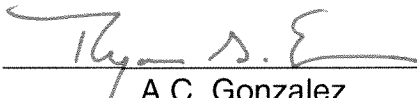



**JANUARY 22, 2014 CITY COUNCIL ADDENDUM  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated January 22, 2014. 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  
Interim City Manager

1-17-14  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Edward Scott  
City Controller

1/17/14  
\_\_\_\_\_  
Date



RECEIVED

2014 JAN 17 PM 6:50

CITY SECRETARY  
DALLAS, TEXAS

ADDENDUM  
CITY COUNCIL MEETING  
WEDNESDAY, JANUARY 22, 2014  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TX 75201  
9:00 A.M.

**REVISED ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m.      **INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

**CLOSED SESSION**

**MINUTES**

Item 1

**CONSENT AGENDA**

Items 2 - 41

**CONSENT ADDENDUM**

Items 1 - 8

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:15 a.m.

Items 42 - 47  
Addendum Items 9 - 13

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 48 - 67  
Addendum Item 14



**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 22, 2014  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A. M.**

**ADDITIONS:**

Closed Session

5ES

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Olivia Lord v. Dwayne A. Thompson, Civil Action No. 3:11-CV-3241-M

**CONSENT ADDENDUM**

**Business Development & Procurement Services**

1. Authorize **(1)** an acquisition contract for the design, purchase and installation of a replacement microwave communication system in the amount of \$6,284,983; and **(2)** a five-year service contract for maintenance and support of the replacement microwave communication system in the amount of \$1,825,255 - Alcatel-Lucent USA, Inc., most advantageous proposer of five - Total not to exceed \$8,110,238 - 2011 Urban Area Security Initiative Grant Funds (\$65,000), 2012 Urban Area Security Initiative Grant Funds (\$4,600,000), 2013 Urban Area Security Initiative Grant Funds (\$1,930,069) and Current Funds (\$1,515,169) (subject to annual appropriations)
2. Authorize Supplemental Agreement No. 1 to increase the contract with CGI Technologies and Solutions, Inc. through the State of Texas Department of Information Resources, to provide training services and material in support of the City's financial and accounting system upgrade - Not to exceed \$192,200, from \$1,130,411 to \$1,322,611 - Financing: Current Funds

**Civil Service**

3. Authorize an amendment to Resolution No. 13-2148, previously approved on December 11, 2013, to amend the amount to be reimbursed by the appealing employees from \$4,000 to \$10,000, which is 50% of the total of all Administrative Law Judge contracts - Financing: No cost consideration to the City

**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 22, 2014**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Housing/Community Services**

4. Authorize **(1)** the acceptance of a donation in the amount of \$450,000 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to individuals and families who are experiencing a temporary financial crisis; and **(2)** an increase in appropriations in the amount of \$450,000 in the Energy Emergency Assistance Fund - Not to exceed \$450,000 - Financing: Private Funds

**Office of Risk Management**

5. Authorize the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance effective February 1, 2014 through January 31, 2015 - Not to exceed \$425,000 - Financing: Current Funds (subject to appropriations)

**Park & Recreation**

6. Authorize an agreement between the National Collegiate Athletic Association (NCAA) and the City of Dallas for the NCAA to fund and execute the refurbishment of the indoor basketball facility and for the NCAA to fund the costs of the ribbon-cutting ceremony at Exline Recreation Center located 2525 Pine Street - Financing: No cost consideration to the City

**Public Works Department**

7. Authorize a contract with Big Sky Construction Company, Inc., best value proposer of five for the construction of the Omni Convention Hotel and Convention Center Dallas Area Rapid Transit Station Sustainable Development Infrastructure Project, Phase II - Not to exceed \$3,831,950 - Financing: 2009 Convention Center Revenue Bonds (\$1,231,950); North Central Texas Council of Governments Grant Funds (\$600,000) and General Obligation Commercial Paper Funds (\$2,000,000)
8. Authorize an increase in the contract with Texas Standard Construction, Ltd. for streetscape improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - Not to exceed \$177,638, from \$1,537,669 to \$1,715,307 - Financing: General Obligation Commercial Paper Funds

**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 22, 2014**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Attorney's Office**

9. A resolution amending Paragraph (f), "Open Microphone," of Subsection 6.3, "Citizen Speakers," of Section 6, "Order of Business," of the City Council Rules of Procedure to specify that any individual may register to speak during the open microphone period of city council meeting once every 30 days - Financing: No cost consideration to the City

**Sustainable Development and Construction**

10. An ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits - Financing: No cost consideration to the City

DESIGNATED PUBLIC SUBSIDY MATTERS

**Economic Development**

**City Center and Downtown Connection  
TIF Districts**

**Note:** Addendum Item Nos. 11 and 12 must be considered collectively.

11. \* Authorize a lease/development agreement with Arts District Property, Ltd., for TIF Incentives to provide public parking in a private garage to be constructed as a component of the Flora Lofts project in the Arts District, in an amount not to exceed \$2,000,000, from revenues accruing to the Parking Initiative budget line item of the Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Financing: City Center TIF District Funds
12. \* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to provide TIF Incentives in the form of annual lease payments to Arts District Property, Ltd., in an amount not to exceed \$2,000,000 to provide public parking in a private parking garage pursuant to the lease/development agreement with Arts District Property, Ltd. - Financing: No cost consideration to the City

**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 22, 2014**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Housing/Community Services**

13. Authorize **(1)** preliminary adoption of Substantial Amendment No. 1 to the FY 2013-14 Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME); **(2)** addition of the CDBG Community Based Development Organization (CBDO) program to the FY 2013-14 Action Plan; **(3)** the use of funds for the Community Based Development Organization program and the Housing Development Loan Program; **(4)** the establishment of appropriations in CDBG Community Based Development Organization program and increase appropriations in HOME, Housing Development Loan Program made possible by unanticipated program income; and **(5)** a public hearing to be held on February 26, 2014 to receive comments on Substantial Amendment No. 1 to the FY 2013-14 Action Plan - Total not to exceed \$2,344,142 - Financing: FY13-14 CDBG Program Income #1 (\$1,744,142) and FY13-14 HOME Program Income #1 (\$600,000)

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction**

ZONING CASES - CONSENT

14. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District, an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the south corner of East Corning Avenue and South Lancaster Road  
Recommendation of Staff and CPC: Approval, subject to a development plan and landscape plan for Tract I, Phase I, and a conceptual plan for Tract I, Phase II and Tract II, Phase III and conditions  
Z123-217(WE)



**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 22, 2014**

**DELETIONS:**

**Public Works Department**

23. Authorize Supplemental Agreement No. 2 to the professional services contract with CDM-Smith Inc. (formerly Camp Dresser & McKee Inc.) for engineering services for the schematic design phase for the Stormwater Drainage Master Plan at Dallas Love Field - Not to exceed \$2,269,000, from \$1,909,000 to \$4,178,000 - Financing: Aviation Capital Construction Funds

**Sustainable Development and Construction**

37. An ordinance abandoning a portion of Gibson Street and a subsurface drive to FM Futsal, Ltd, the abutting owner, containing a total of approximately 41,301 square feet of land, located near the intersection with Cesar Chavez Boulevard, and authorizing the quitclaim - Revenue: \$16,456, plus the \$20 ordinance publication fee



**ADDENDUM DATE January 22, 2014**

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			All	C	PBD, CIS	\$8,110,237.57	0.84%	23.83%	Authorize an acquisition contract for the design, purchase and installation of a replacement microwave communication system; and a five-year service contract for maintenance and support of the replacement microwave communication system
2			All	C	PBD, CIS	\$192,200.00	NA	NA	Authorize Supplemental Agreement No. 1 to increase the contract with CGI Technologies and Solutions, Inc. through the State of Texas Department of Information Resources, to provide training services and material in support of the City's financial and accounting system upgrade
3			N/A	C	CVS	NC	NA	NA	Authorize an amendment to Resolution No. 13-2148, previously approved on December 11, 2013, to amend the amount to be reimbursed by the appealing employees from \$4,000 to \$10,000, which is 50% of the total of all Administrative Law Judge contracts
4			All	C	HOU	GT	NA	NA	Authorize the acceptance of a donation in the amount of \$450,000 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to individuals and families who are experiencing a temporary financial crisis
5			All	C	ORM	\$425,000.00	NA	NA	Authorize the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance effective February 1, 2014 through January 31, 2015
6			7	C	PKR	NC	NA	NA	Authorize an agreement between the National Collegiate Athletic Association (NCAA) and the City of Dallas for the NCAA to fund and execute the refurbishment of the indoor basketball facility and for the NCAA to fund the costs of the ribbon-cutting ceremony at Exline Recreation Center located 2525 Pine Street
7			2	C	PBW, CES	\$3,231,950.00	87.65%	35.53%	Authorize a contract with Big Sky Construction Company, Inc., best value proposer of five for the construction of the Omni Convention Hotel and Convention Center Dallas Area Rapid Transit Station Sustainable Development Infrastructure Project, Phase II
8			6	C	PBW	\$177,637.50	100.00%	27.01%	Authorize an increase in the contract with Texas Standard Construction, Ltd. for streetscape improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue
9			All	I	ATT	NC	NA	NA	A resolution amending Paragraph (f), "Open Microphone," of Subsection 6.3, "Citizen Speakers," of Section 6, "Order of Business," of the City Council Rules of Procedure to specify that any individual may register to speak during the open microphone period of city council meeting once every 30 days
10			All	I	DEV	NC	NA	NA	An ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits
11			14	I	ECO	\$2,000,000.00	NA	NA	City Center and Downtown Connection TIF Districts: Authorize a lease/development agreement with Arts District Property, Ltd., for TIF Incentives to provide public parking in a private garage to be constructed as a component of the Flora Lofts project in the Arts District, in an amount not to exceed \$2,000,000, from revenues accruing to the Parking Initiative budget line item of the Tax Increment Financing Reinvestment Zone Five (City Center TIF District)
12			14	I	ECO	NC	NA	NA	City Center and Downtown Connection TIF Districts: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to provide TIF Incentives in the form of annual lease payments to Arts District Property, Ltd., in an amount not to exceed \$2,000,000 to provide public parking in a private parking garage pursuant to the lease/development agreement with Arts District Property, Ltd.

**ADDENDUM DATE January 22, 2014**

ITEM		IND								
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION	
13			All	I	HOU	GT	NA	NA	Authorize preliminary adoption of Substantial Amendment No. 1 to the FY 2013-14 Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME); addition of the CDBG Community Based Development Organization (CBDO) program to the FY 2013-14 Action Plan; the use of funds for the Community Based Development Organization program and the Housing Development Loan Program; the establishment of appropriations in CDBG Community Based Development Organization program and increase appropriations in HOME, Housing Development Loan Program made possible by unanticipated program income; and a public hearing to be held on February 26, 2014 to receive comments on Substantial Amendment No. 1 to the FY 2013-14 Action Plan	
14			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District, an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the south corner of East Corning Avenue and South Lancaster Road	
<b>TOTAL</b>						<b>\$14,137,025.07</b>				

**ADDENDUM ITEM # 1**

**KEY FOCUS AREA:** Efficient, Effective and Economical Government

**AGENDA DATE:** January 22, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Communication and Information Services

**CMO:** Jeanne Chipperfield, 670-7804  
Jill A. Jordan, P.E., 670-5299

**MAPSCO:** N/A

---

**SUBJECT**

Authorize **(1)** an acquisition contract for the design, purchase and installation of a replacement microwave communication system in the amount of \$6,284,983; and **(2)** a five-year service contract for maintenance and support of the replacement microwave communication system in the amount of \$1,825,255 - Alcatel-Lucent USA, Inc., most advantageous proposer of five - Total not to exceed \$8,110,238 - 2011 Urban Area Security Initiative Grant Funds (\$65,000), 2012 Urban Area Security Initiative Grant Funds (\$4,600,000), 2013 Urban Area Security Initiative Grant Funds (\$1,930,069) and Current Funds (\$1,515,169) (subject to annual appropriations)

**BACKGROUND**

This acquisition contract and service contract will allow for the design, purchase, installation and maintenance of a replacement microwave communication system. The overarching goal of the City's emergency communications is to provide highly efficient, effective and interoperable public safety communications for city and county agencies for the residents they serve. The microwave communication system provides voice support for two-way radio communications used in Police, Fire-Rescue, Emergency Management System, Water Utility, Streets, Sanitation, Aviation, Code Compliance and other City departments that depend on reliable communications day-to-day, and during critical events.

The City's microwave system was built in 1996 and is outdated and limited in functionality in the following ways.

- No technical support and replacement parts for break/fix
- Will not support the future P25 standard based radio systems
- Not redundant, so when anything breaks the whole microwave network is inoperable
- Voice only, does not support data and video transmission

## **BACKGROUND (Continued)**

Equipment and services under this agreement will include microwave transmission antennas, receivers, cables, routers, security equipment, new auxiliary power supplies and other related equipment. The design being proposed is a scalable solution to meet the growing demand of new data and voice solutions which will provide the following:

- A redundant solution for the network
- Three times the capacity of the existing system
- Flexibility to expand the network over the next several years, as an alternative to the traditional wired network for data and voice circuits
- Radio connectivity for all the City radios
- Compatibility with the proposed P25 radio network

This initial network will replace telephone and internet land-line service at Police substations and Dallas Water Utilities' plants, thereby saving the cost of monthly land-line services. This network can be expanded in the future to cover additional City facilities.

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 228 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 January 13, 2014, this item was included as a briefing memo to the Public Safety Committee.

On January 21, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

## **FISCAL INFORMATION**

\$ 65,000.00 - 2011 Urban Area Security Initiative Grant Funds  
\$4,600,000.00 - 2012 Urban Area Security Initiative Grant Funds  
\$1,930,069.09 - 2013 Urban Area Security Initiative Grant Funds  
\$1,515,168.48 - Current Funds (subject to annual appropriations)

## **M/WBE INFORMATION**

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

228 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**

### Alcatel-Lucent USA, Inc.

White Male	1287	White Female	461
Black Male	105	Black Female	61
Hispanic Male	39	Hispanic Female	39
Other Male	519	Other Female	197

## **PROPOSAL INFORMATION**

The following proposals were received from solicitation number BHZ1314 and opened on October 31, 2013. This service contract is being awarded in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>	<b><u>Amount</u></b>
*Alcatel-Lucent USA, Inc.	600-700 Mountain Avenue Murray Hill, NJ 07974	92.13%	\$8,110,237.57
Scientel Wireless, LLC.	948 Springer Drive Lombard, IL 60148	89.91%	\$8,459,000.00

**PROPOSAL INFORMATION (Continued)**

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>	<b><u>Amount</u></b>
CTS Consolidated Telecom Services, LLC.	P.O. Box 2110 Round Rock, TX 78680	85.00%	\$6,976,303.15
AT&T Corp.	311 S. Akard Street 8 <sup>th</sup> Floor Dallas, TX 75202	54.40%	\$9,778,565.18
Ceragon Networks, Inc.	10 Forest Avenue Suite 120 Paramus, NJ 07652	Non-Responsive**	

\*\*Ceragon Networks, Inc. was deemed non-responsive due to not meeting specifications

**OWNER**

**Alcatel-Lucent USA, Inc.**

Robert Vrij, President  
James V. Cocito, Vice President  
Margaret Gelsi, Secretary  
Leonard Floria, Treasurer



## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize **(1)** an acquisition contract for the design, purchase and installation of a replacement microwave communication system in the amount of \$6,284,983; and **(2)** a five-year service contract for maintenance and support of the replacement microwave communication system in the amount of \$1,825,255 - Alcatel-Lucent USA, Inc., most advantageous proposer of five - Total not to exceed \$8,110,238 - 2011 Urban Area Security Initiative Grant Funds (\$65,000), 2012 Urban Area Security Initiative Grant Funds (\$4,600,000), 2013 Urban Area Security Initiative Grant Funds (\$1,930,069) and Current Funds (\$1,515,169) (subject to annual appropriations)

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

**PROJECT CATEGORY:** Other Services

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$68,400.00	0.84%
Total non-local contracts	\$8,041,837.57	99.16%
<b>TOTAL CONTRACT</b>	<b>\$8,110,237.57</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Allpro Consulting Group, Inc.	IMMB58207N0714	\$68,400.00	100.00%
<b>Total Minority - Local</b>		<b>\$68,400.00</b>	<b>100.00%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Telcobuy	BMDL09257N0114	\$254,549.32	3.17%
Preferred Technology	HMDL10332N0814	\$548,561.46	6.82%
Dawcom, LLC	PFMB59657N0115	\$1,060,952.65	13.19%
<b>Total Minority - Non-local</b>		<b>\$1,864,063.43</b>	<b>23.18%</b>

**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$0.00	0.00%	\$254,549.32	3.14%
Hispanic American	\$0.00	0.00%	\$548,561.46	6.76%
Asian American	\$68,400.00	100.00%	\$1,129,352.65	13.93%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$68,400.00</u>	<u>100.00%</u>	<u>\$1,932,463.43</u>	<u>23.83%</u>

January 22, 2014

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

**Section 1.** That the City Manager is authorized to execute (1) an acquisition contract for the design, purchase and installation of a replacement microwave communication system in the amount of \$6,284,982.65; and (2) a five year service contract for maintenance and support of the replacement microwave communication system in the amount of \$1,825,254.92, with Alcatel-Lucent USA, Inc., in a total amount not to exceed \$8,110,237.57, 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 Alcatel-Lucent USA, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Alcatel-Lucent USA, Inc. under the contract.

**Section 2.** That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$8,110,237.57 (subject to annual appropriations):

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>ENCUMBRANCE</u>	<u>FY</u>	<u>AMOUNT</u>
F352	MGT	1680	4731	DSV14MICWUP	2014	\$ 65,000.00
F385	MGT	7797	4731	DSV14MICWUP	2014	\$3,866,516.59
F385	MGT	7797	3070	DSV14MICWUP	2014	\$ 733,483.41
F418	MGT	3694	3070	DSV14MICWUP	2014	\$1,449,868.02
F418	MGT	3694	3110	DSV14MICWUP	2014	\$ 310,086.44
F418	MGT	3694	3361	DSV14MICWUP	2014	\$ 170,114.63
0197	DSV	1812	3110	DSV15MICWMT	2015	\$ 378,792.12
0197	DSV	1812	3110	DSV16MICWMT	2016	\$ 378,792.12
0197	DSV	1812	3110	DSV17MICWMT	2017	\$ 378,792.12
0197	DSV	1812	3110	DSV18MICWMT	2018	\$ 378,792.12

**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.



**ADDENDUM ITEM # 2**

**KEY FOCUS AREA:** Efficient, Effective and Economical Government

**AGENDA DATE:** January 22, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Communication and Information Services

**CMO:** Jeanne Chipperfield, 670-7804  
Jill A. Jordan, P.E., 670-5299

**MAPSCO:** N/A

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**SUBJECT**

Authorize Supplemental Agreement No. 1 to increase the contract with CGI Technologies and Solutions, Inc. through the State of Texas Department of Information Resources, to provide training services and material in support of the City's financial and accounting system upgrade – Not to exceed \$192,200, from \$1,130,411 to \$1,322,611 – Financing: Current Funds

**BACKGROUND**

Communication and Information Services (CIS), the City Controller's Office (CCO), Business Development & Procurement Services (BDPS), and the Office of Financial Services (OFS) are working together on an upgrade of the Advantage financial, vendor, and reporting system. This system provides processing of essential financial transactions including: general ledger accounting, budget control and grant management, purchasing, accounts payable, accounts receivable, fixed assets, and vendor registration. The upgrade began in March 2013 and is scheduled to be completed April 2014.

This supplemental agreement will amend the contract with CGI to include end user training in support of the current upgrade to the financial system. Training was planned and budgeted as part of the upgrade project and staff has recently completed negotiations with CGI on the scope of work and cost. The purpose of this contract amendment is to engage CGI to provide the following services in support of the upgrade:

- Develop end user training guides and materials for seven (7) Advantage business areas;
- Deliver classroom training to approximately 800 total end users for each Advantage business area;

## **BACKGROUND (Continued)**

- Provide extensive training to BDPS staff to be able to train and support external vendors for vendor self service functions including registration, account maintenance, bid responses, and award history
- Develop training guides and job aides that would be available on the City's Intranet for all new employees as they onboard to the City or existing employees as they transfer to other City departments
- Update resources for the City to develop and deliver online and electronic training materials and sessions

Training development and delivery will start immediately after Council approval. The vendor will work with staff to meet the upgrade implementation schedule for the end of April 2014.

State of Texas Department of Information Resources (DIR) conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 24, 2009, City Council authorized Supplemental No. 5 to the contract to implement a three-year maintenance agreement by Resolution No. 09-1616.

On June 22, 2011, City Council authorized Supplemental Agreement No. 6 to the contract to implement a five-year maintenance agreement by Resolution No. 11-1662.

On January 7, 2013, this item was included as a briefing memo to the Budget, Finance & Audit Committee.

On January 14, 2013, this item was included as a briefing memo to the Transportation & Environment Committee.

On January 23, 2013, City Council authorized a contract to implement an upgrade to the City's financial and accounting system and maintenance and licensing for three years by Resolution No. 13-0241.

On January 21, 2014, this item was included as a briefing memo to the Budget, Finance & Audit Committee.

## **FISCAL INFORMATION**

\$192,200 - Current Funds

## **ETHNIC COMPOSITION**

### **CGI Technologies and Solutions, Inc.**

White Male	1679	White Female	1091
Black Male	189	Black Female	232
Hispanic Male	106	Hispanic Female	92
Other Male	668	Other Female	289

## **OWNER**

### **CGI Technologies and Solutions, Inc.**

George Schindler, President, US  
Pete Ihrig, Senior Vice President and General Manager, US  
Michael Waple, Controller, US  
André Imbeau, Corporate Secretary

January 22, 2014

**WHEREAS**, on June 24, 2009, City Council authorized Supplemental No. 5 to the contract to implement a three-year maintenance agreement by Resolution No. 09-1616; and,

**WHEREAS**, on June 22, 2011, City Council authorized Supplemental Agreement No. 6 to the contract to implement a five-year maintenance agreement by Resolution No. 11-1662; and,

**WHEREAS**, on January 23, 2013, City Council authorized a contract to implement an upgrade to the City’s financial and accounting system and maintenance and licensing for three years by Resolution No. 13-0241;

**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 Supplemental Agreement No. 1 to increase the contract with CGI Technologies and Solutions, Inc. (VS0000013183) through the State of Texas Department of Information Resources, to provide training services and material in support of the City’s financial and accounting system upgrade in an amount not to exceed \$192,200.00, increasing the contract amount from \$1,130,411.00 to \$1,322,611.00.

**Section 2.** That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$192,200:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>ENCUMBRANCE</u>
0001	BMS	1991	3070	\$192,200	CTDSV14AMSTRN

**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.



**ADDENDUM ITEM # 3**

**KEY FOCUS AREA:** Efficient, Effective and Economical Government

**AGENDA DATE:** January 22, 2014

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** Civil Service

**CMO:** A. C. Gonzalez, 670-3302

**MAPSCO:** N/A

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**SUBJECT**

Authorize an amendment to Resolution No. 13-2148, previously approved on December 11, 2013, to amend the amount to be reimbursed by the appealing employees from \$4,000 to \$10,000, which is 50% of the total of all Administrative Law Judge contracts - Financing: No cost consideration to the City

**BACKGROUND**

The December 11, 2013 agenda caption stated \$4,000 to be reimbursed by appealing employees. The correct amount is \$10,000, which is 50% of the total of all ALJ contracts.

The City Charter was amended August 12, 1989, to establish the Administrative Law Judge alternative to the Trial Board. The employee has the option of an Administrative Law Judge (ALJ) or Trial Board. ALJs have either five years' experience adjudicating personnel issues or three years as a licensed attorney in the state of Texas and are compensated \$400 per day, with the appealing employee paying half of this amount. ALJ hearings are conducted to provide a due process hearing for discharged or demoted City employees. The ALJ hears sworn testimony, reviews documentary evidence and renders a decision following the same hearing procedures as used by the Trial Board.

The Dallas City Council passed Ordinance No. 22612 on December 6, 1995, to empower the Judicial Nominating Commission to recruit, interview, and nominate candidates to serve as Administrative Law Judges for Council approval.

## **BACKGROUND** (Continued)

City Council approved Resolution 13-2148 on December 11, 2013, authorizing (1) the reappointment of two Administrative Law Judges (ALJ), Willie Crowder and Douglas J. Lapidus; (2) the appointment of Kelsie McQuieter, Lakisha M. Thigpen and James E. Urmin Sr., as Administrative Law Judges for the period January 1, 2014 through December 31, 2015, to hear employee appeals of terminations and demotions; and (3) contracts with each ALJ in the amount of \$4,000.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On December 13, 1989, City Council authorized Personnel Rules revision to implement the Administrative Law Judge option for employee appeal hearings by Ordinance No. 20526.

On October 23, 1991, City Council authorized an increase in the term of appointment from one year to two years by Ordinance No. 21091.

On December 6, 1995, City Council authorized placing the selection responsibilities with the Judicial Nominating Commission by Ordinance No. 22612.

On January 11, 2012, City Council authorized the reappointment of one Administrative Law Judge, Willie Crowder and the appointment of Jean B. Crutchfield and Douglas J. Lapidus as Administrative Law Judges for the period January 1, 2012 through December 31, 2013, to hear employee appeals of terminations and demotions by Resolution No. 12-0164.

On December 11, 2013, City Council authorized (1) the reappointment of two Administrative Law Judges (ALJ), Willie Crowder and Douglas J. Lapidus; (2) the appointment of Kelsie McQuieter, Lakisha M. Thigpen and James E. Urmin Sr., as Administrative Law Judges for the period January 1, 2014 through December 31, 2015, to hear employee appeals of terminations and demotions; and (3) contracts with each ALJ in the amount of \$4,000 each by Resolution No. 13-2148.

## **FISCAL INFORMATION**

No cost consideration to the City

January 22, 2014

**WHEREAS**, on December 11, 2013, City Council authorized (1) the reappointment of two Administrative Law Judges (ALJ), Willie Crowder and Douglas J. Lapidus; (2) the appointment of Kelsie McQuieter, Lakisha M. Thigpen and James E. Urmin Sr., as Administrative Law Judges for the period January 1, 2014 through December 31, 2015, to hear employee appeals of terminations and demotions; and (3) contracts with each ALJ in the amount of \$4,000 each by Resolution No. 13-2148.

**WHEREAS**, the December 11, 2013, agenda caption stated \$4,000 to be reimbursed by appealing employees. The correct amount is \$10,000, which is 50% of the total of all ALJ contracts.

**NOW, THEREFORE,**

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

**Section 1.** That Resolution No. 13-2148, previously approved on December 11, 2013, be amended to correct the amount to be reimbursed by the appealing employees from \$4,000 to \$10,000, which requires appealing employees to pay 50% of the total of all Administrative Law Judge contracts.

**Section 2.** That the City Controller is hereby authorized to receive and deposit funds into Fund 0001, Department CVS, Unit No. 1412, Revenue Code 7456, all fees collected as a result of appeal hearings before an Administrative Law Judge.

**Section 3.** That this resolution shall remain in full force and effect, except as amended herein.

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



**KEY FOCUS AREA:** Clean, Healthy Environment

**AGENDA DATE:** January 22, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

**CMO:** Theresa O'Donnell, 671-9195

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** the acceptance of a donation in the amount of \$450,000 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to individuals and families who are experiencing a temporary financial crisis; and **(2)** an increase in appropriations in the amount of \$450,000 in the Energy Emergency Assistance Fund - Not to exceed \$450,000 - Financing: Private Funds

**BACKGROUND**

TXU Energy and the City of Dallas, Housing/Community Services Department recognize the need for providing charitable energy assistance to persons in financial distress to help reduce energy related costs essential to their health and welfare. TXU Energy developed the TXU Energy Aid Program as a supplement to government and community aid programs designed to assist individuals in financial distress to reduce energy related costs.

In March 2010, TXU Energy entered into an Energy Aid Agreement with the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to provide charitable assistance to individuals that are TXU Energy customers needing energy efficiency assistance services.

TXU Energy provides grant funds, or in certain cases, products in lieu of grant funds to both Centers. The TXU Energy Aid Program is funded by voluntary contributions from TXU Energy. Through this program the average assistance per client is \$300 - \$350.

Through government, corporate and private partnerships, the Community Centers provide intake assessments and assistance to nearly 15,000 citizens annually.

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

This item has no prior action.

**FISCAL INFORMATION**

\$450,000 - Private Funds

January 22, 2014

**WHEREAS**, there is a need to provide temporary financial assistance to families in need of utility assistance; and

**WHEREAS**, the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center have developed a partnerships with TXU Energy; and

**WHEREAS**, to provide financial assistance through the TXU Energy Aid Program;

**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 **(1)** accept a donation in the amount of \$450,000 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to individuals and families who are experiencing a temporary financial crisis; and **(2)** an increase in appropriations in the amount of \$450,000 in the Energy Emergency Assistance Fund.

**Section 2.** That the City Controller is hereby authorized to receive and deposit funds in Fund 0312, Dept. HOU, Unit 0418, Revenue Code 8411 and Fund 0312, Dept. HOU, Unit 1435, Revenue Code 8411, in an amount not to exceed \$450,000.

**Section 3.** That the City Manager is hereby authorized to increase appropriations in Fund 0312, Dept. HOU, Unit 0418 and Fund 0312, Dept. HOU, Unit 1435, in an amount not to exceed \$450,000.

**Section 4.** That the City Controller is hereby authorized to disburse funds from Fund 0312, Dept. HOU, Unit 0418, Object Code 2140 and Fund 0312, Dept. HOU, Unit 1435, Object Code 2140, in an amount not to exceed \$450,000.

**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 according so resolved.





**ADDENDUM ITEM # 5**

**KEY FOCUS AREA:** Efficient, Effective and Economical Government

**AGENDA DATE:** January 22, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Risk Management

**CMO:** Jeanne Chipperfield, 670-7804

**MAPSCO:** N/A

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**SUBJECT**

Authorize the first of two one-year renewal options with the Texas Municipal League Intergovernmental Risk Pool for Excess Workers' Compensation Insurance effective February 1, 2014 through January 31, 2015 - Not to exceed \$425,000 - Financing: Current Funds (subject to appropriations)

**BACKGROUND**

The first one-year renewal option to the agreement will provide one-year of excess workers' compensation insurance. Excess workers' compensation insurance limits the City's financial exposure on employee injury claims. The City purchases excess workers' compensation insurance for compensable claims that exceed an established threshold. The policy will provide benefits such as disability, death, medical, etc. to employees that have suffered an injury or illness during the course and scope of their job.

On January 23, 2013, City Council authorized the purchase of a one-year insurance policy with two one-year renewal options for Excess Workers' Compensation Insurance with Texas Municipal League Intergovernmental Risk Pool. It is recommended the City exercise the renewal option with Texas Municipal League Intergovernmental Risk Pool (TMLIRP) for excess workers' compensation coverage to be effective February 1, 2014 through January 31, 2015. The City will pay the first \$1 million for each injury and an additional \$1 million corridor deductible.

TMLIRP is an interlocal government agency offering excess workers' compensation coverage to political subdivisions in accordance with the Texas Workers' Compensation Act. TMLIRP maintains an "A" Stable rating from Standard and Poor's and provides coverage to other political subdivisions such as cities, municipal utility districts, transit authorities and public utility boards. TMLIRP conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 14, 2010, the Budget Finance and Audit Committee briefing agenda included an informational memo.

On September 22, 2010, City Council authorized the purchase of a three-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 10-2350.

On January 23, 2013, City Council authorized an Interlocal Agreement and the purchase of a one-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 13-0240.

On March 4, 2013, the Budget Finance and Audit Committee briefing agenda included an informational memo.

On January 21, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

## **FISCAL INFORMATION**

\$425,000.00 - Current Funds (subject to appropriations)

## **OWNER**

**Texas Municipal League Intergovernmental Risk Pool**

Carol Loughlin, Executive Director

January 22, 2014

**WHEREAS**, on September 14, 2010, the Budget Finance and Audit Committee briefing agenda included an informational memo; and

**WHEREAS**, on September 22, 2010, City Council authorized the purchase of a three-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 10-2350; and

**WHEREAS**, on January 23, 2013, City Council authorized an Interlocal Agreement and the purchase of a one-year insurance policy for Excess Workers' Compensation Insurance by Resolution No. 13-0240; and

**WHEREAS**, on March 4, 2013, the Budget Finance and Audit Committee briefing agenda included an informational memo.

**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 one-year renewal agreement with the Texas Municipal League Intergovernmental Risk Pool (VS0000075750) for Excess Workers' Compensation Insurance effective February 1, 2014 through January 31, 2015, upon approval as to form by the City Attorney in the amount of \$425,000.00.

**Section 2.** That the City Controller is authorized to disburse funds from the following appropriation in accordance with the agreement between the City of Dallas and Texas Municipal League Intergovernmental Risk Pool in an amount not to exceed \$425,000.00 (subject to appropriations):

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>	<u>AMOUNT</u>
0189	ORM	3801	3310	CTORM3801WCFY14	\$425,000.00

**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.



**KEY FOCUS AREA:** Culture, Arts and Recreation  
**AGENDA DATE:** January 22, 2014  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Park & Recreation  
**CMO:** Willis Winters, 670-4071  
**MAPSCO:** 46-Y

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**SUBJECT**

Authorize an agreement between the National Collegiate Athletic Association (NCAA) and the City of Dallas for the NCAA to fund and execute the refurbishment of the indoor basketball facility and for the NCAA to fund the costs of the ribbon-cutting ceremony at Exline Recreation Center located 2525 Pine Street - Financing: No cost consideration to the City

**BACKGROUND**

This action will authorize an agreement between the National Collegiate Athletic Association (NCAA) and the City of Dallas for the refurbishment of the indoor basketball facility and funding of the ribbon-cutting ceremony at Exline Recreation Center. NCAA proposes to donate the refurbishment of the indoor basketball facility (gym) for an amount not to exceed \$75,000. The refurbishment of the gym will include refinishing the wood floor; new scoreboard and basketball goals; painting and other miscellaneous items. Additionally, the Big 12 Conference will provide \$10,000 to fund the cost of its logo to be placed on the refurbished court. NCAA will contract directly with the vendors for the refurbishment. The City of Dallas Park and Recreation Department will coordinate the construction activities with the NCAA and their vendors.

NCAA will also fund a ribbon-cutting event to be scheduled around March 10, 2014.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	December 2013
Complete Design	January 2014
Begin Construction	January 2014
Complete Construction	March 2014

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

The Park and Recreation Board authorized award of the agreement on January 9, 2014.

**FISCAL INFORMATION**

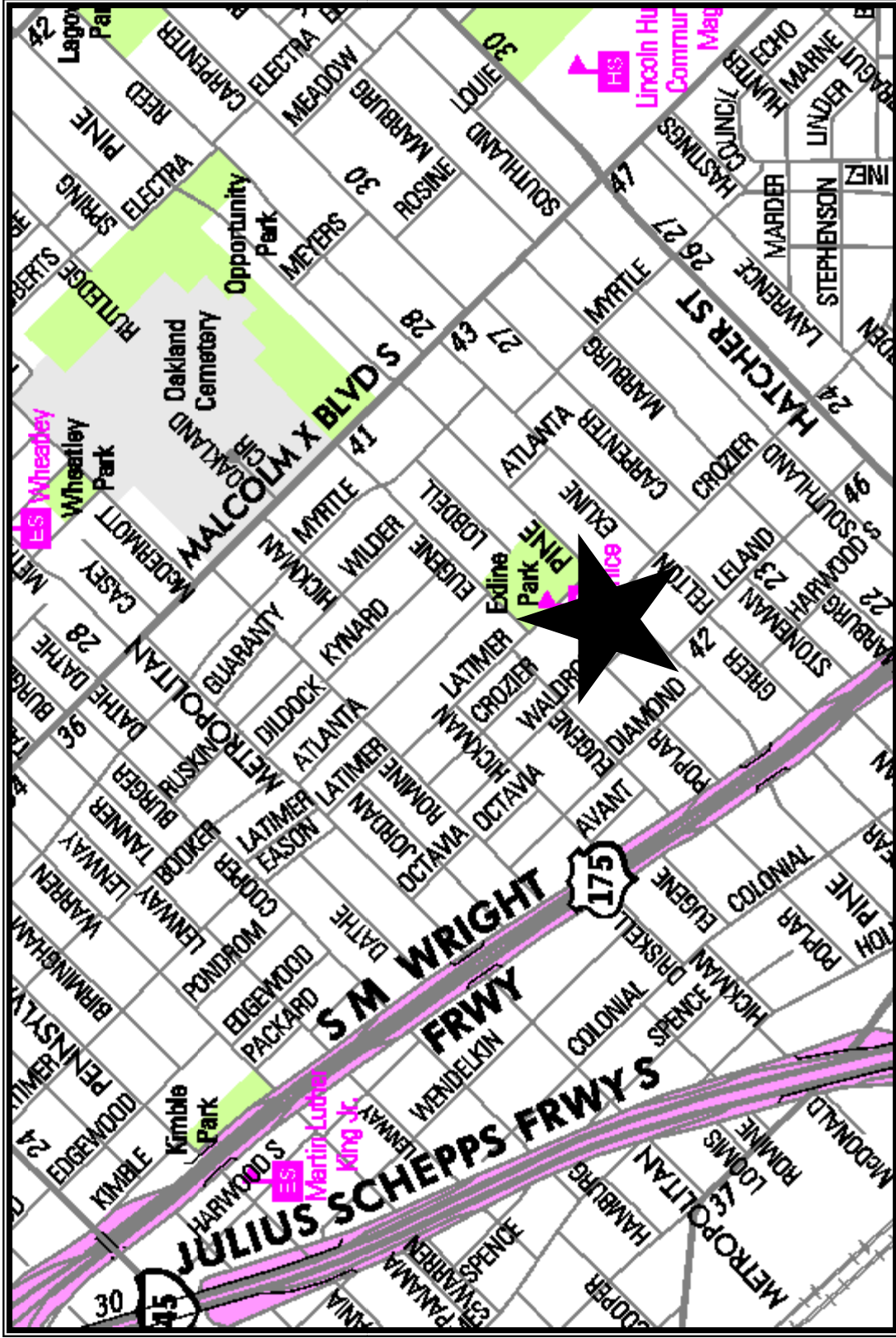
No cost consideration to the City.

**MAP**

Attached

# Exline Recreation Center

Council District 7



2525 Pine St.

Mapsc0 # 46-Y

January 22, 2014

**WHEREAS**, this action will authorize an agreement between the National Collegiate Athletic Association (NCAA) and the City of Dallas for the refurbishment of the indoor basketball facility and funding of the ribbon-cutting ceremony at Exline Recreation Center located at 2525 Pine Street; and

**WHEREAS**, NCAA proposes to donate the refurbishment of the indoor basketball facility (gym) and fund a ribbon-cutting event for an amount not to exceed \$75,000; and

**WHEREAS**, the refurbishment of the gym will include refinishing the wood floor; new scoreboard and basketball goals; painting and other miscellaneous items; and

**WHEREAS**, additionally, the Big 12 Conference will provide \$10,000 to fund the cost of its logo to be placed on the refurbished court; and

**WHEREAS**, NCAA will contract directly with the vendors for the refurbishment and the City of Dallas Park and Recreation Department will coordinate the construction activities with the NCAA and their vendors.

**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 an agreement between the National Collegiate Athletic Association (NCAA) and the City of Dallas for the refurbishment of the indoor basketball facility and funding of the ribbon-cutting ceremony at Exline Recreation Center, in an amount not to exceed \$75,000 and the funding cost of the Big 12 Conference logo to be placed on the refurbished court at Exline Recreation Center, in an amount not to exceed \$10,000.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute an agreement with the NCAA and the City of Dallas, after approval as to form by the City Attorney's Office.

**SECTION 3.** That the costs for such services at Exline Recreation Center shall be no cost consideration to the City.

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



**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** January 22, 2014

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Public Works Department  
Convention and Event Services

**CMO:** Jill A. Jordan, P.E., 670-5299  
Forest E. Turner, 670-3390

**MAPSCO:** 45P

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**SUBJECT**

Authorize a contract with Big Sky Construction Company, Inc., best value proposer of five for the construction of the Omni Convention Hotel and Convention Center Dallas Area Rapid Transit Station Sustainable Development Infrastructure Project, Phase II - Not to exceed \$3,831,950 - Financing: 2009 Convention Center Revenue Bonds (\$1,231,950); North Central Texas Council of Governments Grant Funds (\$600,000) and General Obligation Commercial Paper Funds (\$2,000,000)

**BACKGROUND**

A professional services contract for architectural and engineering design services was authorized in January 2010. This action will authorize a contract with Big Sky Construction Company, Inc. to furnish materials and labor for the construction of work to include: a new lighting scheme that is more visually appealing and inviting to pedestrians; cleaned and power-washed ceiling and existing wall finishes; raised decorative stamped concrete crosswalks to establish identifiable pedestrian crossing areas, as well as to be used for vehicular slowing devices. A continuous lighted wall along the west side of Lamar Street with updated wayfinding graphics will be included in the Omni Convention Hotel and Convention Center Dallas Area Rapid Transit (DART) Station Sustainable Development Infrastructure Project Phase II at the Kay Bailey Hutchison Convention Center Dallas.

**BACKGROUND** (Continued)

These improvements are part of the \$60 million Kay Bailey Hutchison Convention Center Dallas Improvement Project. This project is one of multiple projects identified in the facility assessment within the Kay Bailey Hutchison Convention Center Dallas Improvement Project. Construction projects which have been authorized to date are the Upper Level Meeting Rooms, Chilled Water Loop, Lobby A and A/B Prefunction Areas, and the Fire Alarm, Emergency Lighting Replacement, Roof Replacement of Exhibit Halls A/B and Lower C, Exterior Waterproofing and Storm Drain Repair, Roof Replacement Upper C and D/E Areas, and C Area Renovation. There will be future Council actions on this contract, as additional projects are identified to complete this program.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	June 2013
Completed Design	October 2013
Begin Construction	February 2014
Complete Construction	October 2014

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

Authorized a professional services contract with HKS, Inc. for architectural and engineering design services to include the finishout of the Upper Level D Meeting Rooms and assessment for operational improvements and renovation of existing spaces on January 27, 2010, by Resolution No. 10-0328.

Authorized Supplemental Agreement No. 1 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 on August 25, 2010, by Resolution No. 10-2142.

Authorized Supplemental Agreement No. 2 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design on June 22, 2011, by Resolution No. 11-1709.

Authorized Supplemental Agreement No. 3 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior improvements for Lobby A and A/B Prefunction Areas on December 14, 2011, by Resolution No. 11-3257.

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

Authorized Supplemental Agreement No. 4 to increase the professional services contract with HKS, Inc. for architecture and engineering design services to include interior design, roof inspections, drainage system video investigation, and construction administration services on February 22, 2012, by Resolution No. 12-0564.

Authorized Supplemental Agreement No. 5 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar Streetscape Conceptual Design on April 25, 2012, by Resolution No. 12-1195.

Authorized **(1)** an agreement with NCTCOG and the State of Texas to obtain funding for the costs of design and construction of the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project (Project CSJ#0918-47-023) in an amount not to exceed \$2,156,842; **(2)** that the City Controller was authorized to receive and deposit funds from the NCTCOG in Fund S245, Department CCT, Unit P734, Activity CCIM, Revenue Source 6516, in an amount not to exceed \$2,156,842 and **(3)** that the City Manager was authorized to establish appropriations in Fund S245, Department CCT, Unit P734, Object 4599, in the amount of \$2,156,842 on June 27, 2012 by Resolution No. 12-1622.

Authorized Supplemental Agreement No. 7 to increase the professional services contract with HKS, Inc. for architecture and engineering design services to include a lightning protection study, roof replacement, Area C furniture and restroom improvements on January 23, 2013, by Resolution No. 13-0181.

Authorized Supplemental Agreement No. 8 for architectural and engineering services, increasing the Architect's scope of work to include: a new lighting scheme that is more visually appealing and inviting to pedestrians; clean and power wash ceiling and existing wall finishes; raised decorative stamped concrete crosswalks to establish identifiable pedestrian crossing areas, as well as to be used for vehicular slowing devices; and a continuous lighted wall along the west side of Lamar Street with updated wayfinding graphics will be included in the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Phase II Project on May 22, 2013, by Resolution No. 13-0838.

## **FISCAL INFORMATION**

2009 Convention Center Revenue Bonds - \$1,231,950

North Central Texas Council of Governments Grant Funds - \$600,000

2006 Bond Program (General Obligation Commercial Paper Funds) - \$2,000,000

**FISCAL INFORMATION** (Continued)

Concept	\$ 69,986
Design	\$ 771,638
Construction (this action)	<u>\$3,831,950</u>
Total Project Cost	\$4,673,574

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Big Sky Construction Company, Inc.

Hispanic Female	0	Hispanic Male	3
African-American Female	0	African-American Male	0
White Female	3	White Male	17
Other Female	0	Other Male	0

**PROPOSAL INFORMATION**

A Request for Competitive Sealed Proposals (RFCSP) was issued on October 25, 2013 for the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project Phase II at the Kay Bailey Hutchison Convention Center Dallas. Five competitive sealed proposals were submitted on November 14, 2013. The proposers were ranked as follows:

\*Denotes successful best value proposer.

<b><u>Proposer</u></b>	<b><u>Ranking</u></b>
*Big Sky Construction Company, Inc. 507 Exposition Avenue Dallas, Texas 75226	1
J.C. Commercial, Inc.	2
Journeyman Construction	3
Gilbert May, Inc. dba Phillips/May Corp.	4
Lee Lewis Construction, Inc.	5

These proposals were evaluated according to criteria published in the project specifications. These criteria with respective weights were as follows:

**PROPOSAL INFORMATION** (Continued)

Proposed Construction Cost	60%
Qualifications of General Contractor & Relevant Experience	20%
Financial Sufficiency	5%
Business Inclusion and Development Requirements	15%

**OWNER(S)**

**Big Sky Construction Company, Inc.**

Robert C. Long, President  
Cathy Long, Vice President

**MAP**

Attached.

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a contract with Big Sky Construction Company, Inc., best value proposer of five for the construction of the Omni Convention Hotel and Convention Center Dallas Area Rapid Transit Station Sustainable Development Infrastructure Project, Phase II - Not to exceed \$3,831,950 - Financing: 2009 Convention Center Revenue Bonds (\$1,231,950); North Central Texas Council of Governments Grant Funds (\$600,000) and General Obligation Commercial Paper Funds (\$2,000,000)

Big Sky Construction Company, 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

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$3,358,638.00	87.65%
Total non-local contracts	\$473,312.00	12.35%
<b>TOTAL CONTRACT</b>	<b>\$3,831,950.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

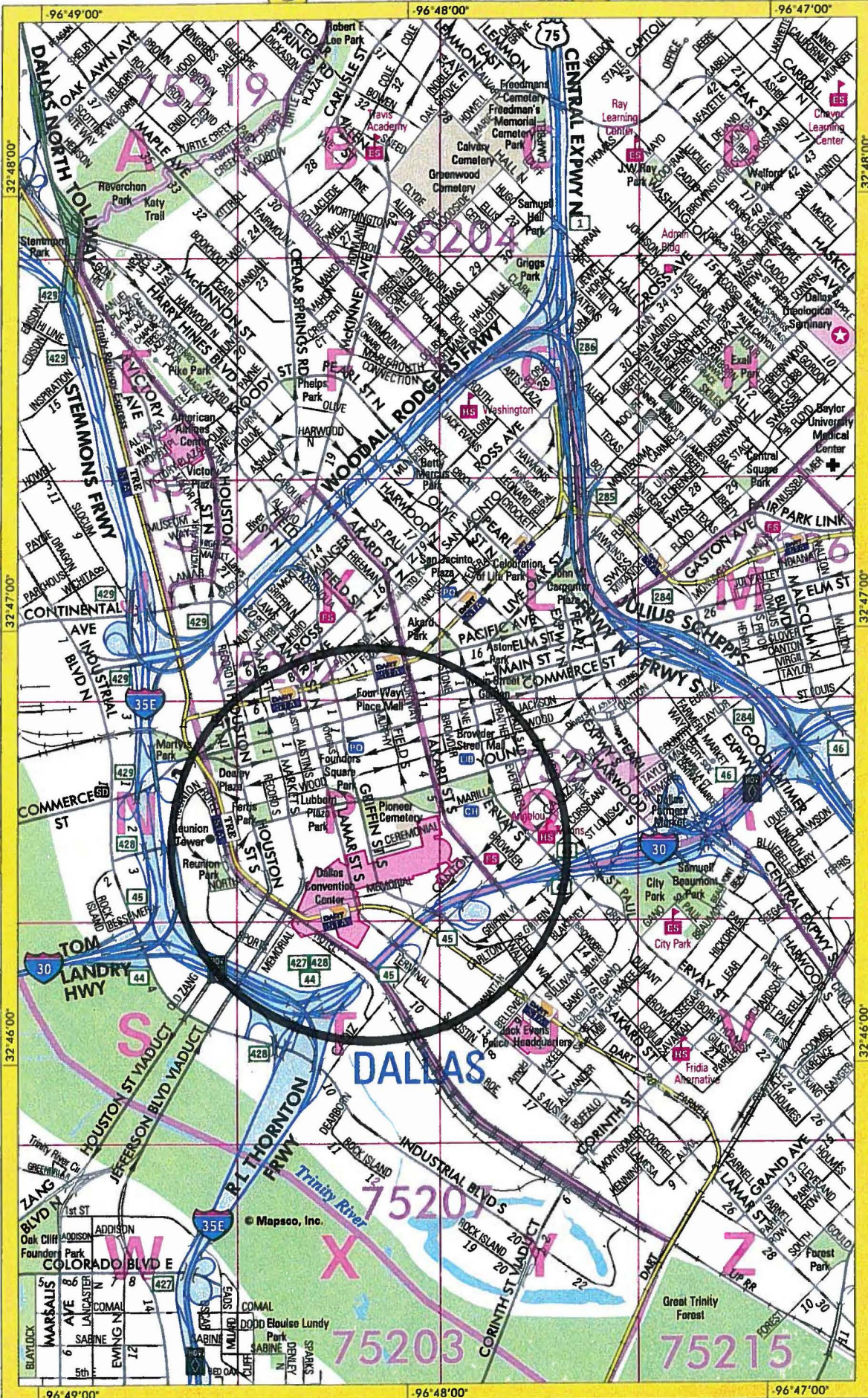
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
GNS Electric	WFDB56745Y0314	\$1,351,725.00	40.25%
<b>Total Minority - Local</b>		<b>\$1,351,725.00</b>	<b>40.25%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Action Services	WFDB57086Y0414	\$9,750.00	2.06%
<b>Total Minority - Non-local</b>		<b>\$9,750.00</b>	<b>2.06%</b>

**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$1,351,725.00	40.25%	\$1,361,475.00	35.53%
Total	<u>\$1,351,725.00</u>	<u>40.25%</u>	<u>\$1,361,475.00</u>	<u>35.53%</u>



CONTINUED ON MAP 44

CONTINUED ON MAP 46





January 22, 2014

**WHEREAS**, on January 27, 2010, Resolution No. 10-0328 authorized a professional services contract with HKS, Inc. for architectural and engineering design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in the amount of \$2,616,466; and,

**WHEREAS**, on August 25, 2010, Resolution No. 10-2142 authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 in the amount of \$54,625, increasing the contract from \$2,616,466 to \$2,671,091; and,

**WHEREAS**, on June 22, 2011, Resolution No. 11-1709 authorized Supplemental Agreement No. 2 to the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design in the amount of \$1,437,740, increasing the contract from \$2,671,091 to \$4,108,831; and,

**WHEREAS**, on December 14, 2011, Resolution No. 11-3257 authorized Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural, engineering, and interior design services to include interior improvements for Lobby A and A/B Prefunction Areas in the amount of \$142,720, increasing the contract from \$4,108,831 to \$4,251,551; and,

**WHEREAS**, on February 22, 2012, Resolution No. 12-0564 authorized Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services in the amount of \$1,217,060, increasing the contract from \$4,251,551 to \$5,468,611; and,

**WHEREAS**, on April 25, 2012, Resolution No. 12-1195 authorized Supplemental Agreement No. 5 to the professional services contract with HKS, Inc. for architectural, engineering, and construction administration services for digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar Streetscape Conceptual Design in the amount of \$245,266, from \$5,468,611 to \$5,713,877; and,

January 22, 2014

**WHEREAS**, on June 27, 2012, Resolution No. 12-1622 authorized **(1)** an agreement with NCTCOG and the State of Texas to obtain funding for the costs of design and construction of the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project (Project CSJ#0918-47-023) in an amount not to exceed \$2,156,842; **(2)** that the City Controller was authorized to receive and deposit funds from the NCTCOG in Fund S245, Department CCT, Unit P734, Activity CCIM, Revenue Source 6516, in an amount not to exceed \$2,156,842 and **(3)** that the City Manager was authorized to establish appropriations in Fund S245, Department CCT, Unit P734, Object 4599, in the amount of \$2,156,842; and,

**WHEREAS**, on November 5, 2012, Administrative Action No. 12-2814 authorized Supplemental Agreement No. 6 to the professional services contract with HKS, Inc. for additional architectural, engineering and construction administration services for alterations of existing Elevator No. 7, additional rigging points in C Lobby and lounge spaces, design of digital signage systems for the Hall C Ballroom, Hall C Meeting Rooms, Lower Hall D Meeting Rooms and HVAC revisions in the Concourse C, C Ballroom and Lobby A in the amount of \$46,500, from \$5,713,877 to \$5,760,377; and,

**WHEREAS**, on January 23, 2013, Resolution No. 13-0181 authorized Supplemental Agreement No. 7 to the professional services contract with HKS, Inc. for architectural and engineering services for a lightning protection study, roof replacement, Area C furniture and restroom improvements in the amount of \$488,445, from \$5,760,377 to \$6,248,822; and,

**WHEREAS**, on May 22, 2013, Resolution No. 13-0838 authorized Supplemental Agreement No. 8 to the professional services contract with HKS, Inc. for architectural, engineering and construction administrative services for the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project in the amount of \$771,638, from \$6,248,822 to \$7,020,460; and,

**WHEREAS**, the City desires to utilize remaining 2006 Bond funds allocated for the Griffin from IH30 to Main project; and,

**WHEREAS**, on November 14, 2013, five sealed competitive proposals were received for the construction of the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project Phase II at the Kay Bailey Hutchison Convention Center Dallas; and the companies were ranked as follows:

January 22, 2014

<u>Proposer</u>	<u>Ranking</u>
Big Sky Construction Company, Inc.	1
J.C. Commercial, Inc.	2
Journeyman Construction	3
Gilbert May, Inc. dba Phillips/May, Corp.	4
Lee Lewis Construction, Inc.	5

and,

**WHEREAS**, Big Sky Construction Company, Inc. was selected as the best value proposer of the five proposers; and,

**WHEREAS**, it is now desirable to authorize a contract with Big Sky Construction Company, Inc., the best value proposer of five, for the construction of the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project Phase II at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$3,831,950.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute a contract with Big Sky Construction Company, Inc., the best value proposer of five, for the construction of the Omni Convention Hotel and Convention Center DART Station Sustainable Development Infrastructure Project Phase II at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$3,831,950, after it has been approved as to form by the City Attorney.

**Section 2.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

2009 Convention Center Revenue Bonds  
 Fund 0568, Dept. CCT, Unit P734, Act. CCIM  
 Obj. 4310, Program #PB06P871, CT PBW06P871D1  
 Vendor # VS0000016146 in an amount not to exceed \$1,231,950

North Central Texas Council of Governments Grant Funds  
 Fund S245, Dept. CCT, Unit P734, Act. CCIM  
 Obj. 4599, Program #PB06P871, CT PBW06P871D1  
 Vendor #VS0000016146, in an amount not to exceed \$ 600,000

January 22, 2014

Street and Transportation Improvements Fund	
Fund 2T22, Dept. PBW, Unit P871, Act. SSUD	
Obj 4510, Program #PB06P871, CT PBW06P871D1	
Vendor #VS0000016146, in an amount not to exceed	<u>\$2,000,000</u>
Total in an amount not to exceed	\$3,831,950

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

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** January 22, 2014  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Public Works Department  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 44T

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**SUBJECT**

Authorize an increase in the contract with Texas Standard Construction, Ltd. for streetscape improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - Not to exceed \$177,638, from \$1,537,669 to \$1,715,307 - Financing: General Obligation Commercial Paper Funds

**BACKGROUND**

On August 14, 2013, Resolution No. 13-1380 authorized a contract with Texas Standard Construction, Ltd. for the construction of thoroughfare, water and wastewater main improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue. This action will authorize Change Order No. 2 to the contract with Texas Standard, Ltd. for streetscape that was excluded from the original project plans because the design, which was done by the adjacent developer, was not ready to be incorporated into the project when it was ready to receive bids for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	January 2012
Completed Design	July 2013
Began Construction	October 2013
Complete Construction	June 2014

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

Authorized a professional services contract for engineering services on December 13, 2006, by Resolution No. 06-3439.

Authorized a construction contract on August 14, 2013, by Resolution No. 13-1380.

**FISCAL INFORMATION**

2006 Bond Program (General Obligation Commercial Paper Funds) - \$177,637.50

Design - PBW \$ 158,335.00  
Design - WTR \$ 17,860.00

Construction  
Paving & Landscaping - PBW \$1,054,846.70  
Water & Wastewater - WTR \$ 459,328.50  
Change Order No. 1 \$ 23,493.50  
Change Order No. 2 (this action) \$ 177,637.50

Total Project Cost \$1,891,501.20

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Texas Standard Construction, Ltd.

Hispanic Female	2	Hispanic Male	58
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	3	White Male	8

**OWNER**

**Texas Standard Construction, Ltd.**

Ronald H. Dalton, President

**MAP**

Attached.

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize an increase in the contract with Texas Standard Construction, Ltd. for streetscape improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - Not to exceed \$177,638, from \$1,537,669 to \$1,715,307 - Financing: General Obligation Commercial Paper Funds

Texas Standard Construction, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Construction

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$177,637.50	100.00%
Non-local contracts	\$0.00	0.00%
<b>TOTAL THIS ACTION</b>	<b>\$177,637.50</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Kenyatta Sand and Gravel	BMDB58593Y0914	\$50,413.52	28.38%
<b>Total Minority - Local</b>		<b>\$50,413.52</b>	<b>28.38%</b>

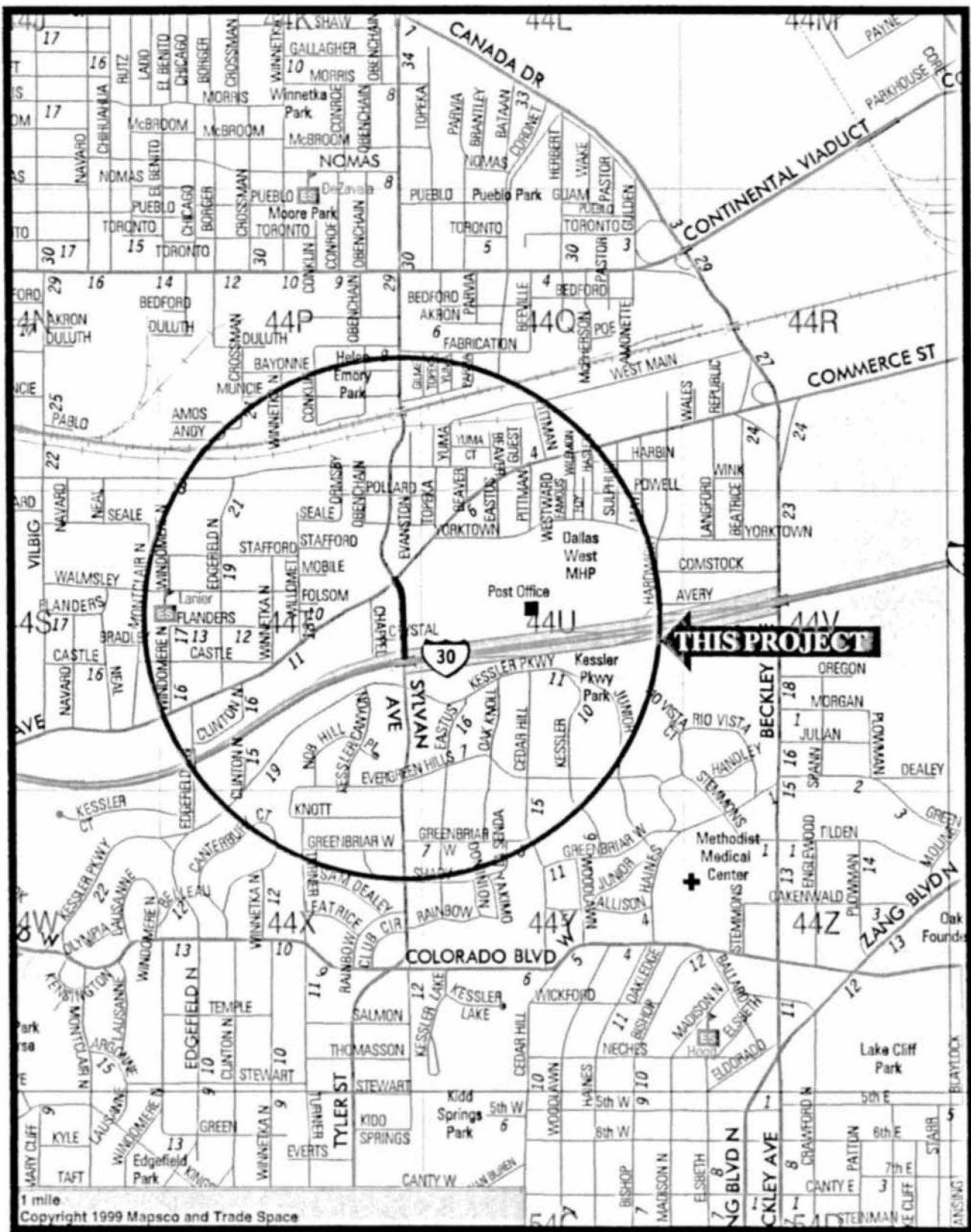
#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE PARTICIPATION**

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$50,413.52	28.38%	\$463,310.40	27.01%
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%
<b>Total</b>	<b>\$50,413.52</b>	<b>28.38%</b>	<b>\$463,310.40</b>	<b>27.01%</b>

# SYLVAN AVENUE FROM IH-30 FRONTAGE ROAD TO FORT WORTH AVENUE



**MAPSCO 44T**



January 22, 2014

**WHEREAS**, on December 13, 2006, Resolution No. 06-3439 authorized a professional services contract for the engineering design for Sylvan Avenue from IH-30 westbound frontage road to Fort Worth Avenue; and,

**WHEREAS**, on August 14, 2013, Resolution No. 13-1380 authorized a construction contract with Texas Standard Construction, Ltd. for thoroughfare, water and wastewater main improvements for Sylvan Avenue from IH-30 westbound frontage road to Fort Worth Avenue; and,

**WHEREAS**, on January 10, 2014, Administrative Change Order No. 14-5131 authorized Change Order No. 1 to the contract with Texas Standard Construction, Ltd. for the removal of the existing traffic signal and to install temporary traffic signal at the intersection of Sylvan Avenue and Fort Worth Avenue during construction in the amount of \$23,493.50, increasing the contract from \$1,514,175.20 to \$1,537,668.70; and,

**WHEREAS**, it is now necessary to authorize Change Order No. 2 to the contract with Texas Standard Construction, Ltd. for streetscape improvements for Sylvan Avenue from IH-30 westbound frontage road to Fort Worth Avenue in the amount of \$177,637.50, increasing the contract from \$1,537,668.70 to \$1,715,306.20.

**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 Change Order No. 2 to the contract with Texas Standard Construction, Ltd. for streetscape improvements for Sylvan Avenue from IH-30 westbound frontage road to Fort Worth Avenue in the amount of \$177,637.50, increasing the contract from \$1,537,668.70 to \$1,715,306.20, after it has been approved as to form by the City Attorney.

**Section 2.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund  
Fund 2T22, Department PBW, Unit U801, Act. THRF  
Obj. 4510, Program #PB06U801, CT PBW06U801K1  
Vendor #339573, in an amount not to exceed \$177,637.50

January 22, 2014

**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.

**ADDENDUM ITEM # 9**

**KEY FOCUS AREA:** Efficient, Effective and Economical Government

**AGENDA DATE:** January 22, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** City Attorney's Office

**CMO:** Warren M.S. Ernst, 670-3491

**MAPSCO:** N/A

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**SUBJECT**

A resolution amending Paragraph (f), "Open Microphone," of Subsection 6.3, "Citizen Speakers," of Section 6, "Order of Business," of the City Council Rules of Procedure to specify that any individual may register to speak during the open microphone period of city council meeting once every 30 days - Financing: No cost consideration to the City

**BACKGROUND**

Paragraph (f), "Open Microphone," of Subsection 6.3, "Citizen Speakers," of Section 6, "Order of Business," of the City Council Rules of Procedure does not specify the frequency at which individuals may register to speak during the open microphone period. This amendment specifies that individuals may register to speak once within any 30-day period. The purpose of this amendment is to allow as many different citizens as possible to speak during the open microphone period.

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

City Council was briefed in closed session on January 8, 2014.

**FISCAL INFORMATION**

No cost consideration to the City.



January 22, 2014

**WHEREAS**, Paragraph (f), "Open Microphone," of Subsection 6.3, "Citizen Speakers," of Section 6, "Order of Business," of the City Council Rules of Procedure does not specify the frequency at which individuals may register to speak during the open microphone period; and,

**WHEREAS**, the Dallas City Council wishes to allow as many different citizens as possible to speak during the open microphone period; and,

**WHEREAS**, the Dallas City Council wishes to amend its rules of procedure to specify that individuals may register to speak once within any 30-day period; **Now, Therefore,**

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

**Section 1.** That Paragraph (f), "Open Microphone," of Subsection 6.3, "Citizen Speakers," of Section 6, "Order of Business," of the City Council Rules of Procedure is amended to read as follows:

(f) **Open Microphone.** The city council will provide an opportunity for citizens to present concerns or address issues that are not matters for consideration listed on a posted meeting agenda during an "open microphone" period at city council meetings, subject to the following rules:

(1) Five persons may speak on any matter, including an agenda item, during an open microphone period at the beginning of each city council meeting. These first five speakers will be called in the order in which they registered to speak with the city secretary. Whenever a person fails to speak when his name is called, the name of the next speaker registered for the initial open microphone period will be called, until either five persons have spoken or all of the names have been called. An open microphone period will also be provided after the city council has concluded its agenda, at which time all speakers not heard earlier in the meeting may speak. For purposes of enforcing all provisions of Subsection 6.3 governing citizen speakers, a person who signs up to speak during the open microphone period at the beginning of a city council meeting, but who fails to speak when called upon, will be deemed to have spoken at the meeting.

(2) Each speaker may speak only once, and the length of time a person will be allowed to speak during the open microphone period is three minutes. If a large number of speakers register for the open microphone period, however, the mayor may, with the concurrence of a majority of the city council, impose more restrictive time limits in order to allow the maximum number of persons to speak.

(3) The order in which speakers will be called will be determined by the mayor~~[, except that persons who have not spoken at a city council meeting in the past 30 days will be called first].~~

(4) No person may register to speak during an open microphone period more than once within any 30-day period.

January 22, 2014

**Section 2.** That the City Secretary is directed to adopt procedures to implement this amendment.

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

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** January 22, 2014  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Theresa O'Donnell, 671-9195  
**MAPSCO:** N/A

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**SUBJECT**

An ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits – Financing: No cost consideration to the City

**BACKGROUND**

Section 6-4 of the Dallas City Code requires that alcohol businesses be spaced at least 300 feet from churches, public or private schools, public hospitals, day-care centers, and child-care facilities, and spaced 1,000 feet from designated public or private schools. Section 109.33(e) of the Texas Alcoholic Beverage Code allows the City Council to grant variances from these spacing requirements. On November 9, 2009, the City Council adopted Ordinance No. 27747, which amended Section 6-4(g) of the Dallas City Code to allow City Council to grant variances to the spacing requirements from a public or private school for wine and beer off-premise retailers with a certificate of occupancy for a general merchandise or food store use with more than 50,000 square feet of floor area. On October 26, 2011, the City Council adopted Ordinance No. 28444 which amended Section 6-4(g) to allow City Council to grant variances from any protected use if the applicant has a wine and beer off-premise retailer's permit and the applicant has a certificate of occupancy for a general merchandise or food store use with 30,000 square feet or more of floor area or if the applicant has a wine and beer retailer's permit with a food and beverage certificate or a mixed beverage permit with a food and beverage certificate and if the applicant has a certificate of occupancy for a restaurant without drive-in or drive-through service. On September 26, 2012, the City Council adopted Ordinance No. 28799 which amended Section 6-4(g) to reduce the threshold for a general merchandise or food store to apply for a variance to the spacing requirements to a minimum of 10,000 square feet and delete the provision requiring that the front door of the business where alcoholic beverages will be sold requesting a variance cannot face the property of the protected use. On January 6, 2014, the City Council Economic Development Committee recommended that Section 6-4(g) be amended to allow for alcohol manufacturing (breweries, wineries, and distilleries) to be eligible to apply for a variance to the spacing requirements.

### **PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 9, 2009, the City Council approved a code amendment allowing City Council to consider variances to spacing requirements for wine and beer retailers with a floor area greater than 50,000 square feet from a public or private school.

On October 26, 2011, the City Council approved a code amendment allowing City Council to grant variances to spacing requirements for wine and beer retailers with 30,000 square feet or more of floor area or if the applicant has a wine and beer retailer's permit with a food and beverage certificate or a mixed beverage permit with a food and beverage certificate and if the applicant has a certificate of occupancy for a restaurant without drive-in or drive-through service.

On September 26, 2012, the City Council adopted a code amendment to reduce the threshold for a general merchandise or food store to apply for a variance to the spacing requirements to a minimum of 10,000 square feet and delete the provision requiring that the front door of the business where alcoholic beverages will be sold requesting a variance cannot face the property of the protected use.

### **FISCAL INFORMATION**

No cost consideration to the City.



**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Section 6-4 of CHAPTER 6, “ALCOHOLIC BEVERAGES,” of the Dallas City Code; allowing applications for variances from the alcohol spacing requirements for breweries, distilleries, and wineries; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Paragraph (5), “Standard for Approval,” of Subsection (g), “Variances,” of Section 6-4, “Dealers Located Near Churches, Schools, Day-Care Centers, Child-Care Facilities, and Hospitals; Variances,” of CHAPTER 6, “ALCOHOLIC BEVERAGES,” of the Dallas City Code is amended to read as follows:

“(5) Standard for approval. A main motion to approve a variance must be seconded two times, with each second made by a different city council member. The city council may, but is not required, to allow variances to the spacing requirements of Subsection (a) if the city council finds that:

(A) the application is for:

(i) a brewer’s permit pursuant to Chapter 12 of the Texas Alcoholic Beverage Code;

(ii) a distiller’s and rectifier’s permit pursuant to Chapter 14 of the Texas Alcoholic Beverage Code;

(iii) a winery permit pursuant to Chapter 16 of the Texas Alcoholic Beverage Code;

(iv) a wine and beer retailer’s permit pursuant to Chapter 25 of the Texas Alcoholic Beverage Code;

(v[~~iv~~]) a wine and beer retailer’s off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code; [~~ov~~]

(vi~~iii~~) a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate;

(vii) a manufacturer's license pursuant to Chapter 62 of the Texas Alcoholic Beverage Code;

(B) the application is for one of the following uses as defined in the Dallas Development Code:

(i) [~~a~~] general merchandise or food store with 10,000 square feet or more of floor area; [~~or~~]

(ii) [~~a~~] restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code;

(iii) alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery; or

(iv) alcoholic beverage manufacturing;

(C) alcoholic beverages will not be sold by drive-in or drive-through service; and

(D) enforcement of the spacing requirements in this particular instance:

(i) is not in the best interest of the public;

(ii) constitutes waste or inefficient use of land or other resources;

(iii) creates an undue hardship on an applicant for an alcohol permit;

(iv) does not serve its intended purpose;

(v) is not effective or necessary; or

(vi) for any other reason that the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 3. That Chapter 6 of the Dallas City Code, as amended, will 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 will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** January 22, 2014  
**COUNCIL DISTRICT(S):** 2, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 F

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**SUBJECT**

**City Center and Downtown Connection TIF Districts**

- \* Authorize a lease/development agreement with Arts District Property, Ltd., for TIF Incentives to provide public parking in a private garage to be constructed as a component of the Flora Lofts project in the Arts District, in an amount not to exceed \$2,000,000, from revenues accruing to the Parking Initiative budget line item of the Tax Increment Financing Reinvestment Zone Five (City Center TIF District) – Financing: City Center TIF District Funds
- \* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to provide TIF Incentives in the form of annual lease payments to Arts District Property, Ltd., in an amount not to exceed \$2,000,000 to provide public parking in a private parking garage pursuant to the lease/development agreement with Arts District Property, Ltd. - Financing: No cost consideration to the City

**BACKGROUND**

The proposed Flora Lofts project will be located in the Arts District, directly adjacent to the Museum Tower development at 2121 Flora Street and will include 47 mixed income residential units, with ground floor retail facing Flora Street. A 215 space sub-surface parking garage will be constructed to serve the building's residents, visitors, retail space and other under parked buildings and facilities in the district.

**BACKGROUND** (Continued)

Staff has negotiated with the developer a lease of 50 parking spaces within the planned garage to provide public/transient parking. The lease will provide inexpensive parking for cultural district and Klyde Warren Park visitors in an optimal location in the Arts District and is expected to facilitate project financing. The term of the lease is 15 years.

Based on independent third party appraisals commissioned by Staff, the lease rate is \$200 per space per month. The annual lease payment to the owner will be \$120,000 over the term of the lease. Additionally, \$200,000 will be provided to the owner to offset costs of vehicle tracking equipment that will be installed to accurately report usage and revenue generated by City leased spaces. The parking rates for the City lease spaces are \$3.00 for a max of 3 hours from 6:00 a.m. to 6:00 p.m. daily and \$3.00 for a max of 4 hours nightly. If a parked vehicle stays over the max limit, the rate increases to prevailing market rates at that time. This rate may be adjusted by mutual agreement of the parties in the future.

The residential component of the Flora Lofts project will provide 1, 2, 3 and 4 bedroom live/work units, specifically, 39 affordable residences for local area working artists (with a variety of artistic disciplines) along with their families and 7 market rate units. Artists seeking residency in Flora Lofts must submit a portfolio/resume of their creative work, which will be reviewed by a selection committee composed of their peers and managed by LaReunion TX before a selection is made. The artists' incomes will be verified by the Dallas Housing Authority by submission of IRS Annual Tax return and other financial data.

The total project costs for the Flora Lofts project is \$24,527,802. TIF funding for the project is proposed to be a maximum of \$2,000,000 over a 15 year period. These funds are provided by the Parking Initiative line item of the City Center TIF District. The district's project plan and budget was amended in 2012 to create a line item dedicated to provide more public parking in the downtown area.

The Flora Lofts project creates affordable housing in the Arts District, provides inexpensive short term public parking for cultural district and park patrons in a convenient location, as well as provides parking solutions for under parked buildings and facilities in the Arts District.

**ESTIMATED PROJECT SCHEDULE**

Project Start Date                    May 2014  
Project Completion Date        December 2015

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

On June 13, 2013, the City Center and Downtown Connection TIF Districts’ board of directors reviewed and recommended approval of a development agreement with Arts District Property, Ltd., and TIF funding for the project not to exceed \$2,000,000, in the form of a TIF Grant.

On November 18, 2013, the City Center TIF District’s board of directors recommended approval of a lease agreement with Arts District Property, Ltd. for the lease of a minimum of 50 parking spaces in Flora Lofts project’s sub-surface parking garage to provide public parking in an amount not to exceed \$2,000,000.

On January 6, 2014, the Economic Development Committee was briefed on the proposed Flora Lofts project and public parking lease and recommended approval.

**FISCAL INFORMATION**

\$2,000,000 – City Center TIF District Funds (Parking Initiative budget line item)

**PROJECT COUNCIL DISTRICT**

District 14

**OWNER**

**Arts District Property, Ltd.**

Graham Greene  
1925 San Jacinto Street, Ste. 300  
Dallas, TX 75201

**DEVELOPER**

**Arts District Property, Ltd.**

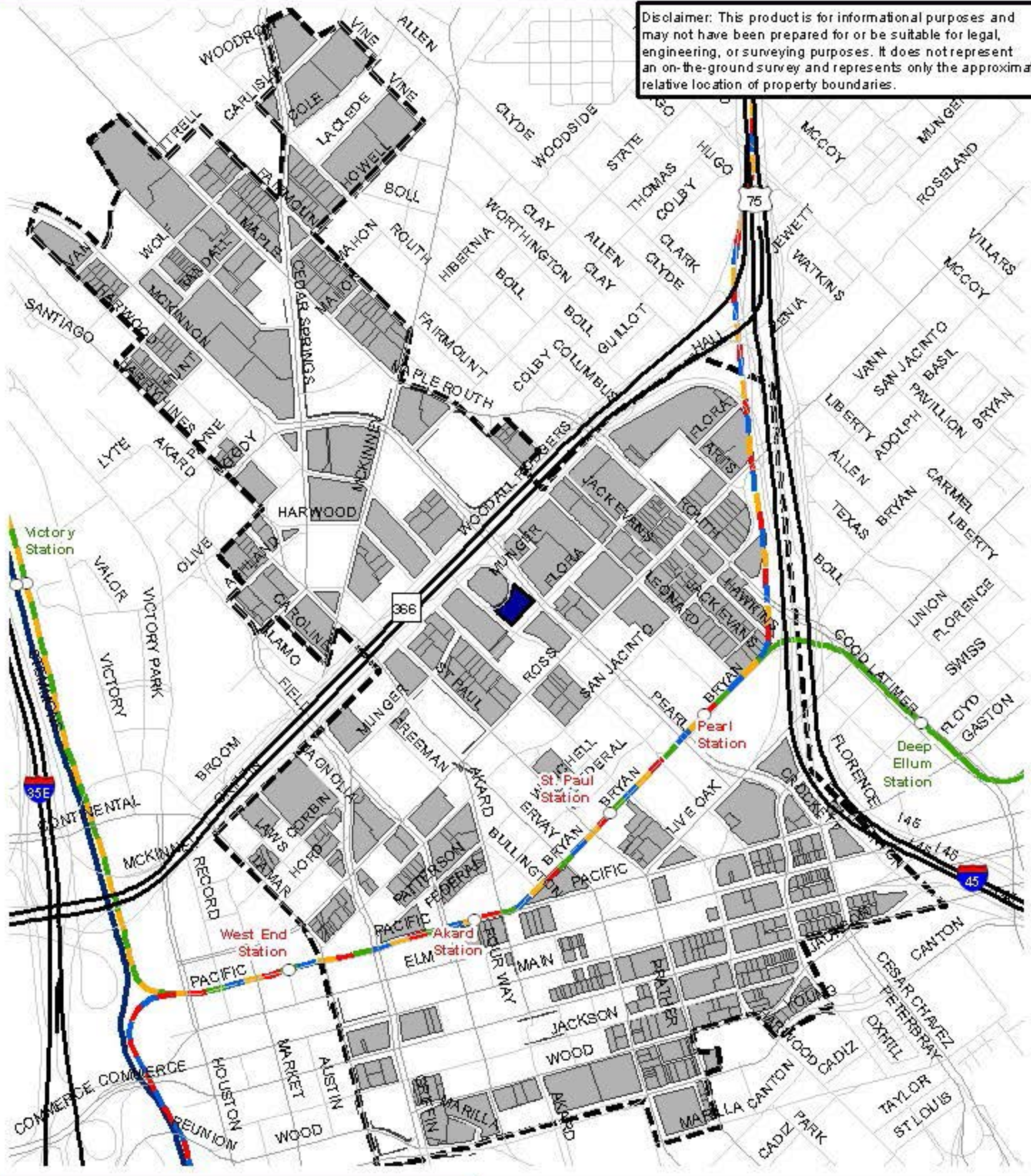
Graham Greene  
1925 San Jacinto Street, Ste. 300  
Dallas, TX 75201

**MAP**

Attached.

# Flora Lofts Project

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



City of Dallas  
Office of Economic Development

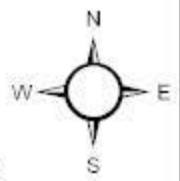


Area Redevelopment Division  
<http://www.Dallas-EcoDev.org>

Created 2/2013

## Legend

- Flora Lofts Project - 2121 Flora St.
- Downtown Connector TIF Boundary
- Downtown Connector TIF Parcels
- Properties Outside of TIF
- Rail Station
- DART Red Line
- DART Blue Line
- DART Green Line
- DART Orange Line
- Trinity Railway Express





January 22, 2014

**WHEREAS**, the City recognizes the importance of its role in local economic development; and

**WHEREAS**, on June 26, 1996, City Council pursuant to Ordinance No. 22802, established Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311, hereafter the "Act") to promote development and redevelopment in the City Center area through the use of tax increment financing as amended; and

**WHEREAS**, on February 12, 1997, City Council, pursuant to Ordinance No. 23034, authorized the City Center TIF District Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District as amended; and

**WHEREAS**, on June 8, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven, City of Dallas, Texas ("Downtown Connection TIF District") in accordance with the Tax Increment Financing Act, as amended, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act") to promote development and redevelopment in the Uptown and Downtown areas through the use of tax increment financing by Ordinance No. 26020; as amended; and

**WHEREAS**, on August 29, 2005, City Council authorized the Downtown Connection Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 26096; as amended; and

**WHEREAS**, on December 12, 2012, City Council, conducted a public hearing, received comments and approved amendments to the City Center TIF District's Project and Reinvestment Zone Financing Plans and authorized Ordinance No. 12-3040 amending Ordinance No. 22802, previously approved on June 26, 1996, and an Ordinance No. 23034, previously approved February 12, 1997, to: (1) create two sub-districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the City Center TIF District's budget from \$87,567,717 total dollars to \$151,968,546 total dollars; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and

January 22, 2014

**WHEREAS**, on June 13, 2013, the City Center and Downtown Connection TIF Districts' Board of Directors reviewed and recommended approval of a TIF Incentives for Arts District Property, Ltd., in an amount not to exceed \$2,000,000 for the Flora Lofts project; and

**WHEREAS**, on November 18, 2013, the City Center On November 19, 2014, the City Center TIF District's board of directors recommended approval of a lease agreement with Arts District Property, Ltd. for the lease of a minimum of 50 parking spaces in Flora Lofts project's sub-surface parking garage to provide public parking in an amount not to exceed \$2,000,000.

**WHEREAS**, on January 6, 2014, the Economic Development Committee was briefed and recommended approval of TIF funding for the Flora Lofts project and public parking lease in an amount not to exceed \$2,000,000; and

**WHEREAS**, in furtherance of the City Center TIF Districts' Project and Reinvestment Zone Financing Plan to promote within the City Center TIF District and greater downtown areas: (1) development and diversification of the economy, (2) elimination of unemployment and underemployment, (3) development and expansion of commerce, and (4) construction of private parking garages that provide public parking by either over building the garage to include public spaces or dedicating spaces in the garage for public use, the City desires to provide economic incentives from the Parking Initiative budget line item of the City Center TIF District to Arts District Property, Ltd., for the Flora Lofts project in Downtown Connection TIF District as depicted in the project's Site Plan, Elevations Plan and Renderings attached hereto as **Exhibits A, B and C** respectively; and

**WHEREAS**, the expenditure of TIF funds supporting this development is consistent with promoting development and redevelopment of the City Center and Downtown Connection TIF Districts in accordance with the purposes for their creation, the City's revised Public/Private Partnership Guidelines and Criteria, the ordinance adopted by the City Council approving the Project and Financing Plan, as amended, and is for the purpose of making public improvements consistent with and described in the Project and Financing Plan, as amended, for the City Center TIF District.

**NOW, THEREFORE,**

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

January 22, 2014

**Section 1.** That the City Center TIF District Board of Directors is authorized to dedicate future City Center TIF District revenues deposited into the Parking Initiative line item of the District's budget, in an amount not to exceed \$2,000,000, in the form of an annual lease payment in an amount not to exceed \$120,000 to Arts District Property, Ltd., for providing public parking spaces in the private subsurface parking garage component of the Flora Lofts project and \$200,000 for vehicle tracking equipment for the garage as shown in **Exhibit D** – TIF Budget. The annual lease payment amount is based on the appraised market rental rate of \$200.00 per space per month.

**Section 2.** That the City Controller is hereby authorized to encumber and disburse funds from future tax increments generated in the Parking Initiative line item of the Zone's budget and subject to future appropriations from:

Fund 0035, Department ECO, Unit P872, Object 3330, Activity TCCN, CT ECOP872D258, Vendor No. VS0000082912, in an amount not to exceed \$2,000,000.

For a total not to exceed \$2,000,000.

**Section 3.** That the City Controller is hereby authorized to receive and deposit net revenues from City leased parking spaces in the subsurface parking garage associated with the Flora Lofts project into the Parking Initiative budget line item in the Zone: Fund 0035, Department ECO, Unit P872, Activity TCCN, Revenue Source 7841 in an amount to be determined based on actual collection of future revenues generated by City leased spaces in the garage.

**Section 4.** That nothing in the resolution shall be construed to require the City to approve future dedications of City Center TIF revenues (the "TIF Subsidy") from any source of the City funds other than the City Center TIF District Funds deposited into the Zone's Parking Initiative budget line item. Any portion of the TIF Subsidy that remains unpaid due to lack or unavailability of City Center TIF Districts Funds shall no longer be considered project costs of the City Center TIF District or the City and the obligation of the City Center TIF District to pay the Owner shall automatically expire.

**Section 5.** That in addition to the conditions set out in the Sections above, the Lease/Development Agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

- A. Minimum private investment of \$11,000,000 for the Project, construction and construction related soft costs for the residential and parking garage components of the Project;

January 22, 2014**Section 5. (Continued)**

The term "Invest" or "Investment" means the sum of all construction costs (hard and soft) paid, payable or actually incurred by or on behalf of the Owner, with respect to the Property and the improvements thereon. Construction related soft costs include the following items: architecture and engineering, interior design, remediation and demolition. Carrying or other similar costs shall not be considered toward this definition of project investment. The owner must provide verification of all expenditures.

- B. Development of the Project shall include:
- a. Minimum 30,000 square feet of residential space (approximately 37 units)
  - b. Minimum 5,000 square feet of retail and office space
  - c. 80,000 square feet of below ground parking (approximately 215 parking spaces)
- C. The City of Dallas will lease parking spaces within the below ground parking garage, (the "Structure") to provide transient/public parking:
- a. The City has authorized third party, independent appraisals to determine the fair market rental rate per month for public parking spaces located in a garage within the district. The appraisals support lease of parking spaces at \$200 per space, per month.
    - i. The City will lease 50 spaces in the parking structure
    - ii. The lease term will be 15 years
    - iii. The total amount of lease payments shall not exceed \$1,980,000
    - iv. The City will make annual lease payments to the Owner on or by July 1st
  - b. The leased spaces shall serve transient/public parking, excluding office, valet, special event contract parking and resident parking.
  - c. The District shall receive a portion of gross revenue generated by City leased spaces as follows:
    - i. 0% of gross revenue from \$0 to \$425/space/month
    - ii. 100% of gross revenue from \$426 to \$626/space/month
    - iii. 20% of gross revenue \$627/space/month or greater

January 22, 2014**Section 5. (Continued)**

- d. The city's share of revenue generated by the leased spaces shall be remitted to the City Center TIF District and deposited into the Parking Initiative Set-Aside budget line item
- e. The garage owner shall provide visible signage indicating availability of affordable public parking on Pearl Street, Olive Street and Flora Street and the City will allow parking signage to be placed on its property at the Woodall Rodgers SE frontage Road and Pearl Street.
- f. Upon completion of construction of the Flora Lofts Project, including audit of project by City, the City shall provide not less than \$200,000, for a portion of costs associated with the installation of the Park Assist M3 Vehicle Tracking System during construction of the Structure.
- g. After completion of project, Owner shall submit a monthly report to the City by the 10th of the following month detailing transient parking and related gross parking revenue of the prior month. The report shall contain information and be in a format approved by the City. City revenue shall be submitted at this time.
- h. Adequate control systems shall be installed to prevent office contract parkers, valet parkers or other contract parkers from using any transient public parking spaces and ensure the total number of transient parkers is accurately counted each month.
- i. If during any year, the City is not able to pay the entire lease payment, Owner may elect to (i) defer unpaid amounts without interest until TIF funds become available, or (ii) reduce the number or of City leased spaces made available in the garage on a pro-rata basis.
- j. Owner shall fund all maintenance and operating expenses for the garage, including security.
- k. Owner and City shall agree upon a mutual lease extension clause that takes effect at the end of the lease term.

January 22, 2014

**Section 5. (Continued)**

- I. City Leased Parking Spaces:
  - i. Owner will provide and ensure 50 spaces in the Parking Structure are available to the public for transient non-contract parkers seven days a week 24 hours per day
  - ii. Park Assist signage, at the entry of the Parking Structure, will direct the public transient parkers to City leased spaces, show the parking rate, number of spaces available
  - iii. Rates for City leased spaces will be as follows:
    - 1. Daily daytime parking (6 a.m. thru 6 p.m.) \$3.00 per hour, 180 minute max (3 hours)
    - 2. After 6 p.m. \$3.00 per hour, 240 minute max (4 hours)
    - 3. Parkers will pay the daily rate after 3 hour max allowed for daytime parking
    - 4. Parkers will pay the market rate after 4 hour max allowed for evening parking
    - 5. Hourly rate charged to the public for City leased spaces will be \$3.00 per hour
- D. Future development of the site shall not reduce the minimum amount of transient/public parking provided in the garage during the term of the lease;
- E. Obtain a building and/or demolition permit and start construction and/or demolition for the Project by September 30, 2014;
- F. Obtain a Certificate of Occupancy (CO) for the Project by December 31, 2015;
- G. Obtain final acceptance of public infrastructure improvements associated with the Project, as evidenced by the issuance of a Green Tag from the Public Works and Transportation Department by December 31, 2015, and submit documentation to the Office of Economic Development (the "OED");
- H. This initial phase of the Flora Lofts project shall not be eligible for subsequent TIF funding from the Districts. Future phases of the Flora Lofts Project may submit separate applications for TIF funding for City consideration;

January 22, 2014

**Section 5. (Continued)**

- I. Execute an Operating and Maintenance agreement for public infrastructure improvements associated with the Project by December 31, 2015, for a period of 20 years;
- J. The Flora Lofts project is not eligible for City of Dallas or Dallas County tax abatements;
- K. Mixed Income Housing: A minimum of 10% of the Project's total residential units must meet affordable housing standards in accordance with the District's Mixed Income Housing Guidelines, attached as Exhibit B. These guidelines require, but are not limited to, the following:
  - a. Affordable units must be available for a 15 year period (from the date of CO).
  - b. If the total number of affordable units drops below 10%, a 90-day compliance period will be granted, after which the contract may be terminated.
  - c. Submit semi-annual reports to the OED Staff (from the date of CO).
- L. Prior to City Council consideration Design Review by an independent group of design, engineering, and/or planning professionals selected by the Dallas City Manager is required for all Downtown Connection TIF District projects. If a peer review group has not been established prior to TIF Board consideration, the CityDesign Studio shall review and provide recommendations on the Project's design to the TIF Board for their consideration. The Project's design plans shall include:
  - a. A site plan showing the location of parcel boundaries clearly differentiating publically accessible space form private space.
  - b. A pedestrian lighting plan for the site using lighting acceptable to the City and spaced at approximately 75 feet unless otherwise required by the City's Public Works and Transportation Department. This lighting plan is required for all public and private streets included in the project.

January 22, 2014

**Section 5. (Continued)**

- c. A sidewalk plan for the project. Sidewalks with high anticipated levels of pedestrian traffic shall be designed to accommodate the traffic. The sidewalks shall have a minimum 7 foot walking zone and a minimum 3 foot landscaping and lighting zone, where possible. Landscaping and pedestrian lights shall be placed in the area closest to the back of curb for the length of the sidewalk. The plan shall show the location and type of all landscaping materials.
- d. Elevations for all sides of the building visible from the public right of way, focusing on the ground floor.
- e. Valet plan indicating where the vehicular drop off will be located.
- f. Signage plan for the building.
- M. Construction of Project improvements shall be in general conformance with design plans approved by the Downtown Connection TIF Board of Directors and Dallas City Council;
- N. The residential portion of the Project shall be managed by a management company acceptable to the Director of the OED, such approval not being unreasonably withheld;
- O. Owner shall submit to the Director of the OED a quarterly status report for ongoing work on the project, as well as public improvements. Status reports will be due once every three months after the Council approval date;
- P. Comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise (M/WBE) participation for TIF reimbursable improvements, and the Owner shall make a good faith effort to achieve a goal of 25% certified M/WBE participation for total private improvement construction expenditures for the Project, and meet all reporting requirements for each;
- Q. Market the apartments pursuant to an affirmative fair housing marketing plan approved by the City; and
- R. If necessary, the project deadline can be extended up to 6 months, subject to the Office of Economic Development Director's and Downtown Connection TIF District Board of Director's approval.



January 22, 2014

**Section 6.** That should Arts District Property, Ltd., not perform one or more of the contingencies listed above, the City Manager is authorized to terminate the lease/development agreement and disallow the total TIF Subsidy up to an amount not to exceed \$2,000,000.

**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.

# Exhibit A

## Site/Landscape Plan



### FLORA LOFTS

Flora Street Lofts, Ltd.  
2121 Flora Street  
Dallas, Texas 75201

www.floralofts.com

### LA REUNION TX

4848 Lemmon Avenue  
PMB 100-117  
Dallas, Texas 75219  
469.951.7323

### GREENarc Corporation

1925 San Jacinto #300  
Dallas, Texas 75201  
214.954.0430

REVISED

MAY NOT BE USED FOR  
PERMITTING, CONSTRUCTION,  
OR REGULATORY APPROVAL.



MONTEZUMA CYPRESS

PHASE 1 SITE PLAN

0 5 15 30 60

SCALE: 1" = 30' - 0"



05 . 02 . 2 0 1 3

# Exhibit B

## Project Elevations



**FLORA LOFTS**  
 Flora Street Lofts, Ltd.  
 2121 Flora Street  
 Dallas, Texas 75201

**LA REUNION TX**  
 4848 Larrimon Avenue  
 PMB 100-111  
 Dallas, Texas 75219  
 469.951.7323

**GREENarc Corporation**  
 1925 San Jacinto #300  
 Dallas, Texas 75201  
 214.954.0430

PRELIMINARY

OLIVE ST. ELEVATION  
 0 2 . 25 . 2 0 1 3



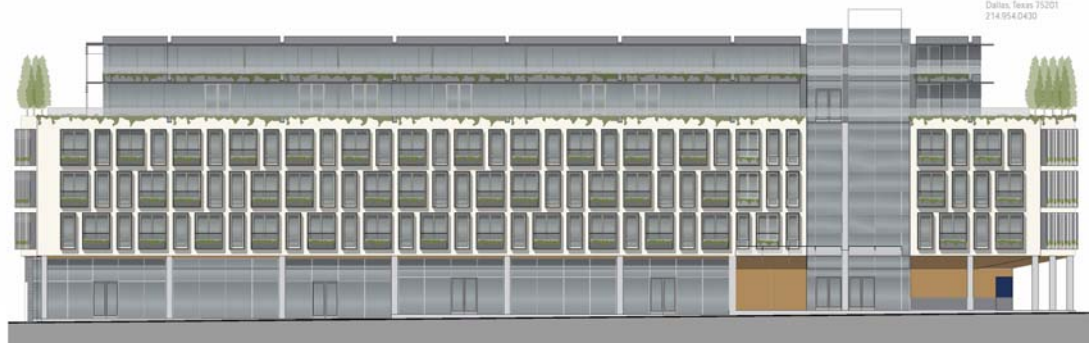
**FLORA LOFTS**  
 Flora Street Lofts, Ltd.  
 2121 Flora Street  
 Dallas, Texas 75201

**LA REUNION TX**  
 4848 Larrimon Avenue  
 PMB 100-111  
 Dallas, Texas 75219  
 469.951.7323

**GREENarc Corporation**  
 1925 San Jacinto #300  
 Dallas, Texas 75201  
 214.954.0430

PRELIMINARY

PEARL ST. ELEVATION  
 0 2 . 25 . 2 0 1 3



**FLORA LOFTS**  
 Flora Street Lofts, Ltd.  
 2121 Flora Street  
 Dallas, Texas 75201

**LA REUNION TX**  
 4848 Larrimon Avenue  
 PMB 100-111  
 Dallas, Texas 75219  
 469.951.7323

**GREENarc Corporation**  
 1925 San Jacinto #300  
 Dallas, Texas 75201  
 214.954.0430

PRELIMINARY

FLORA ST. ELEVATION  
 0 2 . 25 . 2 0 1 3  
 SCALE: 1/16" = 1'-0"  
 0 2 . 25 . 2 0 1 3

**Exhibit C**  
**Project Rendering**



## Exhibit D

### The Flora Lofts – TIF Budget

<b>TIF Budget - Flora Lofts Project</b>	
<b>Parking Initiative</b>	
<i>Lease Payments</i> <i>(200 lease rate x 50 spaces x 12 mos) x 15 yrs</i>	<i>\$1,800,000</i>
<i>Vehicle Tracking Equipment</i>	<i>\$200,000</i>
<b>Total TIF Funding</b>	<b>\$2,000,000</b>

The budget shown above outlines anticipated TIF reimbursements for the lease of parking spaces in the sub-surface parking garage component of the Flora Lofts project. The TIF Budget (lease payments and vehicle tracking equipment) shall be funded from future City Center TIF District revenues deposited into the Parking Initiative line item of the City Center TIF District budget, in an amount not to exceed \$2,000,000

Upon completion of construction of the Flora Lofts project, including audit of project by the City, the City shall provide not less than \$200,000 to offset costs associated with the Park Assist M3 Vehicle Tracking System in the garage.

Note: The amounts listed above may include engineering, construction, design, construction management, and contingency estimates. Construction management is solely intended to cover fees paid to an outside consultant or third party who confirms the quality of the work. Construction management fees must be invoiced with a detailed description of work performed.

January 22, 2014

**WHEREAS**, the City recognizes the importance of its role in local economic development; and

**WHEREAS**, on June 26, 1996, City Council pursuant to Ordinance No. 22802, established Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311, hereafter the "Act") to promote development and redevelopment in the City Center area through the use of tax increment financing as amended; and

**WHEREAS**, on February 12, 1997, City Council, pursuant to Ordinance No. 23034, authorized the City Center TIF District Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District as amended; and

**WHEREAS**, on June 8, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven, City of Dallas, Texas ("Downtown Connection TIF District") in accordance with the Tax Increment Financing Act, as amended, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act") to promote development and redevelopment in the Uptown and Downtown areas through the use of tax increment financing by Ordinance No. 26020; as amended; and

**WHEREAS**, on August 29, 2005, City Council authorized the Downtown Connection Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 26096; as amended; and

**WHEREAS**, on December 12, 2012, City Council, conducted a public hearing, received comments and approved amendments to the City Center TIF District's Project and Reinvestment Zone Financing Plans and authorized Ordinance No. 12-3040 amending Ordinance No. 22802, previously approved on June 26, 1996, and an Ordinance No. 23034, previously approved February 12, 1997, to: (1) create two sub-districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the City Center TIF District's budget from \$87,567,717 total dollars to \$151,968,546 total dollars; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and

January 22, 2014

**WHEREAS**, on November 18, 2013, the City Center TIF District's board of directors recommended approval of a lease agreement with Arts District Property, Ltd. for the lease of a minimum of 50 parking spaces in Flora Lofts project's sub-surface parking garage to provide public parking in an amount not to exceed \$2,000,000; and

**WHEREAS**, on January 6, 2014, the Economic Development Committee was briefed and recommended approval of TIF funding for the Flora Lofts project and public parking lease in an amount not to exceed \$2,000,000; and

**WHEREAS**, in furtherance of the City Center TIF Districts' Project and Reinvestment Zone Financing Plan to promote within the City Center TIF District and greater downtown areas: (1) development and diversification of the economy, (2) elimination of unemployment and underemployment, (3) development and expansion of commerce, and (4) construction of private parking garages that provide public parking by either over building the garage to include public spaces or dedicating spaces in the garage for public use, the City desires to provide economic incentives from the Parking Initiative budget line item of the City Center TIF District to Arts District Property, Ltd., for the Flora Lofts project located in Downtown Connection TIF District; and

**WHEREAS**, the expenditure of TIF funds supporting this development is consistent with promoting development and redevelopment of the City Center and Downtown Connection TIF Districts in accordance with the purposes for their creation, the City's revised Public/Private Partnership Guidelines and Criteria, the ordinance adopted by the City Council approving the Project and Financing Plan, as amended, and is for the purpose of making public improvements consistent with and described in the Project and Financing Plan, as amended, for the City Center TIF District.

**NOW, THEREFORE,**

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

**Section 1.** That the findings, determinations and certifications contained in the recitals above are incorporated herein for all purposes.

**Section 2.** That the issuer expects to incur debt as one or more series of obligation for the purpose of paying the costs of the Project. The following is a general functional description of the Project for which the expenditures to be reimbursed or paid and a statement of the maximum principal amount of debt expected to be issued for such reimbursement purposes.

January 22, 2014

**Section 2.** (Continued)

**Project Description**

Annual lease payment in an amount not to exceed \$120,000 to Arts District Property, Ltd., for providing 50 public parking spaces for 15 years in the private subsurface parking garage component of the Flora Lofts project and \$200,000 for vehicle tracking equipment for the garage for a total incentive not to exceed \$2,000,000

**Debt To Be Issued**

Not to exceed \$2,000,000, which consists of annual lease payment of \$120,000 for 15 years and one payment of \$200,000 as provided by the Project Plan and Reinvestment Zone Financing Plan of the City Center TIF District

**Section 3.** That the total City Center TIF District participation in the Flora Lofts project shall not exceed an amount of \$2,000,000, all in accordance with the terms of the said development agreement.

**Section 4.** That nothing in the resolution shall be construed to require the City to approve future dedications of City Center or TIF revenues (the “TIF Subsidy”) from any source of the City funds other than the City Center TIF Districts Funds. Any portion of the TIF Subsidy that remains unpaid due to lack or unavailability of City Center and TIF Districts Funds shall no longer be considered project costs of the City Center TIF Districts or the City and the obligation of the City Center TIF District to pay the Owner shall automatically expire

**Section 5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** January 22, 2014  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Theresa O'Donnell, 671-9195  
**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** preliminary adoption of Substantial Amendment No. 1 to the FY 2013-14 Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME); **(2)** addition of the CDBG Community Based Development Organization (CBDO) program to the FY 2013-14 Action Plan; **(3)** the use of funds for the Community Based Development Organization program and the Housing Development Loan Program; **(4)** the establishment of appropriations in CDBG Community Based Development Organization program and increase appropriations in HOME, Housing Development Loan Program made possible by unanticipated program income; and **(5)** a public hearing to be held on February 26, 2014 to receive comments on Substantial Amendment No. 1 to the FY 2013-14 Action Plan – Total not to exceed \$2,344,142 - Financing: FY13-14 CDBG Program Income #1 (\$1,744,142) and FY13-14 HOME Program Income #1 (\$600,000)

**BACKGROUND**

On June 26, 2013, City Council adopted the FY 2013-14 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant funds. The grant funds were available beginning on October 1, 2013. The FY 2013-14 Action Plan includes Community Development Block Grant funding in the amount of \$15,730,135 for various activities.

This council action will authorize (1) preliminary adoption of Substantial Amendment No. 1 to the FY 2013-14 Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME); (2) addition of the CDBG Community Based Development Organization (CBDO) program to the FY 2013-14 Action Plan; (3) the use of funds for the Community Based Development Organization program and the Housing Development Loan Program; (4) establish appropriations in CDBG Community Based Development Organization program and increase appropriations in HOME, Housing Development Loan Program made possible by unanticipated program income; and (5) a public hearing to be held on February 26, 2014 to receive comments on Substantial Amendment No. 1 to the FY 2013-2014 Action Plan.

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

On June 26, 2013, City Council adopted the FY 2013-14 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant funds, by Resolution No. 13-1142.

**FISCAL INFORMATION**

\$1,744,142.58 - FY13-14 CDBG Program Income #1

\$600,000 - FY13-14 HOME Program Income #1

January 22, 2014

**WHEREAS**, On June 26, 2013, City Council adopted the FY 2013-14 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) Grant funds, by Resolution No. 13-1142; and

**WHEREAS**, Program income generated through Community Development Block Grant Program activities must be used for other Community Development Block Grant Program eligible activities; **NOW, THEREFORE**,

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

**SECTION 1.** That the City Council hereby authorizes (1) preliminary adoption of Substantial Amendment No. 1 to the FY 2013-14 Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME); (2) addition of the CDBG Community Based Development Organization (CBDO) program to the FY 2013-14 Action Plan; (3) the use of funds for the Community Based Development Organization program and the Housing Development Loan Program; (4) the establishment of appropriations in CDBG Community Based Development Organization program and increase appropriations in HOME, Housing Development Loan Program made possible by unanticipated program income; and (5) a public hearing to be held on February 26, 2014 to receive comments on Substantial Amendment No. 1 to the FY 2013-2014 Action Plan.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in the amount of \$1,744,142.58 in Fund 13R1, Dept HOU, Unit 307F.

**SECTION 3.** That the City Manager is hereby authorized to increase appropriations in the amount of \$600,000 in Fund 13M1, Dept HOU, Unit 310F.

**SECTION 4.** That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$2,344,142.58:

Fund 13R1, Dept HOU, Unit 307F \$1,744,142.58

Fund 13M1, Dept HOU, Unit 310F \$600,000.00

**SECTION 5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** January 22, 2014  
**COUNCIL DISTRICT(S):** 4  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Theresa O'Donnell, 671-9195  
**MAPSCO:** 55 X

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CR Community Retail District, an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the south corner of East Corning Avenue and South Lancaster Road

Recommendation of Staff and CPC: Approval, subject to a development plan and landscape plan for Tract I, Phase I, and a conceptual plan for Tract I, Phase II and Tract II, Phase III and conditions

Z123-217(WE)



ACM: Theresa O'Donnell

**FILE NUMBER:** Z123-217(WE) **DATE FILED:** February 29, 2013

**LOCATION:** East Corning Avenue and South Lancaster Road, south corner

**COUNCIL DISTRICT:** 4 **MAPSCO:** 55-X

**SIZE OF REQUEST:** Approx. 3.5 acres **CENSUS TRACT:** 57.00

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**APPLICANT/ OWNER:** City Wide Community Development Corporation

**REPRESENTATIVE:** Sherman Roberts

**REQUEST:** An application for a Planned Development District for mixed uses on property zoned a CR Community Retail District, an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow for the construction of a mixed use development that will consist of retail, office and multifamily uses.

**CPC RECOMMENDATION:** Approval, subject to a development plan and landscape plan for Tract I, Phase I, and a conceptual plan for Tract I, Phase II and Tract II, Phase III and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a development plan and landscape plan for Tract I, Phase I, and a conceptual plan for Tract I, Phase II and Tract II, Phase III and conditions.

## **GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval the Planned Development District based upon:

1. *Performance impacts upon surrounding property* – The request for a Planned Development District for mixed uses will not have a negative impact on the surrounding area. The single-family residences are buffered by streets. The height of the low-density multifamily is limited to 36 feet. The retail and office uses will be at a scale that is compatible with the neighborhood.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Constructions has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is in compliance with the forwardDallas! Comprehensive Plan. The Plan identifies the site as being along a Multi-Modal Corridor.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The applicant requests this PD to consolidate retail, office and multi-family uses under specific development standards and regulations. While there are some deviations to base zoning standards, the PD also restricts performance standards such as height and provides a specific development pattern for the neighborhood.

## **BACKGROUND INFORMATION:**

- The portion of the request site is undeveloped. However, there are several single family uses that front on a local residential street within the request site. Currently, the northern portion of the site is under construction with a one-story, 1,722-square-foot restaurant with drive-through [Rudy's].
- The applicant proposes to develop a mixed use development with multifamily, retail and office uses. The proposed low-rise multifamily uses will be limited to 45 units. The proposed one-story, 5,317-square-foot office building will be developed along an existing retail corridor.
- The City of Dallas Housing Department and Economic Development Department has collaborated with the applicant to fund the proposed development by using several federally funded assistance programs. The Housing Department will administer funds from the federal HOME grant in the amount of \$1.997 million to construct the multifamily development portion of the site. In February 2014, City Council will consider appropriating the HOME funds to the developer.
- The request site is adjacent to a mix of single family, retail and office uses.



**Zoning History:** There have not been any recent zoning changes requested in the area within the previous three years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Kiest Boulevard	Principal Arterial	100 ft.	100 ft.
South Lancaster Road	Principal Arterial	90 ft.	90 ft.
East Corning Avenue	Local	50 ft.	50 ft.
Denley Drive	Local	50 ft.	50 ft.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. The analysis is based upon the traffic worksheet the applicant provides during the application submittal.

**Surrounding Land Uses:**

	Zoning	Land Use
<b>Site</b>	R-7.5(A), NO(A), CR	Undeveloped, Restaurant, Single Family
<b>Northeast</b>	CR, SUP No. 1774	Retail, General merchandise or food store
<b>Southeast</b>	CR, PDD No. 426	Retail and personal service
<b>Northwest</b>	R-7.5(A)	Single Family
<b>Southwest</b>	R-7.5(A)	Single Family, Undeveloped

**COMPREHENSIVE PLAN:** The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being along a Multi-Modal Corridor

A Multi-Modal Corridor or Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land

uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would 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. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The proposed multifamily development will be limited to a maximum of 50 units and will not exceed a structure height of 36 feet. The proposed development will also have frontage on Denley Drive. A 15-foot alley that separates the adjoining property will be abandoned to allow the applicant access to the retail and multifamily developments. The applicant has submitted an application to the City of Dallas Real Estate Department for the abandonment of the 15-foot alley.

The proposed mixed use development will be developed in phases. Phase I will consist of completing the office development along Lancaster Road which is identified as Tract I, Phase II on the conceptual plan. Currently, as stated above, a portion of Phase I [Rudy’s] is under construction. The second and final phase of the development will consist of the construction of the 45-unit multifamily development.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
NO(A) Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
PDD mixed uses	15'	15'/0'	0.75 FAR overall 0.5 office	36' 3 stories	30% -Retail 60% - MF	Proximity Slope Visual Intrusion	Retail & personal service, office, multifamily

**Landscaping:** Except as provided in this district, landscaping must be provided in accordance with Article X. The applicant is developing the site as a mixed use development, but may not meet any of the design standards as specified in Article X. The potential design of the site may restrict the applicant from complying with these design standards. However, staff has worked with the applicant to draft PD standards that meet the spirit and intent of Article X.

**Parking:** Other than exempting the on-site community center from parking standards, all other parking will meet code requirements.

**CPC Action** (January 9, 2014)

**Motion:** It was moved to recommend **approval** of a Planned Development District for mixed uses, subject to a development plan and landscape plan for Tract I, Phase I, and a conceptual plan for Tract I, Phase II and Tract II, Phase III and revised conditions on property zoned a CR Community Retail District, an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the south corner of East Corning Avenue and South Lancaster Road.

Maker: Shidid  
Second: Ridley  
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Peadon, Murphy, Ridley, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500                      Mailed: 104  
**Replies:** For: 3                              Against: 2

**Speakers:**                      None

**LIST OF Board of Directors**  
**City Wide Community Development**  
**Corporation**

**2013**

Mr. Kevin Curry  
President & CEO Curry & Associates, Inc  
4852 Ashbrook Rd.  
Dallas, Texas 75227  
214.381.7334 *Home*  
214.729.3001 *Cell*  
**Board Chairman**  
[kkcurry51@sbcglobal.net](mailto:kkcurry51@sbcglobal.net)

Ms. Viola Marie Quarles  
Community Representative  
1825 Park Row #106  
Dallas, Texas 75215  
214.434.6026 *Cell*  
**Board Member**

Mr. Thomas Huckaby, Jr.  
President & CEO Huckaby & Associates, Inc  
8806 Lochgreen Blvd.  
Rowlett, Texas 75089  
972.412.2895 *Home*  
214.315.6459 *Cell*  
**Board Vice-Chairman**  
[thomashuckabyjr@gmail.com](mailto:thomashuckabyjr@gmail.com)

Ms. Wilma Wilson  
Community Representative  
3107 Kinmore Street  
Dallas, Texas 75223  
214.821.5913 *Home*  
**Board Member**

Mr. Michael Dade  
Senior Gas Accountant-Hunt Oil Company  
Hunt Oil Company  
4553 Duet Street  
Dallas, Texas 75241  
214.376.5895 *Home*  
214.978.8176 *Work*  
**Board Secretary/Treasurer**  
[mdade2@att.net](mailto:mdade2@att.net)  
[mdade@huntoil.com](mailto:mdade@huntoil.com)

Mr. Sherman Roberts  
President/CEO City Wide CDC  
3730 S. Lancaster Rd Suite 100  
Dallas, Texas 75216  
214.371.0888 *Work*  
214.371.8633 *Fax*  
214.734.1670 *Cell*  
[shermanlr@yahoo.com](mailto:shermanlr@yahoo.com)  
[SLRoberts@citywidecdc.com](mailto:SLRoberts@citywidecdc.com)

- *Board member Viola Marie Quarles and Wilma Wilson are low-income community representatives and income is 80% or below the Area Median Family Income of Dallas.*

**CPC PROPOSED PDD  
CONDITIONS**

**SEC. 51P-\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD \_\_\_\_\_ was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_.

**SEC. 51P-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_\_ is established on property located on the south corner of East Corning Avenue and South Lancaster Road. The size of PD \_\_\_\_\_ is approximately 3.576 acres.

**SEC. 51P-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions 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 non-residential zoning district.

**SEC. 51P-\_\_\_\_.104. EXHIBIT.**

The following exhibit is incorporated into this article:

- (1) Exhibit \_\_\_\_A: Tract I conceptual plan / development plan
- (2) Exhibit \_\_\_\_B: Tract II conceptual plan

**SEC. 51P-\_\_\_\_.105. CONCEPTUAL PLAN.**

Development and use of Tract I and Tract II must comply with the conceptual plan (Exhibit \_\_\_\_). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls.

**SEC. 51P-\_\_\_\_.105. DEVELOPMENT PLAN.**

(a) Tract I: Development and use of the Property must be approved by the city plan commission before issuance of any building permit. If there is a conflict between the text of this article and the development plan, the text of this article controls. The development of Tract I may be developed in phases.

(b) Tract II: For a multifamily development, a development plan must be approved by the city plan commission before issuance of any building permit. If there is a conflict between the text of this article and the development plan, the text of this article controls. The development of Tract II may be developed in phases.

**SEC. 51P-\_\_\_\_.106. MAIN USES PERMITTED.**

(a) Tract I: Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) Tract II: Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the MF-1(A) Multifamily District, subject to the same conditions applicable in the MF-1(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily 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 MF-1(A) Multifamily District is subject to DIR in this district; etc.

**SEC. 51P-\_\_\_\_.107. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory use is permitted by right in this district.

- Accessory community center (private)

**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. In the event of a conflict, between this section and Division 51A-4.400, this section controls.

(a) Tract I: Except as provided in this section, the yard, lot, and space regulations for the CR Community Retail District apply.

(b) Tract II: Except as provided in this section, the yard, lot, and space regulations for the MF-1 Multifamily District apply.

(c) Front and side yard. Minimum front yard and side yard is 15 feet.

(1) In Tract 2 one multifamily structure must be located within 20 feet of the lot line along Kiest Boulevard and the second multifamily structure must be located within 20 feet of the lot line of Denley Drive.

(d) Rear Yard.

(1) Tract II. No minimum rear setback is required

(e) Density.

(1) Tract II: The maximum number of dwelling units is 50 units.

(f) Stories.

(1) Tract I: The maximum number of stories above grade is 2.

(2) Tract II: The maximum number of stories above grade is 3.

(g) Height.

(1) Tract I: Maximum structure height is 35 feet.

(2) Tract II: Maximum structure height is 36 feet.

(h) Lot coverage.

(1) For Tract I, the maximum lot coverage is 30 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) For Tract II, the maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(h) Lot Size. Tract II. No minimum lot size.

**SEC. 51P-\_\_\_\_.109. FENCE.**

(a) Tract I: A minimum 6-foot solid fence is required along the property line adjacent to the residential uses.

(b) Tract II: A minimum 6-foot perimeter fence is required. The perimeter fence may be constructed of wrought iron, masonry, wood or any combination.

**SEC. 51P-\_\_\_\_.110. OFF-STREET PARKING AND LOADING.**

(a) In general.

(1) Except as provided in this section, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(2) Parking is permitted in the required front and side yard setbacks.

(b) Tract I: For purposes of off-street parking, the entire property will be treated as a single lot.

(c) Tract II:

(1) Accessory community center (private). Off-street parking is not required for an accessory community center (private) use.

(2) Screening. Screening is required for all surface parking lots.

**SEC. 51P-\_\_\_\_.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-\_\_\_\_.112. LANDSCAPING.**

(a) In general. Except as provided in this district, landscaping must be provided in accordance with Article X.

(b) Tract I: Article X is not applicable to a lot in Tract I when only non-permeable coverage on the lot is increased.

(1) Restaurant with drive-in or drive through service. For a Restaurant with drive-in or drive through service, landscaping must be provided as shown on the attached landscape plan (Exhibit\_\_\_\_).

(2) Phases. A landscape plan must be submitted with the development plan during each phase of the development and approved by the city plan commission before issuance of a building permit.

(3) Perimeter landscaping buffer. A building site is exempt from the residential adjacency requirements. A minimum 5-foot landscape buffer is required.

(4) Street Trees. In Phase II, trees measuring at a minimum of two-caliper inches may substitute as street trees.



(c) Tract II: A landscape plan must be submitted with the development plan and approved by the city plan commission before issuance of a building permit.

(1) Perimeter landscaping buffer. A building site is exempt from the residential adjacency requirements.

(2) Design Standards. The Design Standards in Section 51A-10.126 do not apply.

(d) All plant materials must be maintained in a healthy, growing condition.

**SEC. 51P-\_\_\_\_.113. SIGNS.**

Signs must comply with the provisions for business zoning districts in Article VII.

**SEC. 51P-\_\_\_\_.114. ADDITIONAL PROVISIONS.**

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Dumpsters. The screening of dumpsters is permitted to cross lot lines. Dumpsters are permitted in the rear yard setbacks.

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

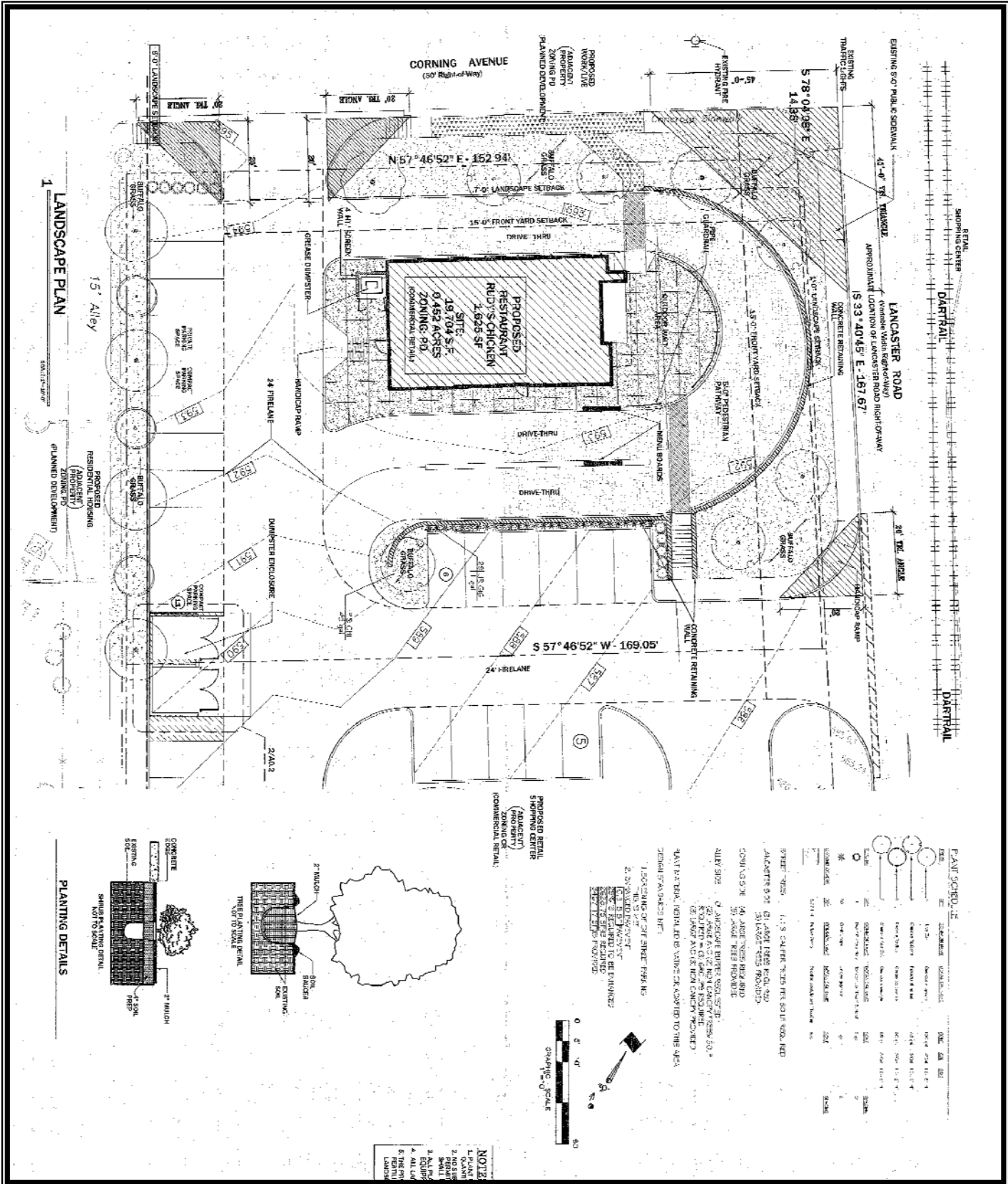
**SEC. 51P-\_\_\_\_.116 COMPLIANCE WITH CONDITIONS.**

(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 director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.



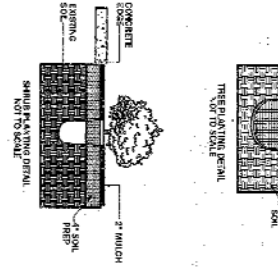
# PROPOSED LANDCAPE PLAN Tract 1 – south corner



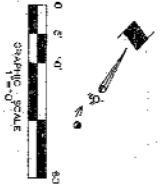
**LANDSCAPE PLAN**

PLANNED RESIDENTIAL HOUSING (ADJACENT ZONING IS PLANNED DEVELOPMENT)

**PLANTING DETAILS**



**NOTE**  
 1. CLIMATE  
 2. SOILS  
 3. ALL PLANTING SHALL BE EQUIP  
 4. ALL PLANTING SHALL BE EQUIP  
 5. ALL PLANTING SHALL BE EQUIP  
 6. ALL PLANTING SHALL BE EQUIP



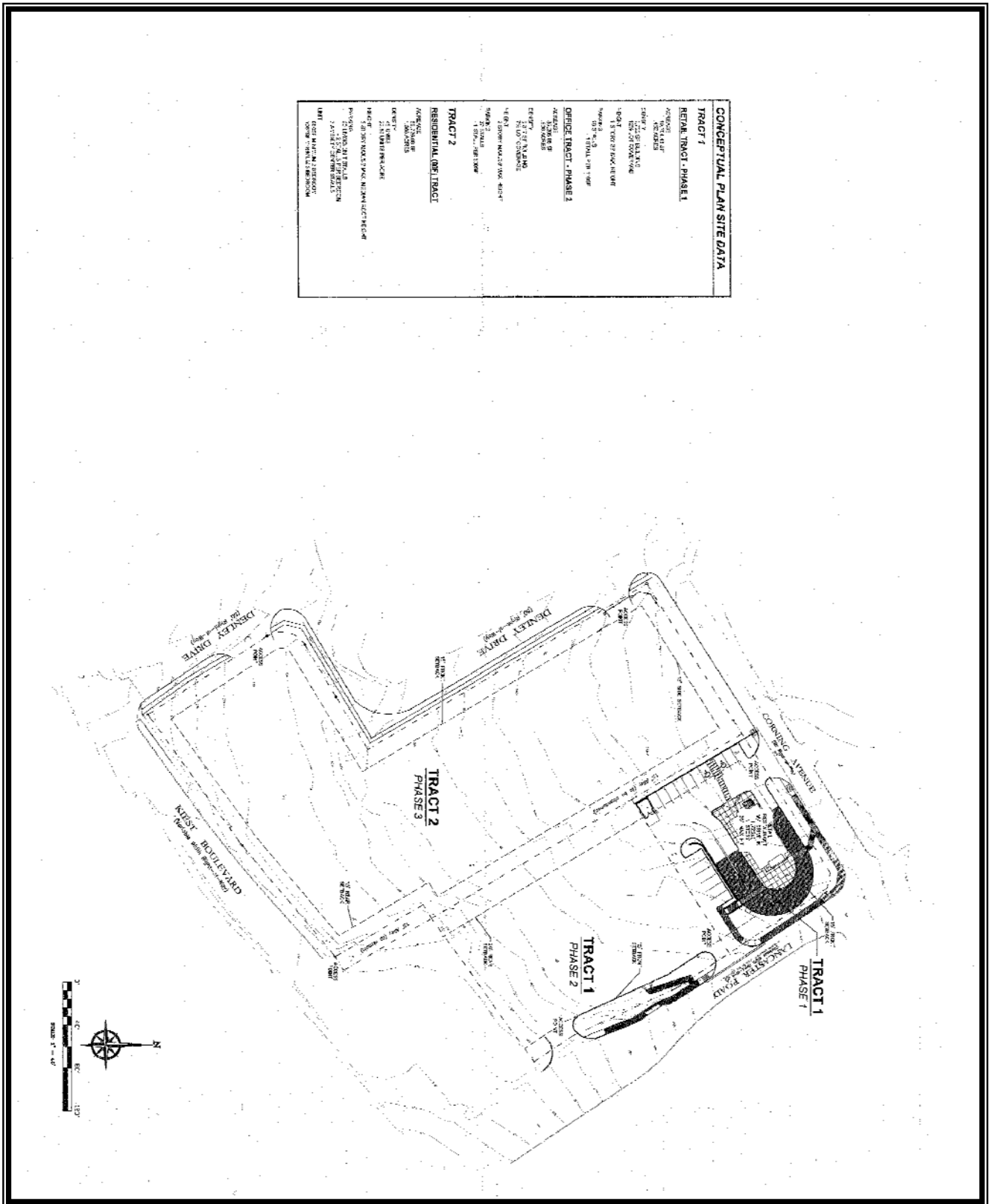
**PLANT SCHEDULE**

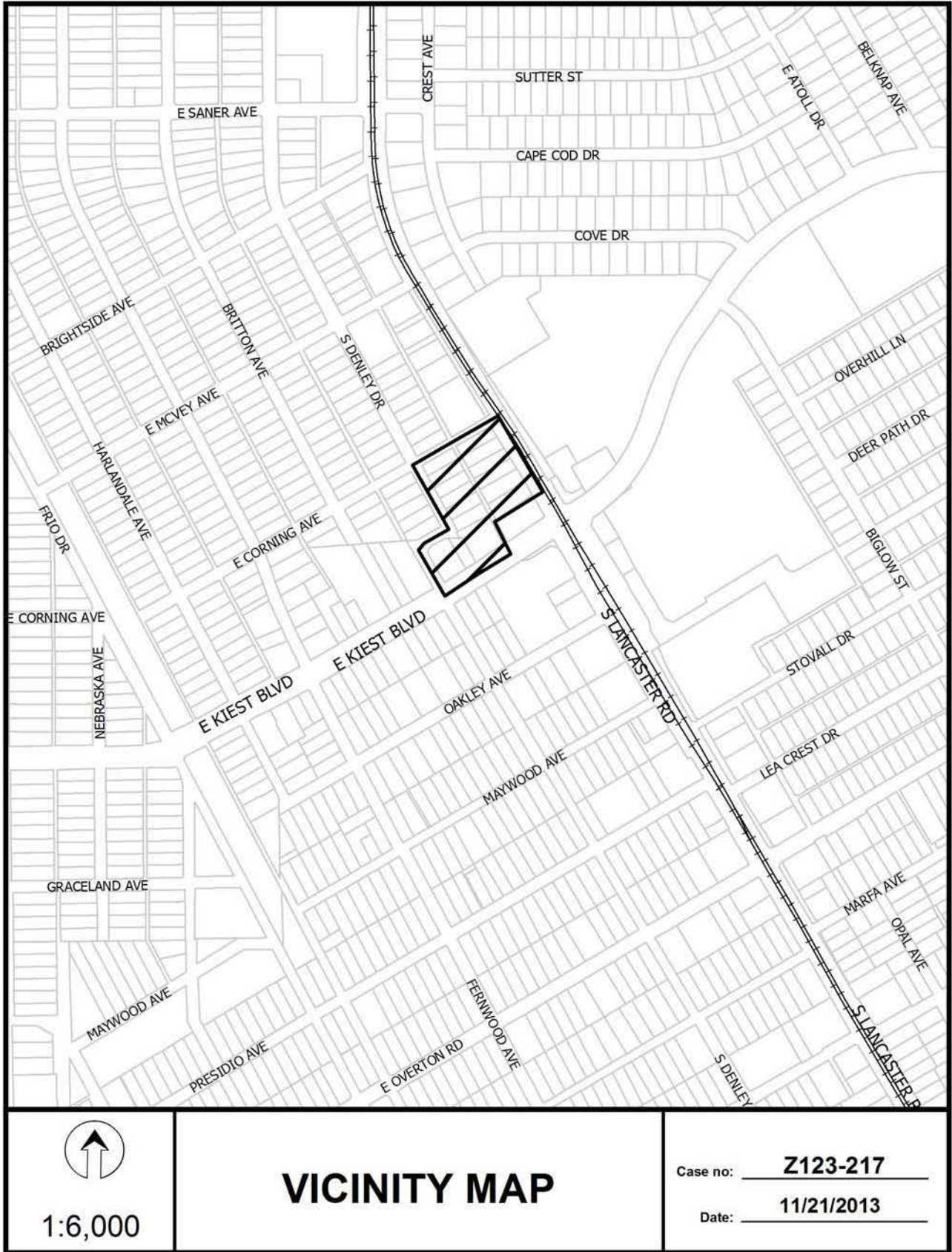
NO.	SYMBOL	DESCRIPTION	QTY	DATE
1	(Symbol)	1.5\"/>		

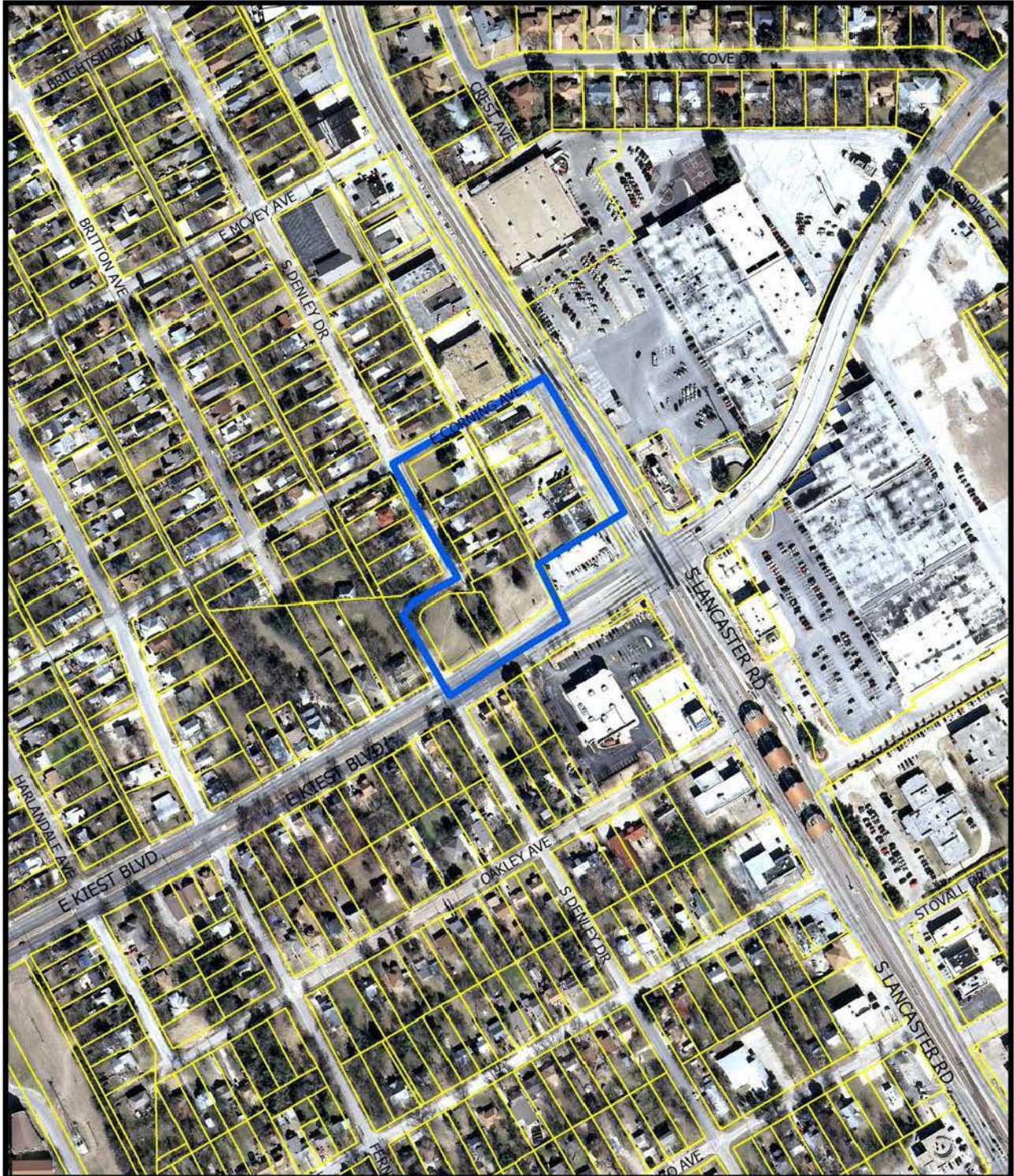
PROPOSED RETAIL SHOPPING CENTER (ADJACENT ZONING IS COMMERCIAL RETAIL)

PLAN BATTEN, HORIZONTAL VANE CRACKS TYPICAL TO THE AREA  
 GENERAL NOTES:  
 1. LOCATIONS OF CUT SHEET FROM THIS PLAN  
 2. SEE GENERAL NOTES FOR ALL PLANTING DETAILS  
 3. SEE GENERAL NOTES FOR ALL PLANTING DETAILS  
 4. SEE GENERAL NOTES FOR ALL PLANTING DETAILS

**PROPOSED CONCEPTUAL PLAN  
Tract I remaining portion and Tract II**





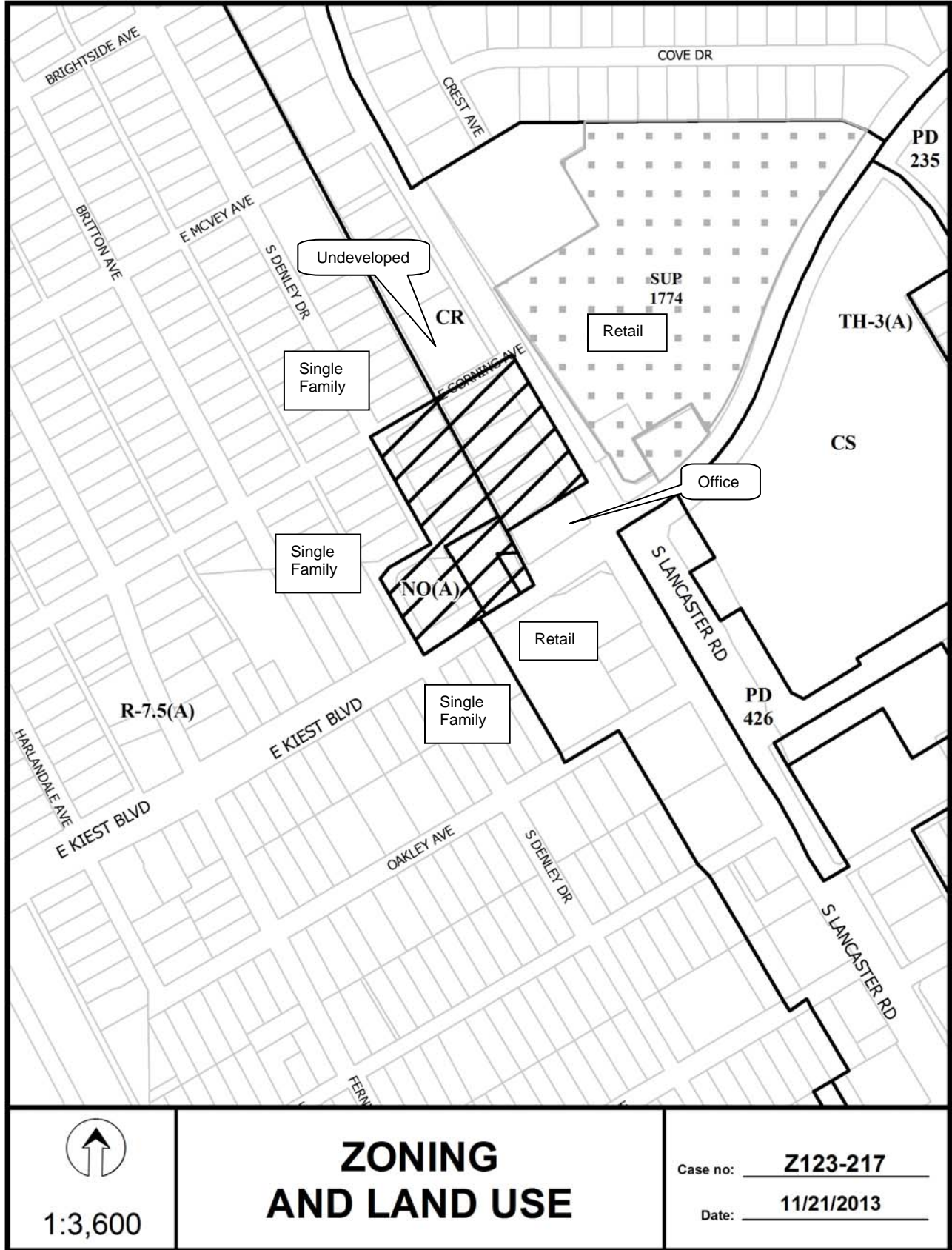


1:3,600

# AERIAL MAP

Case no: Z123-217

Date: 11/21/2013



1:3,600

# ZONING AND LAND USE

Case no: Z123-217

Date: 11/21/2013

**CPC RESPONSES**



<u>104</u>	Property Owners Notified (130 parcels)
<u>3</u>	Replies in Favor (3 parcels)
<u>2</u>	Replies in Opposition (2 parcels)
<u>500'</u>	Area of Notification
<u>1/9/2014</u>	Date

**Z123-217**  
**CPC**



1:3,600



## **Notification List of Property Owners**

### **Z123-217**

<i>104 Property Owners Notified</i>	<i>2 Property Owners Opposed</i>	<i>3 Property Owners in Favor</i>
<b>Vote</b>	<b>Label #</b>	<b>Address</b>
		<b>Owner</b>
	1	3122 DENLEY DR MICKEY CHARLIE EST OF &
	2	3124 DENLEY DR CITY WIDE COMMUNITY DEV CORP
	3	3107 LANCASTER RD EDWARDS RUDOLPH
	4	3115 LANCASTER RD EDWARDS RUDOLPH
	5	3123 LANCASTER RD CITY WIDE COMMUNITY DEV CORP
	6	1435 KIEST BLVD DOJO LP
	7	1409 KIEST BLVD CITY WIDE COMMUNITY DEVELOPMENT
	8	1403 KIEST BLVD CITY WIDE COMMUNITY DEV CORP
	9	3015 DENLEY DR GREATER SOUTH CENTRAL
	10	3035 DENLEY DR WORKS GEORGE W JR ET AL
	11	3030 DENLEY DR WORKS GEORGE W JR ET AL
	12	3034 DENLEY DR TOPLETZ HAROLD &
	13	3038 DENLEY DR PROCTOR LEONARD
	14	3042 DENLEY DR FLETCHER WILBERT
X	15	3046 DENLEY DR BROWN GLADYS
	16	3015 LANCASTER RD HATLEY ASHFORD DEWITT
	17	3014 BRITTON AVE TORRES JUAN M
	18	3018 BRITTON AVE JOHNSON RUTH V
	19	3022 BRITTON AVE MARTINEZ MARCELINO
	20	3026 BRITTON AVE COOK JOYCE FAYE
	21	3030 BRITTON AVE STEINER MICAELA P
	22	3034 BRITTON AVE JOHNSON LYNETTE
	23	3038 BRITTON AVE PRICE ARDELLA
	24	3042 BRITTON AVE CULTON MINNIE MAE
	25	3046 BRITTON AVE LEON ARELI &
	26	3011 DENLEY DR DALLAS HOUSING ACQUISITION & DEV

*Friday, January 10, 2014*

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	3019 DENLEY DR	BROWN LORINE
	28	3027 DENLEY DR	CANTU LEONEL
	29	3031 DENLEY DR	GONZALEZ NOE & ERIKA
	30	3039 DENLEY DR	GUZMAN OSCAR JESUS &
	31	3043 DENLEY DR	RIGOBERTO MACHADO PORTILLO
	32	3047 DENLEY DR	PORTILLO RIGOBERTO MACHADO &
	33	3102 BRITTON AVE	SHADE RONNIE D
	34	3106 BRITTON AVE	POSADA SAUL
	35	3110 BRITTON AVE	POSADALEON SAUL RUBEN &
	36	3103 DENLEY DR	ESPINOZA MARIA MAGDALENA
	37	3107 DENLEY DR	RICO GUILLERMO & MARIA
	38	3111 DENLEY DR	REDIC SCOTT
	39	3115 DENLEY DR	HMK LTD
	40	3119 DENLEY DR	CUNNINGHAM RAYMOND ALLEN
	41	3027 BRITTON AVE	MARTINEZ HOMERO A &
	42	3031 BRITTON AVE	CABALLERO CESAR J
	43	3035 BRITTON AVE	PEARL MARY
	44	3039 BRITTON AVE	BOYD HAROLD SR
	45	3043 BRITTON AVE	SNEED ELBERT J
	46	3047 BRITTON AVE	GARNETT MARY F
	47	3100 FERNWOOD AVE	WICKS ANNA
	48	3104 FERNWOOD AVE	EVANS TONY O
O	49	3108 FERNWOOD AVE	BROADNAX ORENE
	50	3116 FERNWOOD AVE	HILL SHEILA
	51	3120 FERNWOOD AVE	MIRACLE TIMPLE CHURCH
	52	1303 Kiest BLVD	WILLIAMSSMITH ANNE ET AL
	53	3130 FERNWOOD AVE	PERKINS CHARLES E
	54	3103 BRITTON AVE	ROBERTSON RICK
	55	3107 BRITTON AVE	POSADA LEON SAUL RUBEN&
	56	1347 Kiest BLVD	GADSON PATRICIA FAYE
	57	1339 Kiest BLVD	ALLEN ADESSA

*Friday, January 10, 2014*

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	58	1335 Kiest Blvd	HERNANDEZ ALVARO
	59	1327 Kiest Blvd	WATTS ESSERLENE
	60	1323 Kiest Blvd	TISA INC
	61	1319 Kiest Blvd	AGUIRRE SERGIO
	62	1315 Kiest Blvd	MEDRANO ROSIE
	63	1346 Kiest Blvd	ROBERTS JEFFERY LEE
	64	1342 Kiest Blvd	RIOS ALBERTO B
	65	1338 Kiest Blvd	GREEN VIVIAN
	66	1334 Kiest Blvd	THOMPSON CLAUDETTE T
O	67	1326 Kiest Blvd	ASKEW CHARLES D
	68	1322 Kiest Blvd	ROSE BARBARA
	69	1316 Kiest Blvd	QUINTANILLA DEMETRIO E
	70	1314 Kiest Blvd	VILLARREAL MIRIAM
	71	1310 Kiest Blvd	JG & JC HOMES & INVES INC
	72	1415 Oakley Ave	CASAS PARAISO INC
	73	1423 Oakley Ave	DUBOIS MATTHEW
	74	1431 Oakley Ave	MOLINA CHAUHTEMOC &
	75	1437 Oakley Ave	PONCIANO JESUS & ALICIA
	76	1441 Oakley Ave	RIVERA ERNEST & LETICIA
	77	1447 Oakley Ave	RIVERA ERNESTO
	78	1410 Kiest Blvd	RAFTER WALKER REAL ESTATE IV
	79	1406 Kiest Blvd	MALONE MARK
	80	1400 Kiest Blvd	MILLER RON
	81	1503 Oakley Ave	LEIJA PEDRO &
	82	1507 Oakley Ave	CHAVEZ MARIA DEL CARMEN &
	83	1509 Oakley Ave	CHAVEZ MARIA DEL CARMEN
	84	3231 Lancaster Rd	HUTTON GROWTH ONE LLC
	85	1446 Oakley Ave	STEWART RITA K
	86	1442 Oakley Ave	JOHNSON JOSEPHINE
	87	1438 Oakley Ave	VALDEZ GRACIELA
	88	1434 Oakley Ave	CRUZ ROBERTO

*Friday, January 10, 2014*

<i>Vote</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	1430 OAKLEY AVE	VILLEGAS JUAN J &
	90	3311 LANCASTER RD	HOPPENSTEIN PROPERTIES
	91	1522 OAKLEY AVE	ROLLINS JESSIE
	92	1510 OAKLEY AVE	PRELATE OF TEXAS EAST
O	93	1502 OAKLEY AVE	CHATMAN CHARLIE L &
	94	3011 CREST AVE	PEREZ SIERRA NATALIA
	95	3211 LANCASTER RD	GOTTLIEB DALLAS DRUGSTORE LLC
	96	3050 LANCASTER RD	DONALDSON PROPERTIES LTD
	97	3030 LANCASTER RD	FIESTA MART INC
	98	1507 Kiest BLVD	WENDYS INTERNATIONAL, INC
	99	1507 Kiest BLVD	DART
	100	1515 Kiest BLVD	DENTON ESTA
	101	3200 LANCASTER RD	SUN VALLEY LTD
	102	3200 LANCASTER RD	DONALDSON PROPERTIES LTD
	103	3200 LANCASTER RD	CITIBANK TEXAS NA
	104	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT

*Friday, January 10, 2014*

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** January 22, 2014  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Public Works Department  
Fire  
**CMO:** Jill A. Jordan, P.E., 670-5299  
Charles Cato, 670-9194  
**MAPSCO:** 46R

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**SUBJECT**

Authorize a contract with RWC Enterprises, Inc., best value proposer of five, for the construction of the Fire Station No. 44 replacement facility located at 2025 Lagow Street - Not to exceed \$3,809,000 - Financing: General Obligation Commercial Paper Funds

**BACKGROUND**

The existing Fire Station No. 44 located at 4114 Frank Street was constructed in 1959. Dallas citizens approved funding for replacement of this facility in the 2006 Bond Program. After a qualifications-based selection process, McAfee3 Architects was recommended as the most qualified firm for design of the replacement facility. Design was completed in August 2013. When built, the replacement facility will have two full bays and two half bays, totaling approximately 12,000 square feet. The facility was designed to achieve gold-level certification through Leadership in Energy and Environmental Design (LEED).

In September 2013 RWC Enterprises, Inc. was selected as the best value proposer of five proposing firms following a Construction Request for Competitive Sealed Proposals in accordance with the City of Dallas procurement guidelines. This action will authorize a contract with RWC Enterprises, Inc. for the construction of the Fire Station 44 Replacement Facility located at 2025 Lagow Street in the amount of \$3,809,000.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	March 2011
Completed Design	August 2013
Begin Construction	January 2014
Complete Construction	January 2015

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

Authorized acquisition of land at South Fitzhugh Avenue and Lagow Street for a Fire Station No. 44 replacement facility on March 25, 2009, by Resolution No. 09-0764.

Authorized deposit of condemnation suit award for acquisition of land at South Fitzhugh Avenue and Lagow Street for a Fire Station No. 44 replacement facility on November 10, 2010, by Resolution No. 10-2831.

Authorized a professional services contract with McAfee3 Architects to provide architectural and engineering services for design and construction administration of the Fire Station No. 44 replacement facility, located at the intersection of South Fitzhugh Avenue and Lagow Street on March 9, 2011, by Resolution No. 11-0647.

**FISCAL INFORMATION**

2006 Bond Program (General Obligation Commercial Paper Funds) - \$3,809,000

Land Acquisition	\$ 562,727	
Design	\$ 419,630	
Construction (this action)	\$3,809,000	
Furniture, Furnishings & Equipment	\$ 100,000	(est.)
Owner Development Expenses	\$ 304,671	(est.)
Contingency	<u>\$ 611,222</u>	(est.)
 Total Project Cost	 \$5,807,250	 (est.)

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

RWC Enterprises, Inc.

Hispanic Female	0	Hispanic Male	10
African-American Female	0	African-American Male	3
Other Female	0	Other Male	0
White Female	0	White Male	5

## **PROPOSAL INFORMATION**

In September 2013 RWC Enterprises, Inc. was selected as the best value proposer of five proposing firms following a Construction Request for Competitive Sealed Proposals in accordance with the City of Dallas procurement guidelines.

<b><u>Proposer</u></b>	<b><u>Ranking</u></b>
*RWC Enterprises, Inc 3730 Dilido Rd Suite 524 Dallas, Texas 75228	1
JC Commercial, Inc.	2
Ratcliff Constructors, LP	3
3i Construction, LLC.	4
Big Sky Construction	5

Consultant's estimate: \$3,600,000

\*Denotes successful best value proposer.

These proposals were evaluated according to criteria published in the project specifications. These criteria with respective weights were as follows:

Proposed Construction Cost	50%
Schedule	5%
Experience	20%
Project Team	5%
Financial Sufficiency	5%
Business Inclusion and Development Requirements	<u>15%</u>
Total	100%

## **OWNER**

**RWC Enterprises, Inc.**

Richard Fint, President

## **MAP**

Attached.

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a contract with RWC Enterprises, Inc., best value proposer of five, for the construction of the Fire Station No. 44 replacement facility located at 2025 Lagow Street - Not to exceed \$3,809,000 - Financing: General Obligation Commercial Paper Funds

RWC Enterprises, 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$2,776,760.00	72.90%
Total non-local contracts	\$1,032,240.00	27.10%
<b>TOTAL CONTRACT</b>	<b>\$3,809,000.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Belt Star Protection System, Inc.	HMMB58845N0914	\$31,500.00	1.13%
<b>Total Minority - Local</b>		<b>\$31,500.00</b>	<b>1.13%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Earth Haulers, Inc.	BMDB57422Y0514	\$688,002.00	66.65%
Austin Conor Millwork, LLC	WFWB57823N0614	\$130,238.00	12.62%
<b>Total Minority - Non-local</b>		<b>\$818,240.00</b>	<b>79.27%</b>

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$688,002.00	18.06%
Hispanic American	\$31,500.00	1.13%	\$31,500.00	0.83%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$130,238.00	3.42%
<b>Total</b>	<b>\$31,500.00</b>	<b>1.13%</b>	<b>\$849,740.00</b>	<b>22.31%</b>





Fire Station 44 Replacement Facility

Fire Station 44 Replacement Facility - 2025 Lagow St.





January 22, 2014

**WHEREAS**, the existing Fire Station No. 44 was constructed in 1959 on a site located at 4114 Frank Street; and,

**WHEREAS**, the citizens of Dallas approved funding in the 2006 Bond Program for the design and construction of a replacement facility for Fire Station No. 44; and,

**WHEREAS**, McAfee3 Architects was selected to provide design services for the Fire Station No. 44 replacement facility in a qualifications-based selection process according to City of Dallas procurement guidelines, and,

**WHEREAS**, in September 2013, five proposals were received in response to a Request for Competitive Sealed Proposals, and the companies were ranked as follows:

<u>Proposer</u>	<u>Ranking</u>
RWC Enterprises, Inc. 3730 Dilido Rd Suite 524 Dallas, Texas 75228	1
JC Commercial, Inc.	2
Ratcliff Constructors, LP	3
3i Construction, LLC	4
Big Sky Construction	5

and,

**WHEREAS**, RWC Enterprises, Inc. was determined to be the best value proposer of the five; and,

**WHEREAS**, it is now desirable to authorize a construction contract with RWC Enterprises, Inc., best value proposer of the five, for construction of the Fire Station No. 44 replacement facility, located at 2025 Lagow Street, in an amount not to exceed \$3,809,000.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute a construction contract with RWC Enterprises, Inc., best value proposer of the five, for construction of the Fire Station No. 44 replacement facility, located at 2025 Lagow Street, in an amount not to exceed \$3,809,000 after it has been approved as to form by the City Attorney.

January 22, 2014

**Section 2.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Public Safety Facilities Fund	
Fund 2T33, Dept. PBW, Unit T841, Act. FIRF	
Obj. 4310, Program #PB06T841, CT PBW06T841F1	
Vendor #VS0000082099, in an amount not to exceed	\$3,809,000

**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.