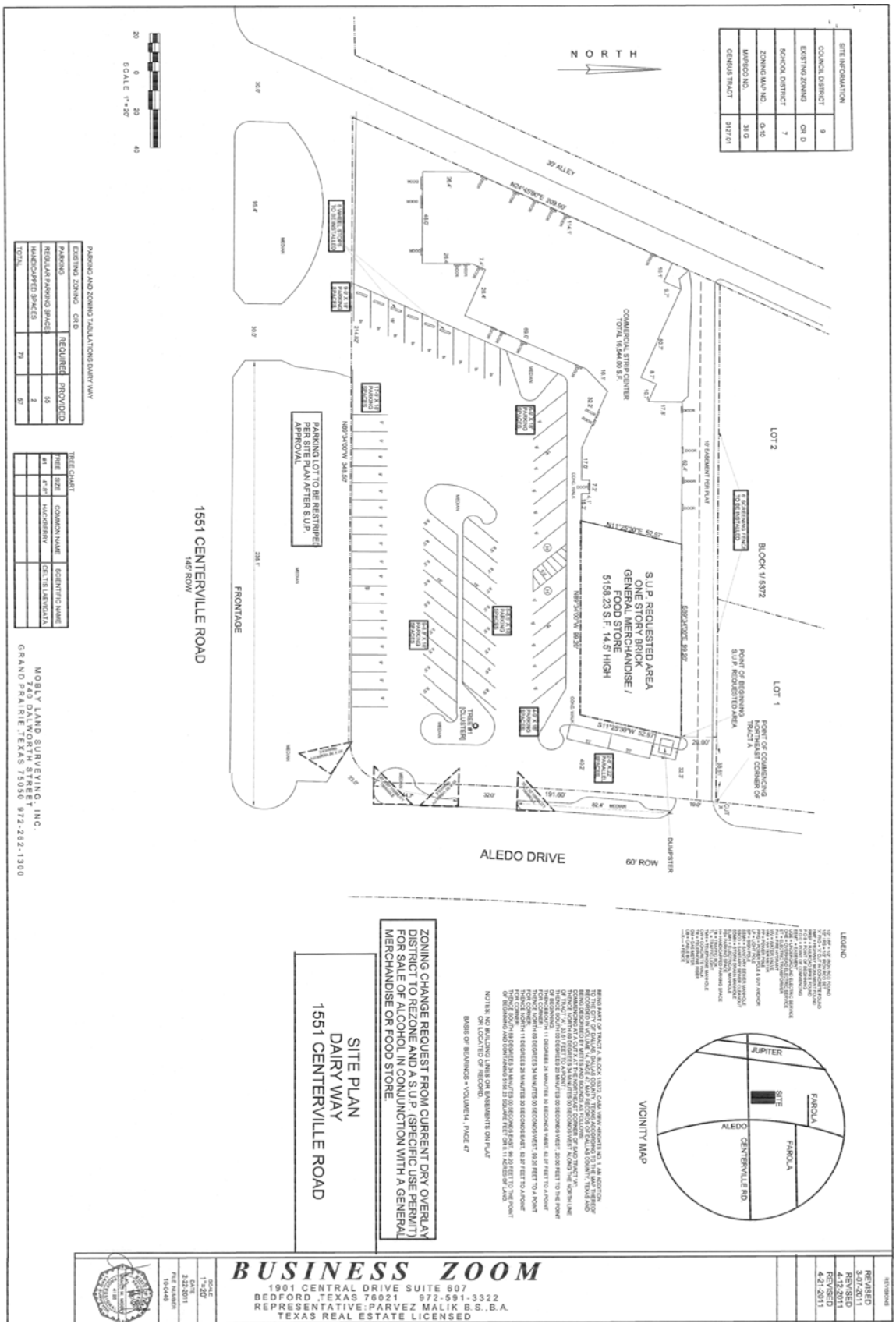
3. TIME LIMIT: This specific use permit expires on ~~(August 18, 2015)~~(two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

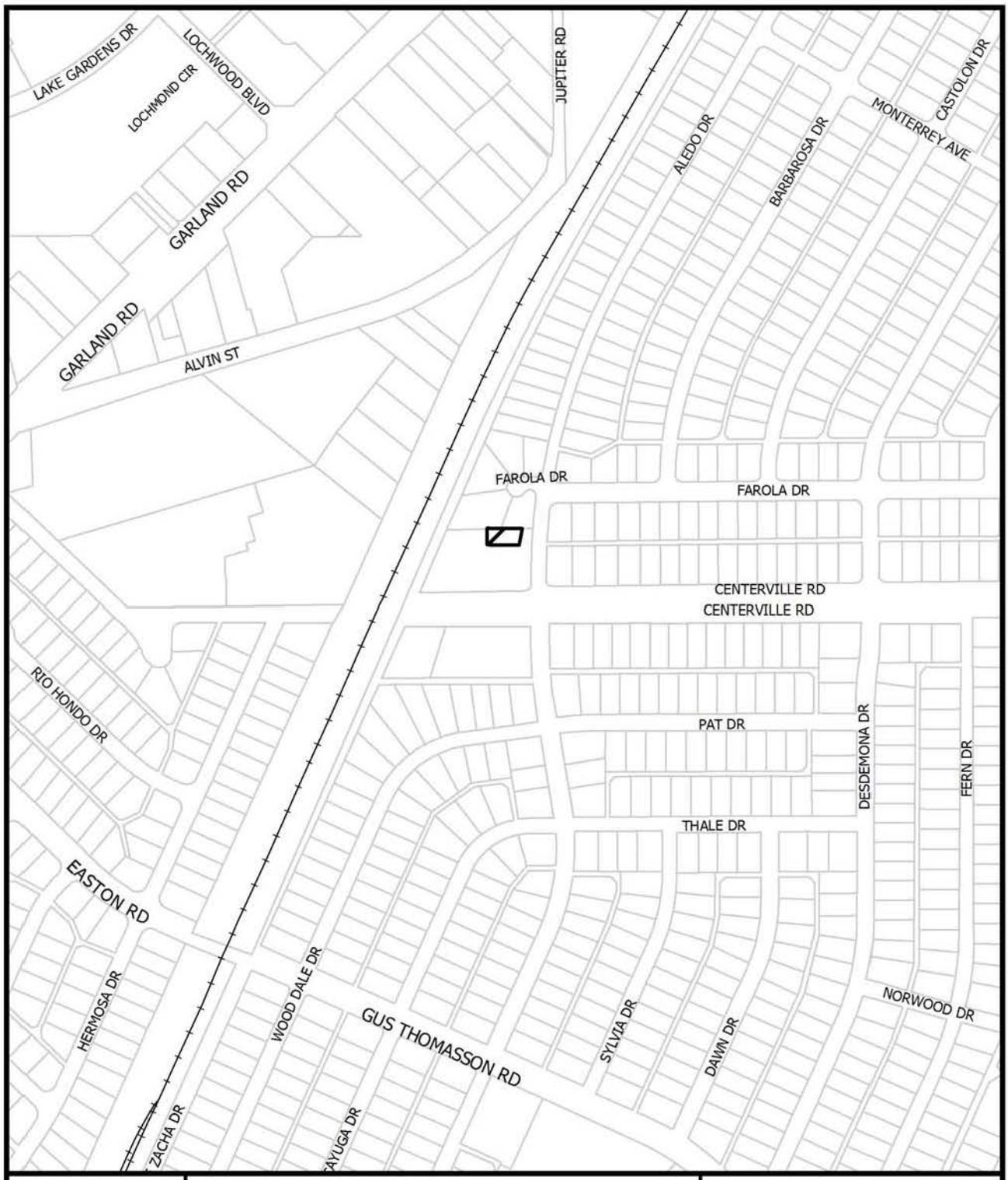
4. SCREENING: A minimum six-foot-high solid screening fence must be maintained along the northern boundary of the Property. The screening fence must be located outside of the visibility obstruction triangle. Screening must be constructed before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN



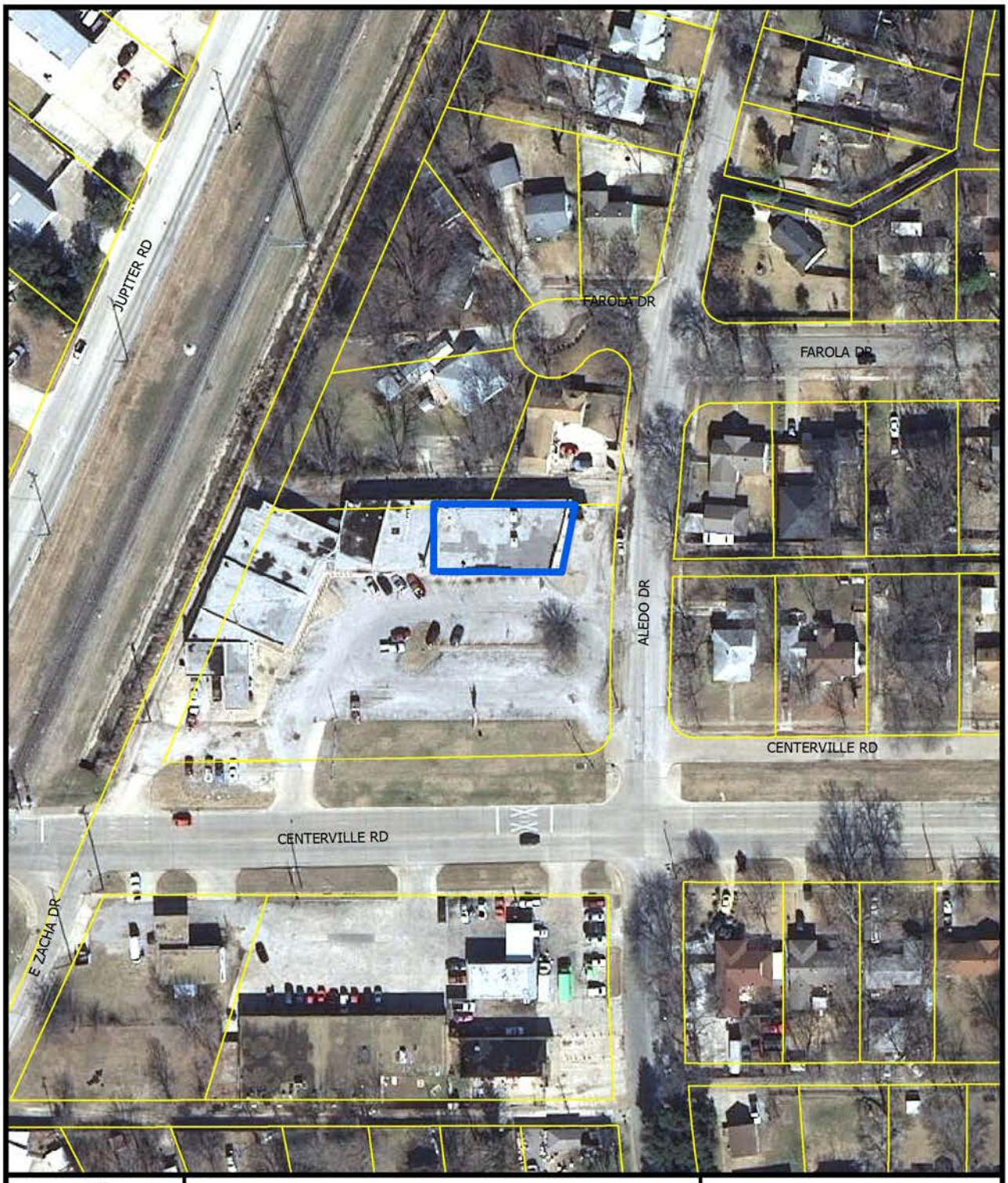


1:4,800

VICINITY MAP

Case no: Z145-339

Date: 3/31/2016

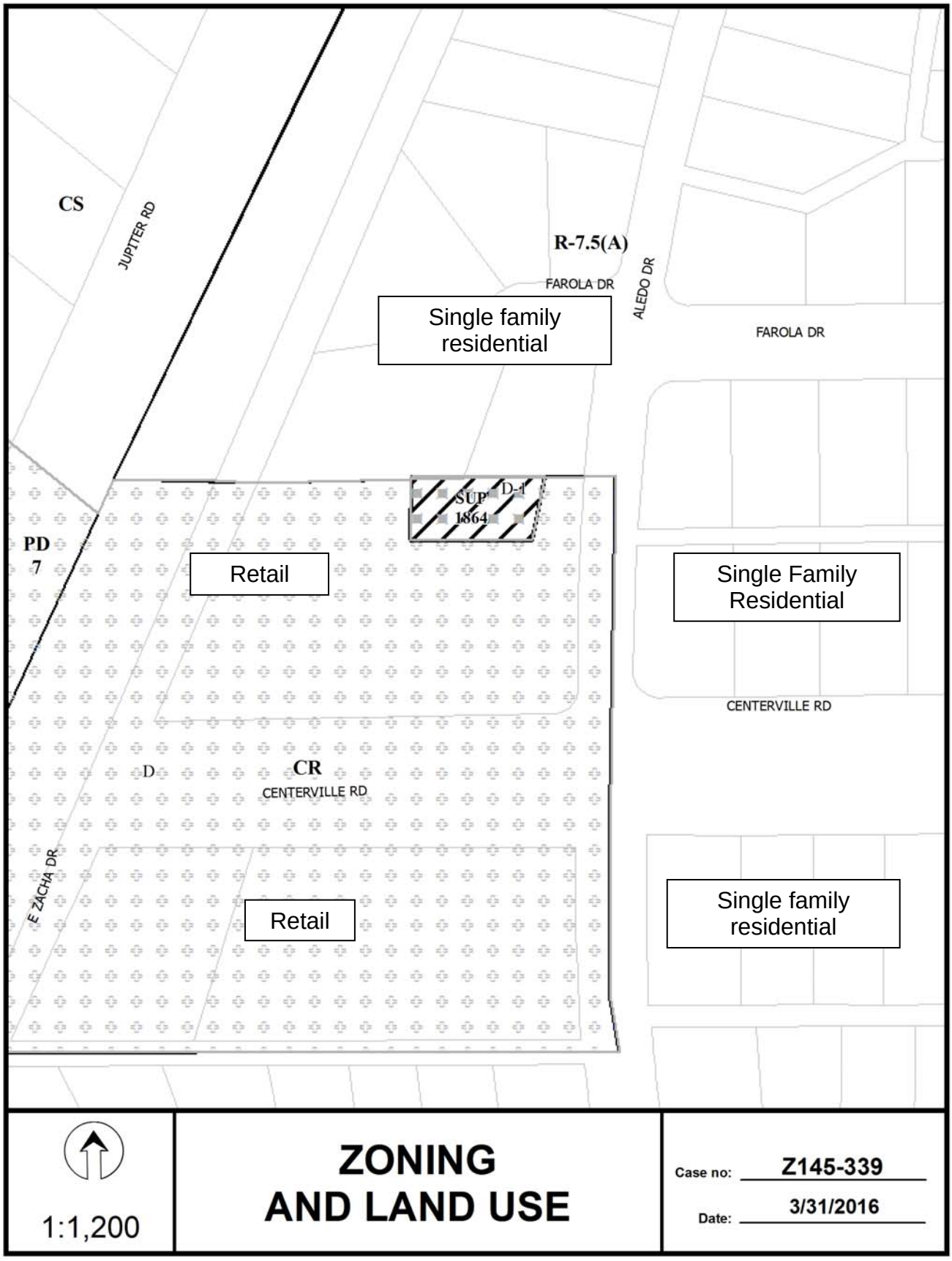


1:1,200

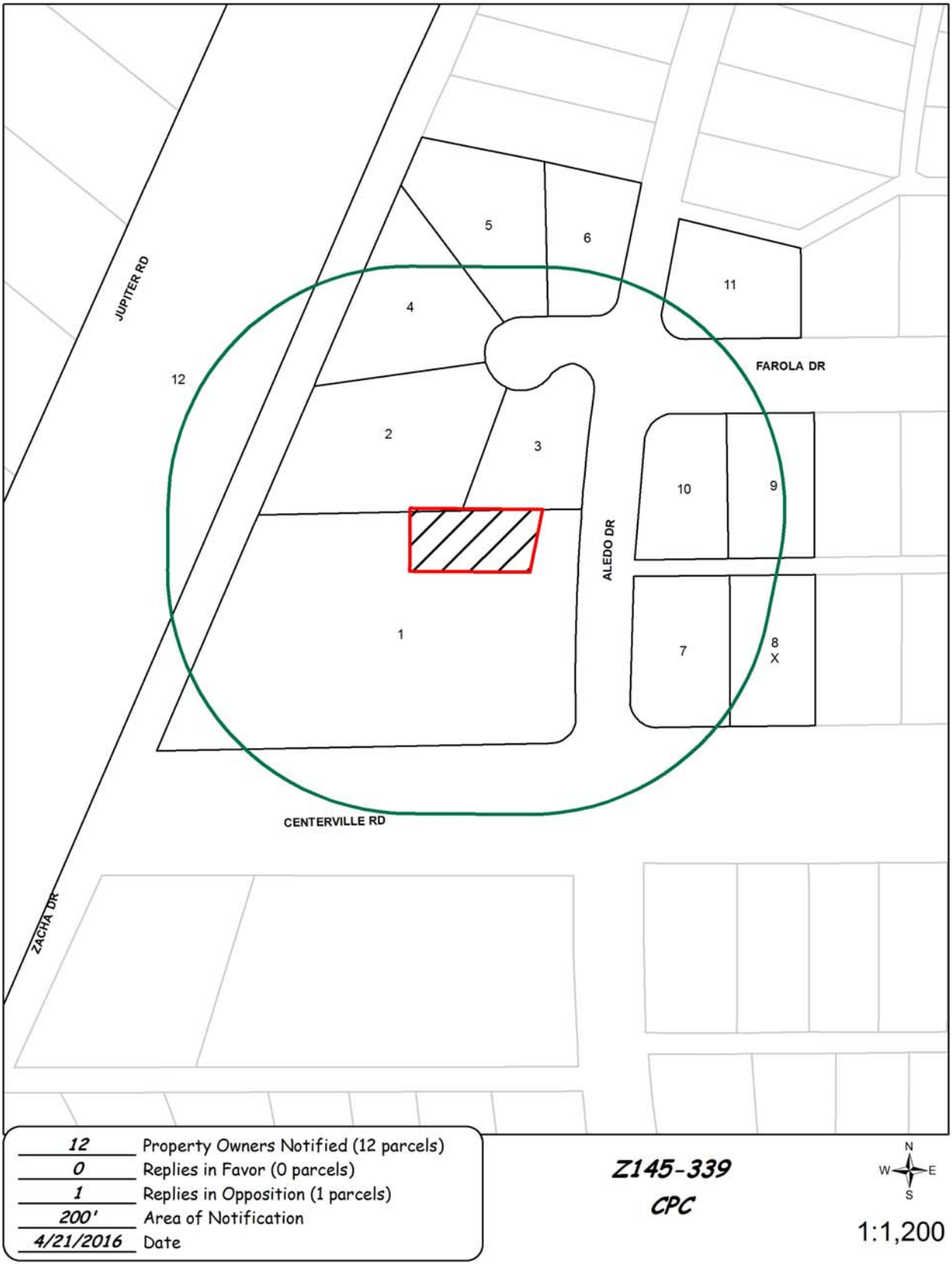
AERIAL MAP

Case no: Z145-339

Date: 3/31/2016


CS
JUPITER RD
R-7.5(A)
FAROLA DR
ALEDO DR
FAROLA DR
Single family residential
SUP 1864
D-1
PD 7
Retail
Single Family Residential
CENTERVILLE RD
D
CR
CENTERVILLE RD
E ZACHA DR
Retail
Single family residential
1:1,200
ZONING AND LAND USE
Case no: Z145-339
Date: 3/31/2016

CPC RESPONSES



04/20/2016

Reply List of Property Owners

Z145-339

12 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	1503	CENTERVILLE RD	AMEDIO CENTERVILLE LLC
	2	1510	FAROLA DR	SALAZAR ADRIAN R
	3	1514	FAROLA DR	MENDOZA MARIA E
	4	1511	FAROLA DR	BELITERE NICK
	5	1515	FAROLA DR	BELITERE NICHOLAS JR
	6	1519	FAROLA DR	GARCIA JOSE A
	7	1605	CENTERVILLE RD	BELLEW LISA Y
X	8	1611	CENTERVILLE RD	ANDERSON NILS CHRISTIAN
	9	1610	FAROLA DR	MEDINA RICARDO JR & NELLY
	10	1602	FAROLA DR	PARIS RUTH RIGGS
	11	10806	ALEDO DR	GUZMAN RAQUEL O
	12	99999	NO NAME ST	KANSAS CITY SOUTHERN RR

AGENDA ITEM # 60

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 46 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an MF-2(A) Multifamily District on the southeast line of Munger Avenue, between Annex Avenue and North Prairie Avenue
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z156-172(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: RYAN S. EVANS

FILE NUMBER: Z156-172(WE) **DATE FILED:** December 22, 2015

LOCATION: Southeast line of Munger Avenue, between Annex Avenue and North Prairie Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 46A

SIZE OF REQUEST: Approx. 14,300 Sq. ft. **CENSUS TRACT:** 8.00

APPLICANT / OWNER: Exodus Ministries

REPRESENTATIVE: Preston Jones, Divine Homes

REQUEST: An application for a Specific Use Permit for a child-care facility on property zoned an MF-2(A) Multifamily District.

SUMMARY: The purpose of this request is to allow for the operation of a child-care facility within an existing multifamily complex. The applicant will convert an existing 780 square foot storage room into a child-care facility. The child-care facility will operate between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed child-care facility is compatible with the surrounding residential developments. The proposed child-care facility will operate within an existing two-story multifamily complex and will operate between 7:00 a.m. to 6:00 p.m., Monday through Friday.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The child-care facility will provide a service to the existing residents within the existing multifamily complex and is an appropriate use at this location.

3. *Not a detriment to the public health, safety, or general welfare* – This use will not be a detriment to the public health, safety or general welfare of the community.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. No variances or special exceptions are requested.

Zoning History: There have not been any zoning changes requested in the area in the past 5 years.

Thoroughfares/Streets:

	Type	Existing ROW	Proposed ROW
Munger Avenue	Local	56 ft.	56 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed SUP will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	MF-2(A)	Multifamily
Northeast	MF-2(A), SUP No. 1568	Surface parking lot, single family, multifamily
Southeast	PDD No. 298 w/ SUP No. 600	School
Southwest	MF-2(A), SUP 600	Undeveloped, surface parking lot
Northwest	MF-2(A)	Multifamily, Single Family

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a Residential Building Block. The request site is consistent with the Residential Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

STAFF ANALYSIS:

Land Use Compatibility: The request site is adjacent to a mix of residential and institutional uses. The property to the north is developed with single family and multifamily uses. Specific Use Permit No. 1568, which is located adjacent to the site is approved for an open-enrollment charter school, but is currently being used as a surface parking lot for a school to the southeast [SUP No. 600]. An undeveloped tract of land and a surface parking lot [SUP No. 600] that is being used by the school is located southwest of the request site. There are a school and multifamily uses located south of the site.

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.

Parking: The off-street parking requirement for a child-care facility is one space per 500 square feet of floor area. The applicant is required to provide two off-street parking spaces for a child-care facility that has approximately 780 square feet of floor area. The multifamily use is required to have a minimum of 20 spaces. The existing multifamily use is developed with a total of 28 spaces. The applicant meets the required off-street requirement of providing the child-care facility.

CPC Action (April 21, 2016)

Motion: It was moved to recommend **approval** of for a Specific Use Permit for a child-care facility for a five-year period, subject to a site plan and revised conditions with a change to the hours of operation from 7:00 a.m. to 6:30 p.m., Monday through Friday on property zoned an MF-2(A) Multifamily District on the southeast line of Munger Avenue, between Annex Avenue and North Prairie Avenue.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 15
Replies: For: 0 Against: 1

Speakers: None

LIST OF OFFICERS
Exodus Ministries

- Peter Tippen — Chairperson
- Karis Pickens — Chairperson Elect
- E.G. McMillian III — Int. Vice-Chair
- John Fox Holt III — Treasurer
- Lewise Bailey Crockett — Secretary
- Gerald Davis — Chaplain
- Jackie Carl
- Albert Fenton
- Wilson Fuqua
- Vicki Hallan-Bowman
- Michael Jarrell
- Preston Johns
- David Quine
- Susan Turner

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a child-care facility.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (five-years from the passage of the ordinance).

4. HOURS OF OPERATION: The child-care facility may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.

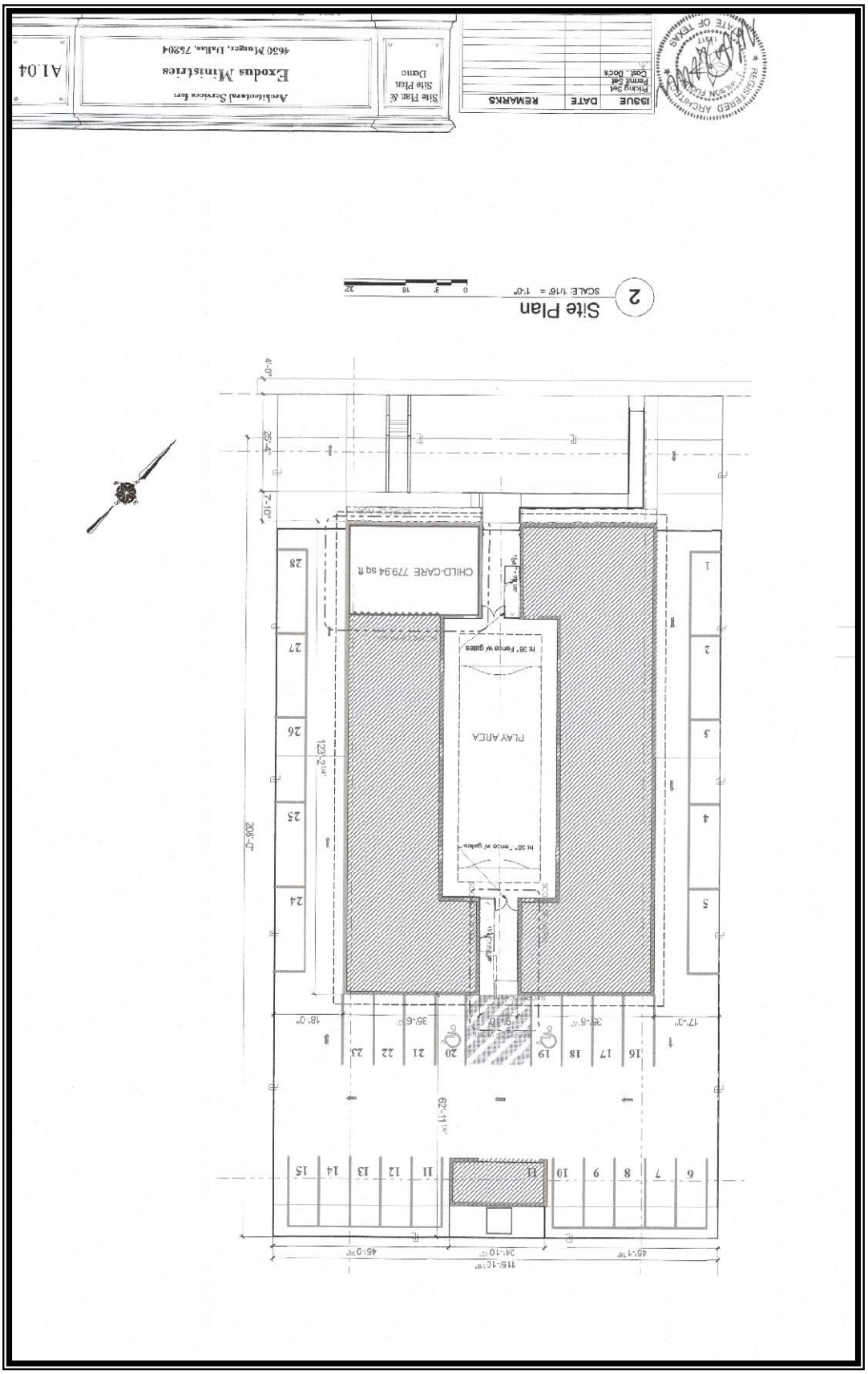
5. FLOOR AREA: The maximum floor area is 780 square feet

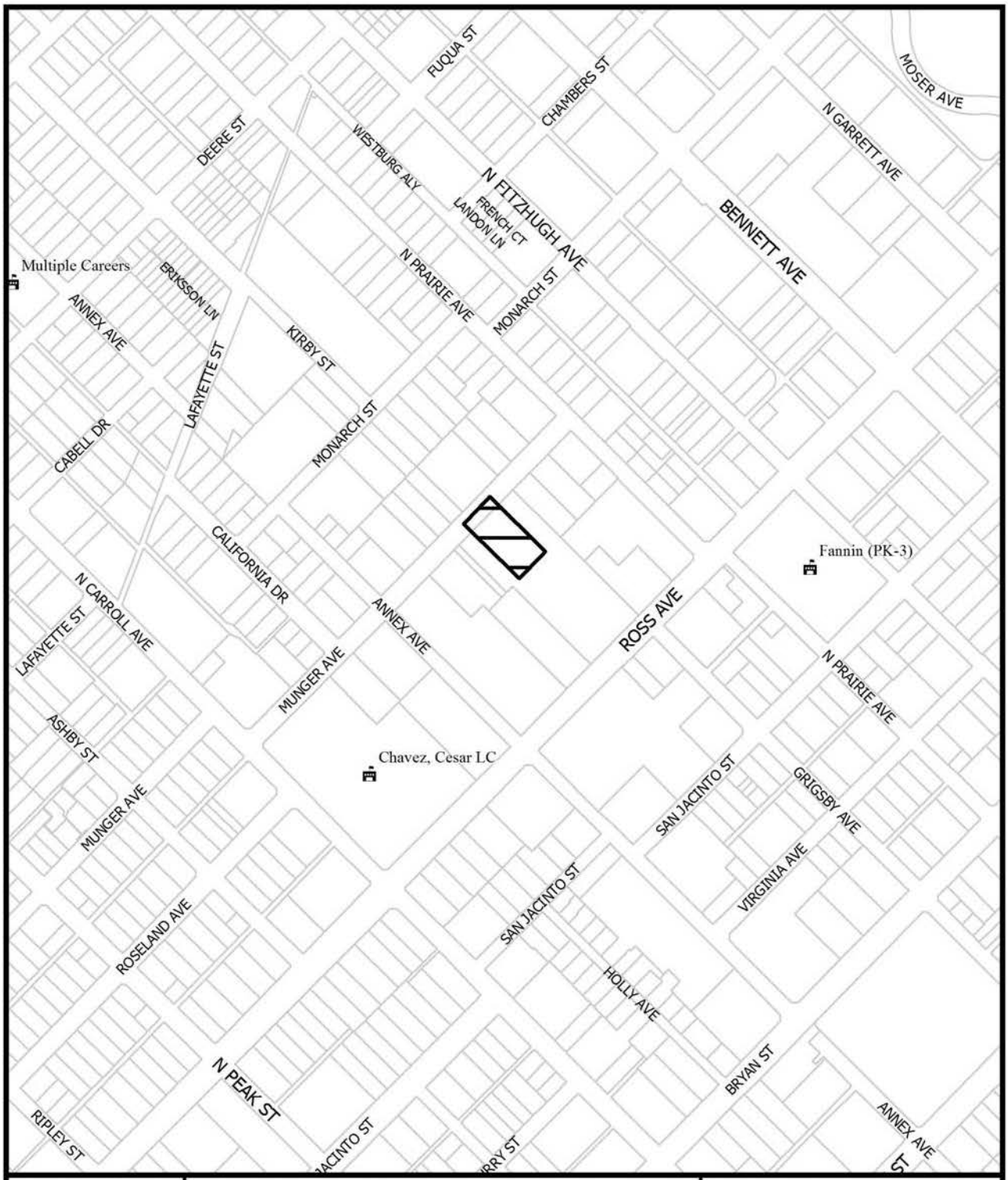
6. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

7. MAINTENANCE: The entire 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





1:4,800

VICINITY MAP

Case no: Z156-172

Date: 2/2/2016

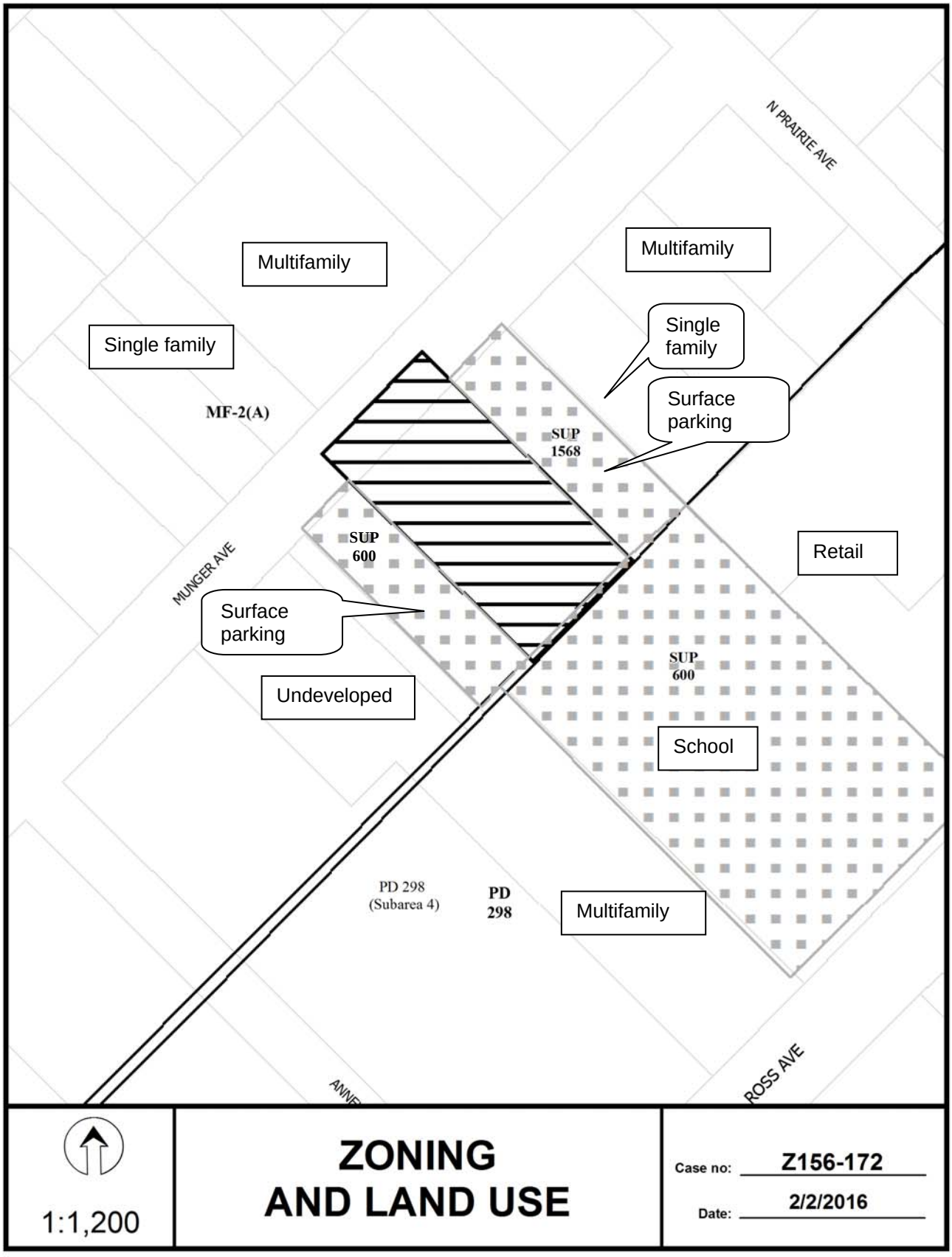


1:1,200

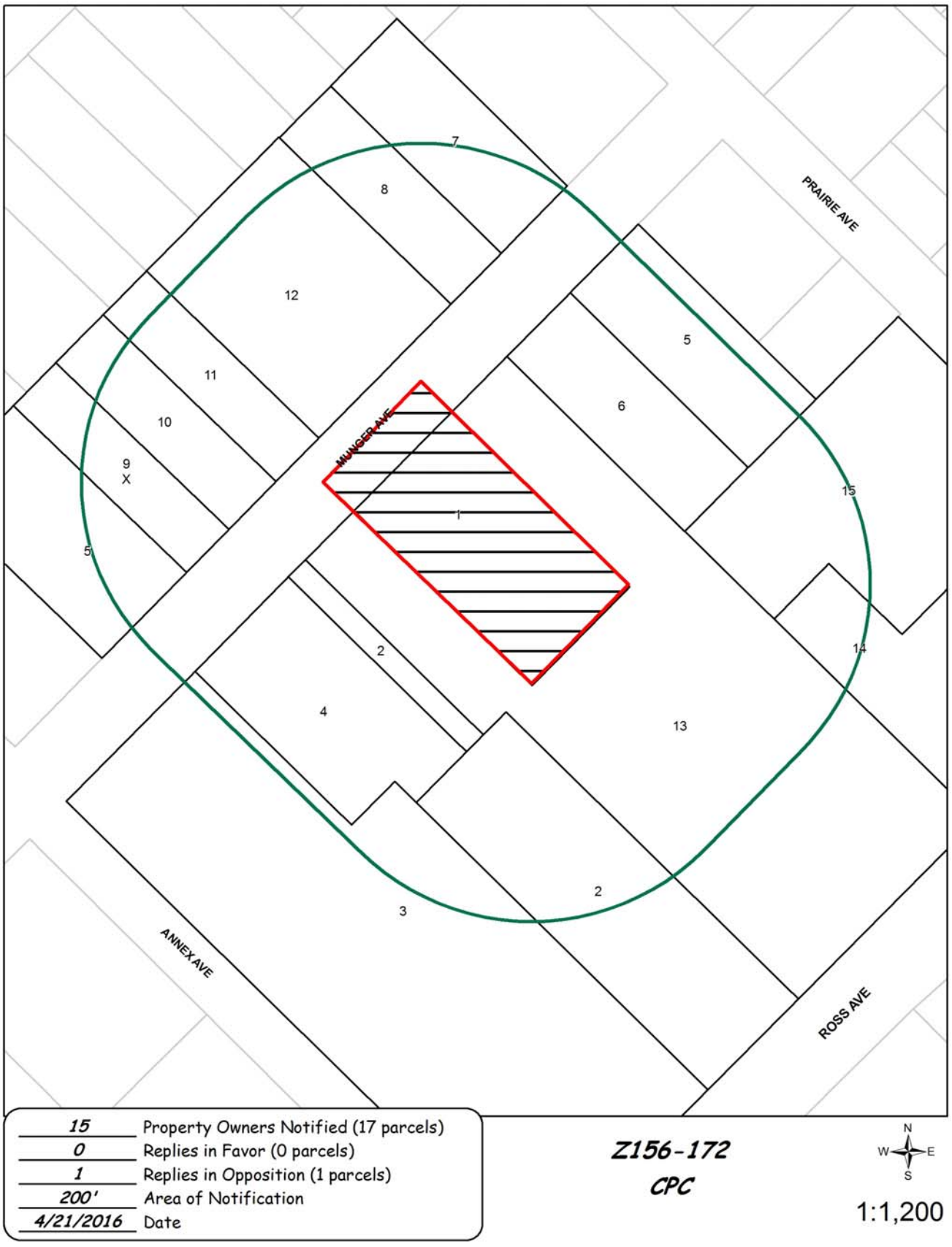
AERIAL MAP

Case no: Z156-172

Date: 2/2/2016


N PRAIRIE AVE
Multifamily
Multifamily
Single family
Single family
Surface parking
MF-2(A)
SUP 1568
SUP 600
MUNGER AVE
Retail
Surface parking
SUP 600
Undeveloped
School
PD 298 (Subarea 4)
PD 298
Multifamily
ROSS AVE
1:1,200
ZONING AND LAND USE
Case no: Z156-172
Date: 2/2/2016

CPC RESPONSES



Notification List of Property Owners

Z156-172

15 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
	1	4630	MUNGER AVE	EXODUS
	2	4619	ROSS AVE	HETRICK DENNIS W &
	3	4601	ROSS AVE	DALLAS WOMANS FORUM
	4	4610	MUNGER AVE	SLJ COMMERCE/EXCHANGE LTD
	5	4710	MUNGER AVE	CUTCHER JOSEPH & TRICIA
	6	4640	MUNGER AVE	ROMERO RUDY
	7	4707	MUNGER AVE	ROBINSON AARON & DAWN CASS
	8	4703	MUNGER AVE	ROMERO RUDY
X	9	4619	MUNGER AVE	FINSTROM LARRY & DIANE
	10	4621	MUNGER AVE	VALENCIANA LOLITA ROMERO
	11	4625	MUNGER AVE	ROMERO LUPE I
	12	4627	MUNGER AVE	INTERFAITH HOUSING
	13	4621	ROSS AVE	AMERICA CAN
	14	4709	ROSS AVE	4709 ROSS AVE LLC
	15	4721	ROSS AVE	PS LPT PPTIES INVESTORS

AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 39 S

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District on the southwest corner of Oates Drive and Michael Lane

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Z156-206(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z156-206(SM) **DATE FILED:** April 11, 2016

LOCATION: Southwest corner of Oates Drive and Michael Lane

COUNCIL DISTRICT: 7 **MAPSCO:** 39S

SIZE OF REQUEST: Approx. 0.765 Acres **CENSUS TRACT:** 123.01

OWNER/APPLICANT: Mission East Dallas

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

REQUEST: An application for a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for new construction of a community service center

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

GUIDING CRITERIA FOR RECOMMENATION:

Staff recommends approval of the request, subject a site plan and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The request proposes new construction of a 8,167 square foot community service center with 41 parking spaces. The proposed site will provide 10 foot landscape buffers, be setback 25 feet on both streets and will only allow vehicular access from Oates Drive. These features will provide protections to the adjacent single family homes and keep vehicles from using the alley and Michael Lane for circulation.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed community service center will serve the immediate area with services consistent with those provided by the nearby institutional facilities.

3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is consistent with those normally found in close proximity to residential uses.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – No variances or special exceptions are requested as part of this use.

BACKGROUND INFORMATION:

- Aerial photography from 1972 shows a small structure that fronted on Oates Drive.

- Aerial photography from 1979 shows a small structure that fronted on Oates Drive demolished and a surface parking lot constructed.

- The request site is undeveloped and two lots were combined into one lot by plat number S056-218 and was filed in the Dallas County Deed Records August 25, 2015.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

Thoroughfare	Designation	Explanation	ROW
Oates Drive	Principle Arterial	Minimum -6 lanes divided,	90’ ROW
Micheal Lane	Local	N/A	50’ ROW

STAFF ANALYSIS:

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominate land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

In general, the applicant’s proposal to construct a community service center at this location is consistent with the residential building block described in the Comprehensive Plan.

Land Use Compatibility:

The site is undeveloped and is just south of Oates Drive. Immediately to the west of the request site is an undeveloped property that formerly held a single family home. Further to the northwest is a large surface parking lot and church and further to the east is Eastfield College. Single family homes are developed to the north, east, south and southwest.

The various programs associated with the requested use will be provided within the proposed improvements. Due to the proximity of the nearby single family uses, specific hours of operation have been offered along with additional conditions for lighting, screening, and restricted ingress and egress.

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.

Parking: The proposed community service center use will provide for the minimum required parking for the community service center (one space per 200 square feet of floor area), 41 spaces required and 41 spaces provided.

Landscaping: All development on the property will require landscaping per Article X of the Dallas Development Code.

CPC Action – April 21, 2016:

Motion: It was moved to recommend **approval** of a Specific Use Permit for a community service center for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and revised conditions to include the following modifications: 1) Allow hours of operation between 7:30 a.m. and 6:00 p.m., Monday through Thursday and 7:30 a.m. and 1:00 p.m., Friday through Sunday on property zoned an R-7.5(A) Single Family District on the southwest corner of Oates Drive and Michael Lane.

Note: Commissioner Abtahi requested the minutes reflect the following comment: Specific use permit Condition #6, INGRESS-EGRESS: state, "Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted." On the site plan show no other entry way on any of the streets, except Oates Drive.

Maker: Abtahi
Second: Anglin
Result: Carried: 14 to 0

For: 14 - Anglin, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 21
Replies: For: 2 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Emily Worland, 9624 Michael Ln., Dallas, TX, 75228
Against: None

Partners/Principals/Officers:

Mission East Dallas

Jessie D.J. Doyal, Director

Bryon McKnight, Director

Charles Wiltraut, Chief Executive Officer

Jim Pyle, Chief Financial Officer

Christopher Berry, Chief Medical Officer

Abby Mann, Chief Dental Officer

CPC RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A COMMUNITY SERVICE CENTER

1. USE: The only use authorized by this specific use permit is a community service center.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on (five years from the passage of the ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. FLOOR AREA: The maximum floor area is 8,167 square feet in the location shown on the attached site plan.

5. HOURS OF OPERATION: The community service center may only operate between 7:30 a.m. and 6:00 p.m., Monday through Thursday and 7:30 a.m. and 1:00 p.m. Friday through Sunday.

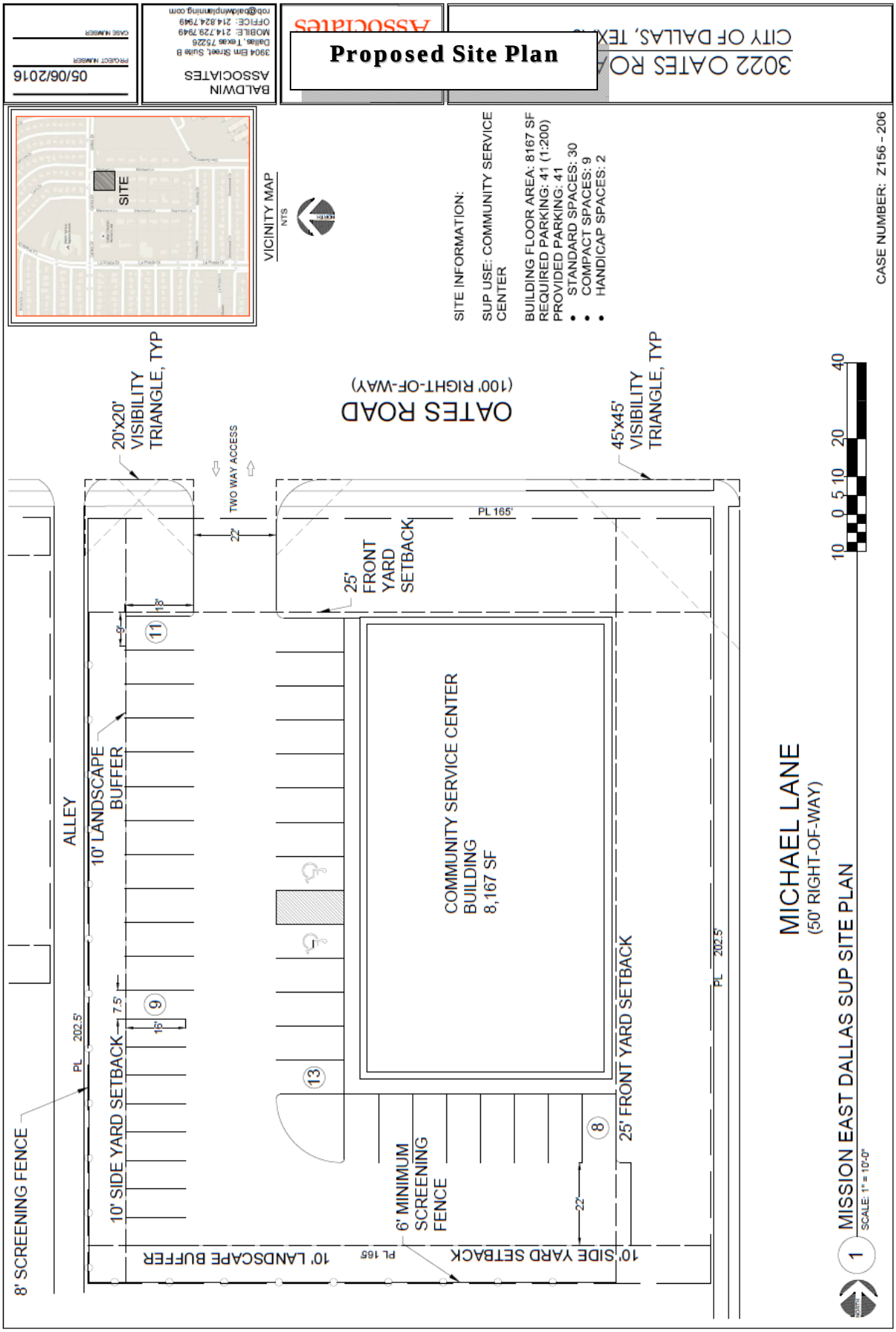
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

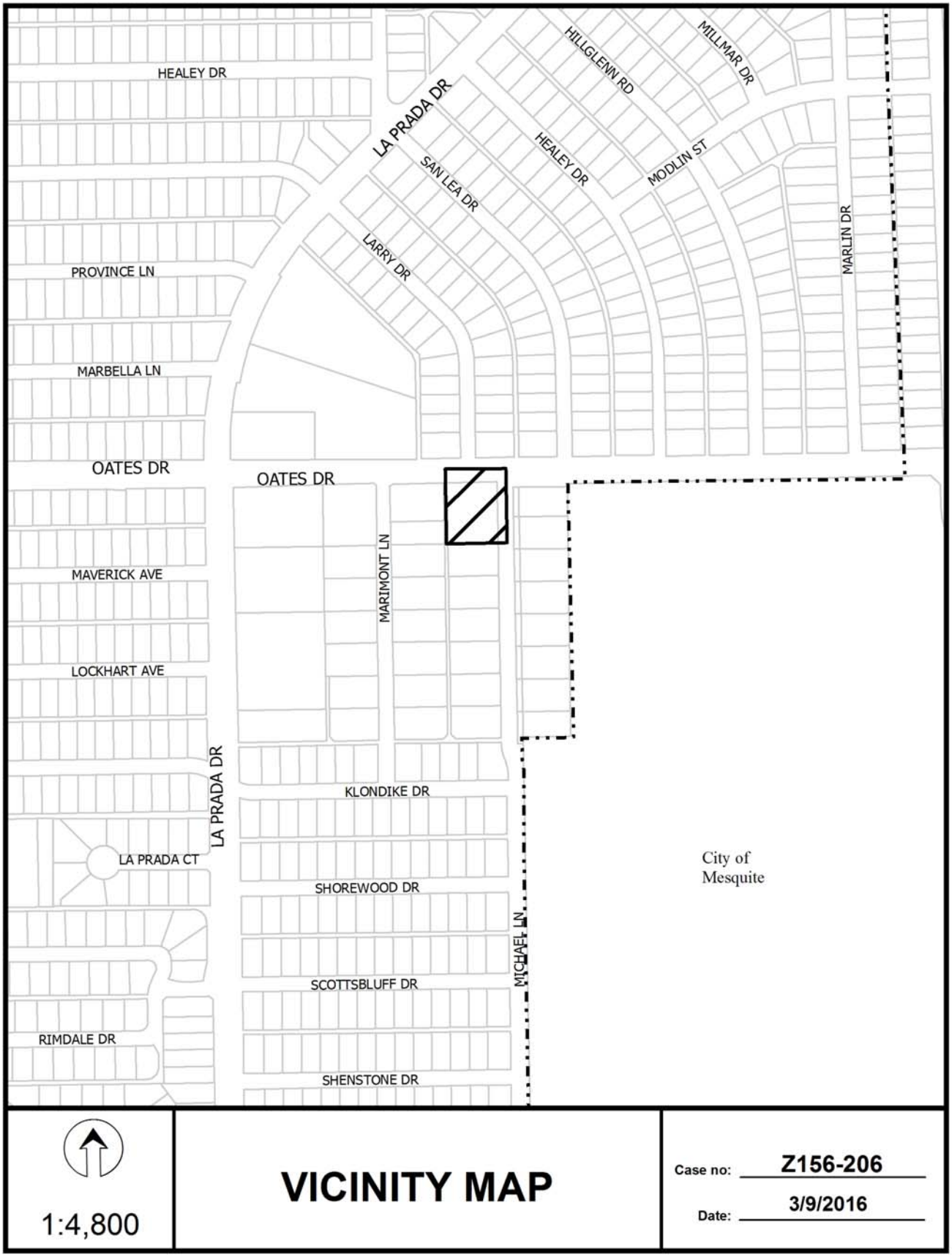
7. LIGHTING: Exterior lighting must be directed away from adjoining properties.

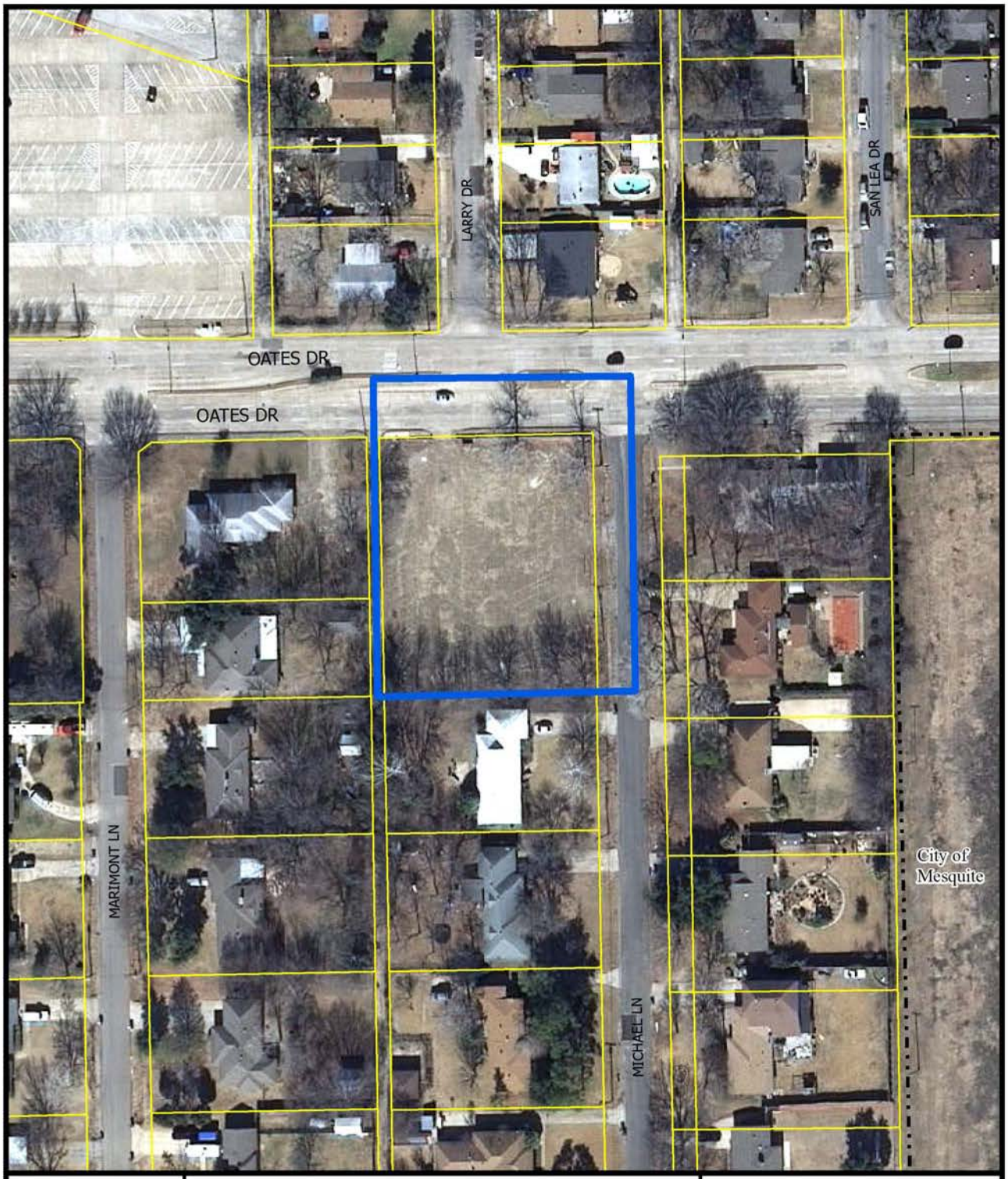
8. SCREENING: Screening of off-street parking must be provided as shown on the attached site plan.

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 Site Plan
3022 OATES ROAD
CITY OF DALLAS, TEXAS
BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
OFFICE: 214.824.7949
MOBILE: 214.229.7949
rob@baldwinplanning.com
PROJECT NUMBER
05/06/2016
CASE NUMBER
VICINITY MAP
NTS
SITE
SITE INFORMATION:
SUP USE: COMMUNITY SERVICE CENTER
BUILDING FLOOR AREA: 8167 SF
REQUIRED PARKING: 41 (1:200)
PROVIDED PARKING: 41
• STANDARD SPACES: 30
• COMPACT SPACES: 9
• HANDICAP SPACES: 2
CASE NUMBER: Z156 - 206
OATES ROAD
(100' RIGHT-OF-WAY)
20'x20' VISIBILITY TRIANGLE, TYP
45'x45' VISIBILITY TRIANGLE, TYP
TWO WAY ACCESS
22'
PL 165'
25' FRONT YARD SETBACK
ALLEY
10' LANDSCAPE BUFFER
COMMUNITY SERVICE CENTER BUILDING 8,167 SF
10' SIDE YARD SETBACK
7.5'
PL 202.5'
25' FRONT YARD SETBACK
6' MINIMUM SCREENING FENCE
8' SCREENING FENCE
10' LANDSCAPE BUFFER
10' SIDE YARD SETBACK
MICHAEL LANE
(50' RIGHT-OF-WAY)
MISSION EAST DALLAS SUP SITE PLAN
SCALE: 1" = 10'-0"
10 0 5 10 20 40


HEALEY DR
LA PRADA DR
HILLGLENN RD
MILLMAR DR
HEALEY DR
MODLIN ST
SAN LEA DR
LARRY DR
MARLIN DR
PROVINCE LN
MARBELLA LN
OATES DR
OATES DR
MARIMONT LN
MAVERICK AVE
LOCKHART AVE
LA PRADA DR
KLONDIKE DR
LA PRADA CT
SHOREWOOD DR
MICHAEL LN
SCOTTSBLUFF DR
RIMDALE DR
SHENSTONE DR
City of
Mesquite
1:4,800
VICINITY MAP
Case no: Z156-206
Date: 3/9/2016

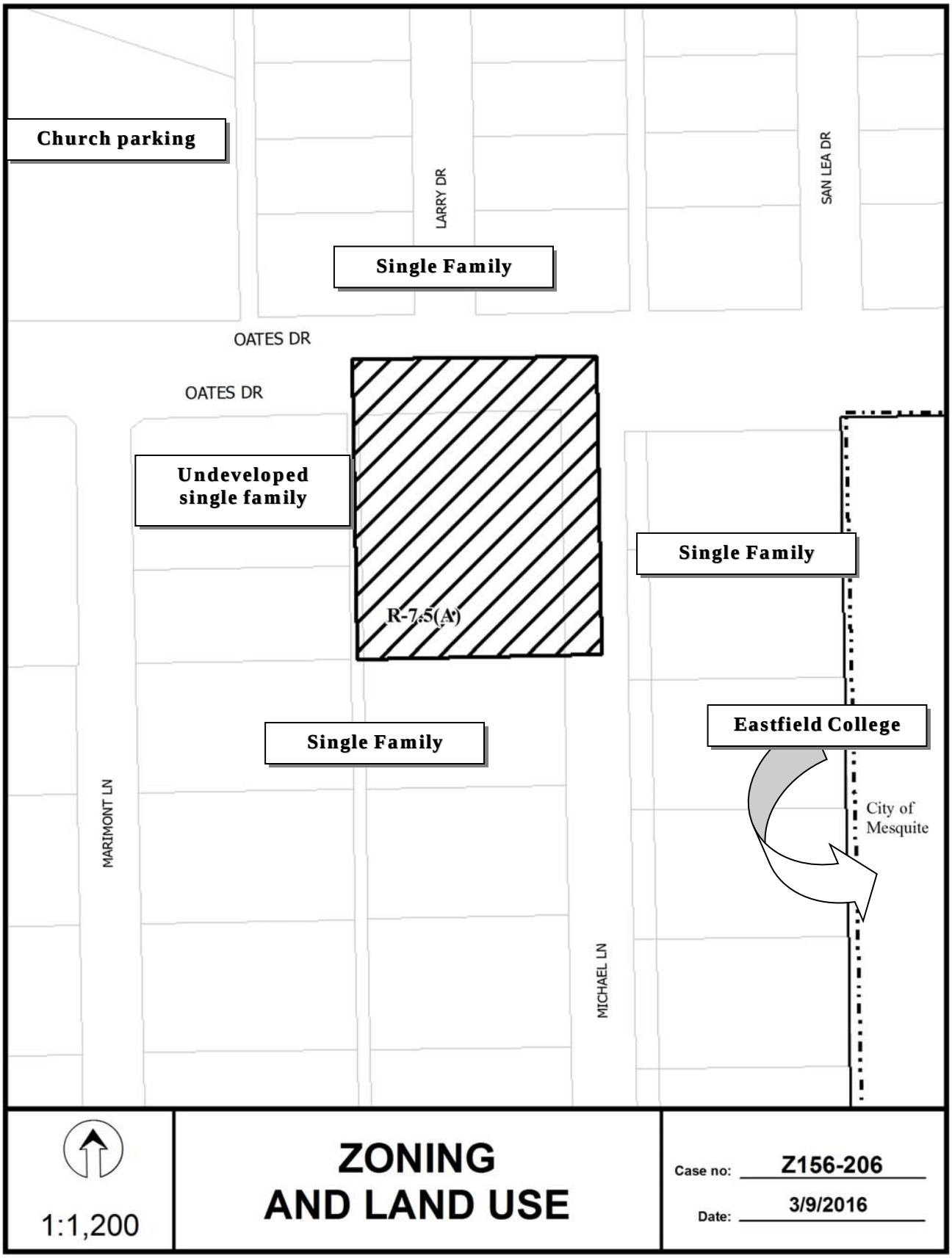


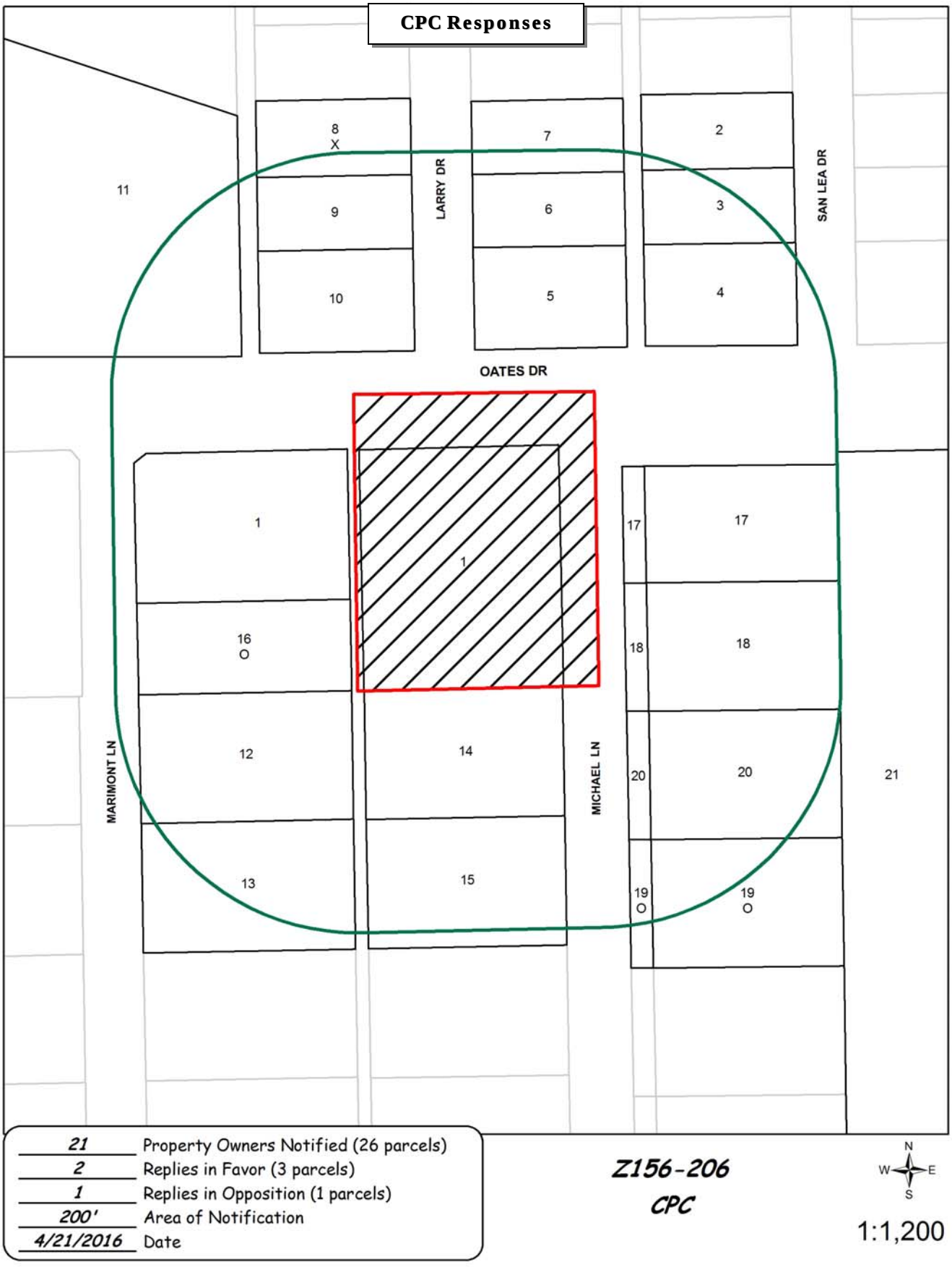
1:1,200

AERIAL MAP

Case no: Z156-206

Date: 3/9/2016


Church parking
LARRY DR
SAN LEA DR
Single Family
OATES DR
OATES DR
Undeveloped single family
R-7.5(A)
Single Family
Eastfield College
Single Family
City of Mesquite
MARIMONT LN
MICHAEL LN
1:1,200
ZONING AND LAND USE
Case no: Z156-206
Date: 3/9/2016


CPC Responses
11
8
X
9
10
LARRY DR
7
6
5
2
3
4
SAN LEA DR
OATES DR
1
1
16
O
12
13
14
15
MARIMONT LN
MICHAEL LN
17
17
18
18
20
20
19
O
19
O
21
21 Property Owners Notified (26 parcels)
2 Replies in Favor (3 parcels)
1 Replies in Opposition (1 parcels)
200' Area of Notification
4/21/2016 Date
Z156-206
CPC
N
W
E
S
1:1,200

04/20/2016

Reply List of Property Owners

Z156-206

21 Property Owners Notified 2 Property Owners in Favor 1 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	3006	OATES DR	MISSION EAST DALLAS &
	2	9815	SAN LEA DR	MURILLO CLAUDIA A
	3	9809	SAN LEA DR	TREJO ALEJANDRO
	4	9805	SAN LEA DR	BENITEZ RAFAEL
	5	3071	LARRY DR	GUTIERREZ CHRIS
	6	3065	LARRY DR	HAYNES CHARLES R II &
	7	3061	LARRY DR	CAMACHO EUSEBIO &
X	8	3060	LARRY DR	WHITE DAVID
	9	3064	LARRY DR	PEREZ JOHNNY & ISABELL
	10	3070	LARRY DR	SHILOH TERRACE BAPTIST
	11	9810	LA PRADA DR	SHILOH TERRACE BAPT CH
	12	9708	MARIMONT LN	KEELE CATHERINE V
	13	9624	MARIMONT LN	WADDLE DAVID EARL
	14	9707	MICHAEL LN	SIMS GILBERT
	15	9623	MICHAEL LN	WHITE GEORGE R II
O	16	9716	MARIMONT LN	MYERS JUDY C & JOHN C TRUST
	17	9724	MICHAEL LN	MATLOCK JUANITA PAULINE
	18	9716	MICHAEL LN	CRITZ ROBERT S & MEREDITH K
O	19	9624	MICHAEL LN	MORIN ARTURO &
	20	9708	MICHAEL LN	OLIVA MARIA ELIZA & BENJAMIN
	21	3737	MOTLEY DR	DALLAS COUNTY COMMUNITY

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2029 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Planned Development District No. 619 with Historic Overlay No. 48, the Harwood Historic District on the southwest corner of Pacific Avenue and North Harwood Street

Recommendation of Staff and CPC: Approval for three-year period, subject to conditions

Z156-209(OTH)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z156-209(OTH) **DATE FILED:** February 19, 2016

LOCATION: Southwest corner of Pacific Avenue and North Harwood Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45-L

SIZE OF REQUEST: Approx. 9,000 sq. ft. **CENSUS TRACT:** 31.01

APPLICANT: Old Town Ranchers, Inc.

OWNER: Pacific Elm Building, LLC

REPRESENTATIVE: Tailim Song Law Firm

REQUEST: An application for the renewal of Specific Use Permit No. 2029 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Planned Development District No. 619 with Historic Overlay No. 48, the Harwood Historic District.

SUMMARY: The applicant proposes to continue the use of the property for a commercial amusement (inside) with a dance hall. On June 12, 2013, the City Council approved this Specific Use Permit for a three-year period. Staff determined that an SUP for a commercial amusement (inside) is not required for the existing/proposed use as the business revenue is not more than 75 percent from alcohol sales. Therefore, the uses is not an alcoholic beverage establishment limited to a bar, lounge, or tavern.

CPC RECOMMENDATION: **Approval** for three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for three-year period, subject to conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The commercial (inside) limited to a dance hall does not impact compatibility with the surrounding land uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The commercial (inside) limited to a dance hall neither contributes to nor deters the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The commercial (inside) limited to a dance hall is not a detriment to the public health, safety or general welfare of the public.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed use complies with all applicable zoning regulations and standards of the City of Dallas. No variances or special exceptions are requested.

Zoning History: There has been one zoning request in the area within the last five years.

1. Z123-285 On December 11, 2013, the City Council approved an amendment to Planned Development District No. 619.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Pacific Street	Local Street	80 ft.
Harwood Street	Local Street	68.25 ft.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the request and determined that it will not impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Downtown Building Block.

The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing. A Downtown includes pedestrian-oriented and mixed-use development and offers multiple transportation options. Ground floors of tall buildings feature shops with many windows for visual interest and safety while the streetscape incorporates trees for shade, wide sidewalks and easy-to-use signs for finding points of interest. Civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening. The Downtown Building Block is an important transit hub for commuter rail, light rail, bus and local systems. This area warrants significant public investment to sustain itself as the signature address in the North Central Texas region and to continually reinvent itself to maintain its competitive advantage.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 619, H/48 & SUP No. 2029	Commercial amusement (inside) with a dance hall
North	PD No. 619 & H/48	Park and local utilities installation
East	PD No. 619 & H/48	Parking lot and office
South	PD No. 619 & H/48	Restaurant
West	PD No. 619, H/48 & H/21	Office & the Majestic Theater

Land Use Compatibility:

The approximately 0.3645 acre site is zoned Subdistricts A & C in Planned Development District No. 619 with Historic Overlay No. 48, the Harwood Historic District. The site is developed with a two-story building and is adjacent to office uses and the Majestic Theater. The surrounding uses are a park, office uses, and a utility installation to the north; a parking lot and office building to the east; office buildings to the west; and restaurant to the south.

Planned Development District No. 619 is a PD with vertical zoning districts. Therefore, while some uses in certain districts are allowed by right, some others require a Specific Use Permit. A commercial amusement (inside) requires an SUP for uses located in both Subdistricts A and C. The request site is located in Subareas A – first floor, and Subarea C in the second floor.

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.

Parking:

Parking must be provided in accordance to Planned Development District No. 619. No parking changes are being proposed with this request.

Landscaping:

Landscape in this district must comply with all landscaping requirements set forth for the CA-1(A) district, and should be consistent with any design guidelines for the district approved by City Council. However, the proposed use does not trigger any landscaping.

CPC ACTION:
April 21, 2016

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2029 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall for three-year period, subject to revised conditions on property zoned Planned Development District No. 619 with Historic Overlay No. 48, the Harwood Historic District on the southwest corner of Pacific Avenue and North Harwood Street.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 7
Replies: For: 0 Against: 0

Speakers: None

Police Report:

Staff obtained the Police Department reported offenses for a three-year period, 2013-2016. The list of offenses is provided on the following page.

Crime Counts from Dec 11 2013 - Mar 24 2016 (Crime Part 1)

UCR Offense	Year		Grand Total
	2014	2015	
ROBBERY-INDIVIDUAL	1	1	2
Grand Total	**1**	**1**	**2**

Crime Counts from Jun 12 2013 - Mar 24 2016 (Crime Part 2)

UCR Offense	Year	Grand Total
	2015	
ASSAULT	3	3
EMBEZZLEMENT	1	1
Grand Total	4	4

CPC PROPOSED SUP CONDITIONS

1. USE: The only use~~s~~ authorized by this specific use permit is ~~are an alcoholic beverage establishment limited to a bar, lounge, or tavern and~~ a commercial amusement (inside) with ~~limited to~~ a dance hall.

2. SITE PLAN: Use and development of the Property must comply with the attached first and second floor site plans. The alcoholic beverage establishment limited to a bar, lounge or tavern may only operate in the second floor.

3. TIME LIMIT: This specific use permit expires on (three years from the passage of this ordinance) ~~June 12, 2016~~.

4. DANCE FLOOR: The dance floor is limited to 927 square feet.

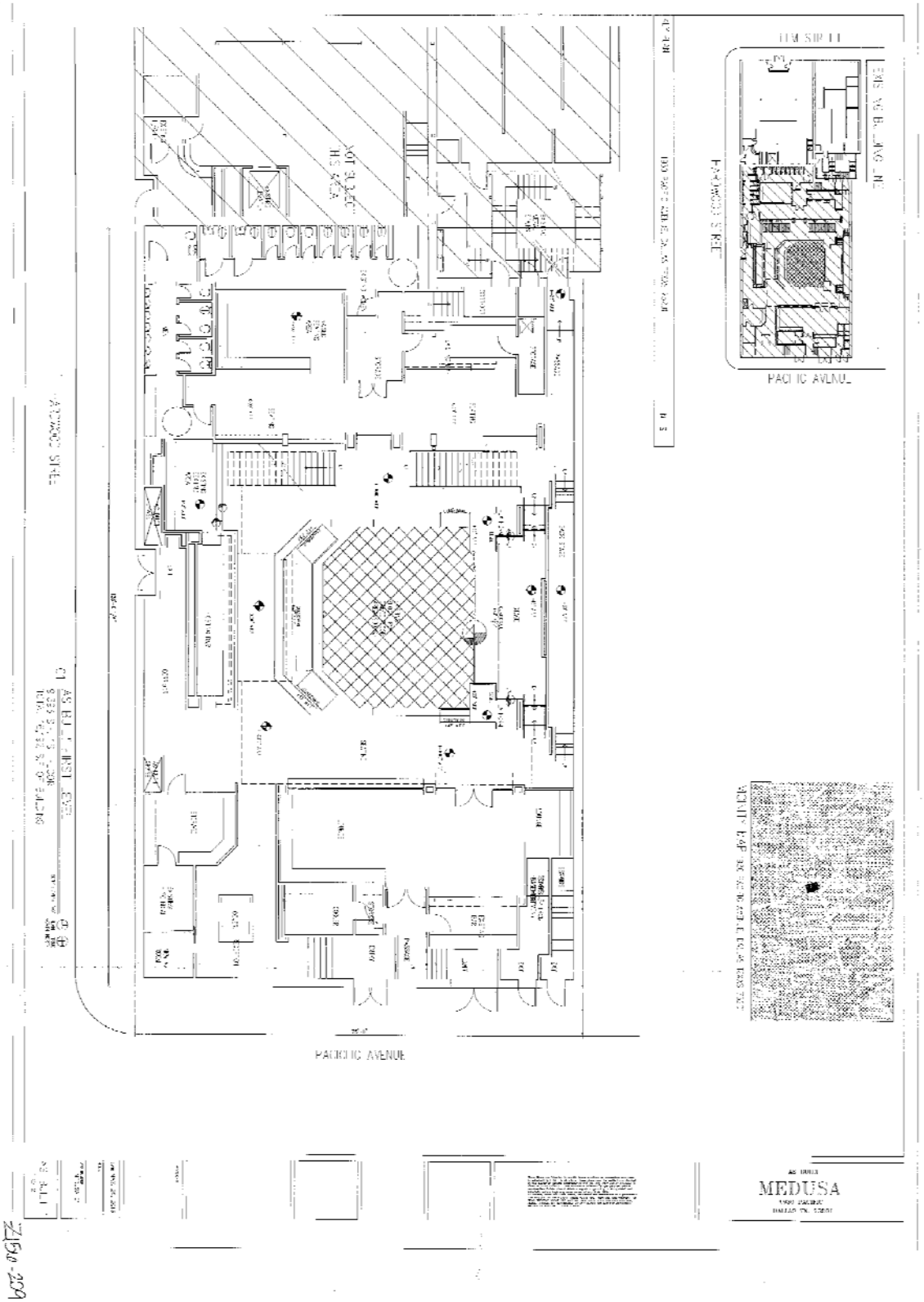
5. FLOOR AREA: The maximum floor area is 16,192 square feet.

6. HOURS OF OPERATION: The ~~alcoholic beverage establishment limited to a bar, lounge, or tavern and a~~ commercial amusement (inside) limited to a dance hall may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Sunday.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

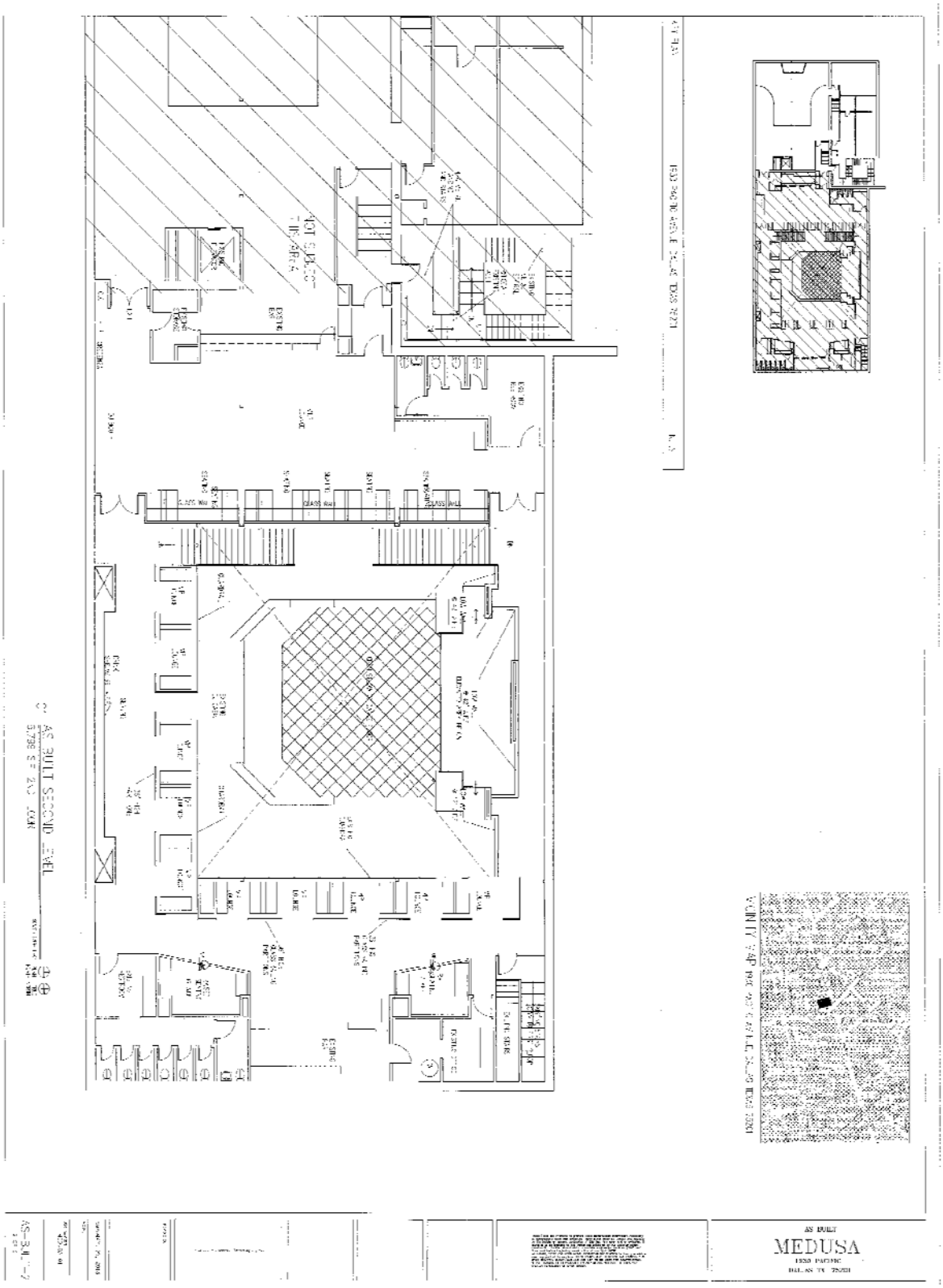
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

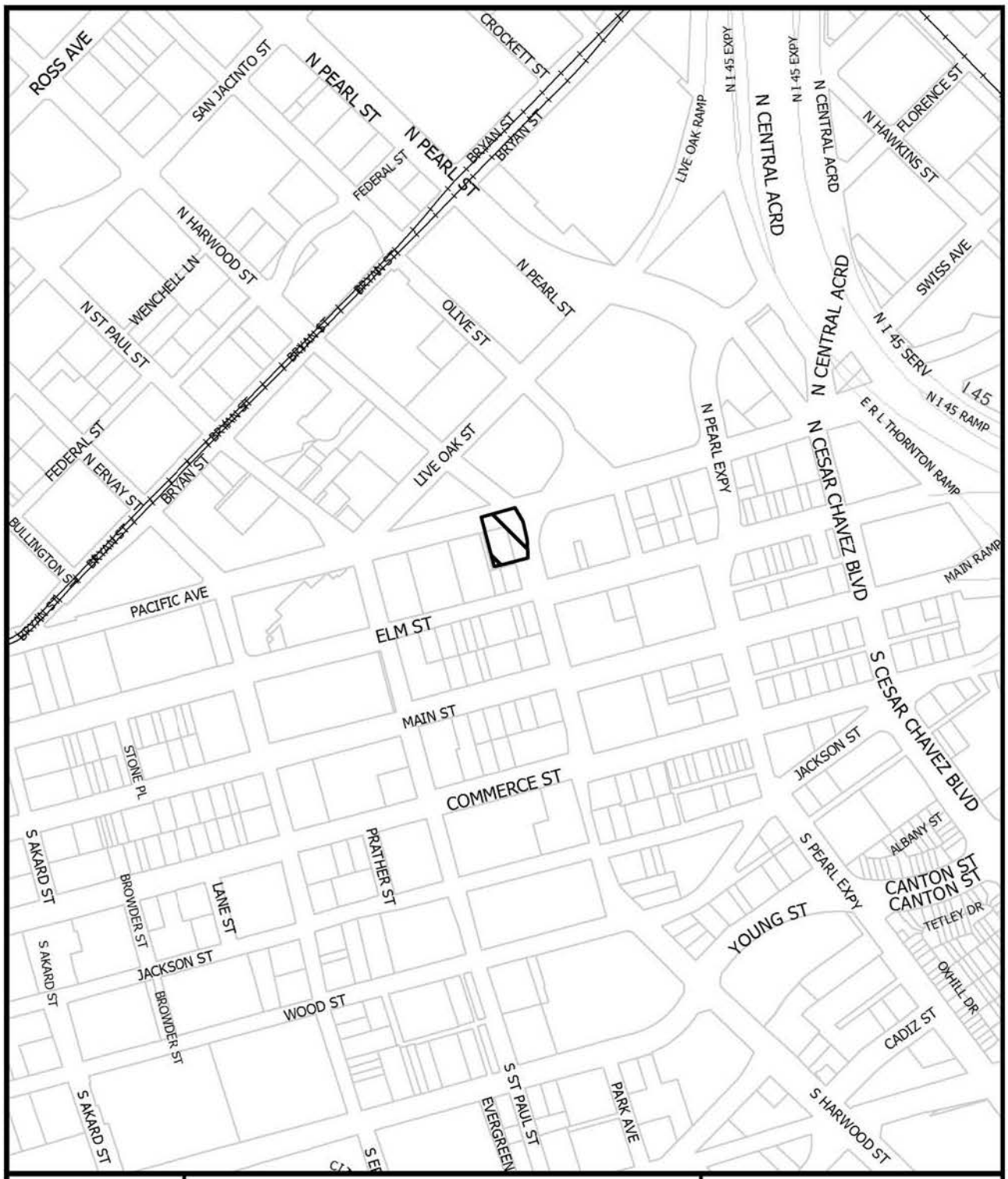
EXISTING SITE PLAN
First Level



Z156-209

Existing Site Plan
Second Level





1:4,800

VICINITY MAP

Case no: Z156-209

Date: 3/23/2016

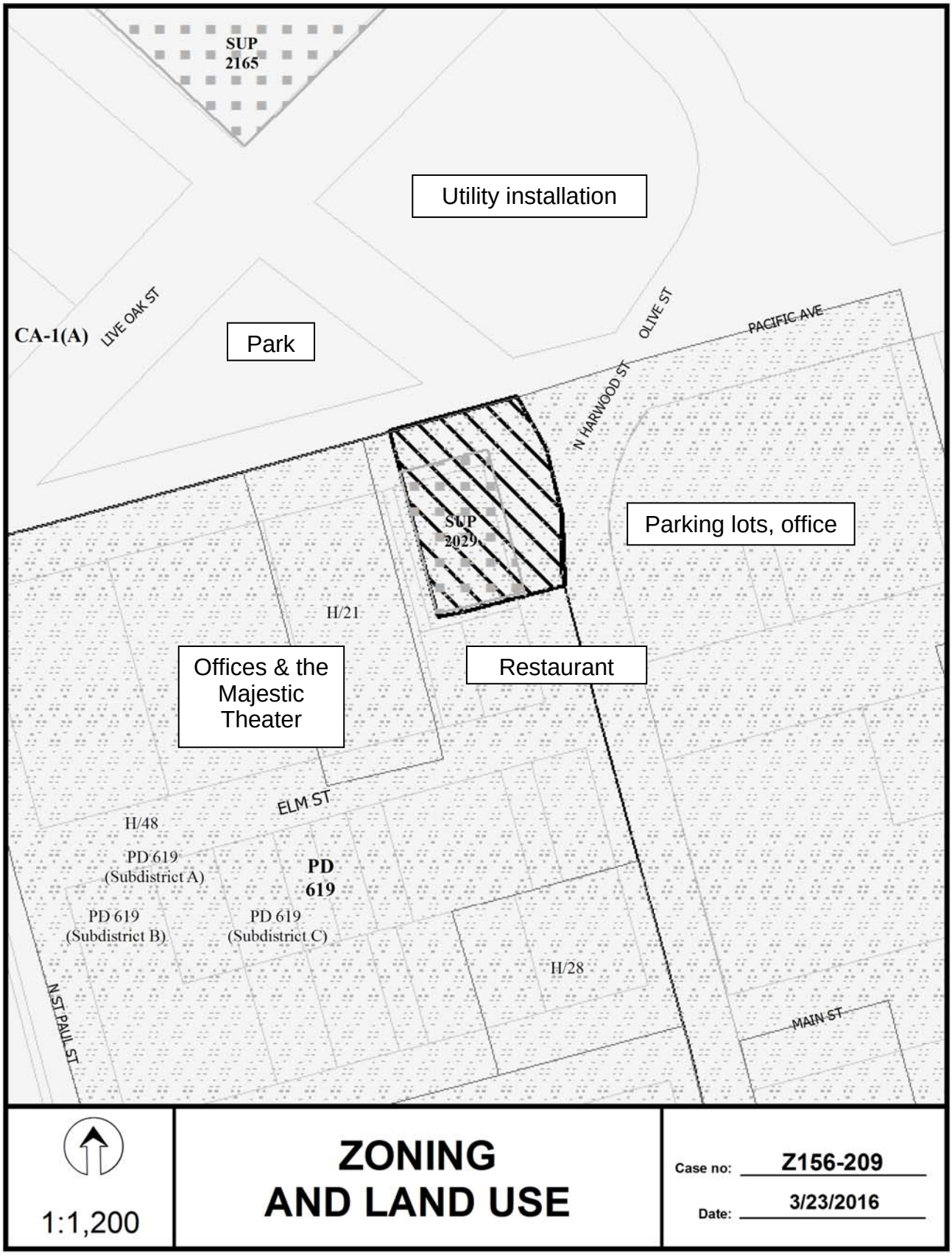


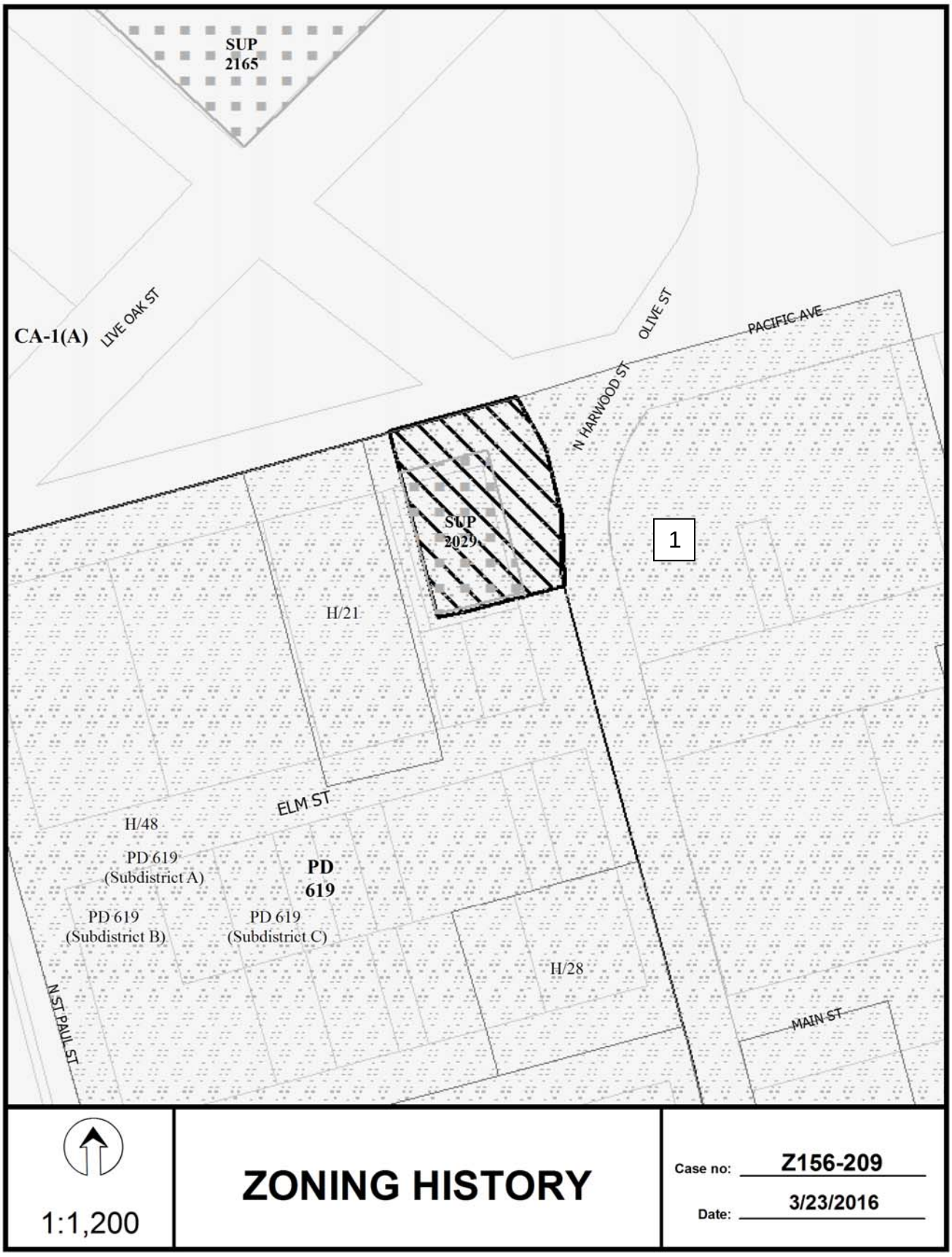
1:1,200

AERIAL MAP

Case no: Z156-209

Date: 3/23/2016


SUP
2165
Utility installation
CA-1(A)
LIVE OAK ST
Park
OLIVE ST
PACIFIC AVE
N HARWOOD ST
SUP
2029
Parking lots, office
H/21
Offices & the
Majestic
Theater
Restaurant
ELM ST
H/48
PD 619
(Subdistrict A)
PD
619
PD 619
(Subdistrict B)
PD 619
(Subdistrict C)
H/28
N ST PAUL ST
MAIN ST
1:1,200
ZONING
AND LAND USE
Case no: Z156-209
Date: 3/23/2016


SUP
2165
CA-1(A)
LIVE OAK ST
OLIVE ST
PACIFIC AVE
N HARWOOD ST
SUP
2029
1
H/21
ELM ST
H/48
PD 619
(Subdistrict A)
PD
619
PD 619
(Subdistrict B)
PD 619
(Subdistrict C)
H/28
N ST PAUL ST
MAIN ST
1:1,200
ZONING HISTORY
Case no: Z156-209
Date: 3/23/2016

CPC RESPONSES



04/20/2016

Reply List of Property Owners

Z156-209

7 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1933	ELM ST	PACIFIC ELM BUILDING LLC
	2	1910	PACIFIC AVE	1910 PACIFIC LP
	3	1910	PACIFIC AVE	OLYMBEC USA LLC
	4	1920	ELM ST	1920 ELM LTD
	5	2001	ELM ST	CAIN JOHN CHARLES
	6	2009	ELM ST	DENIUS FRANKLIN W & ET AL
	7	2020	LIVE OAK ST	WESTDALE 2020 LIVE OAK LP

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 25 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District, public school, and private recreation center, club, or area uses on property zoned an R-7.5(A) Single Family District on the southwest corner of West Northwest Highway and Durham Street

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

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

Z156-195(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z156-195(SM) **DATE FILED:** February 3, 2015

LOCATION: Southwest corner of West Northwest Highway and Durham Street

COUNCIL DISTRICT: 13 **MAPSCO:** 25Z

SIZE OF REQUEST: Approx. 4.631 Acres **CENSUS TRACT:** 79.06

OWNER: Northway Christian Church

APPLICANT: Highland Park ISD

REPRESENTATIVE: Dallas Cothrum, Masterplan

REQUEST: An application for a Planned Development District for R-7.5(A) Single Family District, public school, and private recreation center, club, or area uses on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to construct up to a three-story, 108,500 square foot new HPISD elementary school and playing fields south of West Northwest Parkway. The proposal also requests to establish setbacks and landscaping requirements. The applicant has worked closely with staff as well as involving the surrounding property owners in dialogue during this process.

CPC RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan, landscape plan, traffic management plan, and staff's recommended conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval of staff's recommended conditions of this item based upon:

1. *Performance impacts upon surrounding property* – The applicant has removed the lights of the proposed private recreation center, club, or area use as shown on the attached development plan and has offered conditions that further restrict that use. The applicant has also offered to limit structure height for a school, whereas the R-7.5(A) District allows schools any height in compliance with FAA regulations as explained further in the staff analysis portion of this report. Staff recommends approval of staff's recommended conditions because the limits proposed and recommended by staff is compatible with the surrounding properties.

2. *Traffic impact* – The traffic engineering staff has recommended approval of the traffic management plan.

3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the neighborhood residential building block along a multimodal corridor.

4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The request includes encroachments into the setbacks, limitations on height, modifications to fence standards, and modifications to landscaping requirements that require a planned development district.

BACKGROUND INFORMATION:

- The site is the eastern portion of an overall block that is owned and operated by the Northway Christian Church. The portion of the site that includes the area of request currently contains playing fields and detached residential structure.

- On April 16, 2015 preliminary plat number S145-132 was recommended for approval, subject to conditions.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

Thoroughfare	Designation	Explanation	ROW
West Northwest Highway	Principle Arterial	Standard -6 lanes divided	107' ROW
Durham Street	Local	N/A	50' ROW
Wentwood Drive	Local	N/A	50' ROW

STAFF ANALYSIS:

Comprehensive Plan: The comprehensive plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Residential Neighborhood* in the southern portions of the site and in a *multi-modal corridor* along the northern frontage of West Northwest Highway. While single family dwellings are the dominate land use in *Residential Neighborhood* areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

The multi-modal corridor building block should encourage the redevelopment of aging auto-oriented single family neighborhoods. These areas offer dense mixed use and then transition to multi-family and single family housing at the edge. These corridors should diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit-orientation and access.

In general, the applicant's proposal at this location is consistent with the building blocks described in the Comprehensive Plan.

Land Use Compatibility: The site is currently the eastern extension of the Northway Christian Church site and is occupied by recreational areas and a residential structure. Single family uses are located on the south and east and a cemetery is located to the north, across West Northwest Highway.

The PDD provides for other uses and development standards consistent with those found in an R-7.5(A) Single Family District with the exception that public school and private recreation center, club or area are allowed by right as opposed to by specific use permit and some modifications are requested to allow some encroachments into the setbacks, limitations on height, modifications to fence standards, and modifications to landscaping requirements that require a planned development district.

One item of the request is to allow athletic fields on the northern portion of the site, just south of West Northwest Highway and the cemetery, and west of residential uses. The applicant has proposed additional regulations for this use so that it is more compatible with the adjacent residential properties that include limited hours of operations for the use and conditions regarding lighting, outdoor seating, and speakers. The conditions also limit activities to "independent public school district sanctioned events, scholastic competitions, youth recreational activities, and non-professional events".

Structure Height: The R-7.5(A) Single Family District has a maximum structure height of 30 feet and no residential proximity slope because it is not listed as a limitation to

height within the district regulations. However, the R-7.5(A) District allows institutional uses, such as a public school, any height approved by the Federal Aviation Administration but recreational uses are limited to the height of the district[1]. Height is measured from the average grade of the highest and lowest corners of the structure to the midpoint of a gable or hip roof or to the highest point of other structures[2]. Therefore, since the site has a gentle slope and although one side of the building will be two stories and the other will be three the appearance of the elevation from the southern property line looking north will appear taller than the elevation from the northern property line looking south while height of the overall structure is calculated from average grade and given a singular value. Consequently, because height is measured from average grade, when the natural topography slopes, either the site or its neighbors are disadvantaged when limiting height. Since this site is located at a higher elevation than the southern neighboring properties, the difference in height is more apparent to the southern neighbors than neighbors to the north who reside uphill from the site.

The applicant has offered to restrict the height of the proposed school to 40 feet with the exception that parapet walls may exceed 40 feet by four feet and that other structures listed in Section 51A-4.408(a)(2)(A) including, but not limited to, elevator penthouse or bulkhead, mechanical equipment room, visual screens which surround roof mounted mechanical equipment, and chimney and vent stacks may exceed 40 feet by up to 12 feet.

An institutional use that is allowed by right in the R-7.5(A) District could build as high as the FAA would allow at the 25 foot front yard setback of the R-7.5(A) District. However, in an effort to mitigate the larger appearance of the building, the applicant has proposed to set the building back 56 feet from the southern property line. If residential proximity slope (RPS) did exist in this district, a 40-foot tall structure would need to be located 120 feet from sites of origination because RPS is a one-to-three slope. If the southern properties are used in this calculation the 50 foot width of Wentwood Drive would be included and therefore the nearest point of the 40 foot tall proposed structure is located 106 feet from the southern sites of origination. RPS would allow a structure that is just above 35 feet at this distance and the height would increase by one foot for every three feet set back. Therefore, the most extreme encroachment into the hypothetical RPS between the requested 40' maximum structure height to the southern sites of origination is just less than five feet in height. The proposed development plan shows the site has an articulating southern facade and therefore the articulations provide relief to the maximum encroachments allowed into the hypothetical RPS to the southern properties.

Staff recommends the applicant and CPC's recommended maximum height of 40 feet because it is tied to a development plan and allows minimal encroachments into the hypothetical residential proximity slope from the adjacent southern property lines.

Traffic: Traffic engineering staff has reviewed the attached traffic management plan included with this report and recommends approval of the utilization of a curb lane, or a wider pavement width, in lieu of the double separated drop off lanes along Durham

[1] See Section 51A-4.408(a)(1) of the Dallas Development Code.
[2] See Section 51A-4.112(f)(4)(E) of the Dallas Development Code.

Street and to wrap queuing along West Northwest Parkway, the slip street adjacent to West Northwest Highway. This reconfiguration of queuing will allow more efficient drop off and pick up operations with a greater degree of safety of children and passersby.

Parking: No modifications to the minimum off-street parking requirements of the Dallas Development Code are requested with this application. The request is providing the minimum number of off-street parking spaces required for an elementary school and a private recreation center club or area per the Dallas Development Code which equates to one and a half spaces per classroom for an elementary school and, three spaces per game court and one space for each additional 150 square feet of floor area for a private recreation center, club or area. The request proposes 35 elementary classrooms which would require 53 spaces and two game courts which would require an additional 6 spaces. Therefore the total required for the request would be 59 parking spaces and 84 are proposed.

Landscaping: The landscaping shown on the landscape plan and the landscaping conditions proposed have been reviewed and recommended for approval by the Chief Arborist.

CPC ACTION – May 5, 2016:

Motion: It was moved to recommend **approval** of a Planned Development District for R-7.5(A) Single Family District, public school, and private recreation center, club, or area uses, subject to a revised development plan to show the required loading space, revised landscape plan, traffic management plan, and revised conditions to include the following changes: 1) The minimum side yard setback is 30 feet; 2) Maximum structure height is 40 feet. Except as provided in this paragraph, structures that do not exceed the heights listed in Section 51A-4.408(a)(2) may project above the maximum structure height. Roof mounted equipment that exceeds two feet must be screened and set back a minimum of 100 feet from Durham Street and Wentwood Drive; 3) Maximum lot coverage is 35 percent aboveground parking structures are included in lot coverage calculations, surface parking lots and underground parking structures are not; 4) Delete subsection c under landscaping as it is not needed; 5) Traffic study analysis must also contain number of children picked up by vehicle, number of children arriving or being picked up by carpool, number of students walking or traveling by bicycle, number of students attending after school care; 6) Under additional provisions under subsection (c)(2) security lighting is the only lighting allowed in the ball field and game court areas and must be attached to the building; 7) Accept the applicant's request to a maximum number of classrooms is 35, labs, special education, early childhood, art and music rooms and other rooms not associated with the homeroom are allowed and do not count towards the classroom maximum; and 8) Add a notice provision to read, "At least thirty days prior to the filing with the city of any application for a zoning change; amendment to the approved development plan or landscape plan for the school pursuant to Sections 51A-4.702(h) or (i), as amended; any application to the Board of Adjustment for a variance or special exception with respect to the school; or minor amendment to the Traffic Management Plan, the applicant shall submit a copy of said application to the Caruth Hills Homeplace Neighborhood Association at their official address" on property zoned an R-7.5(A) Single Family District on the southwest corner of West Northwest Highway and Durham Street.

Maker: Murphy
Second: Housewright
Result: Carried: 10 to 0

For: 10 - Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Peadon, Murphy, Ridley

Against: 0
Absent: 4 - Anglin, Anantasomboon, Schultz, Tarpley
Vacancy: 1 - District 2

Notices: Area: 500 Mailed: 133
Replies: For: 46 Against: 23
Speakers: For: Tom Trigg, 7733 Southwestern Blvd., Dallas, TX, 75225

Laura Tyson, 7415 Wentwood Dr., Dallas, TX, 75225
Blythe Koch, 3106 Greenbrier Dr., University Park, TX, 75225
Jonathan Alders, 3151 Flower Mound, TX, 75028
Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

For (Did not speak): Courtney Zelazny, 4204 Amherst, University Park, TX, 75225
Gretchen S. Groves, 4577 Rheims Pl., Highland Park, TX, 75205
Erinn Zielke, 7825 Hanover St., Dallas, TX, 75225
Sheri Rosen, 3925 Marquette St., University Park, TX, 75225
Tammy Byrd, 3217 Wentwood Dr., University Park, TX, 75225
Tiffany Mooney, 3805 Marquette St., University Park, TX, 75225
Peggy Elder, 3321 Wentwood Dr., University Park, TX, 75225
Holly Philbin, 3604 Caruth Blvd., University Park, TX, 75225
Phillip B. Philbin, 3604 Caruth Blvd., University Park, TX, 75225
Sam Dalton, 4315 Overhill Dr., Highland Park, TX, 75205
Stacy Kelly, 3405 Bryn Mawr Dr., University Park, TX, 75225
Meredith McBee, 3242 Hanover Ave., University Park, TX, 75225
Henry Schlachter, 4624 N. Versailles Ave., Highland Park, TX, 75209
Kelly Love, 3524 Centenary Ave., University Park, TX, 75225
Elizabeth Speicher, 4415 Southwestern Blvd., University Park, TX, 75225
Jerry Grable, 4000 Normandy Ave., University Park, TX, 75205
Clare Grable, 4000 Normandy Ave., University Park, TX, 75205
Houston Hunt, 3516 Princeton Ave., Highland Park, TX, 75205
Scott Wilson, 7439 Villanova St., Dallas, TX, 75225
Chris Palmer, 6306 Westchester Dr., Dallas, TX, 75205
Chris Bonfield, 3624 Centenary Ave., University Park, TX, 75225
Anne Williams, 4316 Stanhope Ave., University Park, TX, 75205
Jeff Rockow, 7423 Centenary Ave., Dallas, TX, 75225
Becky Quigley, 7419 Centenary Ave., Dallas, TX, 75225
Michael Denton, 4408 Edmondson, Highland Park, TX, 75205
Maryann Denton, 4408 Edmondson, Highland Park, TX, 75205
Stephen Cooke, 4332 Southwestern Blvd., University Park, TX, 75225
Jane Butler, 3616 Purdue St., University Park, TX, 75225
Carter Butler, 3616 Purdue St., University Park, TX, 75225
Marla Boone, 3516 University Blvd., University Park, TX, 75205
Edward W. Moore Jr., 7510 W. Northwest Hwy., Dallas, TX, 75225
Chuck Higgins, 7303 Centenary Ave., University Park, TX, 75225
Cynthia W. Beecherl, 4425 Belfort Ave., Highland Park, TX, 75205
Claire Mueller, 3228 Greenbrier Dr., University Park, TX, 75225
David Mueller, 3228 Greenbrier Dr., University Park, TX, 75225
Gail Madden, 4500 Roland Ave., Highland Park, TX, 75219
Rachel Stienke, 4330 Mockingbird Ln., Highland Park, TX, 75205
Margaret Wildenthal, 4001 Hanover, University Park, TX, 75225
Sherry Carr, 7408 Colgate Ave., Dallas, TX, 75225
Kirk Dooley, 45165 Lovers Ln., Dallas, TX, 75225
Stephanie Hunt, 7723 W. Lovers Ln., Dallas, TX, 75225
Chris Murzin, 3709 Hanover Ave., University Park, TX, 75225
Christina Murzin, 3709 Hanover Ave., University Park, TX, 75225
Jim Hitzelberger, 38378 Colgate Ave., University Park, TX, 75225
Gage Prichard Jr., 3809 Southwestern Blvd., University Park, TX, 75225

Maryjane Bonfield, 3624 Centenary Ave., University Park, TX, 75225
Holly Krug, 3617 Caruth Blvd., University Park, TX, 75225
Lee Michaels, 3429 University Blvd., University Park, TX, 75205
Louis Beecherl, 4425 Belfort Ave., Highland Park, TX, 75205
Joseph Sonnier, 3005 Amherst Ave., University Park, TX, 75225
Sally Jones, 3517 University Blvd., University Park, TX, 75205
Susan Worrel, 3304 Wentwood Dr., University Park, TX, 75225
Tracy Matthews, 3201 Amherst Ave., University Park, TX, 75225
Felipe Mendoza, 7423 Wentwood Dr., Dallas, TX, 75225
Heather Mendoza, 7423 Wentwood Dr., Dallas, TX, 75225
Laura Scheiber, 3325 Rankin St., Dallas, TX, 75205
Deidre Richter, 7720 Bryn Mawr Dr., Dallas, TX, 75225
Laura McCoy, 4433 Grassmere Ln., University Park, TX, 75205
Meredith Clark, 4052 Amherst Ave., University Park, TX, 75225
Elizabeth J. Clark, 3528 Milton Ave., University Park, TX, 75205
Josephine Moore, 3601 University Blvd., University Park, TX, 75205
Whitney Madine, 7815 Bryn Mawr Dr., Dallas, TX, 75225
James Ellis, 3516 Mockingbird Ln., Highland Park, TX, 75205
Elizabeth Ellis, 3516 Mockingbird Ln., Highland Park, TX, 75205
Keana Meyer, 3917 Colgate Ave., University Park, TX, 75225
Roxanne Gottlich, 7428 Wentwood Dr., Dallas, TX, 75225
Margaret Carter, 3437 Rosedale St., University Park, TX, 75205
Shea Thornfield, 4237 Stanford Ave., University Park, TX, 75225
Paul Rowsey, 6801 Golf Dr., University Park, TX, 75205
Meegan Cramer, 3306 Bryn Mawr Dr., University Park, TX, 75225
Richelle Munn, 3549 Stanford Ave., University Park, TX, 75225
Kelli Wagner, 4404 Southwestern Blvd., University Park, TX, 75225
Pamela Jaudes, 4549 Lorraine Ave., Highland Park, TX, 75205
Julia Schwarz, 7434 Greenbrier Dr., Dallas, TX, 75225
Glenn Gottlich, 7428 Wentwood Dr., Dallas, TX, 75225
Mark Jaudes, 4549 Lorraine Ave., Highland Park, TX, 75205
Kathy Restrepo, 5024 Airline Rd., Highland Park, TX, 75205
Susan Frymire, 3925 Bryn Mawr Dr., University Park, TX, 75225
Renne Lokey, 3008 Amherst Ave., University Park, TX, 75225

Against: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Daniel Kearns, 7206 Wentwood Dr., Dallas, TX, 75225
Joseph Lucas Hanna, 7322 Wentwood Dr., Dallas, TX, 75225
Beth Rapuzzi, 7402 Villanova St., Dallas, TX, 75225
Paul Farris, 7302 Wentwood Dr., Dallas, TX, 75225
John Guittard, 3536 Wentwood Dr., Dallas, TX, 75225

Against (Did not speak): Jim Adams, 3608 Wentwood Dr., University Park, TX, 75225
Traci Schuh, 2732 Daniel Ave., University Park, TX, 75205
Ron Craft, 7542 Wentwood Dr., Dallas, TX, 75225
Beth Dargene, 3212 Wentwood Dr., University Park, TX, 75225
Dan Dargene, 3212 Wentwood Dr., University Park, TX, 75225
Malinda Arvesen, 7318 Wentwood Dr., Dallas, TX, 75225
Miki Farris, 7302 Wentwood Dr., Dallas, TX, 75225
Cynthia Boyd, 7308 Wentwood Dr., Dallas, TX, 75225
Brooke Zasa, 7326 Wentwood Dr., Dallas, TX, 75225

Joe Zasa, 7326 Wentwood Dr., Dallas, TX, 75225
Andy Hoover, 7314 Wentwood Dr., Dallas, TX, 75225
Jenny Kearns, 7206 Wentwood Dr., Dallas, TX, 75225
Amanda Craft, 7438 Villanova St., Dallas, TX, 75225
Erik Holmsen, 7407 Villanova Dr., Dallas, TX, 75225
Jackie Holmsen, 7407 Villanova Dr., Dallas, TX, 75225

LIST OF OFFICERS

HPISD Leadership:

Dr. Tom Trigg - Superintendent of Schools

Tim Turner - Assistant Superintendent for Business Services

Gena Gardiner - Assistant Superintendent for Curriculum, Instruction, and Special Programs,

HPISD Board of Trustees:

Joseph G. Taylor, President, Place 6

Cynthia W. Beecherl, Vice President, Place 5

Paul E. Rowsey, Secretary, Place 4

Kelly J. Walker, Finance Officer Place 3

James L. Hitzelberger, Trustee, Place 1

Samuel P. Dalton, Trustee, Place 7

Lee E. Michaels, Trustee, Place 2

Northway Christian Church leadership:

Mark Gearner, Board Member

Dr. Douglas Skinner, Senior Minister

Rev. Mark Bender, Executive Minister

Rev. Barry Preston, Minister of Adult Spiritual Formation

Rev. Shari Sims, Interim Minister to Children and Families

Kathy Flay, Director of Northway Christian Day School

PROPOSED PLANNED DEVELOPMENT DISTRICT CONDITIONS

"ARTICLE _____.

PD _____.

SEC. 51P-_____.101. LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property on the southwest corner of Northwest Highway and Durham Street. The size of PD _____ is approximately 4.631 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: development plan.

(2) Exhibit ___B: traffic management plan.

(3) Exhibit ___C: landscape plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

(a) For public school other than an open-enrollment charter school and a private recreation center, club, or area, development and use of the Property must comply with the development plan (Exhibit ___A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule, do not apply.

SEC. 51P- _____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.

(b) The following main uses are permitted by right:

-- Private recreation center, club, or area.
-- Public school other than an open-enrollment charter school.

SEC. 51P-_____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-_____.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Public school other than an open-enrollment charter school and private recreation center, club, or area.

(1) Front yard.

(A) Wentwood Drive.

(i) Minimum setback is 56 feet.

(ii) Flagpoles, benches, seating, planters, bicycle racks, retaining walls with a maximum height of five feet measured from the bottom of the footing to the top of the retaining wall, and steps with ramps and railings are allowed in the setback area.

(iii) Canopies and impermeable covers that are attached to the main building may project up to five feet into the required front yard.

(B) Northwest Parkway. No minimum setback.

(2) Side yard. Minimum setback is 30 feet from Durham Street. Protective athletic field netting with supporting poles, backstops, and goals are allowed in the setback area within 60 feet of Northwest Parkway.

(3) Floor area. Maximum floor area is 108,500 square feet.

(4) Height. Maximum structure height is 40 feet. Except as provided in this paragraph, structures that do not exceed the heights listed in Section 51A-4.408(a)(2) may project above the maximum structure height. Roof mounted equipment that exceeds two feet must be screened and set back a minimum of 100 feet from Durham Street and Wentwood Drive.

CPC and Staff recommendation:

(5) Lot coverage. Maximum lot coverage is 35 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

Applicant requested:

(5) Lot coverage. Maximum lot coverage is 36.5 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC. 51P- _____.110. OFF-STREET PARKING AND LOADING.

Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P-_____.111. FENCES.

For a public school other than an open-enrollment charter school and private recreation center, club, or area:

(1) A fence may be located in any required yard if it does not exceed six feet in height.

(2) Any fence that exceeds four feet in height and is located within 25 feet of a street must be a minimum of 70-percent open and consistent with a wrought iron appearance.

(3) Fences that are at least 70 percent opening may be located within the visibility triangles on Northwest Parkway.

SEC. 51P- _____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-_____.113. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) For a public school other than an open-enrollment charter school and private recreation center, club, or area, landscaping must be provided as shown on the landscape plan (Exhibit _____C). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____.114. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC.51P-___.115. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit ____C).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2017. A second traffic study must be submitted to the director by November 1, 2020. After the second traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation;

(H) number of children picked up by vehicle;

(I) number of children arriving or being picked up by carpool;

(J) number of students walking or traveling by bicycle;

(K) number of students attending after school care.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P- ____.116. 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) Additional provisions for a private recreation center, club, or area.

(1) Activities are limited to independent public school district sanctioned events, scholastic competitions, youth recreational activities, and non-professional events. The athletic field may only be used for district-approved events comprised of students no older than the sixth grade.

(2) Security lighting is the only lighting allowed in the ball field and game court areas and must be attached to the building.

(3) Sound amplification and permanent seating are prohibited.

(d) Additional provisions for a public school other than an open-enrollment charter school.

(1) Except for vehicular openings, the parking garage facade on Durham Street must consist of a solid material consistent with the main non-parking structure.

(2) Minimum of 85 percent of each facade must be a masonry material such as brick, stone, engineered stone, concrete, or stucco. Exterior insulated finish systems (EIFS) is prohibited.

(3) During the first four years of operation, the Property owner shall have a certified peace officer present during the morning and afternoon peak times during the first two weeks of each school year.

(4) At least thirty days prior to the filing with the city of any application for a zoning change; amendment to the approved development plan or landscape plan for the school pursuant to Sections 51A-4.702(h) or (i), as amended; any application to the Board of Adjustment for a variance or special exception with respect to the school; or minor amendment to the Traffic Management Plan, the applicant shall submit a copy of said application to the Caruth Hills and Homeplace Neighborhood Association at the address PO Box 601115, Dallas, TX 75360-1115.

CPC recommended and Applicant requested:

(4) The maximum number of classrooms is 35. Labs, special education, early childhood, art and music rooms and other rooms not associated with the homeroom are allowed and do not count towards the classroom maximum.

Staff recommendation:

Denial of subparagraph (d)(4).

SEC. 51P-_____.117. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city."

TRAFFIC MANAGEMENT PLAN FOR

HPISD PROPOSED SCHOOL 5

DALLAS, TEXAS

DeShazo Project No. 16029

Z156-195

Prepared for:

Highland Park Independent School District

7015 Westchester Dr.

Dallas, Texas 75205

Prepared by:

DeShazo Group, Inc.

Texas Registered Engineering Firm F-3199

400 South Houston Street, Suite 330

Dallas, Texas 75202

214.748.6740



April 19, 2016

DeShazo Group

35 Years of Excellence!

Traffic. Transportation Planning. Parking. Design.

April 19, 2016

Traffic Management Plan for

HPISD Proposed School 5

~ DeShazo Project No. 16029 ~

Table of Contents

PRELIMINARY SITE PLAN I

INTRODUCTION 1

TRAFFIC MANAGEMENT PLAN 2

School Operational Characteristics 2

Site Access and Circulation 2

Student Drop-Off Operations 3

Passenger Loading and Vehicle Queuing 4

General Recommendations 5

SUMMARY 7

LIST OF TABLES:

Table 1. Existing HPISD Elementary School Operational Characteristics
Table 2. Proposed School Operational Characteristics
Table 3. Peak Vehicles Parked and In Queue during Afternoon Pick-Up Period

LIST OF EXHIBITS:

Exhibit 1. Recommended Site Circulation Plan
Exhibit 2. On-Street Parking

DeShazo Group
35 Years of Excellence!
Traffic. Transportation Planning. Parking. Design.

Technical Memorandum

To: Tim Turner — Highland Park ISD

Cc: Dallas Cothrum, Ph.D. — Masterplan Consultants

From: David Nevarez, P.E. — DeShazo Group, Inc.

Date: April 19, 2016

Re: Traffic Management Plan for HPISD Proposed School 5 in Dallas, Texas

DeShazo Project Number 16029; Case Number Z156-195

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm based in Dallas, Texas providing licensed engineers skilled in the field of traffic/transportation engineering for over 36 years. The services of DeShazo were retained by Highland Park Independent School District (HPISD) to provide a requisite traffic management plan (TMP) for a proposed elementary school (or School 5).

The subject site is located at 7202 W Northwest Highway within city limits of the City of Dallas. The site is also currently zoned Single Family [R-7.5(A)] District. A review of the anticipated traffic conditions is required in order to gain entitlements for the proposed school site plan. 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. If approved, completion of the proposed school conditions (and any street operational modifications) are anticipated by the 2017 Fall Semester with a school capacity of 770 students in Kindergarten through Fourth Grade. A student attendance boundary zone for the school will not be defined until 2020. In the interim period, HPISD plans to host elementary students from other existing schools in the district. The proposed site plan, prepared in coordination by Stantec and Glenn Engineering, is attached as reference to this report.

This report is intended to assess the anticipated traffic conditions. A 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 walking and bicycle 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 is a tool to facilitate a safer and more efficient environment.

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.)

400 S Houston St, Suite 330 Dallas, TX 75202 P. 214.748.6740 F. 214.748.7037 www.deshazogroup.com

TRAFFIC MANAGEMENT PLAN

The evaluation of anticipated school traffic is based on a distribution and assignment of travel routes available in the surrounding roadway system—a subjective exercise based upon professional judgment considering factors such as familiarity of the roadway network, directional characteristics of existing local traffic and roadway features (e.g., capacity, operational conditions). This TMP also considers the proposed school site plan in the evaluation of pedestrian and vehicular traffic aspects such as passenger loading/unloading, vehicle queuing and parking in order to accommodate anticipated peak traffic demands.

HPISD Elementary Schools Operational Characteristics

DeShazo, in coordination with City staff and City representatives, visited existing HPISD elementary schools to evaluate aspects such as passenger loading and unloading and vehicle queuing. Field observations indicate that current practices during the morning drop-off period do not present significant obstruction of vehicular traffic. Arrival of vehicles is also notably more sporadic than any traffic generated during the afternoon pick-up period. In general, vehicular traffic near the vicinity of the schools operates without any evident traffic delay or congestion during the morning drop-off period.

An independent study conducted internally by HPISD officials also corroborates that a significant number of elementary students walk or bike home—an evident practice at HPISD schools. **Table 1** presents a summary of the operational characteristics at existing HPISD elementary schools.

Table 1. Existing HPISD Elementary School Operational Characteristics

HPISD School	Student Capacity *(students)*	2015-2016 Enrollment *(students)*	Walk/ Bike *(students)*	After-school *(students)*	2015-2016 Enrollment *(families)*	Afternoon Pick-Up *(families)*	Carpool Program *(families)*	Single Families *(families)*	Morning Walk-Ins *(families)*
Robert S. Hyer E.S. *3920 Caruth Blvd.*	770	724	145 (20%)	75 (10%)	385	K-1st: 120 2-4th: 180 300	96 (25%)	30–40%	46 (12%)
University Park E.S. *3505 Amherst Ave.*	770	695	140 (20%)	75 (11%)	383	K-1st: 120 2-4th: 180 300	96 (25%)	30–40%	46 (12%)
John S. Bradfield E.S. *4300 Southern Ave.*	770	724	95 (13%)	90 (12%)	457	K-1st: 116 2-4th: 174 290	114–183 (25–40%)	50–55%	55 (12%)

Figures also summarized in terms of families instead of individual students to better represent number of vehicles.
Source: HPISD officials including information provided by Mark D. Rowden, Chief of Police, HPISD Police Department.

Anticipated School Operational Characteristics

Table 2 summarizes the anticipated operational characteristics assumed in this analysis:

Table 2. Anticipated Operational Characteristics for School 5

Student enrollment & daily start/end schedule	Approx. number of students not participating in pick-up operations:
K-1st Grade ..... (308 students) > 8:00 AM – 3:00 PM *2-4th Grad ..... (462 students)* > 8:00 AM – 3:15 PM *Total Enrollment: 770 students*	Afterschool Program: ≅ 10% Walking/Biking: ≥20%

The student attendance boundary zone for School 5 will not be defined until 2020. In the interim period (or "flex years"), the school district plans to host students from other existing HPISD elementary schools. During the proposed flex years, traffic patterns are expected to vary primarily depending the travel distance from home to school and transportation habits currently practiced at the guest students' home school.

In addition, based on observation of practices at existing schools, DeShazo anticipates a significant number of parents who choose to park in the vicinity of the school and walk their student(s) into the school building. With two main access points and considering the location of on-street parking identified in **Exhibit 2**, the school design team anticipates approximately 20% of the pedestrian activity along Wentwood Drive and the rest of the pedestrian activity to concentrate at the main entrance on Durham Street.

School Site Access and Circulation

The proposed school site plan includes a recessed curb along Durham Street for student drop-off and pick-up operations. Based on the geographical location of the school, the evaluation of school traffic assumes that the vast majority of the incoming traffic will arrive from the south via one of the main roadways running north-south: Hillcrest Avenue, Airline Road, Durham Street or Boedeker Street. In order to enforce participation in a systematic queue along the proposed drop-off/pick-up lane, it is necessary to effectively force vehicles to circulate clockwise around the school block. The same circulation pattern should be enforced during both the morning and afternoon school periods.

Based upon an evaluation of existing traffic counts, Villanova Street will potentially present an attractive ingress route for traffic traveling from Boedeker Street—about one fourth of the estimated traffic once a final school zone is determined. In order to discourage Villanova Street as a point of access and further encourage traffic to circulate clockwise around the block, a one-way southbound operation is recommended on Durham Street from Northwest Parkway to Wentwood Street during school hours. **Exhibit 1** presents a recommended signage plan that includes a minimal number of signs to restrict northbound access to vehicular traffic on Durham Street (north of Wentwood Street). In addition, a "right turn only" sign at the westbound terminus of Villanova Street is recommended with the intention to restrict vehicular access to the proposed drop-off/pick-up driveway. The proposed restrictions are also intended to reduce traffic volumes at the intersection of Durham Street at Wentwood Drive and provide a minimal impact to residential traffic.

Student Drop-Off Operations

The proposed recessed curb in front of the school along Durham Street is expected to accommodate all students drop-off traffic. Drop-off activities in front of the school along Wentwood Drive should be restricted with "No Drop-Off" signs. During student drop-off periods, parents should circulate clockwise around the school block to approach the drop-off lane from the north via Airline Road and then Northwest Parkway. Upon arrival to the designated drop-off zone, the proposed recessed curb will provide approximately 423 linear feet or enough space for up to 18 vehicles to simultaneously unload students. The proposed site plan also provides a separate lane exclusive for students with special needs with additional capacity for up to two vehicles (47 linear feet). Egress vehicles should proceed southbound on Durham Drive to exit the site.

Alternatively, some parents will search for available on-street parking and walk their students towards the school building. Based on observations at existing HPISD elementary schools and corroboration from parents, approximately 60-70 adults walk inside the school building prior to schools' bell on any given day. It must be noted that these observations include parents who walk from home and/or both parents of students who volunteer or attend morning meetings. In addition, it may also take several of the first days of each school year for parents, students and staff to apprehend and observe the proposed traffic management plan.

Passenger Loading and Vehicle Queuing

During the afternoon pick-up period, the school will implement an "Advance Passenger Identification System". At the beginning of each school term, parents will be issued hangtags with unique identification that pairs them with corresponding student(s). During the pick-up period, hangtags must be on display through the vehicle's windshield while parents arrive at the pick-up areas. School staff should be positioned at strategic locations ahead of the loading area and relay the sequence of arrivals via hand radio while students are prepped for pick-up. With the assistance of other school staff stationed at the loading area, several vehicles should be loaded simultaneously. After loading, vehicles should be cleared by school staff to carefully exit the queue along the designated route (i.e. southbound along Durham Street).

In accordance with the HPISD elementary schools schedule, School 5 will stagger student dismissal times: First, Kindergarten and 1st grade students with a student capacity of approx. 308 students will be dismissed at 3:00 PM; a second bell will dismiss 2 – 4th grade students (approx. 462 students) at 3:15 PM.

Student Dismissal at 3:00 PM (K-1st Grade)

Based on qualitative observations of carpool operations at existing HPISD elementary schools during afternoon pick-up periods, the vast majority of parents with students in Kindegarten and 1st Grade search for available on-street parking within walking distance of the school—choosing to park and approach the school to greet their student(s). In order to provide for these anticipated operations and to reduce the impact on adjacent public rights-of-way, the school anticipates the use of public, on-street parking along Northwest Parkway, Durham Street and Wentwood Drive. **Exhibit 2** illustrates a general depiction of the location and the amount of available on-street parking in the immediate vicinity of the school site.

Student Dismissal at 3:15 PM (2-4th Grade)

The vehicular queue during the second dismissal period will be directed towards a recessed pick-up lane in front of the building on Durham Street. The capacity of the recessed curb provides 502 linear feet of on-site vehicular queuing (i.e. storage for up to 21 vehicles at 23.5 feet per vehicle). A projected maximum queue of 36 vehicles is expected to exceed the capacity of the recessed curb during the 3:15 PM dismissal period. This deficit will result in an anticipated queue of approximately 15 vehicles beyond the recessed curb on Durham Street and Northwest Parkway. **Table 3** presents a summary of the anticipated queue operations.

Table 3. Peak Vehicles In Queue during Afternoon Pick-Up Period

Dismissal Period:	3:00 PM for K - 1st Grade *(308 students,70% participation)*	3:15PM for 2-4th Grade *(462 students,70% participation)*
On-Street Provided:	2,115 LF (90 cars) *recessed curb: 502 LF (21 cars)* *on-street curb: 1,613 LF (69 cars)*	2,115 LF (90 cars) *recessed curb: 502 LF (21 cars)* *on-street curb: 1,613 LF (69 cars)*
Required:	564 LF (24 cars)	846 LF (36 cars)
Surplus:	**1,551 LF (66cars)**	**1,269 LF (54 cars)**

* LF = linear feet; queue estimated at one vehicle on queue per 9 students.

As shown in **Exhibit 1**, the proposed traffic operations will accommodate a queue with a capacity of up to 90 vehicles. The proposed queue route was strategically designated so that any vehicular queue does not front on (or present any obstruction to) access driveways to residential properties. However, DeShazo does not anticipate queues to reach near capacity under typical student pick-up operations. The queue length projection is a mathematical exercise with parameters based on empirical data and supplemented by recommended guidelines presented by the Texas Transportation Insitute and other national publications; a ratio of *one vehicle per nine students* is considered appropriate to estimate the longest queue for the proposed school operations.

NOTE: The south parking lot of Northway Christian Church supports the parking needs of an existing pre-Kindergarten school. Field observations on Thursday, March 24, 2016 from 2:30 to 3:30 PM show a maximum of 67 vehicles on the church lot. A parking supply of 177 spaces provides a surplus of 110 spaces. This surplus, however, is not taken into account in this traffic management plan. Moreover, the proposed school traffic operations will not present an encumbrance to existing traffic on Wentwood Drive.

Inclement Weather Plan

The proposed school site plan includes an extended canopy along the school building on Durham Street. In the event of inclement weather, school staff should line up students under the canopy while the pick-up queue is in progress. School staff monitoring traffic operations should be equipped with protective clothing and/or umbrellas, positioned at strategic locations ahead of the loading area and relay the sequence of parent arrival via handheld radio. Should weather become hazardous or should there be not enough room to accommodate all students under the canopy, school staff should line up students in the gym and use radio to communicate parent arrivals. A commensurate number of school staff should be assigned to fulfill the duties of student supervision, arrival of parents and loading of students into their vehicles. After loading, vehicles should be cleared by school staff to carefully exit the queue along the designated route (i.e. southbound along Durham Street).

Recommendations to Facilitate Queue Operations

Queue pick-up participation is a challenge that schools face constantly. Despite the anticipated practices and operational characteristics at School 5, 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 communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended.

It should also be the goal of school officials to encourage active modes of transportation, including walking, riding and carpooling. DeShazo recommends the consideration of the following recommendations to optimize queue operations:

- Implementation of an "Advance Passenger Identification System" to expedite queue operations. As described on page 4 (*Passenger Loading and Vehicle Queuing* section of this report), 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.
- Implementation of a "Putting Queue into Practice" campaign that sets a specific goal of a number of vehicles participating in the pick-up queue. The campaign uses a sign as a barometer displayed at a prominent location along the curb to inform parents of how many vehicles participated in the queue the prior day. School PA announcements can also update students and staff on the progress. Other signs would also be displayed around school to promote the campaign. An advantage of this program is that it works both ways: it can be used to increase vehicular participation at the dedicated pick-up zones, but also achieve a reduction in vehicular traffic by encouraging carpool, walking, biking and other practices—specifically during the year hosting Bradfield E.S. students.

General Recommendations

The following recommendations are also provided to school officials for the management of vehicular traffic generated by the school during peak traffic conditions. Generally, traffic delays and congestion that occurs during pick-up periods is notably greater than the traffic generated during the morning drop-off period due to timing and traffic concentration. In most instances, achieving efficiencies during the afternoon period is most critical, while the morning traffic operations require nominal active management.

- DeShazo recommends the traffic circulation plan depicted in **Exhibit 1** based upon a detailed review of the proposed site plan and anticipated traffic during school peak conditions. This TMP was designed with the intent of optimizing vehicular circulation and retention of vehicle queuing in a manner that promotes safety and operational efficiency. The plan includes a recommended configuration of temporary traffic control devices that shall be installed on a daily basis when typical traffic conditions are expected. An appropriate number of school staff shall be assigned to fulfill the duties of student supervision, traffic control, and other related duties as generally depicted on the plan.
- 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 for STOP and for SLOW. Optional additional equipment used by staff may include whistles (for audible warnings) and flashlights (for visual warnings) in order to gain the attention of motorists.
- To minimize liabilities, no persons other than deputized officers of the law should engage or attempt to influence traffic operations in public rights-of-way.
- An off-duty deputized officer should be present for at least the first two weeks of each school year during the first four years of school traffic operations.
- Proposed conditions during school traffic operations should prevent any westbound traffic along the segment of Northwest Parkway between Airline Road and Durham Street. As shown in **Exhibit 1**, a "Do Not Enter" sign will provide enough capacity for traffic during peak school operations.
- The City of Dallas should install pedestrian crosswalks at the intersection of Wentwood Drive and Durham Street; school officials should consider the assignment of crossing guards at this intersection.

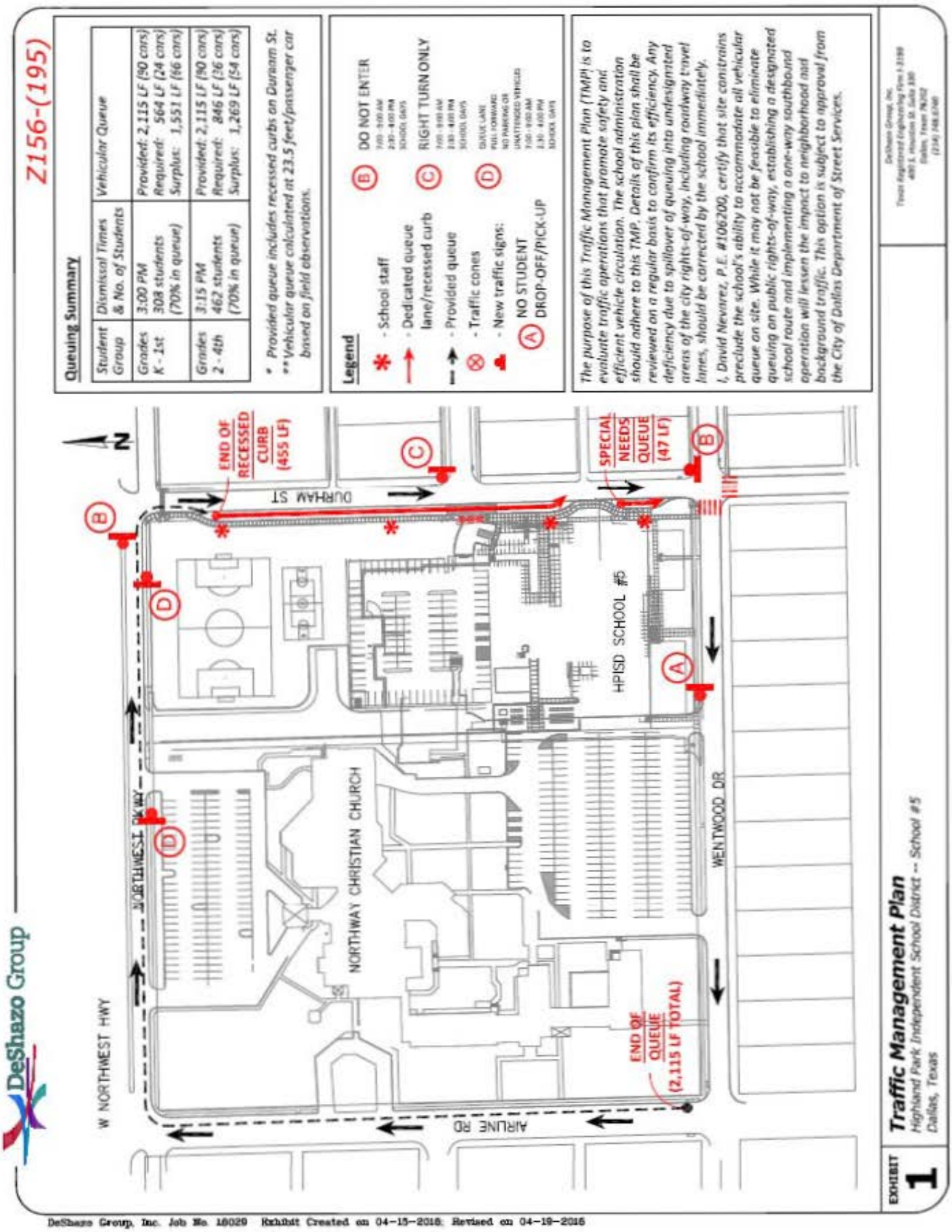
  NOTE: Pedestrian crosswalks should not be considered an absolute enhancement to provide pedestrian safety. Pedestrians are prone to be less cautious when crossing a street at a dedicated pavement marking, giving responsibility of action to approaching vehicles instead.
- Given the anticipated pedestrian activity, the City of Dallas should consider the construction of pedestrian sidewalks along Durham Street as well as the establishment of school zones in the area.
- As shown in **Exhibit 1**, the designated school queue route is intended to arrive northbound along Airline Road. The City of Dallas should commission an evaluation of school traffic conditions at the intersection of Northwest Parkway and Airline Road to consider the need of lane geometry improvements that restrict access to school queue directly from Northwest Highway. Improvements may include a channelized "porkchop" island, pavement markers and/or traffic buttons. Traffic signs along Northwest Parkway should also restrict on-street parking along the dedicated queue route during drop-off and pick-up queue operations.
- The existing all-way STOP control at the intersection of Wentwood Drive and Durham Street is deemed appropriate to minimize safety risks based upon a review of the anticipated operational activities. The City of Dallas should commission an evaluation of traffic controls at other intersections once school traffic is in operation.

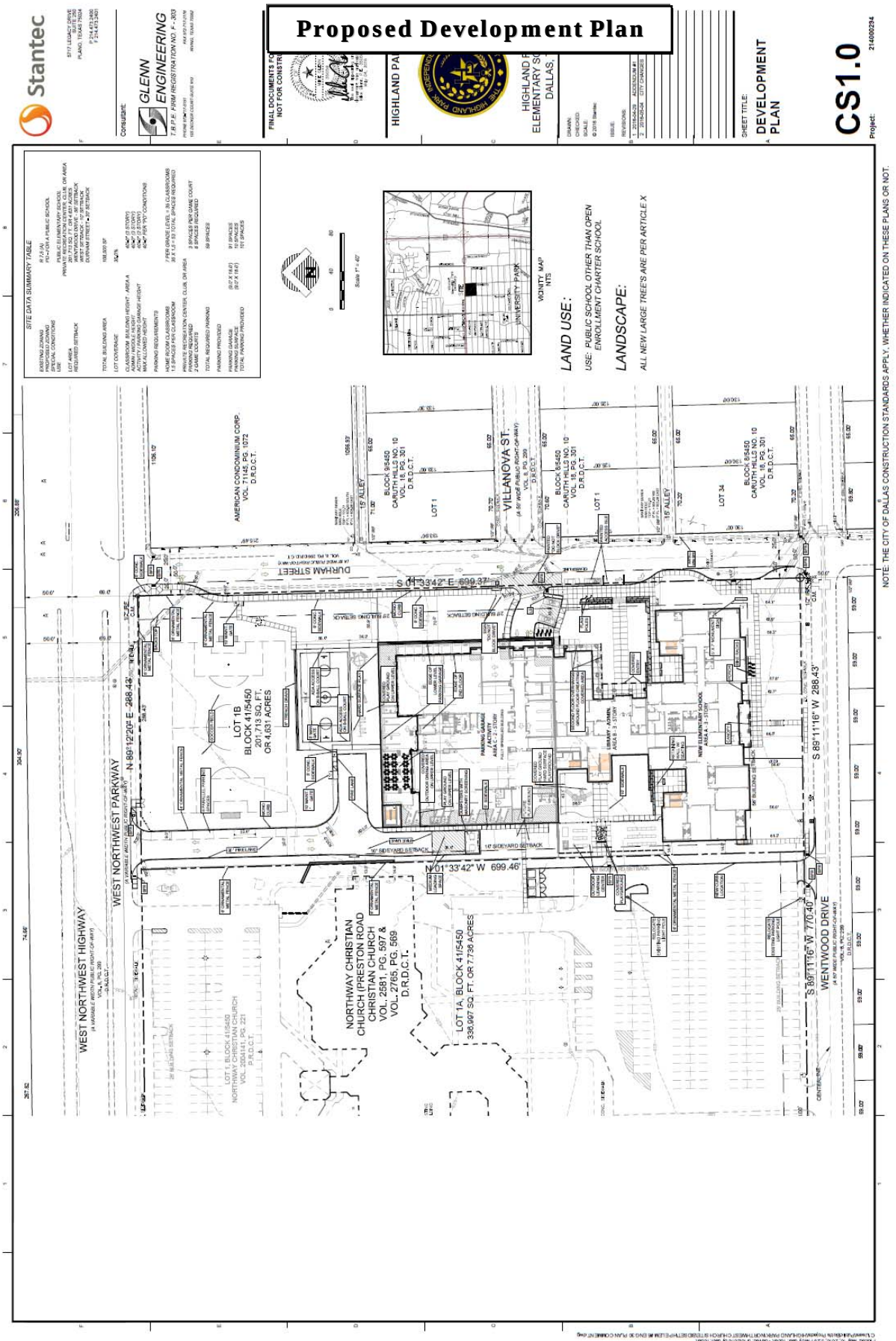
- City of Dallas should also commission a traffic study during the first school year and again once the school district determines a school attendance zone for School 5.
- As needed, HPISD officials should conduct annual meetings with neighborhood representatives to address any problems concerning this traffic management plan and identify solutions in the interest of all involved parties.

SUMMARY

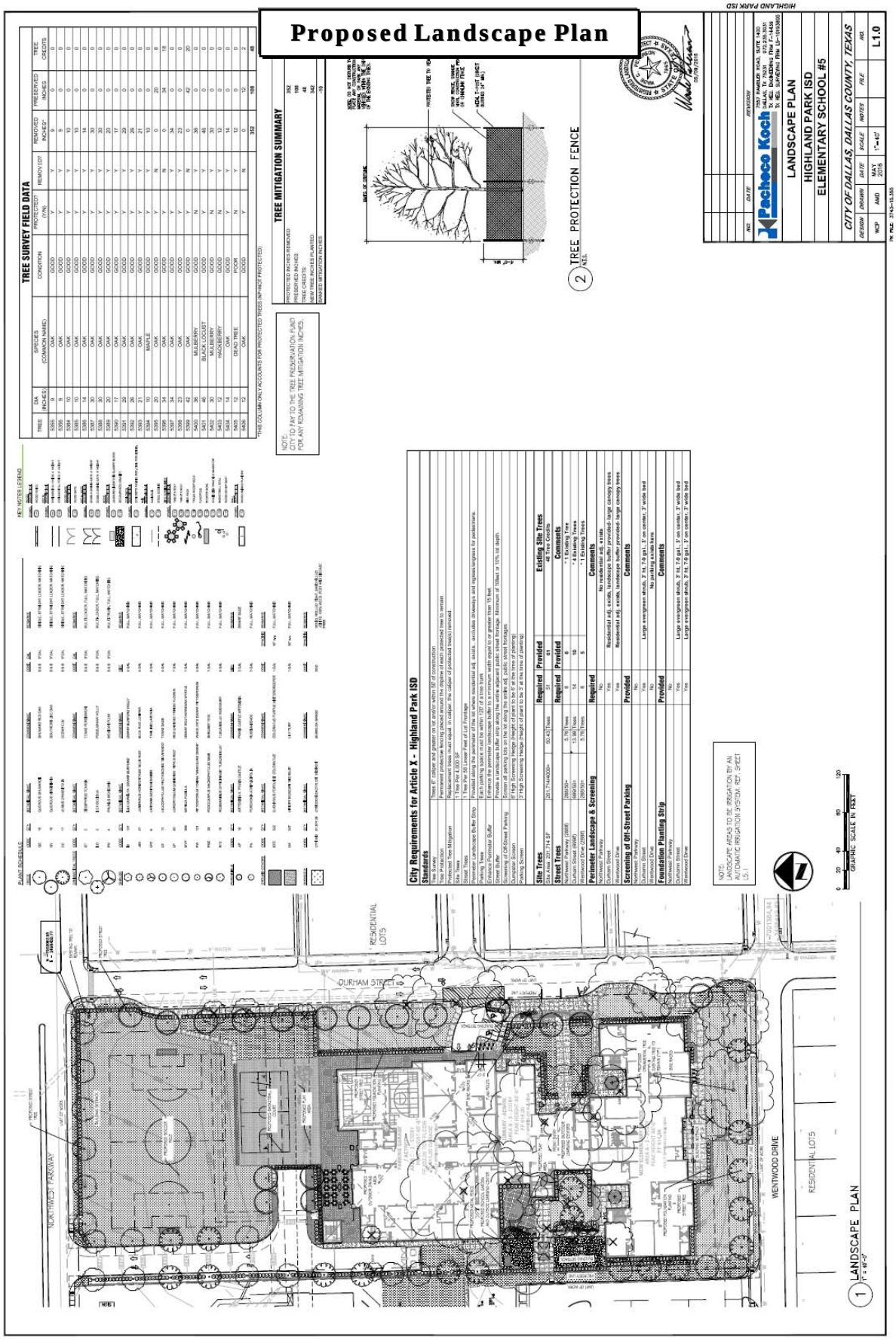
This TMP is to be used by the proposed School 5 to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. Details of the TMP shall be reviewed on a regular basis to confirm its effectiveness. A concerted effort and full participation by the school administration, staff, students, and parents are encouraged to provide and maintain safe and efficient traffic operations.

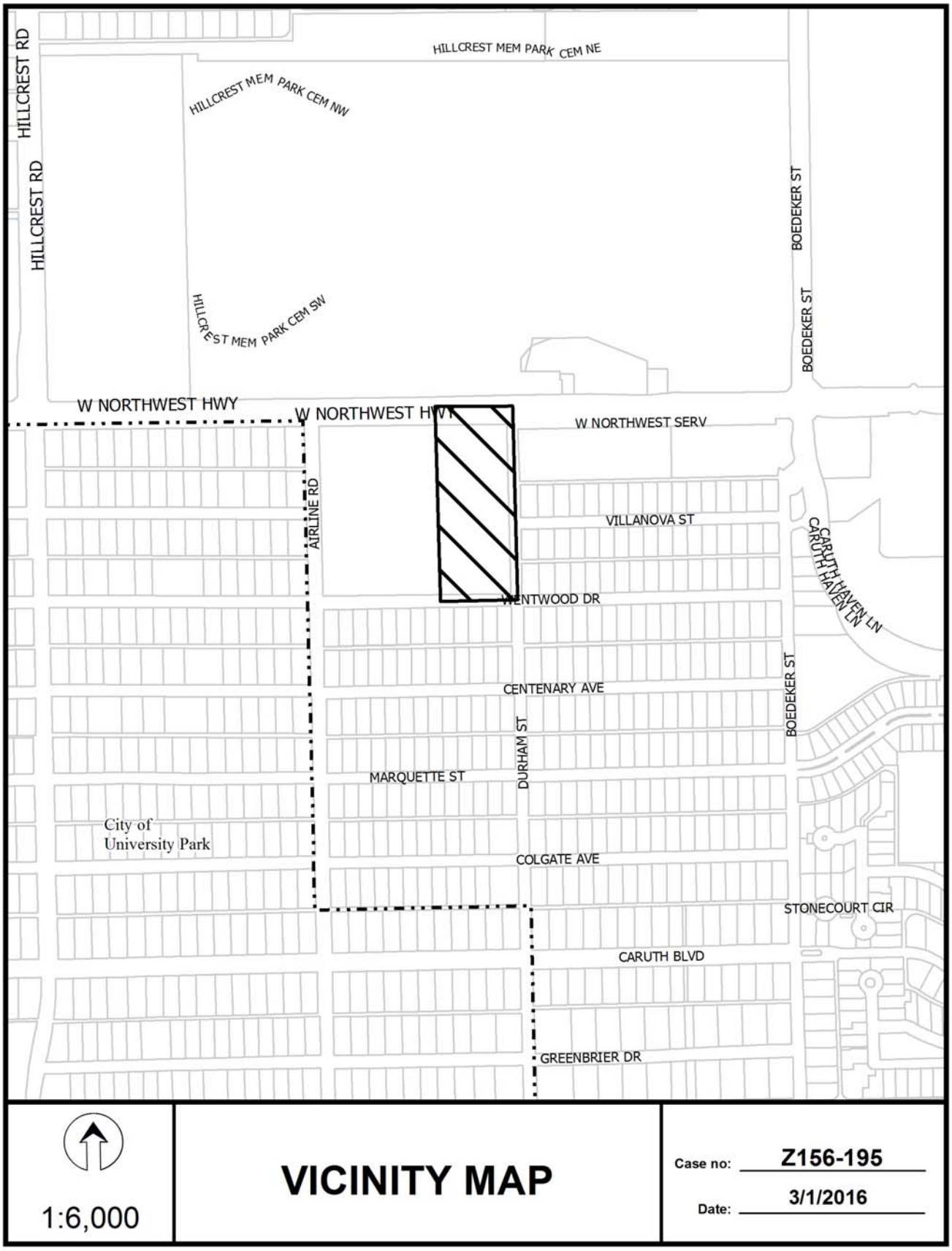
END OF MEMO

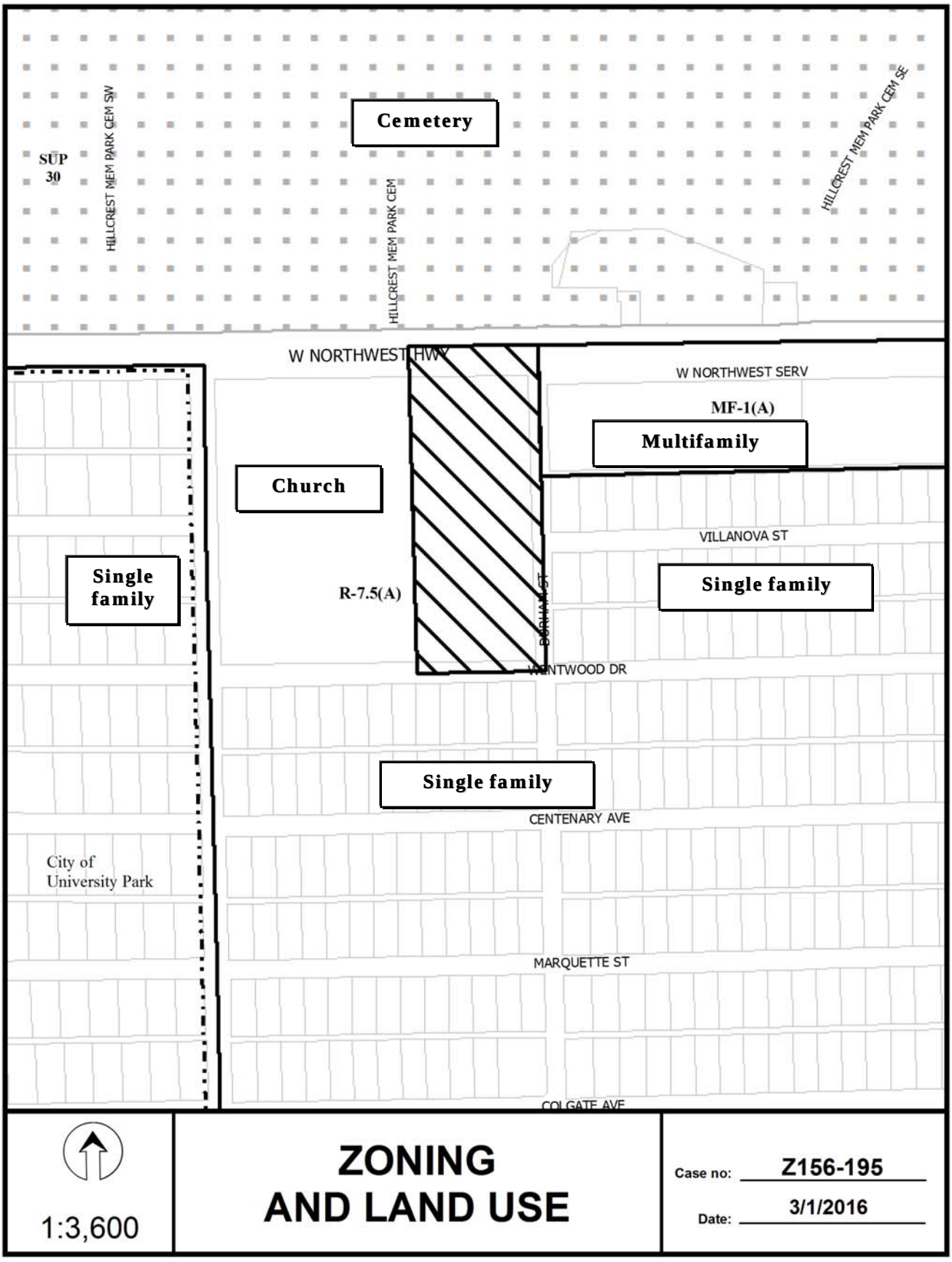

Z156-(195)
Queuing Summary
Student Group
Dismissal Times & No. of Students
Vehicular Queue
Grades K - 1st
3:00 PM 308 students (70% in queue)
Provided: 2,115 LF (90 cars)
Required: 564 LF (24 cars)
Surplus: 1,551 LF (66 cars)
Grades 2 - 4th
3:15 PM 462 students (70% in queue)
Provided: 2,115 LF (90 cars)
Required: 846 LF (36 cars)
Surplus: 1,269 LF (54 cars)
* Provided queue includes recessed curbs on Duraam St.
** Vehicular queue calculated at 23.5 feet/passenger car based on field observations.
Legend
- School staff
- Dedicated queue lane/recessed curb
- Provided queue
- Traffic cones
- New traffic signs:
(A) NO STUDENT DROP-OFF/PICK-UP
(B) DO NOT ENTER
(C) RIGHT TURN ONLY
(D)
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. Details of this plan shall be reviewed on a regular basis to confirm its efficiency. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.
I, David Newarez, P.E. #106200, certify that site constrains preclude the school's ability to accommodate all vehicular queue on site. While it may not be feasible to eliminate queuing on public rights-of-way, establishing a designated school route and implementing a one-way southbound operation will lessen the impact to neighborhood and background traffic. This option is subject to approval from the City of Dallas Department of Street Services.
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S. Houston St, Suite 330
Dallas, Texas 75202
(214) 748-6740
EXHIBIT 1
Traffic Management Plan
Highland Park Independent School District -- School #5
Dallas, Texas
DeShazo Group
N
W NORTHWEST HWY
NORTHWEST PKWY
DURHAM ST
END OF RECESSED CURB (455 LF)
SPECIAL NEEDS QUEUE (47 LF)
HPISD SCHOOL #5
NORTHWAY CHRISTIAN CHURCH
WENTWOOD DR
AIRLINE RD
END OF QUEUE (2,115 LF TOTAL)
DeShazo Group, Inc. Job No. 16029 Exhibit Created on 04-15-2016; Revised on 04-19-2016

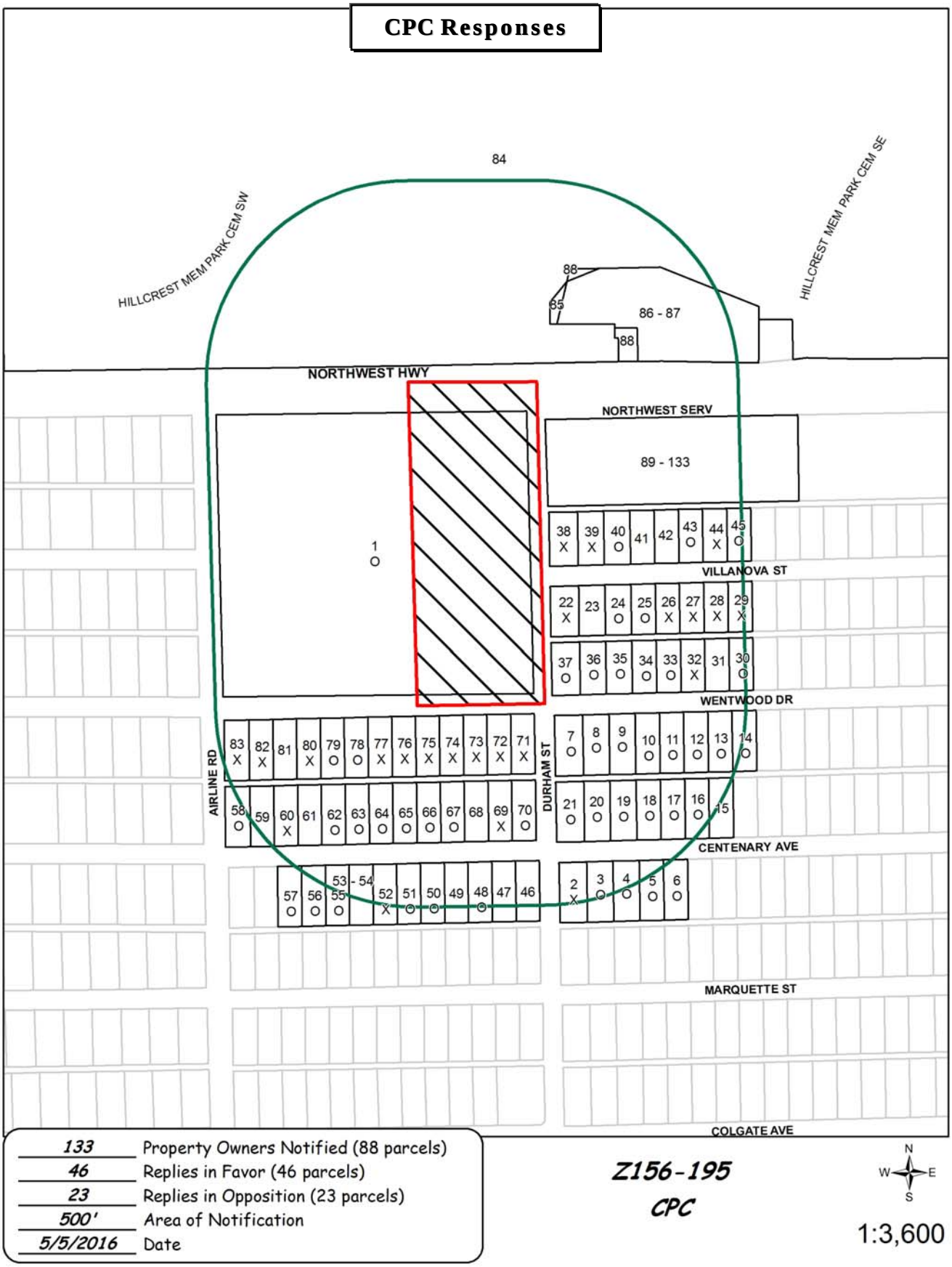

Proposed Development Plan
Stantec
GLENN ENGINEERING
HIGHLAND PARK ELEMENTARY SCHOOL
DALLAS, TEXAS
CS1.0
DEVELOPMENT PLAN
SITE DATA SUMMARY TABLE
LAND USE:
USE: PUBLIC SCHOOL OTHER THAN OPEN ENROLLMENT CHARTER SCHOOL
LANDSCAPE:
ALL NEW LARGE TREE'S ARE PER ARTICLE X
VICINITY MAP
NTS
WEST NORTHWEST HIGHWAY
WEST NORTHWEST PARKWAY
DURHAM STREET
VILLANOVA ST.
WENTWOOD DRIVE
AMERICAN CONDOMINIUM CORP. VOL. 71145, PG. 1072 D.R.D.C.T.
BLOCK B/5450 CARUTH HILLS NO. 10 VOL. 16, PG. 301 D.R.D.C.T.
LOT 1B BLOCK 41/5450 207,713 SQ. FT. OR 4.631 ACRES
LOT 1A, BLOCK 41/5450 336,997 SQ. FT. OR 7.736 ACRES
NORTHWAY CHRISTIAN CHURCH (PRESTON ROAD CHRISTIAN CHURCH VOL. 2561, PG. 597 & VOL. 2765, PG. 569 D.R.D.C.T.
LOT 1, BLOCK 1/5450 NORTHWAY CHRISTIAN CHURCH VOL. 2004141, PG. 221 D.R.D.C.T.
N 89°12'20" E 288.43'
S 01°33'42" E 699.37'
N 01°33'42" W 699.46'
S 89°11'16" W 288.43'
S 89°11'16" W 770.40'
NOTE: THE CITY OF DALLAS CONSTRUCTION STANDARDS APPLY, WHETHER INDICATED ON THESE PLANS OR NOT.

Proposed Landscape Plan




HILLCREST RD
HILLCREST MEM PARK CEM NE
HILLCREST MEM PARK CEM NW
HILLCREST RD
BOEDEKER ST
HILLCREST MEM PARK CEM SW
BOEDEKER ST
W NORTHWEST HWY
W NORTHWEST HWY
W NORTHWEST SERV
AIRLINE RD
VILLANOVA ST
CARUTH HAVEN LN
CARUTH HAVEN LN
WENTWOOD DR
CENTENARY AVE
BOEDEKER ST
DURHAM ST
MARQUETTE ST
City of
University Park
COLGATE AVE
STONECOURT CIR
CARUTH BLVD
GREENBRIER DR
1:6,000
VICINITY MAP
Case no: Z156-195
Date: 3/1/2016


Cemetery
SUP 30
HILLCREST MEM PARK CEM SW
HILLCREST MEM PARK CEM
HILLCREST MEM PARK CEM SE
W NORTHWEST HWY
W NORTHWEST SERV
MF-1(A)
Multifamily
Church
Single family
R-7.5(A)
BERWICK ST
VILLANOVA ST
Single family
WENTWOOD DR
Single family
CENTENARY AVE
City of University Park
MARQUETTE ST
COLGATE AVE
1:3,600
ZONING AND LAND USE
Case no: Z156-195
Date: 3/1/2016


CPC Responses
84
HILLCREST MEM PARK CEM SW
HILLCREST MEM PARK CEM SE
88
85
86 - 87
88
NORTHWEST HWY
NORTHWEST SERV
89 - 133
1
38 39 40 41 42 43 44 45
VILLANOVA ST
22 23 24 25 26 27 28 29
37 36 35 34 33 32 31 30
WENTWOOD DR
AIRLINE RD
83 82 81 80 79 78 77 76 75 74 73 72 71
58 59 60 61 62 63 64 65 66 67 68 69 70
DURHAM ST
7 8 9 10 11 12 13 14
21 20 19 18 17 16 15
CENTENARY AVE
57 56 53 - 55 52 51 50 49 48 47 46
2 3 4 5 6
MARQUETTE ST
COLGATE AVE
133 Property Owners Notified (88 parcels)
46 Replies in Favor (46 parcels)
23 Replies in Opposition (23 parcels)
500' Area of Notification
5/5/2016 Date
Z156-195
CPC
N
W
E
S
1:3,600

05/04/2016

Reply List of Property Owners

Z156-195

133 Property Owners Notified 46 Property Owners in Favor 23Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
O	1	7202	W NORTHWEST HWY	NORTHWAY CHRISTIAN CHURCH
X	2	7402	CENTENARY AVE	WILLIAMS TIM & MARY
O	12	7428	WENTWOOD DR	GOTTLICH GLENN S &
	15	7433	CENTENARY AVE	CONGER JOHN C
O	16	7427	CENTENARY AVE	OBERTHIER KATHRYN M
O	17	7423	CENTENARY AVE	ROCKOW AMANDA ONEACRE & JEFFREY LEE
X	22	7402	VILLANOVA ST	RAPUZZI MICHAEL &
	23	7408	VILLANOVA ST	CARNAHAN ZACH &
X	26	7422	VILLANOVA ST	HABITO RUBEN L F &
X	27	7428	VILLANOVA ST	DAUTERIVE PAUL E & KARA
X	28	7432	VILLANOVA ST	REECE WADE D & ANNE S
X	29	7438	VILLANOVA ST	CRAFT AMANDA
	31	7433	WENTWOOD DR	JOHNSTON LAURA V
X	32	7429	WENTWOOD DR	ROOT RANDALL L & LESLIE A
O	34	7419	WENTWOOD DR	O ROBINSON RANCH LTD
O	37	7403	WENTWOOD DR	DIBBLE MARY UNDERWOOD
X	38	7403	VILLANOVA ST	THOMPSON GREGORY R &
X	39	7407	VILLANOVA ST	HOLMSEN ERIK W & JACQUELYN K
O	40	7415	VILLANOVA ST	RYAN ELIZABETH J
	41	7419	VILLANOVA ST	TUCKER LORI MICHELLE
	42	7425	VILLANOVA ST	WILLIAMS JANA & KYLE
O	43	7429	VILLANOVA ST	PERRY JAMES C
X	44	7433	VILLANOVA ST	MERCIER DAVID
	46	7326	CENTENARY AVE	SUMROW SHAD E &
	47	7322	CENTENARY AVE	MCMASTER ARCHIE V
	49	7314	CENTENARY AVE	HAEFLIGER RACHEL WYSONG

05/04/2016

Reply	*Label #*	*Address*		*Owner*
O	50	7308	CENTENARY AVE	MCCALL JUDITH & ALDEN
O	51	7302	CENTENARY AVE	UMPHRESS LOU JANE
X	52	7230	CENTENARY AVE	PARKS DONNA
	54	7226	CENTENARY AVE	FIRST PRESBYTERIAN CHURCH
O	55	7218	CENTENARY AVE	EVANS COLLIN C & MANDY
	59	7207	CENTENARY AVE	CAVENDER BRENT R & GERRY
X	60	7211	CENTENARY AVE	WENZ DANIEL P
	61	7215	CENTENARY AVE	HARKINS ROGER W & KRISTIN JORDAN
O	62	7219	CENTENARY AVE	JOHNSON HEATHER L
	68	7319	CENTENARY AVE	CAVINESS TREVOR
X	69	7323	CENTENARY AVE	LANGHENRY WILLARD H III &
X	71	7326	WENTWOOD DR	ZASA JOSEPH S & BROOKE
X	73	7318	WENTWOOD DR	ARVESEN DAVID A & MALINDA
X	74	7314	WENTWOOD DR	HOOVER ANDREW C &
X	75	7308	WENTWOOD DR	BOYD CYNTHIA L & IVAN G
X	76	7302	WENTWOOD DR	FARRIS DON PAUL JR &
X	77	7230	WENTWOOD DR	CLAUSSEN RUTH P
X	80	7214	WENTWOOD DR	BAKER RHODES S III &
	81	7210	WENTWOOD DR	JAY JEFFREY M & TRACIE A
X	82	7206	WENTWOOD DR	KEARNS JENNIFER C &
X	83	7202	WENTWOOD DR	WETZEL DANIEL E &
	84	7323	W NORTHWEST HWY	HILLCREST MEMORIAL PARK
	85	7401	W NORTHWEST HWY	SPARKMAN HILLCREST INC
	86	7405	W NORTHWEST HWY	SPARKMAN HILLCREST INC
	87	7403	W NORTHWEST HWY	HILLCREST MEM PARK INC
	88	7405	W NORTHWEST HWY	HILLCREST MEMORIAL PARK
	89	7404	W NORTHWEST HWY	KEELAND KAY L
	90	7404	W NORTHWEST HWY	HACKNEY TATE LOUISE
	91	7404	W NORTHWEST HWY	VICCINELLI GINA
	92	7404	W NORTHWEST HWY	HANKS SHORT JOAN M
	93	7404	W NORTHWEST HWY	WEBER ELIZABETH P & WILLIAM R

05/04/2016

Reply	*Label #*	*Address*		*Owner*
	94	7404	W NORTHWEST HWY	LOFTIS CARRIE J
	95	7404	W NORTHWEST HWY	DIBELLA HANA S
	96	7404	W NORTHWEST HWY	BURNS RAPLH D & ROBIN
	97	7404	W NORTHWEST HWY	ZEIGER DIMPLE L
	98	7414	W NORTHWEST HWY	GAROFANELLO JOSEPH &
	99	7414	W NORTHWEST HWY	TIDENBERG JIM L & TINA K
	100	7414	W NORTHWEST HWY	BIRES ANDRE G & SUZANN
	101	7414	W NORTHWEST HWY	HARTMANN THEODORE R
	102	7414	W NORTHWEST HWY	ANDERSON PATRICIA F
	103	7414	W NORTHWEST HWY	LEUSCHEL JANICE P
	104	7414	W NORTHWEST HWY	WATSON MARY A A
	105	7414	W NORTHWEST HWY	SOSNOSKIE KEITH D &
	106	7414	W NORTHWEST HWY	DILLARD MARY BEECHERL
	107	7424	W NORTHWEST HWY	HILL JENNIFER & JEREMY
	108	7424	W NORTHWEST HWY	KNEE PATRICIA L
	109	7424	W NORTHWEST HWY	CLARK MARY TITUS &
	110	7424	W NORTHWEST HWY	TANNER KANDACE S
	111	7424	W NORTHWEST HWY	TAYLOR WILLIAM W &
	112	7424	W NORTHWEST HWY	MOUNTZ TIMOTHY W
	113	7424	W NORTHWEST HWY	JOHNSON MARGARET R TR
	114	7424	W NORTHWEST HWY	FORESTWOOD VENTURES LP
	115	7424	W NORTHWEST HWY	MULDOON MARLOW J
	116	7430	W NORTHWEST HWY	BENES MARTIN & SARAH
	117	7430	W NORTHWEST HWY	SMARTT MICHAEL &
	118	7430	W NORTHWEST HWY	TETER AMY & WALTER
	119	7430	W NORTHWEST HWY	BURNS RALPH & ROBIN
	120	7430	W NORTHWEST HWY	RICHER EDMOND & GABRIELA
	121	7430	W NORTHWEST HWY	BOBADILLA ELADIO
	122	7430	W NORTHWEST HWY	GRILLE THEODORE P
	123	7430	W NORTHWEST HWY	SANDER CAROLYN GAIL M
	124	7430	W NORTHWEST HWY	FLANAGAN RICHARD S

05/04/2016

Reply	*Label #*	*Address*		*Owner*
	125	7506	W NORTHWEST HWY	WASHAM GERALDINE
	126	7506	W NORTHWEST HWY	EPW PROPERTIES LLC &
	127	7506	W NORTHWEST HWY	SLIGER STEVEN G
	128	7506	W NORTHWEST HWY	SLIGER STEVEN & KATHRYN TR
	129	7506	W NORTHWEST HWY	CLIFFORD MARY NELSON
	130	7506	W NORTHWEST HWY	MILLS CYNTHIA TAYLOR
	131	7506	W NORTHWEST HWY	HEFNER CHARLES ROBERT JR &
	132	7506	W NORTHWEST HWY	KERLICK DENNIS BRADFORD
	133	7506	W NORTHWEST HWY	SUESSMANN WERNER TR &
O	A1	7415	WENTWOOD DR	TYSON JOHN K & LAURA D
O	A2	7408	CENTENARY AVE	PETTICREW CONNIE
O	A3	7439	VILLANOVA ST	WILSON SCOTT & KRISTI
O	A4	7419	CENTENARY AVE	QUIGLEY REBECCA L
O	A5	7423	WENTWOOD DR	MENDOZA FELIPE D &
O	A6	7307	CENTENARY AVE	HERMANSEN KIRK M & MONICA
O	A7	7414	CENTENARY AVE	HAWLEY JOE R
O	A8	7409	WENTWOOD DR	HARRIS BRUCE & CAROLINE
O	A9	7422	WENTWOOD DR	HAIG ERIC MICHAEL & LAUREN ROGERS
O	A10	7438	WENTWOOD DR	BRANNON JOE P &
O	A11	7227	CENTENARY AVE	PITTMAN JAMES C III & LAUREN M
O	A12	7414	WENTWOOD DR	SUTTON SUSAN
O	A13	7418	WENTWOOD DR	BAUMGARTNER KARLA
O	A14	7422	CENTENARY AVE	WILSON WARD P &
O	A15	7303	CENTENARY AVE	PAUL JENNIFER J & CHARLES L HIGGINS JR
O	A16	7210	CENTENARY AVE	PRESZLER SCOTT G & JOANNA
O	A17	7414	VILLANOVA ST	FORD APRIL R
O	A18	7418	CENTENARY AVE	THORNHILL WILLIAM N IV &
O	A19	7226	WENTWOOD DR	BARNETT MICHAEL & JESSICA
O	A20	7418	VILLANOVA ST	LOVE MATTHEW G &
O	A21	7432	WENTWOOD DR	PATEL MONALI R &

05/04/2016

Reply	*Label #*	*Address*		*Owner*
O	A22	7231	CENTENARY AVE	FARR TREVOR A & JULIE A
O	A23	7318	CENTENARY AVE	LENOIR MARTIN
O	A24	7315	CENTENARY AVE	GARBERDING MICHAEL J & JENNIFER S
X	A25	7322	WENTWOOD DR	KNODE SCOTT A & JANET L
O	A26	7402	WENTWOOD DR	SCHMIDT PENNY L &
O	A27	7408	WENTWOOD DR	GRT INTERPRISES LLC
O	A28	7409	CENTENARY AVE	NALL RONALD M
O	A29	7439	WENTWOOD DR	JDS CUSTOM HOMES LP
	A30	7226	CENTENARY AVE	CLIFFORDS THE
O	A31	7214	CENTENARY AVE	LUO YEHUNG & LEI ZHANG
O	A32	7203	CENTENARY AVE	SHORT TRACY L &
O	A33	7327	CENTENARY AVE	HAMNER PATRICK FOSTER &
O	A34	7218	WENTWOOD DR	CARDWELL KYLE L & NICOLE N
O	A35	7415	CENTENARY AVE	BALLARD MARSHALL
O	A36	7403	CENTENARY AVE	KIKKERI NAGARAJ S &

AGENDA ITEM # 64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 26 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District and mini-warehouse uses and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-2 Mixed Use District on the south side of Meadow Road, west of Greenville Avenue

Recommendation of Staff: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan and conditions

Recommendation of CPC: Approval of a Planned Development District, subject to a development plan and conditions; and approval of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for automatic renewals for additional fifteen-year periods, subject to a site plan and conditions

Z145-183(WE)

Note: This item was considered by the City Council at a public hearing on May 11, 2016, and was held under advisement until May 25, 2016, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z145-183(WE) **DATE FILED:** February 9, 2015

LOCATION: South side of Meadow Road, west of Greenville Avenue

COUNCIL DISTRICT: 13 **MAPSCO:** 26 L

SIZE OF REQUEST: Approx. 1.55 acres **CENSUS TRACT:** 78.23

APPLICANT/OWNER: Croesus Greenville Avenue L.P.

REPRESENTATIVE: Suzan Kedron and Steven Dimitt, LLP, Jackson Walker

REQUEST: An application for a Planned Development District for MU-2 Mixed Use District and mini-warehouse uses and a Specific Use Permit for a mini-warehouse use on property zoned an MU-2 Mixed Use District.

SUMMARY: An MU-2 District permits a mini-warehouse use by a Specific Use Permit. The applicant requests a Planned Development District to permit a 4-story, 113,075-square-foot mini-warehouse use by right with the following conditions for the use: 1) increase the maximum floor area ratio from 1.6 to 1.7; 2) allow for a retaining wall to encroach in the required front yard; 3) limit the maximum height of 65 feet, with 15 feet for mechanical runs; and 4) require one of three options of building materials for the exterior facades. The development plan shows a portion of the structure will have 2,100 square feet of flex space for retail or office space and 1,050 square feet of floor area for an accessory office for the mini-warehouse use. All other uses in MU-2 would continue to be permitted, as well.

CPC RECOMMENDATION: **Approval** of a Planned Development District, subject to a development plan and conditions; and **approval** of a Specific Use Permit for a mini-warehouse use for a fifteen-year period with eligibility for automatic renewals for additional fifteen-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** of a Planned Development District, subject to a development plan and conditions; and **approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The land uses adjacent to the request site consist of retail and personal service uses, office uses, medical uses and a convalescent and nursing home use. The site's configuration and the low traffic volume that is generated by the proposed mini-warehouse should have minimal impact on the adjacent uses. In addition, the height will be restricted than required by code and building materials will be regulated. The proposed height of the mini-warehouse use is 65 feet.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will have no detrimental impact on the street system.

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site in located in an Urban Mixed Use Building Block and is not in compliance with the Comprehensive Plan. Due to the Comprehensive Plan designation, a Specific Use Permit for is recommended as currently required by the Development Code to permit the mini-warehouse use. The other amendments to the MU-2 District are still generally in conformance with the Building Block.

4. *Justification for PDD Planned Development District Zoning as opposed to a straight zoning district* – Staff supports a Planned Development District to increase the maximum floor area and encroachment into the front yard because the applicant is providing a retail component within the overall design and the other performance standards are minimal.

5. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use neither contributes nor is it a detriment to adjacent properties.

6. *Not a detriment to the public health, safety, or general welfare* – This use will not be a detriment to the public health, safety or general welfare of the community.

7. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. However, there are several modifications that are being requested as it relates to the yard, space and lot regulations. These changes are addressed in the Planned Development conditions and reflect the following: allowing retaining walls to encroach into the required yards, increase in the base floor area ratio, and prohibit urban form setbacks along Greenville Avenue. Staff can support the changes to the above mentioned regulations. The changes should not have any negative impact on the adjacent uses.

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
Meadow Road	Collector	60 ft.	60 ft.
Greenville Avenue	Principal arterial	100 ft.	100 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

COMPREHENSIVE PLAN: The Comprehensive Plan does not make a specific land use recommendation related to the request; however, the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depict general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur. The proposed development is not in compliance with the *forwardDallas! Comprehensive Plan.*

The request site is identified as being within an Urban Mixed Use Building Block on the *forwardDallas!* Vision Illustration, adopted June 2006. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

Land Use:

	Zoning	Land Use
Site	MU-2	Undeveloped
North	MU-2	Convalescent & nursing home
South	MU-2	Restaurant
East	MU-2	Gen. merchandise or food store, mini-warehouse, retail personal service
West	MU-2, GO(A), PD No. 76	Vacant retail, offices

Land Use Compatibility: The 1.55 acre site is an irregular shape and is adjacent to mix of one to three-story retail, office and residential uses. The surrounding land uses consist of a restaurant use to the south, and office uses to the west. The property to the north, across Meadows Street is a convalescent and nursing home. East of the request site is a retail use and across Greenville Avenue consist of several one-story mini-warehouse uses and a retail use for medical equipment.

The maximum structure height in a MU-2 District varies depending on whether the development is a mixed-use project. The structure height ranges between 135 feet (standard height) to 180 feet (mixed-use development with retail component). The applicant is proposing to development the mini-warehouse at a height not to exceed 65 feet. In addition, staff recommends that a Specific Use Permit for the mini-warehouse use should remain to further provide additional protection for the adjacent uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
MU-2 Mixed use-2	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
MU-2 – Proposed PDD Mixed use-2	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, mini-warehouse

Landscaping: Landscaping of any development will be in accordance with the Article X, as amended.

Parking: The off-street parking requirement for a mini-warehouse use is a minimum of six spaces. Spaces may not be used for outside storage, vehicle storage, or parking for vehicles for rent. However, the applicant is request to limit the off-street parking space to 17 spaces. Staff is requesting that the proposed development meet the Code requirements for off-street parking. The area that is considered as a "flex space" within the proposed mini-warehouse development could operate at a use that requires additional off-street parking spaces than is shown on the development plan. Staff is concerned that the proposed uses within the proposed mini-warehouse use may not provide the appropriate parking spaces for the uses. The City Plan Commission recommended to limit the off-street parking spaces to 17 spaces

CPC Action

March 3, 2016
This item was held under advisement.

April 7, 2016
This item was held under advisement.

April 21, 2016

Z156-183(WE)

Motion: It was moved to recommend **approval** of a Planned Development District for MU-2 Mixed Use District and mini-warehouse uses, subject to a development plan and conditions; and **approval** a Specific Use Permit for a mini-warehouse use for a 15-year period with eligibility for automatic renewals for additional 15-year periods, subject to a site plan and conditions on property zoned an MU-2 Mixed Use District on the south side of Meadow Road, west of Greenville Avenue.

Maker: Murphy
Second: Abtahi
Result: Carried: 8 to 6

For: 8 - Anglin, Houston*, Davis*, Shidid, Anantasomboon, Abtahi, Murphy, Tarpley

Against: 6 - Haney, Jung, Housewright, Schultz, Peadon, Ridley
Absent: 0
Vacancy: 1 - District 2

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 21
Replies: For: 3 Against: 0

Speakers: For: Steven Dimitt, 2323 Ross Ave, Dallas, TX, 75201
Against: None

LIST OF OFFICERS
Croesus Greenville Avenue, LP

Croesus-Greenville Avenue, LP.

Horizon Opportunity, LLC, General Partner:
Daniel P. Wenz, Managing Member
Randy S. Box, Managing Member

Limited Partners:

Croeseus Equities, Inc. (CE)
Daniel P. Wenz, President

DPW Genesis Corp Inc.(DPW)
Daniel P. Wenz, President

Box Interests, Inc. (Box)
Randy S. Box, President

CPC PROPOSED PDD CONDITIONS

ARTICLE

SEC. 51P-___.101. LEGISLATIVE HISTORY.

PD ___ was established by Ordinance No. ____, passed by the Dallas City Council on ____, 2016.

SEC. 51P-___.102. PROPERTY LOCATION AND SIZE.

PD ___ is established on property located on the south side of Meadow Road and west side of Greenville Avenue. The size of PD ___ is approximately 1.55 acres

SEC. 51P-___.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) FLEX SPACE means any allowed main use subject to the inclusion of its own dedicated own entrance.

(d) This district is considered to be a nonresidential zoning district.

SEC. P-___.104. EXHIBIT.

The following exhibit is incorporated into this article:

(1) Exhibit ___A: development plan.

SEC. 51P-___.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ___A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-___.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MU-2 Mixed Use District, subject to the same conditions applicable in the MU-2 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-2 Mixed Use 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 MU-2 Mixed Use District is subject to DIR in this district; etc.

CPC Recommendation

(b) Mini-warehouse permitted by right

Staff's Recommendation

[~~(b) Mini-warehouse permitted by right~~]

SEC. 51P-___.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-___.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MU-2 Mixed Use District apply.

(b) Required yard. For a mini-warehouse use, retaining walls can encroach 14 feet into the required front yard and 10 feet into the required side and rear yards.

(c) Floor area. For a mini-warehouse use, the maximum floor area is 1.7.

(d) Height. For a mini-warehouse uses, maximum structure height is 65 feet.

(e) Urban Form. For a mini-warehouse use, urban form setback is not required along Greenville Avenue.

SEC. 51P-___.109. OFF-STREET PARKING AND LOADING.

CPC's Recommendation

For a mini-warehouse use, a minimum of 17 off-street parking spaces is required in the location shown on the development plan.

Staff's Recommendation

Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P-___.110. OUTSIDE STORAGE.

For a mini-warehouse use, outside storage of vehicles, parking for vehicles for rent, boat parking, and outside equipment storage is prohibited.

SEC. 51P-___.111. MATERIALS.

(a) For a mini-warehouse use: To ensure compatibility with the surrounding neighborhood, the exterior facades of a mini-warehouse must comply with one of the following:

(1) Exterior facades must be a minimum 80 percent architectural metal and aluminum panel, insulated finish system, cement fiber board panelling, stone, or decorative concrete and masonry blocks or tile, excluding fenestration; or

(2) Exterior facades must be a minimum 80 percent architectural metal and aluminum panel, insulated finish system, stone, or decorative concrete and masonry blocks or tile, excluding doors and windows; or

(3) Excluding doors, windows, and other openings, exterior facades that are visible from adjacent lots or streets must be architectural metal and aluminum panel, insulated finish system, stone, decorative concrete and masonry blocks, split-face concrete, stucco, or a simulation, or a combination of these materials. Stucco materials may not exceed 25 percent of the total surface area of any facade.

SEC. 51P-___.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-___.113. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-___.114. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P-___.115. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

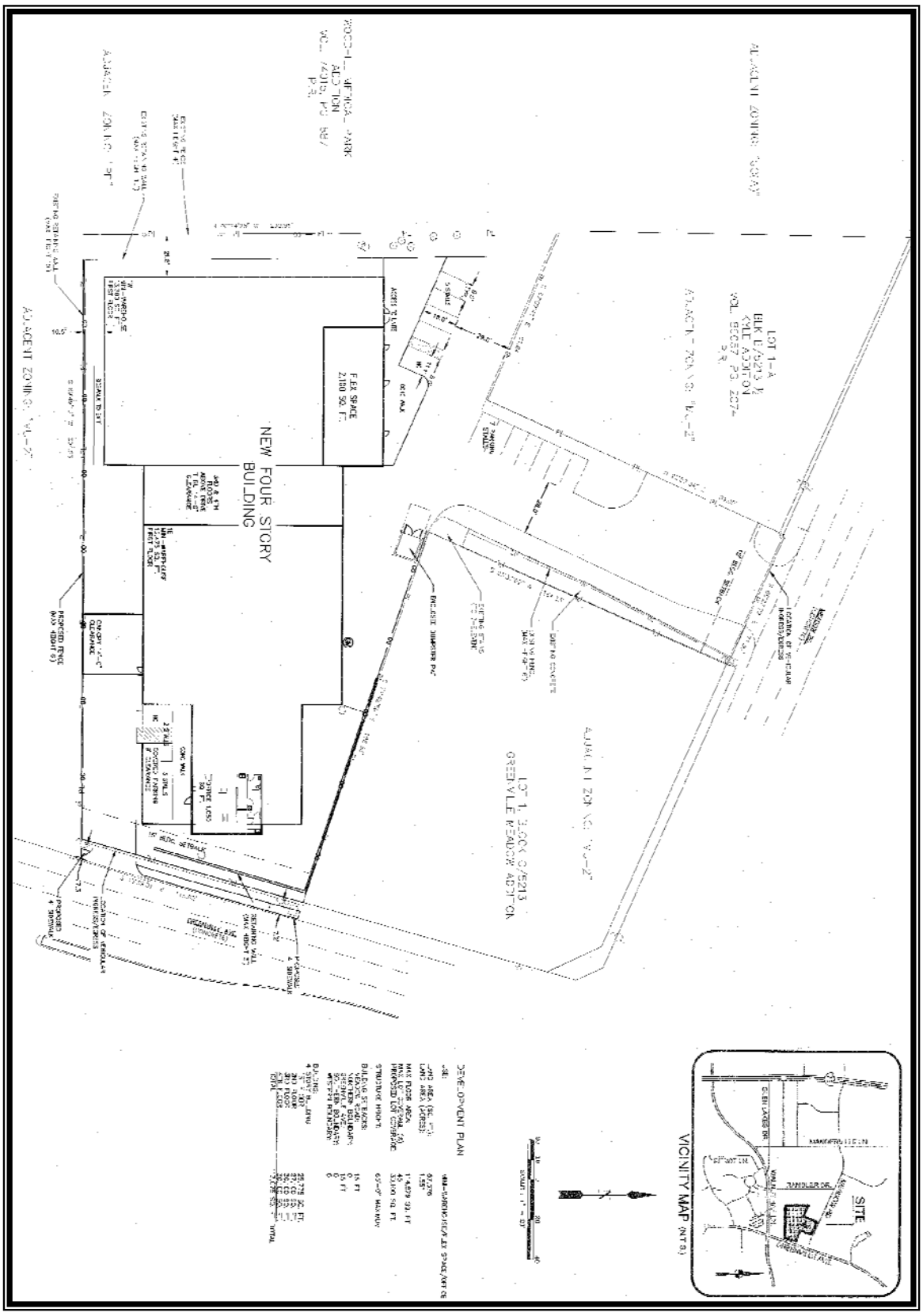
SEC. 51P-__.116. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use until there has been full

compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED DEVELOPMENT PLAN



CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a mini-warehouse.

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_____, (fifteen years), but is eligible for automatic renewal for additional fifteen-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Staff's Recommendation

3. TIME LIMIT: This specific use permit expires on_____, (ten-year period from the passage of this ordinance

4. FLOOR AREA:

   a. Total maximum floor area is 114,879 square feet.

   b. Maximum floor area for the office is 1,050 square feet in the location shown on the attached site plan.

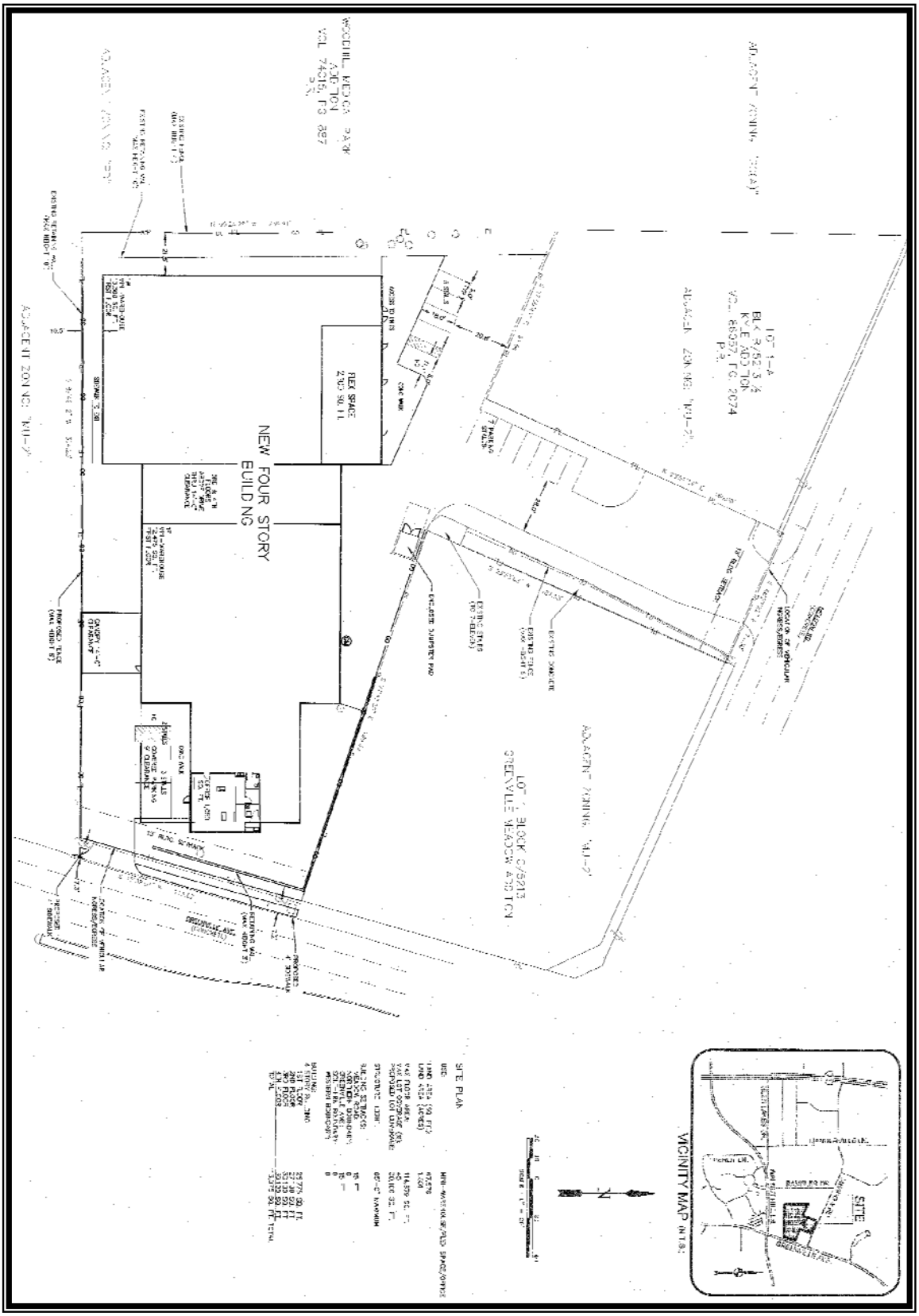
5. HOURS OF OPERATION: The mini-warehouse may only operate between 6:00 a.m. and 10:00 p.m., Monday through Sunday.

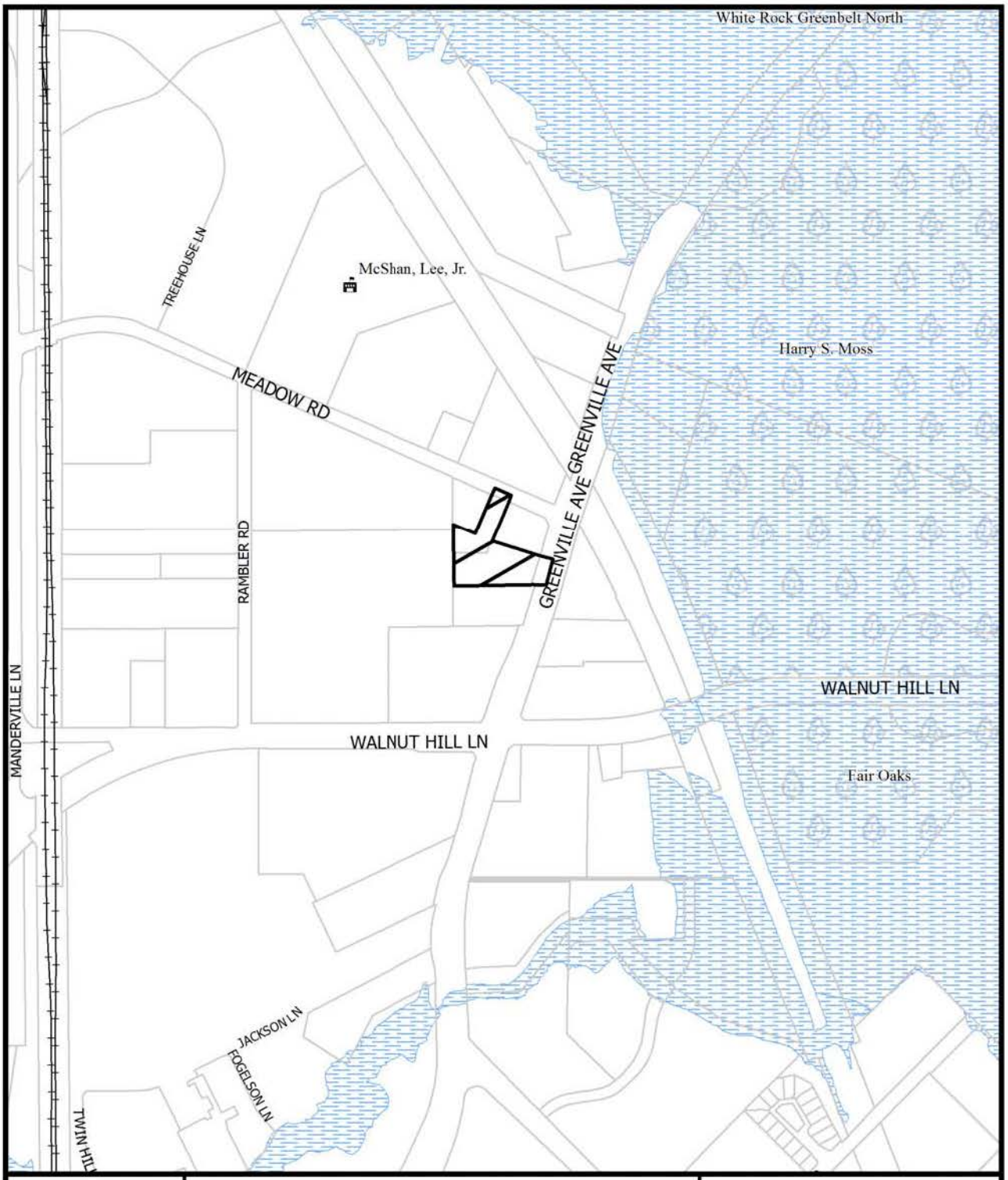
6. OUTSIDE STORAGE: Outside storage of vehicles, parking for vehicles for rent, boats, and /or equipment is prohibited.

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




White Rock Greenbelt North
TREEHOUSE LN
McShan, Lee, Jr.
Harry S. Moss
MEADOW RD
GREENVILLE AVE
GREENVILLE AVE
RAMBLER RD
MANDERVILLE LN
WALNUT HILL LN
WALNUT HILL LN
Fair Oaks
JACKSON LN
FOGELSON LN
TWIN HILL
1:6,000
VICINITY MAP
Case no: Z145-183
Date: 5/7/2015

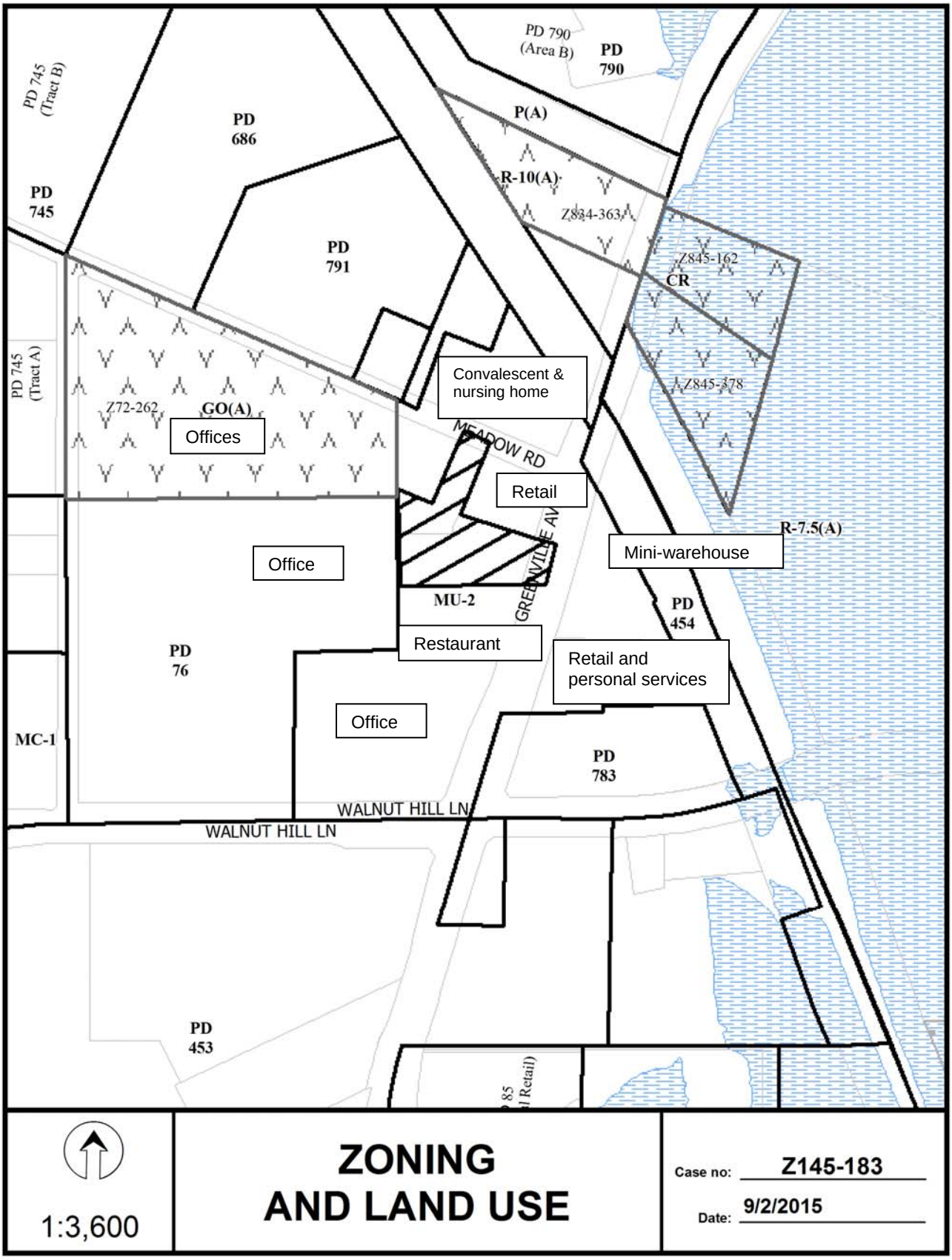


1:3,600

AERIAL MAP

Case no: Z145-183

Date: 5/7/2015


PD 745 (Tract B)
PD 686
PD 790 (Area B)
PD 790
P(A)
R-10(A)
Z834-363
PD 745
PD 791
Z845-162
CR
Z845-378
PD 745 (Tract A)
Z72-262
GO(A)
Offices
Convalescent & nursing home
MEADOW RD
Retail
R-7.5(A)
Mini-warehouse
Office
MU-2
GREENVILLE AV
PD 454
Restaurant
PD 76
Retail and personal services
Office
MC-1
PD 783
WALNUT HILL LN
WALNUT HILL LN
PD 453
1:3,600
ZONING AND LAND USE
Case no: Z145-183
Date: 9/2/2015

CPC RESPONSES



04/20/2016

Reply List of Property Owners

Z145-183

21 Property Owners Notified ***3 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	8370	MEADOW RD	CROESUS GREENVILLE AVENUE LP
	2	7525	GREENVILLE AVE	WILLS KAZE LLC
O	3	7557	GREENVILLE AVE	CROESUS GREENVILLE AVENUE LP
O	4	7557	GREENVILLE AVE	CROESUS GRENVILLE AVENUE LP
	5	7567	GREENVILLE AVE	7567 GREENVILLE ASSOC LLC
	6	8325	MEADOW RD	PARK CENTRAL RESIDENTIAL LLC
	7	8363	MEADOW RD	ISLA FIRENZE LTD
	8	7580	GREENVILLE AVE	OH JUNG AE
	9	401	BUCKNER BLVD	DART
	10	8325	WALNUT HILL LN	TEXAS HEALTH RESOURCES
	11	8325	WALNUT HILL LN	WOODHILL MED PARK CONDO
	12	7515	GREENVILLE AVE	GREENVILLE PROPERTIES LTD
	13	8383	MEADOW RD	DTX MEADOWS REALTY LLC
	14	7735	GREENVILLE AVE	EXPRESS BEER FOOD GAS INC
	15	8380	MEADOW RD	SKIPPER BEVERAGE COMPANY INC
	16	8350	MEADOW RD	TEXAS HEALTH RESOURCES
	17	8330	MEADOW RD	PECAN CREEK OWNERS ASSOCI
	18	7560	GREENVILLE AVE	COMMERCIAL NET LEASE
	19	7568	GREENVILLE AVE	SHURGARD FREMONT PARTNERS
	20	7502	GREENVILLE AVE	HC 7502 GREENVILLE AVENUE LLC
	21	7520	GREENVILLE AVE	RAMSEY LUTHER H

AGENDA ITEM # 65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 58 P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1814 for a vehicle display, sales, and service use and a commercial motor vehicle parking lot on property zoned Subdistrict 5A within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the northeast line of C.F. Hawn Service Road, west of Southeast Drive

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/landscape plan and conditions

Z145-291(LHS)

Note: This item was considered by the City Council at a public hearing on May 11, 2016, and was deferred until May 25, 2016, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**
ACM: Ryan S. Evans

FILE NUMBER: Z145-291(LHS) **DATE FILED:** July 8, 2015

LOCATION: Northeast line of C.F. Hawn Service Road, west of Southeast Drive

COUNCIL DISTRICT: 5 **MAPSCO:** 58P

SIZE OF REQUEST: ±3.51 acres **CENSUS TRACT:** 93.04

APPLICANT/OWNER: Ruth Hunsinger

REQUEST: An application for the renewal of and an amendment to Specific Use Permit No. 1814 for a vehicle display, sales, and service use and a commercial motor vehicle parking lot on property zoned Subdistrict 5A within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow the existing establishment [Sinai Truck Parking] to continue the operation of a vehicle display, sales, and service use and a commercial motor vehicle parking lot. The amendment would extend the area demarcated on the site plan, account for a dumpster towards the western border of the property, provide for the extension of a fence and the addition of a gate, and account for additional landscaping requirements. The number of permitted parking spaces for commercial motor vehicles is also being increased from 14 to 55. The site is currently developed with two existing buildings providing a cumulative floor area of ±11,493 square feet. While this Specific Use Permit was eligible for automatic renewals, it could not be automatically renewed because the applicant is requesting an amendment to the City Council approved site/landscape plan and conditions.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site/landscape 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/landscape plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – While there is a single family residential use directly west of the site, the residential use is not consistent with the character of the area. C.F. Hawn Freeway is south of the site, and undeveloped land lies to the north. To the east is a current Specific Use Permit for an office showroom/warehouse use. The existing commercial motor vehicle parking lot use and a vehicle display, sales, and service use are expected to remain compatible with the area.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing use neither contributes nor is it a detriment to adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The existing use is not detrimental to the public health, safety, or general welfare.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards of Subdistrict 5A within PDD No. 533.

Background: On November 10, 2010, the City Council approved the creation of Subdistrict 5A within PDD No. 533, which allowed for all the uses within Subdistrict 5 as well as a commercial motor vehicle parking lot use with a Specific Use Permit. On the same day, the City Council approved Specific Use Permit No. 1814 for a vehicle display, sales, and service use and a commercial motor vehicle parking lot use for a five-year period with the eligibility for automatic renewals for additional five-year periods.

Zoning History: There have not been any zoning changes requested in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
C.F. Hawn Freeway	Highway	±270 feet
Southeast Drive	Minor Arterial	50 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it has not significantly impacted the surrounding roadway system.

Comprehensive Plan:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in a Commercial Center or Corridor Building Block.

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

The request provides a service and is easily accessed from C.F. Hawn Freeway. However, a specific use permit allows the City to continue to evaluate the compatibility of the use with the surrounding area and to ensure compliance with the conditions and site plan are being met.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	PDD No. 533, Subdistrict 5A, and SUP 1814	Commercial Motor Vehicle Parking and Vehicle Sales, Service, and Display
North	R-7.5(A)	Undeveloped Land
East	PDD No. 533, Subdistrict 5, 6, and 7, and SUP 1754	Office Showroom/Warehouse and Undeveloped Land
South	C.F. Hawn Freeway	Highway

West	PDD 533	Single-family and Undeveloped Land

Land Use Compatibility:

The site abuts C.F. Hawn Freeway to the south and is surrounded by vacant land, but has a current SUP for an office showroom/warehouse use abutting the site to the east. The applicant's request for renewal of and an amendment to Specific Use Permit No. 1814 will not only allow the continued operation of the existing commercial motor vehicle parking use [Sinai Truck Parking], but increase the number of permitted parking spaces for commercial motor vehicles from 14 to 55, most of which will be located towards the northern portion of the site. In order to do so, the applicant first had to apply for a Letter of Map Amendment, which was granted by FEMA in October of 2015. The applicant has also amended the site/landscape plan to provide for landscaping requirements as per the ordinance governing the PDD.

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.

Based on staff's analysis of the site, the existing built environment, and the specific detail of the operation in the locations noted on the site and landscape plan, staff has determined the renewal and amendment to be appropriate.

Parking:

Pursuant to §51A-4.210(31)(C), a vehicle display, sales, and service use requires one space per 500 square feet of floor area and site area exclusive of parking area. Based on documentation provided by the applicant, the building for the aforementioned use contains a cumulative floor area of ±448 square feet. Therefore, for this use, one off-street parking space is required. According to §51A-4.210(8.1)(C), a commercial motor vehicle parking use requires no off-street parking. Nevertheless, the SUP has placed a condition that limits the number of off-street parking spaces for this particular use. Previously, City Council approved 14 parking spaces. In this request, the applicant requests 55 commercial parking spaces.

Landscaping:

Landscaping of any development will be in accordance with Ordinance No. 23780, which governs PDD No. 533. The applicant has met with the Arborist department to determine if the site meets the requirements, and the Arborist has concluded the revised site and landscape plan does.

List of Partners/Principals/Officers

Sinai Truck Parking

Owner
Ruth Hunsinger

CPC Action – April 7, 2016

Z145-291(LHS)

Motion: It was moved to recommend **approval** of the renewal of and an amendment to Specific Use Permit No. 1814 for a vehicle display, sales, and service use and a commercial motor vehicle parking lot for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and revised conditions with the following added staff condition: 1) An alternative paving material be officially and formally approved by the City engineer prior to issuance of a certificate of occupancy on the rear portion of the expansion property on property zoned Subdistrict 5A within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the northeast line of C.F. Hawn Service Road, west of Southeast Drive.

Maker: Shidid
Second: Murphy
Result: Carried: 13 to 0

For: 13 - Anglin, Houston*, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright*, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Tarpley
Vacancy: 1 - District 2

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 21
Replies: For: 1 Against: 0

Speakers: None

Z145-291
SUP Conditions

1. USE: The only uses authorized by this specific use permit are a vehicle display, sales, and service use and a commercial motor vehicle parking lot in the locations shown on the attached site and landscape plan.

2. SITE PLAN: Use and development of the Property must comply with the attached site and landscape plan.

3. TIME LIMIT: This specific use permit expires on _____ (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPING: Landscaping must be provided as shown on the attached site and landscape plan. Plant materials must be maintained in a healthy, growing condition.

5. HOURS OF OPERATION: Vehicles may only enter and exit the commercial motor vehicle parking lot between 6:00 a.m. and 6:00 p.m., Monday through Saturday. Vehicles may remain parked onsite overnight and on Sundays.

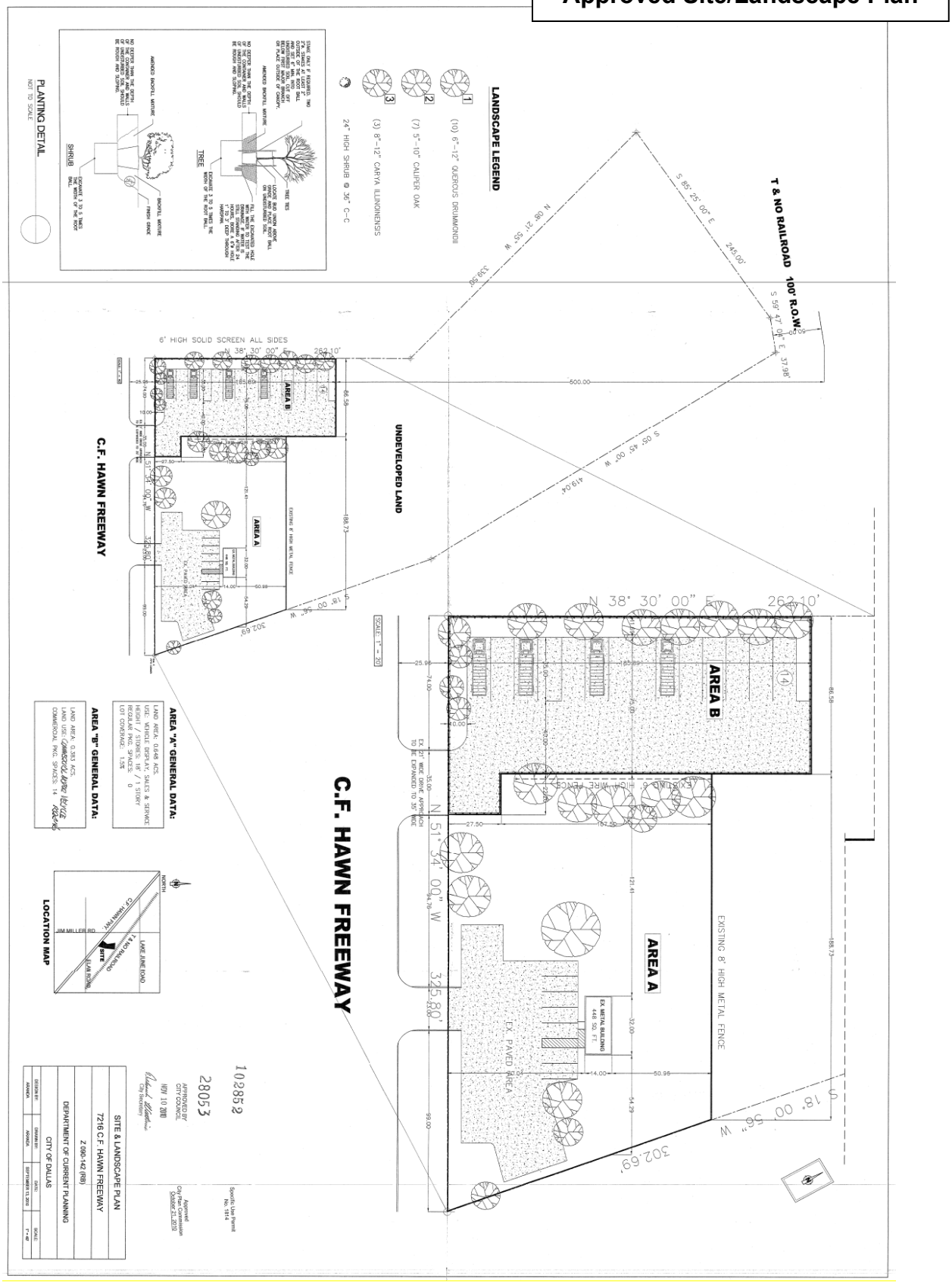
6. VEHICLE STORAGE: The maximum number of vehicles permitted at any one time in the commercial motor vehicle parking lot is 55 (~~14~~).

7. ALTERNATIVE PAVING MATERIAL: The Director shall approve an alternative paving material for the commercial motor vehicle parking lot prior to issuance of a certificate of occupancy.

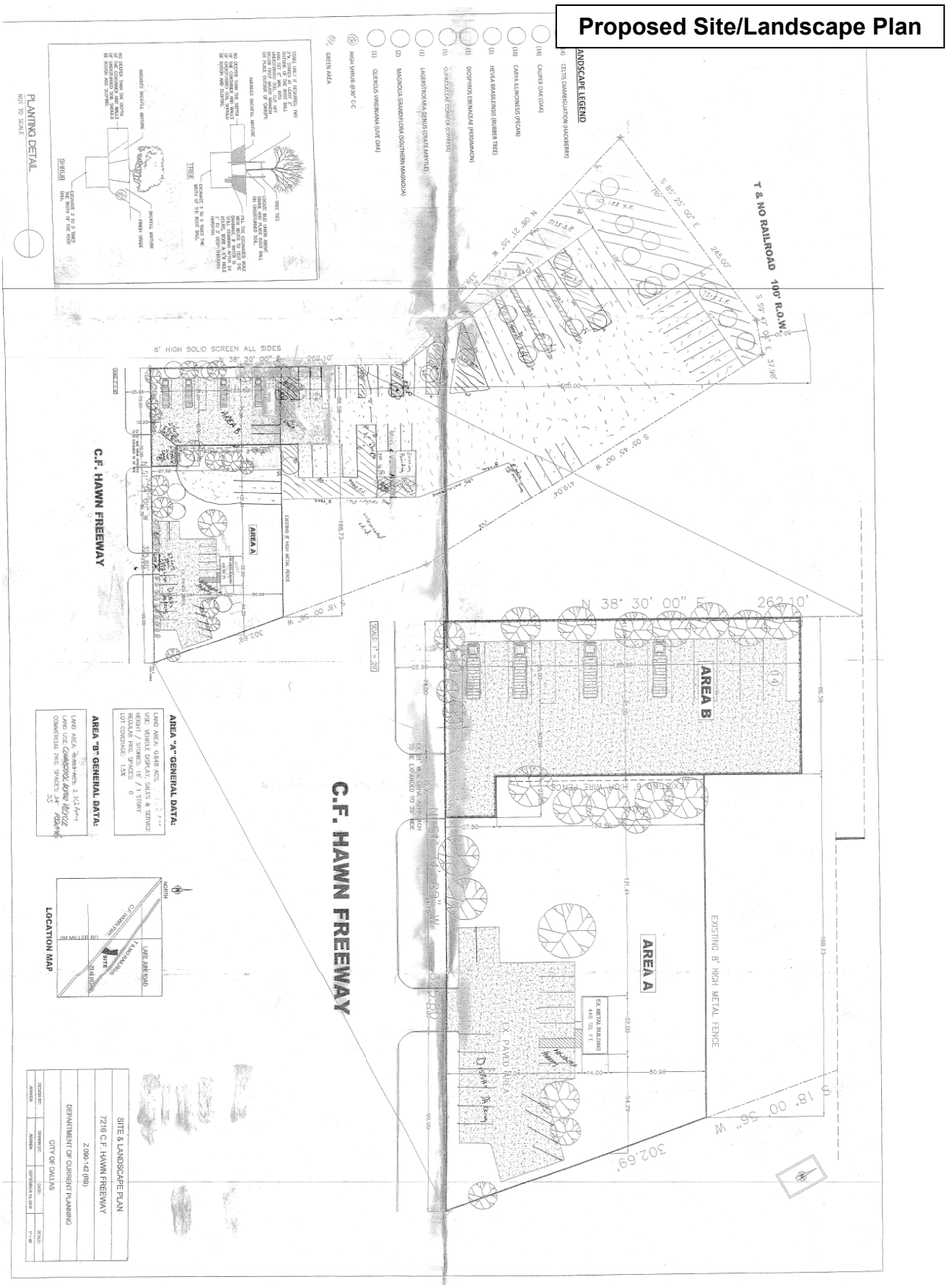
~~7~~8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

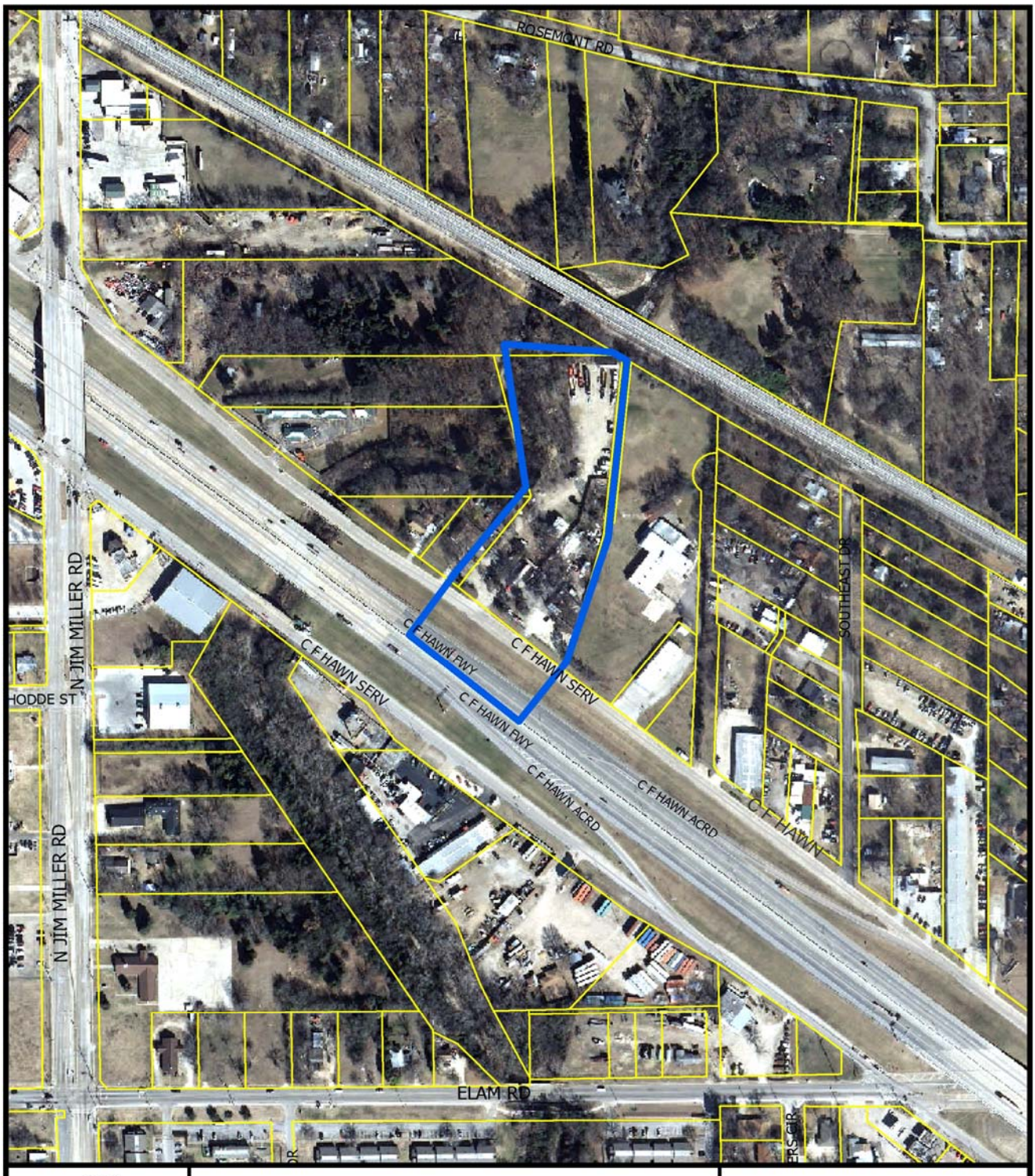
~~8~~9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Approved Site/Landscape Plan



Proposed Site/Landscape Plan



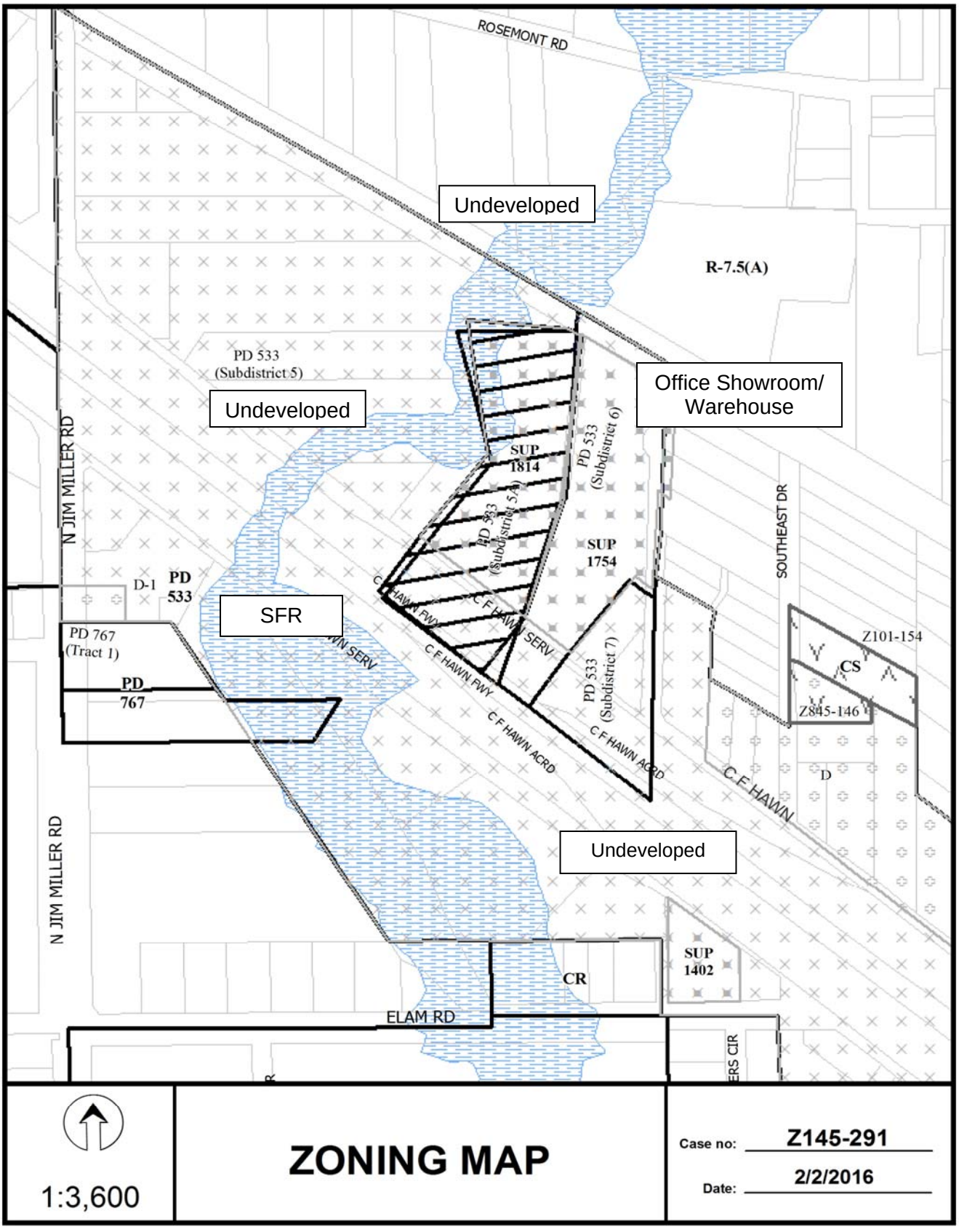


1:3,600

AERIAL MAP

Case no: Z145-291

Date: 2/2/2016


ROSEMONT RD
Undeveloped
R-7.5(A)
PD 533
(Subdistrict 5)
Undeveloped
Office Showroom/
Warehouse
N JIM MILLER RD
SUP
1814
PD 533
(Subdistrict 6)
PD 533
(Subdistrict 5A)
SUP
1754
SOUTHEAST DR
D-1
PD
533
SFR
C F HAWN FWY
C F HAWN SERV
PD 767
(Tract 1)
PD
767
PD 533
(Subdistrict 7)
Z101-154
CS
Z845-146
C F HAWN ACRD
D
C F HAWN
Undeveloped
N JIM MILLER RD
SUP
1402
CR
ELAM RD
ZONING MAP
1:3,600
Case no: Z145-291
Date: 2/2/2016

CPC Responses



04/06/2016

Reply List of Property Owners

Z145-291

21 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	7130	C F HAWN FWY	MEHTA DIPAK
O	2	7216	C F HAWN FWY	HUNSINGER JOSEPH & RUTH
	3	7220	C F HAWN FWY	GEMINI INDUSTRIES INC
	4	7108	C F HAWN FWY	CREATIVE ROOF SYSTEMS INC
	5	7212	C F HAWN FWY	WONG ABEL Z &
	6	7220	C F HAWN FWY	GEMINI INDUSTRIES INC
	7	7333	C F HAWN FWY	PLEASANT GROVE PPTIES I
	8	7303	C F HAWN FWY	PLEASANT GROVE PPTIES I
	9	7204	C F HAWN FWY	WONG ABEL Z & FRANCES M
	10	7230	C F HAWN FWY	GONZALEZ GUSTAVO
	11	7118	C F HAWN FWY	TAPIA JOSEPH &
	12	663	SOUTHEAST DR	JARRELL LIONELL
	13	671	SOUTHEAST DR	JARRELL LIONELL
	14	659	SOUTHEAST DR	ROBINSON BILLYE
	15	651	SOUTHEAST DR	PORRAS FRANCISCO
	16	7500	ROSEMONT RD	JASSO MIGUEL A
	17	7322	ROSEMONT RD	CARROLL JAMES B III &
	18	7306	ROSEMONT RD	CARROLL JAMES & ALLYN
	19	1	C F HAWN FWY	TEXAS STATE OF
	20	808	N JIM MILLER RD	STONE CREEK TRANSPORT LLC
	21	401	S BUCKNER BLVD	DART

AGENDA ITEM # 66

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 43 R

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting 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 on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z145-329(OTH)
Note: This item was considered by the City Council at public hearings on March 23, 2016, and April 27, 2016, and was deferred until May 25, 2016, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z145-329(OTH) **DATE FILED:** August 20, 2015

LOCATION: South line of West Commerce Street, between Ivanhoe Lane and Brundrette Street

COUNCIL DISTRICT: 6 **MAPSCO:** 43-R

SIZE OF REQUEST: Approx. 2.27 acres **CENSUS TRACT:** 43.00

OWNER/APPLICANT: Listocon Group, LLC

REPRESENTATIVE: Tailim Song, Tailim Song Law Firm

REQUEST: 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.

SUMMARY: The applicant proposes to utilize the property for a concrete batch plant. The proposed use will serve new construction within a twenty-mile radius. The use is permitted in the IR Industrial/Research District by SUP only. All other IR uses are also allowed on the property.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – While it may not be a desirable use from a long-term perspective, the proposed concrete batch plant is an acceptable use for this location given construction activity in the vicinity.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use neither contributes nor is it a detriment to the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety or general welfare of the public. The proposed conditions help mitigate potential negative impacts to the area.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all applicable zoning regulations and city codes.

Zoning History: There have been no zoning applications in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
North Hampton Road	Principal Arterial	100 feet
West Commerce Street	Principal Arterial	100 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the 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. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry

with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

The IR District contains lesser intense industrial uses. As a result, a concrete batch plant may not be appropriate at this location on a permanent basis. The SUP requirement affords the city and surrounding neighbors an opportunity to periodically evaluate whether or not the use is continuing to be compatible with the surrounding area. Furthermore, conditions can establish performance standards such as operating hours, screening and landscaping, site layout, ground and dust control, traffic circulation, and the location of outdoor storage.

Surrounding Land Uses:

	Zoning	**Land Use**
Site	IR	Vacant structures
North	IR	Vehicle related uses and warehouse
South	IR	Vehicle storage and outside storage
West	IR	Vehicle service center, vehicle storage and warehouse
East	IM	Office/warehouse

Land Use Compatibility:

The 2.27 acres of land have several structures that total approximately 10,500 square feet. Approximately 4,885 square feet will be utilized for the outside manufacturing process. The SUP requirement for certain land uses in particular zoning districts affords the city and surrounding neighbors an opportunity to periodically evaluate whether or not the use is continuing to be compatible with the surrounding area. Furthermore, the conditions establish performance standards such as operating hours, screening, site layout, ground and dust control, traffic circulation, stacking height, and the location of outdoor storage.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
IR Industrial/Research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. The required parking for the batch plant use is one space per 600 square feet of manufacturing area and one space per 1,000 square feet for the warehousing. For a total required number of spaces of 19. The proposed number of spaces exceeds the requirement.

Landscaping and Sidewalks:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code. At its hearing on January 21, 2016, the City Plan Commission recommended that the applicant incorporate a six-foot wide sidewalk along the property.

CPC ACTION – January 21, 2016

Z145-329(OTH) Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant for a five-year period, subject to a site plan and conditions with an additional condition to provide for construction and maintenance of 6 ft. wide sidewalks on all frontages (at the expense of the applicant), subject to the City's approval on property zoned an IR Industrial/Research District on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street.

Note: Commissioner Abtahi requested minutes reflect that when Specific Use Permit No. 1804 is considered for renewal, the docket include the Commission deliberation on this specific use permit.

Maker: Anantasomboon
Second: Emmons
Result: Carried: 11 to 4

For: 11 - Emmons, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 4 - Anglin, Houston, Davis Schultz
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 27
Replies: For: 0 Against: 2

Speakers: For: Tailim Song, 13140 Coit Rd., Dallas, TX, 75240
Walter Huerta, 1025 W. Commerce St., Dallas, TX, 752
Against: Mike Rasmussen, 1915 W. Commerce St., Dallas, TX,
Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237
Stephanie Hanson, 1914 Nomas St., Dallas, TX, 75212
Paula Hutchison, 2617 Obenchain St., Dallas, TX, 7521
Ronnie Mestas, 3215 Rutz St., Dallas, TX, 75212

SUP Proposed Conditions
Z145-329

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use limited to a concrete batch plant.

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).

3. DUST CONTROL:

   A. The following conditions must be met on an ongoing basis:

      i. Trucks must be loaded through a discharge equipped with a water ring or equivalent dust control system that eliminates visible dust emissions.

      ii. All permanent roads or vehicular maneuvering area inside the plant must be paved, watered, and swept to eliminate visible dust emissions.

      iii. The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate visible dust emissions.

      iv. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

      v. The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.

      vi. During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions or the conveyor charge hopper must be completely enclosed to contain dust.

      vii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.

      viii. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.

B. Prior to the issuance of a certificate of occupancy, a written ground and dust control plan that reflects existing and proposed infrastructure needed to comply with conditions 4(A)(i) through 4(A)(viii) must be delivered to the director of environmental and health services and the director of development services.

4. OUTSIDE MANUFACTURING AREA: The maximum area for outside manufacturing is 4,885 square feet in the location shown on the attached site plan.

5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

6. PARKING: Pursuant to the Dallas Development Code, off-street parking and loading must be provided as shown in the site plan.

7. SCREENING: Solid screening must be provided in the height and locations shown on the site plan.

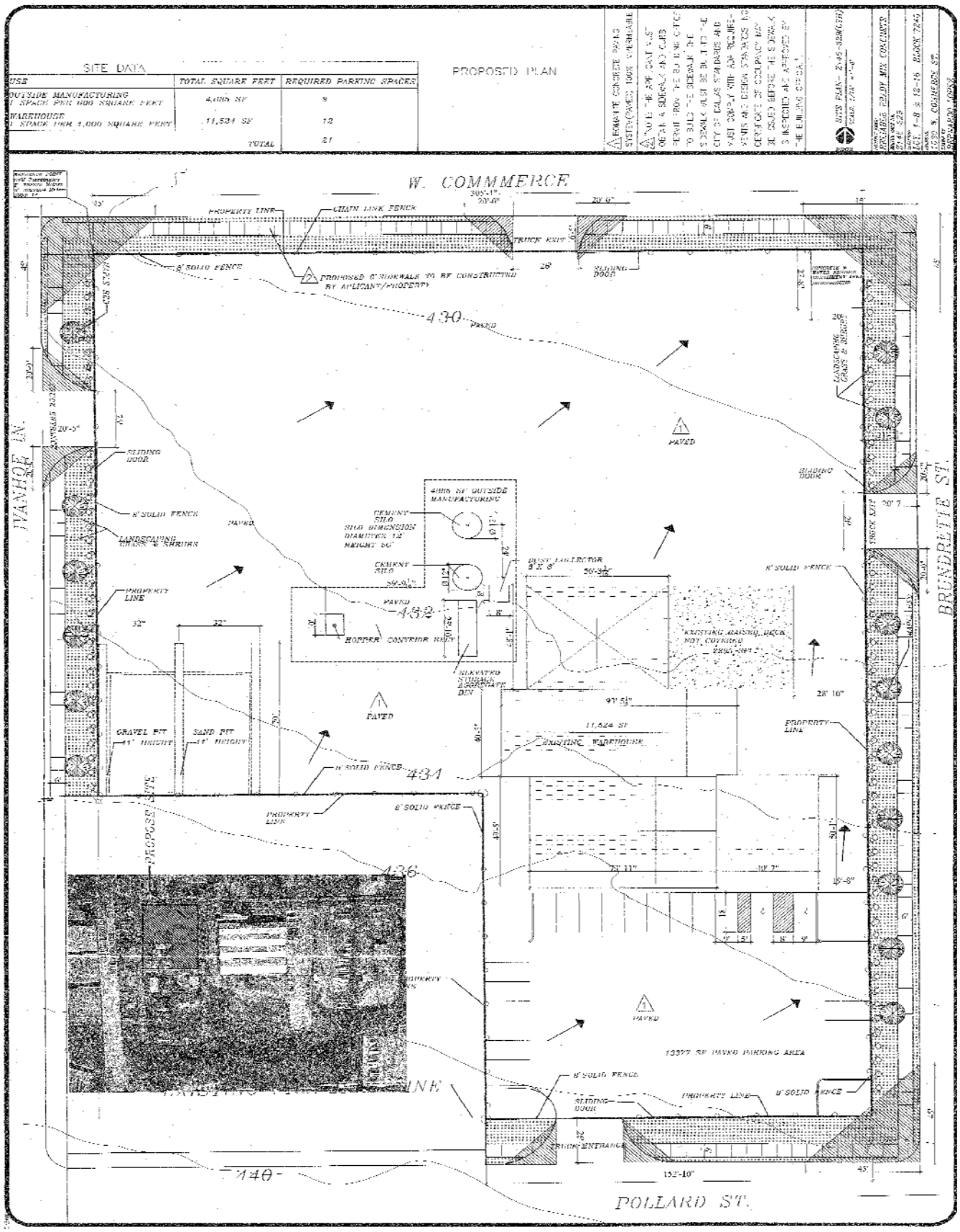
8. SIDEWALK: A 6-foot wide sidewalk shall be installed along all street frontages of the property as shown on the attached site plan.

9. STOCKPILE HEIGHT: Maximum stockpile height for materials in the sand/gravel stockpile is eight feet.

10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

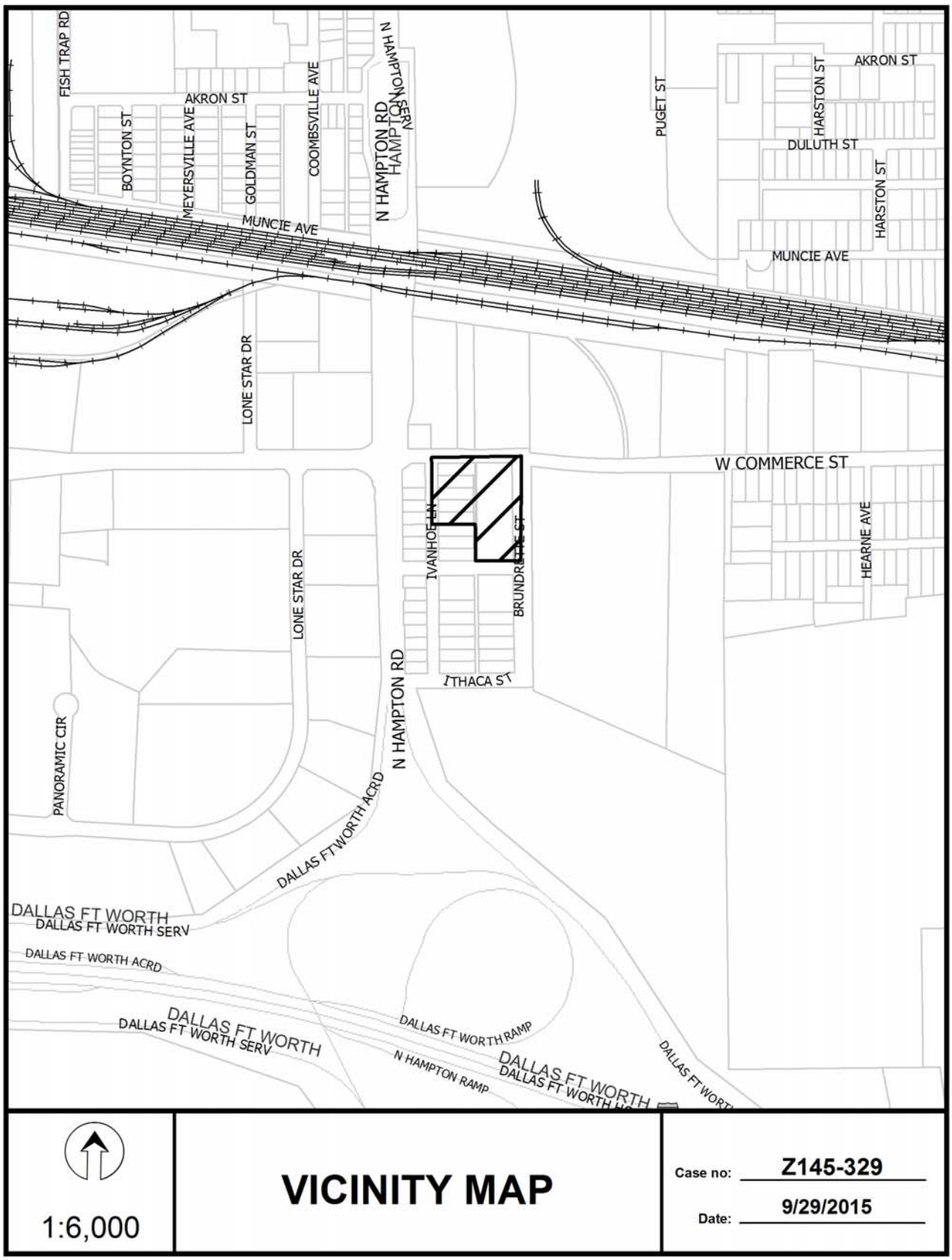
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

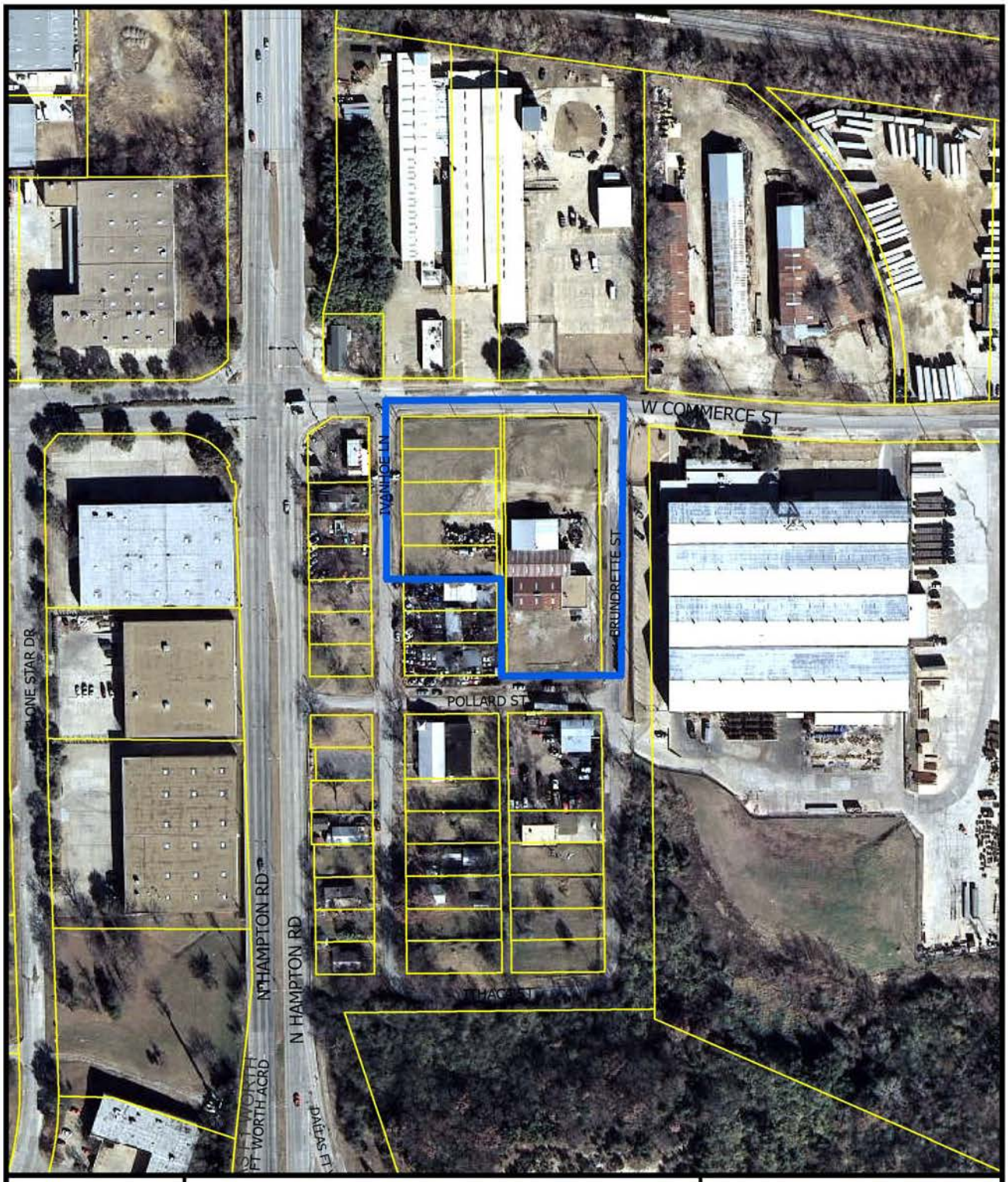
PROPOSED SITE PLAN



Partners and Principles

Augusta Huerta Jr.
Walter A, Huerta


FISH TRAP RD
AKRON ST
BOYNTON ST
MEYERSVILLE AVE
GOLDMAN ST
COOMBSVILLE AVE
N HAMPTON RD SERV
N HAMPTON RD
PUGET ST
HARSTON ST
AKRON ST
DULUTH ST
HARSTON ST
MUNCIE AVE
MUNCIE AVE
LONE STAR DR
W COMMERCE ST
IVANHOE LN
BRUNDRETT CT
HEARNE AVE
LONE STAR DR
ITHACA ST
N HAMPTON RD
PANORAMIC CIR
DALLAS FT WORTH ACRD
DALLAS FT WORTH
DALLAS FT WORTH SERV
DALLAS FT WORTH ACRD
DALLAS FT WORTH
DALLAS FT WORTH SERV
DALLAS FT WORTH RAMP
N HAMPTON RAMP
DALLAS FT WORTH
DALLAS FT WORTH
1:6,000
VICINITY MAP
Case no: Z145-329
Date: 9/29/2015

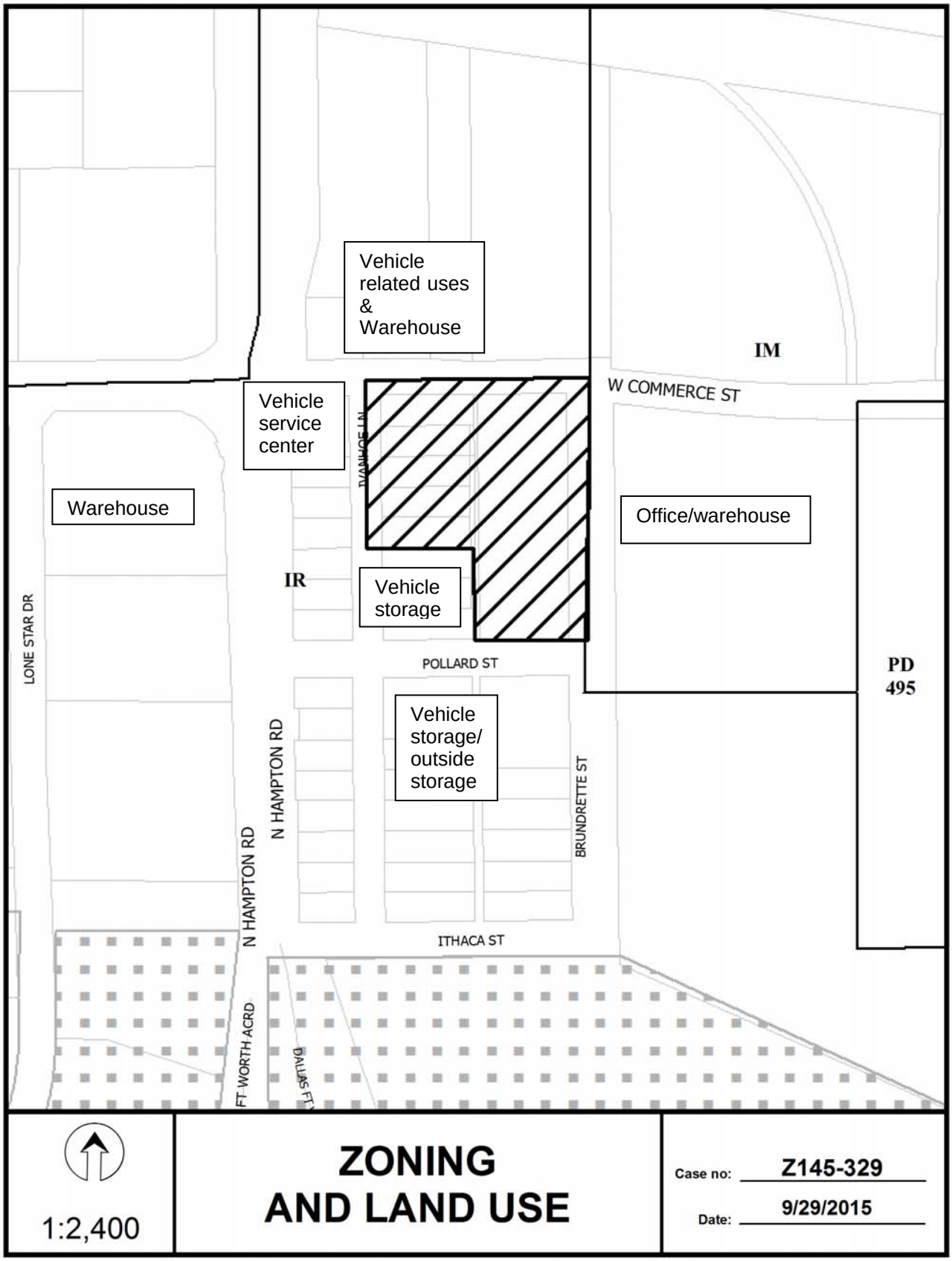


1:2,400

AERIAL MAP

Case no: Z145-329

Date: 9/29/2015


Vehicle related uses & Warehouse
IM
W COMMERCE ST
Vehicle service center
IVANHOE LN
Warehouse
Office/warehouse
IR
Vehicle storage
LONE STAR DR
POLLARD ST
PD 495
Vehicle storage/ outside storage
N HAMPTON RD
N HAMPTON RD
BRUNDRETTE ST
ITHACA ST
FT WORTH ACRD
DALLAS FT
1:2,400
ZONING AND LAND USE
Case no: Z145-329
Date: 9/29/2015

CPC RESPONSES



01/20/2016

Reply List of Property Owners

Z145-329

27 Property Owners Notified ***0 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2060	W COMMERCE ST	LISTOCON GROUP LLC
	2	2062	W COMMERCE ST	LISTOCON GROUP LLC
	3	10	IVANHOE LN	MILLER CHARLES GARY
	4	2202	IVANHOE LN	BUCCOLA ANTONIO EST
	5	2210	IVANHOE LN	MILSAP VALORIE TRUSTEE
	6	2000	LONE STAR DR	5323 TEX OAK LLC
	7	1900	LONE STAR DR	6 BROTHERS REALTY LTD
X	8	2055	W COMMERCE ST	DALLAS HOUSING AUTHORITY
	9	2077	W COMMERCE ST	RIVERA DAVID
	10	2102	IVANHOE LN	ABUSAADA LUAY
	11	2106	IVANHOE LN	RODRIGUEZ JORGE &
	12	2015	BRUNDRETTE ST	NAVA ALFONSO &
	13	2003	BRUNDRETTE ST	SMITHKIRKLEY LILLIAN &
	14	1912	IVANHOE LN	MARTINEZ JORGE
	15	2002	IVANHOE LN	DALLAS INDIAN REVIVAL CENTER
	16	2006	IVANHOE LN	DALLAS INDIAN REVIVAL
	17	2010	IVANHOE LN	DALLAS INDIAN REVIVAL CTR
	18	2015	IVANHOE LN	MARTINEZ RUDOLFO
	19	2007	IVANHOE LN	WHITE ESTHER MRS ESTATE
	20	2003	IVANHOE LN	MANRRIQUEZ MAURA T EST OF
	21	2212	N HAMPTON RD	GARZA DAVID RAY
	22	2207	IVANHOE LN	SKY CUSTOM HOMES INC
	23	2111	IVANHOE LN	ROUSE GERTRUDE
	24	2103	IVANHOE LN	ALEJANDRE PEDRO & ELSA G
	25	2041	W COMMERCE ST	HUFFHINES PHILLIP A
	26	2151	W COMMERCE ST	RIDGEWAY MAILING CO INC

01/20/2016

Reply	*Label #*	*Address*		*Owner*
X	27	2030	W COMMERCE ST	JORGENSEN EARLE M CO

AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 104 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street
Recommendation of Staff and CPC: Approval, subject to pavement width exhibit and conditions
Z156-166(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: RYAN S. EVANS

FILE NUMBER: Z156-166(WE) **DATE FILED:** December 16, 2015

LOCATION: Northwest line of Hawthorne Avenue between Production Drive and Afton Street

COUNCIL DISTRICT: 2 **MAPSCO:** 34Y

SIZE OF REQUEST: Approx. 5.509 acres **CENSUS TRACT:** 4.01

APPLICANT / OWNER: Texas in Town Homes, LLC

REPRESENTATIVE: Audra Buckley – Permitted Development

REQUEST: An application for an amendment to Planned Development Subdistrict No. 104 within Planned Development District No. 193, the Oak Lawn Special Purpose District

SUMMARY: The purpose of this request is to amend Planned Development Subdistrict No. 104 conditions to reflect a change in the standard pavement width on a portion of Hawthorne Avenue and Bengal Street. Planned Development District No. 193 requires that a residential subdistrict other than an MF-1 and MF-2 Subdistrict, have a pavement width of 26 feet and a right-of-width of 50 feet. The applicant is proposing to reduce the pavement width along a portion of Hawthorne Avenue and Bengal Street (a new street) from 26 feet to 20 feet to allow for on-street parking. There are no changes to the right-of-width of 50 feet on Hawthorne Avenue. The right-of-width on Bengal Street varies between 50 feet and 56 feet. In addition, there are minor changes to the landscape conditions. These changes will allow the entire development to be considered as one lot, allow the planting of street trees within 12 months of issuance of the first construction permit for Phase I and permit the landscaping to be planted in phases.

CPC RECOMMENDATION: **Approval**, subject to pavement width exhibit and conditions

STAFF RECOMMENDATION: **Approval**, subject to pavement width exhibit and conditions

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommendation for approval is based upon:

1. *Performance impacts upon surrounding property* – The amendment to conditions to permit the reduction of the pavement width on a portion of Hawthorne Avenue and Bengal Street will not impact the surrounding properties.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system. The portion of Hawthorne Avenue where the reduction of pavement width will occur is adjacent to an elementary school. The location of the on-street parking will not affect access to the school. Access to the school is located on Lucas Drive. In addition, a new north-south street (Bengal Street) will be an internal street to the proposed single family development

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in an Urban Mixed-Use Building Block and is in compliance with the *forwardDallas! Comprehensive Plan.*

BACKGROUND INFROMATION:

- On December 3, 2015, the City Plan Commission approved a waiver of the two-year waiting period. The approval of the waiver of the two-year waiting period permitted the applicant to submit an application for a zoning case on the request site.

Zoning History: There have been two recent Board of Adjustment cases and one zoning case in the area within the last five years.

1. **BDA101-011** On May 17, 2011, the Board of Adjustment granted a variance of 15 feet to the front yard setback on 2201 Kings Road.

2. **BDA101-040** On May 17, 2011, the Board of Adjustment granted a variance of 15 feet to the front yard setback regulations at 4701 Bengal Street.

3. **Z123-135** - On March 26, 2014, the City Council approved Planned Development Subdistrict No. 104 for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Hawthorne Avenue	Local Street	50 ft.	50 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Comprehensive Plan: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in an Urban Mixed-Use Building Block. The request site is consistent with the Urban Mixed-Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE:

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The single family development will be landscaped in accordance with Part I of PDS No. 193 landscape regulations. The additional language that is proposed in the conditions will comply with objective #7 and will clarify how the landscaping will be planted within the proposed single family development. The attached exhibit that shows the reduction in the pavement width on Hawthorne Avenue and Bengal Street will not impact the street right-of-way and pedestrian walkability along the streets.

Land Use Compatibility:

	Zoning	Land Use
Site	PDS No. 104	Undeveloped
Northeast	MF-2 w/in PDS No. 193	Single Family
Southeast	PDS No. 28 w/in PDD No. 193	Elementary School
Northwest	IR	Industrial
Southwest	IR	Industrial, Warehouses

The 5.509 acre site is undeveloped and is adjacent to a floodplain which flows along the northwestern and southwestern property lines. The surrounding land uses consist of primarily residential uses; however, there is an elementary school that is southeast of the site, across Hawthorne Avenue and industrial type uses (e.g., warehouse uses) to the southwest, across Production Drive.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDS No. 104 single family	0'	0'/0'	Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	58'	90%		Multifamily, duplex, single family

Landscaping: Landscaping of any development will be in accordance with Part I landscaping requirements in PDD No. 193. Additional language (underlined text) has been inserted in the landscaping provisions to clarify landscaping the proposed single family development.

1. The entire development will be considered as one lot;

2. The planting of street trees will be within 1.5 and 4 feet from the back of the projected street curb and must be planted within 12 months of issuance of the first construction permit for each phase I; and

3. Landscaping may be completed in phases. Each phase for completion must be indicated on a landscape plan submitted with the construction documents. All landscaping in a phase must be complete prior to final inspection of the last structure built in that phase.

The arborist has met with the representative and supports the additional language to the landscaping provisions. The additional language will allow the developer to phase the landscaping within the single family development. If the language was not included the developer will be required to landscape the entire development when a single family building permit is issued.

CPC Action (March 17, 2016)

Motion: In considering an application for an amendment to Planned Development Subdistrict No. 104 within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue, between Production Drive and Afton Street, it was moved to **hold** this case under advisement until April 21, 2016.

Maker: Emmons
Second: Houston
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Peadon
Vacancy: 0

Notices: Area: 500 Mailed: 77
Replies: For: 3 Against: 0

Speakers: For: None
For (Did not speak): Robert Jory, 2313 Hawthorne Ave., Dallas, TX, 75219
Against: Michael Milliken, 3532 Cedarplaza Ln., Dallas, TX, 75209

CPC Action (April 21, 2016)

Motion: It was moved to recommend **approval** of an amendment to Planned Development Subdistrict No. 104, subject to pavement width exhibit and conditions within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue, between Production Drive and Afton Street.

Maker: Ridley
Second: Murphy
Result: Carried: 14 to 0

For: 14 - Anglin, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney*, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 2

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 77
Replies: For: 4 Against: 0

Speakers: For: Audra Buckley, 416 S. Ervay St., Dallas, TX, 75201
Against: None

LIST OF OFFICERS
Texas in Townhomes, LLC

- Frank M. K. Liu, Manager
- Ming Liu, Manager
- Helen Ghozali, Manager

CPC PROPOSED PDS CONDITIONS

Division S-104. PD Subdistrict 104.

SEC. S-104.101. LEGISLATIVE HISTORY.

PD Subdistrict 104 was established by Ordinance No. 29298, passed by the Dallas City Council on March 26, 2014.

SEC. S-104.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 104 is established on property generally located at the north corner of Hawthorne Avenue and Production Drive. The size of PD Subdistrict 104 is approximately 5.509 acres.

SEC. S-104.103. PURPOSE.

The general objectives of this division are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment by encouraging the development of residential structures in an urban context.

(3) To encourage a mix in the design of residential structures.

(4) To promote landscape/streetscape quality and appearance.

(5) To provide visual buffering and enhance the beautification of the city.

(6) To safeguard and enhance property values and to protect public and private investment.

(7) To conserve energy.

SEC. S-104.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division:

(1) COLORED CONCRETE means concrete with one or more pigments added to it.

(2) RESIDENTIAL DEVELOPMENT TRACT means a development of three or more individually platted lots in which the dwelling units, whether attached or detached, are accessed from a shared driveway, and the dwelling units do not have any other dwelling units above or below them.

(3) SUBDISTRICT means a subdistrict of PD 193.

(4) TYPE A UNIT means a unit that has a two-car garage.

(5) TYPE B UNIT means a unit that has a one-car garage.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this division are articles, divisions, or sections in Chapter 51.

(c) This subdistrict is considered to be a residential zoning district.

SEC. S-104.105. EXHIBIT.

The following exhibit is incorporated into this division:

Exhibit S-104A: conceptual plan.

Exhibit S-104B: pavement width.

SEC. S-104.106. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit S-104A). If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

SEC. S-104.107. DEVELOPMENT PLAN.

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For property developed as a residential development tract, a final plat may serve as a development plan.

SEC. S-104.108. HOMEOWNER'S ASSOCIATION.

Prior to final plat approval, the owner of the Property must execute an instrument creating a homeowner's association for the maintenance of common areas, screening walls, landscape areas (including right-of-way landscaping areas), and for other

functions. This instrument must be approved as to form by the city attorney and filed in the Dallas County deed records.

SEC. S-104.109. MAIN USES PERMITTED.

The following uses are the only main uses permitted in this subdistrict:

-- Handicapped group dwelling unit.

-- Local utilities. -- Private recreation club or area.

-- Single-family.

-- Temporary construction or sales office.

SEC. S-104.110. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P- 193.108.

(b) The following accessory use is permitted by right:

-- Community center (private).

SEC. S-104.111. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) Front yard. No minimum front yard.

(b) Side and rear yard. No minimum side or rear yard.

(c) Density.

(1) Maximum number of dwelling units is 118.

(2) At least 80 percent of the total units must be Type A units.

(3) No more than 20 percent of the total units may be Type B units.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height. Maximum structure height is 58 feet. Rooftop projections, trellis projections, and other architectural features may exceed this height by 12 feet.

(f) Projections into the right-of-way.

(1) Windows, sills, belt courses, cornices, or other architectural features may project no more than 12 inches into the right-of-way subject to a license for use of the public right-of-way.

(2) Cantilevered roof eaves, steps, stoops, and balconies may project no more than three feet in the right-of-way subject to a license for use of the public right-of-way.

(g) Lot coverage.

(1) Maximum lot coverage is 90 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) For purposes of lot coverage, the entire subdistrict is considered a single lot.

(h) Lot size: No minimum lot size.

(i) Stories. No maximum number of stories.

SEC. S-104.112. OFF-STREET PARKING AND LOADING.

(a) In general. 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) Private recreation club or area. No off-street parking is required.

(c) Single-family.

(1) Type A units. Two off-street parking spaces are required per unit.

(2) Type B units. One off-street parking space is required per unit.

(3) Guest parking.

(A) 0.25 unassigned parking spaces must be provided per dwelling unit for use by guests.

(B) Parking spaces that cross lot lines may be counted toward required guest parking.

(d) Accessory uses.

(1) No parking is required for accessory uses, if the accessory use is used principally by residents.

(2) No off-street parking is required for a community center (private).

(e) Parking space dimensions. Parking spaces must be a minimum of 18 feet long by eight feet wide.

SEC. S-104.113. ON-STREET PARKING REDUCTION.

Except as provided in this section, any on-street parking spaces may be counted as a reduction in the guest parking requirement of the adjacent residential development tract.

(a) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(b) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one third of a parking space (8 ÷ 24 = one-third). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

SEC. S-104.114. RESIDENTIAL DEVELOPMENT TRACT.

(a) Except as provided in this division, residential development tracts must comply with Part I of this article.

(b) Access drives must be provided as shown on the conceptual plan.

(c) 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.

(d) The minimum visibility triangle where access drives intersect is 10 feet by 10 feet.

(e) A maximum of 118 single-family lots may be platted.

(f) A minimum of 10 feet must be provided by plat between each group of eight single-family structures.

(g) Each dwelling unit must be located on a separate lot.

(h) Lots may have frontage on two opposite sides.

(i) The entire district is considered a single residential development tract for landscaping purposes.

(j) The minimum payment width on Hawthorne Avenue and Bengal Street is 20 feet and a minimum right-of-way width of 50 feet.

SEC. S-104.115. PARAPET WALL.

(a) Parapet walls are required on all dwelling units.

(b) On all dwelling units adjacent to the eastern property line, a parapet wall located on a rooftop deck must be four feet tall and opaque.

SEC. S-104.116. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI

SEC. S-104.117. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) Street trees.

(1) Street trees must be planted at one tree for each 30 linear feet of frontage along the perimeter of the Property, exclusive of visibility triangles and points of ingress and egress.

(2) Each street tree must have a minimum caliper of four inches when planted.

(3) Tree branches must not hang lower than 13.5 feet above the street or sidewalk pavement.

(4) On Hawthorne Avenue, all street trees must be planted within a four-foot-wide planting area that is adjacent to the curb and planted within 1.5 and 4 feet from the back of the projected street curb.

(5) All street trees along Bengal Street and Hawthorne Avenue must be planted within 12 months of issuance of the first construction permit for each phase.

(c) Shrubs. Any shrubs provided must be at least 18 inches in height and may be planted in a planter or a metal or concrete pot.

(d) Open space easements. Trees, shrubs, water features, benches, mailboxes, and other amenities may be provided in open space easements provided by plat.

(e) Sidewalks.

(1) The minimum sidewalk width along Hawthorne Avenue is five feet.

(2) The minimum sidewalk width along Bengal Street is 10 feet. At least 7.5 feet in width must be unobstructed by any structure or planting.

(3) Interior sidewalks are optional, but if provided must be a minimum of three feet wide.

(4) Sidewalks may be constructed of concrete, colored concrete, or pavers.

(5) Sidewalks may be located within floodway management areas, provided that permeable materials are used.

(f) Phasing. Landscaping may be completed in phases. Each phase for completion must be indicated on a landscape plan submitted with the construction documents. All landscaping in a phase must be complete prior to final inspection of the last structure built in that phase.

(g) Maintenance. Plant material must be maintained in a healthy, growing condition.

SEC. S-104.118. URBAN DESIGN CONSIDERATIONS.

(a) Building materials. A minimum of 40 percent of total building facade area, excluding openings, must incorporate stone, brick, or a combination of those materials. Cement fiberboard siding may be used on all facades.

(b) Drive-through porte-cocheres. Drive-through porte-cocheres may be located across shared drives and must have a minimum height of 18 feet.

(c) Outdoor lighting.

(1) Along Bengal Street and Hawthorne Avenue, light poles must be located a minimum of 50 feet and a maximum of 100 feet on center with a minimum luminance of one foot-candle at the mid-point between fixtures.

(2) Outdoor light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(3) Light fixtures must be attached to buildings or mounted on permanent poles at a maximum height of 20 feet.

(4) Light fixtures may be located on adjoining property or within the public right-of-way subject to a license for use of the public right-of-way.

(5) Pedestrian areas must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.

(d) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth may be provided for all trees planted within a public sidewalk, but are not required.

(e) Fencing.

(1) Solid fencing is allowed.

(2) Wrought iron fencing with or without gates is permitted between buildings along the perimeter of the subdistrict.

(3) Maximum fence height is eight feet.

(f) Pavement markings. Pedestrian crosswalks across ingress and egress driveways and interior drives or streets must be clearly marked in a consistent manner by colored concrete or patterned or stamped concrete.

(g) Common areas. Mailboxes, water features, pools, pool houses, and accessory structures are allowed in common areas.

(h) Translucent windows. Translucent glass must be used on any windows located on the first two stories of any dwelling units that are adjacent to single-family units on Afton Street.

(i) Dumpsters. Dumpsters are prohibited.

SEC. S-104.119. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. S-104.120. 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.

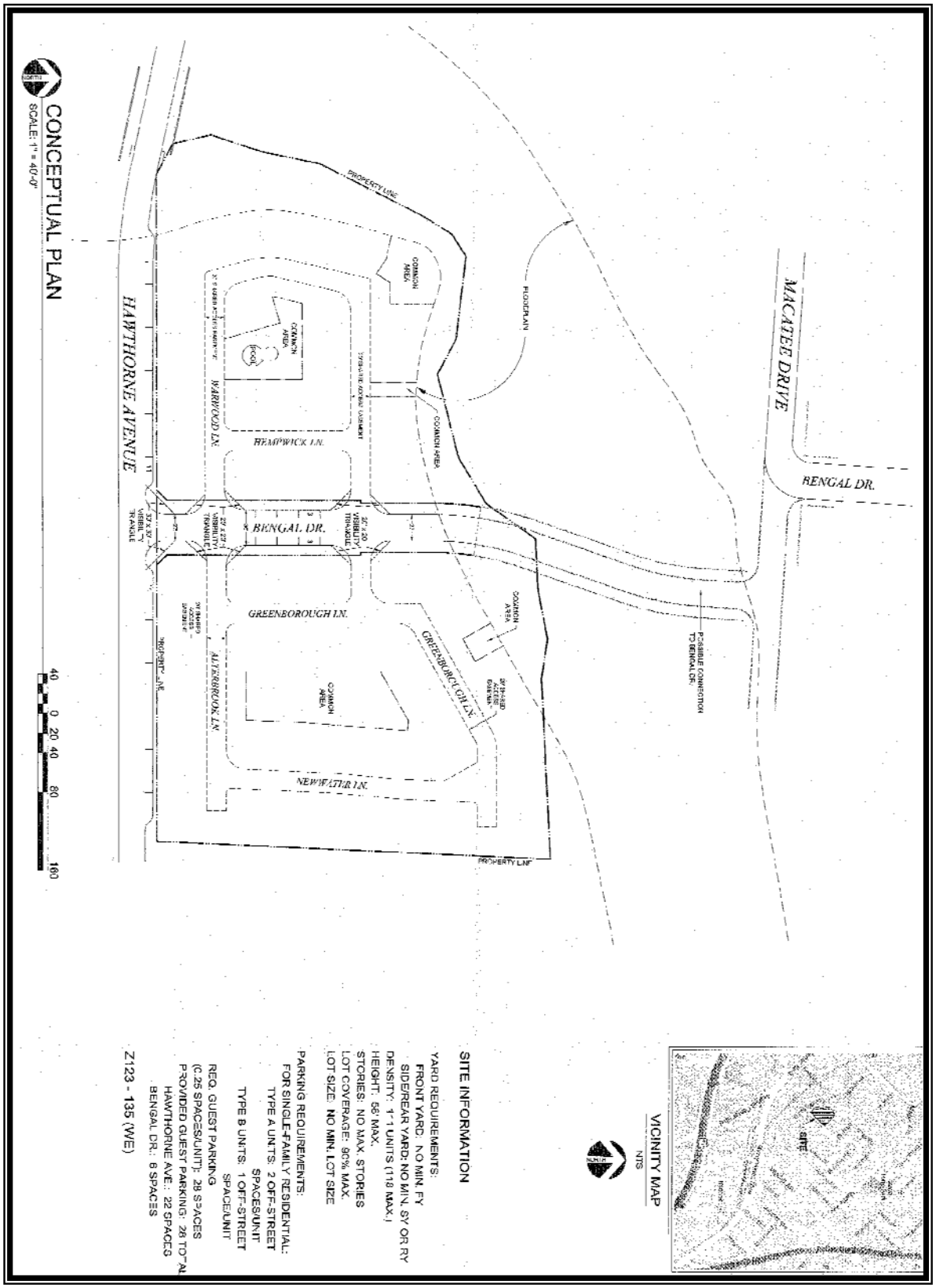
(c) Development and use of the Property must comply with Part I of this Article.

SEC. S-104.121. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

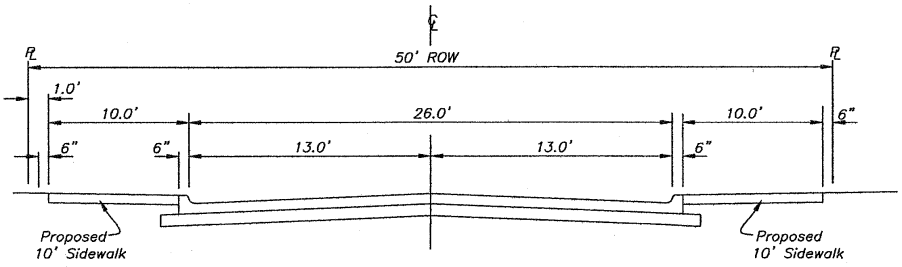
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

CONCEPTUAL PLAN
Approved March 26, 2014

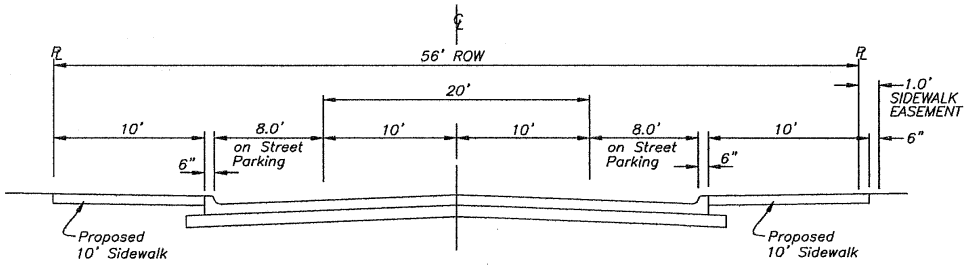


PROPOSED PAVEMENT WIDTH EXHIBIT

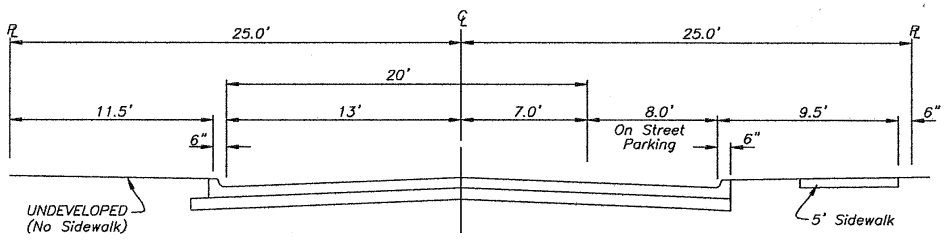
EXHIBIT PDS 104 STREET SECTIONS



BENGAL TYPICAL STREET SECTION
STA. 2+31.50 to 3+05.25
(Phase One)
(NO SCALE)

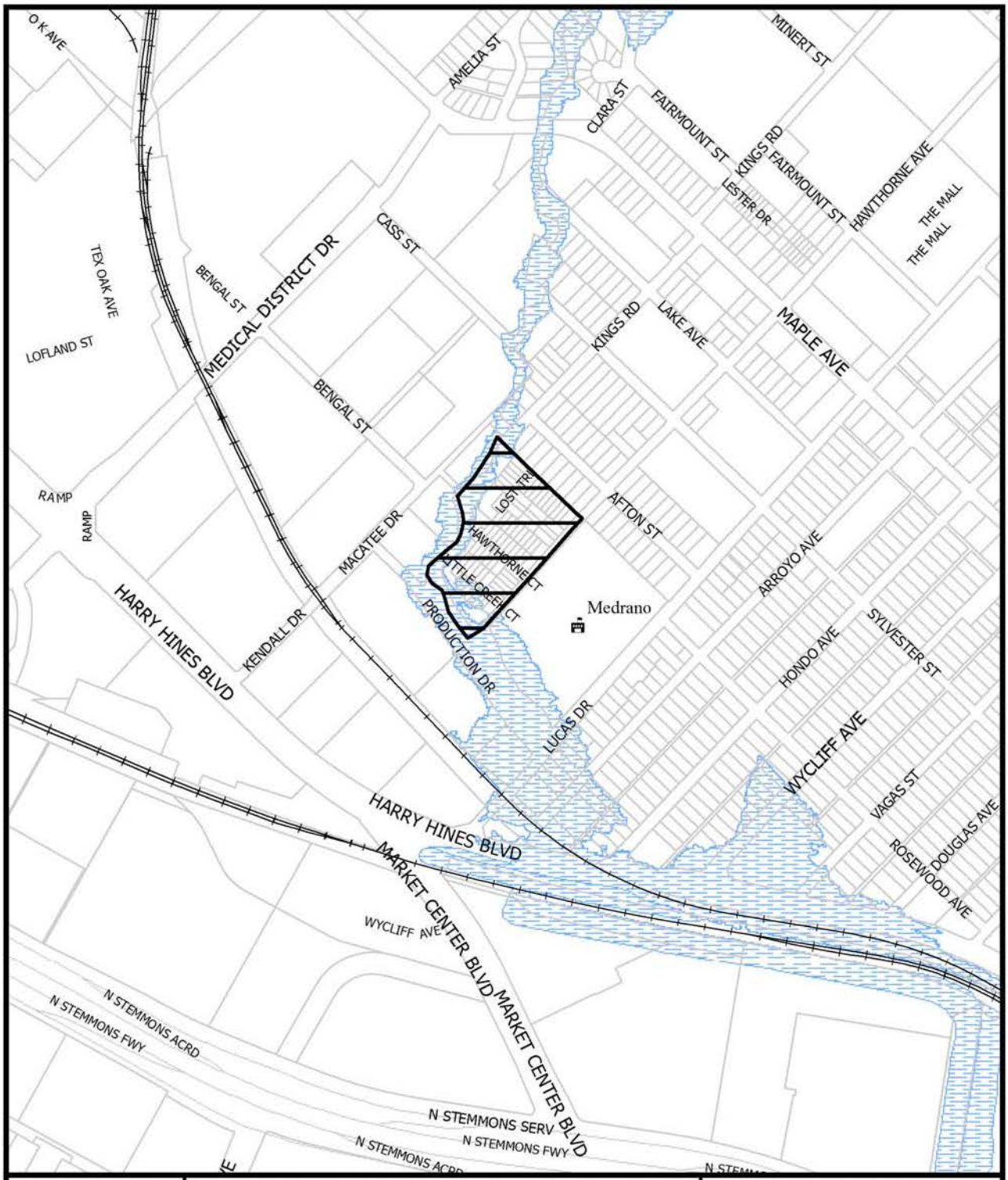


BENGAL TYPICAL STREET SECTION
STA. 0+00 to 2+31.50
(Phase One)
(NO SCALE)



HAWTHORNE TYPICAL STREET SECTION
(NO SCALE)

S145-061



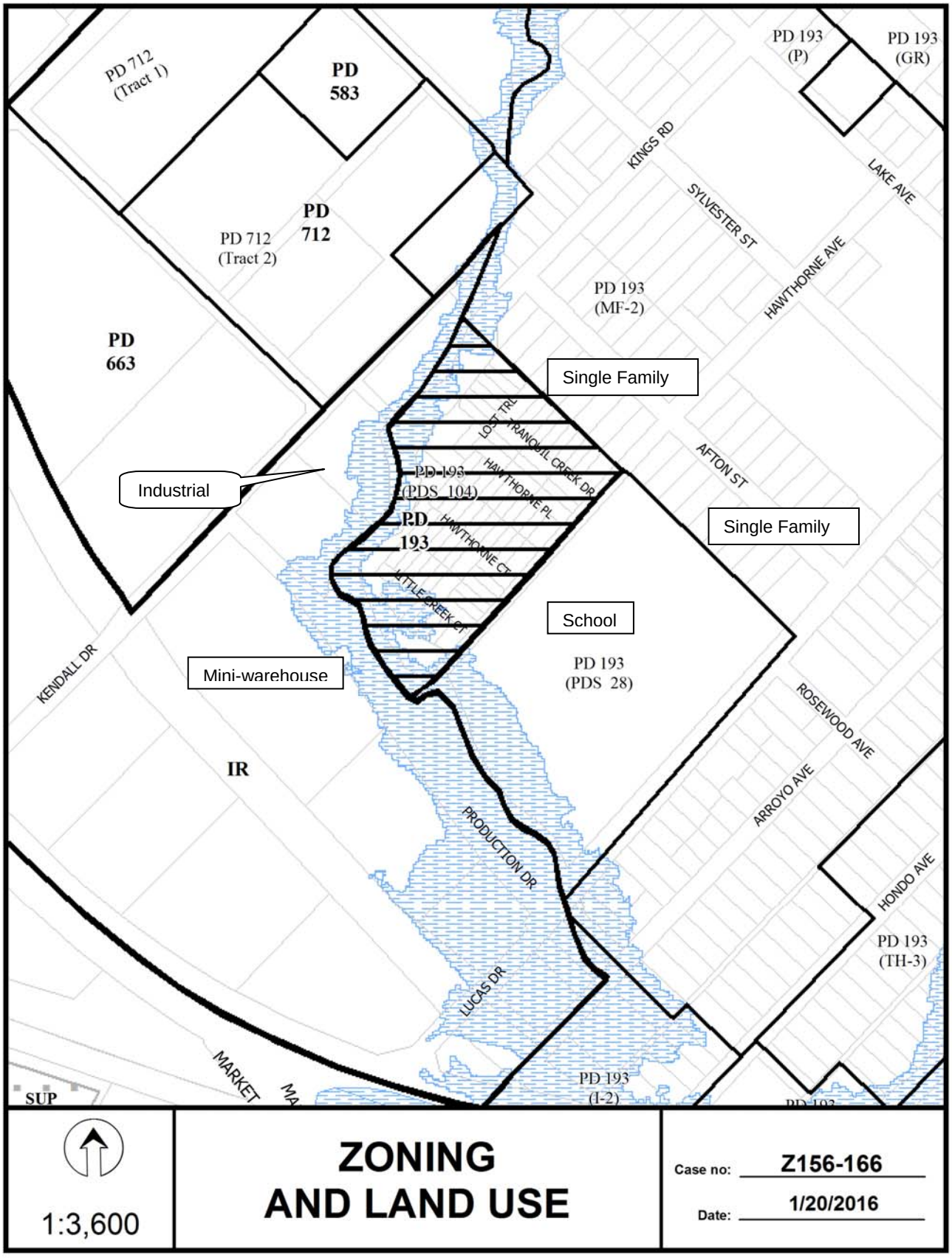
1:7,200

VICINITY MAP

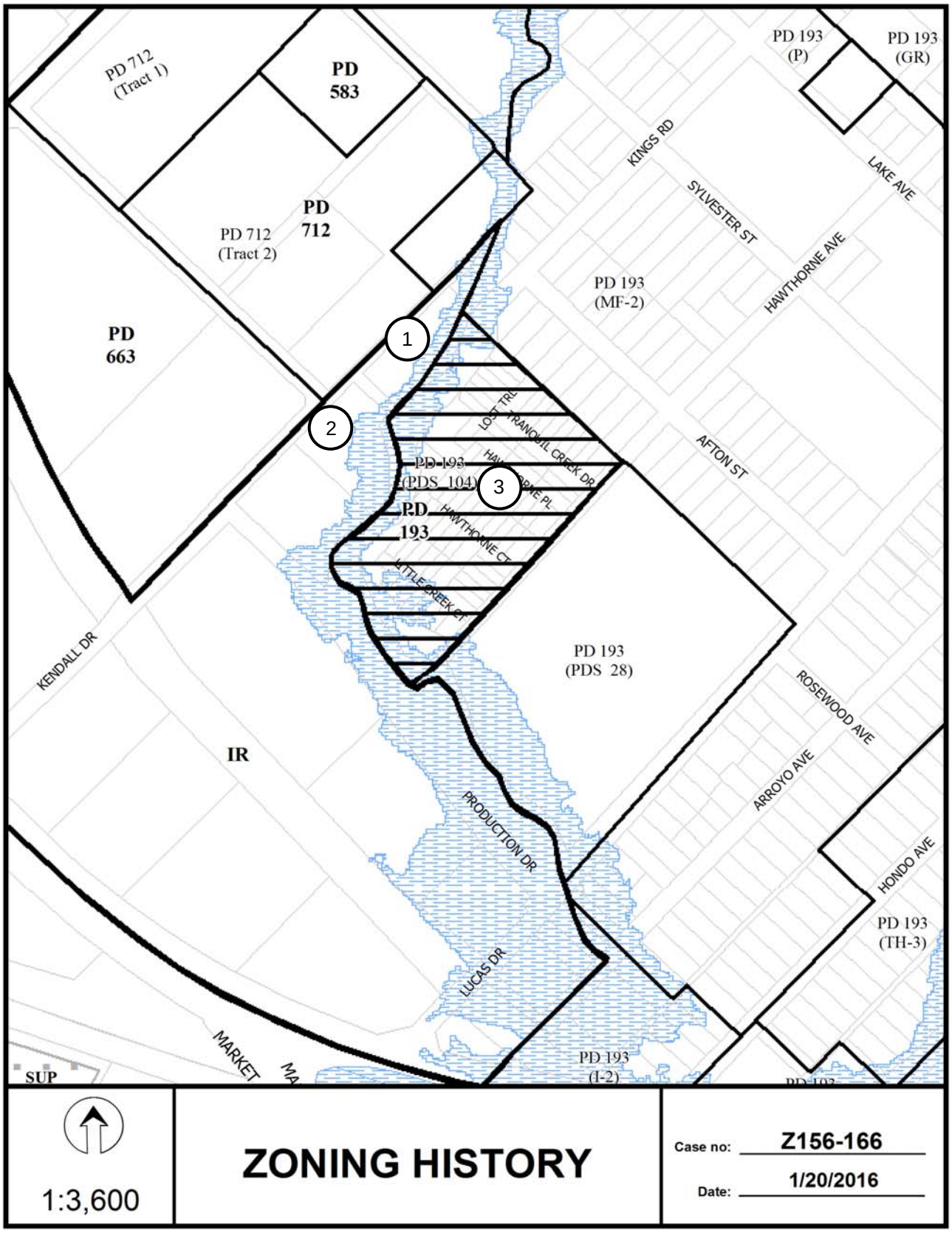
Case no: Z156-166

Date: 1/20/2016

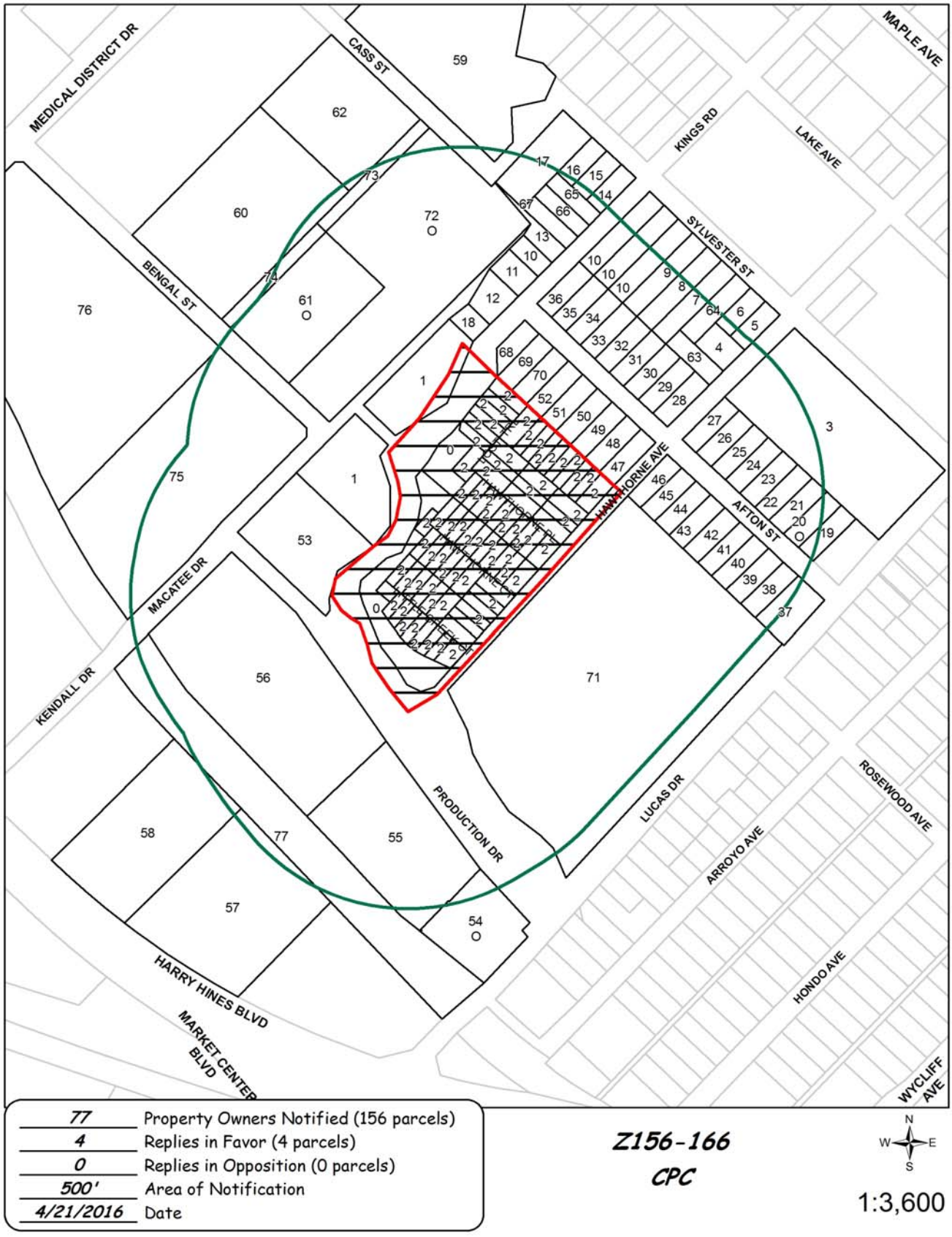

CASS ST
KINGS RD
LAKE AVE
SYLVESTER ST
HAWTHORNE AVE
BENGAL ST
MACATEE DR
TRANQUIL CREEK DR
HAWTHORNE PL
HAWTHORNE CT
LITTLE CREEK CT
AFTON ST
KENDALL DR
PRODUCTION DR
LUCAS DR
ARROYO AVE
ROSEWOOD AVE
HONDO AVE
MARKET
1:3,600
AERIAL MAP
Case no: Z156-166
Date: 1/20/2016


PD 712 (Tract 1)
PD 583
PD 712 (Tract 2)
PD 712
PD 663
PD 193 (P)
PD 193 (GR)
KINGS RD
LAKE AVE
SYLVESTER ST
HAWTHORNE AVE
PD 193 (MF-2)
Single Family
LOST TRL
TRANQUIL CREEK DR
AFTON ST
Industrial
PD 193 (PDS 104)
HAWTHORNE PL
PD 193
HAWTHORNE CT
Single Family
LITTLE CREEK CT
School
KENDALL DR
Mini-warehouse
PD 193 (PDS 28)
ROSEWOOD AVE
IR
ARROYO AVE
PRODUCTION DR
HONDO AVE
PD 193 (TH-3)
LUCAS DR
MARKET
SUP
PD 193 (I-2)
1:3,600
ZONING AND LAND USE
Case no: Z156-166
Date: 1/20/2016

2


PD 712
(Tract 1)
PD
583
PD 712
(Tract 2)
PD
712
PD
663
PD 193
(P)
PD 193
(GR)
KINGS RD
LAKE AVE
SYLVESTER ST
HAWTHORNE AVE
PD 193
(MF-2)
1
2
3
LOT TRL
TRANQUIL CREEK DR
AFTON ST
PD 193
(PDS 104)
PD
193
HAWTHORNE CT
LITTLE CREEK CT
KENDALL DR
PD 193
(PDS 28)
ROSEWOOD AVE
IR
ARROYO AVE
PRODUCTION DR
HONDO AVE
PD 193
(TH-3)
LUCAS DR
MARKET
SUP
PD 193
(I-2)
1:3,600
ZONING HISTORY
Case no: Z156-166
Date: 1/20/2016

CPC RESPONSES



Notification List of Property Owners

Z156-166

77 Property Owners Notified 4 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
	1	2201	KINGS RD	CRASH INC
	2	2201	LOST TRL	TEXAS INTOWNHOMES LLC
	3	4525	SYLVESTER ST	TUNG CHYUAN INV INC
	4	2319	HAWTHORNE AVE	DELGADO SALVADOR & DINA
	5	4601	SYLVESTER ST	EBERLE RYAN
	6	4607	SYLVESTER ST	LOEZA CRISTINA
	7	4615	SYLVESTER ST	GARCIA BRENDA S & JOSE J
	8	4619	SYLVESTER ST	GANDARA AURELIANO &
	9	4623	SYLVESTER ST	HOLGUIN FERNANDO &
	10	4625	SYLVESTER ST	KEMP JACK R
	11	2330	KINGS RD	STEIN ALEX
	12	2251	KINGS RD	SINGER ARTURO
	13	2324	KINGS RD	SANCHEZ MARIA
	14	4703	SYLVESTER ST	CARRILLO CIRILO ESTATE OF
	15	4707	SYLVESTER ST	SEPULVEDA JAMES L &
	16	4711	SYLVESTER ST	BARRIOS JOSE LUIS &
	17	4719	SYLVESTER ST	HOLGUIN LOUIS
	18	2200	KINGS RD	ODONNELL AUDREY L
	19	4508	AFTON ST	AGUINAGA JOSE A & ALICIA
O	20	4514	AFTON ST	DAO CUONG P & QUYEN T VO
	21	4518	AFTON ST	MARTINEZ MARIA CARMEN
	22	4522	AFTON ST	HERNANDEZ EPIFANIO
	23	4526	AFTON ST	CORTEZ ANGEL &
	24	4530	AFTON ST	NGUYEN HOANG
	25	4534	AFTON ST	LE HOA THI XUAN
	26	4538	AFTON ST	MANUEL NICOLASA PINEDA

04/20/2016

Reply	*Label #*		*Address*	*Owner*
	27	4542	AFTON ST	MEDRANO PROPERTIES LLC
	28	4600	AFTON ST	GALINDO XOCHILT
	29	4606	AFTON ST	RAMIREZ JOSE &
	30	4610	AFTON ST	MEDINA ADAN V &
	31	4614	AFTON ST	VO HUONG THANH
	32	4618	AFTON ST	DINH MY HOANG
	33	4622	AFTON ST	LE MINH HOANG
	34	4624	AFTON ST	LE KY VAN &
	35	4630	AFTON ST	NGUYEN THANH PHONG
	36	4634	AFTON ST	KEMP JACK
	37	4501	AFTON ST	MH RESIDENTIAL PPTIES 3 LLC
	38	4511	AFTON ST	CHAU DIEM
	39	4515	AFTON ST	URBINA CELIA
	40	4519	AFTON ST	PEREZ JENNIFER
	41	4523	AFTON ST	YOHANNES KIDUS
	42	4527	AFTON ST	RODRIGUEZ JUAN P
	43	4531	AFTON ST	ZUNIGA ANTONIO JUAN
	44	4533	AFTON ST	BADR NADER
	45	4535	AFTON ST	WANG MARK
	46	4543	AFTON ST	MANUEL CLEMENTE
	47	4601	AFTON ST	DICKERSON DOROTHY
	48	4607	AFTON ST	GALINDO JOSE H & ROSA
	49	4611	AFTON ST	PEREZ DENISE
	50	4615	AFTON ST	FRANCISCO TOMAS
	51	4619	AFTON ST	CAO TRANG THI
	52	4623	AFTON ST	NGUYEN VAN NGOC
	53	4699	PRODUCTION DR	RUPLEY HELEN GAIL
O	54	2023	LUCAS DR	WALRAVEN A T III &
	55	4525	PRODUCTION DR	PRODUCTION PPTY PTNR LLC
	56	4641	PRODUCTION DR	GREENWAY 4641 PRODUCTION
	57	4600	HARRY HINES BLVD	UNIVERSITY OF TEXAS

04/20/2016

Reply	*Label #*		*Address*	*Owner*
	58	4640	HARRY HINES BLVD	SOVRAN ACQUISITION LTD PS
	59	4714	CASS ST	KALOGRIDIS REAL EST LTD
	60	4814	BENGAL ST	TCF INTERESTS PARTNERSHIP
O	61	4722	BENGAL ST	FOSTER M POOLE JR
	62	4815	CASS ST	UNION GOSPEL MISSION
	63	2313	HAWTHORNE AVE	JORY ROBERT
	64	4611	SYLVESTER ST	GUZMAN JOSE GUADALUPE
	65	2359	KINGS RD	BOUNNHING SAY
	66	2355	KINGS RD	GOMEZ ELPIDIA
	67	2351	KINGS RD	LARA OLGA L
	68	4637	AFTON ST	NGUYEN DIEM TRANG HOANG
	69	4633	AFTON ST	NGO HUNG VI &
	70	4629	AFTON ST	PHAM MAILAN
	71	2221	LUCAS DR	Dallas ISD
O	72	4700	BENGAL ST	TCF INTERESTS PARTNERSHIP LTD
	73	4816	BENGAL ST	TCF INTERESTS PS LTD
	74	4816	BENGAL ST	POOLE FOSTER M JR
	75	4707	BENGAL ST	RONALD MCDONALD HOUSE OF
	76	2140	MEDICAL DISTRICT DR	AERC 2140 MEDICAL DISTRICT LLC
	77	555	2ND AVE	DART

AGENDA ITEM # 68

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 70 J; K; N; P

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 512 on the south corner of Woody Road and Seagoville Road
Recommendation of Staff and CPC: Approval, subject to a revised development plan, revised traffic management plan, and conditions
Z156-196(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, MAY 25, 2016**

ACM: RYAN S. EVANS

FILE NUMBER: Z156-196(WE) **DATE FILED:** February 3, 2016

LOCATION: South corner of Woody Road and Seagoville Road

COUNCIL DISTRICT: 8 **MAPSCO:** 70 J, K, N, P

SIZE OF REQUEST: Approx. 100.05 acres **CENSUS TRACT:** 170.04

APPLICANT / OWNER: Dallas I.S.D.

REPRESENTATIVE: Karl Crawley, MASTERPLAN

REQUEST: An application for an amendment to Planned Development District No. 512.

SUMMARY: The purpose of this request is to allow for an expansion of the existing high school [Seagoville High School]. The expansion will consist of constructing a 21,500 square foot building with 12 additional classrooms. The applicant is also requesting a 26 percent reduction in the parking spaces required for Seagoville High School. The request is based on previous and estimated student parking passes that were issued from 2013 through 2016.

CPC RECOMMENDATION: **Approval**, subject to a revised development plan, revised traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan, revised traffic management plan, and conditions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

1. *Performance impacts upon surrounding property* – The internal improvements to the campus should not have an impact on the surrounding properties.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system.

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Residential Building Block. The request is in compliance with the Comprehensive Plan.

BACKGROUND INFORMATION:

- The site is developed with a middle school and high school along with various support areas consistent with DISD campuses.

- In June 2011, the City Plan Commission approved a minor amendment to the development plan for PDD No. 512 to provide for relocation of a previously approved expansion area.

- On June 24, 1998, the City Council approved the creation of PDD No. 512. On October 24, 2001, the City Council approved an amendment providing for the youth and family center and specific landscape requirements for this use.

Zoning History: There have not been any zoning changes in the surrounding area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Seagoville Road	Minor Arterial	80 ft.	80 ft.
Woody Road	Residential Collector	60 ft.	60 ft.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

STAFF ANALYSIS:

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being in a Residential Building Block. The proposed development is in compliance with the *forwardDallas! Comprehensive Plan.*

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

Land Use:

	Zoning	Land Use
Site	PDD No. 512	School
Northeast	R-1/2ac(A), CR-D-1	Single Family, Retail
Southeast	CR-D-1, A(A) City of Seagoville	Retail, Church, Undeveloped, Single Family
Southwest	R-7.5(A)	Undeveloped
Northwest	R-10(A), NS(A)	Single Family, Church

Land Use Compatibility:

The 100-acre site is developed with a middle and high school. The school campus is surrounded by predominately residential uses, but there are several retail and institutional uses in the area. In addition, there is a large tract of undeveloped land that is located southwest of the site.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 512 - existing Public School	40'	10'	1 Dwelling Unit/ 1/2 Acre	36'	40%		Single family, school

Landscaping: Landscaping must be provided in accordance with Article X.

Parking: The requirement for off-street parking for the school is derived by the following criterion: 1) the number of classrooms, and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The total number of proposed classrooms determines the number of required parking spaces. The Dallas Development Code requirement for off-street parking for a school is as follows:

- nine and one-half spaces for each senior high school classroom;

The number of required off-street parking spaces for the school is 570 spaces. The total number of proposed classrooms determines the number of required parking spaces. The school is currently using 60 classrooms and has 419 off-street parking spaces constructed on campus. The 263 reduction in parking spaces will reflect the actual number of spaces that are on campus.

The following chart reflects the previous and estimated student parking passes that were issued from 2013 through 2016. Based on the data, the applicant is requesting to reduce the parking ratio from 9.5 spaces for each senior high school classroom to 6.8 spaces for each senior high school classroom. The new ratio will reflect the number of parking spaces that are located on campus. The development code requires a total of 570 spaces and the applicant is providing 419 spaces.

Seagoville High School Parking Analysis

		2013	2014	2015	2016
Student enrollment		1,330	1,335	1,338	1,350
Staff parking		110	110	110	110
Student parking passes issued		100	105	100	115
Parking spaces needed (incl. 25 visitors spaces)		235	240	235	255
PARKING REQUIREMENT					**Parking ratio**
Code requirement				570	9.5
Number of spaces provided				419	6.98

Based on the historical data reported, staff can support the reduction in the parking ratio to reflect the actual number of parking spaces that are located on campus.

The middle school, which is developed on the south corner of Seagoville Road and Woody Road, complies with the off-street parking regulations. The middle school requires 225 spaces and is providing 237 spaces. The number of off-street parking spaces is based on the number of classrooms. The middle school currently has 64 classrooms.

In addition, there are two separate development plans that govern the development of the middle school and high school. Each campus has a separate ingress and egress and traffic management plan.

CPC ACTION (April 21, 2016)

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 512, subject to a revised development plan, revised traffic management plan, and conditions on the south corner of Woody Road and Seagoville Road.

Maker: Haney
Second: Houston
Result: Carried: 14 to 0

For: 14 - Anglin, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy*, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 2

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 64
Replies: For: 1 Against: 3

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
For (Did not speak): Bryan Johnson, Address not given
Against: None

BOARD OF TRUSTEES
DISD

President	1st Vice President	2nd Vice President	Board Secretary
			
Eric Cowan District 7 *Term Expires 2016*	Miguel Solis District 8 *Term Expires 2017*	Lew Blackburn District 5 *Term Expires 2016*	Nancy Bingham District 4 *Term Expires 2016*

				
Edwin Flores District 1 *Term Expires 2018*	Vacant District 2 *Term Expires 2017*	Dan Micciche District 3 *Term Expires 2018*	Joyce Foreman District 6 *Term Expires 2017*	Bernadette Nutall District 9 *Term Expires 2018*

CPC PROPOSED PDD CONDITIONS

ARTICLE 512.

PD 512.

SEC. 51P-512.101. LEGISLATIVE HISTORY.

PD 512 was established by Ordinance No. 23560, passed by the Dallas City Council on June 24, 1998. Ordinance No. 23560 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23560 was amended by Ordinance No. 24754, passed by the Dallas City Council on October 24, 2001.

SEC. 51P-512.102. PROPERTY LOCATION AND SIZE.

PD 512 is established on property generally located at the south corner of Woody Road and Seagoville Road. The size of PD 512 is approximately 100.05 acres.

SEC. 51P-512.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, an accessory youth and family center means a multi-functional facility sponsored or operated by a school as part of the school use where a combination of social, recreational, welfare, health, habilitation, rehabilitation, counseling, educational referral, or out-patient medical, dental, or optical treatment services are provided to students and family members.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P-512.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 512A: development plan. (Middle school)

(2) Exhibit 512B: traffic management plan. (Middle school)

(3) Exhibit 512C: development plan. (High school)

(4) Exhibit 512D: traffic management plan. (High school)

SEC. 51P-512.104. DEVELOPMENT PLAN.

(a) For a public school use, development and use of the Property must comply with the development plan (Exhibit 512A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For all other permitted uses, Section 51A-4.702(c)(2) through Section 51A-4.702(i) regarding submission of and amendments to a site plan, a development plan, and a landscape plan, do not apply.

SEC. 51P-512.105. MAIN USES PERMITTED.

(a) Public school other than an open enrollment charter school.

(b) All other uses permitted in an R-1/2ac(A) Single Family District, subject to the same conditions applicable in the R-1/2ac(A) Single Family District, as set out in the Dallas Development Code. For example, a use permitted in the R-1/2ac(A) Single Family District by specific use permit (SUP) only is permitted in this PD by SUP only. A use subject to development impact review (DIR) in the R- 1/2ac(A) Single Family District is subject to DIR in this PD, etc.

SEC. 51P-512.106. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific 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.

(b) An accessory youth and family center is a permitted accessory use in this PD, but it is only permitted in the location shown on the development plan.

SEC. 51P-512.107. YARD, LOT, AND SPACE REGULATIONS.

(a) Except as provided in this section, the yard, lot, and space regulations of the R- 1/2ac(A) Single Family District in Section 51A-4.112(b)(4) apply to this PD.

(b) A minimum front yard setback of 20 feet is permitted for the existing accessory youth and family center and the zone of portable classrooms area fronting on Seagoville Road and the zone of portable classroom areas fronting on Woody Road, as shown on the development plan.

SEC. 51P-512.108. OFF-STREET PARKING.

(a) Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(b) High School parking ratio: 6.8 spaces for each senior high school classroom

SEC. 51P-512.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-512.110. LANDSCAPING.

(a) Except as provided below, landscaping must be provided in accordance with Article X. Plant material must be maintained in a healthy, growing condition. Prior to the issuance of a building permit, tree preservation criteria must be met as outlined in Article X.

[~~(b) Within 90 days after the issuance of a certificate of occupancy for the accessory youth and family center, a foundation planting strip must be provided along the entire western, northern, and eastern building facades, exclusive of doorways. The planting strip must consist of shrubs, with a minimum size of five gallons, planted a minimum of 30 inches on center.~~]

SEC. 51P-512.111. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII, except that one additional premise sign with a maximum effective area of 75 square feet and a maximum height of 25 feet may be located as shown on the development plan.

SEC. 51P-512.112. ACCESS.

Ingress and egress must be provided as shown on the development plan.

SEC. 51P-512.112.1 TRAFFIC MANAGEMENT PLAN.

(a) Operation of the [~~public school~~] Middle School must comply with the traffic management plan (Exhibit 512B).

(b) In general. Operation of a High School must comply with the traffic management plan (Exhibit 512C).

(c) Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(d) Traffic Study - High School

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **March 1, 2018**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by March 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

A. ingress and egress points;

B. queue lengths;

C. number and location of personnel assisting with loading and unloading of students;

D. drop-off and pick-up locations;

E. drop-off and pick-up hours for each grade level;

F. hours for each grade level; and

G. circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

A. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

B. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(e) Phase II. Before issuance of a building permit for Phase II, the Property owner or operator shall:

(A) submit additional data to the director showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation; and

(B) submit an amended traffic management plan.

(f) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-512.113. ADDITIONAL PROVISIONS.

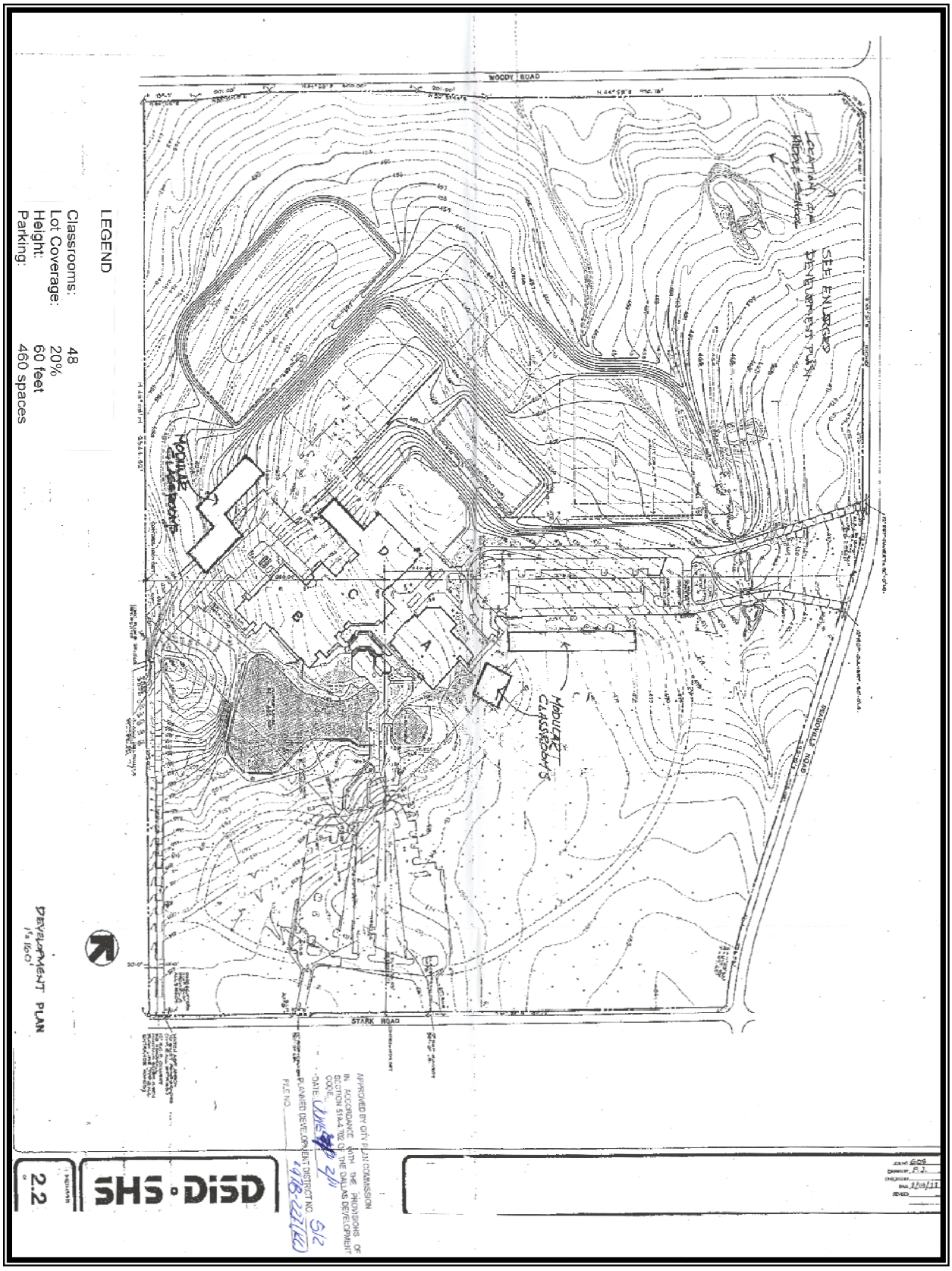
(a) The Property must be properly maintained in a state of good repair and neat appearance. (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-512.114. COMPLIANCE WITH CONDITIONS.

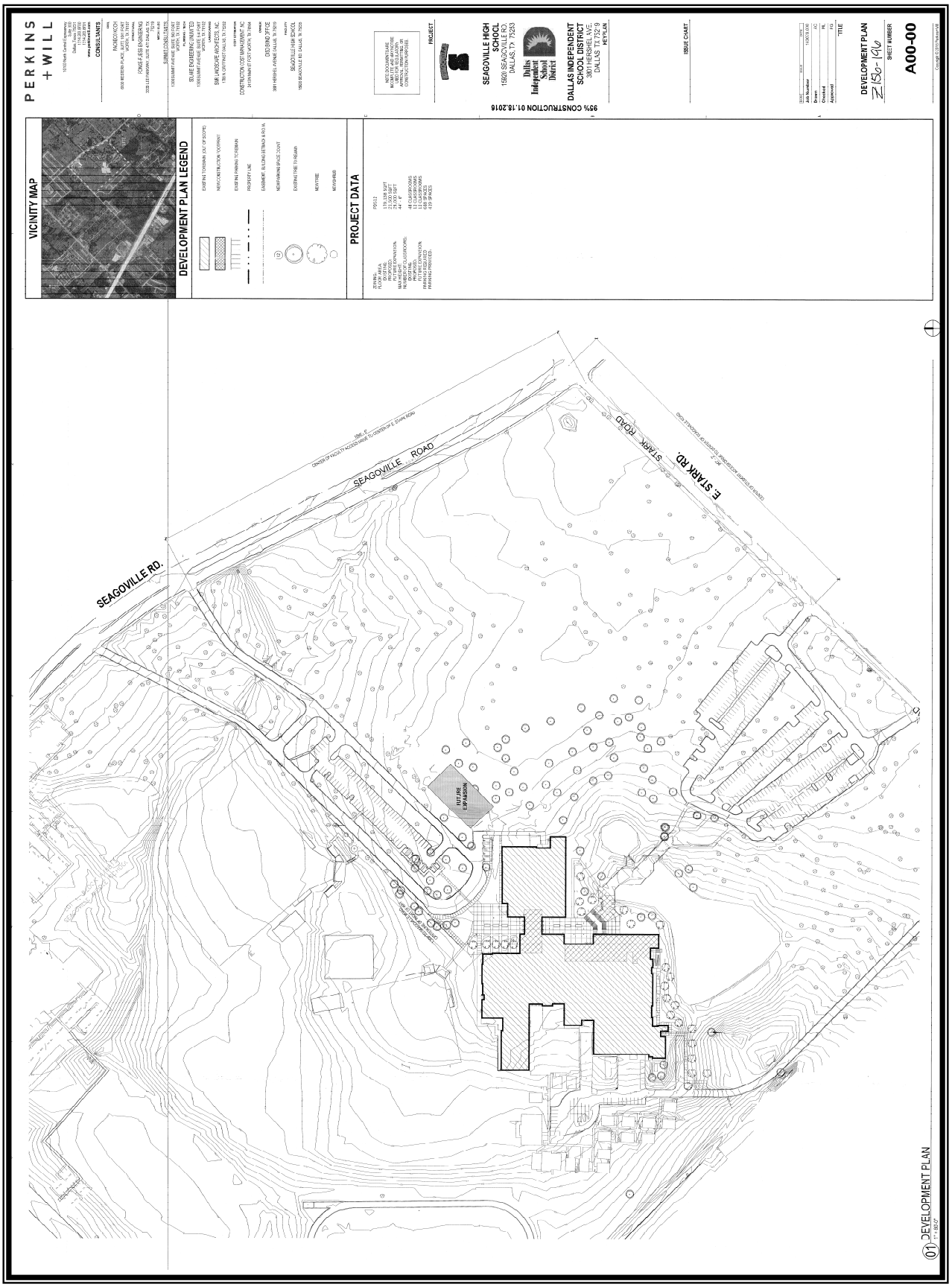
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

EXISITNG DEVELOPMENT PLAN
Seagoville High School



PROPOSED DEVELOPMENT PLAN
Seagoville High School



Proposed Traffic Management Plan
Seagoville High School

Introduction

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by Masterplan on behalf of the Dallas Independent School District (DISD) to prepare an update of the Traffic Management Plan (TMP) for the Seagoville High School (the School) located at 15920 Seagoville Road in Dallas, Texas.

The school has a current enrollment of 1,338 students in grades 9 through 12. The School proposes to renovate the current facilities with twelve new classrooms. However, the school capacity is anticipated to increase only by 45 students up to 1,383 students. A proposed site plan prepared by Perkins+Will showing the proposed modifications at the school upon completion is attached for reference.

The school site is zoned Planned Development (PD) District 512. In order to gain entitlements for the proposed improvements, the school administration is seeking approval of a change to the development plan. As part of the approval process, the City of Dallas requires submittal of a TMP update as a record of the preferred traffic control strategies and to ensure overall traffic safety and efficient operations.

This report contains DeShazo's review of the current traffic conditions on and around the school campus as well as an evaluation of the proposed conditions. The plan is intended to assess anticipated traffic conditions during the School peak activities. By consent of the TMP submittal, the school agrees to the strategies presented herein. The school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

Traffic Management Plan

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of school carpool operations will also inherently improve. This TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

The analysis summarized below identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. The use of designated parking and queuing areas is necessary to minimize the operational impact on adjacent properties and the public street system.

School Operational Characteristics

Table 1 summarizes the known operational characteristics for Seagoville High School assumed in this analysis:

Table 1. School Operational Characteristics

	Existing Conditions	Proposed Conditions
Enrollment (by grade):	9 - 12th Grade - 1338 students	9 - 12th Grade - 1383 students
Daily Start/End Schedule	Grades 9-12th: >Start: 9:00 AM >End: 4:15 PM	Grades 9-12th: >Start: 9:00 AM >End: 4:15 PM
Approx. Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	By School Bus/ Transit: 40% By Walking: 15% By Self-Driving: 10%	No Change
Approx. Number of Students With Alternate Schedules:	Extracurricular Activities: 10%	No Change

NOTE #1: To the highest degree practical, the accounts of "existing conditions" presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s) conditions and from personal interviews of school representatives.

Site Access and Circulation

A total of five driveways provide access to the School to/from Seagoville Road and Stark Road: one inbound and one outbound only driveway on Seagoville Road and two two-way driveways leading to student parking and school bus loading area on Stark Road. A fifth driveway on Stark road serves maintenance as well as deliveries and goods and service vehicles. Student pick-up/drop-off is concentrated around the staff parking lot and accessed via the driveway on Seagoville Road.

During the drop-off period, most parents either enter the campus via Seagoville Road or Stark Road to unload passengers (students) within the site or unload passengers from the sidewalk on Seagoville Road. During the pick-up period, parents either enter the campus via Seagoville Road to form two adjacent queues in the driveway while waiting for student, or park on one side Seagoville Road while waiting for students. Some parents also choose to wait for students at the student parking lot on Stark Road. School buses access the school site at the easternmost driveway on Stark Road, load students and then proceed to exit onto Stark Road.

Passenger Unloading/Loading and Vehicle Queuing

Queuing and traffic congestion is appreciably more pronounced during the afternoon period. During the afternoon pick-up period, around a third of the total student population is picked up by parents in personal vehicles. The School provides loading areas on campus with entry and exit driveways on Seagoville Road. Some parents also queue inside the staff parking lot blocking the exit route for parked vehicles.

DeShazo quantified the peak number of parent-vehicles during the afternoon pick-up period based upon field observations conducted by DeShazo on January 26, 2016. The vehicle accumulation count includes all vehicles in queue, or parked on- and off-campus. Assuming that the number of vehicles generated during the afternoon pick-up period is directly proportional to the number of students enrolled, the peak queue for the future conditions at full occupancy can be estimated. Table 2 provides a summary of the peak demand.

Table 2. Peak Vehicles Parked and in Queue during Afternoon Pick-up Period

	Existing Conditions (Observed)	**Proposed Conditions (Estimated)**
Peak Number of Vehicles	52 parent vehicles (for current enrollment of 1338 students)	54 parent vehicles (for maximum enrollment of 1383 students)

Recommendations

DeShazo conducted field observations during the student dismissal period. The following set of traffic operations are recommended for the Seagoville High School administration during peak traffic conditions:

- The traffic circulation plan depicted in **Exhibit 1** is based upon observations of existing traffic operations. The plan provides a designated route for parents. In general,
    - The School provides 1,481 linear feet of on-site vehicular queuing or storage. This capacity accommodates a projected peak vehicle queue of 54 vehicles and a surplus of 212 feet.
- Install a permanent sign at the eastern entrance of the student parking lot indicating the same.
- Staff should install temporary traffic control devices (such as traffic cones, etc.) at the staff parking lot entry to prevent parents from parking and queuing in the staff parking area.
- School should encourage parents to load/unload students within the school property to maximize personal safety. As needed, staff should direct traffic and coordinate the loading of students on School property. However, the School should allow no school staff other than DISD police and/or deputized officers of the law to engage or attempt to influence traffic operations in public right-of-way.

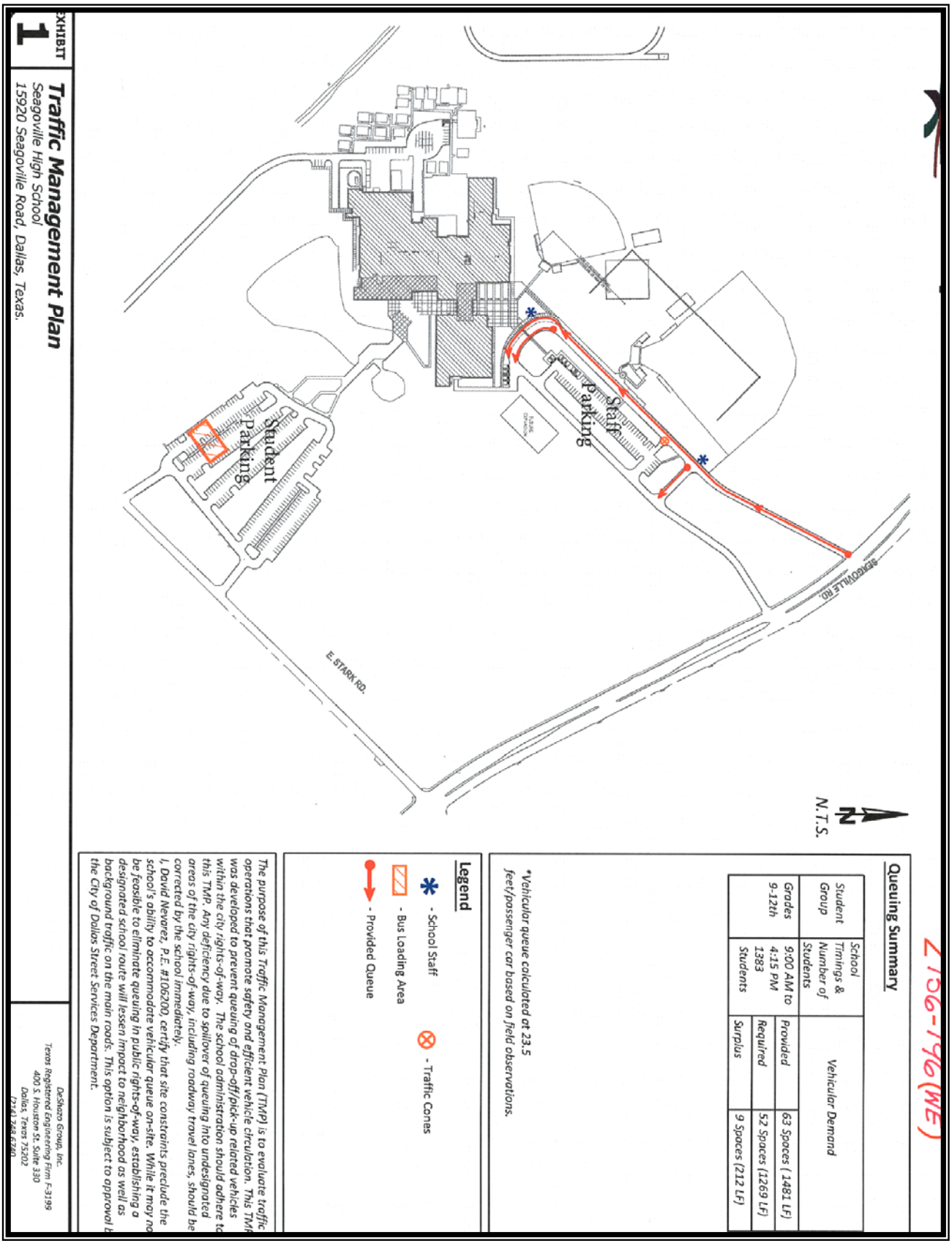
Full cooperation of all school staff members, students, and parents is crucial for the success of any traffic management plan. Proper training of school staff on duties and expectations pertaining to the plan is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended.

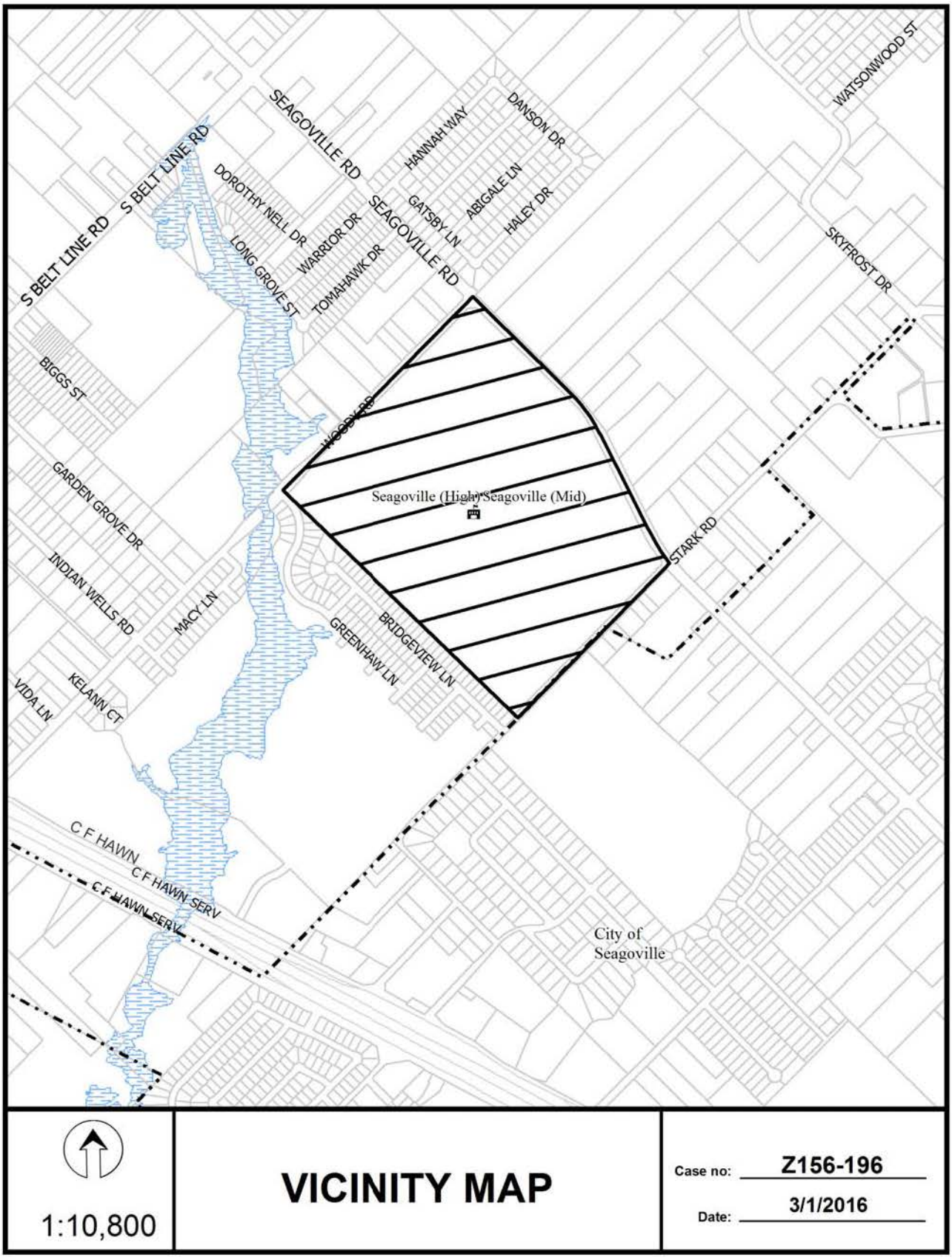
Summary

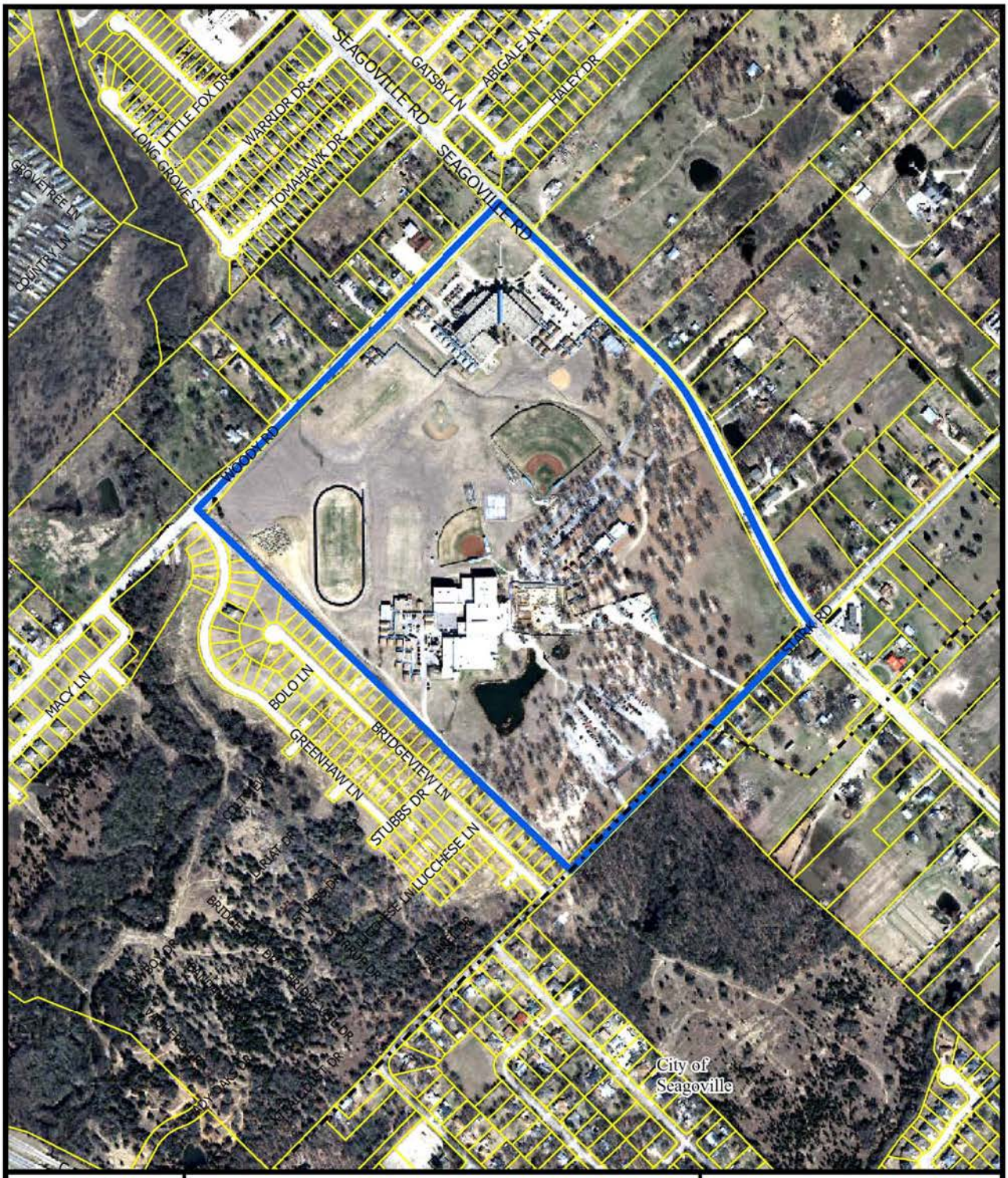
This TMP is to be used by Seagoville High School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness.

END OF MEMO

PROPOSED TMP CIRCULATION PLAN
Seagoville High School




S BELT LINE RD
S BELT LINE RD
SEAGOVILLE RD
SEAGOVILLE RD
DOROTHY NELL DR
LONG GROVE ST
WARRIOR DR
TOMAHAWK DR
HANNAH WAY
DANSON DR
GATSBY LN
ABIGALE LN
HALEY DR
WATSONWOOD ST
SKYFROST DR
BIGGS ST
WOODY RD
GARDEN GROVE DR
INDIAN WELLS RD
MACY LN
KELANN CT
VIDA LN
GREENHAW LN
BRIDGEVIEW LN
STARK RD
Seagoville (High)
Seagoville (Mid)
C F HAWN
C F HAWN SERV
C F HAWN SERV
City of
Seagoville
1:10,800
VICINITY MAP
Case no: Z156-196
Date: 3/1/2016

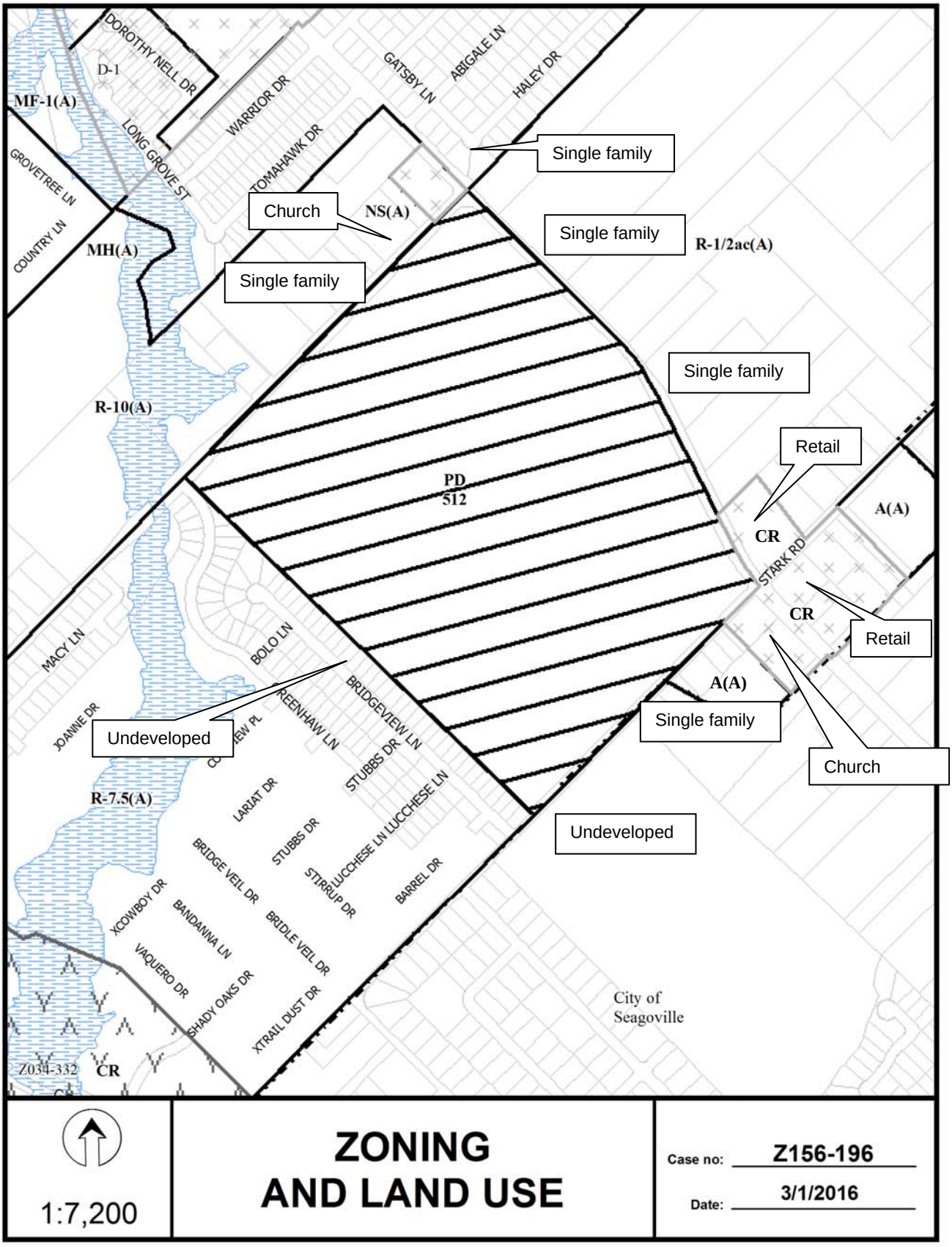


1:7,200

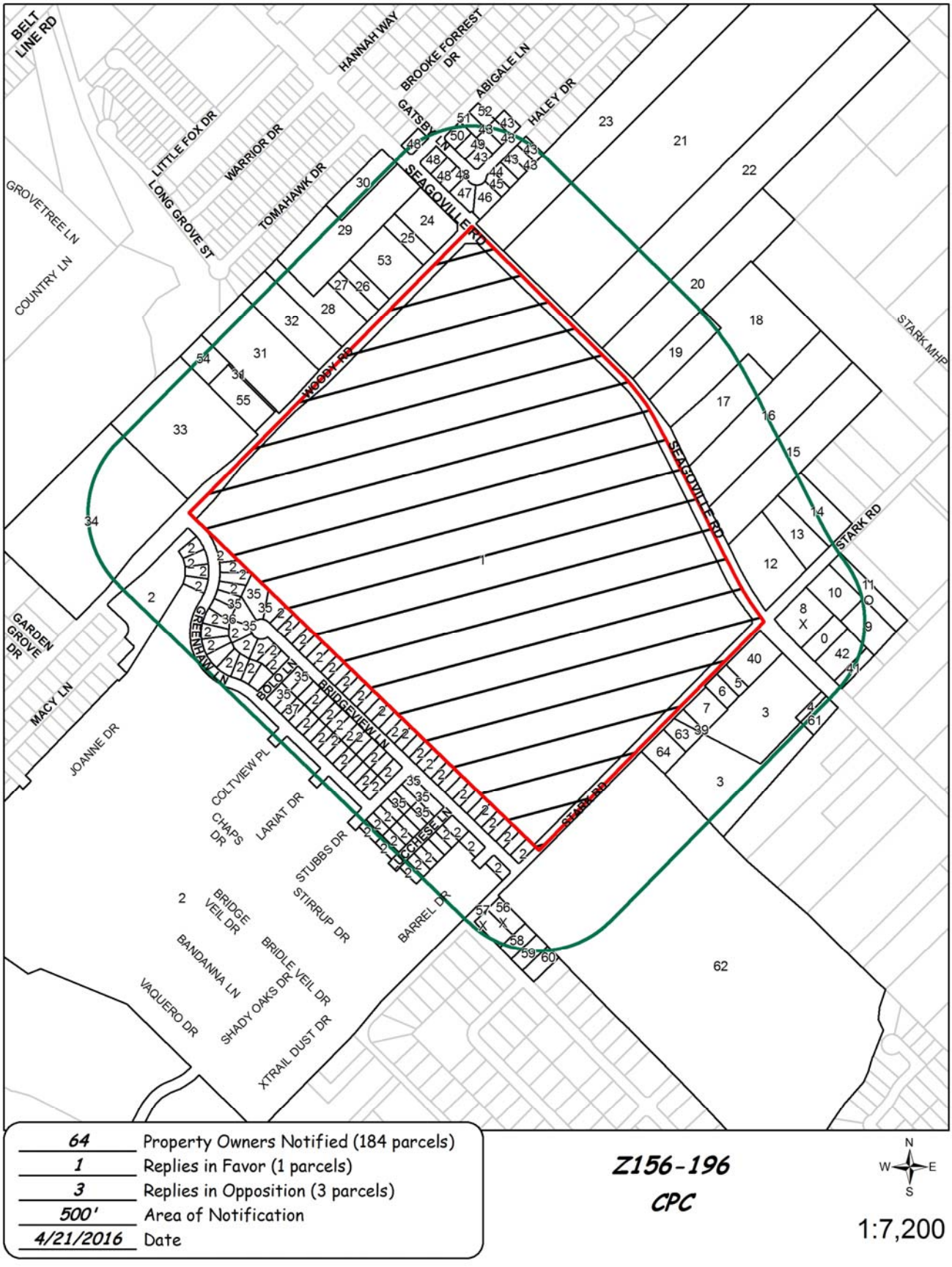
AERIAL MAP

Case no: Z156-196

Date: 3/1/2016


DOROTHY NELL DR
D-1
MF-1(A)
LONG GROVE ST
WARRIOR DR
GATSBY LN
ABIGALE LN
HALEY DR
TOMAHAWK DR
GROVETREE LN
COUNTRY LN
MH(A)
Church
NS(A)
Single family
Single family
R-1/2ac(A)
Single family
Single family
R-10(A)
PD
512
Retail
A(A)
CR
STARK RD
CR
Retail
A(A)
Single family
Church
MACY LN
BOLO LN
JOANNE DR
Undeveloped
BRIDGEVIEW LN
STUBBS DR
LARIAT DR
LUCCHESE LN
R-7.5(A)
STUBBS DR
STIRRUP DR
BRIDGE VEIL DR
BARREL DR
Undeveloped
XCOWBOY DR
BANDANNA LN
BRIDLE VEIL DR
VAQUERO DR
SHADY OAKS DR
XTRAIL DUST DR
City of
Seagoville
Z034-332
CR
1:7,200
ZONING
AND LAND USE
Case no: Z156-196
Date: 3/1/2016

CPC RESPONSES



Notification List of Property Owners

Z156-196

64 Property Owners Notified 1 Property Owners in Favor 3 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
	1	15920	SEAGOVILLE RD	Dallas ISD
	2	1700	WOODY RD	SHADY OAKS TB LTD
	3	16220	SEAGOVILLE RD	SCROGGINS JO ELLEN
	4	16220	SEAGOVILLE RD	WHEAT WESLEY N
	5	1730	STARK AVE	HALLMARK WILLIAM E
	6	1738	STARK RD	REED PAMELA R
	7	1762	STARK AVE	RUTHERFORD JERRY D
X	8	16201	SEAGOVILLE RD	MARLOW CARL THOMAS
	9	1618	STARK RD	ANDERSON WILLIAM SR &
	10	1618	STARK RD	HERNANDEZ VALENTINO &
O	11	1500	STARK AVE	MALDONADO MARIO &
	12	16135	SEAGOVILLE RD	TILZA L P
	13	1617	STARK AVE	BELKEN KENNETH L &
	14	1549	STARK AVE	BELKEN KENNETH & BRENDA
	15	16111	SEAGOVILLE RD	LARUE BILLIE
	16	16021	SEAGOVILLE RD	LARUE BILLIE G
	17	16005	SEAGOVILLE RD	GUANAJUATO RAMIRO M
	18	15931	SEAGOVILLE RD	BRAVO JORGE & ELISA
	19	15921	SEAGOVILLE RD	LANDESS LEE
	20	15901	SEAGOVILLE RD	WEATHEREAD DOROTHY C TR
	21	15741	SEAGOVILLE RD	AGUILAR SANTOS &
	22	15851	SEAGOVILLE RD	BENITEZ ANTONIO
	23	15701	SEAGOVILLE RD	MARTINEZ MILAGRO D J
	24	15610	SEAGOVILLE RD	ROMO PETER & KATHY
	25	923	WOODY RD	ROMO REYNALDO
	26	1003	WOODY RD	HUGHEY ROBERT L

04/20/2016

Reply	*Label #*		*Address*	*Owner*
	27	1009	WOODY RD	GROOMS WILLIAM DARRELL
	28	1015	WOODY RD	PELAYO ARTURO
	29	15622	SEAGOVILLE RD	ORTIZ INOCENCIO T & MARIA
	30	15602	SEAGOVILLE RD	MUYA FREDRICK
	31	1123	WOODY RD	MUNOZ MARIA
	32	1043	WOODY RD	TAMANG ANJU
	33	1143	WOODY RD	SOLIS VICTOR
	34	1315	WOODY RD	BUSTOS RUBEN
	35	14125	GREENHAW LN	SHEPHERD PLACE HOMES INC
	36	14129	GREENHAW LN	BANK OF AMERICAN N A
	37	14235	GREENHAW LN	SHEPHERD PLACE HOMES INC
	38	14247	GREENHAW LN	FIVE STAR 2006 LP
	39	1804	STARK RD	RUTHERFORD DWAINE R &
	40	1700	E STARK RD	CALVARY EAST BAPTIST CHURCH
	41	16225	SEAGOVILLE RD	DILTS ESTER R
	42	16219	SEAGOVILLE RD	ANDERSON WILLIAM W &
	43	952	HALEY DR	DALLAS ARB 23 LLC
	44	964	HALEY DR	STENSON ERIC D &
	45	968	HALEY DR	CAH 2014 2 BORROWER LLC
	46	972	HALEY DR	LEGORRETA JOSE ISRAEL
	47	15656	GATSBY LN	MARTINEZ RAUL &
	48	54	GATSBY LN	G WISH LLC
	49	15647	GATSBY LN	FLOYD ZANETTA L
	50	15641	GATSBY LN	SANTOS ROBERTO &
	51	954	ABIGALE LN	ENGLISH TANYA & KEITH
	52	950	ABIGALE LN	SBY 2014 I BORROWER LLC
	53	941	WOODY RD	TEXAS CONFERENCE ASSOCIATION OF SEVENTH
	54	1129	WOODY RD	ARRIAGA JUAN F
	55	1131	N WOODY RD	GARCIA ANDRES A
X	56	404	STARK RD	COUCH BARBARA
X	57	402	STARK RD	COUCH BARBARA E

04/20/2016

Reply	*Label #*		*Address*	*Owner*
	58	3004	LYNELL	HERRERA PAUL
	59	3002	LYNELL	BENITEZ MIRIAM F
	60	2920	LYNELL	HENDERSON JAMES A
	61	16228	E SEAGOVILLE RD	WHEAT WESLEY N &
	62	408	STARK RD	WAGLIARDO CARMEN ET AL
	63	1804	STARK RD	RUTHERFORD DWAINE R & ANN
	64	1810	E STARK RD	RUTHERFORD DONALD

AGENDA ITEM # 69

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 9

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 38 S

SUBJECT

A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.0105 acres of the current 0.0343 acres of land, located at 8722 Eustis Avenue, of which the 0.0343 acres are within the floodplain of Ash Creek, Fill Permit 16-01 - Financing: No cost consideration to the City

BACKGROUND

This request is to fill approximately 0.0105 acres of the current 0.0343 acres of floodplain, from a total tract of 0.1722 acres, to be used for single-family residential homes. The proposed fill is located at 8722 Eustis Avenue within the floodplain of Ash Creek.

A neighborhood meeting was held at the Harry Stone Recreation Center on April 21 2016. Attendees included the property owner and the owner's engineers, and their architect, three City staff members, and two citizens from the area. There has been no objection to the fill permit.

The fill permit application meets all engineering requirements for filling in the floodplain as specified in Part II of the Dallas Development Code, Section 51A-5.105(h). The applicant has not requested a waiver of any criteria. Accordingly, the City Council should approve this application; or, it may pass a resolution to authorize acquisition of the property under the laws of eminent domain and may then deny the application in order to preserve the status quo until acquisition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER/APPLICANT

Tom Walker
3635 Hawthorne Avenue
Dallas, Texas 75219

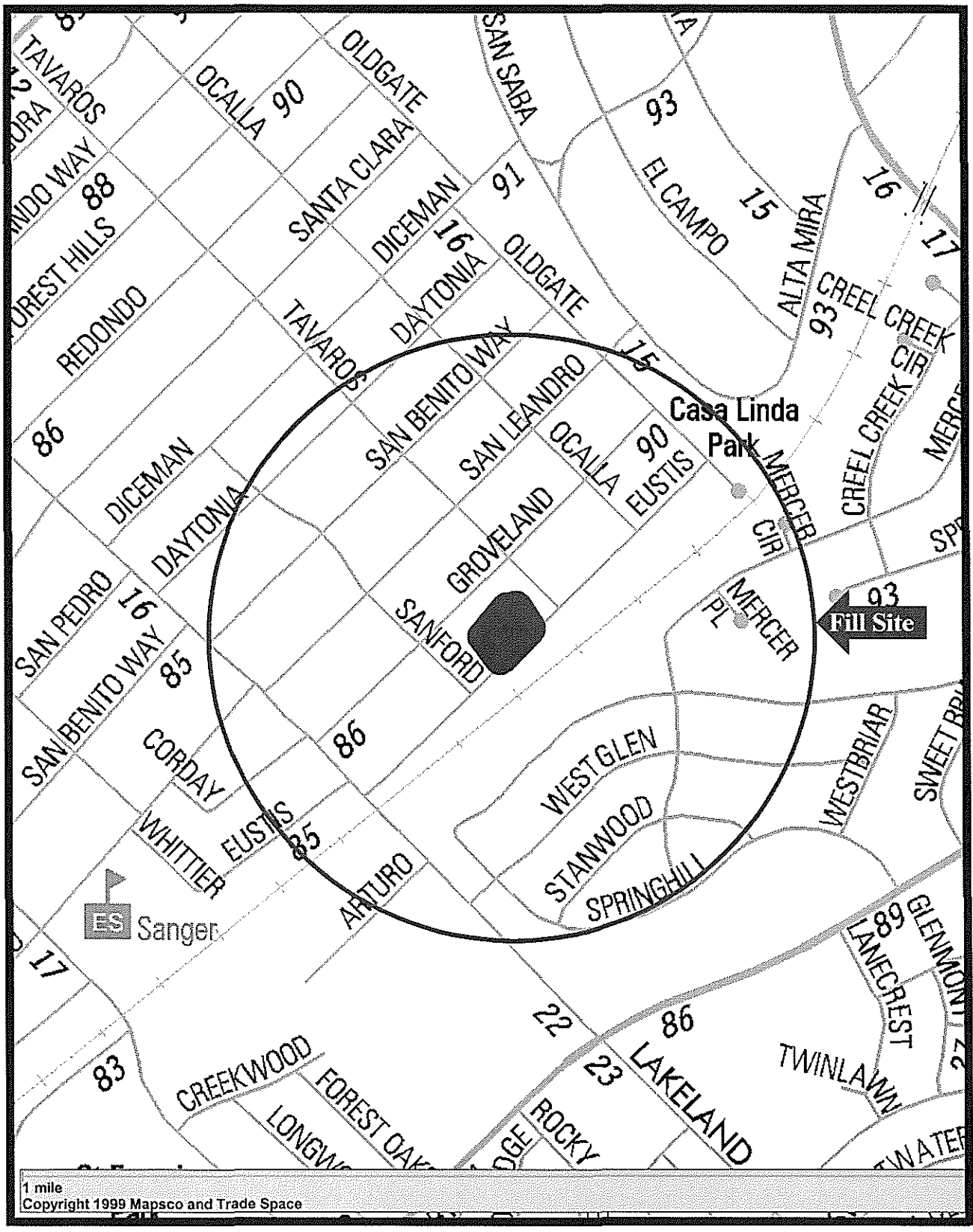
ENGINEER

Mr. Brad W. Pickering, P.E., CFM,
Kimley-Horn and Associates, Inc.
12750 Merit Drive
Dallas, Texas 75251

MAP

Attached.

Fill Permit 16-01



Mapsco 38-S

AGENDA ITEM # 70

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 3

DEPARTMENT: Mayor and City Council

CMO: A. C. Gonzalez, 670-3297

MAPSCO: 61A-B,F,G,H,J,K,M,P,Q,R,T,U,V,X,Y,Z; 71A-B,C,D,H

SUBJECT

A public hearing to receive comments and consider authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 521 on property generally located along both sides of Interstate Highway 20 between Spur 408 and Clark Road on the east and Mountain Creek Parkway and FM 1382 on the west and containing approximately 2,925 acres with consideration given to appropriate zoning for the area including permitted uses, development standards, and other appropriate regulations - Financing: No cost consideration to the City (via Councilmembers Thomas, Medrano, Callahan, McGough, and Deputy Mayor Pro Tem Wilson)

BACKGROUND

Planned Development District No. 521 was created on November 11, 1998, by Ordinance No. 23711, for residential, office and retail uses. The Planned Development District is divided into two zones: the North Zone containing seven subdistricts and South Zone containing 14 subdistricts with Interstate Highway 20 being the dividing line.

Since 1998, there have been various amendments and new subdistricts created. Property owners within and surrounding Planned Development District No. 521 have voiced concern about recent proposals and indicated a desire to review Planned Development District No. 521 to see if changes are needed.

Five City Councilmembers, in a memo dated April 20, 2016, requested this item be placed on the City Council agenda and advertised as a public hearing as required by 51A-4.701(a)(1) of the Dallas Development Code.

This is a hearing to consider the request to authorize the hearing, not the rezoning of property at this time.

PRIOR ACTION/ REVIEW (COUNCIL, BOARDS, COMMISSIONS)

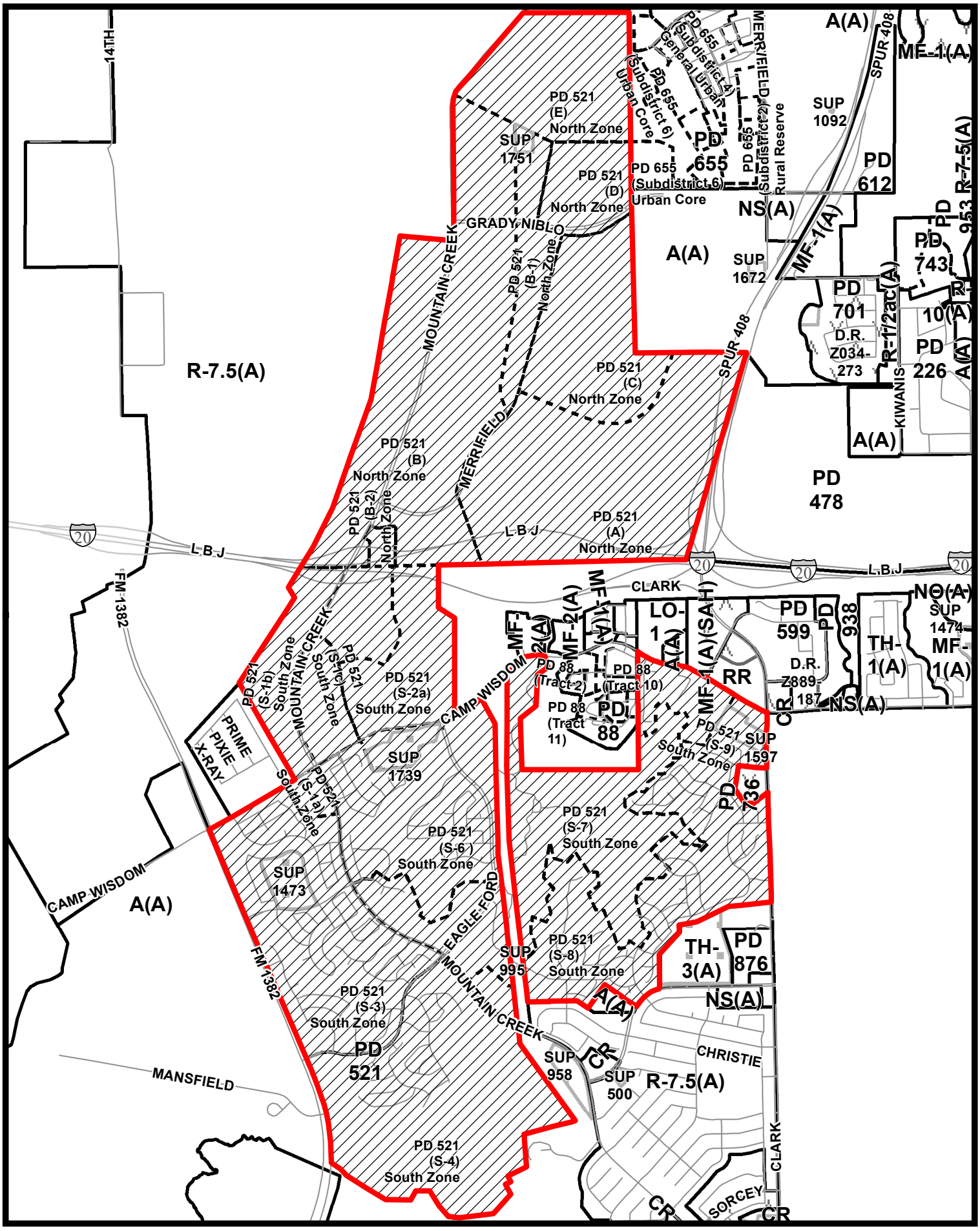
This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



1:30,000

Proposed Authorized Hearing
Planned Development District No. 521

Memorandum

CITY OF DALLAS

DATE April 20, 2016

TO The Honorable Mike Rawlings, Mayor

SUBJECT Request for Agenda Item for Authorized Hearing
Planned Development District No. 521 on both sides of Interstate Highway 20 between Spur 408 and Clark Road on the east and Mountain Creek Parkway and FM 1382 on the west.

We respectively request that the following item be placed on the City Council agenda and advertised as required by Section 51A-7.701(a)(1) of the City of Dallas Development Code.

Consideration of authorizing a public hearing to determine the proper zoning on property zoned Planned Development District No. 521 generally located on both sides of Interstate Highway 20 between Spur 408 and Clark Road on the east and Mountain Creek Parkway and FM 1382 on the west with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations. Attached is a location map for your review.

This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Thank you for your attention to this matter.

Casey Thomas, Councilmember

Adam Medrano
Councilmember

Rickey D. Callahan
Councilmember

Councilmember

Erik Wilson
Councilmember

RECEIVED
APR 21 2016
By

RECEIVED
MAY 02 2016
By

c: A.C. Gonzalez, City Manager
Rosa A. Rios, City Secretary
Ryan S. Evans, First Assistant City Manager
David Cossum, Director, Sustainable Development and Construction

May 25, 2016

WHEREAS, Planned Development District No. 521 was created on November 11, 1998, by Ordinance No. 23711, for residential, office and retail uses; and

WHEREAS, in a memo dated April 20, 2016, five City Councilmembers requested an item be placed on the Council agenda for consideration of authorizing a public hearing to consider the appropriate zoning for the area including use, development standards, and other appropriate regulations.

Now, Therefore,

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

Section 1. That pursuant to Section 51A-4.701(a)(1) of the Dallas Development Code, a public hearing is authorized to consider appropriate zoning for the area generally located along both sides of Interstate Highway 20 between Spur 408 and Clark Road on the east and Mountain Creek Parkway and FM 1382 on the west and containing approximately 2,925 acres with consideration given to appropriate zoning for the area including permitted uses, development standards, and other appropriate regulations.

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

AGENDA ITEM # 71

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office Of Environmental Quality

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 46 K

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Extra Space Properties Two LLC located near the intersection of South Haskell Avenue and Interstate Highway 30 and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Extra Space Properties Two LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by a perched shallow groundwater bearing unit encountered at approximately 20 feet below ground surface (bgs) and extending to approximately 60 feet bgs above the competent Austin Chalk Formation. The Austin Chalk is composed primarily of light gray limestone chalk and marl and is considered an aquitard that impedes potential vertical migration of chemicals. The estimated thickness of the Austin Chalk in the area is approximately 300 to 500 feet. The Eagle Ford Formation underlies the Austin Chalk and consists of shale, limestone, clay and marl and is estimated to be approximately 300 to 500 feet thick in the area, and is also considered an aquitard. The direction of groundwater flow beneath the designated property is to the southwest. A portion of the groundwater has been affected by tetrachloroethylene (PCE) at concentrations above groundwater ingestion standards. The potential onsite source of PCE is the metal working operations of the former Southern States Steel Company, which operated from the 1920s to the early 1950s, and was located on the southwestern half of the designated property. The potential offsite source is the historical industrial use of the southwest adjacent property as a former lumber and steel storage yard and former drum storage facility.

BACKGROUND (Continued)

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in April 2015 and is designated as VCP Facility ID No. 2739.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on May 16, 2016 to receive comments and concerns. Notices of the meeting were sent to 697 property owners within 2,500 feet of the property and 80 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of South Haskell Avenue and Interstate Highway 30 including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the designated property operates as a retail self-storage facility, Extra Space Storage. The anticipated future use of the designated property is expected to remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

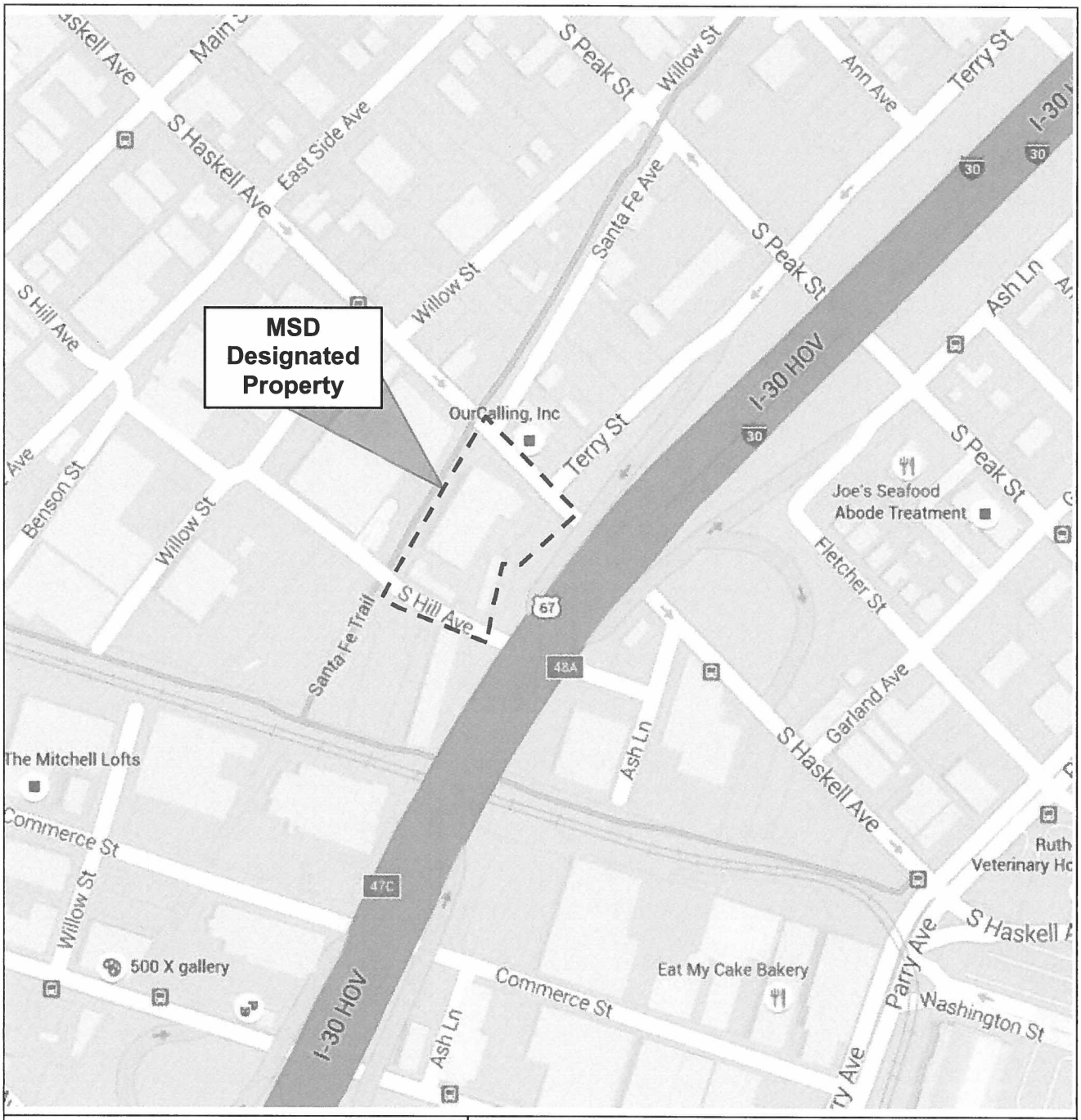
OWNER

Extra Space Properties Two LLC

Gwyn McNeal, Manager

MAP

Attached



CITY OF DALLAS

Municipal Setting Designation
Designated Property Boundary Map
MSD Log OEQ0055
Applicant – Extra Space Properties Two LLC
503 and 603 South Haskell Avenue
Dallas, TX 75223

5-25-16

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 503 and 603 South Haskell Avenue and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned Voluntary Clean-up Program Identification No. 2739 must receive a Certificate of Completion from the Texas Commission on Environmental Quality by no later than May 25, 2018.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than May 25, 2018. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER D. BOWERS, Interim City Attorney

By_____
Assistant City Attorney

Passed _____

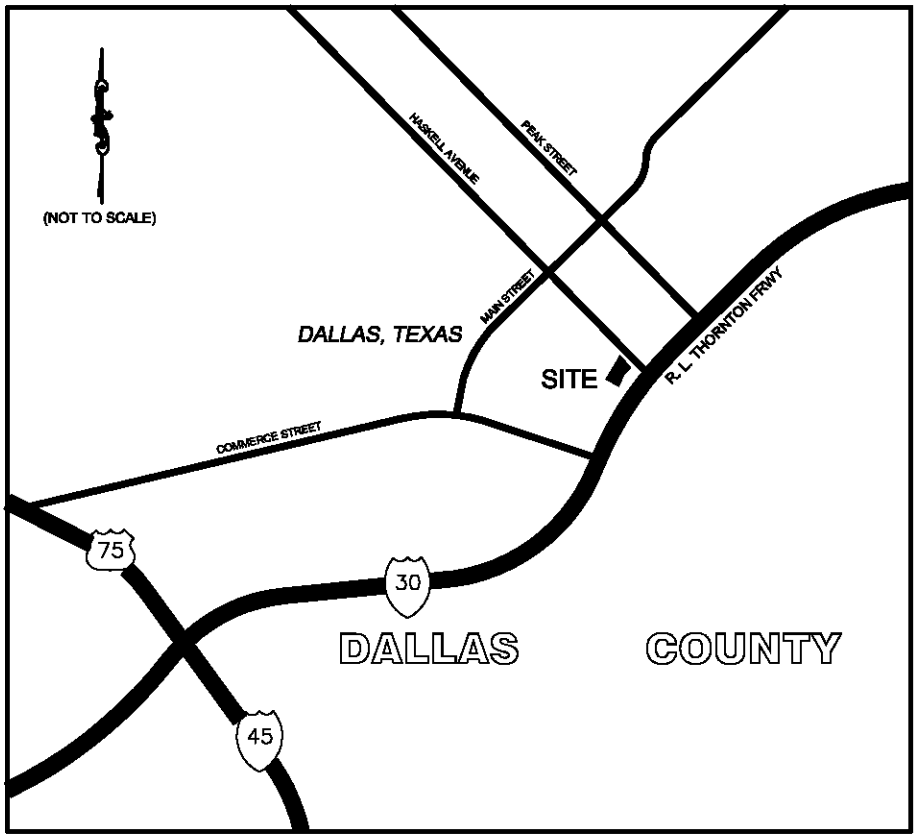
BOUNDARY SURVEY

FOR

MUNICIPAL SETTING DESIGNATION

AT

503 S. HASKELL AVENUE
DALLAS, TX 75223-2669

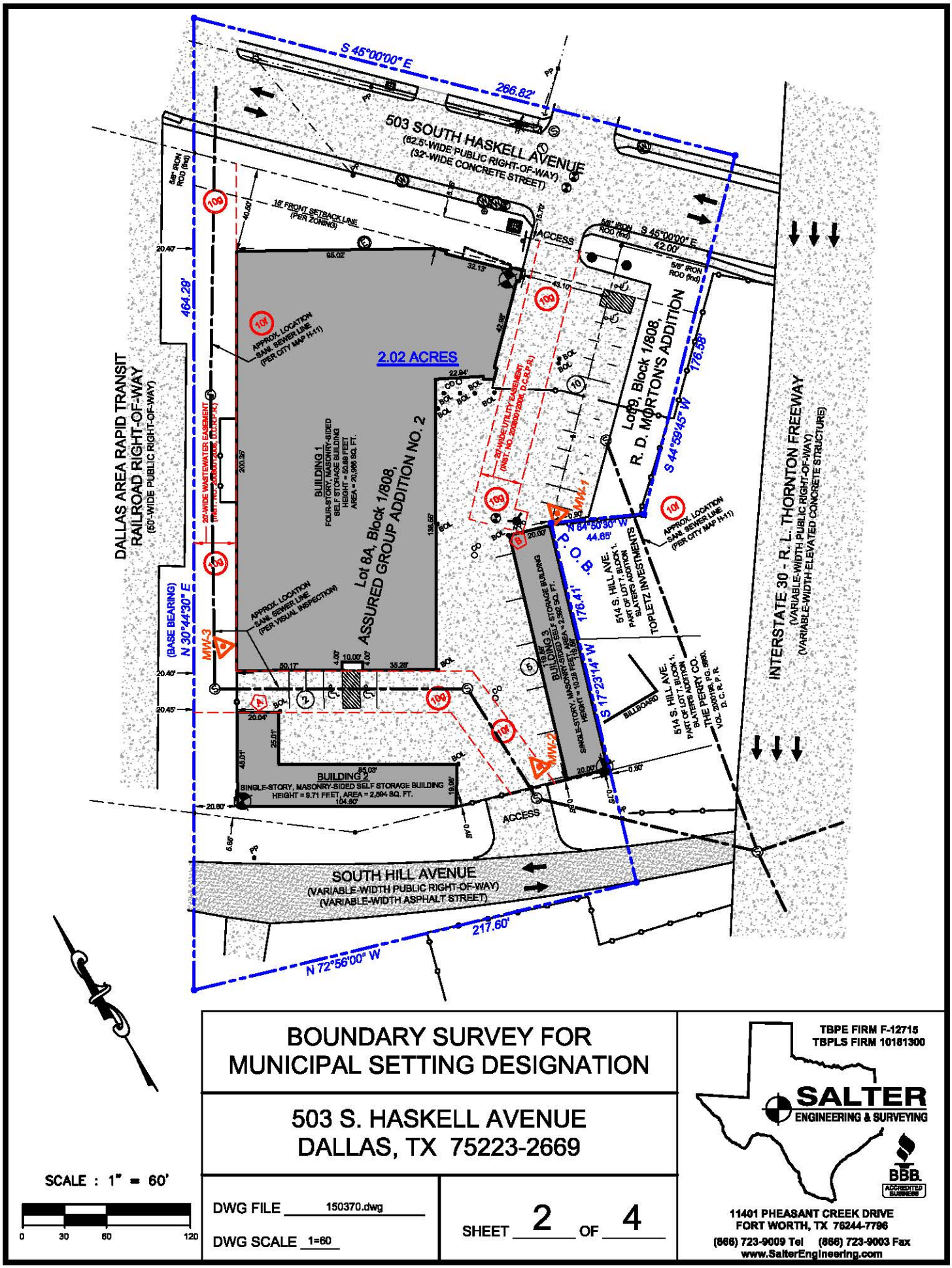


LOCATION MAP

The Bing.com logo is a registered trademark of Microsoft Corporation. Map content (c) 2015 by Microsoft Corp. and the respective copyright holders. The Microsoft trademarks and map content are used with permission.

BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION	
503 S. HASKELL AVENUE DALLAS, TX 75223-2669	
DWG FILE 150370.dwg DWG SCALE 1=60	SHEET 1 OF 4

TBPE FIRM F-12715
TBPLS FIRM 10181300
SALTER
ENGINEERING & SURVEYING
BBB ACCREDITED BUSINESS
11401 PHEASANT CREEK DRIVE
FORT WORTH, TX 76244-7796
(866) 723-9009 Tel (866) 723-9003 Fax
www.SalterEngineering.com



BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION

503 S. HASKELL AVENUE
DALLAS, TX 75223-2669

SCALE : 1" = 60'

0 30 60 120

DWG FILE 150370.dwg

DWG SCALE 1=60

SHEET 2 OF 4

TBPE FIRM F-12715
TBPLS FIRM 10181300

SALTER
ENGINEERING & SURVEYING

BBB ACCREDITED BUSINESS

11401 PHEASANT CREEK DRIVE
FORT WORTH, TX 76244-7796
(866) 723-9009 Tel (866) 723-9003 Fax
www.SalterEngineering.com

GIS_Approved

LEGAL DESCRIPTION

A 2.02-acre tract out of the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, being all of Lot 8A, Block 1, Dallas City Block 808, Assured Group Addition No. 2, an addition to the City of Dallas, Texas, as shown on that certain map or plat thereof recorded in Document No. 20080012006, Dallas County Official Public Records, together with all of Lot 9, Block 1, Dallas City Block 808, R. D. Morton's Addition, an addition to the City of Dallas, Texas, as shown on that certain map or plat thereof recorded in Volume 112, Page 291, Dallas County Map Records, and together with portions of adjacent public rights-of-way known as Haskell Avenue and Hill Avenue, said 2.02-acre tract being more specifically described by metes and bounds as follows:

BEGINNING at a chiseled "X" on concrete found at the west corner of said Lot 9 and the north corner of Lot 7, Block 1, Slater's Addition, an addition to the City of Dallas, Texas, same being an angle point in the east line of said Lot 8A for an angle point in the east line of this tract;

THENCE SOUTH 17°23'14" WEST along the east line of said Lot 8A and the northwest line of said Lot 7, at 121.41 feet pass a 1/2-inch iron rod found on the northeast right-of-way line of said Hill Avenue being the southeast corner of said Lot 8A and the west corner of said Lot 7, and continuing along the same bearing for a total distance of 176.41 feet to a point on the southwest right-of-way line of said Hill Avenue for the southeast corner of this tract;

THENCE NORTH 72°56'00" WEST 217.60 feet along the southwest right-of-way line of said Hill Avenue to a point being the point of intersection of said southwest right-of-way line with the extended west line of said Lot 8A for the southwest corner of this tract;

THENCE leaving the west right-of-way line of said Hill Avenue, NORTH 30°44'30" EAST, at 84.54 feet pass a 1/2-inch iron rod found at the southwest corner of said Lot 8A, and continuing along the same bearing, along the west line of said Lot 8A, and along the east right-of-way line of a Dallas Area Rapid Transit railroad, at 399.81 feet pass a 5/8-inch iron rod found on the southwest right-of-way line of said Haskell Avenue being the northwest corner of said Lot 8A, and continuing for a total distance of 464.29 feet to a point on the northeast right-of-way line of said Haskell Avenue for the northwest corner of this tract;

THENCE SOUTH 45°00'00" EAST 266.82 feet along the northeast right-of-way line of said Haskell Avenue to a point being the point of intersection of said northeast right-of-way line with the extended southeast line of said Lot 9 for the northeast corner of this tract;

THENCE leaving the northeast right-of-way line of said Haskell Avenue, SOUTH 44°59'45" WEST, at 55.00 feet pass a 5/8-inch iron rod found on the southwest right-of-way line of said Haskell Avenue being the east corner of said Lot 9 and an angle point on the north right-of-way line of Interstate Highway No. 30, a dedicated state highway right-of-way commonly known as the R. L. Thornton Freeway, and continuing along the same bearing, along the southeast line of said Lot 9, and along the north right-of-way line of said Thornton Freeway a total distance of 176.58 feet to a 1/2-inch iron rod found at the south corner of said Lot 9 and the east corner of said Lot 7 also being an angle point in the north right-of-way line of said Thornton Freeway and an angle point in the east line of this tract;

THENCE leaving the north right-of-way line of said Thornton Freeway, NORTH 64°50'30" WEST 44.65 feet along the northeast line of said Lot 7 and the southwest line of said Lot 9 to the POINT OF BEGINNING, and containing 2.02 acres, more or less.

BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION

503 S. HASKELL AVENUE DALLAS, TX 75223-2669

DWG FILE 150370.dwg

DWG SCALE 1=60

SHEET 3 OF 4

TBPE FIRM F-12715
TBPLS FIRM 10181300

SALTER
ENGINEERING & SURVEYING

BBB ACCREDITED BUSINESS

11401 PHEASANT CREEK DRIVE
FORT WORTH, TX 76244-7796
(866) 723-9009 Tel (866) 723-9003 Fax
www.SalterEngineering.com

LEGEND

BLDG. HEIGHT MEASUREMENT	FLAG POLE		PROPERTY LINE
M.S. MONUMENT SIGN	LIGHT POLE		PRIVACY FENCE
TRAFFIC FLOW	BOL PIPE BOLLARD		OTHER FENCE
UNDERGROUND UTILITY BOX	PP UTILITY POLE		OVERHEAD UTILITY
CABLE PEDESTAL	PP UTIL. POLE W/ GUY ANCHOR		UNDERGROUND UTILITY
TELEPHONE PEDESTAL	E ELECTRICITY METER		CONC. CURB & GUTTER
WATER VALVE	W WATER METER		BUILDING
FIRE HYDRANT	MONITORING WELL		COVERED AREA
IRRIGATION CONTROL VALVE	SIGN		CONCRETE SURFACE
D STORM SEWER MANHOLE	HANDICAP PARKING SPACE		ASPHALT SURFACE
S SANITARY SEWER MANHOLE	10 REGULAR PARKING SPACES		GRAVEL SURFACE
T TEL-COM MANHOLE	R.P.R. REAL PROPERTY RECORDS		STONE SURFACE
CO SANITARY SEWER CLEAN-OUT	C.M.R. COUNTY MAP RECORDS		WOODEN SURFACE
T POWER TRANSFORMER	C.D.R. COUNTY DEED RECORDS		WATER SURFACE

Monitoring Well Coordinates:

MW-1
Northing: 6973258.968
Easting: 2500658.999
Elevation: 460.372

MW-2
Northing: 6973150.810
Easting: 2500589.049
Elevation: 459.521

MW-3
Northing: 6973316.096
Easting: 2500503.200
Elevation: 460.530

Horizontal Coordinates are North American Datum of 1983, North Central Texas Projection.
Elevations are NAVD 1988.

BASIS OF BEARINGS

N 30°44'30" E FOR THE NORTHWEST LINE OF SUBJECT PROPERTY PER PLAT OF RECORD...

SURVEYOR'S CERTIFICATION

To: THE VERTEX COMPANIES, INC.

I, Brian Salter, Registered Professional Land Surveyor, hereby certify that this survey of the property located at: 503 S. HASKELL AVENUE DALLAS, TX 75223 and legally described hereon was made on the ground on this, the 17TH day of SEPTEMBER, 2015, by me or under my supervision and correctly shows the boundary lines, dimensions, and area of the land, and all alleys, streets, rights-of-way, easements, and other matters of record which, to my knowledge, affect the property. The undersigned further certifies that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, protrusions, overlapping of improvements, easements, or rights-of-way except as shown hereon.

STATE OF TEXAS REGISTERED BRIAN SALTER 5597 PROFESSIONAL LAND SURVEYOR

BRIAN SALTER, PROFESSIONAL LAND SURVEYOR NO. 5597

COPYRIGHT(c) 2015 SALTER ENGINEERING & SURVEYING, INC. - ALL RIGHTS RESERVED
THIS SURVEY MAP IS ONLY CERTIFIED TO THE SPECIFIC PARTIES NAMED ABOVE.
UNAUTHORIZED USE AND/OR REPRODUCTION IS PROHIBITED, LIABILITY IS NOT TRANSFERABLE.
UNDER NO CIRCUMSTANCES SHALL THIS SURVEY MAP BE FILED IN THE PUBLIC RECORDS.

BOUNDARY SURVEY FOR MUNICIPAL SETTING DESIGNATION

503 S. HASKELL AVENUE DALLAS, TX 75223-2669

DWG FILE 150370.dwg

DWG SCALE 1=60

SHEET 4 OF 4

TBPE FIRM F-12715
TBPLS FIRM 10181300

SALTER ENGINEERING & SURVEYING

BBB ACCREDITED BUSINESS

11401 PHEASANT CREEK DRIVE
FORT WORTH, TX 76244-7796
(866) 723-9009 Tel (866) 723-9003 Fax
www.SalterEngineering.com

AGENDA ITEM # 72

KEY FOCUS AREA: E-Gov

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

A public hearing to receive comments on the FY 2016-17 Operating, Capital, and Grant/Trust budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds a series of public hearings to provide the citizens of Dallas the opportunity to speak on next year's budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 11, 2016, City Council authorized the public hearing by Resolution No. 16-0727.

FISCAL INFORMATION

No cost consideration to the City

AGENDA ITEM # 73

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

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 69-H

SUBJECT

A public hearing to receive comments on the proposed change of use and sale of a portion of the Kleberg Trail located at 10600 Rylie Road, totaling approximately 71,109 square feet of land, to the Texas Department of Transportation for construction of improvements to I-20 Frontage Roads; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Estimated Revenue: $18,365

BACKGROUND

The City of Dallas owns municipal parkland known as the Kleberg Trail located southeast of downtown. Texas Department of Transportation (TxDOT) requires a portion of the Kleberg Trail for its I-20 State Highway Improvement Project, Federal Aid Project #STP 1502 (329) MM, for the purpose of extending the frontage road on either side of I-20 south of US Highway 175 (CF Hawn Freeway). TxDOT will pay $18,365.00 of which is the fair market value of the parcel as determined by an independent appraisal.

Mayor Tom Leppert, through the Mayor's Southern Dallas Task Force, recommended purchase of approximately 2.2 miles of Union Pacific railroad right-of-way for the Kleberg Trail to encourage and promote economic development opportunities. Despite the rural character of West Kleberg compared to the remainder of Dallas, adjacent communities of Seagoville, Balch Springs, and Mesquite were providing stiff competition for retail and industrial development. The Kleberg Trail was identified as an important opportunity to provide for the development of the area by delivering an alternative transportation route and links to future bus and Park & Ride development and, at that time, the future DART Buckner Green Line Station. Post-development of the Kleberg Trail envisioned additional recreational facilities including soccer fields, a BMX bike trail, golf courses, and other open space amenities. Such development would attract residential and retail development. In 2011, the City purchased the railroad right-of-way for park purposes.

BACKGROUND (Continued)

Over the past months, City staff and TxDOT have negotiated terms of the sale which preserve the City's ability to construct a trail of a minimum of sixteen feet if need be, address safety, and require minimal cost to the City at such time the trail is constructed (Exhibit C-attached to the resolution). TxDOT agrees as condition of the sale of parkland to:

1) Modify box culvert lengths to accommodate the future trail.
2) Construct pedestrian ramps at intersections or allow for and accommodate sixteen-foot non-vehicular access to the future trail and install bollards, or allow such devices to impede vehicular access to the parkland until such time that the trail is constructed.
3) Revise proposed drainage culvert lengths to accommodate the future trail.
4) Provide stop signs or other traffic control devices to provide safe crossing of TxDOT facilities by trail users at the time the trail is constructed.

In compliance with the law, the City, through its Dallas City Council, must determine that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services, including hike and bike trail development.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land. At the close of the public hearing, Council will consider a resolution authorizing the proposed change of use of parkland and sale.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 7, 2016, the Park and Recreation Board authorized a public hearing to be held on May 25, 2016.

Information about this item was provided to the Quality of Life & Environment Committee on April 25, 2016.

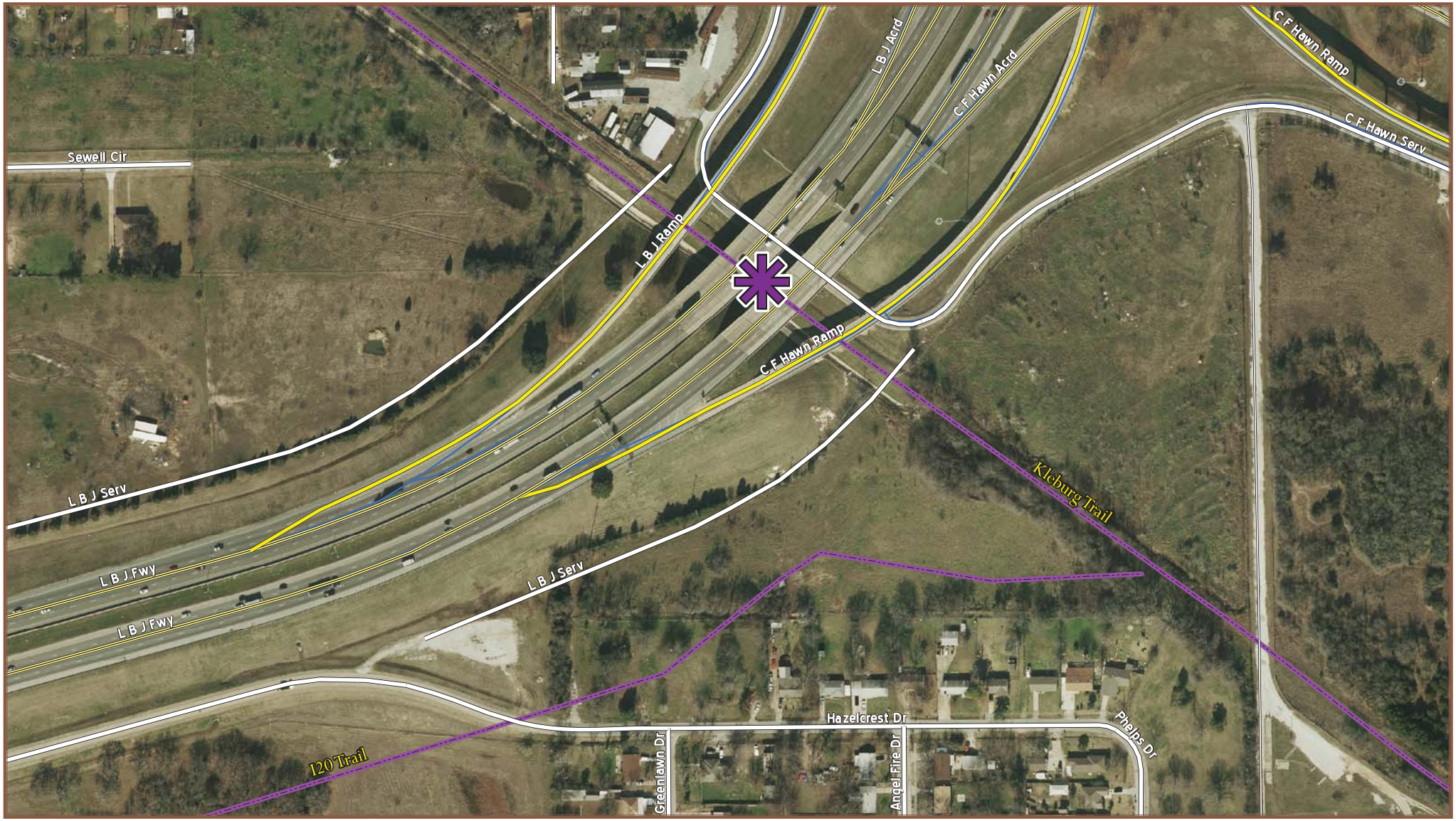
On April 27, 2016, City Council authorized a public hearing to be held on May 25, 2016, by Resolution No. 16-0643.

FISCAL INFORMATION

Estimated Revenue: $18,365

MAP

Attached



0 85 170 340 510 Feet

N
W E
S

April 7, 2016

Kleberg Trail
(I-20 and US Hwy 175 Southbound Frontage Rd)

Mapsco
69 H

District
8

May 25, 2016

WHEREAS, the City of Dallas owns land in southeast Dallas known as Kleberg Trail, located at 10600 Rylie Road, City of Dallas, Dallas County, Texas which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, a portion of the Kleberg Trail has been identified by Texas Department of Transportation (TxDOT) for its I-20 State Highway Improvement Project, Federal Aid Project #STP 1502 (329) MM, for the purpose of extending the frontage road on either side of I-20 south of US Highway 175 (CF Hawn Freeway) and must acquire approximately 71,109 square feet of land for such use, as shown on Exhibits A and B, and the City of Dallas Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, TxDOT is agreeable to designing and constructing its improvements such that the City's ability to make future improvements to the Kleberg Trail shall not be impaired as shown on Exhibit C; and

WHEREAS, in consideration for this conveyance by sale, TxDOT will pay the fair market value as determined by an independent appraisal; and

WHEREAS, referendum, notice, and bidding requirements of Chapter 253 and 272 of the Texas Local Government Code are not applicable when a municipality is conveying an interest in land to an entity with eminent domain authority; and

WHEREAS, a public hearing was held, as required by the Texas Park and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to the change of use and sale of this parkland and that all reasonable planning to minimize harm to the Kleberg Trail has been taken.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park and the surrounding adjacent parkland has been taken.

SECTION 2. That the City of Dallas hereby approves and authorizes the change of use and sale of parkland to TxDOT, including the exercise in the City of Dallas of the right of eminent domain, if such becomes necessary, by TxDOT for interests in land by sale, as identified in Exhibit A, for construction of frontage roads on either side of I-20 south of US Highway 175 (CF Hawn Freeway).

SECTION 3. That, since TxDOT's use of eminent domain for acquiring this tract by sale has been authorized, the Park and Recreation Board has approved, and the public hearing with appropriate determinations has been held, the City Manager, upon approval as to form by the City Attorney, is authorized to execute all documents regarding the sale of a portion of the Kleberg Trail, subject to the Agreement, to this resolution, and to all of the following terms and conditions:

a. TxDOT shall covenant to the City:

1. To observe safety regulations;

2. To not be detrimental to the park;

3. To comply with health, safety, noise, environmental protection, waste disposal, water and air quality regulations;

4. To keep the adjacent park area free from construction debris and waste;

5. To bear the cost of construction, operation and maintenance of the transit line and improvements;

6. To do all work within the park and surrounding areas in a good and workmanlike manner under the supervision of the Director of the Park and Recreation Department;

7. Improvements made on TxDOT's project shall not impair future construction of the Hike and Bike Trail, and such improvements shall be in accordance with Exhibit C including:

   i. Modification of box culvert lengths to accommodate the future trail;
   ii. Construction of pedestrian ramps at intersections, or allowance for and accommodation of sixteen-foot width non-vehicular access for the future trail, including the installation of bollards or other such devices to impede vehicular access to parkland until such time that the trail is constructed;
   iii. Revision of proposed drainage culvert lengths to accommodate the future trail;
   iv. Provide stop signs or other traffic control devices to provide for safe crossing of TxDOT facilities by trail users at the time the trail is constructed;

SECTION 3. (Continued)

8. Improvements made by TxDOT shall not impair the safe passage of users of the future Hike and Bike Trail and shall accommodate safe passage by future Hike and Bike Trail users at the time the Hike and Bike Trail is constructed;

9. To provide clearance for passage of maintenance and emergency vehicles along the Hike and Bike Trail.

b. The City retains the right to inspect the tract of sale and adjacent park areas for violations of the covenants listed in subsection a.

c. TxDOT shall not enter for work purposes or disturb the surface or subsurface land of park property outside of the tract to be sold without consultation with the Director of the Park and Recreation Department.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit funds received from the Texas Department of Transportation into Fund 0530; Department PKR; Unit 919A; Revenue Code 8416.

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.

County: Dallas
Parcel: 8
Highway: Interstate Highway 20
ROW CSJ: 2374-03-082

LEGAL DESCRIPTION FOR PARCEL 8

BEING a 1.6324 acre tract of land situated in the Solomon Dixon Survey, Abstract Number 407 in the City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 8765, 8766, 8790, 8794 and being a part of a called 5.253 acre tract of land described as Kleberg Trail Corridor Parcel 5 in Donative Deed without Warranty to the City of Dallas, as recorded in Instrument Number 201100327219 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a point on the northeast line of said 5.253 acre tract for the south corner of a called 1.6173 acre tract of land described in Warranty Deed to RJC Theaters, LLC, as recorded in Instrument Number 200503570214, O.P.R.D.C.T. and the southwest corner of a called 5.7147 acre tract of land described in Special Warranty Deed with Vendor's Lien to RJC Theatres, LLC, as recorded in Volume 2005083, Page 05877, OP.R.D.C.T. having NAD83 (2011 Adjustment) Texas State Plane North Central Zone (4202) surface coordinates North 6,939,137.63 feet, East 2,543,295.28 feet, from which a 1/2-inch found iron rod for witness bears North 68 degrees 34 minutes 42 seconds East a distance of 0.63 of a foot;

THENCE North 53 degrees 37 minutes 54 seconds West, with the northeast line of said 5.253 acre tract and with the southwest line of said 1.6173 acre tract, a distance of 290.50 feet to a 5/8-inch set iron rod with a TxDOT aluminum cap having NAD83 (2011 Adjustment) Texas State Plane North Central Zone (4202) surface coordinates North 6,939,309.89 feet, East 2,543,061.36 feet for the POINT OF BEGINNING, said point being on the proposed southerly right-of-way line of Interstate Highway 20 (a variable width right-of-way) for the point of curvature of a non-tangent circular curve to the right having a radius of 1,000.00 feet and a chord that bears South 42 degrees 42 minutes 59 seconds West a distance of 100.62 feet; **

1) THENCE Southwesterly, departing the northeast line of said 5.253 acre tract and the southwest line of said 1.6173 acre tract, over and across said 5.253 acre tract, and with the proposed southerly right-of-way line of said Interstate Highway 20 and with said curve, through a central angle of 05 degrees 46 minutes 02 seconds, an arc distance of 100.66 feet to a 1/2-inch set iron rod with a yellow plastic cap stamped "HALFF" on the southwest line of said 5.253 acre tract and the northeast line of a called 5.45 acre tract of land described in Warranty Deed to Matthew Millard, as described in Instrument Number 200503553505, O.P.R.D.C.T. for the end of said curve;

FIELD NOTES APPROVED
11/12/14

2) THENCE North 53 degrees 37 minutes 54 seconds West, with the southwest line of said 5.253 acre tract and with the northeast line of said 5.45 acre tract, passing the north corner of said 5.45 acre tract on the existing south right-of-way line of said Interstate Highway 20 (a variable width right-of-way) at a distance of 86.56 feet, continuing with the southwest line of said 5.253 acre tract and over and across said Interstate Highway 20, in all, a total distance of 715.77 feet to a 5/8-inch set iron rod with a TxDOT aluminum cap at the intersection of the proposed northerly right-of-way line of said Interstate Highway 20 with the existing north right-of-way line of said Interstate Highway 20 for corner; **

3) THENCE North 48 degrees 52 minutes 44 seconds East, departing the southwest line of said 5.253 acre tract, over and across said 5.253 acre tract, and with the proposed northerly right-of-way line of said Interstate Highway 20, a distance of 102.43 feet to a 5/8-inch set iron rod with a TxDOT aluminum cap on the northeast line of said 5.253 acre tract and the southwest line of a called 1.6208 acre tract of land described in Special Warranty Deed with Vendor's Lien to Martin Brena, Jr. and Alvaro Brena, as recorded in Instrument No. 20080312211, O.P.R.D.C.T., and Affidavit, as recorded in Instrument No. 200900190950, O.P.R.D.C.T. for corner; **

4) THENCE South 53 degrees 37 minutes 54 seconds East, departing the proposed northerly right-of-way line of said Interstate Highway 20, with the northeast line of said 5.253 acre tract and with the southwest line of said 1.6208 acre tract, passing the south corner of said 1.6208 acre tract on the existing north right-of-way line of said Interstate Highway 20 at a distance of 37.82 feet, continuing with the northeast line of said 5.253 acre tract and over and across said Interstate Highway 20, passing the west corner of a called 1,353 square foot tract of land described in Warranty Deed to Thomas E. Hendricks and Linda E. Hendricks, as recorded in Instrument Number 201100089453, O.P.R.D.C.T. on the existing south right-of-way line of said Interstate Highway 20 at cumulative distance of 657.72, continuing with the northeast line of said 5.253 acre tract and with the southwest line of said 1,353 square foot tract, passing the south corner of said 1,353 square foot tract and the southwest corner of said 1.6173 acre tract at a cumulative distance of 702.86 feet, continuing with the northeast line of said 5.253 acre tract and with the southwest line of said 1.6173 acre tract, in all, a total distance of 704.71 feet the POINT OF BEGINNING AND CONTAINING 71,109 square feet or 1.6324 acres of land, more or less.

** The monument described and set may be replaced with a TxDOT Type II right-of-way marker upon the completion of the construction project, under the supervision of a RPLS, either employed or retained by the State.

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.

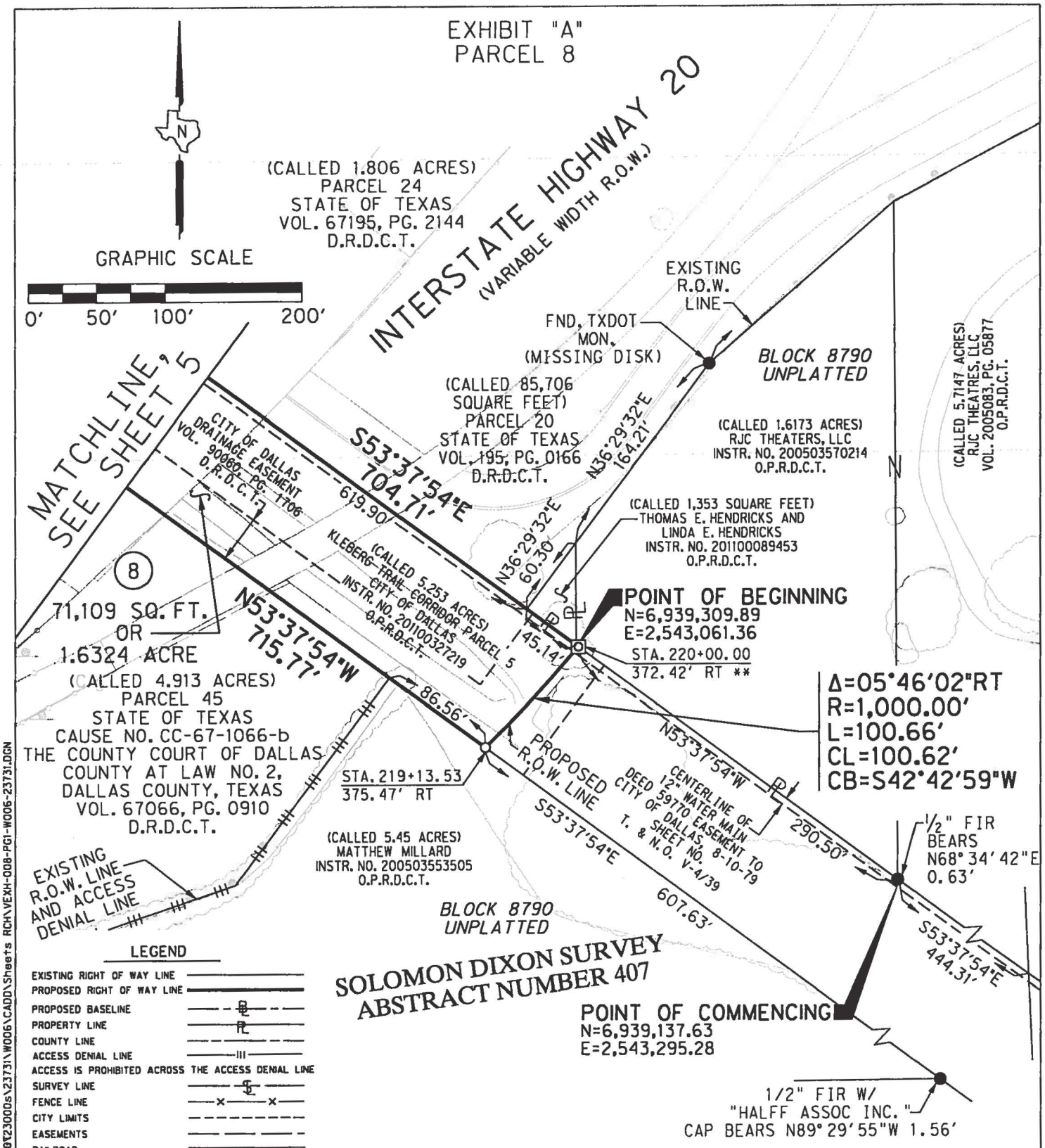
I, Heath W. Brown, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.

Heath 8-1-2014

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
TBPLS Firm No. 10029600



EXHIBIT "A"
PARCEL 8



LEGEND

- EXISTING RIGHT OF WAY LINE
- PROPOSED RIGHT OF WAY LINE
- PROPOSED BASELINE
- PROPERTY LINE
- COUNTY LINE
- ACCESS DENIAL LINE
- ACCESS IS PROHIBITED ACROSS THE ACCESS DENIAL LINE
- SURVEY LINE
- FENCE LINE
- CITY LIMITS
- EASEMENTS
- RAILROAD
- STRUCTURE

FIR = FOUND IRON ROD
FIP = FOUND IRON PIPE
(C.M.) = CONTROL MONUMENT
INSTR. NO. = INSTRUMENT NUMBER
MON. = MONUMENT

○ = 1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" (UNLESS NOTED)

▣ = 5/8-INCH IRON ROD WITH TXDOT ALUMINUM CAP

● = FOUND MONUMENT (AS NOTED)

** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A RPLS, EITHER EMPLOYED OR RETAINED BY THE STATE.

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.

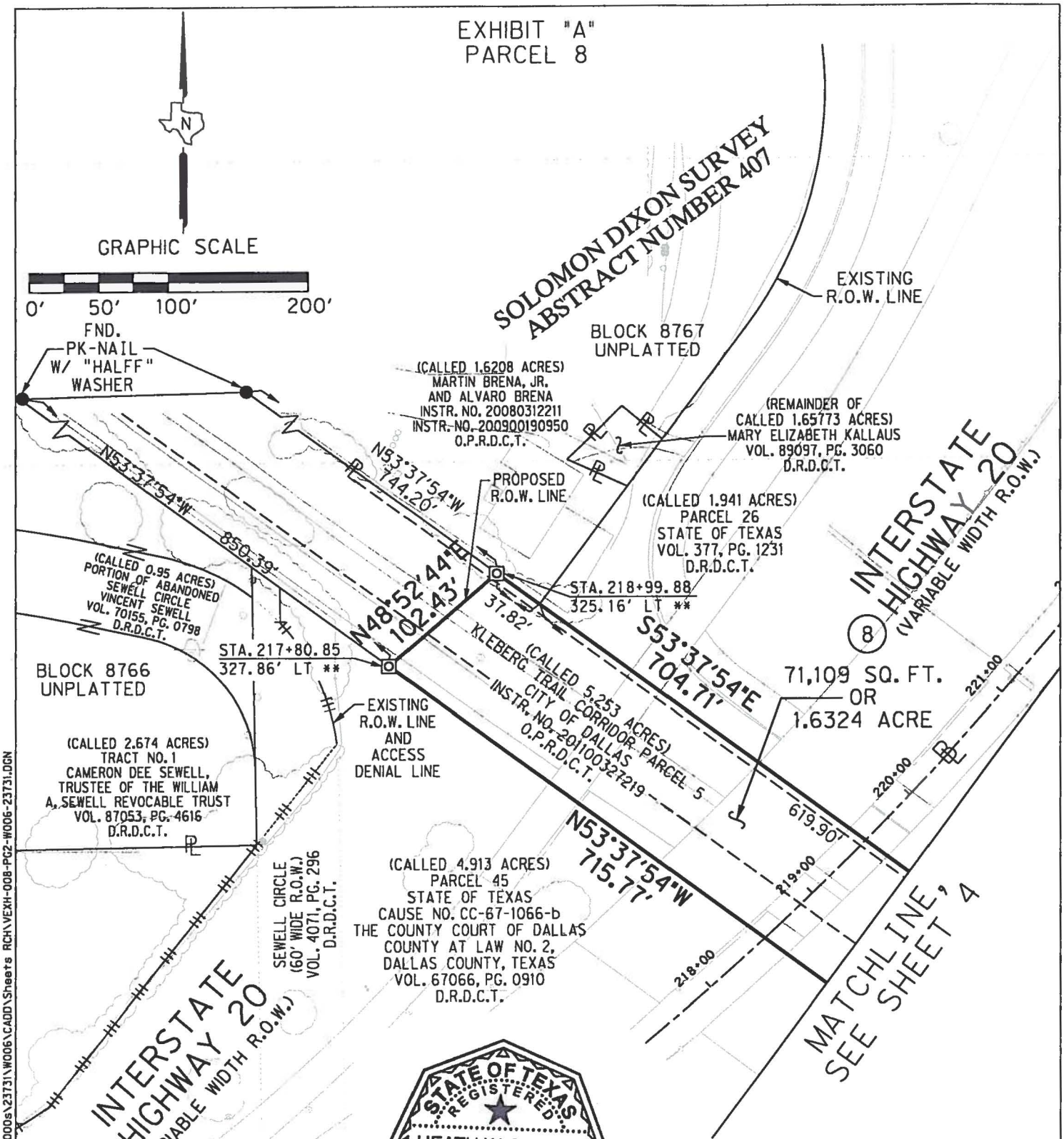
A PLAT OF A SURVEY OF
A 71,109 SQ. FT. TRACT OF LAND
IN THE SOLOMON DIXON SURVEY
ABSTRACT NUMBER 407
DALLAS COUNTY, TEXAS

AUGUST 2014
DATE

4/5

8/1/2014 10:42:43 AM gh2481 TXDOT23000s\23731\W006\CADD\Sheets RCH\VEXH-008-PG1-W006-23731.DGN

EXHIBIT "A"
PARCEL 8



STATE OF TEXAS
REGISTERED
HEATH W. BROWN
6189
PROFESSIONAL
LAND SURVEYOR

A PLAT OF A SURVEY OF
A 71,109 SQ. FT. TRACT OF LAND
IN THE SOLOMON DIXON SURVEY
ABSTRACT NUMBER 407
DALLAS COUNTY, TEXAS

5/5

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.

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

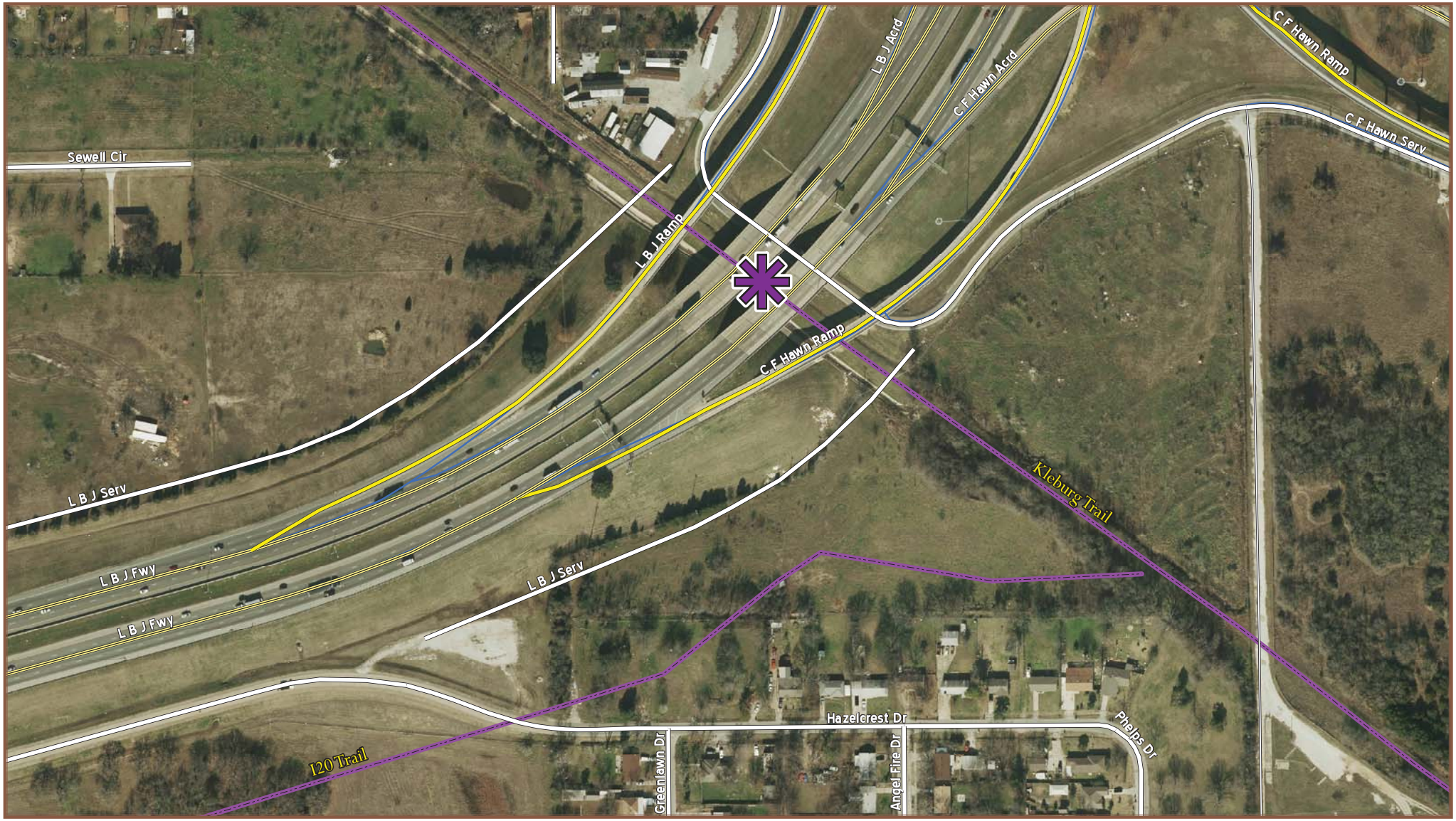
Heath 8-1-2014

HEATH W. BROWN, R.P.L.S. TEXAS No. 6189

AUGUST 2014
DATE

8/1/2014 10:42:36 AM ah2481 TXDOT23000s\2373\W006\CADD\Sheets RCH\VEXH-008-PG2-W006-2373I.DGN

PARCEL 8 ROW CSJ: 2374-03-082



0 85 170 340 510 Feet

N
W E
S

April 7, 2016

Kleberg Trail
(I-20 and US Hwy 175 Southbound Frontage Rd)
Exhibit B

Mapsco
69 H

District
8

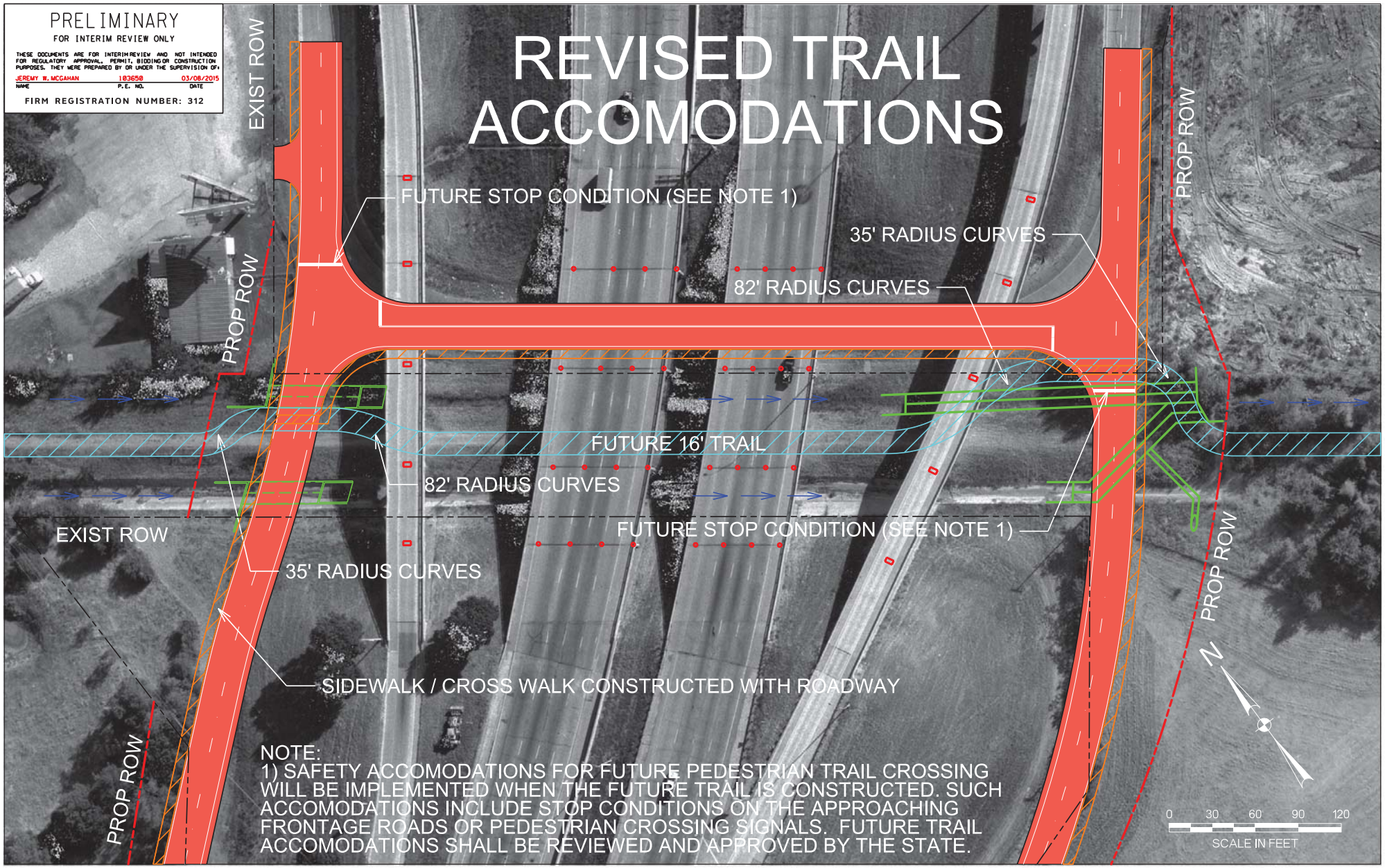

PRELIMINARY
FOR INTERIM REVIEW ONLY
THESE DOCUMENTS ARE FOR INTERIM REVIEW AND NOT INTENDED FOR REGULATORY APPROVAL, PERMIT, BIDDING OR CONSTRUCTION PURPOSES. THEY WERE PREPARED BY OR UNDER THE SUPERVISION OF:
JEREMY W. MCGAHAN
NAME
103650
P.E. NO.
03/08/2015
DATE
FIRM REGISTRATION NUMBER: 312
REVISED TRAIL ACCOMODATIONS
EXIST ROW
PROP ROW
FUTURE STOP CONDITION (SEE NOTE 1)
35' RADIUS CURVES
82' RADIUS CURVES
FUTURE 16' TRAIL
82' RADIUS CURVES
EXIST ROW
FUTURE STOP CONDITION (SEE NOTE 1)
35' RADIUS CURVES
SIDEWALK / CROSS WALK CONSTRUCTED WITH ROADWAY
PROP ROW
PROP ROW
PROP ROW
NOTE:
1) SAFETY ACCOMODATIONS FOR FUTURE PEDESTRIAN TRAIL CROSSING WILL BE IMPLEMENTED WHEN THE FUTURE TRAIL IS CONSTRUCTED. SUCH ACCOMODATIONS INCLUDE STOP CONDITIONS ON THE APPROACHING FRONTAGE ROADS OR PEDESTRIAN CROSSING SIGNALS. FUTURE TRAIL ACCOMODATIONS SHALL BE REVIEWED AND APPROVED BY THE STATE.
N
0 30 60 90 120
SCALE IN FEET

Exhibit C

AGENDA ITEM # 74

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

AGENDA DATE: May 25, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

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, at the close of the hearing, approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

BACKGROUND

Section 42.041(b)(14) of the Texas Human Resources Code, as amended, allows city-sponsored youth recreation programs to be exempted from the state's day care licensing laws if the city adopts standards of care for those programs and complies with other requirements of that legislation. One requirement is that the City Council hold a public hearing annually on the city's youth program standards of care and adopt an ordinance re-establishing and continuing in effect the standards.

Ordinance No. 23159, adopted by the City Council on June 11, 1997, created Chapter 12 of the Dallas City Code in order to exempt City of Dallas youth programs from State child-care licensing requirements and provide minimum standards by which the City operates youth programs. Chapter 12 was readopted by Ordinance No. 23534 on June 10, 1998, by Ordinance No. 23907 on June 9, 1999, by Ordinance No. 24281 on June 14, 2000, by Ordinance No. 24611 on May 23, 2001, by Ordinance No 24943 on May 22, 2002, by Ordinance No. 25269 on May 28, 2003, by Ordinance No 25628 on June 9, 2004, by Ordinance No. 25998 on May 25, 2005, by Ordinance No. 26376 on June 14, 2006, by Ordinance No. 26800 on June 13, 2007, by Ordinance No. 27222 on June 11, 2008, by Ordinance No. 27565 on June 10, 2009, by Ordinance No. 27911 on June 9, 2010; by Ordinance No. 28217 on May 25, 2011; by Ordinance No. 28670 on May 23, 2012; by Ordinance No. 29036 on June 12, 2013; and by Ordinance No. 29358 on May 28, 2014. Chapter 12 will expire on June 16, 2016 unless sooner terminated or extended by ordinance of the City Council.

BACKGROUND (Continued)

The Director of the Park and Recreation Department implements, administers, and enforces Chapter 12, which applies to youth programs sponsored by the City, whether offered after school, during the summer, or during holidays. A coordinator initiates an inspection report for each program to confirm that standards of care are being met.

The youth program coordinators and leaders must meet certain qualifications pertaining to age, education, and experience and are provided orientation and training relating to working with children.

Each program must operate with a participant to leader ratio of 20:1 and must follow guidelines pertaining to safety, fire, and health as set forth in the standards of care.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

City Council authorized the public hearing on May 11, 2016, by Resolution No. 16-0730.

FISCAL INFORMATION

No cost consideration to the City.

4/29/2016

ORDINANCE NO. _____

An ordinance readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," composed of Sections 12-1 through 12-19 of the Dallas City Code, as amended; re-establishing standards of care for youth programs sponsored by the city of Dallas in compliance with state law; providing a severability clause; and providing an effective date and an expiration date.

WHEREAS, the city of Dallas has a long history of providing recreational programs for youths ages five through 13 years, which contribute to the overall well-being of the city's youth and their families;

WHEREAS, the city council finds it necessary to adopt standards of care for those youth programs in compliance with the requirements of Section 42.041(b)(14) of the Texas Human Resources Code, as amended, in order to exempt those programs from state child-care licensing requirements;

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;

WHEREAS, Section 42.041(b)(14) of the Texas Human Resources Code, as amended, requires that the city's youth program standards of care be readopted by ordinance annually after a public hearing;

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,

DRAFT

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, and on May 28, 2014, by Ordinance No. 29358;

WHEREAS, Chapter 12 of the Dallas City Code will expire on June 16, 2016, unless before that date, it is readopted by the city council after a public hearing is held regarding the standards of care for city-sponsored youth programs; and

WHEREAS, a public hearing on these standards of care was held before the city council on May 11, 2016; Now, Therefore,

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

SECTION 1. That Chapter 12, "City Youth Program Standards of Care," composed of Sections 12-1 through 12-19 of the Dallas City Code, as amended, is readopted and continued in effect, as restated below, with amendment to Section 12-2 to read as follows:

"**CHAPTER 12**

CITY YOUTH PROGRAM STANDARDS OF CARE

ARTICLE I.

GENERAL.

SEC. 12-1. PURPOSE.

This chapter and the standards of care established by this chapter are adopted by the city council of the city of Dallas, Texas in compliance with Section 42.041(b)(14) of the Texas Human Resources Code, as amended, in order to exempt city youth programs from state child-care

licensing requirements. These standards of care are intended to be minimum standards by which the city will operate its youth programs. The programs operated by the city are recreational in nature and are not child-care facilities. Although this chapter establishes standards of care for city youth programs for children of ages five through 13 years, nothing in this chapter requires the city to provide any youth programs, or prevents the city from limiting youth programs to specific age groups within the five- through 13-year-old range.

SEC. 12-2. EXPIRATION DATE.

This chapter and the youth program standards of care established in this chapter expire on [~~June 16, 2016~~] June 16, 2017, unless sooner terminated or extended by ordinance of the city council.

SEC. 12-3. DEFINITIONS.

In this chapter:

(1) ADMINISTRATION CENTER means the main administrative site for a city youth program.

(2) CITY means the city of Dallas, Texas.

(3) CITY COUNCIL means the city council of the city of Dallas.

(4) DEPARTMENT means the park and recreation department of the city.

(5) DIRECTOR means the director of the park and recreation department or the director's authorized representative.

(6) INTER-SESSION means the periods of time when a year-round school is not in session.

(7) PARENT means a person who:

(A) is a natural parent, an adoptive parent, or a step-parent of a youth;

(B) is, under court order, the guardian of the person of a youth or is a public or private agency with whom a youth has been placed by a court; or

(C) otherwise has legal custody and authority to enroll a youth in a city youth program.

(8) PARTICIPANT means a youth whose parent has completed all required registration procedures and who is determined by the director to be eligible to participate in a city youth program.

DRAFT

(9) PROGRAM COORDINATOR or COORDINATOR means a full-time professional employee of the department who is responsible for:

(A) managing a recreational facility where a youth program is conducted; or

(B) overseeing the planning, administration, and implementation of a particular city youth program.

(10) PROGRAM EMPLOYEE or EMPLOYEE means any person hired to work for the department who is assigned responsibility for managing, administering, or implementing some portion of a youth program. The term includes program coordinators and program leaders.

(11) PROGRAM LEADER or LEADER means a full-time, part-time, permanent, or temporary employee of the department, or an independent contractor or volunteer of the city, who is assigned responsibility for implementing or conducting some portion of a youth program.

(12) PROGRAM MANUAL means a notebook of policies, procedures, required forms, and organizational and programming information relevant to the city's youth programs, as promulgated or otherwise approved by the director.

(13) PROGRAM SITE means any area or facility where any portion of a city youth program is conducted.

(14) STANDARDS OF CARE means all provisions contained in this chapter.

(15) YOUTH means a person who is not less than five years nor more than 13 years of age.

(16) YOUTH PROGRAM or PROGRAM means a city-sponsored recreational program for youth that may be offered by the park and recreation department after school, during the summer, during holidays, or during inter-session. The term does not include any program or activity to which attendees are free to come and go at will without regard to the presence of a parent or other responsible adult to care for them.

SEC. 12-4. ADMINISTRATION.

(a) The director shall implement, administer, and enforce the youth program standards of care. The director may by written order establish such rules, regulations, and policies, not inconsistent with this chapter, as the director determines are necessary to discharge any duty under or to effect the policy of this chapter.

(b) No city youth program may be advertised as a child-care facility.

(c) The standards of care apply to all youth programs sponsored by the city, whether offered after school, during the summer, during holidays, or during inter-session.

DRAFT

(d) When registering for a youth program, each participant's parent will be provided a current copy of the standards of care and will be informed that the youth program is not licensed by the State of Texas. A current copy of the standards of care will also be maintained at each youth program site for inspection and review by the public and by program employees.

(e) The director shall cause a criminal background check to be conducted on each prospective youth program employee. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, the applicant will not be considered for employment:

(1) a felony or a misdemeanor classified as an offense against a person or family;

(2) a felony or misdemeanor classified as public indecency;

(3) a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;

(4) any offense involving moral turpitude; or

(5) any offense that would potentially put youth participants or the city of Dallas at risk.

(f) The provisions of this chapter are administrative in nature and are not subject to criminal penalties.

SEC. 12-5. INSPECTION; MONITORING; ENFORCEMENT.

(a) A coordinator shall initiate an inspection report for each youth program to confirm that standards of care are being met. Each inspection report will be sent to the director for review and kept on record for at least two years. The director shall review each report and establish deadlines and criteria for program compliance with the standards of care.

(b) The director shall make visual inspections of each youth program site based on the following schedule:

(1) Each after school program site will be inspected bimonthly.

(2) Each summer program site will be inspected twice during its summer schedule.

(3) Each holiday program site will be inspected once during the winter break and once during the spring break.

(4) Each inter-session program site will be inspected once during each inter-session.

(c) Any complaint regarding enforcement of the standards of care at a youth program must be directed to the program site coordinator. The coordinator shall take necessary steps to resolve each problem. The complaint and its resolution must be recorded by the coordinator. The

DRAFT

director shall address any serious complaint regarding enforcement of the standards of care and record the complaint and its resolution.

(d) The director shall make an annual report to the city council on the overall status of the youth programs and their operation relative to compliance with the standards of care.

SEC. 12-6. ENROLLMENT.

Before a youth may be enrolled in a youth program, a parent must sign registration forms that contain the following information:

(1) the child's name, age, address, and home telephone number;

(2) the name and address of each parent and a telephone number for each parent during program hours;

(3) the name and telephone number of each person to whom the child may be released;

(4) a statement of the child's special problems or needs;

(5) an emergency medical authorization;

(6) proof of residency, when appropriate;

(7) a liability waiver; and

(8) an acknowledgement that the parent has been informed and understands that the program is not licensed by the State of Texas.

SEC. 12-7. SUSPECTED ABUSE.

Every program employee shall report suspected child abuse or neglect in accordance with the Texas Family Code.

ARTICLE II.

STAFFING: RESPONSIBILITIES AND TRAINING.

SEC. 12-8. YOUTH PROGRAM COORDINATOR: QUALIFICATIONS AND RESPONSIBILITIES.

(a) Each coordinator must meet all of the following qualifications:

(1) Be at least 21 years of age.

(2) Have two years of experience planning and implementing recreational activities.

(3) Pass a background investigation, including, but not limited to, testing for illegal substances.

(4) Have successfully completed a course in first aid and cardio pulmonary resuscitation (CPR) based on either American Heart Association or American Red Cross standards.

(5) Be able to furnish proof of a clear tuberculosis test within 12 months prior to employment.

(b) A coordinator is responsible for:

(1) administering the daily operations of a youth program in compliance with the standards of care;

(2) recommending for hire, supervising, and evaluating leaders for a youth program; and

(3) planning, implementing, and evaluating a youth program.

SEC. 12-9. YOUTH PROGRAM LEADERS: QUALIFICATIONS AND RESPONSIBILITIES.

(a) Each leader must meet all of the following qualifications:

(1) Be age 18 years of age or older, if working with children.

(2) Be able to consistently exhibit competency, good judgment, and self-control when working with children.

(3) Relate to children with courtesy, respect, tolerance, and patience.

(4) Have successfully completed a course in first aid and cardio pulmonary resuscitation (CPR) based on either American Heart Association or American Red Cross standards.

(5) Be able to furnish proof of a clear tuberculosis test within the 12 months prior to employment.

(6 Pass a background investigation, including, but not limited to, testing for illegal substances.

(b) A leader is responsible for:

(1) providing participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers;

(2) knowing and following all city, departmental, and program standards, policies, and procedures that apply to the youth programs; and

(3) ensuring that participants are released only to a parent or a person designated by a parent and complying with the department- approved plan for verifying the identity of a person authorized to pick up a participant when that person is not known to the leader.

DRAFT

SEC. 12-10. TRAINING AND ORIENTATION.

(a) The department shall provide training and orientation to program employees relating to working with children in general and relating to the specific job responsibilities of each employee. A coordinator shall provide each leader with a program manual specific to each youth program.

(b) Each program employee will be trained in appropriate procedures for handling emergencies and in other areas, including, but not limited to, city, departmental, and program policies and procedures, provision of recreational activities, safety issues, child psychology, and organization.

(c) Each program employee shall be familiar with the standards of care for the youth programs and with all program policies, including the discipline, guidance, and release of participants, as outlined in the program manual.

(d) Each program employee will be required to sign an acknowledgement that the employee received the training required under this chapter.

ARTICLE III.

OPERATIONS.

SEC. 12-11. STAFF-PARTICIPANT RATIO.

(a) In each city youth program, the standard ratio of participants to leaders will be 20 to 1.

(b) Each participant will be assigned a program employee who is responsible for the participant and who is aware of the participant's habits, interests, and special needs and problems, as identified by the participant's parent during registration for a youth program.

(c) At all times, at least one employee who is 18 years of age or older must be present at each program site.

SEC. 12-12. DISCIPLINE.

(a) A program employee shall implement discipline and guidance in a consistent manner based on the best interests of program participants.

(b) No corporal punishment or treatment may be used. A program employee may use brief, supervised separation of a participant from the group, if necessary.

(c) As necessary, program employees shall provide discipline reports to the parents of participants. A parent will be asked to sign a participant's discipline report to indicate that the parent has been advised about a specific problem or incident.

DRAFT

(d) An excessive number of discipline reports or discipline reports of a severe nature, as described in the program manual, may result in a participant being suspended from a program.

(e) Any participant who poses a danger to other participants or staff will be removed from the program site as soon as possible.

SEC. 12-13. PROGRAMMING.

(a) A program employee shall attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to each participant's health, safety, and well-being. The activities also must be flexible and promote each participant's emotional, social, and mental growth.

(b) A program employee shall attempt to provide that indoor and outdoor time periods include:

(1) alternating active and passive activities;

(2) opportunity for individual and group activities; and

(3) outdoor time each day, as the weather permits.

(c) A program employee shall be attentive and considerate of the participants' safety on field trips and during any transportation provided by the program. A program employee must have a written list of all participants in each group and shall check the roll frequently.

(d) During trips, each program employee who supervises participants shall maintain immediate access to the emergency medical forms and emergency contact information for each participant. First aid supplies and a guide to first aid and emergency care must be readily available to each program employee on every field trip.

SEC. 12-14. COMMUNICATION.

(a) Each site must have access to a telephone for use in contacting the administration center and making emergency calls.

(b) A coordinator shall post the following telephone numbers adjacent to a telephone that is accessible to all program employees at each site:

(1) Dallas ambulance or emergency medical services.

(2) Dallas police department.

(4) Dallas fire department.

(5) The administration center.

DRAFT

(6) Telephone numbers at which each participant's parents may be reached.

(7) The telephone number for the program site.

SEC. 12-15. TRANSPORTATION.

(a) Before a participant may be transported to or from a city-sponsored activity, a transportation form, completed by a parent of the participant, must be filed with a coordinator.

(b) Every program vehicle used for transporting youth participants must be equipped with:

(1) first aid supplies and a first aid and emergency care guide that are easily accessible to program employees in the vehicle; and

(2) an operable 6-BC portable fire extinguisher that is installed in the passenger compartment of the vehicle and that is easily accessible to program employees in the vehicle.

SEC. 12-16. RELEASE OF PARTICIPANTS.

(a) A participant will be released from a youth program only to a parent or to a person designated by the parent in the registration forms.

(b) Each program site must have a copy of a department-approved plan to verify the identity of a person authorized to pick up a participant if that person is not known to a program leader.

ARTICLE IV.

FACILITY STANDARDS.

SEC. 12-17. SAFETY.

(a) Program employees shall inspect each program site daily to detect sanitation and safety concerns that might affect the health and safety of the participants. A daily inspection report must be completed by program employees and kept on file by the coordinator.

(b) All buildings, grounds, and equipment at each program site must be inspected, cleaned, repaired, and maintained to protect the health of the participants.

(c) All equipment and supplies used in a program must be safe for use by the participants.

(d) First aid supplies must be readily available to all program employees at each site, during transportation to an off-site activity, and for the duration of any off-site activity. A program employee shall maintain first aid supplies in a designated location, readily available to staff. Each

program employee must at all times have immediate access to a guide to first aid and emergency care.

(e) Air conditioners, electric fans, and heaters at each program site must be mounted out of the participants' reach or have safeguards that keep participants from being injured.

(f) Porches and platforms at each program site that are more than 30 inches above the ground must be equipped with railings that participants can reach.

(g) All swing seats at each program site must be constructed of durable, lightweight, relatively pliable material.

SEC. 12-18. FIRE.

(a) In case of fire, danger of fire, explosion, or any other emergency, a program employee's first priority is to evacuate the participants to a designated safe area.

(b) Each program site must have at least one fire extinguisher approved by the fire marshal that is readily available to all program employees. Annually, a coordinator shall inspect the fire extinguisher and send an inspection report to the director, who shall keep the report on file for a minimum of two years. Every program employee must be trained in the proper use of a fire extinguisher.

(c) Fire drills will be initiated at each program site according to the following schedule:

(1) <u>After school programs</u>. A fire drill will be conducted once every three months. Program employees will confer with school staff to ensure that city and school procedures do not conflict.

(2) <u>Summer programs</u>: A fire drill will be conducted twice during the session.

(3) <u>Holiday programs</u>: A fire drill will be conducted once during the fall and spring sessions.

(4) <u>Inter-session programs</u>: A fire drill will be conducted once during each inter-session.

SEC. 12-19. HEALTH.

(a) <u>Illness or injury</u>.

(1) A participant who is considered to be a health or safety concern to other participants or employees will not be admitted to a program.

(2) Illnesses and injuries will be handled in a manner that protects the health of all participants and employees.

DRAFT

(3) A program employee shall follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the program manual.

(4) Each program employee shall follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

(b) Medication. A program employee shall administer medication only in accordance with the following conditions:

(1) A parent must complete and sign a medication form that provides a current list of medications that a participant must take while in the program, with details as to times and dosages. The form must include authorization for a program employee to dispense the medication and an indemnification clause to protect the city.

(2) Every prescription medication must be in the original container and labeled with the child's name, a date, directions, and the physician's name. A program employee shall administer the medication only as stated on the label. A program employee may not administer medication after the expiration date.

(3) Every nonprescription medication must be labeled with the child's name and the date the medication was brought to the program. A nonprescription medication must be in the original container and shall be administered by a program employee only according to label direction.

(4) Any medication dispensed will be limited to routine oral ingestion that requires no special knowledge or skill. No injection may be administered by a program employee.

(5) A program employee shall ensure that all medications are inaccessible to program participants and, if it is necessary to keep medications in a refrigerator, that the medications are kept separate from food.

(c) Toilet facilities.

(1) Each program site must have inside toilets located and equipped so that children can use them independently and program employees can supervise as needed.

(2) One flush toilet must be provided for every 30 children. Urinals may be counted in the ratio of toilets to children, but may not exceed 50 percent of the total number of toilets.

(3) An appropriate and adequate number of lavatories must be provided.

DRAFT

(d) Sanitation.

(1) Each program facility must have adequate light, ventilation, and heat.

(2) Each program must be provided with an adequate supply of water meeting the standards of the Texas Department of Health for drinking water. A program employee shall ensure that water is supplied to participants in a safe and sanitary manner.

(2) Program employees shall ensure that garbage is removed daily from each building at a program site."

SECTION 2. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed $500.

SECTION 3. That Chapter 12 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. 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 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER D. BOWERS, Interim City Attorney

By_____
Assistant City Attorney

Passed_____

DRAFT