AUGUST 28, 2013 CITY COUNCIL AGENDA CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated August 28, 2013. 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

8-16-13

Date

Edward Scott

City Controller

Date

RECEIVED

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CITY SECRETARY DALLAS, TEXAS



COUNCIL AGENDA

August 28, 2013

Date

General Information

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

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. *The Council agenda is available in alternative formats upon request.*

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

Rules of Courtesy

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

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

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

Informacion General

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

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilties Act.* La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.

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

Reglas de Cortesia

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

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

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

AGENDA CITY COUNCIL MEETING WEDNESDAY, AUGUST 28, 2013 ORDER OF BUSINESS

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

9:00 a.m. INVOCATION AND PLEDGE OF ALLEGIANCE
OPEN MICROPHONE

MINUTES Item 1

CONSENT AGENDA Items 2 - 58

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier Items 59 - 72 than 9:15 a.m.

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m. Items 73 - 91

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

AGENDA

CITY COUNCIL MEETING

AUGUST 28, 2013

CITY OF DALLAS

1500 MARILLA

COUNCIL CHAMBERS, CITY HALL

DALLAS, TEXAS 75201

9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the August 14, 2013 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

- 2. Authorize a two-year service contract for tree planting, tree removal and stump grinding Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of \$5,578,060, Jose F. Cantu, Jr. in the amount of \$834,000 and Clarence T. Crews dba Crews Service Company in the amount of \$90,000 lowest responsible bidders of eight Total not to exceed \$6,502,060 Financing: Current Funds (\$6,487,060) and Stormwater Drainage Management Current Funds (\$15,000) (subject to annual appropriations)
- 3. Authorize a three-year service contract for language interpretation services for the Dallas Police Department Language Line Services, Inc. through the Texas Department of Information Resources Not to exceed \$311,312 Financing: Current Funds (subject to annual appropriations)
- 4. Authorize a three-year service contract, with one two-year renewal option, for armored car services for City facilities that conduct monetary transactions Dunbar Armored, Inc., most advantageous proposer of three Not to exceed \$619,021 Financing: Current Funds (subject to annual appropriations)

Business Development & Procurement Services (Continued)

- 5. Authorize the purchase of one armored vehicle for the Dallas Police Department Lenco Industries, Inc. through the General Services Administration Not to exceed \$276,430 Financing: U.S. Department of Homeland Security Grant Funds
- 6. Authorize the purchase of one wheel loader for Sanitation Services Holt Texas Ltd. through Texas Association of School Boards (BuyBoard) Not to exceed \$293,438 Financing: 2010 Equipment Acquisition Notes
- 7. Authorize (1) the purchase of two new front end loader refuse trucks for Sanitation Services Heil of Texas in the amount of \$228,352 and Grandee Truck Center in the amount of \$271,256 through the Texas Association of School Boards (BuyBoard); and (2) the purchase of two used front end loader refuse trucks for Sanitation Services RDK Truck Sales and Service, Inc. in the amount of \$185,000 Total not to exceed \$684,608 Financing: Municipal Lease Agreement Funds (\$499,608) and Current Funds (\$185,000)
- 8. Authorize a three-year master agreement for the purchase of dress formal and station wear uniforms for Fire-Rescue GST Public Safety Supply, LLC in the amount of \$1,387,578, Mag & Son, LLC in the amount of \$833,230, ERMC IV, LP in the amount of \$814,212, Regali, Inc. in the amount of \$77,400, Promotional Designs, Inc. in the amount of \$58,475 and C&G Police Supply dba C&G Wholesale in the amount of \$16,466, most advantageous proposers of fourteen Total not to exceed \$3,187,361 Financing: Current Funds
- Authorize a three-year master agreement for the purchase of hardware and tools associated with the M5 FuelFocus Wireless Automated Fueling System - AssetWorks, Inc., through the General Services Administration - Not to exceed \$485,232 - Financing: Current Funds

Convention and Event Services

10. Authorize a change to the Board of Directors of the Dallas Convention Center Hotel Development Corporation - Financing: No cost consideration to the City

Economic Development

- 11. Authorize (1) approval of the proposed Dallas Downtown Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 12. Authorize (1) approval of the proposed Deep Ellum Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 13. Authorize (1) approval of the proposed Klyde Warren Park Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Klyde Warren Park Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City

Economic Development (Continued)

- 14. Authorize (1) approval of the proposed Knox Street Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Knox Street Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 15. Authorize (1) approval of the proposed Lake Highlands Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 16. Authorize (1) approval of the proposed Oak Lawn-Hi Line Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Oak Lawn-Hi Line Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City

Economic Development (Continued)

- 17. Authorize (1) approval of the proposed Prestonwood Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 18. Authorize (1) approval of the proposed South Side Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 19. Authorize (1) approval of the proposed Uptown Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City

Economic Development (Continued)

- 20. Authorize (1) approval of the proposed University Crossing Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the University Crossing Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 21. Authorize (1) approval of the proposed Vickery Meadow Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date Financing: No cost consideration to the City
- 22. Authorize a public hearing to be held on September 11, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 North St. Paul Street, approximately 4,950 square feet; (2) amend the City Center Sub-district's boundary to add the property addressed as 600 South Harwood Street, approximately 19,471 square feet; and (3) make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans; at the close of the hearing consideration of an ordinance amending Ordinance No. 22802, previously approved on June 26, 1996, and Ordinance No. 23034, previously approved on February 12, 1997, as amended, to reflect these amendments Financing: No cost consideration to the City

Economic Development (Continued)

23. Authorize a public hearing to be held on September 11, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: (1) increase the geographic area of the district by adding approximately 4,950 square feet square feet; (2) add to the District's Project Plan the provision for a land exchange of City owned property for privately owned property within the District allowing for the land swap of City-owned property without requiring an auction and/or bidding of the property; (3) make corresponding modifications to the Downtown Connection TIF District's boundary map and Project and Reinvestment Zone Financing Plans; and, at the close of the public hearing, consideration of an ordinance amending Ordinance No. 26020, originally approved on June 8, 2005, as amended and Ordinance No. 26096, originally approved on August 25, 2009, as amended, to reflect these amendments - Financing: No cost consideration to the City

Fire

24. Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic and emergency medical technician-basic personnel for the period September 1, 2013 through August 31, 2014 - Not to exceed \$329,220 - Financing: Current Funds (subject to appropriations)

Housing/Community Services

- 25. Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing Financing: No cost consideration to the City
- 26. Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of affordable houses; (2) the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Harvard Finance North America LLC; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any Financing: No cost consideration to the City

Housing/Community Services (Continued)

- 27. Authorize (1) approval of the development plans submitted to the Dallas Housing Acquisition and Development Corporation by RPL Properties, LLC for the construction of affordable houses; (2) the sale of 50 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to RPL Properties, LLC; and (3) execution of a release of lien for any non-tax liens on the 50 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any Financing: No cost consideration to the City
- 28. Authorize the fourth amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period April 1, 2013 through September 30, 2013 Not to exceed \$507,000, from \$14,684,642 to \$15,191,642 Financing: Department of State Health Services Grant Funds

Office of Financial Services

- 29. A resolution amending Section 9 of the City Council Rules of Procedure to revise certain standing committees of the City Council Financing: No cost consideration to the City
- 30. A resolution to amend the 2013 City Calendar to reflect the City Council's updated committees Financing: No cost consideration to the City

Park & Recreation

- 31. Authorize a twenty-five-year Interlocal Agreement with Dallas County for the purpose of constructing a portion of the Honey Springs Trail, the Cedar Crest Trail, reconstructing the John C. Phelps Trail and on-street bicycle pedestrian facilities which contribute to a comprehensive trail system in the City of Dallas and the County Financing: No cost consideration to the City
- 32. Authorize an increase in the contract with Turner Construction Company for variable message signs along Garland Road and a parking controls management system for new parking improvements at the Dallas Arboretum located at 8525 Garland Road Not to exceed \$727,823, from \$3,630,213 to \$4,358,036 Financing: 2006 Bond Funds

Police

33. Authorize (1) the application for and acceptance of the Texas School Safety Center 2013/2014 Tobacco Enforcement Grant in the amount of \$65,025 from the Texas State University System - San Marcos for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2013 through August 31, 2014; and (2) execution of the grant agreement - Not to exceed \$65,025 - Financing: Texas School Safety Center Tobacco Compliance Grant Funds

Police (Continued)

- 34. Authorize (1) the acceptance of the Commercial Auto Theft Interdiction Squad/21 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of \$678,760 to provide a specialized proactive automobile theft program, for the period September 1, 2013 through August 31, 2014; (2) a local match in the amount of \$135,752; (3) an In-Kind Contribution in the amount of \$637,085;and (4) execution of the grant agreement Total not to exceed \$1,451,597 Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds (\$678,760), In-Kind Contributions (\$637,085) and Current Funds (\$135,752) (subject to appropriations)
- 35. An ordinance amending Chapter 32 of the Dallas City Code to: **(1)** revise the boundaries of the Fair Park parking area and the area near Fair Park where signs may be posted to prohibit parking; and **(2)** make certain nonsubstantive changes Financing: No cost consideration to the City

Public Works Department

- 36. Authorize a contract with The Fain Group, Inc., lowest responsible bidder of four, for the construction of bridge repair and modification to the Cedar Crest Bridge and Gateway Improvements from Cleveland Street to 11th Street Not to exceed \$4,266,363 Financing: 1998 Bond Funds (\$1,810,547), 2003 Bond Funds (\$703,860), General Obligation Commercial Paper Funds (\$1,715,208), Water Utilities Capital Construction Funds (\$6,940) and Water Utilities Capital Improvement Funds (\$29,808)
- 37. Authorize a construction contract with American Contracting U.S.A., Inc., lowest responsible bidder of nine, for the roof replacement of Buildings D, E and the upper part of Roof C at the Kay Bailey Hutchison Convention Center Dallas Not to exceed \$3,730,000 Financing: 2009 Convention Center Revenue Bonds

Elm Street from Good Latimer Expressway to Exposition Avenue

Note: Item Nos. 38, 39 and 40 must be considered collectively.

- * Authorize a service agreement with Oncor Electric Delivery Company, LLC for relocation and upgrade of the existing overhead electric distribution poles and lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue Not to exceed \$400,317 Financing: 2006 Bond Funds
- 39. * Authorize a service agreement with AT&T Texas for relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue Not to exceed \$111,425 Financing: 2006 Bond Funds
- * Authorize a service agreement with Time Warner Cable for the relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue - Not to exceed \$21,783 - Financing: 2006 Bond Funds

Public Works Department (Continued)

41. Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications to include floor preparation, temporary portable air conditioning units, conduit for cables, security door hardware, access card readers, additional electrical outlets, window shades, additional offices and conference room, additional signage, sliding transaction window, additional light fixtures and changes to the mechanical, electrical and plumbing systems - Not to exceed \$376,246, from \$10,278,350 to \$10,654,596 - Financing: 2006 Bond Funds (\$370,396) and Current Funds (\$5,850)

Sustainable Development and Construction

- 42. A resolution authorizing the conveyance of a water easement with a temporary construction easement containing a total of approximately 62,827 square feet of land to the North Texas Municipal Water District for the construction and maintenance of water facilities across City-owned land at Lake Ray Hubbard located in Collin County Revenue: \$9,884
- 43. An ordinance granting a private license to Dallas Independent School District for the use of a total of approximately 2,580 square feet of subsurface space to install and maintain two geothermal crossings and one storm drainage pipe under portions of Philip Avenue, located near the intersection of Barry and Fitzhugh Streets Revenue: \$40,000 one-time fee, plus the \$20 ordinance publication fee
- 44. An ordinance abandoning a portion of Akard Street to Triton 2422, LLC, the abutting owner, containing approximately 560 square feet of land, located near the intersection of Akard and Olive Streets, authorizing the quitclaim and providing for the dedication of approximately 42 square feet of land needed for right-of-way Revenue: \$38,850, plus the \$20 ordinance publication fee
- 45. An ordinance abandoning a drainage easement and a fire lane and utility easement to Kings Road Townhomes, LLC, the abutting owner, containing a total of approximately 12,717 square feet of land, located near the intersection of Minert Street and Denton Drive Revenue: \$5,400, plus the \$20 ordinance publication fee
- 46. An ordinance abandoning a portion of a floodway management area to James R. McCraw and Linda S. McCraw, the abutting owners, containing approximately 1,069 square feet of land, located near the intersection of Red Cedar Trail and Riverview Lane Revenue: \$14,228, plus the \$20 ordinance publication fee
- 47. An ordinance abandoning portions of a water/wastewater easement to Northwood PL A LP, the abutting owner, containing a total of approximately 6,224 square feet of land, located near the intersection of Park Lane and U.S. Highway 75 Revenue: \$5,400, plus the \$20 ordinance publication fee

Trinity Watershed Management

- 48. Authorize a contract for the construction of storm drainage improvements in State-Thomas McKinney Avenue and State-Thomas Historic District (Fairmount Street and Routh Street) (list attached) RKM Utility Services, Inc., lowest responsible bidder of seven Not to exceed \$3,896,125 Financing: 2006 Bond Funds
- 49. Authorize a construction contract with Jeske Construction Company, lowest responsible bidder of six, for the Upper McKamy Branch Bypass Swale Not to exceed \$1,147,278 Financing: 2012 Bond Funds

Water Utilities

50. Authorize a professional services contract with CH2M HILL Engineers, Inc. to provide construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main at the Bachman Lake Dam - Not to exceed \$3,611,650 - Financing: Water Utilities Capital Improvement Funds

Installation of water and wastewater mains at 28 locations

Note: Item Nos. 51, 52 and 53 must be considered collectively.

- 51. * Authorize a contract for the installation of water and wastewater mains at 28 locations (list attached) Ark Contracting Services, LLC, lowest responsible bidder of seven Not to exceed \$6,919,296 Financing: Water Utilities Capital Improvement Funds
- * Authorize a Pipeline Crossing Contract with the Kansas City Southern Railway Company to allow the City of Dallas to construct, maintain, and operate a proposed water pipeline under railroad tracks and right-of-way Not to exceed \$9,375 Financing: Water Utilities Capital Construction Funds
- * Authorize an agreement with Bartlett & West, Inc. for required observation and flagging services during construction Not to exceed \$40,000 Financing: Water Utilities Capital Construction Funds

Installation of water and wastewater mains at 29 locations

Note: Item Nos. 54 and 55 must be considered collectively.

- * Authorize a contract for the installation of water and wastewater mains at 29 locations (list attached) John Burns Construction Company of Texas, Inc., lowest responsible bidder of five Not to exceed \$12,888,856 Financing: Water Utilities Capital Improvement Funds
- 55. * Authorize a supplemental agreement with Union Pacific Railroad Company (UPRC) for the relocation of an existing 20-inch water main underneath the UPRC tracks Not to exceed \$1,000 Financing: Water Utilities Capital Construction Funds

Water Utilities (Continued)

- 56. Authorize Supplemental Agreement No. 1 to the professional services contract with Carollo Engineers, Inc. for additional engineering services associated with solids handling improvements at the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant Not to exceed \$678,300, from \$1,173,802 to \$1,852,102 Financing: Water Utilities Capital Improvement Funds
- 57. Authorize Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant Not to exceed \$5,622,236, from \$14,062,770 to \$19,685,006 Financing: Water Utilities Capital Improvement Funds
- 58. Authorize Supplemental Agreement No. 5 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant Not to exceed \$3,065,116, from \$16,898,073 to \$19,963,189 Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

59. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Business Development & Procurement Services

60. Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 13, 14, 15 and 22, for bid BL1333, for a three-year master agreement for the purchase of veterinary drugs and supplies — Butler Animal Health Supply, LLC dba Henry Schein Animal Health, Intervet, Inc. dba Merck Animal Health and Zoetis, Inc. - Financing: This action has no cost consideration to the City

Sustainable Development and Construction

61. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO District Local Union No. 540, of approximately 2,000 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$14,275 (\$12,375, plus closing costs and title expenses not to exceed \$1,900) - Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Sustainable Development and Construction (Continued)

- 62. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Comerica Bank, of approximately 4,320 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$48,847 (\$46,647, plus closing costs and title expenses not to exceed \$2,200) Financing: Water Utilities Capital Construction Funds
- 63. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Cothrum-Murray Co., Inc., of approximately 460 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$4,747 (\$2,847, plus closing costs and title expenses not to exceed \$1,900) Financing: Water Utilities Capital Construction Funds
- 64. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Grover Stanford, Trustee, Stanford Exemption Equivalent Trust u/w Hope Hale Stanford, of approximately 2,498 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$13,269 (\$11,369, plus closing costs and title expenses not to exceed \$1,900) Financing: Water Utilities Capital Construction Funds
- 65. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jack and Barbara Casey Living Trust, of approximately 1,400 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$10,573 (\$8,673, plus closing costs and title expenses not to exceed \$1,900) Financing: Water Utilities Capital Construction Funds
- 66. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Live Oak Lochwood, LLC, of approximately 540 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$5,241 (\$3,341, plus closing costs and title expenses not to exceed \$1,900) Financing: Water Utilities Capital Construction Funds
- 67. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from McDonald's Corporation, of approximately 3,297 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$29,375 (\$27,375, plus closing costs and title expenses not to exceed \$2,000) Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Sustainable Development and Construction (Continued)

- 68. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from RAS Enterprise, Inc., of approximately 3,117 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$53,203 (\$51,003, plus closing costs and title expenses not to exceed \$2,200) Financing: Water Utilities Capital Construction Funds
- 69. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Reyes Gamino and Gloria Gamino, of approximately 2,241 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Not to exceed \$13,765 (\$11,865, plus closing costs and title expenses not to exceed \$1,900) Financing: Water Utilities Capital Construction Funds
- 70. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from White Rock Outparcel, L.P., of approximately 6,909 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project Not to exceed \$60,779 (\$58,479, plus closing costs and title expenses not to exceed \$2,300) Financing: Water Utilities Capital Construction Funds
- 71. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Whiterock Improvements, L.P., of approximately 5,121 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project Not to exceed \$51,205 (\$49,005, plus closing costs and title expenses not to exceed \$2,200) Financing: Water Utilities Capital Construction Funds

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

72. Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended with KKBK Properties, LLC in an amount not to exceed \$100,000, for the purpose of planning and preconstruction activities related to mixed-use development as part of the Hatcher Gardens development project - Not to exceed \$100,000 - Financing: HUD Community Challenge Planning Grant Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

- 73. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a radio, television or microwave tower on property zoned an MU-3 Mixed Used District on the northwest corner of Villa Creek Drive and Ford Road
 - <u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions <u>Z123-171(MW)</u>
- 74. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1736 for a Private school on property zoned an R-7.5(A) Single Family District, with Specific Use Permit No. 278 for a Convent on a portion of the property on the southwest line of Cortland Avenue, between Bombay Avenue and Anson Road Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a revised site plan, revised traffic management plan, and revised conditions Z123-230(RB)
- 75. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned Subarea 1 within Planned Development District No. 366 with a D-1 Liquor Control Overlay on the northwest corner of South Buckner Boulevard and Cordell Drive
 - Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site/landscape plan and revised conditions
 - Z123-246(AB)
- A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay north of Centerville Road, west of Aledo Drive

 Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to revised conditions Z123-249(AB)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

77. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the east line of Greenville Avenue, north of Prospect Avenue Recommendation of Staff and CPC: Approval for a three-year period, subject to revised conditions Z123-259(RB)

78. A public hearing to receive comments regarding an application for and a resolution accepting an amendment to existing deed restrictions on property zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the west line of Ash Lane, between 3rd Avenue and 4th Avenue, and the north line of 3rd Avenue, west of Ash Lane

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> <u>Z123-272(RB)</u>

79. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1753 for a liquor store within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area Special Purpose District on the west corner of Haskell Avenue and San Jacinto Street Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to revised conditions Z123-287(JH)

ZONING CASES - INDIVIDUAL

80. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 on the west side of Greenville Avenue, south of Sears Street Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions

<u>Recommendation of CPC</u>: <u>Approval</u> for a one-year period, subject to a site plan and conditions

Z123-262(MW)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

81. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1750 for commercial motor vehicle parking on property zoned a CS Commercial Service District located on the northwest corner of Chalk Hill Road and Fitchburg Street

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions Recommendation of CPC: Approval for a two-year period, subject to a revised site plan

and conditions

Z123-229(WE)

Note: This item was considered by the City Council at a public hearing on August 14, 2013, and was taken under advisement until August 28, 2013, with the public hearing open

DESIGNATED ZONING CASES - INDIVIDUAL

82. 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 GO(A) General Office District on the southeast corner of North Central Expressway and Midtown Boulevard

Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions

<u>Recommendation of CPC</u>: <u>Approval</u>, subject to a conceptual plan and conditions Z123-212(MW)

83. A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road

<u>Recommendation of Staff</u>: <u>Approval</u> for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan/landscape plan and conditions

Recommendation of CPC: Denial

Z101-220(JH)

84. A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road

Recommendation of Staff and CPC: Approval for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan/landscape plan and conditions

Recommendation of CPC: Denial

Z101-221(JH)

Sustainable Development and Construction (Continued)

<u>DESIGNATED ZONING CASES - INDIVIDUAL</u> (Continued)

85. A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan/landscape plan and conditions

Recommendation of CPC: Denial

Z101-248(JH)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

86. A public hearing to receive comments regarding an application for and an ordinance granting the expansion of Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned an IR Industrial Research District on the west side of Market Center Boulevard, north of Turtle Creek Boulevard

<u>Recommendation of Staff and CPC</u>: <u>Approval</u>, subject to conditions Z123-204(MW)

Note: This item was considered by the City Council at a public hearing on August 14, 2013, and was taken under advisement until August 28, 2013, with the public hearing open

87. A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District on property zoned an MU-3 Mixed Use District on the northwest corner of LBJ Freeway and Stemmons Freeway

Recommendation of Staff and CPC: Approval

Z123-245(MW)

Note: This item was considered by the City Council at a public hearing on August 14, 2013, and was taken under advisement until August 28, 2013, with the public hearing open

MISCELLANEOUS HEARINGS

Office of Financial Services

88. A public hearing to receive comments on the proposed FY 2013-14 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Reinvestment Zone and Business Personal Property Tax Abatement Authorization

<u>Note</u>: Item Nos. 89, 90 and 91 must be considered collectively.

- 89. * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 82, incorporating approximately 14.8 acres of property located at 5327 South Lamar Street, Dallas, Texas for the purpose of granting economic development incentives to Borden Dairy Company of Texas Financing: No cost consideration to the City
- 90. * An ordinance designating the approximately 14.8 acres of property located at 5327 South Lamar Street, Dallas, Texas as City of Dallas Reinvestment Zone No. 82, for the purpose of granting economic development incentives to Borden Dairy Company of Texas, establishing the boundaries of the Reinvestment Zone and providing for an effective date Financing: No cost consideration to the City
- 91. * Authorize a 75 percent business personal property tax abatement agreement for eight years with Borden Dairy Company of Texas located on 14.8 acres of property located at 5327 South Lamar Street, Dallas Revenue: First year revenue estimated at \$19,948; ten-year revenue estimated at \$139,632 (Estimated revenue foregone for seven-year business personal property tax abatement estimated at \$418,897)

Land Bank (DHADC) Sale of Lots to Harvard Finance North America LLC Agenda Item # 26

Property Address	<u>Mapsco</u>	Amount of Non-Tax Liens
 5424 Santa Fe 5420 Terry 	46G 46G	\$14,510.90 \$4,031.52

Land Bank (DHADC) Sale of Lots to RPL Properties, LLC Agenda Item # 27

Property Address	<u>Mapsco</u>	Council <u>District</u>	Amount of Non-Tax Liens
1. 2627 52 nd	66E	4	\$15,036.67
2. 2516 56 th	65H	8	\$11,225.54
3. 2603 Marjorie	65D	4	\$ 4,007.96
4. 2736 Marjorie	66A	4	\$36,166.10
5. 2981 Marjorie	66A	4	\$14,435.64
6. 2603 Wilhurt	65D	4	\$11,904.16
7. 2110 Fordham	65C	4	\$ 5,396.60
8. 2118 Fordham	65C	4	\$ 9,137.80
9. 2246 Fordham	65D	4	\$17,238.26
10. 2806 Fordham	56W	4	\$ 5,142.37
11. 1438 Hudspeth	65B	4	\$18,661.51
12. 1642 Hudspeth	65B	4	\$ 6,079.03
13. 2003 Hudspeth	65C	4	\$ 7,000.16
14. 1525 Garza	65B	4	\$ 4,774.89
15. 1529 Garza	65B	4	\$ 5,314.59
16. 1719 Garza	65B	4	\$12,053.67
17. 1751 Garza	65B	4	\$12,797.42
18. 1531 Fordham	65B	4	\$13,610.70
19. 1554 Fordham	65B	4	\$ 8,773.07
20. 1555 Fordham	65B	4	\$22,319.67
21. 1313 Marfa	65B	4	\$ 6,624.82
22. 1415 Marfa	65B	4	\$ 4,726.38
23. 1419 Marfa	65B	4	\$ 4,509.15
24. 1503 Marfa	65B	4	\$ 7,938.26
25. 1642 Marfa	65B	4	\$ 8,788.83
26. 1407 Maywood	65B	4	\$15,774.54
27. 1610 Maywood	55X	4	\$ 7,304.26
28. 3835 Sonora	65C	4	\$12,664.78
29. 1554 E. Woodin	55P	4	\$ 6,898.84
30. 1538 Whitaker	55N	4	\$12,424.99
31. 1137 S. Brighton	54J	1	\$ 1,766.23
32. 612 Rockwood	54H	4	\$27,609.16
33. 402 Avenue E	55 G	4	\$13,541.36
34. 419 Avenue E	55G	4	\$10,866.90
35. 724 N. Beckley	54D	1	\$ 6,447.70
36. 122 E. Brooklyn	54H	4	\$ 8,838.79
37. 609 N. Ewing	55A	1	\$14,179.82
38. 619 N. Ewing	55A	1	\$52,994.14
39. 421 N. Lancaster	55A	1	\$49,532.95
40. 601 N. Lancaster	55A	1	\$12,892.75

Land Bank (DHADC) Sale of Lots to RPL Properties, LLC Agenda Item # 27 (Continued)

Storm Drainage Improvements Agenda Item # 48

Project Limits

Fairmount Street from Thomas Avenue to Mahon Street
Hall Street from Oak Grove Avenue to McKinney Avenue
Howland Street from Routh Street to Boll Street
McKinney Avenue from Cambrick Street to Elizabeth Street
Noble Avenue from Hall Street to Lemmon Avenue
Oak Grove Avenue from McKinney Avenue to Lemmon Avenue
Routh Street from Thomas Avenue to Howland Street

Installation of Water and Wastewater Mains

Agenda Item # 51

District 1

9th Street from Cliffdale Avenue to Ravinia Drive

Alley between Berkley Avenue and Newport Avenue from Tennessee Avenue to Edgefield Avenue

Alley between Rugged Drive and Tennessee Avenue from Brunner Avenue to Berkley Avenue

Alley between Windomere Avenue and Edgefield Avenue from 7th Street to Davis Street

Polk Street from 12th Street to Page Avenue

Zang Boulevard from Yarmouth Street to Page Avenue

District 3

Loop 12 (Ledbetter Drive) from Canelo Drive to U.S. Highway 67 (Marvin D. Love Freeway)

Medalist Drive from Putting Green Drive to Polk Street

District 4

Easement between Hemphill Drive and Kiest Boulevard from Easter Avenue to Kellogg Avenue

Garapan Drive from Illinois Avenue to Bristol Drive Iowa Avenue from Lakeview Drive to Ramsey Avenue Woodin Boulevard from Ramsey Avenue east

District 5

Beautycrest Circle from Beautycrest Drive east Beautycrest Court from Beautycrest Drive east Beautycrest Drive from north of Fairhope Avenue south Oak Gate Lane from St. Augustine Drive to Masters Drive

District 7

Edgewood Street from alley northeast of South Boulevard southeast

District 8

Antoinette Street from Murdeaux Lane to Hillburn Drive Bloomfield Drive from Rylie Road south Cool Mist Lane from Kleberg Road to Silver Brook Road Komalty Drive from Tiawah Drive to Coahuila Drive

Installation of Water and Wastewater Mains

Agenda Item # 51 (Continued)

District 9

Daytonia Avenue from Lakeland Drive to Old Gate Lane Naylor Street from Cayuga Drive to Redondo Drive Tavaros Avenue from Diceman Drive to Eustis Avenue

District 10

Chiswell Road from Spring Branch Drive to Clearhurst Drive

District 14

Hall Street from Reagan Street to Welborn Street Lindell Avenue from Hubert Street to Live Oak Street Webb Avenue from Tracy Street to U.S. Highway 75 (Central Expressway)

Installation of Water and Wastewater Mains Agenda Item # 54

District 2

Bryan Street from Prairie Avenue southwest Carroll Avenue from Ash Lane to Garland Avenue

District 3

Counts Boulevard form Counts Boulevard southeast

District 4

Alley between Alabama Avenue and Ramsey Avenue from Ohio Avenue to McVey Avenue
Circle Drive from Beckleywood Boulevard northwest
Idaho Avenue from Saner Avenue to Brownlee Avenue
North Shore Drive from Beckley Avenue northeast

District 5

Amy Street from Jim Miller Road to Houghton Road St. Augustine Drive from Silver Meadow Drive to Elam Road

District 6

Hi Line Drive from Edison Street to Slocum Street Hiawatha Street from Clymer Street to Kenesaw Drive Irving Boulevard form Mockingbird Lane to Norwood Road Shady Trail from south of Myrtle Springs Avenue north Slocum Street from Hi Line Drive to Wichita Street

District 7

Belgrade Avenue from Lawnview Avenue to Lasca Street Easement at Parkdale Drive at Military Parkway

District 8

Carter Road from Satinwood Drive west State Highway 310 (Central Expressway) from Loop 12 (Great Trinity Forest Way) southeast

Installation of Water and Wastewater Mains

Agenda Item # 54 (Continued)

District 9

Easement south of Peavy Road from Losa Drive to El Patio Drive Park Oak Circle from north Plummer Drive to south Plummer Drive Santa Maria Lane from Santa Barbara Drive to Meadowlark Lane

District 12

Michaelangelo Drive from Kelly Boulevard to Dali Drive

District 13

Berkshire Lane from Lomo Alto Drive to Kate Street Douglas Avenue from Berkshire Lane to Chatham Hill Road Middleton Road from Midway Road to Ridge Road Ridge Road from Midway Road to Middleton Road

District 14

Alley between Worth Street and Tremont Street from Munger Boulevard to Fitzhugh Avenue
Columbia Avenue from Beacon Street to Fulton Street
Fitzhugh Avenue from Tremont Street northwest

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

- 1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
- 2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
- 3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
- 4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
- 5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
- 6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

PUBLIC MEETINGS FOR AUGUST 16 - AUGUST 31, 2013

Tuesday, August 27, 2013

Municipal Library Board 4:00 p.m.

J. Erik Jonsson Central Library, Municipal Library Board Room

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of August 14, 2013 City Council Meeting
					PBD, CCS,				
					FIR, PKR,				
					STS, TWM,				
2			All	С	EBS	\$6,502,060.00	85.79%	12.83%	Authorize a two-year service contract for tree planting, tree removal and stump grinding
									Authorize a three-year service contract for language interpretation services for the Dallas Police Department -
3			All	С	PBD, POL	\$311,312.00	NA	NA	Language Line Services, Inc. through the Texas Department of Information Resources
									Authorize a three-year service contract, with one two-year renewal option, for armored car services for City facilities that
4			All	С	PBD, CON	\$619,020.48	0.00%	0.00%	conduct monetary transactions
									Authorize the purchase of one armored vehicle for the Dallas Police Department - Lenco Industries, Inc. through the
5			All	С	PBD, POL	GT	NA	NA	General Services Administration
									Authorize the purchase of one wheel loader for Sanitation Services - Holt Texas Ltd. through Texas Association of
6			3	С	PBD, SAN	\$293,438.00	NA	NA	School Boards (BuyBoard)
									Authorize the purchase of two new front end loader refuse trucks for Sanitation Services - Heil of Texas and Grandee
									Truck Center through the Texas Association of School Boards (BuyBoard); and the purchase of two used front end
7			All	С	PBD, SAN	\$684,608.00	NA	NA	loader refuse trucks for Sanitation Services - RDK Truck Sales and Service, Inc.
8			All	С	PBD, FIR	\$3,187,361.00	48.74%	4.86%	Authorize a three-year master agreement for the purchase of dress formal and station wear uniforms for Fire-Rescue
					PBD, EBS,				Authorize a three-year master agreement for the purchase of hardware and tools associated with the M5 FuelFocus
9			All	С	CIS	\$485,231.04	NA	NA	Wireless Automated Fueling System - AssetWorks, Inc., through the General Services Administration
10			2	С	CES	NC	NA	NA	Authorize a change to the Board of Directors of the Dallas Convention Center Hotel Development Corporation
11			2, 14	C	ECO	NC	NA	NA	Authorize approval of the proposed Dallas Downtown Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
12			2, 7, 14	С	ECO	NC	NA NA	NA	Authorize approval of the proposed Deep Ellum Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date

ITEM	1	IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
13			14	С	ECO	NC	NA	NA	Authorize approval of the proposed Klyde Warren Park Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Klyde Warren Park Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
14			14	С	ECO	NC	NA	NA	Authorize approval of the proposed Knox Street Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Knox Street Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
15			9, 10, 13	С	ECO	NC	NA	NA	Authorize approval of the proposed Lake Highlands Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
16			6	С	ECO	NC	NA	NA	Authorize approval of the proposed Oak Lawn-Hi Line Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Oak Lawn-Hi Line Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date

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#	oĸ	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
17			12	С	ECO	NC	NA	NA	Authorize approval of the proposed Prestonwood Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
18			2	С	ECO	NC	NA	NA	Authorize approval of the proposed South Side Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
19			14	С	ECO	NC	NA	NA	Authorize approval of the proposed Uptown Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
20			14	С	ECO	NC	NA	NA	Authorize approval of the proposed University Crossing Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the University Crossing Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date

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#	ОК	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
21			13	C	ECO	NC	NA	NA	Authorize approval of the proposed Vickery Meadow Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date
22			2, 14	C	ECO	NC	NA	NA	Authorize a public hearing to be held on September 11, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 North St. Paul Street, approximately 4,950 square feet; amend the City Center Sub-district's boundary to add the property addressed as 600 South Harwood Street, approximately 19,471 square feet; and make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans; at the close of the hearing consideration of an ordinance amending Ordinance No. 22802, previously approved on June 26, 1996, and Ordinance No. 23034, previously approved on February 12, 1997, as amended, to reflect these amendments
									Authorize a public hearing to be held on September 11, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: increase the geographic area of the district by adding approximately 4,950 square feet square feet; add to the District's Project Plan the provision for a land exchange of City owned property for privately owned property within the District allowing for the land swap of City-owned property without requiring an auction and/or bidding of the property; make corresponding modifications to the Downtown Connection TIF District's boundary map and Project and Reinvestment Zone Financing Plans; and, at the close of the public hearing, consideration of an ordinance amending Ordinance No. 26020, originally approved on June 8, 2005, as amended and Ordinance No. 26096, originally approved on August 25, 2009, as amended, to reflect these
23			2, 14	С	ECO	NC NC	NA	NA	amendments Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic and emergency medical technician-basic personnel for the
24			AII AII	С	FIR HOU	\$329,220.00 NC	NA NA	NA NA	period September 1, 2013 through August 31, 2014 Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing
26			2	С	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of affordable houses; the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Harvard Finance North America LLC; and execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any
27			1, 4, 8	С	HOU	NC	NA	NA	Authorize approval of the development plans submitted to the Dallas Housing Acquisition and Development Corporation by RPL Properties, LLC for the construction of affordable houses; the sale of 50 vacant lots from Dallas Housing Acquisition and Development Corporation to RPL Properties, LLC; and execution of a release of lien for any non-tax liens on the 50 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any

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35	_						, , , , , , , , , , , , , , , , , , , ,			VI PARTIE DE LA CONTRACTOR DE LA CONTRAC
35										An ordinance amending Chapter 32 of the Dallas City Code to: revise the boundaries of the Fair Park parking area and
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39 2 C PBW \$111,424.43 NA NA Street from Good Latimer Expressway to Exposition Avenue Elm Street from Good Latimer Expressway to Exposition Avenue: Authorize a service agreement with Tin Cable for the relocation and upgrade of the existing overhead telecommunication lines along the north parkways of Elm Street from Good Latimer Expressway to Exposition Avenue Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 M Municipal Building Annex Renovation Project for updated plan modifications to include floor preparation, portable air conditioning units, conduit for cables, security door hardware, access card readers, additional outlets, window shades, additional offices and conference room, additional signage, sliding transaction										, , ,
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Municipal Building Annex Renovation Project for updated plan modifications to include floor preparation, portable air conditioning units, conduit for cables, security door hardware, access card readers, additional outlets, window shades, additional offices and conference room, additional signage, sliding transaction	40					1 DVV	Ψ21,703.00	INA	INA	
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outlets, window shades, additional offices and conference room, additional signage, sliding transaction										
	41			14	С	PBW. CDS	\$376,246.00	89.64%	27,78%	
							, , , , , , , , , , , , , , , , , , , ,	22.2.70		ggg
A resolution authorizing the convevance of a water easement with a temporary construction easement contain										A resolution authorizing the conveyance of a water easement with a temporary construction easement containing a total
										of approximately 62,827 square feet of land to the North Texas Municipal Water District for the construction and
Outside C DEV, WTR REV \$9,884 NA NA maintenance of water facilities across City-owned land at Lake Ray Hubbard located in Collin County	42			Outside	С	DEV, WTR	REV \$9,884	NA	NA	

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
									An ordinance granting a private license to Dallas Independent School District for the use of a total of approximately
			_		5-11	551/4/2 222			2,580 square feet of subsurface space to install and maintain two geothermal crossings and one storm drainage pipe
43			2	С	DEV	REV \$40,000	NA	NA	under portions of Philip Avenue, located near the intersection of Barry and Fitzhugh Streets
									An ordinance abandoning a portion of Akard Street to Triton 2422, LLC, the abutting owner, containing approximately
144			4.4	С	DEV	DEV \$20.050	NIA	NΙΛ	560 square feet of land, located near the intersection of Akard and Olive Streets, authorizing the quitclaim and
44			14	C	DEV	REV \$38,850	NA	NA	providing for the dedication of approximately 42 square feet of land needed for right-of-way An ordinance abandoning a drainage easement and a fire lane and utility easement to Kings Road Townhomes, LLC,
									the abutting owner, containing a total of approximately 12,717 square feet of land, located near the intersection of
45			2	С	DEV	REV \$5,400	NA	NA	Minert Street and Denton Drive
				Ŭ		1121 40,100	147.	1471	An ordinance abandoning a portion of a floodway management area to James R. McCraw and Linda S. McCraw, the
									abutting owners, containing approximately 1,069 square feet of land, located near the intersection of Red Cedar Trail
46			12	С	DEV	REV \$14,228	NA	NA	and Riverview Lane
									An ordinance abandoning portions of a water/wastewater easement to Northwood PL A LP, the abutting owner,
									containing a total of approximately 6,224 square feet of land, located near the intersection of Park Lane and U.S.
47			13	С	DEV	REV \$5,400	NA	NA	Highway 75
									Authorize a contract for the construction of storm drainage improvements in State-Thomas - McKinney Avenue and
48			14	С	TWM	\$3,896,125.00	74.16%	25.84%	State-Thomas Historic District (Fairmount Street and Routh Street)
				_					Authorize a construction contract with Jeske Construction Company, lowest responsible bidder of six, for the Upper
49			12	С	TWM	\$1,147,278.00	71.23%	98.56%	McKamy Branch Bypass Swale
									Authorize a professional services contract with CH2M HILL Engineers, Inc. to provide construction management
50			2, 6,	С	WTR	€0 C44 C50 00	0.4.000/	05.070/	services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and
50			Outside	C	WIR	\$3,611,650.00	94.68%	25.67%	the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main along Bachman Lake
			1, 3, 4, 5,						
			7, 8, 9,						Installation of water and wastewater mains at 28 locations: Authorize a contract for the installation of water and
51			10, 14	С	WTR	\$6,919,295.50	34.74%	26.71%	wastewater mains at 28 locations - Ark Contracting Services, LLC, lowest responsible bidder of seven
J .						ψο,οιο,Ξοσίοο	0 70	2011 170	The state of the s
			1, 3, 4, 5,						Installation of water and wastewater mains at 28 locations: Authorize a Pipeline Crossing Contract with the Kansas City
			7, 8, 9,						Southern Railway Company to allow the City of Dallas to construct, maintain, and operate a proposed water pipeline
52			10, 14	С	WTR	\$9,375.00	NA	NA	under railroad tracks and right-of-way
			1, 3, 4, 5,						
			7, 8, 9,						Installation of water and wastewater mains at 28 locations: Authorize an agreement with Bartlett & West, Inc. for
53			10, 14	С	WTR	\$40,000.00	NA	NA	required observation and flagging services during construction
			2, 3, 4, 5,						
			6, 7, 8, 9,						Landau de la companya
E 4			12, 13,	С	WTR	¢40 000 056 00	NA	NIA	Installation of water and wastewater mains at 29 locations: Authorize a contract for the installation of water and
54			14 2, 3, 4, 5,	C	WIR	\$12,888,856.00	INA	NA	wastewater mains at 29 locations - John Burns Construction Company of Texas, Inc., lowest responsible bidder of five
			2, 3, 4, 5, 6, 7, 8, 9,						Installation of water and wastewater mains at 29 locations: Authorize a supplemental agreement with Union Pacific
			12, 13,						Railroad Company (UPRC) for administrative handling charges associated with the relocation of an existing 20-inch
55			14	С	WTR	\$1,000.00	NA	NA	water main underneath the UPRC tracks
						Ţ.,200.00			Authorize Supplemental Agreement No. 1 to the professional services contract with Carollo Engineers, Inc. for
									additional engineering services associated with solids handling improvements at the Central Wastewater Treatment
56			4, 8	С	WTR	\$678,300.00	100.00%	28.92%	Plant and the Southside Wastewater Treatment Plant
									Authorize Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional
57			Outside	С	WTR	\$5,622,236.00	100.00%	26.06%	engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
58			6, Outside	С	WTR	\$3.065.116.00	100.00%	32.78%	Authorize Supplemental Agreement No. 5 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant
									Consideration of appointments to boards and commissions and the evaluation and duties of board and commission
59			N/A	I	SEC	NC	N/A	N/A	members (List of nominees is available in the City Secretary's Office)
00			0		DDD 000	NC	NIA	NIA	Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 13, 14, 15 and 22, for bid
60			6	ı	PBD, CCS	NC	NA	NA	BL1333, for a three-year master agreement for the purchase of veterinary drugs and supplies Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from
61			9	I	DEV, WTR	\$14,275.00	NA	NA	Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO District Local Union No. 540, of approximately 2,000 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project
62			9	I	DEV, WTR	\$48,847.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Comerica Bank, of approximately 4,320 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project
63			9	I	DEV, WTR	\$4,747.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Cothrum-Murray Co., Inc., of approximately 460 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project
64			9	_	DEV, WTR	\$13,269.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Grover Stanford, Trustee, Stanford Exemption Equivalent Trust u/w Hope Hale Stanford, of approximately 2,498 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jack and Barbara Casey Living Trust, of approximately 1,400 square feet of land, located near the intersection of Garland Road
65			9	ı	DEV, WTR	\$10,573.00	NA	NA	and Lochwood Boulevard for the Garland Road Water Main Project
66			9	I	DEV, WTR	\$5,241.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Live Oak Lochwood, LLC, of approximately 540 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project
67			9	-	DEV, WTR	\$29,375.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from McDonald's Corporation, of approximately 3,297 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project
68			9	I	DEV, WTR	\$53,203.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from RAS Enterprise, Inc., of approximately 3,117 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project
69			9	I	DEV, WTR	\$13,765.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Reyes Gamino and Gloria Gamino, of approximately 2,241 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project
70			9	I	DEV, WTR	\$60,779.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from White Rock Outparcel, L.P., of approximately 6,909 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project
71			0	ı	DEV, WTR	\$51,205.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Whiterock Improvements, L.P., of approximately 5,121 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project
72			7		ECO	GT	NA		Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended with KKBK Properties, LLC in an amount not to exceed \$100,000, for the purpose of planning and preconstruction activities related to mixed-use development as part of the Hatcher Gardens development project
73			6	PH	DEV	NC	NA NA		A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a radio, television or microwave tower on property zoned an MU-3 Mixed Used District on the northwest corner of Villa Creek Drive and Ford Road

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
74			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1736 for a Private school on property zoned an R-7.5(A) Single Family District, with Specific Use Permit No. 278 for a Convent on a portion of the property on the southwest line of Cortland Avenue, between Bombay Avenue and Anson Road
						_			
75			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned Subarea 1 within Planned Development District No. 366 with a D-1 Liquor Control Overlay on the northwest corner of South Buckner Boulevard and Cordell Drive
76			9	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay north of Centerville Road, west of Aledo Drive
77			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the east line of Greenville Avenue, north of Prospect Avenue
78			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and a resolution accepting an amendment to existing deed restrictions on property zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the west line of Ash Lane, between 3rd Avenue and 4th Avenue, and the north line of 3rd Avenue, west of Ash Lane
79			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1753 for a liquor store within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area Special Purpose District on the west corner of Haskell Avenue and San Jacinto Street
80			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 on the west side of Greenville Avenue, south of Sears Street
81			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1750 for commercial motor vehicle parking on property zoned a CS Commercial Service District located on the northwest corner of Chalk Hill Road and Fitchburg Street
82			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a GO(A) General Office District on the southeast corner of North Central Expressway and Midtown Boulevard
83			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road
84			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road
85			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road A public hearing to receive comments regarding an application for and an ordinance granting the expansion of
86			6	PH	DEV	NC	NA	NA	Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned an IR Industrial Research District on the west side of Market Center Boulevard, north of Turtle Creek Boulevard
87			6	PH	DEV	NC NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District on property zoned an MU-3 Mixed Use District on the northwest corner of LBJ Freeway and Stemmons Freeway
88			N/A	PH	OFS	NC	NA	NA	A public hearing to receive comments on the proposed FY 2013-14 Operating, Capital, Grant and Trust budgets

ITEM		IND							
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
89			7	PH	ECO	NC	NA	NA	Reinvestment Zone and Business Personal Property Tax Abatement Authorization: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 82, incorporating approximately 14.8 acres of property located at 5327 South Lamar Street, Dallas, Texas for the purpose of granting economic development incentives to Borden Dairy Company of Texas Reinvestment Zone and Business Personal Property Tax Abatement Authorization: An ordinance designating the approximately 14.8 acres of property located at 5327 South Lamar Street, Dallas, Texas as City of Dallas Reinvestment
90			7	PH	ECO	NC	NA		Zone No. 82, for the purpose of granting economic development incentives to Borden Dairy Company of Texas, establishing the boundaries of the Reinvestment Zone and providing for an effective date
91			7	PH	ECO	NC	NA		Reinvestment Zone and Business Personal Property Tax Abatement Authorization: Authorize a 75 percent business personal property tax abatement agreement for eight years with Borden Dairy Company of Texas located on 14.8 acres of property located at 5327 South Lamar Street, Dallas

TOTAL \$61,003,553.81

AGENDA ITEM #2

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

Code Compliance

Fire

Park & Recreation Street Services

Trinity Watershed Management Equipment & Building Services

CMO: Jeanne Chipperfield, 670-7804

Charles Cato, 670-9194 Willis Winters, 670-4071 Forest E. Turner, 670-3390 Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a two-year service contract for tree planting, tree removal and stump grinding - Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of \$5,578,060, Jose F. Cantu, Jr. in the amount of \$834,000 and Clarence T. Crews dba Crews Service Company in the amount of \$90,000 - lowest responsible bidders of eight - Total not to exceed \$6,502,060 - Financing: Current Funds (\$6,487,060) and Stormwater Drainage Management Current Funds (\$15,000) (subject to annual appropriations)

BACKGROUND

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

This service contract provides for tree planting, the removal of trees, tree trunks and downed limbs, tree pruning and stump grinding for City departments. This service contract also provides for emergency services for response to tree damage resulting from severe weather events. Services will be performed on an as needed basis.

BACKGROUND (Continued)

This service contract will allow for the planting of trees which were not included in construction or landscaping costs. This contract will also allow for the planting of new trees for reforestation and replacement trees which have died, been removed due to tree mitigation, construction, etc.

Drought conditions over the last two years have caused trees to die and limbs to fall, which is a possible hazard pedestrian traffic. This service contract will ensure trees are maintained properly and well manicured throughout the City.

Vendors are required to follow the latest version of the American National Standard Institute (ANSI) Standard for Arboricultural Operations – Safety Requirements (ANSI Z133.1) in all operations performed under the contract. This includes but is not limited to the safe use of vehicles and mobile equipment and tools. It also includes work and safety procedures, safety requirements for personal protective equipment, emergency procedures and readiness, and traffic and pedestrian control in and around the jobsite.

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 403 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 March 27, 2013, City Council authorized (1) the rejection of bids received for planting, pruning and removal of trees, downed limbs, and stump grinding services; and (2) the re-advertisement for new bids by Resolution No. 13-0489.

The Park Board approved this item on August 1, 2013.

FISCAL INFORMATION

\$6,487,060.00 - Current Funds (subject to annual appropriations)

15,000.00 - Stormwater Drainage Management Current Funds (subject to annual appropriations)

M/WBE INFORMATION

- 69 Vendors contacted
- 68 No response
- 1 Response (Bid)
- 0 Response (No Bid)
- 1 Successful

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

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

ETHNIC COMPOSITION

Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service

White Male	94	White Female	15
Black Male	9	Black Female	1
Hispanic Male	48	Hispanic Female	0
Other Male	3	Other Female	0

Jose F. Cantu, Jr.

White Male	2	White Female	0
Black Male	0	Black Female	0
Hispanic Male	3	Hispanic Female	1
Other Male	0	Other Female	0

Clarence T. Crews dba Crews Service Company

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

BID INFORMATION

The following bids were received from solicitation number BL1332 and opened on May 16, 2013. This service contract is being awarded to the lowest responsive and responsible bidders by group. Information regarding this solicitation is available upon request.

^{*}Denotes successful bidders

BID INFORMATION (Continued)

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service	1201 Minters Chapel Rd. Grapevine, TX 76051	Multiple Groups
*Jose F. Cantu, Jr.	1010 Williamson Dr. Killeen, TX 76541	Multiple Groups
*Clarence T. Crews dba Crews Service Company	236 Route U Walnut Grove, MO 65770	Multiple Groups
H2 Construction, LLC	1702 W. Walnut St. Waverly, MO 64096	Multiple Groups
Texas Tree and Landscape, LTD	276 Antler Rd. Waco, TX 76712	Multiple Groups
V. F. Maintenance, LLC	363 Willow Grove Rd. Waco, TX 76712	Multiple Groups
Big Bird Tree Service, Inc.	440 E. Wheatland Rd. Dallas, TX 75241	Multiple Groups
Haburon Investments, LLC	1629 Champagne Dr. Dallas, TX 75224	Multiple Groups

OWNERS

Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service

Jerry Day, Owner

Jose F. Cantu, Jr.

Jose F. Cantu, Jr., Owner

Clarence T. Crews dba Crews Service Company

Clarence T. Crews, Owner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year service contract for tree planting, tree removal and stump grinding - Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service in the amount of \$5,578,060, Jose F. Cantu, Jr. in the amount of \$834,000 and Clarence T. Crews dba Crews Service Company in the amount of \$90,000 - lowest responsible bidders of eight - Total not to exceed \$6,502,060 - Financing: Current Funds (\$6,487,060) and Stormwater Drainage Management Current Funds (\$15,000) (subject to annual appropriations)

Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Clarence T. Crews dba Crews Service Company is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Jose F. Cantu, Jr. is a non-local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	\$5,578,060.00	85.79%
Total non-local contracts	\$924,000.00	14.21%
TOTAL CONTRACT	\$6,502,060.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Jose F Cantu	HMMB57552N0514	\$834,000.00	90.26%
Total Minority - Non-local		\$834.000.00	90.26%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	Local & Non-Local	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$834,000.00	12.83%
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%	\$0.00	0.00%
Total	\$0.00	0.00%	\$834,000.00	12.83%

WHEREAS, on March 27, 2013, City Council authorized (1) the rejection of bids received for planting, pruning and removal of trees, downed limbs, and stump grinding services; and (2) the re-advertisement for new bids by Resolution No. 13-0489;

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 service contract with Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service (VS0000040826) in the amount of \$5,578,060.00, Jose F. Cantu, Jr. (VS0000073849) in the amount of \$834,000.00 and Clarence T. Crews dba Crews Service Company (500829) in the amount of \$90,000.00 for tree planting, tree removal and stump grinding for a term of two years in a total amount not to exceed \$6,502,060.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service, Jose F. Cantu, Jr. and Clarence T. Crews dba Crews Service Company shall be based only on the amount of the services directed to be performed by the City and properly performed by Shawnee Mission Tree Service, Inc. dba Arbor Masters Tree Service, Jose F. Cantu, Jr. and Clarence T. Crews dba Crews Service Company under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$6,502,060.00 (subject to annual appropriations).

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

AGENDA ITEM #3

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

Police

CMO: Jeanne Chipperfield, 670-7804

Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for language interpretation services for the Dallas Police Department - Language Line Services, Inc. through the Texas Department of Information Resources - Not to exceed \$311,312 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide language interpretation services for the City's 9-1-1 call center and Police (DPD) Service Desk. The call center and service desk require emergency language interpretation services 24 hours a day, 7 days a week. As a diverse City, the 9-1-1 call center and service desk receive calls that require immediate and accurate translation assistance. The 9-1-1 call center processes an average of 5,000 emergency calls for service per day. The 9-1-1 service desk uses in-house Spanish speakers to translate as often as possible, but at times call volume necessitates the need for an outside vendor to assist in translating calls.

This service contract will provide interpreter services for more than 170 languages. The contractor provides the City with a central phone number which is routed to a live phone bank where every call is answered by an operator. Once the call is answered and the language need is identified, an interpreter is connected to both parties; the interpreter stays connected as long as necessary to complete the call.

Communication barriers pose a difficult challenge to any government agency. This contract also provides Video Remote Interpreting (VRI) for the limited English speaking and the deaf and hard of hearing community that face a unique communication barrier that impedes their ability to effectively communicate.

BACKGROUND (Continued)

This contract provides access to video interpreters to see firsthand the critical non-verbal gestures, body language or facial expressions during the encounter, which improves understanding and clarity of communication.

Currently, 432 Texas agencies utilize Language Line Services, Inc. through the Texas Department of Information Resources. The Texas Department of Information Resources 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 April 27, 2011, City Council authorized three-year service contract for language interpretation services for the Dallas Police Department by Resolution No. 11-1111.

FISCAL INFORMATION

\$311,312.00 – Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Language Line Services, Inc.

White Male	92	White Female	202
Black Male	8	Black Female	14
Hispanic Male	257	Hispanic Female	913
Other Male	154	Other Female	386

<u>OWNER</u>

Language Line Services, Inc.

Louis F. Provenzano, Jr., President Michael F. Schmidt, Chief Financial Officer **WHEREAS,** on April 27, 2011, City Council authorized three-year service contract for language interpretation services for the Dallas Police Department by Resolution No. 11-1111;

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 service contract with Language Line Services, Inc. (268653) through the Texas Department of Information Resources for language interpretation services for the Dallas Police Department for a term of three years in an amount not to exceed \$311,312.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Language Line Services, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Language Line Services, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$311,312.00 (subject to annual appropriations).

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

AGENDA ITEM #4

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

City Controller

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract, with one two-year renewal option, for armored car services for City facilities that conduct monetary transactions - Dunbar Armored, Inc., most advantageous proposer of three - Not to exceed \$619,021 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

Authorization of this service contract will provide armored car services at eighty four City locations that conduct monetary transactions as part of their daily operation. These facilities require that money collected as part of daily transactions be accounted for and safely transported to a bank depository on the City's behalf. As part of this contract, the contractor will have the responsibility to account for funds, make daily pick ups of bank deposits and provide change as needed for daily transactions.

The specifications for the new contract included an opportunity for the proposer to offer strategies for cost reduction and additional services. Any proposed strategies must meet the requirements of the City Charter and any related Administrative Directives and maintain the integrity of the City's internal controls.

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 447 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.

BACKGROUND (Continued)

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

•	City Controller's Office	(1)
•	Park and Recreation	(1)
•	Dallas Water Utilities	(1)
•	Office of Financial Services	(1)
•	Business Development and Procurement Services	(2)*

^{*}Business Development and Procurement Services only evaluated the proposed pricing and Business Inclusion and Development Plan.

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

•	Pricing	35%
•	Business Inclusion and Development Plan	15%
•	Approach to how each vendor provide service,	30%
	including the ability to track the activity of deposits and	
	delivery online	
•	Staffing and equipment availability to make pickups	10%
	in a timely manner	
•	Experience within the last five years that	10%
	demonstrates the firm's ability to provide services	

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2008, City Council authorized a thirty-six-month service contract for armored car services for City facilities that conduct monetary transactions by Resolution No. 08-2833.

FISCAL INFORMATION

\$619,020.48 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

447 - 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

Dunbar Armored, Inc.

White Male	54	White Female	8
Black Male	8	Black Female	1
Hispanic Male	9	Hispanic Female	0
Other Male	1	Other Female	3

PROPOSER INFORMATION

The following proposals were received from solicitation number BHZ1303 and opened on June 13, 2013. This service contract is being awarded in its entirety to the most advantageous proposer.

^{*}Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	Amount of Bid
*Dunbar Armored, Inc.	50 Schilling Rd. Hunt Valley, MD 21031	83.50%	\$619,020.48
Garda CL Southeast, Inc.	700 South Federal Hwy. Suite 300 Boca Raton, FL 33432	73.71%	\$694,118.52
Trinity Armored Security, Inc.	4221 Clay Ave. Haltom City, TX 76117	57.15%	\$730,620.00

<u>OWNER</u>

Dunbar Armored, Inc.

Kevin R. Dunbar, President David R. Botzler, Executive Vice President Vicki L. Thompson, Secretary Juergen Laue, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract, with one two-year renewal option, for armored car services for City facilities that conduct monetary transactions - Dunbar Armored, Inc., most advantageous proposer of three - Not to exceed \$619,021 - Financing: Current Funds (subject to annual appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts Total non-local contracts	\$0.00 \$619,020.48	0.00% 100.00%
TOTAL CONTRACT	\$619.020.48	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	Local & Non-Local	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

WHEREAS, on October 22, 2008, City Council authorized a thirty-six-month service contract for armored car services for City facilities that conduct monetary transactions by Resolution No. 08-2833;

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 service contract with Dunbar Armored, Inc. (500554) for armored car services for City facilities that conduct monetary transactions for a term of three years, with one two-year renewal option, in an amount not to exceed \$619,020.48, 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 Dunbar Armored, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Dunbar Armored, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$619,020.48 (subject to annual appropriations):

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

AGENDA ITEM #5

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

Police

CMO: Jeanne Chipperfield, 670-7804

Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize the purchase of one armored vehicle for the Dallas Police Department - Lenco Industries, Inc. through the General Services Administration - Not to exceed \$276,430 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

This purchase will provide one armored vehicle for Dallas Police Special Weapons and Tactics (SWAT) team. This armored vehicle will be committed to the suppression of, and response to the manufacture, distribution, and use of illegal drugs. It will also be employed by law enforcement personnel to coordinate and directly respond to any domestic or foreign terrorist threat or incident within the City and its surrounding response region.

The SWAT team typically performs approximately 500 operations annually. Of these operations approximately 40 involve other agency requests outside of the City of Dallas. The SWAT team also handles on average 50 barricaded person/hostage rescue or other emergency call-out response type situations. The SWAT team conducts approximately 400 narcotics or other high risk type warrants or other Dallas Police Department (DPD) requested operations annually.

DPD currently has a total of 2 units in their fleet and this additional unit will allow the SWAT team to handle multiple situations simultaneously without undue risk or exposure to officers. Additionally, the 2 current units are over 7 years old.

General Services Administration (GSA) conforms to the requirements of Texas statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, GSA receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$276,430.00 - U.S. Department of Homeland Security Grant Funds

ETHNIC COMPOSITION

Lenco Industries, Inc.

White Male	62	White Female	9
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	1	Other Female	0

<u>OWNER</u>

Lenco Industries, Inc.

Leonard W. Light, President

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

Section 1. That the purchase of one armored vehicle for the Dallas Police Department is authorized with Lenco Industries, Inc. (518458) through the General Services Administration in an amount not to exceed \$276,430.00

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for one armored vehicle for Dallas Police Department. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds from the following appropriation in an amount not to exceed \$276,430.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object</u>	<u>Encumbrance</u>	<u>Amount</u>
F385	MGT	7797	4740	PODPD00000110541	\$276,430.00

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

AGENDA ITEM #6

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 3

DEPARTMENT: Business Development & Procurement Services

Sanitation Services

CMO: Jeanne Chipperfield, 670-7804

Forest E. Turner, 670-3390

MAPSCO: 63J

SUBJECT

Authorize the purchase of one wheel loader for Sanitation Services - Holt Texas Ltd. through Texas Association of School Boards (BuyBoard) - Not to exceed \$293,438 - Financing: 2010 Equipment Acquisition Notes

BACKGROUND

The purchase of one wheel loader for Sanitation Services will be utilized at the Southwest Transfer Station in day-to-day operations and other projects. Wheel loaders at transfer stations are used to push waste and recyclables from the tipping floor into the transfer trailers.

Sanitation Services has a total of eight wheel loaders and backup units at the following locations:

- Bachman Transfer Station has four wheel loaders comprised of two primary machines and two backups
- Fair Oaks Transfer Station has two wheel loaders, both of which are relatively old
- Southwest Transfer Station has two wheel loaders

This purchase will be used to replace the oldest unit at the Southwest Transfer Station and one old John Deere unit will be used as backup when needed. Without adequate backups Sanitation Services would have to close the stations if the primary machines are down for protracted periods of time due to mechanical failure or preventative maintenance.

BACKGROUND (Continued)

The Southwest Transfer Station receives approximately 60,000 tons of waste and 12,000 tons of recyclables each year. New equipment will add efficiencies and replaces a unit that is 28 years old. Without this station, Sanitation Services refuse collection vehicles and City residents would have to drive an additional 30 miles per trip to the McCommas Bluff Landfill to dump their waste.

Texas Association of School Boards (BuyBoard) conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, BuyBoard receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$293,438.00 - 2010 Equipment Acquisition Notes

ETHNIC COMPOSITION

Holt Texas Ltd.

White Male	225	White Female	30
Black Male	30	Black Female	3
Hispanic Male	48	Hispanic Female	8
Other Male	11	Other Female	0

OWNER

Holt Texas Ltd.

Peter M. Holt, Chief Executive Officer

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

Section 1. That the purchase of one wheel loader for Sanitation Services is authorized with Holt Texas Ltd. (506724) in an amount not to exceed \$293,438.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for one wheel loader for Sanitation Services. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds from the following appropriation in an amount not to exceed \$293,438.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object</u>	<u>Encumbrance</u>	<u>Amount</u>
0629	SAN	E312	4740	POSAN0000110469	\$293,438.00

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

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

Sanitation Services

CMO: Jeanne Chipperfield, 670-7804

Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize (1) the purchase of two new front end loader refuse trucks for Sanitation Services - Heil of Texas in the amount of \$228,352 and Grandee Truck Center in the amount of \$271,256 through the Texas Association of School Boards (BuyBoard); and (2) the purchase of two used front end loader refuse trucks for Sanitation Services - RDK Truck Sales and Service, Inc. in the amount of \$185,000 - Total not to exceed \$684,608 - Financing: Municipal Lease Agreement Funds (\$499,608) and Current Funds (\$185,000)

BACKGROUND

This purchase will provide for two new front end loader refuse trucks for Sanitation Services and two used front end loader refuse trucks currently used by Sanitation Services until the new trucks are completed. The purchase of these vehicles will enable Sanitation Services to continue to provide solid waste container service to 285 collection points at City owned facilities.

Sanitation Services is currently leasing two older model vehicles and this action will purchase the vehicles rather than continuing to lease at a savings of \$13k over a twelve month period. Chapter 252 of the Texas Local Government Code provides general exemptions to competitive bidding for a number of circumstances. A purchase necessary to preserve or protect the public health and safety of the municipality's residents (252.022(a)(2)) is being utilized to continue solid waste pick-up until the new vehicles are put into service. The anticipated delivery of the new front end loader refuse trucks is approximately 90-120 days after Council approval.

Solid waste container services was put out for bid in January of 2013 and it was determined that it was most advantageous to bring the service in-house. The purchase of two new front end loader refuse trucks will ensure consistent reliable services are delivered to facilities requiring solid waste container services. The used trucks will then be placed in reserve to be used when the new trucks are in for routine maintenance.

Texas Association of School Boards (BuyBoard) conforms to the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, BuyBoard receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$499,608.00 - Municipal Lease Agreement Funds \$185,000.00 - Current Funds

ETHNIC COMPOSITION

Heil of Texas

White Male	9	White Female	2
Black Male	0	Black Female	0
Hispanic Male	2	Hispanic Female	1
Other Male	0	Other Female	0

Grandee Truck Center

White Male	57	White Female	6
Black Male	3	Black Female	0
Hispanic Male	87	Hispanic Female	2
Other Male	0	Other Female	0

RDK Truck Sales and Service, Inc.

White Male	18	White Female	5
Black Male	1	Black Female	0
Hispanic Male	6	Hispanic Female	0
Other Male	0	Other Female	0

OWNERS

Heil of Texas

Larry C. Davis, President John Davis, Vice President Larry Davis, Secretary

OWNERS (Continued)

Grandee Truck Center

R.S. Kane, President

T.D. Kane, Vice President

D.R. Keck, Secretary

RDK Truck Sales and Service, Inc.

Richard Kemner, President

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

Section 1. That **(1)** the purchase of two new front end loader refuse trucks for Sanitation Services is authorized with Heil of Texas (502970) in the amount of \$228,352.00 and Grandee Truck Center (VS0000030980) in the amount of \$271,256.00, through the Texas Association of School Boards (BuyBoard); and **(2)** the purchase of two used front end loader refuse trucks for Sanitation Services is authorized with RDK Truck Sales and Service, Inc. (VS0000077902) in the amount of \$185,000.00, in a total amount not to exceed \$684,608.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for two new front end loader refuse trucks for Sanitation Services and two used front end loader refuse trucks for Sanitation Services. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (12 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

Section 4. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$684,608.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>	<u>AMOUNT</u>
ML12	SAN	E317	4740	POSAN00000110464	\$228,352.00
ML12	SAN	E317	4740	POSAN00000110465	\$271,256.00
0001	SAN	3551	4740	POSAN00000110706	\$185,000.00

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: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

Fire

CMO: Jeanne Chipperfield, 670-7804

Charles Cato, 670-9194

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for the purchase of dress formal and station wear uniforms for Fire-Rescue - GST Public Safety Supply, LLC in the amount of \$1,387,578, Mag & Son, LLC in the amount of \$833,230, ERMC IV, LP in the amount of \$814,212, Regali, Inc. in the amount of \$77,400, Promotional Designs, Inc. in the amount of \$58,475 and C&G Police Supply dba C&G Wholesale in the amount of \$16,466, most advantageous proposers of fourteen - Total not to exceed \$3,187,361 - Financing: Current Funds

BACKGROUND

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

This master agreement will allow for the purchase of Class A dress uniforms, station wear uniforms, jackets, rainwear and accessories for approximately 1,800 Fire-Rescue employees, which include:

- Fire fighters
- Fire Prevention and Inspection Officers
- Chiefs
- Recruits
- Civilian personnel

Fire-Rescue uniforms are important because they provide the general public a visual identification of fire personnel and a sense of public awareness when serving the community. Each employee is provided uniforms in sufficient quantities to allow for cleaning and/or changing as needed. Uniforms shall be replaced as needed, when they become worn, ill-fitting or otherwise not in condition to represent the City favorably.

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

- Fire-Rescue (2)
- Police (2)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated the proposed pricing and the Business Inclusion and Development Plan.

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

•	Quality, design, construction, comfort and durability	30%
	with compliance to the specifications	
•	Pricing consideration	30%
•	Vendor performance ability to meet contract terms	25%
•	Business Inclusion & Development Plan	15%

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 1.38% increase over comparable unit prices for the bids awarded in 2007.

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 632 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 February 27, 2013 City Council authorized an increase and a six month extension to the master agreement for dress and station wear uniforms for Fire-Rescue by Resolution No. 13-0382.

FISCAL INFORMATION

\$3,187,361.00 - Current Funds

M/WBE INFORMATION

- 62 Vendors contacted
- 61 No response
 - 1 Response (Bid)
- 0 Response (No Bid)
- 1 Successful

632 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

GST Public Safety Supply, LLC

White Male	0	White Female	1
Black Male	2	Black Female	1
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	2
Mag & Son, LLC			
White Male	5	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0
ERMC IV, LP			
White Male	69	White Female	9
Black Male	39	Black Female	0
Hispanic Male	30	Hispanic Female	11
Other Male	15	Other Female	0
Regali, Inc.			
White Male	0	White Female	0
Black Male	1	Black Female	0
Hispanic Male	1	Hispanic Female	9
Other Male	1	Other Female	3

ETHNIC COMPOSITION (Continued)

Promotional Designs, Inc.

White Male	0	White Female	2
Black Male	0	Black Female	1
Hispanic Male	0	Hispanic Female	1
Other Male	0	Other Female	0

C&G Police Supply dba C&G Wholesale

White Male	2	White Female	5
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	4
Other Male	0	Other Female	2

PROPOSAL INFORMATION

The following proposals were received from solicitation number BY1310 and opened on March 21, 2013. This master agreement is being awarded to the most advantageous proposers by group. Information related to this solicitation is available upon request.

^{*}Denotes successful proposers

<u>Proposers</u>	<u>Address</u>	<u>Amount</u>
*GST Public Safety Supply, LLC	12092 Forestgate Dr. Dallas, TX 75243	Multiple groups
*Mag & Son, LLC	171 Pascone Pl. Newington, CT 06111	Multiple groups
*ERMC IV, LP	6148 Lee Highway Suite 300 Chattanooga, TN 37421	Multiple groups
*Regali, Inc.	518 N. Interurban St. Richardson, TX 75081	Multiple groups
*Promotional Designs, Inc.	8500 N. Stemmons Fwy. Suite 205 Dallas, TX 75247	Multiple groups
*C&G Police Supply dba C&G Wholesale	2545 Brockwood Rd. Dallas, TX 75238	Multiple groups

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Amount</u>
Uniforms, Inc.	1489 Prudential Dr. Dallas, TX 75235	Multiple groups
Red the Uniform Tailor	475 Oberlin Ave., South Lakewood, NJ 08701	Multiple groups
Already Gear, Inc.	6960 Marvin D. Love Fwy. Dallas, TX 75237	Multiple groups
Municipal Emergency Services, Inc.	16511 Hedgecroft Suite 200 Houston, TX 77060	Multiple groups
Circle R. Embroidery Co., Inc. dba Classic Caps & Embroidery	4901 Woodall St. Dallas, TX 75247	Multiple groups
Outdoor Outfits	372 Richmond St., West Toronto, Canada M5V 1X6	Multiple groups
C&G Police Supply dba C&G Wholesale Alternate proposal	2545 Brockwood Rd. Dallas, TX 75238	Multiple groups
Uniforms, Inc. Alternate proposal	1489 Prudential Dr. Dallas, TX 75235	Multiple groups

OWNERS

GST Public Safety Supply, LLC

Gwyn Klein, President

Mag & Son, LLC

Nathan Mag, Managing Member Owner Henry Mag, Managing Member Owner

OWNERS (Continued)

ERMC IV, LP

Kathryn Russell, President Larry Dismukes, Vice President Tommy Kranz, Treasurer

Regali, Inc.

Renee Dutia, President Krish Dutia, Vice President

Promotional Designs, Inc.

Lynn Katers, President Bryan Katers, Vice President Bob Hermus, Secretary

C&G Police Supply dba C&G Wholesale

Gail Skees, Owner Charles Skees, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of dress formal and station wear uniforms for Fire-Rescue - GST Public Safety Supply, LLC in the amount of \$1,387,578, Mag & Son, LLC in the amount of \$833,230, ERMC IV, LP in the amount of \$814,212, Regali, Inc. in the amount of \$77,400, Promotional Designs, Inc. in the amount of \$58,475 and C&G Police Supply dba C&G Wholesale in the amount of \$16,466, most advantageous proposers of fourteen - Total not to exceed \$3,187,361 - Financing: Current Funds

Regali, Inc. and Promotional Designs, Inc. are local, minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce. C&G Police Supply dba C&G Wholesale is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Mag & Son, LLC is a non-local, non-minority firm has signed the Business Inclusion & Development" documentation, and propose to use their own workforce. ERMC IV, LP is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. GST Public Safety Supply, LLC. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,553,610.74	48.74%
Total non-local contracts	\$1,633,750.26	51.26%
TOTAL CONTRACT	\$3,187,361.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	<u>Amount</u>	<u>Percent</u>
Joy Promotions	BFDB0858N0214	\$16,284.24	1.05%
Regali, Inc.	IFDB57607Y0614	\$77,400.00	4.98%
Promotional Designs	WFWB5799N0714	\$58,475.00	3.76%
Total Minority - Local		\$152,159.24	9.79%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	<u>Amount</u>	Percent
D.I.F Transportation	WFWB2437N0614	\$2,592.00	0.16%
Total Minority - Non-local		\$2,592.00	0.16%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	Local & Non-Local	<u>Percent</u>
African American	\$16,284.24	1.05%	\$16,284.24	0.51%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$77,400.00	4.98%	\$77,400.00	2.43%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$58,475.00	3.76%	\$61,067.00	1.92%
Total	\$152,159.24	9.79%	\$154,751.24	4.86%

WHEREAS, on February 27, 2013 City Council authorized an increase and a six month extension to the master agreement for dress and station wear uniforms for Fire-Rescue by Resolution No. 13-0382;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of dress formal and station wear uniforms for Fire-Rescue is authorized with GST Public Safety Supply, LLC (507136) in the amount of \$1,387,578.00, Mag & Son, LLC (512443) in the amount of \$833,230.00, ERMC IV, LP (520303) in the amount of \$814,212.50, Regali, Inc. (266630) in the amount of \$77,400.00, Promotional Designs, Inc. (VS0000055517) in the amount of \$58,475.00 and C&G Police Supply dba C&G Wholesale (162672) in the amount of \$16,465.50, for a term of three years for a total amount not to exceed \$3,187,361.00.

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

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed \$3,187,361.00.

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

KEY FOCUS AREA: Clean, Healthy Environment

Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

Equipment & Building Services

Communication and Information Services

CMO: Jeanne Chipperfield, 670-7804

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

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for the purchase of hardware and tools associated with the M5 FuelFocus Wireless Automated Fueling System - AssetWorks, Inc., through the General Services Administration - Not to exceed \$485,232 - Financing: Current Funds

BACKGROUND

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

This master agreement will provide for the purchase of hardware and tools associated with the M5 FuelFocus Wireless Automated Fueling System. This agreement authorizes the purchase of vehicular radio-frequency identification (RFID) devices required for fueling, fuel Island Control Unit (ICU) hardware repair parts and RFID and ICU programming tools for the configuration of M5 FuelFocus system.

The M5 FuelFocus Wireless Automated Fueling System is a web-based program that authorizes fueling and manages the City's fuel inventory. The system offers real time advanced reporting and numerous audit control features, including the ability to set maximum daily fueling for vehicles and/or departments. The FuelFocus system also records vehicular fault codes and status after each fueling, which assists with preventative vehicle maintenance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 5, 2011, the Budget, Finance and Audit Committee was briefed.

On December 14, 2011, City Council authorized an acquisition contract for the purchase and installation of hardware and software to upgrade the existing fuel inventory management system by Resolution No. 11-3345.

On June 13, 2012, City Council authorized the purchase of hardware to continue the upgrade of the existing fuel inventory management system by Resolution No. 12-1615.

FISCAL INFORMATION

\$485,231.04 - Current Funds

ETHNIC COMPOSITION

AssetWorks, Inc.

White Male	100	White Female	35
Black Male	4	Black Female	1
Hispanic Male	4	Hispanic Female	3
Other Male	7	Other Female	7

<u>OWNER</u>

AssetWorks, Inc.

John H. Hines, III, President R. David Sadoo, Vice President

WHEREAS, on December 14, 2011, City Council authorized an acquisition contract for the purchase and installation of hardware and software to upgrade the existing fuel inventory management system by Resolution No. 11-334; and,

WHEREAS, on June 13, 2012, City Council authorized the purchase of hardware to continue the upgrade of the existing fuel inventory management system by Resolution No. 12-1615,

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of hardware and tools associated with the M5 FuelFocus Wireless Automated Fueling System through the Federal General Services Administration with AssetWorks, Inc., (243388) for a term of three years in a total amount not to exceed \$485,231.04.

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

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed \$485,231.04.

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: August 28, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Convention and Event Services

CMO: Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize a change to the Board of Directors of the Dallas Convention Center Hotel Development Corporation - Financing: No cost consideration to the City

BACKGROUND

Effective July 8, 2013, Forest Turner was assigned responsibility for Convention & Event Services. Mr. Turner serves as President of the Dallas Convention Center Hotel Development Corporation.

The City Manager recommends the following individual to replace Mr. Turner:

Jose (Joey) Zapata - as President of the Dallas Convention Center Hotel Development Corporation

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

On October 10, 2011, by Resolution No. 11-2719, City Council replaced Ryan Evans with Forest Turner to serve as President of the Dallas Convention Center Hotel Development Corporation.

On April 14, 2010, by Resolution No. 10-0918, City Council replaced Frank Poe with Al (Alberto) Rojas to serve as Secretary of the Dallas Convention Center Hotel Development Corporation.

On February 10, 2010, by Resolution No. 10-0454, Council replaced Shelia Robinson with Jo M. (Jody) Puckett to serve as a board member of the Dallas Convention Center Hotel Development Corporation.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, the articles of incorporation, upon the recommendation of the City Manager, authorize the City Council to approve changes to the Board of Directors of the Dallas Convention Center Hotel Development Corporation.

Now, Therefore,

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

Section 1. That Joey Zapata replaces Forest Turner as President of the Dallas Convention Center Hotel Development Corporation.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

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

SUBJECT

Authorize (1) approval of the proposed Dallas Downtown Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

Downtown Dallas, Inc., provided City staff with the proposed Dallas Downtown Improvement (District) Service Plan for 2014 and Assessment Rate for 2013 for review. City staff found the services and improvements to be advisable and recommended for approval subject to the public hearing on September 11, 2013.

The public improvement district proposed Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes Downtown Safety Patrol program, safety awareness and education programs, Clean Team program, operation of the mass transportation facilities, landscaping, banner program, installation and maintenance of trash containers, promotion of downtown, installation of lighting, implement signage and wayfinding system, development of new public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately thirty million, nine hundred fifty-seven thousand, one hundred fifteen dollars (\$30,957,115). The estimated average annual cost is approximately six million, one hundred ninety-one thousand, four hundred twenty-three dollars (\$6,191,423). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The District is in the Dallas Central Business District, which is devoted primarily to commercial activity with a growing residential population. The boundaries of the District are described as the outer edges of Woodall Rodgers Freeway, North Central Expressway, Julius Schepps Freeway, R.L. Thornton Freeway and Stemmons Freeway. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The proposed assessment rate for 2013 will be \$0.1290 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

(e) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the cost of the improvements and services described in this petition. The City of Dallas contractually has agreed to pay assessments against exempt City property in the District. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must also be established by contract.

For the FY 2014-15, the estimated City participation is approximately \$562,608 (this amount excludes an estimated \$280,550 assessment for the Convention Center Hotel property under the auspices of a Local Government Corporation (LGC). Every dollar of City assessment paid to the District will leverage approximately \$25.00 of assessments paid by private property owners. As a contributor, the City of Dallas will be represented on the governing Boards of Directors.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

On August 9, 2006, City Council authorized the renewal of the District for a seven-year period by Resolution Nos. 06-2048 and 06-2049.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28805.

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

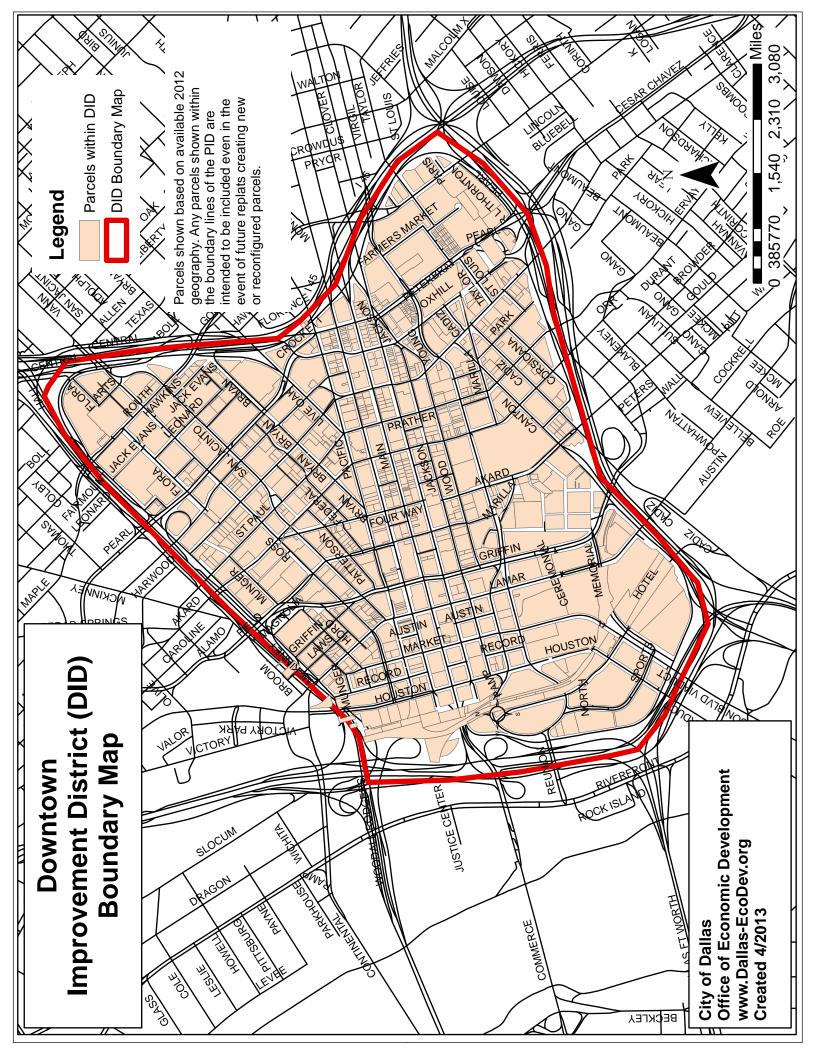
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



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

WHEREAS, on August 25, 1999, City Council authorized the creation of the Downtown Improvement (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District; designating Dallas CBD Enterprises, Inc., as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates by Resolution No. 92-2445; and

WHEREAS, on August 9, 2006, City Council authorized the renewal of the District by Resolution Nos. 06-2048 and 06-2049; and

WHEREAS, on June 12, 2013, City Council authorized the renewal of the District by Resolution No. 13-1015; and

WHEREAS, Dallas CBD Enterprises, Inc., presented City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Dallas CBD Enterprises, Inc., evaluated the Service Plan to determine whether the services should be made as proposed by the Service Plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013 at 1:00 p.m., to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Dallas Downtown Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

Section 1. (Continued)

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

- (a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.
- (b) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes Downtown Safety Patrol program, safety awareness and education programs, Clean Team program, operation of the mass transportation facilities, landscaping, banner program, installation and maintenance of trash containers, promotion of downtown, installation of lighting, implement signage and wayfinding system, development of new public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (c) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately thirty million, nine hundred fifty-seven thousand, one hundred fifteen dollars (\$30,957,115). The estimated average annual cost is approximately six million, one hundred ninety-one thousand, four hundred twenty-three dollars (\$6,191,423). The District shall incur no bonded indebtedness.
- (d) Boundaries. The District is located wholly within the City of Dallas, Texas. The District is in the Dallas Central Business District, which is devoted primarily to commercial activity with a growing residential population. The boundaries of the District are described as the outer edges of Woodall Rodgers Freeway, North Central Expressway, Julius Schepps Freeway, R.L. Thornton Freeway and Stemmons Freeway. The boundaries of the District are as shown in Exhibit A.
- **(e) Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District.

Section 1. (Continued)

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The proposed assessment rate for 2013 will be \$0.1290 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

(f) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the cost of the improvements and services described in this petition. The City of Dallas contractually has agreed to pay assessments against exempt City property in the District. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must also be established by contract.

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

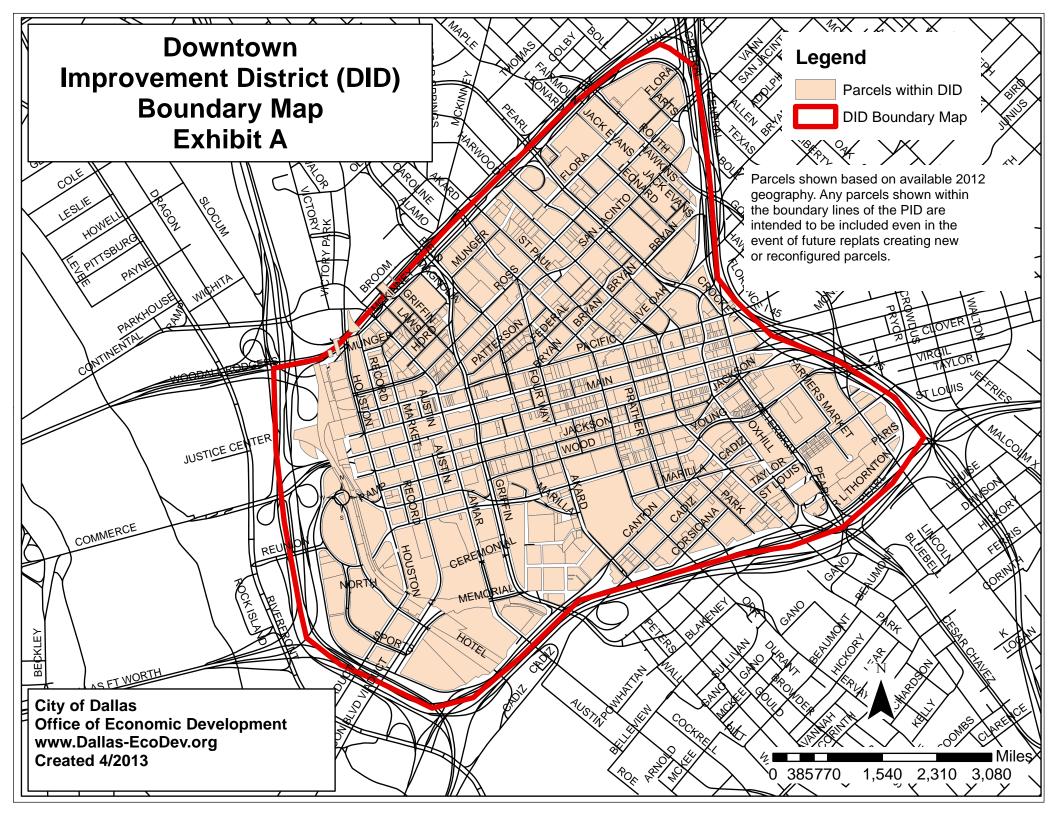
Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

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

August 28, 2013

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

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



Dallas Downtown Improvement District (DID)

Service Plan 2014-2018

	2014 Budget		2015 Budget	2016 Budget	2017 Budget	2018 Budget
REVENUES & RESERVES						
Fund balance from previous year	\$295,762.00		\$1,759.00	\$1,731.60	\$1,712.83	\$1,733.12
Net assessment revenue	\$5,459,212.00		\$5,732,172.60	\$6,018,781.23	\$6,319,720.29	\$6,635,706.31
Exempt jurisdictions	\$99,000.00		\$99,000.00	\$99,000.00	\$99,000.00	\$99,000.00
Interest on cash balances	\$0.00		\$300.00	\$500.00	\$700.00	\$1,000.00
Other income & contributions	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00
TOTAL INCOME & RESERVES	\$5,853,974.00		\$5,833,231.60	\$6,120,012.83	\$6,421,133.12	\$6,737,439.43
EXPENDITURES						
Organization & Administration	\$544,311.00	9.30%	\$550,000.00	\$570,000.00	\$585,000.00	\$600,000.00
Capital Improvements ¹	\$340,000.00	5.81%	\$290,000.00	\$325,000.00	\$368,000.00	\$415,000.00
Transportation and Improvements ²	\$364,668.00	6.23%	\$366,500.00	\$386,300.00	\$407,400.00	\$427,700.00
Communications & Events ³	\$937,824.00	16.03%	\$950,000.00	\$1,050,000.00	\$1,153,000.00	\$1,260,000.00
Services and Improvements ⁴	\$1,088,215.00	18.59%	\$1,170,000.00	\$1,220,000.00	\$1,273,000.00	\$1,330,000.00
Safety ⁵	\$2,577,197.00	44.04%	\$2,505,000.00	\$2,567,000.00	\$2,633,000.00	\$2,703,000.00
TOTAL EXPENDITURES	\$5,852,215.00	_	\$5,831,500.00	\$6,118,300.00	\$6,419,400.00	\$6,735,700.00
FUND BALANCE/RESERVES	\$1,759.00		\$1,731.60	\$1,712.83	\$1,733.12	\$1,739.43

¹ Public Improvements, landscape and parks.

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

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

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

 $^{^{\}rm 5}$ Downtown Safety Patrol, Homeless outreach, education & coordination.

DOWNTOWN DALLAS INC

Exhibit C

DRAFT Dallas Downtown Improvement District 2013 Assessment Plan

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

The proposed assessment to be levied for properties in the District service area for 2013 is \$.1290 per \$100 of appraised value. Dependent upon future District property values and the changing needs of the District, the assessment rate stated above is not anticipated to change in the next five years. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of \$0.15 per \$100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code.

The District shall pay the cost of the improvements and services described in the Service Plan. The City of Dallas contractually has agreed to pay assessments against exempt City property in the District. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must also be established by contract.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: 45 G 45 L 45 M 45 R 46 J and 46K

SUBJECT

Authorize (1) approval of the proposed Deep Ellum Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Deep Ellum Foundation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

The public improvement district Service Plan is outlined in the following way:

- Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes graffiti control, landscaping, park improvements, trash pick-up, neighborhood improvements, acquisition, construction, operation and maintenance of mass transportation facilities, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area as the Deep Ellum Entertainment District and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided during the next five year period is approximately one million, six hundred eighty-seven thousand, five hundred dollars (\$1,687,500). The estimated average annual cost is approximately three hundred thirty-seven thousand, five hundred dollars (\$337,500). The District shall incur no bonded indebtedness.
- **Boundaries.** The boundaries of the District are located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The estimated annual assessment rate for 2013 will be \$0.12 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

(e) Apportionment of costs between the District and the Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

On August 9, 2006, City Council authorized renewal of the Deep Ellum Public Improvement District by Resolution Nos. 06-2050 and 06-2051.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28804.

On August 14, 2013, City Council authorized renewal of the Deep Ellum Public Improvement District.

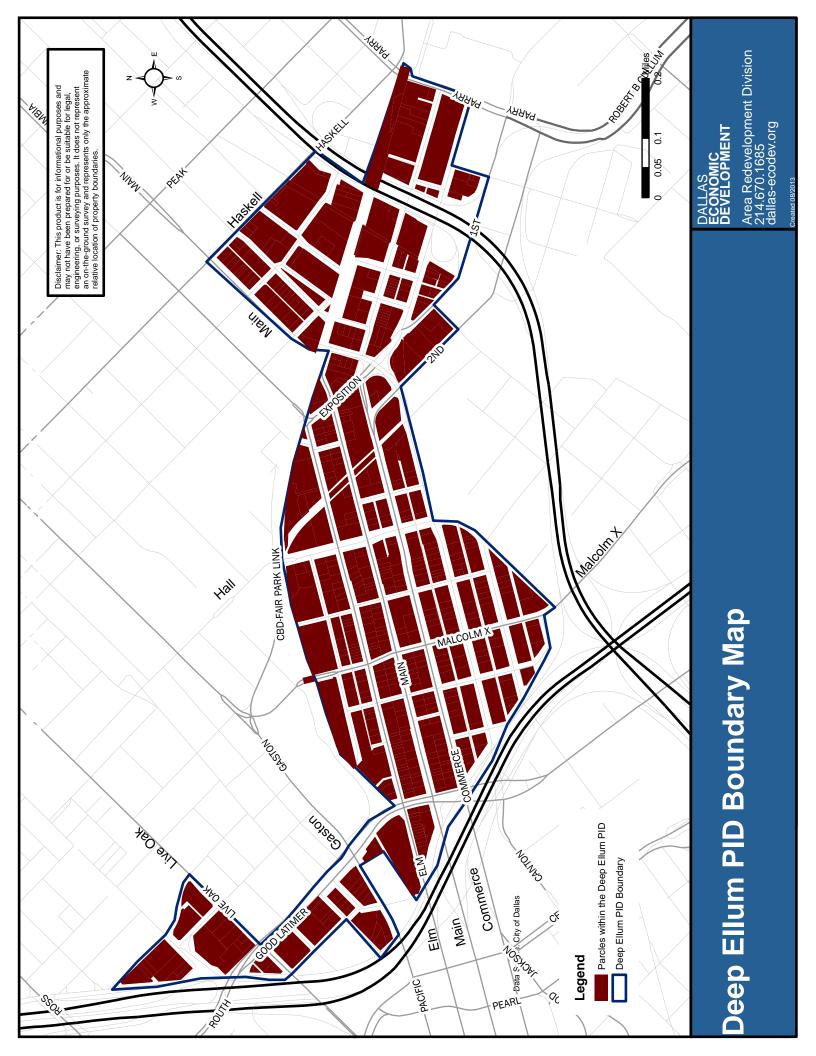
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



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

WHEREAS, on August 25, 1999, City Council authorized the creation of the Deep Ellum Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Deep Ellum Foundation, as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates by Resolution No. 99-2604; and

WHEREAS, on August 9, 2006, City Council authorized the renewal of the Deep Ellum Public Improvement District (District) by Resolution No. 06-2051; and

WHEREAS, on September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28804; and

WHEREAS, on August 14, 2013, City Council authorized the renewal of the Deep Ellum Public Improvement District (District); and

WHEREAS, the Deep Ellum Foundation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 as shown in Exhibits B and C; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Deep Ellum Foundation evaluated the Service Plan and Assessment Plan to determine whether the services should be made as proposed by the Service Plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013 at 1:00 p.m. to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Deep Ellum Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

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

- (a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.
- (b) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes graffiti control, landscaping, park improvements, trash pick-up, neighborhood improvements. acquisition, construction. operation maintenance of mass transportation facilities, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area as the Deep Ellum Entertainment District and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (c) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately one million, six hundred eighty-seven thousand, five hundred dollars (\$1,687,500). The estimated average annual cost is approximately three hundred thirty-seven thousand, five hundred dollars (\$337,500). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The boundaries of the District are located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

Section 1. (Continued)

The estimated annual assessment rate for 2013 will be \$0.12 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

(f) Apportionment of costs between the District and the Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

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

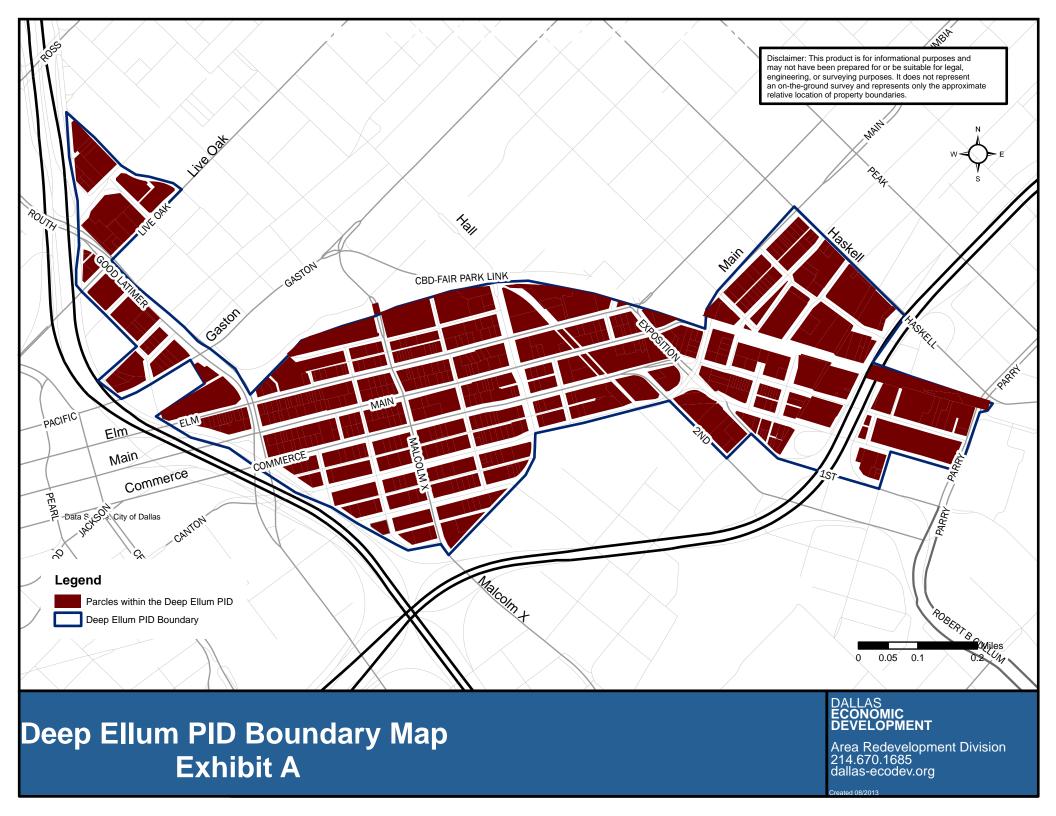
Section 3. That a public hearing shall be held at 1:00 p.m. on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

August 28, 2013

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



DEEP ELLUM PUBLIC IMPROVEMENT DISTRICT **Service Plan 2014-2018** DRAFT 2014 2015 2016 2017 2018 REVENUES AND RESERVES \$16,411.00 Fund balance from previous year \$25,000.00 \$21,561.00 \$26,865.00 \$32,328.50 *Net assessment revenue \$265,911.00 \$337,000.00 \$347,000.00 \$357,000.00 \$367,000.00 Interest on cash balances \$3,000.00 \$3,090.00 \$3,183.00 \$3,376.50 \$3,278.00 Other income and contributions \$2,000.00 \$2,060.00 \$2,121.00 \$2,185.50 \$2,251.00 TOTAL INCOME AND RESERVES \$295,911.00 \$358,561.00 \$373,865.00 \$389,328.50 \$404,956.00 **EXPENDITURES** \$77,000.00 Improvements¹ \$62,000.00 \$68,000.00 \$71,000.00 \$74,000.00 Transportation and related expenses \$22,500.00 \$40,000.00 \$40,000.00 \$40,000.00 \$40,000.00 \$20,000.00 \$30,000.00 \$30,000.00 \$30,000.00 \$30,000.00 Marketing and Promotion⁴ \$106,000.00 \$128,500.00 \$134,000.00 \$139,500.00 \$145,000.00 Public Safety⁵ \$15,000.00 \$15,000.00 \$15,000.00 \$15,000.00 \$15,000.00 Administration \$48,000.00 \$54,000.00 \$49,500.00 \$51,000.00 \$52,500.00 Financial audit and insurance \$6,000.00 \$6,000.00 \$6,000.00 \$6,000.00 \$6,000.00 TOTAL EXPENDITURES \$279,500.00 \$337,000.00 \$347,000.00 \$357,000.00 \$367,000.00

\$21,561.00

\$26,865.00

\$32,328.50

\$37,956.00

1. Graffiti control, landscaping, park improvements, trash pickup and neighborhood improvements

\$16,411.00

- 2. Acquisition, construction, operation and maintenance of mass transportation facilities and wayfinding signage
- 3. Business development and recruitment to promote the District as the Deep Ellum Entertainment District
- 4. Marketing, website, and other promotional activities
- 5. Distinctive lighting and signage

FUND BALANCE/RESERVES

^{*}The net projected assessment revenue in 2014 was declined by 18% compared to the City Council approved Service Plan during creation of the District. The Transportation and Related Expenses category and Business Development and Recruitment categories were decreased by more than 20% to reflect the change.



Exhibit C

DRAFT Deep Ellum Public Improvement District Assessment Plan 2013

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

The proposed assessment rate for 2013 will be \$0.12 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

Deep Ellum PID assessments will be collected by Dallas County for the City of Dallas, in accordance with the management contract between the City of Dallas and The Deep Ellum Foundation.

AGENDA ITEM #13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45E 45F 45G 45K and 45L

SUBJECT

Authorize (1) approval of the proposed Klyde Warren Park Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Klyde Warren Park Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Woodall Rodgers Park Foundation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 for review, and staff found the services and improvements to be advisable and recommended approval.

BACKGROUND (Continued)

The public improvement district is outlined in the following way:

- (a) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services and improvements for the Klyde Warren Park, but not to replace or supplant existing City or other services provided. The general nature of the proposed services and improvements to be performed by the District for Klyde Warren Park includes security, sanitation, graffiti control and general improvements, landscaping and water features, trash pick-up, cultural enhancement, programs, marketing and promotional activities, distinctive lighting and signage and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements. During the five (5) year period, the estimated cost of the improvements and services provided by the District for Klyde Warren Park will be approximately \$3,219,698 (an average annual expenditure of \$643,940). The District shall not incur bonded indebtedness. The service plan budget and assessment rate are subject to annual review, a public hearing and approval by the City Council.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas (the "City"), a Texas home rule municipality. The District contains Klyde Warren Park and the properties that are enhanced by the aggressive programs and marketing of this exceptional attraction. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The proposed annual assessment rate for 2013 will be \$0.025 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

BACKGROUND (Continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against real property and real property improvements specially benefitted because of their proximity to the Klyde Warren Park and amenities. Dallas is not responsible for payment of assessment against exempt City property in the District. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2013, City Council authorized the creation of the Klyde Warren Park Public Improvement District for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District.

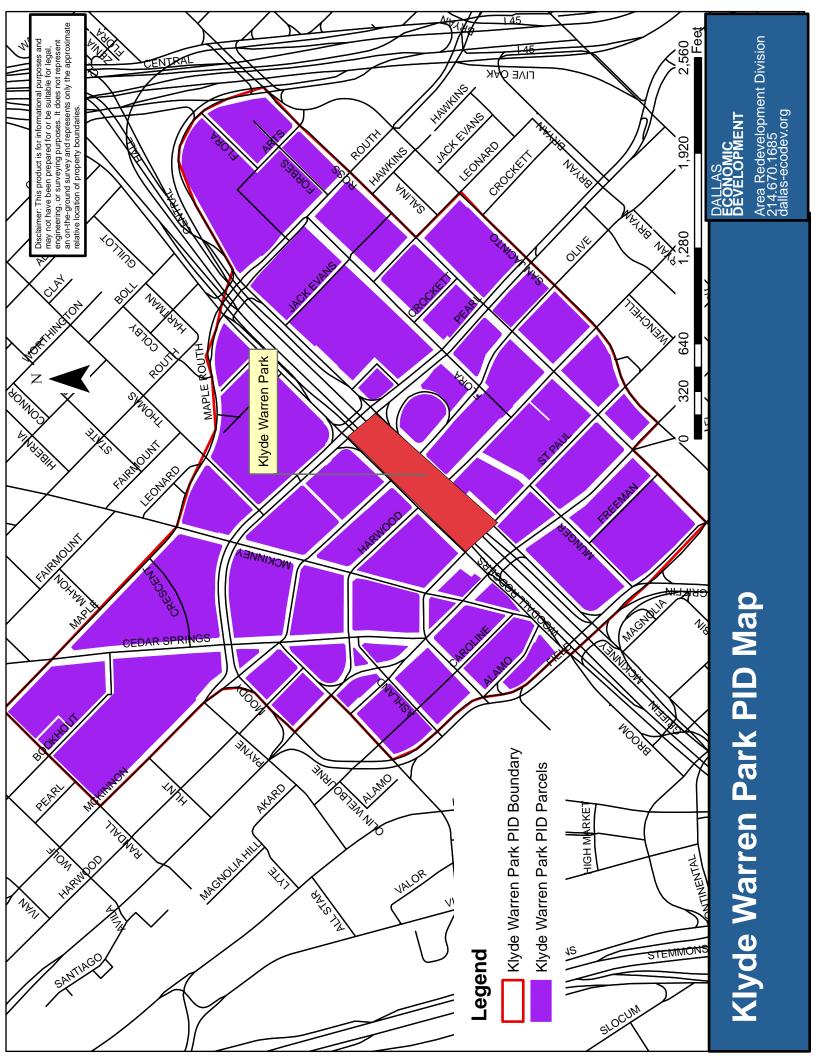
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

<u>MAP</u>

Attached.



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

WHEREAS, on August 14, 2013, City Council authorized the creation of the Klyde Warren Park Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Woodall Rodgers Park Foundation, as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates; and

WHEREAS, the Woodall Rodgers Park Foundation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Woodall Rodgers Park Foundation evaluated the Service Plan and assessment plan to determine whether the services should be made as proposed by the Service Plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013 at 1:00 p.m., to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Klyde Warren Park Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

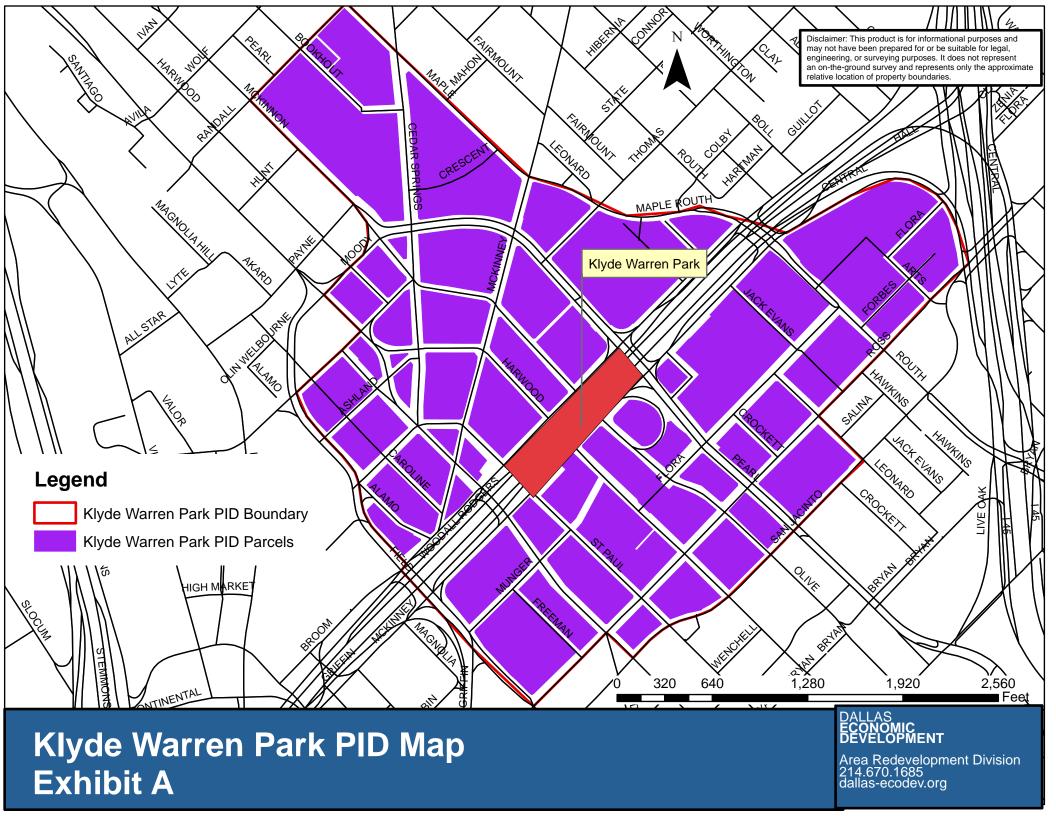
The City Council makes the following findings concerning the proposed Service Plan for the public improvement district:

Section 1. (Continued)

- (a) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services and improvements for the Klyde Warren Park, but not to replace or supplant existing City or other services provided. The general nature of the proposed services and improvements to be performed by the District for Klyde Warren Park includes security, sanitation, graffiti control and general improvements, landscaping and water features, trash pick-up, cultural enhancement, programs, marketing and promotional activities, distinctive lighting and signage and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements. During the five (5) year period, the estimated cost of the improvements and services provided by the District for Klyde Warren Park will be approximately \$3,219,698 (an average annual expenditure of \$643,940). The District shall not incur bonded indebtedness. The service plan budget and assessment rate are subject to annual review, a public hearing and approval by the City Council.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, TX (the "City"), a Texas home rule municipality. The District contains Klyde Warren Park and the properties that are enhanced by the aggressive programs and marketing of this exceptional attraction. The boundary of the District is as shown in **Exhibit A**.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The proposed annual assessment rate for 2013 will be \$0.025 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

Section 1. (Continued)

- (e) Apportionment of costs between the District and the Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against real property and real property improvements specially benefitted because of their proximity to the Klyde Warren Park and amenities. Dallas is not responsible for payment of assessment against exempt City property in the District. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.
- **Section 2.** That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.
- **Section 3.** That a public hearing shall be held at 1:00 p.m. on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.
- **Section 4.** That notice of such public hearing shall be published in the official newspaper of the City of Dallas and mailed to the property owners in the District before the 10th day before the public hearing.
- **Section 5.** That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.
- **Section 6.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



KLYDE WARREN PARK PID BUDGET SERVICE PLAN 2014 TO 2018

	DRA	FT			Exhibit B
REVENUE	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Fund Balance from previous year					
* Net assessment revenue	\$606,444.83	\$624,638.18	\$643,377.32	\$662,678.64	\$682,559.00
TOTAL REVENUE	\$606,444.83	\$624,638.18	\$643,377.32	\$662,678.64	\$682,559.00
EXPENDITURES					
1 Security	\$290,000.00	\$290,000.00	\$292,900.00	\$295,829.00	\$301,745.58
² Sanitation	\$150,000.00	\$150,000.00	\$151,500.00	\$153,015.00	\$156,075.30
3 Scrubbing and power washing pavers	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Waste disposal	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00
Landscape improvements	\$33,500.00	\$33,500.00	\$33,500.00	\$33,500.00	\$33,500.00
Water features and general improvements	\$10,500.00	\$10,500.00	\$10,500.00	\$10,500.00	\$10,500.00
4 Cultural enhancement (programs)	\$15,000.00	\$30,000.00	\$39,300.00	\$52,000.00	\$59,000.00
5 Marketing and promotion	\$46,500.00	\$46,500.00	\$46,500.00	\$46,500.00	\$50,000.00
Administration	\$8,544.83	\$11,738.18	\$11,777.32	\$13,934.64	\$14,338.12
Liability insurance and financial audit	\$20,400.00	\$20,400.00	\$20,400.00	\$20,400.00	\$20,400.00
Holiday lighting and Decorations	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$15,000.00
Contingency					
TOTAL OPERATING EXPENDITURES	\$606,444.83	\$624,638.18	\$643,377.32	\$662,678.64	\$682,559.00
FUND BALANCE/ RESERVES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

KWP overall budget is supporting the remaining operating cost, which is not included in the Service Plan

₁ 24 hour security in KWP

² Trash pickup, general cleaning, graffiti control and KWP improvements

³ Pavement (sidewalk) detail cleaning, staining and restoration

⁴ Partial cost of European and Christmas Markets, programming activities, will grow yearly

⁵ Partial cost of promoting the district, PR, advertising, free Wi-Fi, website and Kiosk

DRAFT Exhibit C Klyde Warren Public Improvement District Assessment Plan

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

The Klyde Warren Public Improvement District (PID) proposed assessment rate for 2013 is \$0.025 per \$100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of \$0.15 per \$100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

AGENDA ITEM #14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: 35 Q R U V

SUBJECT

Authorize (1) approval of the proposed Knox Street Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Knox Street Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Knox Street Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 for review and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

BACKGROUND (Continued)

The public improvement district Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, lighting, sidewalk and streetscape, operation and maintenance of public improvements, landscaping improvements including plantings, hardscape, District marketing and promotion and related services and improvements that are authorized by the Act and approved by the Dallas City Council.
- (b) Estimated Cost of the Services. The total estimated cost of services and improvements provided by the District for the next five year period is approximately nine hundred seventy-five thousand, one hundred seventy-six dollars (\$975,176). The average annual cost of services for the District is approximately one hundred ninety-five thousand, thirty-five dollars (\$195,035). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed 2013 annual assessment rate in the District is \$0.15 per \$100.00 of appraised value by the Dallas Central Appraisal District. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.
- (e) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specifically benefited. City rights-of-way, city parks, and other tax-exempt property in the District are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 2010, City Council authorized the creation of the Knox Street Public Improvement District for a period of seven-years and designated the Knox Street Improvement District Corporation as the management entity for the District by Resolution No. 10-1670.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28806.

On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

<u>MAP</u>

Attached.



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

WHEREAS, on June 23, 2010, City Council held and closed a public hearing and authorized the creation of the Knox Street Public Improvement District (the "District") and designated Knox Street Improvement District Corporation, as the management entity of the District by Resolution No. 10-1670; and

WHEREAS, the Knox Street Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Knox Street Improvement District Corporation evaluated 2014 Service Plan to determine whether the services should be made as proposed by the Service Plan and found the plan to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013, at 1:00 p.m., to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Knox Street Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

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

(a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.

Section 1. (Continued)

- (b) Nature of the Services and Improvements. The nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, lighting, sidewalk and streetscape, operation and maintenance of public improvements, landscaping improvements including plantings, hardscape, District marketing and promotion and related services and improvements that are authorized by the Act and approved by the Dallas City Council.
- (c) Estimated Cost of the Services. The total estimated cost of services and improvements provided by the District for the next five year period is approximately nine hundred seventy-five thousand, one hundred seventy-six dollars (\$975,176). The average annual cost of services for the District is approximately one hundred ninety-five thousand, thirty-five dollars (\$195,035). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed 2013 annual assessment rate in the District is \$0.15 per \$100.00 of appraised value by the Dallas Central Appraisal District. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.
- (f) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specifically benefited. City rights-of-way, city parks, and other tax-exempt property in the District are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

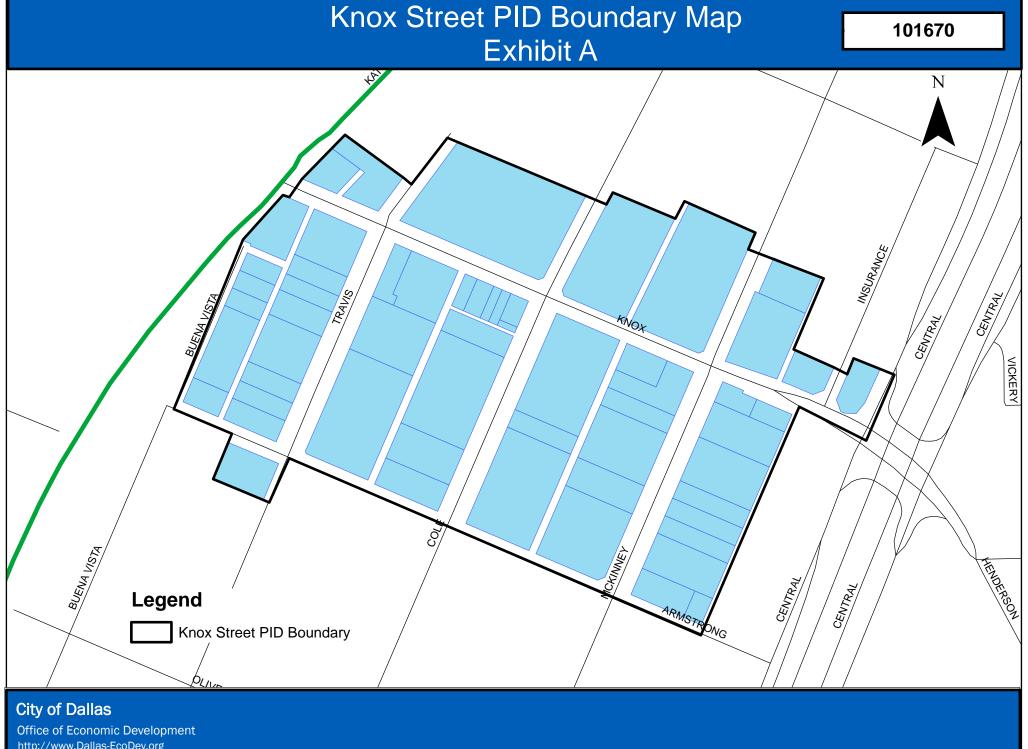
Section 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date.

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



http://www.Dallas-EcoDev.org Created 04/2010

Knox Street Public Improvement District - Five Year Budget							
		DRAFT				Exhibt B	
		2014	2014		2016	2017	2018
INCOME	Net Assessment Revenue (1)	\$183,679		\$189,189	\$194,865	\$200,711	\$206,732
	TOTAL INCOME	\$183,679		\$189,189	\$194,865	\$200,711	\$206,732
EXPENDI	TURES Capital Improvements (Landscaping, gateway markers, streetscape, lighting)	\$100,000	54%	\$103,000	\$106,000	\$112,000	\$117,000
	Public Safety and Security (2)	\$24,000	13%	\$24,000	\$24,000	\$24,000	\$24,000
	Marketing & Promotiion (Website, marketing, special events)	\$49,679	27%	\$52,189	\$54,865	\$54,711	\$55,732
	Insurance & Audit	\$10,000	5%	\$10,000	\$10,000	\$10,000	\$10,000
	TOTAL EXPENDITURES	\$183,679		\$189,189	\$194,865	\$200,711	\$206,732

^{**}Net assessment collection in 2014 is decreased by 20% compared to the projected assessment in the district creation Service Plan. The capital improvements category (gateway signage, streetscape improvements etc.,) is a priority for the property owners, additional amount was allocated to this category and Public Safety and Security category was decreased to reflect the assessment collection.

(1) Assessments are proposed to be set at the maximum rate of \$0.15 per \$100 of taxable value.

⁽²⁾ Security petrol during night.

DRAFT EXHIBIT C KNOX STREET PUBLIC IMPROVEMENT DISTRICT ASSESSMENT PLAN 2013

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

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment rate for 2013 is proposed at \$0.15 per \$100.00 of appraised value. The annual assessment rate, during the seven-year life of the District, will not exceed \$0.15 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District.

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

AGENDA ITEM # 15

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9, 10, 13

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

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

SUBJECT

Authorize (1) approval of the proposed Lake Highlands Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Lake Highlands Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 for review and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

BACKGROUND (Continued)

The public improvement district Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District is to enhance public safety and security, design and construct public infrastructure improvements, maintain common areas and lighting, produce pedestrian amenities and linkages and provide other improvements that are authorized by the Act.
- (b) Estimated Cost of the Services. The total estimated cost of services and improvements provided by the District, for the next five year period is approximately one million, four hundred thirty-six thousand, one hundred sixty-seven dollars (\$1,436,167). The estimated annual average cost for the services and improvements provided by the District is approximately two hundred eighty-seven thousand, two hundred thirty-three dollars (\$287,233). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The method proposed of assessment, which may specify included or excluded classes of assessable property, is based on annual assessment rate recommended by the Lake Highlands Improvement District Corporation and established by the City Council. The proposed rate for the 2013 assessment is \$0.13 per \$100.00 of valuation. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, shall not exceed \$0.15 per \$100.00 of valuation.
- (e) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specially benefited. Properties not liable for assessment include City rights-of-way, City-owned park properties and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (exempt under the provisions of Section 11.24 and 11.28 of the Property Tax Code), and property owned by persons already receiving and qualifying for the 65-or-older homestead exemption under Section 11.13(c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, City Council authorized the establishment of the Lake Highlands Public Improvement District for a period of seven-years and named the Lake Highlands Improvement District Corporation as the management entity for the District by Resolution No. 08-1866.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28807.

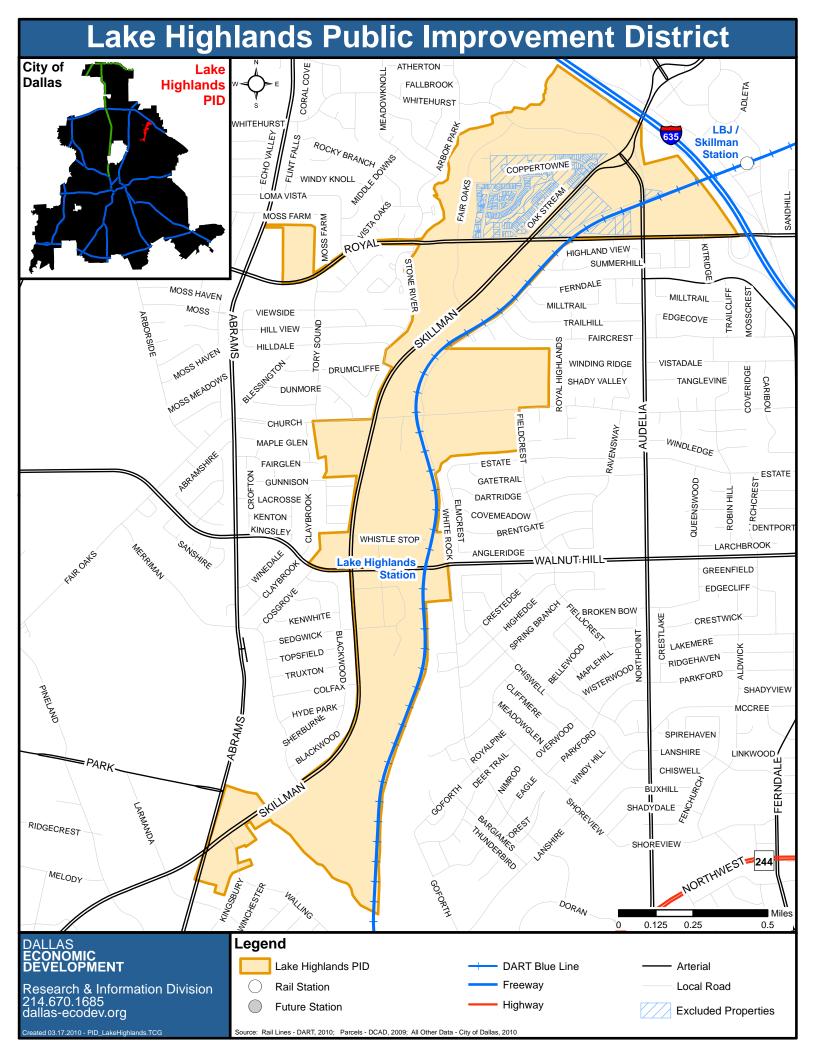
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of the twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



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

WHEREAS, on June 25, 2008, City Council held and closed a public hearing and authorized the creation of the Lake Highlands Public Improvement District (the "District") and designated Lake Highlands Improvement District Corporation, as the management entity of the District by Resolution No. 08-1866; and

WHEREAS, the Lake Highlands Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed assessment rate for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Lake Highlands Improvement District Corporation evaluated the amended service plan to determine whether the services should be made as proposed by the service plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013 at 1:00 p.m., in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Lake Highlands Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

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

(a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.

Section 1. (Continued)

- **(b)** Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District is to enhance public safety/security, design and construct public infrastructure improvements, maintain common areas and lighting, produce pedestrian amenities and linkages and provide other improvements that are authorized by the Act.
- (c) Estimated Cost of the Services. The total estimated cost of services and improvements provided by the District, for the next five year period is approximately one million, four hundred thirty-six thousand, one hundred sixty-seven dollars (\$1,436,167). The estimated annual average cost for the services and improvements provided by the District is approximately two hundred eighty-seven thousand, two hundred thirty-three dollars (\$287,233). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on annual assessment rate recommended by the Lake Highlands Improvement District Corporation and established by the City Council. The proposed rate for the 2013 assessment is \$0.13 per \$100.00 of valuation. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, shall not exceed \$0.15 per \$100.00 of valuation.
- (f) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specially benefited. Properties not liable for assessment include City rights-of-way, City-owned park properties and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (exempt under the provisions of Section 11.24 and 11.28 of the Property Tax Code), and property owned by persons already receiving and qualifying for the 65-or-older homestead exemption (under Section 11.13(c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract.

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

Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of the 2013 assessment against real property and real property improvements, exclusive of rights-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date.

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

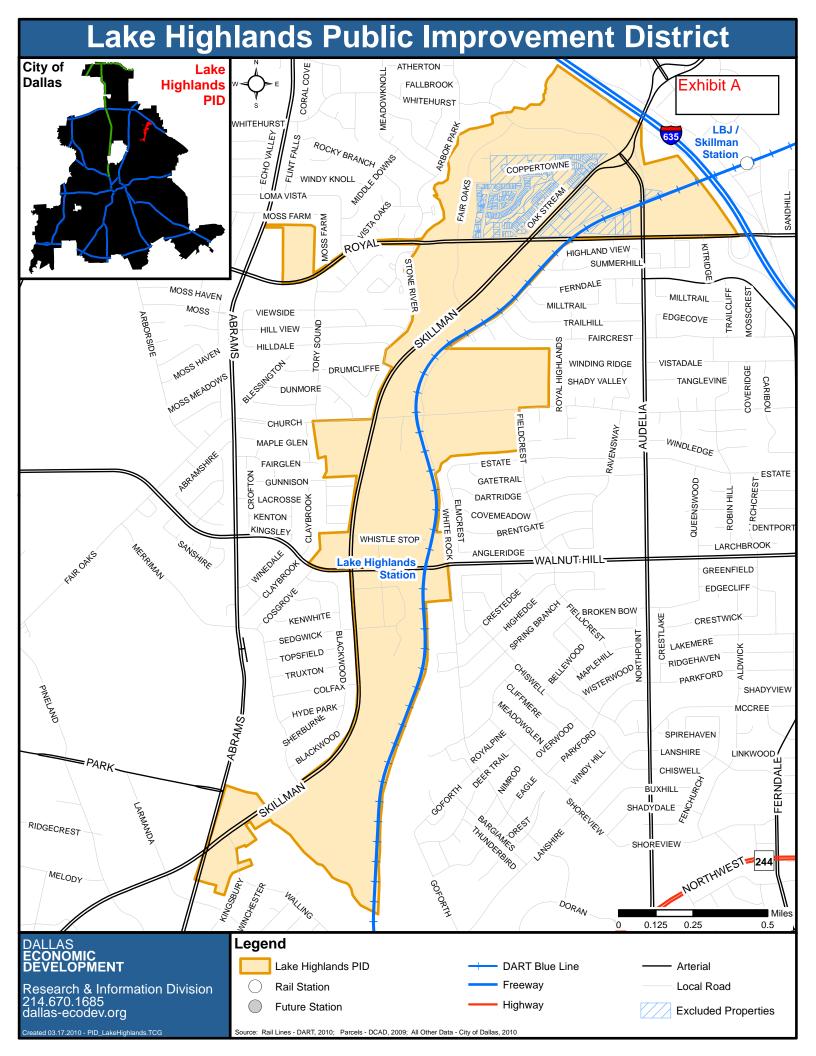


					Exhibit B						
LAIZE	HOLII ANDO DUE	OLIC IMPROVEM	IENT DISTRICT								
LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT SERVICE BLAN (2014-2018)											
SERVICE PLAN (2014-2018) DRAFT											
	2014	2015	2016*	2017*	2018*						
INCOME											
Net assessment revenue	\$260,000.00	\$280,000.00	\$294,000.00	\$308,700.00	\$324,135.00						
Interest on cash balance	\$200.00	\$300.00	\$300.00	\$800.00	\$800.00						
Surplus Carried Forward	\$2,000.00	\$1,438.00	\$2,215.25	\$4,536.82	-\$2,440.97						
Total Income	\$262,200.00	\$281,738.00	\$296,515.25	\$314,036.82	\$322,494.03						
_											
EXPENSES											
Public Safety (1)	\$137,269.00	\$138,000.00	\$130,000.00	\$130,000.00	\$120,000.00						
Improvements/Maintenance (2)	\$62,516.00	\$78,000.00	\$90,000.00	\$120,000.00	\$98,000.00						
Promotion (4)	\$14,766.00	\$15,000.00	\$22,000.00	\$15,000.00	\$20,000.00						
Administration (4)	\$26,286.00	\$28,000.00	\$28,840.00	\$29,705.20	\$27,000.00						
Audit	\$6,000.00	\$6,180.00	\$6,365.40	\$6,556.36	\$6,753.05						
Insurance	\$13,925.00	\$14,342.75	\$14,773.03	\$15,216.22	\$15,672.71						
Total Expenses _	\$260,762.00	\$279,522.75	\$291,978.43	\$316,477.79	\$287,425.76						
Surplus Carried Forward	\$1,438.00	\$2,215.25	\$4,536.82	-\$2,440.97	\$35,068.27						

Notes:

⁽¹⁾ Regular Security Patrol, patrol vehicle lease and related expenses

⁽²⁾ Median upkeep, non-standard ROW maintenance, park maintenance

⁽³⁾ Website, marketing materials, promotion of commerce, director outreach

⁽⁴⁾ Office supplies, administration, notice mailings, utilities

^{*} The Lake Highlands PID is authorized by the City Council through 2015. Expenses for 2016 through 2018 are estimates pending successful renewal of the PID in 2015.

DRAFT Exhibit C LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT 2013 ASSESSMENT PLAN

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

The service area is identified on the enclosed map. All properties will be assessed at a uniform rate. The proposed assessment rate for the 2013 is proposed at \$0.13 per \$100.00 of taxable value. I each subsequent year, a recommended assessment rate will be determined by the budget prepared by the management corporation. Assessment will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

AGENDA ITEM #16

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: 44 H D and 45 E

SUBJECT

Authorize (1) approval of the proposed Oak Lawn-Hi Line Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Oak Lawn-Hi Line Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Oak Lawn-Hi Line Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 for review and City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

BACKGROUND (Continued)

The public improvement district proposed Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, litter and graffiti control, public improvements, landscape improvements including planting, hardscape and street furniture within public open space and public right-of-way and related services and improvements that are authorized by the Act.
- (b) Estimated Cost of the Services. The total estimated cost of services and improvements provided by the District for the next five year period is approximately one million, five hundred ninety-three thousand, six hundred thirteen dollars (\$1,593,613). The estimated average annual cost is approximately three hundred eighteen thousand, seven hundred twenty-three dollars (\$318,723). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on an annual assessment rate recommended by the Oak Lawn-Hi Line Improvement District Corporation and established by the City Council. The proposed rate for the 2013 assessment is \$0.15 per \$100.00 of valuation. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.
- (e) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specially benefited. City rights-of-way and City parks are not subject to assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessment by other exempt jurisdictions must be established by contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 2009, City Council authorized the creation of the Oak Lawn-Hi Line Public Improvement District for a period of seven-years and designated the Oak Lawn-Hi Line Improvement District Corporation as the management entity for the District by Resolution No. 09-1679.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28808.

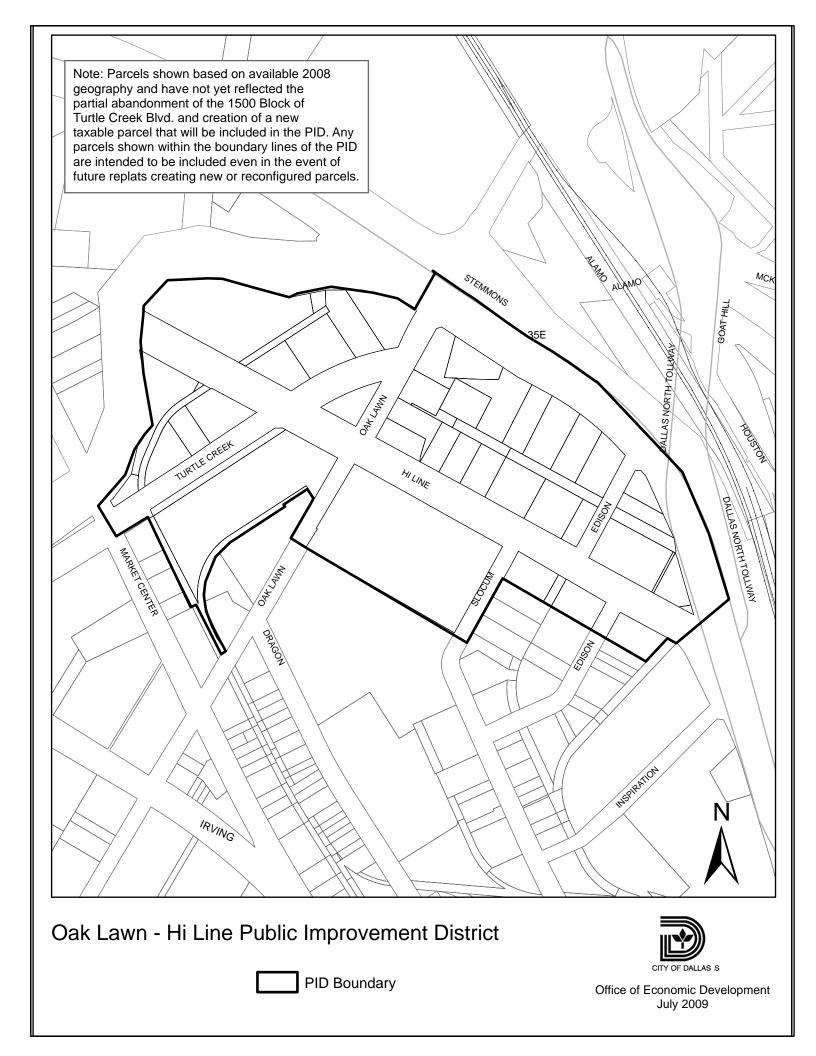
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

<u>MAP</u>

Attached.



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

WHEREAS, on June 24, 2009, City Council authorized the creation of the Oak Lawn-Hi Line Public Improvement District (the "District"), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District; designating Oak Lawn-Hi Line Improvement District Corporation, as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates by Resolution No. 09-1679; and

WHEREAS, on September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28808; and

WHEREAS, the Oak Lawn-Hi Line Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Oak Lawn-Hi Line Improvement District Corporation evaluated the Service Plan to determine whether the services should be made as proposed by the Service Plan and found the plan to be viable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013, at 1:00 p.m., in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Oak Lawn-Hi Line Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

Section 1. (Continued)

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

- (a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.
- (b) Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, litter and graffiti control, public improvements, landscape improvements including planting, hardscape and street furniture within public open space and public right-of-way and related services and improvements that are authorized by the Act.
- (c) Estimated Cost of the Services. The total estimated cost of services and improvements provided by the District for the next five year period is approximately one million, five hundred ninety-three thousand, six hundred thirteen dollars (\$1,593,613). The estimated average annual cost is approximately three hundred eighteen thousand, seven hundred twenty-three dollars (\$318,723). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on an annual assessment rate recommended by the Oak Lawn-Hi Line Improvement District Corporation and established by the City Council. The proposed rate per property owners for the 2013 assessment is 0.15 per \$100.00 of valuation. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.

Section 1. (Continued)

(f) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specially benefited. City rights-of-way and City parks are not subject to assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessment by other exempt jurisdictions must be established by contract.

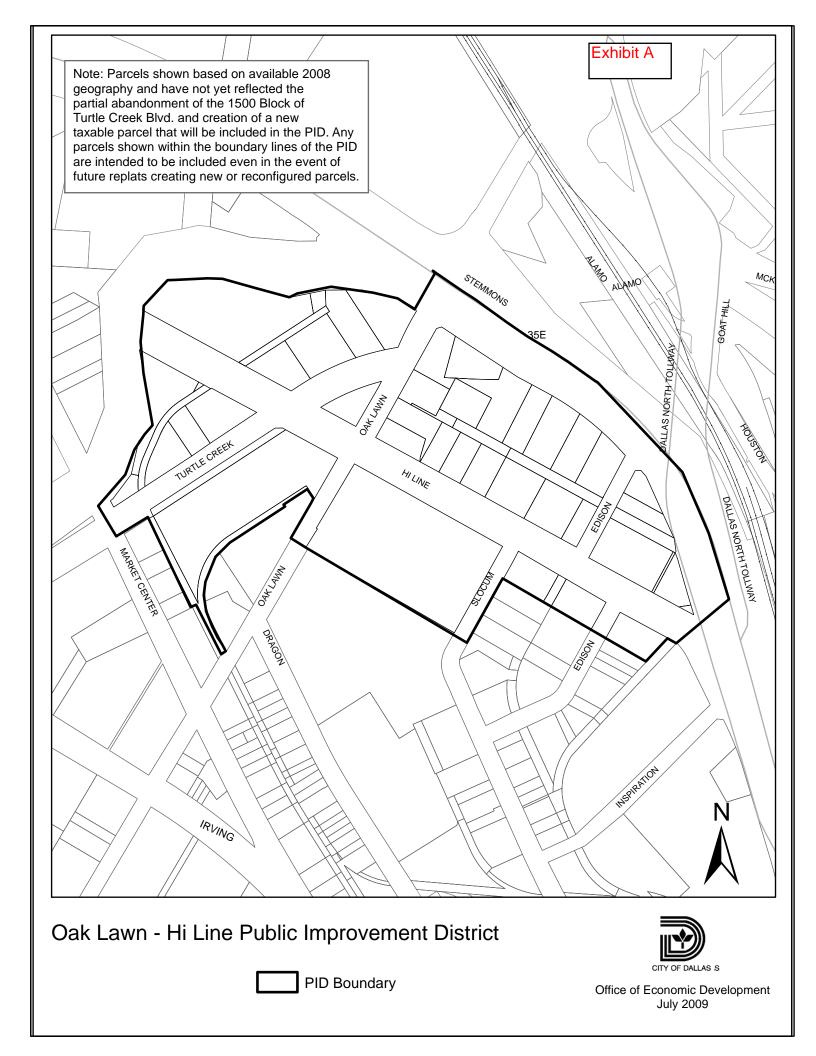
Section 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of the 2013 assessment against real property and real property improvements, exclusive of rights-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date.

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



Oak Lawn-Hi Line Public Improvement District Five Year Service Plan DRAFT Exhibit B									
	2014	2015	2016	2017	2018				
INCOME BALANCE FORWARD									
Net assessment revenue	\$263,918	\$271,835	\$279,991	\$288,390	\$297,042				
Interest on cash balances	\$77	\$79	\$82	\$84	\$87				
Other income & contributions	\$36,126	\$37,231	\$38,370	\$39,544	\$40,755				
TOTAL INCOME	\$300,121	\$309,146	\$318,442	\$328,019	\$337,884				
EXPENDITURES									
Public Safety	\$119,777	\$123,370	\$127,071	\$130,883	\$134,810				
Area Improvements	\$134,645	\$138,684	\$142,845	\$147,130	\$151,544				
General Administrative	\$27,446	\$28,269	\$29,117	\$29,991	\$30,891				
Promotion	\$1,050	\$1,103	\$1,158	\$1,216	\$1,276				
Insurance and Audit	\$17,204	\$17,720	\$18,252	\$18,799	\$19,363				
TOTAL EXPENDITURES	\$300,121	\$309,146	\$318,442	\$328,019	\$337,884				

Notes

- 1. Expenditures are anticipated to exceed net assessment revenue and interest income. Deficits will be met with property owner donations.
- 2. Public Safety Consists of contract security patrols inside PID boundary.
- 3. Landscape Improvements to include turf, trees and periodic flower changes as well as litter and graffiti control. Additional improvements like benches, trash receptacles and bike racks etc.,
- 4. General Administrative costs include management fee, annual tax preparation, bookkeeping charges and postage for public notices
- 5. Promotion is public information dissemination primarily through the Dallas Design District weblog (www.dallasdesigndistrict.com)
- 6. Insurance expense provides for liability coverage binder and cost of required annual financial audit

OAK LAWN - HI LINE PUBLIC IMPROVEMENT DISTRICT 2013 ASSESSMENT PLAN DRAFT

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

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The 2013 assessment rate is proposed at \$0.15 per \$100.00 of appraised value. The annual assessments rate, during the seven-year life of the District, will not exceed \$0.15 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District.

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

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

AGENDA ITEM #17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 12

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: 5 T U X Y

SUBJECT

Authorize (1) approval of the proposed Prestonwood Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Prestonwood Homeowner's Association presented City staff with the proposed Service Plan for 2014 and the proposed Assessment Plan for 2013 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

The assessment plan for 2013 proposes a decrease in assessment rate from \$0.09 per \$100.00 of appraisal value in 2012 to \$0.08 in 2013. This is a decrease of 11% from 2012.

BACKGROUND (Continued)

The public improvement district proposed Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District is to enhance public safety and security related improvements within the District that are authorized by the Act and approved by the Dallas City Council.
- (b) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately one million, five hundred eighty-one thousand, nine hundred thirty dollars (\$1,581,930). The estimated average annual cost is approximately three hundred sixteen thousand, three hundred eighty-six dollars (\$316,386). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed 2013 annual assessment rate in the District is \$0.08 per \$100.00 of appraised value by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.
- (e) Apportionment of Cost between the District and the Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District which is specifically benefited. City rights-of-way, parks and cemeteries are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract. No such contract is in place, nor is any proposed.

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

On May 14, 1997, City Council authorized the establishment of the Prestonwood Public Improvement District, which approved the service plan, and named the Prestonwood Homeowners Association, Inc., as the management entity for the Public Improvement District by Resolution No. 97-1575.

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

On August 11, 2004, City Council authorized the renewal of the Prestonwood Public Improvement District by Resolution No. 04-2328.

On June 22, 2011, City Council authorized the renewal of the Prestonwood Public Improvement District by Resolution No. 11-1796.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28809.

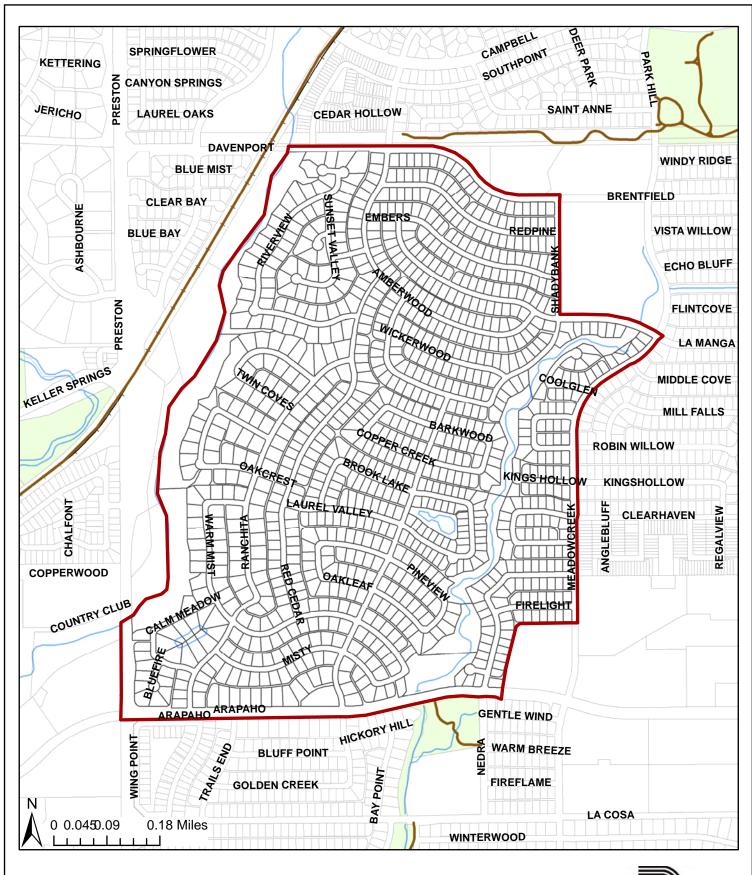
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



Prestonwood PID Boundary Map



Office of Economic Development August 2007 **WHEREAS**, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on May 14, 1997, City Council held and closed a public hearing and authorized the establishment of the Prestonwood Public Improvement District (District) and designated Prestonwood Homeowners Association, Inc., as the management entity for the Public Improvement District by Resolution No. 97-1575; and

WHEREAS, on August 11, 2004, the City Council authorized the renewal of the District by Resolution No. 04-2328; and

WHEREAS, on June 22, 2011, the City Council authorized the renewal of the District by Resolution No. 11-1796; and

WHEREAS, on September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28808; and

WHEREAS, the Prestonwood Homeowners Association presented City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013, as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Prestonwood Homeowners Association, evaluated the Service Plan to determine whether the services should be made as proposed by the Service Plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013 at 1:00 p.m., to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after considering the Service Plan for 2014 for the Prestonwood Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

Section 1. (Continued)

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

- (a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.
- **(b)** Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District is to enhance public safety and security related improvements within the District that are authorized by the Act and approved by the Dallas City Council.
- (c) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District, for the next five year period is approximately one million, five hundred eighty-one thousand, nine hundred thirty dollars (\$1,581,930). The estimated average annual cost is approximately three hundred sixteen thousand, one hundred eighty-six dollars (\$316,386). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed 2013 annual assessment rate in the District is \$0.08 per \$100.00 of appraised value by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.
- (f) Apportionment of Cost between the District and the Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District which is specifically benefited. City rights-of-way, parks and cemeteries are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract. No such contract is in place, nor is any proposed.

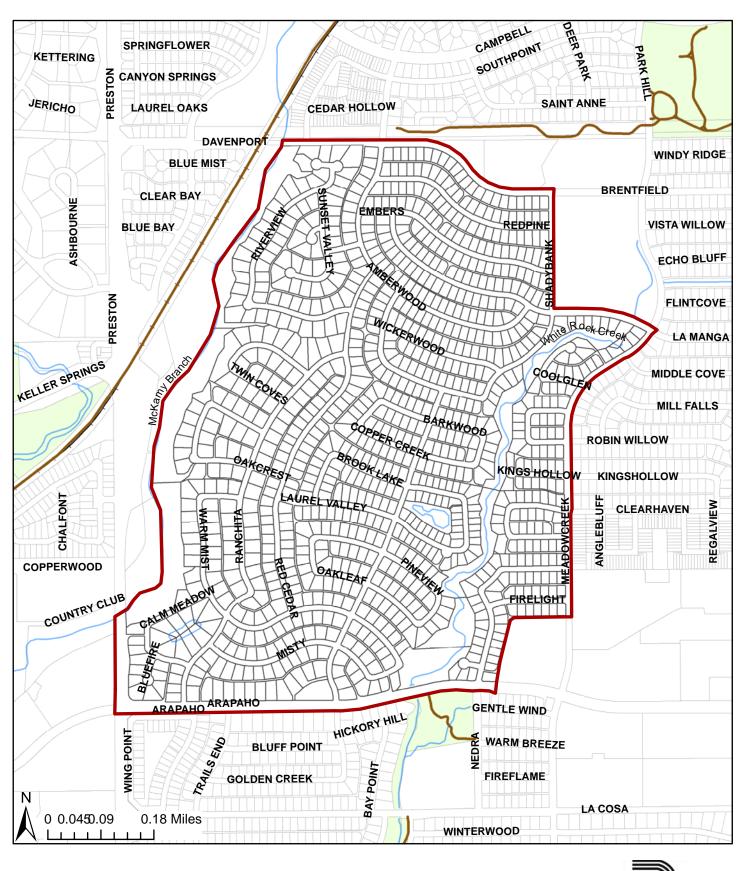
Section 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

Section 3. That a public hearing shall be held at 1:00 p.m. on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date.

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



Prestonwood PID Boundary Map Exhibit A



Prestonwood PID Boundary



City of Dallas

Office of Economic Development August 2007

DRAFT
Exhibit B
Prestonwood Public Improvement District Service Plan 2014-2018

	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Revenue & Reserves					
Calendar Year End Balance as of 12/31/2012	\$98,665.00	\$59,440.10	\$20,215.20	\$16,726.97	\$13,238.74
Net Assessment Revenue	\$277,161.10	\$277,161.10	\$312,897.77	\$312,897.77	\$312,897.77
Exempt Jurisdictions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interest on Cash balances	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Income & Reserves	\$375,826.10	\$336,601.20	\$333,112.97	\$329,624.74	\$326,136.51
Public Safety	\$284,856.00	\$284,856.00	\$284,856.00	\$284,856.00	\$284,856.00
Audit/Insurance	\$21,300.00	\$21,300.00	\$21,300.00	\$21,300.00	\$21,300.00
Administrative	\$10,230.00	\$10,230.00	\$10,230.00	\$10,230.00	\$10,230.00
Total Disbursements	\$316,386.00	\$316,386.00	\$316,386.00	\$316,386.00	\$316,386.00
Reserve	\$59,440.10	\$20,215.20	\$16,726.97	\$13,238.74	\$9,750.51



Homeowners Association
P. O. Box 795682
Dallas, TX 75248

DRAFT Exhibit C PRESTONWOOD PUBLIC IMPROVEMENT DISTRICT 2013 ASSESSMENT PLAN

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

The 2013 assessment rate for the property in the Prestonwood PID is proposed at \$0.0800 per \$100.00 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

AGENDA ITEM #18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: 45 T U X Y

SUBJECT

Authorize (1) approval of the proposed South Side Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The South Side Quarter Development Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

BACKGROUND (Continued)

The public improvement district Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The general nature of the proposed improvement and services to be performed by the District is to improve security and provide safety and security related services to promote the District, enhance and protect property values, improve infrastructure, streetscape, and improvements of common areas, business recruitment, marketing and other services and improvements that are authorized by the Act and approved by the Dallas City Council.
- (b) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the five year period is approximately six hundred twenty-one thousand one hundred fifty dollars (\$621,150). The estimated average annual cost of services for the District is approximately one hundred twenty-four thousand two hundred thirty dollars (\$124,230). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Tax Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment of that portion of the assessed value of the property exempt from City real property taxes. The proposed assessment rate for 2013, for the property in the standard area is proposed at \$0.12 per \$100.00 valuation and premium service area is proposed at \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.
- (e) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property including City rights-of-way and parks. Payment of assessments by other tax-exempt owners must be established by contract. No such contracts are in place at present.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2005, City Council authorized the creation of the South Side Public Improvement District by Resolution No. 05-2230.

On June 13, 2012, City Council authorized the renewal of the South Side PID for a period of seven years and designated South Side Quarter Development Corporation as the management entity for the District by Resolution No. 12-1582.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28810.

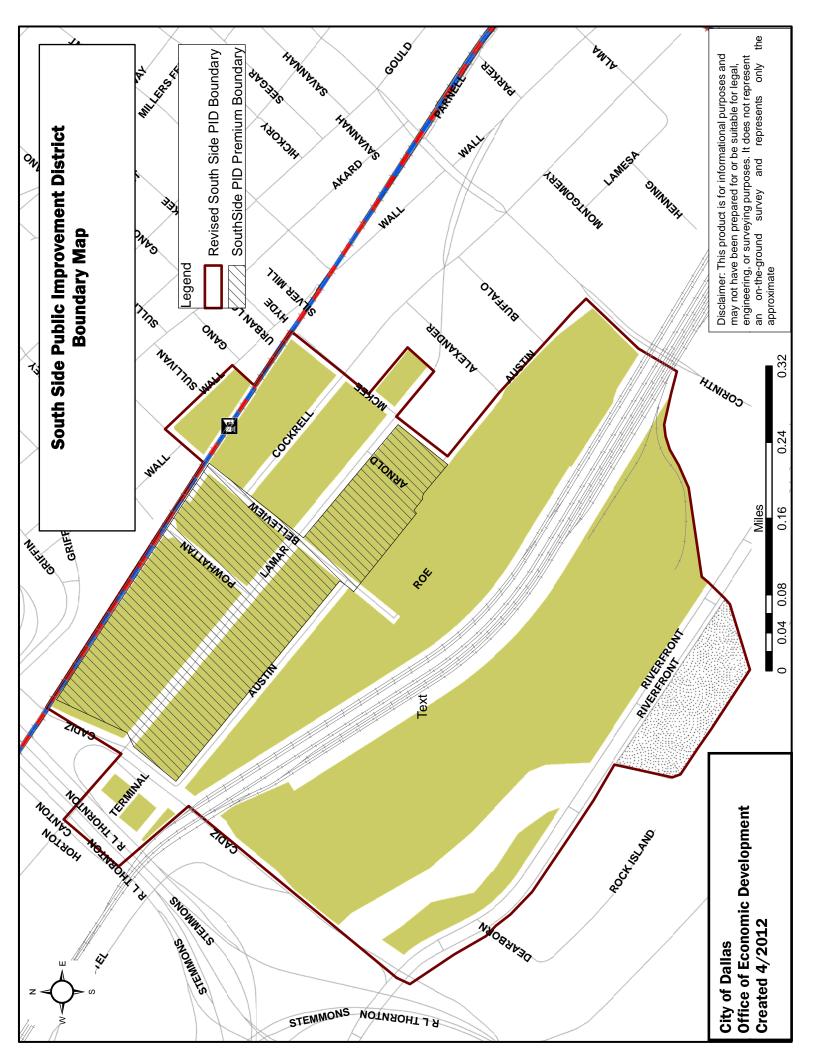
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

<u>MAP</u>

Attached.



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

WHEREAS, on August 10, 2005, City Council authorized the creation of the South Side Public Improvement District (District) by Resolution No. 05-2230; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the South Side PID for a period of seven years and designated South Side Quarter Development Corporation as the management entity for the District by Resolution No. 12-1582; and

WHEREAS, the South Side Quarter Development Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the South Side Quarter Development Corporation, evaluated the amended Service Plan to determine whether the services should be made as proposed by the Service Plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan, and a public hearing shall be held on September 11, 2013 at 1:00 p.m., to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the South Side Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

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

(a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.

Section 1. (Continued)

- (b) Nature of the Services and Improvements. The general nature of the proposed improvement and services to be performed by the District is to improve security and provide safety and security related services to promote the District, enhance and protect property values, improve infrastructure, streetscape, and improvements of common areas, business recruitment, marketing and other services and improvements that are authorized by the Act and approved by the Dallas City Council.
- (c) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the five year period is approximately six hundred twenty-one thousand one hundred fifty dollars (\$621,150). The estimated average annual cost of services for the District is approximately one hundred twenty-four thousand two hundred thirty dollars (\$124,230).
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- Method of Assessment. The proposed method of assessment, which may (e) specify included or excluded classes of assessable property, is based on the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Tax Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment of that portion of the assessed value of the property exempt from City real property taxes. The proposed assessment rate for 2013, for the property in the standard area is proposed at \$0.12 per \$100.00 valuation and premium service area is proposed at \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.
- (f) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property including City rights-of-way and parks. Payment of assessments by other tax-exempt owners must be established by contract. No such contracts are in place at present.

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

Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of the 2013 assessment against real property and real property improvements, exclusive of rights-of-way, to provide funding for the District for the purpose of providing supplemental services and public improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving, adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date.

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

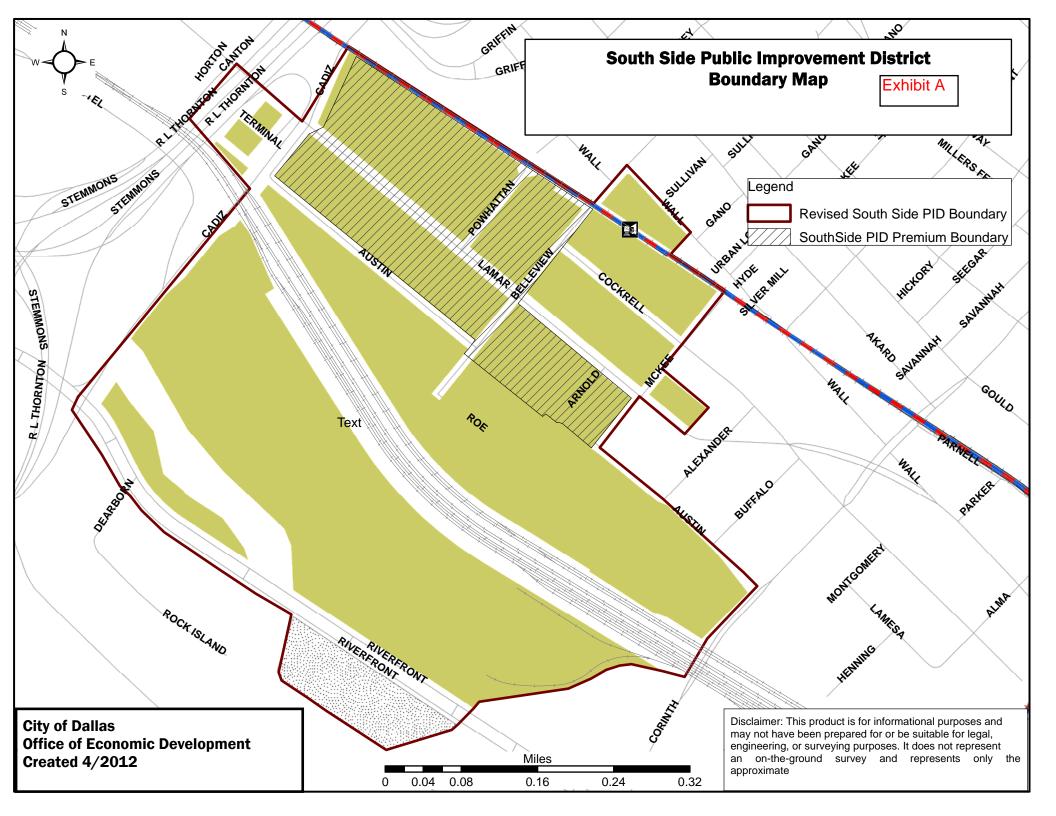


Exhibit B												
South Side Public Improvement District												
DRAFT												
Service Plan 2013-2018												
NET TOTAL ACCESSION TO	•	2013	•	2014		2015		2016		2017	•	2018
NET TOTAL ASSESSMENTS				116,278.50	\$	122,500.00		125,000.00		127,500.00	\$	131,500.00
Surplus/Deficit from previous year		15,589.72		50.74	\$	3,179.24	\$	3,179.24	\$	5,679.24	\$	1,679.24
Estimated Annual Income to District	\$	112,000.74	\$	116,329.24	\$	125,679.24	\$	128,179.24	\$	133,179.24	\$	133,179.24
Public Improvements												
Distinctive lighting/signs												
Water, wastewater, drainage												
Fountains												
Special Supplemental Services												
Park improvements (1, 2)	\$	25,000.00	\$	25,000.00	\$	25,000.00	\$	25,500.00	\$	25,500.00	\$	25,500.00
Public safety/security (3)	\$	60,000.00	\$	60,000.00	\$	60,000.00	\$	62,500.00	\$	65,000.00	\$	65,000.00
Public art projects (4)					\$	5,000.00						
Business recruitment/marketing (5)	\$	13,125.00	\$	13,150.00	\$	15,000.00	\$	15,000.00	\$	15,000.00	\$	15,000.00
Cultural events (6)	\$	4,500.00	\$	5,000.00	\$	5,000.00	\$	5,000.00	\$	10,000.00	\$	10,000.00
Administration	\$	1,500.00	\$	2,000.00	\$	4,000.00	\$	5,000.00	\$	5,500.00	\$	5,500.00
Audit (7)	\$	5,675.00	\$	5,000.00	\$	5,500.00	\$	6,000.00	\$	6,500.00	\$	6,500.00
Insurance (8)	\$	2,150.00	\$	3,000.00	\$	3,000.00	\$	3,500.00	\$	4,000.00	\$	4,000.00
Fatimated Assessed Foresteen to District	•	444.050.00	*	440.450.00	•	400 500 00	•	400 500 00	*	404 500 00	*	404 500 00
Estimated Annual Expenses to District		111,9 5 0.00 50.74		113,150.00	\$	122,500.00		122,500.00		131,500.00	\$	131,500.00
SURPLUS (DEFICIT)	\$	50.74	\$	3,179.24	\$	3,179.24	\$	5,679.24	\$	1,679.24	\$	1,679.24
(1) Since the renewal of the district, Matthews Southwest has offered	ا مما	acarla tha maiaritu	of the	A desiniate ation over		of ar the district offer	را مراند	, ou boidining additio	nal D	ark lanaraya manta a	d C.	ultural Evente to be
completed.	i io ai	osorb trie majority	or trie	e Auministration exp	ense	s for the district, effec	Juven	subsidizing addition	ла г	ark improvements a	iila Ct	ilitural Events to be
(2) Dog park/pedestrian area/plaza improvements												
(3) RHI security group patrol and ensure safety throughout PID (4) Mural and artistic updates to beautify PID												
(4) Murai and artistic updates to beautify PID (5) Marketing and promotional ads & events, website maintainance & development												
(6) Events and programs to enrich the culture of the historic area												
(7) Audit line item also includes quarterly and annual accounting cha	(7) Audit line item also includes quarterly and annual accounting charges											
(8) Insurance line item covers both insurance and legal fees												

DRAFT SOUTH SIDE QUARTER PUBLIC IMPROVEMENT DISTRICT 2013 ASSESSMENT PLAN Exhibit C

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

The 2013 assessment rate for the property in the premium service area is proposed at \$0.15 per \$100.00 of value. The 2013 assessment rate for the property in the standard service area is proposed at \$0.12 per \$100.00. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

AGENDA ITEM #19

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

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

SUBJECT

Authorize (1) approval of the proposed Uptown Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Uptown, Inc., presented City staff with the proposed Service Plan for 2014 and the proposed Assessment Plan for 2013 for review. City staff found the services and improvements to be advisable and recommended for approval subject to the public hearing on September 11, 2013.

BACKGROUND (Continued)

The public improvement district Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The general nature of the services to be performed by the District is to enhance public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements authorized by the Act and approved by the Dallas City Council.
- (b) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately seven million, two hundred eighty-nine thousand, three hundred fifteen dollars (\$7,289,315). The estimated average annual cost of services for the District is approximately one million, four hundred fifty-seven thousand, eight hundred sixty-three dollars (\$1,457,863). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment attachment which may specify included or excluded classes of assessable property, is based on an annual assessment rate recommended by The Uptown, Inc., and established by the City Council. The proposed rate per property owner for the 2013 assessment is \$0.0450 per \$100.00 of valuation. The assessment will provide necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned among the property owners on the basis of special benefits accruing to the property because of the services and improvements. The actual assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.
- (e) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the cost of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. The District's cemeteries, which operate on a nonprofit basis and are not specifically benefited by most of the improvements and services, are one class of tax-exempt properties. Accordingly, the cemeteries will be exempt from assessment. Property owned by tax-exempt religious organizations will be exempt from assessment and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code.

BACKGROUND (Continued)

Payment of assessment by other exempt jurisdictions must be established by contract. No such contracts are in place, nor are any proposed. City rights-of-way and city parks are exempt from assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District by Resolution No. 93-2501.

On August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District by Resolution No. 05-2231.

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28811.

On June 13, 2012, City Council authorized the renewal of the Uptown PID for a period of seven years and designated Uptown, Inc. as the management entity for the District by Resolution No. 12-1584.

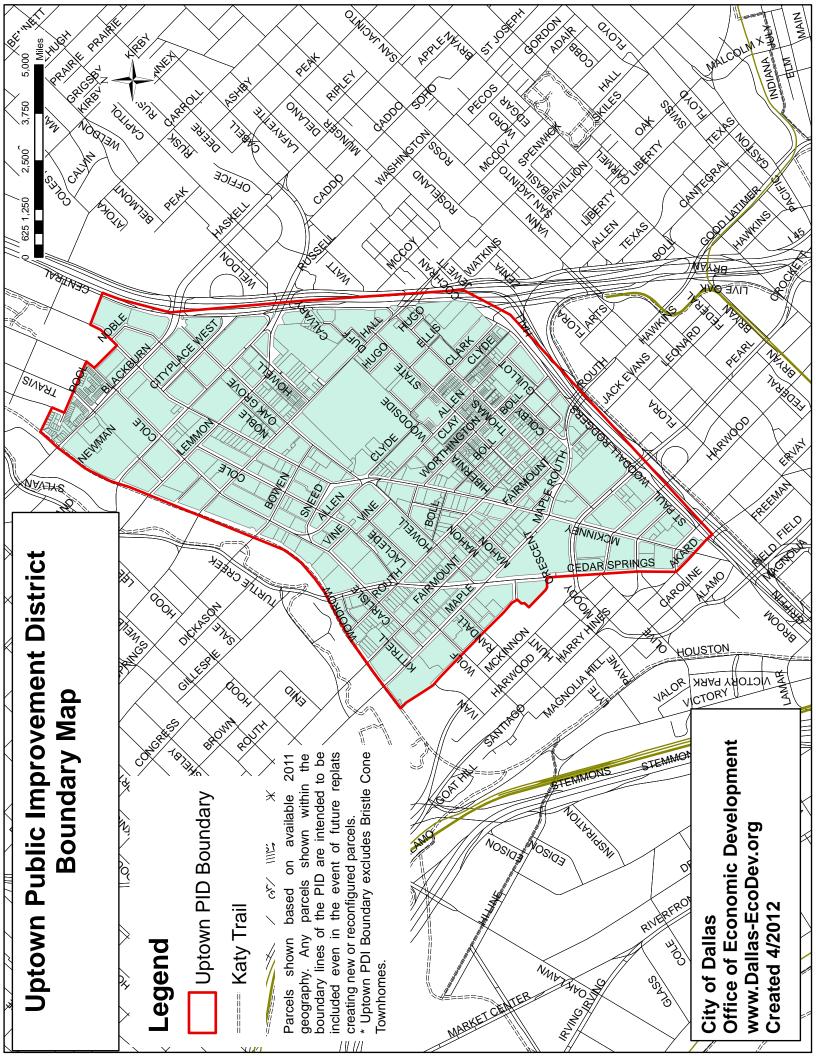
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

<u>MAP</u>

Attached.



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

WHEREAS, on June 23, 1993, City Council held and closed a public hearing and authorized the establishment of the Uptown Public Improvement District by Resolution No. 93-2501; and

WHEREAS, on August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District for a period of seven years by Resolution No. 05-2231; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District by Resolution No.12-1584; and

WHEREAS, Uptown, Inc., presented City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Uptown, Inc., evaluated the 2014 Service Plan to determine whether the services should be made as proposed by the service plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013, at 1:00 P.M. to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Uptown Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

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

(a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.

Section 1. (Continued)

- (b) Nature of the Services and Improvements. The general nature of the services to be performed by the District is to enhance public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements authorized by the Act and approved by the Dallas City Council.
- (c) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately seven million, two hundred eighty-nine thousand, three hundred fifteen dollars (\$7,289,315). The estimated average annual cost of services for the District is approximately one million, four hundred fifty-seven thousand, eight hundred sixty-three dollars (\$1,457,863). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) Method of Assessment. The proposed method of assessment attachment, which may specify included or excluded classes of assessable property, is based on an annual assessment rate recommended by The Uptown, Inc., and established by the City Council. The proposed rate per property owner for the 2013 assessment is \$0.0450 per \$100.00 of valuation. The assessment will provide necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned among the property owners on the basis of special benefits accruing to the property because of the services and improvements. The actual assessment rate for 2013 will be established by City Council after the close of an assessment rate public hearing on September 11, 2013. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed \$0.15 per \$100.00 of valuation.
- (f) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the cost of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. The District's cemeteries, which operate on a nonprofit basis and are not specifically benefited by most of the improvements and services, are one class of tax-exempt properties. Accordingly, the cemeteries will be exempt from assessment.

Section 1. (Continued)

Property owned by tax-exempt religious organizations will be exempt from assessment and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract. No such contracts are in place, nor are any proposed. City rights-of-way and City parks are exempt from assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment.

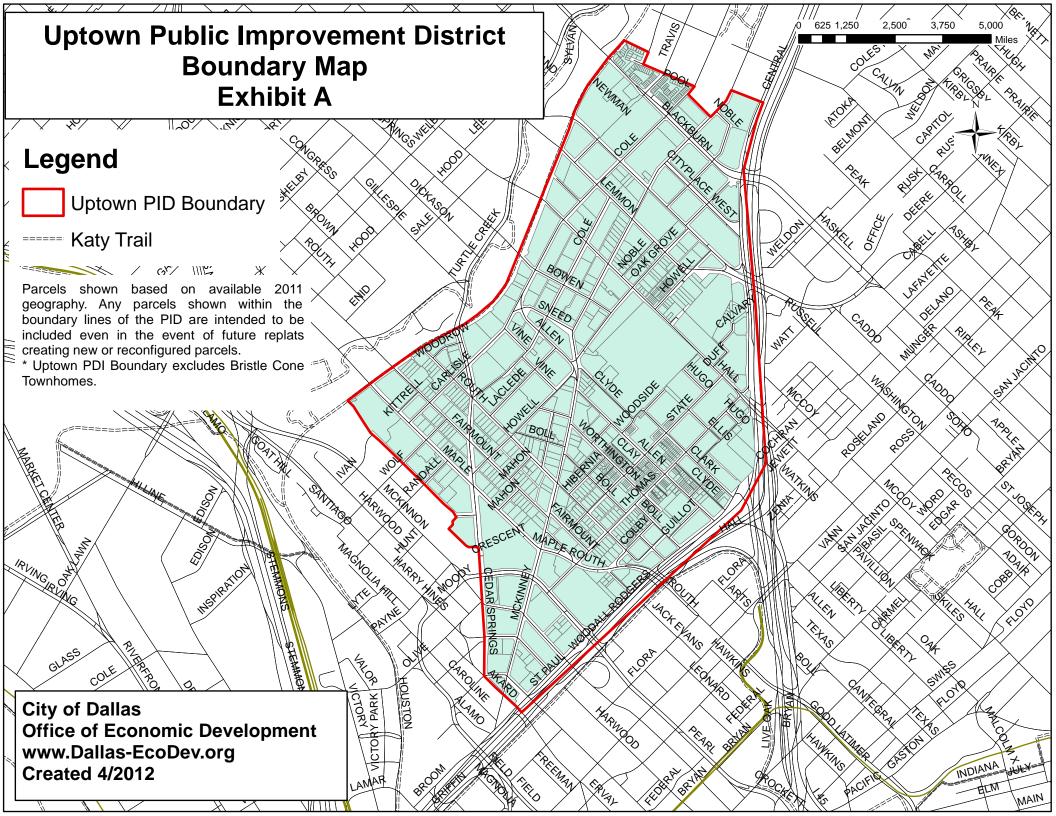
Section 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date.

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



UPTOWN PUBLIC IMPROVEMENT DISTRICT

SERVICE PLAN (2014 - 2019)

Exhibit B DRAFT

DRAFT					
Income	2014	2015	2016	2017	2018
Assessments	\$1,520,075.00	\$1,346,314.00	\$1,387,154.00	\$1,400,000.00	\$1,400,000.00
Interest	\$3,153.00	\$3,185.00	\$3,216.00	\$4,000.00	\$4,000.00
Uptown Dallas, Inc. service fees	\$25,526.00	\$26,802.00	\$28,142.00	\$24,000.00	\$24,000.00
Marketing Sponsorships	\$17,389.00				
Total	\$1,566,143.00	\$1,394,212.00	\$1,436,960.00	\$1,446,000.00	\$1,446,000.00
Expenditures					
Capital Improvements	\$447,957.30	\$404,850.00	\$417,111.00	\$380,000.00	\$360,000.00
(Median Landscaping, gateway					
markers, walking trails, parks,					
streetscape, Katy Trail).					
Services	\$537,585.24	\$485,713.00	\$500,285.00	\$503,000.00	\$503,000.00
(Off-duty police, trolley operations,					
traffic & parking, marketing and					
promotion)					
Landscape Improvements	\$277,128.50	\$238,383.00	\$245,534.00	\$340,000.00	\$360,000.00
(Landscape, tree care, street &					
sidewalk sweeping, trash cans,					
graffiti removal, grates).					
Finance & Administration	\$189,609.60	\$162,749.00	\$167,631.00	\$168,000.00	\$168,000.00
(Staff Salaries & benefits, office					
expenses, audit, insurance).					
Griggs Park Improvements*	\$88,662.36	\$81,516.00	\$85,401.00	\$34,000.00	\$34,000.00
Contingency **	\$25,200.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00
Total:	\$1 566 143 00	\$1 394 211 00	\$1,436,962.00	\$1,446,000,00	\$1,446,000,00
=	71,300,143.00	71,337,211.00	71,730,302.00	71,770,000.00	71,770,000.00

*Phase I construction will be completed by end of 2013, but continued improvements are planned.

^{**} Allowance made for anticipated tax refunds due to protests by property owners.

DRAFT

EXHIBIT C

2013 ASSESSMENT PLAN

Uptown Public Improvement District

The cost of the services and improvements provided by the Uptown Public Improvement District will be paid primarily by special assessments against properties in the District. Annual assessments will be based on the total value of real property and improvements as determined by the Dallas Central Appraisal District.

All property owners not exempt from assessment will be assessed at a uniform rate. In 2013, the proposed rate continues to be 4.5 cents per \$100 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. The District's cemeteries, which operate on a nonprofit basis and are not specifically benefited by most of the improvements and services, are one class of tax-exempt properties. Accordingly, the cemeteries will be exempt from assessment. Property owned by tax-exempt religious organizations will be exempt from assessment and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract. No such contracts are in place, nor are any proposed. City rights-of-way and city parks are exempt from assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment.

UPID's assessments will be collected by Dallas County or other contractor chosen by the City of Dallas, in accordance with the management contract between the City of Dallas and Uptown Dallas, Inc., the non-profit corporation that manages the District.

AGENDA ITEM #20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35 M and 36 A B E F J K

SUBJECT

Authorize (1) approval of the proposed University Crossing Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the University Crossing Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The University Crossing PID was created on June 12, 2013 and will start operating from January 1, 2014. This assessment will be the first for the District. The University Crossing Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

BACKGROUND (Continued)

The public improvement district Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes police safety patrol's for the area, safety awareness and education programs, landscaping, banner program, installation and maintenance of trash containers, promotion of the University Crossing area, implement signage and wayfinding systems, management of new and existing public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately three million, one hundred forty-seven thousand dollars (\$3,147,000). The estimated average annual cost of services for the District is approximately six hundred twenty-nine thousand, four hundred dollars (\$629,400). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. With the exception of Southern Methodist University (SMU), the real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. SMU has agreed to participate in the University Crossing Public Improvement District (PID) by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID. proposed annual assessment rate for 2013 will be \$0.10 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

BACKGROUND (Continued)

(e) Apportionment of costs between the District and the Municipality as a Whole. The District shall pay the cost of the supplemental improvements and services described in this petition. No portion of the supplemental services shall be apportioned to the City as a whole. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions (except SMU) and entities must also be established by contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2013, City Council authorized the creation of the University Crossing Public Improvement District for a period of seven-years and designated the University Crossing Improvement District Corporation as the management entity for the District by Resolution No. 13-1016.

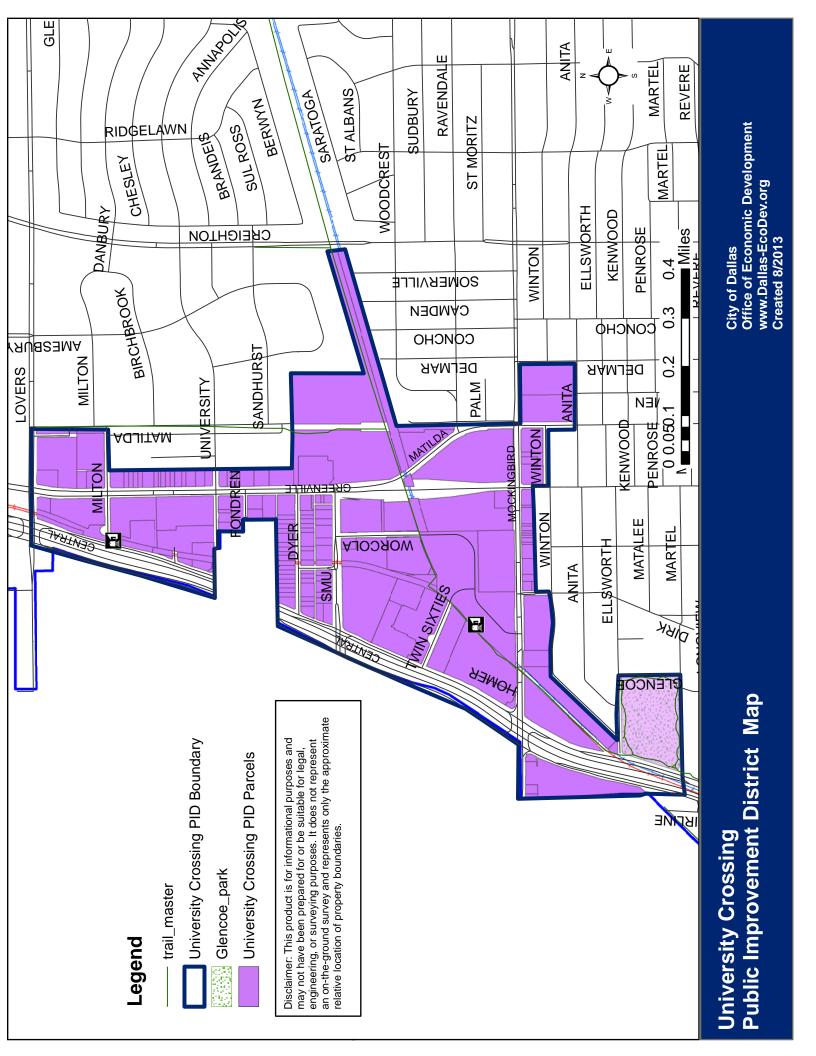
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



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

WHEREAS, on June 13, 2013, City Council authorized the creation of the University Crossing Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating University Crossing Improvement District Corporation, as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates by Resolution No. 13-1016; and

WHEREAS, the University Crossing Improvement District Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rate for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the University Crossing Improvement District Corporation evaluated the service plan and assessment plan to determine whether the services should be made as proposed by the service plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013 at 1:00 p.m., to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the University Crossing Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearing on September 11, 2013.

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

(a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.

Section 1. (Continued)

- (b) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes police safety patrol's for the area, safety awareness and education programs, landscaping, banner program, installation and maintenance of trash containers, promotion of the University Crossing area, implement signage and wayfinding systems, management of new and existing public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (c) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately three million, one hundred forty-seven thousand dollars (\$3,147,000). The estimated average annual cost of services for the District is approximately six hundred twenty-nine thousand, four hundred dollars (\$629,400). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- Method of Assessment. The proposed method of assessment, which may (e) specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. With the exception of Southern Methodist University (SMU), the real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. SMU has agreed to participate in the University Crossing Public Improvement District (PID) by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID. The proposed annual assessment rate for 2013 will be \$0.10 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

Section 1. (Continued)

(f) Apportionment of costs between the District and the Municipality as a Whole. The District shall pay the cost of the supplemental improvements and services described in this petition. No portion of the supplemental services shall be apportioned to the City as a whole. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions (except SMU) and entities must also be established by contract.

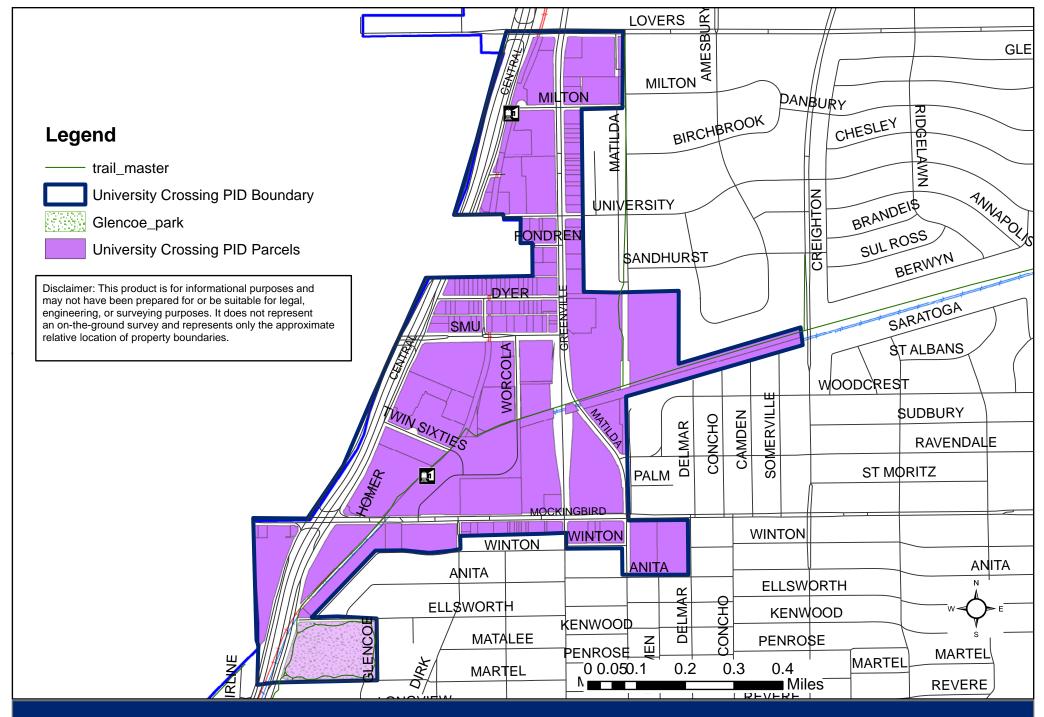
Section 2. That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving and adopting the 2013 assessment roll on file with the City Secretary; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

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



University Crossing
Public Improvement District Map
Exhibit A

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 8/2013

University Crossing Public Improvement District Service Plan (2014-2018)

		DRAFT			Exhibit B
	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
NCOME					
Fund balance from previous year	\$0.00	\$2,000.00	\$4,000.00	\$7,000.00	\$6,000.00
Net assessment revenue ¹	\$565,000.00	\$588,000.00	\$625,000.00	\$657,000.00	\$701,000.00
Exempt jurisdictions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interest on cash balances	\$0.00	\$3,000.00	\$3,000.00	\$3,000.00	\$4,000.00
Other income & contributions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL INCOME ¹	\$565,000.00	\$593,000.00	\$632,000.00	\$667,000.00	\$711,000.00
XPENDITURES					
Security ²	\$196,000.00	\$208,000.00	\$221,000.00	\$213,000.00	\$220,000.00
Improvements ³	\$75,000.00	\$83,000.00	\$88,000.00	\$107,000.00	\$121,000.00
Public Area Improvements ⁴	\$113,000.00	\$154,000.00	\$164,000.00	\$180,000.00	\$203,000.00
Promotion and Communication ⁵	\$45,000.00	\$45,000.00	\$50,000.00	\$56,000.00	\$58,000.00
Organization & Administration ⁶	\$73,000.00	\$77,000.00	\$79,000.00	\$81,000.00	\$82,000.00
Audit & Insurance ⁷	\$21,000.00	\$22,000.00	\$23,000.00	\$24,000.00	\$25,000.00
Creation ⁸	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL EXPENDITURES	\$563,000.00	\$589,000.00	\$625,000.00	\$661,000.00	\$709,000.00
UND BALANCE/RESERVES	\$2,000.00	\$4,000.00	\$7,000.00	\$6,000.00	\$2,000.00

NOTES:

The income is net of City/County PID and collection fees based on a \$0.10 per \$100 contribution on the total tax value of the area. The net projected assessment revenue in 2014 was increased by 18% compared to the City Council approved Service Plan during creation of the District. All the categories have increased proportionally to reflect the change.

- 2 Police patrol of the University Crossing area, owner safety coordination, etc.
- 3 Public Improvements, landscape, parks and pedestrian amenities for the PID.

Sidewalk, public planters, waste disposal, clean area programs, and landscape improvements throughout the University Crossing area.

University Crossing area coordination among owners, program services for area promotion and awareness. 2014 includes

- 5 creation of area website.
- 6 Expenses of the PID and salary of PID director.
- 7 Annual audit of the PID finances and liability insurance for the PID.
- 8 Reimbursement of creation expenses for the PID. This is a one year expense for the actual amount of costs incurred in creation.

DRAFT Exhibit C University Crossing Public Improvement District Assessment Plan 2013

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

The University Crossing Public Improvement District (PID) proposed assessment rate for 2013 is \$0.100 per \$100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of \$0.15 per \$100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities (except SMU) must also be established by contract. SMU has agreed to participate in the University Crossing PID by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID.

AGENDA ITEM #21

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 13

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: 26 F K L P Q R T U V Y Z and 27 S

SUBJECT

Authorize (1) approval of the proposed Vickery Meadow Public Improvement District Service Plan for 2014 and proposed 2013 assessment roll on file with the City Secretary for public inspection; (2) a public hearing to be held on September 11, 2013, to receive comments concerning the levy of the annual assessment for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and, at the close of the hearing; (3) consideration of an ordinance approving a method of assessment that imposes equal shares of the costs for the services and improvements on property in the District, similarly benefitted and levying assessments for such costs to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2013 assessment; and providing an effective date - Financing: No cost consideration to the City

BACKGROUND

Annually, City Council calls and holds a public hearing to set the annual assessment rate for property in the Public Improvement District (PID) and authorizes the Service Plan for each PID.

The Vickery Meadow Management Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Plan for 2013 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 11, 2013.

BACKGROUND (Continued)

The public improvement district Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements. The general nature of the proposed services and improvements to be performed by the District is to enhance security and public safety within the District, provide maintenance, conduct economic development activities, community services, special events and other services and activities that are authorized by the Act.
- (b) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately two million, seven hundred seventy-one thousand, nine hundred thirty-four dollars (\$2,771,934). The average annual cost of services for the District is approximately five hundred fifty-four thousand three hundred eighty-seven dollars (\$554,387). The District shall incur no bonded indebtedness.
- **(c) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed 2013 annual assessment rate for the premium service area in the District is \$0.10 per \$100.00 of appraised value by the Dallas Central Appraisal District. The standard service area proposed 2013 assessment rate for the District is \$0.05 per \$100.00 of appraised value by the Dallas Central Appraisal District. The annual assessment rate, during the seven-year life of the PID, shall not exceed \$0.15 per \$100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.
- (e) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specifically benefited. City rights-of-way, City Parks, and other tax-exempt property in the District are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the establishment of Vickery Meadow PID by Resolution No. 93-2502.

On May 13, 1998, City Council authorized the renewal of the Vickery Meadow PID by Resolution No. 98-1440.

On September 10, 2003, City Council authorized the renewal of the Vickery Meadow PID by Resolution No. 03-2475.

On June 25, 2008, City Council authorized the renewal of the Vickery Meadow PID by Resolution No. 08-1867

On September 26, 2012, City Council authorized the assessment rate for 2012 by Ordinance No. 28812.

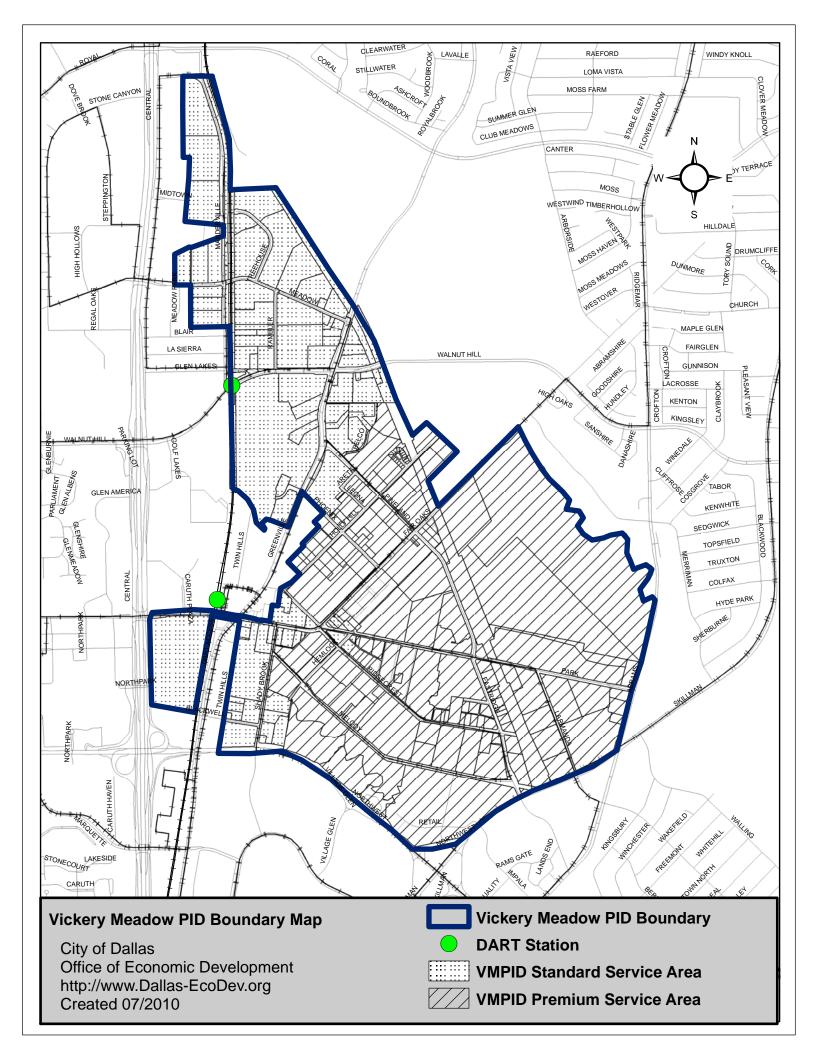
On August 16, 2013, a memo was submitted to the City Council regarding the Assessment Rate for 2013 and Service Plan for 2014 for eleven out of twelve of the City's Public Improvement Districts. The Tourism Public Improvement District operates on a different fiscal year and a memo was submitted on April 15, 2013.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



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

WHEREAS, on June 23, 1993, City Council authorized the renewal of the Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Vickery Meadow Management Corporation, as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates by Resolution No. 93-2502; and

WHEREAS, on May 13, 1998, City Council authorized the renewal of the Vickery Meadow PID by Resolution No. 98-1440; and

WHEREAS, on September 10, 2003, City Council authorized the renewal of the Vickery Meadow PID by Resolution No. 03-2475; and

WHEREAS, on June 25, 2008, City Council authorized the renewal of the Vickery Meadow PID by Resolution No. 08-1867; and

WHEREAS, the Vickery Meadow Management Corporation provided City staff with the proposed District Service Plan for 2014 and the proposed Assessment Rates for 2013 as shown in **Exhibits B and C**; and

WHEREAS, pursuant to Section 372.007 of the Act, City staff, with the assistance of the Vickery Meadow Management Corporation evaluated the 2014 Service Plan to determine whether the services should be made as proposed by the Service Plan and found the services and improvements to be advisable; and

WHEREAS, the City Council must review the proposed Service Plan and Assessment Plan and a public hearing shall be held on September 11, 2013 at 1:00 p.m., to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2013 Assessment Rate for a special assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements, subject to the public hearing on September 11, 2013.

NOW, THEREFORE,

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

Section 1. That pursuant to the requirements of the Act, the City Council, after reviewing the proposed Service Plan for 2014 for the Vickery Meadow Public Improvement District will consider approval of the final Service Plan for 2014, subject to the public hearings on September 11, 2013.

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

- (a) Advisability of the Services Proposed for the District. It is advisable to continue the District to provide the services and improvements described in this resolution.
- (b) Nature of the Services and Improvements. The general nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, provide maintenance, conduct economic development activities, community services, special events and other services and activities that are authorized by the Act.
- (c) Estimated Cost of the Services and Improvements. The total estimated cost of services and improvements provided by the District for the next five year period is approximately two million, seven hundred seventy-one thousand, nine hundred thirty-four dollars (\$2,771,934). The average annual cost of services for the District is approximately five hundred fifty-four thousand three hundred eighty-seven dollars (\$554,387). The District shall incur no bonded indebtedness.
- **(d) Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are as shown in **Exhibit A**.
- (e) Method of Assessment. The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed 2013 annual assessment rate for the premium service area in the District is \$0.10 per \$100.00 of appraised value by the Dallas Central Appraisal District. The standard service area proposed 2013 assessment rate for the District is \$0.05 per \$100.00 of appraised value by the Dallas Central Appraisal District. The annual assessment rate, during the seven-year life of the PID, shall not exceed \$0.15 per \$100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.
- (f) Apportionment of Cost Between District and Municipality as a Whole. The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements.

Section 1. (Continued)

The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specifically benefited. City rights-of-way, City Parks, and other tax-exempt property in the District are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

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

Section 3. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chamber, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas at which time any interested person may appear and speak for or against the setting of an assessment against real property and real property improvements, exclusive of rights-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements.

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

Section 5. That after the public hearing, the City Council may consider approval of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to property in the District because of the services and improvements in the District, approving, adopting and filing with the City Secretary the 2013 assessment roll; approving the Service Plan for 2014; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2014; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

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

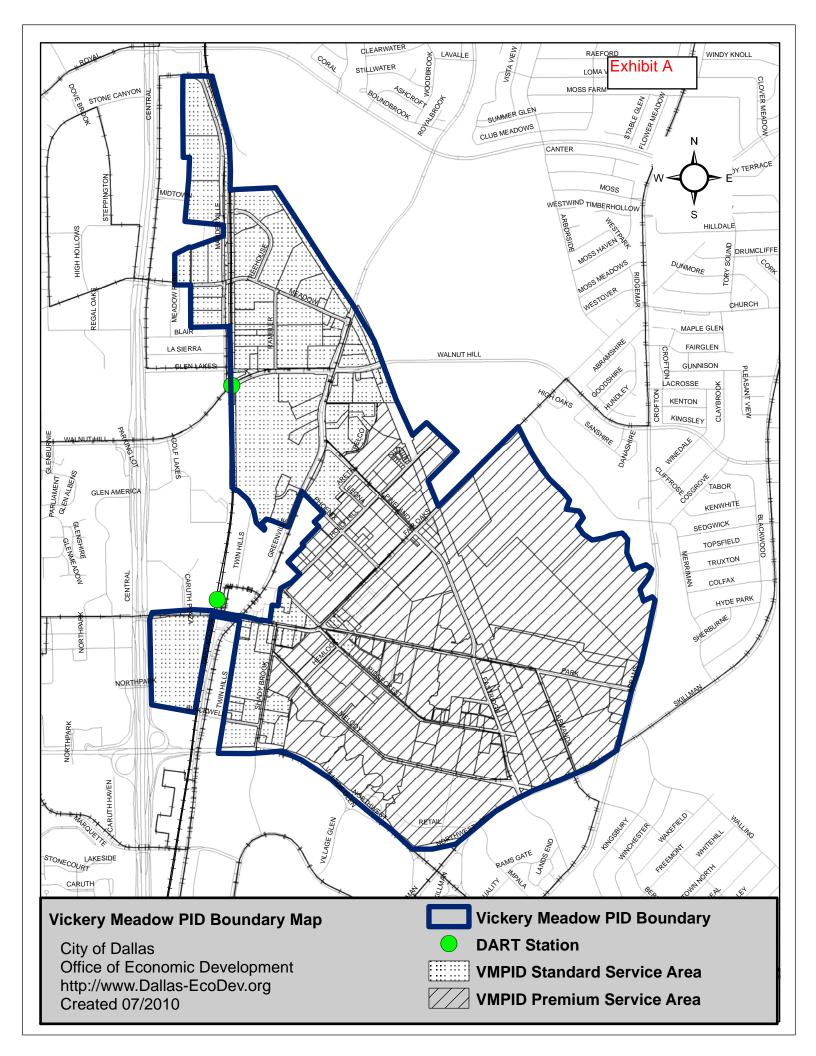


Exhibit B

DRAFT VICKERY MEADOW PUBLIC IMPROVEMENT DISTRICT SERVICE PLAN (2014-2018)

	2014 BUDGET	2015 BUDGET	2016* <u>BUDGET</u>	2017* <u>BUDGET</u>	2018* <u>BUDGET</u>
REVENUES:					
Net Assessment	\$497,849.00	\$546,972.00	\$554,380.00	\$571,486.00	\$588,806.00
Interest Income	\$612.00	\$650.00	\$1,400.00	\$1,500.00	\$1,600.00
Surplus Carried Forward	\$10,000.00	\$2,973.00	\$13,446.00	\$3,305.00	\$6,416.00
TOTAL REVENUE	\$508,461.00	\$550,595.00	\$569,226.00	\$576,291.00	\$596,822.00
DISBURSEMENTS:					
Administrative Expenses ¹	\$51,888.00	\$52,306.00	\$53,875.00	\$53,875.00	\$56,000.00
Park Lane Place Improvements (VM TIF) ²	\$46,000.00	\$47,380.00	\$48,801.00	\$50,000.00	\$52,000.00
Valencia Development Improvements - Midtown	\$3,000.00	\$3,100.00	\$3,200.00	\$3,300.00	\$3,400.00
Community Service Expenses ⁴	\$54,012.00	\$58,040.00	\$59,845.00	\$60,000.00	\$64,000.00
Safety & Security Expenses ⁵	\$234,447.00	\$249,185.00	\$261,400.00	\$261,350.00	\$266,300.00
Property Standard Expenses ⁶	\$69,241.00	\$76,710.00	\$84,400.00	\$85,350.00	\$89,300.00
Public Relations Expenses ⁷	\$22,535.00	\$25,620.00	\$28,000.00	\$26,000.00	\$30,000.00
Economic Development Expense ⁸	\$14,717.00	\$15,160.00	\$16,500.00	\$18,000.00	\$20,000.00
Insurance & Audit Expenses	\$9,648.00	\$9,648.00	\$9,900.00	\$12,000.00	\$12,500.00
TOTAL DISBURSEMENTS	\$505,488.00	\$537,149.00	\$565,921.00	\$569,875.00	\$593,500.00

Notes:

^{1.} Office Management & Items Required by PID Contract

² Improvements for the Common Areas in the Park Lane Development

^{3.} Funds for the Valencia Development Improvements have been reallocated to fund improvements for the Common Areas in the Md-Town Development

^{4.} Community Enrichment Activities, Youth Development Activities, & Special Events

⁵ Funding for Crime Database, Security Patrol, & Crime Prevention reflects an increase in the costs for the services

^{6.} Landscaping, Litter Removal, & Graffiti Abatement

^{7.} Marketing & Promotional Activities

^{8.} Neighborhood Planning

^{*} Dependent on Successful Renewal in 2015

DRAFT EXHIBIT C VICKERY MEADOW IMPROVEMENT DISTRICT 2013 ASSESSMENT PLAN

The costs of the services and improvements by the Vickery Meadow Improvement District will be paid primarily by assessments against real properties within the District's boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District ("DCAD").

The 2013 assessment rate for the property in the premium service area is proposed at \$.10 per \$100 value. The 2013 assessment rate for the property in the standard service area is proposed at \$.05 per \$100 value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specifically benefited. City rights-of-way, City Parks, and other tax-exempt property in the District are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

The Vickery Meadow PID assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Vickery Meadow Management Corporation.

AGENDA ITEM #22

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 K J P N Q

SUBJECT

Authorize a public hearing to be held on September 11, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 North St. Paul Street, approximately 4,950 square feet; (2) amend the City Center Sub-district's boundary to add the property addressed as 600 South Harwood Street, approximately 19,471 square feet; and (3) make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans; at the close of the hearing consideration of an ordinance amending Ordinance No. 22802, previously approved on June 26, 1996, and Ordinance No. 23034, previously approved on February 12, 1997, as amended, to reflect these amendments - Financing: No cost consideration to the City

BACKGROUND

A public hearing is required any time the boundaries or budget of an existing TIF District is expanded, or when the term of a District is extended.

This action authorizes a public hearing to be held on September 11, 2013, to hear comments on the following proposed amendments to City Center TIF District (the District) boundary and its Project and Reinvestment Zone Financing Plans to:

1. Amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 N. St. Paul Street, approximately 4,950 square feet;

One Dallas Center, addressed as 350 N. St Paul, is located in the City Center TIF District. The City of Dallas owns approximately 3.5 acres of land designated as the future Pacific Plaza Park by the Downtown Parks Master Plan. The proposed park is located in the Downtown Connection TIF District.

BACKGROUND (Continued)

A land swap between the City of Dallas and the owner of the One Dallas Center property (St. Paul Holdings, LP) has been proposed to facilitate the construction of a turnaround and small parking lot for the One Dallas Center building as part of the more than \$40 million redevelopment of the building into mixed uses. In order to facilitate this request the boundaries of the City Center and Downtown Connection TIF Districts have to be amended to remove a portion of the One Dallas Center property from the City Center TIF District. Council will consider a subsequent agenda item that will add the property removed to the Downtown Connection TIF District. This action will not change the total land area of Pacific Plaza Park. The proposed land exchange has been coordinated with the Park and Recreation Department.

The renovation/redevelopment plans for One Dallas Center include updating approximately 300,000 square feet of office space and converting a portion of the building into at least 210 contemporary apartment units. The project will be completed in two phase. The office portion of the building is scheduled to be completed August 2013 and the multi-family portion of the building should finish June 2014.

2. Amend the City Center Sub-district's boundary to add the property addressed as 600 S. Harwood Street, approximately 19,471 square feet;

The 600 South Harwood property is the proposed site for two historic buildings that will be relocated from their current locations at the 2222 and 2226 Elm Street. Three buildings have been condemned and are planned to be demolished by the City as part of the Cesar Chavez street improvement project. The properties have been acquired by the City and are now right-of-way needed to widen the north-south thoroughfare. Only one of the three buildings will be relocated at this time, one building is proposed to be demolished, a the third building will be disassembled for potential reconstruction on the Harwood property at a later date.

Relocation of the historic building is costly and the developer would need City support in the form of TIF funding to complete the project. Currently the property is not located in a TIF District and would benefit from being added to the City Center TIF District. A request for TIF funding will be presented to City Council for consideration on September 11, 2013.

Staff will make corresponding modifications to the City Center TIF District Boundary Map, Budget, Project and Reinvestment Zone Financing Plans.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 1996, City Council authorized the establishment of the City Center TIF District by Ordinance No. 22802.

On February 12, 1997, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Sports Arena TIF District by Ordinance No. 23034, as amended.

On October 25, 2012, the City Center TIF District Board of Directors reviewed and recommended approval of the following TIF District and Project Plan amendments: (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.

On November 14, 2012, City Council authorized a public hearing to be held on December 12, 2012 to receive comments on the proposed City Center TIF District and Project Plan amendments, including an increase in the term, geographical boundary and budget of the District, and all other related changes.

On December 12, 2012, City Council authorized amendments to Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) and the Project and Reinvestment Zone Financing Plans for the City Center TIF District 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 by Ordinance No. 28865.

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

On June 13, 2013, the City Center TIF District Board of Directors reviewed and recommended approval of an amendment to Tax Increment Financing Reinvestment Zone Number Five's (City Center TIF District) to: (1) decrease the geographic area of the City Center Sub-district by approximately 4,950 square feet by removing a portion of the property addressed as 350 N. St. Paul Street; and (2) make corresponding modifications to the City Center TIF District boundary map and Project and Reinvestment Zone Financing Plans, as necessary.

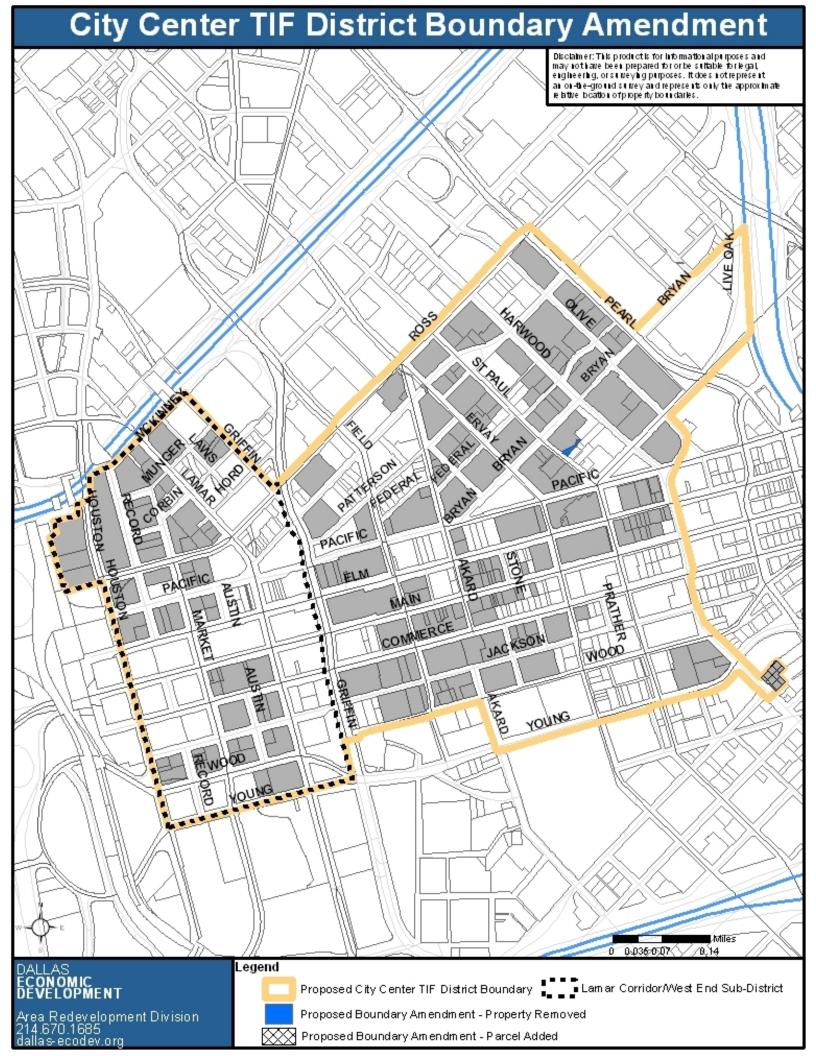
On August 8, 2013, the City Center TIF District Board of Directors reviewed and recommended approval of an amendment to Tax Increment Financing Reinvestment Zone Number Five's (City Center TIF District) to: (1) increase the geographic area of the City Center Sub-district by approximately 19,471 square feet by adding the property addressed as 600 S. Harwood Street; and (2) make corresponding modifications to the City Center TIF District boundary map and Project and Reinvestment Zone Financing Plans, as necessary.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



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

WHEREAS, on June 26, 1996, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Five (the City Center TIF District) in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the District through the use of tax increment financing by Ordinance No. 23688, as amended; and

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

WHEREAS, the Act requires that if an amendment reduces or increases the geographic area of the zone, increases the amount of bonded indebtedness to be incurred, increases or decreases the percentage of a tax increment to be contributed by a taxing unit, increases the total estimated project costs, or designates additional property in the zone to be acquired by the municipality, the approval must be by ordinance after the City holds a public hearing on such amendments and provide interested persons the opportunity to speak and present evidence for or against such amendments; and

WHEREAS, the City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the City Center TIF District, any other taxing districts, and any other interested persons to speak for or against the amendment; and

WHEREAS, on October 25, 2012, the City Center TIF District Board of Directors reviewed and recommended approval of the following amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District 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, an increase of \$75,599,171; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans, consistent with the requirements and limitations of the Act; and

WHEREAS, on December 12, 2012, City Council authorized Ordinance No. 28865, amending amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District 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, an increase of \$76,272,293; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans: and

WHEREAS, on June 13, 2013, the City Center TIF District Board of Directors reviewed and recommended approval of the following amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) decrease the geographic area of the City Center Sub-district by approximately 4,950 square feet by removing a portion of the property addressed as 350 N. St. Paul Street; and (2) make corresponding modifications to the City Center TIF District boundary map and Project and Reinvestment Zone Financing Plans, as necessary; and

WHEREAS, on August 20, 2013, the City Center TIF District Board of Directors reviewed and recommended approval of the following amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) increase the geographic area of the City Center Sub-district by approximately 19,471 square feet by adding the property addressed as 600 S. Harwood Street; and (2) make corresponding modifications to the City Center TIF District boundary map and Project and Reinvestment Zone Financing Plans, as necessary.

NOW, THEREFORE,

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

Section 1. That a public hearing shall be held at 1:00 p.m., on September 11, 2013, in the City Council Chambers, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against an amendment to increase the geographic area of the City Center TIF District boundary to include selected adjacent properties.

Section 2. That notice of such public hearing shall be published in the official newspaper of the City of Dallas not later than seven (7) days prior to the date of such hearing, and that written notice of such hearing along with a copy of this resolution shall be delivered in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone.

Section 3. That after the public hearing is closed; City Council shall consider an ordinance amending Ordinance Nos. 22802 and 23034, as amended, to (1) create two sub-districts within the City Center TIF District: (1) amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 N. St. Paul Street, approximately 4,950 square feet; (2) amend the City Center Sub-district boundary to add the property addressed as 600 S. Harwood Street, approximately 19,471 square feet; (3) and make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans; and at the close of the hearing consideration of an ordinance amending Ordinance No. 22802, previously approved on June 26, 1996, and Ordinance No. 23034, previously approved on February 12, 1997, as amended, to reflect these amendments; attached here to as **Exhibit A**.

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.

Exhibit A

City Center Tax Increment Financing District

(Comprised of Downtown Core, Historic West End and Lamar Corridor)



Amended and Restated Project Plan And Reinvestment Zone Financing Plan

Adopted February 12, 1997 Amended February 11, 2009 December 12, 2012 September 11, 2013

Acknowledgements

The City Center TIF District Project Plan and Reinvestment Zone Financing Plan was originally prepared in 1996. This amended and restated plan was prepared by the City of Dallas, Office of Economic Development. The Office of Economic Development wishes to acknowledge the efforts of everyone who contributed to the development of this plan, including the following organizations and individuals:

City of Dallas

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Ryan Evans First Assistant City Manager

Karl Zavitkovsky Director, Office of Economic Development (OED)

Karl Stundins Area Redevelopment Manager, OED

Tamara L. Leak Economic Development Senior Coordinator, OED
Barbara Martinez Assistant City Attorney, City Attorney's Office
Sarah Hasib Economic Development Senior Coordinator, OED
Assistant City Attorney, City Attorney's Office

Current Dallas City Council

Mayor Mike Rawlings
Mayor Pro Tem Pauline Medrano
Deputy Mayor Pro Tem Tennell Atkins

Delia Jasso Scott Griggs

Dwaine R. Caraway Vonciel Jones Hill Monica R. Alonzo Carolyn R. Davis Sheffie Kadane Jerry R. Allen Linda Koop Sandy Greyson Ann Margolin Angela Hunt

City Center TIF Board of Directors

Orlando Alameda Larry Good Rick Loessberg Jerry Merriman Clyde Porter Jon Ruff Kirby White

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Section 1: Amended and Restated Project Plan

Background

The Dallas City Council (the "Council") designated Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (the "Zone") by City Ordinance 22802 on June 26, 1996. The City Center TIF District, also called the Zone, was created to develop an attractive, sustainable urban core by generating cash to reimburse costs of public improvements and redevelopment of vacant or underutilized buildings downtown. Creation of the City Center TIF District helped to protect major investment in downtown and encourage redevelopment of the cores' assets, as its land use mix transitioned from at one time a heavy concentration of office space to an increasing concentration of residential, hotel, restaurants and retail. Such development or redevelopment would not have occurred solely through private investment.

The City Center TIF District has been authorized by the City of Dallas, pursuant to Section 311.005 of the Texas Tax Code, because the City Council found that the Zone substantially impaired the sound growth of Dallas, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public welfare due to a substantial number of substandard, deteriorating, and deteriorated structures and infrastructure. This amended and restated plan ("Amended Plan"), including the district boundaries, project plan, and financing plan, is the result of the collaborative effort of property owners and City staff.

Less than 10 percent of property in the District is currently being used for residential use with fewer than five living units.

The Council approved a project plan and financing plan for the Zone on February 12, 1997 (the "Original Plan"), by Ordinance Number 23034. The Dallas County Commissioners Court voted on December 17, 1996, to cause Dallas County (the "County") and Dallas County Hospital District (the "Hospital District") to participate in the Zone by agreeing to contribute to the tax increment fund for the Zone (the "TIF Fund") 100 percent of each of their tax increments generated in the Zone, for the life of the Zone or 15 years, whichever is shorter. On July 9, 2002, the Dallas County Commissioners Court amended its participation in the Zone from 100 percent to 53 percent and extended its participation subject to the termination of such contributions upon the earlier of (a) the end of the 2011 tax year, or (b) such contributions post 2001 totals \$9.7 million. The participation amendment was conditioned on the County receiving \$3 million in funding from the City of Dallas by 2007, for improvements to the County's downtown court house plaza. The Board of Trustees of Dallas Independent School District ("DISD") voted to cause DISD to participate in the Zone. The Dallas County Hospital District also participated in the Zone.

Beginning in the late 1970's, dramatic high-rise building projects began to develop in downtown Dallas. The City Center area enjoyed strong occupancy with growing demand that contributed to high lease rates. With the development of suburban office parks such as Las Colinas in Irving, Legacy in Plano and growing office corridors such as North Central Expressway and LBJ/Tollway, the Central Business District office occupancy began to decline.

In the mid-1980's, the Central Business District realized an exodus of companies from their downtown Dallas locations to newer, campus-type suburban corporate office developments. In October 1989, Dallas City Council authorized the City's Public/Private Financial Incentive Guidelines and Criteria to be administered by the Economic Development Department with a special emphasis on retaining and attracting investment to downtown Dallas. The program resulted in a new emphasis by the Central Dallas Association, now Downtown Dallas Inc., to join with the City to develop programs that will increase the marketability of downtown Dallas.

In 1990, the City isolated downtown values from the City tax roll to display the real property value annually. The trend in downtown values through the 1995 tax roll, released in July 1995 reflecting the market as of January 1, 1995, was still down, although 1995 marked the first year since 1990 that the percentage of decline was in single digits.

From 1996, the creation of the City Center TIF District, to 2000, the property value increased within the Zone. In 2000, the value was up approximately 70 percent from the 1996 base year. The majority of the Zone's increase in value took place between 1997 and 1998, over 49 percent, as a result of increased office occupancy.

Beginning in 2001 and continuing through 2005, the Zone's value declined an average of 4.5 percent annually. The Zone continued to fluctuate between periods of growth from 2006 to 2008 (averaging approximately 7 percent annually) attributable to the completion of vacant office building conversions to residential within the Zone and declines from 2009 to 2011 (averaging approximately 7 percent annually) due to the country's recession.

In 2011, City Council adopted the Downtown 360 Area Plan, a shared vision for Downtown's future that provided implementation actions for achieving the vision. The plan is a long-term, strategic guide to ensure Downtown Dallas is a vibrant urban center, by providing clear, targeted recommendations. The recommendations and concepts presented in the plan are intended to be considered when reviewing development, considering public investments and making development decisions.

The big picture ideas, or Transformative Strategies outlined in the plan serve as building blocks for a successful downtown Dallas, guiding and steering public and private investments. The five Transformative Strategies are: (1) Expand

Transit and Realize TOD Potential; (2) Create Vibrant Streets and Public Spaces; (3) Ensure Great Urban Design; (4) Diversify and Grow Housing; and (5) Reform the Approach to Parking.

The Downtown 360 Area Plan also explored focus areas within the downtown core that have the potential to transform a currently underperforming part of downtown. The Lamar Corridor and Main Street District retail activation area were two of the five focus areas highlighted in the plan. The Lamar Corridor focus area design and development concept emphases infill development and an improved public realm to solidify the connection between the Dallas Convention Center and Historic West End. The Main Street District retail activation area is the City's heart of culture and commerce. The plan encourages creating a one of a kind retail district in the heart of downtown.

The plan's strategies for implementing its bold ideas include extending the terms of the downtown TIFs, specifically the City Center and Farmers Market TIF Districts. The plan recommends extending the districts' terms as a means to fund downtown initiatives such as retail revitalization, Farmer's Market revitalization, affordable housing, transit financing, parks and open space and strong urban design. The plan also recommended modification of an existing TIF district's boundary to encourage redevelopment of the Lamar Corridor. As a result the plan's recommendations and growing redevelopment interest in and around the plan's focus areas highlighted above, the City has evaluated an extension of the term of the City Center TIF District.

The purpose of this Amended Plan is to: (1) expand the downtown core and redevelopment momentum to the West End; (2) provide a means of facilitating the redevelopment of the Lamar Corridor and Historic West End area; (3) upgrade the public realm along the Lamar Corridor to create an attractive corridor linking key destinations within the City; (4) fill in gaps in redevelopment with in the downtown core by redeveloping last remaining vacant buildings; (5) continue to provide a source of funding for affordable housing, parking and retail activation; (6) create a funding source for improvement and maintenance of infrastructure in the West End, district wide improvements, and improved pedestrian connectivity from the Dallas County, City and Community College offices through the West End to the Victory Park Area; (7) provide a source of funding to assist under parked downtown office buildings to add structured parking and (8) fund outstanding reimbursement obligations of the City Center TIF District.

This Amended Plan amends the Original Plan to achieve the following: (1) extend the term of the Zone from December 31, 2012, to December 31, 2022 for the City Center Sub-district (original TIF boundary) and provide a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (2) decrease the percentage of tax increment contributed by the City of Dallas during the extended term and establish tax increment percentages for the participating taxing jurisdictions for the Lamar Corridor/West End Sub-district; (3) increase the

boundaries of the Zone to include property in the Lamar Corridor/West End Subdistricts and set the base value for the sub-district; (4) update and modify development and revenue forecasts for the Zone; (5) contemplate the County's participation rate for both sub-districts; and (6) increase the budget for the Zone.

Term of Zone

The ordinance creating the City Center TIF District provided for a December 31, 2012, termination date. The term of the City Center Sub-district (original TIF boundary) will be extended by 10 years to December 31, 2022, unless terminated prior to such date.

The Lamar Corridor/West End Sub-district term is 25 years, January 1, 2012 to December 31, 2037, unless any Sub-district is terminated prior to such date.

The term of the Zone may terminate at an earlier time designated by a subsequent City ordinance or at such time that all project costs and interest thereon, if any, have been paid in full. Tax increments from levies in 2022 (for the City Center Sub-district) and 2037 (for the Lamar Corridor/West End Sub-district) will flow to the TIF Fund in 2023 and 2038, respectively, unless the Zone has been terminated before such date.

Zone Tax Increment Base

A taxing unit's tax increment for a particular year during the term of the Zone is calculated by reference to the appraised value of real property in the Zone for such year compared to the "tax increment base" for such tax unit with respect to the Zone. The "tax increment base" for a tax unit with respect to the Zone is the appraised value of all real property in the Zone that is taxable by the tax unit for the year in which the Zone was created (i.e., 1996).

The adjusted 2009 appraised value of all real property in the City Center Subdistrict shall be called the "Base Year Value." The base year value for each taxing unit contributing to the TIF Fund was identified to be \$866,044,996, see **Appendix A**. There were no known exemptions or abatements for taxable real property in the Zone, so the tax increment base year value for each taxing unit is the same.

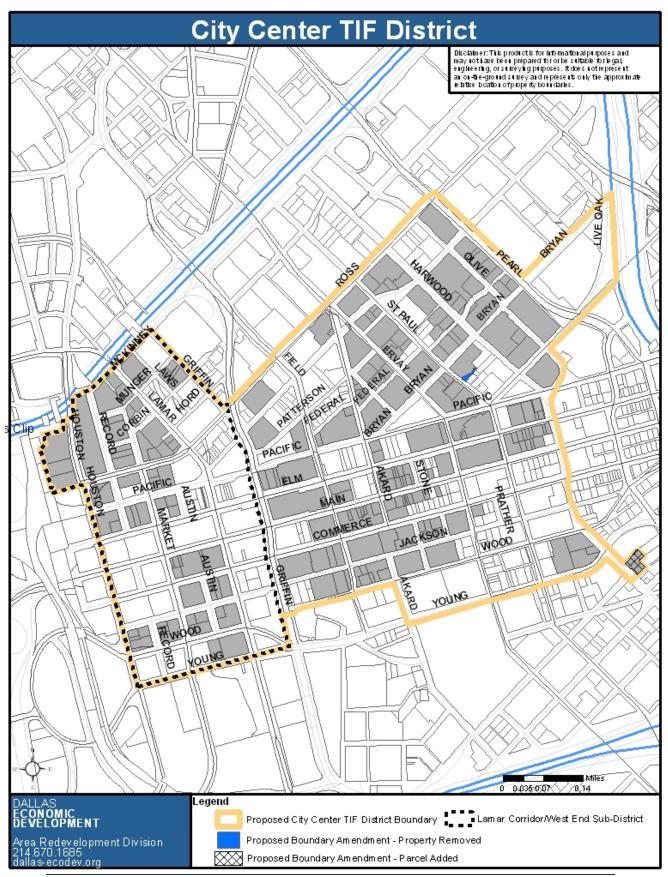
The taxable base year value for the Lamar Corridor/West End Sub-district will be the value of all property in the sub-district as of January 1, 2012. The base year value for the Lamar Corridor/West End Sub-district is estimated to be \$99,565,700, based on a review of current property values in the sub-district, see **Appendix B**.

Zone and Sub-district Boundaries

Exhibit A is a map of the amended Zone boundaries, the City Center and Lamar Corridor/West End Sub-districts' boundaries are highlighted.

Unless defined otherwise by a relevant City Ordinance, Zone boundaries include all rights-of-way immediately adjacent to real property within the Zone, extending to the far sides of the rights-of-way, and are not limited by the centerline.

Exhibit A



Development Goals and Objectives

The following development goals will meet the specific needs of the City Center TIF District:

- Make the district a safer place to live and work.
- Improve access to the downtown core, Historic West End and adjacent downtown destinations.
- Improve the image of the district.
- Support redevelopment of the existing building stock in both sub-districts.
- Develop a more diverse mixture of land uses within the district.
- Increase recreational opportunities in the district.

The following specific objectives set the framework for the planned public improvements within the City Center TIF District:

Original Objectives:

- Improve the pedestrian environment through landscaping, lighting and design standards.
- Provide public parking to encourage redevelopment of underutilized downtown office space and create retail opportunities.
- Ensure that new construction is compatible with surrounding historic buildings.
- Coordinate linkages to DART light rail stations in the Zone.
- Direct overall development in the Zone through the application of design standards for public improvements and design guidelines for private development.
- Encourage development of residential housing, including conversions of existing office space.
- Encourage development of street-front retail.
- Complement and protect existing historic structures.

Additional Objectives (2012)

- Create additional taxable value attributable to new private investment in projects in the City Center TIF District totaling over \$517,000,000 over the term of the Zone.
- Expand the downtown core toward the West End Historic district.

- Support redevelopment of the Lamar Corridor.
- Support redevelopment of properties near the Omni Convention Center Hotel.
- Support linkages to the Farmers Market and Victory areas.

Exhibit A: Amended and Restated Project Plan and Financing Plan TIF Reinvestment Zone Number Five

Section 2: Tax Increment Financing Explained

Tax increment financing ("TIF") is a tool Texas local governments use to encourage redevelopment within a defined area. TIF funds can be used to fund a variety of improvements that benefit the public. These TIF financial contributions are intended to attract new investment to the defined area in an effort to increase property value. The primary statute governing tax increment financing is codified in Chapter 311 of the Texas Tax Code, as amended.

A municipality makes an area eligible for tax increment financing by designating a reinvestment zone (e.g., the Zone). Costs of specified improvements/grants within a reinvestment zone may be paid or reimbursed by property tax revenues generated from appreciated real property in the reinvestment zone. The additional tax dollars generated by growth of real property values in a reinvestment zone are called the "tax increment." The tax increment flows to a tax increment fund (e.g., the TIF Fund) for a specified term of years. For the Zone, tax increments on real property levied through December 31, 2028 will flow to the TIF Fund. Money flowing to the TIF Fund each year will be disbursed according to this Amended Plan and agreements approved by the Board of Directors of the Zone (the "TIF Board") and adopted by the City.

Exhibit B generally shows how tax revenues from real properties in a reinvestment zone flow to taxing units and the tax increment fund. **Exhibit B** assumes real property values in the reinvestment zone rise after the reinvestment zone's designation.

Under certain TIF programs, cash accumulates in the tax increment fund and is used to purchase public improvements on a "pay-as-you-go" basis. More commonly, as with the Zone, a private developer or a public agency will provide cash to construct public improvements, with the tax increment fund eventually reimbursing the private developer or public agency for its costs plus reasonable interest.

\$25,000,000 \$20,000,000 \$15,000,000 \$10,000,000 \$5,000,000 \$5,000,000 \$5,000,000 \$80,000 \$10,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000,000 \$10,000 \$10,000,0

Exhibit B: TIF Financial Impact

*Chart for illustrative purposes – does not match specific TIF projections

Municipalities may create reinvestment zones for tax increment financing. Once created, school districts, counties, hospital districts and college districts may participate in TIF programs. Each taxing unit may choose to dedicate to the tax increment fund all, a portion or none of the additional tax revenue attributable to increased real property value in the reinvestment zone.

Inclusion of a property in a reinvestment zone does not change the property tax rate for such property. Tax rates in a reinvestment zone are the same as tax rates outside the reinvestment zone, within the same set of taxing jurisdictions.

Section 3: Project Plan Improvements

Original Plan Improvements

The original public improvements for the Zone included streetscape improvements, pedestrian linkages, façade easements, educational/training facilities, acquisition and restoration of historic sites, environmental remediation, interior and exterior demolition and historic façade restoration. The total budget for these improvements was \$87.6 million. With 2012's increment collection, approximately \$76 million of the \$87.6 million budgeted for the Zone will have been collected.

The public improvements funded through the Zone have supported the following original development program goals:

- 2,500 residential units
 - 2,336 residential units have been built in the City Center TIF District, representing approximately 93% of the development program goal. See Exhibit C

Exhibit C

CITY CENTER – COMPLETED RESIDENTIAL UNITS					
PROJECT	LOCATION	UNITS	YEAR COMPLETED		
1900 Elm (Titche-Goettinger)	1900 Elm Street	129	1997		
SoCo Lofts	1122 Jackson Street	205	2000		
The Kirby – Residences on Main	1509 Main Street	156	2000		
Wilson Building	1623 Main Street	135	2000		
Residences on Jackson	1300 Jackson Street	8	2002		
Davis Building	1309 Main Street	183	2003		
1505 Elm Street Condominiums	1505 Elm Street	65	2004		
Interurban Building	1500 Jackson Street	134	2005		
Dallas Power & Light	1506-12 Commerce Street	154	2005		
Gulf States Building	1415 Main Street	64	2007		
Gables at Republic Center	325 N. St. Paul, Tower I	227	2007		
Fidelity Union Life Towers (Mosaic)	Pacific/Bryan/Akard	440	2007		
Metropolitan	1200 Main Street	273	2007		
1407 Main Street	1407 Main Street	85	2008		
U.S. Post Office Building	400 N. Ervay Street	78	2011		
TOTAL RESIDENTAL UNIT	S COMPLETED	2,336			

- Absorption of 3.5 million square feet of vacant office space in the district
 - To date, 5.1 million square feet of previously vacant office space located within the City Center TIF District has been renovated representing 149% of the development goal.
 - Completed projects include Santa Fe II, 2020 Live Oak, Sheraton Hotel, Majestic Lofts, Kirby Building, Wilson Building, Magnolia Building, Hart Furniture, 1505 Elm, Davis Building, Dallas Power and Light, Interurban Building, Jackson Building, Republic Tower, 1530 Main Street, Gulf States, 1217 Main Street, Mosaic, 1200 Main Street, Magnolia Hotel, Sheraton Hotel, 1516 Elm Street, Hart Furniture, and the Joule Hotel.

The Zone also funded programs targeting public parking and retail. The City Park Program funded by the Zone provided public, short-term parking space in garages in the downtown retail core in support of retail redevelopment efforts within the core. The CityPark program ended in 2010, but provided \$1,027,818 over six years for the conversion of existing private garages to public use through equipment signage, marketing and the use of the City's public parking rates.

Although the term of the CityPark program has expired, the City is currently leasing 150 low cost, transient parking spaces at the Dalpark Garage to assist with retail efforts. The Dalpark Garage lease will expire June 30, 2015. Additionally, the developer of the Third Rail Lofts (1407 Main Street) received an \$8.5 million loan with a forgivable interest component to construct a parking garage providing 370 public parking spaces for 10 years, parking for adjacent residential projects and assist in the development of 20,000 square feet of retail space. The Davis lot garage lease will expire 2016.

Exhibit A: Amended and Restated Project Plan and Financing Plan

Amended and Restated Improvements

In the fifteen years since the adoption of the Original Plan, significant private investment has occurred in the City Center Sub-district of the Zone, but there are remaining deficiencies. While larger vacant buildings within the Zone have been repurposed, some vacant buildings still remain. Vacant ground floors of occupied buildings coupled with scattered and disconnected retail detract from all of the redevelopment that has occurred in the last fifteen years. The lack of street-level vitality is compounded by the real and perceived lack of parking in the downtown core.

The Lamar Corridor/West End Sub-district includes a restaurant district, office space, public offices and some vacant and underutilized buildings and properties in the West End Historic District, as well as along the Lamar Corridor adjacent to the Omni Convention Center Hotel. The Lamar Corridor is a primary connection between key downtown destinations and facilities, stretching from Cedars/South Side to Victory Park. Infill redevelopment along the Lamar Corridor is vital to creating a contiguous development pattern extending north from the Cedars, Convention Center area, through the West End, ending in the Victory Park area.

Occupancy rates in the Historic West End has declined over the years with very little redevelopment activity or momentum until recently. Development of surface parking lots, redevelopment of vacant or mostly vacant buildings is possible with some public investment. This effort is needed to expand the downtown core district.

The following specific goals are intended to set the framework for the planned amended and restated improvements within the City Center TIF District:

- Encourage development of new residential, retail, office, and mixed-use developments
- Provide TIF incentives to upgrade basic infrastructure including streetscape improvements, utilities, storm drainage, and water/wastewater lines to support new development the Zone.
- Provide TIF incentives to encourage adaptive reuse of existing buildings in the Zone, including historic façade restoration.
- Provide TIF Incentives to improve the pedestrian environment through plaza and sidewalk improvements, landscaping, lighting, design standards, wayfinding and burial of overhead utilities, including improved pedestrian connections throughout the Zone and between adjacent key destinations such as the Convention Center area, Victory Park and Uptown.

- Provide TIF incentives to encourage redevelopment of property in the Zone through the provision for infrastructure, environmental remediation, interior and exterior demolition.
- Provide TIF incentives to offset the costs of providing affordable housing, encouraging the development of mixed income housing within the Zone and surrounding downtown area.
- Provide TIF incentives to make strategic parking investments for the Zone that will:
 - Secure adequate affordable visitor parking in the downtown core and West End area; and
 - Provide financing mechanisms to encourage development of additional parking for underserved downtown office buildings.
- Provide TIF incentives to fund a ground floor activation program based on the recommendations of the Downtown 360 Plan's retail activation strategy.
- Provide funding to pay administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the City Center TIF District, will be eligible for reimbursement as project costs, upon approval by the TIF Board and in connection with the implementation of the Amended Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures, and equipment are included in this category.
- Use Economic Development Grants to achieve the goals of the Amended Plan. Legislation allows the City to make economic development loans or grants for the public purposes of developing and diversifying the economy of the City Center TIF District. Projects receiving such loans or grants must:
 - o Comply with the grant program previously adopted by the Zone;
 - Be consistent with the goals and objectives of this Amended Plan;
 and
 - Be subject to specific project agreements requiring City Council approval.

Taxable Private Improvements

The Zone's anticipated private development in the City Center Sub-district is expected to fill in gaps in redevelopment within the downtown core. As a result of the Zone and the Downtown Connection TIF District many of the large vacant buildings have been converted to residential and mixed uses. The vacant buildings that remain are smaller historic buildings that visually detract from all of the redevelopment progress made in the core.

In addition to small vacant buildings, renovation of underperforming landmark properties is expected to occur within the City Center Sub-district during the extension. In total, over the next ten years, it is estimated that an additional \$257,000,000 in new private investment will occur within the sub-district's boundaries.

Most the Zone's redevelopment activity is expected to occur within the Lamar Corridor/West End Sub-district. The Historic West End area has vacant and mostly vacant buildings that are in need of redevelopment along with numerous surface parking lots. Over the 25 year term of the sub-district, approximately \$260,000,000 in new private development is expected to occur within its boundaries.

Development along the Lamar Corridor, north of Young Street will be stimulated by the development that has taken place along the corridor south of Young Street. The Omni Convention Center Hotel completed in 2011 has been very successful. Plans for additional private development and parking in front of the hotel adjacent to Lamar are underway. In 2012, the City in conjunction with North Central Texas Council of Governments completed streetscape improvements on Lamar Street from Ross to the Convention Center. These public improvements in conjunction with private development in the Cedars area, including the South Side residential lofts, The Beat and Buzz condos, construction of the Dallas Police Headquarters and entertainment and restaurant venues has created development momentum along the Lamar Corridor.

The projected development within the Zone is expected to accomplish the following:

City Center Sub-district

- Add residential units to complete original goal of 2,500 residential units.
- Activate 300,000 square feet of vacant ground floor and/or retail space in the downtown core.
- Absorb of 1,000,000 square feet of vacant office space in the sub-district.

Lamar Corridor/West End Sub-district

- Add 2.500 residential units to the sub-district.
- Activate 500,000 square feet of vacant ground floor and/or retail space in the sub-district.

Absorb of vacant office space in the sub-district.

See **Exhibit D** for a list of anticipated development in the City Center TIF District and **Exhibit E** for the location of the projects listed in Exhibit D within the Zone.

TIF revenue projections anticipate an overall 2 percent appreciation rate for property in the Zone over terms of both sub-districts. It is anticipated that if the improvements and private investment described in this Amended Plan occur in a timely basis, property values within the Zone will increase to be commiserate with property values in the core of downtown.

Exhibit D Anticipated Development

City Center Sub-District Anticipated Development Projects

		Private	Estimated
Map#	Project Name	Investment	Completion Date
6	Patriot Tower Office	\$67,200,000	2013
4	1025 Elm Street	\$21,000,000	2013
5	Elm Street Buildings	\$8,750,000	2014
9	Magnolia Hotel	\$3,000,000	2014
7	Universities Center Renovation	\$25,000,000	2014
10	Browder Street Retail	\$2,500,000	2015
3	Thanksgiving Tower	\$25,000,000	2016
8	Adolphus Hotel	\$20,000,000	2017
1	211 N. Ervay	\$40,000,000	2018
2	Pacific Place	\$45,000,000	2020
		\$257,450,000	

West End Sub-District Potential Development Projects

		Private	Estimated
Map#	Project Name	Investment	Completion Date
1	West End Residential Bldg	\$44,000,000	2015
2	West End Residential Bldg	\$16,000,000	2015
3	NWC Young and Lamar	\$35,000,000	2017
4	603 Munger	\$20,000,000	2017
5	NWC Lamar and Ross	\$25,000,000	2019
6	NWC Market and Wood	\$30,000,000	2019
7	NWC Lamar and Jackson	\$25,000,000	2021
8	NEC Market and Wood	\$35,000,000	2023
9	NEC Market and Elm	\$15,000,000	2025
10	NWC Market and Elm	\$15,000,000	2025
		\$260,000,000	

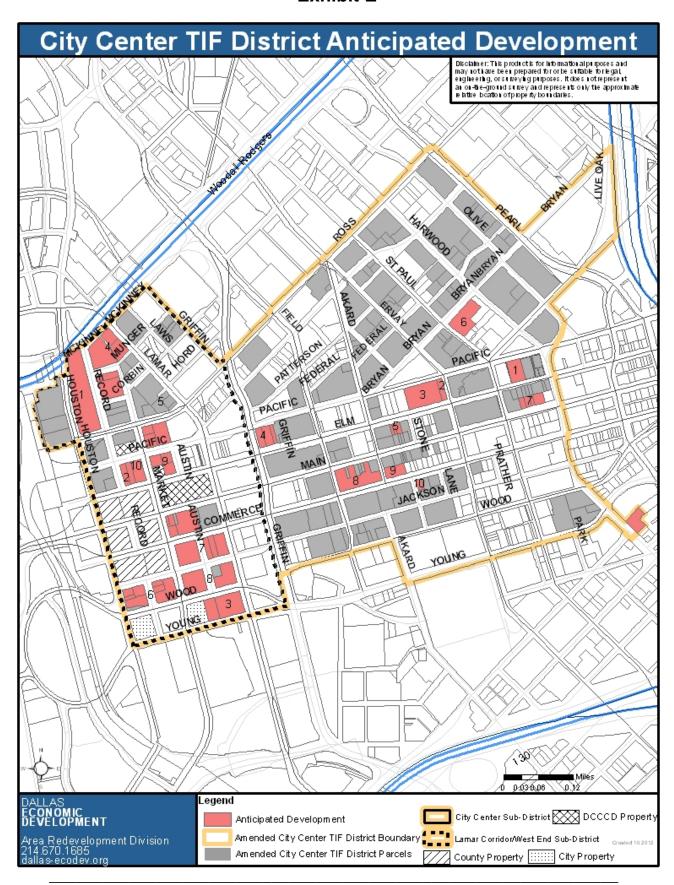
\$517,450,000

Exhibit A: Amended and Restated Project Plan and Financing Plan

Page 19

Total

Exhibit E



Section 4: Amended and Restated Financing Plan

Financing Plan

The following is the budget of the Amended Plan (See Appendix C for Original Budget):

Exhibit F: City Center TIF District Improvements Budget for Additional Revenue

(See **Appendices D and E** for Individual Sub-District Budgets)

Project costs are public improvements and grants paid or reimbursed by TIF.

Project costs may be changed in subsequent project and financing plans.

Category	Estimated TIF Expenditure*
Original City Center TIF Collections**	\$75,696,253
Public Infrastructure Improvements Streetscape Improvements, Pedestrian Linkages, Lighting, Utility Burial, Utility Upgrades	\$8,500,182
Parking	\$5,500,000
Redevelopment/Development Projects Environmental Remediation, Interior & Exterior Demolition, Façade Improvements/Restoration, TIF Grants	\$40,972,111
District Wide Improvements	\$4,000,000
Affordable Housing	\$6,500,000
Ground Floor Activation (in the form of a TIF Grant)	\$8,300,000
Plan Implementation/Administration	\$2,500,000
Total	\$151,968,546

^{*}Estimated TIF Expenditure reflects actual project collections for the district.

Project Costs

The following describes the City Center TIF District's eligible TIF Project Costs, for which the developer will be reimbursed by the City:

Public Infrastructure Improvements – This category includes TIF eligible expenditures for design, engineering and construction of streetscape improvements, pedestrian linkages, lighting, utility burial, utility upgrades and TIF Grants. The funds in this category are for improvements listed in association with a development/redevelopment project.

^{**}Only \$75,696,253 will be collected by 2012, the remaining funds have been reallocated in the budget for the extended term.

Approximately **\$8.5** million has been allocated to this line item in the Zone's budget.

Redevelopment/Development Projects – This category includes TIF eligible expenditures for design, engineering and construction costs for environmental remediation, interior and exterior demolition, façade improvements, historic façade restoration and TIF Grants for TIF projects in the Zone.

Approximately **\$40.9** million has been allocated to the line item in the Zone's budget.

Affordable Housing – This category supports the Zone's mixed income housing requirement for residential projects. A minimum of 10 percent of the total number of residential units developed in the Zone must meet 80% of the area median income. The funds in this line item may be used to offset the costs of providing affordable housing within the boundaries of this Zone and the greater downtown area only.

Approximately **\$6.5** million has been allocated to the line item in the Zone's budget.

Parking Initiatives – This category supports expansion of the downtown parking supply by providing adequate parking in the Zone that will support current and additional retail, residential, office and visitor activity. These funds will be used to pay the current lease of short term public parking in the Dalpark garage and fund the potential extension of the leases of parking in the Third Rail Lofts and Dalpark garages upon their expiration. The funds may also be used to acquire or lease other parking spaces in the Zone or the greater downtown area if it benefits the Zone. Parking funds may be used to incentivize the 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. Wayfinding and signage that directs the public to public parking is a TIF eligible expenditure included in this category.

Approximately **\$5.5** million has been allocated to the line item in the Zone's budget.

Ground Floor Activation Initiative – This category supports ground floor activation or occupancy that is contiguous by filling vacant gaps at the ground floor plane and will be in the form of a TIF Grant. The use of funds in this category will be guided by the Downtown 360 Plan's Main Street Activation Strategy which provides recommendations for street level vibrancy, including retail activation, tenant mix, branding and design. These funds will be used in the Zone and the greater downtown area, if it benefits the Zone.

Approximately **\$8.3** million has been allocated to the line item in the Zone's budget.

District Wide Improvements – This category supports improvements that are not specific to a single development site or project such as gateways, trails, open space, pedestrian connectivity linking the Zone to other downtown destinations, or utility/streetscape improvements benefiting Zone.

Pedestrian connectivity improvements enhancing the connection between the Lamar Corridor/West End Sub-district and Victory Park area shall be first in priority for expenditure of funds in this category.

Approximately **\$4** million has been allocated to the line item in the Zone's budget.

Administration and Implementation – Administration costs, including reasonable charges for time spent by the municipality's employees, will be eligible for reimbursement as project costs, in connection with the implementation of the Amended Plan. Other TIF-related administrative expenses are included in this category.

Approximately **\$2.5** million has been allocated to the line item in the Zone's budget.

Cash available in the TIF Fund for reimbursement will be paid promptly upon completion of TIF projects and receipt and review of proper documentation of expenses, as set forth in the applicable reimbursement agreements between the developers and the City and the District's Increment Allocation Policy, upon adoption by the TIF Board.

The following percentages shall be set aside annually for the following budget line items until they are completely funded, beginning with fiscal year 2013's increment, collected June 2014.

Affordable Housing – 12.55 percent for the first 5 years of the extension; 10 percent for the remaining years or until approximately \$6.5 million has been collected.

Parking Initiative – 8 percent for the first 10 years of the extension; 10 percent for the remaining years of the Zone or until approximately \$5.5 million has been collected.

Ground Floor/Retail Activation Initiative – 15 percent for the first 5 years of the extension; 10 percent for the remaining years of the Zone or until approximately \$8.3 million has been collected.

approximated	\$4 million has	s been colled	cted.	

TIF District Policy Considerations

Mixed Income Housing Policy. Ten percent of all housing units provided by projects using TIF funds must meet the City and County established criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80 percent or below of the median family income for the Dallas metropolitan area. A developer may, subject to City and County approval, and subject to the City Center TIF District Mixed Income Housing Policy, propose an alternative means of fulfilling the City's and County's affordable housing requirement. If the Policy allows affordable housing outside the City Center TIF District, and those units are placed within the boundaries of another TIF district, the developer must also secure approval for the affordable housing units within the respective district's boundaries from the respective TIF district's board of directors unless that board formally declines to review the project.

Business Inclusion and Development (BID) Plan. All TIF-funded projects must follow the City's adopted Business Inclusion and Development Plan. This policy outlines goals for certified Minority and Women-Owned Business (M/WBE) participation in publicly funded infrastructure projects. The BID Plan goal is 25 percent for construction of public improvements. The goal for private improvements is negotiated in the development agreement. The process for BID compliance and City oversight will be negotiated with City staff and included in the development agreement for each individual project.

Creating Permanent Jobs for Area Residents. TIF applicants must agree to sponsor job fairs or other programs to attract neighborhood residents to any permanent jobs created in the development.

Design Review/Peer Review Process. All new projects developed in the district shall be required to follow this review process. Conformance to design standards for non-TIF funded projects is voluntary but strongly encouraged to maintain the design focus of the implementation of the City Center TIF Plan. TIF District Design Guidelines for new development and redevelopment in the City Center TIF District will be modified to address design goals of the Lamar Corridor/West End Sub-district and subsequently adopted by the City Center TIF District board.

Existing Resident Displacement. The Act requires that existing resident displacement be minimized.

Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted.

<u>Inflation</u>. The generally accepted inflation for construction costs and the value of improvements is 2 percent per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of 5.75 percent per annum the Zone.

<u>Appreciation</u>. Property appreciation is assumed to be 2 percent per annum for the entire Zone.

<u>Tax Rate Changes</u>. Although tax rates will likely increase during the development period, the financial plan conservatively assumes that the 2012 tax rate will remain constant for the life of the City Center TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The City Center Sub-district the Zone is expected to terminate December 31, 2022. The Lamar Corridor/West End Sub-district is expected to terminate December 31, 2037. TIF collections will terminate for the entire Zone once the TIF budget has been collected or December 31, 2037, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached in 2037.

Annual percentages of collected annual tax increments invested in the TIF fund by the City of Dallas will be 80 percent of total collected incremental revenue for the City Center Sub-district and 90 percent for the Lamar Corridor/West End Sub-district.

Provided Dallas County agrees to participate during the extended term of the Zone, 53 percent of the total collected County incremental revenue for the City Center Sub-district shall be allocated to that sub-district for 5 years beginning FY 2013, and the Lamar Corridor/West End Sub-district for 20 years beginning FY 2013. County participation will be pursuant to a participation agreement by the Dallas County Commissioners Court.

<u>Early termination</u>. The Council may terminate the City Center Sub-district of the City Center TIF District earlier than 2022 and the Lamar Corridor/West End Sub-districts earlier than 2037, if all obligations of the TIF have been satisfied. The Council may also terminate the City Center TIF District within three years after adoption of this Amended and Restated Plan if there are no financial obligations, or within five years after adoption if an investment of at least \$100,000,000 does not occur.

Exhibit G: Increment Projections

City Center Sub-District Increment Chart

			Cum.		Tax	Tax	Tax	Tax	Tax		
	Property	Property	Property	Anticipated	Increment	Increment	Increment	Increment	Increment	Anticipated	Anticipated
Tax	Value	Value	Value	Captured	Revenue	Revenue	Revenue	Revenue	Revenue	Increment	Accumulated
Year	Estimate	Growth	Growth	Value	City	Dallas County	DISD	DCCCD	DCHD	Revenue	Revenue (NPV)
1996	\$901,942,389	Original Ba									
1997	\$994,337,840	10.2%	10.2%	\$92,395,451	\$573,933	\$185,715	\$850,131	\$46,198	\$171,643	\$1,102,462	\$1,728,245
1998	\$1,485,213,930	49.4%	64.7%	\$583,271,541	\$3,786,016	\$1,150,211	\$5,366,681	\$291,636	\$1,049,306	\$10,918,693	\$12,140,285
1999	\$1,522,128,601	2.5%	68.8%	\$620,186,212	\$4,139,743	\$1,215,565	\$5,706,333	\$310,093	\$1,215,565	\$11,862,142	\$22,783,956
2000	\$1,530,156,630	0.5%	69.7%	\$628,214,241	\$4,193,330	\$1,204,648	\$5,780,199	\$314,107	\$1,595,664	\$12,362,791	\$33,249,217
2001	\$1,526,243,120	-0.3%	69.2%	\$478,340,500	\$3,251,187	\$954,656	\$4,481,524	\$292,242	\$1,237,156	\$9,491,608	\$40,974,449
2002	\$1,378,252,371	-9.7%	52.8%	\$476,309,982	\$2,040,890	\$478,123	\$0	\$0	\$0	\$1,793,856	\$42,775,592
2003	\$1,257,003,421	-8.8%	39.4%	\$355,061,032	\$1,450,081	\$408,304	\$0	\$0	\$0	\$1,133,227	\$44,032,122
2004	\$1,264,050,073	0.6%	40.1%	\$362,107,684	\$1,566,373	\$393,441	\$0	\$0	\$0	\$1,286,165	\$45,318,115
2005	\$876,220,931	Adjusted E	Base Year								
2005	\$1,207,149,977	-4.5%	37.8%	\$330,929,046	\$1,474,804	\$435,779	\$0	\$0	\$0	\$1,910,583	\$46,458,950
2006	\$1,267,355,318	5.0%	44.6%	\$391,134,387	\$2,544,584	\$489,587	\$0	\$0	\$0	\$3,034,171	\$48,084,980
2007	\$876,190,065						\$0	\$0	\$0		
2007	\$1,463,525,217	15.5%	67.0%	\$587,335,152	\$3,895,625	\$816,275	\$0	\$0	\$0	\$4,711,900	\$50,341,509
2008	\$1,486,707,434	1.6%	69.7%	\$610,517,369	\$4,023,480	\$666,236	\$0	\$0	\$0	\$4,689,716	\$52,353,256
2009	\$866,044,996	,									
2009	\$1,250,305,641	-15.9%	44.4%	\$384,260,645	\$2,475,667	\$463,915	\$0	\$0	\$0	\$2,939,582	\$53,479,873
2010	\$1,184,712,114	-5.2%	36.8%	\$318,667,118	\$2,285,799	\$484,617	\$0	\$0	\$0	\$2,770,416	\$54,428,439
2011	\$1,170,176,925	-1.2%	35.1%	\$304,131,929	\$2,181,538	\$443,026	\$0	\$0	\$0	\$2,624,564	\$55,232,270
2012	\$1,228,203,267	5.0%	41.8%	\$362,158,271	\$2,597,761	\$466,616	\$0	\$0	\$0	\$3,064,377	\$56,079,290
2013	\$1,252,767,332	2.0%	44.7%	\$386,722,336	\$2,465,742	\$498,265	\$0	\$0	\$0	\$2,964,006	\$56,854,019
2014	\$1,297,572,679	3.6%	49.8%	\$431,527,683	\$2,751,421	\$555,993	\$0	\$0	\$0	\$3,307,414	\$57,671,503
2015	\$1,337,350,633	3.1%	54.4%	\$471,305,637	\$3,005,045	\$607,244	\$0	\$0	\$0	\$3,612,289	\$58,515,795
2016	\$1,365,972,645	2.1%	57.7%	\$499,927,649	\$3,187,539	\$644,122	\$0	\$0	\$0	\$3,831,660	\$59,362,665
2017	\$1,408,042,098	3.1%	62.6%	\$541,997,102	\$3,455,774	\$698,325	\$0	\$0	\$0	\$4,154,099	\$60,230,878
2018	\$1,446,202,940	2.7%	67.0%	\$580,157,944	\$3,699,087	\$0	\$0	\$0	\$0	\$3,699,087	\$60,961,956
2019	\$1,493,126,999	3.2%	72.4%	\$627,082,003	\$3,998,275	\$0	\$0	\$0	\$0	\$3,998,275	\$61,709,198
2020	\$1,522,989,539	2.0%	75.9%	\$656,944,543	\$4,188,678	\$0	\$0	\$0	\$0	\$4,188,678	\$62,449,460
2021	\$1,582,699,330	3.9%	82.8%	\$716,654,334	\$4,569,388	\$0	\$0	\$0	\$0	\$4,569,388	\$63,213,095
2022	\$1,614,353,316	2.0%	86.4%	\$748,308,320	\$4,771,214	\$0	\$0	\$0	\$0	\$4,771,214	\$63,967,104
Totals				•	\$78,572,972	\$13,260,662	\$22,184,869	\$1,254,276	\$5,269,334	\$114,792,365	\$63,967,104

West End Sub-District Increment Chart

Tax Year	Property Value Estimate	Property Value Growth	Cum. Value Growth	Anticipated Captured Value	Tax Increment Revenue <i>City</i>	Tax Increment Revenue <i>Dallas</i> <i>County</i>	Anticipated Increment Revenue	Anticipated Accumulated Revenue (NPV)
2012	\$99,565,700	Base Year	Value					
2013	\$101,557,014	2.0%	2.00%	\$1,991,314	\$14,284	\$2,566	\$16,849	\$15,933
2014	\$103,588,154	2.0%	4.04%	\$4,022,454	\$28,853	\$5,183	\$34,036	\$46,368
2015	\$105,659,917	2.0%	6.12%	\$6,094,217	\$43,714	\$7,852	\$51,566	\$89,972
2016	\$149,473,116	2.0%	8.24%	\$49,907,416	\$357,986	\$64,302	\$422,288	\$427,638
2017	\$152,462,578	41.5%	53.13%	\$52,896,878	\$379,429	\$68,154	\$447,583	\$766,070
2018	\$193,461,830	2.0%	56.19%	\$93,896,130	\$673,517	\$120,979	\$794,496	\$1,334,150
2019	\$197,331,066	26.9%	98.19%	\$97,765,366	\$701,271	\$125,964	\$827,235	\$1,893,477
2020	\$239,227,688	2.0%	102.16%	\$139,661,988	\$1,001,795	\$179,945	\$1,181,740	\$2,649,055
2021	\$244,012,241	21.2%	145.08%	\$144,446,541	\$1,036,115	\$186,109	\$1,222,224	\$3,388,026
2022	\$266,142,486	2.0%	149.98%	\$166,576,786	\$1,194,855	\$214,623	\$1,409,478	\$4,193,876
2023	\$271,465,336	9.1%	172.65%	\$171,899,636	\$1,233,036	\$221,481	\$1,454,517	\$4,980,260
2024	\$301,044,643	2.0%	178.10%	\$201,478,943	\$1,445,208	\$259,592	\$1,704,800	\$5,851,844
2025	\$307,065,535	10.9%	208.40%	\$207,499,835	\$1,488,396	\$267,349	\$1,755,745	\$6,700,666
2026	\$333,906,846	2.0%	214.57%	\$234,341,146	\$1,680,929	\$301,932	\$1,982,861	\$7,607,164
2027	\$340,584,983	8.7%	242.07%	\$241,019,283	\$1,728,831	\$310,536	\$2,039,368	\$8,488,801
2028	\$347,396,683	2.0%	248.91%	\$247,830,983	\$1,777,692	\$319,313	\$2,097,005	\$9,346,063
2029	\$354,344,616	2.0%	255.89%	\$254,778,916	\$1,827,529	\$328,265	\$2,155,794	\$10,179,438
2030	\$361,431,509	2.0%	263.01%	\$261,865,809	\$1,878,363	\$337,396	\$2,215,759	\$10,989,421
2031	\$368,660,139	2.0%	270.27%	\$269,094,439	\$1,930,214	\$346,709	\$2,276,924	\$11,776,506
2032	\$376,033,342	2.0%	277.67%	\$276,467,642	\$1,983,102	\$356,209	\$2,339,312	\$12,541,187
2033	\$383,554,008	2.0%	285.23%	\$283,988,308	\$2,037,048	\$0	\$2,037,048	\$13,170,858
2034	\$391,225,089	2.0%	292.93%	\$291,659,389	\$2,092,073	\$0	\$2,092,073	\$13,782,375
2035	\$399,049,590	2.0%	300.79%	\$299,483,890	\$2,148,198	\$0	\$2,148,198	\$14,376,155
2036	\$407,030,582	2.0%	308.81%	\$307,464,882	\$2,205,446	\$0	\$2,205,446	\$14,952,612
2037	\$415,171,194	2.0%	316.98%	\$315,605,494	\$2,263,838	\$0	\$2,263,838	\$15,512,159
Totals				\$315,605,494	\$33,151,724	\$4,024,457	\$37,176,182	\$15,512,159

Financial Feasibility

The private development plans, public improvement program, general financing strategy, and financial assumptions were all included in a preliminary assessment prepared by the City of Dallas, Office of Economic Development. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative private development is expected to increase property value to approximately \$1,614,353,316 in the City Center Sub-district and \$415,171,194 in the Lamar Corridor/West End Sub-district during the term of the Zone.

If revenues are received at the predicted rate, increment collections will be reached and final project improvements completed during the TIF term.

On a strict "pay-as-you-go" basis, the progress of the public improvements portion of the development program is a direct result of the revenues received and matched by the City's contributions. Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet expectations, then the pace of public improvements will be slowed or discontinued altogether based upon the recommendation of the TIF Board and approval of Council.

Based upon a set of TIF district assumptions and analysis, this Amended Plan is feasible.

Financial Policies

General financial policies are governed by the City of Dallas Public/Private Partnership Program, as amended. This program provides a framework for development incentives in a variety of areas. Within this framework, the TIF Board has adopted specific policies for the City Center TIF District:

Public improvements will be phased at a pace that coincides with private development.

Private developers desiring City participation in sharing the costs of infrastructure improvements needed for their projects must obtain TIF Board recommendation and Council approval for and sign a Development Agreement with the City.

Reimbursement priorities and the method of apportioning available increment will be set forth in the Development Agreement.

Each Development Agreement is mutually exclusive - that is, the nature and extent of support from public funds may change over time as the District

becomes more developed.

If a developer requests funding for infrastructure improvements at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:

- deferred until funds are available
- constructed at the sole expense of the developer
- constructed at developer expense, with the City reimbursing the developer as funds become available

Should project costs be paid that directly benefit the developer of a project, such as grants made to a developer as permitted by Chapter 311 of the Texas Tax Code, the City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the City Center TIF District, eliminating unemployment or underemployment in the City Center TIF District, and developing or expanding transportation, business, and commercial activity in the City Center TIF District.

The TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the City Center TIF District.

City Center Sub-district	(Original City Center TIF District Accounts)
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Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00000100363000000	1025 ELM ST	LOWEN 1025 ELM LP	\$990,810	\$1,028,158
00000100366000000	200 N GRIFFIN ST	LOWEN 1025 ELM LP	\$256,770	\$266,449
00000100445000000	1201 ELM ST	BINYAN REALTY LP	\$125,012,050	\$125,012,050
00000100445000100	1201 ELM ST	1401 ELM STREET HOLDINGS LLC	\$99,072	\$99,073
00000100445000200 00000100489000000	1029 ELM ST 1201 MAIN ST	LOWEN 1025 ELM LP RAK MAIN PLACE ASSOC LP	\$236,986	\$236,987
00000100469000000	1100 COMMERCE ST	U S GOVERNMENT	\$21,000,000 \$9,728,800	\$21,000,000 \$0
00000100501000000	1208 COMMERCE ST	DAVIS MRS HELEN BOUCHE	\$660,000	\$660,000
00000100534000000	1201 JACKSON ST	U S A VETERANS ADM	\$1,553,010	\$0
00000100570000000	1212 JACKSON ST	SOUTHWESTERN BELL	\$2,853,760	\$2,853,760
00000100648000000	1302 ELM ST	1309 MAIN STREET APARTMENTS LLC	\$3,900,000	\$3,900,000
00000100651000000	1301 MAIN ST	NAYEB FAMILY LP	\$600,000	\$600,000
00000100656000000	1309 MAIN ST	1309 MAIN STREET APARTMENTS LLC	\$1,100,000	\$1,100,000
00000100660000000	1217 MAIN ST	FWS GROUP DALLAS LLC	\$396,940	\$396,940
00000100696000000 00000100714000000	1400 MAIN ST 1404 MAIN ST	FOSTER BRYAN S 1404 MAIN BUILDING LLC	\$255,000 \$200,200	\$255,000 \$200,200
00000100714000000	1208 COMMERCE ST	BRAMA COMMERCE STREET LTD	\$851,210	\$851,210
00000100737009900	1222 COMMERCE ST	BRAMA COMMERCE STREET LTD	\$1,988,790	\$1,988,790
00000100741000000	211 S AKARD ST	SOUTHWESTERN BELL	\$23,081,520	\$23,081,520
00000100746009800	211 S AKARD ST	SOUTHWESTERN BELL	\$30,480	\$30,480
00000100747000000	311 S AKARD ST	WRIGHT GILBERT G JR ET AL	\$305,730	\$305,730
00000100748009900	311 S AKARD ST	SOUTHWESTERN BELL	\$2,880,000	\$2,880,000
00000100753000000	1321 WOOD ST	S W BELL TELE CO LESSEE	\$103,080	\$103,080
00000100756000000	1312 JACKSON ST	SOUTHWESTERN BELL	\$176,340	\$176,340
00000100756000100 00000100759000000	1311 WOOD ST 1310 JACKSON ST	CVH 918 LLC SOUTHWESTERN BELL	\$295,500 \$236,160	\$295,500 \$236,160
00000100759000000	301 S AKARD ST	SOUTHWESTERN BELL SOUTHWESTERN BELL	\$5,754,230	\$5,754,230
0000010070200000	211 N ERVAY ST	BJ TEXAS LLC	\$418,420	\$418,420
00000100885000000	208 N AKARD ST	MZEIN HOLDINGS LP	\$480,000	\$480,000
00000100912000000	1517 MAIN ST	FONBERG PETER D TR ET AL	\$127,500	\$127,500
00000100933000000	1514 ELM ST	B & R INVESTMENT CO	\$116,400	\$116,400
00000100936000000	1521 MAIN ST	ROMAN CATH DIOCESE DALLAS	\$1,840,180	\$0
00000100942000000	1516 ELM ST	HARRIS LIPSITZ BUILDING LLC	\$562,600	\$562,600
00000100945000000	1519 MAIN ST	1519 MAIN LP	\$137,080	\$137,080
00000100948009900	1512 ELM ST	CADE SARAH G TRUST ET AL	\$114,650 \$114,650	\$114,650 \$114,650
00000100951009900 00000100954000000	1512 ELM ST 1515 MAIN ST	CADE SARAH G TRUST ET AL LEGAL AID OF NORTHWEST TE	\$114,650 \$752,560	\$114,650 \$0
00000100934000000	1623 MAIN ST	FC WP BUILDING LLC	\$732,300	\$730,000
00000100993000000	1611 MAIN ST	ELM AT STONEPLACE HOLDINGS LLC	\$174,000	\$174,000
00000101014000000	1608 MAIN ST	1600 MAIN STREET HOLDINGS LP	\$247,500	\$247,500
00000101020000000	1600 MAIN ST	1600 MAIN STREET HOLDINGS LP	\$317,420	\$317,420
00000101026000000	1520 MAIN ST	MAIN STREET INVESTORS JV	\$168,300	\$168,300
00000101029000000	1518 MAIN ST	DALLAS CITY OF	\$80,640	\$0
00000101032000000	1516 MAIN ST	DALLAS CITY OF	\$67,440	\$0
00000101035000000 00000101038000000	1516 MAIN ST 1510 MAIN ST	DALLAS CITY OF DALLAS CITY OF	\$69,000 \$350,060	\$0 \$0
00000101038000000	1500 MAIN ST	DALLAS CITY OF	\$461,890	\$0 \$0
00000101041000000	1401 COMMERCE ST	HOLTZE MAGNOLIA LLLP	\$128,800	\$0
00000101086000000	208 S AKARD ST	SOUTHWESTERN BELL TELEPHONE	\$43,880,533	\$43,880,533
00000101086000100	208 S AKARD ST	IEP DALLAS LLC	\$1,409,207	\$1,409,207
00000101098000000	1512 COMMERCE ST	HAMILTON DPL LP	\$1,379,340	\$0
00000101101000000	1600 COMMERCE ST	DALPARK LAND LEASE LTD	\$1,752,080	\$1,752,080
00000101104000000	1506 COMMERCE ST	HAMILTON DPL LP	\$1,911,090	\$0
00000101107000000	1500 COMMERCE ST	HAMILTON DPL LP	\$176,000	\$176,000
00000101110000000	1517 JACKSON ST 1400 JACKSON ST	HAMILTON DPL LP	\$240,000	\$240,000
00000101112009800 00000101122000000	1500 JACKSON ST	SOUTHWESTERN BELL BRIDGE-NATIONAL PTNRS LP	\$22,500 \$850,000	\$22,500 \$850,000
00000101122000000	308 S AKARD ST	SOUTHWESTERN BELL	\$16,666,670	\$16,666,670
00000101131000000	308 S AKARD ST	SOUTHWESTERN BELL	\$3,650	\$0
00000101131009900	308 S AKARD ST	SOUTHWESTERN BELL	\$103,510	\$0
00000101533000000	1933 ELM ST	CATHAY BANK	\$178,420	\$0
00000101536000000	1929 ELM ST	CATHAY BANK	\$104,470	\$0
00000101539000000	1930 PACIFIC AVE	CATHAY BANK	\$317,110	\$0
00000101542000000	1910 PACIFIC AVE	1910 PACIFIC LP	\$9,600,000	\$9,600,000
00000101542009700	1910 PACIFIC AVE	BERKELEY FIRST CITY LP	\$10,020	\$0 \$0
00000101542009900 00000101566000000	1910 PACIFIC AVE 1925 ELM ST	BERKELEY FIRST CITY LP DALLAS CITY OF	\$198,000 \$882,260	\$0 \$0
00000101568000000	1926 PACIFIC AVE	DALLAS CITY OF DALLAS CITY OF	\$48,000	\$0 \$0
00000101509000000	1717 MAIN ST	1717 DALLAS PARTNERS LLC	\$84,000,000	\$84,000,000
00000101704000000	1700 COMMERCE ST	1700 COMMERCE STREET LP	\$575,000	\$575,000
00000101935000000	1900 ELM ST	UNIVERSITY OF NORTH TEXAS SYSTEM	\$8,285,660	\$0
00000101938000000	1916 ELM ST	BERKELEY FIRST CITY LP	\$61,320	\$61,320
00000101941000000	1920 ELM ST	1920 ELM LTD	\$755,000	\$755,000
00000101947000000	1932 ELM ST	BERKELEY FIRST CITY LP	\$91,500	\$91,500
00000101950000000	1927 MAIN ST	PHELAN RICHARD W JR ET AL	\$300,000	\$0 \$04.000
00000101953000000 00000101956000000	1914 ELM ST	BERKELEY FIRST CITY LP	\$61,320 \$61,320	\$61,320 \$61,320
00000101958000000	1918 ELM ST 1915 MAIN ST	BERKELEY FIRST CITY LP PATTEE JAMES F ETAL TR	\$61,320 \$150,000	\$61,320 \$0
				

City Center Sub-district (Original City Center TIF District Accounts) Continued

Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00000101959009900	1915 MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM	\$1,474,160	\$0
00000101962000000	1911 MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM	\$150,000	\$0
00000101962000100	1928 ELM ST	UNIVERSITY NORTH TEX SYST	\$392,330	\$0 \$4.50.000
00000101962009900 00000101965000000	1911 MAIN ST 1921 MAIN ST	DALLAS COUNTY COMMUNITY UNIVERSITY OF NORTH TEXAS SYSTEM	\$150,000 \$72,000	\$150,000 \$0
00000101905000000	1921 MAIN ST	DALLAS COUNTY COMMUNITY	\$5,010	\$0 \$0
00000101968000000	1928 ELM ST	BERKELEY FIRST CITY LP	\$40,000	\$40,000
00000101971000000	1908 ELM ST	JARVIS BARNEY W JR TR &	\$150,000	\$0
00000102220000000	417 S HARWOOD ST	FIRST PRESBYTERIAN CHURCH	\$102,370	\$0
00000102223000000	407 S HARWOOD ST	FIRST PRESBYTERIAN CHURCH	\$539,100	\$0
00000102226000000	1903 YOUNG ST	FIRST PRESBYTERIAN CHURCH	\$1,572,840	\$0
00000104555000000 00000104677000000	1109 PATTERSON AVE 1200 ROSS AVE	DALLAS FORT WORTH ARGYLE CHAVEZ PROPERTIES	\$3,198,140	\$3,198,140
0000010477000000	1200 ROSS AVE 1201 PACIFIC AVE	PRUDENTIAL INSURANCE CO	\$4,775,000 \$5,871,960	\$4,775,000 \$5,871,960
00000104717000000	1516 ROSS AVE	YMCA OF METRO DALLAS	\$6,917,170	\$0
00000104785000100	1520 ROSS AVE	KOHMANN KATHERINE ANN &	\$60,370	\$60,370
00000104974000000	1307 PACIFIC AVE	J & D MERRIMAN LTD	\$625,000	\$625,000
00000104977000000	1401 PACIFIC AVE	DALLAS AREA RAPID TRANSIT	\$22,188,280	\$0
00000104980000000	319 N AKARD ST	400 NORTH AKARD LTD	\$196,500	\$196,500
00000104992000000	400 N AKARD ST	HOUSEMAN BUILDING LLC	\$392,600	\$392,600
00000104992009700 00000104992009900	400 N AKARD ST 400 N AKARD ST	400 NORTH AKARD 400 NORTH AKARD LTD	\$610 \$22,510	\$0 \$0
00000104995000000	410 N AKARD ST	DALLAS CITY OF	\$77,220	\$0
00000104998000000	509 BULLINGTON ST	DALLAS CITY OF	\$107,400	\$107,400
00000105028009900	1608 PATTERSON AVE	FIRST BAPTIST CHURCH OF	\$6,218,010	\$0
00000105031000000	1607 FEDERAL ST	TEXAS UTILITIES ELEC CO	\$367,630	\$367,630
00000105040009900	510 BULLINGTON ST	JAGGI LEWIS L JR MRS	\$8,940	\$8,940
00000105043009900 00000105049000000	1603 FEDERAL ST	JAGGI ROBBYE O	\$38,500	\$38,500
00000105049000000	1601 FEDERAL ST 1606 PATTERSON AVE	TEXAS UTILITIES PPTIES FIRST BAPTIST CHURCH OF	\$62,210 \$720,890	\$62,210 \$0
00000105052000000	1610 PATTERSON AVE	FIRST BAPTIST CHURCH OF	\$446,670	\$0 \$0
00000105055000000	505 N ERVAY ST	FIRST BAPTIST CHURCH OF	\$650,000	\$0
00000105058009900	510 BULLINGTON ST	THORNE ELIZABETH ORAM TR	\$8,940	\$8,940
00000105061009900	1603 FEDERAL ST	THORNE L S MRS	\$38,500	\$38,500
00000105067000000	1601 BRYAN ST	STATE ST BK & TR CO CT TR	\$38,155,230	\$38,155,230
00000105109000000	1801 SAN JACINTO ST	FIRST BAPTIST CHURCH OF FIRST BAPTIST CHURCH OF	\$191,810 \$140,530	\$0 \$0
00000105112000000 00000105116000000	705 S ST PAUL ST 701 S ST PAUL ST	FIRST BAPTIST CHURCH OF	\$110,530 \$155,670	\$0 \$0
00000105118000000	1806 ROSS AVE	CALIFORNIA STATE TEACHERS	\$3,368,900	\$3,368,900
00000105124000000	1707 SAN JACINTO ST	FIRST BAPTIST CHURCH OF	\$543,320	\$0
00000105127000000	606 N ERVAY ST	FIRST BAPTIST CHURCH OF	\$22,138,760	\$0
00000105133000000	1700 PATTERSON AVE	FIRST BAPTIST CHURCH OF	\$21,363,880	\$0
00000105137000000	515 N ST PAUL ST	FIRST BAPTIST CHURCH OF	\$5,729,390	\$0
00000105139000000 00000105142000000	510 N ERVAY ST 1801 FEDERAL ST	FIRST BAPTIST CHURCH OF FIRST BAPTIST CHURCH OF	\$508,920 \$318,240	\$0 \$0
00000105142000000	508 N ERVAY ST	FIRST BAPTIST CHURCH OF	\$235,010	\$0 \$0
00000105151000000	1707 FEDERAL ST	FIRST BAPTIST CHURCH OF	\$261,810	\$0
00000105154000000	400 N ERVAY ST	POST OFFICE MASTER LANDLORD LP	\$1,927,320	\$0
00000105157000000	1928 ROSS AVE	FIRST UNITED METHODIST	\$2,114,890	\$0
00000105160000000	1925 SAN JACINTO ST	FIRST UNITED METHODIST	\$400,000	\$400,000
00000105164000000	808 N HARWOOD ST	FIRST UNITED METHODIST	\$352,210	\$0 \$0
00000105166000000 00000105172000000	1913 SAN JACINTO ST 750 N ST PAUL ST	FIRST UNITED METHODIST ST PAUL PL ACQUISITION	\$352,210 \$10,000,000	\$0 \$10,000,000
00000105172000000	717 N HARWOOD ST	YP KPMG CENTRE OWNER LLC	\$28,750,680	\$28,750,680
00000105178009900	717 N HARWOOD ST	YP KPMG CENTRE LP	\$300,010	\$0
00000105188009700	717 N HARWOOD ST	DALLAS PT 717 NORTH	\$5,040	\$0
00000105199000000	601 N HARWOOD ST	FPG DMT HARWOOD LP	\$389,610	\$389,610
00000105202000000	609 N HARWOOD ST	MAHER PROPERTIES TWO	\$1,500,000	\$1,500,000
00000105211000000 00000105214259700	1800 FEDERAL ST 1802 FEDERAL ST	QUALITY PPTIES ASSET MANAGEMENT CO QUALITY PPTIES ASSET MANAGEMENT CO	\$410,410 \$135,030	\$410,410 \$135,030
00000105214259700	1801 FEDERAL ST	FPG-DMT HARWOOD LP	\$130,490	\$130,490
00000105214759700	1803 FEDERAL ST	1999 ASSOCIATES LTD	\$91,830	\$91,830
00000105217000000	400 N ST PAUL ST	LIBERTY BANKERS LIFE INSURANCE CO	\$3,000,000	\$3,000,000
00000105220000000	1917 BRYAN ST	ONE DALLAS CENTRE ASSOC	\$3,756,580	\$3,756,580
00000105226000000	1923 BRYAN ST	1999 ASSOC LTD	\$216,968	\$216,968
00000105226000100	1923 BRYAN ST	FPG-DMT HARWOOD LP	\$3,772	\$3,772
00000105227009900 00000105232000000	1999 BRYAN ST 509 N HARWOOD ST	FPG DMT HARWOOD LP 1999 PROPERTY CORP	\$40,340,590 \$437,229	\$40,340,590 \$437,229
00000105232000000	509 N HARWOOD ST	FPG-DMT HARWOOD LP	\$1,711	\$1,711
00000105232259700	1909 BRYAN ST	QUALITY PPTIES ASSET MANAGEMENT CO	\$11,420	\$11,420
00000105269000000	704 N HARWOOD ST	POLLOCK REALTY CORP	\$4,808,330	\$4,808,330
00000105269009900	704 N HARWOOD ST	BRYAN TOWER LP	\$0	\$0
00000105270000000	606 N HARWOOD ST	FROST NATL BANK TRUSTEE	\$231,330	\$231,330
00000105283000000	605 OLIVE ST	BT PARKS LP	\$538,000 \$73,560	\$538,000 \$73,560
00000105310000000 00000105313000000	600 N HARWOOD ST 604 N HARWOOD ST	BT PARKS L P BT PARKS L P	\$73,560 \$338,190	\$73,560 \$338,190
00000105316000000	2001 BRYAN ST	BRYAN TOWER II LP	\$33,541,670	\$33,541,670
00000105316000100	2000 FEDERAL ST	POLLOCK REALTY CORP	\$83,600	\$83,600

City Center Sub-district (Original City Center TIF District Accounts) Continued

Account Number	ICt (Original City Center TIF Distr Property Address	Property Owner	Base Market Value	Base Taxable Value
00000105316009900	2001 BRYAN ST	BRYAN TOWER LP	\$0	\$0
00000105391500000	2020 LIVE OAK ST	UNIFIED 2020 REALTY	\$1,391,830	\$1,391,830
00000105412000000	2100 ROSS AVE	2100 ROSS REALTY LP	\$44,036,000	\$44,036,000
00000105419009800	2002 ROSS AVE	2100 ROSS REALTY LP	\$16,240	\$16,240
00000105420009800	801 PEARL ST	2100 ROSS REALTY LP	\$44,240	\$44,240
00000105433000000	711 PEARL ST	OLIVE PEARL PARK LP	\$449,990	\$449,990
00000105442000000	723 PEARL ST	OLIVE PEARL PARK LP	\$380,770	\$380,770
00000105454000000	708 OLIVE ST	MCCLAIN CAROLYN	\$56,140	\$56,140
00000105457000000	723 PEARL ST	MCCLAIN CAROLYN	\$79,280	\$79,280
00000105481000000	613 PEARL ST	DALLAS CITY OF	\$158,190	\$0
00000105484000000	2107 BRYAN ST	DALLAS CITY OF	\$218,700	\$0
00000105486000000	500 OLIVE ST	DALLAS CITY OF	\$400,680	\$0
00000105487009700	2101 BRYAN ST	STEVENS CREEK ASSOC	\$26,636	\$26,637
00000105487009900	2101 BRYAN ST	STEVENS CREEK ASSOC	\$1,513,753	\$1,513,753
00000110712009900	1700 PACIFIC AVE	BERKELEY FIRST CITY LP	\$58,887,580	\$58,887,580
00000110712500000 00000110712500100	1705 ELM ST 1707 ELM ST	BERKELEY FIRST CITY LP DALLAS CITY OF	\$127,240 \$15,820	\$127,240 \$0
00000110712300100	1707 ELM ST	BERKELEY FIRST CITY LP	\$2,204,320	\$2,204,320
00000110712750000	1702 ELM ST	BERKELEY FIRST CITY LP	\$7,980	\$0
00000110712759900	1702 ELM ST	BERKELEY FIRST CITY LP	\$198,010	\$0
00000110712700000	1701 PACIFIC AVE	DALLAS CITY OF	\$1,168,770	\$0
00000110740000000	325 N ST PAUL ST	TOOLE ALBERT J SR ET AL	\$133,720	\$133,720
00000110740000100	325 N ST PAUL ST	FOUR POINT STAR LP PS	\$617,610	\$617,610
00000110740000200	325 N ST PAUL ST	HOWARD CORP THE	\$51,850	\$51,850
00000110740000300	325 N ST PAUL ST	FOUR POINT STAR LP	\$204,710	\$204,710
00000110740000400	325 N ST PAUL ST	FOUR POINT STAR LP	\$5,399,930	\$5,399,930
00000110740099400	350 N ERVAY ST	ERVAY RESIDENTIAL LTD PS	\$0	\$0
00000110837000000	350 N ST PAUL ST	QUALITY PPTIES ASSET MANAGEMENT CO	\$16,943,360	\$16,943,360
00000110837009900	1917 BRYAN ST	QUALITY PPTIES ASSET MANAGEMENT CO	\$184,810	\$0
000070000A0020000	1412 MAIN ST	BN 1412 MAIN LP	\$5,984,178	\$5,984,178
000070000A01A0000	1315 COMMERCE ST	DALALS COMMERCE ASSOCIATES LP	\$3,588,206	\$0
000070000A01A0100	1402 MAIN ST	TIER DEVELOPMENT GROUP LC	\$396,348	\$396,348
000070000A01A0200 000070000A01A9900	1306 MAIN ST	RASANSKY MITCHELL DALLAS COMMERCE ASSOC LP	\$130,492	\$130,492 \$20,150,776
000070000A01A9900 000076000A0010100	1315 COMMERCE ST 1509 MAIN ST	BVF-II KIRBY LIMITED PARTNERSHIP	\$20,150,776 \$902,700	\$902,700
000076000A0010100	1520 ELM ST	STONE PLACE MALL INV1 LTD	\$416,890	\$416,890
000070000A0020000	1530 MAIN ST	DUNHILL 1530 MAIN LP	\$247,500	\$247,500
00009500000010000	1701 ELM ST	DALLAS CITY OF	\$104,280	\$0
00010900000010000	1835 YOUNG ST	FIRST PRESBYTERIAN CHURCH	\$90,000	\$0
000114206902A0000	1407 MAIN ST	DLD PROPERTIES	\$500,158	\$690,423
000114206902A9800	1407 MAIN ST	DRED PROPERTIES LTD	\$46,681	\$64,439
000114206902A9900	1407 MAIN ST	DCAR PROPERTIES LTD	\$120,037	\$165,701
000114206908A0000	1415 MAIN ST	GS RENAISSANCE LTD PS	\$915,754	\$915,754
000233000001A0000	318 N AKARD ST	WLK MOSAIC OWNER LP	\$2,473,820	\$2,473,820
00023400000010000	600 N AKARD ST	CALIFORNIA STATE TEACHERS	\$836,690	\$836,690
00023500000010000	500 N AKARD ST	CALIFORNIA STATE TEACHERS	\$65,022,580	\$65,022,580
00023500000010100	700 N ERVAY ST	ONE LINCOLN PLAZA JV	\$51,280	\$51,280
00023500000019700 00023500000019900	500 N AKARD ST	CALIFORNIA STATE TEACHERS	\$39,810	\$0 \$0
00023600000019900	500 N AKARD ST 509 N ERVAY ST	CALIFORNIA STATE TEACHERS FIRST BAPTIST CHURCH OF	\$1,662,260 \$2,810	\$0 \$0
00023600000009700	509 N ERVAY ST	FIRST BAPTIST CHURCH OF	\$87,550	\$87,550
00024300020010000	600 N HARWOOD ST	FPG-DMT HARWOOD LP	\$17,170	\$17,170
00025200000010000	720 N OLIVE ST	HINES REIT 2200 ROSS AVE LP	\$574,090	\$574,090
00025200000120000	701 PEARL ST	OLIVE PEARL PARK LP	\$31,924	\$31,924
0002520000012D200	701 PEARL ST	OLIVE PEARL PARK LP	\$195,537	\$195,537
0002520000012D300	701 PEARL ST	OLIVE PEARL PARK LP	\$23,930	\$23,930
0002520000012D400	701 PEARL ST	OLIVE PEARL PARK LP	\$23,930	\$23,930
0002520000012D800	701 PEARL ST	OLIVE PEARL PARK LP	\$11,980	\$11,980
0004750A000009800	200 S ST PAUL ST	BERKELEY FIRST CITY LP	\$6,310	\$6,310
000475A0000009800	1701 PACIFIC AVE	BERKELEY FIRST CITY LP	\$451,120	\$451,120
00C18160000000000	1505 ELM ST	CHRISTIAN LARRY &	\$140,786	\$140,786
00C18160000000201	1505 ELM ST	DUCOTEY WARREN 2002 TR	\$13,391	\$13,391 \$47,400
00C18160000000202 00C18160000000203	1505 ELM ST 1505 ELM ST	JOBE REAGAN V	\$17,198	\$17,198
00C18160000000203	1505 ELM ST	KEY SEAN BUTLER KELLY A	\$22,936 \$17,330	\$22,936 \$17,330
00C18160000000204	1505 ELM ST	DELEON JOSE & ALMA FLORES	\$17,329 \$23,845	\$17,329 \$23,845
00C18160000000203	1505 ELM ST	NORRIS SONJA	\$13,881	\$13,881
00C18160000000301	1505 ELM ST	WONG ERIK JEFFREY	\$17,198	\$17,198
00C181600000000303	1505 ELM ST	LANGAN PATRICK	\$20,423	\$20,423
00C181600000000304	1505 ELM ST	LEAVERTON KEVIN O	\$17,329	\$17,329
00C18160000000305	1505 ELM ST	MENDEZPEREZ JAIME & FANNY	\$23,845	\$23,845
00C18160000000401	1505 ELM ST	SCHMIDT MICHAEL	\$14,236	\$14,236
00C18160000000402	1505 ELM ST	HARTLINEDIAZ PATRICIA	\$17,638	\$17,638
00C18160000000403	1505 ELM ST	BREWER STEPHEN D &	\$20,945	\$20,945
00C18160000000404	1505 ELM ST	BECKMAN JAMIE W	\$17,773	\$17,773
00C18160000000405	1505 ELM ST	SYMPHONY PROPERTIES LLC	\$24,454	\$24,454
00C18160000000501	1505 ELM ST	STAMM REGINA	\$14,691	\$14,691
00C18160000000502	1505 ELM ST	HERTIG KELSEY	\$18,201	\$18,201

City Center Sub-district (Original City Center TIF District Accounts)	Continued
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		District Accounts) Continued		
Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00C18160000000503	1505 ELM ST	FLAUGH CHRISTOPHER C	\$21,614	\$21,614
00C18160000000504	1505 ELM ST	NIENDORFF CARL	\$18,339	\$18,339
00C18160000000505	1505 ELM ST	GHASSEMIEH KAMBIZ &	\$23,845	\$23,845
00C18160000000601	1505 ELM ST	PIGG CHRISTINE	\$17,405	\$17,405
00C18160000000602	1505 ELM ST	BUSBY MELINDA Z	\$21,195	\$21,195
00C18160000000603	1505 ELM ST	BASSAMPOUR FATEMAH &	\$27,785	\$27,785
00C18160000000604	1505 ELM ST	IKER GREGORY MARK	\$21,195	\$21,195
00C18160000000605	1505 ELM ST	SONNETT JOHN	\$18,935	\$18,935 \$17,037
00C18160000000701	1505 ELM ST	BRAIR GHASSAN B	\$17,927	\$17,927
00C18160000000702 00C18160000000703	1505 ELM ST 1505 ELM ST	MAGAN NAVIN JPMORGAN CHASE BANK NA	\$21,831 \$28,619	\$21,831 \$28,619
00C18160000000703	1505 ELM ST	STEVENS KATHERINE A	\$21,831	\$20,019
00C18160000000704	1505 ELM ST	POTTER BRITON J III &	\$18,762	\$18,762
00C18160000000703	1505 ELM ST	KONYA JEFFREY F &	\$18,449	\$18,449
00C18160000000801	1505 ELM ST	HANNON JAMES R JR & PATTI C	\$22,467	\$22,467
00C181600000000803	1505 ELM ST	SINGER ARTURO	\$29,452	\$29,452
00C181600000000804	1505 ELM ST	JONES REBECCA J	\$22,467	\$22,467
00C181600000000805	1505 ELM ST	YELLOTT JAY D	\$18,529	\$18,529
00C18160000000901	1505 ELM ST	SCHWARTZ DEBORAH	\$17,868	\$17,868
00C18160000000902	1505 ELM ST	RICHARD C WERNON	\$23,103	\$23,103
00C18160000000903	1505 ELM ST	KEDRON LUCEA SUZAN	\$30,286	\$30,286
00C18160000000904	1505 ELM ST	ANTERHAUS ROBERT H &	\$20,847	\$20,847
00C18160000000905	1505 ELM ST	MUNOZ ROLANDO & DONNA W	\$20,640	\$20,640
00C18160000001001	1505 ELM ST	MCKNIGHT BILLY REA	\$19,494	\$19,494
00C18160000001002	1505 ELM ST	DILENA R J	\$19,410	\$19,410
00C18160000001003	1505 ELM ST	L & M PPTIES	\$31,119	\$31,119
00C18160000001004	1505 ELM ST	HOLLOWAY MICHAEL S &	\$23,738	\$23,738
00C18160000001005	1505 ELM ST	FRAZEE STEVEN K	\$20,146	\$20,146
00C18160000001101	1505 ELM ST	DANE EUGENE	\$20,016	\$20,016
00C18160000001102	1505 ELM ST	GRAU THOMAS JR	\$24,375	\$24,375
00C18160000001103	1505 ELM ST	MCLAIN WILLIAM T &	\$31,953	\$31,953
00C18160000001104	1505 ELM ST	MITTELSTET STEPHEN K	\$24,375	\$24,375
00C18160000001105	1505 ELM ST	ABENDSCHEIN FREDERICK	\$21,776	\$21,776
00C18160000001201	1505 ELM ST	ROBERTSON RON & DONNA	\$20,494	\$20,494
00C18160000001202	1505 ELM ST	EDWARDS GARY DON & JANIE FAY	\$22,347	\$22,347
00C18160000001203	1505 ELM ST	COLLETT BRIAN J TR LIFE EST & CHERYL TR LIFE EST	\$32,786	\$32,786
00C18160000001204	1505 ELM ST	NIENDORFF CARL A IV	\$25,010	\$25,010
00C18160000001205	1505 ELM ST	HALL MICHAEL D	\$22,344	\$22,344
00C18160000001401	1505 ELM ST	PATTERSON J R JR & BILLIE JO PUD	\$34,050	\$34,050
00C18160000001402	1505 ELM ST	FURRH JAMES MADISON &	\$28,514	\$28,514
00C18160000001403	1505 ELM ST	AKIN LARRY D & CAROL D	\$30,680	\$30,680
00C18160000001404	1505 ELM ST	SWAYDEN CHRISTOPHER G	\$35,238 \$34,873	\$35,238
00C18160000001501 00C18160000001502	1505 ELM ST 1505 ELM ST	SWAIM GARY DON ROBERTS FINES OLIVER	\$34,673 \$32,345	\$34,873
00C18160000001502	1505 ELM ST	VARDEMAN RYAN	\$31,423	\$32,345 \$31,423
00C18160000001503	1505 ELM ST	FEDERAL HOME LOAN MTG CORP	\$36,091	\$31,423 \$36,091
00C18160000001504	1505 ELM ST	SCARLET PEGASUS GROUP LP	\$35,698	\$35,698
00C18160000001601	1505 ELM ST	WILSON ADDISON G IV	\$33,076	\$33,076
00C18160000001602	1505 ELM ST	SCRIPPS FREDERIC SCOTT	\$32,165	\$32,165
00C18160000001604	1505 ELM ST	BLUE STAR MORTGAGE INC	\$36,944	\$36,944
00C462000000000201	1200 MAIN ST	BELLINGHAUSEN WIL J	\$114,061	\$48,283
00C462000000000202	1200 MAIN ST	NEWMAN PAULETTE E	\$114,061	\$19,407
00C46200000000203	1200 MAIN ST	1621 ERVAY LTD	\$114,061	\$22,260
00C46200000000204	1200 MAIN ST	FLEEMAN WILLIAM	\$114,061	\$34,373
00C46200000000205	1200 MAIN ST	SHAH VINAY	\$114,061	\$22,260
00C46200000000206	1200 MAIN ST	DIXON GLORIA D	\$114,061	\$40,548
00C46200000000207	1200 MAIN ST	MACKLIN LURENZO E	\$114,061	\$25,876
00C46200000000208	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$45,958
00C46200000000209	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$42,577
00C46200000000301	1200 MAIN ST	SMITH DANIEL E & HERMA A	\$114,061	\$48,283
00C46200000000302	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$19,407
00C46200000000303	1200 MAIN ST	FREEMAN SCOTT	\$114,061	\$22,260
00C46200000000304	1200 MAIN ST	BOYD CURTIS W & GLENNA HALVORSON	\$114,061	\$34,373
00C46200000000305	1200 MAIN ST	JUAREZ GERARDO	\$114,061	\$22,260
00C46200000000306	1200 MAIN ST	NEVAREZ HECTOR O	\$114,061	\$40,548
00C46200000000307	1200 MAIN ST	AMONGKOL JITTADA KITTY	\$114,061	\$25,876
00C46200000000308	1200 MAIN ST	HART STANLEY L &	\$114,061	\$45,958
00C462000000000309	1200 MAIN ST	SMITH SHERIA D	\$114,061	\$42,577
00C46200000000401	1200 MAIN ST	CRIST EUGENE SCOTT	\$114,061 \$114,061	\$48,283 \$40,407
00C46200000000402	1200 MAIN ST	TERESI MARK A &	\$114,061	\$19,407
00C46200000000403	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061 \$114,061	\$22,260
00C46200000000404	1200 MAIN ST	WEBER JOHN C	\$114,061 \$114,061	\$34,373
00C46200000000405	1200 MAIN ST	SANADI NISAR & THU NGUYET	\$114,061 \$114,061	\$22,260 \$40,548
00C46200000000406 00C46200000000407	1200 MAIN ST	FORTIER HUNTER & AMY SHREEVE	\$114,061 \$114,061	\$40,548 \$25,876
00C46200000000407	1200 MAIN ST 1200 MAIN ST	MASTAGLIO LINDA R LOPEZ DENNIS A	\$114,061 \$114,061	\$25,876 \$45,958
00C46200000000408	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061 \$114,061	\$42,577
00C462000000000501	1200 MAIN ST	BAILEY PETER & MARY	\$114,061	\$48,283
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City Center Sub-district (Original City Center TIF District Accounts)	Continued
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Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00C46200000000502	1200 MAIN ST	PERRI ANTHONY J &	\$114,061	\$19,407
00C46200000000503	1200 MAIN ST	RATH OMKAR R &	\$114,061	\$22,260
00C46200000000504	1200 MAIN ST	FAYE WILLIS DESIGNS INC	\$114,061	\$34,373
00C46200000000505	1200 MAIN ST	BAGARIA SAPNA & SURESH	\$114,061	\$22,260
00C46200000000506	1200 MAIN ST	PARKER RUBY	\$114,061	\$40,548
00C46200000000507	1200 MAIN ST	HOWARD KENNETH ROBERT	\$114,061	\$25,876
00C46200000000508	1200 MAIN ST	ARAUJO JOSEPH	\$114,061	\$45,958
00C46200000000509	1200 MAIN ST	CHATTERJEE ARUNABHA	\$114,061	\$42,577
00C462000000000601	1200 MAIN ST	CRIST EUGENE SCOTT	\$114,061	\$48,283
00C462000000000602	1200 MAIN ST	SALVANT WAYNE	\$114,061	\$19,407
00C462000000000603	1200 MAIN ST	ELLER KELLEY	\$114,061	\$22,260
00C46200000000604	1200 MAIN ST	FLEEMAN WILLIAM B &	\$114,061	\$34,373
00C46200000000605	1200 MAIN ST	DASH PRIYARANJAN &	\$114,061	\$22,260
00C46200000000606	1200 MAIN ST	MUEHLENWEG ROBERT J &	\$114,061	\$40,548
00C46200000000607	1200 MAIN ST	CUEVAS ISRAEL F	\$114,061	\$25,876
00C46200000000608 00C46200000000609	1200 MAIN ST	EDWARDS JAMES & BARBARA SCOTT DARIAN D	\$114,061 \$114,061	\$45,958 \$43,577
00C4620000000000000000000000000000000000	1200 MAIN ST	ATV TEXAS VENTURES IV LP	\$114,061 \$114,061	\$42,577 \$45,607
00C46200000000701	1200 MAIN ST 1200 MAIN ST	CRIST EUGENE SCOTT	\$114,061 \$114,061	\$45,607 \$19,407
00C46200000000702	1200 MAIN ST	KADAN PROPERTIES LP	\$114,061	\$22,260
00C46200000000703	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061 \$114,061	\$34,373
00C46200000000704	1200 MAIN ST	ADAMS WILHELMINA J	\$114,061	\$22,260
00C46200000000705	1200 MAIN ST	COMBS DAMETIA	\$114,061	\$40,548
00C46200000000707	1200 MAIN ST	BEVERS MARC	\$114,061	\$25,876
00C46200000000708	1200 MAIN ST	WHITE JESSICA	\$114,061	\$25,876
00C46200000000709	1200 MAIN ST	HERICKS JAMES &	\$114,061	\$40,548
00C46200000000710	1200 MAIN ST	BAKER WILLIAM H III	\$114,061	\$32,432
00C46200000000711	1200 MAIN ST	MATZ TIMOTHY L & PATRICE A	\$114,061	\$35,843
00C46200000000712	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$19,407
00C46200000000713	1200 MAIN ST	DANIEC MONICA	\$114,061	\$42,753
00C46200000000801	1200 MAIN ST	BLACK PAUL	\$114,061	\$45,607
00C46200000000802	1200 MAIN ST	HAQUE NAZ &	\$114,061	\$19,407
00C46200000000803	1200 MAIN ST	SCHNAPPAUF MICHAEL	\$114,061	\$22,260
00C46200000000804	1200 MAIN ST	ALANIZ GEORGE R JR & ANEESA T HOJAT	\$114,061	\$34,373
00C46200000000805	1200 MAIN ST	CHANEY GARY WAYNE 1992 FAMILY TRUST	\$114,061	\$22,260
00C46200000000806	1200 MAIN ST	NGUYEN MICHAEL	\$114,061	\$40,548
00C46200000000807	1200 MAIN ST	BENEVENTI MARK FRANCIS	\$114,061	\$25,876
00C46200000000808	1200 MAIN ST	DU YALI	\$114,061	\$25,876
00C46200000000809	1200 MAIN ST	KORE ALTIN	\$114,061	\$40,548
00C46200000000810	1200 MAIN ST	SAIED ANNA M	\$114,061	\$32,432
00C46200000000811	1200 MAIN ST	FAIRCHILD MELISSA	\$114,061	\$35,843
00C46200000000812	1200 MAIN ST	BURNS CHRISTOPHER J	\$114,061	\$19,407
00C46200000000813	1200 MAIN ST	CRIST EUGENE SCOTT	\$114,061	\$42,753
00C46200000000901	1200 MAIN ST	PRESBY MARK M & LORRIE L	\$114,061	\$45,607
00C462000000000902	1200 MAIN ST	CRIST EUGENE SCOTT	\$114,061	\$19,407
00C46200000000903	1200 MAIN ST	PATEL JAYSHREE &	\$114,061	\$22,260
00C46200000000904	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$34,373
00C46200000000905	1200 MAIN ST	ELLER TOM & ROBYN	\$114,061	\$22,260
00C462000000000906	1200 MAIN ST	KAHANE DENNIS SPENCER	\$114,061 \$114,061	\$40,548
00C462000000000907	1200 MAIN ST	SULLIVANMCMULLEN DAVID	\$114,061 \$114,061	\$25,876
00C46200000000908	1200 MAIN ST	SALEEM ADEEL	\$114,061 \$114,061	\$25,876 \$40,548
00C46200000000909 00C46200000000910	1200 MAIN ST	PARK STEPHEN MOBLEY HENRY B JR	\$114,061 \$114,061	\$40,548 \$32,432
00C4620000000910	1200 MAIN ST 1200 MAIN ST	ROMACK FAMILY LIVING TRUST	\$114,061 \$114,061	\$32,432 \$35,843
00C4620000000911	1200 MAIN ST	THEIS LANGSTON	\$114,061	\$19,407
00C46200000000912	1200 MAIN ST	CAREY GABRIELLE	\$114,061	\$42,753
00C4620000000013	1200 MAIN ST	IPPOLITO MARTA	\$114,061	\$45,607
00C46200000001001	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$19,407
00C46200000001002	1200 MAIN ST	BROWN GLENN ALAN	\$114,061	\$22,260
00C46200000001004	1200 MAIN ST	ROMERO GERALD & LOURDES	\$114,061	\$34,376
00C46200000001005	1200 MAIN ST	PATRA DEEPAK	\$114,061	\$22,260
00C46200000001006	1200 MAIN ST	SMITH RICHARD	\$114,061	\$40,548
00C46200000001007	1200 MAIN ST	KEANE JUSTIN SCOTT &	\$114,061	\$25,876
00C4620000001008	1200 MAIN ST	CHOY MIRNA	\$114,061	\$25,876
00C46200000001009	1200 MAIN ST	STEGER SUSAN Z	\$114,061	\$40,548
00C46200000001010	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$32,432
00C46200000001011	1200 MAIN ST	OROZCO CARLOS A	\$114,061	\$35,843
00C46200000001012	1200 MAIN ST	SALVANT BRIAN	\$114,061	\$19,407
00C46200000001013	1200 MAIN ST	DOMINGUEZ JOSE R &	\$11,401	\$42,753
00C46200000001101	1200 MAIN ST	GRIEGO MANUEL R JR &	\$114,061	\$45,607
00C46200000001102	1200 MAIN ST	LO TYRONE & PILAR	\$114,061	\$19,407
00C46200000001103	1200 MAIN ST	MA MAU & JUYEI	\$114,061	\$22,260
00C46200000001104	1200 MAIN ST	THOMAS BIJU	\$114,061	\$34,373
00C46200000001105	1200 MAIN ST	PATRO LOKANATH	\$114,061	\$22,260
00C46200000001106	1200 MAIN ST	IPPOLITO DAVIDE MICHAEL	\$114,061 \$114,061	\$40,548
00C46200000001107	1200 MAIN ST	MADDERRA RHONDA & FARON	\$114,061 \$114,061	\$25,876 \$25,876
00C46200000001108 00C46200000001109	1200 MAIN ST	LIN JEFF P	\$114,061 \$114,061	\$25,876 \$40,548
00040200000001109	1200 MAIN ST	SENDKER JAN	\$114,061	\$40,548

City Center Sub-district (Original City Center TIF District Accounts)

		District Accounts) Continued		
Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00C46200000001110	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$32,432
00C46200000001111	1200 MAIN ST	RADFORD TRACI	\$114,061	\$35,843
00C46200000001112	1200 MAIN ST	ROMIG RANDALL	\$114,061	\$19,407
00C46200000001113	1200 MAIN ST	BRAUM EARL E JR	\$114,061	\$42,753
00C46200000001201	1200 MAIN ST	QUACH LINH	\$114,061	\$45,607
00C46200000001202	1200 MAIN ST	MORAIS JUSTIN	\$114,061	\$19,407
00C46200000001203	1200 MAIN ST	TRAN DONG V	\$114,061	\$22,260
00C46200000001204	1200 MAIN ST	MCCANS WILLIAM	\$114,061	\$34,373
00C46200000001205	1200 MAIN ST	HOSKINS BRIAN	\$114,061	\$22,260
00C46200000001206	1200 MAIN ST	PARKER PHILLIP &	\$114,061	\$40,548
00C46200000001207	1200 MAIN ST	BARGANIER NORA D & MICHAEL G	\$114,061	\$25,876
00C46200000001207	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,876
00C46200000001208	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$40,548
00C46200000001210	1200 MAIN ST	LITTLE STERLING	\$114,061	\$32,432
00C46200000001211	1200 MAIN ST	LIN XIEQING	\$114,061	\$35,843
00C46200000001212	1200 MAIN ST	ASHON HASSEB	\$114,061	\$19,407
00C46200000001213	1200 MAIN ST	WEBER DANIEL T & GAIL G	\$114,061	\$42,753
00C4620000001401	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$45,607
00C4620000001402	1200 MAIN ST	KHUNTIA ASHOK	\$114,061	\$19,407
00C4620000001403	1200 MAIN ST	KOUROSH INVESTMENT LLC	\$114,061	\$22,260
00C46200000001404	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$34,373
00C46200000001405	1200 MAIN ST	CHAUDHRY JAMAL AZIZ	\$114,061	\$22,260
00C46200000001406	1200 MAIN ST	MICHULKA GEORGE &	\$114,061	\$40,548
00C46200000001407	1200 MAIN ST	BYRUM TADD A &	\$114,061	\$22,935
00C46200000001408	1200 MAIN ST	HUTCHINSON ANDREW F II	\$114,061	\$22,935
00C46200000001409	1200 MAIN ST	DAO BAO D	\$114,061	\$40,548
00C46200000001410	1200 MAIN ST	THOMAS MONA	\$114,061	\$32,432
00C46200000001411	1200 MAIN ST	BENTLEY BRIAN D	\$114,061	\$35,843
00C46200000001411	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$19,407
00C46200000001413	1200 MAIN ST	GREEN KAREN S	\$114,061	\$42,753
00C46200000001413	1200 MAIN ST	ZANDER GREG W	\$114,061	\$45,607
00C46200000001501	1200 MAIN ST	SALVANT WAYNE F &	\$114,061	\$45,607 \$19,407
00C46200000001503	1200 MAIN ST	YATES RALPH & FAYE	\$114,061	\$22,260
00C46200000001504	1200 MAIN ST	HILL DANIEL &	\$114,061	\$34,373
00C46200000001505	1200 MAIN ST	HIBSID 1 LLC	\$114,061	\$22,260
00C46200000001506	1200 MAIN ST	TRIPP THOMAS	\$114,061	\$40,548
00C46200000001507	1200 MAIN ST	KOKES KEVIN K &	\$114,061	\$25,876
00C4620000001508	1200 MAIN ST	COCHRAN TYLER	\$114,061	\$25,876
00C4620000001509	1200 MAIN ST	JAIN NEHA	\$114,061	\$40,548
00C46200000001510	1200 MAIN ST	METROPOLITAN 1510 LLC	\$114,061	\$32,432
00C46200000001511	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$35,843
00C46200000001512	1200 MAIN ST	KHAN MOIN	\$114,061	\$19,407
00C46200000001513	1200 MAIN ST	MURPHY SEAN A & STACY D	\$114,061	\$42,753
00C46200000001601	1200 MAIN ST	DAVIS STEPHEN J	\$114,061	\$45,607
00C46200000001602	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$19,407
00C46200000001603	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$22,260
00C46200000001604	1200 MAIN ST	NARAN ASHOK	\$114,061	\$34,373
00C46200000001605	1200 MAIN ST	LANCASTER PHILLIP & IRENE	\$114,061	\$22,260
00C46200000001606	1200 MAIN ST	COLE RACHEL	\$114,061	\$40,548
00C46200000001607	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,876
00C46200000001608	1200 MAIN ST	POLANCO PAUL	\$114,061	\$25,876
00C46200000001609	1200 MAIN ST	DAMANI ANIRUDH A	\$114,061	\$40,548
00C46200000001610	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$0 \$0
00C46200000001610		PROCTOR RICHARD P REVOCABLE TRUST		
	1200 MAIN ST		\$114,061 \$114,061	\$35,843 \$10,407
00C46200000001612	1200 MAIN ST	SOLE GARY &	\$114,061	\$19,407 \$42,752
00C46200000001613	1200 MAIN ST	PATTERSON JEFF	\$114,061	\$42,753 \$48,282
00C46200000001701	1200 MAIN ST	STRINGER CHRISTOPHER & KATIE	\$114,061	\$48,283
00C46200000001702	1200 MAIN ST	STROTHMAN RHONDA K	\$114,061	\$19,407
00C46200000001703	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$22,260
00C46200000001704	1200 MAIN ST	DANIEL SAM	\$114,061	\$34,373
00C46200000001705	1200 MAIN ST	BROWNELL SUSAN K &	\$114,061	\$22,260
00C46200000001706	1200 MAIN ST	ALVAREZ DAVID &	\$114,061	\$40,548
00C46200000001707	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,786
00C4620000001708	1200 MAIN ST	AHUMADA MUCIO	\$114,061	\$25,876
00C46200000001709	1200 MAIN ST	LESTER MARY C	\$114,061	\$40,548
00C46200000001710	1200 MAIN ST	MOORE ARROYO AYSHA	\$114,061	\$32,432
00C46200000001711	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$35,843
00C46200000001712	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$61,779
00C46200000001713	1200 MAIN ST	CHAFFIN LYNDAL A	\$114,061	\$42,753
00C46200000001801	1200 MAIN ST	HUMES EDUARDO	\$114,061	\$48,283
00C46200000001802	1200 MAIN ST	VIRANI ASIF	\$114,061	\$19,407
00C46200000001803	1200 MAIN ST	JACKSON JILL A	\$114,061	\$22,260
00C46200000001804	1200 MAIN ST	DIXON ADAM	\$114,061	\$34,373
00C46200000001804 00C46200000001805	1200 MAIN ST	BADMAND HOLDINGS LLC	\$114,061	\$22,260
00C46200000001806	1200 MAIN ST	CARTON JEFF	\$114,061	\$40,549
00C46200000001807				
	1200 MAIN ST	ABDULWAHAB MANNIE	\$114,061 \$114,061	\$25,876 \$25,876
00C46200000001808	1200 MAIN ST	LIN JAMES	\$114,061	\$25,876
00C46200000001809	1200 MAIN ST	CRIST E SCOTT	\$114,061	\$40,548

City Center Sub-district (Original City Center TIF District Acce	ounts) Continued
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		District Accounts) Continued	B M. I V. I	5 .
Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00C46200000001810	1200 MAIN ST	ZOLLER ROBERT W	\$114,061	\$32,432
00C46200000001811	1200 MAIN ST	MDH 1200 MAIN LP	\$114,061	\$35,843
00C46200000001812	1200 MAIN ST	KOERBER ELLEN &	\$114,061	\$61,779
00C46200000001901	1200 MAIN ST	ATV TEXAS VENTURES IV LP	\$114,061	\$48,283
00C46200000001902	1200 MAIN ST	RICHARDS GILL & ELIZABETH ANN	\$114,061	\$19,407
00C46200000001903	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$22,260
00C46200000001904	1200 MAIN ST	NATHAL JULIO	\$114,061	\$34,373
00C46200000001905	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$22,260
00C46200000001906	1200 MAIN ST	SLAUGHTER JUSTIN	\$114,061	\$40,549
00C46200000001907	1200 MAIN ST	POON PHILIP	\$114,061	\$25,876
00C46200000001908	1200 MAIN ST	HUDSON SAMUEL L & KALYNN K	\$114,061	\$25,876
00C46200000001909	1200 MAIN ST	ROMERO ROBERT R &	\$114,061	\$40,548
00C46200000001910	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$32,432
00C46200000001911 00C46200000001912	1200 MAIN ST 1200 MAIN ST	RICHARDS GILL & EZLIABETH ANN HAGLER TRENT L	\$114,061 \$114,061	\$35,843 \$64,770
00C46200000001912		ALDINGER CRAIG & LAUREN M	\$114,061	\$61,779 \$48,283
00C46200000002001	1200 MAIN ST			
00C46200000002002	1200 MAIN ST 1200 MAIN ST	GONZALO 1200 MAIN LLC MUEHLENWEG ROBERT J & CHRISTINE	\$114,061 \$114,601	\$19,407 \$22,260
00C46200000002003	1200 MAIN ST	CHAUDHRY JAMAL	\$114,061	\$34,373
00C46200000002004 00C462000000002005	1200 MAIN ST	OLTMAN GREGG	\$114,061	\$22,260
00C46200000002005	1200 MAIN ST	GIBSON MICHAEL CHANNING	\$114,061	\$40,548
00C46200000002007	1200 MAIN ST	CHANG LAWRENCE SHEYLUN	\$114,061 \$114,061	\$25,876
00C46200000002007	1200 MAIN ST	FARTHING DANIEL	\$114,061	\$25,876
00C46200000002009	1200 MAIN ST	FICKEL MATTHEW & MARY BETH	\$114,061	\$40,548
00C46200000002009 00C462000000002010	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$32,432
00C46200000002010	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$35,843
00C46200000002011	1200 MAIN ST	IPPOLITO GIUSEPPINA C	\$114,061	\$61,779
00C46200000002012	1200 MAIN ST	HENSLEY DALLAS W & VIRGINIA K	\$114,061	\$48,283
00C46200000002101	1200 MAIN ST	MCCLAIN JONI L	\$114,061	\$19,407
00C46200000002102	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$22,260
00C46200000002103	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$34,373
00C46200000002105	1200 MAIN ST	TARVER CHRISTOPHER T &	\$114,061	\$22,260
00C46200000002106	1200 MAIN ST	YING KEN W	\$114,061	\$40,548
00C46200000002107	1200 MAIN ST	HWANG HELEN	\$114,061	\$25,876
00C46200000002108	1200 MAIN ST	MOVVA SATYANARAYANA	\$114,061	\$25,876
00C46200000002109	1200 MAIN ST	PERRY BEVERLY	\$114,061	\$40,548
00C46200000002110	1200 MAIN ST	FOX JEFFREY L	\$114,061	\$32,432
00C46200000002111	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$35,843
00C46200000002112	1200 MAIN ST	QUINN CRAIN A & NATALIE L	\$114,061	\$61,779
00C46200000002201	1200 MAIN ST	WAYGOOD PATRICK S &	\$114,061	\$48,283
00C46200000002202	1200 MAIN ST	DURRA OMAR	\$114,061	\$19,407
00C46200000002203	1200 MAIN ST	PHILLIPS DAVID G	\$114,061	\$22,260
00C46200000002204	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$34,373
00C46200000002205	1200 MAIN ST	MARKHOFF STEVEN	\$114,061	\$22,260
00C46200000002206	1200 MAIN ST	GRANT JASON A & MARIA	\$114,061	\$40,548
00C46200000002207	1200 MAIN ST	COOKSEY CHARLES N	\$114,061	\$25,876
00C46200000002208	1200 MAIN ST	CUNNINGHAM THOMAS G	\$114,061	\$25,876
00C46200000002209	1200 MAIN ST	POWERS A MARKS	\$114,061	\$40,548
00C46200000002210	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$32,432
00C46200000002211	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$35,843
00C46200000002212	1200 MAIN ST	PERRI ANTHONY J III MD	\$114,061	\$61,779
00C46200000002301	1200 MAIN ST	MERRITT THOMAS JOSEPH	\$114,061	\$48,283
00C46200000002302	1200 MAIN ST	HIBSID 1 LLC	\$114,061	\$19,407
00C46200000002303	1200 MAIN ST	LUDWIG CURTIS A	\$114,061	\$22,260
00C46200000002304	1200 MAIN ST	PATEL AMIR B	\$114,061	\$34,373
00C46200000002305	1200 MAIN ST	KNIPE LUTHER DASSON III	\$114,061 \$114,061	\$22,260
00C46200000002306	1200 MAIN ST	IPPOLITO ESTER	\$114,061	\$40,548
00C46200000002307	1200 MAIN ST	MOORE MARIJANA &	\$114,061	\$25,876
00C46200000002308	1200 MAIN ST	NAIDU EUPHRASIA RANI	\$114,061	\$25,876
00C46200000002309	1200 MAIN ST	BOWENS BARRY C	\$114,061 \$114,061	\$40,548
00C46200000002310 00C46200000002311	1200 MAIN ST 1200 MAIN ST	KRIDER SUE E	\$114,061 \$114,061	\$32,432
00C46200000002311	1200 MAIN ST	BORICHEVSKY BRIAN & ENGRAM AARON	\$114,061 \$114,061	\$35,843 \$61,779
00C46200000002312	1200 MAIN ST	COX JOHN VERNON & GAY GAYLE	\$114,061	\$48,283
00C46200000002401	1200 MAIN ST	COX JOHN VERNON &	\$114,061	\$19,407
00C46200000002402	1200 MAIN ST	SMITH LAURA	\$114,061	\$22,260
00C46200000002404	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$34,373
00C46200000002405	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$22,260
00C46200000002406	1200 MAIN ST	BIERI MATTHEW B & REBECCA	\$114,061	\$40,548
00C46200000002407	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,876
00C46200000002408	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,876
00C46200000002409	1200 MAIN ST	GILMAN ALEX	\$114,061	\$40,548
00C46200000002410	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$32,432
00C46200000002411	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$35,843
00C46200000002412	1200 MAIN ST	MOTGI GURUBASAPPA V & SHASHI R MOTGI	\$114,061	\$61,779
00C46200000002501	1200 MAIN ST	SARDARABADI ABDOL M &	\$114,061	\$48,283
00C46200000002502	1200 MAIN ST	THOMAS BIJU	\$114,061	\$19,407
00C46200000002503	1200 MAIN ST	ACKER PARLEY E III	\$114,061	\$22,260

Appendix A: DCAD Real Property Account in the City Center Subdistrict – Original Boundary (Continued)

City Center	Sub-district	(Original City Con	tor TIF District Ac	counts) Continued

City Center Sub-distric	Ct (Original City Center TIF Dis	trict Accounts) Continued		
Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00C46200000002504	1200 MAIN ST	WATTS JAMES T &	\$114,061	\$34,373
00C46200000002505	1200 MAIN ST	WELKER EDWARD & JOANNE	\$114,061	\$22,260
00C46200000002506	1200 MAIN ST	TRAMMELL DUANE &	\$114,061	\$40,548
00C46200000002507	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,876
00C46200000002508	1200 MAIN ST	CORCORAN SHAWN M & CARRIE A	\$114,061	\$25,876
00C46200000002509	1200 MAIN ST	MAURER IAN S	\$114,061	\$40,548
00C46200000002510	1200 MAIN ST	MERCHANT REHAN I &	\$114,061	\$32,432
00C46200000002511	1200 MAIN ST	REAGANS KIMBERLY	\$114,061	\$35,843
00C46200000002512	1200 MAIN ST	WAYGOOD DAVID NEAL & LISA	\$114,061	\$61,779
00C46200000002601	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$48,283
00C46200000002602	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$19,407
00C46200000002603	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$22,260
00C46200000002603	1200 MAIN ST			
		GONZALO 1200 MAIN LLC	\$114,061	\$34,373
00C46200000002605	1200 MAIN ST	PERRI ANTHONY JOSEPH III	\$114,061	\$22,260
00C46200000002606	1200 MAIN ST	PERRI ANTHONY J III	\$114,061	\$40,548
00C46200000002607	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,876
00C46200000002608	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$25,876
00C46200000002609	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$40,548
00C46200000002610	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$32,432
00C46200000002611	1200 MAIN ST	GONZALO 1200 MAIN LLC	\$114,061	\$35,843
00C46200000002612	1200 MAIN ST	CALDWELL ROGER W & KIMBERLY S	\$114,061	\$61,779
00C462000RETAIL00	1200 MAIN ST	BELGAUM LLC	\$114,061	\$100,011
00C61310000000000	1300 JACKSON ST	1300 JACKSON STREET	\$19,742	\$19,742
00C61310000000001	1300 JACKSON ST	FRACKT RENA L	\$28,665	\$28,665
00C61310000000002	1300 JACKSON ST	JANTZ JOHN R	\$23,399	\$23,399
00C613100000000003	1300 JACKSON ST	BRAZZEL ZACHARY L	\$17,068	\$17,068
00C613100000000004	1300 JACKSON ST	HOPE MARK A	\$27,361	\$27,361
00C613100000000005	1300 JACKSON ST	WASHINGTON DAVID CHASE	\$28,190	\$28,190
00C613100000000006	1300 JACKSON ST	KOLANDER KAMELA	\$23,007	\$23,007
00C613100000000007	1300 JACKSON ST	HARRIS ROSS L	\$25,217	\$25,217
00C61310000000007	1300 JACKSON ST	SLAWOMIR LESZINSKI LIVING	\$24,270	\$24,270
	1122 JACKSON ST	HIBBARD CHRISTIAN		
00C68930000000202			\$4,727	\$4,727
00C68930000000203	1122 JACKSON ST	MIDBOE MATTHEW L	\$4,727	\$4,727
00C68930000000204	1122 JACKSON ST	PILON JASON	\$4,727	\$4,727
00C68930000000205	1122 JACKSON ST	SPARKS KIMBERLY	\$4,727	\$4,727
00C68930000000206	1122 JACKSON ST	THOMAS TRAVIS HART	\$4,727	\$4,727
00C68930000000207	1122 JACKSON ST	HORNING REX & CHARLOTTE	\$4,727	\$4,727
00C68930000000208	1122 JACKSON ST	POPE WILLIAM	\$4,727	\$4,727
00C68930000000209	1122 JACKSON ST	WEBER WILLIAM R	\$4,727	\$4,727
00C68930000000210	1122 JACKSON ST	MARTINEZ JONATHAN R	\$4,727	\$4,727
00C68930000000211	1122 JACKSON ST	COOLEY BRIAN K	\$4,727	\$4,727
00C68930000000212	1122 JACKSON ST	DURANT BODHI	\$4,727	\$4,727
00C68930000000213	1122 JACKSON ST	STEPHENS LAURA MILLER IRREVOCABLE TRUST	\$4,727	\$4,727
00C68930000000214	1122 JACKSON ST	KEMBERY ROBERT	\$4,727	\$4,727
00C68930000000215	1122 JACKSON ST	HISHINUMA ROBIN A	\$4,727	\$4,727
00C68930000000216	1122 JACKSON ST	WHITE JARED	\$4,727	\$4,727
00C68930000000217	1122 JACKSON ST	UNDERWOOD GUTHRIE B JR &	\$4,727	\$4,727
00C68930000000218	1122 JACKSON ST	COATES WHITNEY PETERSON	\$4,727	\$4,727
00C68930000000219	1122 JACKSON ST	SMITH JASON DEWAYNE & KIMMIE FARRAR	\$4,727	\$4,727
00C68930000000220	1122 JACKSON ST	YATES JOEL	\$4,727	\$4,727
00C68930000000301	1122 JACKSON ST	ELAM KYLE P	\$4,727	\$4,727
00C68930000000301	1122 JACKSON ST	CARRANZA RAMIRO & LATOYA	\$4,727	\$4,727
00C68930000000303 00C68930000000304	1122 JACKSON ST	LAURO ANTHONY I &	\$4,727 \$4,727	\$4,727 \$4,727
	1122 JACKSON ST	MILLIGAN MOLLIE	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000305 00C68930000000306	1122 JACKSON ST	TRI MARY	\$4,727 \$4,727	\$4,727
	1122 JACKSON ST	SEGOVIA MARIA	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000307	1122 JACKSON ST	ADAMS CHRISTIAN R	\$4,727	\$4,727
00C68930000000308	1122 JACKSON ST	ARCHBOLD EDWIN	\$4,727	\$4,727
00C68930000000309	1122 JACKSON ST	MAXWELL YVONNE & THOMAS	\$4,727	\$4,727
00C68930000000310	1122 JACKSON ST	BUTTINE THOMAS C	\$4,727	\$4,727
00C68930000000311	1122 JACKSON ST	YBARRA MELANIE	\$4,727	\$4,727
00C68930000000312	1122 JACKSON ST	PARKER PENNY LYNN	\$4,727	\$4,727
00C68930000000313	1122 JACKSON ST	GREEN BILLY D	\$4,727	\$4,727
00C68930000000314	1122 JACKSON ST	WYMER BRYCE G	\$4,727	\$4,727
00C68930000000315	1122 JACKSON ST	DUGAS EARL J	\$4,727	\$4,727
00C68930000000316	1122 JACKSON ST	GUERRA JOSE ARNOLDO	\$4,727	\$4,727
00C68930000000317	1122 JACKSON ST	HACKETT RANDY	\$4,727	\$4,727
00C68930000000318	1122 JACKSON ST	LU HUIRU &	\$4,727	\$4,727
00C68930000000319	1122 JACKSON ST	BJELICA ADAM	\$4,727	\$4,727
00C68930000000320	1122 JACKSON ST	KLEUSER MICHELLE	\$4,727	\$4,727
00C68930000000321	1122 JACKSON ST	FARROW PATRICIA	\$4,727	\$4,727
00C68930000000321	1122 JACKSON ST	WALKER JONATHAN	\$4,727	\$4,727
00C68930000000322	1122 JACKSON ST	NWANKWO ADIAH	\$4,727	\$4,727
00C68930000000401	1122 JACKSON ST	STEPHENS MELODY A	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000403	1122 JACKSON ST	JAMES KAREN K	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000404	1122 JACKSON ST	REAVIS BEN & KRISTI	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000405	1122 JACKSON ST	CRAIG EDWARD	\$4,727 \$4,727	\$4,727
00C68930000000406	1122 JACKSON ST	WREN OIL & GAS LLC	\$4,727	\$4,727

Appendix A: DCAD Real Property Account in the City Center Subdistrict – Original Boundary (Continued)

City Center Sub-district (Original City Center TIF District Accounts) Continued

	ct (Original City Center TIF Dist			
Account Number	Property Address	Property Owner	Base Market Value	Base Taxable Value
00C68930000000407	1122 JACKSON ST	STAFFORD STEPHANIE E	\$4,727	\$4,727
00C68930000000408	1122 JACKSON ST	CALDWELL BRYANN	\$4,727	\$4,727
00C68930000000409	1122 JACKSON ST	BROWN CHARLES W	\$4,727	\$4,727
00C68930000000410	1122 JACKSON ST	RANDOLPH KEVIN	\$4,727	\$4,727
00C68930000000411	1122 JACKSON ST	DILL MICHAEL K	\$4,727 \$4,727	\$4,727
00C68930000000412	1122 JACKSON ST 1122 JACKSON ST	WREN JUSTIN	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000413 00C68930000000414	1122 JACKSON ST	SHEPHARD GREGORY PEAK JASON L	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000414	1122 JACKSON ST	SMITH BRENDA KAY	\$4,727	\$4,727
00C68930000000415	1122 JACKSON ST	WYATT ALAN K	\$4,727	\$4,727
00C68930000000417	1122 JACKSON ST	SHIGEMATSU KEN	\$4,727	\$4,727
00C68930000000417	1122 JACKSON ST	SQUIRES MICHAEL K	\$4,727	\$4,727
00C68930000000419	1122 JACKSON ST	JOHNSON BRANDON	\$4,727	\$4,727
00C68930000000420	1122 JACKSON ST	WARTON JAMES	\$4,727	\$4,727
00C68930000000421	1122 JACKSON ST	SWEET OCEAN T	\$4,727	\$4,727
00C68930000000422	1122 JACKSON ST	THOMASON ADAM CLARK	\$4,727	\$4,727
00C68930000000501	1122 JACKSON ST	MCCOWN CRISTEN & WIESLAWA	\$4,727	\$4,727
00C68930000000502	1122 JACKSON ST	MARASCO LAWRENCE P III	\$4,727	\$4,727
00C68930000000503	1122 JACKSON ST	BETHEL SUSAN	\$4,727	\$4,727
00C68930000000504	1122 JACKSON ST	ABBATI JOSEPH L	\$4,727	\$4,727
00C68930000000505	1122 JACKSON ST	GIBBS JAMES M LIFE ESTATE	\$4,727	\$4,727
00C68930000000506	1122 JACKSON ST	DUDEK JAKUB	\$4,727	\$4,727
00C68930000000507	1122 JACKSON ST	STEWART COREY F	\$4,727	\$4,727
00C68930000000508	1122 JACKSON ST	BERNSTEIN CAMI	\$4,727	\$4,727
00C68930000000509	1122 JACKSON ST	NICHOLSON STEVEN W	\$4,727	\$4,727
00C68930000000510	1122 JACKSON ST	ELLIOTT NATALIE	\$4,727	\$4,727
00C68930000000511	1122 JACKSON ST	BASINGER GREGORY LEROY	\$4,727	\$4,727
00C68930000000512	1122 JACKSON ST	LANGER BRUCE & JEAN	\$4,727	\$4,727
00C68930000000513	1122 JACKSON ST	REED THOMAS J &	\$4,727	\$4,727
00C68930000000514	1122 JACKSON ST	ATV III GP LLC	\$4,727	\$4,727
00C68930000000515	1122 JACKSON ST	ACEVEDO MAGDALENA	\$4,727	\$4,727
00C68930000000516	1122 JACKSON ST	BAEZ SUZETTE	\$4,727	\$4,727
00C68930000000517	1122 JACKSON ST	WHEELIS JONATHAN	\$4,727	\$4,727
00C68930000000518	1122 JACKSON ST	CARTER JASON &	\$4,727	\$4,727
00C68930000000519	1122 JACKSON ST	DENSON MICHAEL	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000520	1122 JACKSON ST	BEIHOFF DAVID ETTER CHRISTOPHER W	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000521 00C68930000000522	1122 JACKSON ST 1122 JACKSON ST	TUCKER JOB ALEXANDER	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000522	1122 JACKSON ST	KNAUS ROBERT	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000001	1122 JACKSON ST	NAVARRO JOHN	\$4,727	\$4,727
00C68930000000002	1122 JACKSON ST	BOWERS JOEL B	\$4,727	\$4,727
00C689300000000604	1122 JACKSON ST	MORENO VICTORIA R &	\$4,727	\$4,727
00C68930000000605	1122 JACKSON ST	PATTON JERRE W	\$4,727	\$4,727
00C68930000000606	1122 JACKSON ST	NEWHAM ANDREA RODRIGUEZ	\$4,727	\$4,727
00C68930000000607	1122 JACKSON ST	QUINT BERNARD T	\$4,727	\$4,727
00C68930000000608	1122 JACKSON ST	NATIONAL NATIONAL MTG ASSOC	\$4,727	\$4,727
00C68930000000609	1122 JACKSON ST	LUNSFORD WALKER	\$4,727	\$4,727
00C68930000000610	1122 JACKSON ST	BRAMMER JANE E	\$4,727	\$4,727
00C68930000000611	1122 JACKSON ST	DURKIN BRETT T & SHIRLEY	\$4,727	\$4,727
00C68930000000612	1122 JACKSON ST	WILSON DAMON	\$4,727	\$4,727
00C68930000000613	1122 JACKSON ST	HALL JACQUELINE R &	\$4,727	\$4,727
00C68930000000614	1122 JACKSON ST	BOYCE MOLLIE	\$4,727	\$4,727
00C68930000000615	1122 JACKSON ST	CHOWDHURY RYAN R	\$4,727	\$4,727
00C68930000000616	1122 JACKSON ST	MORRIS DOUGLAS A & VIRSIE N	\$4,727	\$4,727
00C68930000000617	1122 JACKSON ST	MCGUFFEY THOMAS J	\$4,727	\$4,727
00C68930000000618	1122 JACKSON ST	2008 CONDO PROPERTIES LLC	\$4,727	\$4,727
00C68930000000619	1122 JACKSON ST	ALLELO JOHN G	\$4,727	\$4,727
00C68930000000620	1122 JACKSON ST	KNIGHT SHAWN P	\$4,727	\$4,727
00C68930000000621	1122 JACKSON ST	WATTERS MELODY & EDWARD	\$4,727	\$4,727
00C68930000000622	1122 JACKSON ST	WOODY EARL &	\$4,727	\$4,727 \$4,727
00C68930000000701	1122 JACKSON ST	TOONY JEFFREY D & ELIZABETH A	\$4,727	\$4,727
00C68930000000702	1122 JACKSON ST	DILLON CRAIG L	\$4,727 \$4,727	\$4,727
00C68930000000703	1122 JACKSON ST	KEAN MICHELLE	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000704 00C68930000000705	1122 JACKSON ST	PULSIFER LYNN P	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000705	1122 JACKSON ST 1122 JACKSON ST	BONNIN MATTHEW E HILL MARKESHA	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000706	1122 JACKSON ST	MUELLER ANDREW	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000707	1122 JACKSON ST	BATES SAM IV	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000708	1122 JACKSON ST	SOROKA STAN & SANDRA	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000709	1122 JACKSON ST	ADAMS JOHN & JEAN	\$4,727	\$4,727
00C6893000000710	1122 JACKSON ST	VANPELT DANIEL	\$4,727	\$4,727
00C68930000000711	1122 JACKSON ST	LIBBY JEFFREY A	\$4,727	\$4,727
00C68930000000713	1122 JACKSON ST	GOODWIN WESLEY	\$4,727	\$4,727
00C68930000000714	1122 JACKSON ST	ROJASRESTREPO OLGA L	\$4,727	\$4,727
00C68930000000715	1122 JACKSON ST	CHOE DAVID	\$4,727	\$4,727
00C68930000000716	1122 JACKSON ST	FEDERAL NATIONAL MORTGAGE ASSOC	\$4,727	\$4,727
00C68930000000717	1122 JACKSON ST	STAPLES NATHAN	\$4,727	\$4,727
00C68930000000718	1122 JACKSON ST	2008 CONDO PROPERTIES LLC	\$4,727	\$4,727

Appendix A: DCAD Real Property Account in the City Center Subdistrict – Original Boundary (Continued)

City Center Sub-distric	(Original City Center TIF District Accounts) Continued
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Account Number	ct (Original City Center TIF Distr Property Address	ict Accounts) Continued Property Owner	Base Market Value	Base Taxable Value
00C68930000000719	1122 JACKSON ST	MCKENZIE LANCE A	\$4,727	\$4,727
00C68930000000720	1122 JACKSON ST	ESCANILLA DINNAH	\$4,727	\$4,727
00C68930000000721	1122 JACKSON ST	BONANNO CAROLINA	\$4,727	\$4,727
00C68930000000722	1122 JACKSON ST	TUCKER JOB ALEXANDER	\$4,727	\$4,727
00C68930000000801	1122 JACKSON ST	MAHONEY LAURIE & JOHN	\$4,727	\$4,727
00C68930000000802	1122 JACKSON ST	FARKAS JANOS	\$4,727	\$4,727
00C68930000000803	1122 JACKSON ST	FOREMAN ROSEMARY &	\$4,727	\$4,727
00C68930000000804	1122 JACKSON ST	BIEDENHAM JOSEPH A III	\$4,727	\$4,727
00C68930000000805	1122 JACKSON ST	SOUTHARD DANE M &	\$4,727	\$4,727
00C68930000000806	1122 JACKSON ST	WOJCIECHOWSKI MARZENA &	\$4,727	\$4,727
00C68930000000807	1122 JACKSON ST	JANNING JAMES N &	\$4,727	\$4,727
00C68930000000808 00C68930000000809	1122 JACKSON ST 1122 JACKSON ST	ADROVIC ARMIN JONES CHRISTOPHER &	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000810	1122 JACKSON ST	HILL JAMES C	\$4,727	\$4,727 \$4,727
00C68930000000811	1122 JACKSON ST	CRAIN PRISCILLA S	\$4,727	\$4,727
00C68930000000812	1122 JACKSON ST	ONEAL MARK	\$4,727	\$4,727
00C68930000000813	1122 JACKSON ST	ALAVI REZA & MONA	\$4,727	\$4,727
00C68930000000814	1122 JACKSON ST	ALAVI REZA & MONA	\$4,727	\$4,727
00C68930000000815	1122 JACKSON ST	ELAM KYLE P	\$4,727	\$4,727
00C68930000000816	1122 JACKSON ST	ANDERSON PHILLIP H	\$4,727	\$4,727
00C68930000000817	1122 JACKSON ST	EHLE JOEL & TONI	\$4,727	\$4,727
00C68930000000818	1122 JACKSON ST	PATTI MARIE ANTOINETTE	\$4,727	\$4,727
00C68930000000819	1122 JACKSON ST	ATKINS SHARON K	\$4,727	\$4,727
00C68930000000820	1122 JACKSON ST	GOODWIN JEFF ANDERSON &	\$4,727	\$4,727
00C68930000000821	1122 JACKSON ST	CAMP JUSTIN	\$4,727	\$4,727
00C68930000000822	1122 JACKSON ST	KNIGHT LAURA C	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000901	1122 JACKSON ST	EFURD ROBERT BUSTAMANTE NIRMA D	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000902 00C68930000000903	1122 JACKSON ST 1122 JACKSON ST	FEDERAL HOME LOAN MTG CORP	\$4,727 \$4,727	\$4,727 \$4,727
00C6893000000903	1122 JACKSON ST	MAISEL WILLIAM L &	\$4,727	\$4,727 \$4,727
00C689300000000905	1122 JACKSON ST	MCCLINTOCK SANDRA	\$4,727	\$4,727
00C68930000000906	1122 JACKSON ST	GONZALEZ RAUL	\$4,727	\$4,727
00C68930000000907	1122 JACKSON ST	KIENAST AILEEN	\$4,727	\$4,727
00C68930000000908	1122 JACKSON ST	DUBOIS THOMAS	\$4,727	\$4,727
00C68930000000910	1122 JACKSON ST	WANCHO FRANK W	\$4,727	\$4,727
00C68930000000911	1122 JACKSON ST	GROVES RYAN LANE &	\$4,727	\$4,727
00C68930000000912	1122 JACKSON ST	SCHROTBERGER LUKE A	\$4,727	\$4,727
00C68930000000913	1122 JACKSON ST	MITCHELL ANN	\$4,727	\$4,727
00C68930000000914	1122 JACKSON ST	PATTI MARIE ANTIONETTE	\$4,727	\$4,727
00C68930000000915	1122 JACKSON ST	FRANK NATHAN A	\$4,727	\$4,727
00C68930000000916	1122 JACKSON ST	INIGO RALPH R	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000000917 00C68930000000918	1122 JACKSON ST 1122 JACKSON ST	BOYD GANNON M & MEGAN L 2008 CONDO PROPERTIES LLC	\$4,727 \$4,727	\$4,727 \$4,727
00C6893000000919	1122 JACKSON ST	TUCKER JOB ALEXANDER	\$4,727	\$4,727
00C68930000000920	1122 JACKSON ST	BLEVINS JESSE & ALISON	\$4,727	\$4,727
00C68930000000921	1122 JACKSON ST	EVANS HEATHER	\$4,727	\$4,727
00C68930000000922	1122 JACKSON ST	STRONG GERI & JON GRINALDI	\$4,727	\$4,727
00C68930000001001	1122 JACKSON ST	SHAFER ANGELA L	\$4,727	\$4,727
00C68930000001002	1122 JACKSON ST	EVANS BRIAN K	\$4,727	\$4,727
00C68930000001003	1122 JACKSON ST	HUESTON JANIE G	\$4,727	\$4,727
00C68930000001004	1122 JACKSON ST	ORILEY PATRICIA ANN	\$4,727	\$4,727
00C68930000001005	1122 JACKSON ST	KELLER JAY EDWARD	\$4,727	\$4,727
00C68930000001006	1122 JACKSON ST	COOK JUSTIN P & LINDSEY A	\$4,727	\$4,727
00C68930000001007 00C68930000001008	1122 JACKSON ST	HEHMANN BRYAN A	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000001008	1122 JACKSON ST 1122 JACKSON ST	SPIGEL SAMUEL ADAM SEYMOUR JEFFREY	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000001010	1122 JACKSON ST	WHITE COREY	\$4,727	\$4,727
00C68930000001011	1122 JACKSON ST	ROBERTSON EMILY ELIZABETH	\$4,727	\$4,727
00C68930000001012	1122 JACKSON ST	STARK DAREN	\$4,727	\$4,727
00C68930000001013	1122 JACKSON ST	ADDAGATLA BABU & VAJRA S	\$4,727	\$4,727
00C68930000001014	1122 JACKSON ST	CLARK JOHN	\$4,727	\$4,727
00C68930000001015	1122 JACKSON ST	BESCO JANIS A	\$4,727	\$4,727
00C68930000001016	1122 JACKSON ST	RIGHETTI MARCO &	\$4,727	\$4,727
00C68930000001017	1122 JACKSON ST	BROWN BRITNEY NOEL	\$4,727	\$4,727
00C68930000001018	1122 JACKSON ST	PRIKRYL SARAH GRACE	\$4,727	\$4,727
00C68930000001019	1122 JACKSON ST	WATSON ORA LEE SIMPSON	\$4,727	\$4,727
00C68930000001020	1122 JACKSON ST	ENTRUST RETIREMENT SERVICES INC	\$4,727	\$4,727
00C68930000001022 00C68930000001101	1122 JACKSON ST 1122 JACKSON ST	ALLIE STEVEN CHARLES & KIMBERLY TODD FANNIE MAE	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000001101	1122 JACKSON ST	BARRETO WARREN	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000001102	1122 JACKSON ST	SOROKA STAN R JR & SANDRA	\$4,727 \$4,727	\$4,727 \$4,727
00C68930000001103	1122 JACKSON ST	THURSTON MARSHALLYN	\$4,727	\$4,727 \$4,727
00C68930000001105	1122 JACKSON ST	COSBY LAWRENCE	\$4,727	\$4,727
00C68930000001106	1122 JACKSON ST	AISLING KATHLEEN A	\$4,727	\$4,727
00C68930000001107	1122 JACKSON ST	GOLARZ SCOTT R	\$4,727	\$4,727
00C68930000001108	1122 JACKSON ST	KIENAST AILEEN D	\$4,727	\$4,727
00C68930000001109	1122 JACKSON ST	FORSTENZER ANDREW P	\$4,796	\$4,796
00C71970000100100	1601 ELM ST	YPI THANKSGIVING TOWER	\$77,463,790	\$77,463,790
Totals			1,023,716,274	866,044,996

Appendix B: DCAD Real Property Account in the Lamar Corridor/West End Sub-district – 2012 Boundary Amendment Accounts

Accounty Number	End Sub-district Property Address	Property Owner	Base Taxable Value
00000104443000000	1911 N GRIFFIN ST	GREENE ROBERT L	\$575,200
00000104446000000	1000 MUNGER AVE	GREENE ROBERT L	\$713,730
00000104440000100	1909 N GRIFFIN ST	GREENE ROBERT L	\$261,350
00021400130010000	1909 N GRIFFIN ST	RICHARDSON DARYL GOURMET	\$2,310,000
00000104308000000	2019 N LAMAR ST	ARENA PARTNERS LP	\$1,046,760
00000104371000000	2020 N LAMAR ST	2020 GARAGE LAND LP	\$2,510,820
000204000004A0000	2001 N LAMAR ST	CCI WEST END I LP	\$3,200,000
00000100039000100	302 N HOUSTON ST	DORBET INC	\$7,902,240
00000104332000000	1911 N LAMAR ST	WEST END API LTD	\$818,650
00020500030030000	1800 N MARKET ST	1800 MARKET STREET LTD	\$446,400
00000104323000000	603 MUNGER AVE	MARKET STREET DEV LTD	\$2,501,790
00000100132000000	1815 N MARKET ST	USRP FUNDING 2001 A LP	\$1,367,000
00020500030020000	1802 N MARKET ST	1800 MARKET STREET LTD	\$800,000
00000100039000200	401 N HOUSTON ST	CORDOVAN VENTURERS &	\$3,607,620
000027006505A0000	607 CORBIN ST	LAZ LA III TX 1 LP	\$2,039,940
00000104347000000	1801 N LAMAR ST	ARI LANDMARK CENTER LP	\$7,751,590
00000100192000000	701 ROSS AVE	MARKET ROSS LTD	\$1,750,000
00000104356000000	1715 N LAMAR ST	ARILANDMARK CENTER LP	\$240,000
00000104354000000	1709 N LAMAR ST	ARI LANDMARK CENTER LP	\$377,100
00000100141000000	1713 N MARKET ST	MARKET ROSS LTD ET AL	\$1,043,840
00000104359000000	801 ROSS AVE	ARI LANDMARK CENTER LP	\$642,250
00000104351000000	803 ROSS AVE	ARI LANDMARK CENTER LP	\$120,000
00006300070000100	300 N HOUSTON ST	CORDOVAN VENTURERS	\$214,610
00000100195000000	705 ROSS AVE	VIC AND RALPH LP	\$750,000
00000100138000000	1709 N MARKET ST	BLACKLAND	\$1,638,860
00000100144000000	1701 N MARKET ST	MARKET ROSS LTD ETAL	\$2,617,300
00000100039000400	401 N HOUSTON ST	401 NORTH HOUSTON LP	\$1,766,820
00000100201000000	710 ROSS AVE	708 ROSS INV PS LP	\$1,253,000
00000100204000000	704 ROSS AVE	JSS ROSS LP	\$1,152,000
00000100147000000	311 N MARKET ST	MARKET STREET L P	\$1,608,720
00006300070000000	300 N HOUSTON ST	TRANSCONTINENTAL REALTY INV	\$15,000
00000100207000000	302 N MARKET ST	RMC MOLINE LP	\$2,000,000
000020002701A0000	515 ROSS AVE	CITY PARK A LOT LP	\$441,070
00000100087000000	301 S RECORD ST	CITY PARK A LOT LP	\$1,427,880
00000100216000000	208 N MARKET ST	AVERY B F & SONS LTD	\$4,284,000
00000100213000000	211 N AUSTIN ST	CARROLL JILL LP	\$600,000
00000100153000000	611 ELM ST	7223 L P	\$1,200,000
00000100156000000	605 ELM ST	PACE CAROLINA JOLLIFF	\$601,000
00000100225000000	711 ELM ST	SANDCAP 711 ELM PARTNERS LP	\$1,159,000
00000100159000000	601 ELM ST	7223 ELM L P	\$1,387,000
00004800330010000	800 MAIN ST	DALLAS MAIN LP	\$5,952,000
00004800330040000	800 MAIN ST	INTERFIRST BANK DALLAS	\$125,000
00000100231000000	710 MAIN ST	DALLAS MAIN LP	\$1,929,700
00000100237000000	706 MAIN ST	LAWYERS BLDG OF DALLAS	\$399,640
00000100234000000	702 MAIN ST	701 KATY BUILDING LP	\$302,500
00000100240000000	700 MAIN ST	701 KAY BUILDING LP	\$110,000
00000100243000000	701 COMMERCE ST	701 KATY BUILDING LP	\$1,566,600
00000100318000000	205 S LAMAR ST	GREYHOUND LINES INC	\$1,850,000
00000100321000000	804 COMMERCE ST	GREYHOUND LINES INC	\$648,500
00000100324000000	801 JACKSON ST	GREYHOUND BUS LINES INC	\$950,000
00000100249000000	712 COMMERCE ST	AHC DALLAS PROPERTIES LLC	\$2,200,000
00000100333000000	311 S LAMAR ST	AHC DALLAS PROPERTIES LLC	\$1,787,500
00000100330000000	800 JACKSON ST	ACTION JACKSON LP	\$1,498,950
00000100264000000	714 JACKSON ST	AHC DALLAS PROPERTIES LLC	\$2,204,130
000034002101A0000	309 S MARKET ST	AHC DALLAS PROPERTIES LLC	\$1,799,120
00000100184300000	600 JACKSON ST	RICHMAN TRUSTS	\$379,000
00000100111000000	512 JACKSON ST	PACE CAROLINA JOLLIFF	\$599,000
00000100180500000	304 S RECORD ST	RICHMAN TRUSTS	\$762,000
00000100117000000	302 S HOUSTON ST	TM LAWRENCE HOSPITALITY	\$3,744,110
00000100117000000	401 S LAMAR ST	BELO INVESTMENT	\$2,401,100
000024002205A0000	310 S HOUSTON ST	EQUITY HOTEL GROUP LLC	\$910,360
00000100114000000	306 S HOUSTON ST	ADMIRAL REALTY CO	\$240,000
00000100273000000	701 YOUNG ST	BELO INVESTMENT	\$1,053,950
00002400220000000	500 WOOD ST	PACE CAROLINA JOLLIFF	\$10,000

Total

\$99,565,700

Appendix C: City Center TIF District Original Budget

City Center TIF District Original Budget

Category	Original Budget
Public Infrastructure Improvements	
Streetscape Improvements, Pedestrian Linkages, Lighting,	
Utility Burial, Utility Upgrades	\$12,339,598
Facade Easements	\$2,000,000
Educational Training Facilities	\$2,236,550
Parking	\$2,525,154
Acquisition & Restoration of Historic Sites	\$4,022,486
Redevelopment/Development Projects	
Environmental Remediation, Interior & Exterior Demolition,	
Façade Improvements/Restoration, TIF Grants	\$54,451,027
Public Use Improvements	\$207,500
Areas of Public Assembly	
Open Space Improvements, Park Acquisition and	
Improvements	\$2,625,000
Affordable Housing	\$5,000,000
Ground Floor Activation	\$0
Plan Implementation/Administration	\$2,160,402
Total	\$87,567,717

^{*}Estimated TIF Expenditure reflects actual project collections for the district.

Appendix D: City Center TIF Sub-District Budget

City Center Sub-District Budget

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Category	Estimated TIF Expenditure*
Public Infrastructure Improvements	
Streetscape Improvements, Pedestrian Linkages, Lighting,	
Utility Burial, Utility Upgrades	\$4,000,000
Parking	\$3,000,000
Redevelopment/Development Projects	
Environmental Remediation, Interior & Exterior Demolition,	
Façade Improvements/Restoration, TIF Grants	\$21,546,111
District Wide Improvements	\$2,000,000
Affordable Housing	\$3,500,000
Ground Floor Activation (in the form of a TIF Grant)	\$4,300,000
Plan Implementation/Administration	\$750,000
Total	\$39,096,111

^{*}Estimated TIF Expenditure reflects anticipated project collections for the sub-district.

Appendix E: Lamar Corridor/West End Sub-District Budget

Lamar Corridor/West End Sub-District Budget

	Estimated TIF		
Category	Expenditure*		
Public Infrastructure Improvements			
Streetscape Improvements, Pedestrian Linkages, Lighting,			
Utility Burial, Utility Upgrades	\$4,500,182		
Parking	\$2,500,000		
Redevelopment/Development Projects			
Environmental Remediation, Interior & Exterior Demolition,			
Façade Improvements/Restoration, TIF Grants	\$19,426,000		
District Wide Improvements	\$2,000,000		
Affordable Housing	\$3,000,000		
Ground Floor Activation (in the form of a TIF Grant)	\$4,000,000		
Plan Implementation/Administration	\$1,750,000		
Total	\$37,176,182		

^{*}Estimated TIF Expenditure reflects anticipated project collections for the sub-district.

AGENDA ITEM #23

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 A B E F G K L P & Q

SUBJECT

Authorize a public hearing to be held on September 11, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: (1) increase the geographic area of the district by adding approximately 4,950 square feet square feet; (2) add to the District's Project Plan the provision for a land exchange of City owned property for privately owned property within the District allowing for the land swap of City-owned property without requiring an auction and/or bidding of the property; (3) make corresponding modifications to the Downtown Connection TIF District's boundary map and Project and Reinvestment Zone Financing Plans; and, at the close of the public hearing, consideration of an ordinance amending Ordinance No. 26020, originally approved on June 8, 2005, as amended and Ordinance No. 26096, originally approved on August 25, 2009, as amended, to reflect these amendments - Financing: No cost consideration to the City

BACKGROUND

A public hearing is required any time the boundaries or budget of an existing TIF District is expanded. In 2009, state law was amended to allow the extension of a reinvestment zone's termination date.

This action authorizes a public hearing to be held on September 11, 2013, to hear comments on the following proposed amendments to Downtown Connection TIF District (the District) and its Project and Reinvestment Zone Financing Plans to:

- 1. Increase the geographic area of the district by adding approximately 4,950 square feet square feet;
- 2. Add to the District's Project Plan the provision for a land swap of City owned property for privately owned property within the District; and

BACKGROUND (Continued)

3. Make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plans.

The City of Dallas owns approximately 3.5 acres of land designated as the future Pacific Plaza Park by the Downtown Parks Master Plan in the Downtown Connection TIF District. Adjacent to the park properties is One Dallas Center, a City Center TIF District project considered by the board in April.

A land swap between the City of Dallas and the owner of the One Dallas Center property (St. Paul Holdings, LP) has been proposed to facilitate the construction of a turnaround and small parking lot for the One Dallas Center building as part of the more than \$40 million redevelopment of the building into mixed office and residential uses. The land area of the future park will not change. In order to facilitate this request the boundaries of the City Center and Downtown Connection TIF Districts have to be amended and the Project Plan for the Downtown Connection TIF District must be amended to provide for the direct sale, by way of a land swap, of City-owned property without requiring an auction and/or bidding of the property.

In order to facilitate this request the boundaries of the City Center and Downtown Connection TIF Districts must be amended. The Project Plan for the Downtown Connection TIF District must be amended to include the proposed land exchange allowing for the direct sale, by way of a land swap, of City-owned property without requiring an auction and/or bidding of the property. The land exchange has been coordinated with the Park and Recreation Department.

On September 11, 2013, following the public hearing, the requested amendments will be considered by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 8, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) by Ordinance No. 26020, as amended.

On August 29, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District); and authorized a participation agreement with Dallas County for the Downtown Connection TIF District by Ordinance No. 26096, as amended.

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

On October 19, 2005, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to (1) allow for commercial tax abatements pursuant to Chapter 312 of the Texas Tax Code, Vernon's Texas Codes Annotated (the Act); (2) designate the City's participation level of 90% in the Downtown Connection TIF District as required by Chapter 311 of the Act; (3) adjust the Dallas County's participation in the Downtown Connection TIF District from \$24,000,000 net present value to \$18,500,000 net present value; and (4) correct a typographical error in Section 2, Part VII of the Project Plan, titled Non-Project Cost, from an amount to exceed \$15,000,000 to an amount not to exceed \$15,000,000 by Ordinance No. 26143 and Resolution No. 05-2993.

On March 8, 2006, City Council authorized amendments to the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan to amend the Downtown Connection TIF District boundary to exclude 2400 Bryan Street and 2215 Bryan Street (Crozier Tech) by Ordinance No. 26291 and Resolution No. 07-3698.

On December 12, 2007, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to: (1) provide for affordable housing program requiring Downtown Connection TIF District funded project to set aside ten percent of the units as affordable and specifying alternatives to providing such units within the TIF funding project; (2) reprogram \$2,500,000 from the Park and Plaza Design and Acquisition budget line item to a new budget line item for Retail Initiatives/Streetscape Improvements; (3) Expand the use of TIF funds for Grants, in accordance with the Downtown Connection TIF District Grant Program and Criteria, and for affordable housing assistance; (4) correct the principal amount of bonds to be sold from \$65,000,000 to \$66,000,000; (5) update Exhibits G, H and J, Appendix A and modify the plant to reflect 2007 property value and adjusted base year value and make any other necessary adjustments to implement the plan amendment by Ordinance No 27032 and Resolution No. 07-3698.

On October 22, 2008, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to permit the direct lease or sale of City-owned/City-controlled property without auction and bidding requirements on the condition that the property is redeveloped in accordance with the Downtown Connection TIF District Plan by Ordinance No. 27377 and Resolution No. 08-2917.

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

On December 10, 2008, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to increase the geographic area of the Downtown Connection TIF District to include 2307 Caroline Street, 2311 Caroline Street, 1600 Ashland Street, and 1601 Cedar Springs Road Ordinance No. 27434 and Resolution No. 08-3396.

On February 11, 2009, City Council authorized amendments to the Project and Reinvestment Zoning Financing Plan for Tax Increment Financing Reinvestment Zoning Number Eleven Downtown Connection TIF District) to: (1) expand the development goals and specific objectives to the Project Plan; (2) expand the Redevelopment of Vacant/ Underutilized Downtown Buildings budget line item to include the Development of Underdeveloped Parcels and Surface Parking Lots; and (3) update Exhibits G and J to reflect updated base value, 2008 increment corrections and future increment assumptions under the authority of the Tax Increment Financing Act by Ordinance No. 27489 and Resolution No. 09-0469.

On April 22, 2009, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to: (1) Amend the affordable housing policy to: (A) permit additional assistance in the form of Affordable Housing Economic Development Grant to those project providing affordable housing units, (B) extend the eligibility date for additional affordable housing assistance to project which are approved by City Council from December 31, 2008 to December 31, 2011, (C) update the household income limit chars contained within to reflect the Dallas Area Median Household Income limits for 2009; and (2) Revise the budget to: (A) reprogram \$515,000 from the Retail Initiative/Streetscape Improvements budget line item to a new Downtown Area Plan budget line item; and (b) update Exhibit G to reflect the budget reprogramming and new additional budget line item and making any other necessary adjustments to implement the plan amendment by Ordinance No 27529 and Resolution No. 09-1108.

On March 21, 2013, the Downtown Connection TIF District Board of Directors recommended approval of the following amendments to the Downtown Connection TIF District's Project and Reinvestment Zone Financing Plans to: (1) increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars, an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); (2) expand the District's focus of redevelopment efforts; and (3) make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan on March 21, 2013, consistent with the requirements and limitations of the Act.

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

On May 22, 2013, City Council authorized amendments to the Downtown Connection TIF District's Project and Reinvestment Zone Financing Plans to: (1) increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars, an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); (2) expand the District's focus of redevelopment efforts; and (3) make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan, consistent with the requirements and limitations of the Act by Ordinance No. 29015 and Resolution No. 13-0894.

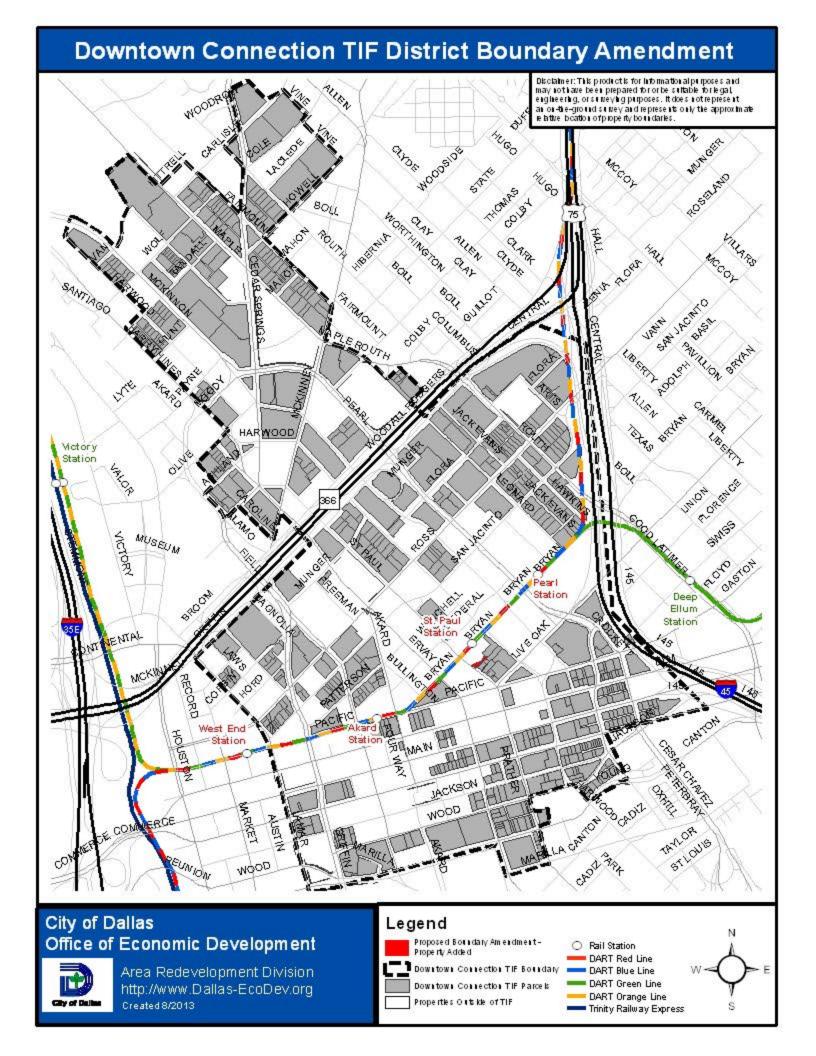
On June 13, 2013, the Downtown Connection TIF District Board of Directors reviewed and recommended approval of amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: (1) increase the geographic area of the district by adding approximately 4,950 square feet square feet; (2) add to the District's Project Plan the provision for a land swap of City owned property for privately owned property within the District; (3) make corresponding modifications to the Downtown Connection TIF District's boundary map and Project and Reinvestment Zone Financing Plans

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.



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

WHEREAS, City Council authorized Ordinance No. 26020, on June 8, 2005, as amended, which created Tax Increment Financing Reinvestment Zone Number Eleven, City of Dallas, Texas (the "Downtown Connection TIF District") in accordance with V.T.C.A. Tax Code, Chapter 311 ("Act"), as amended; and

WHEREAS, City Council authorized Ordinance No. 26096, on August 29, 2005, as amended, approving the Project Plan and Reinvestment Zone Financing Plan for the Downtown Connection TIF District; and

WHEREAS, the Act requires that if an amendment reduces or increases the geographic area of the zone, increases the amount of bonded indebtedness to be incurred, increases or decreases the percentage of a tax increment to be contributed by a taxing unit, increases the total estimated project costs, or designates additional property in the zone to be acquired by the municipality, the approval must be by ordinance after the City holds a public hearing on such amendments and provide interested persons the opportunity to speak and present evidence for or against such amendments; and

WHEREAS, the City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the Downtown Connection TIF District, any other taxing districts, and any other interested persons to speak for or against the amendment; and

WHEREAS, the Downtown Connection TIF District Board of Directors recommended approval of the following amendments to the Downtown Connection TIF District's Project and Reinvestment Zone Financing Plans to: (1) increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars, an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); (2) expand the District's focus of redevelopment efforts; and (3) make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan on March 21, 2013, consistent with the requirements and limitations of the Act.

WHEREAS, City Council authorized Ordinance No. 29015, on May 22, 2013 amending the Downtown Connection TIF District's Project and Reinvestment Zone Financing Plans to: (1) increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars, an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); (2) expand the District's focus of redevelopment efforts; and (3) make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan.

WHEREAS, the Downtown Connection TIF District Board of Directors, on June 13, 2013, reviewed and recommended approval of amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: (1) increase the geographic area of the district by adding approximately 4,950 square feet square feet; (2) add to the District's Project Plan the provision for a land swap of City owned property for privately owned property within the District; (3) make corresponding modifications to the Downtown Connection TIF District's boundary map and Project and Reinvestment Zone Financing Plans

NOW, THEREFORE,

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

Section 1. That a public hearing shall be held at 1:00 p.m. on September 11, 2013, in the City Council Chambers, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against an amendment to increase the budget of the Downtown Connection TIF District.

Section 2. That notice of such public hearing shall be published in the official newspaper of the City of Dallas not later than seven (7) days prior to the date of such hearing, and that written notice of such hearing along with a copy of this resolution shall be delivered in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone.

Section 3. That after the public hearing is closed; City Council shall consider an ordin ance amending Ordinance Nos. 26020 and 26096, as amended, to (1) increase the geographic area of the district by adding approximately 4,950 square feet square feet; (2) add to the District's Project Plan the provision for a land swap of City owned property for privately owned property within the District; (3) make corresponding modifications to the Downtown Connection TIF District's boundary map and Project and Reinvestment Zone Financing Plans; attached here to as (**Exhibit A**).

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.

Exhibit A Downtown Connection Tax Increment Financing District



Project Plan & Reinvestment Zone Financing Plan

ADOPTED - AUGUST 29, 2005

AMENDED - OCTOBER 19, 2005

AMENDED - MARCH 8, 2006

AMENDED - DECEMBER 12, 2007

AMENDED - OCTOBER 22, 2008

AMENDED - DECEMBER 10, 2008

AMENDED - FEBRUARY 11, 2009

AMENDED - APRIL 22, 2009

AMENDED - MAY 22, 2013

AMENDED - SEPTEMBER 11, 2013

Section 1: Project Plan

Background

The Downtown Connection TIF District represents the outgrowth of the City of Dallas' effort to create a downtown neighborhood with 10,000 plus residents, supporting retail establishments, adequate parks and open space, an attractive employment environment, and a variety of arts venues.

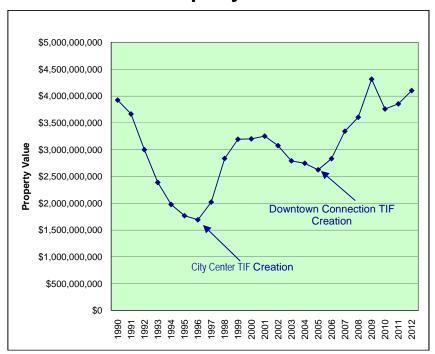
The City of Dallas created the first tax increment financing ("TIF") district for downtown, the City Center TIF District, in 1996. Its purpose was, and is, to create a fund for public capital improvements in the core of Downtown essential for redevelopment of key spaces and buildings. The City Center TIF District has collected \$52 million, all of which has been spent or allocated, creating the beginning of a vibrant downtown. This existing TIF zone is expected to generate tax growth to fund approximately \$29 million of remaining improvements from a total budget of \$87.6 million (total budget includes parking revenue and interest earnings). City Center TIF District projects relying on future increment for reimbursement include Republic Center Tower I, the Interurban Building, Eureka/Joule Hotel, Fidelity Union Tower (Mosaic), 1200 Main, 1608 Main, Dallas County Plaza and affordable housing.

In May 2003, the City Center TIF District Board of Directors attended a workshop to assess the direction in which unallocated TIF funds should be spent. At the time, because there was no application for a large catalyst project, the Board made a decision to focus the remaining funds on seed projects within the Main Street core area. This approach successfully brought projects such as Stone Street Gardens and the Thompson Building at Pegasus Plaza.

The Downtown Connection TIF District, while sharing similar goals of the City Center TIF District, focuses on catalyst projects to create a greater density and critical mass of development within the Main Street core area. This shift in approach will further develop downtown, making it a vibrant, destination neighborhood.

Even though the City Center TIF District increased private investment in Downtown and zone values have increased since inception in 1996, a sluggish office market has pushed zone values down from a 2001 high. Because office buildings are more than 80% of appraised real property value in Downtown, their value will continue to drive total Downtown appraisals for years. The decrease in office values has diluted the accomplishment and added value generated by City Center TIF District projects. Exhibit A graphs taxable appraisals inside the Downtown freeway ring since 1990.

Exhibit A Downtown Improvement District Real Property Value



In response to a depressed office market's impact on increment collections for the City Center TIF fund, the Downtown Improvement District and the Uptown Public Improvement District jointly proposed to remove selected properties from the existing City Center TIF District and create a second TIF district in parts of Downtown and Uptown. See Appendix B for a map of the amended City Center TIF District. Exhibit B is a map of the Downtown Connection TIF District

The Downtown Connection TIF District ("Zone") was initiated by petition, pursuant to Section 311.005 (a)(5), Texas Tax Code though the sponsorship of the Downtown Improvement District and Uptown Public Improvement District. The City Council, using the authority of the Tax Increment Financing Act (Chapter 311, Tax Code) established the Downtown Connection TIF District pursuant to Ordinance Number 26020 on June 8, 2005:

- Declaring portions of the Downtown/Uptown areas as a "reinvestment zone"
- Establishing the boundaries of Downtown Connection TIF District
- Adopting a preliminary project and financing plan
- Establishing a Board of Directors for the Downtown Connection TIF District

On June 8, 2005, the City Center TIF District boundary was amended. Although no properties were added to the existing City Center TIF District, some, but not all, properties removed from the City Center TIF District became part of the new Downtown Connection TIF District. The advantage of the new TIF zone is it includes no major occupied office buildings and relatively few recently renovated buildings. Consequently, it leaves potential value increases for such buildings available to the general operating

funds of the City and other taxing entities participating in the TIF program and it makes the tax increments for the new TIF fund less susceptible to fluctuation in the office market.

A successful Downtown Connection TIF District program will mean that most of the historic sites in the heart of Downtown and the surrounding area will have been adapted for reuse, most vacant buildings will no longer be vacant, and Downtown will have over 10,000 residences inside the freeway ring. These achievements are "must-do" items for a vibrant Downtown. A vibrant Downtown is essential for a first-class, competitive city.

The Downtown Connection TIF District Board of Directors include nine members consisting of six City Council appointees, one appointee by the State Senator (currently Royce West), one appointee from the State Representative (currently Dan Branch), and one member from Dallas County.

The duration of the Downtown Connection TIF District is 30 years; it is scheduled to terminate December 31, 2035.

Zone Description

The Downtown Connection TIF District is located in the core of Downtown Dallas and portions of Uptown. The District is generally bounded by the Katy Trail, Maple Avenue, Kittrell Street, Cedar Springs Road, Routh Street, Carlisle Street, Vine Street, Howell Street, Fairmount Street, McKinney Avenue, Maple-Routh Connection, Woodall Rodgers Freeway, Central Expressway, I-45, Commerce Street, Young Street, Marilla Street, Lamar Street, Caroline Street, Wichita Street, Harry Hines Boulevard, Randall Street, Harwood Street, Jack Street, McKinnon Street, and Ivan Street (see Exhibit B).

Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way, measured from the reinvestment zone. Boundaries that approximate property lines shall be construed as following such property lines. Any real property account within the City Center TIF zone after the date of designation of the Downtown Connection TIF zone is not within the Downtown Connection TIF zone. Rights of-ways, however, may lie within multiple zones unless a future interpretation of law precludes such a construction.

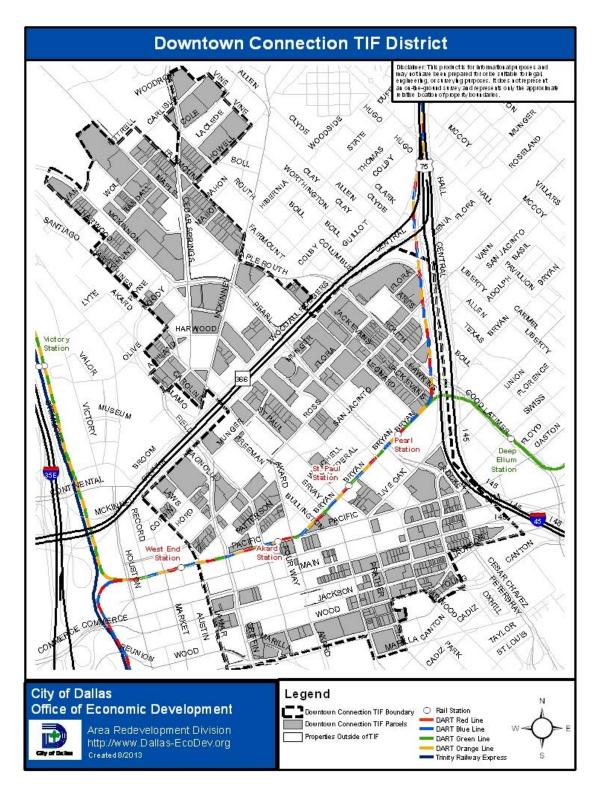
Appendix A attempts to identify all real property accounts within the Downtown Connection TIF zone boundary. Parcels identified as outparcels in Exhibit B are not within the TIF zone unless the boundaries are further amended in accordance with the law. The base value of the zone will be the total appraised value of all taxable real property in the zone as determined by the Dallas Central Appraisal District in the certified roll for 2005.

The Downtown Connection TIF District essentially includes vacant and underutilized buildings in the downtown core that are not being redeveloped as part of the City Center TIF District program, surface parking lots, and portions of the Uptown area.

EXHIBIT A

The total taxable appraised value of the Downtown Connection TIF District for the 2005 base year is \$561,696,137, adjusted. Exhibit J and Appendix A reflect the adjusted base year value for the District.

Exhibit B:



Development Goals and Objectives

The Board of Directors adopted development goals that are expected to meet the specific needs of the Downtown Connection TIF District:

- Improve pedestrian connections between and within the Uptown and Downtown areas.
- Improve the appearance of the buildings, surface parking lots, undeveloped sites and parks and open spaces within Downtown Connection area.
- Support redevelopment of the existing building supply and surface parking lots located within the area.
- Develop a more diverse mixture of land uses within the Downtown Connection area
- Increase open space and recreational opportunities in the Downtown Connection area
- After providing incentives for selected catalyst project to accelerate residential development, initiate a long-term plan to achieve critical mass goals related to housing and retail development, and public space amenities needed for a vibrant downtown
- Facilitate private development within the Downtown Connection TIF District for the public purpose of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

The following specific objectives set the framework for the planned public improvements within the Downtown Connection TIF District:

- Improve street and pedestrian lighting within the Downtown Connection TIF District.
- Offset the costs of environmental remediation, interior and exterior demolition, fire corridor improvements and facade improvements to encourage redevelopment of underutilized downtown buildings.
- Encourage the redevelopment of surface parking lots and undeveloped/underdeveloped sites, especially those located on key pedestrian linkages, to create residential and retail opportunities and achieve critical mass goals within the district.

- Ensure new construction and/or redevelopment projects are compatible with surrounding historic buildings, particularly with regard to building design, material quality and pedestrian appeal at ground level.
- Improve key linkages between the DART light rail transit mall and other significant Downtown and Uptown venues by extending streetscape improvements and encouraging street level pedestrian oriented development.
- Promote higher quality development in the Zone through the application of design standards for public improvements and design guidelines for private development within the district.
- Encourage the strategic development of residential housing within the area, including redevelopment of existing buildings, and new construction on existing surface parking lots and currently underdeveloped sites.
- Encourage redevelopment of sites, such as the Arts District Garage site, where development activity was started over fifteen years ago but not completed and are not likely to be completed without some public financial incentives.
- Complement and protect existing historic structures.
- Expand the success of the downtown core to other downtown destinations including the West End, Farmers Market, Klyde Warren Park, and Arts District.
- Provide TIF incentives to fund a Ground Floor Activation Program based on the recommendations of the Downtown Dallas 360 Plan's retail activation strategy.
- Encourage Mixed Income Housing in the Zone and surrounding downtown area by providing TIF incentives to offset the costs of providing affordable housing.

The project costs enumerated in the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan ("Project Plan") require the expenditure of approximately \$231 million, primarily for the Mercantile Block, Atmos Complex and Continental Building ("Catalyst Project") and the redevelopment of vacant and underutilized buildings in downtown, including environmental remediation, interior and exterior demolition assistance, facade improvement assistance, purchase of facade beautification easements, fire corridor improvements, streetscape, street and utility improvements, land acquisition for pedestrian safety and accessibility, park sites, and key development sites, acquisition and restoration of historic sites and grants. In addition, the Project Plan makes Uptown/Downtown connectivity improvements a priority. The Woodall Rodgers Deck/Park will be undertaken early in the term of the TIF District, to the extent funds are available, to create a seamless link between Uptown and Downtown. The Project Plan also provides for a cash contribution for Affordable

Housing that will be funded jointly with the Catalyst Project. These improvements planned for the Downtown Connection TIF District are designed to meet the long-term public needs to secure the growth and investment of the area.

Tax increment financing will be used to assist with these improvements. Utilizing this economic development tool to encourage public infrastructure improvements, the economics of developing market rate housing in the Downtown Connection area and attracting more commercial investment is greatly improved. The Project Plan also provides for extensive public improvements for the redevelopment of vacant and underutilized downtown buildings, streetscaping, connectivity and public use improvements and other amenities which complement existing and anticipated investment in the Downtown Connection area.

2013 Project Plan Amendment

Since 1996, the City Center and Downtown Connection TIF Districts have been successful in incentivizing redevelopment of once vacant or nearly vacant buildings in downtown's core. The TIF District's focus on the downtown core has resulted in 6,765 residential units, 3,589 hotel rooms, 10.3 million square feet of renovated vacant office space and 8.44 acres of park space added within the freeway loop.

In 2011, City Council adopted the Downtown Dallas 360 Area Plan funded by the Downtown Connection TIF District. The plan set forth a shared vision for Downtown's future that provided implementation actions for achieving the vision. The plan is a long-term, strategic guide to ensure Downtown Dallas is a vibrant urban center, by providing clear, targeted recommendations. The recommendations and concepts presented in the plan are intended to be considered when reviewing development, considering public investments and making development decisions.

In conjunction with the Downtown Dallas 360 Plan, a Main Street District Retail Activation Strategy was completed. The strategy aims to create a contiguous downtown core that eliminates gaps in the pedestrian experience created by vacant buildings and ground level space and disjointed streetscape improvements. The Main Street District Retail Activation Strategy's Tool Box provides techniques and methods for achieving a vibrant and active ground level experience for downtown residents, workers and visitors and will be used to guide the district's Ground Floor Activation Program.

The purpose of this amendment is to: (1) expand the downtown core and redevelopment momentum outside of the immediate Main Street area; (2) increase the district's budget to continue to provide a funding source for redevelopment within the downtown core by redeveloping last remaining vacant buildings; (3) strengthen connections between redevelopment occurring in the Main Street district to other destinations downtown; (4) support ground floor activation and occupancy that is contiguous by filling vacant gaps at the ground floor plane in accordance with the Downtown Dallas 360's activation strategy; and (5) provide a source of funding for the

next phase of development within the District which is the redevelopment of surface parking lots, undeveloped or underdeveloped parcels, and underutilized buildings.

Additional increment collections resulting from increasing the Zone's budget should be focused to assist in redevelopment of the remaining vacant and/or underutilized building in the downtown core. A secondary focus of funds should be projects in areas that are contiguous to the core whose improvement will create and/or enhance linkages to other destinations, specifically the West End and Farmers Market where recent TIF District extensions have provided funding for development in those areas.

To be most effective, Downtown Connection TIF District funds should be concentrated in areas where TIF projects are in close proximity to other TIF projects or Districts or areas of City investment, creating large areas of contiguous redevelopment. Providing TIF funding to singular projects scattered throughout downtown is not encouraged.

Economic Development TIF Grant Program

Catalyst Project Economic Development TIF Grant Program

Certain costs of improvements of Mercantile Block, Atmos Complex, and Continental Building catalyst project, as further discussed herein, have become eligible for funding with tax increment revenues under legislative actions taken in 2005. These improvements enumerated in the Project Plan provide for approximately \$39 million in grants of TIF revenues, subject to final construction plans, for costs associated with redevelopment of vacant structures and costs of new development including, but not limited to, equipment, machinery, supplies and materials, to be purchased for the benefit of the catalyst project. The City implemented controls per contract documents sufficient to ensure that all funds provided for the catalyst project are used to fulfill the public purposes of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

Excluding only the Catalyst Project approved prior to the issuance of any debt obligations, no other projects receiving TIF funds may be categorized as a catalyst project or shall receive tax abatements within the Zone.

Economic Development TIF Grant Program

TIF grants may be provided to projects that meet Downtown Connection TIF District development goals and specific development objectives. Grants may be provided to facilitate redevelopment of vacant/underutilized buildings, undeveloped/underdevelopment parcels, existing surface parking lots and ground floor activation and occupancy, as well as mixed income housing. An economic development TIF Grant may be used to fund a project in excess of non-grant TIF eligible expenditures, if the project is not feasible but for a TIF Grant.

Direct Lease or Sale of City-owned/ City-controlled Property

The City of Dallas is permitted to directly lease or sell City-owned/City-controlled property within the Downtown Connection TIF District without complying with auction and bidding requirements with the condition that the property is redeveloped in accordance with the Downtown Connection TIF District Plan.

The City of Dallas owned the Dallas Arts District Garage when the Downtown Connection TIF District was established, and the Dallas Arts District Garage is located within the boundaries of the Downtown Connection TIF District. The City of Dallas entered into a new 80-year sub-lease with an option to purchase the Dallas Arts District Garage to a developer, for a minimum of fair market value, beginning January 1, 2009 and assigned the leasehold for the underdeveloped site to a developer for the purpose of, and subject to, restoration and redevelopment in accordance with the objectives of the City in stabilizing Tax Increment Financing Zone Number Eleven, City of Dallas, Texas, and as provided in the Act.

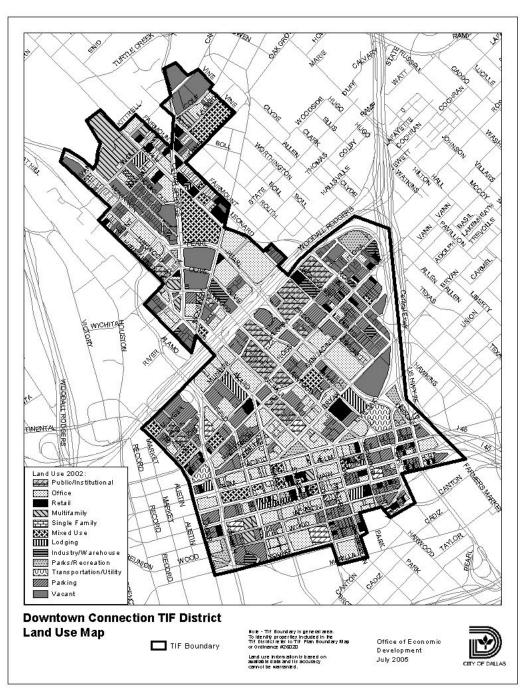
The Atmos Complex, which was donated to the City of Dallas and transferred to Forest City for redevelopment in accordance with the Downtown Connection TIF District Project Plan and is located within the boundaries of the Downtown Connection TIF District. The Atmos Complex was to be redeveloped by Forest City pursuant to the development agreement ("Development Agreement") executed on October 5, 2005. On October 22, 2008, Dallas City Council directed the transfer of the Atmos Complex to Hamilton Atmos LP for redevelopment in accordance with the Downtown Connection TIF District Plan. Should Hamilton Atmos LP fail to obtain a building permit by October 20, 2010, ownership will revert back to Forest City pursuant to the provisions of the City's Development Agreement.

The City of Dallas owns 3.5 acres of land in the district designated as the future Pacific Plaza Park in the updated Downtown Parks Master Plan. Adjacent to the assembled land is the One Dallas Center building, addressed as 350 N. St. Paul and owned by St. Paul Holdings, L.P. The City has expanded the District's boundary to add approximately 4,950 square feet of the One Dallas Center property. The boundary expansion facilitates the direct sale of City-owned land by way of a land swap of approximately 4,950 square feet of the land assembled for the proposed park, for approximately 4,950 square feet of land owned by St. Paul Holdings, LP. This land swap does not affect the size or development or future Pacific Plaza Park. The land exchange has been coordinated with the City's Park and Recreation Department.

Existing Uses

The Downtown Connection TIF District is a mixed-use area, primarily composed of existing office or vacant office structures, surface parking lots, and undeveloped property. Exhibit C shows the existing land use for the area within the Downtown Connection TIF Boundary (for specific parcels included in the TIF District refer to Exhibit B the TIF Boundary Map).

Exhibit C: Downtown Connection TIF District Land Use



Downtown Connection Area Zoning

The Downtown Dallas area has the highest zoning district classification in the City. Revisions to the central area zoning districts were made at the request of the CDA Housing Committee in 2002 to eliminate some of the less desirable uses and to reduce the parking requirement for residential uses. The encouragement of mixed uses permitted by the zoning district could be a positive force in the creation of an urban neighborhood.

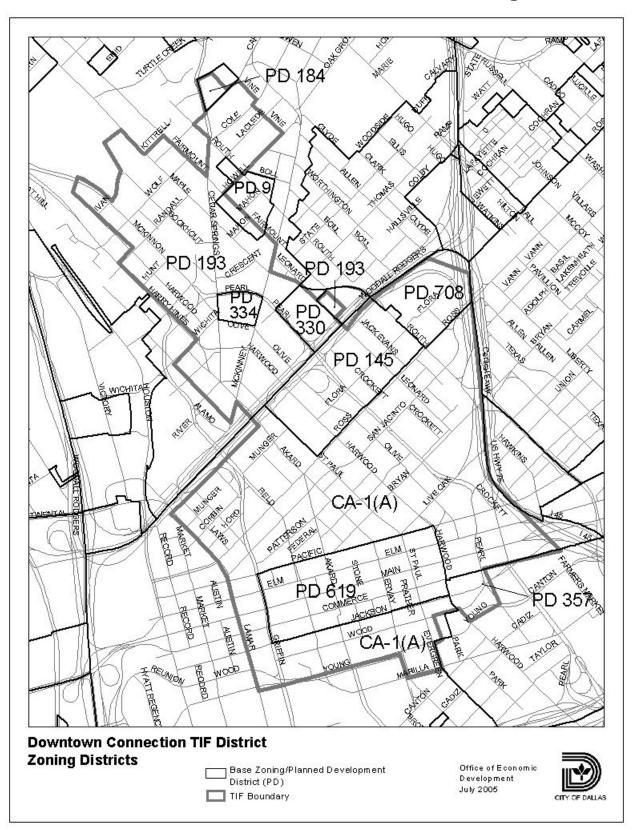
On June 12, 2002, City Council approved Planned Development (PD) District No. 619, establishing use regulations and development standards for the core downtown area bounded by the centerlines of Pacific Avenue, Harwood Street, Jackson Street, and Griffin Street. Other zoning districts in downtown include CA-1(A) Central Area, a portion of PD 357 near the Farmers Market, PD 145 in the Arts District, and PD 708 in the northeast corner.

Zoning districts in the Uptown portion of the TIF District include PD 193 (Oak Lawn), and smaller PDs 9,184, 330, and 334.

Exhibit D shows existing zoning and the Planned Development Districts in Downtown and Uptown.

The only zoning change contemplated at this time is an amendment for a special provision sign district.

Exhibit D: Downtown Connection TIF District Zoning



Market Feasibility

The predominant land use in the planned 30-year Downtown Connection TIF District development program is for mixed-use development. If built as planned, the residential and commercial development will create a market for the planned retail component. In addition, the residential development should also drive the demand for new commercial office investment. Therefore, the market feasibility evaluation conducted by the City Center Advisory Committee in January, 1996 is correct in its conclusion that the Dallas Intown/CBD residential development market is still relevant, and is intended, in connection with the preparation of this Plan, to be used as part of the economic feasibility study for the Downtown Connection TIF District in accordance with the provisions of Section 311.011, Texas Tax Code.

The past two decades of Downtown-related urban development activity in the larger U.S. cities has indicated that there is a "pent-up" demand for market rate housing development, but that other land uses more often "outbid" residential projects for prime locations. In addition, the most successful downtown-oriented market rate housing projects have required large enough sites to implement multi-stage developments after an "urban village" atmosphere and residential locational identity are established.

While the appeal of being in downtown has been a key feature of these other projects, both within Dallas and in other cities, the greatest increases in the number of downtown residential units has occurred where a true sense of neighborhood has been created. In addition, there has been a demonstrated need to provide a multi-faceted and self-sustaining destination neighborhood where shopping, professional services, recreation, and suitable entertainment are readily available and accessible in the context of a pedestrian environment.

The type of high density urban development contemplated in the plan will most certainly lead to a need for conveniently located parking facilities. Experience in other downtown districts indicates that high density urban residential development requires convenient, secured parking facilities.

Exhibit E shows a forecast for downtown housing construction comparing the North Central Texas Council of Governments (NCTCOG) Household Forecast for downtown and the residential Pro Forma Downtown Housing Construction Schedule. By 2030, it is estimated that downtown will reach capacity of over 10,600 residential units.

Exhibit E Comparison of NCTCOG Household Forecast for Downtown and Pro Forma Downtown Housing Construction Schedule

Conclusion:

The pro forma's pace of Downtown housing additions tracks the forecast by the North Central Texas Council of Governments. NTCOG

NIC	;OG						
		Compa	re				
		/\					
)				
(a)	(b)	(c)	(d)	(e)	(f)	(g)
		Residences				Approximate	
		Needed to Meet			Estimated	Residential	
	COG	NCTCOG	Cumulative		Building	Units Added @	
Fore	cast of _	Forecast @ vs.	Downtown		Floor Area	1,000	
Dow	ntown _	92%	Residential		(SF)	SF per Unit	
Hous	eholds _	Occupancy	Units	After Completion of	(excl. parking)	If Unknown	Status
2000	1,654	1,798	1,798 **				
2001	2,090 *	2,272	1,806	1611 Main Street Lofts***		8	Complete
2002	2,526 *	2,746	2,426	Camden Farmers Market, Ph. 1***		620	Complete
2002	2,526 *	2,746	2,443	Camden Farmers Market Townhouses***		17	Complete
2003	2,962 *	3,220	2,451	Residences at Jackson***		8	Complete
2004	3,398 *	3,694	2,634	Davis Building***		183	Complete
2004	3,398 *	3,694	2,701	1505 Elm Street Condominiums***		67	Complete
2005	3,835 *	4,168	2,859	Dallas Power and Light***		158	Complete
2005	3,835 *	4,168	3,063	West End Complex (1001 Ross)		204	Complete
2005	3,835	4,168	3,197	Interurban Building***		134	Under Construction
2006	4,271 *	4,642	3,482	Camden Farmers Market, Ph. 2***		285	Under Construction
2007	4,707 *	5,116	3,572	1407 Main***		90	Under Construction
2007	4,707 *	5,116	3,640	1415 Main (Gulf States Building)***		68	Under Construction
2007	4,707 *	5,116	3,800	Santa Fe #4	159,791	160	Planned
2007	4,707 *	5,116	3,891	The Lofts at Thanksgiving Square***	,	91	Planned
2007	4,707 *	5,116	3,995	Merryvale***		104	Planned
2007	4,707 *	5,116	4,222	Gables at Republic Center***		227	Under Construction
2007	4,707	5,116	4,505	1200 Main (Metropolitan)***		283	Under Construction
2008	5,143	5,590	4,937	Fidelity Union***		432	Planned
2008	5,143 *	5,590	4,962	1414 Elm	35,000	25	Planned
2008	5,143 *	5,590	5,337	Mercantile block	500,000	375	Planned
2009	5,579 *	6,064	5,397	One Arts Plaza***	200,000	60	Planned
2009	5,579 *	6,064	5,557	Continental Building	304,860	160	Planned
2009	5,579	6,064	5,737	211 N. Ervay***	180,000	180	Developer Interest
2009	5,849 *	6,357	6,137	Tower Petroleum/1900 Pacific	400,328	400	Planned
2009	5,849 *	6,357	6,156	1600 Elm	19,210	19	Planned
2009	5,849 *	6,357	6,654	1600 Pacific	498,270	498	Planned
2009	5,849 *	6,357	6,702	1604 Main	47,720	48	Developer Interest
2009	5,849 *	6,357	6,860	Praetorian Building	157,991	158	Developer Interest
2010	6,015 *	6,538	6,860	Traetorian building	107,331	130	Developer interest
2010	6,015 *	6,538	7,062	Atmos block	86,586	202	Planned
2010	6,015 *	6,538	7,642	511 Akard	580,000	580	Developer Interest
2010	6,181 *	6,719	7,880	Federal Reserve Building	237,643	238	Developer Interest
2015	,			· ·		190	•
2015	6,846 * 7,678 *	7,442	8,070 8,152	Mercantile Commerce Building 1954 Commerce	190,221 81,800	190	Developer Interest
	,	8,345 8,707	,		,		Developer Interest
2022	8,010 *	8,707	8,389	500 South Ervay	614,176	237	Developer Interest
2023	8,176 *	8,887	8,514	Crozier Tech	125,058	125	Developer Interest
2026	8,675 *	9,429	8,836	Jackson Building	322,596	323	Developer Interest
2027	8,841 *	9,610	9,348	Dallas Grand	511,584	512	Developer Interest
2027	8,841 *	9,610	10,685	Elm Place	1,336,894	1,337	Developer Interest
2030	9,340 *	10,152	10,685			2.05=	
						8,887	

^{*}Straight-line interpolation between NCTCOG estimates

^{**}Assumes NCTCOG household count and 92% occupancy

^{***}Outside Downtown Connection TIF Zone

Section 2 Project Plan Improvements

The public improvements enumerated in the Project Plan provide for approximately \$231 million for the public improvement categories listed below:

- **I. Catalyst Project** The Zone's only catalyst project included the Mercantile block, Continental Building, and Atmos Energy Buildings (including, but not limited to, environmental remediation, demolition, historic façade restoration, street and utility improvements, streetscape improvements, machinery, equipment, materials, and supplies). The Mercantile Block was completed 2009, the Phase I of the Atmos Complex project and the Continental Building were completed in 2013. Phase II of the Atmos Complex project will be completed 2016.
- II. Redevelopment of Vacant/Underutilized Downtown Buildings, Undeveloped/Underdeveloped Parcels, and Surface Parking Lots This category includes TIF eligible expenditures for design, engineering and construction costs for environmental remediation, interior and exterior demolition, façade improvements, historic façade restoration and Economic Development TIF Grants for TIF projects in the Zone further described below.

I and II:

A. Environmental Remediation, Interior/Exterior Demolition, Historic Facade Improvements/ Restoration Easements and Fire Safety Improvements/Grants. Downtown Dallas has several buildings that have been financially unfeasible to redevelop because of the cost of environmental remediation of asbestos, lead-based paint and other contaminants, interior and exterior demolition costs, facade improvement costs and fire accessibility issues. Interior and external demolition expenses are tied directly to the remediation These costs are TIF eligible expenditures. environmentally hazardous materials and associated improvements, using TIF funds, greatly improves the marketability of these buildings. This budget category is necessary for attracting a high impact mixed use project to the TIF District and to attract new retail activity in the ground floor of buildings in the downtown area.

Historic facade restoration improvements and new construction under this program will be reviewed for compliance with design guidelines to ensure compatibility with other improved structures and investment in the area.

B. Acquisition and restoration of historic sites. The vacancy rate in historic buildings in the downtown area is high. Acquisition and restoration of historic buildings by public entities will be supported as an eligible Project Cost to enable the redevelopment of these structures. Only buildings that are designated as a local historic landmark or listed on the National Register of Historic Places will be eligible for assistance under this program. The intent of this program is to

support and preserve these recognized historic landmarks within the Downtown Connection TIF District.

Acquisition of a conservation or beautification easement may preserve the architectural (i.e., aesthetic) effects of these buildings enhancing the facade of new or redeveloped structures downtown. The City of Dallas, using TIF funds, can acquire such an interest in these architecturally or aesthetically significant structures in the District, leaving the maintenance to the property owner. Facade easements may include funding for projects where additional facade expenditures are needed to ensure that new construction is compatible with historic buildings, particularly with regard to building quality.

State law has been amended to permit the Downtown Connection TIF District to consider making direct grants to accomplish these purposes.

As part of the Catalyst Project, TIF funds may be used to purchase or repurchase a vacant property or building and costs related to purchasing the building and developing a redevelopment plan for the building, consistent with the economic development objectives of the Downtown Connection TIF District.

- **C. Street and utility improvements.** This category includes TIF eligible expenditures for street paving and related items, infrastructure upgrades/relocation (water, wastewater, storm sewer), and burial of overhead utilities.
- D. Streetscape Improvements. The category includes lighting, sidewalk and infrastructure improvements, expanding linkages between the downtown core, the DART light rail system, the Farmers Market, the Arts District, the Convention Center, Deep Ellum, Dallas County offices and Uptown Districts to enhance pedestrian and vehicle continuity and other streetscape improvements related to specific projects.
- **E. Land Acquisition.** The City may consider acquiring property by using eminent domain, if necessary and to the extent permitted by law, to implement the TIF Plan. Potential land acquisitions may include: Properties needed for pedestrian safety and accessibility;
 - Park sites described in the Downtown Park Master Plan, that supports the Downtown Connection TIF District, in accordance with Downtown Dallas 360 Area Plan;
 - Key development sites, which may be:
 - a) Locations adjacent to park sites in the Downtown core, or
 - b) Locations identified in the City Center TIF District Parking Strategy study as priority locations for public parking, or
 - c) Land or rights to land obtained for a redevelopment project in accordance with a development agreement.

- **F. Mixed Income Housing.** This category supports the Zone's mixed income housing requirement for residential projects. A minimum of 10 percent of the total number of residential units developed in the Zone must meet 80% of the area median income. The funds in this line item may be used to offset the costs of providing affordable housing within the boundaries of this Zone and the greater downtown area only.
- **G. Economic Development TIF Grants.** Direct TIF grants for vacant/underutilized buildings, undeveloped/underdeveloped parcels and existing surface parking lots may be provided if TIF funds necessary to make a project feasible exceed TIF eligible costs. The project must support the Zone's goals and objectives.
- II. Uptown/Downtown Connection Improvements. This category included projects that enhance pedestrian accessibility and provide public activity areas, as well as other enhancements for the Uptown and Downtown areas. Development of the Woodall Rodgers Deck/Park was a priority project for the Downtown Connection TIF District and funds dedicated to this line item were to be used to fund the City portion of the project's cost. Alternatively, the City used 2006 General Obligation Bond proceeds to fund the City's portion of the Klyde Warren Deck Park and Cedar Springs Median improvements because TIF funds were not available. The Klyde Warren Deck Park opened in 2012. As a result of the completion of the deck park and median improvements, funds originally allocated to this line item will be reprogrammed to the Redevelopment of Vacant/Underutilized Downtown Buildings, Undeveloped/Underdeveloped Parcels, and Existing Surface Parking Lots budget line item.
- **IV. Park and plaza design and acquisition.** Public open space is an important amenity in a Downtown area. Several projects can help accomplish this objective using the Downtown Dallas 360 Area Plan as a primary guide. Funding would be provided for design and land acquisition as necessary for implementation.
- **V. Mixed Income Housing.** This category supports the Zone's mixed income housing requirement for residential projects. A minimum of 10% of the total number of residential units developed in the Zone must meet 80% of the area median income. The funds in this line item may be used to offset the costs of providing affordable housing within the boundaries of this Zone and the greater downtown area only, in the form of a TIF Grant.
- VI. Ground Floor Activation/Streetscape Improvements. This category supports ground floor activation and/or occupancy that is contiguous by filling vacant gaps at the ground floor plane and will be in the form of a TIF Grant. The use of funds in this category will be guided by the Downtown 360 Plan's Main Street Activation Strategy which provides recommendations for street level vibrancy, including retail activation, tenant mix, branding and design as well as storefront improvements, façade renovation, blank wall activations, outdoor/patio dining, cafes in public open spaces and glass box retail. Funds from this line item will be used in the Zone and the greater downtown area, if it benefits the Zone, in accordance with a Ground Floor Activation Program.

This category funded streetscape improvement projects, including decorative screening of surface parking lots within the District. A fencing program was completed in 2007 installing enhanced fencing along commercial surface parking lots located within the City Center TIF District. Remaining funds in this line item will be dedicated solely to funding a Ground Floor Activation Program.

VII. Administration and Implementation. Administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the TIF District will be eligible for reimbursement as project costs, upon approval by the TIF Board of Directors and in connection with the implementation of the Downtown Connection TIF Project Plan and Reinvestment Zone Financing Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures and equipment are included in this category.

VIII. Non-project Costs. It is anticipated that the City may make economic development loans or grants either to the Downtown Connection TIF District or to the DDDA (hereinafter defined), in furtherance of implementing this Plan. Should such loans or grants be made, consistent with the financing documents authorizing the issuance of bonds or other obligations issued by the DDDA to finance project costs, tax increments may be transferred to the City, in an amount not to exceed \$15,000,000, to reimburse the City for the funds made available by any such Chapter 380 economic development loans or grants in furtherance of the implementation of this Plan, and fulfilling the public purposes of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District. All bonds issued by the DDDA are subject to City Council approval and to minimize the exposure to the City's general funds revenues, the DDDA shall maintain sufficient debt reserve accounts and coverage ratios.

Planned Private Development

- 5,600 residential units in Downtown
- 3,200 additional units in Uptown
- Absorption of 3,000,000 square feet of the currently vacant office space in the District
- Absorption of 125,000 square feet of retail space in Downtown
- Absorption of 250,000 square feet of retail space in Uptown
- Absorption of 800,000 square feet of new office space in Downtown
- Absorption of 800,000 square feet of new office space in Uptown
- · Creation of 20 acres of park and open space
- Leverage funding for improved connectivity between Downtown and Uptown.
- Restore property value "inside the Loop" to levels above the 1990 value

The total increased property value is forecasted to be approximately \$4 billion. The Downtown Connection TIF District's assessed tax value in 2004 was \$465,185,699.

EXHIBIT A

The cumulative incremental property tax revenue potential of the planned development will be approximately \$231 million (net present value) in public improvement projects.

TIF District Policy Considerations

Mixed Income Housing Policy. Ten percent of all housing units provided by projects using TIF funds must meet the City and County established criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80 percent or below of the median family income for the Dallas metropolitan area. A developer may, subject to City and County approval, and subject to the City Center TIF District Mixed Income Housing Policy, propose an alternative means of fulfilling the City's and County's affordable housing requirement. If the Policy allows affordable housing outside the City Center TIF District, and those units are placed within the boundaries of another TIF district, the developer must also secure approval for the affordable housing units within the respective district's boundaries from the respective TIF district's board of directors unless that board formally declines to review the project.

Business Inclusion and Development (BID) Plan. All TIF-funded projects must follow the City's adopted Business Inclusion and Development Plan. This policy outlines goals for certified Minority and Women-Owned Business (M/WBE) participation in publicly funded infrastructure projects. The BID Plan goal is 25 percent for construction of public improvements. The goal for private improvements is negotiated in the development agreement. The process for BID compliance and City oversight will be negotiated with City staff and included in the development agreement for each individual project.

<u>Creating Permanent Jobs for Area Residents</u>. TIF applicants must agree to sponsor job fairs or other programs to attract neighborhood residents to any permanent jobs created in the development.

<u>Design Review/Peer Review Process</u>. All new projects developed in the district shall be required to follow a peer review process. Conformance to design standards for non-TIF funded projects is voluntary but strongly encouraged to maintain the design focus of the implementation of the Downtown Connection TIF Plan.

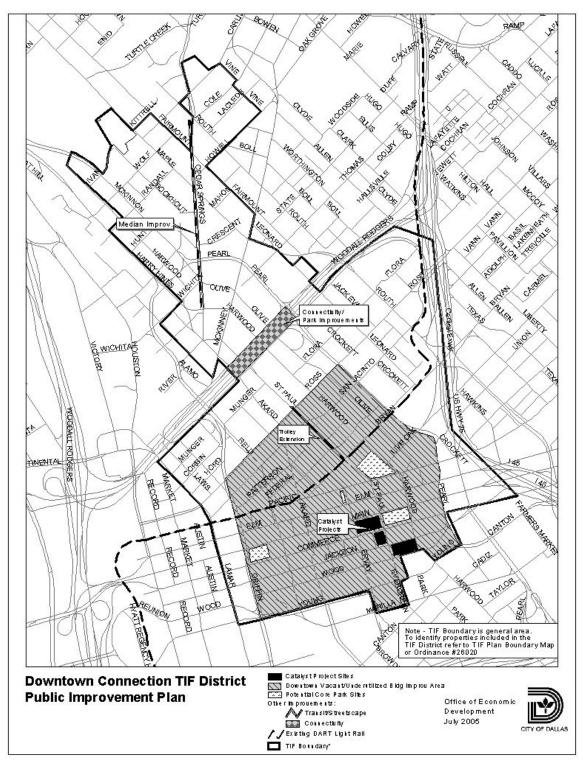
<u>Existing Resident Displacement</u>. The Act requires that existing resident displacement be minimized.

<u>Eminent Domain</u>. The City may consider the use of eminent domain as necessary and convenient to implement the Downtown Connection TIF project and financing plan. Potential land acquisitions with eminent domain may include:

- Properties needed for pedestrian safety and accessibility;
- Park sites described in the CBD Park Master Plan;
- Key development sites, which may be:
 - a) Locations adjacent to park sites in the Downtown core; or
 - b) Locations identified in the City Center TIF District Parking Strategy study as priority locations for public parking, or

- c) Catalyst Project.
- d) Land or rights to land obtained for a redevelopment project in accordance with a development agreement.

Exhibit F
Downtown Connection TIF District Public Improvement Plan



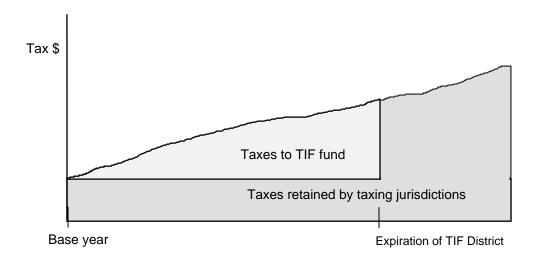
Section 3: Financing Plan

Tax increment financing ("TIF") is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. The improvements strengthen existing communities and attract investment. Statutes governing TIF are in Chapter 311 of the Texas Tax Code.

A municipality makes an area eligible for tax increment financing by designating a reinvestment zone. The additional tax dollars generated by growth of real property value flow to a "tax increment financing fund" ("TIF fund") for a specified term of years. Money flowing to the TIF fund each year is disbursed according to a plan approved by a TIF board and the City Council, as prescribed by statutes and the ordinance designating the reinvestment zone. The Fund may be used to make grants in furtherance of the development for the District and for public improvements within the reinvestment zone. TIF funds may also to be used for public improvements at places of public assembly, such as a park, or for affordable housing, even though outside the zone.

The illustration below shows how tax from real properties in a TIF zone flows to a taxing jurisdiction and to a TIF fund. This assumes real property values in the TIF zone rise soon after the zone's designation.

Real Property Tax Flow with Tax Increment Financing



Inclusion of property in a TIF zone does not change any tax rate for the property. Tax rates in a TIF zone are the same as tax rates outside the zone and within the same set of taxing jurisdictions.

Once the public improvements are completed and paid for, the TIF is dissolved and the full amount of the taxes collected in area are kept by the taxing jurisdictions. In effect, the taxing jurisdictions are "investing" future earnings to receive the benefit of higher tax revenues from new development. Also, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

Financing Plan

The Reinvestment Zone Financing Plan provides for incremental financing, and predicts revenues for the Downtown Connection TIF District. Exhibit L compares the last adopted budget for the Zone to the amended budget below.

Exhibit G: Downtown Connection TIF District Amended Improvements Budget

Project costs are public improvements and grants paid or reimbursed by the District. Projects cost may be changed in subsequent project and financing plan amendments.

Category	Amended NPV Budget (2006) ¹	Estimated Total Dollars TIF Budget ²
Catalyst Projects: - Environmental remediation, demolition, historic façade, restoration, street/utility improvements & streetscape improvements, land acquisition, and non project costs, including, but not limited to machinery, equipment, materials and supplies	\$68,000,000	\$68,000,000
Redevelopment of Vacant/Underutilized Downtown Buildings, Underdeveloped Parcels, Surface Parking Lots - Environmental remediation, interior/exterior demolition, historic façade restoration, street/utility improvements, land acquisition, Economic Development TIF grants, affordable housing	\$152,653,168	\$309,043,392
Uptown/Downtown connection improvements ³	\$0	\$0
Park and plaza design and acquisition	\$1,500,000	\$3,534,594
Affordable Housing⁴	\$3,000,000	\$3,000,000
Ground Floor Activation/Streetscape Improvements ⁴	\$1,985,000	\$1,985,000
Downtown Area Plan⁴	\$515,000	\$515,000
Administration and Implementation	\$3,940,386	\$9,285,109
Debt Service (Interest Only)		\$150,363,000
Total	\$231,593,554	\$545,726,096

¹Amended NPV Budget values discounted to 2006 dollars at 5% discount rate.

²Amended Total Dollar values reflect estimated total collections over the life of the District. These values will fluctuate annually.

³Funds allocated to the Uptown/Downtown connection improvements line item have been

reprogrammed to the Redevelopment line item.

<u>Financing Method</u>. The City's current policy for financing TIF projects is for private groups to advance funds for public improvements in the reinvestment zone or to have funds paid directly from the Downtown Connection TIF District Fund as funds become available. The City has financed all its prior TIF District projects on a pay-as-you-go basis. Advances may be repaid by the future cash flows to the Downtown Connection TIF District fund. Taxing jurisdictions need not guarantee these loan repayments with any other source. The City of Dallas, using TIF funds, may purchase facade easements for specific buildings. In addition, other public improvements included in the Project Plan may be funded directly from the Downtown Connection TIF District funds, as incremental revenue is available.

In connection with the shift in approach from funding seed project to focusing resources into a large catalyst project, the City may consider using the TIF fund to reimburse project cost principal and interest and other financing costs. The City may negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of two categories of projects within the TIF zone, using any financial instrument, subject to City Council approval of the note or credit line or issue bonds or other obligations for:

- Catalyst Project: These were public improvements related to the Mercantile Block, Atmos Complex and Continental Building for which total project investment from all sources will exceed \$100,000,000;
- Accessibility/safety projects: These are public improvements to achieve greater safety or accessibility and to foster redevelopment of small commercial structures.
- Other projects so determined by the Downtown Connection TIF District Board of Directors and the City Council.

The City of Dallas created a local government corporation called the Dallas Downtown Development Authority ("DDDA") to assist with the development of TIF improvements in the zone. The City, in its name or through the DDDA, may issue bonds or other obligations ("Bonds") in an aggregate principal amount estimated to be \$66 million to aid in the funding of project costs within the Downtown Connection TIF District, secured in whole or in part with City general fund annual appropriation of Chapter 380 grants and/or tax increment revenues, subject to City Council approval of the issuance of such Bonds. Bonds may be issued to fund capitalized interest and reserve funds for the Bonds. In addition, the DDDA may seek to obtain a line or letter of credit to support activities consistent with the objectives of this Plan.

<u>Financing Policy and Long Term Financing</u>. The goal of the Downtown Connection TIF District is to leverage increment accrued to maximize development in the District. It is the intention of the Board of Directors that the increment received initially goes to

⁴Funds for the Affordable Housing, Ground Floor Activation/Streetscape Improvements, and Downtown line items are in cash.

catalyst projects such as the Mercantile block, Continental Building, and Atmos Energy Buildings.

It is anticipated that the City, the Downtown Connection TIF District Board of Directors and the will DDDA enter into an agreement pursuant to which:

- TIF revenues would be transferred from the TIF fund to the DDDA.
- The City delegates to the DDDA certain duties and responsibilities concerning implementation of the project plan
- The DDDA agrees to use the funds received to secure bonds and agrees to assume the duties and responsibilities delegated to it by the City, subject to the conditions of the agreement.

Expected Revenues. Exhibit H is a list of developments anticipated in the Downtown Connection TIF zone through 2027. Some of the identified developments will probably not occur, while other development projects likely will replace them. This schedule represents the best estimate of anticipated development in the area. Actual timing, floor area, uses and other attributes of the identified developments may differ from the schedule.

Unit values supporting appraisal estimates in Exhibit H are based on observations of values assigned to comparable developments by the Dallas Central Appraisal District (DCAD). Actual construction costs or trading prices may differ. Because tax increments are measured by DCAD values, these are the relevant measures of value for a TIF financing plan. To show the reasonableness of appraisal estimates in this plan, Exhibit I presents 2004 appraisals by DCAD of several properties in the TIF zone and nearby that are believed similar to the forecast development.

Within the next twenty years, the anticipated pace of development will likely consume much of the vacant land in the zone north of Woodall Rodgers Freeway. There is also strong probability that some land with existing structures in 2005 will redevelop within that time horizon.

The sites anticipated for redevelopment with the Downtown Connection TIF zone may constitute most of the redevelopment in the zone through 2027, although some unnamed sites will inevitably substitute for listed sites. Further redevelopment on both sides of Woodall Rodgers Freeway after 2027 is likely, but not forecast in this analysis for two reasons: (1) Tax increments are estimated to flow to the TIF zone for only twenty-two years (the legal life of the TIF is thirty years); (2) Forecasts further into the future become marginally reliable.

Based on the development projects identified in Exhibit H and other stated assumptions, Exhibit J estimates annual City/County real property taxes from the TIF zone and annual percentages and amounts of the real property tax growth increment reinvested each year in the Downtown Connection TIF fund. Cumulative increased property value is expected to be approximately \$4 billion during the 30-year term of the TIF District. Projects assume a 90% reinvestment rate for the City during the 30-year life of the TIF and 55% from the County with a term of 20 years or until the Project Cost Budget of

\$231 million is reached. The County's contribution is capped at a net present value of \$18.5 million. The final terms of the County's contribution of its tax increment has been set forth in an inter-local participation agreement between the City and the County.

Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted.

<u>Inflation</u>. The generally accepted inflation for construction costs and the value of improvements is 3.0% per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of five percent per annum.

<u>Appreciation</u>. Property appreciation is assumed to be 2.5% per annum on average.

<u>Tax Rate Changes</u>. Although tax rates will certainly increase during the 30-year development period, the financial plan conservatively assumes that the tax rate will remain constant for the life of the Downtown Connection TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The City of Dallas will participate at a rate equal to approximately 90% of incremental value during the 30 year term of the TIF or until the budget of \$231 million (net present value) is reached and Dallas County will participate at a rate of 55% of incremental value during the first 20 years of the term. Dallas County's participation is capped at a net present value of \$18.5 million.

Financial Feasibility

The private development plans, public improvement program, general financing strategy and financial assumptions were all included in an economic feasibility study prepared by Stein Planning and Management. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative increased property value is expected to be approximately \$4 billion during the 30-year term of the TIF District.

The TIF District projections provide for increment collections over the entire 30-year life of the District.

On a strict "pay-as-you-go" basis, the progress of the public improvements portion of the development program is a direct result of the revenues received (and matched by the City's contributions). Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet expectations, then the pace of public improvements will be slowed or discontinued

altogether based upon the advice of the Board of Directors and the approval of the City Council.

Based upon a set of TIF District assumptions and analysis of the project and financing plan, the Downtown Connection Board of Directors has concluded that the plan is feasible.

Financial Policies

General financial policies are governed by the City of Dallas Public/Private Partnership Program that was first approved by the City Council on March 13, 1996. This program provides a framework for development incentives in a variety of areas. Within this framework the Downtown Connection Board of Directors has adopted specific policies for the Downtown Connection TIF District:

- The Catalyst Project (Mercantile Block, Atmos Complex, and Continental Building) was recognized as a major component of the Downtown Connection TIF District Public Improvement Plan, therefore, the majority of increment accrued will be set aside for such projects.
- Public improvements will be phased at a pace that coincides with private development.
- Private developers desiring City participation in cost-sharing for infrastructure improvement needs for their projects must sign a Development Agreement with the City.
- Each Development Agreement is mutually exclusive that is, the nature and extent of support with public funds may change over time as the District becomes more developed.
- The City may negotiate with financial institutions to secure notes or lines of credit
 to aid in the funding of two categories of projects within the TIF zone, using any
 financial instrument, subject to City Council approval of the note or credit line, or
 issue certificates of obligation or TIF bonds for catalyst projects and
 accessibility/safety projects as described earlier in the Project Plan.
- If a developer needs infrastructure improvements constructed at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:
 - ~ deferred until funds are available
 - ~ constructed at the sole expense of the developer
 - ~ constructed at developer expense, with the City reimbursing the developer as funds become available

 Private development must substantially conform to "private development design guidelines" adopted by the Downtown Connection Board of Directors in order to receive cost participation benefits for infrastructure improvements.

The Downtown Connection TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the TIF District.

Should project costs be paid that directly benefit the developer of a catalyst project, such as the acquisition of machinery, equipment, materials and supplies, or grants made to a developer as permitted by Chapter 311, Texas Tax Code, the City will establish sufficient controls to ensure that the expenditure does result in the public purpose being carried out and that the public is protected in the use of public funds, such as the tax increment revenues, for the intended result.

The DDDA may undertake such activities as determined by the City Council to be necessary or convenient to implement the Plan, including the issuance of bonds or other obligations to finance the payment of project costs. No such bonds or other obligations shall be issued by the local government corporation without prior City Council approval.

The City reserves the right to amend this plan to provide for the establishment of a "sales tax increment" collection process, as permitted by Chapter 311, Texas Tax Code.

Other Financial Benefits

New residents of Downtown will spend for goods and services subject to sales tax. Because the City has a one-cent sales tax, this generates municipal revenue. Exhibit K estimates City sales tax attributed to new Downtown residences. The schedule makes no allowance for a share of purchases by Downtown residents outside Downtown, but it assumes these external purchases will be offset by purchases from tourists, convention attendees and visitors from outside Downtown who will be drawn to spend more time Downtown. Many of the buildings that will be adapted for residential use with help from the TIF program are expected to use ground level space for retail tenants or restaurants.

The Dallas Independent School District is not expected to participate in the Downtown Connection TIF program. State law governing school finding since September 1999 makes TIF participation generally unattractive for a school district. Nevertheless, the DISD will receive a windfall from the Downtown Connection zone estimated at roughly \$1.8 billion over forty years. All DISD tax projections bear risk that new Texas law may cap the rate of local property tax a school district may levy.

Conclusions

Based upon a set of assumptions and analysis of the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan, the Downtown Connection TIF District Board of Directors has concluded that the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan is feasible.

The success of the Downtown Connection TIF District development will allow downtown Dallas to become more of an activity center. The new residential population base will support downtown Dallas' expanding retail and entertainment activities and enhance the area's overall market image. The success of this program will protect and build on the region's greatest real estate asset.

The Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan was developed with these specific needs is mind.

Exhibit H Anticipated Redevelopment Projects in Downtown Connection TIF District

Assumptions:

Sites, uses, floor areas and development timing are estimates by consultant and clients. Some listed developments will not happen; substitution by other development is possible. Some listed sites require public participation through TIF or other sources.

- * Fifteen year tax abatement on Mercantile Tower delays addition to tax roll until 2025 (60% of added value). Ten year tax abatement on Mercantile new construction delays addition to tax roll until 2018 (40% of a "Hunt HQ appraisal is estimated at 21% of added real property taxable value for 2008 through 2017 with the remainder added in 2018.

 **** Ashton development reduced by 2/3 because DCAD has added much of the value to the 2005 tax roll.

- **** Gables Uptown Development reduced by 15% because DCAD has added value on preliminary construction to the 2005 tax roll.

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(1)	(m)
											Net New	Net New Appraisal
											Improvement	at Completion,
				Estimated							Appraisal on Jan. 1	Less Condo
	Approximate			Building		Estimated DCAD		Appraisals	Assumed	TIF	After Completion, If	Homestead
	Land		Floor	Floor Area			005 Dollars		Complete		3.00%	Exemptions
	Area	Primary	Area	(SF)	per	All New	Less	Net	Before	Arrives	Post-Completion	@ 20% in 50%
Site Number/Name	(SF)	Use	Ratio	(excl. parking)	BSF	Improvements	Existing	New	Jan. 1,	on Tax Roll	Inflation	of Units
North of Woodall Dadgara Francis												
North of Woodall Rodgers Freeway Wells Fargo Bank - Cedar Springs	17,237	bank	0.23	3.919	6400	\$391,900	\$0	\$391.900	2006	2006	\$403.657	\$403.657
Ashton***	90,000	apartments		663,000		\$18,785,000	\$0	\$18,785,000	2006	2006	\$19,348,550	\$19,348,550
Gables Uptown, Phase 1****	140.000	residential		326.550		\$20,817,563	\$0 \$0	\$20,817,563	2006	2006	\$21,442,089	\$19,346,550
Uptown Plaza shopping, 1	56,000	retail		35,000		\$2,975,000	\$0	\$2,975,000	2006	2006	\$3,064,250	\$3,064,250
ZOM Rosewood	181,724	apartments		340,538		\$36,981,760	\$0	\$36,981,760	2007	2007	\$39,233,949	\$39,233,949
Azure	57,000	condos		290,000		\$46,400,000	\$0	\$46,400,000	2007	2007	\$46,400,000	\$41,760,000
Ritz Carlton w 70 condos	207,000	hotel/condos		352,800		\$61,740,000	\$55,000	\$61,685,000	2008	2008	\$61,685,000	\$61,685,000
	127,000	res./ retail		296,700			\$0	\$22,252,500	2009	2009		\$22,252,500
Gables Uptown, Phase 2	65,000	condos/hotel		296,700 344,200		\$22,252,500 \$20,000,000	\$3.789.000	\$22,252,500 \$16.211.000	2009	2009	\$22,252,500 \$16,211,000	
Stoneleigh Hotel renovations AMLI Quadrangle	110,000	residential		192,500		\$22,750,000	\$3,769,000	\$22,750,000	2009	2009	\$22,750,000	\$16,211,000 \$22,750,000
Accor site	101.000	condos/hotel		275.730		\$24,815,700	\$0	\$24,815,700	2011	2011	\$22,750,000	\$22,730,000
Metropolitan site (Centurion)	19,000	condos		66,500		\$6,317,500	\$169,000	\$6,148,500	2019	2019	\$6,148,500	\$5,533,650
Lincoln/Corrigan site	126,000	office		00,500	\$95	\$72.000.000	\$19,000	\$71.981.000	2012	2012	\$71.981.000	\$71,981,000
Stoneleigh Tower Condos	120,000	condos	0.00		ψου	\$70,000,000	\$800,000	\$69,200,000	2009	2009	\$69,200,000	\$62,280,000
Maple Terrace renovation	63.226	condos	4.98	315.000	\$85	\$26,775,000	\$820,000	\$25,955,000	2010	2010	\$25,955,000	\$23,359,500
Uptown Plaza shopping, 2	84,000	retail	1.00	84,000		\$7,140,000	\$0	\$7,140,000		2015	\$7,140,000	\$7,140,000
Greenway site	29,000	mixed	2.00	58,000		\$5,220,000	\$0	\$5,220,000	2019	2019	\$5,220,000	\$5,220,000
Granite/ Gables	93,426	mixed	2.00	36,000	\$100	\$120,000,000	\$0	\$120,000,000	2019	2019	\$120,000,000	\$108,000,000
St. Ann's Court	60,000	office	0.00		\$100	\$60,000,000	\$0	\$60,000,000	2011	2011	\$60,000,000	\$60,000,000
Ritz Carlton Tower 2	100,482	condos	0.00	250,000		\$105,000,000	\$0	\$105,000,000	2010	2010	\$105,000,000	\$94,500,000
unspecified site	50.000	condos	2.50	125,000		\$8,125,000	\$250.000	\$7,875,000	2028	2028	\$7,875,000	\$7.087.500
1900 McKinney (Hanover	00,000	office	2.00	120,000	\$95	\$0	\$0	\$42,000,000	2013	2013	\$42,000,000	\$42,000,000
unspecified sites (infill)	50.000	condos	2.50	125,000		\$8,125,000	\$250,000	\$7,875,000	2030	2030	\$7,875,000	\$7.087.500
unspecified sites (infill)	50,000	mixed		125,000		\$8,125,000	\$250,000	\$7,875,000	2030	2030	\$7,875,000	\$7,875,000
unspecified sites (infill)	60,000	condos	2.50	150,000	\$65	\$9,750,000	\$250,000	\$9,500,000	2030	2030	\$9,500,000	\$8,550,000
Subtotal	1,937,095			\$4,419,437		\$784,486,923	\$6,652,000	\$819,834,923			\$823,376,196	\$781,099,276
South of Woodall Rodgers Freeway												
Aristrocrat Hotel renovation	8,477	hotel	11.47	97,241		\$3,889,640	\$0	\$3,889,640	2007	2007	\$4,126,519	\$4,126,519
1414 Elm	-	apartments		35,000		\$2,625,000	\$300,000	\$2,325,000	2008	2008	\$2,540,590	\$2,540,590
Hunt Headquarters**	61,289	office	6.42	393,553	\$125	\$55,954,280	\$1,554,880	\$54,399,400	2008	2008, 2018	\$59,443,693	\$12,483,176
Tank Troduquation												\$46,960,518
	80,000	apartments	6.25	500,000	\$80	\$40,000,000	\$77,550	\$39,922,450	2010	2020, 2025	\$39,922,450	\$15,968,980
Mercantile block*		•										\$23,953,470
1600 Elm	7,300	apartments	2.63	19,210	\$65	\$1,248,650	\$183,940	\$1,064,710	2016	2016	\$1,064,710	Ψ20,000,410
Musuem Tower	.,	condos		,	\$125	\$143,800,000	\$200,000	\$144,000,000	2012	2012	\$144,000,000	\$144,000,000
1900 Pacific	10,836	condos			Ψ120	\$78,615,888	\$0	\$78,832,000		2027	\$78,832,000	\$70,948,800
Tower Petroleum	10,836	hotel				\$17,544,112	\$112,000	\$17,304,000	2012	2027	\$17,304,000	\$17,304,000
Praetorian Building	9,820	apartments	16.09	157.991	\$90	\$14,219,190	\$311.810	\$13,907,380	2021	2021	\$13,907,380	\$13,907,380
1600 Pacific	30,000	apartments		498,270		\$24,913,500	\$3,212,990	\$21,700,510	2015	2015	\$21,700,510	\$21,700,510
500 South Ervay	110,853	apartments		614,176		\$39,921,440	\$1,391,470	\$38,529,970	2011	2011	\$38,529,970	\$38,529,970
Atmos block	75,000	apartments		250,000		\$18,750,000	\$581,890	\$18,168,110	2015	2015	\$18,168,110	\$18,168,110
Wood building		•						\$15,000,000	2014	2014	\$15,000,000	\$15,000,000
Dallas Grand	56,738	apartments	9.02	511,584	\$75	\$38,368,800	\$5,720	\$38,363,080	2021	2021	\$38,363,080	\$38,363,080
Federal Reserve Building	125,860	apartments	1.89	237,643	\$50	\$11,882,150	\$3,524,200	\$8,357,950	2021	2021	\$8,357,950	\$8,357,950
1712 Commerce	10,000	apartments		190,221		\$9,511,050	\$1,294,900	\$8,216,150	2015	2015	\$8,216,150	\$8,216,150
1954 Commerce	25,000	apartments		81,800		\$4,090,000	\$6,790	\$4,083,210	2020	2020	\$4,083,210	\$4,083,210
Santa Fe #4	35,632	hotel		159,791		\$14,381,190	\$719,820	\$13,661,370	2011	2011	\$13,661,370	\$13,661,370
1604 Main	7,650	apartments	6.24	47,720	\$50	\$2,386,000	\$5,050	\$2,380,950	2022	2022	\$2,380,950	\$2,380,950
1613-1615 Main/1614 Elm		retail/office		38,598		\$2,894,850	\$325,000	\$2,569,850	2025	2025	\$2,569,850	\$2,569,850
Elm Place	80,933	apartments	16.52	1,336,894		\$66,844,700	\$4,810,299	\$62,034,401	2025	2025	\$62,034,401	\$62,034,401
Subtotal	746,224			\$5,169,692		\$591,840,440	\$18,618,309	\$588,710,131			\$594,206,894	\$585,258,984
-	0.05					04.000.000	00= 0==	04 400 - :				0.1 000:
Total	2,683,319			9,589,129		\$1,376,327,363	\$25,270,309	\$1,408,545,054			\$1,417,583,089	\$1,366,358,259

Exhibit I Comparable Developments based on DCAD 2004 Appraisals

(a)	(b)	(c)	9d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
Development Name	Address	Improvements	Land	Total Value	Bldg. SF	IV per BSF	Land SF	Land per LSF T	Total per BSF	FAR
Mixed use centers The Crescent	500 Crescent	\$242,570,000	\$25,984,920	\$268,554,920	1,722,192	\$141	433,082	\$60	\$156	3.98
	3699 McKinney 3699 McKinney	\$33,269,340 \$4,255,070	\$6,745,320 \$1,730,070	\$40,014,660 \$5,985,140	315,535 34,336		224,844 57,669			
West Village		\$37,524,410	\$8,475,390	\$45,999,800	349,871	\$107	282,513	\$30	\$131	1.24
Mockingbird Station	5307 Mockingbird	\$51,224,220	\$10,627,060	\$61,851,280	565,675	\$91	379,538	\$28	\$109	1.49
Retail centers										
One-Stop Mini-Mart	2324 McKinney	\$576,860	\$1,423,080	\$1,999,940	3,509	\$164	23,718	\$60	\$570	0.15
Knox Park Village	3001 Knox	\$12,182,090	\$2,798,910	\$14,981,000	81,893	\$149	87,172	\$32	\$183	0.94
Lincoln Park (retail with. grocery)	7700 W. Northwest	\$20,260,770	\$11,299,680	\$31,560,450	153,642	\$132	502,208	\$23	\$205	0.31
Highland Park Village HPV parking north of M'bird	4201 Mockingbird 4200 Mockingbird	\$28,648,860 \$0	\$15,918,560 \$4,108,360	\$44,567,420 \$4,108,360	230,948		397,964 102,709	\$40 \$40	\$193 N.A.	0.58 0.00
Highland Park Village total	<u> </u>	\$28,648,860	\$20,026,920	\$48,675,780	230,948		500,673		\$211	0.46
Best Buy, CompUSA, Office Max	9358 N. Central	\$21,310,230	\$9,544,770	\$30,855,000	184,996	\$115	636,318	\$15	\$167	0.29
Office buildings										
Chase Tower	2200 Ross	\$151,599,640	\$2,799,830	\$154,399,470	1,250,000	\$121	111,993	\$25	\$124	11.16
Trammell Crow Center	2001 Ross	\$140,591,200	\$2,851,440	\$143,442,640	1,245,324	\$113	95,048	\$30	\$115	13.10
2100 McKinney	2100 McKinney	\$39,810,540	\$8,189,460	\$48,000,000	374,654	\$106	136,491	\$60	\$128	2.74
Fountain Place	1445 Ross	\$121,795,310	\$2,204,690	\$124,000,000	1,297,418	\$94	78,739	\$28	\$96	16.48
1845 Woodall Rodgers	1845 Woodall Rodgers	\$10,278,510	\$1,266,650	\$11,545,160	185,007	\$56	36,190	\$35	\$62	5.11
Residences 1999 McKinney condos (62)	1999 McKinney	\$32,925,450 (Improvement figu	\$1,309,414 ures are estimate	\$34,234,864 s based on 100%	175,482 of three mid		29,098	\$45	\$195	6.03
Portobello townhouse condo unit	33xx Blackburn	\$415,870	\$59,130	\$475,000	2,606	\$160	N.A.	N.A.	N.A.	N.A.
Travis Terrace townhouse condo	39xx Travis	\$400,610	\$42,420	\$443,030	2,782	\$144	2,121	\$20	\$159	1.31
Lincoln Park	5445 Caruth Haven	\$35,455,780	\$9,544,220	\$45,000,000	395,377	\$90	636,281	\$15	\$114	0.62
The Abbey	2521 Worthington	\$4,155,550	\$944,450	\$5,100,000	48,082	\$86	29,514	\$32	\$106	1.63
Heights of State Thomas	3015 State	\$14,778,910	\$3,921,090	\$18,700,000	173,545	\$85	122,534	\$32	\$108	1.42
Knox Travis Park	4611 Travis	\$10,962,040	\$537,960	\$11,500,000	137,331	\$80	26,898	\$20	\$84	5.11
	2816 Guillot 2518 Colby 2427 Allen	\$10,364,586 \$14,849,970 \$8,687,790	\$3,185,490 \$5,889,960 \$1,962,210	\$13,550,076 \$20,739,930 \$10,650,000	171,403 275,636 123,754		91,014 175,982 61,319			

Uptown Village		\$33,902,346	\$11,037,660	\$44,940,006	570,793	\$59	328,315	\$34	\$79	1.74
Gables at Routh	2600 Cole	\$9,033,540	\$2,128,460	\$11,162,000	142,507	\$63	60,813	\$35	\$78	2.34
Mirabella	2600 Cole	\$9,033,540	\$2,128,460	\$11,162,000	142,507	\$63	60,813	\$35	\$78	2.34
Jefferson at Gaston	2752 Gaston	\$26,158,960	\$4,665,280	\$30,824,240	417,815	\$63	548,856	\$9	\$74	0.76
Block 588 Condos	3110 Thomas	\$13,603,550	\$1,636,450	\$15,240,000	229,074	\$59	51,139	\$32	\$67	4.48
Heights of State Thomas	3110 Thomas	\$16,111,970	\$3,688,030	\$19,800,000	299,362	\$54	115,251	\$32	\$66	2.60
Davis Building	1309 Main	\$12,876,320	\$873,000	\$13,749,320	241,481	\$53	14,550	\$60	\$57	16.60
Majestic Lofts Residences	1900 Elm	\$6,553,000	\$1,200,000	\$7,753,000	126,000	\$52	20,000	\$60	\$62	6.30
Kirby Building	1501 Main	\$9,849,880	\$900,120	\$10,750,000	203,824	\$48	15,002	\$60	\$53	13.59
Gables Concord	3003 Bookhout	\$6,044,580	\$4,755,420	\$10,800,000	138,390	\$44	158,514	\$30	\$78	0.87
Jefferson at the North End	2323 N. Field	\$25,754,460	\$16,395,540	\$42,150,000	623,997	\$41	468,444	\$35	\$68	1.33
Camden Farmers Market	2210 Canton	\$15,823,610	\$5,676,390	\$21,500,000	381,441	\$41	306,832	\$18	\$56	1.24
Wilson Building	1623 Main	\$8,985,000	\$1,740,000	\$10,725,000	250,778	\$36	29,000	\$60	\$43	8.65
Rovello	2610 Allen	\$13,960,180	\$4,727,740	\$18,687,920	397,294	\$35	132,117	\$36	\$47	3.01
els The Mansion on Turtle Creek	2821 Turtle Creek	\$16,504,480	\$5,495,420	\$21,999,900	82,976	\$199	157,012	\$35	\$265	0.53
Hotel Zaza	2332 Leonard	\$11,782,940	\$2,918,340	\$14,701,280	102,010	\$116	48,639	\$60	\$144	2.10
	2007 Live Oak	\$3,898,390	\$1,521,000	\$5,419,390	0		43,457			
	2117 Live Oak	\$68,759,606	\$3,484,460	\$72,244,066	535,478		99,556			
	443 Olive	\$5,722,150	\$2,777,810	\$8,499,960	292,056		79,366			
	400 Olive	\$0	\$94,550	\$94,550	0	005	7,879	00.4	0101	0.50
Adam's Mark Hotel		\$78,380,146	\$7,877,820	\$86,257,966	827,534	\$95	230,258	\$34	\$104	3.59
	300 Reunion	\$62,744,660	\$3,287,340	\$66,032,000	657,212		205,549			
	500 S. Stemmons	\$0	\$2,491,750	\$2,491,750	0		177,982			
	201 Reunion	\$0	\$916,180	\$916,180	0		76,348			
	400 S. Stemmons 311 Reunion	\$0 \$0	\$811,640 \$237,240	\$811,640 \$237,240	0		57,974 16,946			
	300 Hyatt Regency	\$0 \$0	\$41,060	\$41,060	0		9,165			
Hyatt Regency Hotel	ood Hydii Nogonoy	\$62,744,660	\$7,785,210	\$70,529,870	657,212	\$95	543,964	\$14	\$107	1.21
Hotel St. Germain	2516 Maple	\$500,790	\$540,400	\$1,041,190	8,273	\$61	15,440	\$35	\$126	0.54
	1717 N. Akard	\$24,721,980	\$2,462,520	\$27,184,500	579,037		87,947			
Fairmant Hatal	1717 N. Akard				•	640		#00	0.47	5.84
Hotel St. Germain	1717 N. Akard 1717 N. Akard		\$500,790 \$24,721,980 \$0 \$24,721,980	\$500,790 \$540,400 \$24,721,980 \$2,462,520 \$0 \$315,500 \$24,721,980 \$2,778,020	\$500,790 \$540,400 \$1,041,190 \$24,721,980 \$2,462,520 \$27,184,500 \$0 \$315,500 \$315,500 \$24,721,980 \$2,778,020 \$27,500,000	\$500,790 \$540,400 \$1,041,190 8,273 \$24,721,980 \$2,462,520 \$27,184,500 579,037 \$0 \$315,500 \$315,500 0 \$24,721,980 \$2,778,020 \$27,500,000 579,037	\$500,790 \$540,400 \$1,041,190 8,273 \$61 \$24,721,980 \$2,462,520 \$27,184,500 579,037 \$0 \$315,500 \$315,500 0 \$24,721,980 \$2,778,020 \$27,500,000 579,037 \$43	\$500,790 \$540,400 \$1,041,190 8,273 \$61 15,440 \$24,721,980 \$2,462,520 \$27,184,500 579,037 87,947 \$0 \$315,500 \$315,500 0 11,268 \$24,721,980 \$2,778,020 \$27,500,000 579,037 \$43 99,215	\$500,790 \$540,400 \$1,041,190 8,273 \$61 15,440 \$35 \$24,721,980 \$2,462,520 \$27,184,500 579,037 87,947 \$0 \$315,500 \$315,500 0 11,268 \$24,721,980 \$2,778,020 \$27,500,000 579,037 \$43 99,215 \$28	\$500,790 \$540,400 \$1,041,190 8,273 \$61 15,440 \$35 \$126 \$24,721,980 \$2,462,520 \$27,184,500 579,037 87,947 \$0 \$315,500 \$315,500 0 11,268 \$24,721,980 \$2,778,020 \$27,500,000 579,037 \$43 99,215 \$28 \$47
lding floor area measurement	s exclude parking garages.	Improvement app	raisals include ga	rages.						
cery stores										
Whole Foods Market	4100 Lomo Alto	\$3,382,000	\$1,775,900	\$5,157,900	35,600	\$95	70,236	\$25	\$145	0.51
Kroger Signature	5665 E. Mockingbird	\$2,623,330	\$4,188,550	\$6,811,880	79,228	\$33	349,046	\$12	\$86	0.23

Exhibit J Downtown Connection TIF District Increment Projections

Projected TIF Increment Schedule

		Total Property	Proper		Anticipated	Anticipated	Tax Increment	Tax Increment	Anticipated	NPV Anticipated
Tax \	Year	Value	Value	Value	Captured	Accumulated	Revenue into TIF	Revenue into TIF	Increment	Increment
		Estimate ¹	Growt	h Growth	Value	Revenue (NPV)	* CITY @ 90%	** COUNTY @ 55%	Revenue	Revenue (2006)
Base	2005	\$561,696,137	(1)							
Base	2009	\$564,917,317	(2)							
1	2006	\$759,033,448	35.139	6 35.13%	\$197,337,311	\$1,370,108	\$1,208,059		\$1,438,614	\$1,370,108
County		\$759,016,948			\$197,320,811			\$230,555		
2	2007	\$989,078,707	30.31	6 76.09%	\$427,382,570	\$4,450,867	\$2,844,731		\$3,396,536	\$4,450,867
County		\$988,341,787			\$426,645,650			\$551,805		
3	2008	\$1,515,616,786	53.24	6 169.83%	\$953,920,649	\$10,691,983	\$6,065,898		\$7,224,872	\$10,691,983
County		\$1,595,047,713			\$1,033,501,376			\$1,158,974		
4	2009	\$1,512,292,589	-0.229	6 169.24%	\$947,375,272	\$17,179,939	\$6,768,369		\$7,886,151	\$17,179,939
County		\$1,559,199,640			\$994,432,123			\$1,117,782		
5	2010	\$1,539,047,900	1.77%	174.00%	\$974,130,583	\$23,590,942	\$6,849,382		\$8,182,245	\$23,590,942
County		\$1,583,755,734			\$1,018,988,217			\$1,332,864		
6	2011	\$1,546,807,101	0.50%	175.38%	\$981,889,784	\$29,976,530	\$7,235,640		\$8,557,298	\$29,976,530
County		\$1,589,222,014			\$1,024,304,697			\$1,321,658		
7	2012	\$1,762,069,405	13.92	6 213.71%	\$1,197,152,088	\$37,259,180	\$8,587,172		\$10,247,420	\$37,259,180
County		\$1,806,641,969			\$1,241,724,652			\$1,660,248		
8	2013	\$1,804,258,824	2.39%		\$1,239,341,507	\$44,397,709	\$8,889,797	\$1,657,062	\$10,546,858	\$44,397,709
9	2014	\$1,877,874,888	4.08%		\$1,312,957,571	\$51,600,140	\$9,417,845	\$1,755,490	\$11,173,335	\$51,600,140
10	2015	\$2,188,793,720	16.56	6 289.68%	\$1,623,876,403	\$60,083,973	\$11,648,065	\$2,171,204	\$13,819,269	\$60,083,973
11	2016	\$2,464,529,254	12.60		\$1,899,611,937	\$69,535,777	\$13,625,916	\$2,539,876	\$16,165,793	\$69,535,777
12	2017	\$2,692,987,250	9.27%		\$2,128,069,933	\$79,620,092	\$15,264,646	\$2,845,336	\$18,109,982	\$79,620,092
13	2018	\$2,823,996,995	4.86%		\$2,259,079,678	\$89,815,457	\$16,204,379	\$3,020,502	\$19,224,881	\$89,815,457
14	2019	\$3,137,771,849	11.11		\$2,572,854,532	\$100,873,981	\$18,455,086	\$3,440,035	\$21,895,121	\$100,873,981
15	2020	\$3,351,229,853	6.80%		\$2,786,312,536	\$112,279,694	\$19,986,220	\$3,725,439	\$23,711,659	\$112,279,694
16	2021	\$3,443,788,100	2.76%		\$2,878,870,783	\$122,601,641	\$20,650,140	\$1,881,376	\$22,531,517	\$122,601,641
17	2022	\$3,512,663,862	2.00%		\$2,947,746,545	\$131,826,780	\$21,144,186	\$0	\$21,144,186	\$131,826,780
18	2023	\$3,586,106,060	2.09%		\$3,021,188,743	\$140,831,522	\$21,670,987	\$0	\$21,670,987	\$140,831,522
19	2024	\$3,657,828,181	2.00%		\$3,092,910,864	\$149,611,058	\$22,185,450	\$0	\$22,185,450	\$149,611,058
20	2025	\$3,736,318,125	2.15%		\$3,171,400,808	\$158,184,713	\$22,748,458	\$0	\$22,748,458	\$158,184,713
21	2026	\$3,811,044,487	2.00%		\$3,246,127,170	\$166,542,495	\$23,284,470	\$0	\$23,284,470	\$166,542,495
22	2027	\$3,887,265,377	2.00%		\$3,322,348,060	\$174,689,189	\$23,831,203	\$0	\$23,831,203	\$174,689,189
23	2028	\$3,972,098,184	2.18%		\$3,407,180,867	\$182,646,057	\$24,439,708	\$0	\$24,439,708	\$182,646,057
24	2029	\$4,051,540,148	2.00%		\$3,486,622,831	\$190,400,714	\$25,009,546	\$0	\$25,009,546	\$190,400,714
25	2030	\$4,115,568,049	1.58%		\$3,550,650,732	\$197,921,727	\$25,468,818	\$0	\$25,468,818	\$197,921,727
26	2031	\$4,156,723,730	1.00%		\$3,591,806,413	\$205,167,621	\$25,764,027	\$0	\$25,764,027	\$205,167,621
27	2032	\$4,198,290,967	1.00%		\$3,633,373,650	\$212,148,334	\$26,062,189	\$0	\$26,062,189	\$212,148,334
28	2033	\$4,240,273,877	1.00%		\$3,675,356,560	\$218,873,453	\$26,363,333	\$0	\$26,363,333	\$218,873,453
29	2034	\$4,282,676,616	1.00%		\$3,717,759,299	\$225,352,221	\$26,667,487	\$0	\$26,667,487	\$225,352,221
30	2035	\$4,325,503,382	1.00%	670.08%	\$3,760,586,065	\$231,593,554	\$26,974,684	\$0	\$26,974,684	\$231,593,554
To	tal					-	\$515,315,889	\$30,410,206	\$545,726,096	\$231,593,554
2006 NP	V @ 5%						\$213,093,554	\$18,500,000	\$231,593,554	

Assumptions:

- a. City of Dallas expected to participate in the Downtown Connection TIF District for 30 years at a rate of 90%.

- b. Dallas County participation rate is 55% and is capped at \$18.5M.

 c. Stream of annual investments in TIF reflects intent to retire TIF obligations after 30 years.

 d. Property value estimates assume 1% to 2% annual property appreciation and 3% annual inflation.

 e. The base year was adjusted to \$561,696,137 to accommodate boundary additions and deletions made prior to 2006 bonds sale and to accommodate
- account consolidations/duplications.

 f. The base year was adjusted in 2009 to \$564,917,317 to accommodate boundary additions and deletions made in 2008 and to accommodate account consolidations/duplications.

 g. The projections in this chart are estimated and may fluctuate as a result of any of the following occurrences:

- (1) Changes in date in which the TIF District may begin releasing TIF funds;
 (2) Changes in the real property tax rates of participating taxing jurisdictions (City of Dallas and Dallas County);
- (3) Changes in the participation rate of participating taxing jurisdictions; and/or (4) Completion dates of projects listed in the district's reimbursement queue

¹District values in bold print are actual collection amounts for the district; Remaining values are projections.

Exhibit K Additional City Sales Tax Attributed to New Downtown Residences in the TIF District

Assumptions:

Average household has AGI of \$60,000 to \$70,000. Average household has 1.3 people (1.3 exemptions). Sales tax is based on 2004 IRS tables for Texas.

City sales tax rate remains at 1% of taxable sales.

Sales tax paid by Downtown residents outside Downtown equals

tax on additional Downtown purchases by non-residents.

No increase of households after 2028.

No sales tax has been added for building construction materials.

(a)	(b)	(c)	(d)	(e)
				New Municipal
				Sales Tax @
	Anticipated			\$131
	Downtown	Households @	Households	per Added Household
	Residential	92%	Added	Plus Inflation @
Year	Units	Occupancy	After 2005	3.00%
2005	2,701	2,485	0	\$0
2006	3,482	3,203	719	\$96,950
2007	4,222	3,884	1,399	\$194,448
2008	5,397	4,965	2,480	\$355,023
2009	5,557	5,112	2,627	\$387,378
2010	7,062	6,497	4,012	\$609,344
2011	7,880	7,249	4,765	\$745,289
2012	7,880	7,249	4,765	\$767,647
2013	6,137	5,646	3,161	\$524,596
2013	6,137	5,646	3,161	\$540,334
2015	8,070	7,424	4,940	
2016	,	,		\$869,639
	8,070	7,424	4,940	\$895,728
2017	6,702	6,166	3,681	\$687,557
2018	6,702	6,166	3,681	\$708,184
2019	6,702	6,166	3,681	\$729,430
2020	8,152	7,500	5,015	\$1,023,509
2021	8,152	7,500	5,015	\$1,054,214
2022	8,389	7,718	5,233	\$1,133,051
2023	8,514	7,833	5,348	\$1,192,702
2024	6,860	6,311	3,827	\$878,998
2025	6,860	6,311	3,827	\$905,368
2026	8,836	8,130	5,645	\$1,375,624
2027	8,836	8,130	5,645	\$1,416,893
2028	10,685	9,830	7,345	\$1,899,073
2029	10,685	9,830	7,345	\$1,956,045
2030	10,685	9,830	7,345	\$2,014,726
2031	10,685	9,830	7,345	\$2,075,168
2032	10,685	9,830	7,345	\$2,137,423
2033	10,685	9,830	7,345	\$2,201,546
2034	10,685	9,830	7,345	\$2,267,592
2035	10,685	9,830	7,345	\$2,335,620
2036	10,685	9,830	7,345	\$2,405,688
2037	10,685	9,830	7,345	\$2,477,859
2038	10,685	9,830	7,345	\$2,552,195
2039	10,685	9,830	7,345	\$2,628,761
2040	10,685	9,830	7,345	\$2,707,624
2041	10,685	9,830	7,345	\$2,788,852
2042	10,685	9,830	7,345	\$2,872,518
2042	10,685	9,830	7,345	\$2,958,693
2043	10,685	9,830	7,345 7,345	\$3,047,454
2045	10,685	9,830	7,345 7,345	\$3,047,454
		9,630	1,345	
Sum for 40 year	٥.			\$61,557,619

Exhibit J Comparison of Downtown Connection TIF District Budget

Downtown Connection TIF District Budget Comparison 2013 Amendment										
Current Current Amended Estimated NPV Budget Total Dollars NPV Budget Total Dollars Category (2006)¹ TIF Budget² (2006)¹ TIF Budget										
Catalyst Projects: - Environmental remediation, demolition, historic façade, restoration, street/utility improvements & streetscape improvements, land acquisition, and non project costs, including, but not limited to machinery, equipment, materials and supplies Redevelopment of Vacant/Underutilized Downtown Buildings, Underdeveloped Parcels, Surface Parking Lots - Environmental remediation, interior/exterior demolition, historic façade restoration, street/utility improvements, land acquisition, TIF grants, affordable	\$68,000,000	\$68,000,000	\$68,000,000	\$68,000,000						
housing	\$90,367,206	\$156,652,741	\$152,653,168	\$309,043,392						
Uptown/Downtown connection improvements ³	\$20,500,000	\$0	\$0	\$0						
Park and plaza design and acquisition	\$1,500,000	\$3,095,852	\$1,500,000	\$3,534,594						
Affordable Housing ⁴	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000						
Ground Floor Activation/Streetscape Improvements ⁴	\$1,985,000	\$1,985,000	\$1,985,000	\$1,985,000						
Downtown Area Plan⁴	\$515,000	\$515,000	\$515,000	\$515,000						
Administration and Implementation	\$3,940,386	\$8,132,568	\$3,940,386	\$9,285,109						
Debt Service (Interest Only)		\$150,363,000		\$150,363,000						
Total Project Costs	\$189,807,592	\$391,744,162	\$231,593,554	\$545,726,096						

¹Current and Amended values discounted to 2006 dollars at 5% discount rate.

²Current and Amended Total Dollar values are estimated based on annual TIF District value, project costs, increment collections and Debt Service schedules. These values will fluctuate annually.

³Funds allocated to this line item have been reprogrammed to the Redevelopment line item.

⁴Funds for the Affordable Housing, Ground Floor Activation/Streetscape Improvements, and Downtown Area Plan line items are in cash.

Appendix A

Real Property Accounts in the Downtown Connection TIF District (Base Year, Adjusted)

ACCOUNT NUMBER	PROPERTY ADDRESS	CITY TAXABLE BASE
00000100393000000	900 MAIN ST	\$2,836,620.00
00000100405000000	909 COMMERCE ST	\$112,500.00
00000100411000000	908 COMMERCE ST	\$500,000.00
00000100414000000	903 JACKSON ST	\$600,000.00
00000100417000000	907 JACKSON ST	\$500,000.00
00000100441000000	1401 ELM ST	\$5,648,680.00
00000100441000100	1403 ELM ST	\$600,060.00
00000100441000200	1405 ELM ST	\$1,199,880.00
00000100441000300	1407 ELM ST	\$300,060.00
00000100441000400	1409 ELM ST	\$600,060.00
00000100441000500	1411 ELM ST	\$150,000.00
0000010044100D100	1401 ELM ST	\$4,261,290.00
00000100492000000	1014 MAIN ST	\$1,964,700.00
00000100498000000	1100 MAIN ST	\$364,410.00
00000100498000100	1100 MAIN ST	\$535,320.00
00000100555000000	1100 JACKSON ST	\$441,000.00
00000100558000000	1016 JACKSON ST	\$421,800.00
00000100561000000	1109 WOOD ST	\$168,750.00
00000100564000000	1104 JACKSON ST	\$125,550.00
00000100565000000	300 S GRIFFIN ST	\$0.00
00000100565000100	1000 WOOD ST	\$157,710.00
00000100576000000	1114 WOOD ST	\$2,522,040.00
00000100594000000	1033 YOUNG ST	\$1,788,780.00
00000100801009700	403 S AKARD ST	\$270.00
00000100801009900	403 S AKARD ST	\$7,310.00
00000100876000000	1600 PACIFIC AVE	\$6,337,990.00
00000100876000100	1600 PACIFIC AVE	\$440,000.00
00000100882000000	1511 ELM ST	\$912,010.00
00000100966000000	1604 ELM ST	\$600,000.00
00000100969000000	1606 ELM ST	\$191,450.00
00000100972000000	1600 ELM ST	\$347,730.00
00000100975000000	1607 MAIN ST	\$1,326,170.00
00000100984009900	1614 ELM ST	\$113,530.00
00000100987000000	1612 ELM ST	\$189,930.00
0000010099000000	1610 ELM ST	\$326,000.00
00000100996000000	1615 MAIN ST	\$623,650.00
00000101005009900	1603 COMMERCE ST	\$4,828,340.00
00000101008000000	1622 MAIN ST	\$600,000.00
00000101011000000	1618 MAIN ST	\$150,000.00
00000101017000000	1604 MAIN ST	\$464,050.00
00000101050000000	1417 COMMERCE ST	\$305,630.00
00000101053000000	1503 COMMERCE ST	\$225,970.00
00000101056000000	1505 COMMERCE ST	\$226,950.00
00000101062000000	1513 COMMERCE ST	\$300,000.00
00000101065000000	1517 COMMERCE ST	\$300,000.00
00000101068000000	1523 COMMERCE ST	\$300,000.00
00000101071000000	1525 COMMERCE ST	\$272,080.00
00000101074000000	1603 COMMERCE ST	\$300,000.00
00000101077000000	1607 COMMERCE ST	\$150,000.00

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00000101080000000	1609 COMMERCE ST	\$600,000.00
00000101083000000	1616 MAIN ST	\$300,000.00
00000101119000000	1610 JACKSON ST	\$294,940.00
00000101125000000	315 S ERVAY ST	\$472,500.00
00000101128000000	1600 JACKSON ST	\$89,480.00
0000010112800D100	1600 JACKSON ST	\$89,480.00
0000010112800D200	1600 JACKSON ST	\$44,740.00
0000010112800D300	1600 JACKSON ST	\$44,740.00
0000010112800D400	1600 JACKSON ST	\$22,370.00
0000010112800D500	1600 JACKSON ST	\$22,370.00
0000010112800D600	1600 JACKSON ST	\$22,370.00
0000010112800D700	1600 JACKSON ST	\$22,370.00
00000101136000000	400 S AKARD ST	\$8,272,000.00
00000101257000000	1515 YOUNG ST	\$0.00
00000101530000000	1907 ELM ST	\$5,000,000.00
00000101689100000	1808 MAIN ST	\$3,177,550.00
00000101689500000	1807 COMMERCE ST	\$500,000.00
00000101692000000	1954 COMMERCE ST	\$1,131,790.00
00000101695000000	1902 COMMERCE ST	\$2,510,000.00
00000101698000000	1712 COMMERCE ST	\$300,000.00
00000101698000100	1712 COMMERCE ST	\$4,907,100.00
00000101701000000	1810 COMMERCE ST	\$2,208,600.00
00000101707000000	208 S ERVAY ST	\$207,900.00
00000101710100000	1709 JACKSON ST	\$337,500.00
00000101713000000	1810 JACKSON ST	\$1,583,660.00
00000101734000000	1708 JACKSON ST	\$240,450.00
00000101746000000	1710 JACKSON ST	\$333,950.00
00000101752000000	308 S ERVAY ST	\$68,850.00
00000101755000000	302 S ERVAY ST	\$203,850.00
00000101758000000	312 S ERVAY ST	\$155,460.00
00000101764000000	1900 JACKSON ST	\$2,600,000.00
00000101767000000	1915 WOOD ST	\$994,080.00
00000101770000000	1815 WOOD ST	\$1,433,030.00
00000101779000000	1916 JACKSON ST	\$111,720.00
00000101782000000	301 S HARWOOD ST	\$1,298,790.00
00000101788000000	416 S ERVAY ST	\$39,410.00
00000101791000000	420 S ERVAY ST	\$105,000.00
00000101797000000	1707 YOUNG ST	\$91,920.00
00000101800000000	1713 YOUNG ST	\$34,880.00
00000101803000000	1715 YOUNG ST	\$38,750.00
00000101806000000	1705 YOUNG ST	\$80,100.00
00000101815000000	418 S ERVAY ST	\$88,830.00
00000101818000000	400 S ERVAY ST	\$312,000.00
00000101821000000	404 S ERVAY ST	\$50,000.00
00000101824000000	408 S ERVAY ST	\$99,830.00
00000101827000000	1706 WOOD ST	\$113,220.00
00000101830000000	1714 WOOD ST	\$318,600.00
00000101833009900	1721 YOUNG ST	\$116,030.00
00000101834009900	1721 YOUNG ST	\$20,480.00
00000101836000000	1717 YOUNG ST	\$70,530.00
00000101839000000	1727 YOUNG ST	\$77,000.00
00000101842000000	500 S ERVAY ST	\$2,500,000.00
00000101944000000	1933 MAIN ST	\$5,000,000.00
00000101974009900	1928 MAIN ST	\$500,000.00
00000101977000000	1924 MAIN ST	\$301,000.00
00000101980000000	1920 MAIN ST	\$343,330.00
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0000040400000000	4040 144111 07	#
00000101983000000	1916 MAIN ST	\$300,000.00
00000101986000000	1912 MAIN ST	\$300,000.00
00000101989000000	1910 MAIN ST	\$660,000.00
00000101992000000	1906 MAIN ST	\$1,133,400.00
00000101995000000	1913 COMMERCE ST	\$300,000.00
00000101998000000	1917 COMMERCE ST	\$0.00
00000102004000000	1921 COMMERCE ST	\$950,000.00
00000102007000000	1775 YOUNG ST	\$249,380.00
00000102016000000	401 N ST PAUL ST	\$67,500.00
00000102025000000	1801 YOUNG ST	\$316,440.00
00000102040000000	509 S ST PAUL ST	\$26,500.00
00000102049000000	515 S ST PAUL ST	\$92,220.00
00000102064000000	1800 YOUNG ST	\$53,000.00
00000102389000000	2001 ELM ST	\$956,480.00
00000102391000000	2009 ELM ST	\$45,000.00
00000102394000000	2115 ELM ST	\$154,240.00
00000102397000000	2120 PACIFIC AVE	\$228,160.00
00000102403000000	2101 ELM ST	\$112,000.00
00000102406000000	2108 PACIFIC AVE	\$181,200.00
00000102409000000	210 OLIVE ST	\$42,000.00
00000102412000000	2104 PACIFIC AVE	\$126,560.00
00000102415000000	2111 ELM ST	\$140,700.00
00000102418000000	2107 ELM ST	\$80,000.00
00000102481000000	2009 COMMERCE ST	\$0.00
00000102484000000	2033 COMMERCE ST	\$199,800.00
00000102487000000	2019 COMMERCE ST	\$0.00
0000010249000000	2020 MAIN ST	\$0.00
00000102493000000	2030 MAIN ST	\$0.00
0000010243000000	2012 COMMERCE ST	\$326,240.00
00000102499500000	210 S HARWOOD ST	\$0.00
00000102433300000	2002 COMMERCE ST	\$160,200.00
00000102505000000	2007 JACKSON ST	\$108,000.00
00000102508000000	2013 JACKSON ST	\$207,000.00
00000102506000000	2008 COMMERCE ST	\$333,820.00
00000102517000000	2016 COMMERCE ST	\$100,000.00
00000102517000000	2015 JACKSON ST	\$100,000.00
00000102523000000	2037 JACKSON ST	\$120,000.00 \$69,700.00
00000102526000000	2031 JACKSON ST 2027 JACKSON ST	
00000102529000000		\$194,280.00
00000102538000000	2020 COMMERCE ST	\$45,000.00
00000102541000000	2022 COMMERCE ST	\$60,460.00
00000102544000000	2024 COMMERCE ST	\$150,000.00
00000102547000000	2026 COMMERCE ST	\$330,340.00
00000102550000000	2030 COMMERCE ST	\$45,000.00
00000102553000000	2032 COMMERCE ST	\$45,000.00
00000102556000000	2036 COMMERCE ST	\$0.00
00000102559000000	2036 COMMERCE ST	\$0.00
00000102562000000	2038 COMMERCE ST	\$0.00
00000102565009900	408 S HARWOOD ST	\$32,530.00
00000102568009900	408 S HARWOOD ST	\$32,530.00
00000102571009900	408 S HARWOOD ST	\$32,530.00
00000102574000000	2012 JACKSON ST	\$576,820.00
00000102592000000	2027 WOOD ST	\$95,580.00
00000102598000000	404 S HARWOOD ST	\$78,540.00
00000102601000000	300 S HARWOOD ST	\$170,560.00
00000102604000000	308 S HARWOOD ST	\$151,360.00

00000102607000000	412 S HARWOOD ST	\$135,000.00
0000010260700HS00	412 S HARWOOD ST	\$84,859.00
00000102610000000	2008 JACKSON ST	\$186,176.00
00000102613000000	312 S HARWOOD ST	\$0.00
0000010261300HS00	312 S HARWOOD ST	\$0.00
00000102616000000	2011 YOUNG ST	\$128,790.00
00000102619000000	2010 JACKSON ST	\$45,000.00
00000102622000000	317 S PEARL EXPY	\$1,000,000.00
00000102625000000	2027 YOUNG ST	\$260,000.00
00000102629000000	2023 YOUNG ST	\$200,000.00
00000102631000000	2017 YOUNG ST	\$243,020.00
00000102635000000	2011 YOUNG ST	\$267,520.00
00000102637000000	307 S PEARL EXPY	\$108,900.00
00000102766000000	2200 PACIFIC AVE	\$99,280.00
0000010276900000	210 S PEARL EXPY	\$37,910.00
00000102772000000	2221 ELM ST	\$73,340.00
00000102775000000	2222 PACIFIC AVE	\$204,000.00
00000102778000000	2219 ELM ST	\$46,660.00
00000102787000000	2217 ELM ST	\$70,000.00
00000102790000000	2210 PACIFIC AVE	\$221,500.00
00000102796000000	2213 ELM ST	\$35,000.00
0000010279900000	2211 ELM ST	\$35,000.00
00000102802000000	2209 ELM ST	\$70,000.00
00000102805000000	2208 PACIFIC AVE	\$55,130.00
00000102808000000	2205 ELM ST	\$40,000.00
00000102811000000	2203 ELM ST	\$27,880.00
00000102814000000	2125 MAIN ST	\$90,000.00
00000102817000000	2121 MAIN ST	\$1,400,640.00
0000010282000000	2107 MAIN ST	\$110,060.00
0000010282300000	2101 MAIN ST	\$182,340.00
0000010282400000	108 N PEARL EXPY	\$127,500.00
0000010282900000	2206 ELM ST	\$95,460.00
00000102832000000	2210 ELM ST	\$45,000.00
00000102835000000	2212 ELM ST	\$45,000.00
00000102838000000	2214 ELM ST	\$45,000.00
00000102841000000	2216 ELM ST	\$90,000.00
00000102844000000	2220 ELM ST	\$45,000.00
00000102847000000	2222 ELM ST	\$255,270.00
00000102850000000	2224 ELM ST	\$51,540.00
00000102853000000	2226 ELM ST	\$126,000.00
00000102856500000	2125 COMMERCE ST	\$0.00
00000102859000000	2121 COMMERCE ST	\$78,750.00
00000102862000000	2117 COMMERCE ST	\$155,070.00
00000102865000000	2113 COMMERCE ST	\$106,200.00
00000102868000000	2109 COMMERCE ST	\$500,900.00
00000102871000000	2105 COMMERCE ST	\$1,400,000.00
00000102874009900	2101 COMMERCE ST	\$39,380.00
00000102874509900	2101 COMMERCE ST	\$39,380.00
00000102877009900	2100 MAIN ST	\$59,060.00
00000102877509900	2100 MAIN ST	\$59,060.00
0000010288000000	2106 MAIN ST	\$241,360.00
00000102883000000	2110 MAIN ST	\$78,750.00
00000102886000000	2114 MAIN ST	\$114,750.00
00000102889000000	2120 MAIN ST	\$78,750.00
00000102892000000	2124 MAIN ST	\$78,750.00
00000103081000000	2306 PACIFIC AVE	\$594,100.00

0000040044440000	0044 MAIN OT	# 222 222 22
00000103144400000	2214 MAIN ST	\$300,000.00
00000103144800000	2210 MAIN ST	\$236,250.00
00000103145000000	2208 MAIN ST	\$590,630.00
00000103159000000	2215 COMMERCE ST	\$207,000.00
00000103168000000	2211 COMMERCE ST	\$675,000.00
00000103174009900	2207 COMMERCE ST	\$450,000.00
00000103186400000	2222 MAIN ST	\$273,440.00
00000103187000000	2201 COMMERCE ST	\$105,080.00
0000010438000000	1910 N LAMAR ST	\$174,920.00
00000104383000000	906 MUNGER AVE	\$157,410.00
00000104386000000	1901 LAWS ST	\$248,580.00
00000104389000000	1902 N LAMAR ST	\$386,820.00
00000104392000000	911 CORBIN ST	\$423,680.00
00000104395000000	1914 N LAMAR ST	\$174,960.00
00000104419000000	1012 MCKINNEY AVE	\$1,916,110.00
00000104485000000	912 ROSS AVE	\$648,830.00
00000104488000000	406 N LAMAR ST	\$89,780.00
00000104491000000	400 N LAMAR ST	\$222,130.00
00000104500009900	913 SAN JACINTO ST	\$25,310.00
00000104503000000	915 SAN JACINTO ST	\$262,500.00
00000104506000000	505 N GRIFFIN ST	\$403,530.00
00000104509000000	911 SAN JACINTO ST	\$83,130.00
00000104515000000	1001 SAN JACINTO ST	\$246,440.00
00000104518000000	902 ROSS AVE	\$160,920.00
0000010451000000	1012 ROSS AVE	\$254,390.00
00000104527000000	1003 SAN JACINTO ST	\$141,990.00
00000104527000000	909 SAN JACINTO ST	\$83,130.00
00000104535000000	907 SAN JACINTO ST	\$128,250.00
00000104536500000	905 SAN JACINTO ST	\$90,010.00
00000104539009900	913 SAN JACINTO ST	\$53,440.00
00000104578000000	1108 CORBIN ST	\$198,170.00
00000104581000000	1110 CORBIN ST	\$143,150.00
00000104584000000	1102 CORBIN ST	\$242,130.00
0000010459000000	1810 N GRIFFIN ST	\$253,540.00
00000104597000000	1210 CORBIN ST	\$0.00
00000104602000000	1206 CORBIN ST	\$362,570.00
00000104617000000	1802 N GRIFFIN ST	\$525,530.00
00000104645000000	660 N GRIFFIN ST	\$0.00
00000104650000000	1102 HORD ST	\$225,610.00
00000104653000000	1708 N GRIFFIN ST	\$391,980.00
00000104683000000	1110 ROSS AVE	\$157,460.00
00000104686000000	1115 SAN JACINTO ST	\$130,000.00
00000104689000000	500 N GRIFFIN ST	\$231,910.00
00000104707000000	1205 PATTERSON AVE	\$722,570.00
00000104716000000	1100 PATTERSON AVE	\$1,294,800.00
00000104812000000	611 N FIELD ST	\$411,940.00
00000104815000000	1300 ROSS AVE	\$624,810.00
00000104857000000	500 N FIELD ST	\$95,810.00
00000104860000000	511 N AKARD ST	\$2,000,000.00
00000104872000000	1414 SAN JACINTO ST	\$150,900.00
00000104875000000	1406 SAN JACINTO ST	\$221,880.00
00000104878000000	1404 SAN JACINTO ST	\$152,050.00
00000104881000000	1402 SAN JACINTO ST	\$178,070.00
00000104884000000	1338 SAN JACINTO ST	\$85,960.00
00000104887000000	1320 SAN JACINTO ST	\$149,500.00
00000104890000000	1217 PATTERSON AVE	\$319,800.00

00000104893000000	1216 SAN JACINTO ST	\$74,750.00
00000104896000000	1214 SAN JACINTO ST	\$74,750.00
00000104899000000	1212 SAN JACINTO ST	\$282,570.00
00000104902000000	1215 PATTERSON AVE	\$149,500.00
00000104905000000	501 N FIELD ST	\$91,490.00
00000104908000000	512 N FIELD ST	\$84,140.00
00000104911000000	1309 PATTERSON AVE	\$159,900.00
00000104914000000	1407 PATTERSON AVE	\$309,400.00
00000104917000000	1411 PATTERSON AVE	\$154,700.00
00000104920000000	1415 PATTERSON AVE	\$211,460.00
00000104923000000	505 N AKARD ST	\$2,150,160.00
00000104926000000	1310 PATTERSON AVE	\$146,200.00
00000104929000000	409 N AKARD ST	\$164,320.00
00000104932000000	413 N AKARD ST	\$50,910.00
00000104935000000	1411 FEDERAL ST	\$158,260.00
00000104938000000	1405 FEDERAL ST	\$284,750.00
00000104941000000	1414 PATTERSON AVE	\$202,980.00
0000010494400000	1403 FEDERAL ST	\$188,550.00
00000104947000000	1319 FEDERAL ST	\$94,280.00
00000104950000000	1314 PATTERSON AVE	\$94,280.00
0000010433009900	411 N AKARD ST	\$8,208,980.00
00000104956000000	1311 FEDERAL ST	\$30,500.00
00000104959000000	1313 FEDERAL ST	\$98,000.00
	1317 FEDERAL ST	
00000104962000000		\$90,650.00
00000104965000000	415 N AKARD ST	\$115,700.00
00000104968000000	417 N AKARD ST	\$56,990.00
00000105196000000	504 N ST PAUL ST	\$331,140.00
00000105198000000	400 N ST PAUL ST	\$0.00
00000105208000000	502 N ST PAUL ST	\$355,600.00
00000105235000000	2020 ROSS AVE	\$868,270.00
00000105241000000	2013 SAN JACINTO ST	\$649,920.00
00000105250000000	2016 ROSS AVE	\$191,730.00
00000105253000000	2000 ROSS AVE	\$564,540.00
00000105256000000	2010 ROSS AVE	\$298,800.00
00000105259000000	2014 ROSS AVE	\$192,540.00
00000105262000000	2021 SAN JACINTO ST	\$848,400.00
00000105265000000	820 N HARWOOD ST	\$419,490.00
00000105397000000	1901 PACIFIC AVE	\$0.00
00000105534000000	2318 ROSS AVE	\$2,332,530.00
00000105592000000	2300 LIVE OAK ST	\$0.00
00000105607000000	435 N CENTRAL EXPY	\$0.00
00000105616000000	318 CROCKETT ST	\$0.00
00000105628000000	2201 PACIFIC AVE	\$0.00
00000105634000000	312 N PEARL EXPY	\$0.00
00000105646000000	2211 PACIFIC AVE	\$0.00
00000105652000000	2411 SAN JACINTO ST	\$158,400.00
00000105655000000	2401 SAN JACINTO ST	\$52,500.00
00000105658000000	810 LEONARD ST	\$36,000.00
00000105661000000	812 LEONARD ST	\$86,220.00
00000105664000000	2403 SAN JACINTO ST	\$60,000.00
00000105667000000	2407 SAN JACINTO ST	\$90,000.00
00000105676000000	2415 SAN JACINTO ST	\$48,570.00
00000105679000000	2419 SAN JACINTO ST	\$48,570.00
00000105682000000	2421 SAN JACINTO ST	\$48,570.00
00000105685000000	2425 SAN JACINTO ST	\$110,250.00
00000105688000000	2510 SALINA ALLEY DR	\$69,380.00
00000100000000000	ZUIU OALINA ALLET DA	φυθ,300.00

00000105691000000	2516 SALINA ALLEY DR	\$69,380.00
00000105694000000	2520 SALINA ALLEY DR	\$76,320.00
00000105697000000	1109 HAWKINS ST	\$41,630.00
00000105700000000	2425 FEDERAL ST	\$0.00
00000105703000000	2431 FEDERAL ST	\$0.00
00000105706000000	1015 HAWKINS ST	\$1,057,000.00
00000105718000000	1025 HAWKINS ST	\$502,340.00
00000105727000000	732 LEONARD ST	\$458,160.00
00000105739250000	700 LEONARD ST	\$141,280.00
00000105739500000	702 LEONARD ST	\$141,460.00
00000105739750000	722 LEONARD ST	\$178,910.00
00000105742000000	2401 FEDERAL ST	\$196,860.00
00000105757000000	2401 BRYAN ST	\$0.00
00000105760000000	2411 BRYAN ST	\$0.00
00000105763000000	2409 BRYAN ST	\$0.00
00000105766000000	2419 BRYAN ST	\$0.00
00000105769000000	2415 BRYAN ST	\$0.00
00000105790000000	2520 ROSS AVE	\$463,680.00
00000105799000000	2503 SAN JACINTO ST	\$318,470.00
00000105808000000	2508 ROSS AVE	\$98,550.00
00000105811000000	2501 SAN JACINTO ST	\$58,410.00
00000105814000000	2512 ROSS AVE	\$302,950.00
00000105817000000	2504 ROSS AVE	\$103,500.00
00000105820000000	2504 SALINA ALLEY DR	\$83,050.00
00000105823000000	2526 ROSS AVE	\$240,890.00
0000010582300D100	2526 ROSS AVE	\$33,460.00
0000010582300D200	2526 ROSS AVE	\$16,730.00
00000105826000000	2500 ROSS AVE	\$143,780.00
00000105829000000	1018 HAWKINS ST	\$0.00
00000105835000000	2500 SAN JACINTO ST	\$0.00
00000105838000000	2502 SAN JACINTO ST	\$0.00
0000010584100000	1039 ROUTH ST	\$0.00 \$0.00
0000010584400000	1026 HAWKINS ST 2700 ROUTH ST	
00000105845000000 00000105853000000	1022 HAWKINS ST	\$36,750.00 \$0.00
0000010585600000	1010 HAWKINS ST	\$145,080.00
00000103838000000	1023 ROUTH ST	\$0.00
00000105862000000	904 HAWKINS ST	\$0.00
00000105997000000	2600 ROSS AVE	\$0.00
00000106000000000	2620 ROSS AVE	\$168,700.00
00000106003000000	2608 ROSS AVE	\$173,020.00
00000106006000000	2625 SAN JACINTO ST	\$192,890.00
00000106009000000	2615 ROSS AVE	\$199,260.00
00000106003000000	2615 SAN JACINTO ST	\$134,600.00
00000106012000000	2632 ROSS AVE	\$243,160.00
00000106018000000	2624 ROSS AVE	\$134,960.00
00000106021000000	2619 SAN JACINTO ST	\$148,650.00
00000106024000000	2616 ROSS AVE	\$168,700.00
00000106027000000	2603 SAN JACINTO ST	\$354,810.00
00000106030000000	2611 SAN JACINTO ST	\$136,760.00
00000106033500000	845 N CENTRAL EXPY	\$0.00
00000106105000000	400 N CENTRAL EXPY	\$0.00
00000106108000000	400 N CENTRAL EXPY	\$0.00
00000106687000000	2421 N AKARD ST	\$174,150.00
00000106690000000	2417 N AKARD ST	\$149,850.00
00000106693000000	2413 N AKARD ST	\$162,000.00
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00000106696000000	2411 N AKARD ST	\$162,000.00
00000106699000000	2407 N AKARD ST	\$162,000.00
00000106702000000	2403 N AKARD ST	\$161,640.00
00000106705000000	2412 CAROLINE ST	\$324,000.00
00000106708000000	2416 CAROLINE ST	\$1,233,090.00
00000106711000000	2325 N AKARD ST	\$272,090.00
00000106711000000	2301 N AKARD ST	\$1,700,000.00
00000106726000000	1703 CEDAR SPRINGS RD	\$1,958,500.00
00000106741000000	1712 CEDAR SPRINGS RD	\$499,590.00
00000106744000000	2203 N AKARD ST	\$398,550.00
00000106747000000	1709 MCKINNEY AVE	\$224,210.00
00000106750000000	1708 CEDAR SPRINGS RD	\$373,980.00
00000106753000000	1701 MCKINNEY AVE	\$690,130.00
00000106756000000	2210 CAROLINE ST	\$450,630.00
00000106759000000	2222 CAROLINE ST	\$217,000.00
00000106762000000	2216 CAROLINE ST	\$217,000.00
00000106765000000	2215 N AKARD ST	\$208,250.00
00000106768000000	1899 MCKINNEY AVE	\$1,600,000.00
00000106936009900	2503 ROSS AVE	\$0.00
00000106939000000	2526 FLORA ST	\$0.00
00000106942009900	2501 ROSS AVE	\$162,980.00
00000106945000000	2509 ROSS AVE	\$89,480.00
00000106945000200	2511 ROSS AVE	\$0.00
00000106945000300	2507 ROSS AVE	\$0.00
00000106948000000	2513 ROSS AVE	\$0.00
00000106954000000	2515 ROSS AVE	\$0.00
00000106957000000	2525 ROSS AVE	\$0.00
00000106960000000	2500 FLORA ST	\$0.00
00000106963000000	2504 FLORA ST	\$0.00
00000106966000000	2508 FLORA ST	\$0.00
0000010696900000	2510 FLORA ST	\$133,350.00
00000106972000000	2512 FLORA ST	\$0.00
00000106975000000	2514 FLORA ST	\$200,100.00
00000106978000000	2518 FLORA ST	\$200,100.00
00000106981000000	1725 ROUTH ST	\$0.00
00000106984000000	1715 ROUTH ST	\$0.00
00000106987000000	1719 ROUTH ST	\$27,330.00
00000106990000000	1723 ROUTH ST	\$22,380.00
00000106993000000	2524 FLORA ST	\$0.00
00000106996000000	2522 FLORA ST	\$0.00
00000106999000000	2501 FLORA ST	\$0.00
00000107002000000	1901 ROUTH ST	\$0.00
00000107005000100	2706 WOODALL RODGERS FWY	\$80,610.00
00000107008000000	2702 WOODALL ROGERS FWY	\$127,880.00
00000107011000000	1904 ROUTH ST	\$33,330.00
00000107014000000	1902 ROUTH ST	\$26,270.00
00000107017000000	2704 WOODALL ROGERS FWY	\$56,530.00
00000107020000000	2609 WADE RD	\$473,330.00
00000107068000000	2600 MUNGER AVE	\$0.00
00000107071000000	2606 MUNGER AVE	\$0.00
00000107074000000	2605 WADE RD	\$0.00
00000107086000000	2607 WADE RD	\$18,010.00
00000107089000000	2608 MUNGER AVE	\$17,930.00
00000107110000000	2603 ROSS AVE	\$295,230.00
00000107113000000	2613 ROSS AVE	\$162,530.00
00000107116000000	2613 ROSS AVE	\$162,530.00

00000107374000000	1909 FAIRMOUNT ST	\$0.00
00000107374000100	1907 FAIRMOUNT ST	\$0.00
00000107419000000	2403 FLORA ST	\$0.00
00000107431000000	2401 FLORA ST	\$0.00
0000010744900000	1725 FAIRMOUNT ST	\$0.00
00000107452000000	2411 ROSS AVE	\$0.00
00000107452000000	1707 FAIRMOUNT ST	\$0.00
00000107458000000	2400 FLORA ST	\$0.00
00000107784509600	1035 YOUNG ST	\$0.00
00000107795000000	400 S GRIFFIN ST	\$0.00
00000107796000000	1002 WOOD ST	\$2,669,180.00
00000107845000000	1900 N AKARD ST	\$3,700,000.00
00000107908000000	2422 AKARD ST	\$0.00
00000107911000000	2402 HARRY HINES BLVD	\$0.00
00000107986000000	2607 N HARWOOD ST	\$150,000.00
0000010798900000	2611 N HARWOOD ST	\$150,000.00
00000107992000000	2617 N HARWOOD ST	\$270,000.00
00000107995000000	2614 HARRY HINES BLVD	\$120,000.00
00000108001000000	2612 HARRY HINES BLVD	\$150,000.00
00000108002000000	2610 HARRY HINES BLVD	\$128,970.00
00000108004000000	2501 N HARWOOD ST	\$2,710,000.00
0000011072000000	1627 PACIFIC AVE	\$0.00
0000011074900000	306 N ST PAUL ST	\$150,160.00
0000011074900D100	306 N ST PAUL ST	\$119,710.00
0000011074900D200	306 N ST PAUL ST	\$95,770.00
0000011074900D300	306 N ST PAUL ST	\$63,850.00
0000011074900D400	306 N ST PAUL ST	\$63,850.00
0000011074900D500	306 N ST PAUL ST	\$63,850.00
0000011074900D600	306 N ST PAUL ST	\$52,330.00
0000011074900D700	306 N ST PAUL ST	\$51,420.00
0000011074900D800	306 N ST PAUL ST	\$41,370.00
0000011074900D900	306 N ST PAUL ST	\$23,940.00
000001107490D1000	306 N ST PAUL ST	\$23,940.00
000001107490D1100	306 N ST PAUL ST	\$23,940.00
000001107490D1200	306 N ST PAUL ST	\$23,940.00
00000110773000000	308 N ST PAUL ST	\$97,786.00
00000110773000100	308 N ST PAUL ST	\$122,194.00
00000110836000000	401 N HARWOOD ST	\$1,124,870.00
00000110836000100	322 N ST PAUL ST	\$77,145.00
00000110836000300	413 N HARWOOD ST	\$462,420.00
00000110836000400	300 N ST PAUL ST	\$123,200.00
00000110836000500	322 N ST PAUL ST	\$208,105.00
00000110848000000	312 N ST PAUL ST	\$374,080.00
00000110848000100	312 N ST PAUL ST	\$41,815.00
00000112297000100	1717 N AKARD ST	\$315,000.00
00000112324000000	1616 WOODALL RODGRS FWY	\$7,500,000.00
00000112348000000	2012 N FIELD ST	\$2,800,000.00
00000112360000000	1820 N ST PAUL ST	\$0.00
00000112363000000	1701 N HARWOOD ST	\$0.00
00000112366000000	1730 N ST PAUL ST	\$0.00
00000112369000000	1811 N HARWOOD ST	\$0.00
00000112372000000	1807 N HARWOOD ST	\$0.00
00000112375000000	1903 ROSS AVE	\$0.00
00000112378000000	1729 N HARWOOD ST	\$0.00
00000112381000000	1717 N HARWOOD ST	\$0.00
00000112384000000	1727 N HARWOOD ST	\$0.00

00000112387000000	1735 N HARWOOD ST	\$0.00
00000112387000000	1919 ROSS AVE	\$0.00
0000011239300000	1802 N ST PAUL ST	\$0.00
0000011239000000	1810 N ST PAUL ST	\$0.00
0000011239300000	1901 MUNGER AVE	\$0.00
00000112402000000	1901 N HARWOOD ST	\$0.00
00000112403000000	1915 MUNGER AVE	\$0.00
00000112408000000	1922 N ST PAUL ST	\$0.00
		\$0.00
00000112414000000	1915 N HARWOOD ST 1916 N ST PAUL ST	
00000112417000000	1916 N ST PAUL ST	\$0.00
0000011242000000 0000011242300000		\$0.00
	1936 MCKINNEY AVE	\$1,272,840.00
00000112456000000	1920 MCKINNEY AVE	\$320,200.00
00000112549000100	2001 PEARL ST	\$0.00
00000112579000100	1700 N HARWOOD ST	\$0.00
00000112636000000	1722 PEARL ST	\$0.00
00000112636000100	1726 PEARL ST	\$0.00
00000112636000200	2200 ROSS AVE	\$0.00
00000112636000300	2251 PEARL ST	\$0.00
00000112636009900	2251 PEARL ST	\$0.00
00000112708000000	2212 WOODALL RODGERS FWY	\$0.00
00000112723000000	1901 CROCKETT ST 2101 PEARL ST	\$0.00
0000011275000000		\$4,146,520.00
00000112753000000	2130 OLIVE ST	\$283,680.00
00000112765000000 00000112771000000	2110 COLBY ST 2122 OLIVE ST	\$257,250.00
00000112771000000	2121 PEARL ST	\$713,760.00
00000112774000000	2127 PEARL ST	\$532,910.00 \$105,510.00
00000112777000000	2131 PEARL ST	\$195,510.00 \$105,510.00
0000011278000000	2125 FAIRMOUNT ST	\$195,510.00
0000011290900000	2124 LEONARD ST	\$165,900.00 \$242,000.00
0000011297000000	2122 LEONARD ST	\$165,900.00
00000112972000000	2121 FAIRMOUNT ST	\$166,950.00
00000112978000000	2118 LEONARD ST	\$167,030.00
00000112981000000	2113 FAIRMOUNT ST	\$2,145,480.00
00000112501000000	1710 BOLL ST	\$0.00
00000113650000000	2701 ROSS AVE	\$0.00
00000113674000000	2700 FLORA ST	\$0.00
00000113692000000	1800 BOLL ST	\$1,301,590.00
00000113693000000	2802 WOODALL ROGERS FWY	\$320.00
00000113693000100	1802 BOLL ST	\$48,850.00
00000113785000000	2815 FLORA ST	\$56,840.00
00000113788000000	2880 WOODALL RODGERS FWY	\$0.00
00000113791000000	1817 WOODALL RODGERS FWY	\$9,810.00
00000113792000000	1900 BOLL ST	\$6,140.00
00000134365000000	2728 MCKINNON ST	\$6,595,340.00
00000134395000000	2819 MCKINNON ST	\$187,500.00
00000134398000000	2823 MCKINNON ST	\$187,500.00
00000134401000000	2825 MCKINNON ST	\$243,750.00
00000134404000000	2826 N HARWOOD ST	\$213,000.00
00000134407000000	2822 N HARWOOD ST	\$150,000.00
00000134410000000	2818 N HARWOOD ST	\$150,000.00
00000134413000000	2814 N HARWOOD ST	\$125,700.00
00000134431000000	2821 N HARWOOD ST	\$108,120.00
00000134434000000	2818 HARRY HINES BLVD	\$150,360.00
00000134437000000	2825 N HARWOOD ST	\$325,910.00
		+==0,0.0.00

0000013444000000	2807 N HARWOOD ST	\$126,000.00
00000134443000000	2806 HARRY HINES BLVD	\$148,470.00
0000013444600000	2801 N HARWOOD ST	\$173,250.00
00000134449000000	2810 HARRY HINES BLVD	\$203,010.00
00000134452000000	2805 N HARWOOD ST	\$110,250.00
00000134455000000	2830 HARRY HINES BLVD	\$462,530.00
00000134458000000	2814 HARRY HINES BLVD	\$183,940.00
00000134461000000	2804 HARRY HINES BLVD	\$149,490.00
00000134464000000	2800 HARRY HINES BLVD	\$158,010.00
00000134467000000	2815 N HARWOOD ST	\$138,010.00
0000013447000000	2809 N HARWOOD ST	\$103,950.00
00000134470000000	2819 N HARWOOD ST	\$138,600.00
00000134475000000	2813 N HARWOOD ST	\$150,000.00
00000134470000000	3015 MCKINNON ST	\$170,950.00
00000134510000000	3009 MCKINNON ST	\$173,191.00
00000134524000000	3019 MCKINNON ST	\$195,760.00
00000134527000000	3023 MCKINNON ST	\$184,668.00
000001345327000000	3000 N HARWOOD ST	\$192,950.00
00000134536000000	3004 N HARWOOD ST	\$173,250.00
00000134539000000	3004 N HARWOOD ST	\$173,230.00
00000134533000000	3012 N HARWOOD ST	\$173,670.00
00000134545000000	3016 N HARWOOD ST	\$186,340.00
00000134548000000	3020 N HARWOOD ST	\$177,610.00
00000134551000000	3005 MCKINNON ST	\$175,480.00
00000134554000000	3024 N HARWOOD ST	\$249,180.00
00000134557000000	3003 MCKINNON ST	\$180,040.00
00000134923000000	2817 MAPLE AVE	\$870,000.00
00000134927000000	2905 MAPLE AVE	\$1,303,610.00
00000134947000000	2425 CEDAR SPRINGS RD	\$358,090.00
0000013494700HS00	2425 CEDAR SPRINGS RD	\$236,912.00
00000134962000000	2912 MAPLE AVE	\$545,380.00
00000134965000000	2917 FAIRMOUNT ST	\$308,800.00
00000134968000000	2921 FAIRMOUNT ST	\$400,120.00
00000134971000000	2926 MAPLE AVE	\$623,900.00
00000134974000000	2923 FAIRMOUNT ST	\$314,500.00
00000134977000000	2925 FAIRMOUNT ST	\$303,360.00
00000134980000000	3000 MAPLE AVE	\$900,000.00
00000134981000000	3008 MAPLE AVE	\$1,650,000.00
00000134983000000	3001 FAIRMOUNT ST	\$340,000.00
00000134986000000	3005 FAIRMOUNT ST	\$200,880.00
00000134991000000	3033 FAIRMOUNT ST	\$142,176.00
00000134991050000	3011 FAIRMOUNT ST	\$160,264.00
00000134991100000	3013 FAIRMOUNT ST	\$152,400.00
00000134991150000	3015 FAIRMOUNT ST	\$148,000.00
00000134991200000	3017 FAIRMOUNT ST	\$168,400.00
00000134991250000	3019 FAIRMOUNT ST	\$210,500.00
00000134991300000	3021 FAIRMOUNT ST	\$200,000.00
00000134991350000	3023 FAIRMOUNT ST	\$199,460.00
00000134991400000	3025 FAIRMOUNT ST	\$202,000.00
00000134991450000	3027 FAIRMOUNT ST	\$161,600.00
00000134991500000	3029 FAIRMOUNT ST	\$137,600.00
00000134991550000	3031 FAIRMOUNT ST	\$160,000.00
00000134995000000	3012 MAPLE AVE	\$389,790.00
00000135001000000	2902 MAPLE AVE	\$370,120.00
00000135106000000	3131 MAPLE AVE	\$10,000,000.00
00000135202000000	2222 N HARWOOD ST	\$2,066,140.00

00000135214000000	2001 MCKINNEY AVE	\$6,027,720.00
00000135301000000	2521 FAIRMOUNT ST	\$578,430.00
00000135304000000	2507 FAIRMOUNT ST	\$1,745,890.00
00000135307000000	2425 MCKINNEY AVE	\$1,720,260.00
00000135313000000	2515 FAIRMOUNT ST	\$234,300.00
00000135316000000	2519 FAIRMOUNT ST	\$580,000.00
00000135322000000	2421 MCKINNEY AVE	\$494,730.00
00000135340000000	2516 MAPLE AVE	\$900,000.00
00000135343000000	2525 FAIRMOUNT ST	\$700,200.00
00000135346000000	2527 FAIRMOUNT ST	\$440,000.00
00000135355000000	2504 MAPLE AVE	\$315,000.00
00000135356000000	2508 MAPLE AVE	\$746,220.00
00000135367000000	2603 FAIRMOUNT ST	\$1,032,470.00
00000135370000000	2611 FAIRMOUNT ST	\$737,510.00
00000135376000000	2701 FAIRMOUNT ST	\$380,000.00
00000135382000000	2707 FAIRMOUNT ST	\$371,700.00
00000135385000000	2628 MAPLE AVE	\$2,191,620.00
00000135388000000	2711 FAIRMOUNT ST	\$167,300.00
0000013538800HS00	2711 FAIRMOUNT ST	\$111,064.00
00000135391000000	2715 FAIRMOUNT ST	\$331,470.00
00000135394000000	2719 FAIRMOUNT ST	\$430,920.00
00000135397000000	2723 FAIRMOUNT ST	\$726,470.00
00000135400000000	2408 CEDAR SPRINGS RD	\$1,072,620.00
00000135403000000	2812 FAIRMOUNT ST	\$297,000.00
00000135406000000	2816 FAIRMOUNT ST	\$1,931,540.00
00000135409000000	2911 ROUTH ST	\$2,651,020.00
00000135415000000	2907 ROUTH ST	\$487,000.00
00000135418000000	2901 ROUTH ST	\$472,500.00
00000135421000000	2821 ROUTH ST	\$487,000.00
0000013542400000	2808 FAIRMOUNT ST	\$270,000.00
00000135427000000	2808 FAIRMOUNT ST	\$2,844,180.00
0000013543000000	2817 ROUTH ST	\$473,500.00
0000013543300000	2813 ROUTH ST 2811 ROUTH ST	\$472,500.00 \$866,250.00
00000135436000000 00000135439000000	2803 ROUTH ST	\$456,750.00
0000013343900000 000063000A0010000	1000 COMMERCE ST	\$1,608,120.00
000063000A0010000 000073000A0010100	1301 YOUNG ST	\$2,258,890.00
00007701220210000	1511 COMMERCE ST	\$303,180.00
0001741220210000 000114206901A0000	1414 ELM ST	\$975,000.00
00012500000010000	2000 ELM ST	\$4,000,010.00
00012500000019700	2000 ELM ST	\$7,070.00
00012500000019900	2000 ELM ST	\$611,360.00
000125003301A0000	2102 ELM ST	\$5,166,890.00
00012800300000000	317 S PEARL ST	\$29,880.00
00021700000000000	406 N LAMAR ST	\$20,510.00
00021700000030000	908 ROSS AVE	\$7,770.00
00021700000030100	908 ROSS AVE	\$129,560.00
00021700000030200	900 SAN JACINTO ST	\$112,910.00
00021900170010000	1100 MCKINNEY AVE	\$6,853,930.00
0002220B000090000	1704 N GRIFFIN ST	\$307,970.00
00022700000010000	704 N GRIFFIN ST	\$2,737,280.00
000228000A0030000	706 N GRIFFIN ST	\$191,720.00
000229000001A0000	1407 SAN JACINTO ST	\$1,602,900.00
00023500000010200	615 N AKARD ST	\$38,110.00
00024300010000000	608 N ST PAUL ST	\$2,208,770.00
00025500000010000	2110 LIVE OAK ST	\$0.00

00025500000010100	300 OLIVE ST	\$0.00
0002610A000010000	2400 ROSS AVE	\$2,052,120.00
000301000003A0000	2521 ROSS AVE	\$0.00
000301000004A0000	2525 ROSS AVE	\$176,900.00
000306000003A0000	2623 ROSS AVE	\$699,600.00
00036000020010000	2414 N AKARD ST	\$3,900,000.00
0004780A000010000	401 N HARWOOD ST	\$743,200.00
000524000003A0000	1900 MCKINNEY AVE	\$4,194,840.00
000525000A0010000	2000 MCKINNEY AVE	\$6,304,950.00
000527000A01A0000	2021 FLORA ST	\$0.00
00052800000010000	901 PEARL ST	\$2,699,820.00
000529000A0010000	2101 ROSS AVE	\$3,752,280.00
00053000000010000	2301 ROSS AVE	\$4,364,500.00
00053000000019800	2301 ROSS AVE	\$0.00
00053000000019000	2301 ROSS AVE	\$899,990.00
0005310A000010000	1800 N PEARL EXPY	\$0.00
0005340A000010000	1825 LEONARD ST	\$0.00
000541000A01B0000	2222 MCKINNEY AVE	\$5,870,800.00
000541000A02B0000	2212 MCKINNEY AVE	\$2,629,180.00
000566000A03A0000	2809 ROSS AVE	\$0.00
000929000J06A0000	2101 CEDAR SPRINGS RD	\$4,174,050.00
000930000201A0000	2828 N HARWOOD ST	\$30,975,560.00
000930000202A0000	2815 MCKINNON ST	\$152,250.00
00093200020010000	3130 N HARWOOD ST	\$2,379,954.00
000933000201C0000	2840 BOOKHOUT ST	\$812,820.00
00093300030010000	2215 CEDAR SPRINGS RD	\$46,750,950.00
000938000H01A0000	2820 MCKINNON ST	\$12,870,730.00
000939000E02A0000	2925 BOOKHOUT ST	\$305,848.00
000939000E02B0000	2923 BOOKHOUT ST	\$392,150.00
000939000E04A0000	2921 BOOKHOUT ST	\$309,696.00
000939000E04B0000	2919 BOOKHOUT ST	\$313,016.00
000939000E06A0000	2917 BOOKHOUT ST	\$313,848.00
000939000E08A0000	2915 BOOKHOUT ST	\$309,784.00
000939000E08B0000	2911 BOOKHOUT ST	\$305,032.00
000939000E09C0000	2912 N PEARL ST	\$284,000.00
000939000E09D0000	2910 N PEARL ST	\$286,368.00
000939000E10A0000	2909 BOOKHOUT ST	\$309,696.00
000939000E10B0000	2907 BOOKHOUT ST	\$309,696.00
000939000E11C0000	2908 N PEARL ST	\$295,296.00
000939000E11D0000	2906 N PEARL ST	\$231,840.00
000939000E12A0000	2905 BOOKHOUT ST	\$392,150.00
000939000E12B0000	2903 BOOKHOUT ST	\$301,536.00
0009390E0001A0000	2920 PEARL ST	\$0.00
000942000I01A0000	2826 BOOKHOUT ST	\$2,112,530.00
000943000604A0000	2811 MAPLE AVE	\$1,734,880.00
000943000803A0000	2927 MAPLE AVE	\$436,530.00
000944000501A0000	2401 CEDAR SPRINGS RD	\$18,440,000.00
000944000702A0000	2905 FAIRMOUNT ST	\$1,429,910.00
000944000702A0100	2913 FAIRMOUNT ST	\$772,920.00
000944000702A0200	2915 FAIRMOUNT ST	\$270,380.00
000944000703A0000	2906 MAPLE AVE	\$423,000.00
000947001601A0000	2605 CEDAR SPRINGS RD	\$1,149,880.00
00094800030010000	2510 CEDAR SPRINGS RD	\$3,686,760.00
00094800030010100	2121 MCKINNEY AVE	\$8,741,160.00
000949000101A0000	2401 MCKINNEY AVE	\$1,921,140.00
000949000110A0000	2512 MAPLE AVE	\$2,333,330.00

000950000301A0000	2610 MAPLE AVE	\$938,520.00
000950000301A0100	2616 MAPLE AVE	\$952,380.00
000950000309A0000	2620 MAPLE AVE	\$441,540.00
000956000001A0000	2800 ROUTH ST	\$16,056,500.00
000956000001A0300	2717 HOWELL ST	\$4,900,500.00
000956000001A9900	2800 ROUTH ST	\$0.00
000958001301E0000	2728 CEDAR SPRINGS RD	\$4,525,250.00
000959001202D0000	2650 CEDAR SPRINGS RD	\$7,797,552.00
000959001202D0100	2707 COLE AVE	\$11,942,590.00
00C03660000000301	2900 MCKINNON ST	\$9,613.48
00C03660000000302	2900 MCKINNON ST	\$4,798.21
00C03660000000303	2900 MCKINNON ST	\$5,245.53
00C03660000000304	2900 MCKINNON ST	\$8,053.57
00C03660000000305	2900 MCKINNON ST	\$8,335.98
00C03660000000306	2900 MCKINNON ST	\$5,245.53
00C03660000000307	2900 MCKINNON ST	\$4,798.21
00C03660000000308	2900 MCKINNON ST	\$9,543.35
00C03660000000401	2900 MCKINNON ST	\$9,613.48
00C03660000000402	2900 MCKINNON ST	\$4,798.21
00C03660000000403	2900 MCKINNON ST	\$5,245.53
00C03660000000404	2900 MCKINNON ST	\$8,053.57
00C03660000000405	2900 MCKINNON ST	\$8,335.98
00C03660000000406	2900 MCKINNON ST	\$5,245.53
00C03660000000407	2900 MCKINNON ST	\$4,798.21
00C03660000000408	2900 MCKINNON ST	\$9,543.35
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00C03660000000502	2900 MCKINNON ST	\$4,798.21
00C03660000000503	2900 MCKINNON ST	\$5,245.53
00C03660000000504	2900 MCKINNON ST	\$8,053.57
00C03660000000505	2900 MCKINNON ST	\$8,335.98
00C03660000000506	2900 MCKINNON ST	\$5,245.53
00C0366000000507	2900 MCKINNON ST	\$4,798.21
00C0366000000508	2900 MCKINNON ST	\$9,543.35
00C03660000000601	2900 MCKINNON ST	\$9,613.48
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00C03660000000603	2900 MCKINNON ST	\$5,245.53
00C03660000000604	2900 MCKINNON ST	\$8,053.57
00C03660000000605	2900 MCKINNON ST	\$8,335.98
00C03660000000606	2900 MCKINNON ST	\$5,245.53
00C03660000000607	2900 MCKINNON ST	\$4,798.21
00C03660000000608	2900 MCKINNON ST	\$9,543.35
00C0366000000701	2900 MCKINNON ST	\$14,529.21
00C0366000000702	2900 MCKINNON ST	\$4,798.21
00C0366000000703	2900 MCKINNON ST	\$5,245.53
00C0366000000704	2900 MCKINNON ST	\$8,053.57
00C0366000000705	2900 MCKINNON ST	\$8,335.98
00C0366000000706	2900 MCKINNON ST	\$5,245.53
00C0366000000707	2900 MCKINNON ST	\$4,798.21
00C0366000000708	2900 MCKINNON ST	\$14,576.59
00C03660000000801	2900 MCKINNON ST	\$9,613.48
00C03660000000802	2900 MCKINNON ST	\$4,798.21
00C03660000000803	2900 MCKINNON ST	\$5,245.53
00C03660000000804	2900 MCKINNON ST	\$8,053.57
00C03660000000805	2900 MCKINNON ST	\$8,335.98
00C03660000000806	2900 MCKINNON ST	\$5,245.53
00C03660000000807	2900 MCKINNON ST	\$4,798.21

00C03660000000808	2900 MCKINNON ST	\$19,951.01
00C03660000000901	2900 MCKINNON ST	\$14,529.21
00C03660000000902	2900 MCKINNON ST	\$4,798.21
00C03660000000903	2900 MCKINNON ST	\$5,245.53
00C03660000000904	2900 MCKINNON ST	\$8,053.57
00C03660000000905	2900 MCKINNON ST	\$8,335.98
00C03660000000906	2900 MCKINNON ST	\$5,245.53
00C03660000000907	2900 MCKINNON ST	\$4,798.21
00C03660000000908	2900 MCKINNON ST	\$9,543.35
00C036600000001001	2900 MCKINNON ST	\$9,613.48
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00C03660000001002	2900 MCKINNON ST	\$5,245.53
00C03660000001003	2900 MCKINNON ST	\$8,053.57
00C03660000001004	2900 MCKINNON ST	\$8,335.98
00C03660000001005	2900 MCKINNON ST	\$5,245.53
00C03660000001007	2900 MCKINNON ST	\$4,798.21
00C03660000001007	2900 MCKINNON ST	\$9,543.35
00C03660000001101	2900 MCKINNON ST	\$14,635.35
00C03660000001101	2900 MCKINNON ST	\$4,798.21
00C03660000001103	2900 MCKINNON ST	\$5,245.53 \$8,053.57
00C03660000001104	2900 MCKINNON ST	\$8,053.57
00C03660000001105	2900 MCKINNON ST	\$8,335.98
00C03660000001106	2900 MCKINNON ST	\$5,245.53 \$4,700.04
00C03660000001107	2900 MCKINNON ST	\$4,798.21
00C03660000001108	2900 MCKINNON ST	\$14,570.91
00C03660000001201	2900 MCKINNON ST	\$14,635.35
00C03660000001202	2900 MCKINNON ST	\$4,798.21
00C03660000001203	2900 MCKINNON ST	\$5,245.53 \$8,053.57
00C03660000001204	2900 MCKINNON ST	\$8,053.57
00C03660000001205	2900 MCKINNON ST	\$8,335.98
00C03660000001206	2900 MCKINNON ST	\$5,245.53 \$4,709.34
00C03660000001207	2900 MCKINNON ST	\$4,798.21
00C03660000001208	2900 MCKINNON ST	\$20,004.08
00C03660000001401	2900 MCKINNON ST	\$14,635.35 \$4,708.31
00C03660000001402	2900 MCKINNON ST	\$4,798.21 \$5,245.53
00C03660000001403	2900 MCKINNON ST	\$5,245.53 \$13,538.44
00C03660000001404	2900 MCKINNON ST	\$13,528.44 \$13,070.06
00C03660000001405	2900 MCKINNON ST 2900 MCKINNON ST	\$13,970.06
00C03660000001406		\$5,245.53 \$4,700.24
00C03660000001407	2900 MCKINNON ST	\$4,798.21
00C03660000001408	2900 MCKINNON ST	\$14,576.59
00C03660000001501	2900 MCKINNON ST	\$14,635.35
00C03660000001502	2900 MCKINNON ST	\$4,798.21
00C03660000001503	2900 MCKINNON ST	\$5,227.52
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00C03660000001601	2900 MCKINNON ST	\$14,635.35
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00C03660000001603	2900 MCKINNON ST	\$5,227.52
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00C03660000001606	2900 MCKINNON ST	\$5,345.04
00C03660000001607	2900 MCKINNON ST	\$4,798.21

000000000000000000000000000000000000000	COOC MOUNING NO.	#14.570.50
00C03660000001608	2900 MCKINNON ST	\$14,576.59
00C03660000001701	2900 MCKINNON ST	\$14,635.35
00C03660000001702	2900 MCKINNON ST	\$4,798.21
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00C0366000001708	2900 MCKINNON ST	\$14,576.59
00C03660000001801	2900 MCKINNON ST	\$14,635.35
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00C03660000001805	2900 MCKINNON ST	\$8,335.98
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00C03660000001808	2900 MCKINNON ST	\$14,576.59
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00C0366000001906	2900 MCKINNON ST	\$5,386.73
00C0366000001907	2900 MCKINNON ST	\$4,798.21
00C03660000001908	2900 MCKINNON ST	\$14,576.59
00C03660000002001	2900 MCKINNON ST	\$9,613.48
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00C03660000002003	2900 MCKINNON ST	\$5,245.53
00C03660000002004	2900 MCKINNON ST	\$8,053.57
00C03660000002005	2900 MCKINNON ST	\$8,424.12
00C03660000002006	2900 MCKINNON ST	\$5,386.73
00C0366000002007	2900 MCKINNON ST	\$4,798.21
00C03660000002008	2900 MCKINNON ST	\$19,992.71
00C03660000002101	2900 MCKINNON ST	\$9,613.48
00C03660000002102	2900 MCKINNON ST	\$4,798.21
00C03660000002102	2900 MCKINNON ST	\$5,245.53
00C03660000002104	2900 MCKINNON ST	\$13,528.44 \$40,070.04
00C03660000002105	2900 MCKINNON ST	\$13,876.24
00C03660000002106	2900 MCKINNON ST	\$5,386.73
00C03660000002107	2900 MCKINNON ST	\$4,798.21
00C03660000002108	2900 MCKINNON ST	\$14,576.59
00C03660000002201	2900 MCKINNON ST	\$9,554.72
00C03660000002202	2900 MCKINNON ST	\$4,798.21
00C03660000002203	2900 MCKINNON ST	\$5,245.53
00C03660000002204	2900 MCKINNON ST	\$13,587.19
00C03660000002205	2900 MCKINNON ST	\$13,869.61
00C03660000002206	2900 MCKINNON ST	\$5,386.73
00C03660000002207	2900 MCKINNON ST	\$4,798.21
00C03660000002208	2900 MCKINNON ST	\$9,549.04
00C03660000002301	2900 MCKINNON ST	\$14,659.04
00C03660000002302	2900 MCKINNON ST	\$4,798.21
00C03660000002303	2900 MCKINNON ST	\$5,227.52
00C03660000002304	2900 MCKINNON ST	\$8,053.57
00C03660000002305	2900 MCKINNON ST	\$13,887.61
00C03660000002306	2900 MCKINNON ST	\$5,386.73
00C03660000002307	2900 MCKINNON ST	\$4,798.21
33 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3		Ψ 1,7 30.21

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00C03660000002401	2900 MCKINNON ST	\$9,613.48
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00C03660000002404	2900 MCKINNON ST	\$8,053.57
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00C03660000002504	2900 MCKINNON ST	\$8,053.57
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00C03660000002506	2900 MCKINNON ST	\$5,386.73
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00C03660000002508	2900 MCKINNON ST	\$9,549.04
00C03660000002601	2900 MCKINNON ST	\$9,613.48
00C03660000002602	2900 MCKINNON ST	\$4,798.21
00C03660000002603	2900 MCKINNON ST	\$5,227.52
00C03660000002604	2900 MCKINNON ST	\$8,053.57
00C03660000002605	2900 MCKINNON ST	\$8,335.98
00C03660000002606	2900 MCKINNON ST	\$5,245.53
00C03660000002607	2900 MCKINNON ST	\$4,798.21
00C03660000002608	2900 MCKINNON ST	\$9,549.04
00C03660000002701	2900 MCKINNON ST	\$14,653.36
00C03660000002702	2900 MCKINNON ST	\$4,798.21
00C03660000002703	2900 MCKINNON ST	\$5,227.52
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00C03660000002801	2900 MCKINNON ST	\$13,540.76
00C03660000002802	2900 MCKINNON ST	\$10,762.10
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00C03660000003001	2900 MCKINNON ST	\$29,518.05
00C03660000003002	2900 MCKINNON ST	\$29,800.47
00C4528000000H101	3001 MAPLE AVE	\$40,667.95
00C4528000000H102	3001 MAPLE AVE	\$28,022.49
00C4528000000H103	3001 MAPLE AVE	\$42,769.16
00C4528000000H104	3001 MAPLE AVE	\$52,401.30
00C4528000000H106	3001 MAPLE AVE	\$32,778.87
00C4528000000H107	3001 MAPLE AVE	\$32,659.48
00C4528000000H109	3001 MAPLE AVE	\$57,869.22
00C4528000000H110	3001 MAPLE AVE	\$36,150.35 \$38,033,40
00C4528000000H111	3001 MAPLE AVE	\$28,022.49
00C4528000000H112	3001 MAPLE AVE	\$40,667.95 \$40,667.05
00C4528000000H201	3001 MAPLE AVE	\$40,667.95 \$38,033,40
00C4528000000H202 00C4528000000H203	3001 MAPLE AVE 3001 MAPLE AVE	\$28,022.49 \$53,124,33
0004320000000T2U3	JUUT WAFLE AVE	\$52,124.32

00C4528000000H204	3001 MAPLE AVE	\$38,132.17
00C4528000000H206	3001 MAPLE AVE	\$54,383.12
00C4528000000H207	3001 MAPLE AVE	\$37,573.44
00C4528000000H209	3001 MAPLE AVE	\$60,247.40
00C4528000000H210	3001 MAPLE AVE	\$46,771.01
00C4528000000H211	3001 MAPLE AVE	\$28,022.49
00C4528000000H211	3001 MAPLE AVE	\$40,667.95
00C4528000000H212	3001 MAPLE AVE	\$40,667.95
00C4528000000H302	3001 MAPLE AVE	\$28,022.49
00C4528000000H303	3001 MAPLE AVE	\$52,124.32
00C4528000000H304	3001 MAPLE AVE	\$38,132.17
00C4528000000H306	3001 MAPLE AVE	\$54,383.12
00C4528000000H307	3001 MAPLE AVE	\$37,573.44
00C4528000000H309	3001 MAPLE AVE	\$60,247.40
00C4528000000H310	3001 MAPLE AVE	\$46,771.01
00C4528000000H311	3001 MAPLE AVE	\$28,022.49
00C4528000000H312	3001 MAPLE AVE	\$40,667.95
00C4528000000H401	3001 MAPLE AVE	\$40,667.95
00C4528000000H402	3001 MAPLE AVE	\$28,022.49
00C4528000000H403	3001 MAPLE AVE	\$52,124.32
00C4528000000H404	3001 MAPLE AVE	\$38,132.17
00C4528000000H406	3001 MAPLE AVE	\$54,383.12
00C4528000000H407	3001 MAPLE AVE	\$37,573.44
00C4528000000H409	3001 MAPLE AVE	\$60,247.40
00C4528000000H410	3001 MAPLE AVE	\$46,771.01
00C4528000000H411	3001 MAPLE AVE	\$28,022.49
00C4528000000H412	3001 MAPLE AVE	\$40,667.95
00C4528000000H501	3001 MAPLE AVE	\$40,667.95
00C4528000000H502	3001 MAPLE AVE	\$28,022.49
00C4528000000H503	3001 MAPLE AVE	\$52,124.32
00C4528000000H504	3001 MAPLE AVE	\$38,132.17
00C4528000000H506	3001 MAPLE AVE	\$54,383.12
00C4528000000H507	3001 MAPLE AVE	\$37,573.44
00C4528000000H509	3001 MAPLE AVE	\$60,247.40
00C4528000000H510	3001 MAPLE AVE	\$46,771.01
00C4528000000H511	3001 MAPLE AVE	\$28,022.49
00C4528000000H511	3001 MAPLE AVE	\$40,667.95
00C4528000000H512	3001 MAPLE AVE	
		\$40,667.95 \$38,033,40
00C4528000000H602	3001 MAPLE AVE	\$28,022.49
00C4528000000H603	3001 MAPLE AVE	\$52,124.32
00C4528000000H604	3001 MAPLE AVE	\$38,132.17
00C4528000000H606	3001 MAPLE AVE	\$54,383.12
00C4528000000H607	3001 MAPLE AVE	\$37,573.44
00C4528000000H609	3001 MAPLE AVE	\$60,247.40
00C4528000000H610	3001 MAPLE AVE	\$46,771.01
00C4528000000H611	3001 MAPLE AVE	\$28,022.49
00C4528000000H612	3001 MAPLE AVE	\$40,667.95
00C4528000000H701	3001 MAPLE AVE	\$40,667.95
00C4528000000H702	3001 MAPLE AVE	\$28,022.49
00C4528000000H703	3001 MAPLE AVE	\$52,124.32
00C4528000000H704	3001 MAPLE AVE	\$38,132.17
00C4528000000H706	3001 MAPLE AVE	\$54,383.12
00C4528000000H707	3001 MAPLE AVE	\$37,573.44
00C4528000000H709	3001 MAPLE AVE	\$60,247.40
00C4528000000H712	3001 MAPLE AVE	\$103,217.14
00C4528000000T101	3001 MAPLE AVE	\$28,094.12
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00C4528000000T103	3001 MAPLE AVE	\$28,094.12
00C4528000000T105	3001 MAPLE AVE	\$28,094.12
00C4528000000T107	3001 MAPLE AVE	\$28,094.12
00C4528000000T107	3001 MAPLE AVE	\$28,094.12
00C4528000000T103	3001 MAPLE AVE	\$28,094.12
00C4528000000T111	3001 MAPLE AVE	\$28,094.12
00C4528000000T115	3001 MAPLE AVE	\$28,094.12
00C4528000000T600	3001 MAPLE AVE	\$15,467.77
00C4528000000T601	3001 MAPLE AVE	\$10,730.49
00C4528000000T602	3001 MAPLE AVE	\$10,415.31
00C4528000000T603	3001 MAPLE AVE	\$16,413.31
00C4528000000T604	3001 MAPLE AVE	\$16,413.31
00C4528000000T605	3001 MAPLE AVE	\$8,839.41
00C4528000000T606	3001 MAPLE AVE	\$10,415.31
00C4528000000T607	3001 MAPLE AVE	\$10,730.49
00C4528000000T608	3001 MAPLE AVE	\$10,730.49
00C4528000000T609	3001 MAPLE AVE	\$11,045.68
00C4528000000T610	3001 MAPLE AVE	\$14,202.27
00C4528000000T611	3001 MAPLE AVE	\$15,782.95
00C4528000000T612	3001 MAPLE AVE	\$15,782.95
00C452800000T614	3001 MAPLE AVE	\$10,730.49
00C452800000T616	3001 MAPLE AVE	\$10,730.49
00C4528000000T700	3001 MAPLE AVE	\$15,467.77
00C452800000T701	3001 MAPLE AVE	\$10,730.49
00C452800000T702	3001 MAPLE AVE	\$10,415.31
00C452800000T703	3001 MAPLE AVE	\$16,413.31
00C4528000000T704	3001 MAPLE AVE	\$16,413.31
00C4528000000T705	3001 MAPLE AVE	\$8,839.41
00C4528000000T706	3001 MAPLE AVE	\$10,415.31
00C4528000000T707	3001 MAPLE AVE	\$10,730.49
00C4528000000T708	3001 MAPLE AVE	\$10,730.49
00C452800000T709	3001 MAPLE AVE	\$11,045.68
00C4528000000T710	3001 MAPLE AVE	\$14,202.27
00C4528000000T710	3001 MAPLE AVE	\$15,782.95
00C45280000001712 00C4528000000T714	3001 MAPLE AVE	\$10,730.49
00C45280000001714 00C4528000000T716	3001 MAPLE AVE	
00C45280000001718	3001 MAPLE AVE	\$10,730.49 \$15,467.77
		\$15,467.77 \$10,730,40
00C4528000000T801	3001 MAPLE AVE	\$10,730.49
00C4528000000T802	3001 MAPLE AVE	\$10,415.31
00C4528000000T803	3001 MAPLE AVE	\$16,413.31
00C4528000000T804	3001 MAPLE AVE	\$16,413.31
00C4528000000T805	3001 MAPLE AVE	\$8,839.41
00C4528000000T806	3001 MAPLE AVE	\$10,415.31
00C4528000000T807	3001 MAPLE AVE	\$10,730.49
00C4528000000T808	3001 MAPLE AVE	\$10,730.49
00C4528000000T809	3001 MAPLE AVE	\$11,045.68
00C4528000000T810	3001 MAPLE AVE	\$14,202.27
00C4528000000T811	3001 MAPLE AVE	\$15,782.95
00C4528000000T812	3001 MAPLE AVE	\$15,782.95
00C4528000000T814	3001 MAPLE AVE	\$10,730.49
00C4528000000T816	3001 MAPLE AVE	\$10,730.49
00C4528000000T900	3001 MAPLE AVE	\$15,467.77
00C4528000000T901	3001 MAPLE AVE	\$10,730.49
00C4528000000T902	3001 MAPLE AVE	\$10,415.31
00C4528000000T903	3001 MAPLE AVE	\$16,413.31
00C4528000000T904	3001 MAPLE AVE	\$16,413.31
		•

00C4528000000T905	3001 MAPLE AVE	\$8,839.41
00C4528000000T906	3001 MAPLE AVE	\$30,634.68
00C4528000000T907	3001 MAPLE AVE	\$10,730.49
00C4528000000T908	3001 MAPLE AVE	\$10,730.49
00C4528000000T909	3001 MAPLE AVE	\$11,045.68
00C4528000000T910	3001 MAPLE AVE	\$14,202.27
00C4528000000T911	3001 MAPLE AVE	\$15,782.95
00C4528000000T911	3001 MAPLE AVE	\$15,782.95 \$15,782.95
00C4528000000T912	3001 MAPLE AVE	\$10,730.49
00C4528000000T914	3001 MAPLE AVE	\$10,730.49
00C452800000T1000	3001 MAPLE AVE	\$15,467.77
00C452800000T1001	3001 MAPLE AVE	\$10,730.49
00C452800000T1002	3001 MAPLE AVE	\$10,415.31 \$46,443.34
00C452800000T1003	3001 MAPLE AVE	\$16,413.31 \$46,443.31
00C452800000T1004	3001 MAPLE AVE	\$16,413.31
00C452800000T1005	3001 MAPLE AVE	\$26,169.61
00C452800000T1006	3001 MAPLE AVE	\$10,415.31
00C452800000T1007	3001 MAPLE AVE	\$10,730.49
00C452800000T1009	3001 MAPLE AVE	\$11,045.68
00C452800000T1010	3001 MAPLE AVE	\$14,202.27
00C452800000T1012	3001 MAPLE AVE	\$15,782.95
00C452800000T1014	3001 MAPLE AVE	\$10,730.49
00C452800000T1016	3001 MAPLE AVE	\$10,730.49
00C452800000T1100	3001 MAPLE AVE	\$15,467.77
00C452800000T1101	3001 MAPLE AVE	\$10,730.49
00C452800000T1102	3001 MAPLE AVE	\$10,415.31
00C452800000T1103	3001 MAPLE AVE	\$16,413.31
00C452800000T1104	3001 MAPLE AVE	\$16,413.31
00C452800000T1105	3001 MAPLE AVE	\$8,839.41
00C452800000T1106	3001 MAPLE AVE	\$10,415.31
00C452800000T1107	3001 MAPLE AVE	\$10,730.49
00C452800000T1108	3001 MAPLE AVE	\$10,730.49
00C452800000T1109	3001 MAPLE AVE	\$11,045.68
00C452800000T1110	3001 MAPLE AVE	\$14,202.27
00C452800000T1111	3001 MAPLE AVE	\$15,782.95
00C452800000T1112	3001 MAPLE AVE	\$15,782.95
00C452800000T1114	3001 MAPLE AVE	\$10,730.49
00C452800000T1116	3001 MAPLE AVE	\$10,730.49
00C452800000T1200	3001 MAPLE AVE	\$15,467.77
00C452800000T1201	3001 MAPLE AVE	\$10,730.49
00C452800000T1202	3001 MAPLE AVE	\$10,415.31
00C452800000T1203	3001 MAPLE AVE	\$16,413.31
00C452800000T1204	3001 MAPLE AVE	\$16,413.31
00C452800000T1205	3001 MAPLE AVE	\$8,839.41
00C452800000T1206	3001 MAPLE AVE	\$10,415.31
00C452800000T1207	3001 MAPLE AVE	\$10,730.49
00C452800000T1208	3001 MAPLE AVE	\$10,730.49
00C452800000T1209	3001 MAPLE AVE	\$11,045.68
00C452800000T1210	3001 MAPLE AVE	\$14,202.27
00C452800000T1211	3001 MAPLE AVE	\$15,782.95
00C452800000T1212	3001 MAPLE AVE	\$15,782.95
00C452800000T1214	3001 MAPLE AVE	\$10,730.49
00C452800000T1216	3001 MAPLE AVE	\$10,730.49
00C452800000T1300	3001 MAPLE AVE	\$15,467.77
00C452800000T1301	3001 MAPLE AVE	\$10,730.49
00C452800000T1302	3001 MAPLE AVE	\$10,415.31

00C452800000T1303	3001 MAPLE AVE	\$16,413.31
00C452800000T1304	3001 MAPLE AVE	\$16,413.31
00C452800000T1305	3001 MAPLE AVE	\$8,839.41
00C452800000T1306	3001 MAPLE AVE	\$10,415.31
00C452800000T1307	3001 MAPLE AVE	\$10,730.49
00C452800000T1308	3001 MAPLE AVE	\$10,730.49
00C452800000T1309	3001 MAPLE AVE	\$11,045.68
00C452800000T1310	3001 MAPLE AVE	\$14,202.27
00C452800000T1311	3001 MAPLE AVE	\$15,782.95
00C452800000T131T	3001 MAPLE AVE	\$15,782.95
	3001 MAPLE AVE	
00C452800000T1314		\$10,730.49
00C452800000T1316	3001 MAPLE AVE	\$10,730.49
00C452800000T1400	3001 MAPLE AVE	\$15,467.77
00C452800000T1401	3001 MAPLE AVE	\$10,730.49
00C452800000T1402	3001 MAPLE AVE	\$10,415.31
00C452800000T1403	3001 MAPLE AVE	\$16,413.31
00C452800000T1404	3001 MAPLE AVE	\$16,413.31
00C452800000T1405	3001 MAPLE AVE	\$8,839.41
00C452800000T1406	3001 MAPLE AVE	\$10,415.31
00C452800000T1407	3001 MAPLE AVE	\$10,730.49
00C452800000T1408	3001 MAPLE AVE	\$10,730.49
00C452800000T1409	3001 MAPLE AVE	\$11,045.68
00C452800000T1410	3001 MAPLE AVE	\$14,202.27
00C452800000T1411	3001 MAPLE AVE	\$15,782.95
00C452800000T1412	3001 MAPLE AVE	\$15,782.95
00C452800000T1414	3001 MAPLE AVE	\$10,730.49
00C452800000T1416	3001 MAPLE AVE	\$10,730.49
00C452800000T1500	3001 MAPLE AVE	\$15,467.77
00C452800000T1501	3001 MAPLE AVE	\$10,730.49
00C452800000T1502	3001 MAPLE AVE	\$10,415.31
00C452800000T1503	3001 MAPLE AVE	\$16,413.31
00C452800000T1504	3001 MAPLE AVE	\$16,413.31
00C452800000T1505	3001 MAPLE AVE	\$8,839.41
00C452800000T1506	3001 MAPLE AVE	\$10,415.31
00C452800000T1500	3001 MAPLE AVE	\$10,730.49
00C452800000T1507	3001 MAPLE AVE	\$10,730.49
00C452800000T1508	3001 MAPLE AVE	
		\$11,045.68
00C452800000T1510	3001 MAPLE AVE	\$14,202.27
00C452800000T1511	3001 MAPLE AVE	\$15,782.95
00C452800000T1512	3001 MAPLE AVE	\$15,782.95
00C452800000T1514	3001 MAPLE AVE	\$10,730.49
00C452800000T1516	3001 MAPLE AVE	\$10,730.49
00C452800000T1600	3001 MAPLE AVE	\$20,200.26
00C452800000T1601	3001 MAPLE AVE	\$10,415.31
00C452800000T1603	3001 MAPLE AVE	\$16,728.49
00C452800000T1604	3001 MAPLE AVE	\$16,413.31
00C452800000T1605	3001 MAPLE AVE	\$8,839.41
00C452800000T1606	3001 MAPLE AVE	\$8,839.41
00C452800000T1607	3001 MAPLE AVE	\$10,415.31
00C452800000T1608	3001 MAPLE AVE	\$10,415.31
00C452800000T1610	3001 MAPLE AVE	\$14,837.40
00C452800000T1611	3001 MAPLE AVE	\$23,987.22
00C452800000T1612	3001 MAPLE AVE	\$15,152.58
00C452800000T1614	3001 MAPLE AVE	\$10,730.49
00C47770000000301	800 OLIVE ST	\$31,770.00
00C47770000000302	800 OLIVE ST	\$31,710.00

00C47770000000303	800 OLIVE ST	\$31,710.00
00C47770000000401	800 OLIVE ST	\$31,710.00
00C47770000000402	800 OLIVE ST	\$31,710.00
00C47770000000403	800 OLIVE ST	\$31,710.00
00C47770000000501	800 OLIVE ST	\$31,710.00
00C47770000000501	800 OLIVE ST	\$31,710.00
00C47770000000502 00C47770000000503	800 OLIVE ST	\$31,710.00
00C47770000000303 00C47770000000601	800 OLIVE ST	
	800 OLIVE ST	\$31,710.00
00C47770000000602		\$31,710.00
00C47770000000603	800 OLIVE ST	\$31,710.00
00C47770000000604	800 OLIVE ST	\$31,710.00
00C47770000000701	800 OLIVE ST	\$31,710.00
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00C47770000001202	800 OLIVE ST	\$31,710.00
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00C47770000001303	800 OLIVE ST	\$31,710.00
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00C47770000001401	800 OLIVE ST	\$31,710.00
00C47770000001402	800 OLIVE ST	\$31,710.00
00C47770000001403	800 OLIVE ST	\$31,710.00
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00C47770000001501	800 OLIVE ST	\$31,710.00
00C47770000001502	800 OLIVE ST	\$31,710.00
00C47770000001502	800 OLIVE ST	\$31,710.00
00C47770000001503	800 OLIVE ST	\$31,710.00
00C47770000001504 00C47770000001601	800 OLIVE ST	\$31,710.00
00C47770000001602	800 OLIVE ST	\$31,710.00
00C47770000001002 00C47770000001603	800 OLIVE ST	\$31,710.00
00C47770000001603 00C47770000001604	800 OLIVE ST	
00C47770000001604 00C47770000001701	800 OLIVE ST	\$31,710.00 \$31,710.00
00C47770000001702	800 OLIVE ST	\$31,710.00
00C47770000001703	800 OLIVE ST	\$31,710.00
00C47770000001801	800 OLIVE ST	\$31,710.00
00C47770000001802	800 OLIVE ST	\$31,710.00
00C47770000001901	800 OLIVE ST	\$31,710.00
00C47770000001902	800 OLIVE ST	\$31,710.00

00C47770000002001	800 OLIVE ST	\$31,710.00
00C47770000002002	800 OLIVE ST	\$31,710.00
00C47770000002003	800 OLIVE ST	\$31,710.00
00C47770000002004	800 OLIVE ST	\$31,710.00
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00C47770000002101	800 OLIVE ST	\$31,710.00
00C47770000002102 00C47770000002103	800 OLIVE ST	\$31,710.00
00C47770000002103 00C47770000002104	800 OLIVE ST	\$31,710.00
00C47770000002201	800 OLIVE ST	\$31,710.00
00C47770000002202	800 OLIVE ST	\$31,710.00
00C47770000002203	800 OLIVE ST	\$31,710.00
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00C47770000002703	800 OLIVE ST	\$31,710.00
00C47770000002801	800 OLIVE ST	\$31,710.00
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00C47770000003104	800 OLIVE ST	\$31,710.00
00C47770000003104 00C47770000003201	800 OLIVE ST	\$31,710.00
00C47770000003201	800 OLIVE ST	\$31,710.00
00C47770000003202	800 OLIVE ST	\$31,710.00
00C47770000003203 00C47770000003204	800 OLIVE ST	\$31,710.00
00C47770000003204 00C47770000003301	800 OLIVE ST	\$31,710.00
		\$31,710.00
00C47770000003302	800 OLIVE ST 800 OLIVE ST	
00C47770000003303		\$31,710.00
00C47770000003401	800 OLIVE ST	\$31,710.00
00C47770000003402	800 OLIVE ST	\$31,710.00
00C47770000003403	800 OLIVE ST	\$31,710.00
00C47770000003501	800 OLIVE ST	\$31,710.00
00C47770000003502	800 OLIVE ST	\$31,710.00

00047770000002502	900 OLIVE ST	£21 710 00
00C47770000003503	800 OLIVE ST	\$31,710.00
00C47770000003601	800 OLIVE ST	\$31,710.00
00C47770000003602	800 OLIVE ST	\$31,710.00
00C47770000003603	800 OLIVE ST	\$31,710.00
00C47770000003701	800 OLIVE ST	\$31,710.00
00C47770000003702	800 OLIVE ST	\$31,710.00
00C47770000003801	800 OLIVE ST	\$31,710.00
00C47770000003802	800 OLIVE ST	\$31,710.00
00C47770000003901	800 OLIVE ST	\$31,710.00
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00C47770000004101	800 OLIVE ST	\$31,710.00
00C47770000004201	800 OLIVE ST	\$31,710.00
00C61280000000901	2525 N PEARL ST	\$0.00
00C61280000000902	2525 N PEARL ST	\$0.00
00C61280000000902	2525 N PEARL ST	\$0.00
00C61280000000903	2525 N PEARL ST	
		\$0.00
00C61280000000905	2525 N PEARL ST	\$0.00
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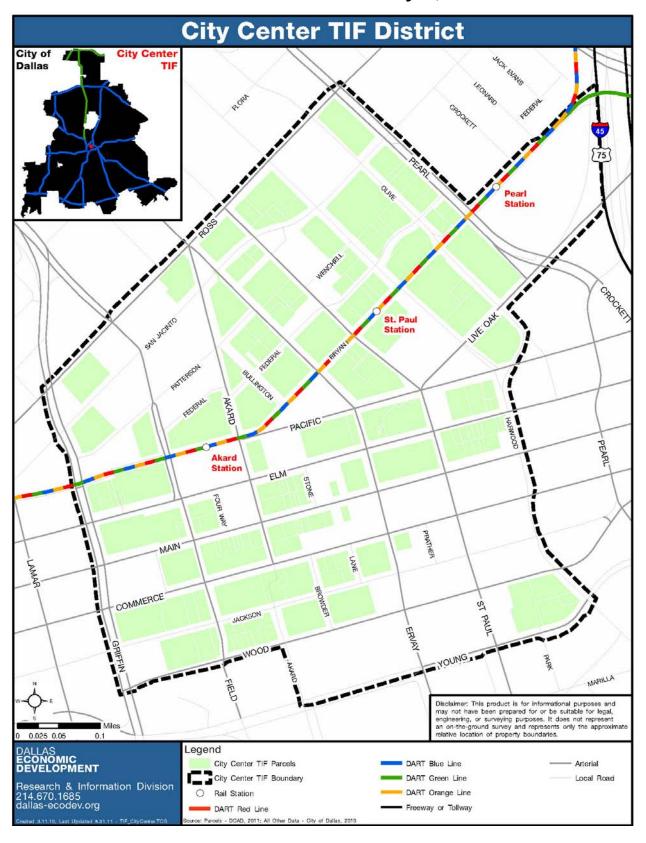
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TO BE ADDED WITH 2009 VALUES

'00029600030070000	1600 ASHLAND ST	\$421,350.00
00000106810000000	2311 CAROLINE ST	\$1,580,250.00
00000106822000000	2307 CAROLINE ST	\$966,080.00
00000106846000000	1601 CEDARS SPRINGS RD	\$253,500.00

Appendix B: As Amended on February 8, 2006



AGENDA ITEM #24

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Fire

CMO: Charles Cato, 670-9194

MAPSCO: N/A

SUBJECT

Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic and emergency medical technician-basic personnel for the period September 1, 2013 through August 31, 2014 - Not to exceed \$329,220 - Financing: Current Funds (subject to appropriations)

BACKGROUND

The continuing education contract provides the City of Dallas with compliance of State laws governing certification of paramedics. State rules require 40 hours of continuing education training annually for paramedics and 18 hours per year for emergency medical technician-Basics. It is recommended that this contract be approved to provide the continuing education training required for Dallas Fire-Rescue (DFR) Department emergency medical response personnel.

The contract is between the City of Dallas and The University of Texas Southwestern Medical Center. The contract is needed to provide continuing education for approximately 879 Dallas Fire-Rescue Department paramedics. Continuing Education Training and Paramedic evaluations are conducted on-site at various fire stations. The University of Texas Southwestern Medical Center has provided continuing education for DFR for over 32 years with satisfactory performance.

The University of Texas Southwestern Medical Center at Dallas provides part-time services of one emergency medical service supervisor, and five nurse/certified paramedic instructors or certified paramedics to provide continuing education and perform evaluations of certified City of Dallas paramedics and emergency medical technicians, and to make site visits to operational emergency medical units in the field for in-service evaluation and to assist in instruction.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized payment to the Dallas County Community College District for training emergency medical technicians and paramedics for FY 2010 on September 22, 2010, by Resolution No. 10-2360.

Authorized payment to the Dallas County Community College District for training emergency medical technicians and paramedics for FY 2011 on August 24, 2011, by Resolution No. 11-2175.

Authorized payment to the Dallas County Community College District for training emergency medical technicians and paramedics for FY 2012 on August 22, 2012, by Resolution No. 12-2087.

FISCAL INFORMATION

Current Funds - \$329,220 (subject to appropriations)

M/WBE INFORMATION

Dallas strongly supports a minority business enterprise program consistent with the City's Good Faith Effort Plan.

The University of Texas Southwestern Medical Center is committed to actively recruiting minority instructors. Every job announcement is advertised to the Black Firefighters Association, the Hispanic Firefighters Association, and the Black Nurse's Association. The University of Texas Southwestern Medical Center employs minority paramedics as part-time instructors. In addition, DFR has assigned a Hispanic male as the EMS Training Coordinator that works directly with the paramedic students.

ETHNIC COMPOSITION

The University of Texas Southwestern Medical Center at Dallas, Department of Allied Health Sciences, Division of Emergency Medicine Education

Full Time			
Hispanic Females	1	Hispanic Males	2
Black Females	2	Black Males	0
White Females	8	White Males	10
Other Females	0	Other Males	0
Part Time			
Hispanic Females	0	Hispanic Males	1
Black Females	0	Black Males	3
White Females	4	White Males	12
Other Females	1	Other Males	1

<u>OWNER</u>

The University of Texas Southwestern Medical Center at Dallas

Daniel K. Podolsky, M.D., Ph.D., President, UTSWMCD

WHEREAS, certified emergency medical technicians and paramedics are required by State emergency medical service rules to attend continuing education courses in order to retain their state-issued certification as such; and

WHEREAS, The University of Texas Southwestern Medical Center at Dallas, in cooperation with the City of Dallas, provides a training system which conducts basic and advanced life sciences courses for the continuing education of certified and licensed emergency medical technicians and paramedics; and

WHEREAS, this training system has operated efficiently and effectively; and

WHEREAS, additional professional personnel are currently needed to ensure the safe and efficient operation of training programs; and

WHEREAS, The University of Texas Southwestern Medical Center at Dallas offered to contract with the City of Dallas to provide personnel for the continuing education and evaluation of certified City of Dallas emergency medical technicians and paramedic personnel.

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 The University of Texas Southwestern Medical Center at Dallas providing the part-time services of one emergency medical service supervisor, and five nurse/certified paramedic instructors or certified paramedics to provide continuing education and perform evaluations of certified City of Dallas paramedics and emergency medical technicians, and to make site visits to operational emergency medical units in the field for in-service evaluation and to assist in instruction.

SECTION 2. That the City Controller is hereby authorized to disburse funds to the University of Texas Southwestern Medical Center at Dallas pursuant to the contract from:

FY 2012-13

Current Funds Fund 0001, Dept. DFD, Unit ER90, Obj. 3070, CT DFDER900705-3 Vendor #904272, in an amount not to exceed \$27,435

August 28, 2013

FY 2013-14 (subject to annual appropriations)

Current Funds
Fund 0001, Dept. DFD, Unit ER90,
Obj. 3070, CT DFDER900705-3
Vendor #904272, in an amount not to exceed \$301,785
\$329,220

SECTION 3. The term of the contract shall be from September 1, 2013 through August 31, 2014.

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

AGENDA ITEM #25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: N/A

SUBJECT

Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing - Financing: No cost consideration to the City

BACKGROUND

This action will authorize the City Manager to execute an Interlocal Cooperation Contract for the Urban Land Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Land Bank's acquisition of unimproved, tax-foreclosed properties for sale to qualified developers for the development of affordable housing in accordance with Chapter 379C of the Texas Local Government Code (Code).

The term of the contract will begin on October 1, 2013 and end on September 30, 2014.

Under the contract, the City may refer to the County up to 300 parcels of real property intended for acquisition by the Land Bank for filing of a tax lawsuit prior to March 31, 2014. The City or the Land Bank must give written notice to all parties to the contract of the specific addresses of parcels intended for acquisition by the Land Bank prior to referring said parcels to the County for filing of a tax lawsuit and prior to the sale of a property to the Land Bank after a judgment is obtained. Each party will have the right to withhold its consent to the filing of lawsuit on a parcel or sale of a particular parcel to the Land Bank.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation as its land bank and authorized an interlocal contract for an urban land bank demonstration program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District (Interlocal Contract).

On August 22, 2012, by Resolution No. 12-2090, the City Council authorized an Interlocal Contract to allow the City to refer up to 300 additional parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2013 and to extend the term to September 30, 2013.

FISCAL INFORMATION

No cost consideration to the City

WHEREAS, the City has an interest in preserving and increasing the tax base and creating affordable housing for low-income households to provide necessary decent, safe, and sanitary housing for such households; and

WHEREAS, on January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation (Land Bank) as its land bank for the purpose of acquiring, holding, and transferring unimproved, tax-foreclosed, real property for the development of affordable housing in accordance with Chapter 379C of the Texas Local Government Code (Code); and

WHEREAS, the City Council desires to enter into an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Land Bank's acquisition of unimproved, tax-foreclosed properties for sale to qualified developers for the development of affordable housing in accordance with the Code;

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District, which will include the following provisions:

- a. The term of the contract will begin on October 1, 2013 and end on September 30, 2014.
- b. The City will be allowed to refer to the County up to 300 parcels of real property intended for acquisition by the Land Bank for filing of a tax lawsuit prior to March 31, 2014.
- c. The City or the Land Bank must give written notice to all parties to the contract of the specific addresses of parcels intended for acquisition by the Land Bank prior to referring said parcels to the County for filing of a tax lawsuit and prior to the sale of a property to the Land Bank after a judgment is obtained. Each party will have the right to withhold its consent to the filing of lawsuit on a parcel or sale of a particular parcel to the Land Bank.

August 28, 2013

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

AGENDA ITEM #26

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46G

SUBJECT

Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Harvard Finance North America LLC for the construction of affordable houses; (2) the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Harvard Finance North America LLC; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

On September 17, 2012, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program. The areas targeted for acquisition to achieve the desired goals under the program were identified.

BACKGROUND (continued)

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

Harvard Finance North America LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,478 square feet and from \$110,000 to \$136,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (2 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$10,155.00 for the sales price, as calculated from the 2012-13 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On August 15, 2013, DHADC approved the development plan and sale of 2 lots from DHADC to Harvard Finance North America LLC.

FISCAL INFORMATION

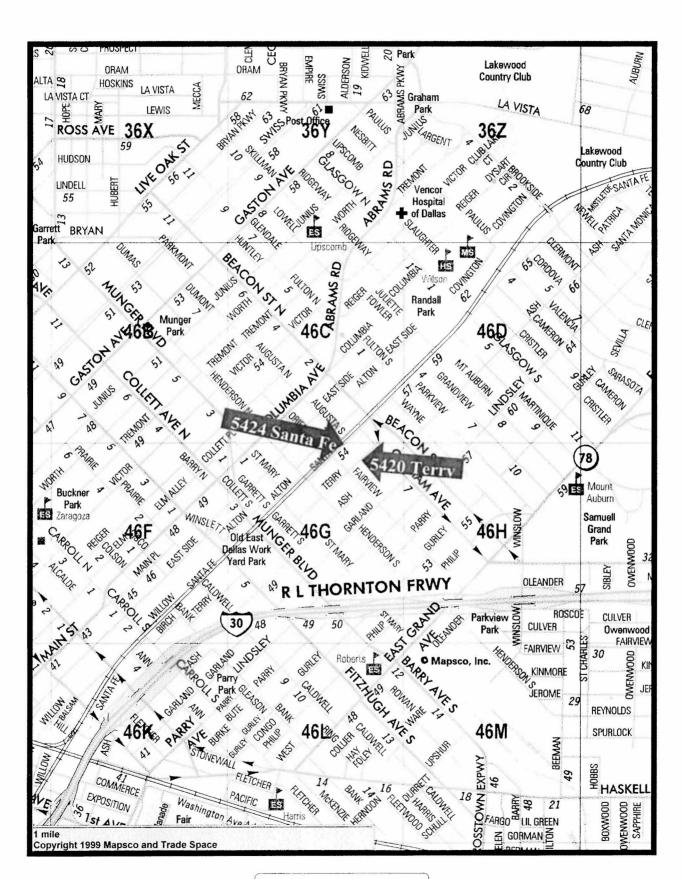
No cost consideration to the City

<u>MAP</u>

Attached

Land Bank (DHADC) Sale of Lots to Harvard Finance North America LLC

Property Address	<u>Mapsco</u>	Amount of Non-Tax Liens
1. 5424 Santa Fe	46G	\$14,510.90
2. 5420 Terry	46G	\$ 4,031.52



WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, on August 11, 2010, the City Council authorized a new contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program by Resolution No. 10-1952; and

WHEREAS, Harvard Finance North America LLC submitted a proposal and development plan to DHADC for 2 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Harvard Finance North America LLC and authorize the sale of the said 2 lots from DHADC to Harvard Finance North America LLC to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Harvard Finance North America LLC and the sale of 2 lots shown on "Exhibit A" from DHADC to Harvard Finance North America LLC is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City, a release of lien for any non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment and any non-tax liens that may have been filed by the City post-judgment on the lots shown on "Exhibit A".

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

EXHIBIT "A"

		LAND BANK PROPERTY	IY	
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE
-	5424 Santa Fe Lot 14, East We Go Addition Block O/1611	Harvard Finance North America LLC		\$5,035.00
61	5420 Terry Lot 15, East We Go Addition Block M/1611	Harvard Finance North America LLC	1	\$5,120.00
OTAL			はいはのできるとのできるとのできると	\$10,155.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

	N OF THE LAND REQUES		MENT
(1) Number of lots requeste	ed in this proposal.		
(2) Land Bank name for thi	is parcel of lotsCT	24	
(3) Provide the property ad-	Idress and legal description of SANTA TERR	the land requested (attac	• /
	5 7 ZU TERR	3 /	
B. DESCRIPTION	N OF PROPOSED HOUSES	ENTITY WILL CON	STRUCT
restricted for sale to househ 30% of the Land Bank prop for sale to households with Land Bank properties sold households with gross annu-	Bank properties sold during any holds with gross annual incomperties sold during any given for gross annual incomes betwee during any fiscal year to be defined incomes at 80% AMFI or least to be sold to low income hours	es not greater than 60% iscal year to be developed 81% and 115% of AM eveloped shall be deed reess.)	of AMFI. No more than ed shall be deed restricted FI. (At least 70% of the estricted for sale to
•			
Square Foo Number of Number of	f homes to be built on lots otage of each home f Bedrooms/Baths in each hom f Garages Number of Carp xterior Veneer s Price ranges without Subsidie	e/_ ports Detached	_Attached me Buyer
Single Family Home	(to be sold to low income hou	iseholds at 80% or less	of AMFI):
Square Foo Number of Number of Type of Ex	f homes to be built on lots otage of each home f Bedrooms/Baths in each hom f Garages Number of Carp xterior Veneer s Price ranges without Subsidie	e/ ports Detached Which sides	
Single Family Home	(to be sold to low income how	ıseholds between 81% :	and 115% of AMFI):
Square Foo Number of Number of Type of Ex	f homes to be built on lots otage of each home 147 f Bedrooms/Baths in each hom f Garages \ Number of Car xterior Veneer MASONRY s Price ranges without Subsidie	e <u>3 / 2</u> ports <u>O</u> Detached Which sides <u>9 51</u>	

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction	180	days		
Completion of Construction	360	days	, 50	(1)
Sale of first affordable housing un	it to low in	come househ	rolds / 8	days
Sale of last affordable unit to low	income hor	useholds	/ 80 day	/S

AGENDA ITEM #27

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 1, 4, 8

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 54D H J 55A G N P S T X Y Z 56W 65B C D H 66A E K

SUBJECT

Authorize (1) approval of the development plans submitted to the Dallas Housing Acquisition and Development Corporation by RPL Properties, LLC for the construction of affordable houses; (2) the sale of 50 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to RPL Properties, LLC; and (3) execution of a release of lien for any non-tax liens on the 50 properties that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

On September 17, 2012, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program. The areas targeted for acquisition to achieve the desired goals under the program were identified.

BACKGROUND (continued)

RPL Properties, LLC has submitted a proposal and development plan to DHADC for 50 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plans submitted by RPL Properties, LLC to the City's Land Bank, the sale of those lots from DHADC to RPL Properties, LLC and the release of lien for any non-tax liens that may have been filed by the City non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment and post-judgment non-tax liens, if any. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to RPL Properties, LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by RPL Properties, LLC and construction financing is not closed within three years of conveyance.

RPL Properties, LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,300 square feet to 1,500 square feet and from \$100,000 to \$128,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (15 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (15 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (20 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$10,155.00 for the sales price, as calculated from the 2012-13 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On August 15, 2013, DHADC approved the development plans and sale of 50 lots from DHADC to RPL Properties, LLC.

FISCAL INFORMATION

No cost consideration to the City

<u>MAP</u>

Attached

LAND BANK (DHADC) SALE OF LOTS TO RPL PROPERTIES, LLC

PROF	PROPERTY ADDRESS	MAPSCO	COUNCIL	AMOUNT OF NON-TAX LIENS
-	2627 52 nd	999 999	4	\$15,036.67
٥i	2516 56 th	65H	ω	\$11,225.54
က်	2603 Marjorie	65D	4	\$ 4,007.96
4.	2736 Marjorie	66A	4	\$36,166.10
5	2981 Marjorie	66A	4	\$14,435.64
9	2603 Wilhurt	65D	4	\$11,904.16
7.	2110 Fordham	65C	4	\$ 5,396.60
œ	2118 Fordham	65C	4	\$ 9,137.80
ნ	2246 Fordham	65D	4	\$17,238.26
9). 2806 Fordham	26W	4	\$ 5,142.37

LAND BANK (DHADC) SALE OF LOTS TO RPL PROPERTIES, LLC

SSECTA ADDESS		COUNCIL	AMOUNT OF
rnoren i Abbness			NOW I AN LIEUS
11. 1438 Hudspeth	65B	4	\$18,661.51
12. 1642 Hudspeth	65B	4	\$ 6,079.03
13. 2003 Hudspeth	65C	4	\$ 7,000.16
14. 1525 Garza	65B	4	\$ 4,774.89
15. 1529 Garza	65B	4	\$ 5,314.59
16. 1719 Garza	65B	4	\$12,053.67
17. 1751 Garza	65B	4	\$12,797.42
18. 1531 Fordham	65B	4	\$13,610.70
19. 1554 Fordham	65B	4	\$ 8,773.07
20. 1555 Fordham	65B	4	\$22,319.67

LAND BANK (DHADC) SALE OF LOTS TO RPL PROPERTIES, LLC

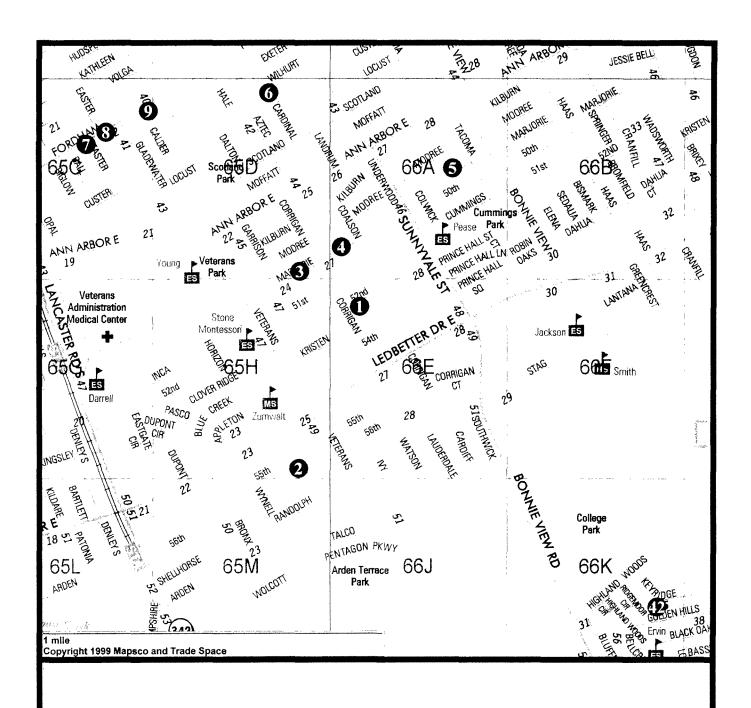
PROPERTY ADDRESS	MAPSCO	COUNCIL	AMOUNT OF NON-TAX LIENS
21. 1313 Marfa	65B	4	\$ 6,624.82
22. 1415 Marfa	65B	4	\$ 4,726.38
23. 1419 Marfa	65B	4	\$ 4,509.15
24. 1503 Marfa	65B	4	\$ 7,938.26
25. 1642 Marfa	65B	4	\$ 8,788.83
26. 1407 Maywood	65B	4	\$15,774.54
27. 1610 Maywood	55X	4	\$ 7,304.26
28. 3835 Sonora	65C	4	\$12,664.78
29. 1554 E. Woodin	55P	4	\$ 6,898.84
30. 1538 Whitaker	25N	4	\$12,424.99

LAND BANK (DHADC) SALE OF LOTS TO RPL PROPERTIES, LLC

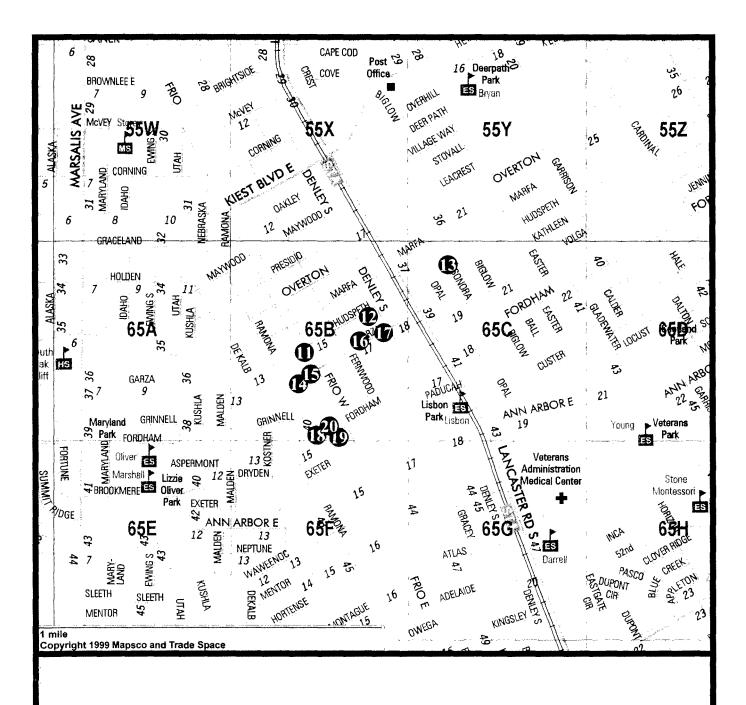
PROPERTY ADDRESS	MAPSCO	COUNCIL	AMOUNT OF NON-TAX LIENS
31. 1137 S. Brighton	54J	-	\$ 1,766.23
32. 612 Rockwood	54H	4	\$27,609.16
33. 402 Avenue E	55G	4	\$13,541.36
419	55G	4	\$10,866.90
757	54D	-	\$ 6,447.70
122	54H	4	\$ 8,838.79
909	55A	-	\$14,179.82
618	55A	-	\$52,994.14
39. 421 N. Lancaster	55A	-	\$49,532.95
60	55A	-	\$12,892.75

LAND BANK (DHADC) SALE OF LOTS TO RPL PROPERTIES, LLC

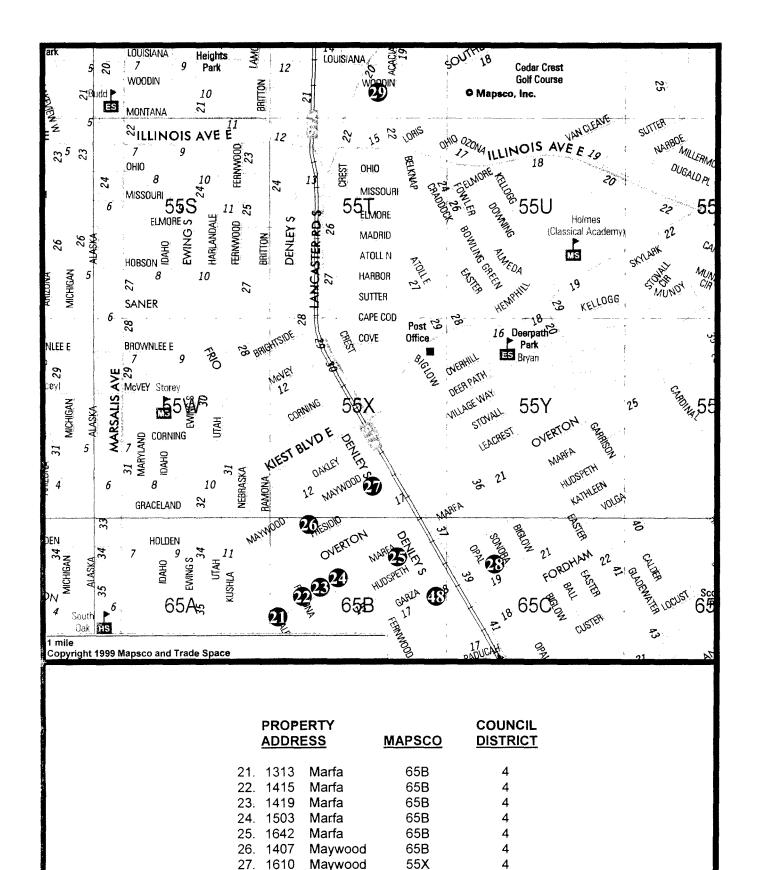
		COUNCIL	AMOUNT OF
PROPERTY ADDRESS	MAPSCO	DISTRICT	NON-TAX LIENS
41. 602 High	55G	4	\$11,385.46
42. 3504 Keyridge	99 99	æ	\$10,976.11
43. 2807 Fordham	26W	4	\$20,913.33
44. 2134 Marfa	557	4	\$12,077.21
45. 1502 S. Denley	55P	4	\$ 5,165.84
46. 2629 S. Denley	55T	4	\$12,855.97
47. 2930 S. Denley	25X	4	\$ 3,568.09
48. 3910 S. Denley	65B	4	\$ 765.76
49. 2709 Fernwood	558	4	\$14,711.78
50. 2712 Fernwood	558	4	\$11,888.60



	PROPI ADDRI		MAPSCO	COUNCIL DISTRICT
1. 2. 3. 4. 5.	2627 2516 2603 2736 2981 2603	52 nd 56 th Marjorie Marjorie Marjorie Wilhurt	66E 65H 65D 66A 66A 65D	4 8 4 4 4
7. 8. 9. 42.	2110 2118 2246 3504	Fordham Fordham Fordham Keyridge	65C 65C 65D 66 K	4 4 4 8



	PERTY RESS	MAPSCO	COUNCIL DISTRICT
11. 1438 12. 1642 13. 2003 14. 1528	2 Hudspeth 3 Hudspeth	65B 65B 65C 65B	4 4 4 4
15. 1529 16. 1719 17. 175 18. 153 19. 1554 20. 1558	Garza Garza Fordham Fordham	65B 65B 65B 65B 65B 65B	4 4 4 4 4



65C

55P

65B

1610 3835

1554

48: 3910

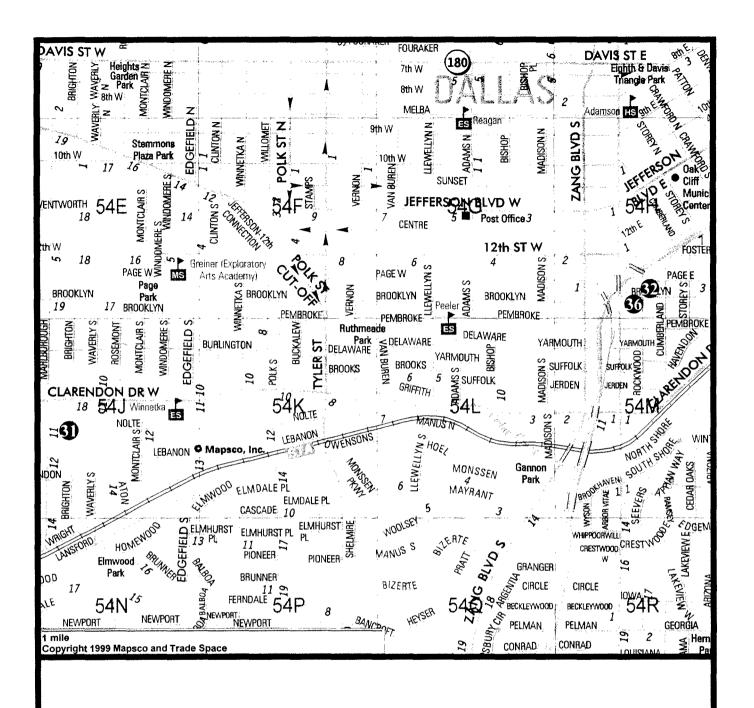
Sonora

E. Woodin

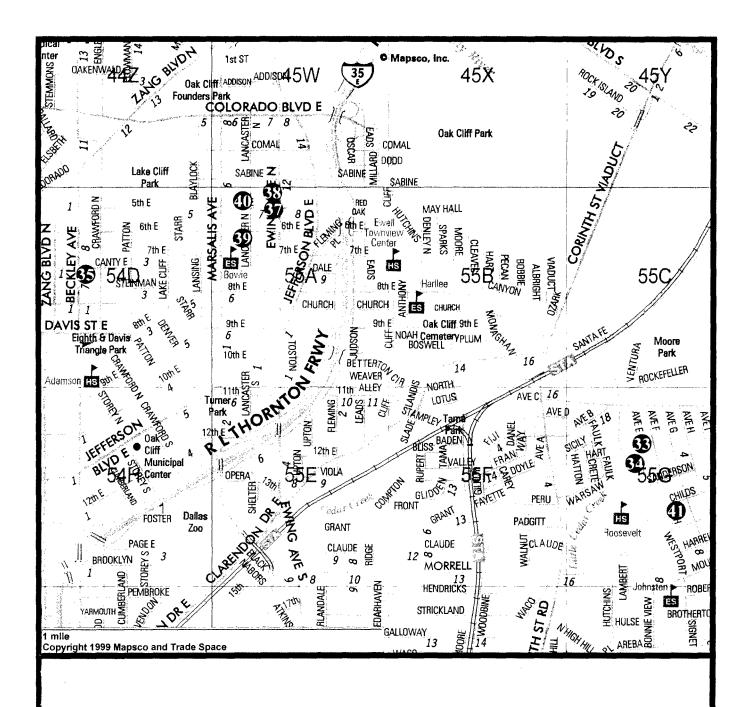
S. Denley

28.

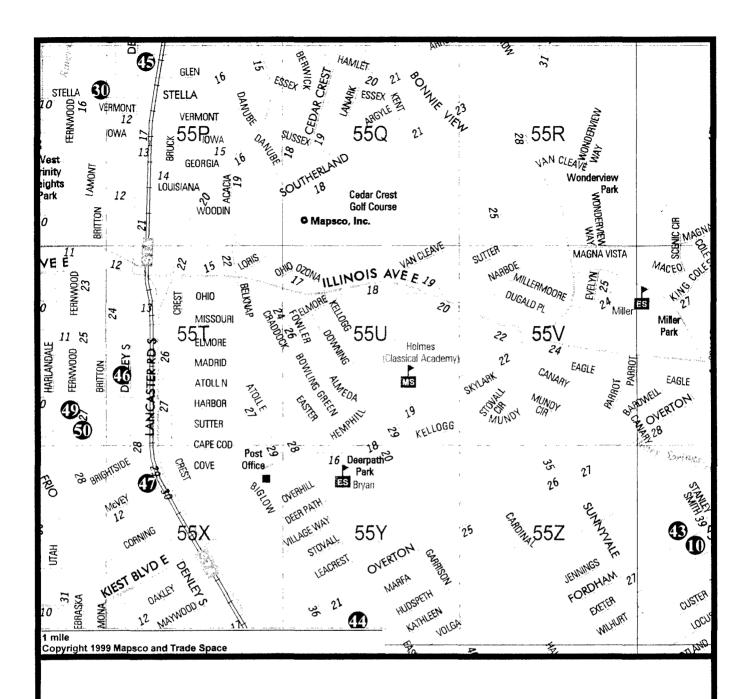
29.



	PROPI ADDRI		<u>MAPSCO</u>	COUNCIL DISTRICT
31.	1137	S. Brighton	54J	1
32.	612	Rockwood	54H	4
36.	122	E. Brooklyn	54H	4



	PROPI ADDRI		MAPSCO	COUNCIL DISTRICT
33.	402	Avenue E	55G	4
34.	419	Avenue E	55 G	4
35 .	724	N. Beckley	54D	1
37.	609	N. Ewing	55A	1
38.	619	N. Ewing	55A	1
39.	421	N. Lancaste	r 55A	1
40.	601	N. Lancaste	r 55A	1
41.	602	High	55 G	4



	PROPE ADDRE		MAPSCO	COUNCIL DISTRICT
10.	2806	Fordham	56W	4
30.	1538	Whitaker	55 N	4
43.	2807	Fordham	56W	4
44.	2134	Marfa	55Y	4
45.	1502	S. Denley	55P	4
46.	2629	S. Denley	55T	4
47.	2930	S. Denley	55X	4
49.	2709	Fernwood	55S	4
50.	2712	Fernwood	55S	4

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, on August 11, 2010, the City Council authorized a new contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program by Resolution No. 10-1952; and

WHEREAS, RPL Properties, LLC submitted proposals and development plans to DHADC for 50 lots shown on Exhibit "A" and the DHADC Board has approved the development plans and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plans shown on Exhibit "B" submitted by RPL Properties, LLC and authorize the sale of the said 50 lots from DHADC to RPL Properties, LLC and construction to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plans shown on Exhibit "B" submitted by RPL Properties, LLC and the sale of 50 lots shown on "Exhibit A" from DHADC to RPL Properties, LLC and construction is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City, a release of lien for any non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment and any non-tax liens that may have been filed by the City post-judgment on the lots shown on "Exhibit A".

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

		LAND BANK PROPERTY	A.	
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE
-	2627 52nd Lot 17A, Third Unit of Kessler Heights Addition Block 45/5846	RPL Properties, LLC		\$4,500.00
7	2516 56th Lot 9-B. Goldmine Addition Block B'6854	RPL Properties, LLC	11	\$4,500.00
m	2603 Marjorie Lot 12B, Highland Acres Addition Block 4:5156	RPL Properties, LLC	1	\$4,500.00
7	2736 Marjorie Lot 8. Highland Acres Addition Block 6:5158	R.P.L. Properties, L.L.C.	1	\$4,500.00
ĸ	2981 Marjorie Lot 21, Surmyvale Addition Block 5,5843	RPL Properties, LLC	1	\$4,500.00
9	2603 Wilhurt Lot 10, Lisbon Heights Addition Block 4/5852	RPI. Properties, LLC	1	\$4,500.00
7	2110 Fordham Part of Lot 1, Oak Cliff Gardens Addition Block 3/5018	RPL Properties, LLC	1	\$4,500.00
×	2118 Fordham Part of Lot 2 (AKA Lot 2C), Oak Cliff Gardens Addition Block 3/5018	RPL Properties, LLC	ı	\$4.500.00
6	2246 Fordham Lot 6, Lisbon Heights Annex Addition Block 1/5853	RPL Properties, LLC	1	\$4,500.00
10	2806 Fordham Lot 7, Southgate Addition No. 1 Block 3:6081	RPL Properties, LLC	1	\$4,500.00
TOTAL				\$45,000.00

		LAND BANK PROPERTY	A.	
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE
=	1438 Hudspeth Lot 2, Frio Heights Addition Block 5:4087	RPL Properties, LLC	400	\$4,500.00
12	1642 Hudspeth Lot 4, Liberty Heights Addition Block 40:4092	RPL Properties, LLC	-	\$4,500.00
13	2003 Hudspeth Lot 1, Jeff Peak Addition Block, A/4102	RPL Properties, LLC	-	\$4,500,00
14	1525 Garza Part of Lot 15 50x125.1, Liberty Heights Addition Block 38:4087	RPL Properties, LLC		\$4,500.00
15	1529 Garza Part of Lot 16 50x125.1, Liberty Heights Addition Block 38:4087	RPL Properties, LLC	7	\$4,500.00
91	1719 Garza Lot 19, Liberty Heights Addition Block 40,4092	RPL Properties, LLC	1	00'005"+\$
17	1751 Garza Lot 27, Liberty Heights Addition Block 40:4092	RPL Properties, LLC	-	\$4,500.00
81	1531 Fordham Lot 7, Bellevue Addition Block 12/4312	RPL Properties, LLC	-	\$4,500.00
61	1554 Fordham East 1/2 Lot 16, Bellevue Addition Block 13.4313	RPL Properties, LLC	-	\$4,500.00
20	1555 Fordham Lot 12, Bellevue Addition Block 12/4312	RPL Properties, LLC	-	\$4,500.00
TOTAL				\$45,000.00

	7	LAND BANK PROPERTY	Y	
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE
21	1313 Marfa Lot 12, Liberty Heights Addition Block 25:4080	RPL Properties, LLC	-	\$4,500.00
22	1415 Marfa Lot 12, Liberty Heights Addition Block 26,4081	RPL Properties, LLC	-	00'005'4\$
23	1419 Marfa Lot 13, Liberty Heights Addition Block 26.4081	RPL Properties, LLC	1	84,500.00
24	1503 Marfa Lot 10, Liberty Heights Addition Block 27/4076	RPL Properties, LLC	-	00'005'45
25	1642 Marfa Lot 4, Liberty Heights Addition Block 31:4089	RPL Properties, LLC	-	84,500.00
3.6	1407 Maywood Lot 9 & the South 25 ft of Lot 7, Liberty Heights Addition Block 7/4059	RPL Properties, LLC	_	00'005'45
27	1610 Maywood Lot 8. Liberty Heights Addition Block 17/4072	RPL Properties, LLC	-	\$4,500.00
28	3835 Sonora Lot 11, Hillview Addinon Block 5/4335	RPL Properties, LLC	-	00'005'+\$
29	1554 E. Woodin Lot 3, Trinny Heights Addition No. 3 Block 54/3728	RPL Properties, LLC		84,500:00
30	1538 Whitaker Lot 10, Edgemont Addition Block 12/3572	RPL Properties, LLC	1	\$4,500.00
TOTAL				\$45,000.00

	1	LAND BANK PROPERTY	Y	
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE
31	1137 S. Brighton Lot 3, Sunset Annex Addition Block 4.3556	RPL Properties, LLC	-	\$4,500.00
и	612 Rockwood Lot 1, Vassar Place Addition Block G/3429	RPL Properties, LLC	-	84,500.00
33	402 Avenue E. Lot 11. Skyline Heights Addition Block 2/5901	RPL Properties, LLC	_	\$4,500.00
7.	419 Avenue E Lot 27, Skyline Heights Addition Block 1/3900	RPL Properties, LLC	-	84,500.00
35	724 N. Beckley Tract 17, 50x150 feet 700 feet from intersection of Beckley Avenue and Sixth Street Block 3431	RPL Properties, LLC	1	\$4,500.00
36	122 E. Brooklyn Tract 7, 70x115 feet at Rockwood Street Block 3426	RPL Properties, LLC	1	\$4,500.00
37	609 N. Ewing South 50 feet of Lot 7, Oak Cliff Original Town Block 543035	RPL Properties, LLC	-	\$4,500.00
25	619 N. Ewing Lot 6, Original Town of Oak Cliff Addition Block 54/3035	RPL Properties, LLC	-	\$4,500.00
39	421 N. Lancaster Part of Lot 4, Original Town of Oak Cliff Block 71/3052	RPL Properties, LLC	-	\$4,500.00
40	601 N. Lancaster SE 50 FT by 118 FT of Lot 8, Original Oak Cliff Addition Block 55/3036	RPL Properties, LLC	-	\$4,500.00
TOTAL				\$45,000.00

		LAND BANK PROPERTY	X	
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE
7	602 High Lot 1, McDowell and Russell Subdivision Block 8:5893	RPL Properties, LLC	-	\$4,500.00
42	.3504 Keyridge Lot 5, Highland Woods No. 2 Addition Block 18 6866	RPL Properties, LLC	-	\$4,500.00
43	2807 Fordham NE 1/2 of Lot 90, Oak Cliff Estates Orchards Addition Block 6080	RPL Properties, LLC	-	\$4,500.00
4	2134 Marfa Lot 9, Fordhum Heights Addition Block B/5854	RPL Properties, LLC	1	\$4,500.00
45	1502 S. Denley Lot 1, Edgement Addition Block 6:3566	RPL Properties, LLC	1	\$4,500.00
94	2629 S. Denley Lot 20, Broadmoor Addition Block 32/4221	RPL Properties, LLC	-	\$4,500.00
47	2930 S. Denley Lot 8, Brightside Addition Block B/3889	RPL Properties, LLC	-	\$4,500.00
48	3910 S. Denley Lot 16. Bellevue Addition Block 27:4324	RPL Properties, LLC	-	\$4,500.00
64	2709 Fernwood Lot 15, Broadmoor Addition Block 35:4224	RPL Properties, LLC	-	\$4,500.00
95	2712 Fernwood Lot 4, Broadmoor Addition Block 34:423	RPL Properties, LLC	-	\$4.500.00
TOTAL				\$45,000.00

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal50	
(2) Land Bank name for this parcel of lots.	
(3) Provide the property address and legal description of the land requested (attach extra sheets if necessary)See Exhibit A	ıry)
B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT	
At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)	ı ed
Single Family Home (to be sold to low income households at 60% or less of AMFI):	
Number of homes to be built on lots15 Square Footage of each home1,300 sf Number of Bedrooms/Baths in each home3/_2 Number of Garages _1 _ Number of Carports Detached Attached1_ Type of Exterior Veneer _ Brick Which sides Front/2 sides Your Sales Price ranges without Subsidies to Qualified Low Income Buyer\$100-110,0 Single Family Home (to be sold to low income households at 80% or less of AMFI):	00_
Number of homes to be built on lots20 Square Footage of each home1,500 sf Number of Bedrooms/Baths in each home3/_2 Number of Garages2 Number of Carports Detached Attached2_ Type of Exterior VeneerBrick Which sidesFront/2 sides Your Sales Price ranges without Subsidies to Qualified Low Income Buyer\$110-128,0	00_
Single Family Home (to be sold to low income households between 81% and 115% of AMFI):	
Number of homes to be built on lots15 Square Footage of each home1,500 sf Number of Bedrooms/Baths in each home3/2 Number of Garages2Number of Carports Detached Attached2 Type of Exterior VeneerBrick Which sidesFront/2 sides Your Sales Price ranges without Subsidies to Qualified Low Income Buyer\$110-128,000	00_

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction	60	days			
Completion of Construction	90-120	days			
Sale of first affordable housing un	nit to low in	come hous	seholds	_120	days
Sale of last affordable unit to low	income hou	ıseholds	210	days	

AGENDA ITEM #28

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: N/A

SUBJECT

Authorize the fourth amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period April 1, 2013 through September 30, 2013 - Not to exceed \$507,000, from \$14,684,642 to \$15,191,642 - Financing: Department of State Health Services Grant Funds

BACKGROUND

Since 1974, the Department of State Health Services (DSHS) has funded the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in Dallas. The WIC Program provides nutritious food, nutrition education, breastfeeding promotion and support, and referrals to health and social services. The program serves infants, children under age 5, and pregnant, postpartum and breastfeeding women. WIC is a United States Department of Agriculture program administered in Texas by the Department of State Health Services. In Dallas County, the WIC Program is administered by the City of Dallas, Housing/Community Services Department.

This item authorizes the acceptance of additional grant funds, increasing the total contract budget by \$507,000 as set forth in DSHS Letter of Amendment dated July 25, 2013. The total expenditures are not to exceed \$15,191,642.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the third amendment to the contract for the Special Supplemental Nutrition Program for Women, Infants and Children Program in the amount of \$28,850 on June 12, 2013, by Resolution No. 13-0956.

Authorized the second amendment to the contract for the Special Supplemental Nutrition Program for Women, Infants and Children Program in the amount of \$7,373,829 on April 10, 2013, by Resolution No. 13-0615.

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

Authorized the first amendment to the contract for the Special Supplemental Nutrition Program for Women, Infants and Children Program in the amount of \$29,774 on January 23, 2013, by Resolution No. 13-0178.

Authorized a contract for the Special Supplemental Nutrition Program for Women, Infants and Children Program in the amount of \$7,252,189 on September 26, 2012, by Resolution No. 12-2366.

FISCAL INFORMATION

\$507,000 - Department of State Health Services Grant Funds

WHEREAS, the Department of State Health Services has awarded additional grant funds in the amount of \$507,000 for the continuation of the City of Dallas Women, Infants, and Children (WIC) Program; and

WHEREAS, there is a continued need for the Special Supplemental Nutrition Program for Women, Infants and Children, funded through the Department of State Health Services;

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 the fourth amendment to the contract (Contract No. 2013-042622) with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period April 1, 2013 through September 30, 2013, and execute any and all documents required by the contract.
- **Section 2.** That the City Controller is hereby authorized to receive and deposit grant funds from the Department of State Health Services in Fund F369, Dept. HOU, Unit 3896, Revenue Source 6509 in an amount not to exceed \$507,000.
- **Section 3.** That the City Manager is hereby authorized to increase appropriations in the amount of \$507,000, from \$14,684,642 to \$15,191,642 in Fund F369, Dept. HOU, Unit 3896, according to the attached Schedule.
- **Section 4.** That the City Controller is hereby authorized to disburse grant funds from the Department of State Health Services in Fund F369, Dept. HOU, Unit 3896 using Object Code according to the attached Schedule in an amount not to exceed \$507,000.
- **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 accordingly so resolved.

SCHEDULE

Department of State Health Services Special Supplemental Nutrition Program for Women, Infants and Children April 1, 2013 through September 30, 2013 Fund F369, Dept. HOU, Unit 3896, Revenue Source 6509

Object Code	<u>Description</u>	<u>Amount</u>		
1101	Salaries	\$507,000		

AGENDA ITEM #29

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

A resolution amending Section 9 of the City Council Rules of Procedure to revise certain standing committees of the City Council - Financing: No cost consideration to the City

BACKGROUND

This item would amend Subsection 9.1 of the City Council Rules of Procedure by reducing the number of standing committees of the City Council to seven and realigning the focus of two committees. The Quality of Life and Government Services Committee will become the Quality of Life and Environment Committee, and the Transportation and Environment Committee will become the Transportation and Trinity River Project Committee. The Trinity River Corridor Project Committee will be eliminated as a stand alone committee.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

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

Section	1.	Tha	t Paragi	aph (a) of	Subs	section	on 9.	.1, "Con	nmittees	Es	stablished,'	' of
Section	9,	"City	Council	Comm	ittees	s," of	the	City	Council	Rules	of F	Procedure,	as
amended	d, i	s ame	nded to r	ead as	follov	vs:							

- The following standing committees of the city council are "(a) established: (1) Economic development committee. (2) Budget, finance, and audit committee. (3) Quality of life and environment [government services] committee. (4) [Trinity River Corridor project committee. (5)] Public safety committee. (5) [(6)] Transportation and Trinity River project [environment] committee.
 - (6) [(7)] Housing committee.
 - (7) [(8)] Arts, culture, and libraries committee."

Section 2. That the City Council Rules of Procedure, as amended, will remain in full force and effect, save and except as amended by this resolution.

Section 3. That this resolution will 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.

APPF	ROVED AS TO FORM:
THON	MAS P. PERKINS, JR., City Attorney
Ву	
Бу	Assistant City Attorney

AGENDA ITEM #30

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

A resolution to amend the 2013 City Calendar to reflect the City Council's updated committees - Financing: No cost consideration to the City

BACKGROUND

This item would amend the 2013 City Calendar to reflect the City Council's updated committees.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

The City Council was briefed on the proposed 2013 City Calendar on October 3, 2012.

The City Council adopted the 2013 City Calendar on October 10, 2012, by Resolution No. 12-2562.

The City Council amended the 2013 City Calendar on April 10, 2013, by Resolution No. 13-0616.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, Section 9 of the City Council Rules of Procedure have been amended to revise certain standing committees; and

WHEREAS, the Trinity River Corridor Project Committee has merged with the Transportation Committee, and has become the Transportation and Trinity River Project Committee; and

WHEREAS, the Quality of Life and Government Services Committee has changed to the Quality of Life and Environment Committee; and

WHEREAS, it has become necessary to revise the 2013 calendar for the remainder of the year to reflect these changes;

Now, Therefore,

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

Section 1. That the Dallas City Council authorizes an amendment to the 2013 City Calendar, per Attachment A, to reflect the City Council's updated committees.

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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	Council Committee Meetings Moved Labor Day City Holiday/Cesar E. Chavez Day	Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	Council Briefing 9:00am (Adjourn by 2:00pm) Vote to Adopt Budget 1 st Reading Rosh Hashanah (Begins at	5 Rosh Hashanah	6 Rosh Hashanah	7
8	Council Committees: 9:30am-Quality of Life & Gevernment Services Environment 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	10 9:00am Council Budget Amendments Workshop	Sundown) 11 Council Agenda 9:00am September 11 th Remembrance Day	12	13 Yom Kippur (Begins at Sundown)	Yom Kippur
15	16 Council Committees: 9:00am-Economic Development 11:00am-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	17	18 Council Briefing 9:00am Budget Adoption 2 nd Reading	19	20	21
22	Council Committees: 9:30am-Quality of Life & Government Services Environment 11:00am-Public Safety 1:00pm-Transportation & Environment Trinity River Project	24	25 Council Agenda 9:00am	26	27	28
29	30					

	ctober					
Sun	Mon	<i>Tue</i> 1	Wed 2	<i>Thu</i> 3	Fri 4	Sat 5
		_	Council Briefing 9:00am			-
6	Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	Council Agenda 9:00am Texas Municipal League Annual Conference –Austin, TX	City Council Meeting Moved to October 8 th Texas Municipal League Annual Conference –Austin, TX	Texas Municipal League Annual Conference –Austin, TX	Texas Municipal League Annual Conference –Austin, TX	12
13	Council Committees: 9:30am-Quality of Life & Gevernment Services Environment 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Gerrider Project	15	16 Council Briefing 9:00am	17	18	19
20	21 Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	22	23 Council Agenda 9:00am	24	25	26
27	28 Council Committees: 9:30am-Quality of Life & Gevernment Services Environment 11:00am-Public Safety 1:00pm-Transportation & Environment Trinity River Project	29	30 Fifth Wednesday – No City Council Meeting	31		
					2	013

Sun	Mon	Тие	Wed	Thu	Fri	Sat
					1	2
3	Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	5	Council Briefing 9:00am	7	8	9
10	11 Council Committee Meetings Canceled Veteran's Day	12 Council Agenda 9:00am National League of Cities Conference – Seattle, WA	City Council Meeting Moved to November 12 th National League of Cities Conference – Seattle, WA	14 National League of Cities Conference – Seattle, WA	National League of Cities Conference – Seattle, WA	16 National League of Citie Conference – Seattle, W
17	Council Committees: 9:30am-Quality of Life & Government Services Environment 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor	19	20 Council Briefing 9:00am	21	22	23
24	25 Council Committee Meetings Canceled	26	27 City Council Meeting Canceled Eight Days of Hanukkah (Begins at Sundown)	28 Thanksgiving Day City Holiday Hanukkah	29 Day after Thanksgiving Day City Holiday	30

De	cember =					1
Sun 1	Mon Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	<u>Tue</u> 3	Wed 4. Council Briefing 9:00am	<i>Thu</i> 5	Fri 6	Sat 7
8	Council Committees: 9:30am-Quality of Life & Government Services Environment 11:00am-Public Safety 1:00pm-Transportation & Environment	10	11 Council Agenda 9:00am	12	13	14
15	3:00pm-Trinity River Corridor Project 16 Council Committee Meetings Canceled	17	18 City Council Meeting Canceled	19	20	21
22	23 Council Committee Meetings Canceled	24	25 City Council Meeting Canceled Christmas Day City Holiday	26	27	28
29	30	31				
						2013

AGENDA ITEM #31

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 4

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 55-Q R S T U V W X; 56-N P W X; 64-D; 65-A B; 66-B C

SUBJECT

Authorize a twenty-five-year Interlocal Agreement with Dallas County for the purpose of constructing a portion of the Honey Springs Trail, the Cedar Crest Trail, reconstructing the John C. Phelps Trail and on-street bicycle pedestrian facilities which contribute to a comprehensive trail system in the City of Dallas and the County - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas and Dallas County are partnering to develop the Honey Springs-Cedar Crest Trail. The agreement consists of design and construction of the trails and on-street bicycle pedestrian facilities. The project will be executed in several phases. Portions of the trail which require the licenses from Oncor to accommodate the project will be subject to the review and approval by the City Council.

The County shall provide two million one-hundred thousand dollars (\$2,100,000) for the project which may only be used for design and construction of the project and may not be used for environmental assessments, land acquisition, alleviation of environmental hazards or any other capital improvement or amenity. The City is not expected or obligated to provide matching or other funds for this project. The City shall be responsible for reviewing and approving plans.

Upon completion and acceptance of the project the City shall own and maintain the trails and bicycle pedestrian facilities. The agreement term shall be for twenty-five years upon consummation of the agreement by both parties.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the Interlocal Agreement on August 1, 2013.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, Chapter 791 of the Texas Government Code and Texas Transportation Code Article 251 provides authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of transportation projects; and

WHEREAS, the City of Dallas and Dallas County desire to partner on the development of the Honey Springs-Cedar Crest Trail; and

WHEREAS, upon completion of construction and acceptance of the project by the Director of Park and Recreation, the City of Dallas shall take ownership and be responsible for operating and maintaining the project as a public recreational facility for no less than twenty-five years after consummation of the Agreement by both parties; and

WHEREAS, this trail, which will be built using \$2.1 million of Dallas County funds budgeted in Fiscal Year 2010, will help create an 8.1-mile on and off-road trail system which will be one of the longest trails in the southern part of the County.

Now, Therefore,

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

Section 1. That the President of the Park and Recreation Board and the City Manager are authorized to execute an Interlocal Agreement with the County of Dallas for design and construction of Honey Springs-Cedar Crest Trail as shown on "Exhibits A and B".

Section 2. That the duration of the agreement will be for 25 years and initial County Funds shall be made available for a period of four years after the date of execution of the agreement.

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.

Honey Springs-Cedar Crest Trail Connections

TOTAL PROJECT:

New Trail Construction 4.3 miles
Existing Trail Replacement 0.6 miles
Sidewalk Replacement 0.6 miles
On-Street Connections 2.6 miles
8.1 miles

Cedar Crest Trail (1.7 miles)

I II II Cedar Crest to Honey Springs on-stree connection (1.3 miles)

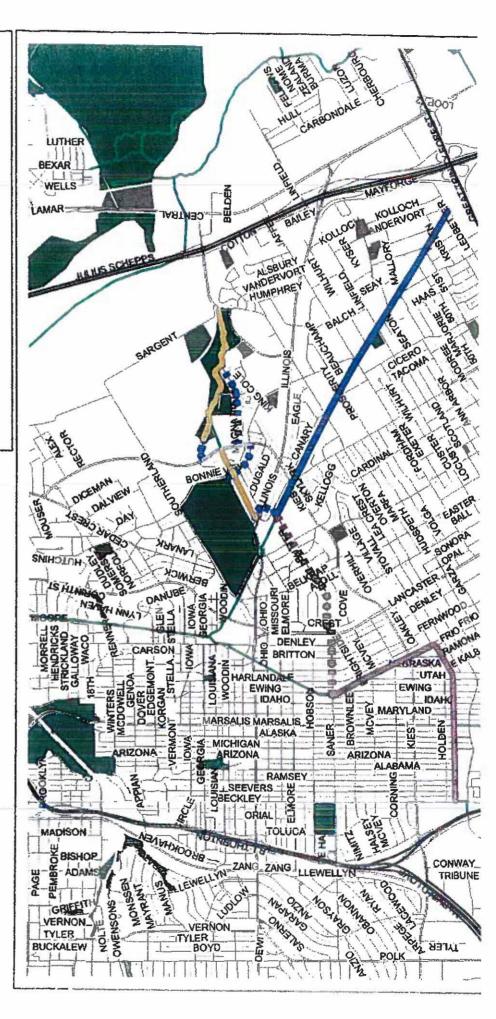
On-street Honey Springs Extension connections (1.1 Miles)

Along Sutter to Honey Springs (0.2mile)
 Along Bonnie View to Kest (0.2 mile)

Along Magna Vista to John C. Phelps Trail (0.5 mile)
 Along Van Cleave to John C. Phelps Trail (0.2 mile)

Honey Springs Trail extension (0.4 mile) and replacement of John C. Phelps Trail (0.8 mile)

Sidewalk replacement along Kiest (0.6 mile)



COURT ORDER

ORDER NO: _	2013 .0848
DATE: _	May 14, 2013
STATE OF TE	XAS §
COUNTY OF I	EXAS § § DALLAS §
BE IT REMEN	IBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas,
held on May	14 , 2013, on motion made by Mike Cantrell, Comm. District 2
and seconded	by John Wiley Price, Comm. District 3 , the following Order was adopted:
WHEREAS,	on May 7, 2013, the Dallas County Commissioners Court was briefed on a recommendation to approve the interlocal agreement for the Honey Springs-Cedar Crest Trail which will be located within the City of Dallas; and
WHEREAS,	this trail, which will be built using \$2.1 million which was budgeted in FY2010, will help create an 8.1-mile system of trails and on-street connections that will be one of the longest trails in the southern part of the County; and
WHEREAS,	creating the Honey Springs-Cedar Crest Trail is consistent with the County's strategic plan which specifically recommended that the County create a comprehensive trail system as a means for having the County become the destination of choice for businesses and residents.
Commissione	REFORE ORDERED, ADJUDGED and DECREED that the Dallas County rs Court approves the interlocal agreement with the City of Dallas for the Honey or Crest Trail and authorizes the County Judge to sign this agreement.
Clay Lewis Je County Judge	AND
	Recommended by: // //our

AGENDA ITEM #32

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 37-U

SUBJECT

Authorize an increase in the contract with Turner Construction Company for variable message signs along Garland Road and a parking controls management system for new parking improvements at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$727,823, from \$3,630,213 to \$4,358,036 - Financing: 2006 Bond Funds

BACKGROUND

The original contract with Turner Construction Company was authorized by Council on October 10, 2011, by Resolution No. 11-2730, for (1) a contract for construction of surface parking lots and a vehicular connector at the Dallas Arboretum located at 8525 Garland Road with Turner Construction Company; and (2) assign management of the contract to the Dallas Arboretum and Botanical Society, in an amount not to exceed \$3,511,642.00.

Change Order No. 1 was authorized on February 29, 2012, by Administrative Change Order No. 12-0688, for increased concrete thickness and change type; landscape and irrigation changes; and the relocation of electrical receptacles at the Dallas Arboretum, in an amount not to exceed \$24,443.25, making a revised contract amount of \$3,536,085.25.

Change Order No. 2 was authorized on June 27, 2012, by Resolution No. 12-1634, for (1) additional scope of work to include: wireless lighting control systems and landscaping; and (2) credits for landscaping electrical and testing lab cancellation fees at the Dallas Arboretum, in an amount not to exceed \$47,111.12, making a revised contract amount of \$3,583,196.37.

BACKGROUND (Continued)

Change Order No. 3 was authorized on October 29, 2012, by Administrative Action No. 12-2627, for (1) changes requested by the City of Dallas: retaining wall, guardrail and concrete paving; and (2) changes requested by the Dallas Arboretum: landscaping and permeable paver system at the Dallas Arboretum, in an amount not to exceed \$42,258.74, making a revised contract amount of \$3,625,455.11.

Change Order No. 4 was authorized on May 23, 2013, by Administrative Change Order No. 13-0597, for (1) changes requested by the City of Dallas: rock rip-rap, concrete curbing and paving, chain link fencing, pruning of tree roots and wheel stops; delete water meter and some material of permeable paving system; and (2) changes requested by the Dallas Arboretum: demolition, tree protection and removal, electrical sleeves, sod, landscaping, irrigation and partial concrete paving at the Dallas Arboretum, in an amount not to exceed \$4,757.35, making a revised contract amount of \$3,630,212.46.

This action will authorize Change Order No. 5 with Turner Construction Company for variable message signs along Garland Road and a parking controls management system for new parking improvements at the Dallas Arboretum, in an amount not to exceed \$727,823.19, making a revised contract amount of \$4,358,035.65. The variable message signs will provide information regarding parking availability at various locations. The parking controls management system includes equipment to dispense tickets at the entrance to the parking.

ESTIMATED SCHEDULE OF PROJECT

Began Construction December 2011
Complete Construction March 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized advertisement for a Request for Competitive Sealed Proposals on June 2, 2011.

The Park and Recreation Board authorized award of the contract on September 15, 2011.

City Council authorized award of the contract on October 10, 2011, by Resolution No. 11-2730.

Change Order No. 1 was authorized on February 29, 2012 by Administrative Change Order No. 12-0688.

The Park and Recreation Board authorized Change Order No. 2 on June 7, 2012.

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

City Council authorized Change Order No. 2 on June 27, 2012, by Resolution No. 12-1634.

Change Order No. 3 was authorized on October 29, 2012 by Administrative Action No. 12-2627.

Change Order No. 4 was authorized on May 23, 2013 by Administrative Change Order No. 13-0597.

The Park and Recreation Board authorized Change Order No. 5 on August 1, 2013.

FISCAL INFORMATION

2006 Bond Funds - \$727,823.19

Contract Amount	\$3,511,642.00
Change Order No. 1	\$24,443.25
Change Order No. 2	\$47,111.12
Change Order No. 3	\$42,258.74
Change Order No. 4	\$4,757.35
Change Order No. 5 (this action)	<u>\$727,823.19</u>

Total \$4,358,035.65

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Turner Construction Company

White Male	142	White Female	38
Black Male	4	Black Female	3
Hispanic Male	23	Hispanic Female	12
Other Male	8	Other Female	3

OWNERS

Turner Construction Company

Peter Davoren, President Matthew A. Papenfus, Vice President Stephen Christo, Secretary/Treasurer

<u>MAP</u>

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Turner Construction Company for variable message signs along Garland Road and a parking controls management system for new parking improvements at the Dallas Arboretum located at 8525 Garland Road - Not to exceed \$727,823, from \$3,630,213 to \$4,358,036 - Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts Non-local contracts	\$123,886.46 \$603,936.73	17.02% 82.98%
Non-local contracts		02.90 /0
TOTAL THIS ACTION	\$727,823.19	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	<u>Certification</u>	<u>Amount</u>	Percent
GLM Concrete Services, LLC	HFMB5803N0714	\$13,316.00	10.75%
Total Minority - Local		\$13,316.00	10.75%

Non-Local Contractors / Sub-Contractors

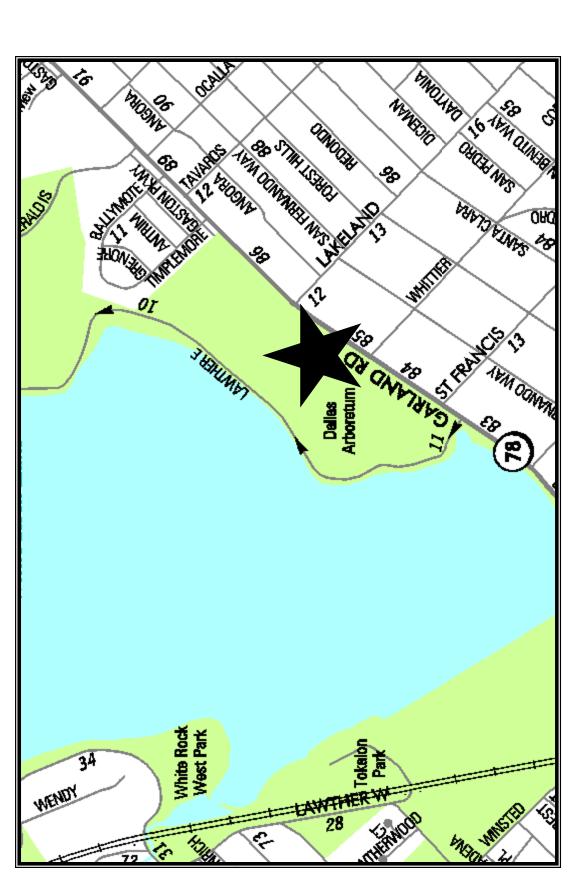
Non-local	Certification	<u>Amount</u>	Percent
TinMan Enterprises	BFDB56942Y0314	\$31,750.00	5.26%
Total Minority - Non-local		\$31,750.00	5.26%

TOTAL M/WBE PARTICIPATION

	This	This Action		າ to Date
	<u>Amount</u>	Percent	<u>Amount</u>	<u>Percent</u>
African American	\$31,750.00	4.36%	\$329,281.95	7.56%
Hispanic American	\$13,316.00	1.83%	\$590,594.00	13.55%
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%	\$176,363.50	4.05%
Total	\$45,066.00	6.19%	\$1,096,239.45	25.15%

Dallas Arboretum & Botanical Gardens

Council District 9



8525 Garland Road *Mapsco # 37-U*

WHEREAS, on October 10, 2011, by Resolution No. 11-2730, (1) Turner Construction Company was awarded a contract for construction of surface parking lots and a vehicular connector at the Dallas Arboretum located at 8525 Garland Road and (2) the Dallas Arboretum and Botanical Society was assigned management of the contract, in an amount not to exceed \$3,511,642.00; and

WHEREAS, on February 29, 2012, by Administrative Change Order No. 12-0688, Change Order No. 1 was authorized for increased concrete thickness and change type; landscape and irrigation changes; and the relocation of electrical receptacles at the Dallas Arboretum, in an amount not to exceed \$24,443.25, increasing the contract amount from \$3,511,642.00 to \$3,536,085.25; and

WHEREAS, on June 27, 2012, by Resolution No. 12-1634, Change Order No. 2 was authorized for **(1)** additional scope of work to include: wireless lighting control systems and landscaping; and **(2)** credits for landscaping electrical and testing lab cancellation fees at the Dallas Arboretum, in an amount not to exceed \$47,111.12, increasing the contract amount from \$3,536,085.25 to \$3,583,196.37; and

WHEREAS, on October 29, 2012, by Administrative Action No. 12-2627, Change Order No. 3 was authorized for **(1)** changes requested by the City of Dallas: retaining wall, guardrail and concrete paving; and **(2)** changes requested by the Dallas Arboretum: landscaping and permeable paver system at the Dallas Arboretum, in an amount not to exceed \$42,258.74, increasing the contract amount from \$3,583,196.37 to \$3,625,455.11; and

WHEREAS, on May 23, 2013, by Administrative Change Order No. 13-0597, Change Order No. 4 was authorized for (1) changes requested by the City of Dallas: rock rip-rap, concrete curbing and paving, chain link fencing, pruning of tree roots and wheel stops; delete water meter and some material of permeable paving system; and (2) changes requested by the Dallas Arboretum: demolition, tree protection and removal, electrical sleeves, sod, landscaping, irrigation and partial concrete paving at the Dallas Arboretum, in an amount not to exceed \$4,757.35, increasing the contract amount from \$3,625,455.11 to \$3,630,212.46; and

WHEREAS, this Change Order No. 5 with Turner Construction Company provides for variable message signs along Garland Road and a parking controls management system for new parking improvements at the Dallas Arboretum, in an amount not to exceed \$727,823.19, increasing the contract amount from \$3,630,212.46 to \$4,358,035.65.

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 execute Change Order No. 5 to the contract with Turner Construction Company for variable message signs along Garland Road and a parking controls management system for new parking improvements at the Dallas Arboretum, in an amount not to exceed \$727,823.19, increasing the contract amount from \$3,630,212.46 to \$4,358,035.65.

SECTION 2. That the City Controller is hereby authorized to pay the amount of \$727,823.19 to Turner Construction Company from 2006 Bond Funds, Fund 1T00, Department PKR, Unit T005, Object 4599, Activity DABS, Program PK06T005, CT-PKR11019288, Commodity 91200, Vendor 508618.

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

AGENDA ITEM #33

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize (1) the application for and acceptance of the Texas School Safety Center 2013/2014 Tobacco Enforcement Grant in the amount of \$65,025 from the Texas State University System – San Marcos for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2013 through August 31, 2014; and (2) execution of the grant agreement - Not to exceed \$65,025 - Financing: Texas School Safety Center Tobacco Compliance Grant Funds

BACKGROUND

The Texas School Safety Center 2013/2014 Tobacco Enforcement Program provides funding to support the enforcement and the reporting of tobacco compliance activities for the purpose of reducing youth access to tobacco products. The grant activities include Retailer Controlled Buys ("stings"), to ensure compliance with the Health and Safety Code, Chapter 161.082 – Sale of cigarettes or tobacco products to persons younger than 18 years of age prohibited: Proof of age required.

Ongoing and consistent enforcement initiatives that involve on-site compliance inspections of cigarette or tobacco retail outlets will be required by law enforcement officers and may result in the issuance of citations.

The funding agency requires monthly enforcement activity reports and financial status reports to be provided to the Texas School Safety Center contractor for the Texas State University System.

PRIOR ACTION/REVIEW(Council, Board, Commissions)

Authorized the 2012 Tobacco Enforcement Grant through the Texas School Safety Center at Texas State University – San Marcos on April 25,2012, by Resolution No. 12-1193.

Authorized the 2012/2013 Tobacco Enforcement Grant through the Texas School Safety Center at Texas State University – San Marcos on September 26, 2012, by Resolution No. 12-2371.

Authorized the 2012/2013 Tobacco Enforcement Supplement through the Texas School Safety Center at Texas State University – San Marcos on January 9, 2013, by Resolution No. 13-0115.

FISCAL INFORMATION

\$65,025.00 - Texas School Safety Center Tobacco Compliance Grant Funds

WHEREAS, the Texas State University System has made the Texas School Safety Center 2013/2014 Tobacco Enforcement Program funds available for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2013 through August 31, 2014; and

WHEREAS, such funding was awarded to the City of Dallas on July 15, 2013; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

Section 1. That the City Manager or designee be and is hereby authorized to apply for and accept the Texas School Safety Center 2013/2014 Tobacco Enforcement Program funds in the amount of \$65,025.00 from the Texas State University System.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund S263, Department DPD, Unit 1494, Revenue Source 6516, in an amount not to exceed \$65,025.00.

Section 3. That the City Manager is hereby authorized to establish appropriations in the amount of \$65,025.00, in Fund S263, Department DPD, Unit 1494, Object Code 3099.

Section 4. That the City Controller is authorized to disburse funds from Fund S263, Department DPD, Unit 1494, Object Code 3099, in an amount not to exceed \$65,025.00.

Section 5. That the City Manager is hereby authorized to reimburse to the Texas School Safety Center for any expenditures identified as ineligible.

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

AGENDA ITEM #34

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize (1) the acceptance of the Commercial Auto Theft Interdiction Squad/21 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of \$678,760 to provide a specialized proactive automobile theft program, for the period September 1, 2013 through August 31, 2014; (2) a local match in the amount of \$135,752; (3) an In-Kind Contribution in the amount of \$637,085; and (4) execution of the grant agreement - Total not to exceed \$1,451,597 - Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds (\$678,760), In-Kind Contributions (\$637,085) and Current Funds (\$135,752) (subject to appropriations)

BACKGROUND

This grant funds a specialized proactive investigative unit comprised of one Sergeant, three Senior Corporals, and one Office Assistant, currently housed at the City's Auto Theft Salvage Unit of the Dallas Police Department and one Police Research Specialist, along with one Sergeant housed at the Jack Evans Police Headquarters. The grant funds personnel, equipment, supplies, and training. The grant will continue to target commercial auto theft offenders who profit from vehicles stolen each year in Dallas, including salvage yards, chop shops, wrecker services, pawn shops, used car dealers, and large organized auto theft rings.

The Texas Automobile Burglary Theft & Prevention Authority specifically requires governing body approval for the acceptance of the grant. If accepted, this grant will require matching cash funds of \$135,752.00 and will be incorporated into the FY2013-2014 General Fund Budget.

BACKGROUND (Continued)

In-kind contributions in the amount of \$637,085.00, have been identified in the form of salaried officers assigned to this unit. The in-kind match is made up of the following components: one Lieutenant at 50 percent and six detective officers at 75 to 100% percent of their time working on CATIS grant activities. In addition, the CATIS grant provides funding for one administrative sergeant, one operations sergeant, three senior corporals, one office assistant, and one police research specialist. With the acceptance of this grant the provision of the cash match and the in-kind contribution will be required for the execution of this grant.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized application for Commercial Auto Theft Interdiction Squad/10 grant on May 22, 2002, by Resolution No. 02-1623.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/10 grant on August 14, 2002, by Resolution No. 02-2247.

Authorized application for Commercial Auto Theft Interdiction Squad/11 grant on May 14, 2003, by Resolution No. 03-1381.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/11 grant on August 27, 2003, by Resolution No. 03-2316.

Authorized application for Commercial Auto Theft Interdiction Squad/12 grant on May 26, 2004, by Resolution No. 04-1731.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/12 grant on August 25, 2004, by Resolution No. 04-2438.

Authorized application for Commercial Auto Theft Interdiction Squad/13 grant on May 11, 2005, by Resolution No. 05-1476.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/13 grant on August 10, 2005, by Resolution No. 05-2209.

Authorized application for Commercial Auto Theft Interdiction Squad/14 grant on April 26, 2006, by Resolution No. 06-1218.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/14 grant on August 26 2006, by Resolution No. 06-2235.

Authorized application for Commercial Auto Theft Interdiction Squad/15 grant on April 25, 2007, by Resolution No. 07-1293.

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

Authorized revised application for Commercial Auto Theft Interdiction Squad/15 grant on June 27, 2007, by Resolution No. 07-1979.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/15 grant on August 8, 2007, by Resolution No. 06-2235.

Authorized application for Commercial Auto Theft Interdiction Squad/16 grant on April 23, 2008, by Resolution No. 08-1277.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/16 grant on August 27, 2008, by Resolution No. 08-2265.

Authorized application for Commercial Auto Theft Interdiction Squad/17 grant on April 22, 2009, by Resolution No. 09-1071.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/17 grant on August 26, 2009, by Resolution No. 09-2093.

Authorized application for Commercial Auto Theft Interdiction Squad/18 grant on May 12, 2010, by Resolution No. 10-1209.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/18 grant on August 25, 2010, by Resolution No. 10-2135.

Authorized application for Commercial Auto Theft Interdiction Squad/19 grant on April 27, 2011, by Resolution No. 11-1126.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/20 grant on August 22, 2012, by Resolution No. 12-2097.

FISCAL INFORMATION

\$678,760.00 - Texas Automobile Burglary & Theft Prevention Authority Grant Funds

\$135,752.00 - Current Funds (subject to appropriations)

\$637,085.00 - In-Kind Contributions

WHEREAS, the Texas Automobile Burglary & Theft Prevention Authority (ABTPA) has made funds available for law enforcement projects during the 2013-14 fiscal year; and,

WHEREAS, such funding was awarded to the City of Dallas on July 24, 2013; and,

WHEREAS, it is in the best interest of the City of Dallas to accept such funding;

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to accept the Commercial Auto Theft Interdiction Squad/21 grant, 2014-T04-CITY of-00017, in an amount not to exceed \$678,760 for the period September 1, 2013 through August 31, 2014 and to execute the grant agreement.

Section 2. That the City Manager is hereby authorized to establish the appropriation in the Commercial Auto Theft Interdiction Squad/21 fund in the amount of \$814,512 in Fund S262, Department DPD, Unit 1499, in accordance with Schedule A.

Section 3. That the City Controller is hereby authorized to deposit grant funds in an amount not to exceed \$678,760 in Fund S262, Department DPD, Unit 1499, Revenue Source 6516.

Section 4. That the City Controller is authorized to transfer the required cash match in an amount not to exceed \$135,752 from Fund 0001, Department DPD, Unit 2161, Object Code 3642 to Fund S262, Department DPD, Unit 1499, Revenue Source 9201 (subject to appropriations).

Section 5. That the City Manager is authorized to provide an In-Kind Contribution in the amount of \$637,085.

Section 6. That the City Controller is hereby authorized to disburse grant funds from Fund S262, Department DPD, Unit 1499, according to Schedule A, in an amount not to exceed \$814,512.

Section 7. In the event of loss or misuse of funds, the City of Dallas will return all funds to the Texas Automobile Burglary & Theft Prevention Authority in full.

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

Schedule A Commercial Auto Theft Interdiction Squad Grant Fund S262 Unit 1499

Object	<u>Description</u>	<u>Amount</u>	<u>2161</u>
1101	Salaries, Civilian - Transfer Office Assistant II (D)	85,980.00	
	Transfer Police Research Specialist (38,752+		
	\$47,228)		
1102	Salaries, Uniform - Transfer 5 existing positions,	379,834.00	
	including 2 Sergeants from Unit 5737		
1202	Overtime, Uniform	0000.00	18,000
1301	Pension, Civilian	-	
1302	Pension, Sworn		
1502	i chaisin, swarri	55,866.00	
1304	Health Insurance		
1306	FICA/Medicare	-	
2183	Fuel Expenses	42,000.00	
3051	Telephone Equipment Charges	13,200.00	
	The state of the s		
3060	Equipment Rental 9 vehicles (Outside City)	75,600.00	
	Damage Cost 100.00 monthly per vehicle plus		
	600.00		9,504
3099	Misc. Special Services, Covert Funds & Bait Car		
	yearly license fees		4,799
3110	Maintenance 6 Vehicles	7,200.00	
3130	Copy Machine Rental, Lease Maintenance	4,560.00	
3361	Professional Development (Travel)registration	10,200.00	
	fees		
3420	Communications Equipment Rental (Pagers,	4,320.00	
	computer air card, radios)		
	Grant Total	678,760.00	
3642	Cash Match from City	135,752.00	
	Program Total	814,512.00	

AGENDA ITEM #35

KEY FOCUS AREA: Public Safety

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Police

CMO: Ryan S. Evans, 670-3314

MAPSCO: 46K, L, M, P, Q, R, T, U

SUBJECT

An ordinance amending Chapter 32 of the Dallas City Code to: (1) revise the boundaries of the Fair Park parking area and the area near Fair Park where signs may be posted to prohibit parking; and (2) make certain nonsubstantive changes - Financing: No cost consideration to the City

BACKGROUND

Article II, Chapter 32 of the Dallas City Code currently allows the parking of motor vehicles for compensation on premises within the Fair Park parking area during the State Fair of Texas and designated special events, when a permit is obtained from the City. The proposed ordinance would expand the current Fair Park parking area boundaries into areas that are natural vehicular and pedestrian gateways into Fair Park. The expansion has been evaluated by City staff and determined to be conducive to pedestrian safety, easily accessible to patrons, and beneficial in providing overflow parking during the State Fair of Texas and designated special events at Fair Park. The State Fair Association was briefed on the proposed parking expansion area. The ordinance would also revise the boundaries of the area near Fair Park in which signs prohibiting parking may be posted by a property owner. In addition, certain nonsubstantive changes have been included in the ordinance to facilitate implementation and enforcement of the Fair Park parking program.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

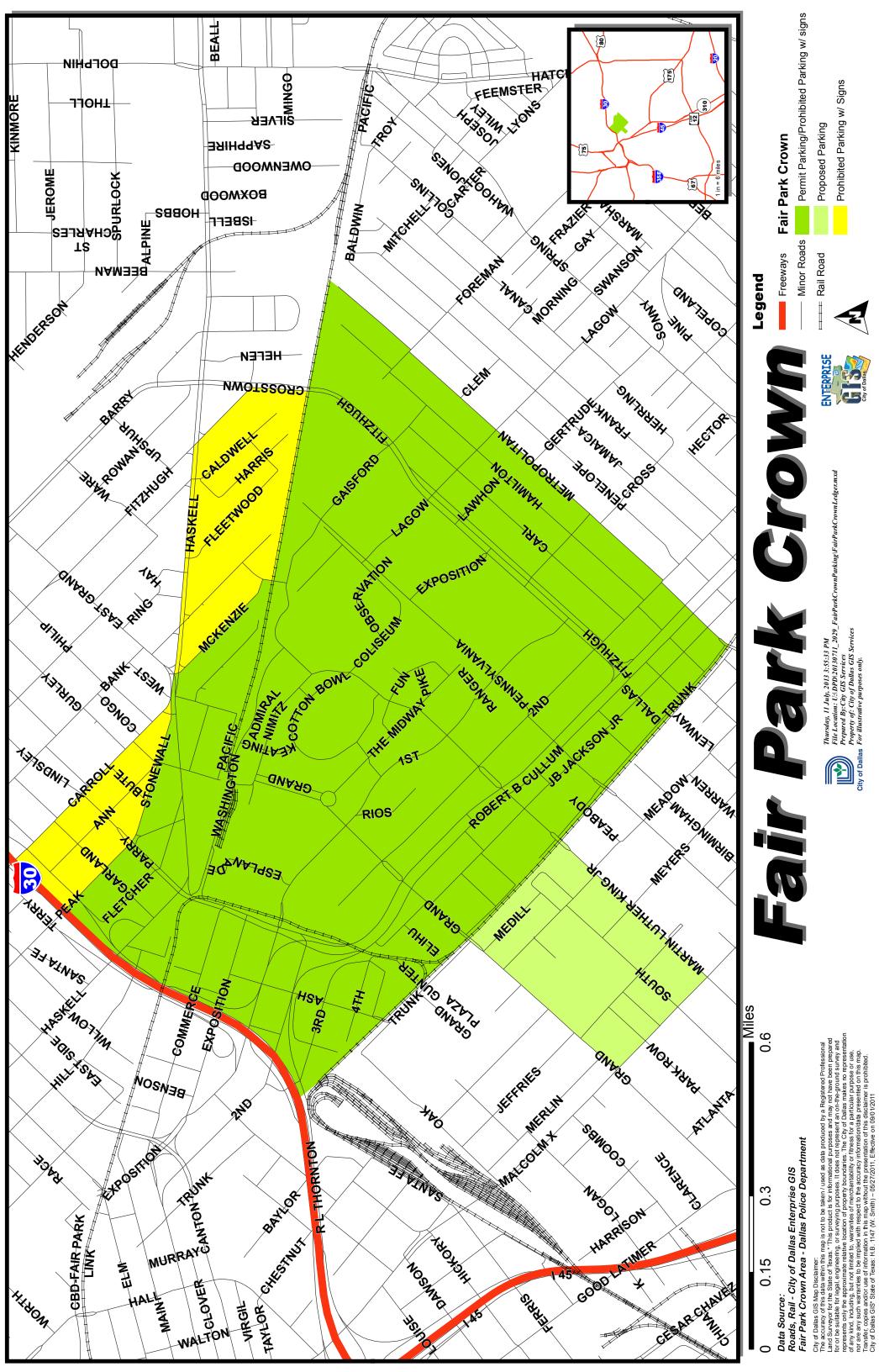
The Transportation & Environment Committee was briefed on February 25, 2008.

FISCAL INFORMATION

No cost consideration to the City.

<u>MAP</u>

Attached



ORDINANCE NO.

An ordinance amending Article II of CHAPTER 32, "PARKS AND WATER RESERVOIRS," of the Dallas City Code, as amended; revising the boundaries of the Fair Park parking area; revising the boundaries of the area near Fair Park where signs prohibiting parking may be posted; making certain semantic, grammatical, and structural changes; 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 Article II, "Fair Park and State Fair Grounds," of CHAPTER 32, "PARKS AND WATER RESERVOIRS," of the Dallas City Code, as amended, is amended by adding Division 1, "Generally," to be composed of existing Sections 32-11.5 through 32-20.

SECTION 2. That Article II, "Fair Park and State Fair Grounds," of CHAPTER 32, "PARKS AND WATER RESERVOIRS," of the Dallas City Code, as amended, is amended by adding Division 2, "Fair Park Parking Area and Fair Park Parking Licenses," to be composed of existing Sections 32-21 through 32-28.2, which are amended to read as follows:

"Division 2. Fair Park Parking Area and Fair Park Parking Licenses.

SEC. 32-<u>21</u> [28.2]. DEFINITIONS.

In this <u>division</u> [article]:

(1) DESIGNATED SPECIAL EVENT means an event conducted at Fair Park during which the city council has by resolution authorized the parking of motor vehicles for compensation in the Fair Park parking area in accordance with this <u>division</u> [article].

- (2) DIRECTOR means the director of the department designated by the city manager to enforce and administer this <u>division</u> [article], or the director's authorized representative.
- (3) FAIR PARK PARKING AREA means the area contained within the following boundaries and includes the widths of all streets and rights-of-way referenced:

BEGINNING at the intersection of the southeast right-of-way line of R. L. Thornton Freeway (Interstate Highway 30) with Peak Street;

THENCE southeastward along Peak Street to Stonewall Street;

THENCE eastward along Stonewall Street to McKenzie Street;

THENCE southeastward along McKenzie Street to Herndon Street;

THENCE southward along Herndon Street to the southwest line of the Dallas Area Rapid Transit Authority ("DART") right-of-way;

<u>THENCE</u> eastward along the southwest line of the DART right-of-way to Metropolitan Street;

THENCE southwestward along Metropolitan Street to the northeast line of the DART right-of-way;

THENCE northwestward along the northeast line of the DART right-of-way to Martin Luther King, Jr. Boulevard;

THENCE southwestward along Martin Luther King, Jr. Boulevard to Malcolm X Boulevard;

THENCE northwestward along Malcolm X Boulevard to Grand Avenue;

THENCE northeastward along Grand Avenue to the northeast line of the DART right-of-way;

THENCE northwestward along the northeast line of the DART right-of-way to the southeast line of R. L. Thornton Freeway;

THENCE northeastward along R. L. Thornton Freeway to the point of beginning.

(4) FAIR PARK PARKING LICENSE means written authority issued under this <u>division</u> [article] that allows a person to park a motor vehicle for compensation within the Fair Park parking area during the state fair of Texas or any other designated special event.

(5) [(4)] STATE FAIR OF TEXAS means the annual fall fair held at Fair Park.

SEC. 32-21. FAIR PARK PARKING AREA - BOUNDARIES ESTABLISHED.

The Fair Park parking area, within the meaning of this article, shall be as follows:

BEGINNING at the intersection of Metropolitan Avenue and the T. & N. O. Railroad;

THENCE northwestward along the T. & N. O. Railroad to the centerline of the Santa Fe Railroad:

THENCE northeastward along the Santa Fe Railroad to Peak Street;

THENCE southeastward along Peak Street to Stonewall Street;

THENCE southeastward along Stonewall Street to Haskell Avenue;

THENCE southeastward along Haskell Avenue to McKenzie Street;

THENCE southeastward along McKenzie Street to the T. & P. Railroad;

THENCE southeastward along the T. & P. Railroad to Metropolitan Avenue;

THENCE southwestward along Metropolitan Avenue to the place of beginning, so as to include all property within the boundaries.]

SEC. 32-22 [23]. FAIR PARK PARKING LICENSE REQUIRED.

A person commits an offense if he, either for himself or as an agent or representative of another, engages in the business of parking motor vehicles for compensation within the [boundaries of the] Fair Park parking area during the state fair of Texas [, the Cotton Bowl Classic,] or any designated special event without having a valid Fair Park parking license.

SEC. 32-23 [24]. LICENSE APPLICATION.

Every person desiring a Fair Park parking license shall file <u>an</u> [a sworn] application with the director on a form provided for that purpose. The application must include:

- (1) the trade name, address, and telephone number of the business, if any;
- (2) the name, address, and telephone number of the applicant;
- (3) whether the applicant is an owner, member, or employee of the business;

- (4) the name, address, and telephone number of the owner of the property on which motor vehicles will be parked for compensation, if the property owner is different from the applicant;
- (5) the address of the property on which motor vehicles will be parked for compensation and the extent of the area on which the business is to operate;
- (6) proof of ownership of the property on which motor vehicles will be parked for compensation, or, if the applicant is not the property owner, a current notarized statement from the owner authorizing the operation of the business on the property;
- (7) [(5)] an agreement to indemnify the city and its officers and employees against all claims of damage or injury to persons or property, whether public or private, arising out of the parking of motor vehicles by the applicant, or by the applicant's agents or representatives, for compensation within the Fair Park parking area;
- (8) [(6)] the signature of the applicant (if the applicant is a corporation, the signature of a duly authorized officer and, if the applicant is a partnership, the signature of one of the partners); and
- (9) [(7)] any other information the director considers necessary to the enforcement and implementation of this <u>division</u> [article].

SEC. 32-<u>24</u> [25]. INVESTIGATION OF APPLICATION.

Upon the filing of a properly filled out application for a Fair Park parking license, the director shall make or cause to be made such investigation as is deemed necessary to determine the fitness of the applicant for a license.

SEC. 32-<u>25</u> [26]. ISSUANCE OF LICENSE; EXPIRATION.

- (a) Upon approving the license application and receiving payment of the license fee required by this <u>division</u> [article], the director shall issue a Fair Park parking license to the applicant.
- (b) The issuance of a license under this <u>division</u> [article] permits premises to be used as a parking area only during the period of the state fair of Texas [, the Cotton Bowl Classie,] and any designated special event, although the premises are not zoned for such use under the Dallas Development Code. Within the area bounded by Fitzhugh Avenue, the T. and P. Railroad, Metropolitan Avenue, and R. B. Cullum Boulevard, parking must be limited to driveways and vacant lots.
- (c) No license may be issued under this <u>division</u> [article] during an event in progress unless the director received the license application at least five business days before the day the event began.

- (d) The issuance of any license under this <u>division</u> [article] does not grant or confer any vested right to the licensee or operator, but is subject to revocation or cancellation as provided in this <u>division</u> [article].
- (e) A Fair Park parking license expires May 31 of each year and may be renewed by making application in accordance with Section 32-23 [24]. A licensee shall apply for renewal at least 30 days before the expiration of the license.

SEC. 32-<u>26</u> [27]. LICENSE FEE.

The annual fee for a Fair Park parking license is \$25. No refund of a license fee will be made.

SEC. 32-27 [28]. LICENSE REVOCATION; APPEAL.

In addition to any other penalties, the director may revoke a Fair Park parking license if the director determines that a licensee has violated any provision of this <u>division</u> [article]. A licensee may appeal the revocation of a license to <u>the</u> [a] permit and license appeal board in accordance with Section 2-96 of this code.

SEC. 32-28 [28.1]. SUPERVISING ATTENDANT; DISPLAY OF LICENSE.

- (a) A supervising attendant shall remain on the licensed premises at all times during which a motor vehicle is parked or remains parked on the premises for compensation.
- (b) A person issued a Fair Park parking license under this <u>division</u> [article] shall ensure that the laminated license is displayed in a conspicuous manner on the clothing of the supervising attendant at all times the supervising attendant is on duty at the licensed premises.

SEC 32-28.1 [22]. FAIR PARK PARKING AREA - MAXIMUM PARKING FEE.

A person commits an offense if, <u>during the state fair of Texas or any designated special event</u>, he charges a customer <u>a fee</u> for parking a motor vehicle within the Fair Park parking area <u>that is [during the state fair of Texas]</u> more than 150 percent of the fee that <u>is charged [the State Fair of Texas charges]</u> for parking a motor vehicle within the fair grounds.

SEC. 32-28.2 [22.2]. POSTING OF PARKING FEES [SIGN] REQUIRED.

- (a) A person who engages in the business of parking motor vehicles for compensation in the Fair Park parking area during the state fair of Texas [, the Cotton Bowl Classic,] or any designated special event shall post a sign in a conspicuous place on the premises that indicates, in letters at least five inches high, the fee charged for parking a motor vehicle on the premises.
- (b) A person commits an offense if he charges a fee for parking a motor vehicle in the Fair Park parking area that is higher than the fee indicated on the sign posted on the premises.

SEC. 32-<u>28.3</u> [<u>22.1</u>]. <u>POSTING SIGNS TO PROHIBIT</u> PARKING <u>ON</u> [IN] CERTAIN <u>PROPERTY</u> [<u>AREAS</u>] NEAR FAIR PARK [PROHIBITED].

(a) Any person who owns or rents <u>property</u> [land] that is located <u>within the Fair Park</u> <u>parking area or</u> within the following boundaries (<u>including the widths of all streets and rights-of-way referenced</u>) in the vicinity of Fair Park is authorized to post signs to prohibit the parking of motor vehicles on <u>that property</u> [such land]:

BEGINNING at the intersection of the northeast right-of-way line of Peak Street with R. L. Thornton Freeway (Interstate Highway 30);

THENCE northeastward along R. L. Thornton Freeway to Carroll Avenue;

THENCE southeastward along Carroll Avenue to Haskell Avenue;

THENCE eastward along Haskell Avenue to Fitzhugh Avenue;

THENCE southeastward along Fitzhugh Avenue to Fitzhugh Avenue/Crosstown Expressway;

THENCE southward along Fitzhugh Avenue/Crosstown Expressway to the southwest line of the Dallas Area Rapid Transit Authority ("DART") right-of-way;

THENCE westward along the southwest line of the DART right-of-way to Herndon Street;

THENCE northward along Herndon Street to McKenzie Street;

THENCE northwestward along McKenzie Street to Haskell Avenue;

THENCE westward along Haskell Avenue to Stonewall Street;

THENCE northwestward along Stonewall Street to Peak Street;

THENCE northwestward along Peak Street to the point of beginning.

[BEGINNING at a point at the intersection of the T. & N. O. Railroad right-of-way (Trunk Avenue) with the R. L. Thornton Freeway (Interstate 20 and 30);

THENCE northeastward along R. L. Thornton Freeway to Carroll Avenue;

THENCE southeastward along Carroll Avenue to Haskell Avenue;

THENCE eastward along Haskell Avenue to Fitzhugh Avenue;

THENCE southward along Fitzhugh Avenue to the south side of the intersection of Fitzhugh Avenue with the T. & P. Railroad right-of-way;

THENCE eastward along the T. & P. Railroad right of way to Metropolitan Avenue;

THENCE southwestward along Metropolitan Avenue to the T. & N. O. Railroad right-of-way (Trunk Avenue);

THENCE northwestward along the T. & N. O. Railroad right of way (Trunk Avenue) to the place of beginning.]

- (b) Signs that are posted in accordance with Subsection (a) must be placed in a conspicuous place on the <u>property. The [land, and the]</u> words <u>on the sign</u> used to prohibit parking must be in letters not less than five inches high and must be visible and legible from the public street or accessway to the property.
- (c) A [No] person commits an offense if he parks a [, owner, or operator of a vehicle shall park the] vehicle on any property [land] located within the Fair Park parking area or the boundaries described in Subsection (a), when the property [land] has a sign posted on it that prohibits parking as set forth in Subsection (b). It is a defense to prosecution under this subsection that the vehicle was parked with the express consent of the owner or occupant of the property, and no compensation was received for the parking of the vehicle.
- (d) Any vehicle that is found unattended or unoccupied upon any <u>property</u> [land] in violation of this section is a nuisance, and the fact that the vehicle is unattended or unoccupied by any person is prima facie evidence that the vehicle owner unlawfully parked the vehicle.
- (e) [(d)] Whenever any police officer finds a vehicle parked or standing upon property [land] in violation of this section, the officer is authorized to require the driver or other person in charge of the vehicle to move the vehicle from the property [land]. Any police officer who finds a vehicle parked and unattended or unoccupied in violation of this section is authorized to remove the vehicle from the property [land] to a vehicle storage facility [the nearest garage or to the garage] designated [or maintained] by the police chief [governmental agency of which the officer is a member]."
- SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.
- SECTION 4. That CHAPTER 32 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.
- SECTION 5. 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 6. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney
ByAssistant City Attorney
Passed
LC/DCC/00542A

AGENDA ITEM #36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 4, 7

DEPARTMENT: Public Works Department

Trinity Watershed Management

Water Utilities

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

Forest E. Turner, 670-3390

MAPSCO: 45Z 46W 55D H

SUBJECT

Authorize a contract with The Fain Group, Inc., lowest responsible bidder of four, for the construction of bridge repair and modification to the Cedar Crest Bridge and Gateway Improvements from Cleveland Street to 11th Street - Not to exceed \$4,266,363 - Financing: 1998 Bond Funds (\$1,810,547), 2003 Bond Funds (\$703,860), General Obligation Commercial Paper Funds (\$1,715,208), Water Utilities Capital Construction Funds (\$6,940) and Water Utilities Capital Improvement Funds (\$29,808)

<u>BACKGROUND</u>

This action will authorize a construction contract with The Fain Group, Inc. for the Cedar Crest Bridge and Gateway Improvement projects located along Cedar Crest Boulevard between Cleveland Street and 11th Street. The project will provide an aesthetic Gateway on the north side of Cleveland Street and also on the southside at 11th Street. There is also a proposed overlook for the Trinity River to be added to the Cedar Crest Bridge, a parking lot and combined trailhead and maintenance access to the Trinity River Floodplain and future Trinity Trail System. The maintenance road and trailhead will be accessed from the northeast corner of Cedar Crest Boulevard and 11th Street intersection.

The following chart shows the Fain Group, Inc. completed contractual activities for the past three years:

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects Completed	0	0	0
Change Orders	5	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design

Completed Design

Begin Construction

Complete Construction

July 2011

June 2013

October 2013

December 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Halff Associates, Inc. for engineering services on June 22, 2011, by Resolution No. 11-1701.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. for engineering services on September 26, 2012, by Resolution No. 12-2376.

FISCAL INFORMATION

1998 Bond Funds - \$1,810,546.70

1998 Bond Program (General Obligation Commercial Paper Funds) - \$1,715,208.25

2003 Bond Funds - \$703,859.62

Water Utilities Capital Construction Funds - \$6,940.00

Water Utilities Capital Improvement Funds - \$29,807.60

Design \$ 549,945.00 Supplemental Agreement No. 1 \$ 124,840.00

Construction (this action)

 Bridge Repair & Overlook - PBW
 \$ 703,859.62

 Gateway & Parking Lot - TWM
 \$3,525,754.95

 Water & Wastewater - DWU
 \$ 36,747.60

Total Project Cost \$4,941,147.17

Council District	<u>Amount</u>		
4 7	\$2,133,181.09 <u>\$2,133,181.08</u>		
Total	\$4.266.362.17		

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

The Fain Group, Inc.

Hispanic Female	0	Hispanic Male	54
African-American Female	0	African-American Male	3
Other Female	0	Other Male	0
White Female	2	White Male	4

BID INFORMATION

The following bids with quotes were received and opened on July 27, 2013:

^{*}Denotes successful bidder(s)

<u>BIDDERS</u>	BID AMOUNT
*The Fain Group, Inc. P. O. Box 750	\$4,266,362.17
Fort Worth, TX 76101	
RoeschCo Construction	\$4,948,635.18
Rebcon, Inc.	\$5,473,062.78
Omega Contracting, Inc.	\$6,754,004.39

Original estimate: PBW - \$4,500,000.00

<u>OWNER</u>

The Fain Group, Inc.

Larry Frazier, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with The Fain Group, Inc., lowest responsible bidder of four, for the construction of bridge repair and modification to the Cedar Crest Bridge and Gateway Improvements from Cleveland Street to 11th Street - Not to exceed \$4,266,363 - Financing: 1998 Bond Funds (\$1,810,547), 2003 Bond Funds (\$703,860), General Obligation Commercial Paper Funds (\$1,715,208), Water Utilities Capital Construction Funds (\$6,940) and Water Utilities Capital Improvement Funds (\$29,808)

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$887,568.00	20.80%
Total non-local contracts	\$3,378,794.17	79.20%
TOTAL CONTRACT	\$4,266,362.17	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	<u>Amount</u>	<u>Percent</u>
Duran Industries	HMDB50415Y0913	\$402,120.00	45.31%
C T and S, Inc.	WFDB54168Y0713	\$434,655.00	48.97%
SYB Construction Company, Inc.	WFDB55940Y0114	\$50,793.00	5.72%
Total Minority - Local		\$887,568.00	100.00%

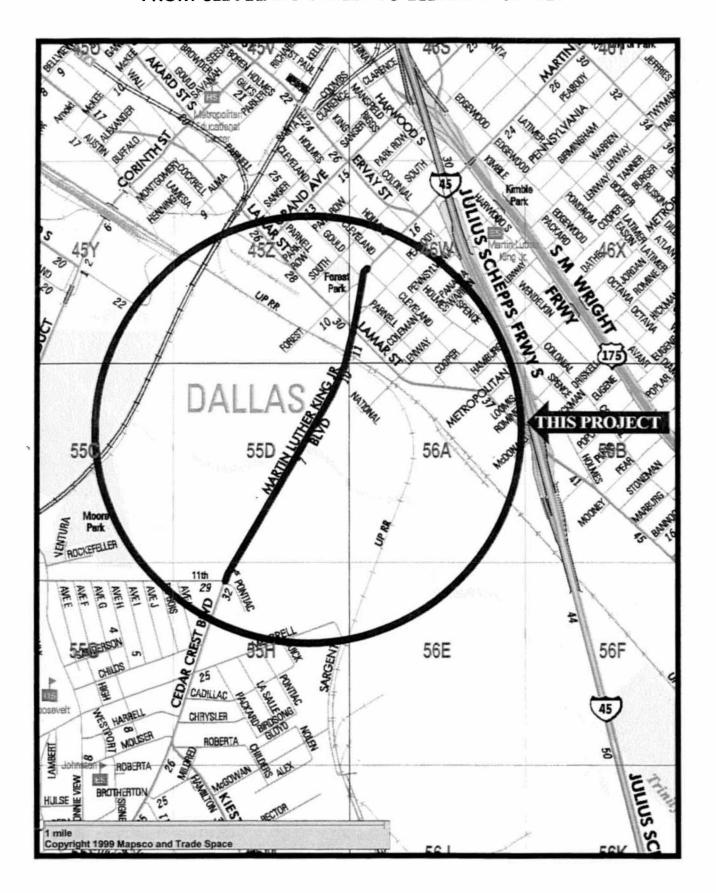
Non-Local Contractors / Sub-Contractors

Non-local	Certification	<u>Amount</u>	<u>Percent</u>
Cowtown Redi Mix	WFDB57742Y0614	\$136,188.00	4.03%
Buyers Barricades	WFDB56717Y0214	\$30,715.00	0.91%
BTA Services LTD dba Action Services	WFDB57086Y0414	\$22,628.35	0.67%
Total Minority - Non-local		\$189,531.35	5.61%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	Local & Non-Local	Percent
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$402,120.00	45.31%	\$402,120.00	9.43%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$485,448.00	54.69%	\$674,979.35	15.82%
Total	\$887,568.00	100.00%	\$1,077,099.35	25.25%

CEDAR CREST BRIDGE AND GATEWAY IMPROVEMENTS FROM CLEVELAND STREET TO ELEVENTH STREET



MAPSCO 45Z, 46W, 55D, 55H

WHEREAS, on June 22, 2011, Resolution No. 11-1701 authorized a professional services contract with Halff Associates, Inc. for the engineering design of pedestrian and bicycle enhancements to the Cedar Crest Bridge and the Moore Park Trail Extension in the amount of \$549,945.00; and,

WHEREAS, on September 26, 2012, Resolution No. 12-2376 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. for the engineering design of gateway improvements, a bridge overlook, a landscaped parking lot, and trailhead connector for the Cedar Crest Bridge and Gateway Improvements in the amount of \$124,840.00, increasing the contract from \$549,945.00 to \$674,785.00; and.

WHEREAS, bids were received on July 27, 2013, for the construction of bridge repair and modification to the Cedar Crest Bridge and Gateway Improvements from Cleveland Street to 11th Street as follows:

<u>BIDDERS</u>	BID AMOUNT
The Fain Group, Inc.	\$4,266,362.17
RoeschCo Construction, Inc.	\$4,948,635.18
Rebcon, Inc.	\$5,473,062.78
Omega Contracting, Inc.	\$6,754,004.39

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 The Fain Group, Inc. for the construction of bridge repair and modification to the Cedar Crest Bridge and Gateway Improvements from Cleveland Street to 11th Street in an amount not to exceed \$4,266,362.17, this being the lowest responsible bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

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

Street and Transportation Improvements Fund Fund 5R22, Department PBW, Unit P667, Act. TRPP Obj. 4599, Program #PB98P667, CT PBW98P667K1 Vendor #VS0000040276, in an amount not to exceed

\$ 257,781.72

August 28, 2013

1,200.00

Street and Transportation Improvements Fund Fund 5R22, Department PBW, Unit P667, Act. TRPP Obj. 4599, Program #PB98P667, CT PBW98P667K1 Vendor #VS0000040276, in an amount not to exceed \$ 446,077.90 Trinity River Corridor Project Fund Fund 2P14, Department PBW, Unit P667, Act. TRPP Obj. 4599, Program #PB98P667, CT PBW98P667K1 Vendor #VS0000040276, in an amount not to exceed \$ 207,986.00 Trinity River Corridor Project Fund Fund 2P14, Department PBW, Unit P667, Act. TRPP Obj. 4599, Program #PB98P667, CT PBW98P667K1 Vendor #VS0000040276, in an amount not to exceed \$1,507,222.25 Trinity River Corridor Project Fund Fund 0P14, Department PBW, Unit P667, Act. TRPP Obj. 4599, Program #PB98P667, CT PBW98P667K1 Vendor #VS0000040276, in an amount not to exceed \$1,810,546.70 Water Construction Fund Fund 0102, Department DWU, Unit CW42, Act. RELP Obj. 3221, Program #713215X, REP W3FA, CT PBW713215EN Vendor #VS0000040276, in an amount not to exceed \$ 5,740.00 Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Act. RELP Obj. 3222, Program #713216X, REP T2RK, CT PBW713216EN Vendor #VS0000040276, in an amount not to exceed \$

Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42, Act. RELP Obj. 4550, Program #713215, REP W3FA, CT PBW713215CP

Vendor #VS0000040276, in an amount not to exceed 29,807.60

\$4,266,362.17 Total amount not to exceed

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

AGENDA ITEM #37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

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

SUBJECT

Authorize a construction contract with American Contracting U.S.A., Inc., lowest responsible bidder of nine, for the roof replacement of Buildings D, E and the upper part of Roof C at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$3,730,000 - Financing: 2009 Convention Center Revenue Bonds

BACKGROUND

A professional services contract for architectural and engineering design services was authorized in January 2010. This action will authorize a contract with American Contracting U.S.A., Inc. to furnish materials and labor for the Roof Replacement of Buildings D, E and the upper part of Roof C at the Convention Center.

The scope of work includes the complete replacement of the existing roofs of the Convention Center Buildings D, E and the upper part of Roof C. The existing roofs are to be demolished down to deck and the materials disposed of properly. New replacement roofing with insulation will be installed.

These improvements are part of the \$60 million Convention Center Improvement Project. This project is one of multiple projects identified in the facility assessment within the Convention Center Facility Improvement Program. Construction projects which have been authorized to date are the Upper Level D Meeting Rooms, Chilled Water Loop, Lobby A and A/B Prefunction Areas, Fire Alarm and Emergency Lighting Replacement, Roof Replacement of Exhibit Halls A, B, lower C, and Administration Building, and the Exterior Waterproofing and Storm Drain Repair.

ESTIMATED SCHEDULE OF PROJECT

Began Design February 2013 Completed Design April 2013

Begin Construction September 2013

Complete Construction May 2014

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HKS, Inc. for architectural and engineering design services to include the finish out of the Upper Level D Meeting Rooms and assessment for operational improvements and renovation of existing spaces for the Dallas Convention Center 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 for the Dallas Convention Center Improvement Program 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 for the Dallas Convention Center Improvement Program 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 for the Dallas Convention Center Improvement Program on December 14, 2011, by Resolution No. 11-3257.

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 for the Dallas Convention Center Improvement Program on February 22, 2012, by Resolution No. 12-0565.

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 for the Dallas Convention Center Improvement Program on April 25, 2012, by Resolution No. 12-1195.

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

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 for the Dallas Convention Center Improvement Program on January 23, 2013, by Resolution No. 13-0181.

FISCAL INFORMATION

2009 Convention Center Revenue Bonds - \$3,730,000

Design	\$ 384,545
Construction (this action)	<u>\$3,730,000</u>
Total Project Cost	\$4,114,545

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

American Contracting U.S.A., Inc.

Hispanic Female	4	Hispanic Male	37
African-American Female	0	African-American Male	0
White Female	0	White Male	0
Other Female	0	Other Male	0

BID INFORMATION

The following bids with quotes were received and opened on May 23, 2013 as follows:

^{*}Denotes successful bidder

<u>Bidders</u>	Bid Amount
*American Contracting U.S.A., Inc. 1606 South Reynolds	\$3,730,000
Rio Hondo, TX 78583 Anchor Roofing Systems	\$3,987,000
Paragon Roofing	\$3,995,000
JReynolds	\$4,250,000
Lee Lewis	\$4,395,000
CS Advantage	\$4,520,000

BID INFORMATION (Continued)

Bidders (Continued) Bid Amount

Rainseal Masters	\$4,350,000
R & B Roofing	\$4,600,000
Saratoga Roofing	\$6,770,000

OWNER(S)

American Contracting U.S.A., Inc.

Leticia Barcenas, President Robert Escobedo, General Manager

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract with American Contracting U.S.A., Inc., lowest responsible bidder of nine, for the roof replacement of Buildings D, E and the upper part of Roof C at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$3,730,000 - Financing: 2009 Convention Center Revenue Bonds

American Contracting U.S.A., Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$80,000.00	2.14%
Total non-local contracts	\$3,650,000.00	97.86%
TOTAL CONTRACT	\$3,730,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

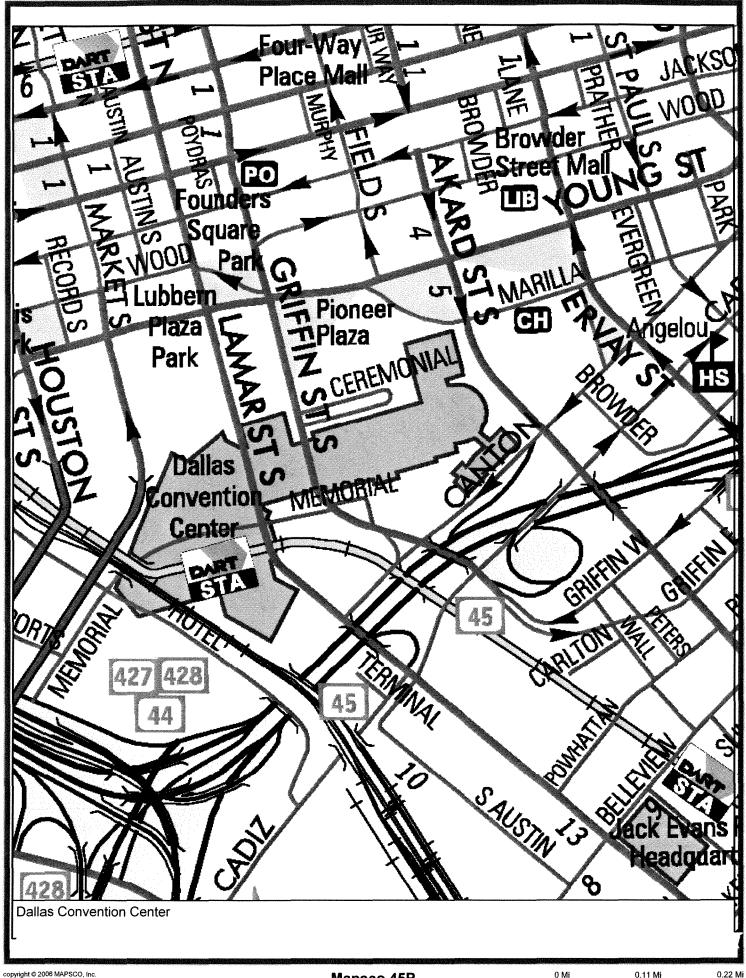
Local	Certification	<u>Amount</u>	<u>Percent</u>
Orr Contractors, Inc.	BMMB55267N1013	\$80,000.00	100.00%
Total Minority - Local		\$80,000.00	100.00%

Non-Local Contractors / Sub-Contractors

Non-local	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Houston Chem Safe	WFDB63742N0514	\$853,000.00	23.37%
Total Minority - Non-local		\$853,000.00	23.37%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$80,000.00	100.00%	\$80,000.00	2.14%
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%	\$853,000.00	22.87%
Total	\$80,000.00	100.00%	\$933,000.00	25.01%



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 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$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 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$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 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$142,270, 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 for the Kay Bailey Hutchison Convention Center Dallas Facility Improvement Program 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 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$245,266, from \$5,468,611 to \$5,713,877; 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 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$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 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$488,445, from \$5,760,377 to \$6,248,822; and,

WHEREAS, on May 23, 2013, nine bids were received and opened for roof replacement of Buildings D, E and the upper part of Roof C at the Kay Bailey Hutchison Convention Center Dallas, as follows:

<u>Bidders</u>	Bid Amount
American Contracting U.S.A., Inc. Anchor Roofing Systems Paragon Roofing JReynolds Lee Lewis CS Advantage Rainseal Masters R & B Roofing Saratoga Roofing	\$3,730,000 \$3,987,000 \$3,995,000 \$4,250,000 \$4,395,000 \$4,520,000 \$4,350,000 \$4,600,000 \$6,770,000
oanatoga riconnig	ψο,:: ο,οοο

and,

WHEREAS, it is now desirable to authorize a construction contract with American Contracting U.S.A., Inc., the lowest responsible bidder of nine for the roof replacement of Buildings D, E and the upper part of Roof C at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$3,730,000.

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 American Contracting U.S.A., Inc., lowest responsible bidder of nine, for the roof replacement of Buildings D, E and the upper part of Roof C at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$3,730,000, 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 4722, Act. CCIM Obj. 4310, Program #PBC00038, CT PBWC00038R2 Vendor #VS0000078724, in an amount not to exceed \$3,730,000

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

AGENDA ITEMS # 38,39,40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department

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

MAPSCO: 45M 46J

SUBJECT

Elm Street from Good Latimer Expressway to Exposition Avenue

- * Authorize a service agreement with Oncor Electric Delivery Company, LLC for relocation and upgrade of the existing overhead electric distribution poles and lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue - Not to exceed \$400,317 - Financing: 2006 Bond Funds
- * Authorize a service agreement with AT&T Texas for relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue Not to exceed \$111,425 Financing: 2006 Bond Funds
- * Authorize a service agreement with Time Warner Cable for the relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue Not to exceed \$21,783 Financing: 2006 Bond Funds

BACKGROUND

The City of Dallas requested Oncor Electric Delivery Company, LLC, AT&T Texas and Time Warner Cable to relocate and upgrade their overhead utility lines and poles along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue. A design was generated by the three franchise utility companies to realign and upgrade their Elm Street overhead lines to a cleaner alignment that minimizes impact to the pedestrian zone.

This action will authorize three individual service agreements with Oncor Electric Delivery Company, LLC, AT&T Texas and Time Warner Cable and the necessary funding to relocate and upgrade the existing overhead electric distribution and telecommunication lines along Elm Street from Good Latimer Expressway to Exposition Avenue.

BACKGROUND (Continued)

The replacement poles will be taller poles that have a collar around the bottom eight feet of the pole height. The cables will be raised and excess electrical distribution and telecommunication equipment will be removed to reduce the visual and pedestrian impact of the poles and overhead lines. The new collars around the base of the poles are designed to eliminate most of the nailing and stapling of fliers to the poles and to provide a cleaner look. The upgrade of the overhead utilities is designed to compliment the overall Deep Ellum and Elm Street project.

ESTIMATED SCHEDULE:

Began DesignSeptember 2008Complete DesignDecember 2013Began ConstructionJanuary 2013Complete ConstructionApril 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services with TranSystems Corporation on August 27, 2008, by Resolution No. 08-2271.

Authorized Supplemental Agreement No. 1 to the professional services contract with TranSystems Corporation on September 8, 2010, by Resolution No. 10-2295.

Authorized Supplemental Agreement No. 2 to the professional services contract with TranSystems Corporation on May 25, 2011, by Resolution No. 11-1308.

Authorized Supplemental Agreement No. 3 to the professional services contract with TranSystems Corporation on March 28, 2012, by Resolution No. 12-0931.

Authorized Supplemental Agreement No. 4 to the professional services contract with TranSystems Corporation on August 22, 2012, by Resolution No. 12-2103.

Authorized a construction contract with Omega Contracting, Inc. on October 24, 2012, by Resolution No. 12-2666.

Authorized Change Order No. 1 to the construction contract with Omega Contracting, Inc. on June 26, 2013, by Resolution No. 13-1080.

FISCAL INFORMATION

2006 Bond Funds - \$533,524.43

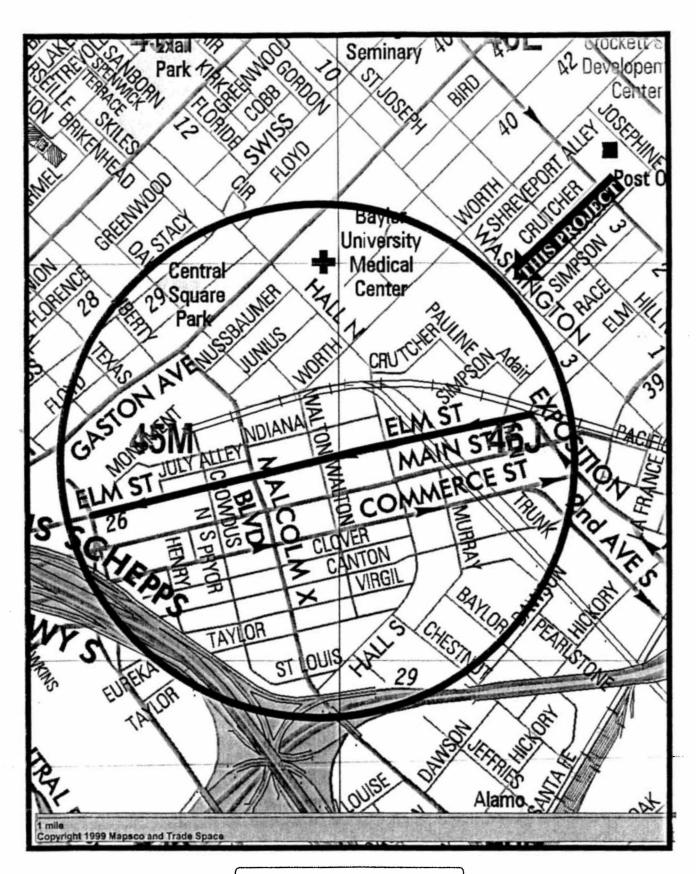
FISCAL INFORMATION (Continued)

Design	\$ 340,405.00
Supplemental Agreement No. 1	\$ 71,766.00
Supplemental Agreement No. 2	\$ 694,859.00
Supplemental Agreement No. 3	\$ 47,470.00
Supplemental Agreement No. 4	\$ 129,990.00
Supplemental Agreement No. 5	\$ 49,830.00
Construction Paving & Drainage - PBW Water & Wastewater - DWU Change Order No. 1 Service Agreements (this action)	\$4,777,857.74 \$1,156,399.00 \$ 349,945.00 \$ 533,524.43
Total Project Cost	\$8,152,046.17

<u>MAP</u>

Attached.

FROM GOOD LATIMER EXPWY. TO EXPOSITION



MAPSCO 45M, 46J

WHEREAS, on August 27, 2008, Resolution No. 08-2271 authorized a professional services contract with TranSystems Corporation for the engineering design of Deep Ellum Streetscape in the amount of \$340,405.00; and,

WHEREAS, on September 8, 2010, Resolution No. 10-2295 authorized Supplemental Agreement No. 1 to the professional services contract with TranSystems Corporation for additional engineering and surveying services on Commerce Street from Good Latimer Expressway to Exposition Avenue and Elm Street from Good Latimer to Exposition Avenue in the amount of \$71,766.00, increasing the contract from \$340,405.00 to \$412,171.00; and,

WHEREAS, on May 25, 2011, Resolution No. 11-1308 authorized Supplemental Agreement No. 2 to the professional services contract with TranSystems Corporation for the construction of street paving, sidewalks, storm drainage, lighting, traffic signal, water and wastewater main and streetscape improvements for the Deep Ellum Commerce Street and Elm Street Project in the amount of \$694,859.00, increasing the contract from \$412,171.00 to \$1,107,030.00; and,

WHEREAS, on March 28, 2012, Resolution No. 12-0931 authorized Supplemental Agreement No. 3 to the professional services contract with TranSystems Corporation for additional water and wastewater main improvements for Deep Ellum Commerce Street and Elm Street Project in the amount of \$47,470.00, increasing the contract from \$1,107,030.00 to \$1,154,500.00; and,

WHEREAS, on August 22, 2012, Resolution No. 12-2103 authorized Supplemental Agreement No. 4 to the professional services contract with TranSystems Corporation for the addition of paving, drainage, streetscape and water and wastewater main improvements for the Deep Ellum Streetscape Project on Crowdus Street between Elm Street and Indiana Boulevard and on Indiana Boulevard from July Alley to Malcolm X Boulevard in the amount of \$129,990.00, increasing the contract from \$1,154,500.00 to \$1,284,490.00; and,

WHEREAS, on October 24, 2012, Resolution No. 12-2666 authorized a construction contract with Omega Contracting, Inc. for the reconstruction of street paving, storm drainage, water and wastewater mains and streetscape improvements for Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$5,934,256.74; and,

WHEREAS, on December 13, 2012, Resolution No. 13-5061 authorized Supplemental Agreement No. 5 to the professional services contract with TranSystems Corporation to add specific construction administrative services to the contract for the Deep Ellum Streetscape Project on Crowdus Street between Elm Street and Indiana Boulevard and on Indiana Boulevard from July Alley to Malcolm X Boulevard in the amount of \$49,830.00, increasing the contract from \$1,284,490.00 to \$1,334,320.00; and,

WHEREAS, on June 26, 2013, Resolution No. 13-1080 authorized Change Order No. 1 to the construction contract with Omega Contracting, Inc. for additional paving items and extension of the water and wastewater main replacement limits for Elm Street from Good Latimer Expressway to Exposition Avenue project in the amount of \$349,945.00, increasing the contract from \$5,934,256.74 to \$6,284,201.74; and,

WHEREAS, is now necessary to authorize a service agreement with Oncor Electric Delivery Company, LLC for relocation and upgrade of the existing overhead electric distribution poles and lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$400,317.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a service agreement with Oncor Electric Delivery Company, LLC for relocation and upgrade of the existing overhead electric distribution poles and lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$400,317.00, 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 1T22, Department PBW, Unit U735, Act. SSUD Obj. 4154, Program #PB06U735, CT PBW06U735L3 Vendor #399181, in an amount not to exceed

\$400,317.00

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.

WHEREAS, on August 27, 2008, Resolution No. 08-2271 authorized a professional services contract with TranSystems Corporation for the engineering design of Deep Ellum Streetscape in the amount of \$340,405.00; and,

WHEREAS, on September 8, 2010, Resolution No. 10-2295 authorized Supplemental Agreement No. 1 to the professional services contract with TranSystems Corporation for additional engineering and surveying services on Commerce Street from Good Latimer Expressway to Exposition Avenue and Elm Street from Good Latimer to Exposition Avenue in the amount of \$71,766.00, increasing the contract from \$340,405.00 to \$412,171.00; and,

WHEREAS, on May 25, 2011, Resolution No. 11-1308 authorized Supplemental Agreement No. 2 to the professional services contract with TranSystems Corporation for the construction of street paving, sidewalks, storm drainage, lighting, traffic signal, water and wastewater main and streetscape improvements for the Deep Ellum Commerce Street and Elm Street Project in the amount of \$694,859.00, increasing the contract from \$412,171.00 to \$1,107,030.00; and,

WHEREAS, on March 28, 2012, Resolution No. 12-0931 authorized Supplemental Agreement No. 3 to the professional services contract with TranSystems Corporation for additional water and wastewater main improvements for Deep Ellum Commerce Street and Elm Street Project in the amount of \$47,470.00, increasing the contract from \$1,107,030.00 to \$1,154,500.00; and,

WHEREAS, on August 22, 2012, Resolution No. 12-2103 authorized Supplemental Agreement No. 4 to the professional services contract with TranSystems Corporation for the addition of paving, drainage, streetscape and water and wastewater main improvements for the Deep Ellum Streetscape Project on Crowdus Street between Elm Street and Indiana Boulevard and on Indiana Boulevard from July Alley to Malcolm X Boulevard in the amount of \$129,990.00, increasing the contract from \$1,154,500.00 to \$1,284,490.00; and,

WHEREAS, on October 24, 2012, Resolution No. 12-2666 authorized a construction contract with Omega Contracting, Inc. for the reconstruction of street paving, storm drainage, water and wastewater mains and streetscape improvements for Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$5,934,256.74; and,

WHEREAS, on December 13, 2012, Resolution No. 13-5061 authorized Supplemental Agreement No. 5 to the professional services contract with TranSystems Corporation to add specific construction administrative services to the contract for the Deep Ellum Streetscape Project on Crowdus Street between Elm Street and Indiana Boulevard and on Indiana Boulevard from July Alley to Malcolm X Boulevard in the amount of \$49,830.00, increasing the contract from \$1,284,490.00 to \$1,334,320.00; and,

WHEREAS, on June 26, 2013, Resolution No. 13-1080 authorized Change Order No. 1 to the construction contract with Omega Contracting, Inc. for additional paving items and extension of the water and wastewater main replacement limits for Elm Street from Good Latimer Expressway to Exposition Avenue project in the amount of \$349,945.00, increasing the contract from \$5,934,256.74 to \$6,284,201.74; and,

WHEREAS, is now necessary to authorize a service agreement with AT&T Texas for relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$111,424.43.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a service agreement with AT&T Texas for relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$111,424.43, 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 1T22, Department PBW, Unit U735, Act. SSUD Obj. 4153, Program #PB06U735, CT PBW06U735L1 Vendor #202839, in an amount not to exceed

\$111,424.43

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.

WHEREAS, on August 27, 2008, Resolution No. 08-2271 authorized a professional services contract with TranSystems Corporation for the engineering design of Deep Ellum Streetscape in the amount of \$340,405.00; and,

WHEREAS, on September 8, 2010, Resolution No. 10-2295 authorized Supplemental Agreement No. 1 to the professional services contract with TranSystems Corporation for additional engineering and surveying services on Commerce Street from Good Latimer Expressway to Exposition Avenue and Elm Street from Good Latimer to Exposition Avenue in the amount of \$71,766.00, increasing the contract from \$340,405.00 to \$412,171.00; and,

WHEREAS, on May 25, 2011, Resolution No. 11-1308 authorized Supplemental Agreement No. 2 to the professional services contract with TranSystems Corporation for the construction of street paving, sidewalks, storm drainage, lighting, traffic signal, water and wastewater main and streetscape improvements for the Deep Ellum Commerce Street and Elm Street Project in the amount of \$694,859.00, increasing the contract from \$412,171.00 to \$1,107,030.00; and,

WHEREAS, on March 28, 2012, Resolution No. 12-0931 authorized Supplemental Agreement No. 3 to the professional services contract with TranSystems Corporation for additional water and wastewater main improvements for Deep Ellum Commerce Street and Elm Street Project in the amount of \$47,470.00, increasing the contract from \$1,107,030.00 to \$1,154,500.00; and,

WHEREAS, on August 22, 2012, Resolution No. 12-2103 authorized Supplemental Agreement No. 4 to the professional services contract with TranSystems Corporation for the addition of paving, drainage, streetscape and water and wastewater main improvements for the Deep Ellum Streetscape Project on Crowdus Street between Elm Street and Indiana Boulevard and on Indiana Boulevard from July Alley to Malcolm X Boulevard in the amount of \$129,990.00, increasing the contract from \$1,154,500.00 to \$1,284,490.00; and,

WHEREAS, on October 24, 2012, Resolution No. 12-2666 authorized a construction contract with Omega Contracting, Inc. for the reconstruction of street paving, storm drainage, water and wastewater mains and streetscape improvements for Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$5,934,256.74; and,

WHEREAS, on December 13, 2012, Resolution No. 13-5061 authorized Supplemental Agreement No. 5 to the professional services contract with TranSystems Corporation to add specific construction administrative services to the contract for the Deep Ellum Streetscape Project on Crowdus Street between Elm Street and Indiana Boulevard and on Indiana Boulevard from July Alley to Malcolm X Boulevard in the amount of \$49,830.00, increasing the contract from \$1,284,490.00 to \$1,334,320.00; and,

WHEREAS, on June 26, 2013, Resolution No. 13-1080 authorized Change Order No. 1 to the construction contract with Omega Contracting, Inc. for additional paving items and extension of the water and wastewater main replacement limits for Elm Street from Good Latimer Expressway to Exposition Avenue project in the amount of \$349,945.00, increasing the contract from \$5,934,256.74 to \$6,284,201.74; and,

WHEREAS, is now necessary to authorize a service agreement with Time Warner Cable for relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue project in the amount of \$21,783.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a service agreement with Time Warner Cable for relocation and upgrade of the existing overhead telecommunication lines along the north and south parkways of Elm Street from Good Latimer Expressway to Exposition Avenue in the amount of \$21,783.00, 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 1T22, Department PBW, Unit U735, Act. SSUD Obj. 4153, Program #PB06U735, CT PBW06U735L2 Vendor #VC0000001567, in an amount not to exceed

\$21,783.00

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

AGENDA ITEM #41

KEY FOCUS AREA: Economic Vibrancy

Education Enhancements

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department

Court & Detention Services

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

Joey Zapata, 670-3009

MAPSCO: 45L

SUBJECT

Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications to include floor preparation, temporary portable air conditioning units, conduit for cables, security door hardware, access card readers, additional electrical outlets, window shades, additional offices and conference room, additional signage, sliding transaction window, additional light fixtures and changes to the mechanical, electrical and plumbing systems - Not to exceed \$376,246, from \$10,278,350 to \$10,654,596 - Financing: 2006 Bond Funds (\$370,396) and Current Funds (\$5,850)

BACKGROUND

A construction contract for renovations to the 2014 Main Street Municipal Building was awarded in March 2011. The layouts of the floor plans of 2014 Main were originally designed in 2008. Over the past five years, there have been staff, function, program and process changes; therefore, various plan modifications are necessary in order for this facility to be more efficient and effective. This action will authorize Change Order No. 7 to the construction contract.

Plan changes include the following:

- Move Juvenile Court from Courtroom #166 to Courtroom #203, change spectator rail and provide an opening between the courtroom and the Court Clerk office
- Modify Office #206 into Juvenile Caseworker Office #206A and Juvenile Caseworker Office #206B
- Install a wall to enclose Waiting Area #157 to function as Pre-Trial waiting
- Remove the wall between Juvenile Caseworker Offices #164 and #164.1 to create Judge's Chamber #164.

BACKGROUND (Continued)

- Modify Pre-Trial Waiting Area #135 into Juvenile Caseworker Office Area #135 to include the addition of 6 office cubicles and construction of Interview Room #134
- Construct Offices #219 and #220 in place of three office cubicles
- Install windows in the doors of all Court Clerk offices
- Construct Conference Room #139
- Do not construct Staff Lounge #296. This area is to become additional restrooms under another construction contract
- Additional electrical outlets in Training Room #297

In additional to the necessary plan modifications, the following items are required in order for construction to continue:

- Provide floor compound on all floors to provide a level surface prior to installation of all flooring materials
- Rental of temporary portable air conditioning units for occupied portions of the building during the mechanical system replacement
- Provide junction boxes and conduit for audio and video cables required in all courtrooms
- Provide additional requested access card readers door #155.A, #214, and #217
- Provide a sliding transaction window in Waiting Room #227
- Provide four wall-mounted light fixtures in Conference Room #283. Replace existing light fixtures and paint ceiling
- Revise signage at door #437
- Provide additional door hardware as necessary where access card readers are installed
- Provide signage for five added transaction windows to match existing
- Provide additional electrical outlets and light fixtures at the Information Desk in the Lobby
- Provide additional electrical outlet in office #270
- Provide new shades in lieu of existing blinds in Attorney Area #214
- Construct furrdowns in Public Transaction #104 and Public Lounge #115
- Provide additional signage at the transaction windows
- Relocate occupancy sensor from Room #155.1 to Room #134
- Provide chair rail to protect the walls in Gallery #300 and Law Enforcement Waiting #366
- Provide electricity to access control panel to power five access card readers installed on the third floor installed in Change Order #6
- Provide electricity to the Queue Management ticket dispensers and monitors in Public Transaction Lobby #104

ESTIMATED SCHEDULE OF PROJECT

Began Design October 2008
Completed design July 2011
Began Construction October 2011
Complete Construction September 2013

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with the Conley Group, Inc. to provide architectural and engineering services for the Renovation of the Municipal Building Annex on October 8, 2008, by Resolution No. 08-2761.

Authorized Supplemental Agreement No. 1 to the contract with the Conley Group, Inc. on June 23, 2010, by Resolution No. 10-1589.

Authorized a construction contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation on March 9, 2011, by Resolution No. 11-0685.

Authorized Supplemental Agreement No. 2 to the contract with the Conley Group, Inc. on June 22, 2011, by Resolution No. 11-1710.

Authorized a contract for the purchase and installation of furniture for Phase I with Workplace Resource Group - DFW on December 14, 2011, by Resolution No. 11-3346.

Authorized Change Order No. 1 to the contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation on February 8, 2012, by Resolution No. 12-0465.

Authorized Change Order No. 4 to the contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation on June 27, 2012, by Resolution No. 12-1726.

Authorized a contract for the purchase and installation of furniture for Phases II and III with Workplace Resource Group - DFW on October 10, 2012, by Resolution No. 12-2564.

Authorized Change Order No. 6 to the contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation on April 24, 2013, by Resolution No. 13-0712.

FISCAL INFORMATION

2006 Bond Funds \$370,396.00 Current Funds \$5,850.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Ratcliff Constructors, LP

Hispanic Female	0	Hispanic Male	4
African American Female	0	African American Male	0
Other Female	0	Other Male	0
White Female	6	White Male	22

OWNER(S)

Ratcliff Constructors, LP

Max K. Young, President

<u>MAP</u>

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications to include floor preparation, temporary portable air conditioning units, conduit for cables, security door hardware, access card readers, additional electrical outlets, window shades, additional offices and conference room, additional signage, sliding transaction window, additional light fixtures and changes to the mechanical, electrical and plumbing systems - Not to exceed \$376,246, from \$10,278,350 to \$10,654,596 - Financing: 2006 Bond Funds (\$370,396) and Current Funds (\$5,850)

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$337,283.00	89.64%
Non-local contracts	\$38,963.00	10.36%
TOTAL THIS ACTION	\$376,246.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
JP Paint	HMDB56573Y0214	\$8,200.00	2.43%
Total Minority - Local		\$8,200.00	2.43%

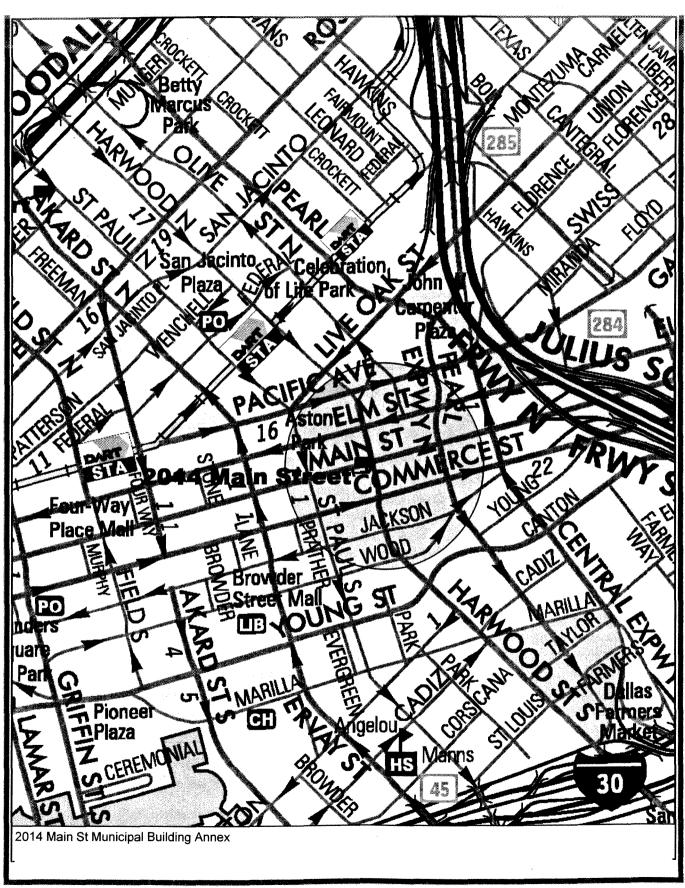
Non-Local Contractors / Sub-Contractors

Non-local	Certification	<u>Amount</u>	Percent
KL Enterprises Terrell Glass & Mirror, Inc.	WFWB57051Y0314 WFWB57894N0614	\$32,372.00 \$3.445.00	83.08% 8.84%
Total Minority - Non-local		\$35 817 00	91.93%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	Percent	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$8,200.00	2.18%	\$564,945.50	5.30%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$35,817.00	9.52%	\$2,394,787.55	22.48%
Total	\$44,017.00	11.70%	\$2,959,733.05	27.78%

2014 Main St Municipal Building Annex Renovation



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WHEREAS, on October 8, 2008, Resolution No. 08-2761 authorized a professional services contract with the Conley Group, Inc. to provide architectural and engineering services for the Renovation of the Municipal Building Annex located at 2014 Main Street in the amount of \$1,142,700; and,

WHEREAS, on June 23, 2010, Resolution No. 10-1589 authorized Supplemental Agreement No. 1 to the contract with the Conley Group, Inc. in the amount of \$110,100, increasing the contract from \$1,142,700 to \$1,252,800; and,

WHEREAS, on March 9, 2011, Resolution No. 11-0685 authorized a construction contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation in the amount of \$8,859,334; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1710 authorized Supplemental Agreement No. 2 to the contract with the Conley Group, Inc. in the amount of \$109,700, increasing the contract from \$1,252,800 to \$1,362,500; and,

WHEREAS, on December 14, 2011, Resolution No. 11-3346 authorized a service contract with WRG LLC through the U.S. Communities Government Purchasing Alliance for the purchase and installation of furniture for Phase I of the Dallas Judicial Center located at 2014 Main Street in an amount not to exceed \$800,000; and,

WHEREAS, on February 8, 2012, Resolution No. 12-0465 authorized Change Order No. 1 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$380,989, increasing the contract from \$8,859,334 to \$9,240,323; and,

WHEREAS, on February 17, 2012, Administrative Change Order No. 12-0635 authorized Change Order No. 2 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$22,089, increasing the contract from \$9,240,323 to \$9,262,412; and,

WHEREAS, on April 12, 2012, Administrative Change Order No. 12-0839 authorized Change Order No. 3 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$24,232, increasing the contract from \$9,262,412 to \$9,286,644; and,

WHEREAS, on June 27, 2012, Resolution No. 12-1726 authorized Change Order No. 4 to the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation for updated plan modifications that comply with amended program requirements in the amount of \$646,172, increasing the contract from \$9,286,644 to \$9,932,816; and,

WHEREAS, on October 10, 2012, Resolution No. 12-2564 authorized a service contract with WRG LLC through the U.S. Communities Government Purchasing Alliance for the purchase and installation of furniture for Phases II and III of the Dallas Judicial Center located at 2014 Main Street in an amount not to exceed \$740,000; and,

WHEREAS, on February 1, 2013, Administrative Change Order No. 13-5143 authorized Change Order No. 5 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$48,460.36, increasing the contract from \$9,932,816.00 to \$9,981,276.36; and,

WHEREAS, on April 24, 2013, Resolution No. 13-0712 authorized Change Order No. 6 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$297,073.05, increasing the contract from \$9,981,276.36 to \$10,278,349.41; and,

WHEREAS, it is now necessary to authorize Change Order No. 7 to the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications to include floor preparation, temporary portable air conditioning units, conduit for cables, security door hardware, access card readers, additional electrical outlets, window shades, additional offices and conference room, additional signage, sliding transaction window, additional light fixtures and changes to the mechanical, electrical and plumbing systems in the amount of \$376,246.00, increasing the contract from \$10,278,349.41 to \$10,654,595.41.

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. 7 to the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications to include floor preparation, temporary portable air conditioning units, conduit for cables, security door hardware, access card readers, additional electrical outlets, window shades, additional offices and conference room, additional signage, sliding transaction window, additional light fixtures and changes to the mechanical, electrical and plumbing systems in the amount of \$376,246.00, increasing the contract from \$10,278,349.41 to \$10,654,595.41, after it has been approved as to form by the City Attorney.

August 28, 2013

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

City Hall, City Service and Maintenance Facilities Fund Fund BT30, Department PBW, Unit T830 Act. CFCR Obj. 4310, Program No. PB06T830, CT #PBW06T830E1 Vendor #VS0000002167 in an amount not to exceed \$370,396.00

Current Funds

Fund 0001, Department CTS, Unit 1056 Act. CFCR
Obj. 3099, Program No. PB06T830, CT #PBW06T830E2
Vendor #VS0000002167 in an amount not to exceed \$ 5,850.00

Total not to exceed

\$376,246.00

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

AGENDA ITEM #42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

A resolution authorizing the conveyance of a water easement with a temporary construction easement containing a total of approximately 62,827 square feet of land to the North Texas Municipal Water District for the construction and maintenance of water facilities across City-owned land at Lake Ray Hubbard located in Collin County - Revenue: \$9,884

BACKGROUND

This item authorizes the conveyance of a water easement with a temporary construction easement across City-owned land at Lake Ray Hubbard to the North Texas Municipal Water District for its Wylie-Rockwall Pipeline Project. The operation, construction, repair and full maintenance of these facilities shall be at no cost to the City of Dallas.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

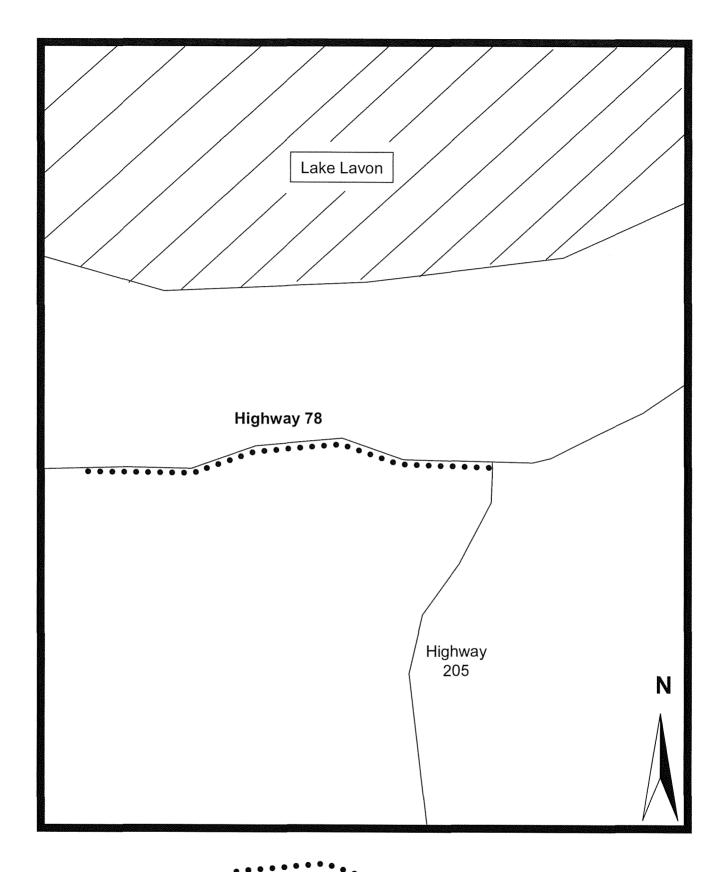
This item has no prior action.

FISCAL INFORMATION

Revenue: \$9,884

MAP

Attached



WHEREAS, the City of Dallas owns tracts of land which are used for Lake Ray Hubbard; and

WHEREAS, the North Texas Municipal Water District has requested a water line easement and one temporary construction easement on said land for the construction, maintenance and use of waterline facilities containing a total of approximately 62,827 square feet of land, located in Abstract No. 121, Collin County, Texas; **Now Therefore**,

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

SECTION 1. That upon receipt of **NINE THOUSAND EIGHT HUNDRED EIGHTY-FOUR AND 00/100 (\$9,884.00) DOLLARS** from the North Texas Municipal Water District, the City Manager is authorized to execute a water line easement to be attested by the City Secretary upon approval as to form by the City Attorney for a total of approximately 62,827 square feet of land located in Abstract No. 121, Collin County, Texas, to the North Texas Municipal Water District as Grantee.

SECTION 2. That the proceeds shall be deposited into the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for administrative costs incurred (Fund 0001, Department DEV, Unit 1183, Object 5011). Any remaining proceeds shall be transferred to the Water and Sewer Revenue Fund 0100, Department DWU, Unit 7005, Revenue Source 8428.

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

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR.

CITY ATTORNEY

Assistant City Attorney

AGENDA ITEM #43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46L

SUBJECT

An ordinance granting a private license to Dallas Independent School District for the use of a total of approximately 2,580 square feet of subsurface space to install and maintain two geothermal crossings and one storm drainage pipe under portions of Philip Avenue, located near the intersection of Barry and Fitzhugh Streets - Revenue: \$40,000 one-time fee, plus the \$20 ordinance publication fee

BACKGROUND

This item grants a license for the installation and maintenance of two geothermal crossings and one storm drainage pipe under Philip Street. The use of these areas will not impede pedestrian or vehicular traffic.

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

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$40,000 one-time fee, plus the \$20 ordinance publication fee

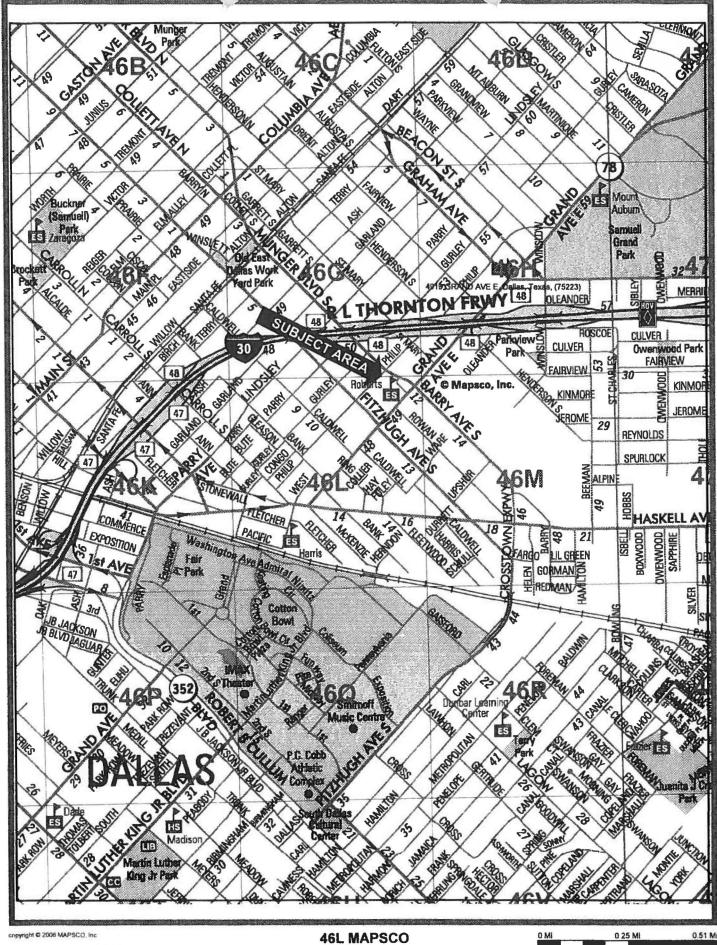
<u>OWNER</u>

Dallas Independent School District

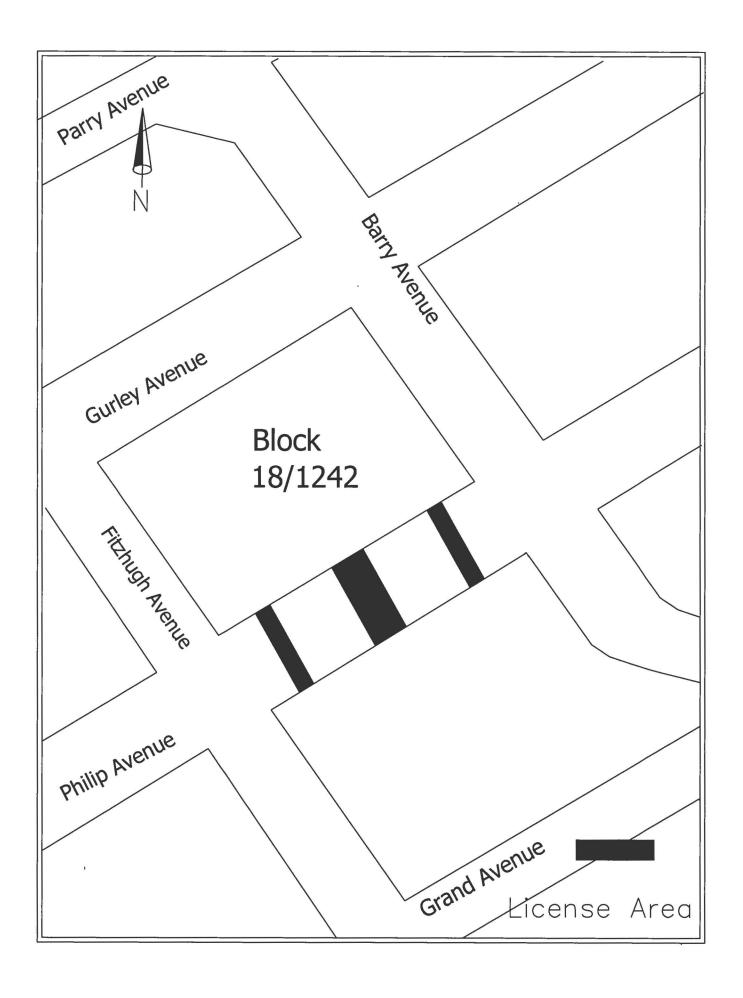
Eric Cowan, Board President

MAPS

Attached



0.51 Mi Scale 1: 16 332



ORDINANCE NO.	

An ordinance granting a private license to Dallas Independent School District to occupy, maintain, and utilize portions of Philip Avenue right-of-way located near the intersections of Barry Avenue and Fitzhugh Avenue adjacent to City Blocks 18/1242 and 17/1243 within the limits hereinafter more fully described, for the purpose of installing and maintaining two subsurface geothermal crossings and one subsurface storm drainage pipe; providing for the terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Dallas Independent School District a governmental entity, its successors and assigns, hereinafter referred to as **"GRANTEE"** to occupy, maintain, and utilize for the purpose set out hereinbelow the tracts of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That GRANTEE in lieu of \$1,000 annual payments for the license during the term of the license, has elected and shall pay to the City of Dallas the sum of FORTY THOUSAND AND NO/100 (\$40,000.00) DOLLARS for the license herein granted, said sum to become due and payable, in advance, upon the final passage of this ordinance and shall be a one-time fee to cover the consideration for the duration of the license herein granted. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by GRANTEE. Such consideration shall not be subject to any increase or decrease during the license term and pursuant to Section 43-119 of the Dallas City Code, City herein waives its right to change the license fee in accordance with Section 43-115 of the Dallas City Code.

Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Department of Sustainable Development and Construction may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the City Controller of the City of Dallas and deposited in Fund 0001, Department DEV, Unit 1181, Revenue Source 8200. In the event **GRANTEE**'s check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Sustainable Development and Construction of the City of Dallas: install, maintain two subsurface geothermal crossings and one subsurface storm drainage pipe.

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

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

Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** shall obtain a cut permit and contact Cut Control at 214-948-4042 at least 48 hours prior to commencement of construction.
- b) **GRANTEE** shall submit engineering plans for the geothermal lines and drainage pipe to the Water-Engineering Department. Please call 214-948-4536.
- c) **GRANTEE** shall maintain a 24 inch clearance around existing ATMOS facilities and call 1-800-DIG-TESS before excavation.

SECTION 8. That the license granted hereby shall not become effective until and unless **GRANTEE** files a final acceptance, in writing, to the terms and conditions of this ordinance with the Director of Sustainable Development and Construction and said written acceptance shall be forwarded to the City Secretary of the City of Dallas. In the event said written final acceptance is not filed within six (6) months after the passage of this ordinance as provided for herein, then the Director of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 9. That upon receipt of **GRANTEE's** final written acceptance, the Director of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 10. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 11. That in lieu of the insurance requirements specified in EXHIBIT B, Subsection (c), **GRANTEE** may self-insure to the extent permitted by applicable law under any plan of self-insurance, maintained in accordance with sound accounting practices, against the risks described in the Subsection (c) and shall not be required to maintain insurance hereunder provided that **GRANTEE** furnishes the City satisfactory evidence of the existence of an insurance reserve adequate for the risks covered by such plan of self-insurance, evidence of which shall be provided to the City prior to issuance of a certified copy of the ordinance to **GRANTEE**.

SECTION 12. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should GRANTEE fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 13. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the license fee described in Section 3 herein, an acceptable certificate of insurance, and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 14. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR.

DAVID COSSUM

Interim Director of Department of Sustainable Development and Construction

City Attorney

Assistant City Attorney

Assistant Director

Passed_____

ED/38172

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LICENCE AGREEMENT

A Portion of Philip Avenue Adjacent to City Block 18/1242 and City Block 17/1243 John Grigsby Survey, Abstract No. 495 City of Dallas, Dallas County, Texas

DESCRIPTION, of a 1,200 square foot (0.028 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, adjacent to Blocks 18/1242 and Blocks 17/1243 of the Official Block Numbers of the City of Dallas, Texas: said tract being a portion of Philip Avenue (a 60-foot wide right-of-way) between Fitzhugh Avenue (a 50-foot wide right-of-way) and Barry Avenue (a 100-foot wide right-of-way), created in the R. D. Caldwell Addition, an addition to the City of Dallas recorded in Volume 297, Page 1 of the Deed Records of Dallas County, Texas; said 1,200 square foot tract being more particularly described as follows (Bearing system based on a bearing of North 45 degrees, 03 minutes, 00 seconds East for the northwest line of Lot 1, Block 17/1243, O.M. Roberts School, an addition to the City of Dallas, Texas, recorded in Volume 86245, Page 1197 of said Deed Records):

BEGINNING, at a point for corner in the southeast right-of-way line of said Philip Avenue and in the northwest line of Lot 1, Block 17/1243, O.M. Roberts School, an addition to the City of Dallas, Texas, recorded in Volume 86245, Page 1197 of said Deed Records; said point being North 45 degrees, 03 minutes, 00 seconds East, a distance of 103.09 feet from a "+" cut in concrete found at the intersection of the said southeast line of Philip Avenue and the northeast line of a 15-foot wide Alley across said Block 17/1243:

THENCE, North 44 degrees, 57 minutes, 00 seconds West, departing the said southeast line of Philip Avenue and the said northwest line of Lot 1, Block 17/1243, a distance of 60.00 feet to a point for corner in the northwest right-of-way line of said Philip Avenue and the southeast line of Lot 6, Block 18/1242. East Side Addition, an addition to the City of Dallas according to the plat recorded in Volume 1, Page 523 of the Map Records of Dallas County, Texas;

THENCE, North 45 degrees, 03 minutes, 00 seconds East, along the said northwest line of Philip Avenue and the said southeast line of Lot 6, Block 18/1242, a distance of 20.00 feet to a point for corner;

THENCE, South 44 degrees, 57 minutes, 00 seconds East, departing the said northwest line of Philip Avenue and the said southeast line of Lot 6, Block 18/1242, a distance of 60.00 feet to a point for corner in the said southeast line of said Philip Avenue and the said northwest line of Lot 1, Block 17/1243;

THENCE, South 45 degrees, 03 minutes, 00 seconds West, along the said southeast line of Philip Avenue and the said northwest line of Lot 1, Block 17/1243, a distance of 20,00 feet to the POINT OF **BEGINNING:**

CONTAINING, 1,200 square feet or 0.028 acres of land, more or less.

08/29/11

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the license agreement tract described.

Eric A. Kreiner

Registered Professional Land Surveyor No. 5320 Pacheco Koch Consulting Engineers, Inc.

8350 N. Central Expwy, #1000, Dallas TX 75206 (972) 235-3031

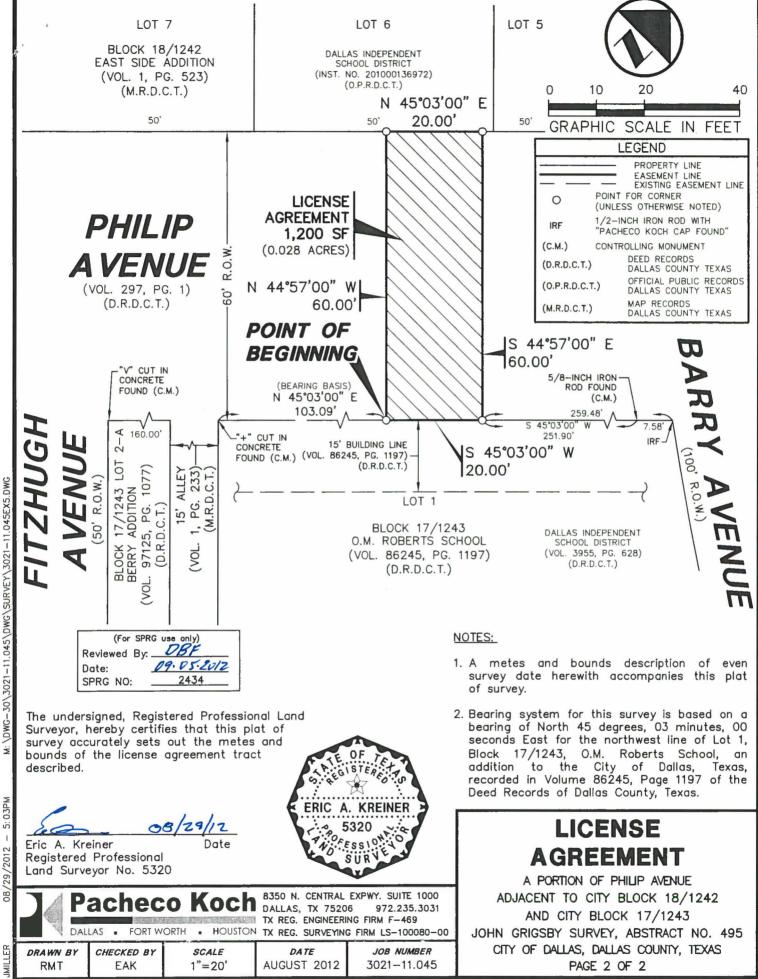
TX Reg. Surveying Firm LS-100080-00

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(For SPRG use only)

Reviewed By:

Date: SPRG NO:





LICENSE AGREEMENT

A Portion of Philip Avenue
Adjacent to City Block 18/1242 and
City Block 17/1243
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 600 square foot (0.014 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, adjacent to Blocks 18/1242 and Blocks 17/1243 of the Official Block Numbers of the City of Dallas, Texas; said tract being a portion of Philip Avenue (a 60-foot wide right-of-way) between Fitzhugh Avenue (a 50-foot wide right-of-way) and Barry Avenue (a 100-foot wide right-of-way), created in the R. D. Caldwell Addition, an addition to the City of Dallas recorded in Volume 297, Page 1 of the Deed Records of Dallas County, Texas; said 600 square foot tract being more particularly described as follows (Bearing system based on a bearing of North 45 degrees, 03 minutes, 00 seconds East for the northwest line of Lot 1, Block 17/1243, O.M. Roberts School, an addition to the City of Dallas, Texas, recorded in Volume 86245, Page 1197 of said Deed Records):

BEGINNING, at a point for corner in the southeast line of said Philip Avenue and in the said northwest line of Lot 1, Block 17/1243, O.M. Roberts School, an addition to the City of Dallas, Texas, recorded in Volume 86245, Page 1197 of said Deed Records; said point being North 45 degrees, 03 minutes, 00 seconds East, a distance of 254.47 feet from a "+" cut in concrete found at the intersection of the said southeast line of Philip Avenue and the northeast line of a 15-foot wide Alley across said Block 17/1243;

THENCE, North 44 degrees, 57 minutes, 00 seconds West, departing the said southeast line of Philip Avenue and the said northwest line of Lot 1, Block 17/1243, a distance of 60.00 feet to a point for corner in the northwest right-of-way line of said Philip Avenue and the southeast line of Lot 3, Block 18/1242, East Side Addition, an addition to the City of Dallas according to the plat recorded in Volume 1, Page 523 of the Map Records of Dallas County, Texas;

THENCE, North 45 degrees, 03 minutes, 00 seconds East, along the said northwest line of Philip Avenue and the said southeast line of Lot 3, Block 18/1242, a distance of 10.00 feet to a point for corner;

THENCE, South 44 degrees, 57 minutes, 00 seconds East, departing the said northwest line of Philip Avenue and the said southeast line of Lot 3, a distance of 60.00 feet to a point for corner in the said southeast line of said Philip Avenue and the said northwest line of Lot 1, Block 17/1243;

THENCE, South 45 degrees, 03 minutes, 00 seconds West, along the said southeast line of Philip Avenue and the said northwest line of Lot 1, Block 17/1243, a distance of 10.00 feet to the POINT OF BEGINNING;

CONTAINING, 600 square feet or 0.014 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the license agreement tract described.

Eric A. Kreiner

Registered Professional Land Surveyor No. 5320

Pacheco Koch Consulting Engineers, Inc.

8350 N. Central Expwy, #1000, Dallas TX 75206 (972) 235-3031

TX Reg. Surveying Firm LS-100080-00

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(For SPRG use only)

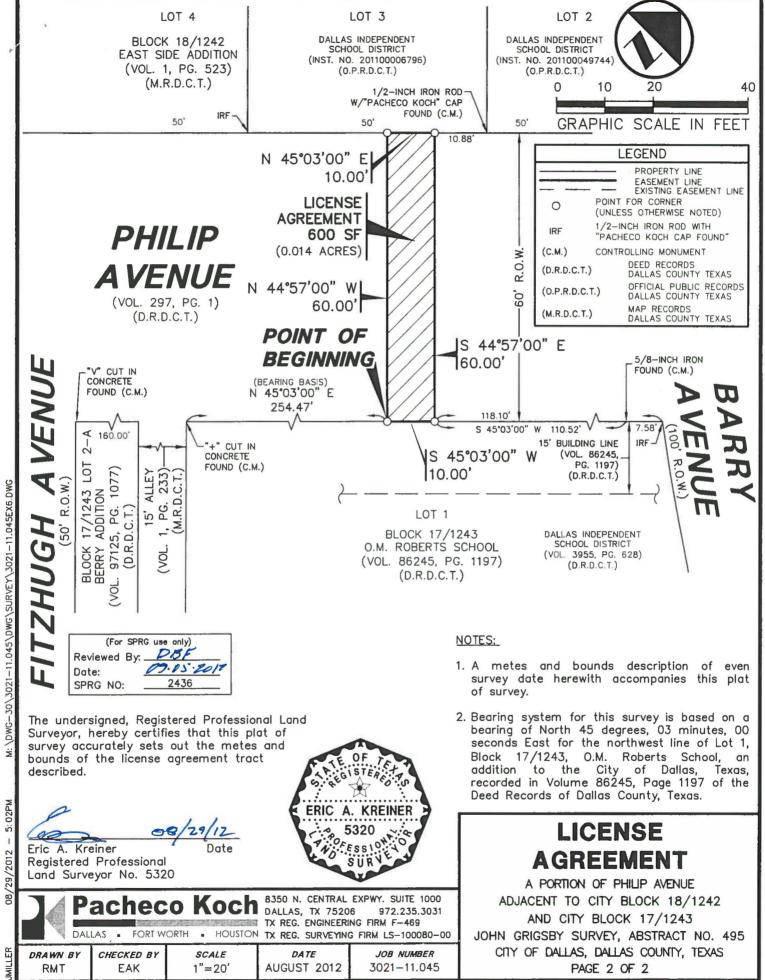
Reviewed By:

SPRG NO:

DBF

Date:

19.05.2012



LICENSE AGREEMENT

A Portion of Philip Avenue Adjacent to City Block 18/1242 and City Block 17/1243 John Grigsby Survey, Abstract No. 495 City of Dallas, Dallas County, Texas

DESCRIPTION, of a 780 square foot (0.018 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; adjacent to Blocks 18/1242 and Blocks 17/1243 of the Official Block Numbers of the City of Dallas, Texas; said tract being a portion of Philip Avenue (a 60-foot wide right-of-way) between Fitzhugh Avenue (a 50-foot wide right-of-way) and Barry Avenue (a 100-foot wide right-of-way), created in the R. D. Caldwell Addition, an addition to the City of Dallas recorded in Volume 297, Page 1 of the Deed Records of Dallas County, Texas; said 780 square foot tract being more particularly described as follows (Bearing system based on a bearing of North 45 degrees, 03 minutes, 00 seconds East for the northwest line of Lot 1, Block 17/1243, O.M. Roberts School, an addition to the City of Dallas, Texas, recorded in Volume 86245, Page 1197 of said Deed Records):

BEGINNING, at a point for corner in the southeast right-of-way line of Philip Avenue (a 60-foot wide rightof-way) and in the northwest line of Lot 1, Block 17/1243, O.M. Roberts School, an addition to the City of Dallas, Texas, recorded in Volume 86245, Page 1197 of said Deed Records; said point being North 45 degrees, 03 minutes, 00 seconds East, a distance of 3.96 feet from a "+" cut in concrete found at the intersection of the said southeast line of Philip Avenue and the northeast line of a 15-foot wide Allev across City Block 17/1243:

THENCE, North 44 degrees, 57 minutes, 00 seconds West, departing the said southeast line of Philip Avenue and the said northwest line of Lot 1, Block 17/1243, a distance of 60,00 feet to a point for corner in the northwest right-of-way line of said Philip Avenue and the southeast line of Lot 8, Block 18/1242, East Side Addition, an addition to the City of Dallas according to the plat recorded in Volume 1, Page 523 of the Map Records of Dallas County, Texas;

THENCE, North 45 degrees, 03 minutes, 00 seconds East, along the said northwest line of Philip Avenue and the said southeast line of Lot 8, Block 18/1242, a distance of 13.00 feet to a point for corner;

THENCE, South 44 degrees, 57 minutes, 00 seconds East, departing the said northwest line of Philip Avenue and the said southeast line of Lot 8, Block 18/1242, a distance of 60.00 feet to a point for corner in the said southeast line of said Philip Avenue and the said northwest line of Lot 1, Block 17/1243;

THENCE, South 45 degrees, 03 minutes, 00 seconds West, along the said southeast line of Philip Avenue and the said northwest line of Lot 1, Block 17/1243, a distance of 13.00 feet to the POINT OF **BEGINNING**:

CONTAINING, 780 square feet or 0.018 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the license agreement tract described.

Kreiner

Registered Professional Land Surveyor No. 5320 Pacheco Koch Consulting Engineers, Inc.

8350 N. Central Expwy, #1000, Dallas TX 75206 (972) 235-3031

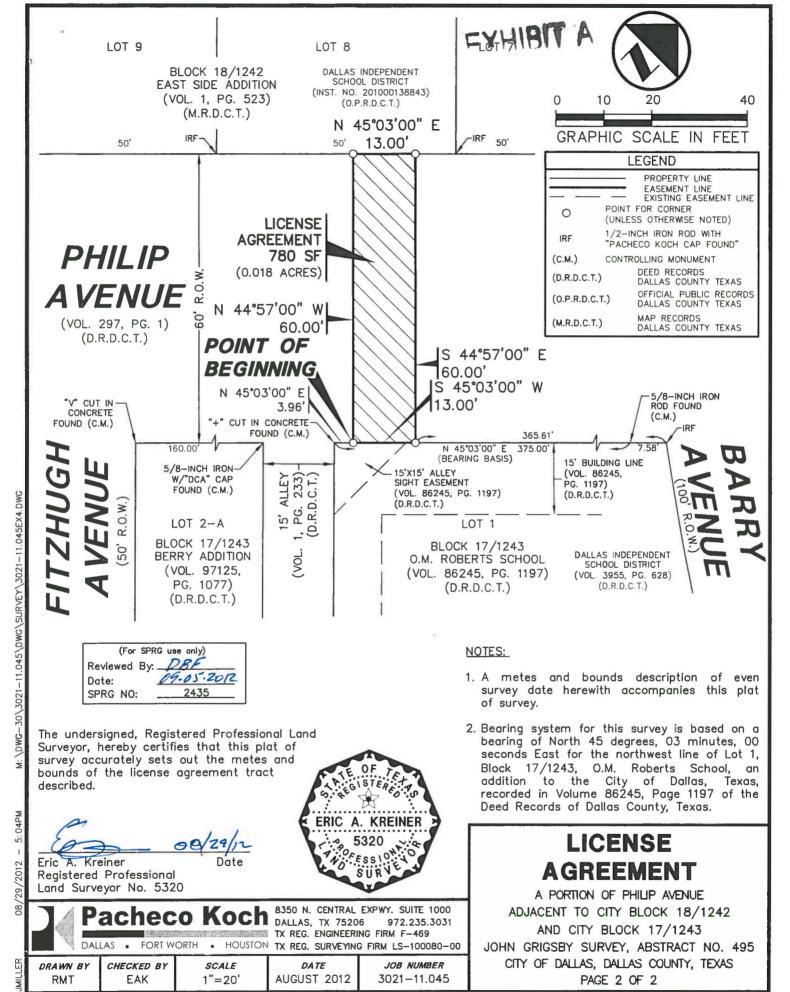
TX Reg. Surveying Firm LS-100080-00

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(For SPRG use only)

Reviewed By:

Date: SPRG NO: 09.05.2012



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

- That at such time as this license is terminated or canceled for any reason whatsoever, GRANTEE, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of GRANTEE. In the event, upon termination of this license, GRANTEE shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against GRANTEE; in neither event shall the City of Dallas be liable to GRANTEE on account thereof.
- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of GRANTEE's installations and improvements thereon, any modifications or changes to GRANTEE's facilities in the licensed area or in construction or reconstruction of any public improvement attributable to GRANTEE's use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of GRANTEE and to the satisfaction of the Director of Sustainable Development and Construction.
- At such time as this license is granted, it is agreed, and a condition hereof, that GRANTEE shall procure and keep in full force and effect Commercial General Liability Insurance coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by GRANTEE of the licensed area and GRANTEE's installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

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

- That at such time as this license is terminated or canceled for any reason whatsoever, GRANTEE, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of GRANTEE. In the event, upon termination of this license, GRANTEE shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against GRANTEE; in neither event shall the City of Dallas be liable to GRANTEE on account thereof.
- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of GRANTEE's installations and improvements thereon, any modifications or changes to GRANTEE's facilities in the licensed area or in construction or reconstruction of any public improvement attributable to GRANTEE's use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of GRANTEE and to the satisfaction of the Director of Sustainable Development and Construction.
- At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

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

- 1. GRANTEE agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
- 2. GRANTEE shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or GRANTEE fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.
- (d) GRANTEE is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to GRANTEE's use and occupancy thereof, GRANTEE, at is expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, GRANTEE shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. GRANTEE agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of GRANTEE's breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the GRANTEE's use of the licensed area.
- (e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

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

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

whether such damage is due to flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

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

AGENDA ITEM #44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45F

SUBJECT

An ordinance abandoning a portion of Akard Street to Triton 2422, LLC, the abutting owner, containing approximately 560 square feet of land, located near the intersection of Akard and Olive Streets, authorizing the quitclaim and providing for the dedication of approximately 42 square feet of land needed for right-of-way – Revenue: \$38,850, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Akard Street to Triton 2422, LLC, the abutting owner. The abandonment area will be included with the property of the abutting owner to align its property line with the remainder of land owned. The owner will dedicate approximately 42 square feet of land needed for right-of-way.

The abandonment fee is based on an independent appraisal.

Notices were sent to 60 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request

PRIOR ACTION /REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$38,850, plus the \$20 ordinance publication fee

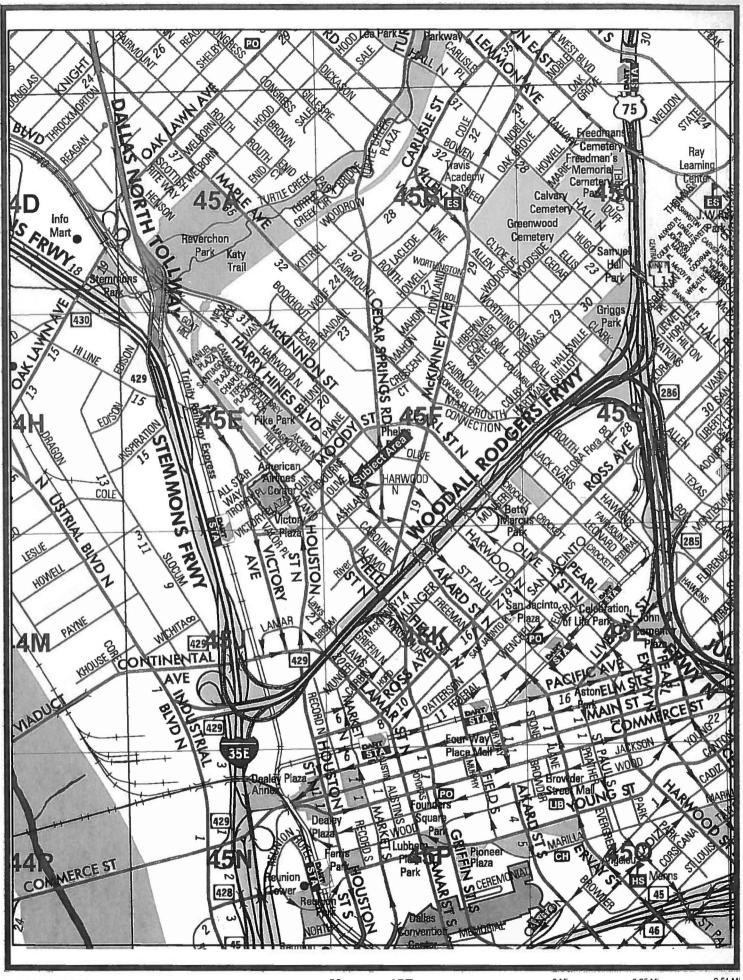
<u>OWNER</u>

Triton 2422, LLC

Michael D. Karns, Manager

MAPS

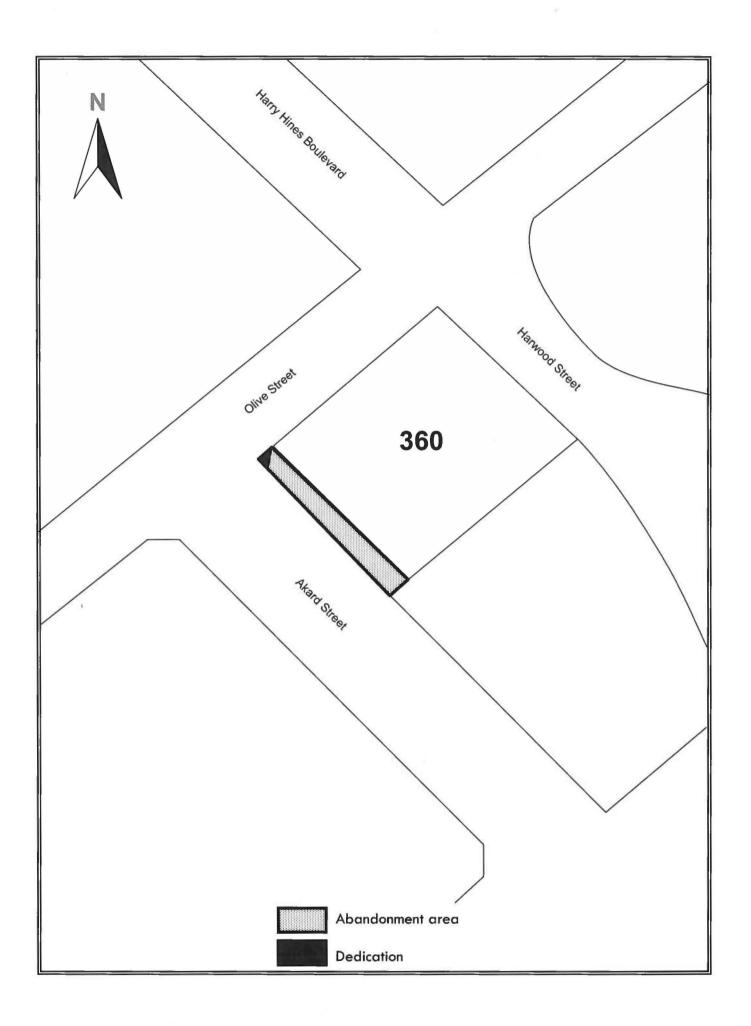
Attached



MARCO

Mapsco 45F 0 Mi 0 25 Mi 0.51 Mi

Scale 1: 16 332



ORDINANCE NO.	

An ordinance providing for the abandonment of a portion of Akard Street located adjacent to City Block 360 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Triton 2422, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Triton 2422, LLC, a Texas limited liability company, hereinafter referred to as GRANTEE, deems it advisable to abandon and quitclaim the hereinafter described tract of land to GRANTEE, and is of the opinion that, subject to the terms and conditions herein provided, said portion of street is not needed for public use, and same should be abandoned and quitclaimed to GRANTEE, as hereinafter stated; and WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to GRANTEE for the consideration and subject to the terms and conditions hereinafter more fully set forth; Now, Therefore,

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

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

SECTION 2. That for and in monetary consideration of the sum of THIRTY-EIGHT THOUSAND EIGHT HUNDRED FIFTY AND NO/100 (\$38,850.00) DOLLARS paid by GRANTEE, and the further consideration described in Sections 8, 9 and 10, the City of

Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, its successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas of, from and against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by GRANTEE, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, " Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the fee simple dedication of not less than 42 square feet of needed right-of-way in City Block 360. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this ordinance, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance; and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

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AAPF	PROVE	D AS	TO F	ORM:
THON	MAS P.	PER	KINS	, JR.
City	Attor	ney		

DAVID COSSUM
Interim Director of Sustainable
Development and Construction

	Assistant City Attorney		W -
BY	m		ву

Assistant Director

Passed		

LW/39232

EXHIBIT A

ABANDONMENT OF PART OF AKARD STREET ADJACENT TO BLOCK 360 CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 560 square feet tract of land situated in the John Grisgby Survey, Abstract No. 495 and being part of N. Akard Street right of way adjacent to City Block 360 as dedicated by the map of Ervin's Addition recorded in Volume 64, Page 403, Deed Records of Dallas County, Texas, said right of way being adjacent to a called 0.253 acre tract of land conveyed to Triton 2422 LLC by Special Warranty Deed recorded under County Clerk Instrument Number 201200203126, Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a found "x" cut on pavement at the intersection of the northeast line of N. Akard Street (a variable width right of way) with the southeast line of Olive Street (a 50 foot right of way as dedicated by the map of Cole Addition recorded in Volume 84, Page 195, Deed Records of Dallas County, Texas), said point being the north corner of the said 0.253 acre tract;

THENCE, S 44°48'00" E, with the northeast line of N. Akard Street and the southwest line of the said 0.253 acre tract, a distance of 100.00 feet to a found "x" cut on concrete pavement for a corner in the northwest line of Lot 1, Block 2/360 of Downtown Joint Venture Addition, an addition to the City of Dallas, Texas according to the map thereof recorded in Volume 85027, Page 2140, Deed Records of Dallas County, Texas;

THENCE, S 45°23'00" W, with the northeast line of N. Akard Street and the northwest line of said Lot 1, Block 2/360, a distance of 8.00 feet to a found ½ inch iron rod for a corner, said point being the west corner of said Lot 1, Block 2/360;

THENCE, N 42°03'00" W, a distance of 100.10 feet to a set mag nail with washer stamped "Block 360" "No. 3952" for a corner in the projected southeast line of said Olive Street;

THENCE, N 45°23'00" E, with the projected southeast line of Olive Street, a distance of 3.20 feet to the Point of Beginning and Containing 560 square feet or 0.013 acres, more or less.

Date: March 11, 2013

L. Lynn Kadleck Registered Professional Land Surveyor No. 3952

Basis of Bearing:

The bearing basis for this survey is a bearing of S 44°48'00" E for the southwest line of Harry Hines Boulevard as shown on the map of Downtown Joint Venture Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 85027, Page 2140, Deed Records of Dallas County, Texas.



ABANDONMENT OF PART OF AKARD STREET ADJACENT TO CITY BLOCK 360 CITY OF DALLAS, DALLAS COUNTY, TEXAS **LEGEND** EXHIBIT A СМ Controlling Monument ROW Right of Way FIR Found Iron Rod NUM BEARING DISTANCE SCALE: 1"=40' MON Monument L1 N45°23'00"E 3.20 D.R.D.C.T. Deed Records Dallas County, Texas International Center Dev. IX Ltd. Vol. 2008064, Pg. 8960 D.R.D.C.T. O.P.R.D.C.T. Official Public Records Date: March 11, 2013 Dallas County, Texas K&A Job 3088 Lot 1A, Block 3/364 (For SPRG use only) International Center No. IX Inst. No. 200900241302 0.P.R.D.C.T. Reviewed by; -23-13 2619 SPRG No. Various Owners Lot 1 Lot 2A, Block 1/360 2011 Cedar Springs (Condos) ROLEX Texas Realty Declaration in Vol. 2000149, Pg. 3326 D.R.D.C.T. Vol. 95717, Pg. 1732 D.R.D.C.T. Block 4/366 Coles Addition Found"x CM Vol. 84, Pg. 195 D.R.D.C.T. 185.17 Lot 12 ROLEX Texas Realty Vol. 95062, Pg. 3673 D.R.D.C.T. Found"x" Block 360 0.253 Acre Triton 2422 LLC Inst. No. 201200203126 0.P.R.D.C.T. Found"x' ,,000 MAG NAIL 1800 W/ WASHER ABANDONMENT TRACT 560 SF/ 0.013 AC POINT OF BEGINNING Lot 1, Block 2/360 Downtown Joint Venture Addition Vol. 85027, Pg. 2140, D.R.D.C.T. 0.424 Acre Triton 2414 LLC Inst. No. 201200203125 O.P.R.D.C.T. Found"x ESR LP Vol. 99091, Pg. D.R.D.C.T. 4533 Lot 1 1/2"FIF LYNN KADLECK Block H/290 Ervins Addition Vol. 64, Pg. 403 D.R.D.C.T. AND SURVEYOR Lot 2 The bearing basis for this survey is a bearing of S 44'48'00" E for the southwest line of Harry Hines Boulevard as shown on the map of Downtown Joint Venture Addition, an addition to the City L. Jynn Kadleck Registered Professional Land Surveyor No. 3952 of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 85027, Page 2140, Deed Records of Dallas 3952 County, Texas. Page 2 of 2

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

AGENDA ITEM #45

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34V

SUBJECT

An ordinance abandoning a drainage easement and a fire lane and utility easement to Kings Road Townhomes, LLC, the abutting owner, containing a total of approximately 12,717 square feet of land, located near the intersection of Minert Street and Denton Drive – Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a drainage easement and a fire lane and utility easement to Kings Road Townhomes, LLC, the abutting owner. The abandonment area will be included with the property of the abutting owner for a multi-family development.

The cost for the abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$5,400, plus the \$20 ordinance publication fee

<u>OWNER</u>

Kings Road Townhomes, LLC

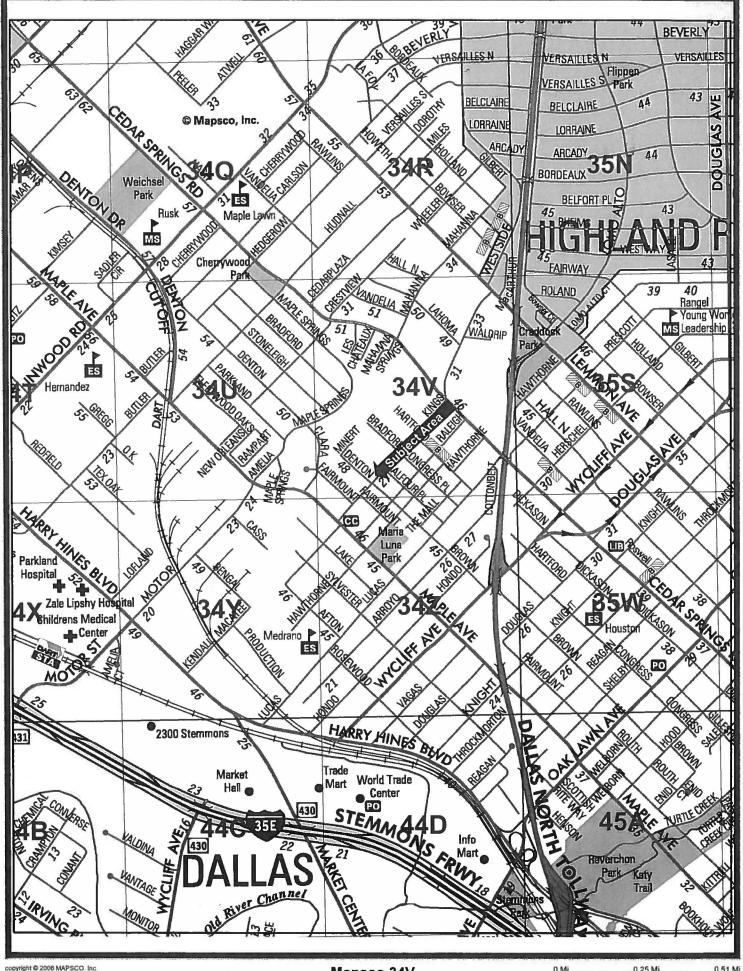
BKRK Investments, LTD

BKRK Investments GP, LLC

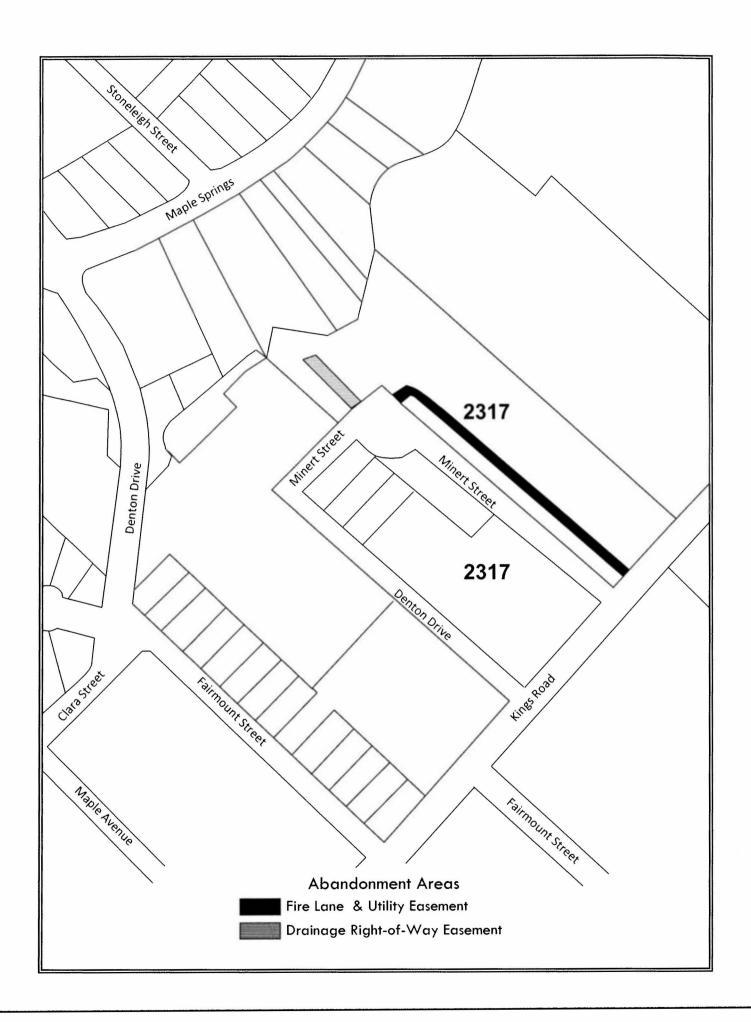
Bryan J. Kaminski, Manager

MAPS

Attached



MARCO



ORDINANCE	NO.		

An ordinance providing for the abandonment and relinquishment of a drainage easement and a fire lane and utility easement located in City Block 2317 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Kings Road Townhomes, LLC; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Kings Road Townhomes, LLC, a Texas limited liability company, hereinafter referred to as GRANTEE, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to GRANTEE, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to GRANTEE as hereinafter provided, for the consideration hereinafter stated; and

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

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

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

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SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to those certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

LW/39211 2

SECTION 8. That as a condition of this abandonment and as part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, its successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas of, from and against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by GRANTEE, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, " Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

LW/39211 3

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for publishing of this Ordinance, which GRANTEE shall likewise pay, the Director of Department of Sustainable Development and Construction or designee shall deliver to GRANTEE a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR. City Attorney

DAVID COSSUM Interim Director of Sustainable Development and Construction

Assistant City Attorney

Assistant Director

Passed______

LW/39211

DRAINAGE RIGHT-OF-WAY ABANDONMENT P.S. PERRY'S SUBDIVISION BLOCK 2317 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING A 1,216 SQUARE FOOT (0.028 ACRE) TRACT OF LAND SITUATED IN THE CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532 CITY OF DALLAS BLOCK NO. 2317, CITY OF DALLAS, DALLAS COUNTY, TEXAS AND BEING ALL OF A CERTAIN DRAINAGE RIGHT-OF-WAY CREATED IN VOLUME 75, PAGE 349 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS LOCATED WITHIN LOT 5, BLOCK 2317 OF THE P. S. PERRY'S SUBDIVISION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14, PAGE, 279 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS AND BEING A PORTION OF THAT CALLED 3.328 ACRE TRACT OF LAND DESCRIBED IN THE GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO KINGS ROAD TOWNHOMES, LLC RECORDED IN INSTRUMENT NO. 20080351870 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS (OPRDCT), SAID 1,216 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD WITH BLUE PLASTIC CAP STAMPED "CCLS" FOUND FOR THE MOST SOUTHERLY CORNER OF SAID 3.328 ACRE TRACT OF LAND SAME BEING THE MOST EASTERLY CORNER OF THAT CALLED 0.633 ACRE STREET RIGHT-OF-WAY DEDICATION FOR MINERT STREET, (A 46-FOOT PUBLIC RIGHT-OF-WAY), DESCRIBED TO THE CITY OF DALLAS IN THE WARRANTY DEED RECORDED IN INSTRUMENT NO. 201200330284, OPRDCT AND BEING IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF KINGS ROAD (A 50-FOOT PUBLIC RIGHT-OF-WAY);

THENCE NORTH 47°57'07" WEST, DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, ALONG THE COMMON LINE OF SAID 3.328 ACRE TRACT OF LAND AND SAID MINERT STREET, A DISTANCE OF 575.53 FEET TO A 5/8-INCH IRON ROD WITH A BLUE PLASTIC CAP STAMPED "CCLS" FOUND FOR CORNER IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID MINERT STREET, (A 50-FOOT RIGHT-OF-WAY AT THIS POINT AS DEDICATED BY SAID P. S. PERRY'S SUBDIVISION) AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS SOUTH 23°30'47" EAST, A DISTANCE OF 262.59 FEET:

THENCE SOUTHWESTERLY CONTINUING ALONG SAID COMMON LINE, WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 17°45′56" FOR AN ARC LENGTH OF 81.42 FEET, A CHORD BEARING OF SOUTH 57°36′15" WEST AND A CHORD DISTANCE OF 81.09 FEET TO THE **POINT OF BEGINNING**, BEING THE MOST EASTERLY CORNER OF SAID DRAINAGE RIGHT-OF-WAY;

(For SPRG use only)				
Reviewed by:	<i>04.30.4</i> Date:	<i>1013</i> SPRG NO:	2615	

DRAINAGE RIGHT-OF-WAY ABANDONMENT P.S. PERRY'S SUBDIVISION BLOCK 2317 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE SOUTHWESTERLY CONTINUING ALONG SAID COMMON LINE SAME BEING THE SOUTHEAST LINE OF SAID DRAINAGE RIGHT-OF-WAY, CONTINUING ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 02°11'30" FOR AN ARC LENGTH OF 10.04 FEET, A CHORD BEARING OF SOUTH 47°37'33" WEST AND A CHORD DISTANCE OF 10.04 FEET TO THE MOST SOUTHERLY CORNER OF SAID DRAINAGE RIGHT-OF-WAY:

THENCE DEPARTING SAID COMMON LINE, OVER AND ACROSS SAID LOT 5 AND SAID 3.328 ACRE TRACT OF LAND, THE FOLLOWING THREE (3) CALLS;

- 1) NORTH 47°29'00" WEST, A DISTANCE OF 123.01 FEET TO A POINT FOR CORNER;
- 2) NORTH 62°54'09" EAST, A DISTANCE OF 10.67 FEET TO A POINT FOR CORNER:
- 3) SOUTH 47°29'00" EAST, A DISTANCE OF 120.19 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 1,216 SQUARE FEET OR 0.028 ACRES OF LAND, MORE OR LESS.

NOTES:

THE BEARINGS CALLED FOR HEREIN ARE BASED ON THE SOUTHWEST LINE OF KINGS ROAD TOWNHOMES, LLC TRACT BEING NORTH 47°57'07" WEST, THE SAME AS RECORDED IN INSTRUMENT NUMBER 20080351870, OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS.

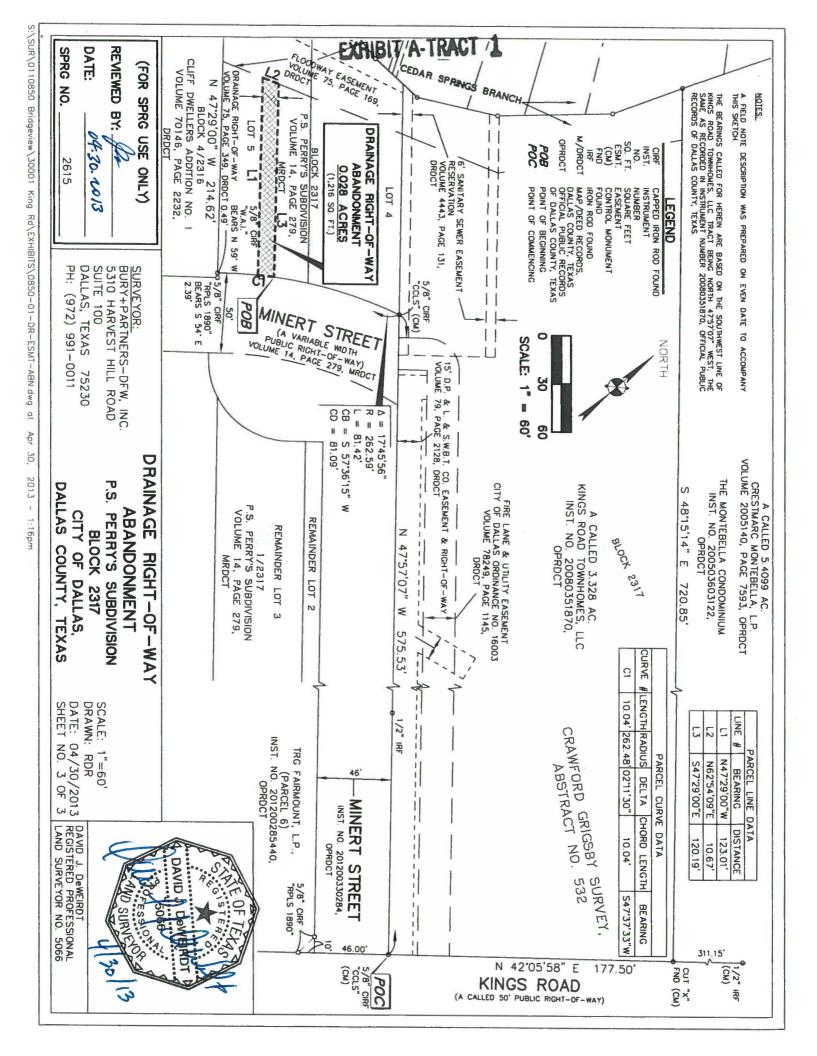
A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

DAVID DAWEIRDT

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Page 2 of 3



FIRE LANE & UTILITY EASEMENT ABANDONMENT KINGS ROAD BLOCK 2317 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING AN 11,501 SQUARE FOOT (0.264 ACRE) TRACT OF LAND SITUATED IN THE CRAWFORD GRIGSBY SURVEY, ABSTRACT NO. 532 CITY OF DALLAS BLOCK NO. 2317, CITY OF DALLAS, DALLAS COUNTY, TEXAS AND BEING ALL OF THE FIRE LANE AND UTILITY EASEMENT RESERVED UNTO THE CITY OF DALLAS IN CITY OF DALLAS ORDINANCE NO. 16003, RECORDED IN VOLUME 78249, PAGE 1145, DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING A PORTION OF THAT CALLED 3.328 ACRE TRACT OF LAND DESCRIBED IN THE GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO KINGS ROAD TOWNHOMES, LLC RECORDED IN INSTRUMENT NO. 20080351870 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS (OPRDCT), SAID 11,501 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD WITH BLUE PLASTIC CAP STAMPED "CCLS" FOUND FOR THE MOST SOUTHERLY CORNER OF SAID 3.328 ACRE TRACT OF LAND SAME BEING THE MOST EASTERLY CORNER OF THAT CALLED 0.633 ACRE STREET RIGHT-OF-WAY DEDICATION FOR MINERT STREET, (A 46-FOOT PUBLIC RIGHT-OF-WAY), DESCRIBED TO THE CITY OF DALLAS IN THE WARRANTY DEED RECORDED IN INSTRUMENT NO. 201200330284, OPRDCT AND BEING IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF KINGS ROAD (A 50-FOOT PUBLIC RIGHT-OF-WAY);

THENCE NORTH 42°05'58" EAST ALONG THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF KINGS ROAD SAME BEING THE SOUTHEASTERLY LINE OF SAID 3.328 ACRE TRACT OF LAND, A DISTANCE OF 18.00 FEET TO THE **POINT OF BEGINNING** BEING THE MOST SOUTHERLY CORNER OF SAID FIRE LANE AND UTILITY EASEMENT;

THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND THE SOUTHEASTERLY LINE OF SAID 3.328 ACRE TRACT OF LAND, OVER AND ACROSS SAID 3.328 ACRE TRACT OF LAND AND ALONG THE SOUTHWESTERLY LINE OF SAID FIRE LANE AND UTILITY EASEMENT, THE FOLLOWING TWO (2) CALLS:

- 1) NORTH 47°57'07" WEST, A DISTANCE OF 541.33 FEET TO A POINT FOR CORNER;
- 2) SOUTH 42°02'53" WEST, A DISTANCE OF 18.00 FEET TO A POINT FOR CORNER IN THE SOUTHWESTERLY LINE OF SAID 3.328 ACRE TRACT OF LAND SAME BEING THE TERMINUS OF THE MINERT STREET, AS DEDICATED BY THE PLAT OF P.S. PERRY'S SUBDIVISION, AN ADDITION TO THE CITY OF DALLAS PLAT RECORDED IN VOLUME 14, PAGE 279 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, (MRDCT), (A 50-FOOT PUBLIC RIGHT-OF-WAY AT THIS POINT);

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Reviewed by:	Date:	SPRG NO:	2616	

FIRE LANE & UTILITY EASEMENT ABANDONMENT KINGS ROAD BLOCK 2317 CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE NORTH 47°57'07" WEST, ALONG THE COMMON LINE OF SAID 3.328 ACRE TRACT OF LAND AND SAID MINERT STREET AND SAID FIRE LANE AND UTILITY EASEMENT, A DISTANCE OF 20.00 FEET TO A POINT FOR CORNER;

THENCE DEPARTING SAID COMMON LINE, OVER AND ACROSS SAID 3.328 ACRE TRACT OF LAND AND ALONG THE NORTHERLY AND NORTHEASTERLY LINE OF SAID FIRE LANE AND UTILITY EASEMENT, THE FOLLOWING THREE (3) CALLS:

- 1) NORTH 42°02'53" EAST, A DISTANCE OF 18.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET:
- 2) NORTHEASTERLY WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" FOR AN ARC LENGTH OF 31.42 FEET, A CHORD BEARING OF NORTH 87°02'53" EAST AND A CHORD DISTANCE OF 28.28 FEET TO THE POINT OF TANGENCY;
- 3) SOUTH 47°57'07" EAST, A DISTANCE OF 541.35 FEET TO A POINT FOR CORNER IN THE AFOREMENTIONED NORTHWESTERLY RIGHT-OF-WAY LINE OF KINGS ROAD AND THE SOUTHEASTERLY LINE OF SAID 3.328 ACRE TRACT OF LAND AND FROM WHICH A CUT "X" FOUND FOR THE MOST EASTERLY CORNER OF SAID 3.328 ACRE TRACT OF LAND BEARS NORTH 42°05'58" EAST, A DISTANCE OF 139.50 FEET;

THENCE SOUTH 42°05'58" WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF KINGS ROAD AND THE SOUTHEASTERLY LINE OF SAID 3.328 ACRE TRACT OF LAND AND THE SOUTHEASTERLY LINE OF SAID FIRE LANE AND UTILITY EASEMENT, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 11,501 SQUARE FEET OR 0.264 ACRES OF LAND, MORE OR LESS.

NOTES:

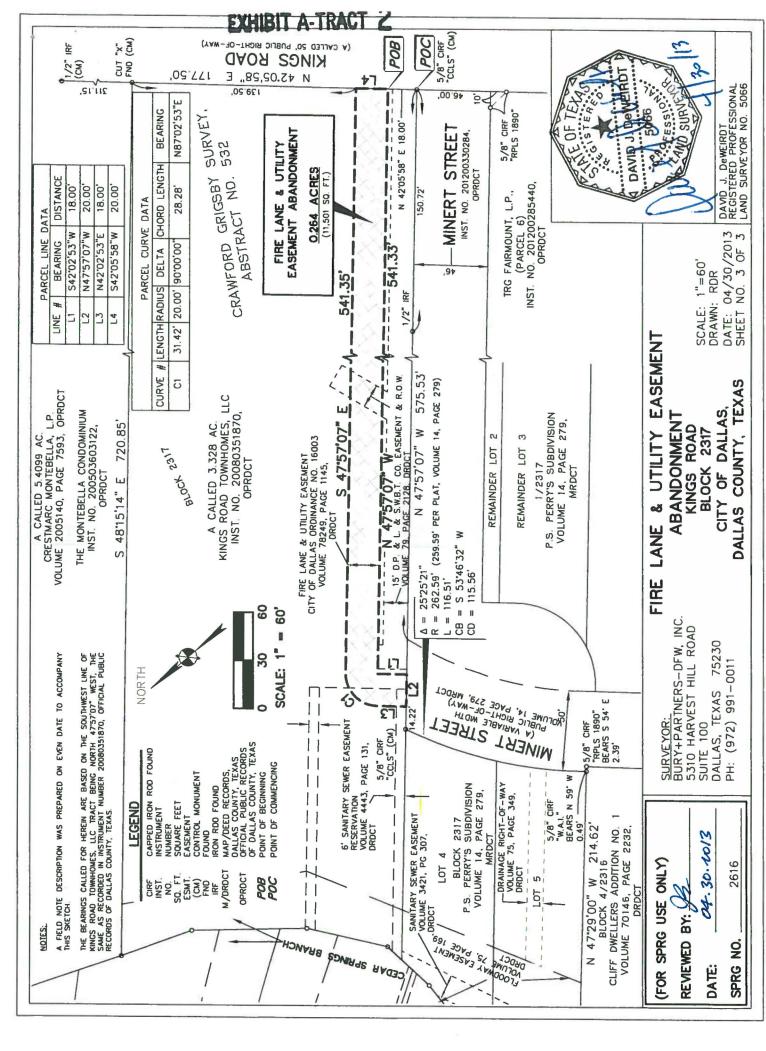
THE BEARINGS CALLED FOR HEREIN ARE BASED ON THE SOUTHWEST LINE OF KINGS ROAD TOWNHOMES, LLC TRACT BEING NORTH 47°57'07" WEST, THE SAME AS RECORDED IN INSTRUMENT NUMBER 20080351870, OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS.

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

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Reviewed by:	<i>04.30.ル</i> Date:	<i>Ol </i>	2616	

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AGENDA ITEM #46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 12

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 5T

SUBJECT

An ordinance abandoning a portion of a floodway management area to James R. McCraw and Linda S. McCraw, the abutting owners, containing approximately 1,069 square feet of land, located near the intersection of Red Cedar Trail and Riverview Lane - Revenue: \$14,228, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a floodway management area to James R. McCraw and Linda S. McCraw, the abutting owners. The area will be included with the property of the abutting owners to allow for the construction of a new retaining wall. The abandonment fee is based on Dallas Central Appraisal District values.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$14,228, plus the \$20 ordinance publication fee

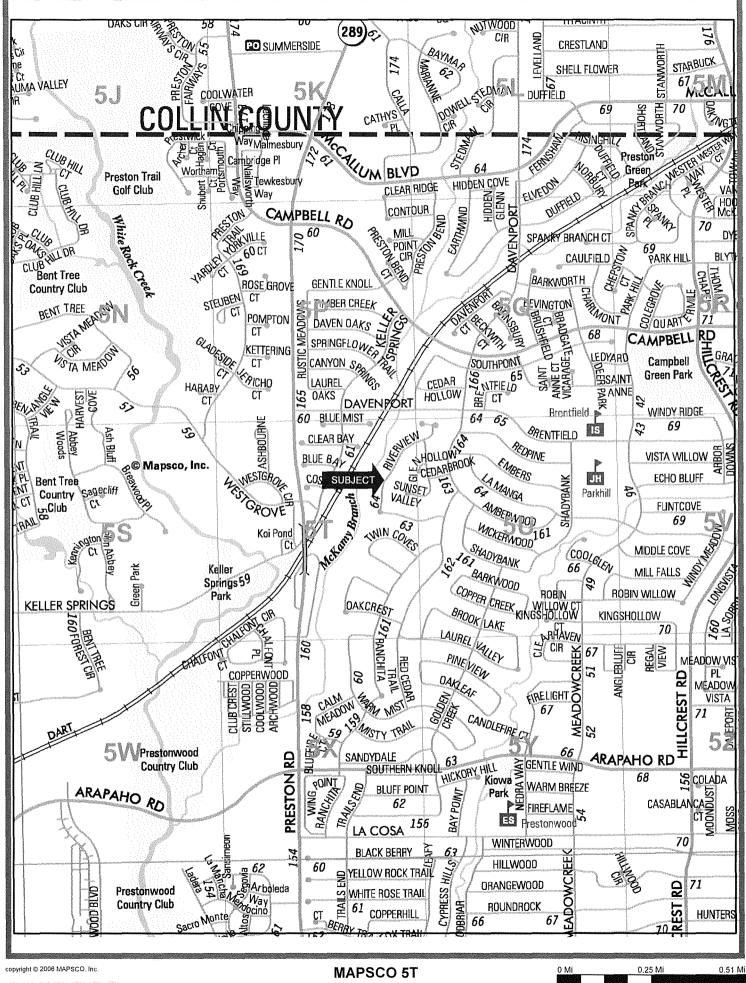
OWNERS

James R. McCraw

Linda S. McCraw

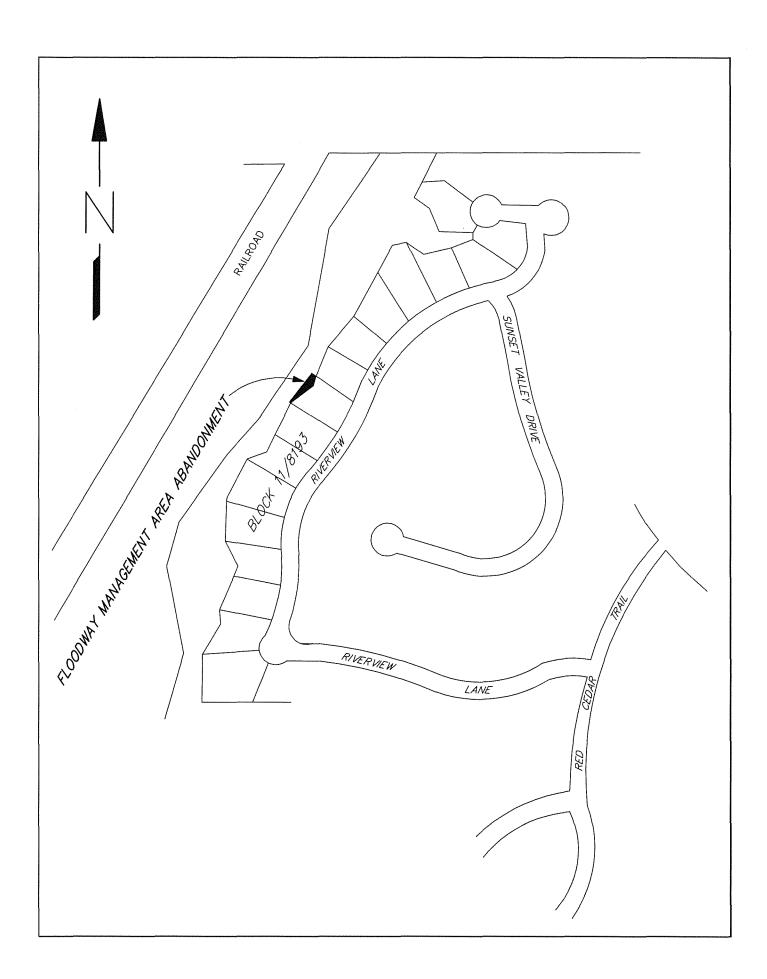
MAPS

Attached



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ORDINANCE NO.	

An ordinance providing for the abandonment of a portion of a floodway management area located in City Block 11/8193 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to James R. McCraw and Linda S. McCraw; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of James R. McCraw and Linda S. McCraw, husband and wife, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of floodway management area is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **FOURTEEN THOUSAND TWO HUNDRED TWENTY-EIGHT AND NO/100 DOLLARS (\$14,228.00)** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, their heirs and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas of, from and against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by **GRANTEE**, their heirs and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, their heirs and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. GRANTEE, their heirs and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which GRANTEE shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to GRANTEE a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a QUITCLAIM DEED with regard to the area abandoned herein, to GRANTEE hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR. City Attorney

Passed

DAVID COSSUM

Interim Director of Department of Sustainable Development and Construction

Assistant City Attorney

Assistant Director

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EXHIBIT A FLOODWAY MANAGEMENT AREA ABANDONMENT PRESTONWOOD CREEK III BLOCK 11/8193 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING 1,069 square feet of the Floodway Management Area dedicated to the City of Dallas in Block 11/8193 of PRESTONWOOD CREEK 111, an addition to the City of Dallas, Dallas County, Texas, recorded in Volume 78199, Page 641 of the Deed Records of Dallas County, Texas, and also situated in the JOHN BECKNELL SURVEY, ABSTRACT NO. 53, and said parcel being more particularly described as follows:

BEGINNING at a cross found at the common west corner of Lot 31 and the north corner of Lot 32 of said addition, said point being in the southeast line of the above mentioned Floodway Management Area;

THENCE N 58°31'22" W, over and across said Floodway Management Area, 2.00' to a 3/4" iron rod set for corner;

THENCE N 41°46'18" E, over and across said Floodway Management Area, 101.64' to a 3/4" iron rod set for corner;

THENCE S 58°31'22" E, over and across said Floodway Management Area, 8.50' to a 3/4" iron rod found at the common north corner of said Lot 31 and the west corner of Lot 30 of said addition, and being in the southeast line of the above mentioned Floodway Management Area;

THENCE S 25°10'41" W, 30.68' along the northwest line of said Lot 31 and the southeast line of said Floodway Management Area to a 60d nail found for corner;

THENCE S 53°26'18" W, 74.95' along the northwest line of said Lot 31 and the southeast line of said Floodway Management Area to the point of beginning and containing 1,069 square feet or 0.024 acres of land.

The basis of bearings is the southwest line of Lot 31, Block 11/8193 per Prestonwood Creek III, N 58°31'22" W, recorded in Vol. 78199, Pg. 641 M.R.D.C.T.

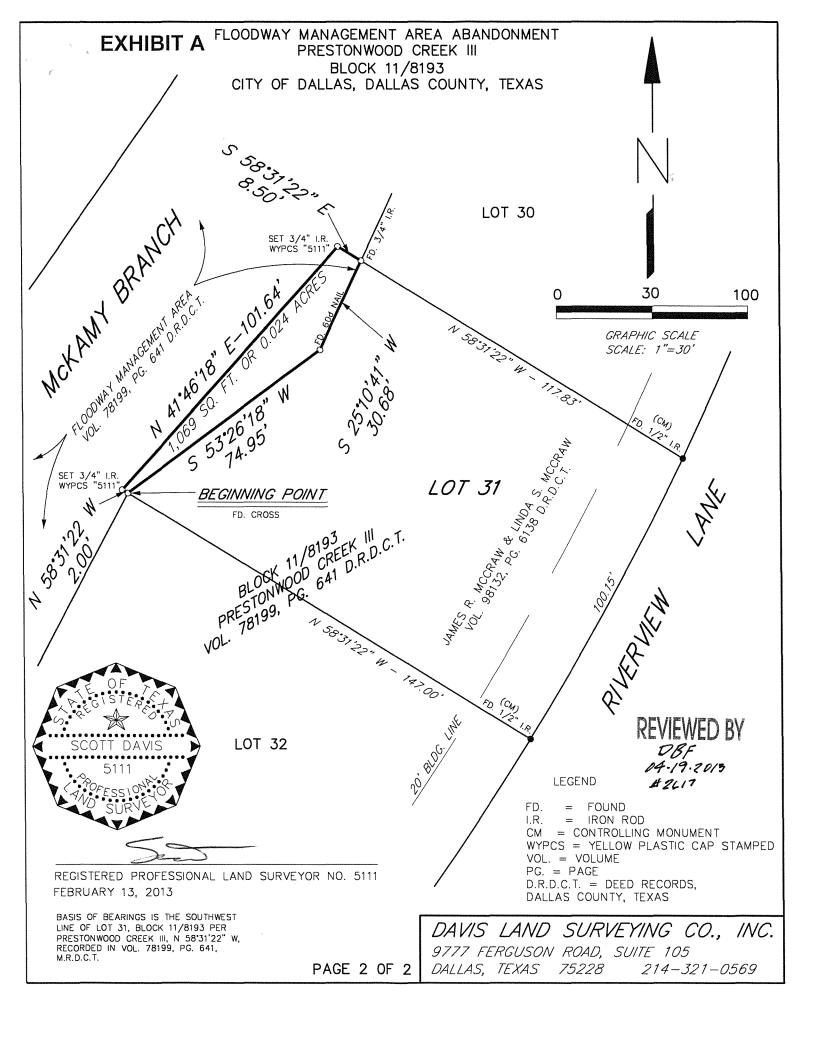
February 13, 2013

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5111

REVIEWED BY
OBF
04-19-2015
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PAGE 1 OF 2



AGENDA ITEM #47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 26T

SUBJECT

An ordinance abandoning portions of a water/wastewater easement to Northwood PL A LP, the abutting owner, containing a total of approximately 6,224 square feet of land, located near the intersection of Park Lane and U.S. Highway 75 - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of a water/wastewater easement to Northwood PL A LP, the abutting owner. The area will be included with the property of the abutting owner for further development of the existing retail center. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$5,400, plus the \$20 ordinance publication fee

OWNER

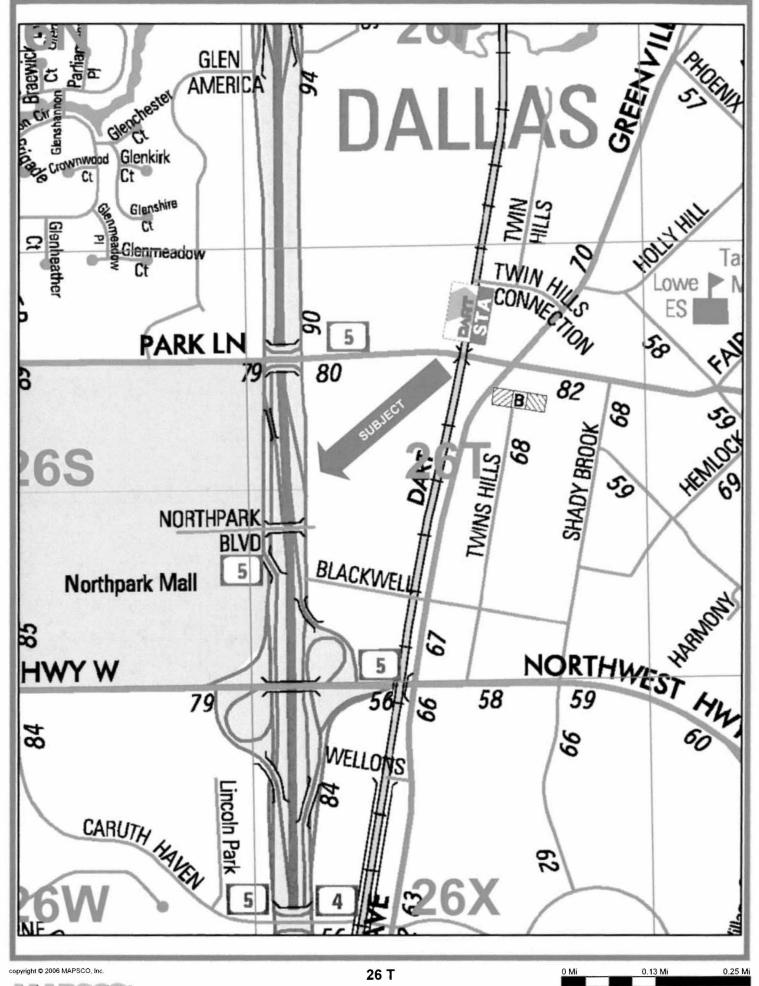
Northwood PL A LP

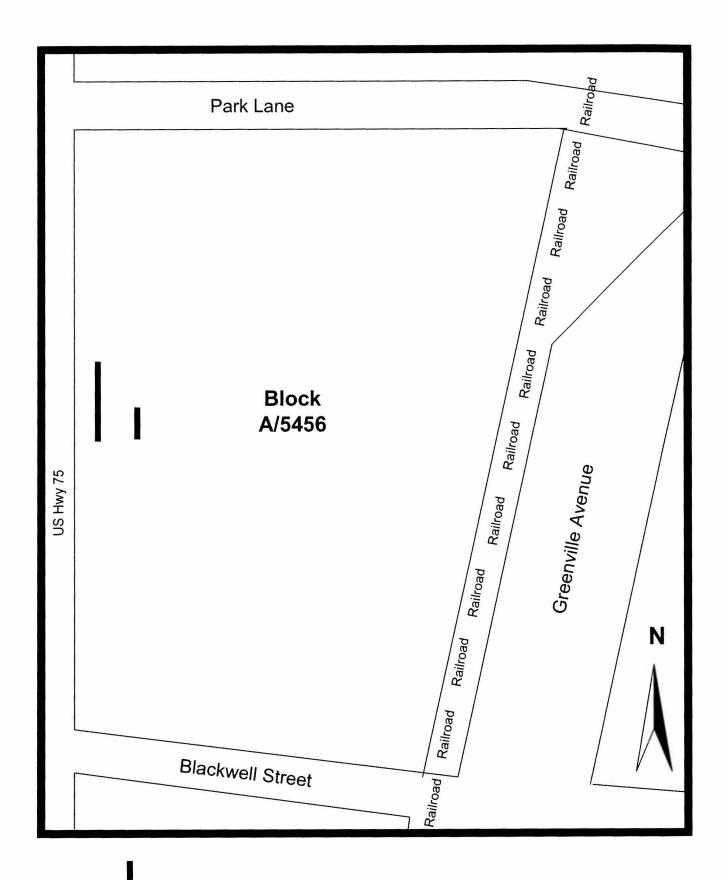
NWPL GP LLC

Adam Gasthalter, Manager

MAPS

Attached





ORDINANCE NO.	
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An ordinance providing for the abandonment and relinquishment of portions of a water/wastewater easement, located in City Block A/5456 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Northwood PL A LP; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement to the City of Dallas and the relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Northwood PL A LP, a Delaware limited partnership; hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

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

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

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

hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to those certain tracts or parcels of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, its successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas of, from and against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by GRANTEE, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which GRANTEE, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. GRANTEE, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said portions of the water/wastewater easement shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to the new easement to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

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

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR. City Attorney

DAVID COSSUM

Interim Director of Department of Sustainable Development and Construction

BY Roxanne Plannerd BY	Adula Pochaula
Assistant City Attorney	Assistant Director
Passed	2

EXHIBIT A

ABANDONMENT WATER/WASTEWATER EASEMENT LOT 1C, BLOCK A/5456 PARK LANE IAM JENKINS SURVEY ABSTRACT NO

WILLIAM JENKINS SURVEY, ABSTRACT NO. 702 CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT A

Being a 5,924 square foot tract of land situated in the William Jenkins Survey, Abstract No. 702, City of Dallas, Dallas County, Texas, and being part of that tract of land conveyed to Northwood PLA LP, a Delaware limited partnership a special warrant deed as recorded in Instrument Number 201200308922, Official Public Records, Dallas County, Texas and being part of Lot 1C, Block A/8789, Park Lane, an addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Instrument Number 20080006956, Official Public Records, Dallas County, Texas and being part of Water/Wastewater Easement as created by said Park Lane and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found for corner at the intersection of the east line of North Central Expressway (U.S. Highway 75, a variable width right-of-way) and the northeasterly line of Blackwell Street (60' right-of-way), said rod being the southwest corner of said Lot 1C and the beginning of a curve to the left;

THENCE along the east line of said North Central Expressway and said curve to the left whose chord bears North 01° 09' 53" West a distance of 439.43, having a radius of 11609.16 feet, a central angle of 02° 10' 08" and an arc length of 439.45 feet to a 1/2" iron rod found for corner and the end of said curve to the left;

THENCE North 02° 14' 57" West continuing along the east line of said North Central Expressway a distance of 329.85 feet to a TXDOT monument found for corner:

THENCE North 02° 44' 17" East continuing along the east line of said North Central Expressway a distance of 6.87 feet to a point for corner;

THENCE South 87° 15' 43" East, departing the east line of said North Central Expressway a distance of 36.04 feet to a chiseled "X" in concrete set for corner and the **POINT OF BEGINNING**:

THENCE North 02° 54' 49" West a distance of 296.18 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner;

THENCE North 87° 05' 11" East a distance of 20.00 feet to a PK nail set for corner;

THENCE South 02° 54' 49" East a distance of 296.18 feet to a chiseled "X" in concrete set for corner;

THENCE South 87° 05' 11" West a distance of 20.00 feet to the **POINT OF BEGINNING**, containing 5,924 square feet or 0.1360 acres more or less.

(For SPRG use only)
Reviewed By: OBF
Date: 04.30.2013
SPRG NO.: 2631

EXHIBIT A

ABANDONMENT WATER/WASTEWATER EASEMENT LOT 1C, BLOCK A/5456 PARK LANE

WILLIAM JENKINS SURVEY, ABSTRACT NO. 702 CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT B

Being a 300 square foot tract of land situated in the William Jenkins Survey, Abstract No. 702, City of Dallas, Dallas County, Texas, and being part of that tract of land conveyed to Northwood PLA LP, a Delaware limited partnership a special warranty deed as recorded in Instrument Number 201200308922, Official Public Records, Dallas County, Texas and being part of Lot 1C, Block A/8789, Park Lane, an addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Instrument Number 20080006956, Official Public Records, Dallas County, Texas and being part of Water/Wastewater Easement as created by said Park Lane and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found for corner at the intersection of the east line of North Central Expressway (U.S. Highway 75, a variable width right-of-way) and the northeasterly line of Blackwell Street (60' right-of-way), said rod being the southwest corner of said Lot 1C and the beginning of a curve to the left;

THENCE along the east line of said North Central Expressway and said curve to the left whose chord bears North 01° 09' 53" West a distance of 439.43, having a radius of 11609.16 feet, a central angle of 02° 10' 08" and an arc length of 439.45 feet to a 1/2" iron rod found for corner and the end of said curve to the left;

THENCE North 02° 14' 57" West continuing along the east line of said North Central Expressway a distance of 329.85 feet to a TXDOT monument found for corner;

THENCE North 02° 44' 17" East continuing along the east line of said North Central Expressway a distance of 6.87 feet to a point for corner;

THENCE South 87° 15' 43" East, departing the east line of said North Central Expressway a distance of 36.04 feet to a chiseled "X" in concrete set for corner;

THENCE North 87° 05' 11" East a distance of 53.60 feet to a chiseled "X" in concrete set for corner and the **POINT OF BEGINNING**;

THENCE North 02° 54' 49" West a distance of 20.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner;

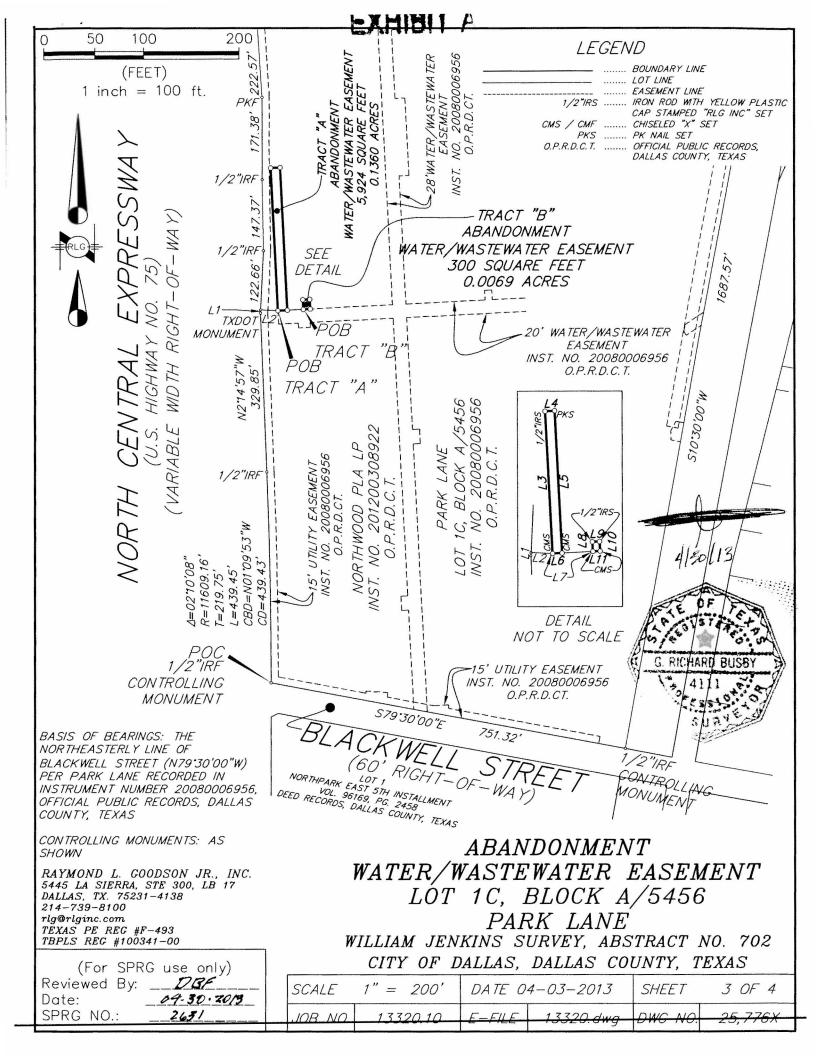
THENCE North 87° 05' 11" East a distance of 15.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner;

THENCE South 02° 54' 49" East a distance of 20.00 feet to a chiseled "X" in concrete set for corner;

THENCE South 87° 05' 11" West a distance of 15.00 feet to the **POINT OF BEGINNING**, containing 300 square feet or 0.0069 acres more or less.

BASIS OF BEARINGS: (Tracts A and B) The northeasterly line of Blackwell Street (N79°30'00"W) per Park Lane recorded in Instrument Number 20080006956, Official Public Records, Dallas County, Texas.

Page 2 of 4



	LINE TABLE	
LINE	BEARING	LENGTH
L1	NO2*44'17"E	6.87'
L2	S87°15'43"E	36.04
L3	NO2*54'49"W	296.18
L4	N87*05'11"E	20.00'
L5	S02*54'49"E	296.18
L6	S87°05'11"W	20.00
L7	N87*05'11"E	53.60'
L8	NO2*54'49"W	20.00'
L9	N87*05'11"E	15.00'
L10	S02*54'49"E	20.00'
L11	S87°05'11"W	15.00'

RAYMOND L. GOODSON JR., INC. 5445 LA SIERRA, STE 300, LB 17 DALLAS, TX. 75231-4138 214-739-8100 rlg@rlginc.com
TEXAS PE REG #F-493
TBPLS REG #100341-00

ABANDONMENT WATER/WASTEWATER EASEMENT LOT 1C, BLOCK A/5456 PARK LANE WILLIAM JENKINS SURVEY, ABSTRACT NO. 702 CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE	1" = 200'	DATE O	4-03-2013	SHEET	4 OF 4
JOB NO.	13320	E-FILE	13320.10.dwg	DWG NO.	25, 776X

AGENDA ITEM #48

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Trinity Watershed Management

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

MAPSCO: 35 Y; 45 B C F

SUBJECT

Authorize a contract for the construction of storm drainage improvements in State-Thomas - McKinney Avenue and State-Thomas Historic District (Fairmount Street and Routh Street) (list attached) – RKM Utility Services, Inc., lowest responsible bidder of seven - Not to exceed \$3,896,125 - Financing: 2006 Bond Funds

BACKGROUND

The 1997 State-Thomas Master Drainage Plan identified storm drainage improvements for several streets in the State-Thomas area in order to reduce flooding along the streets. McKinney Avenue, Oak Grove Avenue, Fairmount Street and Routh Street were included in the plan for storm drainage improvements. The 2006 Bond Program included funding for the design and construction of the storm drainage improvements on these streets.

This action authorizes a contract with RKM Utility Services, Inc. to construct storm drainage improvements in Oak Grove Avenue from McKinney Avenue to Lemmon Avenue, Hall Street from Oak Grove Avenue to McKinney Avenue, Noble Avenue from Hall Street to Lemmon Avenue, and McKinney Avenue from Cambrick Street to Elizabeth Street. Storm drainage improvements will also be installed in Fairmount Street from Thomas Avenue to Mahon Street, Routh Street from Thomas Avenue to Howland Street, Howland Street from Routh Street to Boll Street.

ESTIMATED SCHEDULE OF PROJECT

Began Design

Completed Design

Begin Construction

Complete Construction

November 2007

May 2013

October 2013

November 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering design services on September 26, 2007, by Resolution No. 07-2831.

FISCAL INFORMATION

2006 Bond Funds - \$3,896,125

Design	\$519,500
Construction (this action)	<u>\$3,896,125</u>
Total Project Cost	\$4,415,625

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

RKM Utility Services, Inc.

Hispanic Female	6	Hispanic Male	60
African-American Female	0	African-American Male	45
Other Female	0	Other Male	0
White Female	1	White Male	40

BID INFORMATION

The following bids with quotes were received and opened on June 6, 2013: *Denotes successful bidder(s)

<u>BIDDERS</u>	BID AMOUNT
*RKM Utility Services, Inc. 1805 Royal Lane	\$3,896,125.00
Dallas, Texas 75229 Jeske Construction Co. BAR Contractors, Inc.	\$4,267,031.00 \$4,383,419.00
Texas Standard Construction, Ltd. Lone Star Civil Construction, Inc.	\$4,619,837.00 \$4,774,761.67
Camino Construction, L.P.	\$5,401,299.00
North Texas Contracting, Inc.	\$5,497,290.00

Engineer's Estimate: \$3,981,000

OWNER

RKM Utility Services, Inc.

Ryan Dowdy, President

<u>MAP</u>

Attached

Storm Drainage Improvements

Project Limits

Fairmount Street from Thomas Avenue to Mahon Street
Hall Street from Oak Grove Avenue to McKinney Avenue
Howland Street from Routh Street to Boll Street
McKinney Avenue from Cambrick Street to Elizabeth Street
Noble Avenue from Hall Street to Lemmon Avenue
Oak Grove Avenue from McKinney Avenue to Lemmon Avenue
Routh Street from Thomas Avenue to Howland Street

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of storm drainage improvements in State-Thomas - McKinney Avenue and State-Thomas Historic District (Fairmount Street and Routh Street) (list attached) – RKM Utility Services, Inc., lowest responsible bidder of seven - Not to exceed \$3,896,125 - Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$2,889,438.28	74.16%
Total non-local contracts	\$1,006,686.72	25.84%
TOTAL CONTRACT	\$3,896,125.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

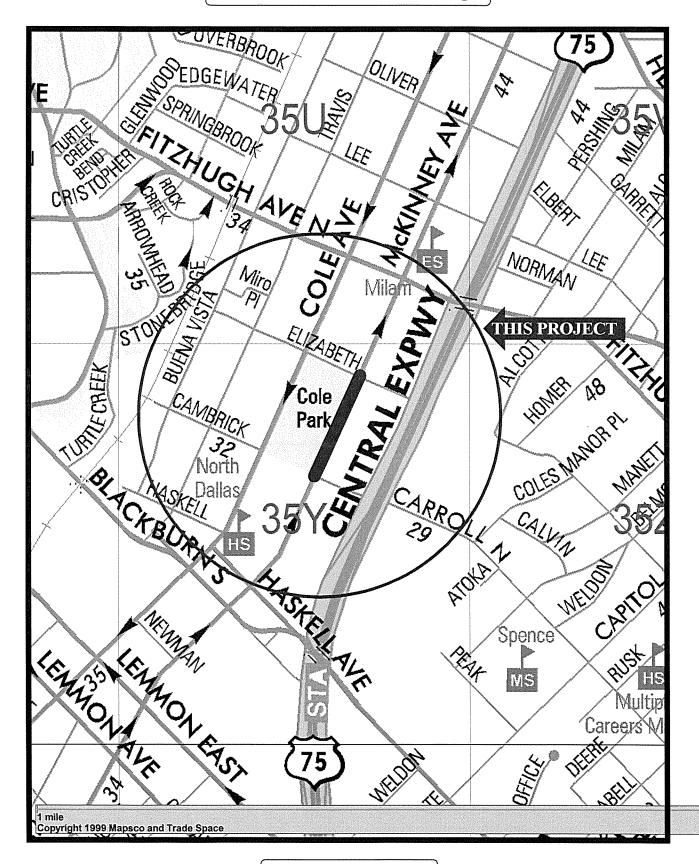
Non-Local Contractors / Sub-Contractors

Non-local	Certification	<u>Amount</u>	Percent
Shankle Concrete & Construction Company	BMDB57171Y0414	\$199,500.00	19.82%
Pipe Wholesalers of Texas, Inc.	WFDB55516Y1113	\$407,186.72	40.45%
S & R Investmts, Inc. dba Arrow Oil Co.	WFDB02094N0614	\$300,000.00	29.80%
LKT & Associates, LLC	WFDB55111Y1013	\$70,000.00	6.95%
Buyers Barricades, inc.	WFDB56717Y0214	\$30,000.00	2.98%
Total Minority - Non-local		\$1,006,686.72	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

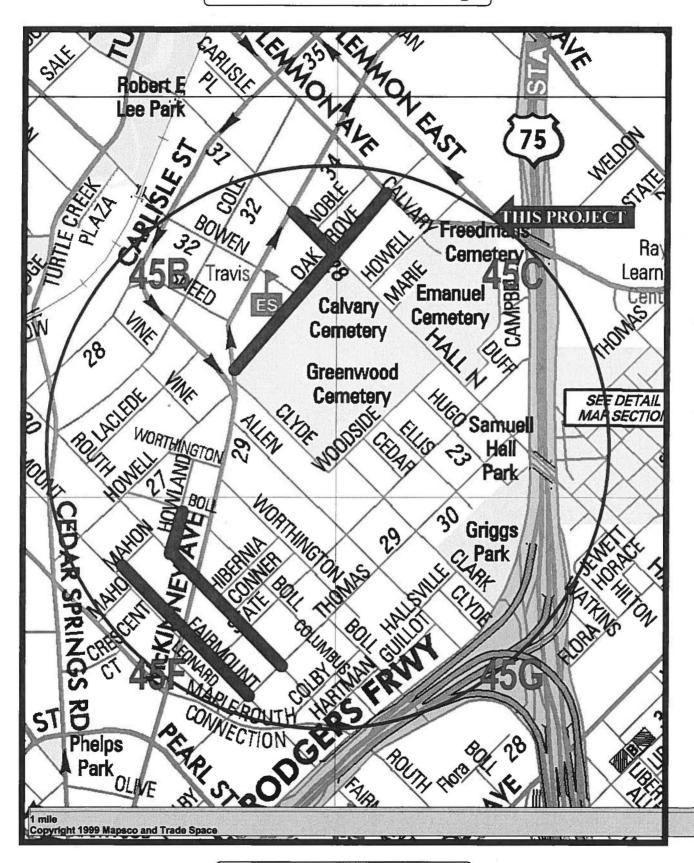
	<u>Local</u>	<u>Percent</u>	Local & Non-Local	<u>Percent</u>
African American	\$0.00	0.00%	\$199,500.00	5.12%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$807,186.72	20.72%
Total	\$0.00	0.00%	\$1,006,686.72	25.84%

State Thomas Drainage



MAPSCO 35-Y

State Thomas Drainage



MAPSCO 45 - B, C, F

WHEREAS, on September 26, 2007, Resolution No. 07-2831 authorized a professional engineering services contract with Salcedo Group, Inc. for the preparation of construction plans for storm drainage improvements in State-Thomas McKinney Avenue and State-Thomas Historic District (Fairmount Street and Routh Street); and,

WHEREAS, bids were received on June 6, 2013, for the construction of storm drainage improvements in State-Thomas McKinney Avenue and State-Thomas Historic District (Fairmount Street and Routh Street):

<u>BIDDERS</u>	BID AMOUNT
* RKM Utility Services, Inc. 1805 Royal Lane, Suite 107 Dallas, Texas 75229	\$3,896,125.00
Jeske Construction Co.	\$4,267,031.00
BAR Contractors, Inc.	\$4,383,419.00
Texas Standard Construction, Ltd.	\$4,619,837.00
Lone Star Civil Construction, Inc.	\$4,774,761.67
Camino Construction, L.P.	\$5,401,299.00
North Texas Contracting, Inc.	\$5,497,290.00

Now, Therefore,

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

Section 1. That RKM Utility Services, Inc. is hereby awarded the contract for the construction of storm drainage improvements in State-Thomas - McKinney Avenue and State-Thomas Historic District (Fairmount Street and Routh Street) in an amount not to exceed \$3,896,125, this being the lowest responsive bid received as indicated by the tabulation of bids.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to distribute funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund Fund 8T23, Department PBW, Unit T534, Act. SDRS Obj. 4540, Program #PB06T534, CT PBW06T534L1 Vendor #VS0000026242, in an amount not to exceed

\$1,140,635

	August 28, 2013
Flood Protection and Storm Drainage Facilities Fund Fund 8T23, Department PBW, Unit T535, Act. SDRS Obj. 4540, Program #PB06T535, CT PBW06T534L1 Vendor #VS0000026242, in an amount not to exceed	\$2,755,490
Total in an amount not to exceed	\$3,896,125

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

AGENDA ITEM #49

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 12

DEPARTMENT: Trinity Watershed Management

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

MAPSCO: 5 C

SUBJECT

Authorize a construction contract with Jeske Construction Company, lowest responsible bidder of six, for the Upper McKamy Branch Bypass Swale – Not to exceed \$1,147,278 – Financing: 2012 Bond Funds

BACKGROUND

The 2003 Bond Program included funding for the purchase of six improved properties and five unimproved properties on Creek Drive, and the design and construction of a swale parallel to McKamy Branch to protect homes on Windmill Lane and Villa Road on the east side of the creek. During design, additional properties were identified that needed to be purchased. Some of these acquisitions required condemnation, and the acquisitions costs exceeded original estimates. In addition, it was necessary to increase the length of the swale to achieve the desired results. Further construction funds were included in the 2012 Bond Program. As designed, the project removes 18 homes and one commercial property from the floodplain and provides increased protection for an additional 3 homes.

This action will authorize a contract with Jeske Construction Company to construct the Upper McKamy Branch Bypass Swale project in Windmill Lane from Mapleshade Lane to Villa Road and Creek Drive from Mapleshade Lane to Oxford Drive. This project will provide a natural bypass swale parallel to the existing creek. The existing creek will be improved between Mapleshade Lane and a new overflow structure with tie-back gabions, a short pier wall, and gabion blankets for erosion control. The entire project will be fully irrigated and landscaped with various grasses, trees, and shrubs.

ESTIMATED SCHEDULE OF PROJECT

Began Design May 2008 Completed Design July 2012

Begin Construction September 2013

Complete Construction May 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on October 22, 2008, by Resolution No. 08-2866.

Authorized Supplemental Agreement No. 1 to the professional services contract on June 12, 2012, by Resolution No. 12-1550.

FISCAL INFORMATION

2012 Bond Funds - \$1,147,278.00

Design \$ 97,900.00 Supplemental Agreement No. 1 \$ 92,400.00

Construction (this action)

Flood Protection & Storm Drainage (TWM) \$1,147,278.00

Total Project Cost \$1,337,578.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Jeske Construction Company

Hispanic Female	0	Hispanic Male	17
African-American Female	0	African-American Male	4
Other Female	0	Other Male	0
White Female	1	White Male	4

BID INFORMATION

The following bids were quotes received and opened on July 11, 2013:

^{*}Denotes successful bidder(s)

BID INFORMATION (Continued)

<u>BIDDERS</u>

*Jeske Construction Company Austin Filter Systems, Inc. DCI Contracting, Inc. Texas Standard Construction Ark Contracting Services, LLC **NASH CM, Inc.

BID AMOUNT

\$1,147,278.00* \$1,169,316.00 \$1,248,150.00 \$1,249,957.00 \$1,271,229.00 Non-Responsive**

OWNER(S)

Jeske Construction Company

Steve Jeske, President

MAP

Attached

^{**} NASH CM, Inc. was deemed non-responsive due to the lack of required experience.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract with Jeske Construction Company, lowest responsible bidder of six, for the Upper McKamy Branch Bypass Swale – Not to exceed \$1,147,278 – Financing: 2012 Bond Funds

Jeske Construction Company 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	\$742,774.00	71.23%
Total non-local contracts	\$299,980.00	28.77%
TOTAL CONTRACT	\$1,042,754.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Nash CM, Inc.	IMDB56647Y0214	\$727,774.00	97.98%
Total Minority - Local		\$727,774.00	97.98%

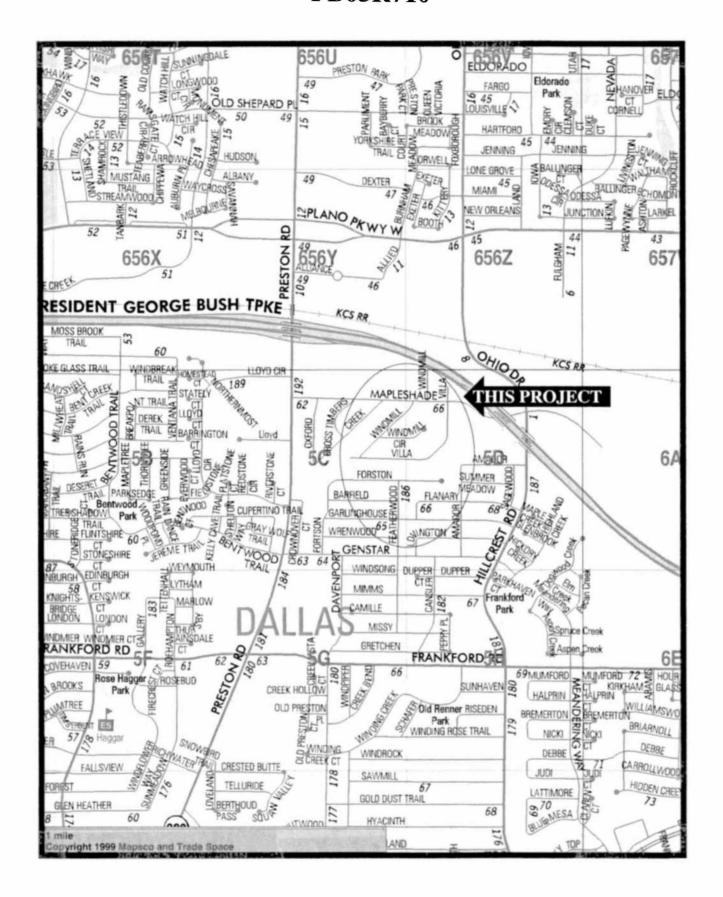
Non-Local Contractors / Sub-Contractors

Non-local	Certification	<u>Amount</u>	Percent
Environmental Safety Services, Inc.	HMMB54362N0713	\$299,980.00	100.00%
Total Minority - Non-local		\$299,980.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	Local & Non-Local	Percent
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$299,980.00	28.77%
Asian American	\$727,774.00	97.98%	\$727,774.00	69.79%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$727,774.00	97.98%	\$1,027,754.00	98.56%

Upper McKamy Branch Bypass Swale PB03R710



August 28, 2013

WHEREAS, on May 23, 2008, Administrative Action No. 08-1616 authorized a professional engineering services contract with Halff Associates, Inc. to provide hydraulic analysis and preparation of the Letter of Map Revision for a flood relief by-pass swale located along Upper McKamy Branch from Mapleshade Lane to Villa Road in an amount not to exceed \$24,900.00; and,

WHEREAS, on October 22, 2008 Resolution No. 08-2866 authorized a professional engineering services contract with Halff Associates, Inc. for the final design and preparation of construction plans and specifications for a flood relief by-pass swale located along the Upper McKamy Branch from Mapleshade Lane to Villa Road in an amount not to exceed \$73,000.00; and,

WHEREAS, on June 13, 2012 Resolution No. 12-1550 authorized Supplemental Agreement to the professional services contract with Halff Associates, Inc. for additional engineering services and hydraulic model analysis in an amount not to exceed \$92,400.00, increasing the contract from 73,000.00 to \$165,400.00; and,

WHEREAS, bids were received on July 11, 2013, for the construction of the Upper McKamy Branch By-Pass Swale as follows:

BIDDERS

*Jeske Construction Company Austin Filter Systems, Inc. DCI Contracting, Inc. Texas Standard Construction Ark Contracting Services, LLC **NASH CM, Inc.

BID AMOUNT

\$1,147,278.00* \$1,169,316.00 \$1,248,150.00 \$1,249,957.00 \$1,271,229.00 Non-responsive**

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Jeske Construction Company for the Upper McKamy Branch By-Pass Swale in an amount not exceed \$1,147,278.00, this being the lowest responsive bid received as indicated by the tabulation of bids.

^{*}Denotes successful bidder

^{**} NASH CM, Inc. was deemed non-responsive due to the lack of required experience.

August 28, 2013

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund Fund 1T23, Department TWM, Unit S766, Act. SDRS Obj. 4540, Program #PB12S766, CT TWM12S766L1 Vendor #083791, in an amount not to exceed

\$1,147,278.00

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

AGENDA ITEM #50

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2, 6, Outside City Limits

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: 2 T 23 Z 33 B C D G

SUBJECT

Authorize a professional services contract with CH2M HILL Engineers, Inc. to provide construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main along Bachman Lake - Not to exceed \$3,611,650 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item consists of providing construction management services for the water quality improvement construction contracts at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant. This includes construction management services for the relocation of 8,210 feet of a 48-inch wastewater main of which 5,700 feet will be installed via tunneling at the northern section of Bachman Lake to minimize disturbance to the existing pavement as well as minimize inconveniences to the public.

Bachman and Elm Fork water treatment plants are undergoing treatment process change to meet regulatory requirements, improve reliability and operations by replacing aging or obsolete infrastructure, and improve overall water quality. The overall cost for the capital improvements is estimated at \$390M through fiscal year 2021. This construction management services contract will lead into a phased approach to incorporate each fiscal year's construction projects with construction management needs. The intent of the annual authorization via supplemental agreements is to assure continuity in management and review of services to support the capital program at both plants. This agenda item will be for services associated with an upcoming \$190M worth of new construction at the listed sites including \$17M of ongoing construction at the Elm Fork Water Treatment Plant through FY2013/2014.

BACKGROUND (Continued)

Under the contract terms, the construction management services firm will act as the City's representative and augment City staff to provide planning and coordination of all construction activities at both plants. The construction management firm will be responsible for assuring that all work is accomplished in accordance with the project plans and specifications, negotiating change orders, and aiding in resolution of any conflicts. Additional construction management services include schedule and budget evaluations, value engineering, constructability reviews, accuracy checks on cost estimates, monitoring the quality of the construction work, and documenting the materials, labor, and equipment used.

Construction management services are critical to efficiently schedule and stage simultaneous and complex construction activities of multiple contractors and vendors. This approach ensures that all construction activities are coordinated in such a way that both Elm Fork and Bachman water treatment plants remain operational and have sufficient capacity to meet our customer's daily demands.

ESTIMATED SCHEDULE OF PROJECT

Begin Services September 2013 Complete Services September 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$3,611,650.00 - Water Utilities Capital Improvement Funds

Council <u>District</u>	<u>Amount</u>
2 6 Outside City Limits	\$ 436,835.50 \$ 488,307.40 \$2,686,507.10
Total	\$3,611,650.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

CH2M HILL Engineers, Inc.

Hispanic Female	3	Hispanic Male	4
Black Female	4	Black Male	2
Other Female	3	Other Male	4
White Female	37	White Male	88

OWNER

CH2M HILL Engineers, Inc.

Edward M. Motley, Vice President

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with CH2M HILL Engineers, Inc. to provide construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main along Bachman Lake - Not to exceed \$3,611,650 - Financing: Water Utilities Capital Improvement Funds

CH2M HILL Engineers, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$3,419,550.00	94.68%
Total non-local contracts	\$192,100.00	5.32%
TOTAL CONTRACT	\$3,611,650.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

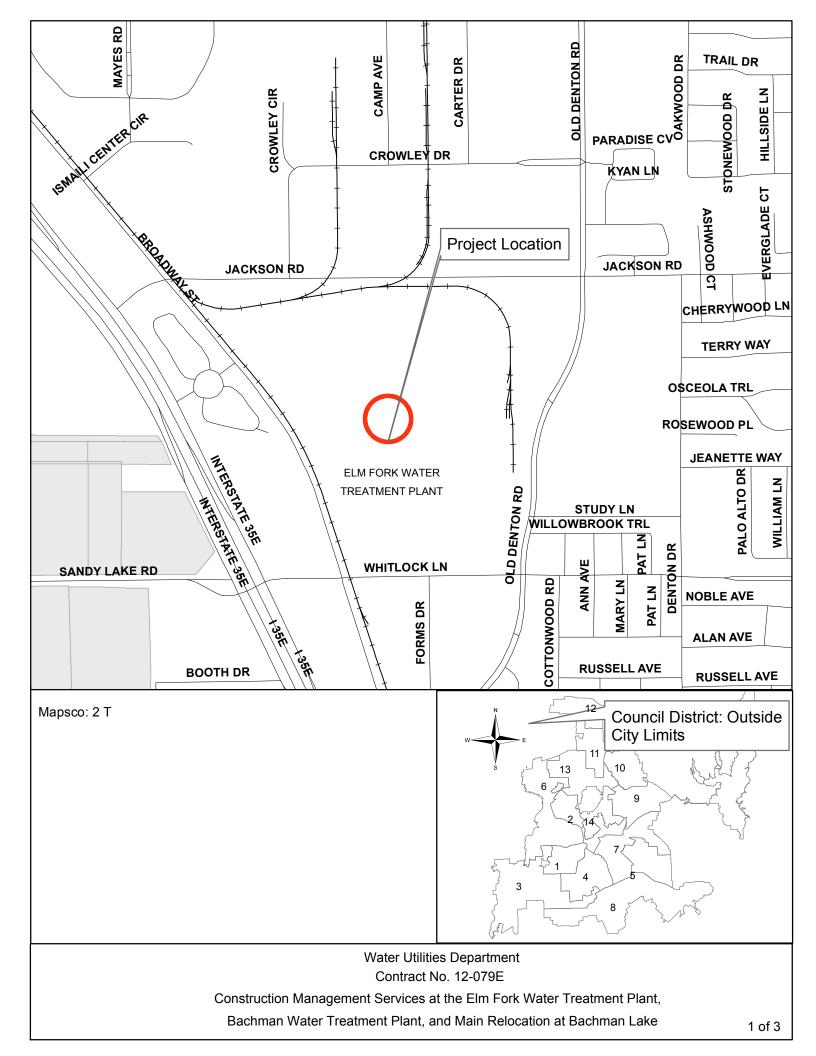
<u>Local</u>	Certification	<u>Amount</u>	Percent
KAI/Alliance, LLC. dba KAI Texas	BMMB57475N0514	\$437,575.00	12.80%
Foster CM Group, Inc.	BMMB55448N1113	\$294,906.00	8.62%
Rollins Construction Services, Inc.	BMDB58190Y0714	\$164,733.00	4.82%
Rita Cox & Company	WFWB56403N0114	\$30,000.00	0.88%
Total Minority - Local		\$927,214.00	27.12%

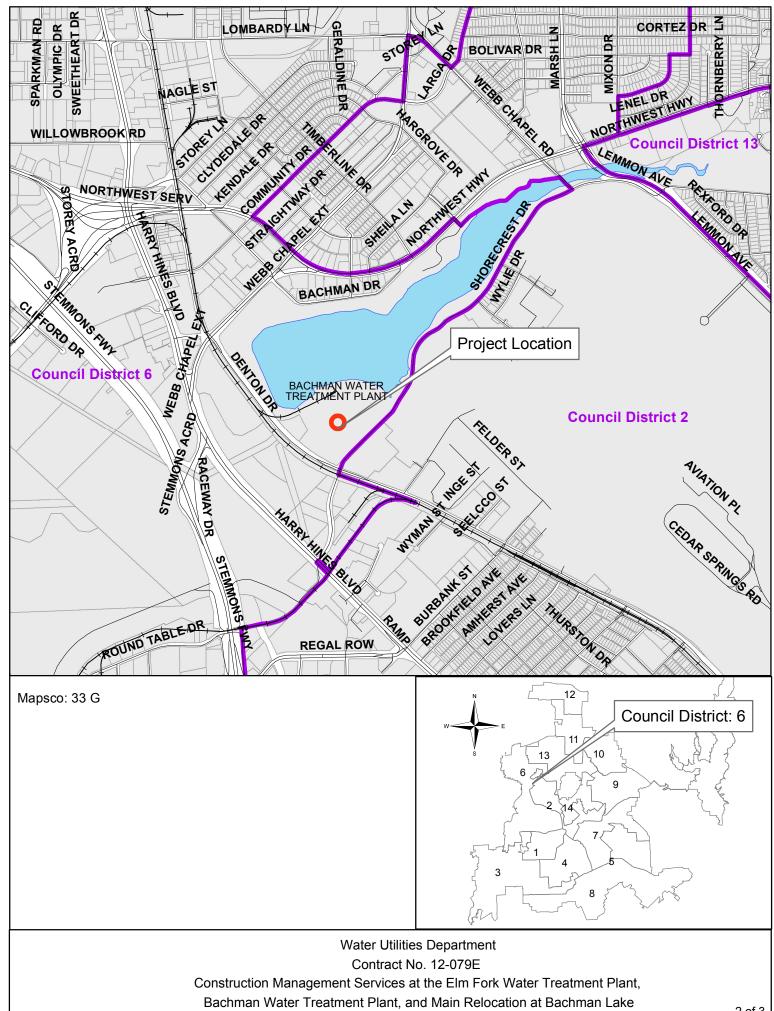
Non-Local Contractors / Sub-Contractors

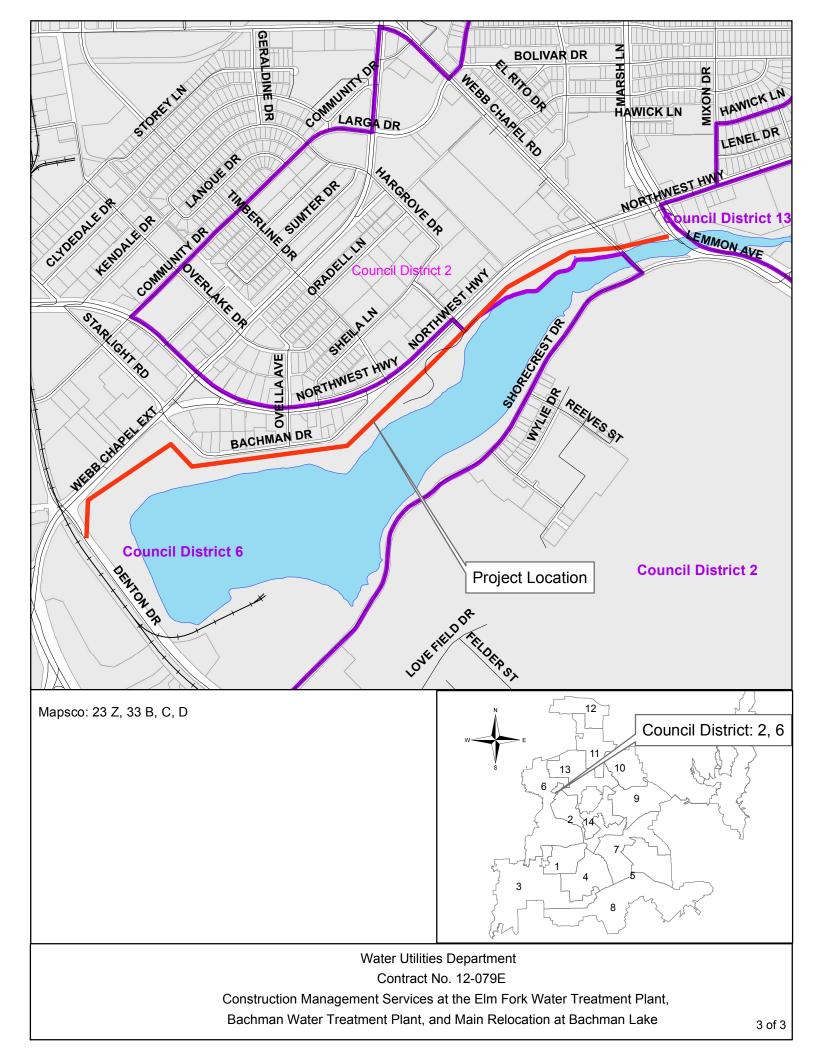
None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	Local & Non-Local	<u>Percent</u>
African American	\$897,214.00	26.24%	\$897,214.00	24.84%
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	\$30,000.00	0.88%	\$30,000.00	0.83%
Total	\$927.214.00	27.12%	\$927.214.00	25.67%







WHEREAS, construction activities at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main at the Bachman Lake Dam are anticipated to be in the range of \$200,000,000; and,

WHEREAS, it will be necessary to closely supervise, coordinate, and manage the day-to-day activities of multiple contractors; and,

WHEREAS, construction management services are necessary to satisfy the requirement stated above; and,

WHEREAS, CH2M HILL Engineers, Inc., 12750 Merit Drive, Suite 1100, Dallas, Texas 75251, has submitted an acceptable proposal to provide these services.

Now, Therefore,

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

Section 1. That the proposal submitted by CH2M HILL Engineers, Inc. in the amount of \$3,611,650.00 be approved and the consultant be authorized to perform the required services.

Section 2. That the City Manager is hereby authorized to enter into a contract with CH2M HILL Engineers, Inc. for construction management services for water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main at the Bachman Lake Dam, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$3,611,650.00 from the Water Capital Improvement Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0115 DWU PW31 WTPF 4550 712079 W3FK CTDWU712079CP VS0000065954

CH2M HILL Engineers, Inc. (Contract No. 12-079E) - \$3,611,650.00

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

AGENDA ITEMS # 51,52,53

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 1, 3, 4, 5, 7, 8, 9, 10, 14

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Various

SUBJECT

Installation of water and wastewater mains at 28 locations

- * Authorize a contract for the installation of water and wastewater mains at 28 locations (list attached) Ark Contracting Services, LLC, lowest responsible bidder of seven Not to exceed \$6,919,296 Financing: Water Utilities Capital Improvement Funds
- * Authorize a Pipeline Crossing Contract with the Kansas City Southern Railway Company to allow the City of Dallas to construct, maintain, and operate a proposed water pipeline under railroad tracks and right-of-way Not to exceed \$9,375 Financing: Water Utilities Capital Construction Funds
- * Authorize an agreement with Bartlett & West, Inc. for required observation and flagging services during construction Not to exceed \$40,000 Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the installation of approximately 38,828 feet of water and wastewater mains. This includes the installation of approximately 69 feet of 4-inch, 942 feet of 6-inch, 18,471 feet of 8-inch, 5,725 feet of 12-inch and 536 feet of 16-inch water mains, and the installation of approximately 2,022 feet of 6-inch, 7,789 feet of 8-inch, 518 feet of 10-inch, and 2,756 feet of 12-inch wastewater mains.

Approximately 3,084 feet of wastewater mains will be rehabilitated or installed utilizing technologies that when compared to the typical open-cut construction methods, will require less excavation thereby minimizing disturbance to the existing pavement as well as minimizing inconveniences to the public.

BACKGROUND (Continued)

The existing water and wastewater mains were built between 1930 and 1972. These mains are contributing to an increase in maintenance costs as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

This item also authorizes an agreement with the Kansas City Southern Railway Company to allow the City of Dallas to construct, own, and operate approximately 135 feet of 8-inch water main under the Kansas City Southern Railway Company's railroad tracks and right-of-way at Naylor Street and Zacha Drive. This installation is part of the Water Utilities Department's ongoing water main improvement program. The new 8-inch water main will replace an existing 6-inch water main built in 1950. The main installation is expected to improve capacity of the water system and reduce maintenance costs.

This item also authorizes an agreement between Bartlett & West, Inc. and the City of Dallas for the provision of flagging and construction observation services during installation of the new 8-inch water main. This service is required under the terms of the agreement between the Kansas City Southern Railway Company and the City of Dallas

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>
Projects Authorized	3	3	0
Change Orders	0	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design February 2011
Completed Design March 2013
Begin Construction October 2013
Complete Construction July 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with EJES, Incorporated to provide engineering design services for the renewal of water and wastewater mains at 31 locations on January 12, 2011, by Resolution No. 11-0186.

FISCAL INFORMATION

\$6,919,295.50 - Water Utilities Capital Improvement Funds \$49,375.00 - Water Utilities Capital Construction Funds

Design	\$1,	049,890.00
Construction (this action)	\$6,	919,295.50
License Agreement (this action)	\$	9,375.00
Flagging (this action)	\$	40,000.00

Total Project Cost \$8,018,560.50

Council <u>District</u>	<u>Amount</u>
1	\$1,085,986.48
3	\$ 329,842.00
4	\$1,582,555.41
5	\$ 855,698.26
7	\$ 142,960.41
8	\$ 997,106.74
9	\$1,268,158.07
10	\$ 121,258.21
14	<u>\$ 585,104.92</u>
Total	\$6,968,670.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Ark Contracting Services, LLC

Hispanic Female	0	Hispanic Male	107
Black Female	0	Black Male	0
Other Female	0	Other Male	0
White Female	5	White Male	15

BID INFORMATION

The following bids with quotes were opened on June 13, 2013:

^{*}Denotes successful bidder

<u>Bidders</u>	Bid Amount
*Ark Contracting Services, LLC 420 South Dick Price Road Kennedale, Texas 76060	\$6,919,295.50
Camino Construction, L.P.	\$6,982,753.00
SYB Construction Company, Inc.	\$7,090,220.15
Atkins Bros. Equipment Co., Inc.	\$7,165,440.90
John Burns Construction Company of Texas, Inc.	\$7,209,600.00
RKM Utility Services, Inc.	\$7,696,161.00
Omega Contracting, Inc.	\$7,790,099.75

<u>OWNER</u>

Ark Contracting Services, LLC

Steven C. Bowman, President

MAPS

Attached

Installation of Water and Wastewater Mains

District 1

9th Street from Cliffdale Avenue to Ravinia Drive

Alley between Berkley Avenue and Newport Avenue from Tennessee Avenue to Edgefield Avenue

Alley between Rugged Drive and Tennessee Avenue from Brunner Avenue to Berkley Avenue

Alley between Windomere Avenue and Edgefield Avenue from 7th Street to Davis Street

Polk Street from 12th Street to Page Avenue

Zang Boulevard from Yarmouth Street to Page Avenue

District 3

Loop 12 (Ledbetter Drive) from Canelo Drive to U.S. Highway 67 (Marvin D. Love Freeway)

Medalist Drive from Putting Green Drive to Polk Street

District 4

Easement between Hemphill Drive and Kiest Boulevard from Easter Avenue to Kellogg Avenue

Garapan Drive from Illinois Avenue to Bristol Drive Iowa Avenue from Lakeview Drive to Ramsey Avenue Woodin Boulevard from Ramsey Avenue east

District 5

Beautycrest Circle from Beautycrest Drive east
Beautycrest Court from Beautycrest Drive east
Beautycrest Drive from north of Fairhope Avenue south
Oak Gate Lane from St. Augustine Drive to Masters Drive

District 7

Edgewood Street from alley northeast of South Boulevard southeast

Installation of Water and Wastewater Mains Page 2

District 8

Antoinette Street from Murdeaux Lane to Hillburn Drive Bloomfield Drive from Rylie Road south Cool Mist Lane from Kleberg Road to Silver Brook Road Komalty Drive from Tiawah Drive to Coahuila Drive

District 9

Daytonia Avenue from Lakeland Drive to Old Gate Lane Naylor Street from Cayuga Drive to Redondo Drive Tavaros Avenue from Diceman Drive to Eustis Avenue

District 10

Chiswell Road from Spring Branch Drive to Clearhurst Drive

District 14

Hall Street from Reagan Street to Welborn Street Lindell Avenue from Hubert Street to Live Oak Street Webb Avenue from Tracy Street to U.S. Highway 75 (Central Expressway)

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the installation of water and wastewater mains at 28 locations (list attached) - Ark Contracting Services, LLC, lowest responsible bidder of seven - Not to exceed \$6,919,296 - Financing: Water Utilities Capital Improvement Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$2,404,000.00	34.74%
Total non-local contracts	\$4,515,295.50	65.26%
TOTAL CONTRACT	\$6,919,295.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	<u>Amount</u>	Percent
Muniz Construction, Inc.	HMMB54200N0713	\$800,000.00	33.28%
J & A Trucking	HMMB58088N0714	\$150,000.00	6.24%
LKT & Associates, LLC	WFDB55111Y1013	\$850,000.00	35.36%
Magnum Manhole & Underground Co.	WFDB56863Y0314	\$23,000.00	0.96%
Total Minority - Local		\$1,823,000.00	75.83%

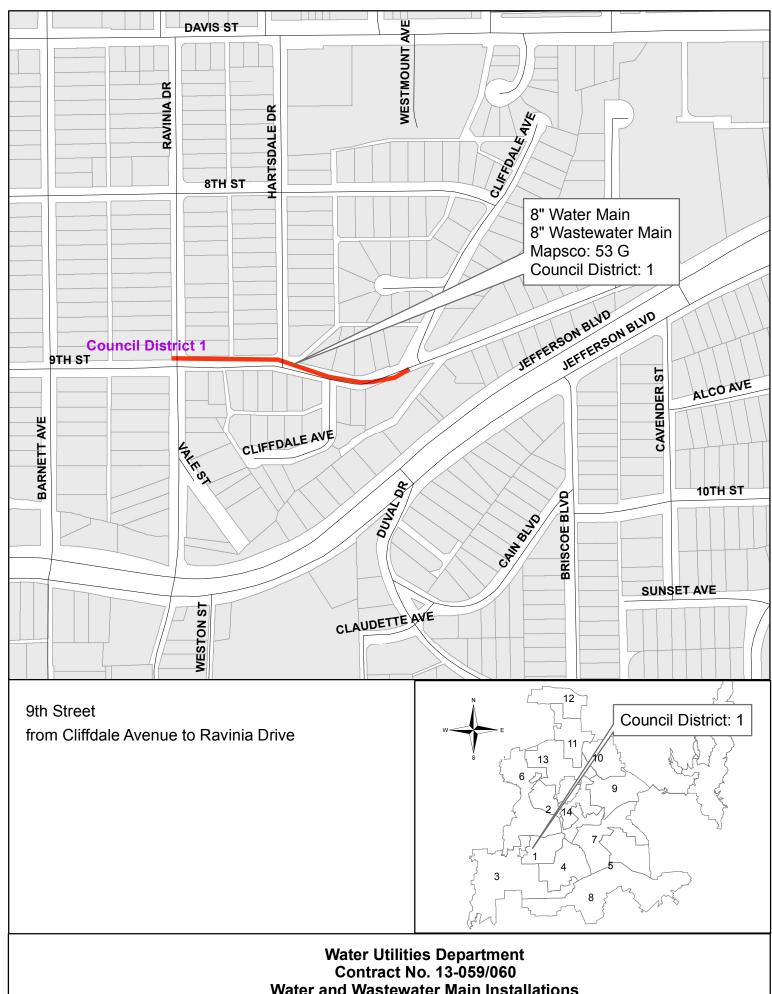
Non-Local Contractors / Sub-Contractors

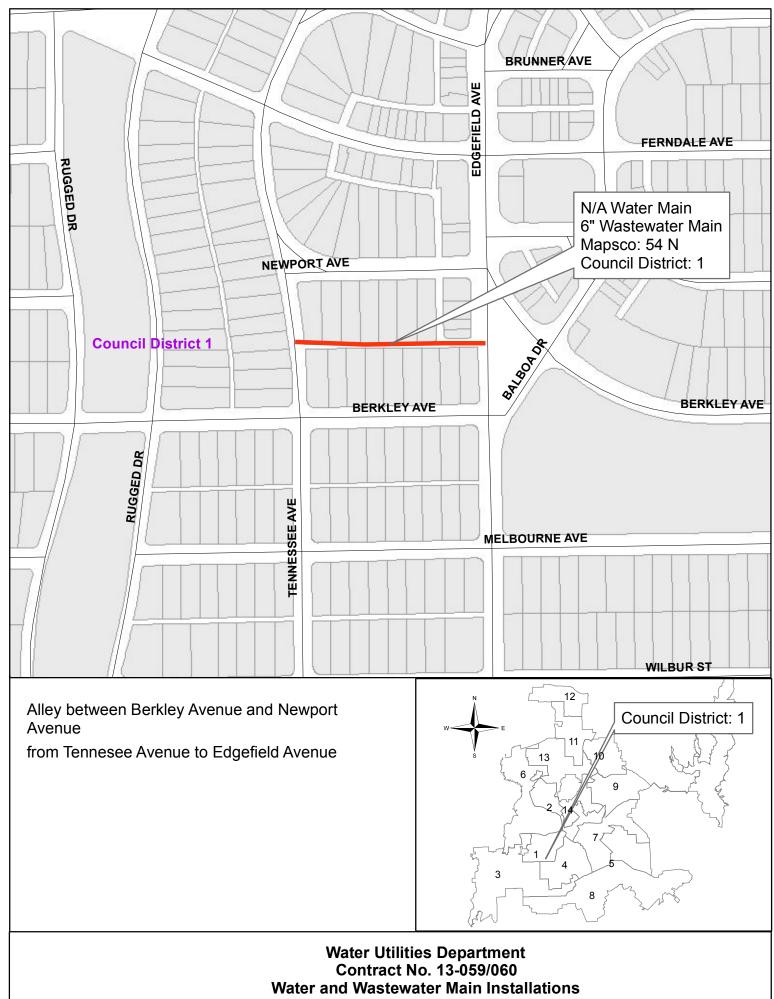
Non-local	Certification	<u>Amount</u>	Percent
Buyers Barricades, Inc.	WFDB56717Y0214	\$25,000.00	0.55%
Total Minority - Non-local		\$25,000,00	0.55%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARYPage 2

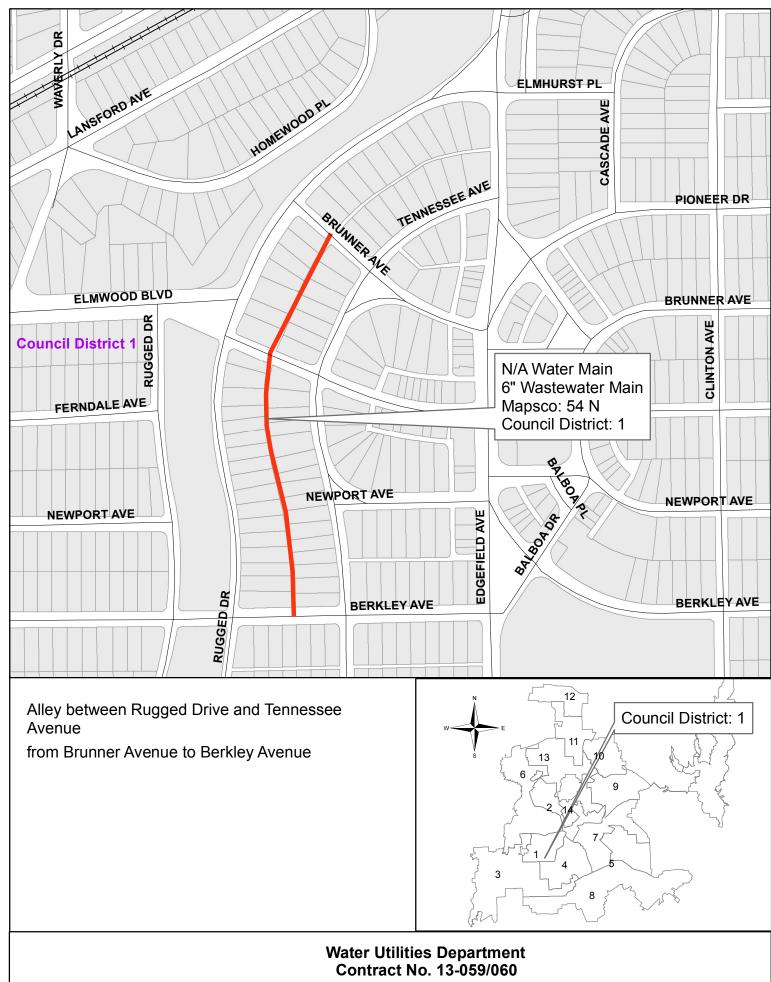
TOTAL M/WBE CONTRACT PARTICIPATION

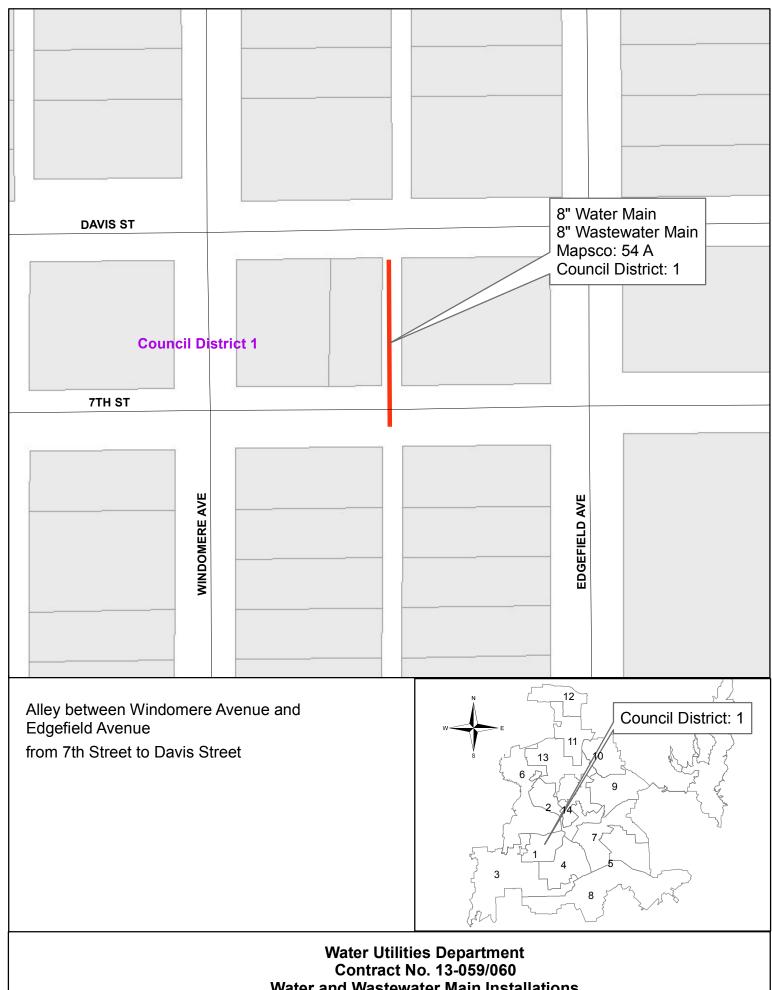
	<u>Local</u>	<u>Percent</u>	Local & Non-Local	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$950,000.00	39.52%	\$950,000.00	13.73%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$873,000.00	36.31%	\$898,000.00	12.98%
Total	\$1,823,000.00	75.83%	\$1,848,000.00	26.71%

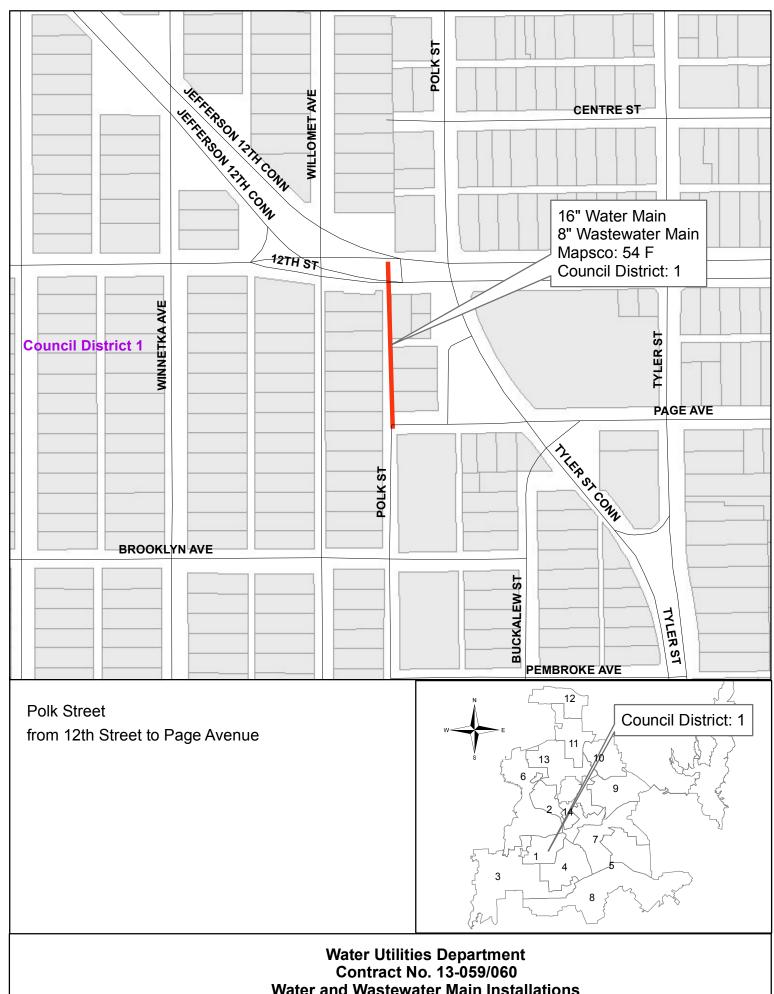




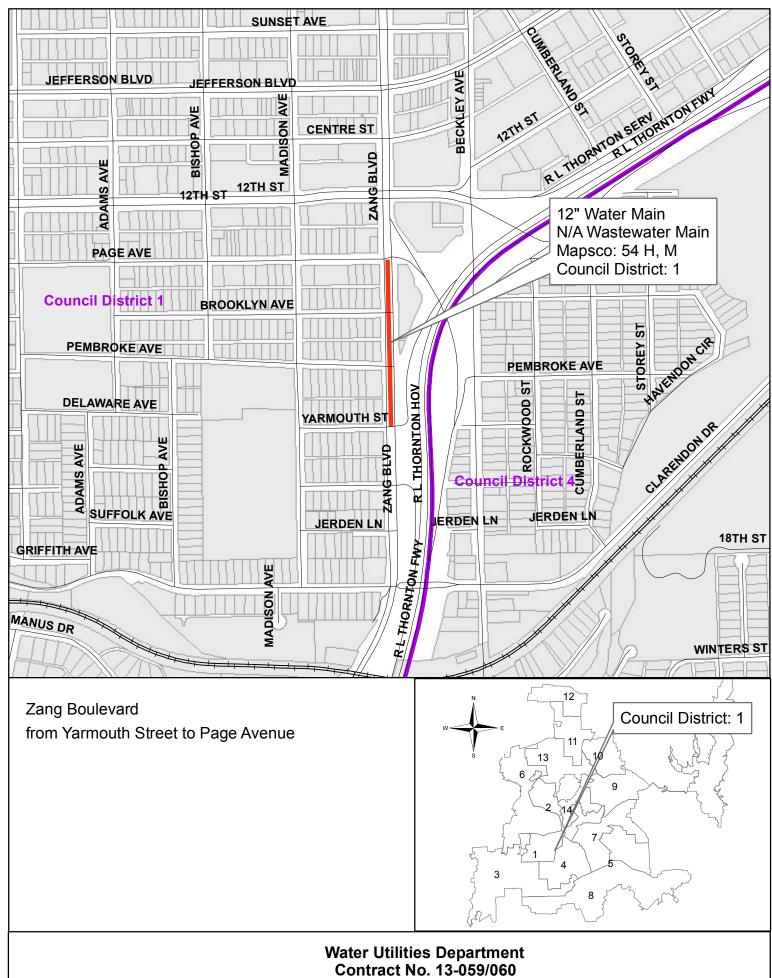
at 28 Locations



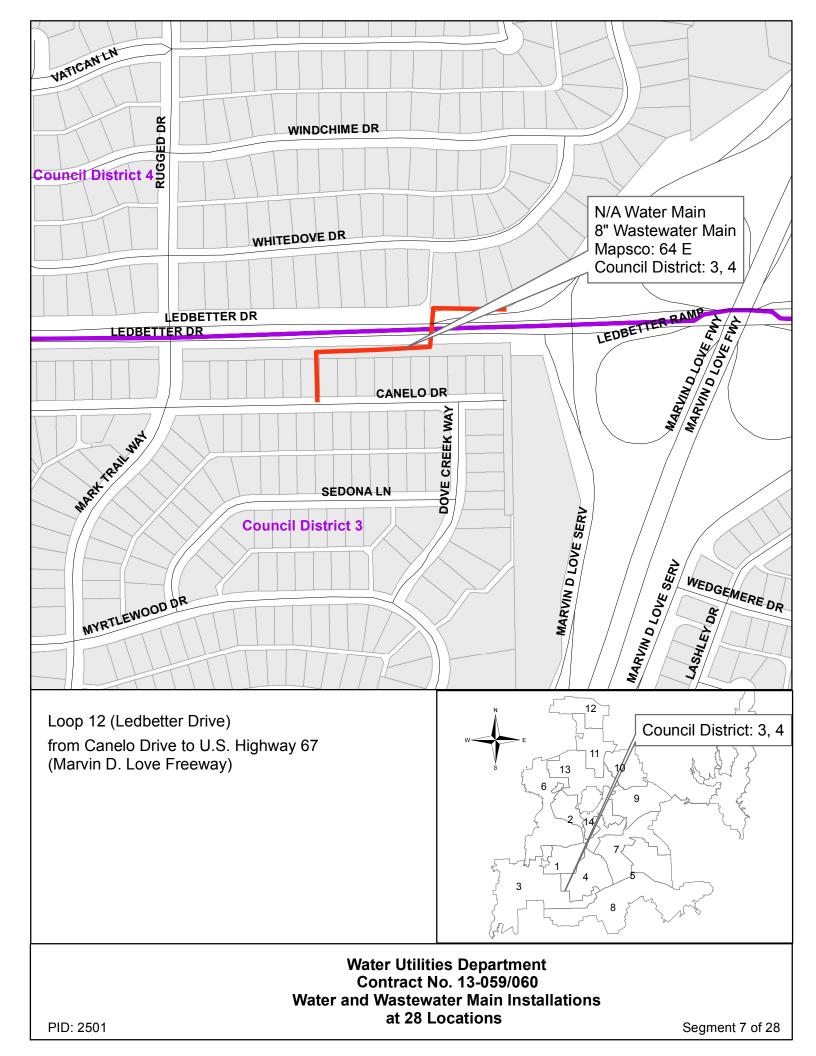


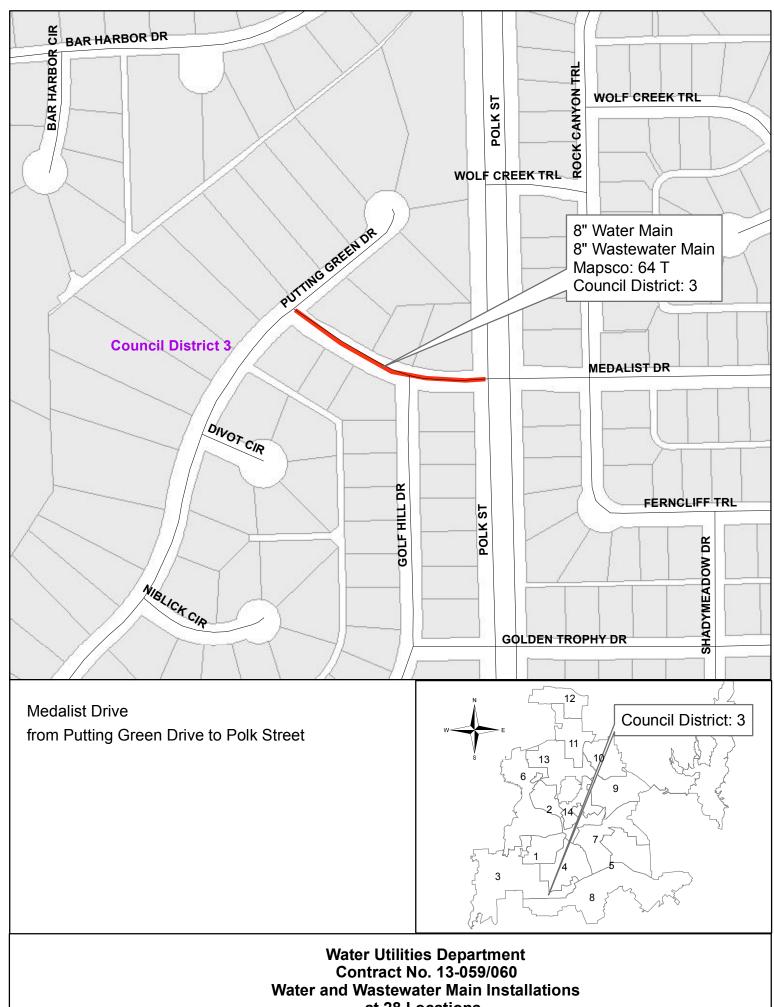


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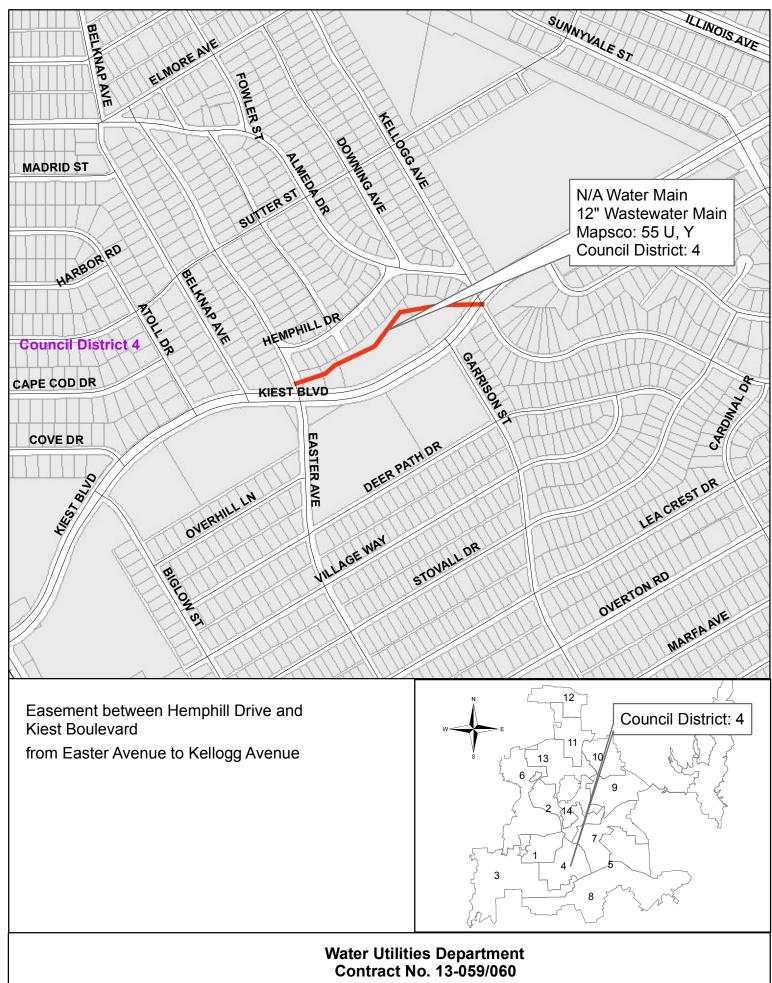


Water Utilities Department
Contract No. 13-059/060
Water and Wastewater Main Installations
at 28 Locations

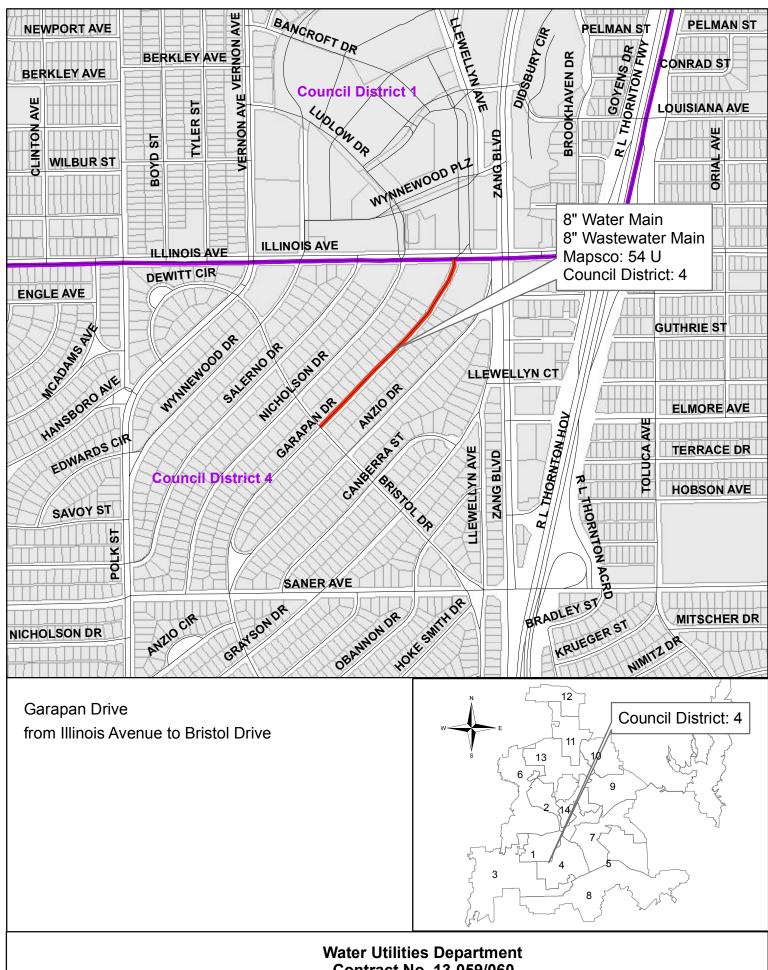




at 28 Locations

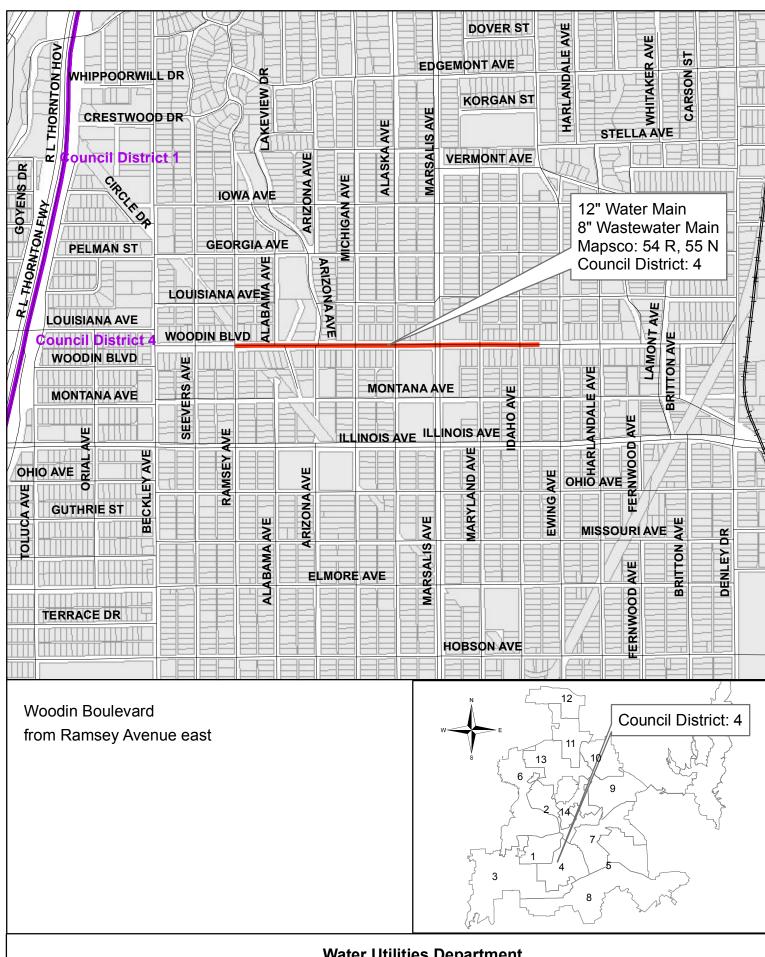


Contract No. 13-059/060
Water and Wastewater Main Installations
at 28 Locations

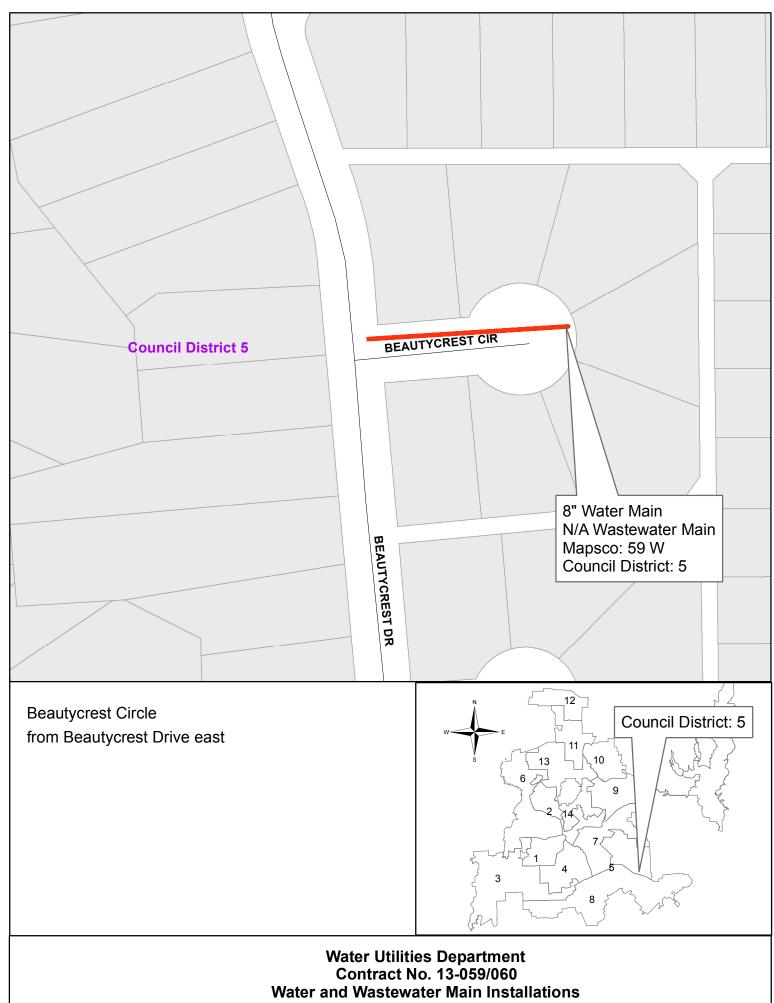


Water Utilities Department
Contract No. 13-059/060
Water and Wastewater Main Installations
at 28 Locations



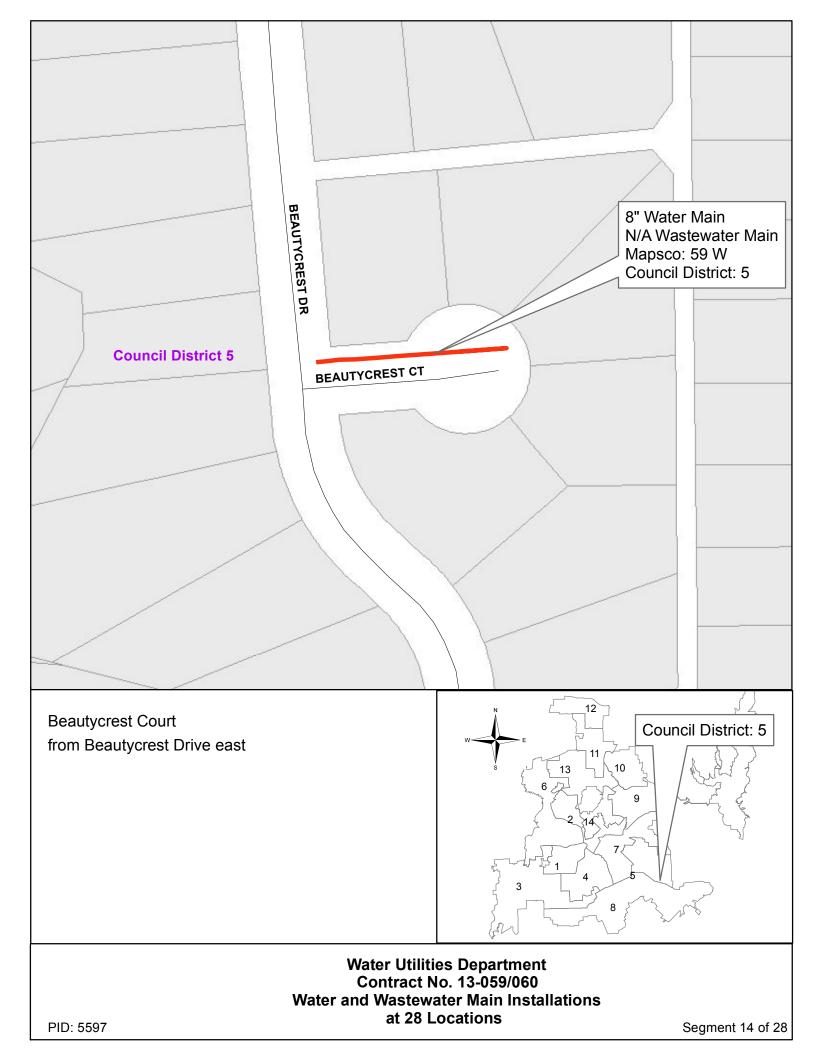


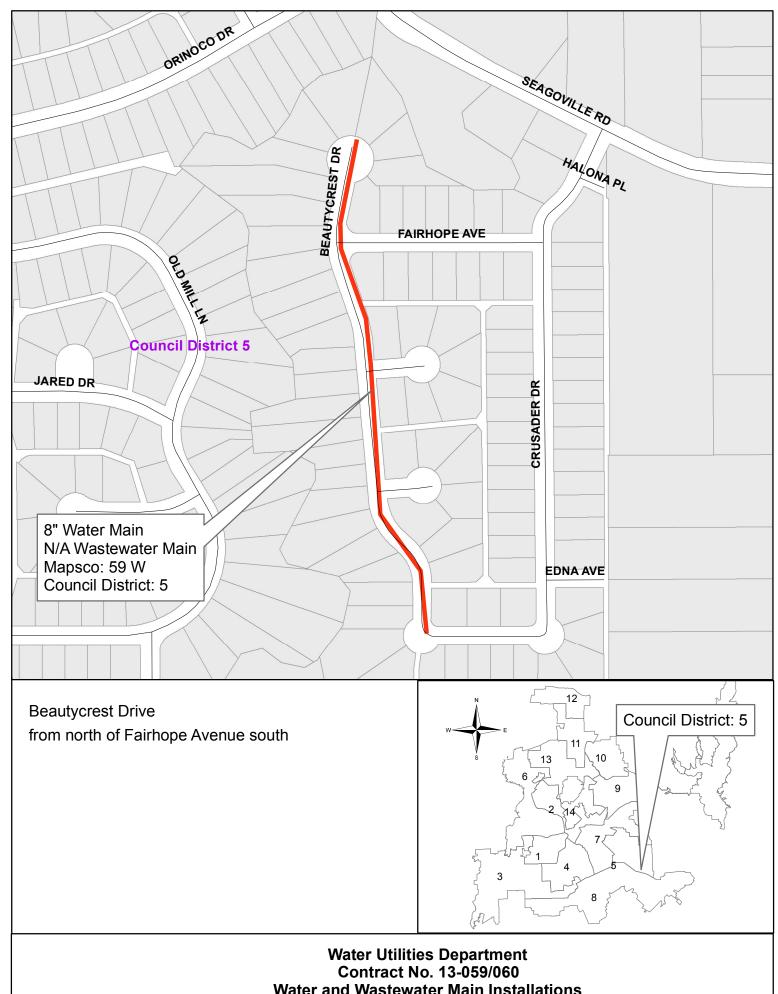
Water Utilities Department
Contract No. 13-059/060
Water and Wastewater Main Installations
at 28 Locations

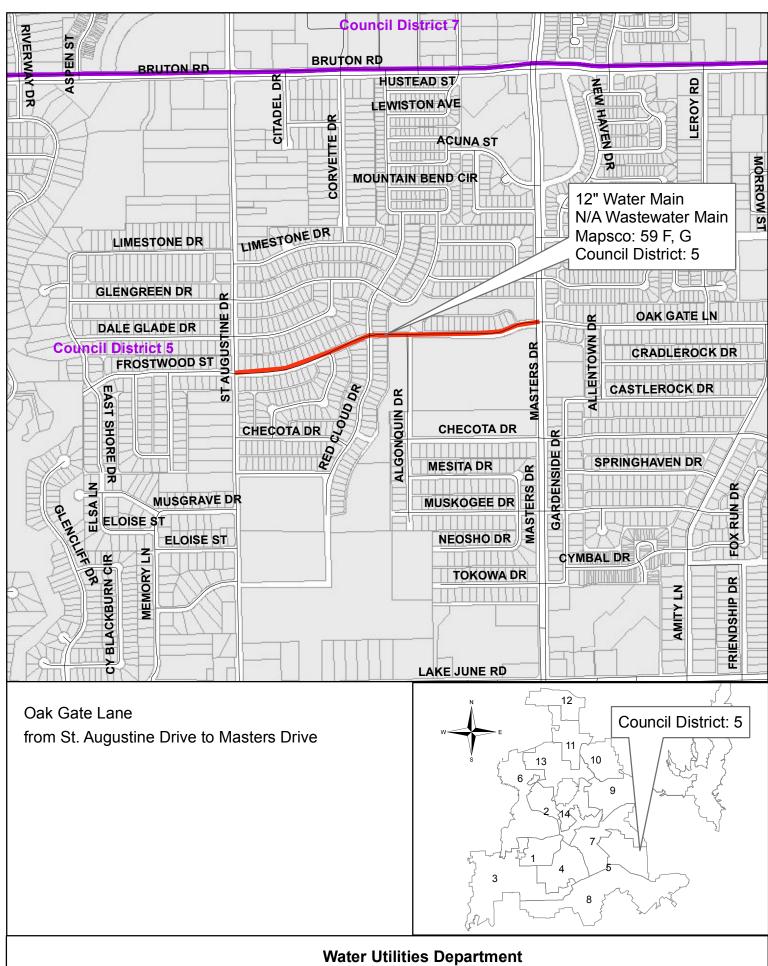


at 28 Locations

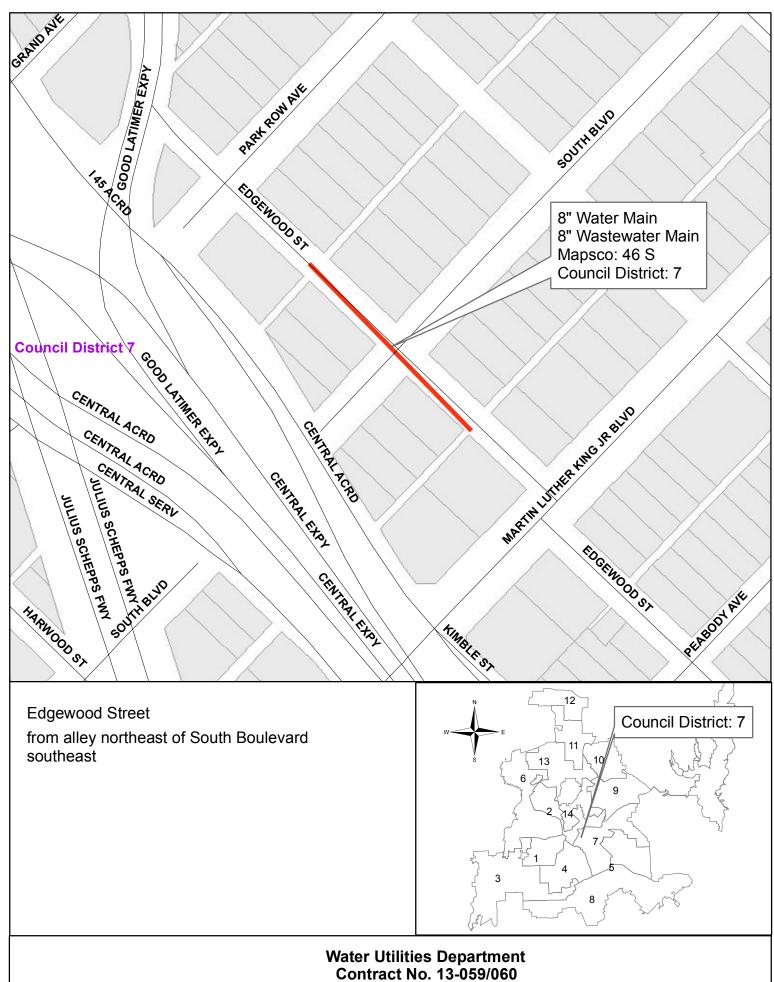
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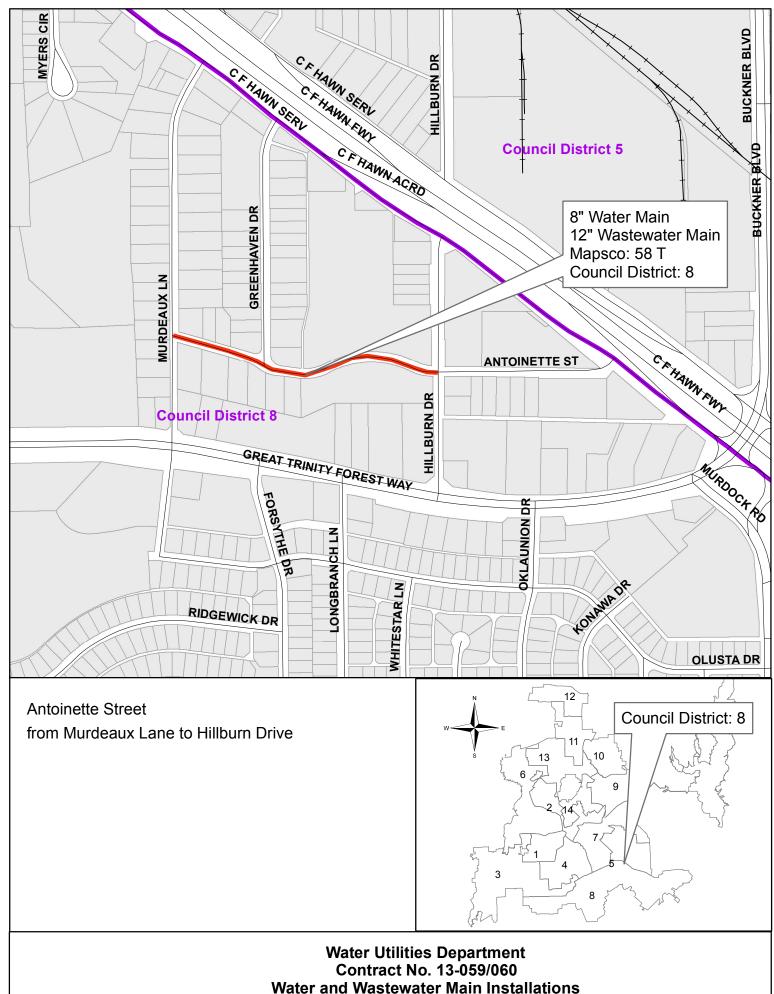




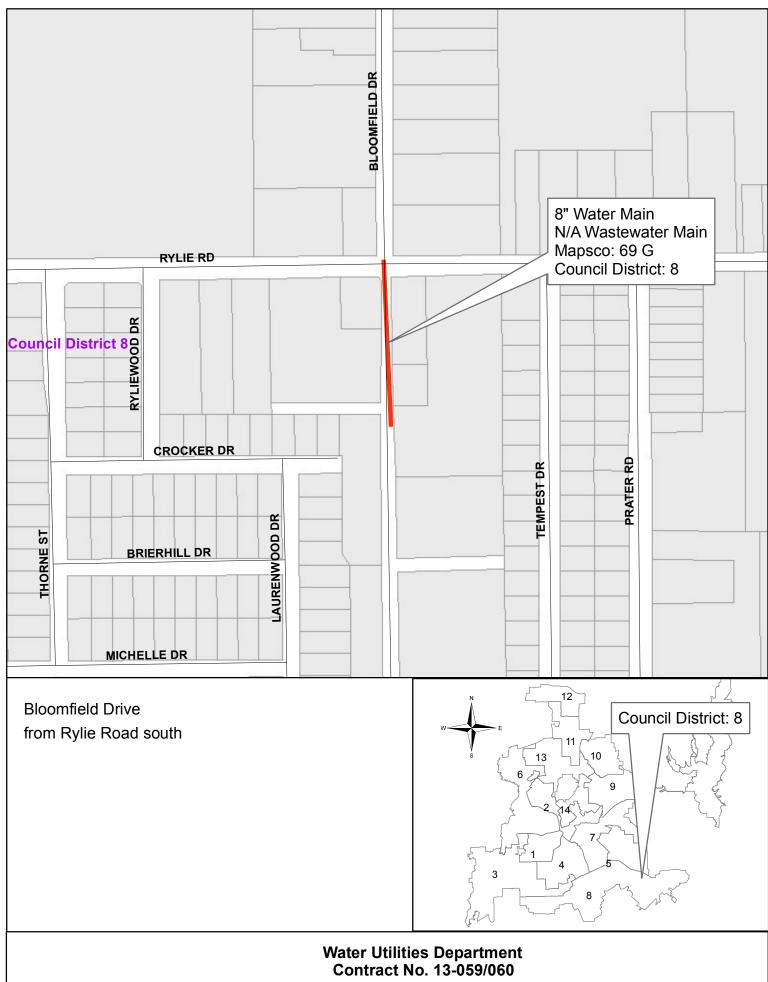
Water Utilities Department
Contract No. 13-059/060
Water and Wastewater Main Installations
at 28 Locations

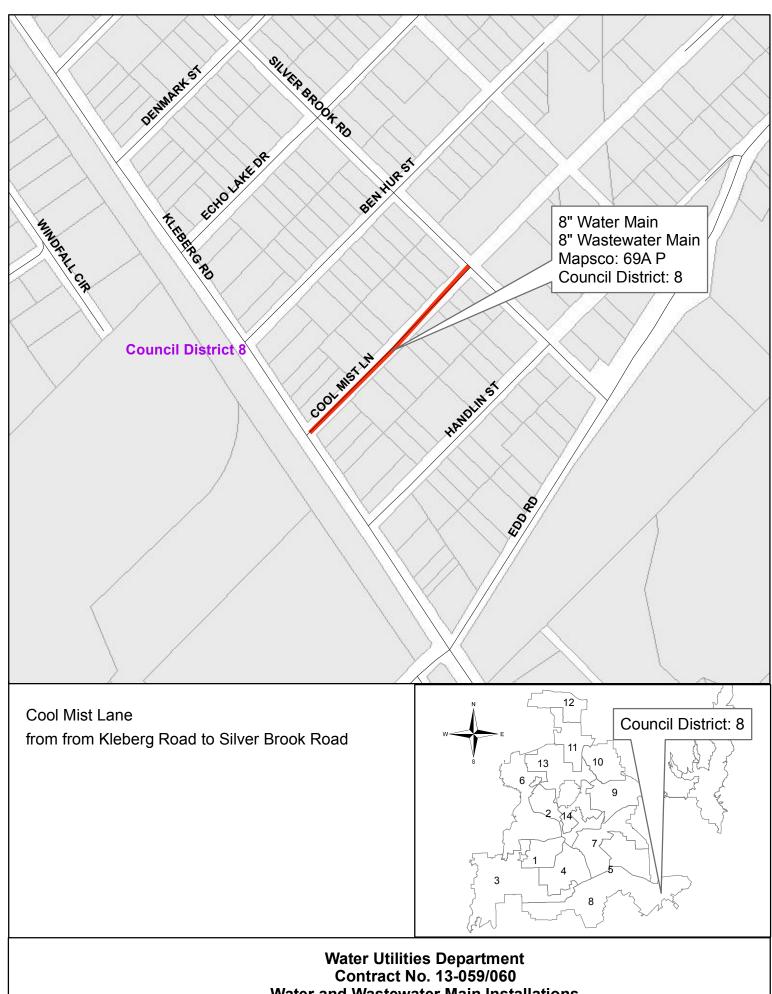


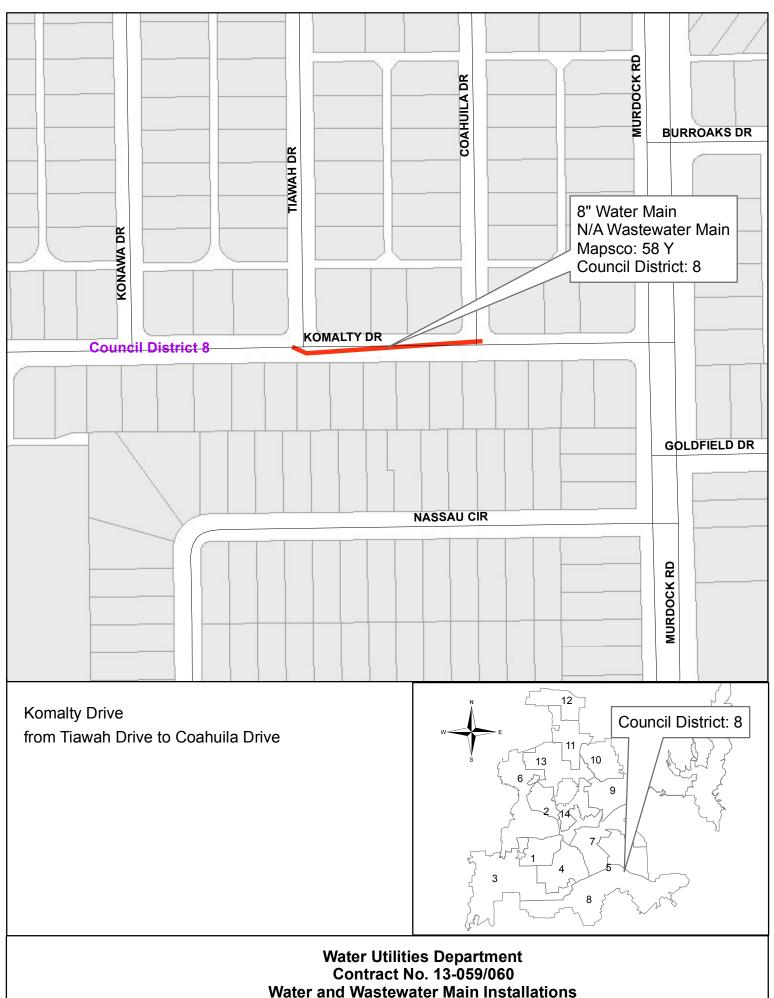
Water Utilities Department
Contract No. 13-059/060
Water and Wastewater Main Installations
at 28 Locations

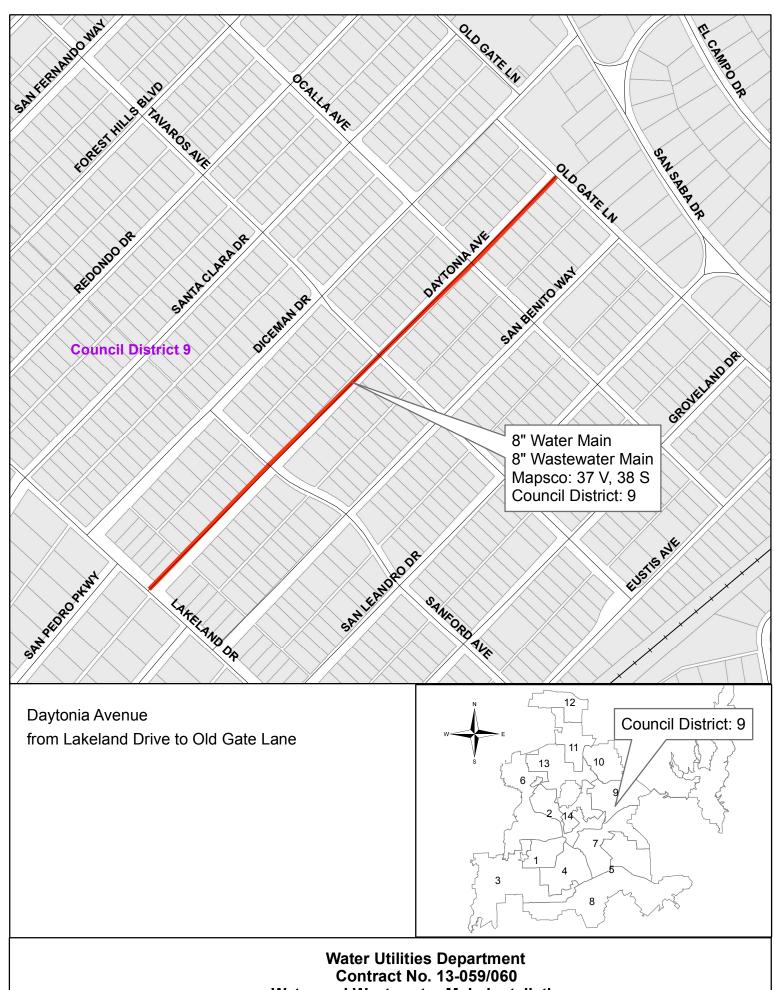


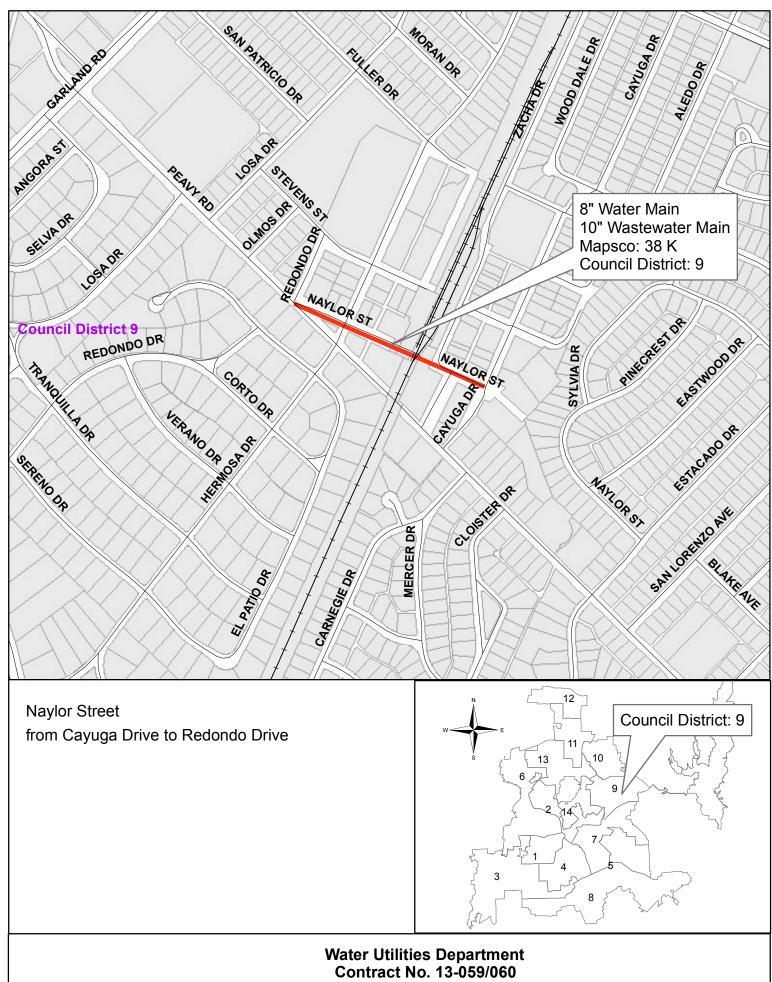
at 28 Locations



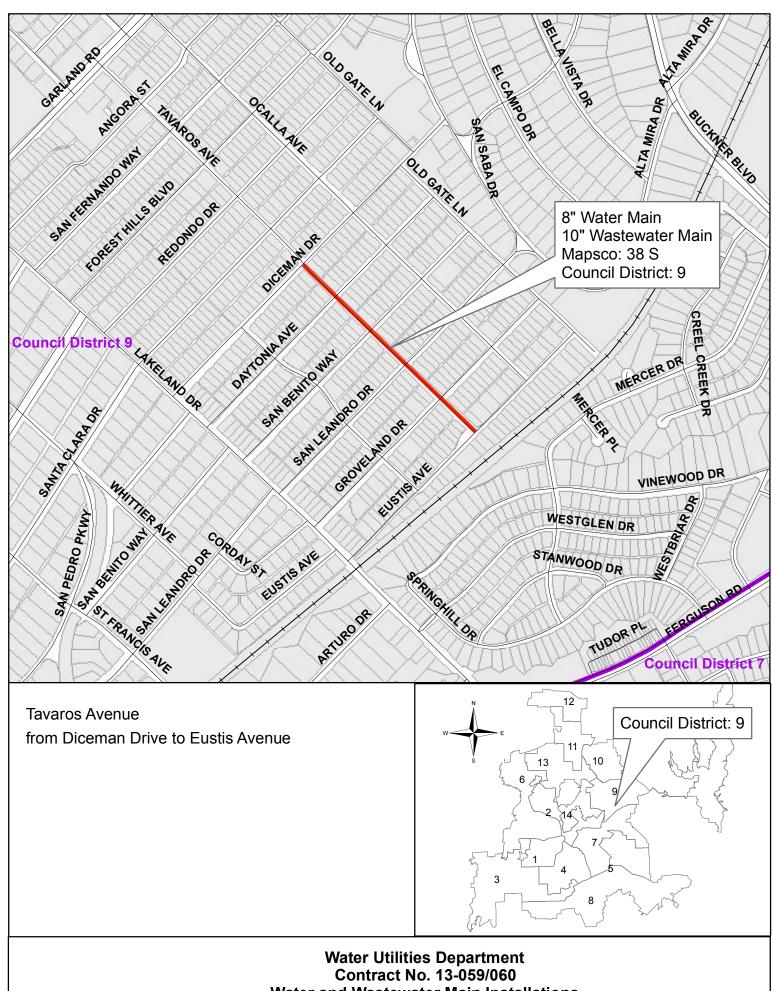


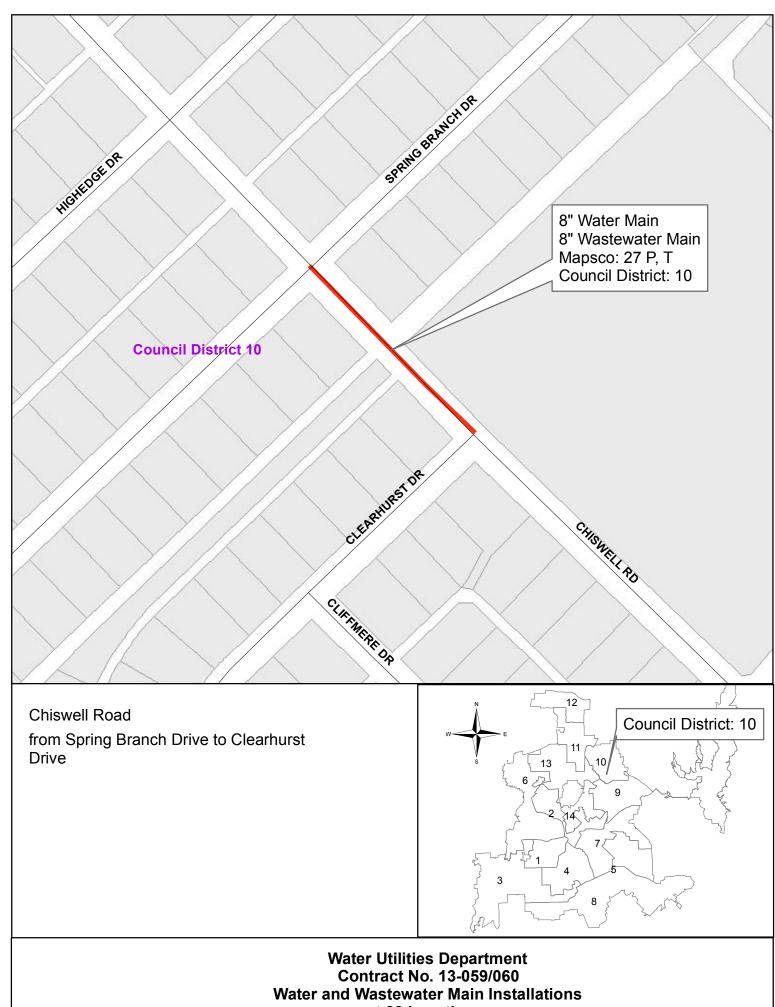






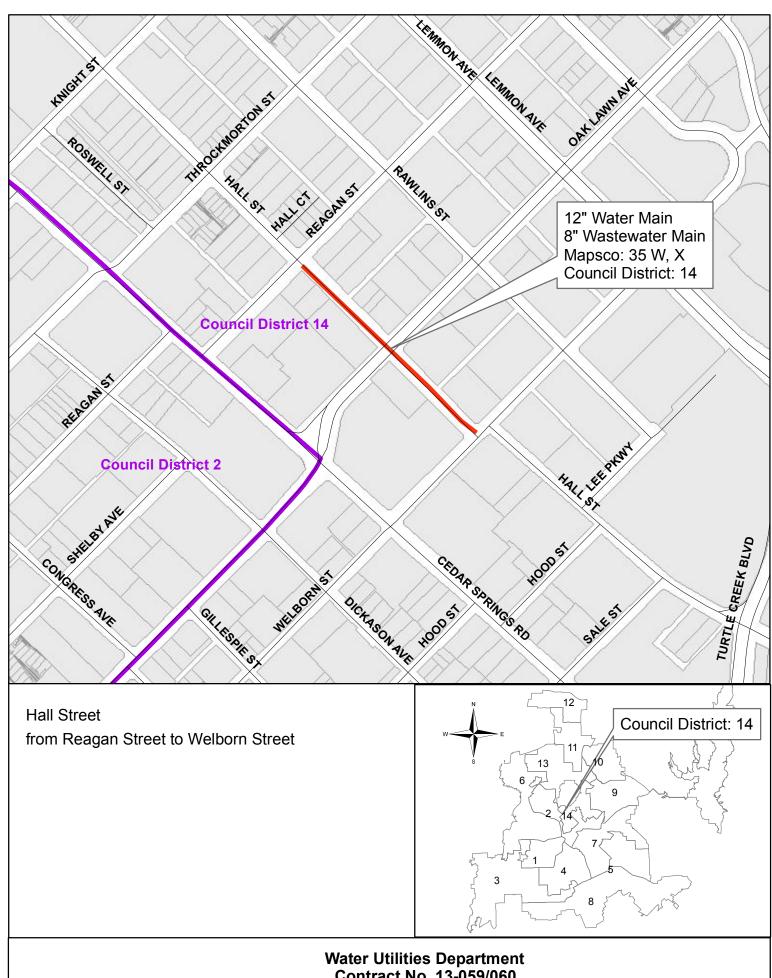
Water and Wastewater Main Installations



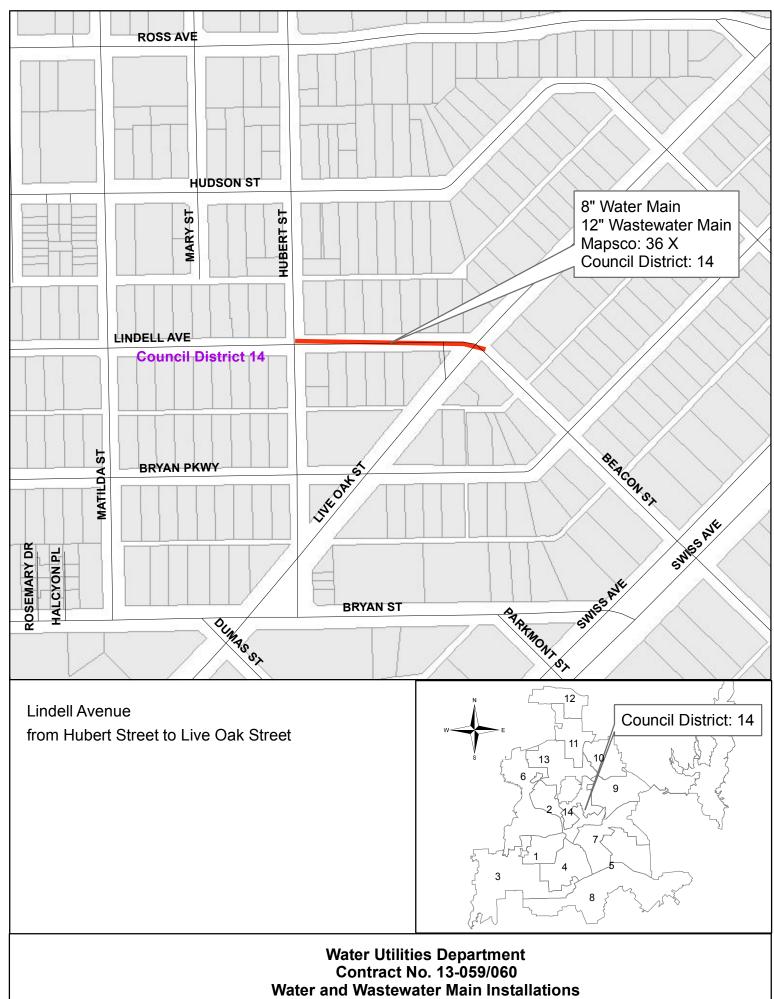


at 28 Locations

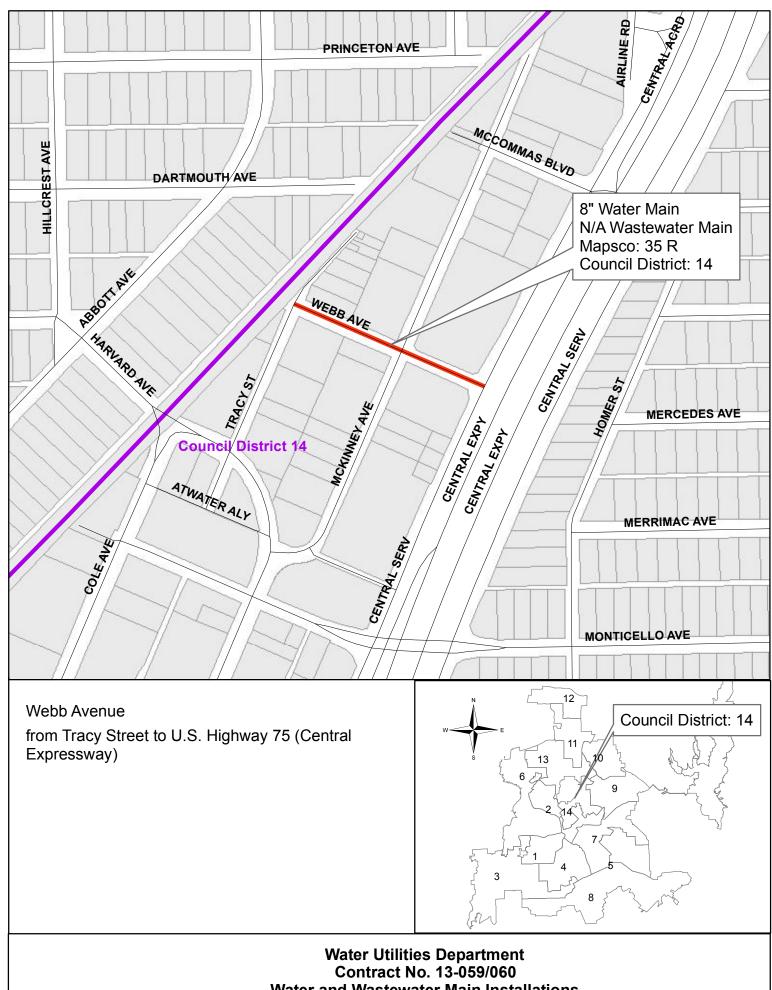
Segment 25 of 28 PID: 5585



Water Utilities Department
Contract No. 13-059/060
Water and Wastewater Main Installations
at 28 Locations



at 28 Locations



WHEREAS, bids were received on June 13, 2013 for the installation of water and wastewater mains at 28 locations, Contract No. 13-059/060, listed as follows:

<u>BIDDERS</u>	BID AMOUNT
Ark Contracting Services, LLC	\$6,919,295.50
Camino Construction, L.P.	\$6,982,753.00
SYB Construction Company, Inc.	\$7,090,220.15
Atkins Bros. Equipment Co., Inc.	\$7,165,440.90
Ark Contracting Services, LLC	\$7,209,600.00
RKM Utility Services, Inc.	\$7,696,161.00
Omega Contracting, Inc.	\$7,790,099.75

WHEREAS, the bid submitted by Ark Contracting Services, LLC, 420 South Dick Price Road, Kennedale, Texas 76060, in the amount of \$6,919,295.50, is the lowest and best of all bids received.

Now, Therefore,

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

Section 1. That the bid submitted by Ark Contracting Services, LLC in the amount of \$6,919,295.50, for doing the work covered by the plans, specifications, and contract documents, Contract No. 13-059/060, be accepted.

Section 2. That the City Manager is hereby authorized to execute a contract with Ark Contracting Services, LLC, for the installation of water and wastewater mains at 28 locations, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$6,919,295.50 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0115 DWU PW40 MPSA 4550 713059 W3EV CTDWU713059CP VS0000017816

Ark Contracting Services, LLC - (Contract No. 13-059) - \$4,635,928.00

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0116 DWU PS40 MPSA 4560 713060 T2RE CTDWU713060CP VS0000017816

Ark Contracting Services, LLC - (Contract No. 13-060) - \$2,283,367.50

August 28, 2013

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.

WHEREAS, the City of Dallas has plans to perform a construction project that will cross The Kansas City Southern Railway Company's right-of-way at Naylor Street and Zacha Drive; and,

WHEREAS, The Kansas City Southern Railway Company is requesting the City of Dallas to enter into a Pipeline Crossing Contract in order for the City to construct, maintain, and operate a proposed water main under The Kansas City Southern Railway Company's railroad tracks and right-of-way at Naylor Street and Zacha Drive; and,

WHEREAS, the City of Dallas and The Kansas City Southern Railway Company believe this Pipeline Crossing Contract is in the best interest of both parties.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a Pipeline Crossing Contract with The Kansas City Southern Railway Company, after the contract has been approved by the City Attorney.

Section 2. That the City Controller is hereby authorized to pay the amount of \$9,375.00 from the Water Construction Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 335796

Jones Lang LaSalle Americas, Inc. - (Contract No. 13-059) - \$9,375.00

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.

WHEREAS, the City of Dallas has plans to perform a construction project that will cross The Kansas City Southern Railway Company's right-of-way at Naylor Street and Zacha Drive; and,

WHEREAS, The Kansas City Southern Railway Company requires construction observation and flagging services to be performed at the railroad tracks location during the City's construction at Naylor Street and Zacha Drive; and,

WHEREAS, The Kansas City Southern Railway Company has requested the City to enter into a Construction Observation and Flagging Services agreement with Bartlett & West, Inc., to provide the construction observation and flagging services at Naylor Street and Zacha Drive; and,

WHEREAS, the City of Dallas and The Kansas City Southern Railway Company believe this agreement is in the best interest of both parties.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a Construction Observation and Flagging Services Agreement with Bartlett & West, Inc., after the agreement has been approved by the City Attorney.

Section 2. That the City Controller is hereby authorized to pay the amount of \$40,000.00 from the Water Construction Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR
0102 DWU CW40 MPSA 3099 713059X W3FE CTDWU713059ENB VS0000079867

Bartlett & West, Inc. - (Contract No. 13-059) - \$40,000.00

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

AGENDA ITEMS # 54,55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Various

SUBJECT

Installation of water and wastewater mains at 29 locations

- * Authorize a contract for the installation of water and wastewater mains at 29 locations (list attached) John Burns Construction Company of Texas, Inc., lowest responsible bidder of five Not to exceed \$12,888,856 Financing: Water Utilities Capital Improvement Funds
- * Authorize a supplemental agreement with Union Pacific Railroad Company (UPRC) for administrative handling charges associated with the relocation of an existing 20-inch water main underneath the UPRC tracks Not to exceed \$1,000 Financing: Water Utilities Capital Construction Funds

BACKGROUND

This project consists of the installation of approximately 71,855 feet of water and wastewater mains. This includes the installation of approximately 3,655 feet of 6-inch, 22,739 feet of 8-inch, 16,682 feet of 12-inch, and 330 feet of 20-inch water mains, and the installation of approximately 2,019 feet of 6-inch, 16,903 feet of 8-inch, 2,301 feet of 10-inch, 694 feet of 12-inch, 1,125 feet of 16-inch, 497 feet of 21-inch, 1,885 feet of 30-inch, and 3,025 feet of 33-inch wastewater mains.

Approximately 6,377 feet of water and wastewater mains will be rehabilitated or installed utilizing technologies that when compared to typical open-cut construction methods will require less excavation, thereby minimizing disturbance to the existing pavement as well as minimizing inconveniences to the public.

BACKGROUND (Continued)

The existing water and wastewater mains were built between 1916 and 1982. These mains are contributing to the increase in maintenance costs, as well as service interruptions. The installation of the proposed segments will improve the capacity of the water and wastewater systems and reduce maintenance costs.

This item authorizes a supplemental agreement between Union Pacific Railroad Company and the City of Dallas to fund the administrative handling charges associated with relocation of approximately 144 feet of 20-inch water main under the railroad tracks owned by Union Pacific Railroad Company. This supplemental agreement is required by the Union Pacific Railroad Company along with a revised map to document and reference the changes to the original agreement. This installation is part of the Water Utilities Department's ongoing water main improvement program. The new 20-inch water main will replace the existing 20-inch water main built in 1953. The pipeline installation is expected to completely eliminate an existing leak and reduce the potential of catastrophic failure of the pipeline underneath the railroad tracks.

John Burns Construction Company of Texas, Inc. contractual activities in the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>
Projects Authorized	0	1	0
Change Orders	0	3	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design February 2011
Completed Design March 2013
Begin Construction October 2013
Complete Construction March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Burgess & Niple, Inc. to provide engineering design services for 29 locations on January 12, 2011, by Resolution No. 11-0189.

FISCAL INFORMATION

\$12,888,856.00 - Water Utilities Capital Improvement Funds \$ 1,000.00 - Water Utilities Capital Construction Funds

Design	\$ 1	,756,085.00
Construction (this action)	\$12	,888,856.00
Railroad Agreement (this action)	\$	1,000.00

Total Project Cost \$14,645,941.00

Council <u>District</u>	<u>Amount</u>
2	\$ 2,043,499.00
3	\$ 89,830.00
4	\$ 2,298,556.00
5	\$ 1,372,715.00
6	\$ 2,183,467.00
7	\$ 1,402,772.00
8	\$ 588,740.00
9	\$ 754.917.00
12	\$ 304,056.00
13	\$ 1,130,002.00
14	\$ 721,302.00
Total	\$12,889,856.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

John Burns Construction Company of Texas, Inc.

Hispanic Female	0	Hispanic Male	45
Black Female	0	Black Male	0
Other Female	0	Other Male	0
White Female	3	White Male	21

BID INFORMATION

The following bids with quotes were opened on June 6, 2013:

^{*}Denotes successful bidder

<u>Bidders</u>	Bid Amount
*John Burns Construction Company of Texas, Inc. 655 East Main Street Lewisville, Texas 75067	\$12,888,856.00
Ark Contracting Services, LLC	\$14,387,700.50
S.J. Louis Construction of Texas, Ltd.	\$14,877,690.75
Atkins Bros. Equipment Co., Inc.	\$15,556,969.50
Omega Contracting, Inc.	\$15,920,948.00

<u>OWNER</u>

John Burns Construction Company of Texas, Inc.

John B. O'Malley, Owner

MAPS

Attached

Installation of Water and Wastewater Mains

District 2

Bryan Street from Prairie Avenue southwest Carroll Avenue from Ash Lane to Garland Avenue

District 3

Counts Boulevard form Counts Boulevard southeast

District 4

Alley between Alabama Avenue and Ramsey Avenue from Ohio Avenue to McVey Avenue
Circle Drive from Beckleywood Boulevard northwest
Idaho Avenue from Saner Avenue to Brownlee Avenue
North Shore Drive from Beckley Avenue northeast

District 5

Amy Street from Jim Miller Road to Houghton Road St. Augustine Drive from Silver Meadow Drive to Elam Road

District 6

Hi Line Drive from Edison Street to Slocum Street Hiawatha Street from Clymer Street to Kenesaw Drive Irving Boulevard form Mockingbird Lane to Norwood Road Shady Trail from south of Myrtle Springs Avenue north Slocum Street from Hi Line Drive to Wichita Street

District 7

Belgrade Avenue from Lawnview Avenue to Lasca Street Easement at Parkdale Drive at Military Parkway

District 8

Carter Road from Satinwood Drive west State Highway 310 (Central Expressway) from Loop 12 (Great Trinity Forest Way) southeast

Installation of Water and Wastewater Mains Page 2

District 9

Easement south of Peavy Road from Losa Drive to El Patio Drive Park Oak Circle from north Plummer Drive to south Plummer Drive Santa Maria Lane from Santa Barbara Drive to Meadowlark Lane

District 12

Michaelangelo Drive from Kelly Boulevard to Dali Drive

District 13

Berkshire Lane from Lomo Alto Drive to Kate Street Douglas Avenue from Berkshire Lane to Chatham Hill Road Middleton Road from Midway Road to Ridge Road Ridge Road from Midway Road to Middleton Road

District 14

Alley between Worth Street and Tremont Street from Munger Boulevard to Fitzhugh Avenue
Columbia Avenue from Beacon Street to Fulton Street
Fitzhugh Avenue from Tremont Street northwest

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the installation of water and wastewater mains at 29 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of five - Not to exceed \$12,888,856 - Financing: Water Utilities Capital Improvement Funds

John Burns Construction Company of Texas, 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	\$9,578,043.00	74.31%
Total non-local contracts	\$3,310,813.00	25.69%
TOTAL CONTRACT	\$12,888,856.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	<u>Amount</u>	Percent
Bussey Trucking, Inc.	BMMB58079Y0714	\$650,547.70	6.79%
Partnering For Success, Inc.	HFMB57168Y0414	\$8,400.00	0.09%
RSC Construction, Ltd.	HMMB54641Y0813	\$1,156,799.00	12.08%
Muniz Construction, Inc.	HMMB54200N0713	\$453,000.00	4.73%
Supreme Sawing and Seal, Inc.	HMDB56493Y0214	\$381,836.00	3.99%
J.E. Guzman Construction, Inc.	HMMB56905N0314	\$23,323.00	0.24%
Magnum Manhole & Underground Co.	WFDB56863Y0314	\$47,678.00	0.50%
Total Minority - Local		\$2,721,583.70	28.41%

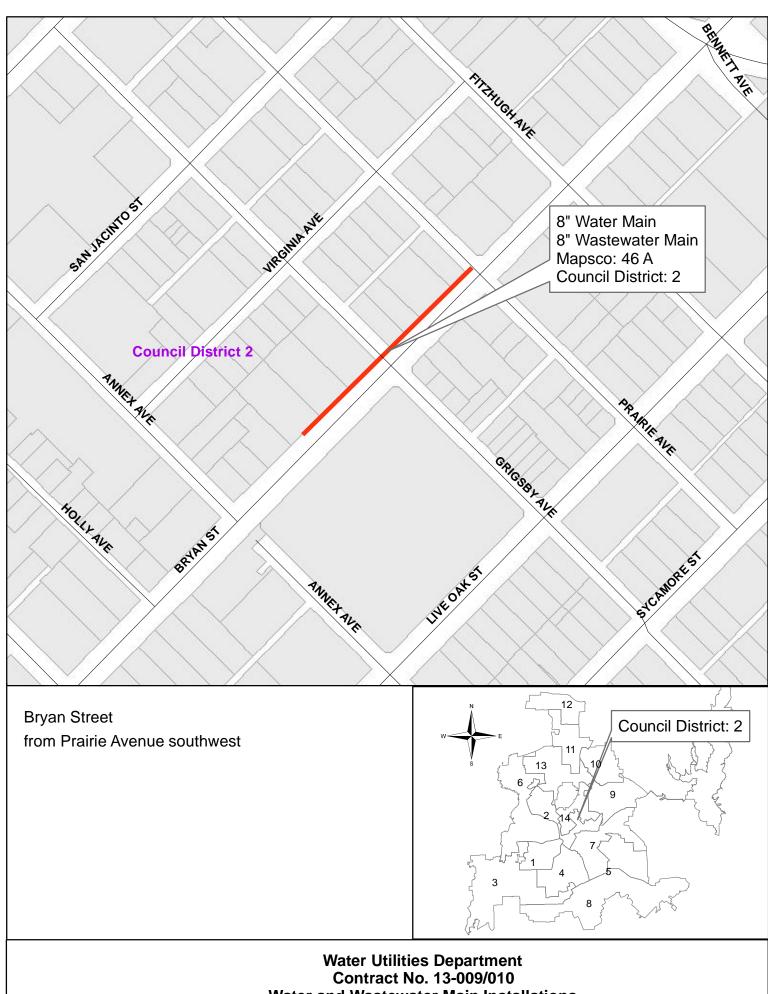
Non-Local Contractors / Sub-Contractors

Non-local	Certification	<u>Amount</u>	<u>Percent</u>
SHEA Services, Inc.	WFDB58250Y0714	\$550,590.00	16.63%
Total Minority - Non-local		\$550,590.00	16.63%

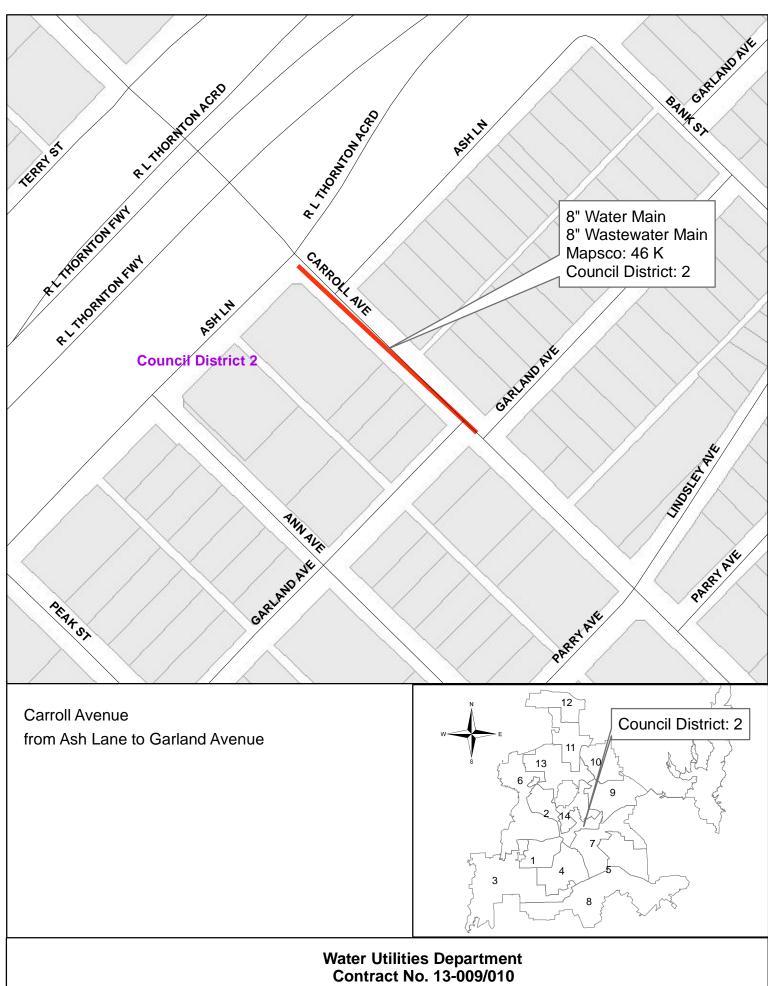
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY Page 2

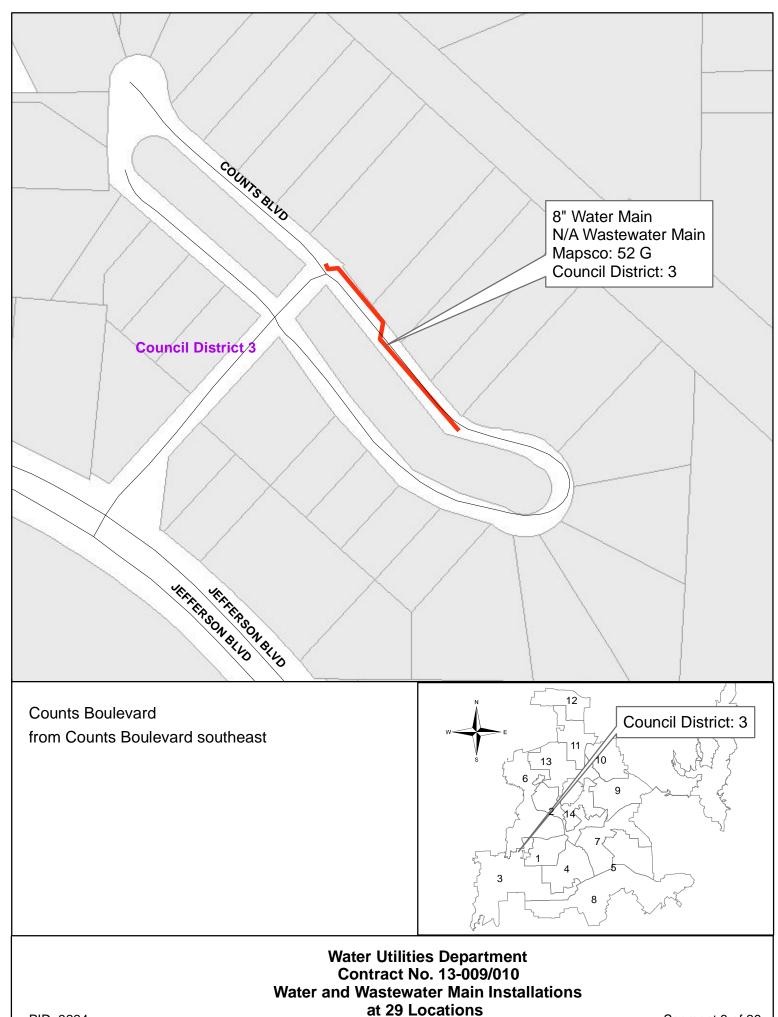
TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	Local & Non-Local	Percent
African American	\$650,547.70	6.79%	\$650,547.70	5.05%
Hispanic American	\$2,023,358.00	21.12%	\$2,023,358.00	15.70%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$47,678.00	0.50%	\$598,268.00	4.64%
Total	\$2,721,583.70	28.41%	\$3,272,173.70	25.39%

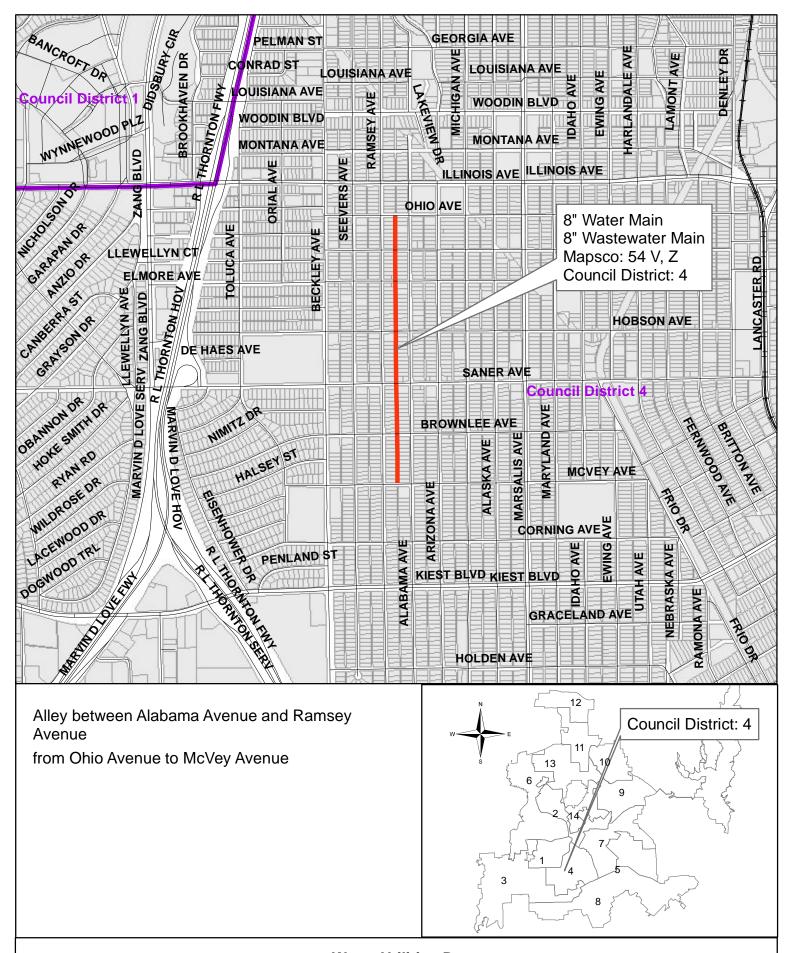


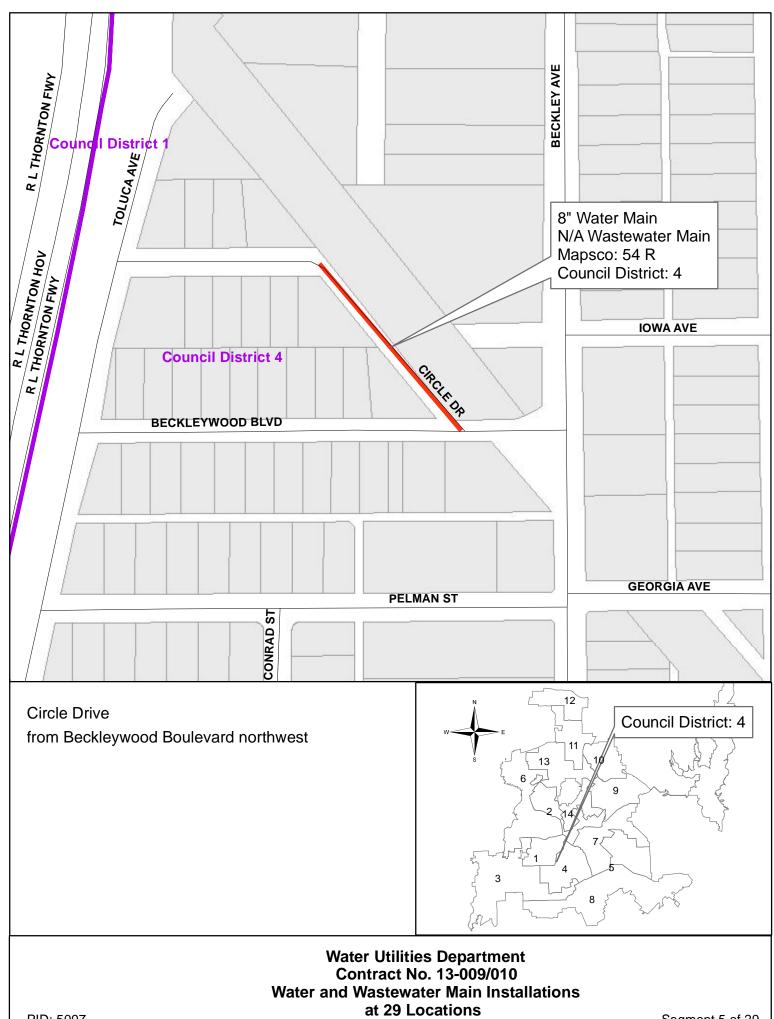
Segment 1 of 29 PID: 5043



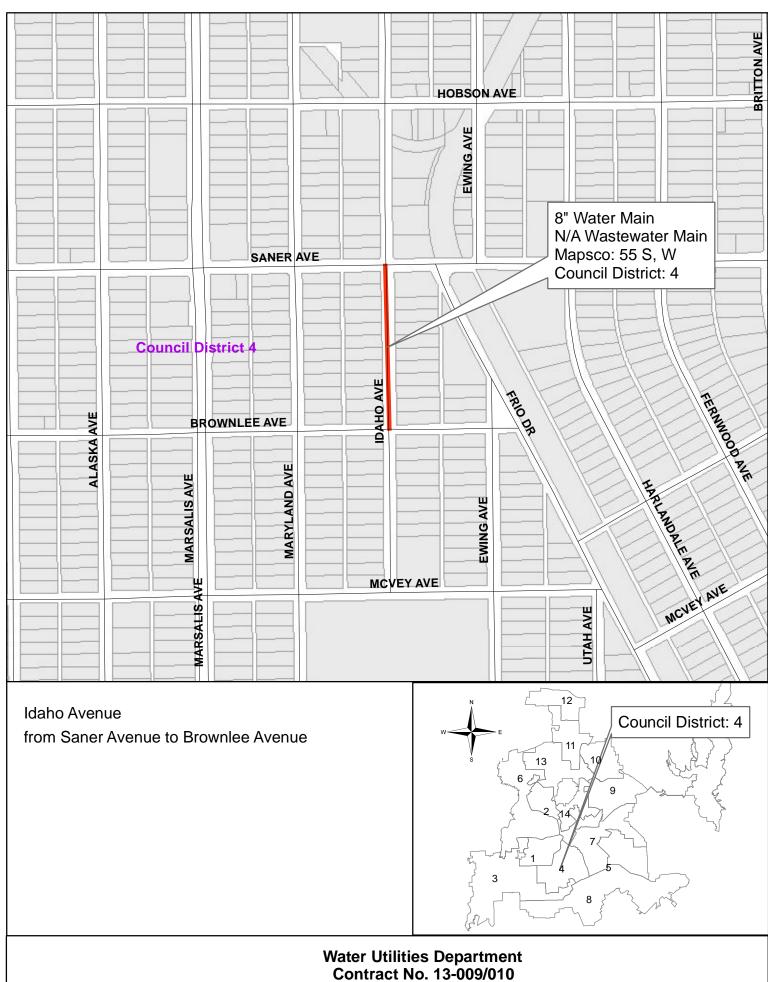


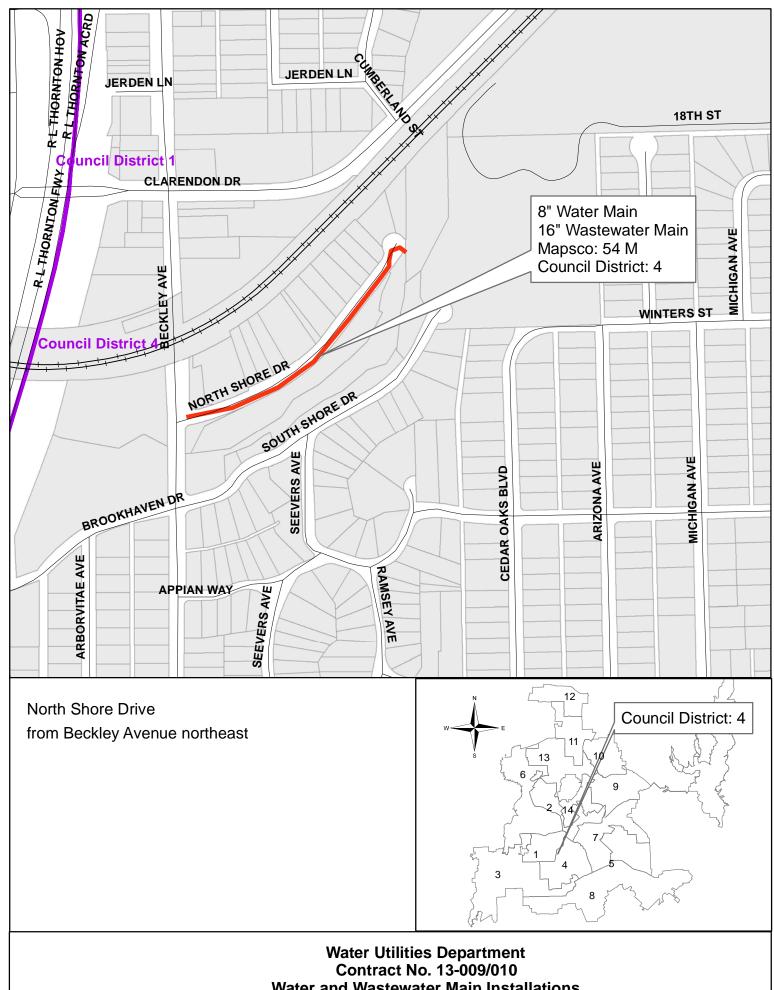
PID: 3224 Segment 3 of 29



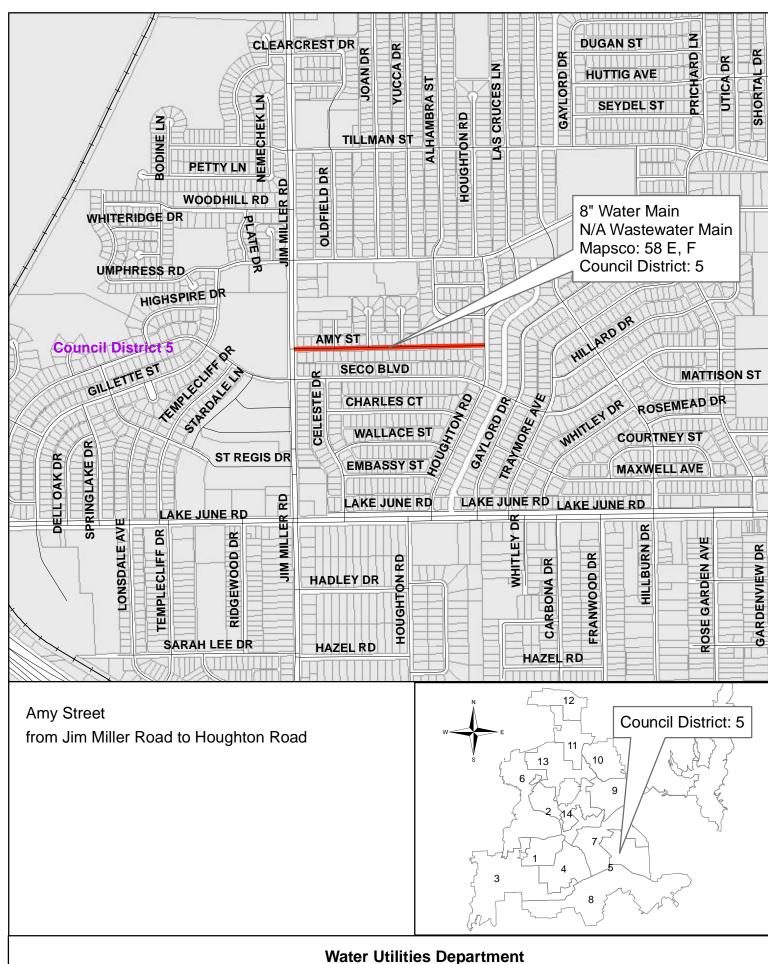


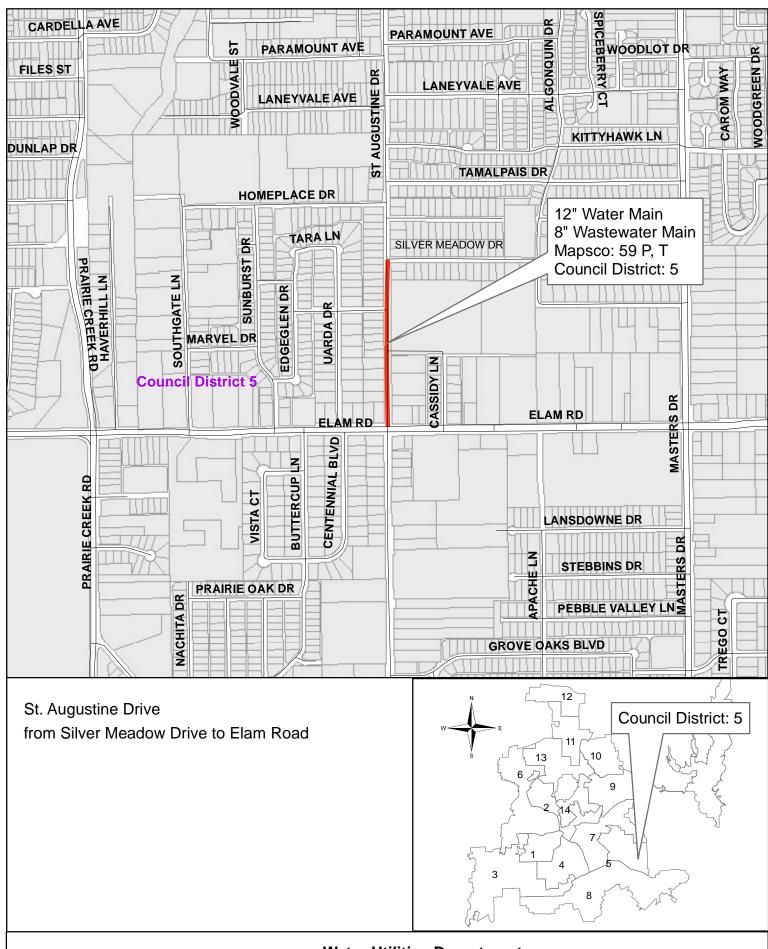
Segment 5 of 29 PID: 5097

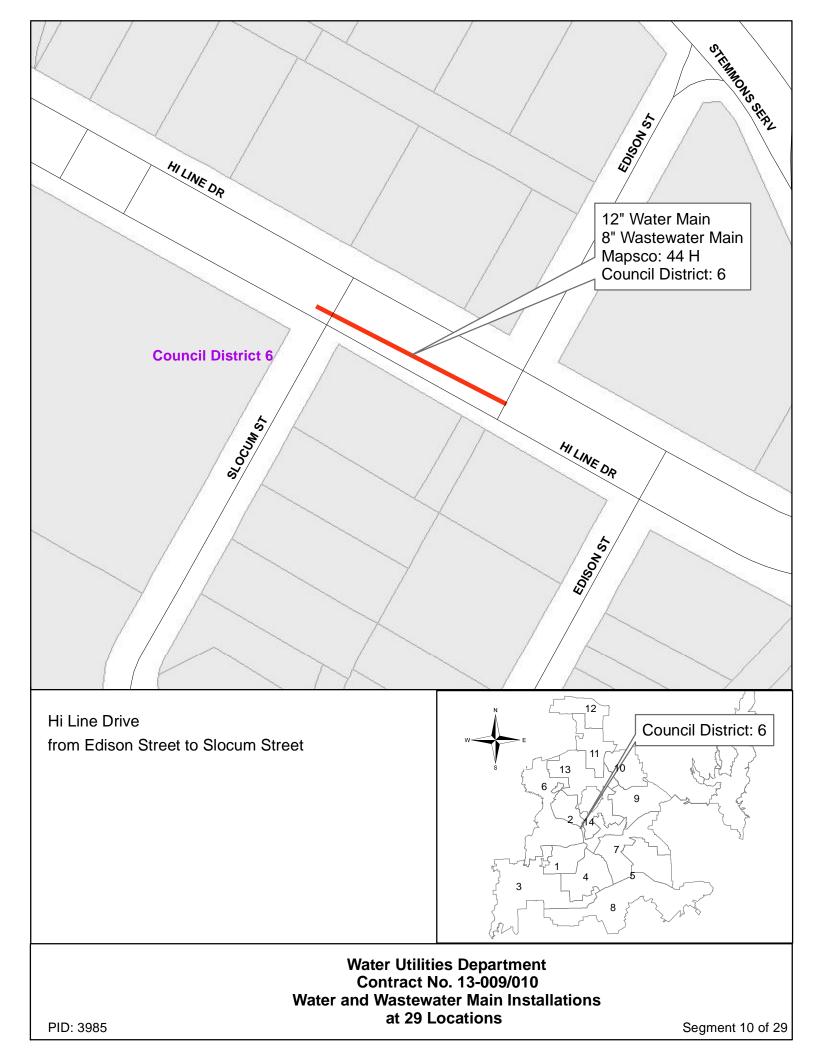


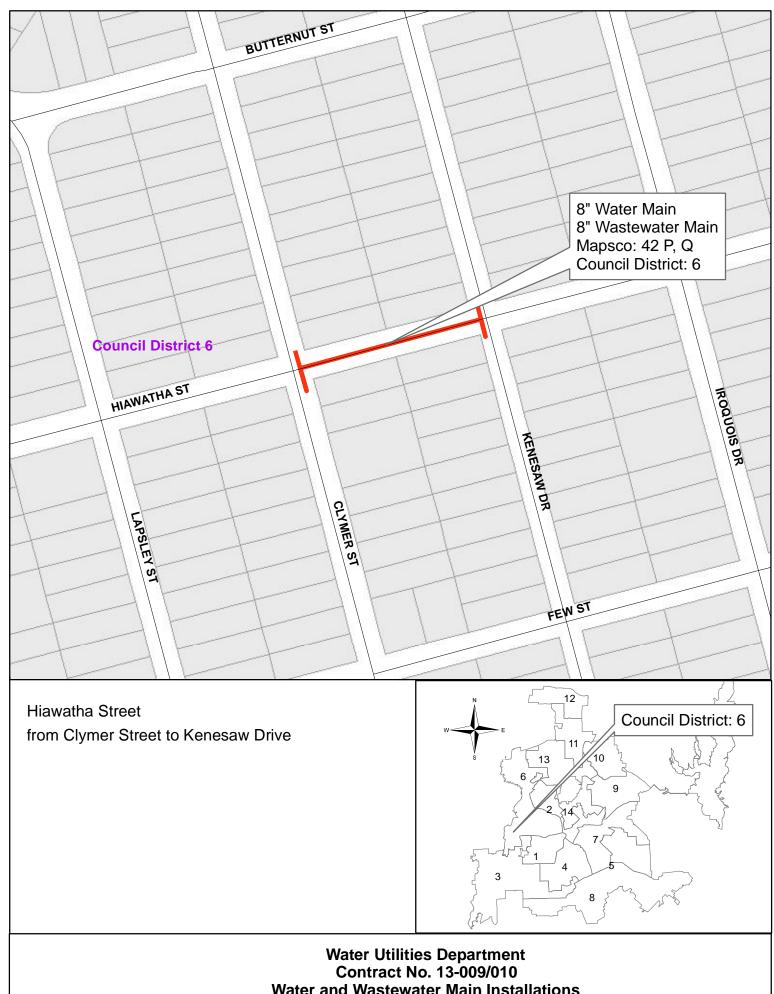


Water and Wastewater Main Installations at 29 Locations

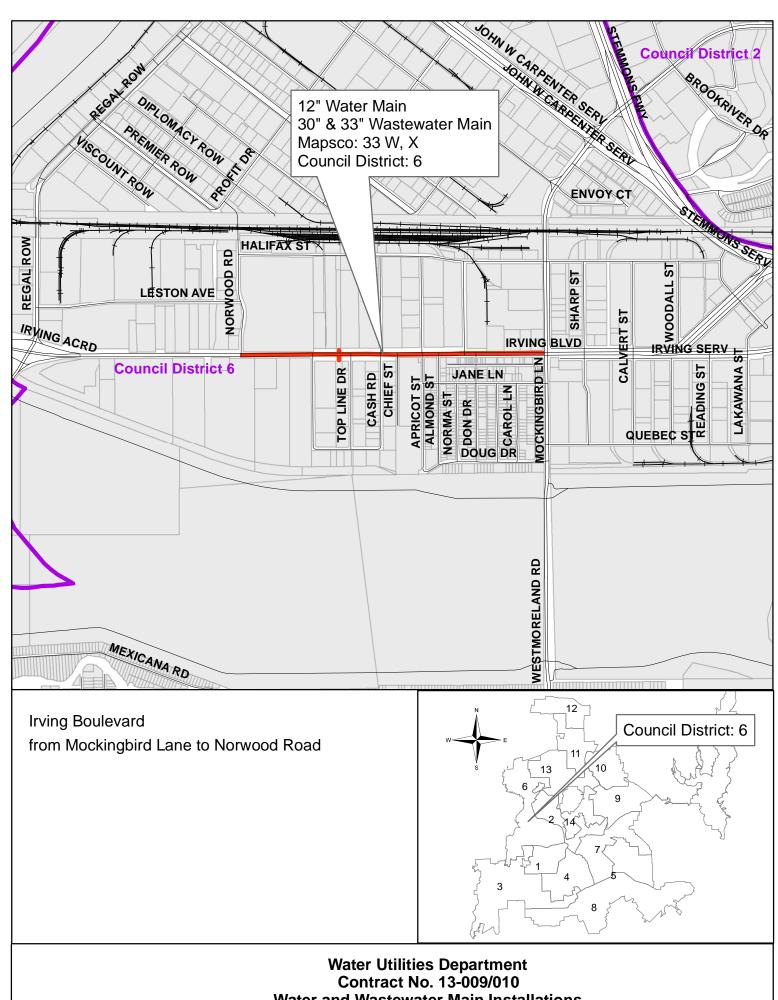




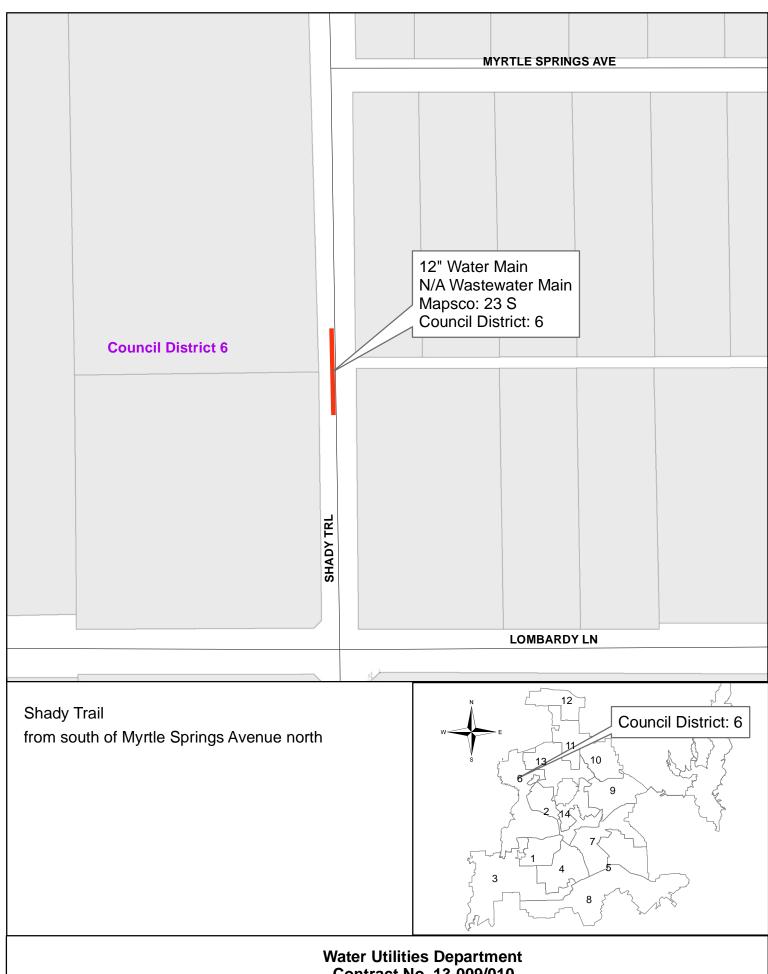


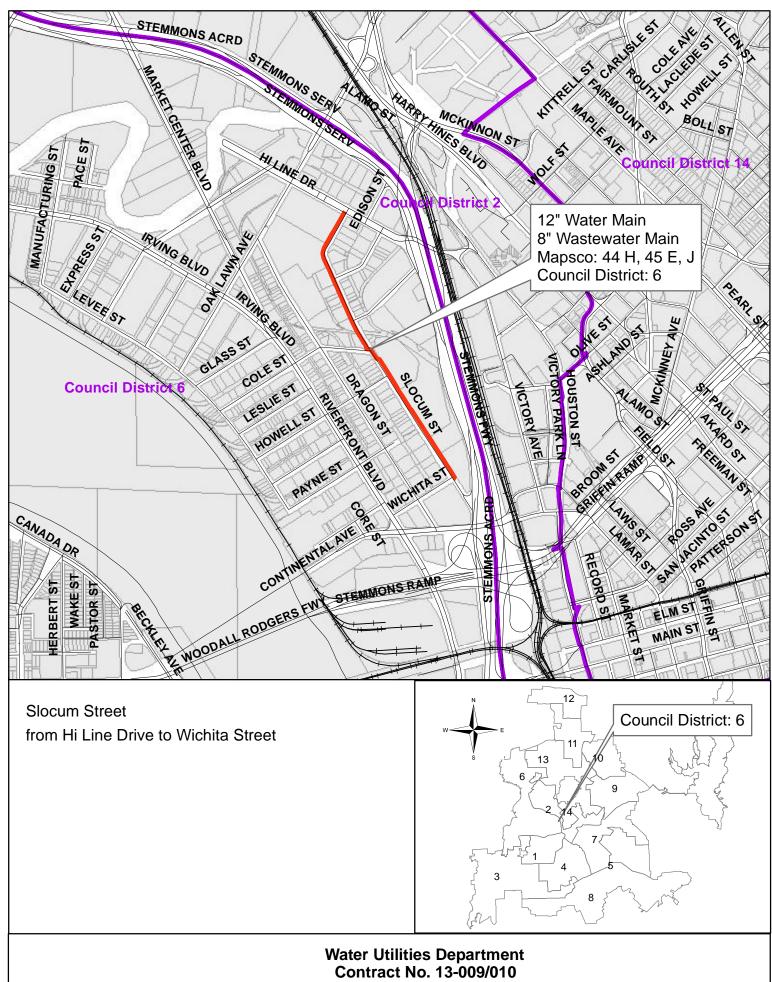


Water and Wastewater Main Installations at 29 Locations

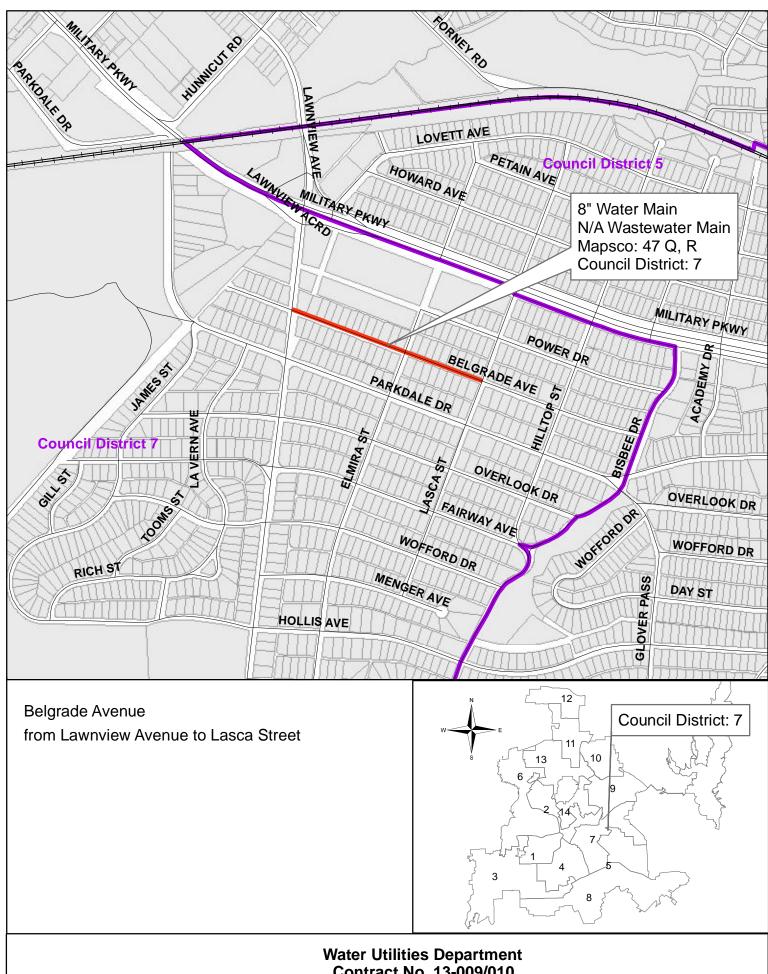


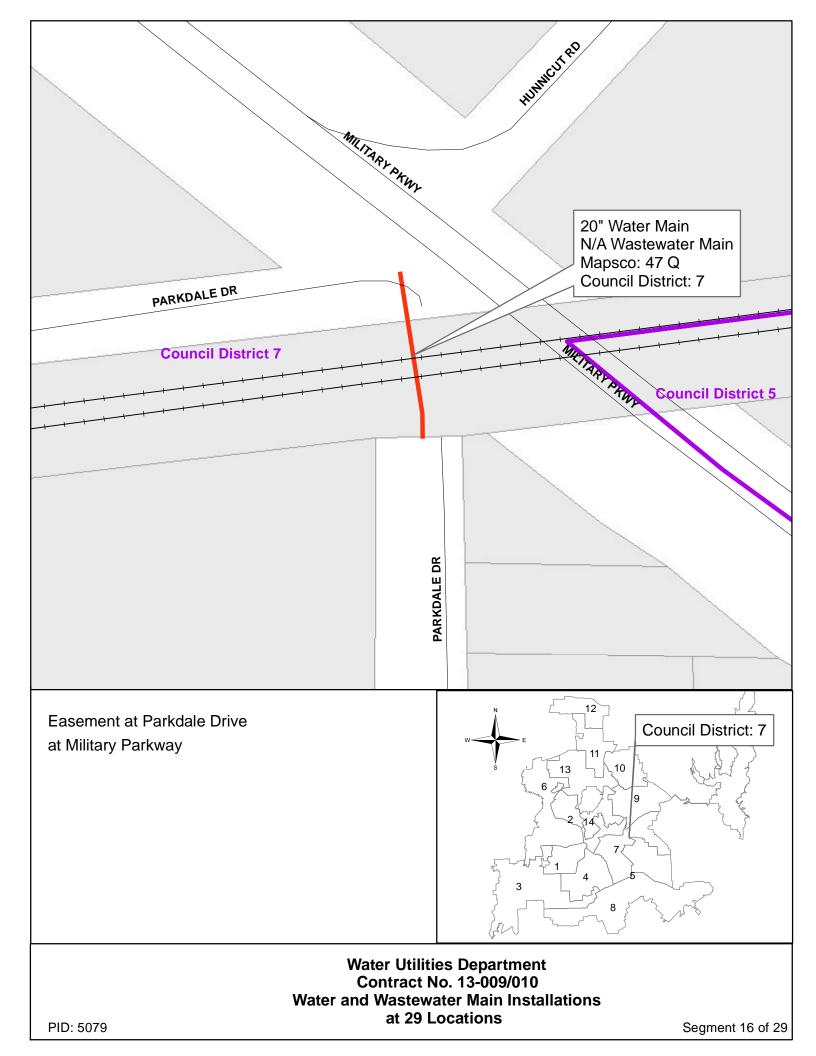
Water and Wastewater Main Installations at 29 Locations

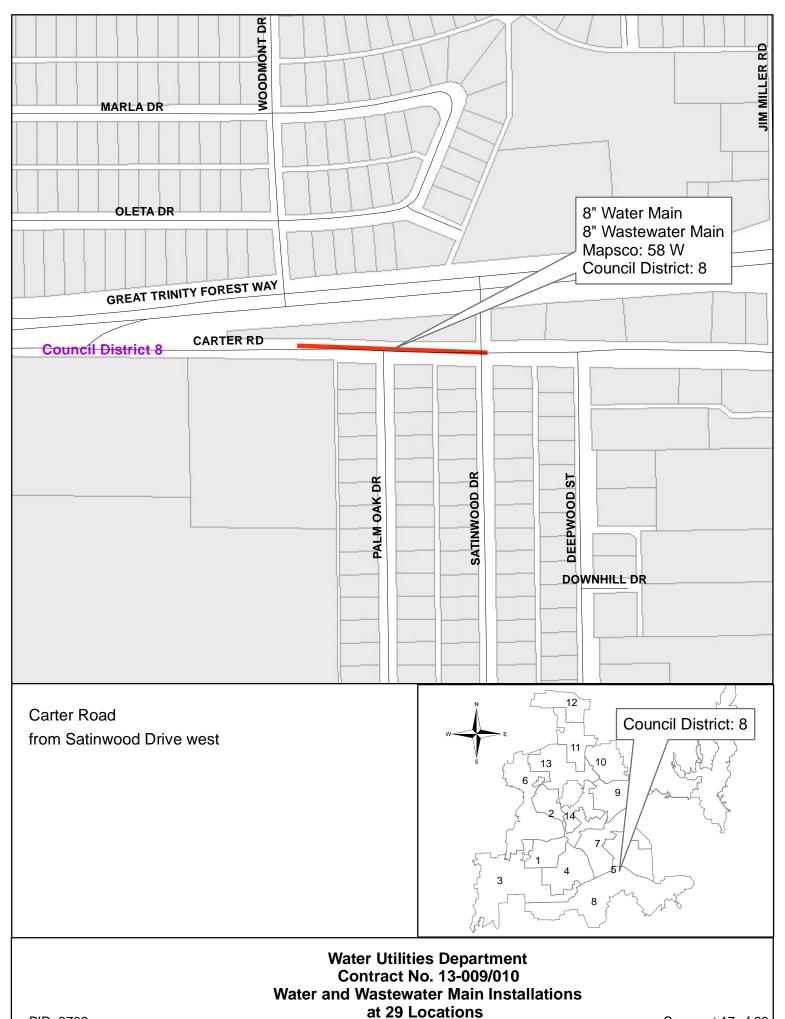




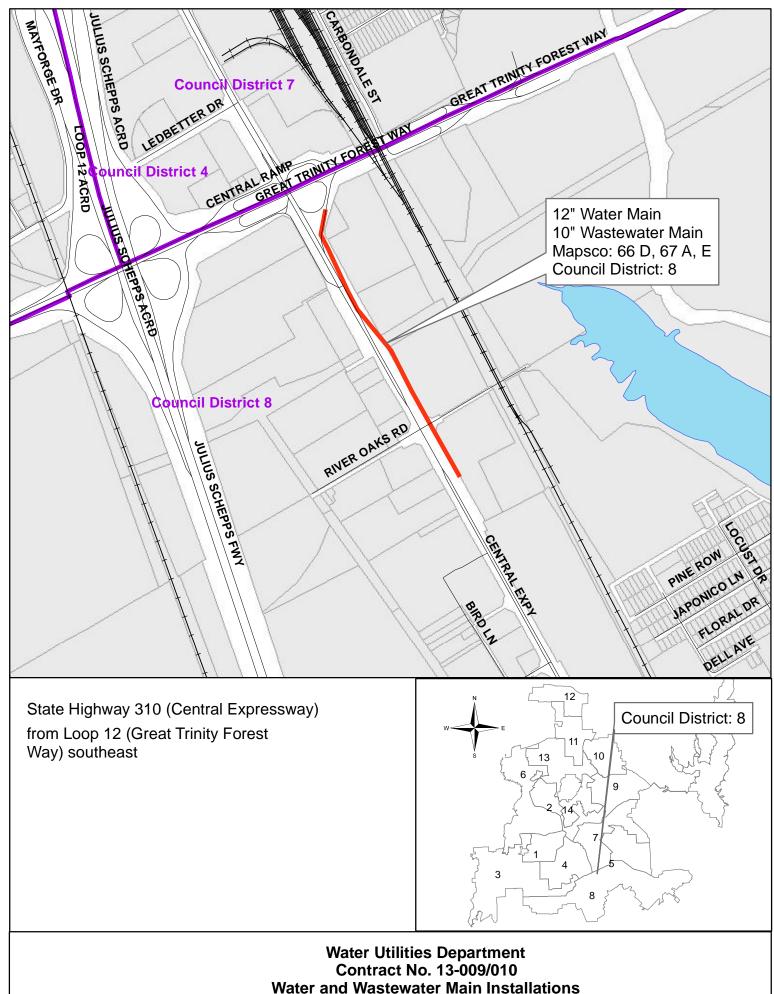
Water and Wastewater Main Installations at 29 Locations





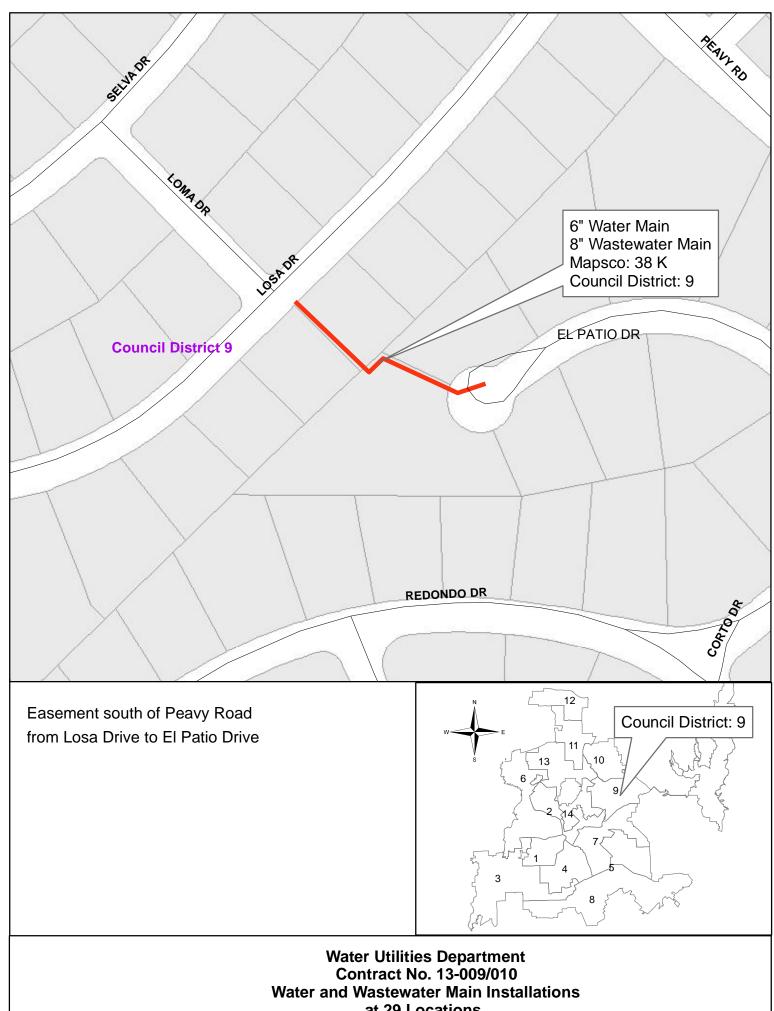


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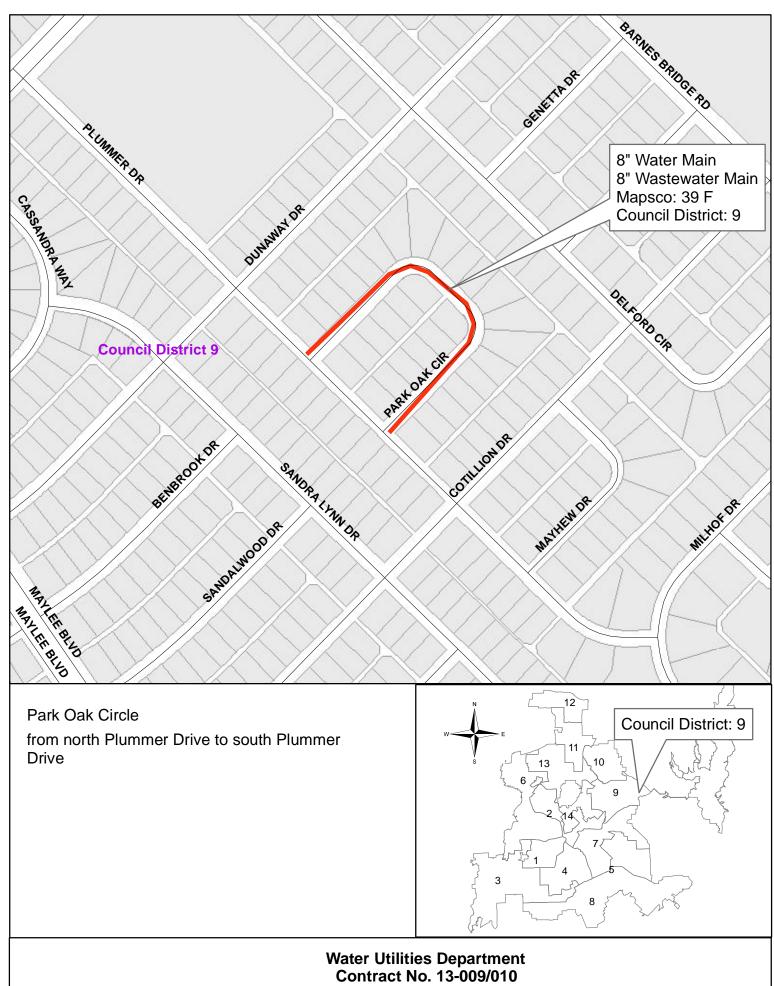
Water and Wastewater Main Installations at 29 Locations

Segment 18 of 29



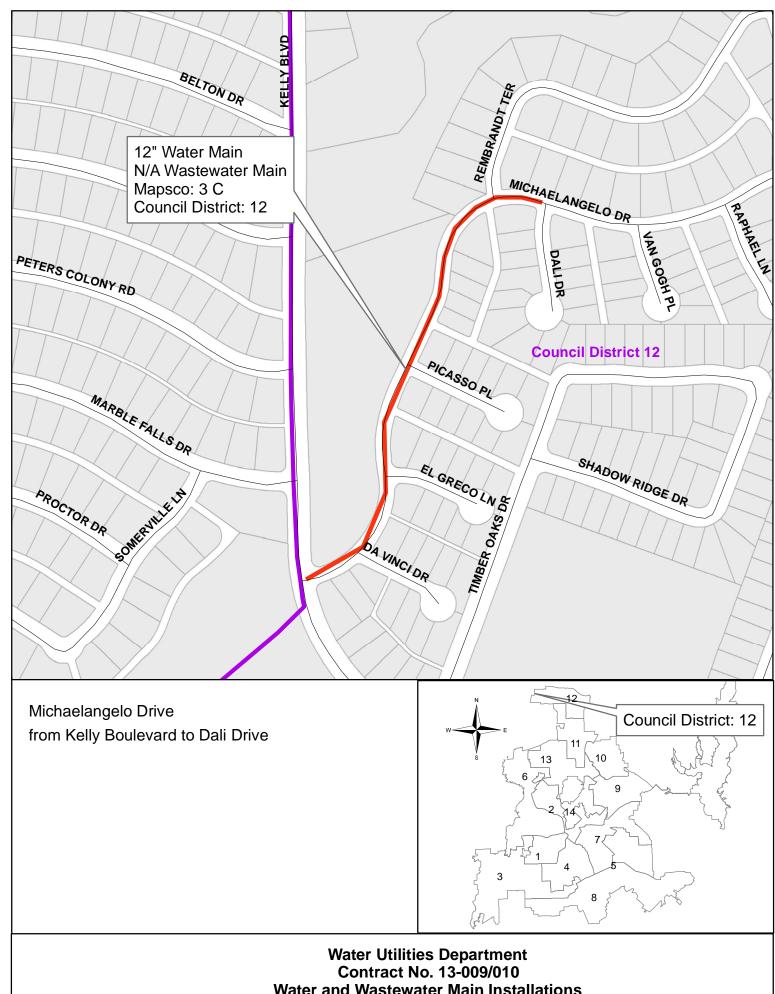
at 29 Locations PID: 5000

Segment 19 of 29

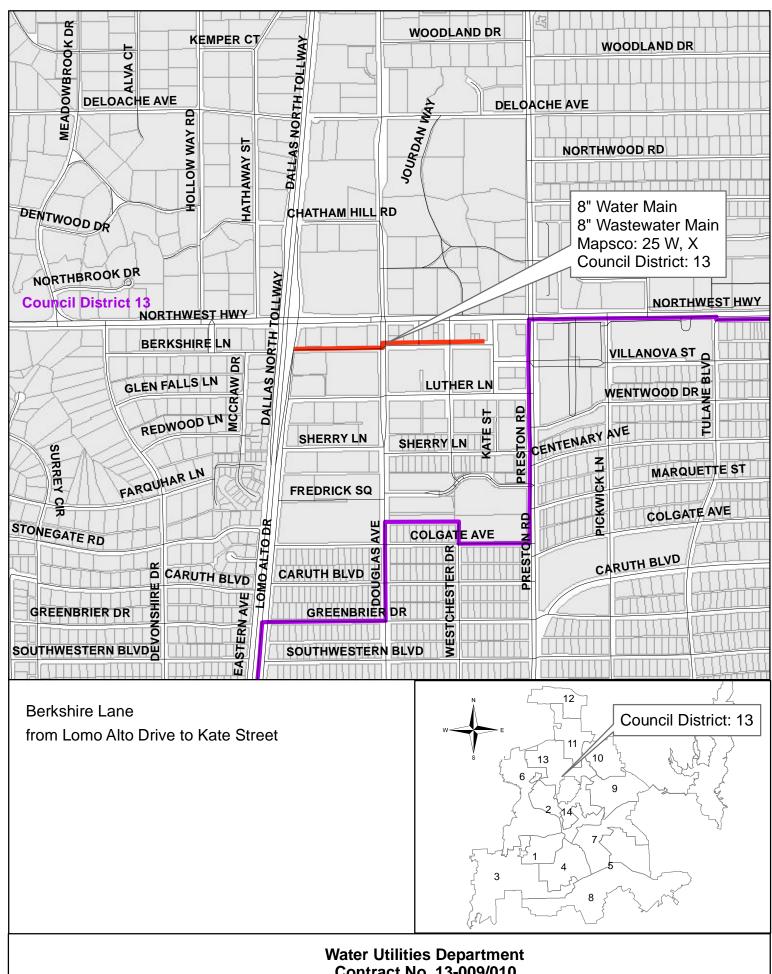


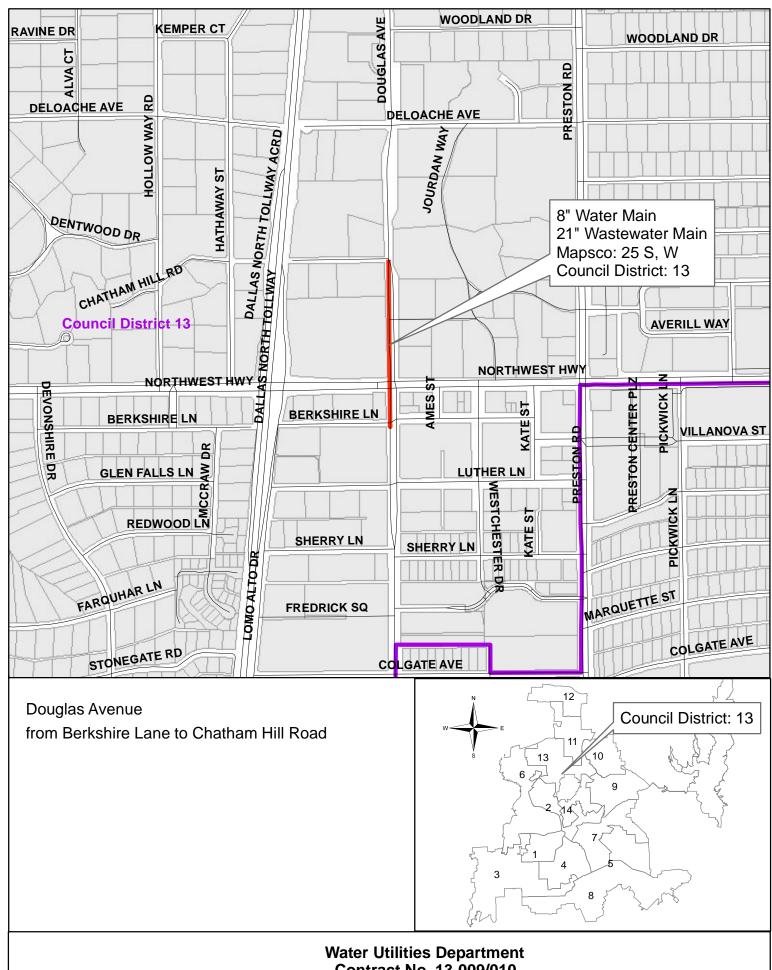
Water and Wastewater Main Installations at 29 Locations

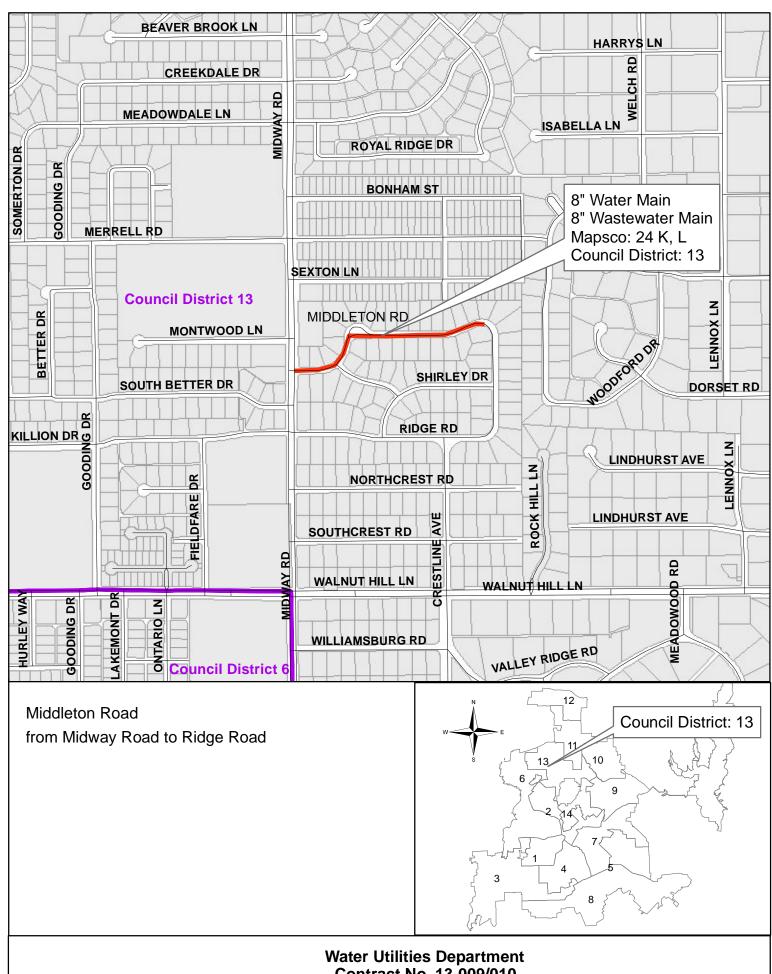


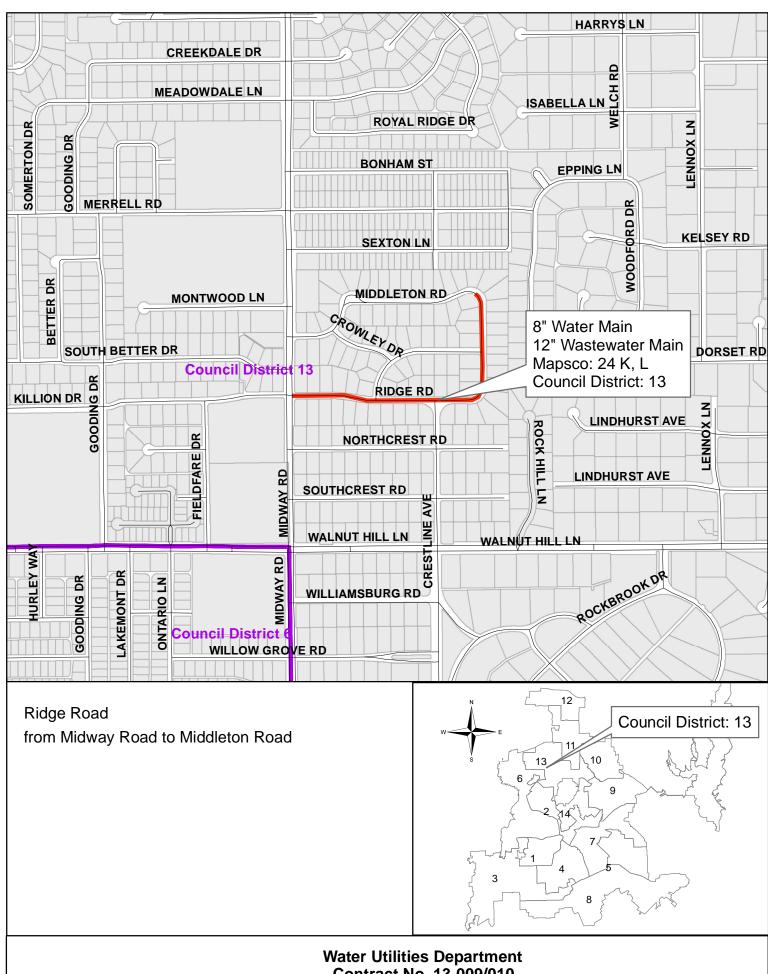


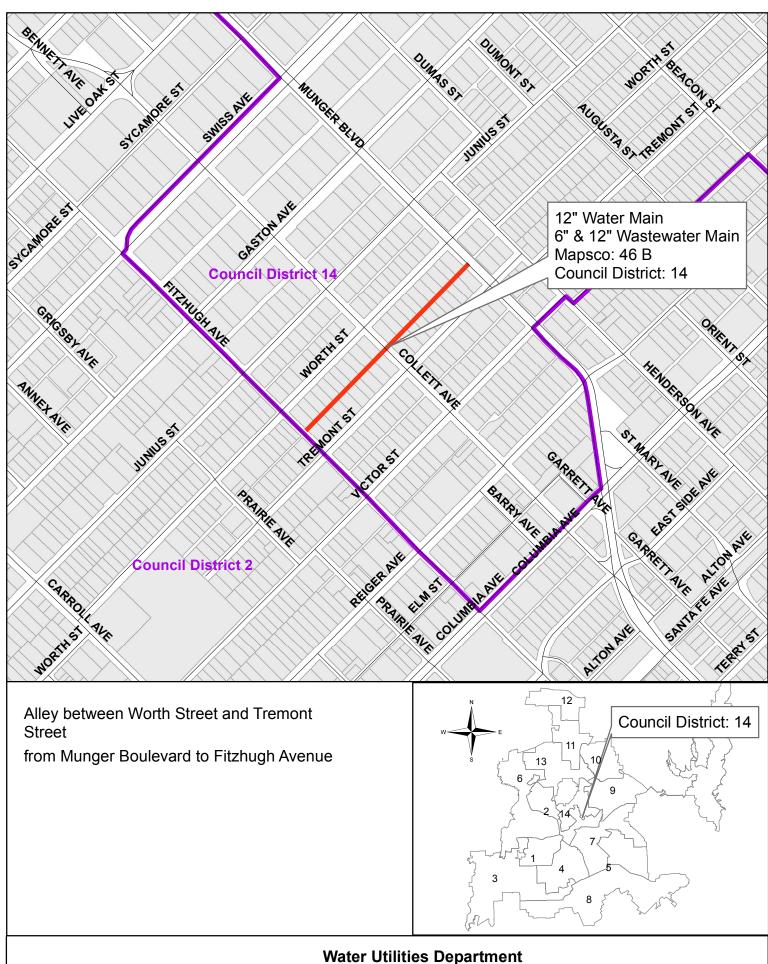
Water and Wastewater Main Installations at 29 Locations

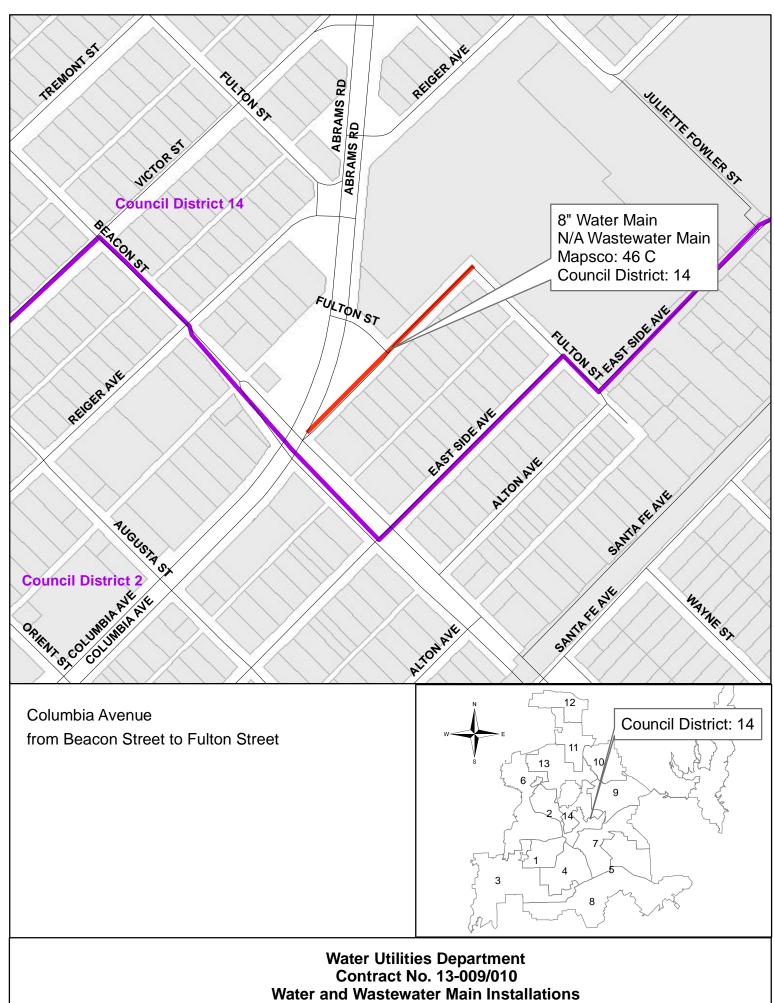




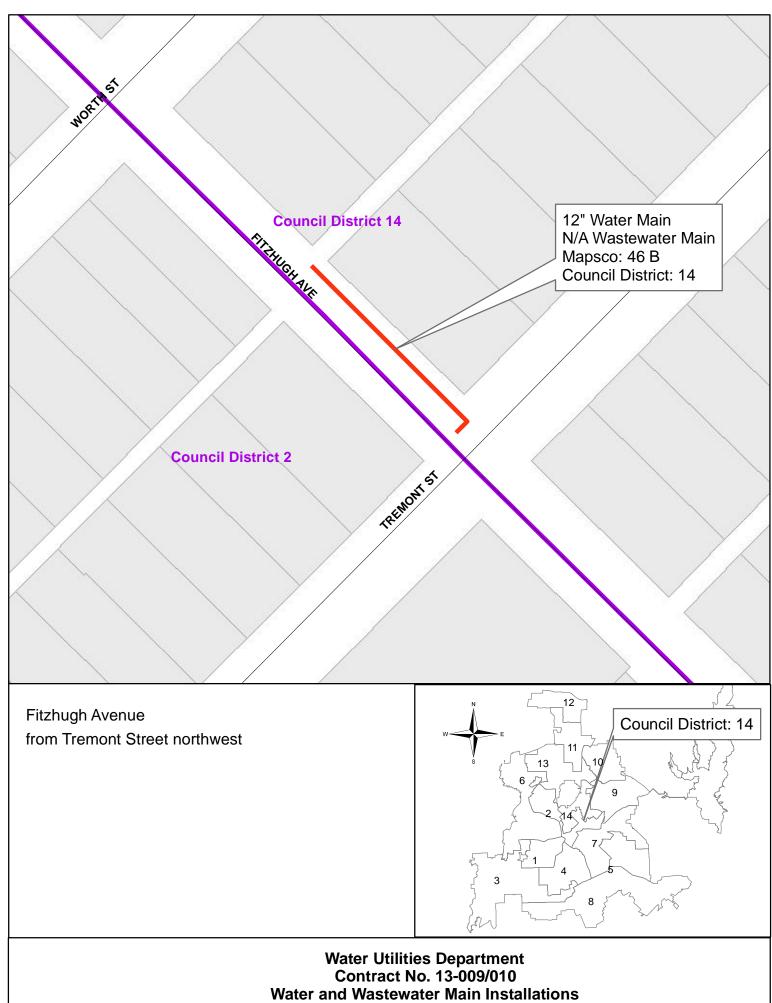








at 29 Locations



at 29 Locations

PID: 5437

Segment 29 of 29

WHEREAS, bids were received on June 6, 2013 for the installation of water and wastewater mains at 29 locations, Contract No. 13-009/010, listed as follows:

<u>BIDDERS</u>	BID AMOUNT	
John Duma Construction Company of Toyon Inc	Φ4Ω ΩΩΩ Ω <u>Γ</u> Ω ΩΩ	
John Burns Construction Company of Texas, Inc.	\$12,888,856.00	
Ark Contracting Services, LLC	\$14,387,700.50	
S.J. Louis Construction of Texas, Ltd.	\$14,877,690.75	
Atkins Bros. Equipment Co., Inc.	\$15,556,969.50	
Omega Contracting, Inc.	\$15,920,948.00	

WHEREAS, the bid submitted by John Burns Construction Company of Texas, Inc., 655 East Main Street, Lewisville, Texas 75067, in the amount of \$12,888,856.00, is the lowest and best of all bids received.

Now, Therefore,

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

Section 1. That the bid submitted by John Burns Construction Company of Texas, Inc. in the amount of \$12,888,856.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 13-009/010, be accepted.

Section 2. That the City Manager is hereby authorized to execute a contract with John Burns Construction Company of Texas, Inc., for the installation of water and wastewater mains at 29 locations, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$12,888,856.00 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0115 DWU PW40 MPSA 4550 713009 W3EX CTDWU713009CP VS0000000852

John Burns Construction Company of Texas, Inc. - \$9,135,617.00

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0116 DWU PS40 MPSA 4560 713010 T2RH CTDWU713010CP VS0000000852

John Burns Construction Company of Texas, Inc. - \$3,753,239.00

August 28, 2013

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.

WHEREAS, on January 10, 1955, the City Council authorized a license agreement between the City of Dallas and The Texas and Pacific Railway Company n/k/a Union Pacific Railroad Company, by Resolution No. 55-153, for granting the City of Dallas permission to construct, maintain, and operate a 20-inch water main across and under a right-of-way and tracks of Union Pacific Railroad Company; and,

WHEREAS, the Water Utilities Department now needs to relocate a section of the existing 20-inch water main by installing approximately 144 feet of 20-inch water main across and under the Union Pacific Railroad Company right-of-way and tracks located on the south side of Parkdale Drive; and,

WHEREAS, it is necessary to authorize a Supplemental Agreement to reflect the substitution of a map dated December 9, 1953 with a map dated April 29, 2013;

WHEREAS, upon execution and delivery of the Supplemental Agreement, the City of Dallas shall pay an administrative handling charge of \$1,000.00 to Union Pacific Railroad Company.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement be accepted and the original license agreement with Union Pacific Railroad Company, be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the Supplemental Agreement after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$1,000.00 from the Water Construction Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0102 DWU CW40 MPSA 3099 713009X W3FG CTDWU713009EN 266649

Union Pacific Railroad Company - \$1,000.00

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

AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 4, 8

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: 56 J 79 G

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Carollo Engineers, Inc. for additional engineering services associated with solids handling improvements at the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant - Not to exceed \$678,300, from \$1,173,802 to \$1,852,102 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

Solids produced during the wastewater treatment process at both of the City's wastewater plants are consolidated and disposed of at the Southside Wastewater Treatment Plant. Proper handling of these solids is important in reducing operational and maintenance costs, reducing the amount of odor generated, and maximizing the amount of methane produced for use in the Cogeneration facility. The 2010 Wastewater Treatment Facilities Strategic Plan identified several solids process improvements at each plant, which if implemented, would significantly improve operational and maintenance costs at both plants.

This item is the second of two planned awards for engineering services for solids handling improvements at the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant. The original contract included the investigation, study, and preparation of a design report outlining the recommended improvements and evaluated alternatives. Based on these recommendations, this Supplemental Agreement No. 1 will provide the detailed design and construction administration services associated with the Solids Handling Improvements at both wastewater treatment plants. Among the items included in this work are: solids pumping modifications to decrease operational costs, digester mixing improvements to increase biogas production and decrease grit accumulation, and piping modifications to reduce phosphate scaling and associated maintenance costs.

The estimated construction cost associated with this design project is \$6,700,000.00.

ESTIMATED SCHEDULE OF PROJECT

Begin Design October 2013
Complete Design June 2014
Begin Construction September 2014

Complete Construction June 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Carollo Engineers, Inc. to provide engineering services associated with solids handling improvements at the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant on October 10, 2011, by Resolution No. 11-2745.

FISCAL INFORMATION

\$678,300.00 - Water Utilities Capital Improvement Funds

Design \$1,173,802.00 Supplemental Agreement No. 1 (this action) \$678,300.00

Total Project Cost \$1,852,102.00

Council <u>District</u>	<u>Amount</u>	
4 8	\$337,400.00 \$340,900.00	
Total	\$678,300.00	

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Carollo Engineers, Inc.

Hispanic Female	22	Hispanic Male	23
Black Female	7	Black Male	9
Other Female	21	Other Male	60
White Female	163	White Male	376

OWNER

Carollo Engineers, Inc.

Balakrishnan Narayanan, Chief Executive Officer

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with Carollo Engineers, Inc. for additional engineering services associated with solids handling improvements at the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant - Not to exceed \$678,300, from \$1,173,802 to \$1,852,102 - Financing: Water Utilities Capital Improvement Funds

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts Non-local contracts	\$678,300.00 \$0.00	100.00% 0.00%
TOTAL THIS ACTION	\$678.300.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

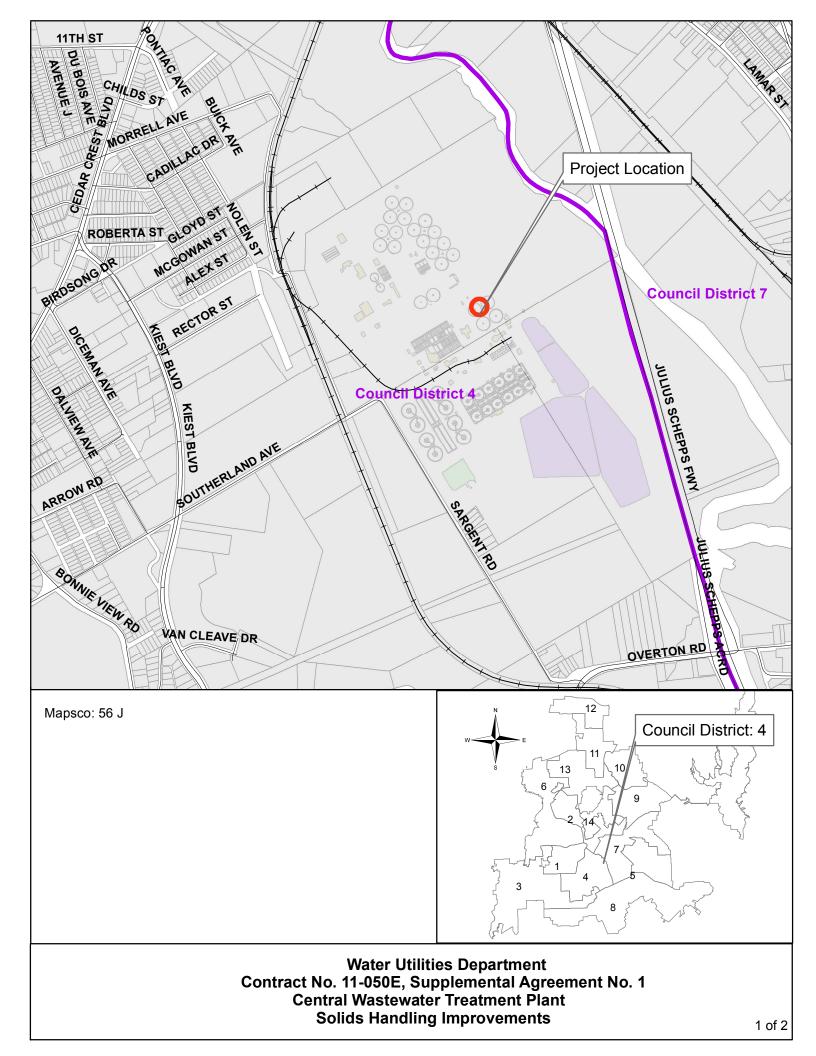
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
JQ Infrastructure, LLC	IMDB58200Y0714	\$1,000.00	0.15%
MPR Group, Inc.	PMDB56276Y0114	\$135,000.00	19.90%
Gupta & Associates, Inc.	PMMB57943Y0714	\$98,100.00	14.46%
Total Minority - Local		\$234,100.00	34.51%

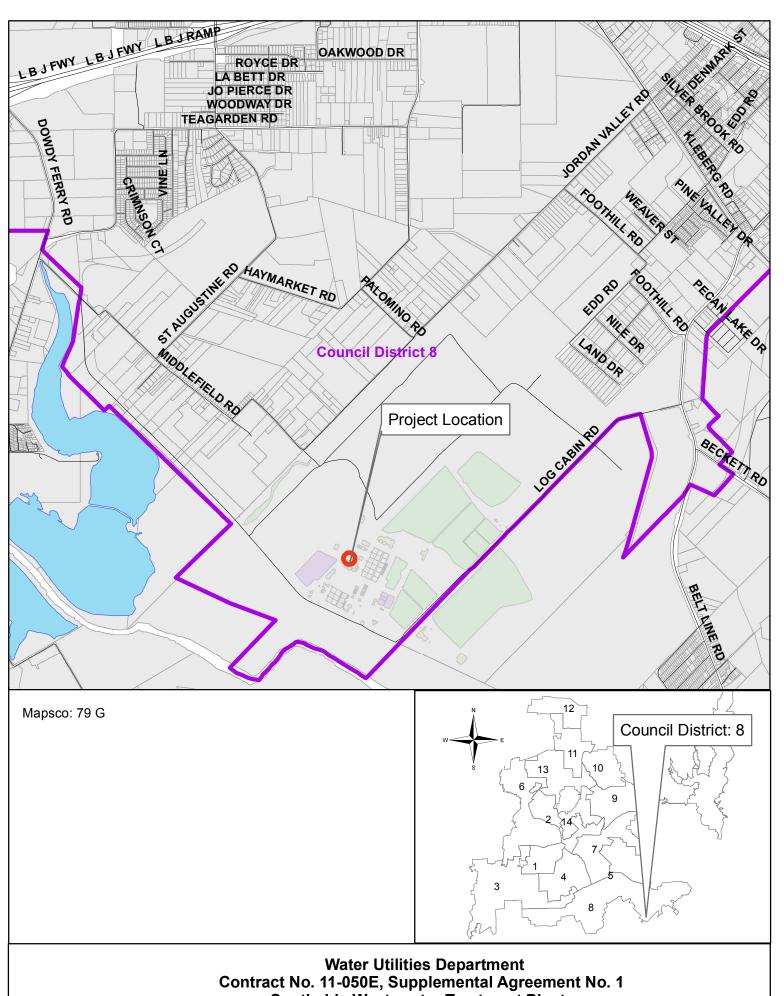
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation Pa	n to Date
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$8,678.20	0.47%
Hispanic American	\$0.00	0.00%	\$29,758.00	1.61%
Asian American	\$234,100.00	34.51%	\$454,435.00	24.54%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$42,775.00	2.31%
Total	\$234,100.00	34.51%	\$535,646.20	28.92%





Southside Wastewater Treatment Plant Solids Handling Improvements

WHEREAS, on October 10, 2011, the City Council awarded Contract No. 11-050E in the amount of \$1,173,802.00, by Resolution No. 11-2745, to Carollo Engineers, Inc., 14785 Preston Road, Suite 950, Dallas, Texas 75254, to provide engineering services associated with solids handling improvements at the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant; and,

WHEREAS, the City of Dallas has investigated, evaluated, and identified necessary improvements and modifications to decrease operational and maintenance costs and increase biogas production at the solids handling facilities at the Central and Southside Wastewater Treatment Plants; and,

WHEREAS, engineering services are required for the detailed design and construction administration services; and,

WHEREAS, Carollo Engineers, Inc., has submitted an acceptable proposal to provide these engineering services for the Central and Southside Wastewater Treatment Plants; and,

WHEREAS, the Water Utilities Department recommends that Contract No. 11-050E be increased by \$678,300.00, from \$1,173,802.00 to \$1,852,102.00.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 1 be accepted and that Contract No. 11-050E with Carollo Engineers, Inc., be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$678,300.00 from the Water Capital Improvement Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 2116 DWU PS31 WWTP 4111 711050 T2SE CTDWU711050CP 339957

Carollo Engineers, Inc. - (Contract No. 11-050E) - \$678,300.00

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

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: 2 T

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant - Not to exceed \$5,622,236, from \$14,062,770 to \$19,685,006 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

In June 2006, the Water Utilities Department initiated a two-part study to investigate the cause of water quality concerns, including rust colored water and inconsistent water quality in parts of the water system. The study and requisite testing confirmed that the treated water chemically changes as it moves through the water distribution system. Recommendations to stabilize the water included process changes, design, construction, and implementation of improvements at all three water treatment plants to improve water quality and deliver stable treated water.

Three engineering firms, one firm for each water treatment plant, were selected based on qualifications, to perform engineering and design services. It was anticipated that each firm would be awarded planned supplemental agreements as work progresses to ensure a targeted approach to design.

This item will award Supplemental Agreement No. 2 for water quality improvements at the Elm Fork Water Treatment Plant. The improvements address continuing services related to the residuals handling portion of the water quality improvement project, on-site sludge lagoon cleaning efforts, repair of the emergency sedimentation basin No. 2, and improvements to Pump Station No. 1. This supplemental agreement is the next step in continuing the Elm Fork Water Treatment Plant Water Quality Improvements program with the design of modifications to existing treatment facilities and construction of new facilities needed to implement the Water Quality Study recommendations.

BACKGROUND (Continued)

The improvements in Supplemental Agreement No. 1 included design, bid and construction phase services for a new chlorine system. It also included design and bid services for residual handling improvements.

The Elm Fork Water Treatment Plant located in Carrollton, Texas, the second largest of the three water treatment plants serving customers of the Water Utilities Department was constructed in the 1950s, underwent an expansion and renovation to its current capacity of 300 million gallons per day in the early 1990s, and is now in need of water quality improvements to continue providing reliable service and producing high-quality water to customers.

The water quality improvements engineering and design will lead into a phased approach to incorporate the water quality recommendations as they are specifically decided for each water treatment plant. The supplementary phases will include construction phase services.

The estimated construction cost associated with this project is \$125,000,000.

ESTIMATED SCHEDULE OF PROJECT

Began Design June 2010

Complete Design December 2014

Begin Construction July 2014 Complete Construction March 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for the Elm Fork Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1641.

Authorized a Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services for the Elm Fork Water Treatment Plant water quality improvements on September 14, 2011, by Resolution No. 11-2422.

FISCAL INFORMATION

\$5,622,236.00 - Water Utilities Capital Improvement Funds

Design	\$ 7,562,770.00
Supplemental Agreement No. 1	\$ 6,500,000.00
Supplemental Agreement No. 2 (this action)	\$ 5,622,236.00

Total Project Cost \$19,685,006.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Malcolm Pirnie, Inc.

Hispanic Female	1	Hispanic Male	3
Black Female	1	Black Male	0
Other Female	0	Other Male	4
White Female	5	White Male	13

OWNER

Malcolm Pirnie, Inc.

Douglas M. Owen, Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant - Not to exceed \$5,622,236, from \$14,062,770 to \$19,685,006 - Financing: Water Utilities Capital Improvement Funds

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts Non-local contracts	\$5,622,236.00 \$0.00	100.00% 0.00%
TOTAL CHANGE ORDER	\$5.622.236.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	Percent
Azcarate & Assoc. Consulting Eng., LLC Pacheco Koch Consulting Eng., Inc. GSR Andrade Architects, Inc. JQ Infrastructure, LLC Nathan D. Maier Consulting Engineers, Inc.	HMDB57187Y0414 HMDB50579Y0913 HMDB55208Y1013 IMDB58200Y0714 WFWB54327Y0713	\$260,700.00 \$150,800.00 \$111,600.00 \$402,200.00 \$544,800.00	4.64% 2.68% 1.98% 7.15% 9.69%
Total Minority - Local		\$1,470,100.00	26.15%

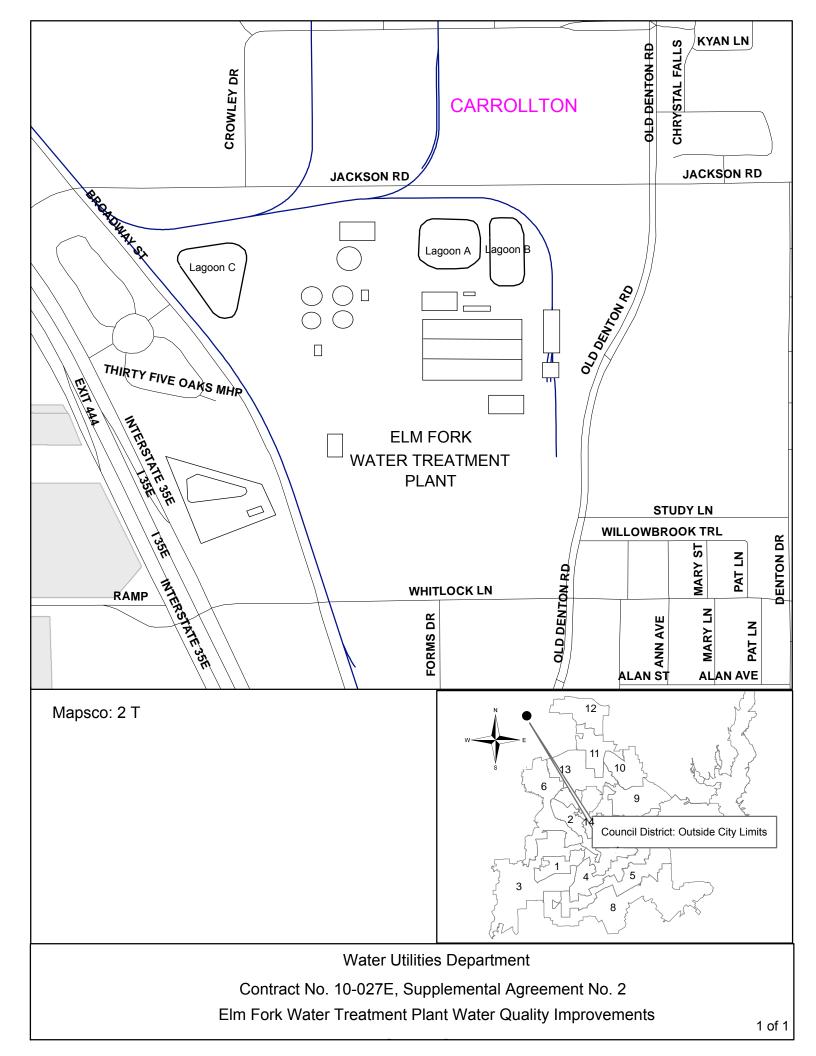
Non-Local Contractors / Sub-Contractors

None

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$340,000.00	1.73%
Hispanic American	\$523,100.00	9.30%	\$2,101,963.00	10.68%
Asian American	\$402,200.00	7.15%	\$1,674,385.00	8.51%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$544,800.00	9.69%	\$1,014,414.00	5.15%
Total	\$1,470,100.00	26.15%	\$5,130,762.00	26.06%



WHEREAS, on June 23, 2010, the City Council awarded Contract No. 10-027E in the amount of \$7,562,770.00, by Resolution No. 10-1641, to Malcolm Pirnie, Inc., 12400 Coit Road, Suite 1200, Dallas, Texas 75251, to provide engineering services for the Elm Fork Water Treatment Plant water quality improvements; and,

WHEREAS, on September 14, 2011, the City Council awarded Supplemental Agreement No. 1 in the amount of \$6,500,000.00, by Resolution No. 11-2422 to Malcolm Pirnie, Inc., to provide additional engineering services for the Elm Fork Water Treatment Plant water quality improvements; and,

WHEREAS, the Elm Fork Water Treatment Plant is in need of water quality updates to continue providing high-quality water to customers; and,

WHEREAS, additional engineering services are required for the design of these improvements; and,

WHEREAS, Malcolm Pirnie, Inc. has submitted an acceptable proposal to provide these engineering services; and,

WHEREAS, the Water Utilities Department recommends that Contract No. 10-027E be increased by \$5,622,236.00, from \$14,062,770.00 to \$19,685,006.00.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 2 be accepted and that Contract No. 10-027E with Malcolm Pirnie, Inc., be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$5,622,236.00 from the Water Capital Improvement Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0115 DWU PW31 WTPF 4111 710027 W3FL CTDWU710027CP 341680

Malcolm Pirnie, Inc. - (Contract No. 10-027E) - \$5,622,236.00

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

AGENDA ITEM # 58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6, Outside City Limits

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: 33 G 50A N S T

SUBJECT

Authorize Supplemental Agreement No. 5 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant - Not to exceed \$3,065,116, from \$16,898,073 to \$19,963,189 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

On September 10, 2008, the City Council awarded Contract No. 08-081E, in the amount of \$2,799,689.00 to Jacobs Engineering Group, Inc. for construction management services at the Eastside Water Treatment Plant. The original scope of services included the planning and coordination of multiple construction projects as the City's representative, augmentation of existing City staff, scheduling and coordination of complex construction activities by multiple contractors, evaluation of construction budgets and schedules, provision of value engineering and constructability reviews, and monitoring of the overall quality of the work. The contract is intended to manage approximately \$200,000,000 in ongoing construction projects through FY2013/2014 at the Eastside Water Treatment Plant. A transition of the construction management at the Bachman Water Treatment Plant will also be conducted. The construction projects are components of long-term, multi-phased expansions, rehabilitations, and water quality improvement efforts at all three water treatment plants.

The original construction management services contract was awarded by the City Council on September 10, 2008, for providing services through September 30, 2009 with the intention of an annual authorization via supplemental agreement for subsequent years to assure continuity in management. This item is the fifth annual reauthorization.

ESTIMATED SCHEDULE OF PROJECT

Began Design October 2008 Complete Design September 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant on September 10, 2008, by Resolution No. 08-2455.

Authorized Supplemental Agreement No. 1 to the professional services contract with Jacobs Engineering Group, Inc. to continue to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant on September 23, 2009, by Resolution No. 09-2335.

Authorized Supplemental Agreement No. 2 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant on September 8, 2010, by Resolution No. 10-2310.

Authorized Supplemental Agreement No. 3 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant on August 24, 2011, by Resolution No. 11-2225.

Authorized Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant on September 26, 2012, by Resolution No. 12-2384.

FISCAL INFORMATION

\$3,065,116.00 - Water Utilities Capital Improvement Funds

Professional Services Contract	\$ 2,799,689.00
Supplemental Agreement No. 1	\$ 3,470,112.00
Supplemental Agreement No. 2	\$ 3,345,147.00
Supplemental Agreement No. 3	\$ 3,321,598.00
Supplemental Agreement No. 4	\$ 3,961,527.00
Supplemental Agreement No. 5 (this action)	\$ 3,065,116.00

Total Project Cost \$19,963,189.00

Council <u>District</u>	<u>Amount</u>	
6 Outside City Limits	\$ 300,000.00 \$2,765,116.00	
Total	\$3,065,116.00	

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Jacobs Engineering Group, Inc.

Hispanic Female	2	Hispanic Male	11
Black Female	5	Black Male	4
Other Female	4	Other Male	10
White Female	15	White Male	69

<u>OWNER</u>

Jacobs Engineering Group, Inc.

Craig L. Martin, President and Chief Executive Officer

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 5 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the Eastside Water Treatment Plant - Not to exceed \$3,065,116, from \$16,898,073 to \$19,963,189 - Financing: Water Utilities Capital Improvement Funds

Jacobs Engineering Group, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts Non-local contracts	\$3,065,116.00 \$0.00	100.00% 0.00%
TOTAL THIS ACTION	\$3,065,116.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

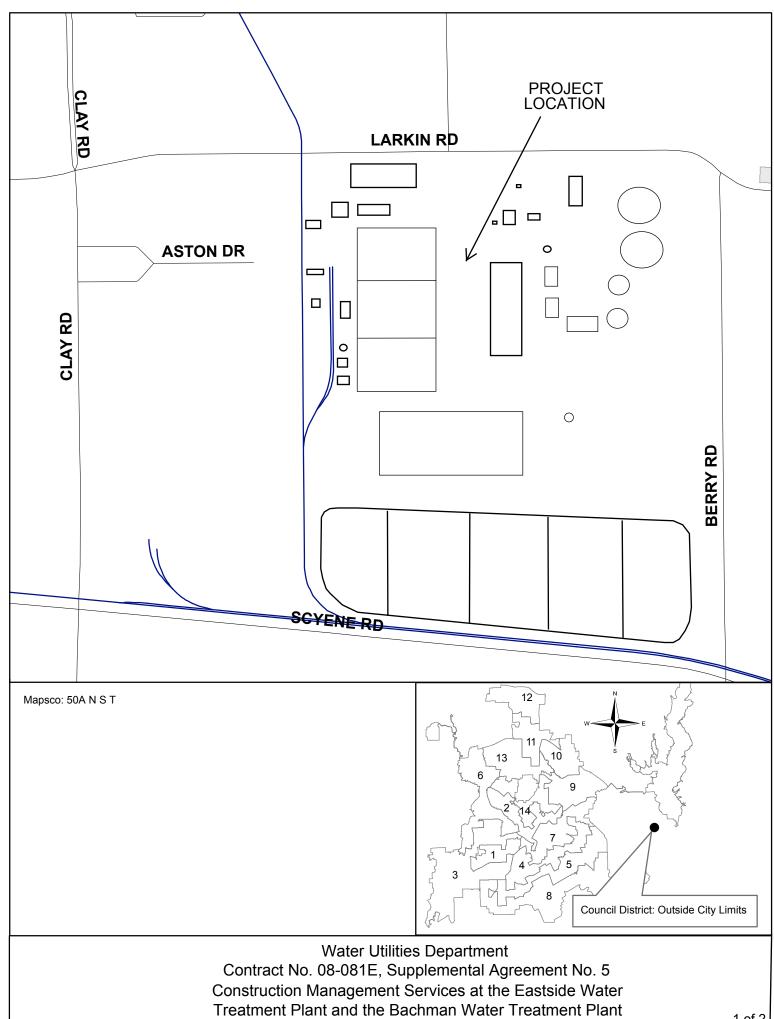
Local	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
APM & Associates, Inc. Campos Engineering, Inc. Word Wizards	BMMB57524Y0514 HMDB55954Y0114 WFDB57079Y0414	\$151,200.00 \$284,160.00 \$464,808.00	4.93% 9.27% 15.16%
Total Minority - Local		\$900,168.00	29.37%

Non-Local Contractors / Sub-Contractors

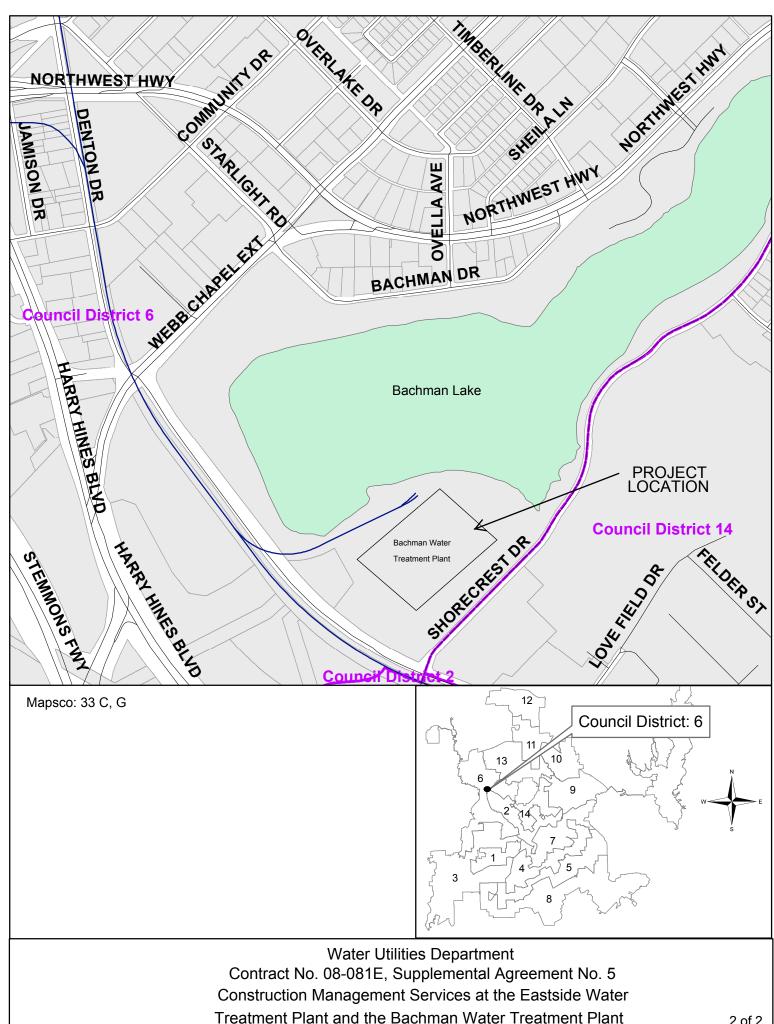
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date		
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>	
African American	\$151,200.00	4.93%	\$975,228.00	4.89%	
Hispanic American	\$284,160.00	9.27%	\$1,365,317.00	6.84%	
Asian American	\$0.00	0.00%	\$0.00	0.00%	
Native American	\$0.00	0.00%	\$0.00	0.00%	
WBE	\$464,808.00	15.16%	\$4,202,635.00	21.05%	
Total	\$900,168.00	29.37%	\$6,543,180.00	32.78%	



1 of 2



2 of 2

WHEREAS, on September 10, 2008, the City Council awarded Contract No. 08-081E, in the amount of \$2,799,689.00, by Resolution No. 08-2455, to Jacobs Engineering Group, Inc., for construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant; and,

WHEREAS, on September 23, 2009, the City Council awarded Supplemental Agreement No. 1, in the amount of \$3,470,112.00, by Resolution No. 09-2335, to Jacobs Engineering Group, Inc., to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant; and,

WHEREAS, on September 8, 2010, the City Council awarded Supplemental Agreement No. 2, in the amount of \$3,345,147.00, by Resolution No. 10-2310, to Jacobs Engineering Group Inc., to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant; and,

WHEREAS, on August 24, 2011, the City Council awarded Supplemental Agreement No. 3, in the amount of \$3,321,598.00, by Resolution No. 11-2225, to Jacobs Engineering Group Inc., to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant; and,

WHEREAS, on September 26, 2012, the City Council awarded Supplemental Agreement No. 4, in the amount of \$3,961,527.00, by Resolution No. 12-2384, to Jacobs Engineering Group Inc., to provide construction management services for construction contracts related to the Eastside Water Treatment Plant and the Bachman Water Treatment Plant; and,

WHEREAS, it will be necessary to closely supervise, coordinate, and manage the day-to-day activities of multiple contractors; and,

WHEREAS, Jacobs Engineering Group, Inc., 1999 Bryan Street, Suite 1200, Dallas, Texas 75201, has submitted an acceptable proposal to provide these services; and,

WHEREAS, the Water Utilities Department recommends that Contract No. 08-081E be increased by \$3,065,116.00, from \$16,898,073.00 to \$19,963,189.00.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 5 be accepted and that Contract No. 08-081E with Jacobs Engineering Group, Inc., be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$3,065,116.00 from the Water Capital Improvement Fund as follows:

FUND DEPT UNIT ACT OBJ PRO REP ENCUMBRANCE VENDOR 0115 DWU PW32 WTPF 4111 708081 W3FM CTDWU708081CP VS0000023961

Jacobs Engineering Group, Inc. - (Contract No. 08-081E) - \$3,065,116.00

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

AGENDA ITEM #60

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Business Development & Procurement Services

Code Compliance

CMO: Jeanne Chipperfield, 670-7804

Charles Cato, 671-3908

MAPSCO: 43 T

SUBJECT

Execute the casting of lots to identify the recommended vendor resulting from tie bids on lines 13, 14, 15 and 22, for bid BL1333, for a three-year master agreement for the purchase of veterinary drugs and supplies — Butler Animal Health Supply, LLC dba Henry Schein Animal Health, Intervet, Inc. dba Merck Animal Health and Zoetis, Inc. - Financing: This action has no cost consideration to the City

BACKGROUND

This action is not intended to make an award but to execute the casting of lots to identify a vendor for each of the lines for which the City has received identical bids. This process is being executed in accordance with Texas Local Government Code, Section 271.902.

The vendor selected for each line by casting of lots shall be recommended to Council for award on September 11, 2013.

BID INFORMATION

Dialalana

The following bids were received from solicitation number BL1333 and opened on July 27, 2013. This master agreement will be awarded by line.

Tie Diel Lines

Bidders	<u>Address</u>	Tie Bia Lines
Butler Animal Health Supply, LLC dba Henry Schein Animal Health	400 Metro Place North Dublin, OH 43017	Lines 13, 14, 15, 22
Intervet, Inc. dba Merck Animal Health	29160 Intervet Lane Millsboro, DE 19966	Lines 14, 15, 22

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BID INFORMATION (Continued)

<u>Bidders</u> <u>Address</u> <u>Tie Bid Lines</u>

Zoetis, Inc. 5 Giralda Farms Line 13

Madison, NJ 07940

OWNERS

Butler Animal Health Supply, LLC dba Henry Schein Animal Health

Kevin Vasquez, President Kimberly Allen, Vice President

Intervet, Inc. dba Merck Animal Health

Richard DeLuca, President Scott Bormann, Vice President

Zoetis, Inc.

Clinton A. Lewis, Jr., President of US Operations Juan Ramon Alaix, Chief Executive Officer

AGENDA ITEM #61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO District Local Union No. 540, of approximately 2,000 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$14,275 (\$12,375, plus closing costs and title expenses not to exceed \$1,900) — Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 2,000 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$14,275 (\$12,375, plus closing costs and title expenses not to exceed \$1,900)

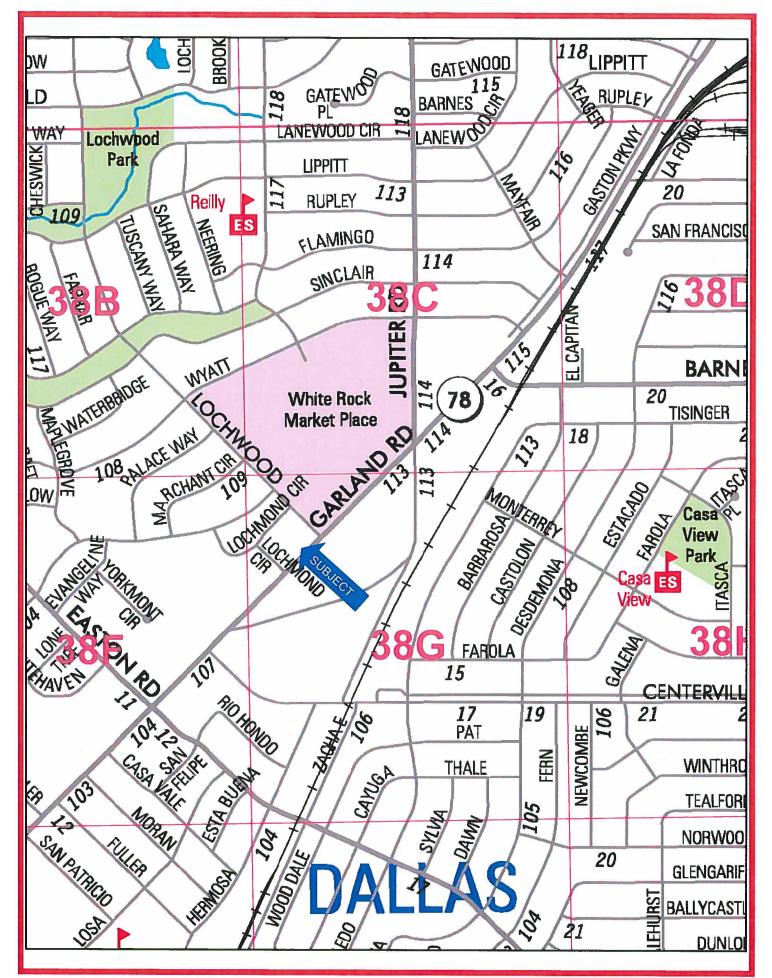
OWNER

Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO District Local Union No. 540

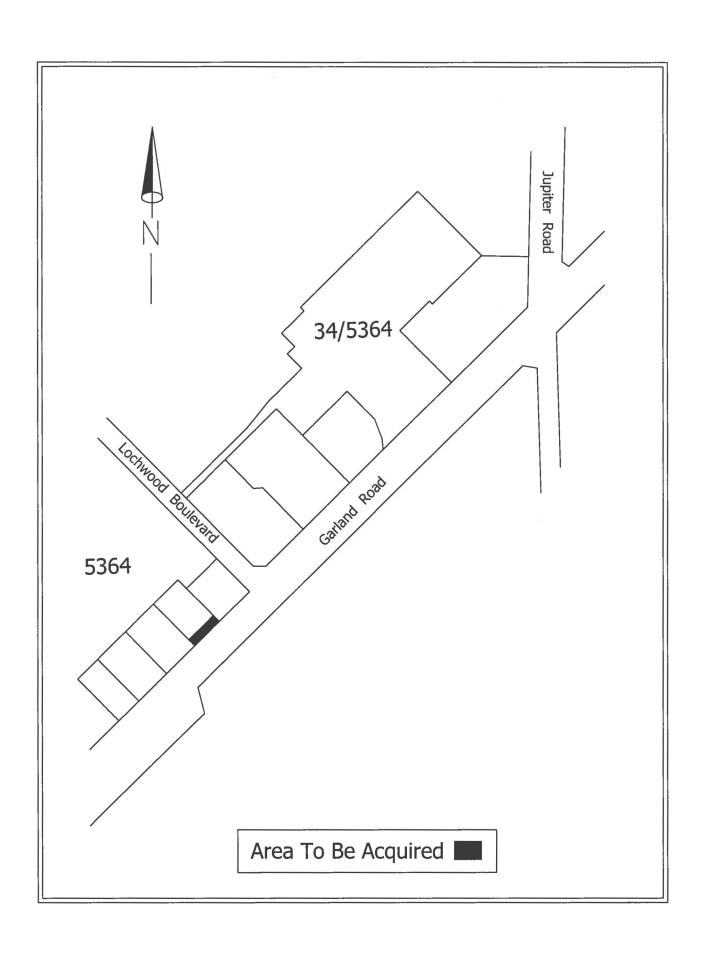
Bobby B. Nelson, Registered Agent

<u>MAPS</u>

Attached



MAPS CO



A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 2,000 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO District Local Union No. 540, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$12,375

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,900

"AUTHORIZED AMOUNT": \$14,275 (\$12,375, plus closing costs and title expenses not to exceed \$1,900)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA7. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

August 28, 2013

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR., City Attorney

Assistant City Attorney

EXHIBIT A

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,000 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a portion of a called 16,500 square feet tract of land situated in City Block 5364, conveyed to the Amalgamated Meat Cutters & Butchers Union No. 540 as evidenced in a Warranty Deed recorded in Volume 70072, Page 1009 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1-inch iron pipe found for the south corner of said Amalgamated Meat Cutters & Butchers Union No. 540 tract, same being the east corner of a called 0.4244 acre tract of land situated in City Block 5364, conveyed to Reyes Gamino and Gloria Gamino as evidenced in a Special Warranty Deed recorded in Document No. 200900130355 of the Official Public Records of Dallas County Texas (O.P.R.D.C.T.), said iron pipe also being on the northwesterly right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and along the southwest line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract and the northeast line of said 0.4244 acre tract, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the southwest line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract and the northeast line of said 0.4244 acre tract and along a line that is 20' north of and parallel with the southeast line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 100.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northeast line of said Amalgamated Meat Cutters & Butchers Union 🔌 No. 540 tract and the southwest line of a tract of land conveyed to Grover Stanford as evidenced in a Special Warranty Deed recorded in Volume 86070, Page 2844, D.R.D.C.T.;

THENCE South 44°32'00" East, along the northeast line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract and the southwest line of said Grover Stanford tract, a distance of 20.00 feet to an aluminum monument found for the east corner of said Amalgamated Meat Cutters & Butchers Union No. 540 tract and the south corner of said Grover Stanford tract, same being on the northwest right-of-way line of aforesaid Garland Road (State Highway No. 78);

THENCE South 45°28'00" West, along the southeast line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 100.00 feet to the POINT OF BEGINNING and containing 2,000 square feet (0.046 of an acre) of land, more or less.



Basis of Bearings: Bearings based upon the southeasterly line of a tract of land, as recorded in Volume 70072, Page 1009, said bearing being South 45°28'00" West

	(for SPRG use only)
Reviewe	d By:
Date:	
SPRG N	O:

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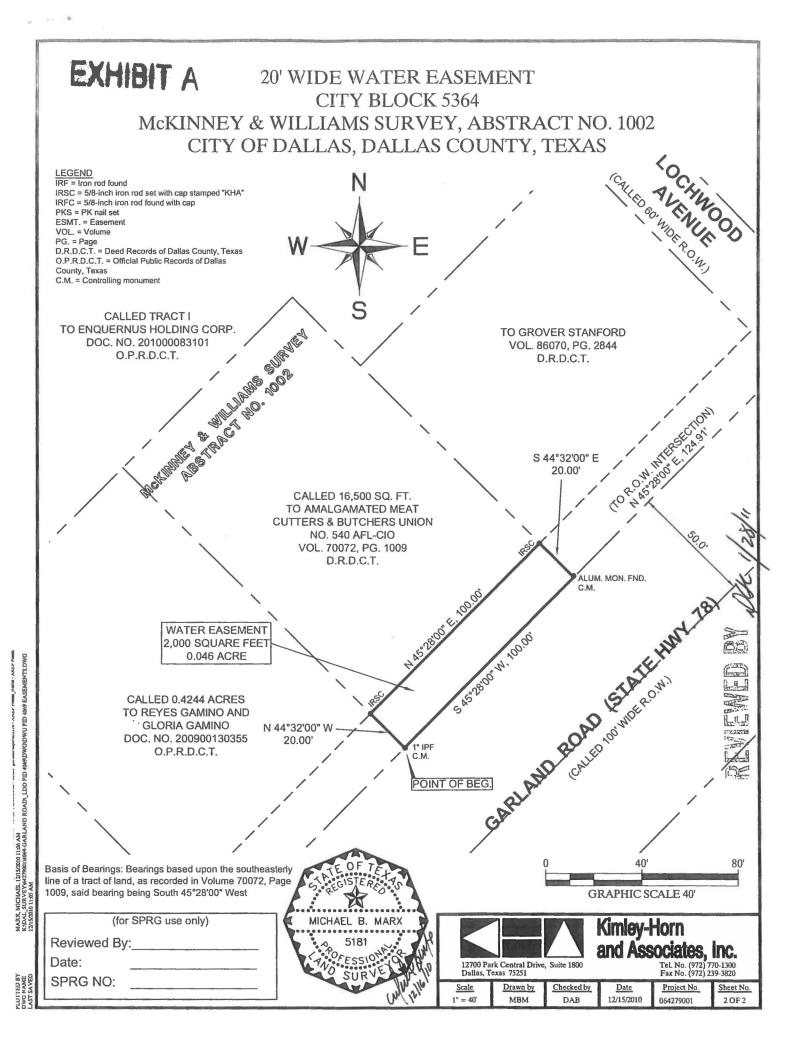
Kimley-Horn and Associates.

NONE

Checked by MBM

Date 12/15/2010 064279001

11



AGENDA ITEM #62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Comerica Bank, of approximately 4,320 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$48,847 (\$46,647, plus closing costs and title expenses not to exceed \$2,200) – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 4,320 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$48,847 (\$46,647, plus closing costs and title expenses not to exceed \$2,200)

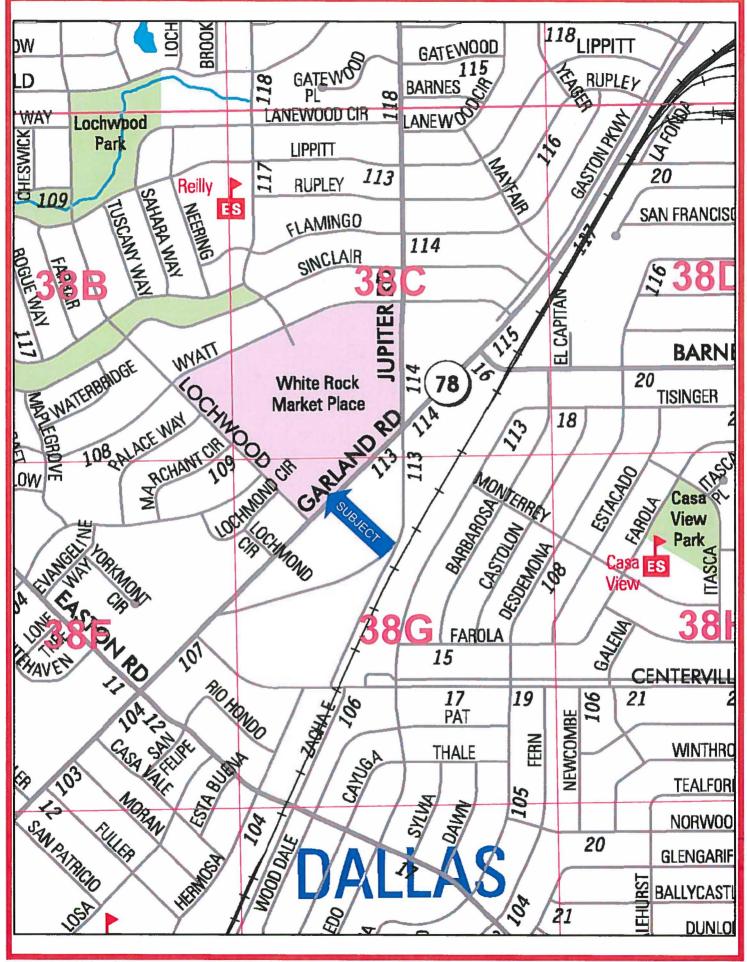
OWNER

Comerica Bank

Ralph W. Babb, Jr. Chairman/CEO

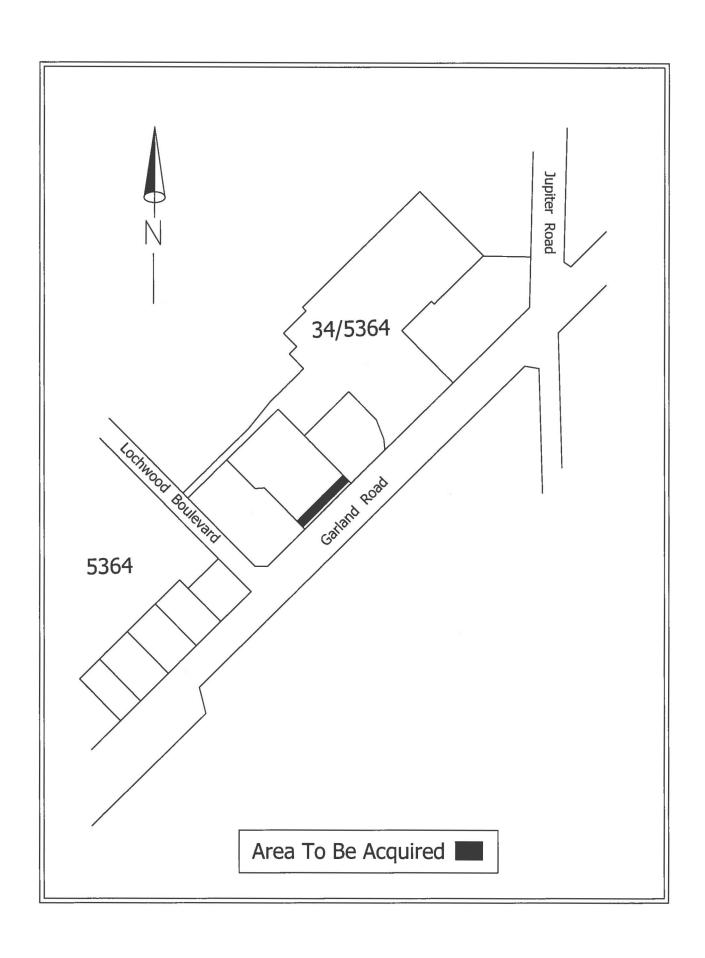
MAPS

Attached



MARCO

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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 4,320 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Comerica Bank, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$46,647

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,200

"AUTHORIZED AMOUNT": \$48,847 (\$46,647, plus closing costs and title expenses not to exceed \$2,200)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA4. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

August 28, 2013

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR., City Attorney

Assistant City Atter

EXHIBIT A

20' WIDE WATER EASEMENT LOT 17, BLOCK 34/5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 4,320 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a tract of land situated in Lots 16 and 17, Block 34/5364 of White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 91170, Page 1006 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being situated in a called 1.4278 acre tract of land conveyed to the Comerica Bank-Texas, as evidenced in a Special Warranty Deed, recorded in Volume 91002, Page 2512 and being situated in a called 0.0995 acre tract of land conveyed to Comerica Bank-Texas, as evidenced in a Special Warranty Deed recorded in Volume 93063, Page 1249, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found in the southeast line of said Lot 16 for the south corner of said 0.0995 acre tract, same being the east corner of a called 1.102 acre tract of land conveyed to the RAS Enterprises, Inc., as evidenced in a Warranty Deed with Vendor's Lien, recorded in Document No. 2008108235 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), said iron rod also being on the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and the southeast line of said Lot 16 and along the southwest line of said 0.0995 acre tract and the northeast line of said 1.102 acre tract, a distance of 7.50 feet to a 5/8-inch KHA" capped iron rod set for the POINT OF BEGINNING of the herein described easement tract, same being on the northwest line of a 7.5' wide T. U. Electric Easement as dedicated in said White Rock Marketplace;

THENCE North 44°32'00" West, continuing along the southwest line of said 0.0995 acre tract and the northeast line of said 1.102 acre tract, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the southwest line of said 0.0995 acre tract and the northeast line of said 1.102 acre tract, crossing said Lots 16 and 17, Block 34/5364 and along a line that is 27.5 feet north of and parallel with the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 216.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northeast line of said Lot 17, same being the southwest line of Lot 18, Block 34/6364 of said Whit Rock Marketplace;

THENCE South 44°32'00" East, along the northeast line of said Lot 17, Block 34/5364 and the southwest line of said Lot 18, Block 34/5364, a distance of 20.00 feet to a 5/8-inch KHA" capped iron rod set for a corner on the northwest line of aforesaid 7.5' wide T. U. Electric Easement;

THENCE South 45°28'00" West, departing the northeast line of said Lot 17, the southwest line of said Lot 18, crossing said Lots 16 and 17, Block 34/5364 and along the northwest line of said 7.5' wide T. U. Electric Easement, a distance of 216.00 feet to the **POINT OF BEGINNING** and containing 4,320 square feet (0.099 of an acre) of land, more or less.



Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 91170, Page 1006, said bearing being South 45°28'00" West

	MICHAEL B. MARX
(for SPRG use only)	5181 A
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	SURVE
	(My)

	Kimley-Horn
	and Associates
12700 Park Central Drive, Suite 1800 Dallas, Texas 75251	Tel. No. (97: Fax No. (97:

Fax No. (972) 239-3820

Table 1

7.9

Scale Drawn by Checked by

Date 12/15/2010 Project No.

Reviewed

Date:

SPRG NO:

EXHIBIT A

20' WIDE WATER EASEMENT LOT 17, BLOCK 34/5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGEND IRF = Iron rod found CALLED 0.8379 ACRE IRSC = 5/8-inch iron rod set with cap stamped "KHA" TO MCDONALD'S CORPORATION IRFC = 5/8-inch iron rod found with cap VOL. 93063, PG. 1260 PKS = PK nail set ESMT. = Easement D.R.D.C.T. VOL. = Volume PG. = Page LOT 18, BLOCK 34/5364 D.R.D.C.T. = Deed Records of Dallas County, Texas WHITE ROCK MARKETPLACE O.P.R.D.C.T. = Official Public Records of Dallas County, Texas VOL. 91170, PG. 1006 C.M. = Controlling monument CALLED 1.4278 ACRES D.R.D.C.T. TO COMERICA BANK-TEXAS VOL. 91002, PG. 2512 S 44°32'00" E D.R.D.C.T. 20.00' LOT 17, BLOCK 34/5364 5/8" IRF WHITE ROCK MARKETPLACE VOL. 91170, PG. 1006 D.R.D.C.T. S 44°32'00" E 7.50' WATER EASEMENT 4,320 SQUARE FEET 0.099 ACRE CALLED OLDER CALLED 1.102 ACRES TO RAS ENTERPRISES, INC. DOC. NO. 2008108235 O.P.R.D.C.T. LOT 16, BLOCK 34/5364 WHITE ROCK MARKETPLACE VOL. 91170, PG. 1006 D.R.D.C.T. 44°32'00" W N 44°32'00" W 2 5/8" IRF 20.00 OINT OF BEG POINT OF COMM. Basis of Bearings: Bearings based upon the southeasterly 801 line of White Rock Marketplace, as recorded in Volume 91170, Page 1006, said bearing being South 45°28'00" GRAPHIC SCALE 40' West (for SPRG use only) Kimley-Horn and Associates, Inc. Reviewed By: Date: 12700 Park Central Drive, Suite 1800 SPRG NO: Scale Drawn by Checked by Date Project No. Sheet No. 12/15/2010

MANA, MICHAEL 1205/2010 10:28 AM KADAL SURVEYNAZYMIYUMA-GARLAND ROAD, LDD PID 4069/DWODWU PID 4069 EASEMENTS-DWO

AGENDA ITEM #63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Cothrum-Murray Co., Inc., of approximately 460 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$4,747 (\$2,847, plus closing costs and title expenses not to exceed \$1,900) — Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 460 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$4,747 (\$2,847, plus closing costs and title expenses not to exceed \$1,900)

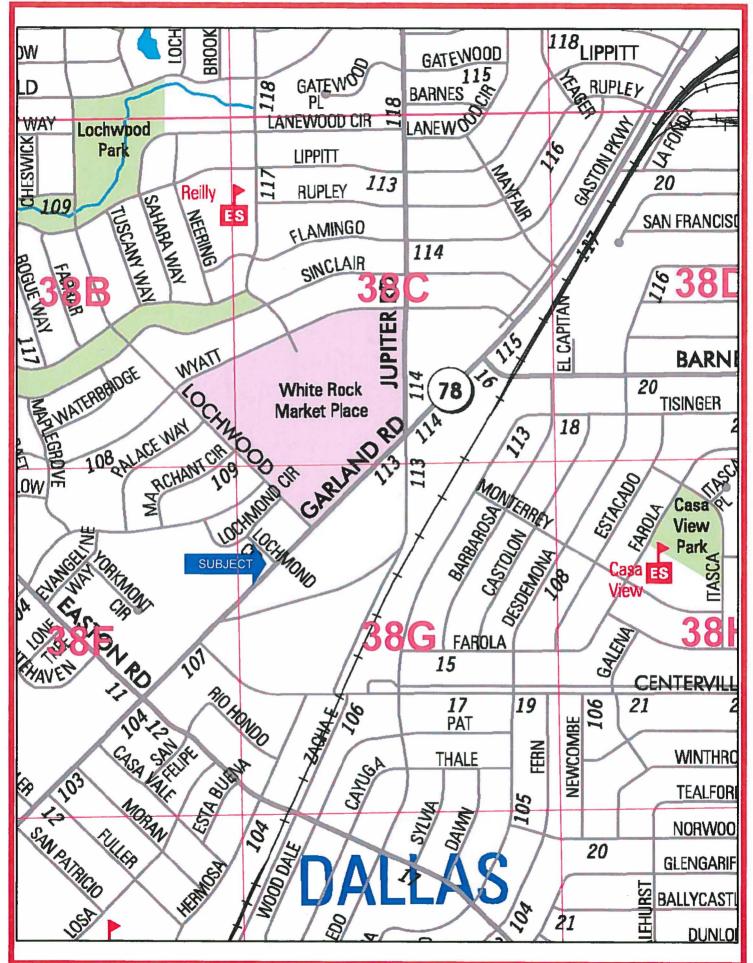
OWNER

Cothrum-Murray Co., Inc.

Charles W. Karlen, Registered Agent

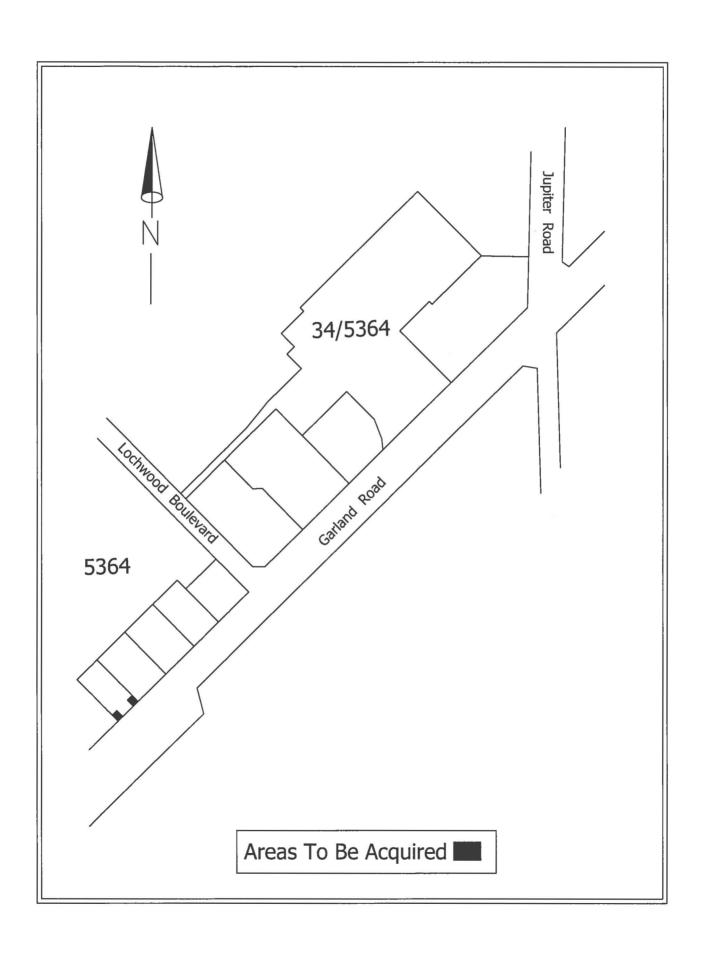
MAPS

Attached



MARCO





A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 460 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Cothrum-Murray Co., Inc., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$2,847

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,900

"AUTHORIZED AMOUNT": \$4,747 (\$2,847, plus closing costs and title expenses not to exceed \$1,900)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA10. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY

Assistant City Attorney

EXHIBIT A TRACT 1

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 230 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a portion of a called 432.26 gross acre tract of land situated in City Block 5364, conveyed to Cothrum-Murray Co., Inc., as evidenced in a Warranty Deed recorded in Volume 4093, Page 0183 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut set for the south corner of a called 11,563.853 square feet tract of land conveyed to the Jack and Barbara Casey Living Trust as evidenced in a Warranty Deed recorded in Volume 92227, Page 6317, same being an east corner of the remaining portion of said 432.26 gross acre tract, same also being on the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE South 45°28'00" West, along the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 11.50 feet to a PK nail set for the east corner of a called Tract II, originally conveyed to Texas Bay Lochwood Limited Partnership as evidenced in a Special Warranty Deed with Vendor's Lien recorded in Document No. 200101332991, further conveyed to Enquernus Holding Corp., as evidenced in a Substitute Trustee's Deed recorded in Document No. 201000083101, both of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.);

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and along the northeast line of said Tract II and a southwest line of the remaining portion of said 432.26 gross acre tract, a distance of 20.00 feet to an "X" cut set set for a corner;

THENCE North 45°28'00" East, departing the northeast line of Tract II and the southwest line of said 432.26 gross acre tract, a distance of 11.50 feet to a PK nail set for a corner on the southwest line of said 11,563.853 square feet tract, same being a northeast line of said 432.26 gross acre tract;

THENCE South 44°32'00" East, along the southwest line of said 11,563.853 square feet tract and the northeast line of said 432.26 gross acre tract, a distance of 20.00 feet to a the POINT OF BEGINNING and containing 230 square feet (0.005 of an acre) of land, more or less.



Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 92168, Page 3669, said bearing being South 45°28'00" West

(for SPRG use only)
Reviewed By:
Date:
SPRG NO:



Drawn by

Checked by

Date 12/15/2010 Project No

064279001

Sheet No

31 83

EXHIBIT A TRACT 2

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 230 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a portion of a called 432.26 gross acre tract of land situated in City Block 5364, conveyed to Cothrum-Murray Co., Inc., as evidenced in a Warranty Deed recorded in Volume 4093, Page 0183 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch "HLOUHORNE 2390" capped iron rod found for the east corner of Lot 1, Block 5364 of Pettitt Addition, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 86096, Page 1977 of the Deed Records of Dallas County, Texas, same being a south corner of the remaining portion of said 432.26 acre tract, same also being on the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and along the northeast line of said Lot 1, Block 5364 and a southwest line of the remaining portion of said 432.26 acre tract, passing at a distance of 13.5 feet, found aluminum TXDoT right-of-way monument, continuing for a total distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the northeast line of said Lot 1, Block 5364, and a southwest line of the remaining portion of said 432.26 acre tract, a distance of 11.50 feet to a 5/8-inch "KHA" capped iron rod set for a corner on a northeast line of the remaining portion of said 432.26 acre tract, same being on the southwest line of a called Tract II, originally conveyed to Texas Bay Lochwood Limited Partnership as evidenced in a Special Warranty Deed with Vendor's Lien recorded in Document No. 200101332991, further conveyed to Enquemus Holding Corp., as evidenced in a Substitute Trustee's Deed recorded in Document No. 201000083101, both of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.);

THENCE South 44°32'00" East, along the southwest line of said Tract II and a northeast line of the remaining portion of said 432.26 acre tract, , a distance of 20.00 feet to a PK nail set for the south corner of said Tract II, same being on the northwest right-of-way line of said Garland Road (State Highway No. 78);

THENCE South 45°28'00" West, along the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 11.50 feet to the POINT OF BEGINNING and containing 230 square feet (0.005 of an acre) of land, more or less.

Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 92168, Page 3669, said bearing being South 45°28'00" West

	(for SPRG use only)	
Reviewed	Ву:	
Date:		
SPRG NO):	





Dallas Texas 75751

MBM

Checked by Date

DAB

064279001

Sheet No.

WO NAME

AGENDA ITEM #64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Grover Stanford, Trustee, Stanford Exemption Equivalent Trust u/w Hope Hale Stanford, of approximately 2,498 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$13,269 (\$11,369, plus closing costs and title expenses not to exceed \$1,900) – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 2,498 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$13,269 (\$11,369, plus closing costs and title expenses not to exceed \$1,900)

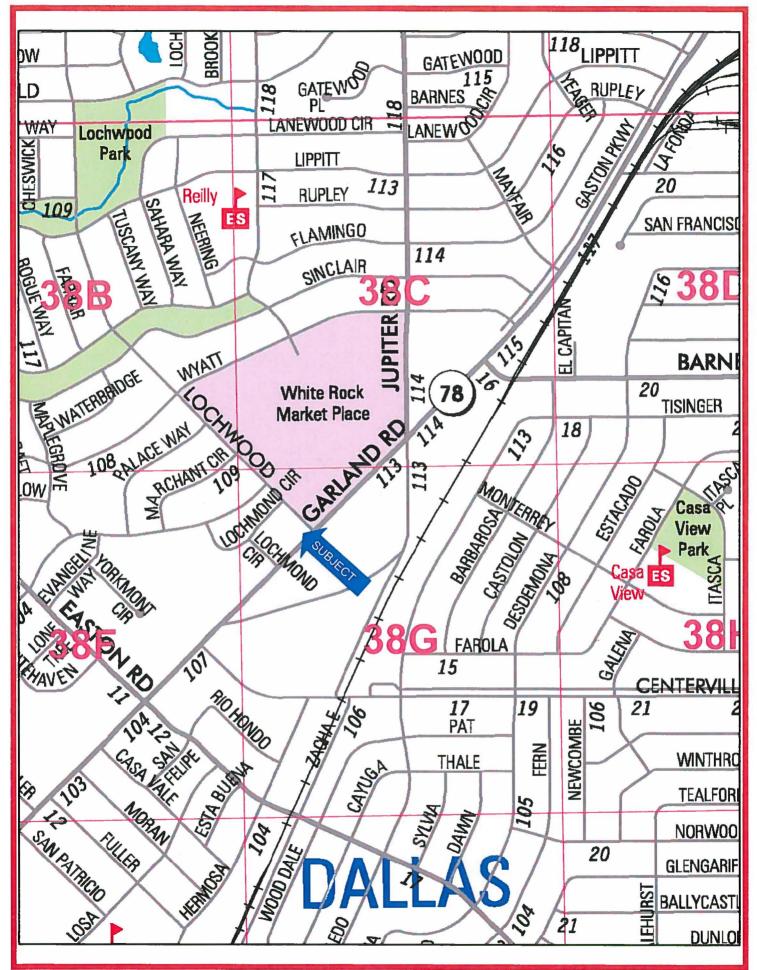
OWNER

Grover Stanford, Trustee, Stanford Exemption Equivalent Trust u/w Hope Hale Stanford

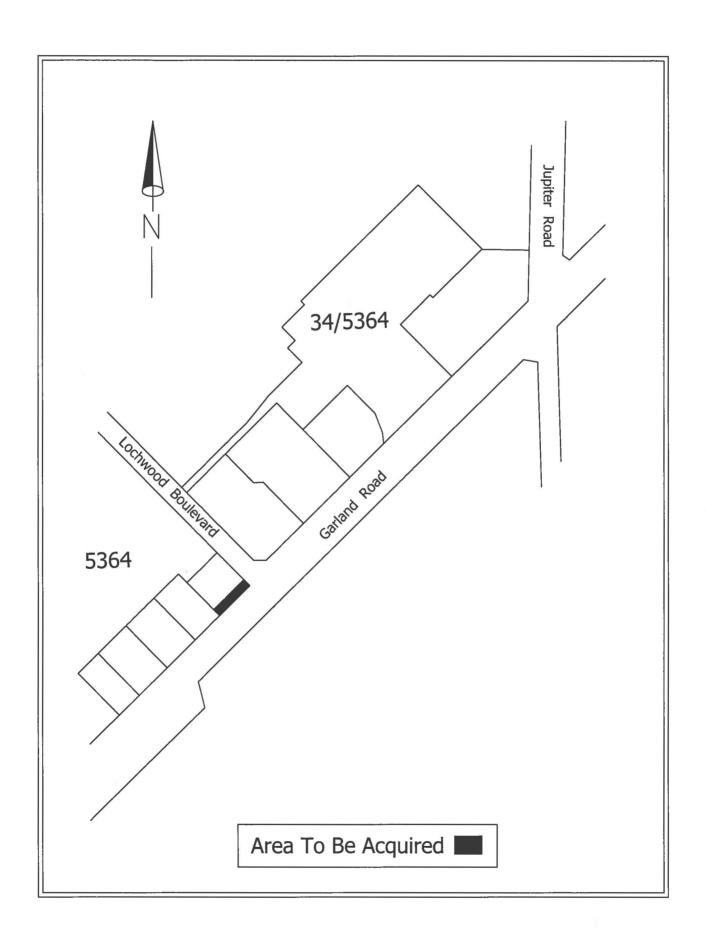
Grover Stanford, Trustee

MAPS

Attached



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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 2,498 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Grover Stanford, Trustee, Stanford Exemption Equivalent Trust u/w Hope Hale Stanford, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$11,369

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,900

"AUTHORIZED AMOUNT": \$13,269 (\$11,369, plus closing costs and title expenses not to exceed \$1,900)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA6. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

RY

Assistant City Attorney

EXHIBIT A

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,498 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a tract of land situated in City Block 5364, conveyed to the Grover Stanford as evidenced in a Special Warranty Deed recorded in Volume 86070, Page 2844 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut set for the east corner of said Grover Stanford tract, same being the intersection of the southwest right-of-way line of Lochwood Avenue (a called 60' wide right-of-way) with the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

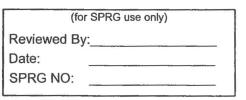
THENCE South 45°28'00" West, along the southeast line of said Grover Stanford tract and the northwest roght-of-way line of Garland Road (State Highway No. 78), a distance of 124.91 feet (called 125.0 feet) to an aluminum monument found for the south corner of said Grover Stanford tract, same being the east corner of a tract of land conveyed to the Amalgamated Meat Cutters & Butchers Union No. 540 as evidenced in a Warranty Deed recorded in Volume 70072, Page 1009, D.R.D.C.T.;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and along the southwest line of said Grover Stanford tract and the northeast line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the southwest line of said Grover Stanford tract and the northeast line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract and along a line that is 20' north of and parallel with the southeast line of said Grover Stanford tract and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 124.91 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northeast line of said Grover Stanford tract, same being on the southwest right-of-way line of aforesaid Lochwood Avenue;

THENCE South 44°32'00" East, along the northeast line of said Grover Stanford tract and the southwest right-of-way line of said Lochwood Avenue, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 2,498 square feet (0.057 of an acre) of land, more or less.

Basis of Bearings: Bearings based upon the southeasterly line of a tract of land, as recorded in Volume 86070, Page 2844, said bearing being South 45°28'00" West







DAB

12/15/2010

064279001

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

IRSC = 5/8-inch iron rod set with cap stamped "KHA"

ESMT. = Easement VOL. = Volume PG. ≃ Page

D.R.D.C.T. = Deed Records of Dallas County, Texas O.P.R.D.C.T. = Official Public Records of Dallas

County, Texas

C.M. = Controlling monument

CALLED TRACT I TO ENQUERNUS HOLDING CORP. DOC. NO. 201000083101 O.P.R.D.C.T.

LOT 16, BLOCK 34/5364 WHITE ROCK MARKETPLACE VOL. 91170, PG. 1006 D.R.D.C.T. 301.31.70.70.

ALUM. MON. FND.

ALUM. MON. FND.

POINT OF BEG.

S 44°32'00" E 20.00

TO GROVER STANFORD VOL. 86070, PG. 2844 D.R.D.C.T.

WATER EASEMENT 2,498 SQUARE FEET 0.057 ACRE

20.00

CALLED 16,500 SQ. FT. TO AMALGAMATED MEAT **CUTTERS & BUTCHERS UNION** NO. 540 AFL-CIO VOL. 70072, PG. 1009 D.R.D.C.T. N 44°32'00" W

ALUM. MON. FND. C.M.

DE

GRAPHIC SCALE 40'

Basis of Bearings: Bearings based upon the southeasterly line of a tract of land, as recorded in Volume 86070, Page 2844, said bearing being South 45°28'00" West

(for SPRG use only)

Reviewed By: Date:

SPRG NO:



12700 Park Central Drive, Suite 1800

Kimley-Horn and Associates,

Drawn by MBM

Checked by DAR

Date 12/15/2010

064279001

Sheet No.

80'

LIL

FND. MON ALUM.

1/2" IRF

0 10:43 AM 4069-GARLAND ROADL LDD PID 4069/DWOLDWU PID 4069 BASEMENTS DWO

AGENDA ITEM #65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jack and Barbara Casey Living Trust, of approximately 1,400 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$10,573 (\$8,673, plus closing costs and title expenses not to exceed \$1,900) – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 1,400 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$10,573 (\$8,673, plus closing costs and title expenses not to exceed \$1,900)

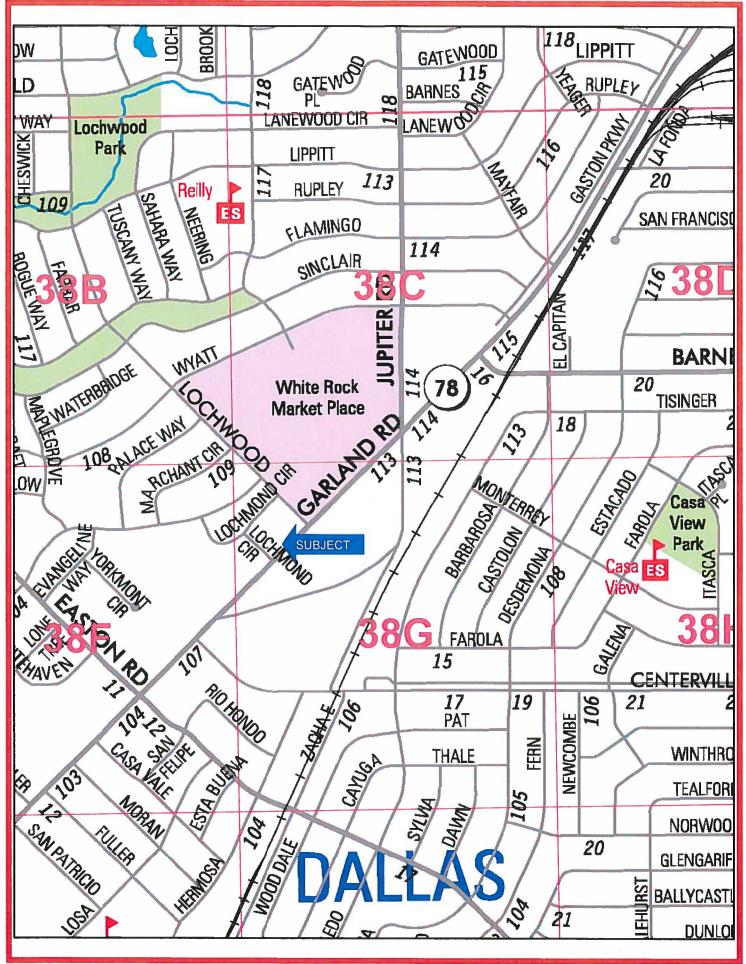
OWNER

Jack and Barbara Casey Living Trust

Jack Casey, Jr., Trustee

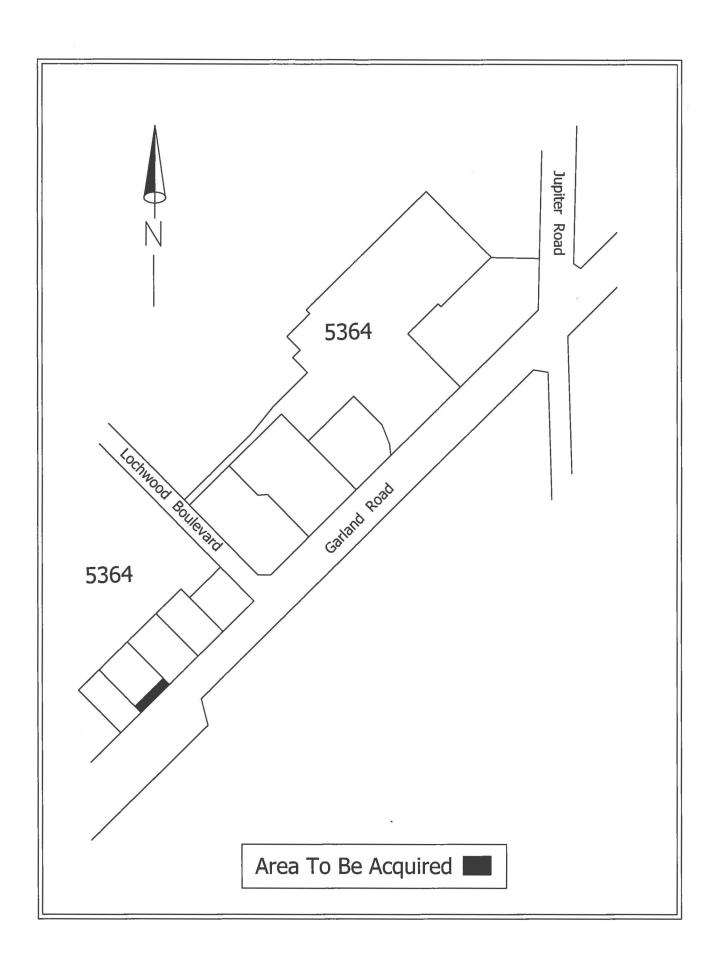
MAPS

Attached



MARCO

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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 1,400 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Jack and Barbara Casey Living Trust, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$8.673

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,900

"AUTHORIZED AMOUNT": \$10,573 (\$8,673, plus closing costs and title expenses not to exceed \$1,900)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA9. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

August 28, 2013

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY

Assistant City Attorney

SASAL SURVEYAZ79001HUM9-GARLAND ROADLLDD PID 4009-DWOIDWU PID 4049 EASEMENTS.DWO

EXHIBIT A

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 1,400 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a portion of a called 11,563.853 square feet tract of land situated in City Block 5364, conveyed to the Jack and Barbara Casey Living Trust as evidenced in a Warranty Deed recorded in Volume 92227, Page 6317 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the east corner of said 11,563.853 square feet tract, same being the south corner of a called 0.4244 acre tract of land conveyed to Reyes Gamino and Gloria Gamino as evidenced in a Special Warranty Deed recorded in Document No. 200900130355 of the Official Public Records of Dallas County Texas (O.P.R.D.C.T.), said iron rod also being on the northwesterly right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE South 45°28'00" West, along the southeast line of said 11,563.853 square feet tract and the northwest right-of-way line of said Garland Road (State Highway No. 78), passing at a distance of 57.8 feet, a found aluminum TXDoT right-of-way monument, continuing for a total distance of 70.00 feet to an "X" cut in concrete set for the south corner of said 11,563.853 square feet tract, same being an easterly corner of a portion of a called 432.26 gross acre tract of land situated in City Block 5364, conveyed to Cothrum-Murray Co., Inc., as evidenced in a Warranty Deed recorded in Volume 4093, Page 0183, D.R.D.C.T.;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and along the southwest line of said 11,563.853 square feet tract and along the remainder of said 432.26 gross acre tract, a distance of 20.00 feet to a PK nail set for a comer;

THENCE North 45°28'00" East, departing the southwest line of said 11,563.853 square feet tract and along a line that is 20' north of and parallel with the southeast line of said 11,563.853 square feet tract and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 70.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northeast line of said 11,563.853 square feet tract and the southwest line of aforesaid 0.4244 acre tract;

THENCE South 44°32'00" East, along the northeast line of said 11,563.853 square feet tract and the southwest line of said 0.4244 acre tract, a distance of 20.00 feet to the POINT OF BEGINNING and containing 1,400 square feet (0.032 of an acre) of land, more or less.

Basis of Bearings: Bearings based upon the southeasterly line of a tract of land, as recorded in Volume 92227, Page 6317, said bearing being South 45°28'00" West

(fo	r SPRG use only)
Reviewed By	y:
Date:	
SPRG NO:	



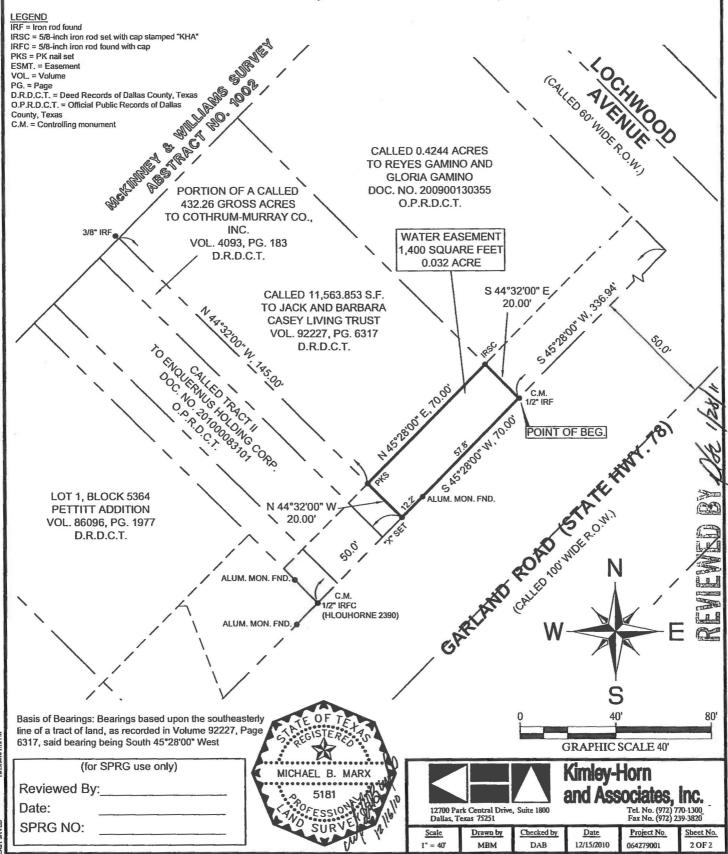
Kimley-Horn and Associates, Inc.

12/15/2010 064279001

EXHIBIT A

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS



KANDA WAYAWAYAWA MAGARLAND ROAD, LDD FID 4649DWODWU PID 4649 EASEMENTS.DWO MAGARLAND TO THE 12 PM

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AGENDA ITEM #66

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Live Oak Lochwood, LLC, of approximately 540 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$5,241 (\$3,341, plus closing costs and title expenses not to exceed \$1,900) — Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 540 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$5,241 (\$3,341, plus closing costs and title expenses not to exceed \$1,900)

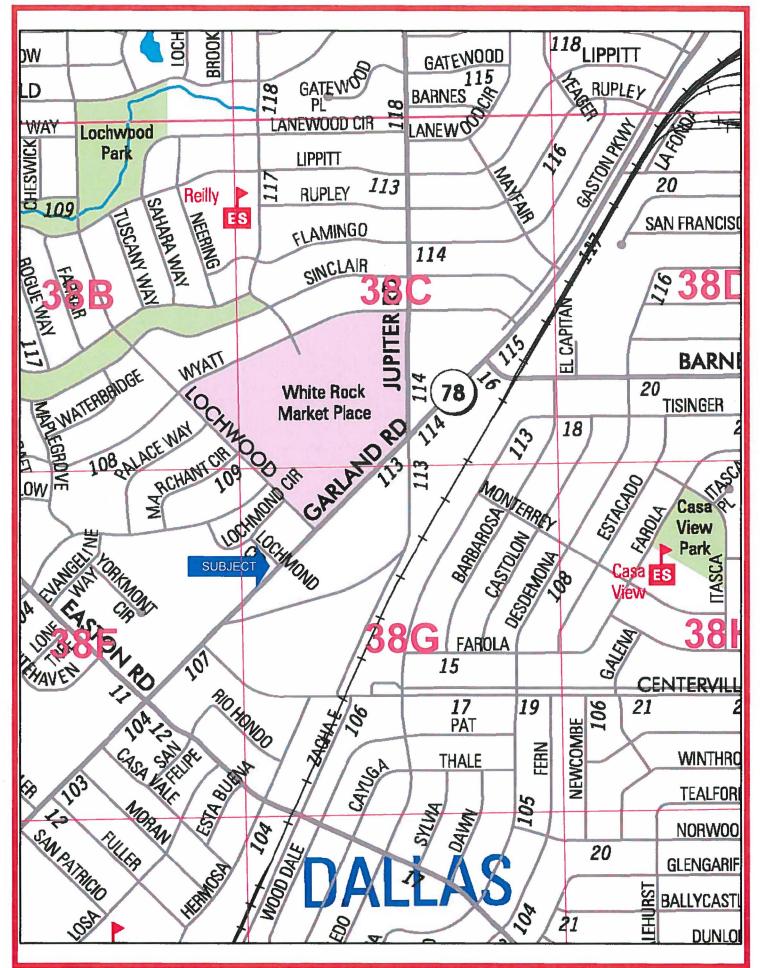
OWNER

Live Oak Lochwood, LLC

Doyle Knowles, Manager

MAPS

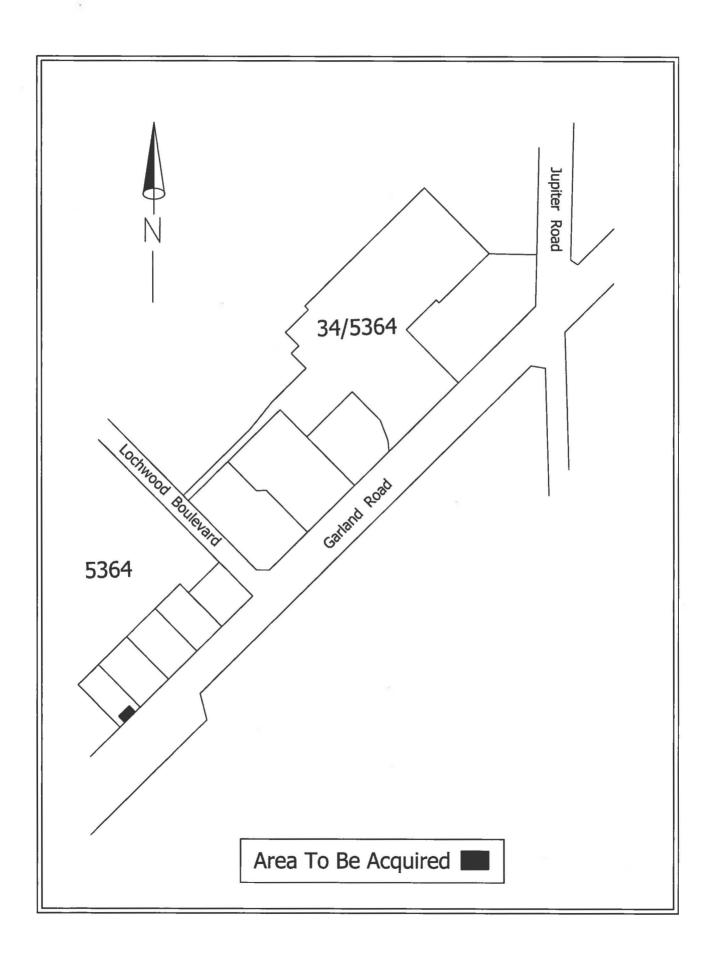
Attached



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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 540 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Live Oak Lochwood, LLC, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$3,341

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,900

"AUTHORIZED AMOUNT": \$5,241 (\$3,341, plus closing costs and title expenses not to exceed \$1,900)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA11 The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

RV

Assistant City Attorney

MICHAEL 12/15/2010 2:08 PM SURVEYMA77/901W6/9-GARLAND ROAD, LDD PID 408/9/DWU PID 4069 EASEMENTS.DWG

EXHIBIT A

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 540 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a portion of a called Tract II, originally conveyed to Texas Bay Lochwood Limited Partnership as evidenced in a Special Warranty Deed with Vendor's Lien recorded in Document No. 200101332991, further conveyed to Enquernus Holding Corp., as evidenced in a Substitute Trustee's Deed recorded in Document No. 201000083101, both of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a PK nail set for the east corner of said Tract II, same being a south corner of the remaining portion of a called 432.26 gross acre tract of land situated in City Block 5364, conveyed to Cothrum-Murray Co., Inc., as evidenced in a Warranty Deed recorded in Volume 4093, Page 0183, D.R.D.C.T. same also being on the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE South 45°28'00" West, along the southeast line of said Tract II and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 27.00 feet to a PK nail set for the south corner of said Tract II, same being an easterly corner of a portion of said 432.26 gross acre tract;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78), along the southwest line of said Tract II and along a northeast line of said 432.26 gross acre tract, a distance of 20.00 feet to a 5/8-inch KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the southwest line of said Tract II, the northeast line of said 432.26 gross acre tract and along a line that is 20' north of and parallel with the southeast line of said Tract II and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 27.00 feet to an "X" cut set set for a corner on the northeast line of said Tract II, same being on a southwest line of said 432.26 gross acre tract;

THENCE South 44°32'00" East, along the northeast line of said Tract II and the southwest line of said 432.26 gross acre tract, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 540 square feet (0.012 of an acre) of land more or less an acre) of land, more or less.



Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 92168, Page 3669, said bearing being South 45°28'00" West

	(for SPRG use only)	
Reviewed	Ву:	_
Date:		
SPRG NO	: 1458	_



Kimley-

Scale

Drawn by

Checked by

Date

Project No. 064279001

Sheet No

20' WIDE WATER EASEMENT EXHIBIT A CITY BLOCK 5364 McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 LEGEND CITY OF DALLAS, DALLAS COUNTY, TEXAS IRSC = 5/8-inch iron rod set with cap stamped "KHA" IRFC = 5/8-inch iron rod found with cap PKS = PK nail set ESMT. = Easement VOL. = Volume PG. = Page D.R.D.C.T. = Deed Records of Dallas County, Texas O.P.R.D.C.T. = Official Public Records of Dallas 3/8" IRF C.M. = Controlling monument PORTION OF A CALLED 432.26 GROSS ACRES TO COTHRUM-MURRAY CO., INC. CALLED 11,563.853 S.F. VOL. 4093, PG. 183 TO JACK AND BARBARA D.R.D.C.T. CASEY LIVING TRUST VOL. 92227, PG. 6317 D.R.D.C.T. 1/2" IRF S 44°32'00" E 20.00 WATER EASEMENT **540 SQUARE FEET** 0.012 ACRE ALUM. MON, FND. **LOT 1, BLOCK 5364** PETTITT ADDITION VOL. 86096, PG. 1977 POINT OF BEG GARLAND ROAD STATE NOT WITE ROAD TO SALED NOT WITE ROAD TO WITE ROAD T D.R.D.C.T. N 44°32'00" W, 20.00' CALLED 8,6806 ACRES TO CIAPA ENTERPRISES, INC. ALUM. MON. FND VOL. 2004170, RG. 4192 D.R.D.C.T. ALUM MON FND. 14 Juling & State Line State of the State of th CALLES CALLES 1/2" IRFC (HLOUHORNE 2390) A 80' Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 92168, Page 3669, said bearing being South 45°28'00" Wes **GRAPHIC SCALE 40'** (for SPRG use only) Kimley-Horn Reviewed By: and Associates, Inc. Date: 12700 Park Central Drive, Suite 1800 Tel. No. (972) 770-1300 Fax No. (972) 239-3820 Dallas, Texas 75251 SPRG NO: Drawn by Checked by 12/15/2010

DISTRICT STREET AND TO THE FRANCES ARE FIRST TO THE STREET AND THE

AGENDA ITEM #67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from McDonald's Corporation, of approximately 3,297 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$29,375 (\$27,375, plus closing costs and title expenses not to exceed \$2,000) — Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 3,297 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$29,375 (\$27,375, plus closing costs and title expenses not to exceed \$2,000)

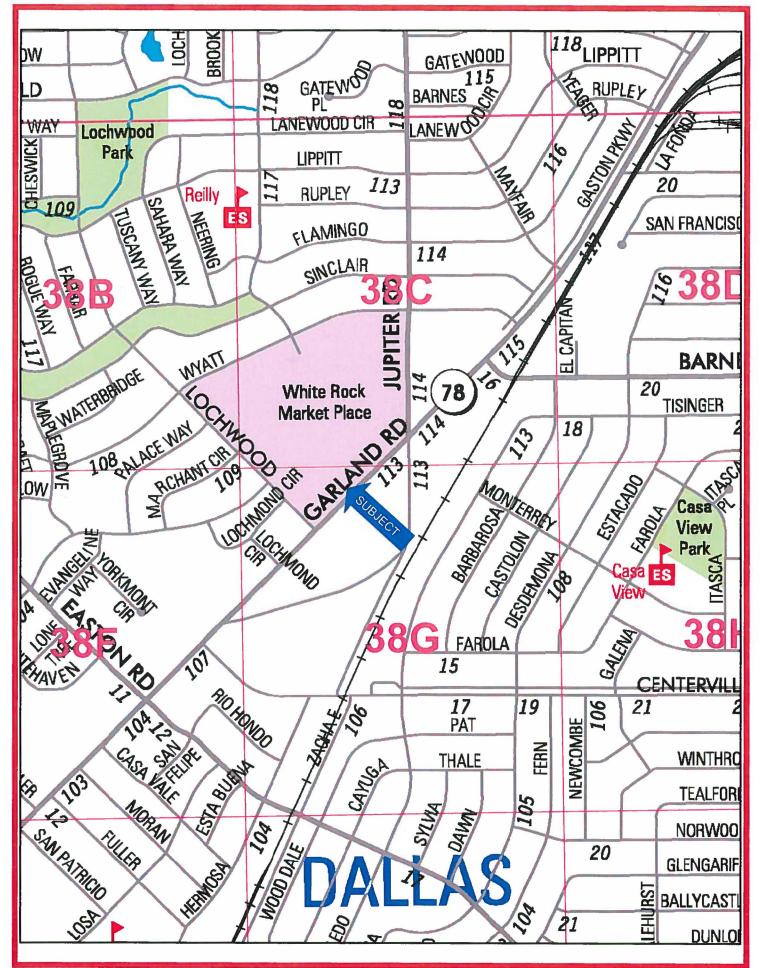
OWNER

McDonald's Corporation

Don Thompson, President/CEO

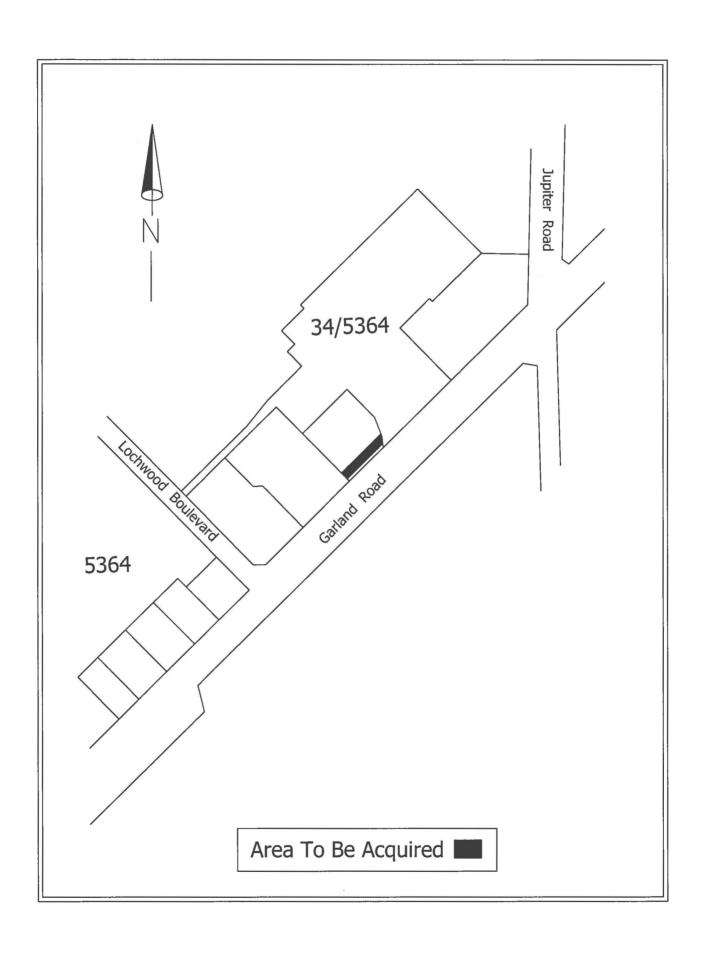
MAPS

Attached



MAPSCO

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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 3,297 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": McDonald's Corporation, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$27.375

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,000

"AUTHORIZED AMOUNT": \$29,375 (\$27,375, plus closing costs and title expenses not to exceed \$2,000)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA3. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR., City Attorney

BY W

Assistant City Attorney

EXHIBIT A

20' WIDE WATER EASEMENT LOT 18, BLOCK 34/5364 McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 3,297 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a tract of land situated in Lot 18, Block 34/5364 of White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 91170, Page 1006 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being situated in a called 0.8379 acre tract of land conveyed to the McDonald's Corporation, as evidenced in a Special Warranty Deed recorded in Volume 93063, Page 1260, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found for the south corner of said Lot 18, Block 34/5364, same being the east corner of Lot 17, Block 34/5364 of said White Rock Marketplace, said iron rod also being on the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and along the southwest line of said Lot 18, Block 34/5364 and the northeast line of said Lot 17, Block 34/5364, a distance of 7.50 feet to a 5/8-inch KHA" capped iron rod set for the POINT OF BEGINNING of the herein described easement tract, same being on the northwest line of a 7.5' wide T. U. Electric Easement as dedicated in said White Rock Marketplace;

THENCE North 44°32'00" West, continuing along the southwest line of said Lot 18, Block 34/5364 and the northeast line of said Lot 17, Block 34/5364, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner:

THENCE North 45°28'00" East, departing the southwest line of said Lot 18, Block 34/5364 and the northeast line of said Lot 17, Block 34/5364 and along a line that is 27.5 feet north of and parallel with the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 172.37 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the easterly line of said Lot 18, same being the westerly line of Lot 15A, Block 34/6364 of White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 92168, Page 3669, D.R.D.C.T.;

THENCE in a southerly direction, along the easterly line of said Lot 18, Block 34/5364 and the westerly line of Lot 15A, Block 34/5364, the following:

South 27°19'38" East, a distance of 4.96 feet to a 5/8-inch iron rod found for a corner;

South 02°18'14" West, a distance of 22.32 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northwest line of aforesaid 7.5' wide T. U. Electric Easement:

THENCE South 45°28'00" West, departing the easterly line of said Lot 18, the westerly line of said Lot 15A, crossing said Lot 18 and along the northwest line of said 7.5' wide T. U. Electric Easement, a distance of 154.63 feet to the POINT OF BEGINNING and containing 3,297 square feet (0.076 of an acre) of land, more or less.

(for SPRG use only) Reviewed By: SPRG NO:



Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 91170, Page 1006, said bearing being South 45°28'00" West

			1
17700 Park	Central Drive	Cuita	100

Dallas, Texas 75251

Scale

Drawn by

Checked by

12/15/2010

064279001

Date:

064279001

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AGENDA ITEM #68

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from RAS Enterprise, Inc., of approximately 3,117 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$53,203 (\$51,003, plus closing costs and title expenses not to exceed \$2,200) — Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 3,117 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$53,203 (\$51,003, plus closing costs and title expenses not to exceed \$2,200)

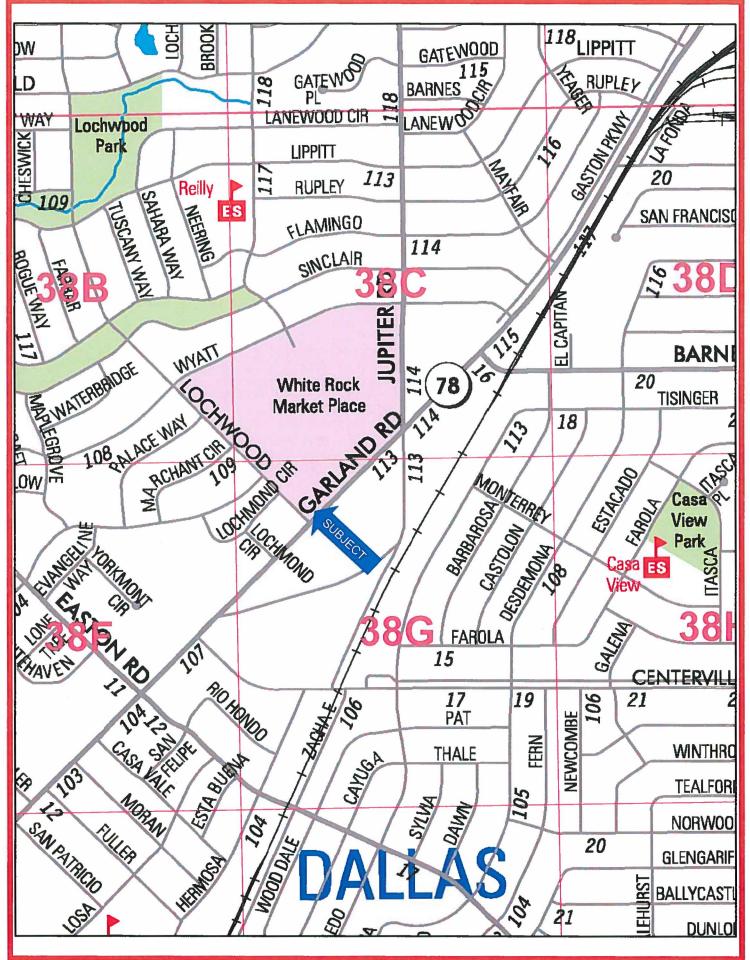
OWNER

RAS Enterprise, Inc.

Rukhsana Tariq, President

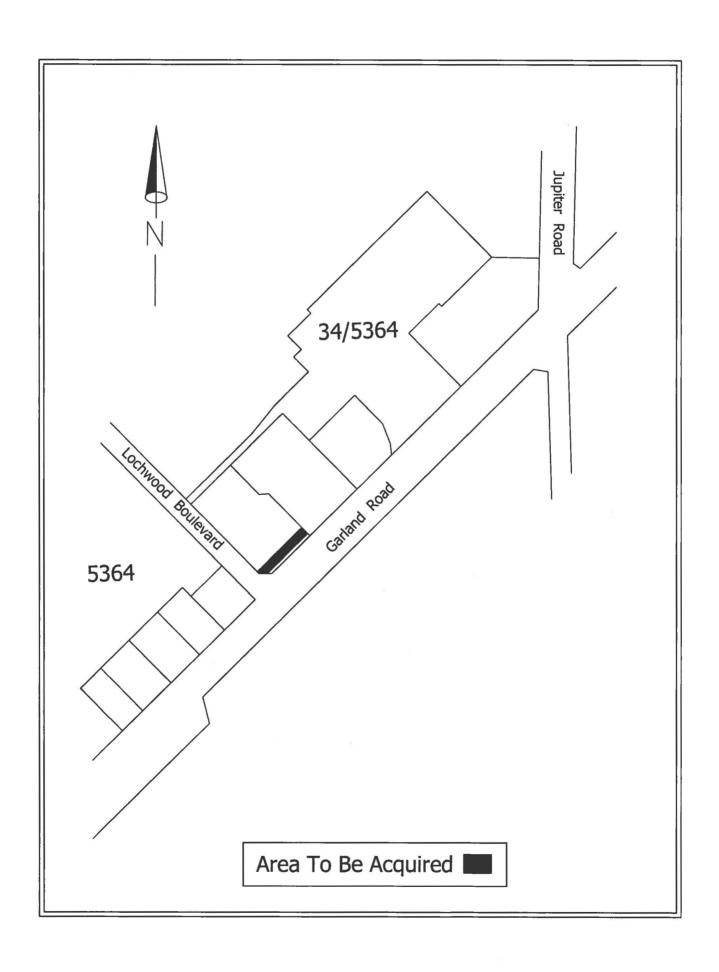
MAPS

Attached



MARKE

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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 3,117 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": RAS Enterprise, Inc., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$51,003

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,200

"AUTHORIZED AMOUNT": \$53,203 (\$51,003, plus closing costs and title expenses not to exceed \$2,200)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA5. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

August 28, 2013

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

RY

Assistant City Attorney

EXHIBIT A

20' WIDE WATER EASEMENT LOT 16, BLOCK 34/5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 3,117 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a tract of land situated in Lot 16, Block 34/5364 of White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 91170, Page 1006 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being situated in a called 1.102 acre tract of land conveyed to the RAS Enterprises, Inc., as evidenced in a Warranty Deed with Vendor's Lien, recorded in Document No. 2008108235 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at an aluminum TXDoT right-of-way monument found for the westerly comer of a visibility clip at the southwest corner of said Lot 16, Block 34/5364, same being at the intersection of the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way with the northeast right-of-way line of Lochwood Avenue (a called 60' wide right-of-way);

THENCE North 44°32'00" West, along the southwest line of said Lot 16, Block 34/5364 and the northeast right-of-way line of said Lochwood Avenue, a distance of 17.50 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the southwest line of said Lot 16, Block 34/5364 and the northeast right-of-way line of said Lochwood Avenue and along a line that is 27.5 feet north of and parallel with the southeast line of said Lot 16 and the northwest right-of-way line of aforesaid Garland Road (State Highway No. 78), a distance of 156.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northeast line of aforesaid 1.102 acre tract, same being the southwest line of a called 0.0995 acre tract of land conveyed to to Comerica Bank-Texas as evidenced in a Special Warranty Deed recorded in Volume 93063, Page 1249, D.R.D.C.T.;

THENCE South 44°32'00" East, along the northeast line of said 1.102 acre tract and the southwest line of said 0.0995 acre tract, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northwest line of a 7.5' wide T. U. Electric Easement as dedicated in said White Rock Marketplace;

THENCE South 45°28'00" West, departing the northeast line of said 1.102 acre tract and the southwest line of said 0.0995 acre tract and along the northwest line of said 7.5' wide T. U. Electric Easement, a distance of 153.50 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the south line of said Lot 16, same being on aforesaid visibility clip on the northwest right-of-way line of aforesaid Garland Road (State Highway No. 78);

THENCE North 89°32'00" West, along the south line of said Lot 16, Block 34/5364 and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 3.54 feet to the POINT OF BEGINNING and containing 3,117 square feet (0.072 of an acre) of land, more or less.

MICHAEL B. MARX (for SPRG use only)

Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 91170, Page 1006, said bearing being South 45°28'00" West

12700 Park Central Dallas, Texas 7525	

Kimley-Horn

Scale

Drawn by MBM

Checked by

Date 12/15/2010 064279001

Sheet No.

Reviewed By:

Date: SPRG NO:

EXHIBIT A

20' WIDE WATER EASEMENT LOT 16, BLOCK 34/5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGEND IRF = Iron rod found IRSC = 5/8-inch iron rod set with cap stamped "KHA" IRFC = 5/8-inch iron rod found with cap TO CALLED COOR ACRES OF TO SAN PKS = PK nail set LOT 17, BLOCK 34/5364 ESMT. = Easement WHITE ROCK MARKETPLACE VOL. = Volume PG. = Page
D.R.D.C.T. = Deed Records of Dallas County, Texas VOL. 91170, PG. 1006/ D.R.D.C.T. O.P.R.D.C.T. = Official Public Records of Dallas County, Texas C.M. = Controlling monument CALLED 1.102 ACRES TO RAS ENTERPRISES, INC. DOC. NO. 2008108235 O.P.R.D.C.T. LOT 16, BLOCK 34/5364 WHITE ROCK MARKETPLACE 44°32'00" E VOL. 91170, PG. 1006 20.00 D.R.D.C.T. 300 WATER EASEMENT 3,117 SQUARE FEET 0.072 ACRE Called SO MIDER ON ARLAND ROAD STATE HAN TANK ALUM, MON. FND N 44°32'00" W 17.50' ALUM. MON. FND 1/2" IRE POINT OF BEG. Bart al -N 89°32'00" W 3.54 TO GROVER STANFORD T. FUEL VOL. 86070, PG. 2844 Swill To D.R.D.C.T. M Basis of Bearings: Bearings based upon the southeasterly 80' line of White Rock Marketplace, as recorded in Volume 91170, Page 1006, said bearing being South 45°28'00" **GRAPHIC SCALE 40**th West (for SPRG use only) Kimley-Horn and Associates, Inc. Reviewed By: Date: 12700 Park Central Drive, Suite 1800 Tel. No. (972) 770-1300 Fax No. (972) 239-3820 SPRG NO: Drawn by Checked by Project No. 12/15/2010 DAB 064279001

AGENDA ITEM #69

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Reyes Gamino and Gloria Gamino, of approximately 2,241 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project - Not to exceed \$13,765 (\$11,865, plus closing costs and title expenses not to exceed \$1,900) – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 2,241 square feet of land, located near the intersection of Garland Road and Lochwood Boulevard for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$13,765 (\$11,865, plus closing costs and title expenses not to exceed \$1,900)

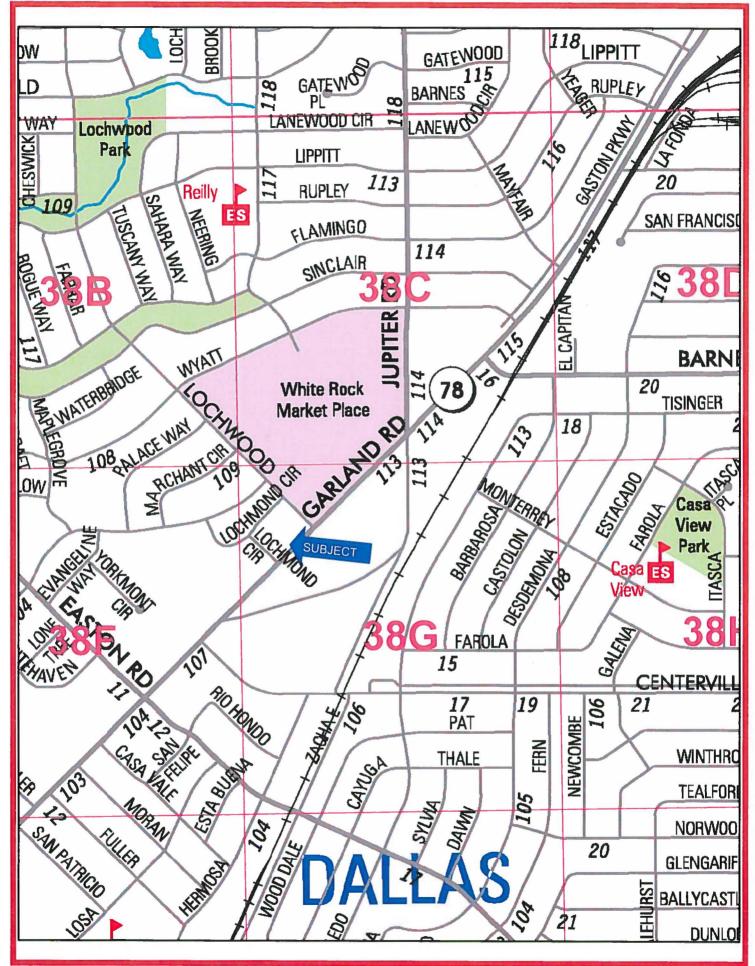
OWNERS

Reyes Gamino

Gloria Gamino

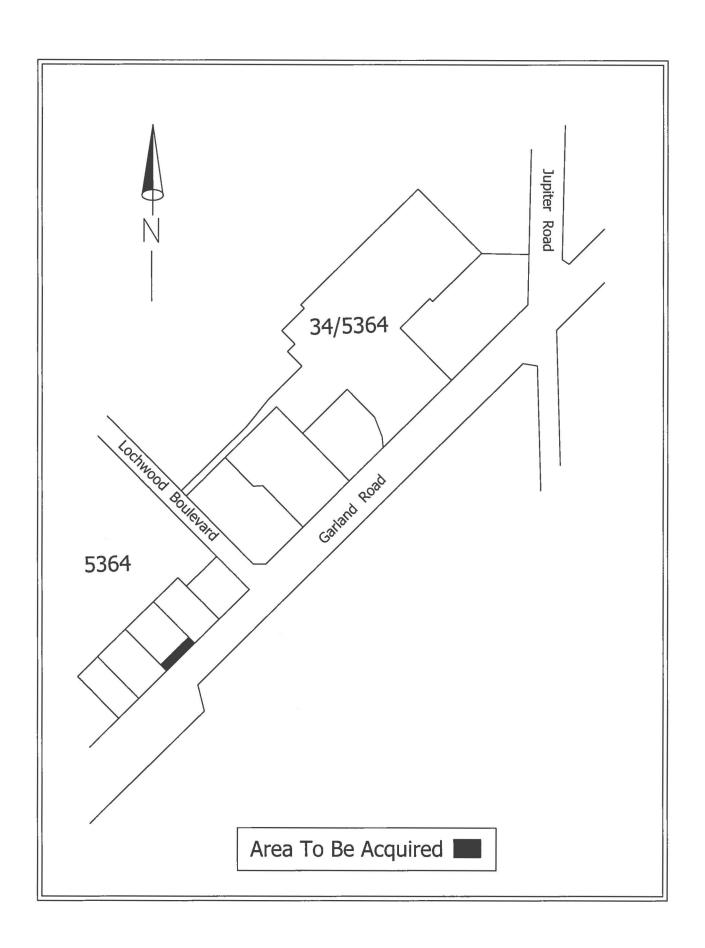
MAPS

Attached



MARCO

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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 2,241 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Reyes Gamino and Gloria Gamino, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$11,865

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,900

"AUTHORIZED AMOUNT": \$13,765 (\$11,865, plus closing costs and title expenses not to exceed \$1,900)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA8. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

RY

Assistant City Attorney

EXHIBIT A

20' WIDE WATER EASEMENT CITY BLOCK 5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,241 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a portion of a called 0.4244 acre tract of land situated in City Block 5364, conveyed to Reyes Gamino and Gloria Gamino as evidenced in a Special Warranty Deed recorded in Document No. 200900130355 of the Official Public Records of Dallas County Texas (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1-inch iron pipe found for the east corner of said 0.4244 acre tract, same being the south corner of a tract of land conveyed to the Amalgamated Meat Cutters & Butchers Union No. 540 as evidenced in a Warranty Deed recorded in Volume 70072, Page 1009 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said iron pipe also being on the northwesterly right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE South 45°28'00" West, along the southeast line of said 0.4244 acre tract and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 112.03 feet to a 1/2-inch iron rod found for the south corner of said 0.4244 acre tract, same being the east corner of a called 11,563.853 square feet tract of land situated in City Block 5364, conveyed to the Jack and Barbara Casey Living Trust as evidenced in a Warranty Deed recorded in Volume 92227, Page 6317, D.R.D.C.T.;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78) and along the southwest line of said 0.4244 acre tract and the northeast line of said 11,563.853 square feet tract, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the southwest line of said 0.4244 acre tract and along a line that is 20' north of and parallel with the southeast line of said 0.4244 acre tract and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 112.03 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northeast line of said 0.4244 acre tract and the southwest line of aforesaid Amalgamated Meat Cutters & Butchers Union No. 540 tract;

THENCE South 44°32'00" East, along the northeast line of said 0.4244 acre tract and the southwest line of said Amalgamated Meat Cutters & Butchers Union No. 540 tract, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 2,241 square feet (0.051 of an acre) of land, more or less.



Basis of Bearings: Bearings based upon the southeasterly line of a tract of land, as recorded in Doc. No. 200900130355, said bearing being South 45°28'00" West

(for SPRG use only)	
Reviewed By:	
Date:	
SPRG NO:	



Drawn by

NONE

Kimley-Horn and Associates, Inc

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

 Checked by
 Date

 DAB
 12/15/2010

/2010 064279001

No. Sheet No. 1 OF 2

1

MARX, MICHAEL, 1915/2010 12-46 FM
MARX, MICHAEL, 1915/2010 12-46 FM
MARX, MICHAEL, 1915/2010 12-46 FM
INTAGAL, SIRVERY PARA-PARA-PARIAND ROAD, LDD PID 464/2000/UPD 406 EASEMENTS DWO
INTAGAL SIRVERY PARA-PARA-PARIAND ROAD, LDD PID 464/2000/UPD 406 EASEMENTS DWO

AGENDA ITEM #70

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38C

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from White Rock Outparcel, L.P., of approximately 6,909 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project - Not to exceed \$60,779 (\$58,479, plus closing costs and title expenses not to exceed \$2,300) – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 6,909 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$60,779 (\$58,479, plus closing costs and title expenses not to exceed \$2,300)

OWNER

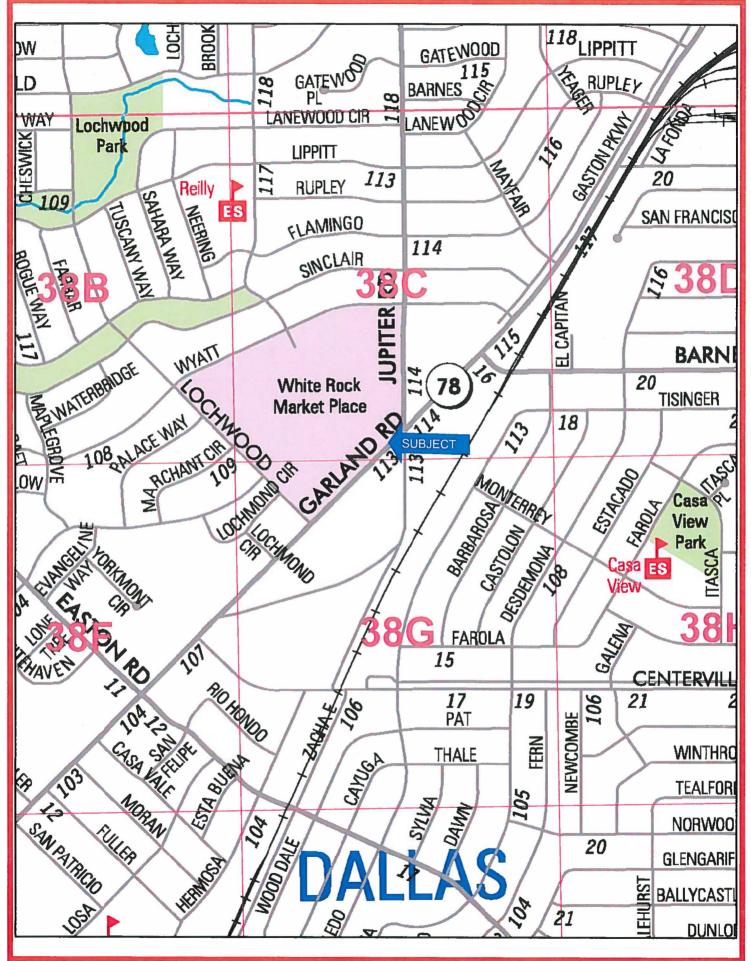
White Rock Outparcel, L.P.

Whiterock GP, LLC, General Partner

Adam Ifshin, Chairman/Director

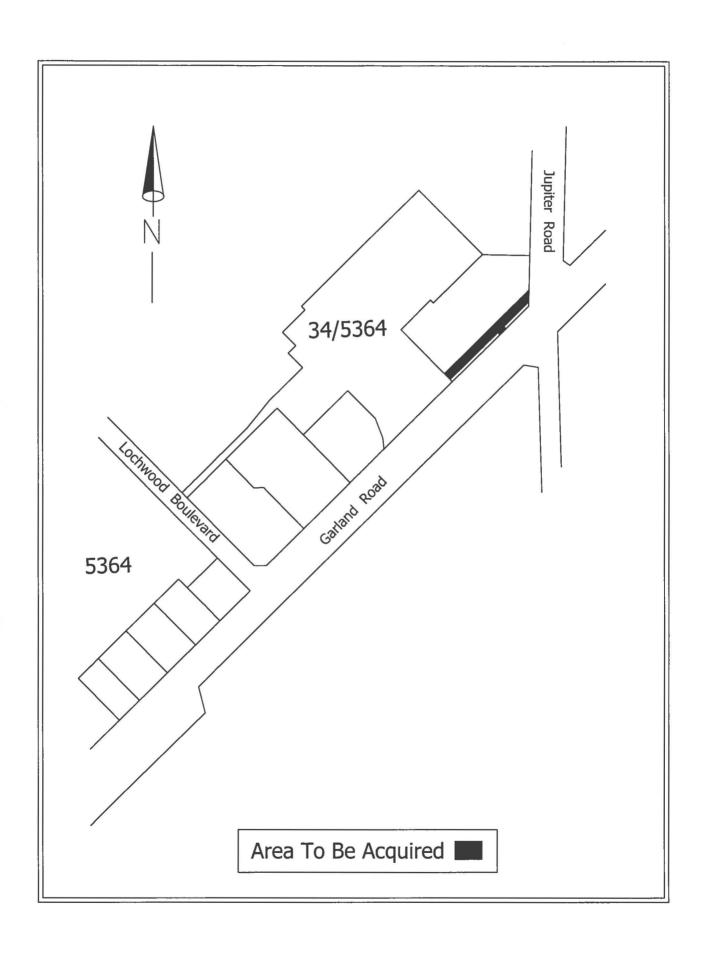
MAPS

Attached



MARCO

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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 6,909 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": White Rock Outparcel, L.P., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$58,479

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,300

"AUTHORIZED AMOUNT": \$60,779 (\$58,479, plus closing costs and title expenses not to exceed \$2,300)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA1. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

August 28, 2013

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR., City Attorney

Assistant City Attorney

20' WIDE WATER EASEMENT LOT 19A, BLOCK 34/5364 McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 6,909 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a tract of land situated in Lot 19A, Block 34/5364 of White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 92168, Page 3669 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being situated in a called 1.790 acre tract of land conveyed to White Rock Outparcel. L.P., as evidenced in a Special Warranty Deed recorded in Volume 2000148, Page 5129, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at the south corner of said Lot 19A, Block 34/5364, same being the east corner of Lot 15A, Block 34/5364 of said White Rock Marketplace, same also being the east corner of a called 16.395 acre tract of land conveyed to White Rock Improvements, L.P., as evidenced in a Special Warranty Deed recorded in Volume 2000148, Page 5135, D.R.D.C.T., said corner also being on the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE North 44°32'00" West, departing the northwest right-of-way line of said Garland Road (State Highway No. 78), along the northeast line of said Lot 15A, Block 34/5364 and the southwest line of said Lot 19A, Block 34/5364, a distance of 7.50 feet to a 5/8-inch "KHA" capped iron rod set for the POINT OF BEGINNING of the herein described easement tract, same being on the northwest line of a 7.5' wide T. U. Electric Easement as dedicated in White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 91170, Page 1006, D.R.D.C.T.;

THENCE North 44°32'00" West, continuing along the northeast line of said Lot 15A, Block 34/5364 and the southwest line of said Lot 19A, Block 34/5364, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the northeast line of said Lot 15A, Block 34/5364 and the southwest line of said Lot 19A, Block 34/5364 and along a line that is 27.5 feet north of and parallel with the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 345.85 feet to a 5/8-inch "KHA" capped iron rod set on the west line of a 10' wide easement to the City of Dallas for Street purposes as recorded in Volume 131, Page 489, D.R.D.C.T.;

THENCE South 00°15'00" East, along the west line of said 10' wide Street Easement, a distance of 27.94 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northwest line of aforesaid 7.5' wide T. U. Electric Easement;

THENCE South 45°28'00" West, along the northwest line of said 7.5' wide T. U. Electric Easement, a distance of 102.04 feet to a PK nail set for a corner;

THENCE South 44°32'00" East, a distance of 7.50 feet to a PK nail set for a corner on the southeast line of aforesaid Lot 19A Block 34/5364 and the northwest right-of-way line of aforesaid Garland Road (State Highway No. 78);

THENCE South 45°28'00" West, along the southeast line of said Lot 19A, Block 34/5364 and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 25.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 44°32'00" West, departing the southeast line of said Lot 19A, Block 34/5364 and the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 7.50 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northwest line of aforesaid 7.5' wide T. U. Electric Easement:

THENCE South 45°28'00" West, along the northwest line of said 7.5' wide T. U. Electric Easement, a distance of 199.31 feet to the POINT OF BEGINNING and containing 6,909 square feet (0.159 of an acre) of land, more or less.



Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 92168, Page 3669, said bearing being South 45"28'00" West

	(for SPRG use only)
Reviewed	Ву:
Date:	
SPRG NO	•

12700 Park Ce	ntral Drive, Suite 180

Kimley-Horn and Associates

NONE MBM Checked by

12/15/2010

064279001

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AGENDA ITEM #71

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

Water Utilities

CMO: Theresa O'Donnell, 671-9195

Forest E. Turner, 670-3390

MAPSCO: 38G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Whiterock Improvements, L.P., of approximately 5,121 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project - Not to exceed \$51,205 (\$49,005, plus closing costs and title expenses not to exceed \$2,200) — Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of approximately 5,121 square feet of land, located near the intersection of Garland and Jupiter Roads for the Garland Road Water Main Project. This property will be used for the construction of an approximately 2,400 feet long 12-inch diameter water main from Alvin Street to Jupiter Road. The consideration is based on an independent appraisal.

This acquisition is part of the Dallas Water Utilities ongoing water main improvement program. The new 12-inch water main will replace the existing 8-inch water main built in 1951 and 1956. The pipeline installation is expected to improve capacity of the water system and reduce maintenance costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$51,205 (\$49,005, plus closing costs and title expenses not to exceed \$2,200)

OWNER

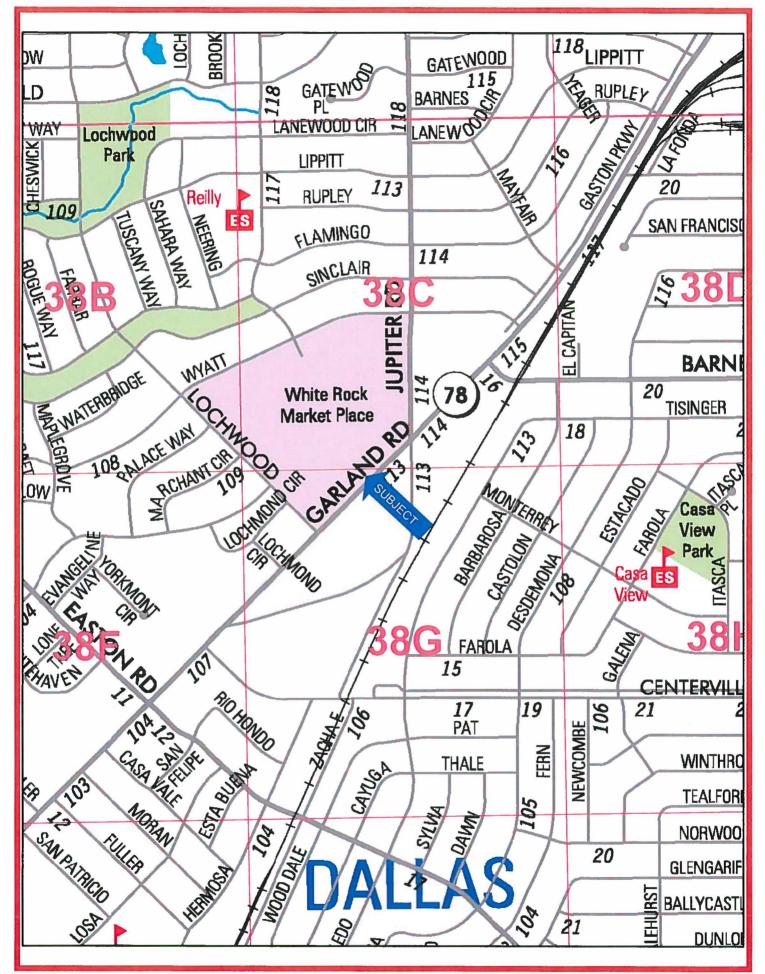
Whiterock Improvements, L.P.

Whiterock GP, LLC, General Partner

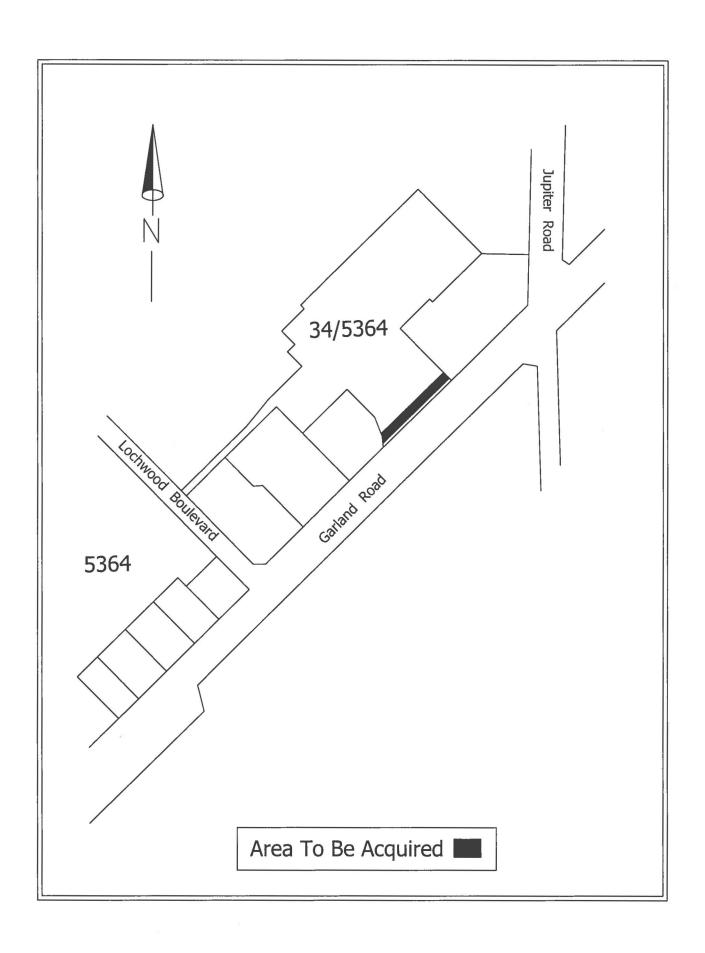
Adam Ifshin, Chairman/Director

MAPS

Attached



MARSCH)



A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 5,121 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Garland Road Water Main Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Water Easement

"OWNER": Whiterock Improvements, L.P., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$49,005

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,200

"AUTHORIZED AMOUNT": \$51,205 (\$49,005, plus closing costs and title expenses not to exceed \$2,200)

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

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

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

- **SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
- **SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Construction Funds, Fund No. 0102, Department DWU, Unit CW40, Activity MPSA, Program No. 709185, Object 4250, Encumbrance No. CT-DWU709185EA2. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.
- **SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.
- **SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.
- **SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).
- **SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.
- **SECTION 9.** That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM: THOMAS P. PERKINS, JR., City Attorney

Assistant City Attorney

EXHIBIT A

20' WIDE WATER EASEMENT LOT 15A, BLOCK 34/5364 McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 5,121 square feet tract of land situated in the McKinney & Williams Survey, Abstract No. 1002, City of Dallas, Dallas County, Texas, and being a tract of land situated in Lot 15A, Block 34/6364 of White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 92168, Page 3669 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being situated in a called 16.395 acre tract of land conveyed to White Rock Improvements, L.P., as evidenced in a Special Warranty Deed recorded in Volume 2000148, Page 5135, of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch "RPLS 1890" capped iron rod found for the south corner of said Lot 15A, Block 34/5364, same being the most southerly, east corner of Lot 18, Block 34/5364 of White Rock Marketplace, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 91170, Page 1006, D.R.D.C.T., said iron rod also being on the northwest right-of-way line of Garland Road (State Highway No. 78), a called 100' wide right-of-way;

THENCE North 02°18'14" East, departing the northwest right-of-way line of said Garland Road (State Highway No. 78), along the westerly line of said Lot 15A, Block 34/5364 and the easterly line of said Lot 18, Block 34/5364, a distance of 10.96 feet to a 5/8-inch "KHA" capped iron rod set for the POINT OF BEGINNING of the herein described easement tract, same being on the northwest line of a 7.5' wide T. U. Electric Easement as dedicated in said White Rock Marketplace:

THENCE in a northerly direction, along the easterly line of said Lot 18, Block 34/5364 and the westerly line of Lot 15A, Block 34/5364, the following:

North 02°18'14" East, a distance of 22.32 feet to a 5/8-inch iron rod found for a corner;

North 27°19'38" West, a distance of 4.96 feet to a 5/8-inch "KHA" capped iron rod set for a corner;

THENCE North 45°28'00" East, departing the easterly line of said Lot 18, Block 34/5364 and the westerly line of said Lot 15A, Block 34/5364 and along a line that is 27.5 feet north of and parallel with the northwest right-of-way line of said Garland Road (State Highway No. 78), a distance of 248.56 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northeast line of said Lot 15A, same being the westerly line of Lot 19A, Block 34/6364 of said White Rock Marketplace as recorded in Volume 2000148, Page 5135, D.R.D.C.T.;

THENCE South 44°32'00" East, along the northeast line of said Lot 15A, Block 34'5364 and the southwest line of said Lot 19A, Block 34/5364, a distance of 20.00 feet to a 5/8-inch "KHA" capped iron rod set for a corner on the northwest line of aforesaid 7.5' wide T. U. Electric Easement;

THENCE South 45°28'00" West, departing the northeast line of said Lot 15A, the southwest line of said Lot 19A, and along the northwest line of said 7.5' wide T. U. Electric Easement, a distance of 266.30 feet to the POINT OF BEGINNING and containing 5,121 square feet (0.118 of an acre) of land, more or less.

Basis of Bearings: Bearings based upon the southeasterly line of White Rock Marketplace, as recorded in Volume 92168, Page 3669, said bearing being South 45°28'00"

	(for SPRG use only)	
Reviewe	ed By:	
Date:		
SPRG N	NO:	
011101		





Kimley-Hor

Scale Drawn by Checked by

Date 12/15/2010

EXHIBIT A

20' WIDE WATER EASEMENT LOT 15A, BLOCK 34/5364

McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1002 CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGEND IRF = Iron rod found IRSC = 5/8-inch iron rod set with cap stamped "KHA" CALLED 1.790 ACRES TO WHITE ROCK OUTPARCEL, L.P. VOL. 2000148, PG. 5129 IRFC = 5/8-inch iron rod found with cap D.R.D.C.T. PKS = PK nail set ESMT. = Easement LOT 19A, BLOCK 34/5364 VOL. = Volume L1: N 02°18'14" E, 22.32' WHITE ROCK MARKETPLACE PG. = Page 544°37.00 (E. 20.00) L2: N 27°19'38" W, 4.96' D.R.D.C.T. = Deed Records of Dallas County, Texas VOL. 2000148, PG. 5135 L3: S 02°18'14" W, 3.06' C.M. = Controlling monument D.R.D.C.T. CALLED 16.395 ACRES L4: S 02°18'14" W, 7.90' TO WHITE ROCK IMPROVEMENTS, L.P. ALLIN NON PHO. VOL. 2000148, PG. 5135 D.R.D.C.T. WATER EASEMENT 5,121 SQUARE FEET 0.118 ACRE LOT 15A, BLOCK 34/5364 WHITE ROCK MARKETPLACE 15 T.J. ELE PO. PO. NO. VOL. 92168, PG. 3669 10, 10 suppose D.R.D.C.T. S STREET ROSENENTOS Marier Man Edithin CARLAND ROAD TO WITE ROW. CALLED 0.8379 ACRE O MCDONALD'S CORPORATION VOL. 93063, PG. 1280 D.R.D.C.T. LOT 18, BLOCK 34/5364 WHITE ROCK MARKETPLACE VOL. 91170, PG. 1006 D.R.D.C.T., TOF BEG. ALUM MON FND 5/8" IRFC C.M. POINT OF COMM (RPLS 1890) Basis of Bearings: Bearings based upon the southeasterly 80' line of White Rock Marketplace, as recorded in Volume 92168, Page 3669, said bearing being South 45°28'00" W GRAPHIC SCALE 40' (for SPRG use only) Kimley-Horn MICHAEL B. MARX and Associates, Inc. Reviewed By: Date: Tel. No. (972) 770-1300 Fax No. (972) 239-3820 12700 Park Central Drive, Suite 1800 Dallas, Texas 75251 SPRG NO:

Checked by

Date

Project No.

064279001

Sheet No.

2 OF 2

MICHAREL 12/13/2010 9:41 AM SURVEYW4279001 WGF-GARLAND ROADL LDD PID 4069/DWG:DWU PID 4069 EASEMENTS:DWG

AGENDA ITEM #72

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended with KKBK Properties, LLC in an amount not to exceed \$100,000, for the purpose of planning and preconstruction activities related to mixed-use development as part of the Hatcher Gardens development project - Not to exceed \$100,000 - Financing: HUD Community Challenge Planning Grant Funds

BACKGROUND

In 2010, the City was awarded a \$2,225,000 grant under the HUD Sustainable Communities Challenge Grants program. The HUD Sustainable Communities Challenge Grant effort included planning for appropriate transit-oriented development (TOD) including affordable housing at seven DART stations at five locations. These locations include the Hatcher Station and the area within a half mile radius of the station on the DART green line.

On April 10, 2013, City Council approved the Dallas TOD Hatcher Station Area Plan. The Hatcher Gardens project is consistent with the desired projects identified by the Hatcher Station Area Plan.

The Hatcher Gardens project is a mixed-use, transit oriented development. The project will contain ten two-bedroom, two bathroom apartments, as well as two commercial retail units. The overall project is approximately 16,000 square feet, and the budget is approximately \$2 million. The project is located at 4002 Hatcher Street.

In addition to funding planning activities, the HUD Community Challenge Grant can also support eligible planning and preconstruction activities. The City is proposing to use \$100,000 of these funds to support the following preconstruction activities for this project: planning, architectural and engineering design services, environmental and legal fees.

BACKGROUND (Continued)

These funds will allow the project to move forward to the construction phase. This project is consistent with the Dallas TOD Hatcher Station Area Plan recently adopted by Council and also supports HUD's Sustainable Communities Livability Principles to (1) promote equitable, affordable housing and (2) support existing communities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 18, 2011, the Economic Development Committee was briefed regarding an application for and acceptance of the Community Challenge Planning Grant from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development.

On January 26, 2011, City Council authorized an application for, acceptance of and the establishment of appropriations for the Community Challenge Planning Grant Funds from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development by Resolution No. 11-0260.

On April 10, 2013, City Council adopted the HUD Challenge Grant-funded Dallas TOD Hatcher Station Area Plan, which defines issues, sets goals, and provides recommendations related to urban design and planning, as well as providing an implementation guide for future development in the area located approximately a half mile around the Hatcher DART Station by Resolution No. 13-0667.

On August 2, 2013, City Council received a memo about the Hatcher Gardens project.

FISCAL INFORMATION

\$100,000 - HUD Community Planning Grant Funds

OWNER(S)

KKBK Properties, LLC

Craig Gant, Esq. Managing Partner

Jerry Hicks, Esq. Partner

Kurt Thomas Partner **WHEREAS,** the City of Dallas seeks to support new transit-oriented and mixed-use development which contains affordable workforce housing in order to attract and retain economic growth, including private investment and job creation; and

WHEREAS, on January 26, 2011, City Council authorized an application for, acceptance of and the establishment of appropriations for the Community Challenge Planning Grant Funds from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development by Resolution No. 11-0260; and

WHEREAS, on April 10, 2013, City Council authorized the adoption of the HUD Challenge Grant-funded Dallas TOD Hatcher Station Area Plan, which defines issues, sets goals, and provides recommendations related to urban design and planning, as well as providing an implementation guide for future development in the area located approximately a half mile around the Hatcher DART Station by Resolution No. 13-0667; and

WHEREAS, the City supports the project as proposed by KKBK Properties, LLC to construct an approximately 16,000 square foot mixed-use, transit-oriented development; and

WHEREAS, the City desires to enter into a Chapter 380 economic development grant agreement with KKBK Properties, LLC in order to promptly complete the planning and preconstruction activities to allow for the development of a mixed-use, transit-oriented development.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a Chapter 380 economic development grant agreement with KKBK Properties, LLC that includes the following:

(a) That the actual amount and payment of the grant shall equal the actual costs incurred that include: planning, architectural and engineering for public improvements, offsite improvements, and the development of mixed-use and commercial development associated with the project up to \$100,000 from the City to be reimbursed by the U.S. Department of Housing and Urban Development Community Challenge Grant.

Section 1. (Continued)

- (b) KKBK Properties, LLC shall comply with the rules, regulations and requirements of all City, State and Federal law. KKBK Properties, LLC intends to treat all reimbursements it receives from the City for the Project costs as an Economic Development Grant pursuant to Section 380.001 of the Texas Local Government Code and the City's Public/Private Partnership Program Guidelines and Criteria.
- (c) That the proposed mixed-use planning and preconstruction work will be substantially completed by January 14, 2014. The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause.

Section 2. That the City Controller is hereby authorized to encumber and disburse funds from: Fund F324, Department ECO, Unit 4725, Object 3016, Activity HUDG, Encumbrance No. ECO4725J044, Vendor No. VS0000078632, in an amount not to exceed \$100,000.

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

AGENDA ITEM #73

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 12 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a radio, television or microwave tower on property zoned an MU-3 Mixed Used District on the northwest corner of Villa Creek Drive and Ford Road

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions <u>Z123-171(MW)</u>

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-171(MW) DATE FILED: January 2, 2013

LOCATION: Northwest corner of Villa Creek Drive and Ford Road

COUNCIL DISTRICT: 6 MAPSCO: 12-Z

SIZE OF REQUEST: ±1.42 acre CENSUS TRACT: 140.01

REPRESENTATIVE: Robert Baldwin

APPLICANT/OWNER: Atmos Energy

REQUEST: An application for a Specific Use Permit for a radio,

television or microwave tower on property zoned an MU-3

Mixed Used District

SUMMARY: The applicant proposes to replace an existing 170-foot

tower, which connects the onsite gas regulator facility to the utility's billing system and network, with a 270-foot tower.

CPC RECOMMENDATION: Approval for a ten-year period with eligibility for

automatic renewal for additional ten-year periods,

subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a ten-year period with eligibility for

automatic renewal for additional ten-year periods,

subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The ±1.42-acre request site is developed with a gas regulator facility (utility or government installation other than listed) which includes two storage warehouses, constructed in the 1950's (per DCAD data), and a 170-foot microwave tower.
- Pursuant to Chapter 51A of the Dallas Development Code, a radio, television or microwave tower is defined as a structure supporting antennae that transmit or retrieve any portion of the electromagnetic spectrum.
- A radio, television or microwave tower is permitted only by specific use permit in the Mixed Use districts.
- The request site is surrounded by office uses to the north and east; retail uses to the south and warehouse uses to the west.

Zoning History:

There have been no recent zoning requests within the immediate vicinity request site.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing ROW
Ford Road	Local	50 feet
Villa Creek Drive	Local	60 feet

Land Use:

	Zoning	Land Use
Site	MU-3	Gas regulator facility
North	MU-3	Office
East	City of Farmers Branch	Office
South	IR	Retail
West	IR	Warehouse

STAFF ANALYSIS:

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

According to the *forwardDallas!* Vision Illustration, the subject site is identified as being within a Business Center or Corridor Building Block. This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the North Park Center area, Southwest Center Mall area at I-20 and US Hwy 67 and the Stemmons Corridor. Business Centers are usually at major intersections or along Highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

The applicant's request is consistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

The ±1.42-acre request site is developed with a gas regulator facility (utility or government installation other than listed) which includes two storage warehouses, constructed in the 1950's (per DCAD data), and a 170-foot microwave tower. The applicant proposes to replace the existing tower with a with a 270-foot tower. A radio, television or microwave tower is permitted only by specific use permit in the Mixed Use districts.

The request site is surrounded by office uses to the north and east; retail uses to the south and warehouse uses to the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions.

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

Pursuant to the Dallas Development Code, a utility or government installation other than listed does not require off-street parking. A radio, television or microwave tower requires two off-street parking spaces, as depicted on the site plan.

Landscaping:

The request will not trigger the requirements of Article X of the Dallas Development Code.

Federal Aviation Administration:

On August 31, 2011, the Federal Aviation Administration (FAA) conducted an aeronautical study of the proposed tower which revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided it is marked/lighted in accordance with the FAA standards.

CPC Action: July 25, 2013:

Motion: It was moved to recommend approval of the a Specific Use Permit for a

radio, television or microwave tower for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions on property zoned an MU-3 Mixed Used District on the

northwest corner of Villa Creek Drive and Ford Road.

Maker: Wally Second: Schwartz

Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley,

Lavallaisaa, Tarpley, Wolfish, Schwartz, Ridley

Against: 0

Absent: 3 - Shellene, Bernbaum, Alcantar

Vacancy: 0

Notices: Area: 300 Mailed: 11 Replies: For: 0 Against: 2

Speakers: None

Partners/Principals/Officers:

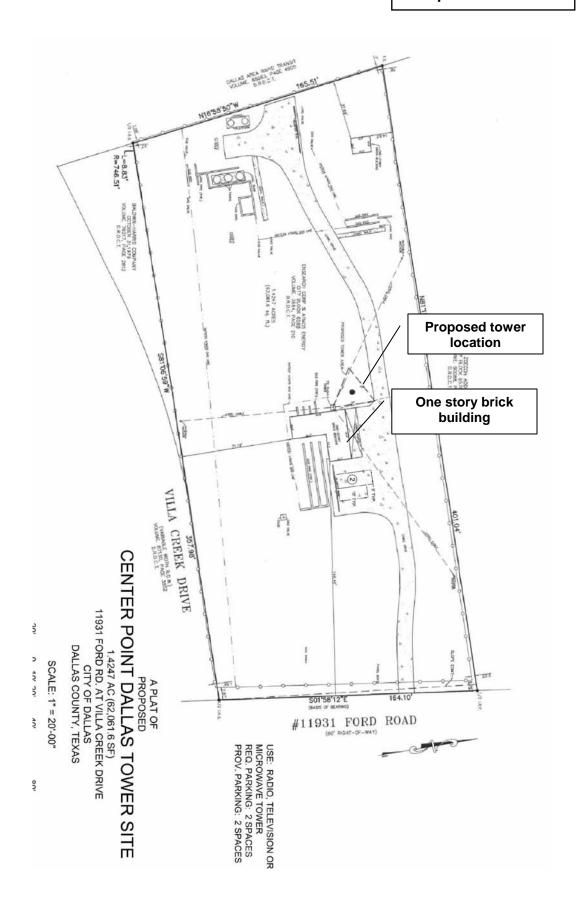
APPLICANT/OWNER: Atmos Energy

Robert W. Best – CEO
J. Kevin Akers – President
Verlon R. Aston Jr. – Vice President
Mark S. Bergeron – President, Atmos Energy Holdings, Inc.
Clay C. Cash – Vice President
Bret Eckert – Senior Vise President
Christopher T. Forsythe – Vice President and Controller
Daniel M. Meziere – Vice President and Treasurer

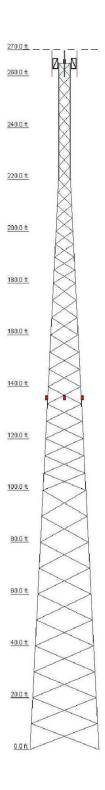
Louis P. Gregory – Senior Vice President, General Counsel and Corporate Secretary

Z123-171 CPC Recommended Conditions

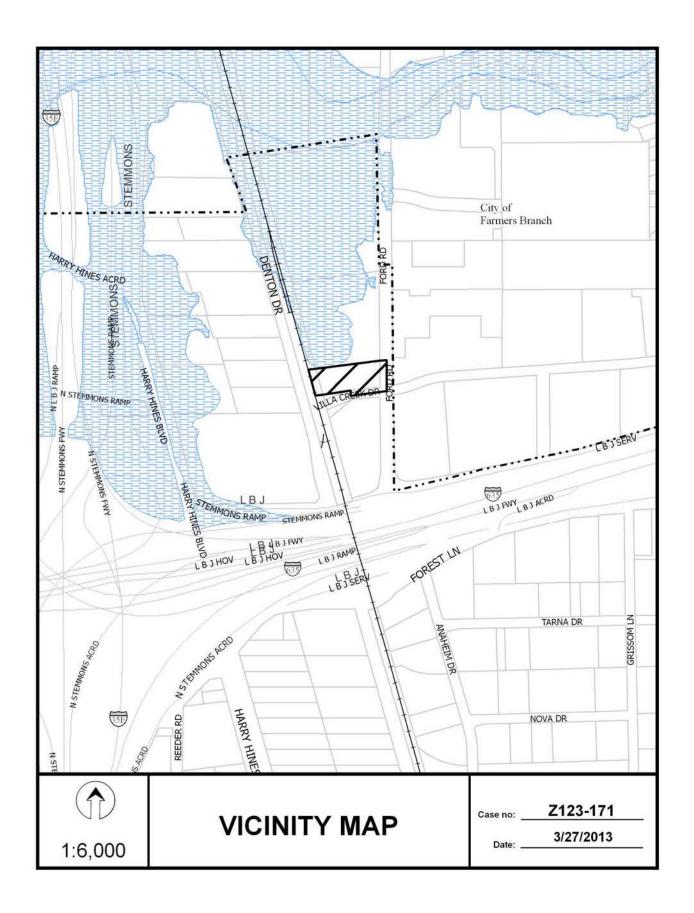
- 1. <u>USE</u>: The only use authorized by this specific use permit is a radio, television, or microwave tower.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (ten years), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- 4. <u>HEIGHT</u>: Maximum height for the radio, television, or microwave tower is 270 feet.
- 5. <u>ILLUMINATION</u>: The radio, television, or microwave tower may not be illuminated, except as required by the Federal Aviation Administration.
- 6. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 7. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

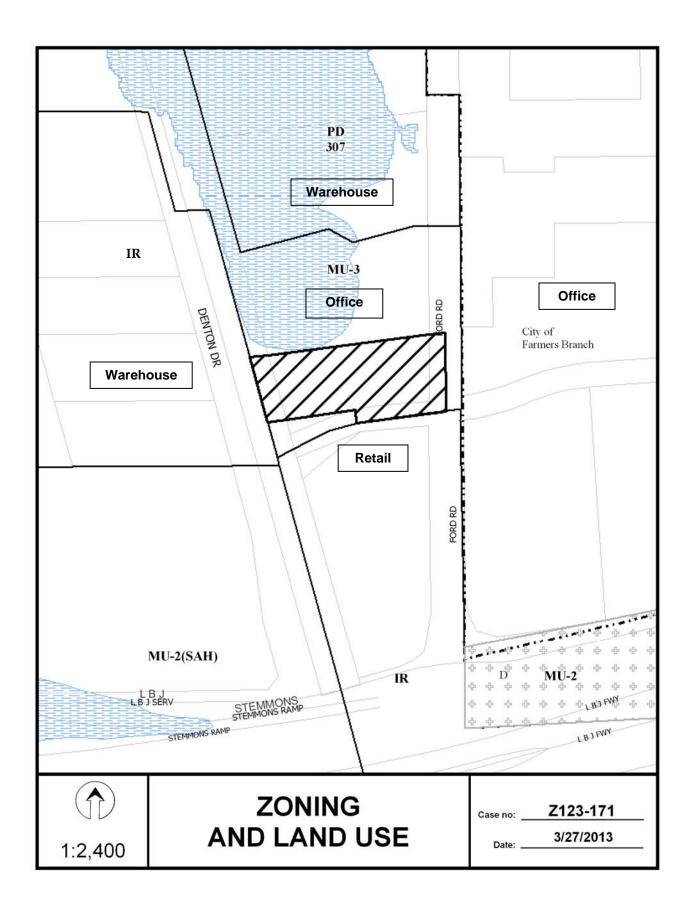


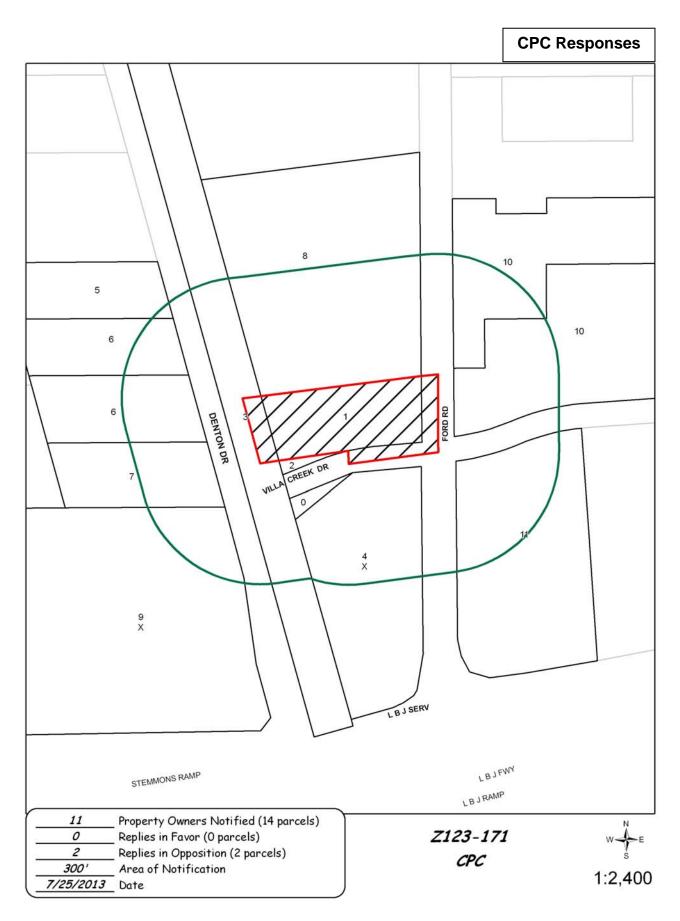
Proposed Elevation



SELF-SUPPORTING TOWER







7/26/2013

Reply List of Property Owners Z123-171

11 Property Owners Notified 0 Property Owners in Favor 2 Property Owners Opposed

Reply	Label #	Address		Owner
	1	11931	FORD RD	ENSERCH CORP
	2	11900	FORD RD	BALDWIN HARRIS COMPANY
	3	401	BUCKNER BLVD	DART
X	4	2605	LBJ FWY	MOON ACQUISITIONS LTD
	5	12025	DENTON DR	ABOA INC
	6	11937	DENTON DR	ALEXANDER PLASTICS INC
	7	11929	DENTON DR	KATZ ANN TRUST
	8	12005	FORD RD	NORTHPOINTE LP
X	9	11814	HARRY HINES BLVD	MOON VENTURES LTD
	10	12000	FORD RD	CB 3 METRO LLC
	11	11800	FORD RD	BALDWIN HARRIS CO

AGENDA ITEM #74

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 34 J

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1736 for a Private school on property zoned an R-7.5(A) Single Family District, with Specific Use Permit No. 278 for a Convent on a portion of the property on the southwest line of Cortland Avenue, between Bombay Avenue and Anson Road

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a revised site plan, revised traffic management plan, and revised conditions Z123-230(RB)

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-230(RB) DATE FILED: March 18, 2013

LOCATION: Southwest Line of Cortland Avenue, between Bombay Avenue and Anson

Road

COUNCIL DISTRICT: 2 MAPSCO: 34 J

SIZE OF REQUEST: Approx. 4.41 Acres CENSUS TRACT: 4.06

APPLICANT: The Roman Catholic Diocese of Dallas, Owner

REPRESENTATIVE: William S. Dahlstrom

REQUEST: An application for an amendment to and expansion of Specific Use Permit

No. 1736 for a Private school on property zoned an R-7.5(A) Single Family District, with Specific Use Permit No. 278 for a Convent on a portion of the

property.

SUMMARY: The applicant is proposing to add an undeveloped parcel to the existing

private school campus as well as providing for a new gymnasium.

CPC RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a revised site plan, revised traffic management plan, and revised conditions.

STAFF RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a revised site plan, revised traffic management plan, and revised conditions.

BACKGROUND INFORMATION:

- The existing land area regulated by SUP No. 1736 is developed with a private school (Our Lady of Perpetual Help Roman Catholic School) and support areas.
 A 13,155 square foot (approximate) undeveloped parcel, located at the extreme west corner of the existing SUP boundary, represents the expansion area.
- SUP No. 1736 was approved by the City Council on December 10, 2008 for a five-year period with eligibility for automatic renewal for additional ten-year periods.
- The expansion area will provide for certain utility infrastructure to support the existing and planned improvements on the property. Additionally, a gymnasium will be constructed on an internal portion of the site.
- A portion of the property provides for SUP No. 278 for a Convent, adopted as part of the 1965 Comprehensive Zoning Ordinance. This will be retained by the applicant.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

Street	Existing & Proposed ROW
Bombay Avenue	Local; 50' ROW
Cortland Avenue	Local; 50' ROW
Anson Road	Local; 55' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

<u>Land Use Compatibility:</u> The applicant is requesting an amendment to and expansion of SUP No. 1736 to add an undeveloped parcel to the existing private school campus as well as providing for a new gymnasium. The expansion area, approximately 13,155 square feet, will be utilized for utility infrastructure that will serve improvements on the existing and expanded land area. A portion of the existing SUP boundary provides for a convent (SUP No. 278), which will remain.

The predominate land use in the area consists of low density residential uses (single family structures), with the exception of Obadiah Knight Elementary School (PDD No. 637), developed on property to the east across Cortland Avenue and a church at the south corner of Thurston Drive and Anson Road.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff has determined the requested improvements will be in scale with the built environment. While there is concern as to the lack of compliance with previously approved annual updates to the traffic management plan, staff has requested an update to the TMP to reflect proposed improvements. This will replace the TMP on file and staff's recommendation will again require annual updates.

As a result of this analysis, staff supports the request subject to the attached site plan, traffic management plan, and conditions.

<u>Traffic:</u> The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested expansion and amendment to SUP No. 1736 and determined it will not significantly impact the street system.

Z123-230(RB)

With respect to the existing traffic management plan regulations, staff has determined the applicant has been negligent in complying with the requirement for annual updates (a total of four, to date). At this time, staff has requested the traffic management plan be revised to address the physical impact of the gymnasium's footprint on internal circulation as well as incorporating recommended annual updates in its methodology.

<u>Landscaping:</u> SUP No. 1736 requires compliance with Article X. The proposed gymnasium will trigger landscaping, and it is anticipated the applicant will establish an artificial lot for the additional landscaping. This will be addressed at the building permit process.

CPC ACTION

(July 25, 2013)

Motion: It was moved to recommend **approval** of an amendment to and expansion of Specific Use Permit No. 1736 for a Private school for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a revised site plan, revised traffic management plan, and revised conditions on property zoned an R-7.5(A) Single Family District, with Specific Use Permit No. 278 for a Convent on a portion of the property on the southwest line of Cortland Avenue, between Bombay Avenue and Anson Road.

Maker: Wally Second: Schwartz

Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley,

Wolfish, Schwartz, Ridley

Against: 0

Absent: 3 - Shellene, Bernbaum, Alcantar

Vacancy: 0

Notices:Area:300Mailed:80Replies:For:6Against:1

Speakers: None

OUR LADY OF PERPETUAL HELP ROMAN CATHOLIC SCHOOL

Officers and Directors

President:

Brad Camp

Vice President:

Patricia Van Winkle

Secretary:

John Roppolo

Board of Directors:

Win Bell Michael Gonzales John Ridings Lee Carl Mayhall Joe Murphy John Palms Debbie Robillard Bruce Whitehead Cheryl-Ann Wong

2123-230

CPC RECOMMENDED AMENDING CONDITIONS FOR SUP NO. 1736

- 1. <u>USE</u>: The only use authorized by this specific use permit is a private school.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on December 10, 2013, (five years) but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
- 4. <u>LANDSCAPING</u>: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
- 5. <u>CLASSROOMS</u>: The maximum number of classrooms is 16.
- 6. <u>HOURS OF OPERATION</u>: The private school may only operate between 6:30 a.m. and 7:00 p.m., Monday through Friday.
- 7. <u>INGRESS/EGRESS</u>: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
- 8. <u>PARKING</u>: Off-street parking must be located as shown on the attached site plan.

9. TRAFFIC MANAGEMENT PLAN:

- (a) <u>In general</u>. The operation of the use must comply with the attached traffic management plan.
- (b) <u>Queuing</u>. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) <u>Traffic study</u>.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by August 1, 2009 2014. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by August 1st of each year.

- (2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:
 - (A) ingress and egress points;
 - (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
 - (D) drop-off and pick-up locations;
 - (E) drop-off and pick-up hours for each grade level;
 - (F) hours for each grade level; and
 - (G) circulation.
- (3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.
- (A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.
- (B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(d) <u>Amendment process</u>.

- (1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).
- (2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.
- 10. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 11. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Revised TMP



Traffic. Transportation Planning. Parking. Design.

400 S. Houston Street, Suite 330 Dallas, TX 75202 ph. 214.748.6740 deshazogroup.com

Technical Memorandum

To: Mr. Dan Quill — Our Lady of Perpetual Help School

CC: Jonathan Vinson — Jackson Walker, L. L. P.

From: Steve E. Stoner, P.E., PTOE — DeShazo Group, Inc.

Date: June 3, 2013

Re: Traffic Management Plan for the Our Lady of Perpetual Help School in Dallas, Texas

DeShazo Project No. 13088

INTRODUCTION

The services of DeShazo Group, Inc. (DeShazo) were retained by Our Lady of Perpetual Help (OLPH) Catholic School ("the school") to provide a requisite traffic management plan (TMP) for their campus located at 7625 Cortland Avenue in Dallas, Texas.

The school is currently in operation at the subject site with an enrollment of 175 students in grades Pre-K through 8th. The school proposes to construct a gymnasium on the campus. No specific capacity increase is associated with the gymnasium project, however this analysis assumes that student capacity could ultimately increase up to 200 students.

The school is currently operating under the regulations provided in Specific Use Permit (SUP) #1736. In order to gain entitlements for the proposed gymnasium construction, approval by City of Dallas for an SUP amendment is required. If approved, completion and implementation of the proposed site and/or operational modifications are anticipated by Fall 2013.

As part of the approval process for SUP amendment, submittal of a TMP to the City of Dallas is required as a record of the preferred strategies to be used by the school to ensure overall traffic safety and efficiency. A TMP is intended to assess the existing and/or anticipated traffic conditions at the school during the morning drop-off and afternoon pick-up peak periods on the basis of satisfying these objectives. By consent of the TMP submittal, the school is agreeing to the strategies presented herein for which the school will be held self-accountable until and unless the City of Dallas deems further measures are appropriate.

The purpose of this document is to fulfill the requirements of the TMP submittal. The TMP will be provided to the City of Dallas staff ("the Staff") for review and approval.

DeShazo is an engineering consulting firm based in Dallas, Texas providing licensed engineers skilled in the field of traffic/transportation engineering.

TRAFFIC MANAGEMENT PLAN

A Traffic Management Plan (TMP) is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel – including walking – will also inherently improve, and the operational impact on the public street system should also be minimized. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it should be used as a tool to facilitate a safer and more efficient environment.

The analysis summarized below utilizes the proposed school site plan to evaluate aspects such as passenger loading/unloading and vehicle queuing (i.e., stacking) that occur at the school in order to accommodate the observed peak demands within the site. A concerted effort and full participation by the school administration, staff, students, and parents are encouraged to provide and maintain safe and efficient traffic operations. [NOTE: In this report the term "parents" refers to any parent, family member, or legal guardian who is involved in the pick-up or drop-off of one or more students at the school.]

School Operational Characteristics

Table 1 summarizes the known operational characteristics for Our Lady of Perpetual Help School assumed in this analysis:

	Existing Conditions	Proposed Conditions
Enrollment (by grade):	Early Childhood – 39 students 1st Grade – 13 students 2nd Grade – 17 students 3nd Grade – 18 students 4th Grade – 15 students 5th Grade – 24 students 6th Grade – 19 students 7th Grade – 14 students 8th Grade – 16 students Total (All grades): 175 students	Total (All grades): up to 200 students
Daily Start/End Schedule	Grades Pre-K through 8 th >Start: 8:00 AM >End: 3:15 PM	No change
Approximate Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	(Negligible)	No change

Table 1. School Operational Characteristics

NOTE #1: To the highest degree practical, the accounts of "existing conditions" presented in this report were based upon actual onsite observations conducted by DeShazo during typical school day(s) conditions and from personal interviews of school representatives. The analyses and recommendations presented in this report for "proposed" or "future" conditions were based upon evaluations of "existing conditions" and may be supplemented by DeShazo's professional judgment and experience. "Proposed"/"Future" conditions are intended to reflect the anticipated day-to-day conditions at full occupancy.

NOTE #2: Occasional functions or other events may be held at the school, which generate traffic outside of the traditional peak dropoff and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Existing Traffic Conditions

Site Access and Circulation

The subject site currently has two total driveways — one driveway on Cortland Avenue and one on Anson Road. During the afternoon pick-up period, parents driving to the site enter from Cortland Avenue and exit onto Anson Road. [NOTE: Across Cortland Avenue from OLPH School is the campus of DISD-Obadiah Knight Elementary School. Due to the magnitude of traffic generated by that school, which generally coincident start/end times, OLPH administration asks parents to enter and exit the site by right-turn only in order to reduce delays.] Once inside the site, vehicles park in the available parking spaces in the school's parking lot or form a single-file queue through the school parking lot drive aisles.

During the morning drop-off period, parents are able to utilize the same circulation pattern, but they are also permitted to drop off students from Bombay Avenue near the building entrance.

A negligible number of students walk to the school, and no school bus service is provided.

Passenger Unloading/Loading and Vehicle Queuing

During the afternoon pick-up period, OLPH School employs an unmanaged protocol during the pick-up period whereby parents may generally queue or park anywhere it is allowed, and students (once released) find their parents on their own. No specific loading areas are designated. School staff members are typically accessible for general supervision and oversight. Once each vehicle is loaded, it individually proceeds to the site egress.

Based upon field observations conducted by DeShazo during typical school-day conditions (on May 8, 2013), the peak number of parent-vehicles on site during the afternoon pick-up period was quantified. Depending upon site-specific conditions, some parents opt to park (on- or off-site) in lieu of enter the vehicle queue – to the degree possible, these vehicles were also included in the vehicle accumulation.

Assuming that the number of vehicles generated during the afternoon pick-up period is directly proportional to the number of students enrolled, the peak queue for the future conditions at full occupancy can be estimated. A summary of the peak number of vehicles is provided in Table 2.

Table 2. Peak Vehicles In Queue

	Existing Conditions (Observed)	Proposed Conditions (Estimated)		
Peak Number of Parent-Vehicles*	22	25		

^{*} May also include parent-vehicles that were parked on- or off-site.

Recommendations

The following recommendations are provided by DeShazo to OLPH School for the management of vehicular traffic generated by the school during peak traffic conditions. [NOTE: Generally, traffic delays and congestion that occurs during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to the timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is most critical, while the morning traffic operations require nominal active management. Therefore, except where stated otherwise, the recommendations provided herein pertain specifically to the afternoon period operations.]

General

To maximize personal safety, any passenger loading (or unloading) within the public right-of-way should be avoided at all times.

To minimize liabilities, no persons other than deputized officers of the law should engage or attempt to influence traffic operations in public right-of-way.

To the extent possible, all queuing and parking of parent-vehicles should also be accommodated within the school site boundaries. For circumstances where this cannot be avoided, coordination with the City of Dallas staff members responsible for traffic operations in the area should take place so that appropriate traffic control devices can be installed.

The full cooperation of all school staff members, students, and parents is crucial for the success of a Traffic Management Plan. Proper training of school staff on the duties and expectations pertaining to the Plan is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended.

Site Circulation Plan

Based upon DeShazo's review of the proposed site conditions and the anticipated needs of traffic during peak conditions, the site traffic circulation plan depicted in Exhibit 1 (derived from the proposed site plan provided by Carrera Consulting Engineers, Inc.) is recommended. This plan was designed with the intent of optimizing the on-site vehicular circulation and retention of vehicle queuing in a manner that promotes safety and operational efficiency.

The recommended plan provides 991 linear feet of on-site vehicular queuing (i.e., storage for up to 74 vehicles @ 22 feet per vehicle), plus approximately 30 available on-site parking spaces. This capacity for approximately 74 vehicles within the site is expected to accommodate the projected vehicle demand of 25 vehicles at the peak of the afternoon pick-up period.

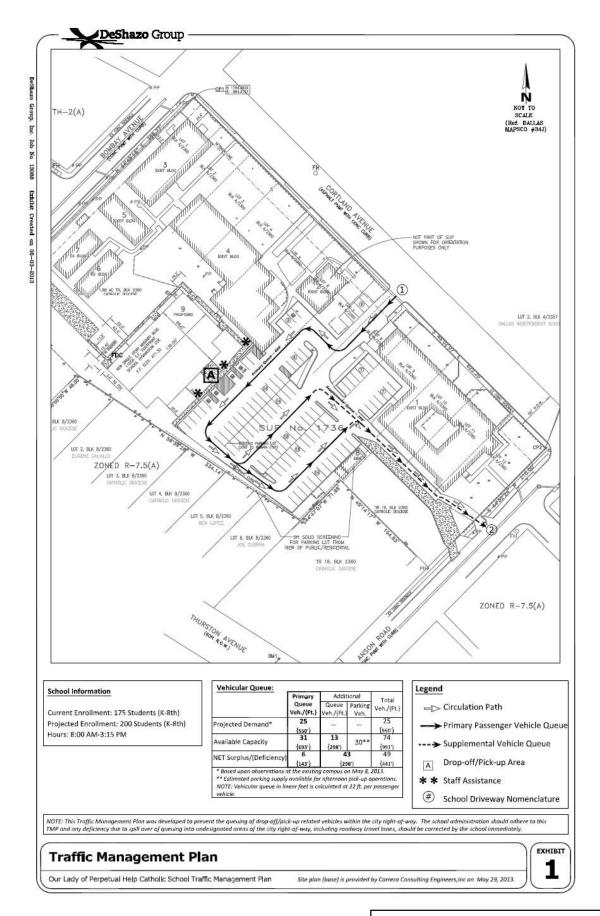
The plan includes recommended configuration of temporary traffic control devices (such as traffic cones, etc.) that shall be installed on a daily basis when typical traffic conditions are expected. An appropriate number of school staff shall be assigned to fulfill the duties of student supervision, traffic control, and other related duties as generally depicted on the plan.

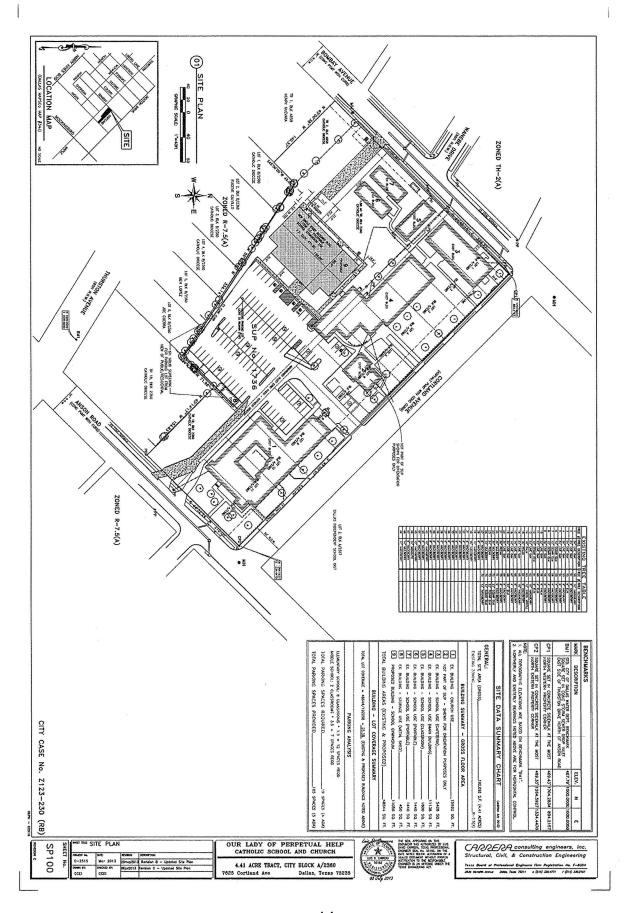
During the morning drop-off period, it is recommended that the school discontinue the practice of allowing students to be unloaded from Bombay Avenue and, instead, required parents to drop-off students within the school parking lot.

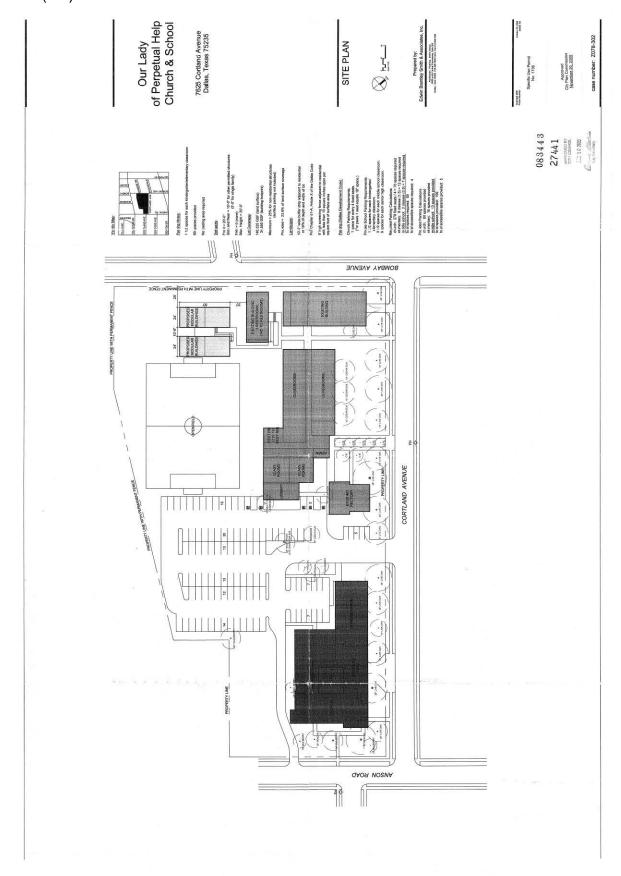
SUMMARY

This TMP is to be used by Our Lady of Perpetual Help School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness.

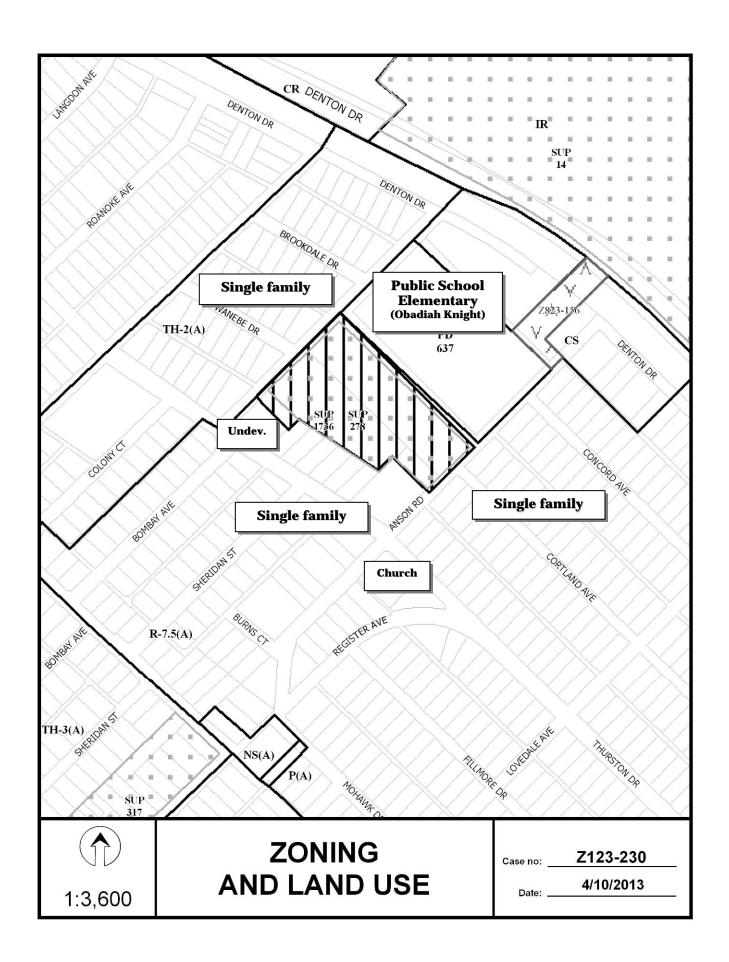
END OF MEMO











CPC RESPONSES



7/26/2013

Reply List of Property Owners Z123-230

80 Property Owners Not Owners Opposed		ified 6 Prop	perty Owners in Favor	1 Property	
Reply	Label #	Address		Owner	
	1	2500	BOMBAY AVE	ROMAN CATH DIC	CESE DALLAS
	2	2505	ANSON RD	HAYES WAVA	
	3	2514	BOMBAY AVE	GRAHMANN CHA	RLES V MOST REV
				BISHOP OF TH	
	4	7514	CONCORD AVE	REYES VICENTE G	
	5	7510	CONCORD AVE	ROSTRO ODILON &	z MARIA R
	6	7515	CONCORD AVE	FEDERAL HOME LO	DAN MTG
	7	7511	CONCORD AVE	ZEPEDA JUAN M &	
	8	7505	CONCORD AVE	ZEPEDA ROBERTO	&
	9	7503	CONCORD AVE	ESPINOZA GUMER	SINDO
	10	7427	CONCORD AVE	RODRIGUEZ TERES	SA
	11	7423	CONCORD AVE	ESPINOZA GUMER	SINDO
	12	7514	CORTLAND AVE	TIRADO VICENTE &	& SANDRA
	13	7510	CORTLAND AVE	GUERRA JOSE	
	14	7506	CORTLAND AVE	ZEPEDA JOSE LUIS	&
	15	7502	CORTLAND AVE	ALVARADO JESUS	T & JUANA
	16	7426	CORTLAND AVE	AGUILAR YMELDA	
	17	7422	CORTLAND AVE	ALVARADO ALMA	LUZ
	18	7515	CORTLAND AVE	MUNOZ ISIDRO &	
	19	7511	CORTLAND AVE	ESTRADA JAVIER C	C &
	20	7507	CORTLAND AVE	PEREZ MANUEL V	EST OF
	21	7503	CORTLAND AVE	LOPEZ PABLO	
	22	7427	CORTLAND AVE	ROMAN ROBERT &	MARIA G
	23	7423	CORTLAND AVE	PORTILLO MAURIO	CIO &
Ο	24	7518	THURSTON DR	GUERRA JOE & PAI	JLINE TR
	25	7514	THURSTON DR	FRANCO CAROLIN	ΈO
	26	7510	THURSTON DR	RIVAS CARMEN	

7/26/2013

Reply	Label #	Address		Owner
	27	7506	THURSTON DR	GAMEZ VENANCIO &
	28	7502	THURSTON DR	MARROQUIN LUIS L &
	29	7422	THURSTON DR	FLORES JOSE E & BLANCA E
	30	2417	ANSON RD	MILLER GINGER SHOCKLEY
O	31	2423	ANSON RD	GUERRA JOE & PAULINE REVOCABLE
				TRUST
	32	7706	THURSTON DR	CALVILLO EUGENE
	33	7702	THURSTON DR	ROMAN CATH DIOCESE DALLAS
O	34	7624	THURSTON DR	ROMAN CATHOLIC DIOCESE OF DALLAS
	35	7620	THURSTON DR	LOPEZ BEN JR
O	36	7614	THURSTON DR	GUERRA JOE AND PAULINE REVOCABLE
				TRUST
	37	7714	THURSTON DR	GUEVARA HENRY
	38	7900	THURSTON DR	RODRIGUEZ RAY C & ANGIE G
	39	7812	THURSTON DR	ALTAMIRANO MANUEL ALBERTO
	40	7808	THURSTON DR	MORALES CESAR & MARIA G
	41	7804	THURSTON DR	GARZA RAUL L
	42	7800	THURSTON DR	BRIZUELA CESAR A &
	43	7805	WANEBE DR	HERNANDEZ JOE M
	44	7809	WANEBE DR	BROWN MARY N
	45	7813	WANEBE DR	ROJANO EDMUNDO & SARA
	46	7817	WANEBE DR	GARZA BENITO & ANA
	47	7903	WANEBE DR	MARTINEZ JUAN
	48	7905	WANEBE DR	DELOSSANTOS VICTORIA
	49	7907	WANEBE DR	DELOS SANTOS ARMINDA ETAL
	50	7904	WANEBE DR	PADILLA LEONARDO & ELIZAB
O	51	7900	WANEBE DR	TINAJERO SERAFIN CASTRO LIFE ESTATE
	52	7814	WANEBE DR	GOMEZ MANUEL &
	53	7810	WANEBE DR	ORTEGA J JESUS & LETICIA
	54	7806	WANEBE DR	BROWN MARY NONA
	55	7802	WANEBE DR	ORTIZ JOSE & DELFINA
	56	7805	BROOKDALE DR	OCHOA MANUEL G
	57	7809	BROOKDALE DR	GARCIA MARIA DE LA LUS

Z123-230(RB)

7/26/2013

Reply	Label #	Address		Owner
	58	7811	BROOKDALE DR	LOPEZ JUAN C ETAL
	59	7815	BROOKDALE DR	GOMEZ MANUEL & ISIDRA
	60	7901	BROOKDALE DR	PEREZ CLARO & MARIA SANTA
	61	7907	BROOKDALE DR	GONZALEZ GERARDO
	62	7904	BROOKDALE DR	VALENTINE JESSE A
	63	7900	BROOKDALE DR	SOTO JORGE RAFAEL &
	64	7812	BROOKDALE DR	GOMEZ JOSE LUIS
	65	7808	BROOKDALE DR	ROJAS JOSE A & MONICA
	66	7806	BROOKDALE DR	GODINEZ GONZALO &
	67	7802	BROOKDALE DR	CONTRERAS LUIS A & ELSY Y
	68	2425	BOMBAY AVE	HERNANDEZ BENJAMIN
	69	2421	BOMBAY AVE	MARTINEZ JOSE I &
	70	2422	COLONY CT	RUIZ MICHAEL A &
	71	2429	SHERIDAN ST	OROSCO JOSE L
	72	2425	SHERIDAN ST	AVID SERVICES INC
	73	2421	SHERIDAN ST	MENDOZA SANTOS T
	74	2416	BOMBAY AVE	MEDINA FERNANDO VALLES
	75	2420	BOMBAY AVE	MATA JUAN RIVERA
	76	2424	BOMBAY AVE	ROBLES OSWALDO
X	77	2428	SHERIDAN ST	CAMARILLO AMELIA
O	78	2424	SHERIDAN ST	ARREDONDO EDUARDO JR &
	79	2615	ANSON RD	Dallas ISD
	80	7523	THURSTON DR	TABERNACULO DE FE

AGENDA ITEM #75

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 58 C

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned Subarea 1 within Planned Development District No. 366 with a D-1 Liquor Control Overlay on the northwest corner of South Buckner Boulevard and Cordell Drive

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site/landscape plan and revised conditions

Z123-246(AB)

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-246 (AB) DATE FILED: April 5, 2013

LOCATION: Northwest corner of S. Buckner Boulevard and Cordell Drive

COUNCIL DISTRICT: 5 MAPSCO: 58-C

SIZE OF REQUEST: Approx. 1.07 acres CENSUS TRACT: 91.01

REPRESENTATIVE: Santos Martinez, MASTERPLAN

APPLICANT/OWNER: Vilas Kumar

REQUEST: An application for the renewal of Specific Use Permit No.

1900 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned Subarea 1 within Planned Development District No. 366 with a D-1 Liquor Control

Overlay.

SUMMARY: The applicant proposes to continue the sale alcohol for off-

premise consumption in conjunction with the existing

convenience store.

CPC RECOMMENDATION: <u>Approval</u> for a two-year period with eligibility for

automatic renewal for additional five-year periods, subject to a revised site/landscape plan and revised

conditions.

STAFF RECOMMENDATION: <u>Approval</u> for a two-year period with eligibility for

automatic renewal of additional five-year periods, subject to a revised site/landscape plan and revised

conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store greater than 3,500 square feet use, a motor vehicle fueling station, and an accessory drive-through automatic carwash.
- The proposed use is to continue to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is permitted by Specific Use Permit in a D-1 Liquor Control Overlay.
- The applicant failed to submit their application within the allowed period of time to be eligible for automatic renewal. The two-year time limit is recommended due to the applicant's late application submission, with eligibility for automatic-renewals for additional five year periods.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

Thoroughfares/Street	Туре	Existing ROW
Buckner Boulevard	Principle Arterial	107 feet

STAFF ANALYSIS:

Comprehensive Plan:

The <u>fowardDallas! Comprehensive Plan</u> was adopted by the City Council in June 2006. The <u>fowardDallas! Comprehensive Plan</u> outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Multi-modal Corridor Block.

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 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. 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.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

The approximately 1.07-acre request site is zoned Planned Development District No. 366 Subarea 1 with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store greater than 3,500 square feet use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D-1 Liquor Control Overlay but requires a specific use permit in the D-1 Liquor Control Overlay.

The adjacent land uses are single family residential to the west; retail and personal service uses, including a child care facility to the south; office, auto service center, and personal service uses to the north; and office, medical office, retail, and personal services uses across Buckner Boulevard to the east. A church is located to the north of the request site greater than 300 feet by front door to front door measurement, therefore complying with the distance separation requirement. The child care facility to the south does not require a distance separation per Chapter 6 because the applicant is not seeking a beer or wine on-premise retailer's license; the applicant is seeking an off-premise license.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the

health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,

- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. Dallas Police Department confirms the applicant is currently in 100% compliance with Chapter 12B.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent residential uses could be considered incompatible, but the property is located on Buckner Boulevard, a major commercial corridor. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

The applicant's property has begun phase two of construction, building a drive-thru restaurant on the northern side of the site. The new restaurant is not included in the request site however a new site plan was needed in order to show restriped parking and building footprint changes. The site abuts residential property to the west, with a utility easement along the western line of the property. The property's landscaping is not in compliance with Article X, therefore a landscape plan is required in addition to the site plan.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot	Special	Primary Uses	
DISTRICT	Front	Side/Rear	FAR	Height	Coverage	Standards	r milary Oses	
Existing								
PDD 366 Sub 1-D	15' adjacent to thorough- fare; OTHER No Min.	20' adjacent to residential OTHER: No Min.	0.5 Lodging / Office/ Retail 0.75 All uses combined	45' / 3 Stories	80%	Proximity Slope	Retail, Office, Commercial Service	

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 17 spaces with 18 being provided per the attached site plan.

Landscaping:

Landscaping required per PDD No. 366. Applicant has submitted a landscape plan.

DPD Report

Police Reports from September 28, 2009 – September 28, 2011 2 Years Before SUP

Dallas Police Department Reports

Public Offense Search Results

	SERVICE#	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0350870-W	11/26/2009	FORGERY & COUNTERFEITING	*SHELL SERVICE STATION	02313 S BUCKNERBLVD	324	1242
2	0064936-X	03/09/2010	AGGRAVATED ASSAULT	MARTINEZ,ANGEL	02313 S BUCKNERBLVD	324	1242
3	0103311-X	04/15/2010	OTHER OFFENSES	GERARDO,OLGA	02313 S BUCKNERBLVD	324	1242
4	0224051-X	07/29/2010	OTHER OFFENSES	MCCLINTON,AMBER	02313 S BUCKNERBLVD	324	1242
5	0004351-Y	01/05/2011	OTHER OFFENSES	*SHELL GAS STATION	02313 S BUCKNERBLVD	324	1242
6	0095428-Y	04/16/2011	AGGRAVATED ASSAULT	FLORES, CARLOS,	02313 S BUCKNERBLVD	324	1242
7	0095432-Y	04/16/2011	AGGRAVATED ASSAULT	LEYVA,JUAN	02313 S BUCKNERBLVD	324	1242
8	0095429-Y	04/16/2011	AGGRAVATED ASSAULT	ALMAZAM,LOM	02313 S BUCKNERBLVD	324	1242
9	0095433-Y	04/16/2011	AGGRAVATED ASSAULT	LUCAS,RICARDO	02313 S BUCKNERBLVD	324	1242
10	0184206-Y	07/13/2011	FORGERY & COUNTERFEITING	*SHELL	02313 S BUCKNERBLVD	324	1242
11	0184951-Y	07/14/2011	THEFT	*W.O.E. CONSTRUCTION	02313 S BUCKNERBLVD	324	1242

Police Reports from September 28, 20011 – July 11, 2013 2 Years After SUP

Dallas Police Department Reports

Public Offense Search Results

	SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0260465-Y	10/01/2011	ASSAULT	HERNDON, LATAVIA	02313 S BUCKNERBLVD	324	1242
2	0273845-Y	10/16/2011	ROBBERY	*ADIS SHELL	02313 S BUCKNERBLVD	324	1242
3	0275326-Y	10/17/2011	FOUND PROPERTY	PICKLES,ARVELETTA	02313 S BUCKNERBLVD	324	1242
4	0089681-Z	04/12/2012	OTHER OFFENSES	WOODS,KURTIS,	02313 S BUCKNERBLVD	324	1242
5	0103106-Z	04/14/2012	THEFT		02313 S BUCKNERBLVD	324	1242
6	0192023-Z	08/03/2012	ROBBERY	GARDUNO,MIGUEL	02313 S BUCKNERBLVD	324	1242
7	0253055-Z	10/10/2012	FORGERY & COUNTERFEITING	*SHELL GAS STATION	02313 S BUCKNERBLVD	324	1242
8	0033369-A	02/10/2013	AGGRAVATED ASSAULT	AGUILAR,FRANSISCO	02313 S BUCKNERBLVD	324	1242
9	0033370-A	02/10/2013	AGGRAVATED ASSAULT	WELLS, JUSTIN	02313 S BUCKNERBLVD	324	1242
10	0033353-A	02/10/2013	AGGRAVATED ASSAULT	SANCHEZ,RAUL	02313 S BUCKNERBLVD	324	1242
11	0056848-A	03/10/2013	AUTO THEFT-UUMV	JOHNSON, CLARENCE	02313 S BUCKNERBLVD	324	1242
12	0137786-A	06/03/2013	ROBBERY	MONTALVO, DANIEL	02313 S BUCKNERBLVD	324	1242
13	0173651-A	07/09/2013	ROBBERY	*ADI'S SHELL	02313 S BUCKNERBLVD	324	1242

CPC Minutes:

Z123-246(AB) Planner: Audrey Butkus

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1900 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site/landscape plan and conditions on property zoned Subarea 1 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of South Buckner Boulevard and Cordell Drive.

Maker: Rodgers Second: Wolfish

Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers,

Hinojosa, Bagley, Lavallaisaa, Tarpley,

Wolfish, Schwartz, Ridley

Against: 0

Absent: 3 - Shellene, Bernbaum, Alcantar

Vacancy: 0

Notices: Area: 300 Mailed: 32 Replies: For: 0 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202

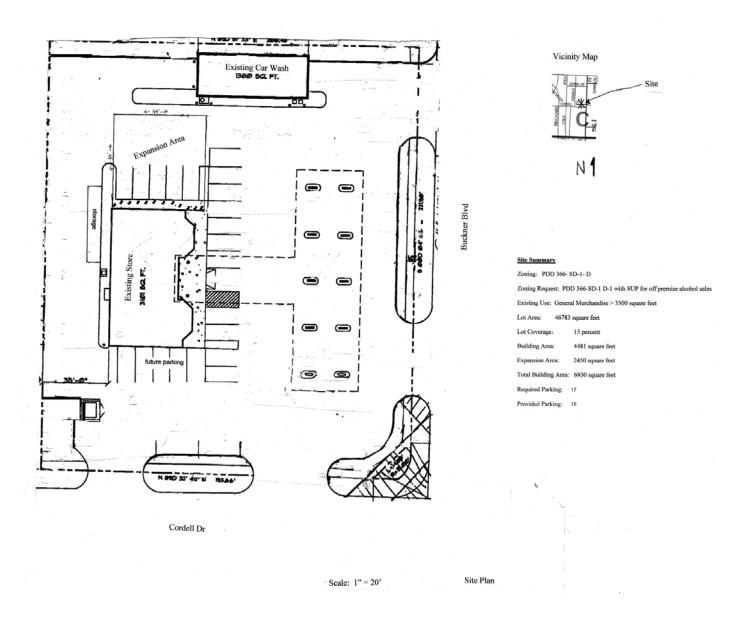
Against: None

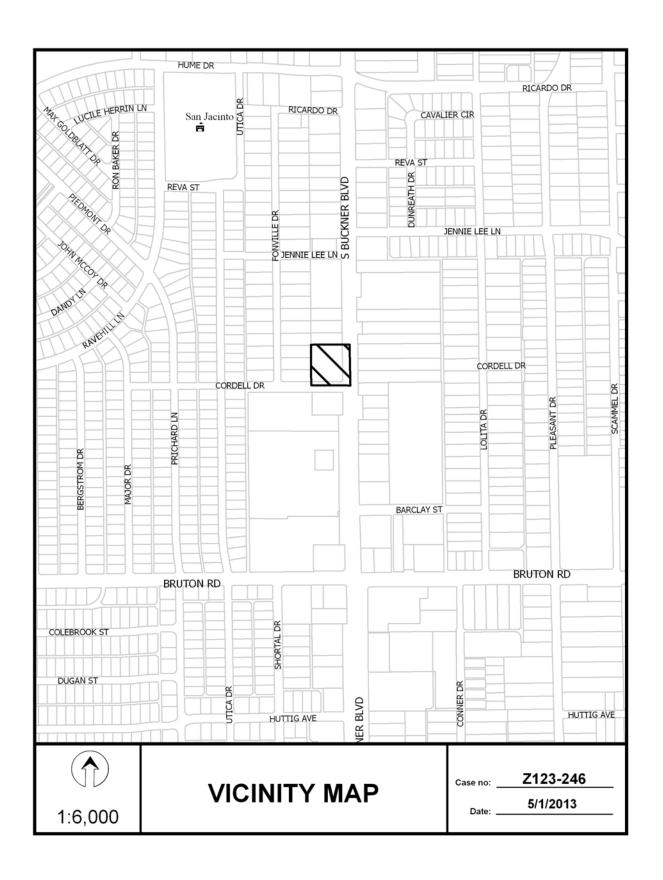
- 1. <u>USE</u>: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square foot.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (<u>September 28, 2013</u>) (two years), but is eligible for automatic renewal for additional <u>five-year</u> periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- 4 <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 5. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

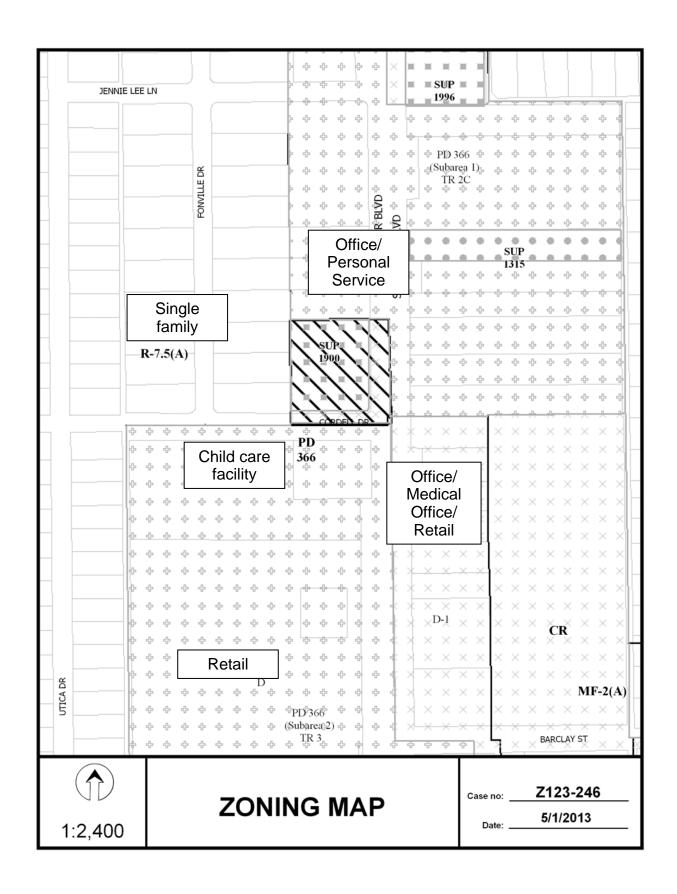
CORDELL DRIVE (HUMPHREY'S DRIVE) 60' R.O.W 20'x20' Visibility 1" = 20'-0" GRAPHIC SCALE GREEN AREA LGREEN AREA d (10) (21) 9 L_20'x20' visibility TRIANGLE EXISTING ASPHALT PAVING 2319 SOUTH © DRIVEWAY 7.5' UTILITY EASEMENT VOL. & PAGE 307-308 M.R.D.CT. BUCKNER BOULEVARD RAMP (max 4) 177 EXISTING 6'-0" HIGH WOOD FENCE Area of Request EXISTING ASPHALT EXISTING DRIVEWAY 40'-0" GREEN AREA 10'-6" 25′-0°

35'- 6"

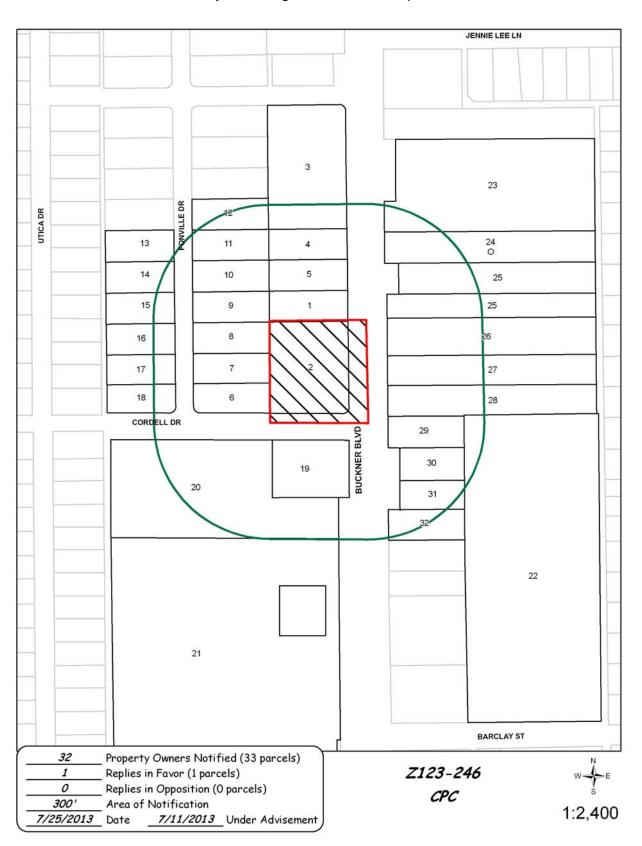
PREVIOUSLY APPROVED SITE PLAN







City Planning Commission Replies



7/26/2013

Reply List of Property Owners Z123-246

32 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

	pposeu			
Reply	Label #	Address		Owner
	1	2323	BUCKNER BLVD	PLEASANT GROVE DEV LP
	2	2313	BUCKNER BLVD	KUMAR VILAS
	3	2423	BUCKNER BLVD	CHRIST HOLY TEMPLE CHURCH
	4	2405	BUCKNER BLVD	QAREM FADI
	5	2327	BUCKNER BLVD	ESSENFELD FAMILY TRUST
	6	2300	FONVILLE DR	DELGADO ENRIQUE F &
	7	2310	FONVILLE DR	SILVA MARICELA &
	8	2316	FONVILLE DR	ALVARADO JAVIER E
	9	2322	FONVILLE DR	ALFAN MARLENE &
	10	2328	FONVILLE DR	GUZMAN JERONIMO & MARIA
	11	2404	FONVILLE DR	THE REAL ADVANTAGE INC
	12	2410	FONVILLE DR	GALLARDO ERASMO
	13	2405	FONVILLE DR	MORALES HORLANDO
	14	2329	FONVILLE DR	PAULIN MANUEL &
	15	2323	FONVILLE DR	ROPER GREGORY WAYNE &
	16	2317	FONVILLE DR	ZEPEDA ARTURO & MARIA DEL
				SOCORRO
	17	2311	FONVILLE DR	SILVA MARGARITO & MARICELA
	18	2301	FONVILLE DR	RAMIREZ PEDRO & JUANA ABRAHANA
				RODRIGUEZ
	19	2253	BUCKNER BLVD	NICHOLS TINA
	20	7900	CORDELL DR	KRS PARTNERSHIP
	21	2223	BUCKNER BLVD	KRS PARTNERSHIP LTD
	22	8117	BARCLAY ST	KV6 BARCLAY LLC
	23	2414	BUCKNER BLVD	PALOMA ISABELA INVESTMENTS INC
Ο	24	2336	BUCKNER BLVD	TNS INVESTMENTS LTD
	25	2328	BUCKNER BLVD	GOMEZ GEORGE J
	26	2312	BUCKNER BLVD	SILVA MAGDALENO

Z123-246 (AB)

7/26/2013

Rep	oly Label#	Address		Owner
	27	2306	BUCKNER BLVD	MILLER & MARTIN CHILDRENS
	28	2300	BUCKNER BLVD	DEL REY PARTNERS LLC
	29	2264	BUCKNER BLVD	NGHIEM MEI WANG
	30	2248	BUCKNER BLVD	PNYX LIMITED PARTNERSHIP
	31	2244	BUCKNER BLVD	BRIAN L HOCHSTEIN LLC
	32	2240	BUCKNER BLVD	SC THREE STAR INVESTMENT LLC

AGENDA ITEM #76

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 9

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 38 G

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay north of Centerville Road, west of Aledo Drive

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to revised conditions <u>Z123-249(AB)</u>

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-249 (AB) DATE FILED: April 8, 2013

LOCATION: North of Centerville Road, west of Aledo Drive

COUNCIL DISTRICT: 9 MAPSCO: 38-G

SIZE OF REQUEST: Approx. 0.12 acres CENSUS TRACT: 127.01

REPRESENTATIVE: Parvez Malik

APPLICANT: John Matthews

OWNER: Amedio Centerville, LLC

REQUEST: An application for the renewal of Specific Use Permit No.

1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned CR-D-1 Community Retail

District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue to sell alcohol for off-

premise consumption in conjunction with the existing

approximately 5,158 square foot convenience store.

CPC RECOMMENDATION: Approval for a two-year period with eligibility for

automatic renewal for additional five-year periods,

subject to revised conditions.

STAFF RECOMMENDATION: Approval for a two-year period with eligibility for

automatic renewal of additional five-year periods,

subject to revised conditions

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BACKGROUND INFORMATION:

- The request site is currently developed with a multi-tenant commercial building.
- The proposed use is to continue to sell alcohol for off-premise consumption in conjunction with the existing approximately 5,158 square foot general merchandise use on the property.
- On August 10, 2011 Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet was approved for a two-year period with eligibility for automatic renewal for additional five-year periods. The applicant did not submit their renewal application until after the deadline to file for automatic renewal, necessitating a full renewal process.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is permitted through a D-1 Liquor Control Overlay.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

Thoroughfares/Street	Туре	Existing ROW	
Centerville Road	Collector	60 feet	

STAFF ANALYSIS:

Comprehensive Plan:

The <u>forwardDallas! Comprehensive Plan</u> was adopted by the City Council in June 2006. The <u>forwardDallas! Comprehensive Plan</u> outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Residential Neighborhood Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will

focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

The approximately 0.12-acre request site is zoned CR Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store greater than 3,500 square feet use within a multi-tenant commercial building. The applicant is proposing to continue the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

On August 10, 2011 Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet was approved for a two-year period with eligibility for automatic renewal for additional five-year periods. The applicant did not submit their renewal application until after the deadline to file for automatic renewal, necessitating a full renewal process.

The adjacent land uses are single family residential to the north, east, and southeast; retail and personal service uses and auto service center to the south; and office to the west.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined

as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- · drop safes,
- security signs,

- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The previously approved site plan was inconsistent with the striped off-street parking on the ground. The applicant has re-striped the parking lot to match the site plan. The initial lack of consistency between the site plan and the site on the ground created the need for a shorter time frame. The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code.

Development Standards:

DISTRICT	SET Front	ΓBACKS Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Existing							
CR-D-1 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

Parking/Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

The general merchandise or food store use requires one space for every 200 square feet of floor area. The site plan shows that 57 off-street parking spaces are provided for the strip shopping center. A parking analysis provided by the applicant indicates that 79 off-street parking spaces are required. The strip shopping center was constructed in approximately 1953 according to DCAD records. In their initial application two years ago it was determined by staff that the request site has approximately 22 delta credits.

Z123-249(AB)

Landscaping:

Landscaping required per Article X of the Dallas Development Code.

List of Partners/Principals/Officers

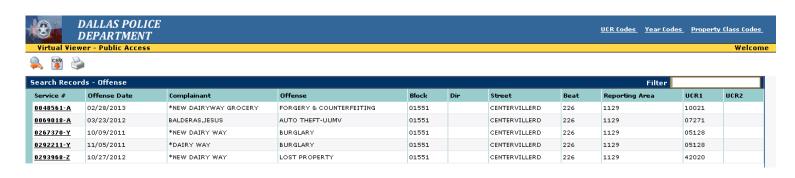
Amedio Centerville, LLC, a Texas Limited Liability Company Leiva McBride, Managing Partner

DPD Report

The following is the police report from August 10, 2009 to August 10, 2011 before the original SUP for alcohol sales was granted:



The following is the police report from August 11, 2011 to May 22, 2013, after the original SUP for alcohol sales was granted:



CPC Minutes:

Z123-249(AB) Planner: Audrey Butkus

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1864 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay north of Centerville Road, west of Aledo Drive.

Maker: Anglin Second: Culbreath

Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers,

Hinojosa, Bagley, Lavallaisaa, Tarpley,

Wolfish, Schwartz, Ridley

Against: 0

Absent: 3 - Shellene, Bernbaum, Alcantar

Vacancy: 0

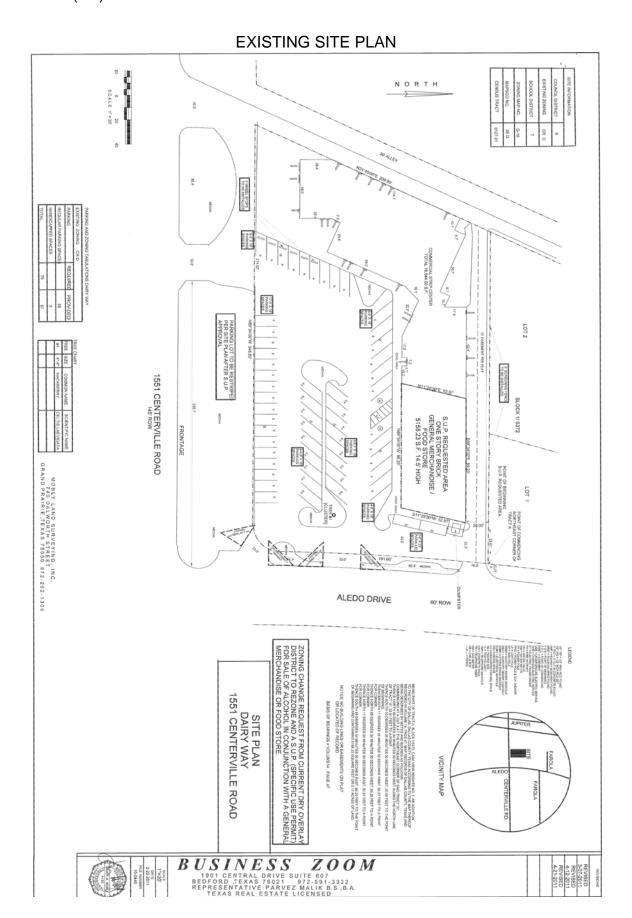
Notices: Area: 200 Mailed: 12 Replies: For: 1 Against: 0

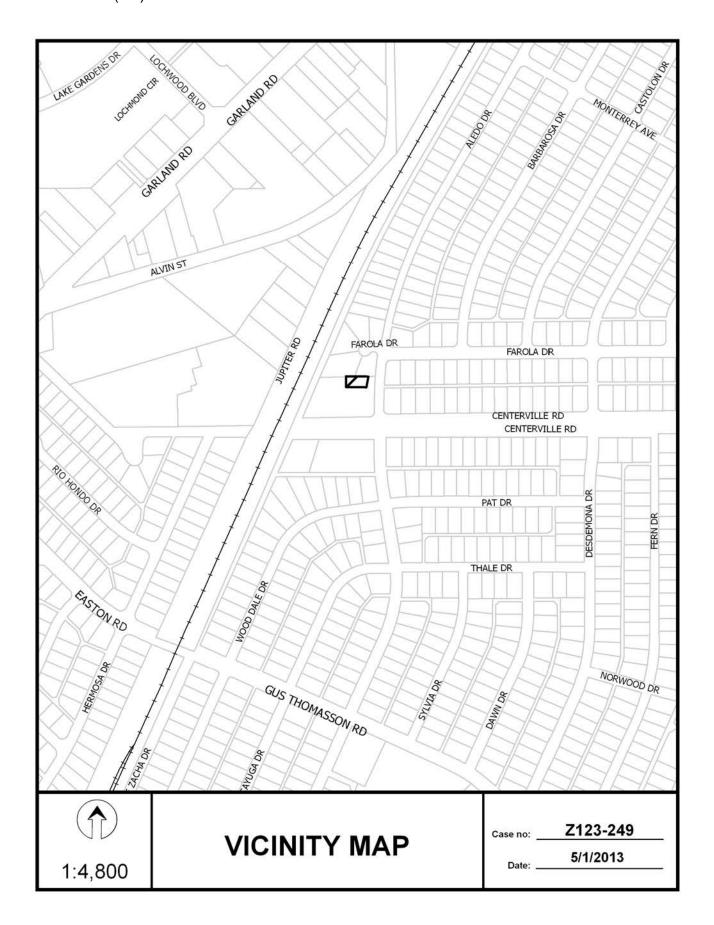
Speakers: For: Parvez Malik, 1901 Central Dr., Bedford, TX, 76021

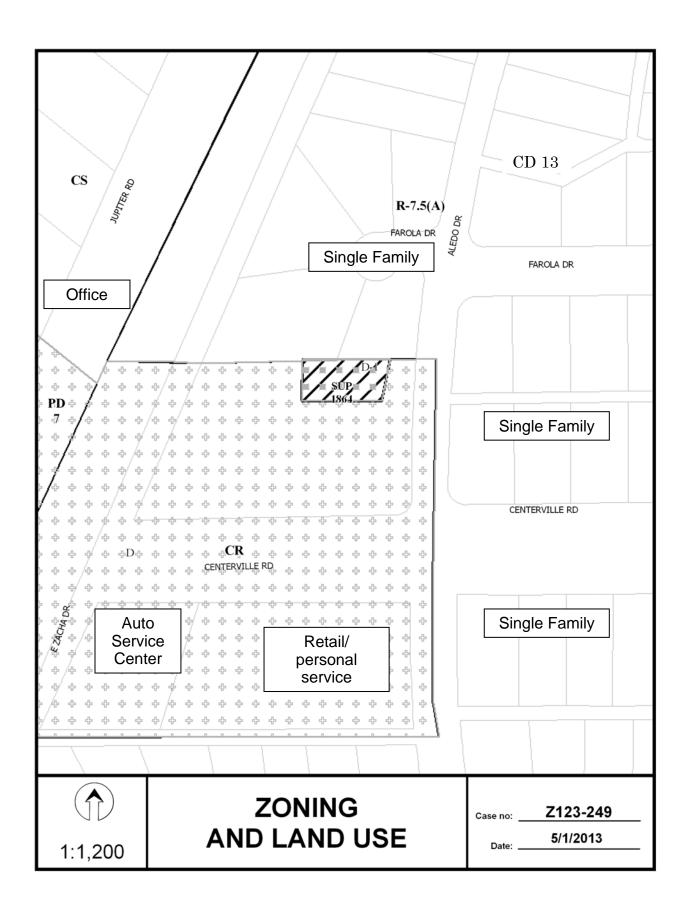
Against: None

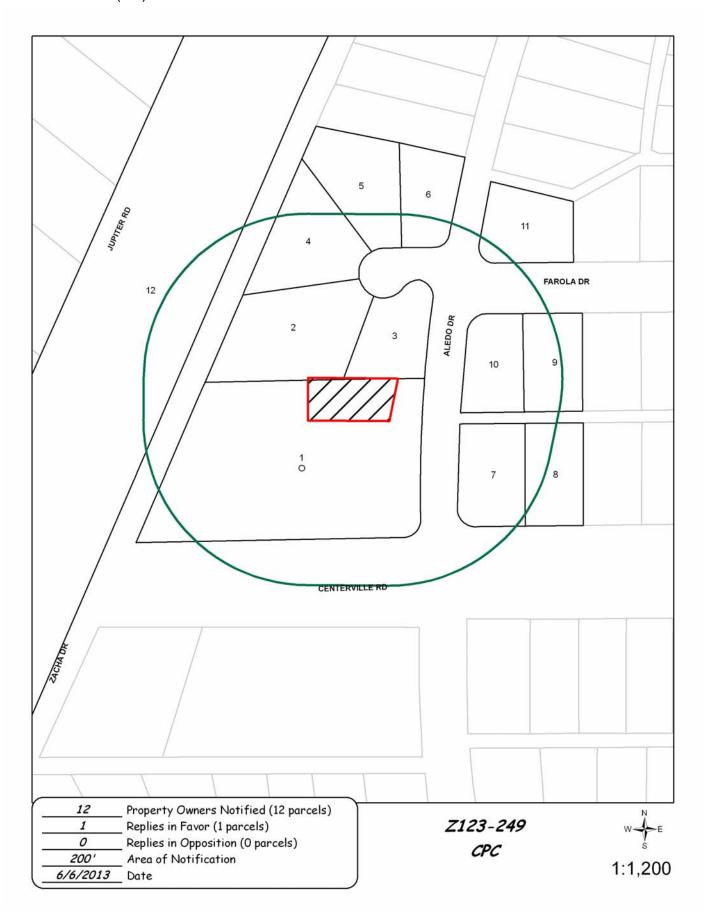
CPC Recommended SUP Conditions

- 1. <u>USE</u>: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of a general merchandise or food store greater than 3,500 square feet.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (August 18, 2013)(two years), but is eligible for automatic renewal for additional <u>five-year</u> periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- 4. <u>SCREENING</u>: A minimum six-foot-high solid screening fence must be maintained along the northern boundary of the Property. The screening fence must be located outside of the visibility obstruction triangle. Screening must be constructed before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
- 5. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 6. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.









Z123-249

12 Property Owners Notified	1 Property Owners in Favor	0 Property
Owners Opposed		

Reply	Label #	Address		Owner
O 1 1503		1503	CENTERVILLE RD	AMEDIO CENTERVILLE LLC
	2	1510	FAROLA DR	818 GRANDVIEW LTD
	3	1514	FAROLA DR	MENDOZA MARIA E
	4	1511	FAROLA DR	PARIS RUTH EVELYN
	5	1515	FAROLA DR	BELITERE NICHOLAS JR
	6	1519	FAROLA DR	GARCIA JOSE A
	7	1605	CENTERVILLE RD	BELLEW LISA Y
	8	1611	CENTERVILLE RD	ANDERSON NILS CHRISTIAN
	9	1610	FAROLA DR	MEDINA RICARDO JR & NELLY
	10	1602	FAROLA DR	PARIS RUTH RIGGS
	11	10806	ALEDO DR	GUZMAN RAQUEL O
	12	99999	NO NAME ST	KANSAS CITY SOUTHERN RR

AGENDA ITEM #77

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 36 T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1889 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern use on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the east line of Greenville Avenue, north of Prospect Avenue Recommendation of Staff and CPC: Approval for a three-year period, subject to revised conditions

Z123-259(RB)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-259(RB) DATE FILED: April 18, 2013

LOCATION: East Line of Greenville Avenue, North of Prospect Avenue

COUNCIL DISTRICT: 14 MAPSCO: 36 T

SIZE OF REQUEST: Approx. 1,240 Sq. Ft. CENSUS TRACT: 11.01

APPLICANT: O Dokie, LLC

REPRESENTATIVE: Roger Albright

OWNER: Greenville 2100, Ltd.

REQUEST: An application for the renewal of Specific Use Permit No.

1889 for a Late-hours establishment limited to an Alcoholic beverage establishment for a bar, lounge, or tavern use on property zoned Planned Development District No. 842 for

CR Community Retail District Uses.

SUMMARY: The applicant is requesting the renewal of SUP No. 1889 for

continued operation of the existing use past 12:00 a.m.

CPC RECOMMENDATION: Approval for a three-year period, subject to revised

conditions.

STAFF RECOMMENDATION: Approval for a three-year period, subject to revised

conditions.

BACKGROUND INFORMATION:

- The existing improvements are utilized for a bar, lounge, or tavern use. Additionally, the applicant will be pursuing a private license to utilize a 207 square foot area of the public sidewalk for an uncovered patio area (see attached site plan).
- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, and furthermore requires an SUP for any retail and personal service uses operating after 12:00 a. m.
- On September 14, 2011, the City Council approved SUP No. 1889 for a two-year period.
- The applicant is requesting the renewal of SUP No. 1889 to continue operation of the existing use past 12:00 a.m.

Request, Disposition, and Date

• The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

Zoning History:

File No.

riie ivo.	Nequest, Disposition, and Date
1. Z101-261	On August 10, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period.
2. Z101-303	On September 14, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period subject to a site plan and conditions.
3. Z101-326	On September 14, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period subject to a site plan and conditions.
4. Z101-260	SUP No. 1906. On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period subject to a site plan and conditions.
	_

5. Z112-107

On December 14, 2011, the City Council approved a Specific Use Permit for a General merchandise or food store less than 3,500 square feet and a motor vehicle fueling station for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Street Existing & Proposed ROW

Greenville Avenue Local; 50' ROW

Comprehensive Plan: The request site lies within a Main Street Building Block. Main streets are modeled after the American tradition of "main street" as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on-street. Away from the "main street," density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the "main street" to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

<u>Policy</u> 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

Area Plans: Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with authorized hearing SUP recommendations

to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

<u>Modified Delta Overlay No. 1:</u> In general terms, 'delta theory' means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded (see attached Delta Theory).

The 'modified delta', in effect, prohibits the application of the delta theory due to a ceasing of a need to encourage redevelopment and adaptive reuse of existing structures or that the continued application of the delta theory will create traffic congestion and public safety issues.

The site lies within Modified Delta Overlay No. 1 (MD-1), which consists of three 'Areas' in an area generally bounded by Ellsworth Avenue, west of Matilda Street, north of Ross Avenue, and east of Summit Avenue/Worcola Street. This site lies within the Area 3 portion of MD-1 which was adopted by the City Council on October 1, 1987.

A June 14, 1995 City Council resolution provides for replacing parking in the right-of-way that is lost due to locating public dining space (subject to the granting of a private license) within this area, and requiring parking for the public dining area (1 space/300 square feet of public dining space). Lastly, a June 28, 1995 amendment to the ordinance provides for the following: 1) a use that is discontinued or remains vacant for 12 months loses the right to carry forward nonconforming parking/loading under the delta theory; 2) the Board of Adjustment may not grant a special exception for required parking; 3) walking distance for remote parking is increased to 900 feet; and, 4) special parking may account for more than 50% of required parking for a use.

<u>Land Use:</u> SUP No. 1889 provides for the existing improvements being utilized for a bar, lounge, or tavern use along with an ability to utilize a 207 square foot area of the public sidewalk for an uncovered patio area, subject to obtaining a private license (see attached site plan). At this time, improvements for the patio do not exist. The applicant is requesting the renewal of SUP No. 1889 for the continued operation of the existing use past 12:00 a.m.

The site is surrounded by a mix of office, retail, and entertainment uses. Medium density residential uses are developed on properties to the east, across the site's off-street parking area.

The purpose of PDD No. 842 is to 'ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an

over-proliferation of regional-serving, late-night venues.' As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between 12:00 a.m. and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally, the City Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP.

PDD No. 842 establishes the following criteria for consideration of an SUP for a latehours establishment:

- (e) <u>Factors to be considered for a specific use permit for a late-hours establishment</u>. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):
- (1) the number of citations issued by police to patrons of the establishment;
- (2) the number of citations issued by police for noise ordinance violations by the establishment;
- (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;
- (4) the number of Texas Alcoholic Beverage Code violations of the establishment; and
- (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

The applicant has operated at this location in a responsible manner, with no code violations nor reported offenses during the time period currently permitted. In addition to the regulations of PDD No. 842, the Dallas Development Code establishes general criteria for any use requiring an SUP:

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP

for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's improvements are oriented along the north-south alignment of Greenville Avenue with no direct access to the residential areas that are found beyond those uses along this street. With respect to the applicant's standing with the Texas Alcoholic Beverage Commission, no administrative or criminal allegations have been filed for the time period of September 14, 2011 through July 12, 2013.

It should also be noted the applicant has operated a similar use within PDD No. 269 since December 12, 2007 (SUP No. 1695). On September 22, 2010, the City Council granted a renewal for a four-year period (one additional year from the initial approval time period).

As a result of staff's analysis, support for the requested renewal is being given, subject to the attached revised conditions. It should be noted that no revisions are requested or required to the existing site plan (see attached).

<u>Traffic</u>: The Engineering Section of the Sustainable Development and Construction Department has reviewed the requested renewal and determined that it will not impact the surrounding street system for the proposed development.

<u>Parking:</u> Since 1985, the use of the property has been for a bar, lounge, or tavern encompassing 1,000 square feet of floor area. Ten delta credits exist and will continue to be utilized to satisfy the off-street parking requirement for this applicant's request.

<u>Landscaping</u>: The existing development is void of landscape materials. The request will not trigger compliance with Article X.

CPC ACTION

(July 25, 2013)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1854 for a Metal salvage facility for a three-year period, subject to revised conditions.

Z123-259(RB)

Maker: Wally Second: Schwartz

Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers,

Hinojosa, Bagley, Lavallaisaa, Tarpley,

Wolfish, Schwartz, Ridley

Against: 0

Absent: 3 – Bernbaum, Alcantar, Shellene

Vacancy: 0

Notices:Area:200Mailed:19Replies:For:1Against:0

Speakers: None

Property Owner: Greenville 2100, Ltd.

By: 2100 Management, Inc., its General Partner

Officers of 2100 Management, Inc. are:

Susan B. Reese, President

Laurence B. Vineyard, Vice President

Applicant: O Dokie, L.L.C.

Kimberly Finch, Sole Member

CPC RECOMMENDED CONDITIONS FOR SPECIFIC USE PERMIT

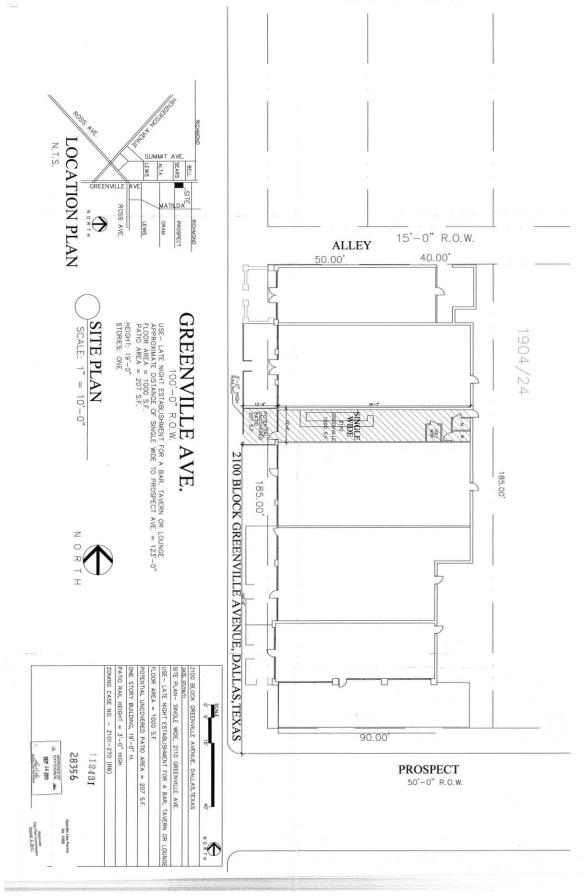
- 1. <u>USE</u>: The only use authorized by this specific use permit is a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires [automatically terminates] on [September 14, 2013] (three years).
- 4. FLOOR AREA: The maximum floor area is 1,000 square feet.

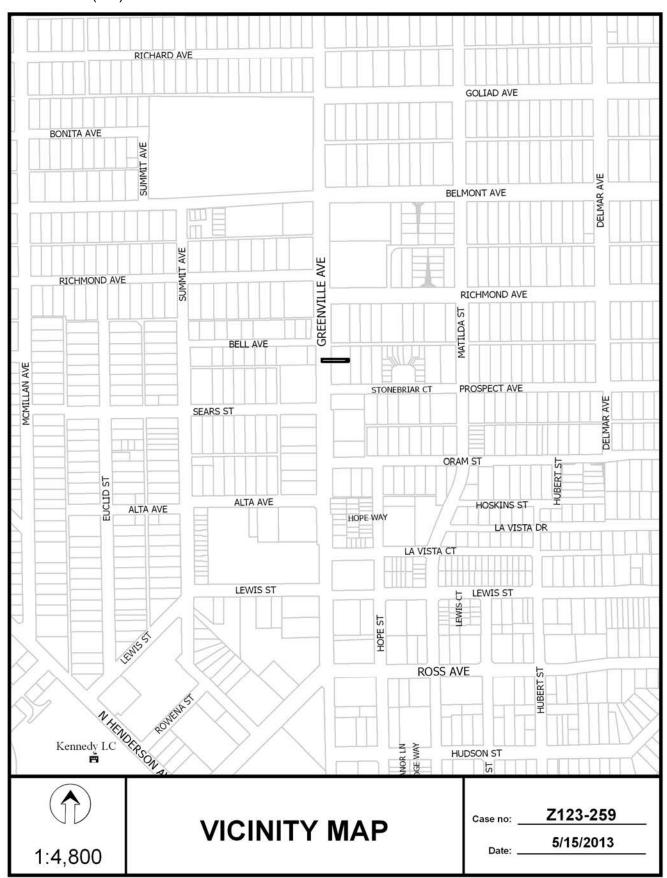
5. HOURS OF OPERATION:

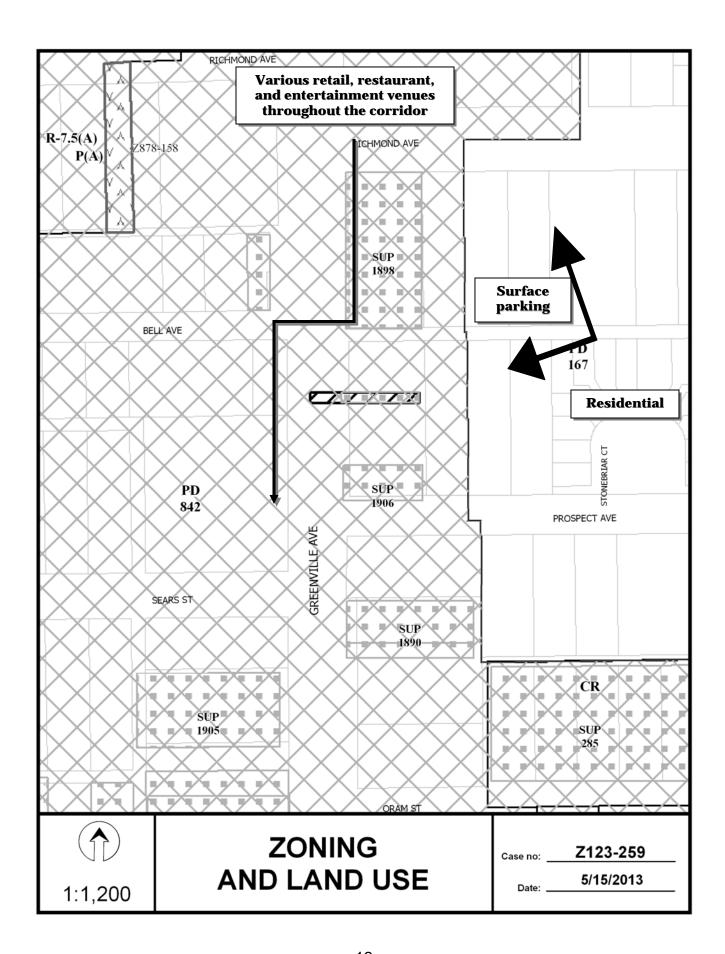
- A. The late-hours establishment may only operate between 12:00 a.m. (midnight) and 2:00 a.m. (the next day), Monday through Sunday.
- B. All customers must leave the Property by 2:15 a.m.
- 6. <u>OUTDOOR LOUDSPEAKERS:</u> Use of outdoor loudspeakers on the Property is prohibited.

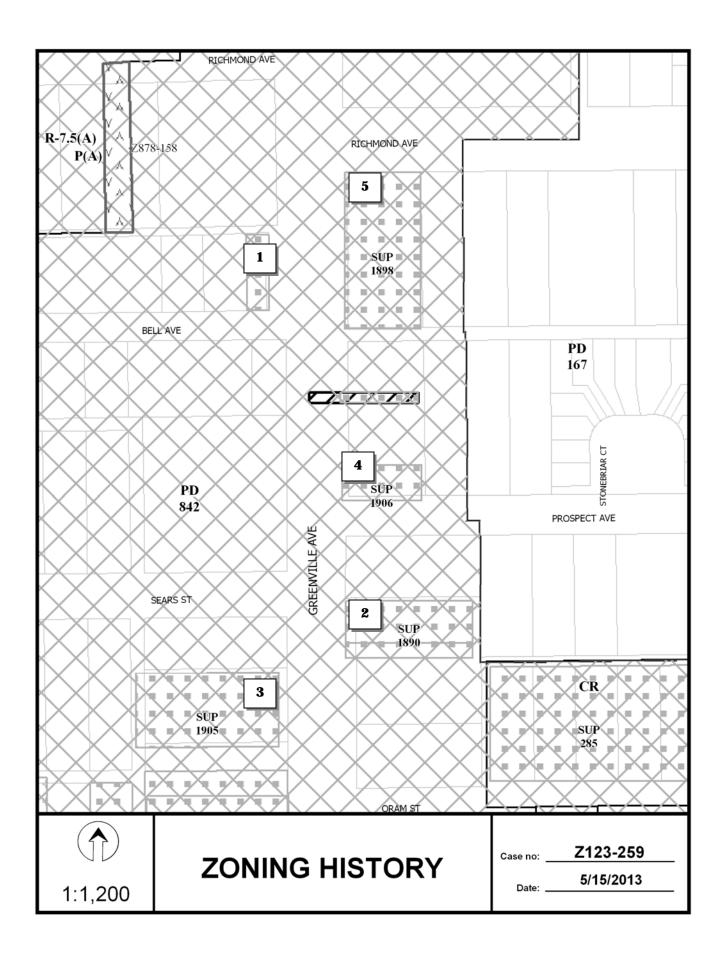
7. OUTDOOR PATIO:

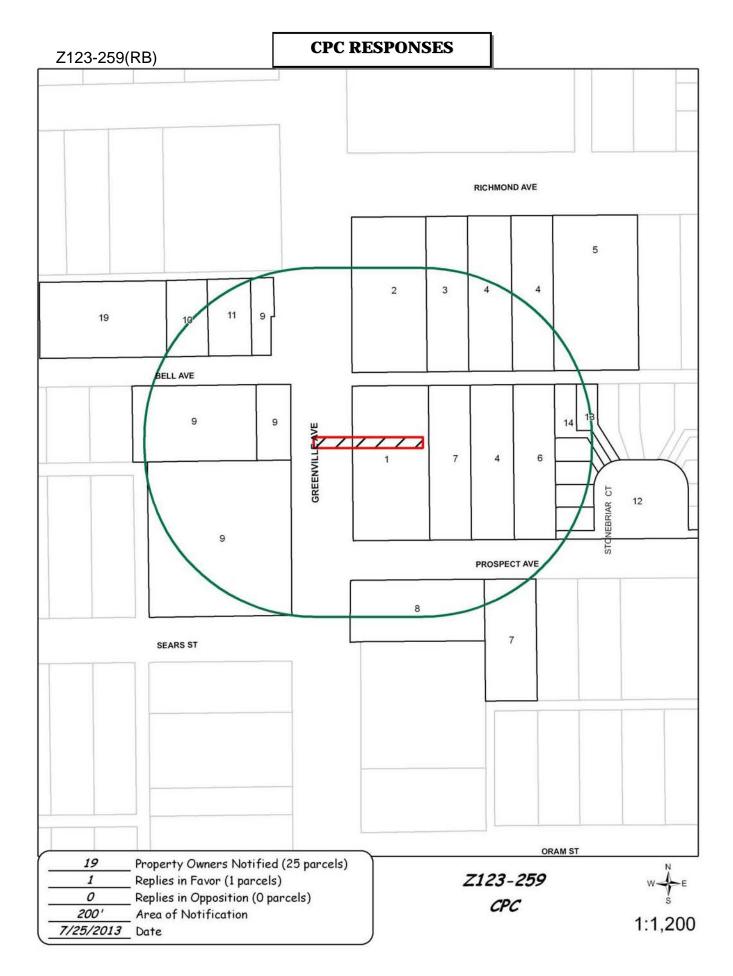
- A. The maximum outdoor patio area is 207 square feet in the location shown on the attached site plan.
- B. The patio must be uncovered.
- C. The owner or operator must obtain a private license for an outdoor patio, with a copy of the private license provided to the building official, before the outdoor patio may be used by customers.
- 8. <u>MAINTENANCE:</u> The Property must be properly maintained in a state of good repair and neat appearance.
- 9. <u>GENERAL REQUIREMENT:</u> Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.











7/26/2013

Reply List of Property Owners

Z123-259

19 Property Owners Not Owners Opposed		tified 1 Property	y Owners in Favor	0 Property	
Reply	Label #	Address		Owner	
	1	2100	GREENVILLE AVE	GREENVILLE 2100 LTI)
	2	5702	RICHMOND AVE	GREENVILLE ROSS PT	NR LTD
	3	5710	RICHMOND AVE	SANCHEZ FIDENCIO	
	4	5714	RICHMOND AVE	REESE GRANDCHILD	RENS
	5	5722	RICHMOND AVE	EUSTACHIO PIETRO	
	6	5719	PROSPECT AVE	MADISON PACIFIC DI	EV COM
	7	5711	PROSPECT AVE	ANDRES FAMILY TRU	ST
	8	2026	GREENVILLE AVE	ANDRES FAMILY TRU	ST
	9	5642	BELL ST	2001 GREENVILLE VE	NTURE
	10	5639	BELL ST	EATON ROAD LTD	
	11	5643	BELL ST	BATM PROP LP	
	12	2100	STONEBRIAR CT	STONEBRIAR CT HO	A
	13	6	STONEBRIAR CT	KELLEY STEPHANIE C	&
	14	5	STONEBRIAR CT	CUMMINGHAM CARO	OLINE
O	15	4	STONEBRIAR CT	STOKES ROBERT CHA	RLES
	16	3	STONEBRIAR CT	MATTHEWS TEVIS C	
	17	2	STONEBRIAR CT	WHITE SHARI	
	18	1	STONEBRIAR CT	HOOPER NICOLE E	
	19	5627	BELL ST	LEFEBVRE DALE	

AGENDA ITEM #78

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46 N; P

SUBJECT

A public hearing to receive comments regarding an application for and a resolution accepting an amendment to existing deed restrictions on property zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the west line of Ash Lane, between 3rd Avenue and 4th Avenue, and the north line of 3rd Avenue, west of Ash Lane

Recommendation of Staff and CPC: Approval

Z123-272(RB)

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-272(RB) DATE FILED: April 29, 2013

LOCATION: West Line of Ash Lane between 3rd Avenue and 4th Avenue and the North

Line of 3rd Avenue, West of Ash Lane

COUNCIL DISTRICT: 7 MAPSCO: 46 N, P

SIZE OF REQUEST: Approx. 4.87 Acres CENSUS TRACT: 203

APPLICANT: Devin Hall

REPRESENTATIVE: Johnny Sudbury

OWNER: Third and Ash, LLC; Devin Hall-Managing Member, Floydell Hall and

Durand Hall-Members

REQUEST: An application for an amendment to existing deed restrictions on property

zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park

Special Purpose District.

SUMMARY: The applicant is requesting an amendment to the existing deed restrictions

to permit the custom woodworking, furniture construction, or repair use.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The request site consists of three distinct parcels and the abandoned portions of an alley (between Ash Lane and IH 30) and section of a public street (Oak Lane between Third Avenue and Fourth Avenue). The eastern half of the site is developed with an inside manufacturing and warehouse floor area as well as office/administrative areas. The balance of the site is undeveloped (west of the existing improvements) with a surface parking area on the north line of 3rd Street.
- On December 8, 2003, the City Council adopted an RS-I(E) Subdistrict, subject to deed restrictions volunteered by the applicant.
- The applicant does not have any plans for improvements within the undeveloped portion of the site.

Zoning History: Other than noted above, there has been no significant zoning activity in the immediate area relevant to this request.

Street	Existing & Proposed ROW
Third Avenue	Local; 60' ROW
Fourth Avenue	Local; 60' ROW
Ash Lane	Local; 50' ROW

Comprehensive Plan: The request site is located in an area considered an Industrial Area. These areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development

Z123-272(RB)

patterns.

Area Plans: The site lies within the boundary of two specific study areas:

The South Dallas/Fair Park Neighborhood Preservation and Economic Development Plan (specifically Areas 2 and 3), adopted by the City Council in February, 1987 recommends commercial uses for the general area.

The South Dallas/Fair Park Economic Development Corridor Plan, adopted by the City Council in September, 2001, identifies the area as appropriate for 'Regional Service Area' uses. The study was a precursor to the South Dallas/Fair Park Special Purpose District (PDD No. 595), which led to the existing zoning for this area as well as property within the entire PDD boundary.

PDD No. 595 adopted, as a foundation, the general land use guidelines identified in both studies.

STAFF ANALYSIS

<u>Land Use Compatibility:</u> The request site consists of three distinct parcels and the abandoned portions of an alley (between Ash Lane and IH 30) and section of a public street (Oak Lane between 3rd Avenue and 4th Avenue). The eastern half of the site is developed with an inside manufacturing and warehouse floor area as well as office/administrative areas. The balance of the site is undeveloped (west of the existing improvements) with a surface parking area on the north line of 3rd Street.

Surrounding land use is somewhat scattered, consisting of various commercial/inside industrial uses. Undeveloped parcels zoned for RS-MU Subdistrict Uses to the northeast, east, south, and southwest. A DART maintenance yard is developed on property to the north/northwest (RS-I Subdistrict).

The RS-I Subdistrict within PDD No. 595 is characterized to possess more intense commercial and industrial uses that require close proximity to access of regional transportation infrastructure (rail, freeway/interstate, thoroughfare). It should be noted that during the time when PDD No. 595 was being created, staff worked with property owners and stakeholders within the area to address existing uses and a mechanism in which to address conforming status in the more intense areas of the proposed PDD boundary. As a result, the (E) Enhanced designation was established [i.e., RS-I(E)] and adopted by the City Council.

The existing deed restrictions (see attached) provide for various prohibited uses. As the majority of commercial/industrial uses within the immediate area tend to confine

Z123-272(RB)

operations within a structure, the request to amend these deed restrictions to permit the custom woodworking, furniture construction, or repair use for this site will be consistent in application (i.e., inside operations) with those parcels possessing development. As a result, staff supports the amendment to the existing deed restrictions.

<u>Traffic:</u> The Engineering Section of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

<u>Landscaping:</u> The site possesses existing landscape materials, concentrated around the perimeter of the existing improvements. A few mature trees traverse the undeveloped portion of the site.

The request will not trigger, nor require, any additional landscaping. It should be noted that any future improvements will require compliance with the landscape regulations within PDD No. 595 and submitted to the building official at the time of permitting.

CPC ACTION

(July 11, 2013)

Motion: It was moved to recommend **approval** of an amendment to existing deed restrictions, on property zoned an RS-I(E) Regional Service Industrial (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the west line of Ash Lane between 3rd Avenue and 4th Avenue and the north line of Ash Lane, west of 3rd Avenue.

Maker: Bagley Second: Ridley

Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Bernbaum,

Wolfish, Schwartz, Ridley, Alcantar

Against: 0

Absent: 2 - Tarpley, Shellene

Vacancy: 0

Notices:Area:300Mailed:38Replies:For:3Against:0

Speakers: None

REQUESTED AMENDING DEED RESTRICTIONS

III.

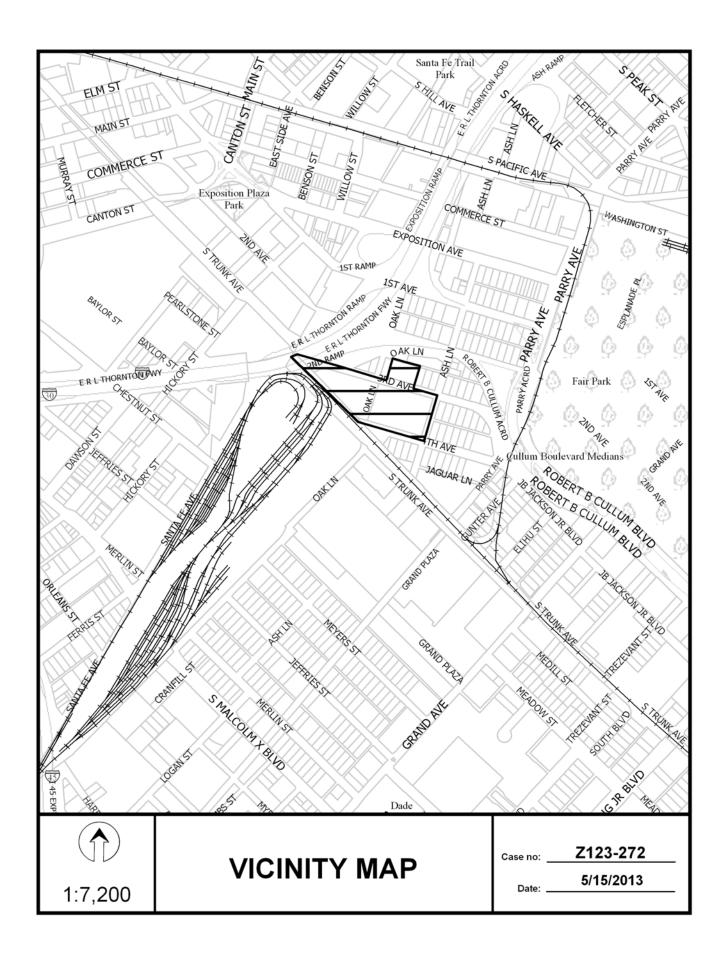
That the Owner does hereby amend restriction number 1 of the Original Restrictions to read as follows:

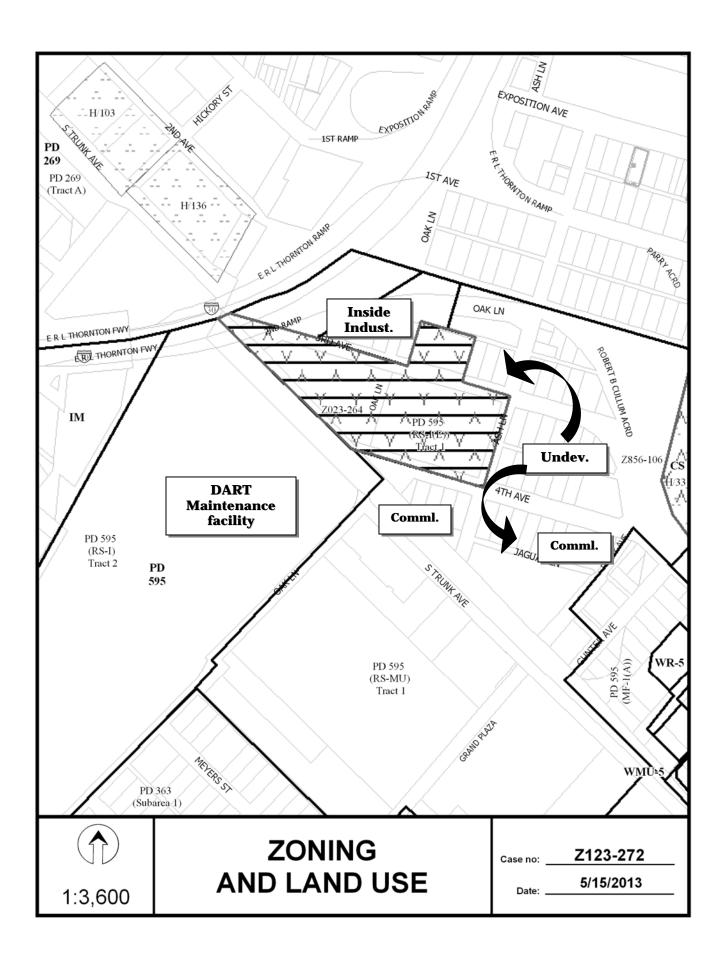
The following uses are prohibited on the Property:

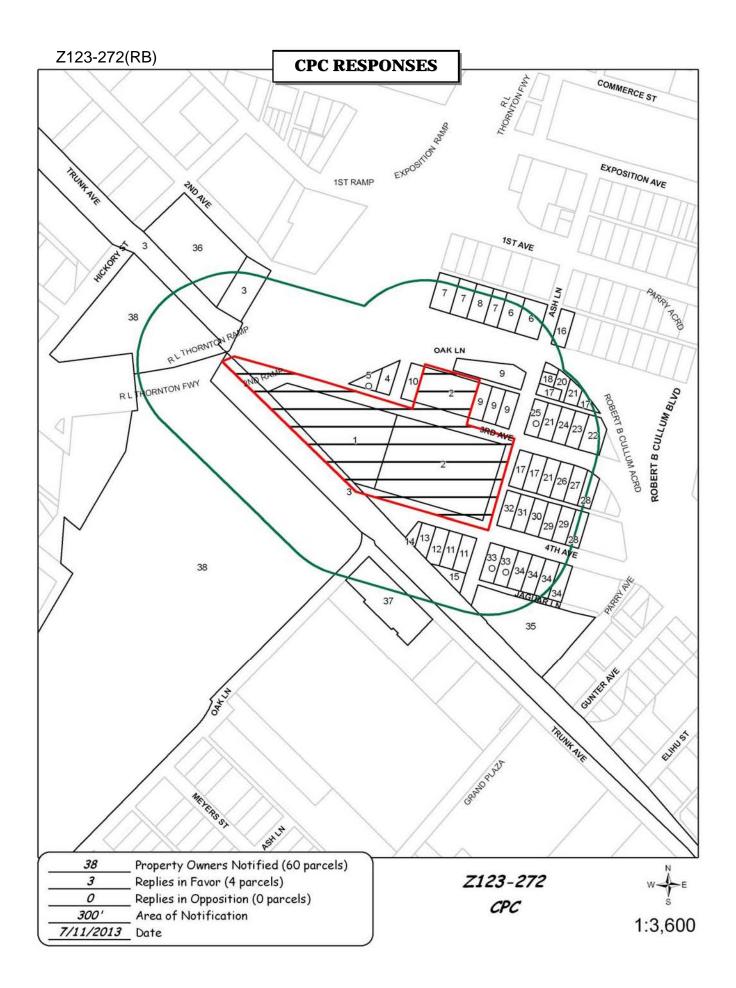
- -- Building repair and maintenance shop.
- -- Bus or rail transit vehicle maintenance or storage facility.
- [-- Custom woodworking, furniture construction, or repair.]
- -- Labor hall.
- -- Machine or welding shop.
- -- Machinery, heavy equipment, or truck sales and service.
- -- Medical or scientific laboratory.
- -- Technical school.
- -- Tool or equipment rental.
- -- Vehicle or engine repair or maintenance.
- -- Industrial (inside) potentially incompatible.
- -- Industrial (outside) potentially incompatible.
- -- Halfway house.
- -- Alcoholic beverage establishments.
- -- Car wash.
- -- Liquor store.
- -- Pawn shop.
- -- Auto auction.
- -- Building mover's temporary storage yard.
- -- Contractor's maintenance yard.
- -- Freight terminal.
- -- Manufactured building sales lot.
- -- Mini-warehouse.
- -- Outside storage (with visual screening).
- -- Recycling drop-off for special occasion collection.

IV.

That the preceding amendment was made following notice and public hearing before the City Plan Commission and City Council of the City as required in the Original Restrictions, and notice of such public hearing was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment becomes effective.







7/11/2013

Reply List of Property Owners Z123-272

38 Property Owners Notifi Owners Opposed			tified 3 Property	ty Owners in Favor 0 Proper	
Reply	Label #	Address		Owner	
	1	3301	OAK LN	AMERICAN PERMA	NENT WARE
	2	704	3RD AVE	AMERICAN PERMA	NENT WARE
	3	555	2ND AVE	DART	
	4	3407	OAK LN	GRTP LTD	
Ο	5	636	3RD AVE	MINNICK GREGORY	′ J &
	6	728	2ND AVE	PARK A LOT LP	
	7	716	2ND AVE	CITY PARK A LOT L	P
	8	712	2ND AVE	EXPO PARK PARTNI	ERS LTD &
	9	715	2ND AVE	PAYNE OUIDA M	
	10	700	3RD AVE	GRUBBS DAVID K	
	11	723	J B JACKSON JR BLVD	VILLANUEVA OMA	R
	12	715	J B JACKSON JR BLVD	MURPHY RANDALL	,
	13	713	J B JACKSON JR BLVD	MURPHY RANDALL	Ε
	14	701	J B JACKSON JR BLVD	MARMOLEJO JOSE I)
	15	3203	ASH LN	VILLANUEVA ALFR	EDO &
	16	800	2ND AVE	TEXAS STATE OF	
	17	3410	ASH LN	DARBY ELSON III ET	AL
	18	3416	ASH LN	FAIR PARK J V	
	19	801	2ND AVE	SMITH THOMAS M &	&
	20	807	2ND AVE	DARBY EVERETT V &	&
	21	809	2ND AVE	DARBY MAYE E	
	22	818	3RD AVE	JERNIGAN ARVEL L	
	23	812	3RD AVE	CAMPBELL BERNAR	RD D
	24	808	3RD AVE	DARBY ELSON JR ES	T OF
O	25	802	3RD AVE	CHAMPION DAVID	W
	26	813	3RD AVE	DARBY ELSON JR ES	T OF &

Z123-272(RB)

7/11/2013

Reply	Label #	Address		Owner
	27	817	3RD AVE	MYERS BODONA
	28	821	3RD AVE	RESOURCES ASSISTANT CORPORATION
	29	816	J B JACKSON JR BLVD	BELCLAIRE REALTY LTD
	30	808	J B JACKSON JR BLVD	MUHAMMAD NISSA
	31	804	J B JACKSON JR BLVD	WWM PARTNERSHIP TRUST
	32	800	J B JACKSON JR BLVD	C E EDENS FINANCIAL
O	33	801	J B JACKSON JR BLVD	CHAMPION DAVID
	34	809	J B JACKSON JR BLVD	WEISS ALLAN C
	35	801	JAGUAR LN	JOHNS CARS INC
	36	501	2ND AVE	KAELSON COMPANY
	37	3104	OAK LN	PAMACO INC
	38	3101	OAK LN	DALLAS AREA RAPID TRANSIT

AGENDA ITEM #79

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45 D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1753 for a liquor store within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area Special Purpose District on the west corner of Haskell Avenue and San Jacinto Street Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to revised conditions Z123-287(JH)

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-287 (JH) **DATE FILED:** May 17, 2013

LOCATION: West corner of Haskell Avenue and San Jacinto Street

COUNCIL DISTRICT: 14 MAPSCO: 45-D

SIZE OF REQUEST: Approx. 0.45 acres CENSUS TRACT: 16

APPLICANT: Chuck Hooks

OWNER: Don E. Cass

REQUEST: An application for the renewal of Specific Use Permit No.

1753 for a liquor store within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area

Special Purpose District.

SUMMARY: The applicant is proposing to continue operation of an

existing liquor store use.

CPC RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for

automatic renewal for additional five-year periods.

subject to revised conditions

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for

automatic renewal for additional five-year periods.

subject to revised conditions

BACKGROUND INFORMATION:

- The request site is developed with a multi-tenant structure, of which the applicant occupies 2,030 square feet within the northern portion of the structure.
- The request site has had a Specific Use Permit for a liquor store use since 1996, with a brief lapse in 2008 due to a staff misinterpretation of the SUP conditions.
 SUP No. 1753 was granted on May 13, 2009 for a two-year time period and renewed on June 8, 2011 for a two-year time period.

Zoning History: There has not been any recent zoning activity in the immediate area pertinent to this request.

Thoroughfare/Street Designation; Existing & Proposed ROW

Haskell Avenue Principal Arterial; 50' & 160' ROW

San Jacinto Street Local; 50' ROW

STAFF ANALYSIS:

Comprehensive Plan:

The Comprehensive Plan does not specifically address the proposed use, however, the Quality of Life statement within the Core Values section does serve as a foundation for all of the plan's recommendations:

Quality of Life: Dallas' diverse population wants equally diverse choices in where and how to live and ways to shop and have fun.

The request site is located within a multi-modal corridor on the Vision Illustration within ForwardDallas!.

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. 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.

Land Use Compatibility:

The request site is developed with a multi-tenant structure, of which the applicant occupies the northern portion of the structure. The applicant is requesting to renew SUP No. 1753.

Surrounding land use consists of various retail uses along the Ross Avenue frontage as

well as within the multi-tenant structure accommodating the requested use. Low-tomedium density residential uses are found on properties to the southeast and south along Haskell Avenue.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff has determined this existing use has not created any adverse impact on the surrounding area. The development and use of the property is complying with the SUP site plan. As a result of this analysis as well as recognizing the adjacent development of new residential uses across Haskell Avenue and at the intersection of Haskell Avenue and San Jacinto Street, staff does support the request, subject to the attached recommended conditions. No changes are required to the site plan.

Traffic/Off-street Parking:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system.

A liquor store requires one space for each 200 square feet of floor area. The site plan provided by the applicant provides for the required 13 spaces on the property in the locations shown and 22 delta credits to meet the minimum requirement for all of the uses on the property.

Police Report:

Staff obtained reported offenses for the since January 1, 2005, which is the oldest date available for online DPD reports. No activity was reported for the last two years since the last renewal of SUP No. 1753. The list of offenses is provided later in this report. The "other offenses" entry is a report of a person attempting to make a purchase with a fake gift card.

DPD Report January 1, 2005-June 2013

Dallas Police Department Reports

Public Offense Search Results

	SERVICE#	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0054876-V	02/23/2008	ASSAULT	SANDERS,ANISSA	01617 N HASKELLAVE	145	2027
2	0769794-T	12/14/2007	THEFT	*SULLY'S LIQUOR	01617 N HASKELLAVE	145	2018
3	0257057-W	08/29/2009	BURGLARY	*SULLYS BEER AND WINE	01617 N HASKELLAVE	154	2027
4	0128386-Y	05/04/2011	OTHER OFFENSES	*ROSS AVE LIQOUR	01617 N HASKELLAVE	154	2027

CPC Minutes

July 25, 2013

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1753 for a liquor store for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to revised conditions within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area Special Purpose District on the west corner of Haskell Avenue and San Jacinto Street.

Maker: Wally Second: Schwartz

Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers,

Hinojosa, Bagley, Lavallaisaa, Tarpley,

Wolfish, Schwartz, Ridley

Against: 0

Absent: 3 - Shellene, Bernbaum, Alcantar

Vacancy: 0

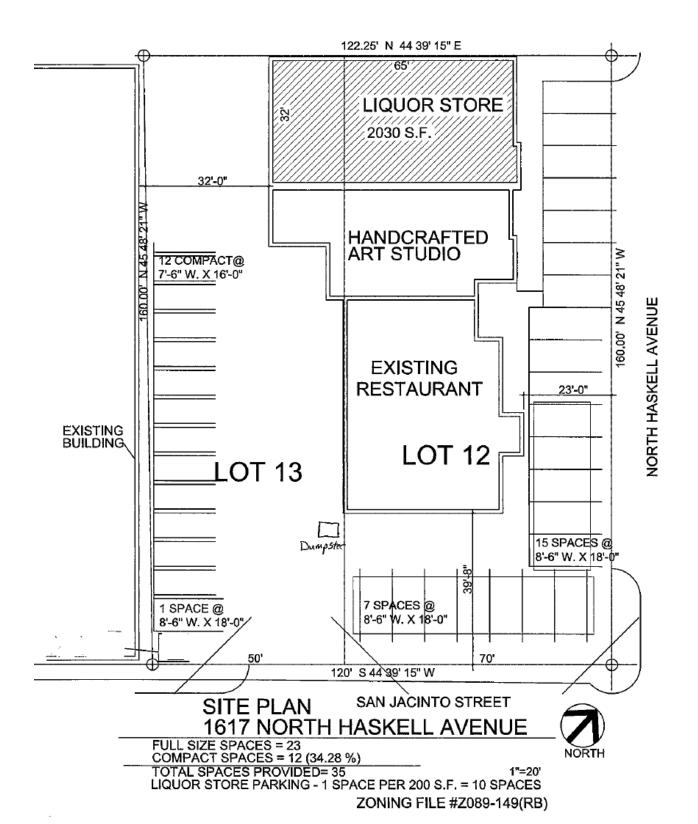
Notices: Area: 200 Mailed: 21 Replies: For: 0 Against: 3

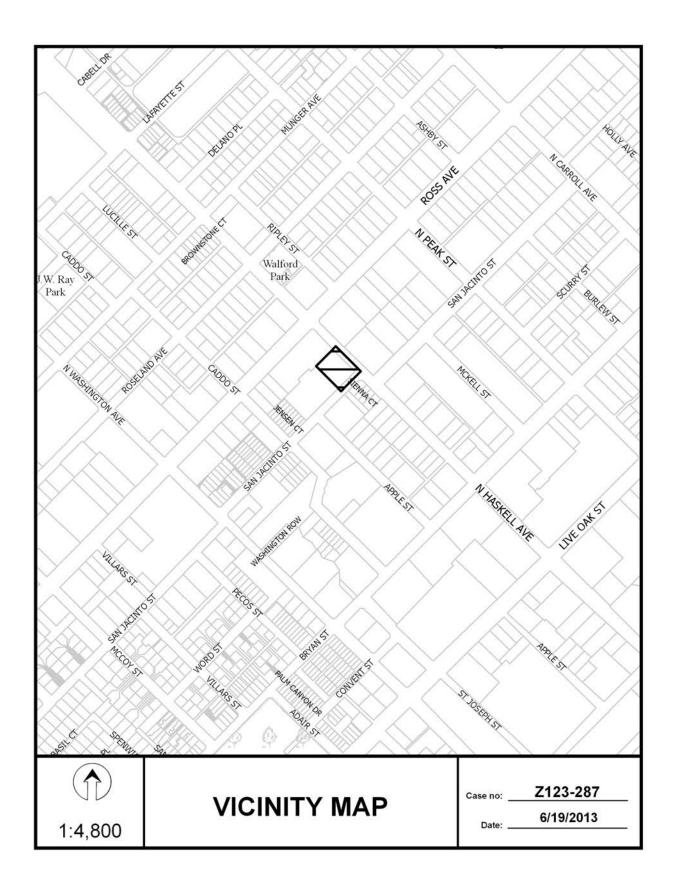
Speakers: None

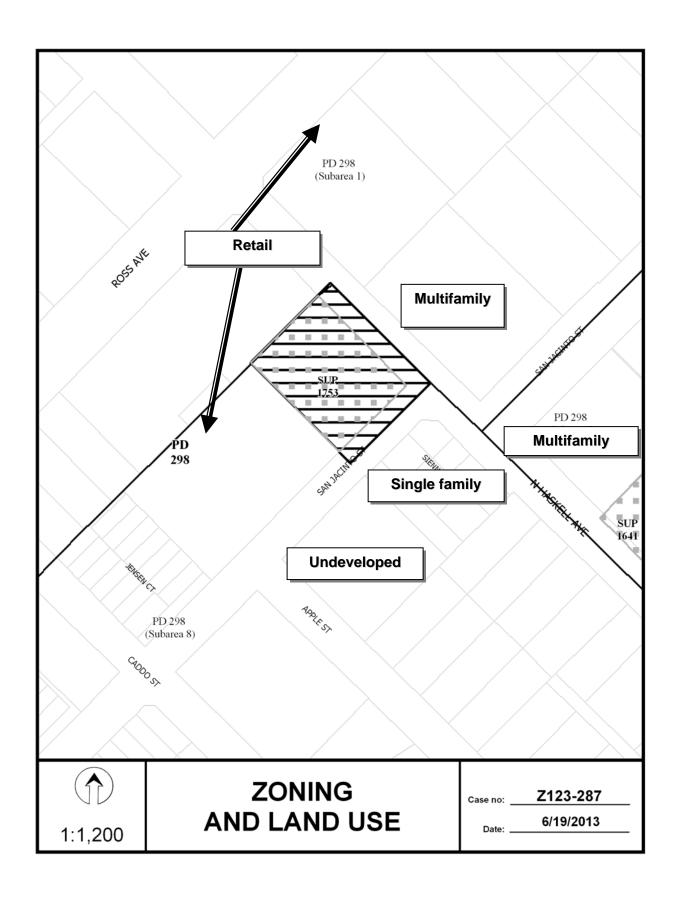
CPC Recommended SUP Conditions

- 1. <u>USE</u>: The only use authorized by this specific use permit is a liquor store.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. TIME LIMIT: This specific use permit automatically terminates on (two years from passage of the ordinance). This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- 4. <u>FLOOR AREA</u>: The maximum floor area is 2,030 square feet in the location shown on the attached site plan.
- 5. <u>HOURS OF OPERATION:</u> The liquor store may only operate between 9 a.m. and 10:00 p. m., Monday through Saturday.
- 6. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 7. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas

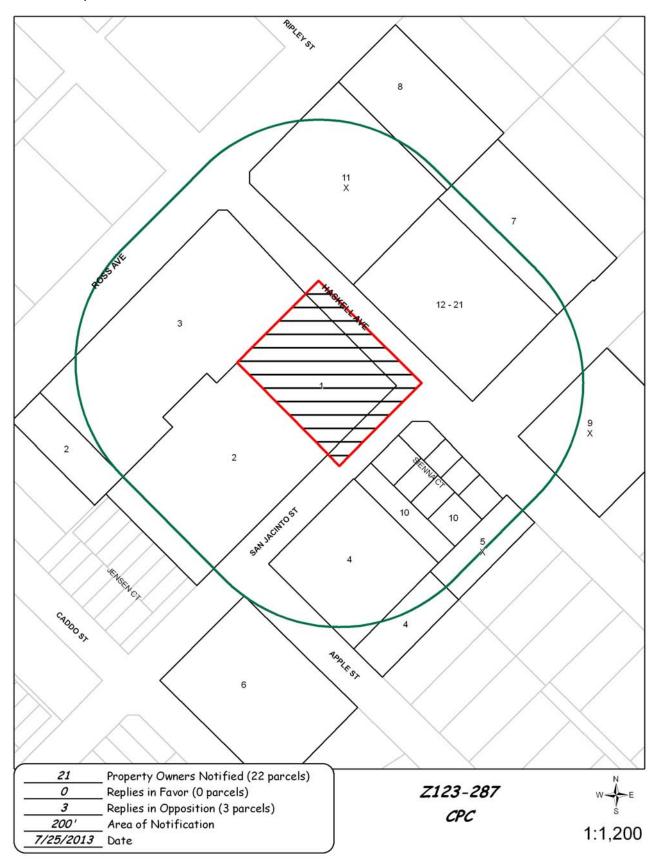
EXISTING SITE PLAN







CPC Responses



7/26/2013

Reply List of Property Owners

Z123-287

21 Property Owners Notified 0 Property Owners in Favor 3 Property Owners Opposed

Reply Label #		Addres	ss	Owner
	1	1605	HASKELL AVE	CASS DON TR
	2	3910	ROSS AVE	ROSS AVE WAREHOUSE LP
	3	4004	ROSS AVE	ROSS AVE RETAIL LLC
	4	1516	APPLE ST	ACCESS 1ST CAPITAL BANK
Χ	5	1525	HASKELL AVE	HASKELL PARC LLC
	6	3910	SAN JACINTO ST	AT & T CORP
	7	4115	SAN JACINTO ST	URBAN SOUTHWEST EASTSIDE LP
	8	4202	ROSS AVE	HARRIS W R JR TR
Χ	9	1518	HASKELL AVE	ALLEGRO ROBERT
	10	1536	SIENNA CT	SIENNA COURT TOWNHOMES LLC
Χ	11	4202	ROSS AVE	4206 ROSS PARTNERS LTD
	12	1600	HASKELL AVE	WILSON CHASITY N
	13	1600	HASKELL AVE	SMALLWOOD JOHN M JR
	14	1600	HASKELL AVE	NORTHGATE CONSOLIDATED GROUP LLC
	15	1600	HASKELL AVE	DELGADO DANTE RENE
	16	1600	HASKELL AVE	PEDERSON MISTY D
	17	1600	HASKELL AVE	SHOEMAKER ANTHONY L
	18	1600	HASKELL AVE	HO KIEM A & CAROLINE H
	19	1600	HASKELL AVE	EAKINS GREG
	20	1600	HASKELL AVE	HONEYCUTT CHARLES W &
	21	1600	HASKELL AVE	COLWILL DAVID &

AGENDA ITEM #80

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 36 X

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a late-hours establishment limited to restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 on the west side of Greenville Avenue, south of Sears Street

Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions

Recommendation of CPC: Approval for a one-year period, subject to a site plan and conditions

Z123-262(MW)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-262(MW) DATE FILED: April 19, 2013

LOCATION: West side of Greenville Avenue, south of Sears Street

COUNCIL DISTRICT: 14 MAPSCO: 36-X

SIZE OF REQUEST: ±0.346 acre CENSUS TRACT: 10.02

REPRESENTATIVE: Permitted Development, Audra Buckley

APPLICANT: Matt Tobin

OWNER: 1919-27 Greenville, Ltd.

REQUEST: An application for a Specific Use Permit for a late-hours

establishment limited to restaurant without drive-in or drive-through service on property zoned Planned Development

District No. 842.

SUMMARY: If granted, this request will allow the proposed restaurant to

operate after midnight.

CPC RECOMMENDATION: Approval for a one-year period, subject to a site plan

and conditions.

STAFF RECOMMENDATION: Approval for a two-year period, subject to a site plan

and conditions.

BACKGROUND INFORMATION:

- The ±0.346-acre request site is developed with a ±7,451-square foot multi-tenant building occupied with restaurant and retail and personal service uses. The applicant intends to utilize a ±1,875-square foot space within the building, as well as the adjoining ±750-square foot covered patio and ±1,300-square foot uncovered patio, as a restaurant without drive-in or drive-through service.
- The restaurant without drive-in or drive-through service use is allowed by right; however, pursuant to the provisions of PDD No. 842, a Specific Use Permit for late hours is required in order for the establishment to operate after midnight.
- Specific Use Permit No. 1905, approved on September 14, 2011, permits a late hours establishment limited to restaurant without drive-in or drive-through service within a different leasable space on the request site (Greenville Avenue Pizza Company).
- On January 10, 2013, the City Plan Commission approved a waiver of the twoyear waiting period which allowed the applicant to submit this request.
- The request site is surrounded by retail uses to the north; retail uses (including vacant space) to the east; alcoholic beverage establishments (including vacant space) to the south and undeveloped land to the west.

Zoning History:

SUP No. 1879. On August 10, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment operated as a bar, lounge or

alcoholic beverage establishment operated as a bar, lounge of tavern for a three-year period subject to a site plan and conditions.

2. Z101-270: SUP No. 1889. On September 14, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment operated as a bar, lounge or tavern for a two-year period subject to a site plan and

conditions.

3. Z101-303: SUP No. 1890. On September 14, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a

five-year period subject to a site plan and conditions.

4. Z101-311: SUP No. 1901. On September 14, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) limited to a billiard hall

for a two-year period subject to a site plan and conditions.

5. Z101-318: SUP No. 1903. On September 14, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a

three-year period subject to a site plan and conditions.

6. Z101-323: SUP No. 1904. On September 14, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to a restaurant with drive-in or drive-through service for a

two-year period subject to a site plan and conditions.

7. Z101-326: SUP No. 1905. On September 14, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a

two-year period subject to a site plan and conditions.

8. Z101-260: SUP No. 1906. On September 14, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a

two-year period subject to a site plan and conditions.

9. Z101-295: SUP No. 1912. On October 26, 2011, the City Council

approved a Specific Use Permit for a late-hours establishment limited to a limited to an alcoholic beverage establishment operated as a bar, lounge or tavern for a two-year period subject to a site

plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing ROW
Greenville Avenue	Local	50 feet
Sears Street	Local	50 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 842 with SUP No. 1905	Restaurant; retail and personal services
North	PDD No. 842	Retail
East	PDD No. 842	Retail (including vacant space)
South	PDD No. 842 with SUP No. 1289 and SUP No. 1912	Alcoholic beverage establishments (including vacant space)
West	PDD No. 842	Undeveloped

STAFF ANALYSIS:

Area Plans:

Studies conducted in the area include the <u>Lower Greenville Avenue Parking Study</u> (1986) that recommended that "the City enforce premise code violations as it does in other parts of the City of Dallas". Code Enforcement was also an issue highlighted in the <u>Greenville Avenue Urban Design Study</u> (1996-1997). It was recommended that "initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action." Recommendations from both studies are still applicable today and consistent with authorized hearing SUP recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Comprehensive Plan:

The subject site is identified as being within a Main Street Building Block. Main streets are modeled after the American tradition of "main street" as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on-street. Away from the "main street," density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the "main street" to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

In general, the applicant's proposal is consistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

Land Use Compatibility:

The ± 0.346 -acre request site is developed with a $\pm 7,451$ -square foot multi-tenant building occupied with restaurant and retail and personal service uses. The applicant intends to utilize a $\pm 1,875$ -square foot space within the building, as well as the adjoining

±750-square foot covered patio and ±1,300-square foot uncovered patio, as a restaurant without drive-in or drive-through service.

The restaurant without drive-in or drive-through service use is allowed by right; however, pursuant to the provisions of PDD No. 842, a Specific Use Permit for late hours is required in order for the establishment to operate after midnight.

The main uses permitted in PDD No. 842 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. PDD No. 842 was created to help mitigate the possible negative impacts of late hour uses on adjacent residential neighborhoods.

The request site is surrounded by retail uses to the north; retail uses (including vacant space) to the east; alcoholic beverage establishments (including vacant space) to the south and undeveloped land to the west.

A late-hours establishment is defined in PDD No. 842 as a retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m. The PD gives additional criteria for evaluating a request for a specific use permit:

- (e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):
- (1) the number of citations issued by police to patrons of the establishment;
- (2) the number of citations issued by police for noise ordinance violations by the establishment;
- (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment:
- (4) the number of Texas Alcoholic Beverage Code violations of the establishment; and
- (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

Since the proposed restaurant is not yet operating, staff deferred to the general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code in making a recommendation. The provisions specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement

or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

While the request site does not have residential adjacency, the applicant proposes a noise attenuation condition to address the establishment's patios seating.

The applicant's request, subject a site plan and conditions, complies with the general provisions for consideration of a Specific Use Permit. Therefore, staff recommends approval of the request for an initial time period of two years.

The City Plan Commission recommended approval of the Specific Use Permit for a one-year period. However, this recommendation is limited to the interior $\pm 1,875$ -square feet of floor area and proposed sidewalk patio and excludes the adjoining ± 750 -square foot covered patio and $\pm 1,300$ -square foot uncovered patio. Therefore, the outdoor seating area at the rear of the building would be required to close at midnight.

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

Pursuant to §51A-4.210, a restaurant requires one (1) space per 100 square feet of floor area. Therefore, the ±1,875-square foot restaurant with a ±750-square foot covered patio (2,625 total square feet) requires 26 spaces.

Since the request site is not a platted lot and is included within a larger building site, parking is evaluated for all uses on the building site. The building site on which the request site is located is within a Modified Delta Overlay, which terminates delta credits when there is an expansion or change in use.

Based documentation provided by the applicant and confirmed by Building Inspection, 92 spaces are required for all uses on the building site. The building site retains 59 delta credits, 19 spaces are provided onsite, and 14 spaces are provided through a remote parking agreement (5614 Sears Street). However, this does not reflect the potential sidewalk patio, which will require four off-street parking spaces.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

Sidewalk Patio:

The owner or operator must obtain a private license for the sidewalk patio, with copy provided to the building official, before the outdoor patio may be used by customers. Parking for the sidewalk patio must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.

CPC Action: July 25, 2013:

Motion: It was moved to recommend approval of a Specific Use Permit for a latehours establishment limited to restaurant without drive-in or drive-through service for a one-year period, subject to a revised site plan and conditions with the following changes: 1) Under Floor Area, Subparagraph A., maximum floor area of 1,875 sq. ft in the location shown on the attached site plan (interior), 2) Under Floor Area, strike Subparagraph B., and 3) Strike NOISE ATTENUATION paragraph on property zoned Planned Development District No. 842 on the west side of Greenville Avenue, south of Sears Street.

Maker: Ridley
Second: Culbreath
Result: Carried: 12 to 0

For: 12 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley,

Lavallaisaa, Tarpley, Wolfish, Schwartz, Ridley

Against: 0

Absent: 3 - Shellene, Bernbaum, Alcantar

Vacancy: 0

Notices: Area: 200 Mailed: 23 Replies: For: 1 Against: 0

Speakers: For: Audra Buckley, 416 S. Ervay, Dallas, TX 75201

Against: Mark Reeves, 5530 Goodwin Ave., Dallas, TX, 75206

Cheryl Kellis, 2007 Summit Ave., Dallas, TX, 75206

Dorothy Holliday, 5620 Richmond Ave., Dallas, TX, 75206

Against (Did not speak): David Smith, 5545 Sears St., Dallas, TX, 75206

Z123-262(MW)

List of Partners/Principals/Officers

OWNER: 1919-27 Greenville, Ltd.

Hope Street LLC

Larry Vineyard, General Partner/Manager of 1919-27 Greenville, Ltd.

Limited Partners: AJ Associates, SULU Joldings, L.P. – Larry Vineyard

KTR Investments, LLC - Larry Vineyard

Z123-262 CPC Recommended Conditions

- 1. <u>USE</u>: The only use authorized by this specific use permit is a late-hours establishment limited to restaurant without drive-in or drive-through service.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.

CPC Recommended:

3. TIME LIMIT: This specific use permit expires on (one year).

Staff Recommended:

3. <u>TIME LIMIT</u>: This specific use permit expires on (two years).

CPC Recommended:

4. FLOOR AREA:

- A. The maximum floor area is 1,875 square feet in the location shown on the attached site plan.
- B. The maximum land area for the sidewalk patio is patio is 350 square feet in the location shown on the attached site plan.

Staff Recommended:

4. FLOOR AREA:

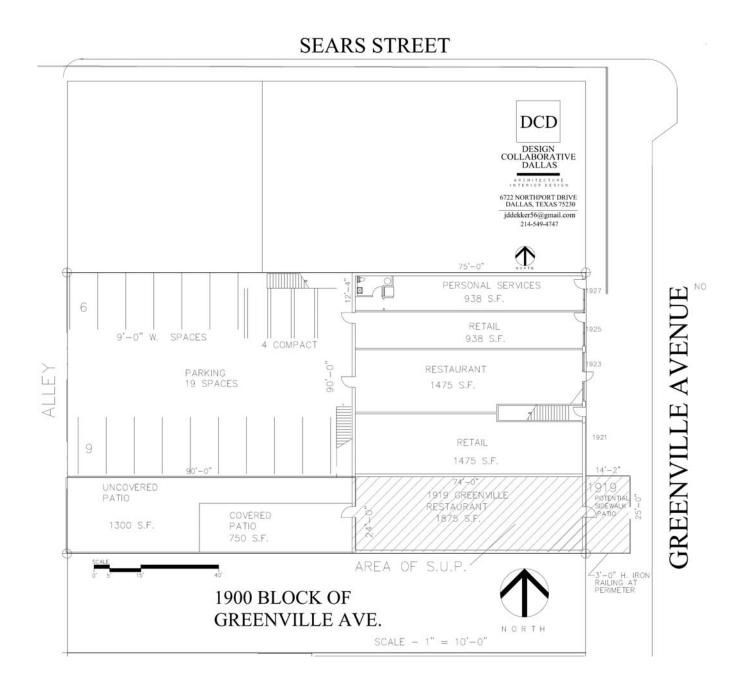
- A. The maximum floor area is 2,625 square feet in the location shown on the attached site plan.
- B. The maximum land area for the uncovered patio is 1,300 square feet in the location shown on the attached site plan.
- C. The maximum land area for the sidewalk patio is patio is 350 square feet in the location shown on the attached site plan.
- 5. <u>CERTIFICATE OF OCCUPANCY</u>: The owner or operator must obtain a certificate of occupancy for a late-hours establishment before operating after 12:00 a.m. (midnight).
- 6. <u>HOURS OF OPERATION</u>: The late hours establishment limited to a restaurant without drive-in or drive-through service may only operate between 12:00 a.m. (midnight) and 2:00 a.m., Monday through Sunday. Food must be made available

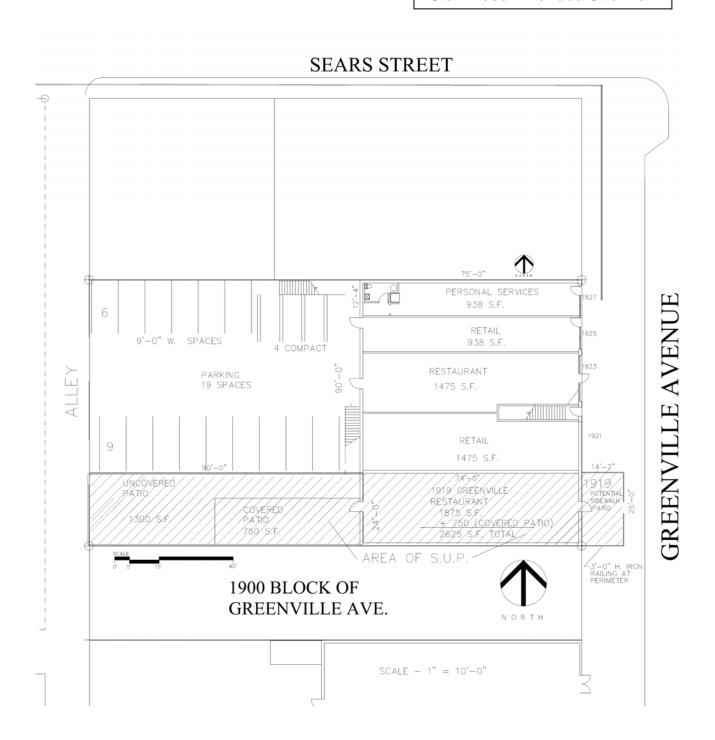
to the public for purchase during this time. All customers must be removed from the Property by 2:15 a.m.

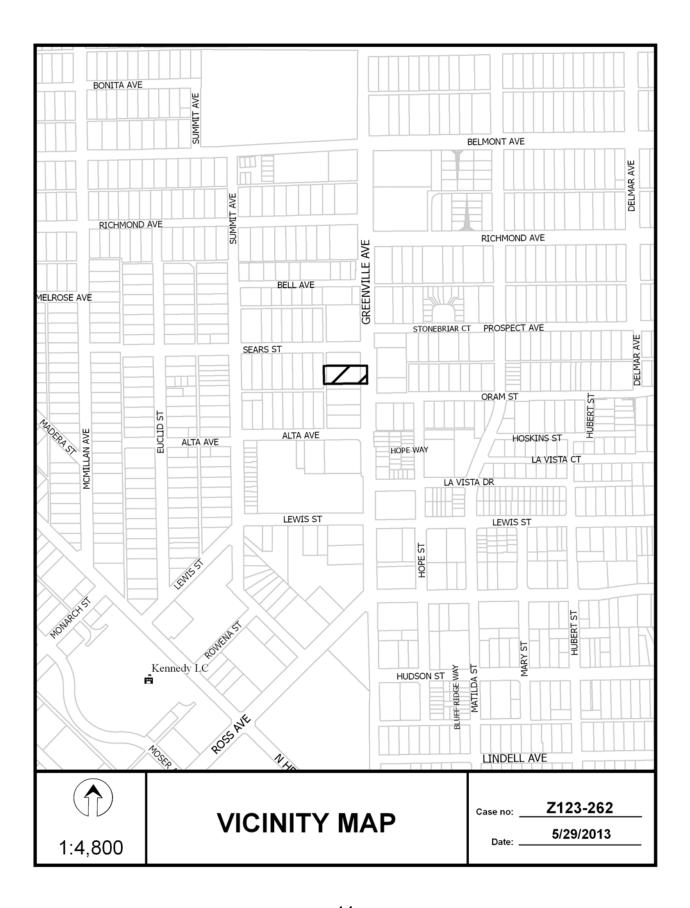
Staff recommended: (Note: with CPC's recommendation, this condition is not applicable).

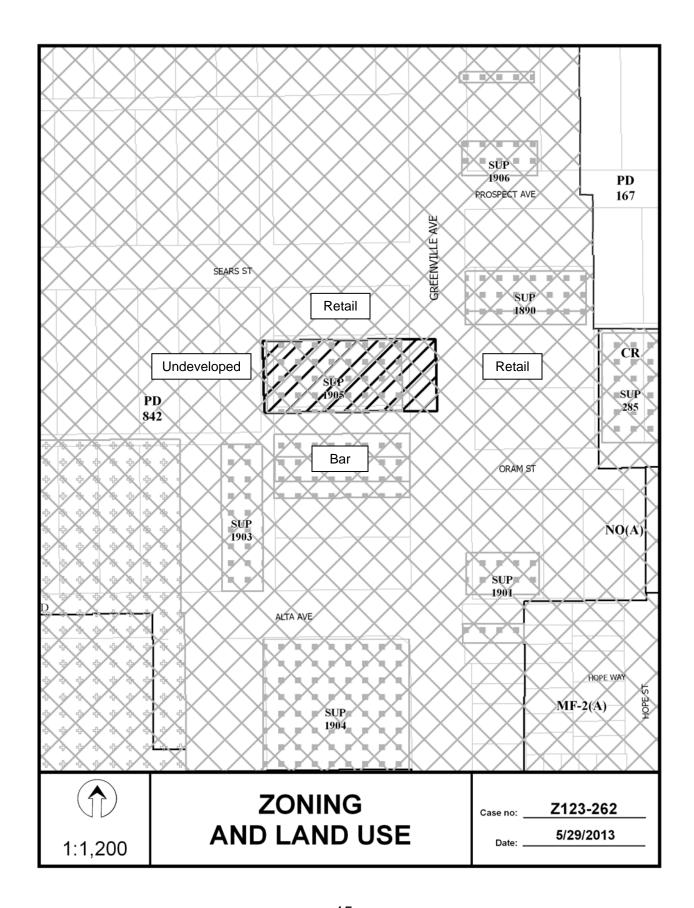
- 7. <u>NOISE ATTENUATION:</u> The exterior brick wall along the rear patio must be sound-proofed in a manner approved by the building official.
- 8. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers is prohibited.
- 9. <u>PARKING</u>: Off-street parking must be provided in accordance with Planned Development District No. 842 and the MD-1 Modified Delta Overlay No. 1.
- 10. <u>SIDEWALK PATIO</u>: The owner or operator must obtain a private license for the sidewalk patio, with copy provided to the building official, before the outdoor patio may be used by customers. Parking for the sidewalk patio must be provided in accordance with Planned Development District No. 842 and the MD-1 Modified Delta Overlay No. 1.
- 11. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 12. <u>GENERAL REQUIREMENT</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

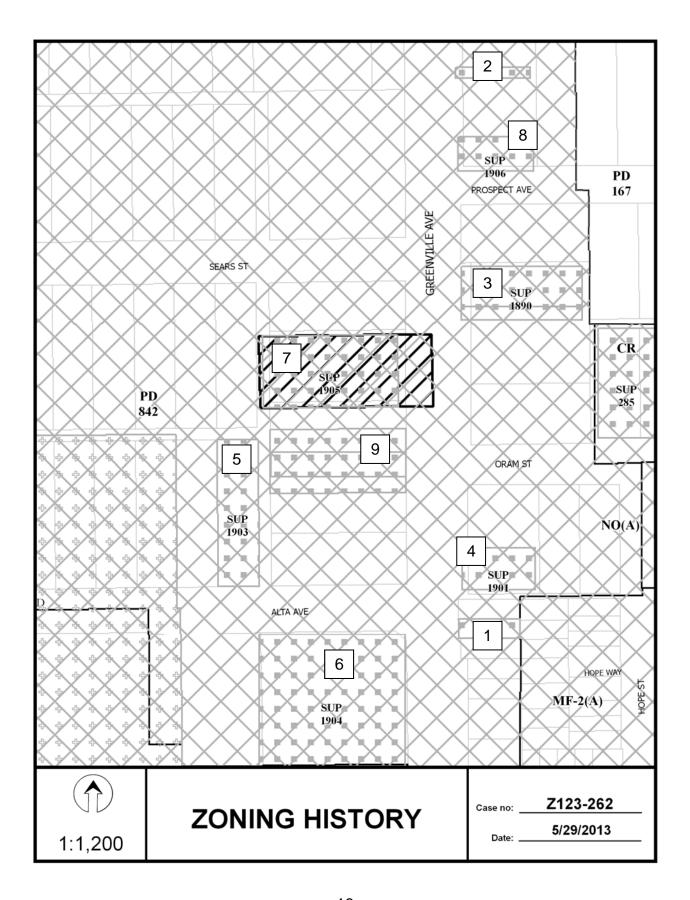
CPC Recommended Site Plan

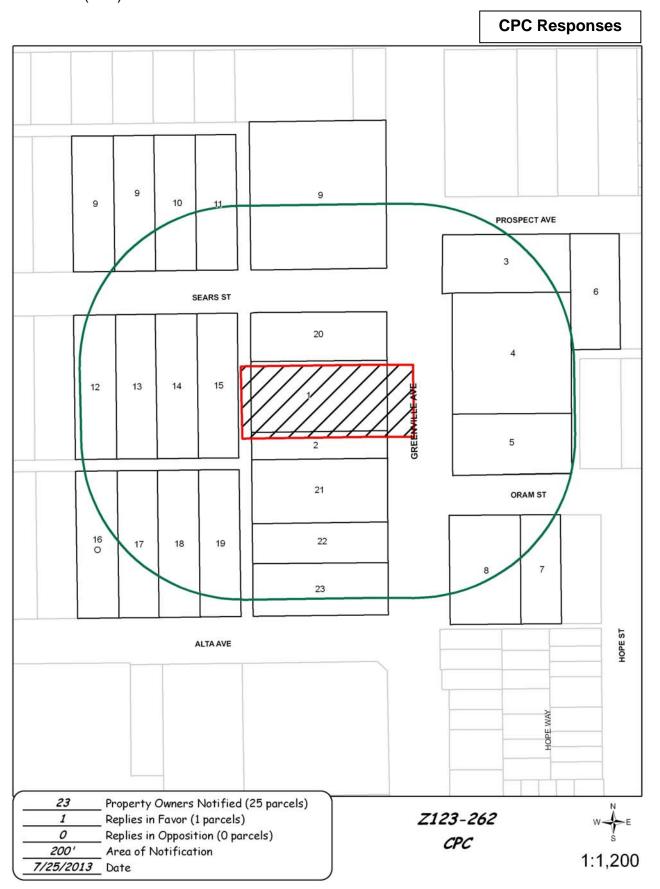












7/26/2013

Reply List of Property Owners Z123-262

23 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

Reply	Label #	Address		Owner
	1	1919	GREENVILLE AVE	1919 27 GREENVILLE LTD
	2	1917	GREENVILLE AVE	WORLD WIDE FOOD INC
	3	2026	GREENVILLE AVE	ANDRES FAMILY TRUST
	4	2008	GREENVILLE AVE	WONDERFUL SEVEN A LP
	5	2000	GREENVILLE AVE	LANDE PAUL &
	6	5716	PROSPECT AVE	ANDRES FAMILY TRUST
	7	5710	ORAM ST	SOURIS MINOS
	8	1920	GREENVILLE AVE	LOWGREEN PS
	9	5617	SEARS ST	2001 GREENVILLE VENTURE
	10	5627	SEARS ST	2001 GREENVILLE VENTURE
	11	5631	SEARS ST	LOWER GREENVILLE AVE TR
	12	5618	SEARS ST	GREENVILLE HOLDINGS CO
	13	5622	SEARS ST	ROY MARION B
	14	5624	SEARS ST	5624 SEARS STREET LTD
	15	5628	SEARS ST	ANDRES FAMILY TRUSTS
O	16	5619	ALTA AVE	THACKER RICHARD E JR
	17	5623	ALTA AVE	SHIELDS WILLIAM OLIVER
	18	5627	ALTA AVE	WSVV
	19	5631	ALTA AVE	WSVV LLC
	20	1931	GREENVILLE AVE	GENARO TRUST 1
	21	1911	GREENVILLE AVE	INTERCITY INVESTMENT PROP
	22	1909	GREENVILLE AVE	WORLDWIDE FOOD INC
	23	1903	GREENVILLE AVE	LOWGREEN PS

AGENDA ITEM #81

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 670-9195

MAPSCO: 42 Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1750 for commercial motor vehicle parking on property zoned a CS Commercial Service District located on the northwest corner of Chalk Hill Road and Fitchburg Street

<u>Recommendation of Staff</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions <u>Recommendation of CPC</u>: <u>Approval</u> for a two-year period, subject to a revised site plan and conditions

Z123-229(WE)

Note: This item was considered by the City Council at a public hearing on August 14, 2013, and was taken under advisement until August 28, 2013, with the public hearing open

HONORABLE MAYOR AND CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-229(WE) DATE FILED: March 12, 2013

LOCATION: Chalk Hill Road and Fitchburg Street, northwest corner

COUNCIL DISTRICT: 6 MAPSCO: 42-Q

SIZE OF REQUEST: Approx. 15,000 sq. ft. CENSUS TRACT: 106.02

APPLICANT/OWNER: Gamaliel Albarran

REPRESENTATIVE: Gamaliel Albarran

REQUEST: An application for the renewal of Specific Use Permit No.

1750 for a commercial motor vehicle parking use on property

zoned a CS Commercial Service District.

SUMMARY: The purpose of this request is to allow the applicant to

continue to operate a commercial motor vehicle parking lot

on the property.

CPC RECOMMENDATION: <u>Approval</u> for a two-year period, subject to a revised

site plan and conditions

STAFF RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The applicant's request for the renewal of Specific Use Permit No. 1750 will allow for the continued use of a commercial motor vehicle parking lot.
- A commercial motor vehicle parking use is permitted by right, in the CS Commercial Service District, except when the use is located within 500 feet of a residential district, thus a Specific Use Permit is required. A Single Family District is adjacent to the request site.
- In April, 2009, the City Council approved a Specific Use Permit for a commercial motor vehicle parking for two-years with eligibility for automatic renewals for additional two-year periods.
- The applicant missed the submittal deadline to begin the automatic renewal process.
 As a result, the applicant had to submit an application for the renewal of SUP No. 1750.

Zoning History: There has been one recent zoning changes requested in the area.

1. Z089-138

On Wednesday, April 22, 2009, the City Council approved a Specific Use Permit for commercial motor vehicle parking on property zoned a CS Commercial Service District on the northwest corner of Chalk Hill Road and Fitchburg Street. (request site)

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing ROW	Proposed ROW
Chalk Hill Road	Collector	100 ft.	50 ft.
Fitchburg Street	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use	
Site	CS w/SUP No. 1750	Commercial parking lot	
North	CS	Single Family, vehicle	
		storage	
South	IM	Industrial	
East	IM	Industrial	
West	R-5(A) Single Family		

<u>Comprehensive Plan:</u> The <u>forwardDallas! Comprehensive Plan</u> was adopted by the City Council in June 2006. The <u>forwardDallas! Comprehensive Plan</u> 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 located in an Industrial Building Block.

The request site is located near an industrial area and is in close proximity to a railroad line. The request site is also near an Industrial Building Block which typically areas offer important employment opportunities that occupy large areas of land are usually near major roads and heavy rail lines. Evolving technology and the need for freight movement through the Dallas area means that this sector of the city can offer an excellent opportunity for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

Land Use Element

Goal 1.2 Promote Desired Development

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

STAFF ANALYSIS:

Land Use Compatibility: The 15,000 square foot site is developed with a commercial motor vehicle parking lot that has approximately 12 trucks on site. The applicant's request for the renewal of Specific Use Permit No. 1750 will allow for the continued operation of a commercial motor vehicle parking lot. The applicant has reduced the number of spaces from 12 spaces to 11 spaces to allow the trucks to maneuver within the lot. The revised site plan reflects the reduction in the off-street parking for the commercial motor vehicles.

The CS Commercial Service District permits a commercial motor vehicle use by right, except when the use is located within 500 feet of a residential district, thus a Specific Use Permit is required. A Single Family District is adjacent to the request site.

In April, 2009, the City Council approved a Specific Use Permit for a commercial motor vehicle parking for two-years with eligibility for automatic renewals for additional two-year periods. However, due to the applicant missing the renewal deadline, an application was submitted for the renewal of SUP No. 1750.

The request site is adjacent to single family uses, even though the entire block face on Chalk Hill Road is zoned a CS Commercial Service District. In addition, Chalk Hill Road is the dividing line that separates an IM industrial Manufacturing District, which is a more intensive use than the CS Commercial Service District. The land uses surrounding the site consist of a single family dwelling to the north and single family uses to the west. East of the request site, across Chalk Hill Road, are uses that are developed industrial in nature and are zoned an IM Industrial Manufacturing District. The property south of the site is developed with an industrial use and is zoned an IM industrial Manufacturing District.

Staff recommendation is for approval of the renewal of Specific Use Permit No. 1750 for a five-year period with eligibility for automatic renewals for additional five year periods, subject to a revised site plan and conditions because the applicant has been a good neighbor and staff has not received any complaints from the adjacent residents.

The City Plan Commission recommended approval for a two year period because the City has plans to widen Chalk Hill Road from a two lane undivided road to a six lane divided road. The City Plan Commission wants to review the applicant's request within the two year period to determine the impact on the infrastructure improvements will have on the adjacent properties.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot	Special	PRIMARY Uses	
<u>DISTRICT</u>	Front	Side/Rear	Density	Height	Coverage	Standards	FRIMARI USES	
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office	

<u>Landscaping</u>: Landscape of any development will be in accordance with the landscaping requirements in Article X, as amended.

<u>Subdivision:</u> Staff has indicated to the applicant that they will have to re-plat the properties as one lot because the request site is divided into two lots with one driveway approach onto Chalk Hill Road. The vehicles are crossing the property line to gain access to the southern parking lot.

CPC Action (July 11, 2013)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1750 for a commercial motor vehicle parking use for a two-year period, subject to a revised site plan and conditions on property zoned a CS Commercial Service District on the northwest corner of Chalk Hill Road and Fitchburg Street.

Maker: Hinojosa Second: Ridley

Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers,

Hinojosa, Bagley, Lavallaisaa, Bernbaum, Wolfish,

Schwartz, Ridley, Alcantar

Against: 0

Absent: 2 - Tarpley, Shellene

Vacancy: 0

Notices: Area: 200 Mailed: 17 Replies: For: 2 Against: 0

Speakers: For: Gamaliel Albarran, 2402 Ingersoll St., Dallas, TX, 75212

Elizabeth Albarran, 2402 Ingersoll St., Dallas, TX, 75212

Against: Felix Anguiano, 2636 Ingersoll St., Dallas, TX, 75212

Ronnie Lee Mestas, 3215 Rutz St., Dallas, TX, 75212 Laura Cadena, 6815 American Way, Dallas, TX, 75237

Debbie Solis, 2329 Kenesaw Dr., Dallas, TX, 75212

Against (Did not speak): Jimmy Gomez, 3826 Mican Dr., Dallas, TX, 75212

CPC PROPOSED SUP CONDITIONS

- 1. <u>USE</u>: The only use authorized by this specific use permit is commercial motor vehicle parking.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.

CPC Recommendation

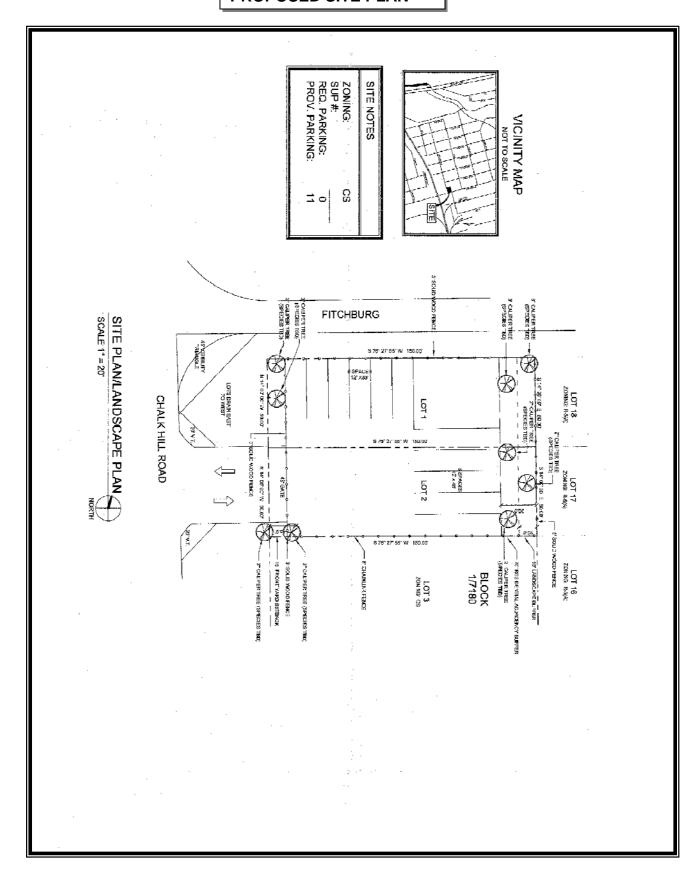
3. TIME LIMIT: This specific use permit expires on ______, (two-year period from the passage of this ordinance).[, but is eligible for automatic renewal for additional two-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).]

Staff's Recommendation

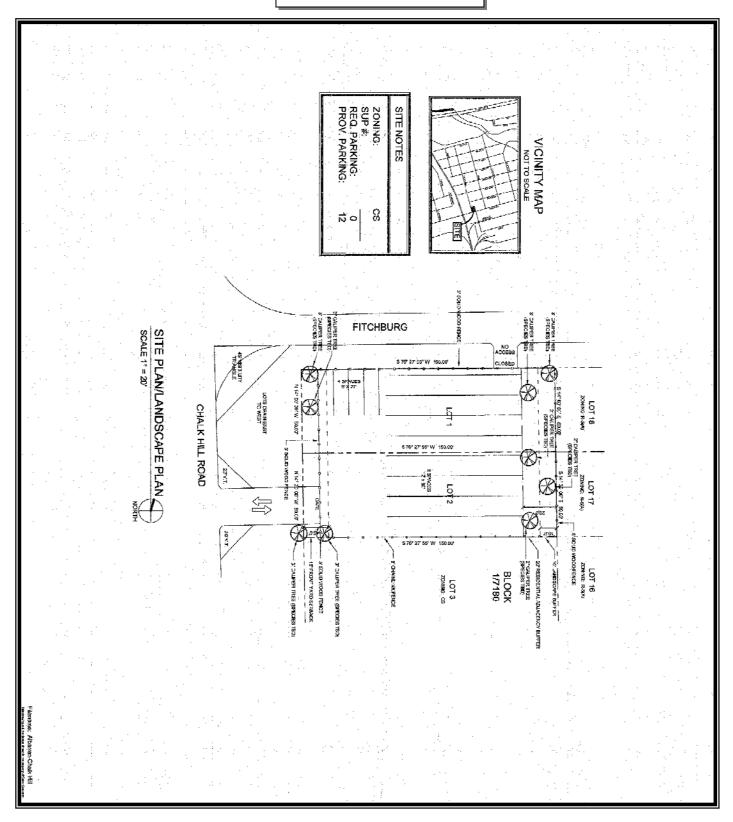
- 3. <u>TIME LIMIT</u>: This specific use permit expires on_____, ([two] five-year period from the passage of this ordinance), but is eligible for automatic renewal for additional [two] five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
- 4. <u>LANDSCAPING:</u> landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
- 5. <u>HOURS OF OPERATION</u>: Ingress and egress of commercial motor vehicles may only occur between 9:30 a.m. and 4:00 p.m., Monday through Friday; and between 11:00 a.m. and 3:00 p.m. on Saturday.
- 6. <u>INGRESS/EGRESS:</u> ingress and egress must be provided in the location shown on the attached site plan. No other ingress and egress is permitted.

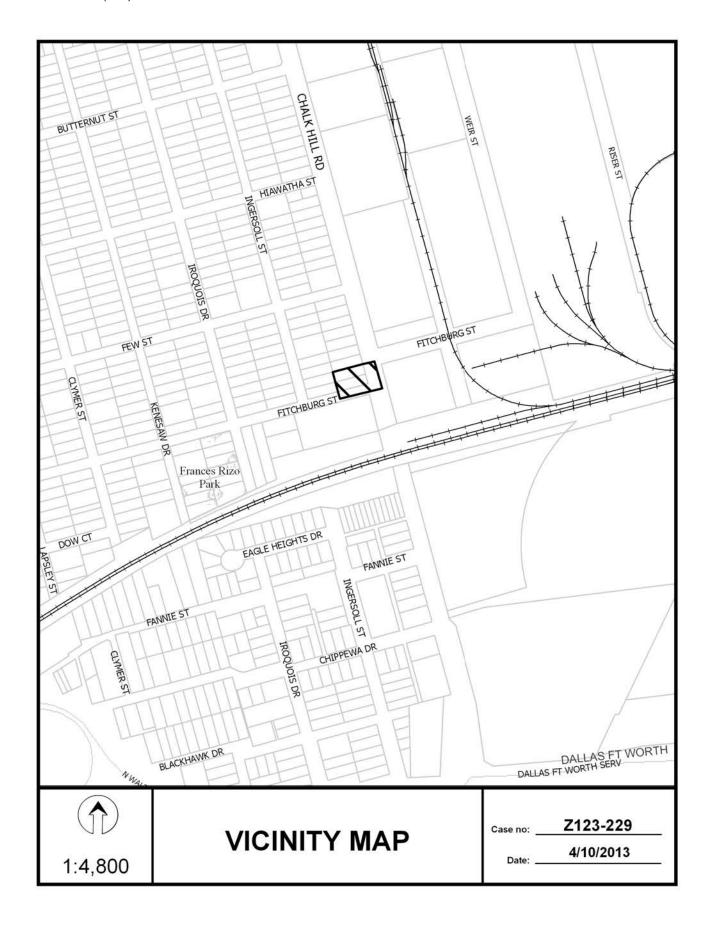
- 7. <u>OUTDOOR LOUDSPEAKERS:</u> Outdoor loudspeakers are prohibited.
- 8. <u>PARKING:</u> Eight commercial motor vehicle parking spaces and [four] three offstreet parking spaces must be located as shown on the attached site plan.
- 9. <u>REFRIGERATION UNITS:</u> Trailers with refrigeration units are prohibited.
- 10. <u>SCREENING:</u> A six-foot-high solid fence must be provided in the location shown on the attached site plan.
- 11. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 12. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

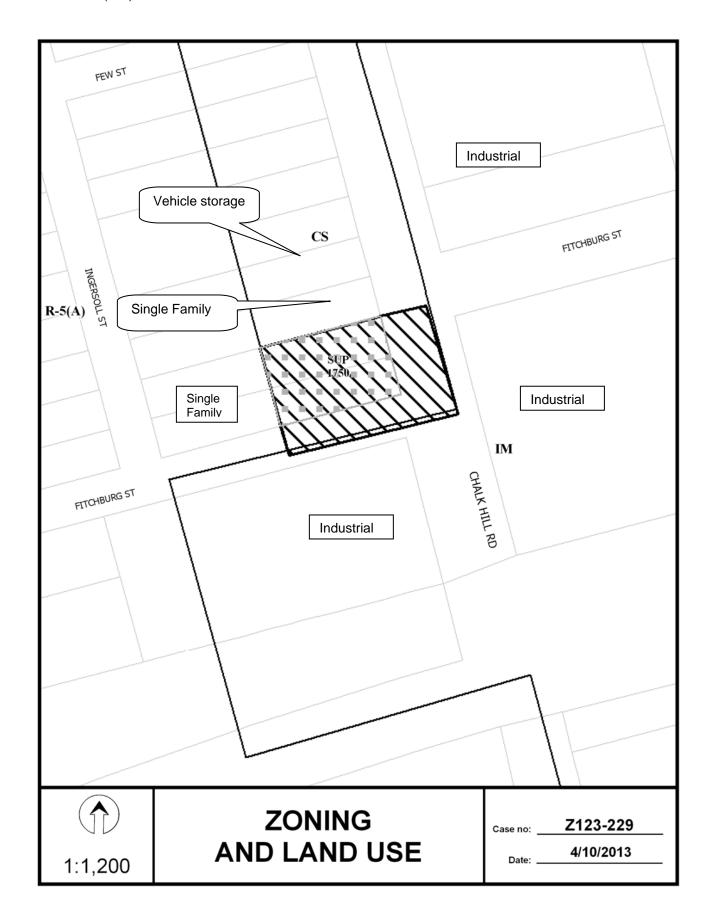
PROPOSED SITE PLAN

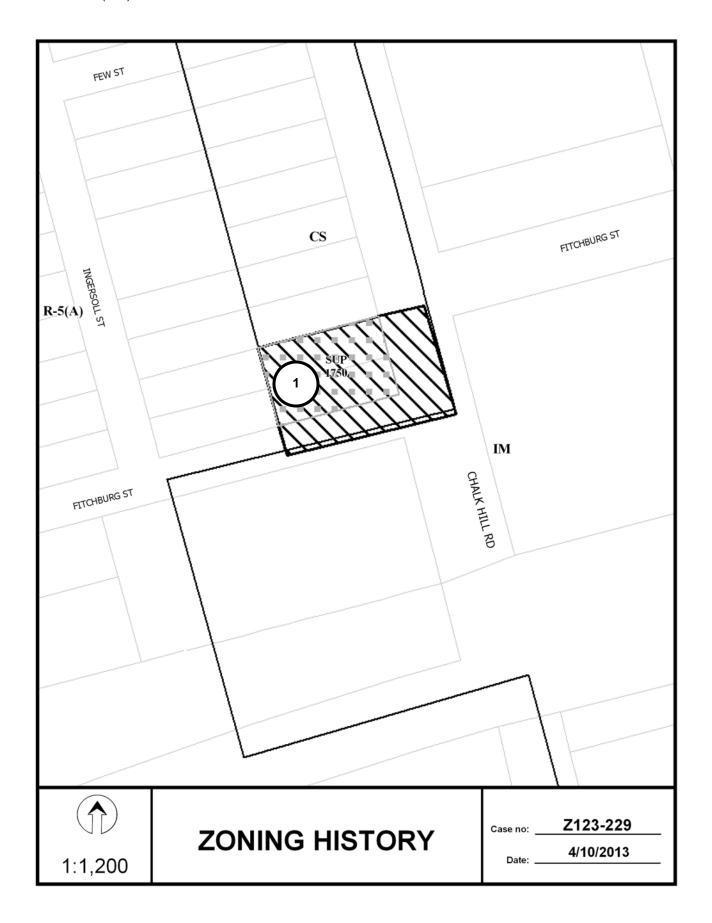


APPROVED SITE PLAN

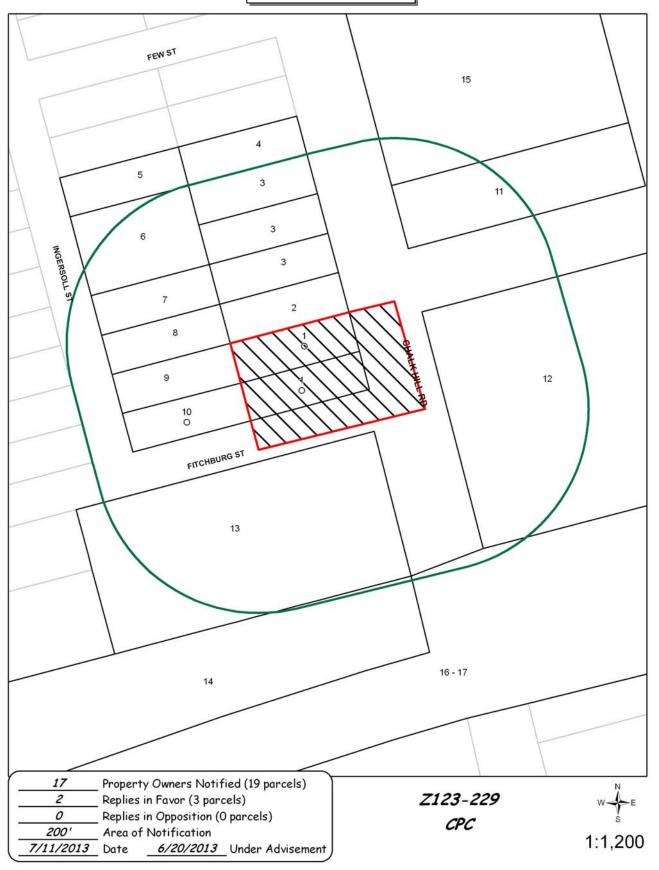








CPC RESPONSES



17

4401

LINFIELD RD

Notification List of Property Owners

Z123-229

17 Property Owners Notified 2 Property Owners in Favor 0 Property Owners Opposed Reply Label # **Address** O 1 2403 CHALK HILL RD ALBARRAN GAMALIEL SR 2 2411 CHALK HILL DR RODRIGUEZ JUANA B & 3 2415 CHALK HILL RD GARCIA ROQUE & ROSALBA 2427 CHALK HILL RD WR PROPERTIES LTD 4 5 2426 INGERSOLL ST SANTOS RAUL A 6 2418 INGERSOLL ST HERNANDEZ ANTONIO IR 7 2414 INGERSOLL ST GONZALEZ SALLY B 8 2410 INGERSOLL ST LARA ALEJANDRO 9 2406 **INGERSOLL ST** GARFIAS MARIA L & JOSAFAT O 10 2402 INGERSOLL ST ALBARRAN CONRADO J AZTECA ENTERPRISES INC 11 2518 CHALK HILL DR 12 2414 CHALK HILL DR BENITEZ FREDIS & MARGARITA 13 2323 CHALK HILL RD A TRUCK EXPRESS INC 14 5401 **FANNIE ST** MISSOURI PACIFIC RR CO FOUR L CAPITAL LTD 15 2518 CHALK HILL DR 16 9999 NO NAME ST UNION PACIFIC RR CO

ST LOUIS S W RAILWAY CO

AGENDA ITEM #82

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 26 F; K

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 GO(A) General Office District on the southeast corner of North Central Expressway and Midtown Boulevard

<u>Recommendation of Staff</u>: <u>Approval</u>, subject to a conceptual plan and staff's recommended conditions

<u>Recommendation of CPC</u>: <u>Approval</u>, subject to a conceptual plan and conditions <u>Z123-212(MW)</u>

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-212(MW) DATE FILED: February 19, 2013

LOCATION: Southeast corner of North Central Expressway and Midtown Boulevard

COUNCIL DISTRICT: 13 MAPSCO: 26-F, K

SIZE OF REQUEST: ±12.46 acres CENSUS TRACT: 78.23

REPRESENTATIVE: Santos Martinez, Masterplan

APPLICANT/OWNER: Commodore Partners, LTD

REQUEST: An application for a Planned Development District for mixed

uses on property zoned a GO(A) General Office District.

SUMMARY: The proposed Planned Development District will allow for

retail and multifamily residential uses with design standards.

CPC RECOMMENDATION: <u>Approval</u>, subject to a conceptual plan and

conditions.

STAFF RECOMMENDATION: Approval, subject to a conceptual plan and staff's

recommended conditions.

BACKGROUND INFORMATION:

- The ±12.46-acre request site is currently undeveloped; however, a portion of the site is improved with surface parking.
- The request site is surrounded by office uses and undeveloped land to the north; undeveloped land and railway corridor to the east; office uses, multifamily residential and undeveloped land to the south and office uses to the west (across Central Expressway).

Zoning History:

1. Z123-148: On July 11, 2013, the City Plan Commission recommended to hold

the case under advisement with the public hearing left open until August 8, 2013. This is an application for a Planned Development District for non-residential uses on property zoned a GO(A) General

Office District.

2. Z112-173: On March 28, 2012, the City Council approved the creation of a

new subdistrict within Planned Development District No. 577.

3. Z089-233: October 28, 2009, the City Council approved an amendment to and

expansion of Planned Development District No. 745 for mixed uses on property zoned Planned Development District No. 745, a CR

Community Retail District and an MF-2(A) Multifamily District.

4. Z056-169: On June 14, 2006, the City Council approved a Planned

Development District for MU-3(A) Mixed Use District uses on property zoned an MF-1(A) Multifamily District and an MF-2(A)

Multifamily District.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing ROW
North Central Expressway	US Highway	Variable
Midtown Boulevard	Local	37 feet
Manderville Lane	Local	Variable

Land Use:

	Zoning	Land Use
Site	GO(A)	Undeveloped; surface parking
North	GO(A); PDD No. 745	Office; undeveloped
East	PDD No. 745; MF-2(A);	Undeveloped; railway corridor
South	GO(A); MF-2(A) MF-2 (A)(SAH)	Office; multifamily; undeveloped
West	GO(A); RR	Office

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as an Urban Neighborhood. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include singlefamily detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

The ±12.46-acre request site is currently undeveloped; however, a portion of the site is improved with surface parking. The request site is surrounded by office uses to the north; undeveloped land and railway corridor to the east; office uses, multifamily residential and undeveloped land to the south and office uses to the west (across Central Expressway).

While the applicant intends to develop the site with retail uses, the proposed planned development district allows for a mix of uses, including multifamily residential, with design standards. As proposed, the design standards for large retail uses, as required by §51A-4.605 of the Dallas Development Code will apply. In addition, the applicant proposes design standards for mixed use or residential development consistent with Planned Development District No. 745.

The applicant's request is compatible with the existing development pattern as well as with the use as well as with the intent of the adjacent Planned Development District No. 745. Therefore, staff supports the request.

Development Standards:

	Setbacks		Density		Lot	Special		
District	Front	Side/Rear	FAR Height		Coverage Standards		Primary Uses	
Existing	Existing							
GO(A) General office	15'	20' adjacent to residential OTHER: No Min.	4.0 FAR	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses	
Proposed	Proposed							
PDD	25' 15'	15'; 0' internally	4.0 FAR 1,950 du	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging , retail & personal service uses	

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Z123-212(MW)

Parking:

Within the new Planned Development District, the applicant proposes off-street parking requirements pursuant to §51A-4.200 of the Dallas Development Code with one exception; that the entire district shall be considered one lot.

Landscaping:

The applicant proposes landscaping in accordance with Article X of the Dallas Development Code. The applicant requests that the City Council grant a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the landscaping requirements. Staff does not support this aspect of the request and, therefore, has omitted it from the proposed conditions.

CPC Action: July 25, 2013:

Motion: It was moved to recommend approval of a Planned Development District for mixed uses, subject to a conceptual plan and conditions to include the following changes: 1) Accept applicant's condition, under Section 51P-745.114, BUILDING ELEMENTS AND DESIGN STANDARDS, to exclude fenestration from the 75 percent masonry requirement and 2) Grant a landscape license on property zoned a GO(A) General Office District on the southeast corner of North Central Expressway and Midtown Boulevard.

Maker: Schwartz Second: Anglin

Result: Carried: 10 to 2

For: 10 - Davis, Anglin, Culbreath, Rodgers, Hinojosa, Lavallaisaa, Tarpley,

Wolfish, Schwartz, Ridley

Against: 2 - Wally, Bagley

Absent: 3 - Shellene, Bernbaum, Alcantar

Vacancy: 0

Notices: Area: 500 Mailed: 78 Replies: For: 1 Against: 0

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202

Against: None

Z123-212(MW)

List of Partners/Principals/Officers:

Applicant/Owner: Commodore Partners, LTD

Sole General Partner: Carl Westcott LLC

Acting Manager: Court Westcott

Z123-212 Proposed PDD Conditions

SEC. 51P101. LEGISLATIVE HISTORY.
PD was established by Ordinance No, passed by the Dallas City Council on
SEC. 51P102. PROPERTY LOCATION AND SIZE.
PD is established on property located at the southeast corner of North Central Expressway and Midtown Boulevard. The size of PD is approximately 12.46 acres.
SEC. 51P103. DEFINITIONS AND INTERPRETATIONS.
(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this district,
(1) A-FRAME sign means a portable detached premise sign that is hinges at the top and is made of durable, rigid materials such as wood, plastic, or metal.
(2) BLADE SIGN means a sign projecting perpendicularly from a main building façade, visible from both sides, and made of rigid or soft materials.
(3) INTERIOR SIDE YARD means a side yard that is not adjacent to a street.
(4) PRIMARY STREET means the principal frontage for a building site, as designated on the development plan.
(5) SECONDARY STREET means the frontage for a building site that is not a primary street, as designated on the development
(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
(c) This district is considered to be a nonresidential zoning district.
SEC. 51P104. EXHIBIT.
The following exhibit is incorporated into this article: ExhibitA: conceptual plan.

SEC. 51P- .105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit ___ A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P- 106. DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- .107. MAIN USES PERMITTED

The following uses are the only main uses permitted:

- (1) Agricultural uses.
 - -- Crop production.
- (2) Commercial and business service uses.
 - --Catering service.
 - --Custom business service.
 - -- Electronics service center.
 - -- Medical or scientific laboratory.
 - -- Tool or equipment rental.
- (3) Industrial uses.
- --Temporary concrete or asphalt batching plant. [By special authorization of the building official.]
 - (4) Institutional and community service uses.
 - --Adult day care facility.
 - --Child-care facility.
 - --Church.
 - --College, university or seminary.
 - --Community service center. [SUP]
 - --Convalescent and nursing homes, hospice care, and related

institutions. [RAR]

- --Convent or monastery.
- --Foster home.
- --Hospital.
- --Library, art gallery, or museum.
- --Open-enrollment charter school.
- -- Private school.

- --Public school. [RAR]
- (5) Lodging uses.
 - --Extended stay hotel or motel. [SUP]
 - --Hotel or motel.

(6) <u>Miscellaneous uses</u>.

- --Attached non-premise sign.
- -- Carnival or circus (temporary). [By special authorization of the

building official.]

--Temporary construction or sales office.

(7) Office uses.

- --Financial institution without drive-in window.
- --Financial institution with drive-in window.
- --Medical clinic or ambulatory surgical center.
- --Office.

(8) Recreation uses.

- -- Country club with private membership.
- -- Private recreation center, club, or area.
- --Public park, playground, or golf course.

(9) Residential uses.

- --College dormitory, fraternity or sorority house.
- --Duplex.
- --Group residential facility. [SUP required if spacing component of Section 51A-4.209(b)(3) is not met.]
 - --Multifamily.
 - --Residential hotel.
 - --Retirement housing.

(9) Retail and personal service uses.

- --Alcoholic beverage establishment. [See 51A-4.210(b)(4).]
- --Animal shelter or clinic without outside runs. [RAR]
- --Business school.
- --Commercial amusement (inside).
- --Commercial amusement (outside).
- --Commercial parking lot or garage.
- -- Dry cleaning or laundry store.
- --Furniture store.
- --General merchandise or food store 3,500 square feet or less.

- --General merchandise or food store greater than 3,500 square feet.
- --General merchandise or food store 100,000 square feet or more.
- --Household equipment and appliance repair.
- --Liquor store.
- --Mortuary, funeral home, or commercial wedding chapel.
- --Motor vehicle fueling station.
- --Nursery, garden shop, or plant sales.
- --Personal service uses.
- --Restaurant without drive-in or drive-through service.
- --Restaurant with drive-in or drive-through service.
- --Temporary retail use.
- --Theater.

(10) Transportation uses.

- --Railroad passenger station
- --Transit passenger shelter.
- --Transit passenger station or transfer center.

(12) Utility and public service uses.

- --Commercial radio or television transmitting station.
- --Electrical substation.
- --Local utilities.
- --Police or fire station.
- --Post office.
- --Radio, television, or microwave tower.
- --Tower/antenna for cellular communication.
- --Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- --Mini-warehouse.
- --Office showroom/warehouse.
- --Recycling buy-back center [SUP or RAR may be required. See Section 51A-4.213 (11).]
- --Recycling collection center. [SUP or RAR may be required. See Section 51A-4.213 (11.1).]
- --Recycling drop-off container. [SUP required if the requirements of Section 51A-4.213 (11.2)(E) are not satisfied.]
- --Recycling drop-off for special occasion collection. [SUP required if the requirements of Section 51A-4.213 (11.3)(E) are not satisfied.]

SEC. 51P-__.108. ACCESSORY USES.

- (a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.
 - (b) The following accessory use is not permitted:
 - -- Private stable.
 - (c) The following accessory uses are permitted by SUP only:
 - -- Accessory medical/infectious waste incinerator.
 - -- Accessory pathological waste incinerator.

SEC. 51P-__.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

CPC Recommended:

- (a) <u>Front yard</u>. Minimum front yard is 25 feet along Central Expressway service road. Minimum front yard is 15 feet for all other instances.
- (b) <u>Side and rear yard.</u> Minimum side and rear yard is 15 feet. No minimum interior side yard is required.

Staff recommended:

- (a) Central Expressway.
 - (1) Minimum setback is 25 feet.
- (b) Manderville Lane and Midtown Boulevard.
 - (1) Minimum.
- (i) For a mixed use or residential building, the minimum setback is 10 feet.
 - (ii) For other uses, the minimum setback is 15 feet.
 - (2) Maximum.
- (i) For a mixed use or residential building, the maximum setback is 15 feet.

- (ii) For other uses, there is no maximum setback.
- (c) <u>Façade location.</u> For a mixed use or residential building, a portion of the front facade equal to at least 50 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points, must be located within the area between the minimum and maximum setback. The remainder of the front facade (less than 50 percent of the length of the lot) must comply only with the minimum front yard setback.
- (d) <u>Projections into setbacks</u>. Window sills, bay windows, belt courses, cornices, other architectural features, and fireplace chimneys may project up to three feet into a required front, side, or rear yard. Unenclosed balconies, unenclosed patios, and stoops may project up to six feet into a required front, side, or rear yard, provided that the width of the encroachment in not greater than fifteen feet.
 - (e) <u>Dwelling unit density</u>. Maximum number of dwelling units is 1,650.
 - (f) Floor area.
 - (1) Maximum floor area ratio:
 - (a) 3.8 for lodging and office uses;
 - (b) 3.75 for retail and personal service uses;
 - (c) 4.0 for all uses combined.
 - (g) Height. Maximum structure height is 270 feet.
- (h) <u>Lot coverage</u>. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; however, if the roof of a parking garage is an interior courtyard that is landscaped and the garage does not exceed 17 feet in height above ground level, it does not count as lot coverage. Surface parking lots and underground parking structures are not included in lot coverage.
 - (h) Lot size. No minimum lot size.
- (i) <u>Stories</u>. Maximum number of stories above grade is 20. Aboveground parking structures are not included in the calculation of stories but are included in the height calculations.

SEC. 51P-__.110. OFF-STREET PARKING AND LOADING.

- (a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) A maximum of 10 percent of multifamily parking spaces must be surface parking.
 - (c) For purpose of this section, the entire district shall be considered one lot.

SEC. 51P-___.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-___.112. LANDSCAPING.

- (a) Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) Drive approaches must have one tree for every 30 linear feet of drive approach. Trees must be a minimum two and one-half caliper inches at the time of planting and may be planted in naturalized clusters along the driveway. All trees must be located within 35 feet of the paved drive approach. These trees qualify towards site tree requirements under Article X.
 - (c) All plant materials must be maintained in a healthy, growing condition.

CPC Recommended:

(d) Private license granted.

- (1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the landscaping requirements of this subsection. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of to the director of public works and transportation.
- (2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this paragraph.
- (3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this paragraph, with combined single limits of liability for bodily

injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this paragraph does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(e) Parkway landscape permit.

- (1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees, landscaping, sidewalks, or related amenities in the parkway. An application for a parkway landscape permit must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.
- (2) Upon receipt of the application and any required fees, the director shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the director determines that the construction and planting or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.
- (3) A property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director of public works and transportation's denial of a parkway landscape permit
- (4) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or other amenities in the public right-of-way.

SEC. 51P-___.113. PEDESTRIAN AMENITIES.

- (a) The following pedestrian amenities are required along all street frontages:
 - (1) benches at a minimum of one per 200 feet of frontage.
 - (2) trash receptacles at a minimum of one per 200 feet of frontage.
- (3) bicycle parking at a minimum of one five-bicycle rack per 200 feet of frontage.
 - (4) pedestrian lighting at a minimum of one per 150 feet of frontage.
- (b) All pedestrian amenities must be maintained by the owner of the lot; if there is more than one owner, all owners are jointly and severally responsible for maintenance.

SEC. 51P-745.114. BUILDING ELEMENTS AND DESIGN STANDARDS.

(Note: See Section 51A-4.605 for required design standards for a general merchandise or food store 100,000 square feet or more.)

Staff recommended (CPC recommended approval without these conditions):

(a) In general.

- (1) Applicability. Except as provided in this section, building elements and design standards apply to all mixed use or residential buildings within the district.
 - (2) <u>Purpose</u>. Building elements and design standards are intended to:
- (A) ensure that new development enhances and is compatible with surrounding neighborhoods; and
 - (B) enhance the character and environment for pedestrians.
- (3) <u>Building elements and facade</u>.
 (A) <u>Street-level transparency</u>. (Measured between 0 and 10 feet above adjacent sidewalk.)
 - (i) Primary street facade: Minimum 40 percent.
 - (ii) Secondary street facade: Minimum 20 percent.

- (B) Upper-story transparency. (Measured from floor to floor.)

 (i) Primary street facade: Minimum 40 percent.

 (ii) Secondary street facade: Minimum 20 percent.

 (C) Entrance.

 (i) Primary street facade: Required.

 (ii) Entrance spacing: (Maximum linear feet.)
 - (aa) Except as provided in provision (bb): 100.
 - (bb) For hospital, medical or scientific laboratory,

and all office uses: 150.

- (iii) Secondary facade: Allowed.
- (4) <u>Blank wall</u>. A blank wall may not face a primary street for more than 20 linear feet.
- (5) <u>Street-level retail use front windows</u>. A minimum of 60 percent of a street-fronting street-level window must allow views into the street-level retail use for a depth of at least four feet, measured from the edge of the sidewalk closest to the window. Windows must be clear, unpainted, or translucent. Spandrel glass or backpainted glass is not permitted.

CPC Recommended:

- (a) <u>Building materials</u>. The exterior facades of the building elevations for non-residential uses facing North Central Expressway or Midtown Boulevard must be comprised of no less 75 percent masonry, excluding fenestration. The exterior facades of the building elevations for residential uses facing North Central Expressway, Midtown Boulevard, or Manderville Lane shall be comprised of no less 75 percent masonry, excluding fenestration. Masonry includes, but is not limited to, stone, brick, concrete, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.
- (b) Off-street parking structures. All permanent parking structures for multifamily uses must be either underground or concealed in a building with a facade that is similar in appearance to the facade of either the main non-parking building to which the parking is accessory or the adjacent structure's architecture. At least 10 percent of the parking structure facade must be covered with the same material used predominantly on the first 50 feet of height of the main non-parking building. (The facade area is calculated by including openings, if any.) Openings in the parking structure facade may not exceed 52 percent of the total facade area.

- (c) <u>Highly reflective glass prohibited</u>. Highly reflective glass may not be used as an exterior building material on any building or structure in this district. For purposes of this subsection, HIGHLY REFLECTIVE GLASS means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)
- (d) <u>Multifamily structures</u>. The facade of multifamily dwelling units facing North Central Expressway, Midtown Boulevard, or Manderville Lane, exclusive of trim, doors, soffits, and shutters, may consist of no more than 15 percent wood or products that appear to be wood (such as Hardi-plank), with the remainder of the facade to be constructed of glass or masonry that does not have the appearance of wood.
- (e) Drive approach enhancements. The following drive approach enhancements must be provided.
- (1) Ingress/egress points on the Property must have a change in surface materials such as pavers, bricks, patterned concrete or stained concrete with color. This special paving must have a minimum length of 20 feet, starting at the Property line, and must span the entire width of the drive approach throat (from edge of curb to edge of curb).
- (2) The intersections of main drive approaches must have enhanced paving such as concrete pavers, patterned concrete, or stained concrete with color, brick, stone, landscape islands, or similar feature or materials.
- (3) Drive approaches must have a minimum six-foot-wide unobstructed sidewalk on one side of the drive within 20 feet of the drive approach pavement. Benches, at a minimum of one per drive approach, must be located along the sidewalk. Benches are not permitted to obstruct the six-foot-wide clearance. These park benches may qualify for required pedestrian amenities listed in Section ____-112. All other sidewalks must comply with city standards.
- (4) Pedestrian lighting with decorative fixtures must be installed along both sides of the main driveways, and located within 25 feet of the drive approach pavement. These light figures may qualify for required pedestrian amenities listed in Section 51P-____.113.
- (5) Throughout the Property, all pedestrian walkways that cross vehicular circulation routes must be clearly marked with enhanced paving and signage or other traffic calming devices such as speed bumps.
- (6) Main building entrances. Awnings, canopies, arcades, or similar features must be provided at all main building entrances of buildings located on the Property. If the main building entrance is located within a parking structure this provision does not apply.

(7) Sidewalks. Sidewalks with a minimum width of six feet must be provided along the primary façade wall of all structures with air-conditioned space.

SEC. 51P-__.115. SIGNS.

- (a) <u>In general</u>. Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.
 - (b) <u>A-frame signs</u>. A-frame signs are permitted to identify a business in accordance with the following provisions:
 - (1) The maximum size of the sign is 34 inches wide and 36 inches tall.
 - (2) The maximum effective area per side is 1,224 square inches.
- (3) A-frame signs may only be displayed when the business that it is identifying is open.
- (4) A-frame signs may be located on the sidewalk or in the front yard of the business that it is identifying, provided a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.
 - (5) Only one A-frame sign is permitted per business.
 - (6) A-frame signs must be separated by a minimum of 50 feet.
- (7) A-frame signs may not be located closer than 25 feet to a street intersection.
- (c) <u>Blade signs</u>. For multifamily uses, six additional premise signs are permitted as blade signs. The effective area for the sign may not exceed 72 square feet per side. The blade signs must be attached to a main structure and may project no more than 2.5 feet into the required setback.

SEC. 51P-___.116. ADDITIONAL PROVISIONS.

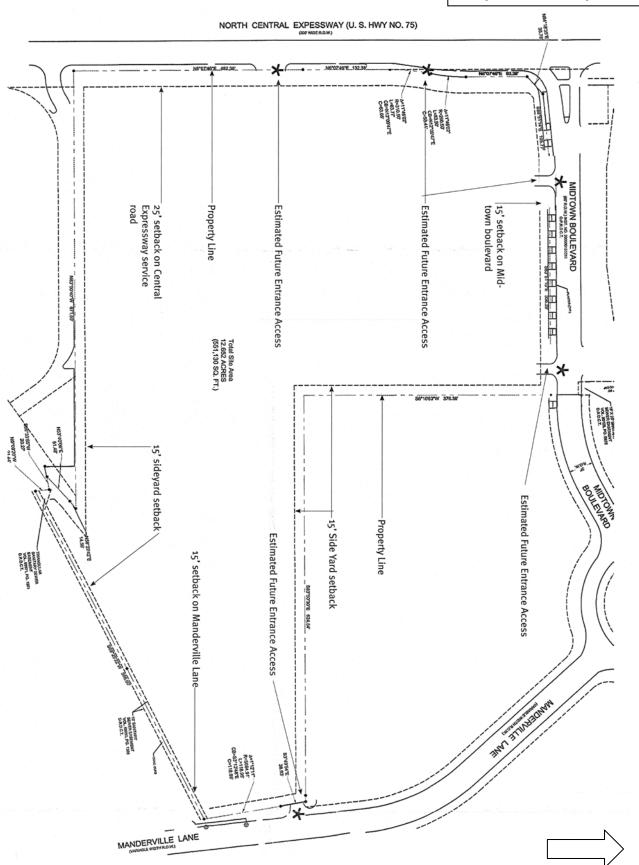
- (a) Mini-warehouse units must be accessed by an interior corridor.
- (b) The Property must be properly maintained in a state of good repair and neat appearance.
- (c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

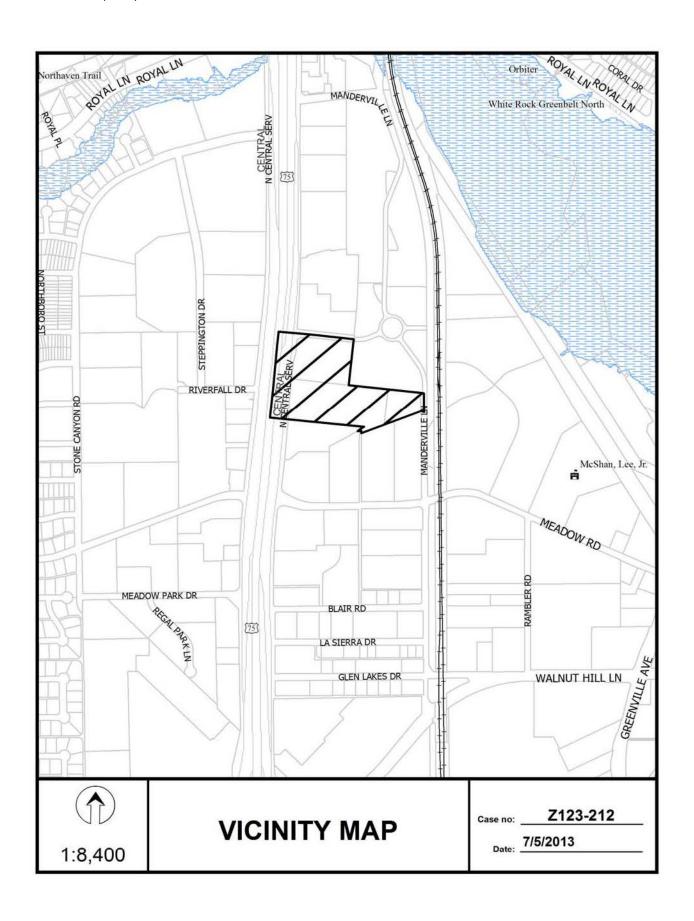
SEC. 51P-___.11. COMPLIANCE WITH CONDITIONS.

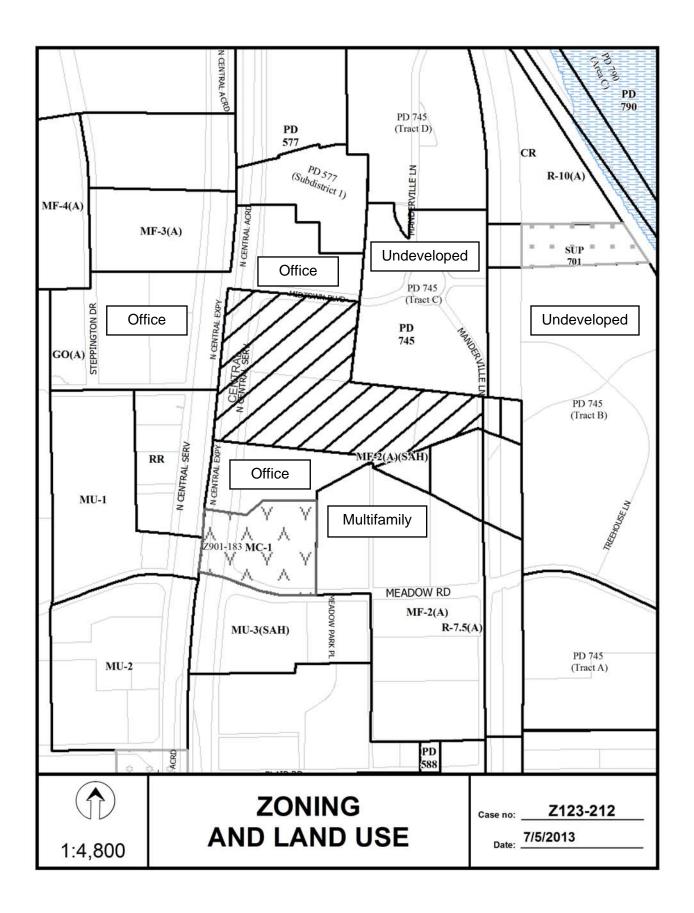
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

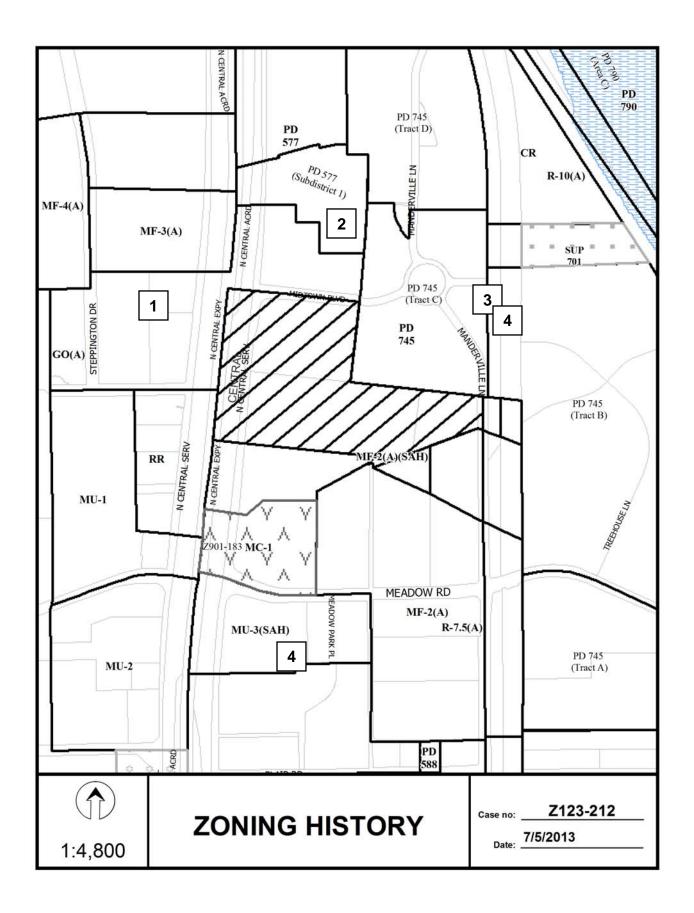
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

Proposed Conceptual Plan











7/26/2013

Reply List of Property Owners Z123-212

78 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

Reply	Label #	Address		Owner
	1	8111	MEADOW RD	NEXT BLOCK DALLAS I LP
	2	8109	MANDERVILLE LN	COMMODORE PARTNERS LTD
O	3	10650	CENTRAL EXPY	COMMORDORE PTNRS LTD
	4	10440	CENTRAL EXPY	MEADOW PARK OFFICE LLC
	5	7700	GLEN LAKES DR	TEXAS UTILITIES ELEC CO
	6	8175	MEADOW RD	MEADOWS REDEVELOPMENT LTD
	7	7910	TREEHOUSE LN	TKG VALENCIA MIDTOWN LLC
	8	10640	STEPPINGTON DR	STEPPINGTON DALLAS INC
	9	10500	STEPPINGTON DR	06 QCC 0121 LLC
	10	10425	CENTRAL EXPY	SRS HOLDINGS LLC
	11	10433	CENTRAL EXPY	CCP MEADOWCENT I LP
	12	10443	CENTRAL EXPY	CHAN NELSON S & BELLE H
	13	10453	CENTRAL EXPY	MEADOW & CENTRAL LTD PS
	14	10453	CENTRAL EXPY	PRESCOTT INTERESTS LTD
	15	10501	CENTRAL EXPY	CHARTOWN NC GENERAL PS
	16	10455	CENTRAL EXPY	MEADOW & CENTRAL LTD PS
	17	10670	CENTRAL EXPY	SEARCH PLAZA OFFICE LP
	18	10720	CENTRAL EXPY	SK23 NORTH DALLAS LTD
	19	10400	CENTRAL EXPY	MISI REALTY CC DALLAS LP
	20	401	BUCKNER BLVD	DART
	21	8059	MEADOW RD	SOLOMON YEMANE &
	22	8059	MEADOW RD	TODORA TONY
	23	8057	MEADOW RD	WEAVER TOM
	24	8057	MEADOW RD	FOSTER JAMES JAY
	25	8057	MEADOW RD	NEWAY ZEKARIAS
	26	8057	MEADOW RD	ABEBE ZUFAN

Z123-212(MW)

7/26/2013

Reply	Label #	Address		Owner
	27	8055	MEADOW RD	WEAVER THOMAS R
	28	8055	MEADOW RD	FRIEDRICH ELIZABETH E &
	29	8055	MEADOW RD	CUNNINGHAM SHEREICE
	30	8057	MEADOW RD	CUNNINGHAM SHEREICE
	31	8055	MEADOW RD	KEBEDE TAFESECH
	32	8063	MEADOW RD	WEAVER TOM R
	33	8063	MEADOW RD	WEAVER TOM & GLENDA
	34	8065	MEADOW RD	SMITH LOUCILE
	35	8065	MEADOW RD	HUEY JOSEPH D & LORI A
	36	8067	MEADOW RD	CHILDRESS CAROLYN H
	37	8065	MEADOW RD	YEMANE SOLOMON
	38	8065	MEADOW RD	JORDAN JAMES C &
	39	8067	MEADOW RD	NGUYEN LAM P
	40	8069	MEADOW RD	HARTGROVE GRACE T
	41	8069	MEADOW RD	ASKY MAZYAR
	42	8069	MEADOW RD	OUZTS JOHN B JR
	43	8071	MEADOW RD	GARCIA CYNTHIA
	44	8071	MEADOW RD	WOLTER DIANE
	45	8071	MEADOW RD	MESSEYE ABIER
	46	8071	MEADOW RD	YANACEK CANDACE L
	47	8075	MEADOW RD	LEWIS PAUL C
	48	8075	MEADOW RD	NGUYEN LAM P
	49	8075	MEADOW RD	SINGLETON PAULA K
	50	8075	MEADOW RD	BARNES MATTHEW D &
	51	8081	MEADOW RD	SALCEDO DANNIEL E
	52	8081	MEADOW RD	SOLOMON YEMANE KIFLU
	53	8081	MEADOW RD	VILLAFUERTE ARMANDO
	54	8083	MEADOW RD	MAYO HEDWIG J
	55	8083	MEADOW RD	VALDEZ FEDERICO C &
	56	8083	MEADOW RD	ARMSTRONG YENY A
	57	8083	MEADOW RD	LARUMBE ZULEMA

Z123-212(MW)

7/26/2013

Reply	Label #	Address		Owner
	58	8085	MEADOW RD	WALKER GEORGE FURMAN
	59	8085	MEADOW RD	RODRIGUEZ JULIO D
	60	8085	MEADOW RD	MITCHELL LAURENCE
	61	8087	MEADOW RD	KIRK CHARLES GLEN
	62	8087	MEADOW RD	MCVAY NIKKI J
	63	8087	MEADOW RD	HOLCOMB JAMES RUSSELL III
	64	8089	MEADOW RD	JOHNSTON HILLARY
	65	8089	MEADOW RD	HAILE TESHOME S
	66	8091	MEADOW RD	BENAVIDES OSCAR R JR
	67	8091	MEADOW RD	ALEMU HULUMSEW ABEBE
	68	8093	MEADOW RD	KIDANE MULU HABITE &
	69	8093	MEADOW RD	BENEVIDES OSCAR
	70	8091	MEADOW RD	CHOU AMY
	71	8093	MEADOW RD	ABRAHA SELAMAWIT
	72	8095	MEADOW RD	MILLER PAULETTA J
	73	8095	MEADOW RD	TAN JINI L
	74	8095	MEADOW RD	SHEPHERD MARGARET
	75	8095	MEADOW RD	SEUBERT SALLY A
	76	8095	MEADOW RD	STOKES CATRIONA
	77	8095	MEADOW RD	FOSTER CORRIE LEE
	78	8079	MEADOW RD	DYGOWSKI LAURIEANN

AGENDA ITEM #83

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 21B V; 22 S

SUBJECT

A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road

<u>Recommendation of Staff</u>: <u>Approval</u> for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan/landscape plan and conditions

Recommendation of CPC: Denial

Z101-220(JH)

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z101-220 (JH) DATE FILED: March 17, 2011

LOCATION: North side of Northwest Highway, west of Luna Road

COUNCIL DISTRICT: 6 MAPSCO: 21B, V & 22S

SIZE OF REQUEST: Approx. 5.77 acres CENSUS TRACT: 0099.00

REPRESENTATIVE: MASTERPLAN

APPLICANT: Trinity East Energy, LLC

OWNER: City of Dallas

REQUEST: An application for a Specific Use Permit for gas drilling and

production on property zoned an IR Industrial Research

District.

SUMMARY: The applicant proposes to construct and operate wells for

extracting natural gas.

STAFF RECOMMENDATION: <u>Approval</u> for a 20-year period with eligibility for

automatic renewal for additional 10-year periods, subject to a drilling phase site plan, production phase

site plan/landscape plan and conditions

CPC RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The request site is currently an undeveloped portion of a City park, specifically a gun range.
- The applicant is proposing to develop the request site for the drilling and production of natural gas with up to 20 wells within the drilling area.
- The nearest residential lot is approximately 1,500 feet to the northwest from the request site in the City of Irving.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Northwest Highway	Principle Arterial / State Highway	300 ft.
Luna Road	Principle Arterial	60 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The applicant proposes to drill approximately 20 wells to extract natural gas from the site. The request complies with the following land use goal and policy of the Comprehensive Plan because there are several measures pursuant to the Dallas Development Code that requires the applicant to restore the site back to its natural state after the wells have been capped. In addition, there are additional provisions in the Code that require the right-of-way (infrastructure) to be restored.

LAND USE

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCUTRE AND TRANSPORTATION

Policy 1.4.3 Embrace environmental sustainability

Land Use Compatibility:

The 5.7 acre site is an undeveloped portion of a City park and is located on the north side of Northwest Highway, approximately 1,600 feet west of Luna Road. The operations are proposed to use Luna Road for access, not Northwest Highway. The applicant's request for a Specific Use Permit is to permit gas drilling and production on the site.

The primary land uses surrounding the request site are undeveloped tracts of land to the south, east and west. A liquor store is located to the south across Northwest Highway. The city park property containing the gun range is surrounding to the north. The nearest residential use is approximately 1,500 feet to the northwest and southwest of the request site in the City of Irving. The current spacing requirement from residential uses from a gas well is 300 feet.

The request site is located within the floodplain, which the current floodplain regulations, Article V, do not permit gas drilling and production. In order to conduct the gas drilling and production use within the floodplain, it will require either a fill permit from the Floodplain Administrator or an amendment to Article V. The SUP conditions and site plans are prepared in anticipation of an amendment to Article V.

The request site is also located within a City park. In order to conduct a non-park use on park property, City Council must approve the use in a public hearing, which is separate from the zoning public hearing.

In the Development Code, gas drilling and production means the activities related to the "the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas."

The Development Code requires the applicant to provide the following site plans for a gas drilling and production use:

- Site/operation plan for the drilling phase; and
- Site/operation plan for the production phase.

The operation plan for the drilling phase addresses the natural-gas drilling. The plan shows the location of several temporary construction trailers, water tanks, mud tanks, and drilling equipment. A drilling rig will be on site during this phase. The building official will consider this as a temporary structure, similar to a crane used in constructing a building.

There are two methods for drilling: an open-loop system and a closed-loop system. An open-loop system uses a lined mud-pit to hold mud. The mud-pit may be a safety hazard and may have a negative impact on adjacent property. In contrast, a closed-loop system uses tanks to hold the mud. There are fewer environmental concerns with a closed-loop system and the applicant is providing a drilling phase plans that will

Z101-220(JH)

include a closed-loop system. The applicant is proposing to drill up to 20 wells on the site.

The production plan shows an area in the northeast quadrant of the pad site that will store the equipment (e.g., horizontal separators, water tanks and gas lift compressors) on a platform. The platform is approximately 12 feet above grade with equipment extending approximately 6 to 10 feet above the floor of the platform. The SUP area will be enclosed by an eight-foot-high chain link fence with a vinyl coating around the perimeter.

Staff has reviewed the applicant's request for a SUP for gas drilling and production and is recommending approval for a time period of 20 years with eligibility for automatic renewal of additional 10-year periods, subject to the attached plans and conditions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system by the proposed development. All truck traffic to and from the site will be from Luna Road to Northwest Highway.

Landscaping:

Landscaping will be provided in accordance with the landscape plan. A row of street trees will be provided along the southern property line adjacent to Northwest Highway. Additional landscaping will be provided via artificial lot for trees to provide additional screening and buffering from the park.

List of Partners/Principals/Officers

Trinity East Energy, LLC

Thomas B. Blanton, CEO Phillip Pierce, CFO Irene Sullivent, Secretary/Treasurer

CPC Minutes

December 20, 2012

Motion I: It was moved to recommend **approval** of a Specific Use Permit for gas drilling and production for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site/landscape plan and revised staff conditions, subject to Council approval of an amendment to floodplain regulations and approval of a non-park use on park land on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road.

Maker: Hinojosa Second: Wolfish

Result: Failed: 5 to 7

For: 5 - Hinojosa, Tarpley, Bernbaum, Wolfish,

Alcantar

Against: 7 - Davis, Anglin, Rodgers, Bagley, Lavallaisaa,

Schwartz, Ridley

Absent: 2 - Wally, Shellene

Vacancy: 1 - District 4

Motion II: It was moved to recommend **denial without prejudice** of a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road.

Maker: Anglin Second: Ridley

Result: Carried: 11 to 1

For: 11 - Davis, Anglin, Rodgers, Lavallaisaa, Bagley,

Tarpley, Bernbaum, Wolfish, Schwartz, Ridley,

Alcantar

Against: 1 - Hinojosa

Absent: 2 - Wally, Shellene

Vacancy: 1 - District 4

Notices: Area: 1000 Mailed: 5
Replies: For: 0 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

Tom Blanton, 777 Main St., Ft. Worth, TX, 76102

Against: Marc McCord, 2660 La Bolsa Dr., Dallas, TX, 75248 Matt Bach, 15746 Covewood Cir., Dallas, TX, 75248 Linda Cooke, 4029 Lively Ln. Dallas, TX, 75220 Cynthia Durbin, 8436 Birchcroft Dr., Dallas, TX, 75243 Jennifer Land, 3905 Weeburn Dr., Dallas, TX, 75229 Phyllis Guest, 7640 W. Greenway Blvd., Dallas, TX, 75209 Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Susvbelle Gosslee, 9511 Faircrest Dr., Dallas, TX, 75238 Dr. Lawrence Cottle, 5086 Matilda St., Dallas, TX, 75206 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214 Zac Trahan, 6017 La Vista Ave., Dallas, TX, 75206 Jim Schermbeck, P.O. Box 763894, Dallas, TX, 75376 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Rita Beving, 13214 Glad Acres Dr., Farmers Branch, TX, 7: Karla Zemler, 6924 Wake Forrest Dr., Dallas, TX, 75214 Claudia Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Jennifer Quinn, 1122 N. Windomere Ave., Dallas, TX, 7520 Marie Tedei, 4708 Pioneer Rd., Balch Springs, TX, 75336 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243

Against (Did not speak): Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Julie Scharr, 6834 Chantilly Ln., Dallas, TX, 75214 Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214 Katy Rowe, 6017 La Vista Ave., Dallas, TX, 75206 Edward Hartmann, 5100 Bryan St., Dallas, TX, 75206 Beau McDermott, 4608 Carr St., The colony, TX, 75056 Stephanie Compton, 2847 W. Brooklyn Ave., Dallas, TX, 75 Kayleigh Hutchings, 116 S. Garrett Ave., Dallas, TX, 75231 Daniel McCartt, 4509 Club Estate, Mesquite, TX, 75150 Shanna Caughey, 6808 Eastridge Dr., Dallas, TX, 75231 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080 Dan Harrison, 2550 Bahama Dr., Dallas, TX, 75211 Roy Sudduth, 9900 Adleta Blvd., Dallas, TX, 75243 Luke Sampeck, 1301 Cavalier Dr., Richardson, TX, 75080 Lyndi Cavett, 1212 Johnson St., Denton, TX, 76205 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Cherelle Blazer, 8510 Sikorski Ln., Dallas, TX, 75228

January 7, 2013

Reconsideration

Z101-220(JH)

Z101-221(JH)

Z101-248(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to **approve** the reconsideration of the action taken on December 20, 2012, which was to move to recommend **denial without prejudice** of applications for Specific Use Permits for gas drilling and production on properties zoned IR Industrial Research District on the north side of Northwest Highway, west of Luna Road; south of Royal Lane, west of Luna Road; and on the east side of Luna Road, north of Ryan Road.

Maker: Bernbaum Second: Shellene Result: Carried: 6 to 5

For: 6 - Rodgers, Hinojosa, Lavallaisaa, Shellene,

Bernbaum, Alcantar

Against: 5 - Davis, Bagley, Tarpley, Wolfish, Schwartz

Absent: 3 - Wally, Anglin, Ridley

Vacancy: 1 - District 4

2a. **Z101-220(JH)**

Motion: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road, it was moved to **hold** this case under advisement until February 7, 2013, to allow the notification of a public hearing.

Maker: Bernbaum Second: Schwartz

Result: Carried: 11 to 0

For: 11 - Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa,

Tarpley, Shellene, Bernbaum, Wolfish,

Planner: Jennifer Hiromoto

Schwartz, Alcantar

Against: 0

Absent: 3 - Wally, Anglin, Ridley

Vacancy: 1 - District 4

People present who completed Speaker cards:

Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Marc McCord, 2660 La Bolsa Dr., Dallas, TX, 75248 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234 Jann Clanton, 11746 Dixfield Dr., Dallas, TX, 75218 William Funderburk, 3607 Bowser Ct., Dallas, TX, 75219 Don Schobert, 13861 Far Hills Ln., Dallas, TX, 75240 Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Ann Barnes, 9437 Brentgate Dr., Dallas, TX, 75238 Jeffery Harvill, 9900 Adleta Blvd., Dallas, TX, 75243 Roy Eudduth, 990 Adleta Blvd., Dallas, TX, 75243 Caroline Vornberg, 222 Los Santos Dr., Garland, TX, 75043 Jordon Maness, 6706 Cliffwood Dr., Dallas, TX, 75237 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Erica Cole, 9246 Forest Hill Blvd., Dallas, TX, 75218 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Sally Garcia, 5623 Anita St., Dallas, TX, 75206 Davis Lyles, 2318 Beatrice St., Dallas, TX, 75208 Gene Soslow, 3982 Dunhaven Rd., Dallas, TX, 75220 Catherine Zwernemann, 3257 Lancelot Dr., Dallas, TX, 75229 Eddie Morgan, 2343 Vagas St., Dallas, TX, 75219 Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211 Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234 Katherine McGovern, 4364 Royal Ridge Dr., Dallas, TX, 75229 Helen Boehning, 6463 Woodcrest Ln., Dallas, TX, 75214 Jim Schermbeck, P.O. Box 763844, Dallas, TX, 75376

February 7, 2013

Motion: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road, it was moved to **hold** this case under advisement until March 21, 2013.

Maker: Hinojosa Second: Ridley

Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0

Absent: 1 - Bagley

Vacancy: 0

Notices:Area:1000Mailed:5Replies:For:0Against:0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

Tom Blanton, 777 Main St., Ft. Worth, TX, 76102

Against: Marc McCord, 616 S. Colorado St., Celina, TX, 75009

Eloy Trevino, 2007 W. Colorado Blvd., Dallas, TX, 75208 Susybelle Gosslee, 9511 Faircrest Dr., Dallas, TX, 75238

Susan Sullivan, 323 Collins St., Argyle, TX, 76226

Rachel Baker Ford, 3317 Knight Haven Ln., Garland, TX, 7 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234

Julie Schaar, 6834 Chantilly Rd., Dallas, TX, 75214 Gwain Wooten, 1000 Grigsby, Dallas, TX, 75204

Sherry Kessel, 2831 N. Surrey Dr., Carrollton, TX, 75006

Bobby Copeland, 11085 Walnut Hill Ln., Dallas, TX, 75238

Zac Trahan, 6017 La Vista, Dallas, TX, 75206

Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214

Against (Did not speak): Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234

Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Sally Garcia, 5623 Anita St., Dallas, TX, 75206

Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Jann Clanton, 11746 Dixfield Dr., Dallas, TX, 75218

Eddie Morgan, 2343 Vagas St., Dallas, TX, 75219

Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237

Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219

Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243

Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211

Claudia Meyer, 6015 Fox Point Trl., Dallas, TX, 75249

Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206

Linda Cooke, 4029 Lively Ln. Dallas, TX, 75220

Daniel McCartt, 4509 Club Estate, Mesquite, TX, 75150

Luke Sampeck, 1301 Cavalier Dr., Richardson, TX, 75080 Kayleigh Hutchings, 116 S. Garrett Ave., Dallas, TX, 75231

Lyndi Cavett, 1212 Johnson St., Denton, TX, 76205

Stephanie Compton, 2847 W. Brooklyn Ave., Dallas, TX, 75

Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080

Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214

Jack Cooper, 1116 Greencove Ln., Richardson, TX, 75081

Christine Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248

Richard Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248

Leslie Harris, 5825 Palm Ln., Dallas, TX, 75206

Diane Harris, 1025 Mission Dr., Southlake, TX, 76092

Sharon Wilson, 1121 Belvedere Dr., Allen, TX, 75013

Susan Bowman, 13358 Meadow Dr., Dallas, TX, 75240 Annaliese Limb, 1512 McKee St., Dallas, TX, 75215

Jane Byers, 3429 Lemmon Ave., Dallas, TX,

Sally Garcia, 5623 Anita St., Dallas, TX, 75206

Deirdre Barnett, Address not given Shelby Johnson, 1829 Grove Cir., Mesquite, TX, 75149 Eric Langford, 3303 Lee Parkway, Dallas, TX Kathy Cuevas, 913 Hardy Dr., Garland, TX, 75041 William Funderburk, 3607 Bowser ct., Dallas, TX, 75219 Eamon Danzig, 2300 W. Oak St., Denton, TX, 76201 Tim Jenkins, 3908 Long Meadow Ct., Plano, TX, 75074 Fred Patchen, 6634 Goliad Ave., Dallas, TX, 75214 Susan Cooper, 1116 Greencove Ln., Richardson, TX, 7508 George Nolan, 725 Valiant Cr., Garland, TX, 75243 Susan Grurdy, 1406 Tranquilla Dr., Dallas, TX, 75218 David Griggs, 13214 Glad Acres Dr., Dallas, TX, 75234 Jan Sanders, 12636 Breckenridge Dr., Dallas, TX, 75230 Carolyn Ross, 1215 Holly Glen, Dallas, TX, 75232 Jana Degrand, 2420 Britt Dr., Argyle, TX, 76226 Becky Bornhorst, 1405 Indian Creek Dr., DeSoto, TX, 7511 Ashton Bradford, 2410 Taylor St., Dallas, TX, 75201 Alexandra Singer, 1330 MacArthur Dr., Carrollton, TX, 7500

March 21, 2013

Motion I: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road, it was moved to **hold** this case under advisement until June 20, 2013.

Maker: Hinojosa Second: Culbreath Result: Failed: 4 to 11

For: 4 - Culbreath, Hinojosa, Lavallaisaa, Alcantar

Against: 11 - Davis, Wally, Anglin, Rodgers, Bagley,

Tarpley, Shellene, Bernbaum, Wolfish,

Schwartz, Ridley

Absent: 0 Vacancy: 0

Motion II: It was moved to recommend **denial** of a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road.

Maker: Ridley Second: Wally

Result: Carried: 8 to 7

For: 8 - Davis, Wally, Anglin, Rodgers, Bagley, Lavallaisaa, Wolfish, Ridley

Against: 7 - Culbreath, Hinojosa, Tarpley, Shellene,

Bernbaum, Schwartz, Alcantar

Absent: 0 Vacancy: 0

Notices: Area: 1000' Mailed: 5
Replies: For: 0 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

G. A. Hastings, 7030 Northaven Rd., Dallas, TX, 75230 David Martineau, 7983 Caruth Ct., Dallas, TX, 75225

Christina (last name not audible)

Tom Blanton, 777 Main St., Ft Worth, TX, 76102

Against: Rose Cannaday, 825 W. Irving Blvd., Irving, TX, 75060

Jim Schermbeck, P.O. Box 75376, Dallas, TX, 75390 Marc McCord, 616 S. Colorado St., Celina, TX, 75007

Diva Walls, 4024 N. Story, Irving, TX, 75038

Sherry Bollenbacher, 4567 O'Connor Rd., Irving, TX, 75062 Marie Tedei, 4708 Pioneer Rd., Balch Springs, TX, 75180 Jean Schobert, 13861 Far Hills, Dallas, TX, 75240

Jean Schobert, 13861 Far Hills, Dallas, TX, 75240 Richard Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234

John Wolf, 17492 Senne Rd., Forney Rd., TX, 75126 Cynthia Nustad, 631 Lake Point Dr., Irving, TX, 75039

Christine Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 John Rath, 1537 Country Forest Ct., Grapevine, TX, 76051

Susan Sullivan, 323 Collins St., Argyle, TX, 76226

Linda Cooke, 4029 Lively Ln., Dallas, TX, 75220 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205

Kristi Lara, 3636 McKinney Ave., Dallas, TX, 75204 Edward Kim, 8704 Stonecrest Dr., Dallas, TX, 75063

Daniel Harrison, 2550 Bahama Dr., Dallas, TX, 75211 Linda Moore, 8652 Ashcroft Ave., Dallas, TX, 75243

Dale Boisso, 230 Wellington Rd., Irving, TX, 75063 Karla Zemler, 6924 Wake Forrest Dr., Dallas, TX, 75214

Shanna Caughey, 3941 Bryan St., Dallas, TX, 75206

Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211

Margaret Rodriguez, 2605 Cunningham St., Irving, TX, 750 Cynthia Anna Nelson, 1710 Station Pl., Carrollton, TX, 750 Rosemary Robbins, 3105 Coronado St., Irving, TX, 75062

Mona Wyatt, 1101 S. Delaware St., Irving, TX, 75060

H. Morgan Boatwright, 1000 Stone Gate Dr., Irving, TX, 750 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237

Sherry Kessel, 2831 N. Surrey Dr., Carrollton, TX, 75006

Tarun Anand, 1326 Lakeridge Ln., Irving, TX, 75063 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243 Susan Grundy, 1406 Tranquilla Dr., Dallas, TX, 75218 Tonya Dubro, 1903 Elm St., Glenn Heights, TX, 75154 Richard B. Webb, 915 Loganwood Ave., Richardson, TX, 7 Zac Trahan, 6017 La Vista, Dallas, TX, 75206 Kevin McCumber, 8565 Park Ln., Dallas, TX, 75204 Cameron Halket, 116 Andrea St., Irving, TX, 75060 Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234 Tom Berry, 3124 San Jacinto St., Dallas, TX, 75204 Gwain Wooten, 1000 Grigsby Ave., Dallas, TX, 75204

Against (Did not speak): Tamara Gray, 13223 Fish Rd., Dallas, TX, 75253 Susan Turitz Cooper, 1116 Greencove Ln., Richardson, T> Peter Johnson, 2310 Blackwillow Ln., Dallas, TX, 75249 George Nolan, 725 Valiant Cir., Garland, TX, 75043 Lyndi Cavett, 1212 Johnson, Denton, TX, 75205 Carleen Douget, 301 W. Las Colinas Blvd., Irving, TX, 750; Cynthia Pearson, 430 Buckingham Rd., Richardson, TX, 7! Mandalay Trudeay, 3448 Clouerdale Ln., Dallas, TX, 7523 Shelia Franzen, 631 Lake Point Dr., Irving, TX, 75039 W. C. Funderbunk, 3607 Bowser ct., Dallas, TX, 75219 Jordanna Ingram, 10315 Oak Gate Ln., Dallas, TX, 75217 Robert McNeely, 5 Vermont Ave., Midlothian, TX, 76065 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Kayleigh Hutchings, 107 Gentle Ridge Ln., Palmer, TX, 75 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Katherine McGovern, 4364 Royal Ln., Dallas, TX, 75229 Matt Bach, 15746 Covewood Cir., Dallas, TX, 75248 Lara Thompson, 657 Clearwater Dr., Irving, TX, 75039 Wayne Thompson, 657 Clearwater Dr., Irving, TX, 75039 Eddie Morsal, 2343 Vagas St., Dallas, TX, 75219 Billie Henderson, 1910 Durham St., Irving, TX, 75062 Ross Kahn, 5125 Water Haven Ln., Plano, TX, 75093 Phil Leven, 1606 Hollywood Ave., Dallas, TX, 75208 Laurence Finman, 1500 Bear Creek Prwy., Euless, TX, 76 Timothy Jenkins, 3908 Long Meadow Ct., Plano, TX, 7507 Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Edward Hartmann, 5100 Bryan St., Dallas, TX, 75206 Angela Briles, 5100 Brvan St., Dallas, TX, 75206 Kiersten Kinser, 3504 Shadow Trl., Denton, TX, 76207 Anthony Martin, 2408 Kimberly Ln., Plano, TX, 75075 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080 Maria Bauer, 656 Clearwater Dr., Irving, TX, 75039 Liz Cougot, 635 Lake Point Dr., Irving, TX, 75039 Rachel Baker Ford, 3177 Knights Haven, Garland, TX, 750 Jody Conatser, 6826 Truxton Dr, Dallas, TX, 75231
Holly Matthew-Lee, 539 Northwest Hwy., Irving, TX, 75039
Randall Conatser, 6826 Truxton Dr., Dallas, TX, 75231
Corey Troiani, 1200 Camino Real, Fairview, TX, 75069
Brain Powell, 4701 W. Lovers Ln., Dallas, TX, 75209
Julie Schaar, 6834 Chantilly Ln., Dallas, TX, 75214
Dr. Lawrence Cottle, 5086 Matilda St., Dallas, TX, 75206
Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214
Ryan Haney, 4931 Bryan St., Dallas, TX, 75206
Fred Patchen, 6344 Goliad Ave., Dallas, TX, 75214
Jack Cooper, 1116 Greencove Ln., Richardson, TX, 75081

Staff Recommended SUP Conditions

a. IN GENERAL.

1. <u>USE</u>: The only use authorized by this specific use permit is gas drilling and production.

2. <u>TIME LIMIT</u>:

- (a) Except as provided, this specific use permit expires on (20 years from passage of ordinance), but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: the Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- (b) The Operator must notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.
- 3. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 4. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and all ordinance, rules, and regulations, including the gas drilling and production regulations, of the City of Dallas.

b. PLANS AND BASELINE ASSESSMENTS.

- 1. <u>SITE PLANS</u>: Use and development of the Property must comply with the attached:
 - (a) Drilling phase site plan; and
 - (b) Production site plan and landscaping plan.
- 2. <u>LANDSCAPING</u>: Landscaping must be provided as shown on the attached production site plan and landscape plan. Landscaping must be installed within six months after the first well is in production. Upon request, the building official may

grant one six-month extension of time to install landscaping. A request for extension to install landscaping must be made in writing and within the initial six-month time period.

3. <u>FENCING</u>: Fencing must be provided as shown on the site plans. The fencing material must be vinyl coated chain link and the vinyl coating must be black.

4. <u>AIR QUALITY MANAGEMENT AND MONITORING PLAN:</u>

(a) The Operator must provide an air quality management and monitoring plan (AQMM plan) to the gas inspector with the gas well permit application.

(b) The AQMM plan must include:

- (1) Measures and equipment the Operator will use to ensure that all site activities and equipment on the operation site comply with applicable emissions limits and all applicable laws relating to emissions.
- (2) Monitoring techniques the Operator will use to measure for emissions to ensure compliance with applicable emissions limits and all applicable laws relating to emissions.
- (3) A categorization of Environmental Protection Agency (EPA) Tier (Tier 0 to Tier 4) of all diesel equipment that will be used on the Property during each phase of the drilling and production use.

5. BASELINE ASSESSMENTS:

(a) AIR QUALITY:

- (1) The Operator must perform a baseline test of air quality on the operation site before gas drilling activities begin.
- (2) The baseline air quality test must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory.
- (3) The baseline test results must be provided to the gas inspector within 30 days after the baseline testing is conducted.

(b) SOIL.

(1) Before drilling activities begin, soil sampling must be conducted to establish a baseline for site conditions.

- (2) A minimum of five soil sample must be collected at locations across the pad site, with at least two samples at or adjacent to the tank containment areas.
- (3) Soil samples must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum acceptable criteria for soil sampling include baseline study of Texas Railroad Commission guidance.
 - (4) The soil sample baseline study results must include:
- (A) a description of the point samples and GPS coordinates of each location,
 - (B) planned equipment above the sampled area,
 - (C) methodology of sample collection,
 - (D) description of field conditions,
- (E) summary of laboratory data results compared to the minimum acceptable soil sampling criteria,
 - (F) copies of all laboratory data sheets,
 - (G) drawings of sample points,
 - (H) areas where equipment is anticipated, and
- (I) concentrations of the following compounds: TPH, benzene, toluene, ethyl benzene, and xylenes.
- (5) The soil sample baseline study results must be provided to the gas inspector within 30 days after the soil sampling is conducted.

(c) WATER.

- (1) Except as provided in this paragraph, before commencing drilling activities on the Property, the Operator must provide a written report of the baseline testing of all water wells within 2,000 feet of a well bore and all surface water within 750 feet of the well bore to the gas inspector.
- (2) If the Operator documents to the satisfaction of the gas inspector that permission to access private property to conduct the required baseline testing is not granted, water baseline testing is not required for that well or water body.

6. <u>SAMPLING AND ANALYSIS</u>.

(a) AIR QUALITY SAMPLING:

- (1) Once drilling activities begin on the first well and through the first year of production on the first well, the Operator must conduct a monthly 24-hour sampling of airborne emissions at the operation site in accordance with the AQMM plan. If drilling, hydraulic fracturing, or flowback operations are being conducted in a sampling month, the air quality sampling must be conducted on a day when these activities are occurring.
- (2) The monthly samplings must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum sampling results must include benzene, toluene, ethylbenzene, xylenes, ozone, hydrocarbons (e.g. methanes, ethanes, propanes), nitrogen oxides, volatile organic compounds, sulfur dioxides, napthalenes, acroleins, and formaldehyde.
- (3) The Operator must provide a monthly report of the sampling results to the gas inspector. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous month to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits and applicable laws relating to emissions.
- (4) After the first year of production on the first well, the Operator must conduct semi-annual 24-hour sampling of airborne emissions at the operation site in accordance with the AQMM plan. One sampling must be in the summer months and one sampling must be in the winter months.
- (5) The semi-annual samplings must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum sampling results must include benzene, toluene, ethylbenzene, xylenes, ozone, hydrocarbons (e.g. methanes, ethanes, propanes), nitrogen oxides, volatile organic compounds, sulfur dioxides, napthalenes, acroleins, and formaldehyde.
- (6) The Operator must provide a report of the semi-annual sampling results to the gas inspector within 30 days after the sampling is conducted. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous month to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits and applicable laws relating to emissions.
- (7) If the operation site is out of compliance with applicable emissions standards at any time after the first year of production or processing, Operator must conduct monthly sampling and provide reports to the gas inspector until the operation site is in compliance with emissions standards for at least three consecutive months from the date of the last violation.

(b) NATURAL GAS.

- (1) Within 30 days after the first well enters production, a written extended natural gas analysis must be provided to the gas inspector.
- (2) The extended natural gas analysis must be performed by a qualified third party laboratory and must include findings for benzene and hydrocarbons.
- 7. <u>FLOOD EVENT CONTINGENCY PLAN</u>: A flood event contingency plan that complies with Article V, "Flood Plain Regulations," of the Dallas Development Code, must be approved by the Flood Plain Administrator before the issuance of the first gas well permit on the Property.

8. NOISE MANAGEMENT PLAN.

- (a) Before the issuance of a gas well permit for the first gas well, the Operator must submit a noise management plan to the gas inspector.
 - (b) The noise management plan must:
- (1) Identify gas drilling and production use operation noise impacts.
- (2) Provide written documentation of a continuous 72-hour study establishing the ambient noise levels before drilling activities begin at the Property. The continuous 72-hour study establishing the ambient noise levels before drilling activities begin must include at least one 24-hour reading during either a Saturday or Sunday.
- (3) Detail how noise impacts will be mitigated considering specific site characteristics, including the location of the site, proximity and type of adjacent development, seasonal prevailing weather patterns including wind directions, vegetative cover on or adjacent to the site, and topography of the site.
- 9. <u>PERMITS</u>: The building official may not issue a certificate of occupancy for gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, or city agencies.

10. PIPELINE MAPS:

(a) Before the issuance of the first gas well permit, a pipeline map showing the location of the nearest gathering station in the City of Dallas and the alignment of the pipelines from the operation site to the gathering stations within the City of Dallas must be submitted to the gas inspector.

(b) Within 60 days after completion of pipeline construction, as-built or record drawings of the pipelines within the City of Dallas must be provided to the gas inspector. A record drawing must meet the field note guidelines of the City of Dallas Public Works and provide a minimum of two GPS coordinates of the pipeline location. The scale of the record drawings must be a minimum of one inch to 40 feet.

11. TRAFFIC PLAN:

- (a) A map showing truck routes must be submitted to and approved by the gas inspector before the issuance of the gas well permit. The mapped truck route must use the shortest route to a state or federal roads. The gas inspector may approve a temporary alternate route when necessary due to road closure.
- (b) Before the issuance of a gas well permit for the first well, a traffic management plan (TMP) must be approved by the Director of Parks and Recreation before the application of a gas well permit. The TMP must describe the trip generation and peak time for trips during the drilling and production phase and mitigation to minimize impact on or conflict with park users and park maintenance staff.
- 12. <u>WATER PLAN</u>: At least 10 days before drilling activities begin on a well, the Operator must disclose in writing to the gas inspector the anticipated_quantity, source, and disposal method for water used during the fracturing process.

c. OPERATIONS.

- 1. <u>AIR QUALITY COMPATIBILITY MEASURES</u>: The gas drilling and production use has been evaluated for its probable land use effects on adjacent properties. The following conditions help ensure that this gas drilling and production use is more compatible with surrounding land uses:
- (a) <u>ENGINES</u>. Electric motors are encouraged during all gas drilling and production phases.

2. VAPOR RECOVERY.

- (1) After fracturing is completed on a well, the Operator must employ appropriate equipment and processes to minimize natural gas and associated vapor release.
- (2) All salable gas must be directed to the sales line as soon as practicable or shut in.
- (3) All wells that have a sale pipeline must use reduced emission completion techniques and methods in accordance with all applicable.

- (4) Vapor recovery equipment is required for tanks and tank batteries in accordance with all applicable laws.
- 3. <u>CLOSED LOOP SYSTEM</u>: All operations must be conducted on a closed loop system.

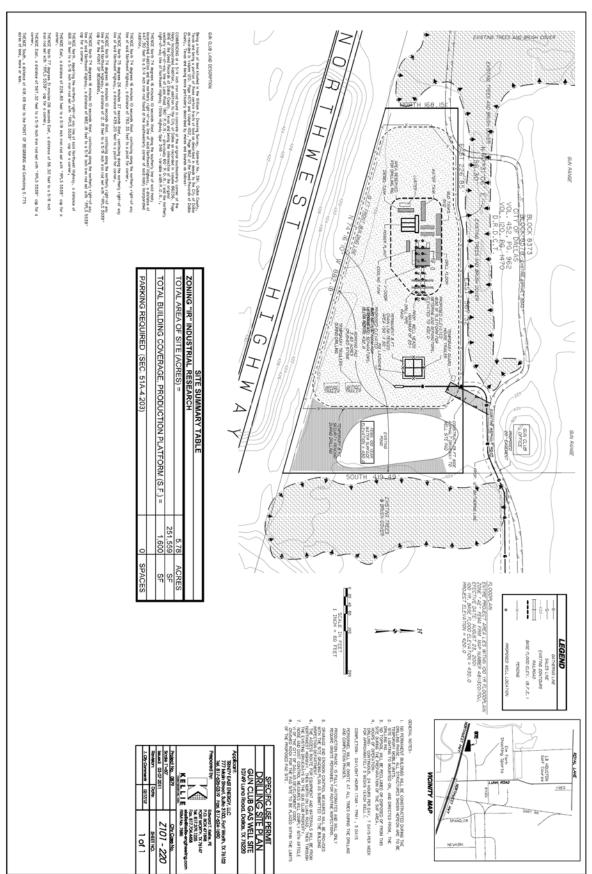
4. DUST, VIBRATIONS, AND ODORS:

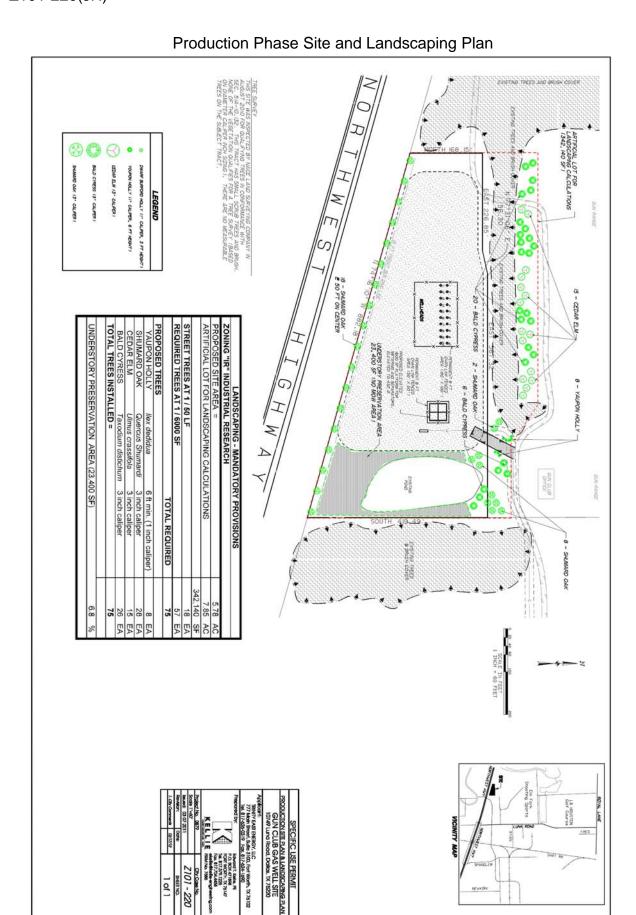
- (a) The Operator must conduct drilling and production activities, including vehicular traffic, in a manner that minimizes dust, vibration, and odors consistent with the best practices of the industry.
- (b) Brine water, sulphur water, or water with any type of hydrocarbon may not be used for dust suppression.
- 5. <u>MANEUVERING SURFACE</u>: Vehicle maneuvering surfaces must be gravel or a similar material and must be located as shown on the site plans.

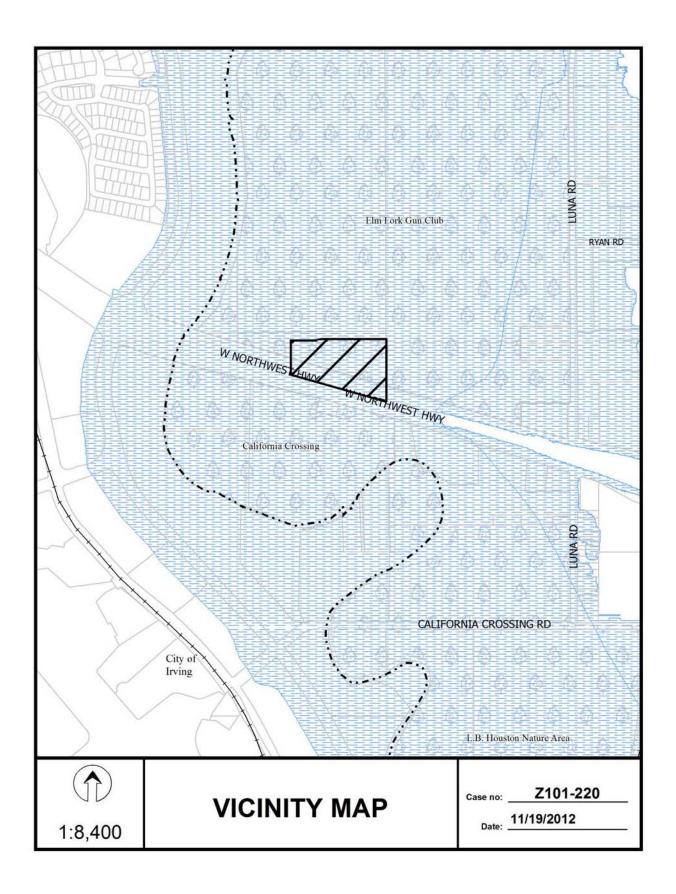
6. MATERIAL SAFETY DATA SHEET:

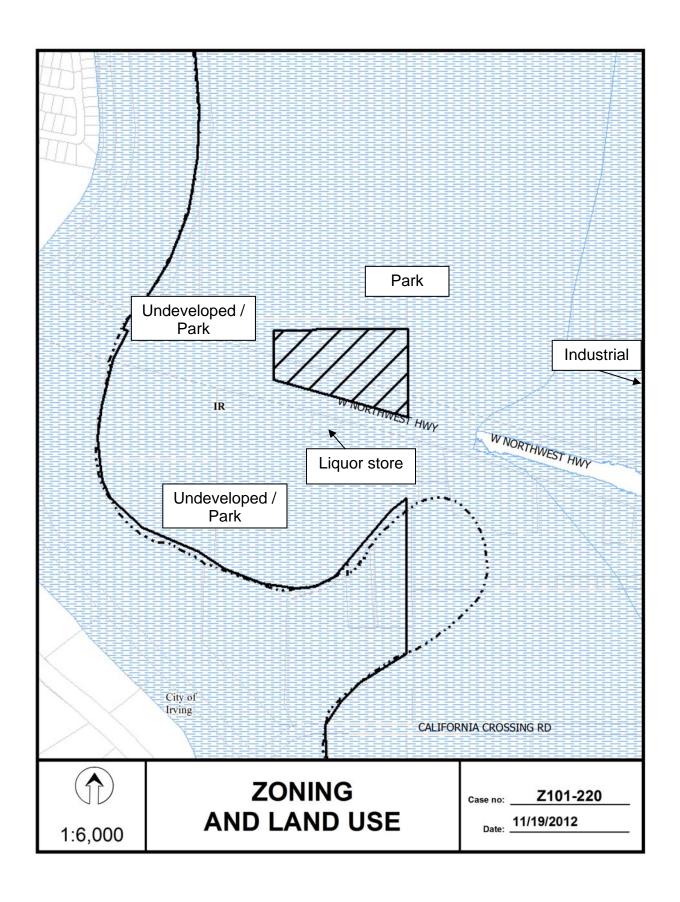
- (a) In accordance with Paragraph (6) of the Amendment of Oil and Gas Lease executed between Trinity East Energy and the City of Dallas on July 18, 2011, the Operator must submit to the City of Dallas a completed Material Safety Data Sheet (MSDS) containing an accurate inventory of chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities.
- (b) The MSDS must disclose every chemical to be used, including inventory quantity, concentrations, combinations, and formulations, sufficient to satisfy the gas inspector that full disclosure has been made.
- (c) An amended MSDS must be provided to the gas inspector disclosing any change in the inventory, quantity, concentrations, combinations, or formulations of the chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities sufficient to satisfy the gas inspector that full disclosure has been made.
- 7. <u>ON-SITE WASTE STORAGE</u>: Drilling mud, cuttings, liquid hydrocarbons, and all other field waste derived or resulting from the drilling or re-working of any well must be discharged into an above-ground self-contained storage tank.
 - 8. MAXIMUM NUMBER OF WELLS: The maximum number of wells is 20.

Drilling Phase Site Plan

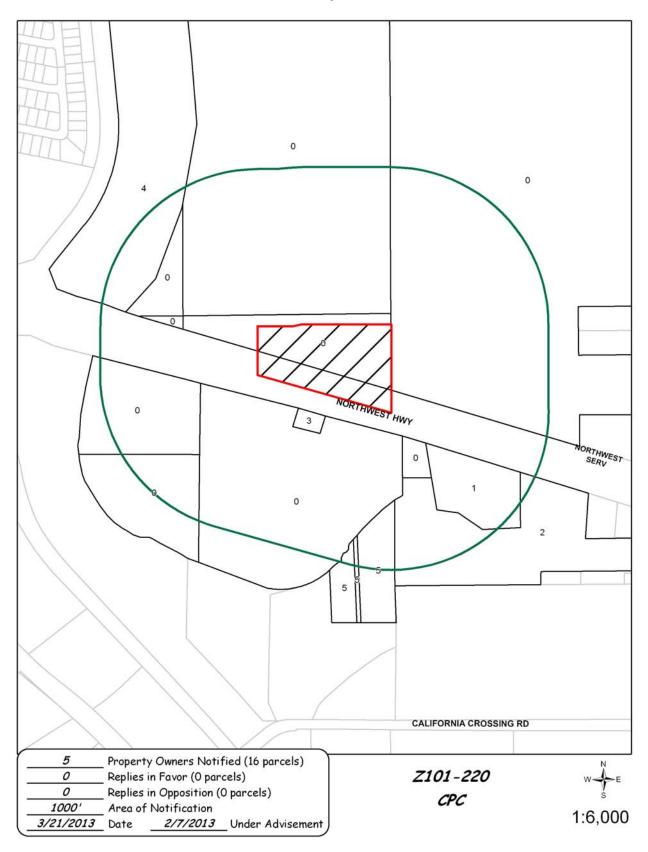








CPC Responses



3/22/2013

Reply List of Property Owners Z101-220

5 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply Label #	Addres	s	Owner
1	1680	NORTHWEST HWY	AMERICAN TOWER LP
2	1600	NORTHWEST HWY	RUBIO TOM JR ETAL
3	1604	NORTHWEST HWY	JWV ASSOCIATES LTD
4	5600	OCONNOR BLVD	IRVING CITY OF
5	1310	CALIFORNIA CROSSIN	IG RD FULLER SYLVIA

AGENDA ITEM #84

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 22 J

SUBJECT

A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan/landscape plan and conditions

Recommendation of CPC: Denial

Z101-221(JH)

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z101-221 (JH) DATE FILED: March 17, 2011

LOCATION: South of Royal Lane, west of Luna Road

COUNCIL DISTRICT: 6 MAPSCO: 22J

SIZE OF REQUEST: Approx. 3.818 acres CENSUS TRACT: 0099.00

REPRESENTATIVE: MASTERPLAN

APPLICANT: Trinity East Energy, LLC

OWNER: City of Dallas

REQUEST: An application for a Specific Use Permit for gas drilling and

production on property zoned an IR Industrial Research

District.

SUMMARY: The applicant proposes to construct and operate wells for

extracting natural gas.

STAFF RECOMMENDATION: <u>Approval</u> for a 20-year period with eligibility for

automatic renewal for additional 10-year periods, subject to a drilling phase site plan, production phase

site plan/landscape plan and conditions

CPC RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The request site is currently an undeveloped portion of a City park, specifically a golf course.
- The applicant is proposing to develop the request site for the drilling and production of natural gas with up to 20 wells within the drilling area.
- The nearest residential lot is approximately 2,400 feet to the northwest and 3,000 feet to the southwest from the request site in the City of Irving.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Royal Lane	Principle Arterial	100 ft.
Luna Road	Principle Arterial	60 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The applicant proposes to drill approximately 20 wells to extract natural gas from the site. The request complies with the following land use goal and policy of the Comprehensive Plan because there are several measures pursuant to the Dallas Development Code that requires the applicant to restore the site back to its natural state after the wells have been capped. In addition, there are additional provisions in the Code that require the right-of-way (infrastructure) to be restored.

LAND USE

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCUTRE AND TRANSPORTATION

Policy 1.4.3 Embrace environmental sustainability

Land Use Compatibility:

The 3.818 acre site is an undeveloped portion of a City park and is located within the Luna Vista Golf Course (formerly known as LB Houston Golf Course), approximately 1,700 feet south of Royal Lane and approximately 2,200 feet west of Luna Road. The operations are proposed to use a maintenance road within the golf course to access Luna Road for access, not Royal Lane. The applicant's request for a Specific Use Permit is to permit gas drilling and production on the site.

The primary land uses surrounding the request site are the golf course/city park. The nearest residential use is approximately 2,400 feet to the northwest and 3,000 feet to the southwest of the request site in the City of Irving. The current spacing requirement from residential uses from a gas well is 300 feet.

The request site is located within the floodplain, which the current floodplain regulations, Article V, do not permit gas drilling and production. In order to conduct the gas drilling and production use within the floodplain, it will require either a fill permit from the Floodplain Administrator or an amendment to Article V. The SUP conditions and site plans are prepared in anticipation of an amendment to Article V.

The request site is also located within a City park. In order to conduct a non-park use on park property, City Council must approve the use in a public hearing, which is separate from the zoning public hearing.

In the Development Code, gas drilling and production means the activities related to the "the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas."

The Development Code requires the applicant to provide the following site plans for a gas drilling and production use:

- Site/operation plan for the drilling phase; and
- Site/operation plan for the production phase.

The operation plan for the drilling phase addresses the natural-gas drilling. The plan shows the location of several temporary construction trailers, water tanks, mud tanks, and drilling equipment. A drilling rig will be on site during this phase. The building official will consider this as a temporary structure, similar to a crane used in constructing a building.

There are two methods for drilling: an open-loop system and a closed-loop system. An open-loop system uses a lined mud-pit to hold mud. The mud-pit may be a safety hazard and may have a negative impact on adjacent property. In contrast, a closed-loop system uses tanks to hold the mud. There are fewer environmental concerns with a closed-loop system and the applicant is providing a drilling phase plans that will

Z101-221(JH)

include a closed-loop system. The applicant is proposing to drill up to 20 wells on the site.

The production plan shows an area in the southwest quadrant of the pad site that will store the equipment (e.g., horizontal separators, water tanks and gas lift compressors) on a platform. The platform is approximately 12 feet above grade with equipment extending approximately 6 to 10 feet above the floor of the platform. The SUP area will be enclosed by an eight-foot-high chain link fence with a vinyl coating around the remaining perimeter.

Staff has reviewed the applicant's request for a SUP for gas drilling and production and is recommending approval for a time period of 20 years with eligibility for automatic renewal of additional 10-year periods, subject to the attached plans and conditions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system by the proposed development. All truck traffic to and from the site will be from Luna Road to Northwest Highway.

Landscaping:

Landscaping will be provided in accordance with the landscape plan. Landscaping will be provided via artificial lot for trees to provide additional screening and buffering from the park.

List of Partners/Principals/Officers

Trinity East Energy, LLC

Thomas B. Blanton, CEO Phillip Pierce, CFO Irene Sullivent, Secretary/Treasurer

CPC Minutes

December 20, 2012

Motion I: It was moved to recommend **approval** of a Specific Use Permit for gas drilling and production for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site/landscape plan and revised staff conditions, subject to Council approval of an amendment to floodplain regulations and approval of a non-park use on park land on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road.

Maker: Hinojosa Second: Wolfish Result: Failed: 5 to 7

For: 5 - Hinojosa, Tarpley, Bernbaum, Wolfish, Alcantar

Against: 7 - Davis, Anglin, Rodgers, Bagley, Lavallaisaa,

Schwartz, Ridley

Absent: 2 - Wally, Shellene

Vacancy: 1 - District 4

Motion II: It was moved to recommend **denial without prejudice** of a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road.

Maker: Anglin Second: Ridley

Result: Carried: 11 to 1

For: 11 - Davis, Anglin, Rodgers, Lavallaisaa, Bagley, Tarpley, Bernbaum, Wolfish, Schwartz, Ridley,

Alcantar

Against: 1 - Hinojosa

Absent: 2 - Wally, Shellene

Vacancy: 1 - District 4

Notices:Area:1000Mailed:4Replies:For:0Against:0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

Tom Blanton, 777 Main St., Ft. Worth, TX, 76102

Against: Marc McCord, 2660 La Bolsa Dr., Dallas, TX, 75248

Matt Bach, 15746 Covewood Cir., Dallas, TX, 75248 Linda Cooke, 4029 Lively Ln. Dallas, TX, 75220 Cynthia Durbin, 8436 Birchcroft Dr., Dallas, TX, 75243 Jennifer Land, 3905 Weeburn Dr., Dallas, TX, 75229 Phyllis Guest, 7640 W. Greenway Blvd., Dallas, TX, 75209 Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Susybelle Gosslee, 9511 Faircrest Dr., Dallas, TX, 75238 Dr. Lawrence Cottle. 5086 Matilda St., Dallas, TX, 75206 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214 Zac Trahan, 6017 La Vista Ave., Dallas, TX, 75206 Jim Schermbeck, P.O. Box 763894, Dallas, TX, 75376 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Rita Beving, 13214 Glad Acres Dr., Farmers Branch, TX, 7: Karla Zemler, 6924 Wake Forrest Dr., Dallas, TX, 75214 Claudia Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Jennifer Quinn, 1122 N. Windomere Ave., Dallas, TX, 7520 Marie Tedei, 4708 Pioneer Rd., Balch Springs, TX, 75336 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243

Against (Did not speak): Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Julie Scharr, 6834 Chantilly Ln., Dallas, TX, 75214 Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214 Katy Rowe, 6017 La Vista Ave., Dallas, TX, 75206 Edward Hartmann, 5100 Bryan St., Dallas, TX, 75206 Beau McDermott, 4608 Carr St., The colony, TX, 75056 Stephanie Compton, 2847 W. Brooklyn Ave., Dallas, TX, 75 Kayleigh Hutchings, 116 S. Garrett Ave., Dallas, TX, 75231 Daniel McCartt, 4509 Club Estate, Mesquite, TX, 75150 Shanna Caughey, 6808 Eastridge Dr., Dallas, TX, 75231 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080 Dan Harrison, 2550 Bahama Dr., Dallas, TX, 75211 Roy Sudduth, 9900 Adleta Blvd., Dallas, TX, 75243 Luke Sampeck, 1301 Cavalier Dr., Richardson, TX, 75080 Lyndi Cavett, 1212 Johnson St., Denton, TX, 76205 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Cherelle Blazer, 8510 Sikorski Ln., Dallas, TX, 75228

January 7, 2013

Reconsideration

Z101-220(JH) Z101-221(JH)

Z101-248(JH)

Planner: Jennifer Hiromoto

Motion: It was moved to **approve** the reconsideration of the action taken or December 20, 2012, which was to move to recommend **denial without prejudice** of applications for Specific Use Permits for gas drilling and production on properties zoned IR Industrial Research District on the north side of Northwest Highway, west of Luna Road; south of Royal Lane, west of Luna Road; and on the east side of Luna Road, north of Ryan Road.

Maker: Bernbaum Second: Shellene Result: Carried: 6 to 5

For: 6 - Rodgers, Hinojosa, Lavallaisaa, Shellene,

Bernbaum, Alcantar

Against: 5 - Davis, Bagley, Tarpley, Wolfish, Schwartz

Absent: 3 - Wally, Anglin, Ridley

Vacancy: 1 - District 4

2b. **Z101-221(JH)**

Motion: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south or Royal Lane, west of Luna Road, it was moved to **hold** this case under advisement until February 7, 2013, to allow the notification of a public hearing.

Maker: Bernbaum Second: Schwartz

Result: Carried: 11 to 0

For: 11 - Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa,

Tarpley, Shellene, Bernbaum, Wolfish,

Planner: Jennifer Hiromoto

Schwartz, Alcantar

Against: 0

Absent: 3 - Wally, Anglin, Ridley

Vacancy: 1 - District 4

People present who completed Speaker cards:

Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Marc McCord, 2660 La Bolsa Dr., Dallas, TX, 75248 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234 Jann Clanton, 11746 Dixfield Dr., Dallas, TX, 75218 William Funderburk, 3607 Bowser Ct., Dallas, TX, 75219 Don Schobert, 13861 Far Hills Ln., Dallas, TX, 75240 Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Ann Barnes, 9437 Brentgate Dr., Dallas, TX, 75238 Jeffery Harvill, 9900 Adleta Blvd., Dallas, TX, 75243 Roy Eudduth, 990 Adleta Blvd., Dallas, TX, 75243 Caroline Vornberg, 222 Los Santos Dr., Garland, TX, 75043 Jordon Maness, 6706 Cliffwood Dr., Dallas, TX, 75237 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Erica Cole, 9246 Forest Hill Blvd., Dallas, TX, 75218 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Sally Garcia, 5623 Anita St., Dallas, TX, 75206 Davis Lyles, 2318 Beatrice St., Dallas, TX, 75208 Gene Soslow, 3982 Dunhaven Rd., Dallas, TX, 75220 Catherine Zwernemann, 3257 Lancelot Dr., Dallas, TX, 75229 Eddie Morgan, 2343 Vagas St., Dallas, TX, 75219 Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211 Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234 Katherine McGovern, 4364 Royal Ridge Dr., Dallas, TX, 75229 Helen Boehning, 6463 Woodcrest Ln., Dallas, TX, 75214 Jim Schermbeck, P.O. Box 763844, Dallas, TX, 75376

February 7, 2013

Motion: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road, it was moved to **hold** this case under advisement until March 21, 2013.

Maker: Hinojosa Second: Ridley

Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0

Absent: 1 - Bagley

Vacancy: 0

Notices:Area:1000Mailed:4Replies:For:0Against:0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

Tom Blanton, 777 Main St., Ft. Worth, TX, 76102 Against: Marc McCord, 616 S. Colorado St., Celina, TX, 75009 Eloy Trevino, 2007 W. Colorado Blvd., Dallas, TX, 75208 Susybelle Gosslee, 9511 Faircrest Dr., Dallas, TX, 75238 Susan Sullivan, 323 Collins St., Argyle, TX, 76226 Rachel Baker Ford, 3317 Knight Haven Ln., Garland, TX, 7 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234 Julie Schaar, 6834 Chantilly Rd., Dallas, TX, 75214 Gwain Wooten, 1000 Grigsby, Dallas, TX, 75204 Sherry Kessel, 2831 N. Surrey Dr., Carrollton, TX, 75006 Bobby Copeland, 11085 Walnut Hill Ln., Dallas, TX, 75238 Zac Trahan, 6017 La Vista, Dallas, TX, 75206 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214 Against (Did not speak): Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234 Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219

Sally Garcia, 5623 Anita St., Dallas, TX, 75206 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Jann Clanton, 11746 Dixfield Dr., Dallas, TX, 75218 Eddie Morgan, 2343 Vagas St., Dallas, TX, 75219 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243 Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211 Claudia Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Linda Cooke, 4029 Lively Ln. Dallas, TX, 75220 Daniel McCartt, 4509 Club Estate, Mesquite, TX, 75150 Luke Sampeck, 1301 Cavalier Dr., Richardson, TX, 75080 Kayleigh Hutchings, 116 S. Garrett Ave., Dallas, TX, 75231 Lyndi Cavett, 1212 Johnson St., Denton, TX, 76205 Stephanie Compton, 2847 W. Brooklyn Ave., Dallas, TX, 75 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080 Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214 Jack Cooper, 1116 Greencove Ln., Richardson, TX, 75081 Christine Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 Richard Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 Leslie Harris, 5825 Palm Ln., Dallas, TX, 75206 Diane Harris, 1025 Mission Dr., Southlake, TX, 76092 Sharon Wilson, 1121 Belvedere Dr., Allen, TX, 75013 Susan Bowman, 13358 Meadow Dr., Dallas, TX, 75240 Annaliese Limb, 1512 McKee St., Dallas, TX, 75215 Jane Byers, 3429 Lemmon Ave., Dallas, TX, Sally Garcia, 5623 Anita St., Dallas, TX, 75206 Deirdre Barnett, Address not given

Shelby Johnson, 1829 Grove Cir., Mesquite, TX, 75149 Eric Langford, 3303 Lee Parkway, Dallas, TX Kathy Cuevas, 913 Hardy Dr., Garland, TX, 75041 William Funderburk, 3607 Bowser ct., Dallas, TX, 75219 Eamon Danzig, 2300 W. Oak St., Denton, TX, 76201 Tim Jenkins, 3908 Long Meadow Ct., Plano, TX, 75074 Fred Patchen, 6634 Goliad Ave., Dallas, TX, 75214 Susan Cooper, 1116 Greencove Ln., Richardson, TX, 7508 George Nolan, 725 Valiant Cr., Garland, TX, 75243 Susan Grurdy, 1406 Tranquilla Dr., Dallas, TX, 75218 David Griggs, 13214 Glad Acres Dr., Dallas, TX, 75234 Jan Sanders, 12636 Breckenridge Dr., Dallas, TX, 75230 Carolyn Ross, 1215 Holly Glen, Dallas, TX, 75232 Jana Degrand, 2420 Britt Dr., Argyle, TX, 76226 Becky Bornhorst, 1405 Indian Creek Dr., DeSoto, TX, 7511 Ashton Bradford, 2410 Taylor St., Dallas, TX, 75201 Alexandra Singer, 1330 MacArthur Dr., Carrollton, TX, 7500

March 21, 2013

Motion I: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the south side of Royal Lane, west of Luna Road, it was moved to **hold** this case under advisement until June 20, 2013.

Maker: Hinojosa Second: Culbreath Result: Failed: 4 to 11

For: 4 - Culbreath, Hinojosa, Lavallaisaa, Alcantar

Against: 11 - Davis, Wally, Anglin, Rodgers, Bagley,

Tarpley, Shellene, Bernbaum, Wolfish,

Schwartz, Ridley

Absent: 0 Vacancy: 0

Motion II: It was moved to recommend **denial** of a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the south side of Royal Lane, west of Luna Road.

Maker: Ridley Second: Anglin

Result: Carried: 9 to 6

For: 9 - Davis, Wally, Anglin, Rodgers, Lavallaisaa, Bagley, Shellene, Wolfish, Ridley

Against: 6 - Culbreath, Hinojosa, Tarpley, Bernbaum,

Schwartz, Alcantar

Absent: 0 Vacancy: 0

Notices: Area: 1000' Mailed: 4
Replies: For: 0 Against: 0

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

G. A. Hastings, 7030 Northaven Rd., Dallas, TX, 75230 David Martineau, 7983 Caruth Ct., Dallas, TX, 75225

Christina (last name not audible)

Tom Blanton, 777 Main St., Ft Worth, TX, 76102

Against: Rose Cannaday, 825 W. Irving Blvd., Irving, TX, 75060 Jim Schermbeck, P.O. Box 75376, Dallas, TX, 75390 Marc McCord, 616 S. Colorado St., Celina, TX, 75007 Diva Walls, 4024 N. Story, Irving, TX, 75038 Sherry Bollenbacher, 4567 O'Connor Rd., Irving, TX, 75062 Marie Tedei, 4708 Pioneer Rd., Balch Springs, TX, 75180 Jean Schobert, 13861 Far Hills, Dallas, TX, 75240 Richard Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234 John Wolf, 17492 Senne Rd., Forney Rd., TX, 75126 Cynthia Nustad, 631 Lake Point Dr., Irving, TX, 75039 Christine Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 John Rath, 1537 Country Forest Ct., Grapevine, TX, 76051 Susan Sullivan, 323 Collins St., Argyle, TX, 76226 Linda Cooke, 4029 Lively Ln., Dallas, TX, 75220 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Kristi Lara, 3636 McKinnev Ave., Dallas, TX, 75204 Edward Kim, 8704 Stonecrest Dr., Dallas, TX, 75063 Daniel Harrison, 2550 Bahama Dr., Dallas, TX, 75211 Linda Moore, 8652 Ashcroft Ave., Dallas, TX, 75243 Dale Boisso, 230 Wellington Rd., Irving, TX, 75063 Karla Zemler, 6924 Wake Forrest Dr., Dallas, TX, 75214 Shanna Caughey, 3941 Bryan St., Dallas, TX, 75206 Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211 Margaret Rodriguez, 2605 Cunningham St., Irving, TX, 750 Cynthia Anna Nelson, 1710 Station Pl., Carrollton, TX, 750 Rosemary Robbins, 3105 Coronado St., Irving, TX, 75062 Mona Wyatt, 1101 S. Delaware St., Irving, TX, 75060 H. Morgan Boatwright, 1000 Stone Gate Dr., Irving, TX, 750 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237

Sherry Kessel, 2831 N. Surrey Dr., Carrollton, TX, 75006 Tarun Anand, 1326 Lakeridge Ln., Irving, TX, 75063 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243 Susan Grundy, 1406 Tranquilla Dr., Dallas, TX, 75218 Tonya Dubro, 1903 Elm St., Glenn Heights, TX, 75154 Richard B. Webb, 915 Loganwood Ave., Richardson, TX, 7 Zac Trahan, , 6017 La Vista, Dallas, TX, 75206 Kevin McCumber, 8565 Park Ln., Dallas, TX, 75204 Cameron Halket, 116 Andrea St., Irving, TX, 75060 Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234 Tom Berry, 3124 San Jacinto St., Dallas, TX, 75204 Gwain Wooten, 1000 Grigsby Ave., Dallas, TX, 75204 Against (Did not speak): Tamara Gray, 13223 Fish Rd., Dallas, TX, 75253

Susan Turitz Cooper, 1116 Greencove Ln., Richardson, T> Peter Johnson, 2310 Blackwillow Ln., Dallas, TX, 75249 George Nolan, 725 Valiant Cir., Garland, TX, 75043 Lyndi Cavett, 1212 Johnson, Denton, TX, 75205 Carleen Douget, 301 W. Las Colinas Blvd., Irving, TX, 750; Cynthia Pearson, 430 Buckingham Rd., Richardson, TX, 7! Mandalay Trudeay, 3448 Clouerdale Ln., Dallas, TX, 7523 Shelia Franzen, 631 Lake Point Dr., Irving, TX, 75039 W. C. Funderbunk, 3607 Bowser ct., Dallas, TX, 75219 Jordanna Ingram, 10315 Oak Gate Ln., Dallas, TX, 75217 Robert McNeely, 5 Vermont Ave., Midlothian, TX, 76065 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Kayleigh Hutchings, 107 Gentle Ridge Ln., Palmer, TX, 75 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Katherine McGovern, 4364 Royal Ln., Dallas, TX, 75229 Matt Bach, 15746 Covewood Cir., Dallas, TX, 75248 Lara Thompson, 657 Clearwater Dr., Irving, TX, 75039 Wayne Thompson, 657 Clearwater Dr., Irving, TX, 75039 Eddie Morsal, 2343 Vagas St., Dallas, TX, 75219 Billie Henderson, 1910 Durham St., Irving, TX, 75062 Ross Kahn, 5125 Water Haven Ln., Plano, TX, 75093 Phil Leven, 1606 Hollywood Ave., Dallas, TX, 75208 Laurence Finman, 1500 Bear Creek Prwy., Euless, TX, 76 Timothy Jenkins, 3908 Long Meadow Ct., Plano, TX, 7507 Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Edward Hartmann, 5100 Brvan St., Dallas, TX, 75206 Angela Briles, 5100 Bryan St., Dallas, TX, 75206 Kiersten Kinser, 3504 Shadow Trl., Denton, TX, 76207 Anthony Martin, 2408 Kimberly Ln., Plano, TX, 75075 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080 Maria Bauer, 656 Clearwater Dr., Irving, TX, 75039 Liz Cougot, 635 Lake Point Dr., Irving, TX, 75039

Rachel Baker Ford, 3177 Knights Haven, Garland, TX, 750 Jody Conatser, 6826 Truxton Dr, Dallas, TX, 75231 Holly Matthew-Lee, 539 Northwest Hwy., Irving, TX, 75039 Randall Conatser, 6826 Truxton Dr., Dallas, TX, 75231 Corey Troiani, 1200 Camino Real, Fairview, TX, 75069 Brain Powell, 4701 W. Lovers Ln., Dallas, TX, 75209 Julie Schaar, 6834 Chantilly Ln., Dallas, TX, 75214 Dr. Lawrence Cottle, 5086 Matilda St., Dallas, TX, 75206 Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214 Ryan Haney, 4931 Bryan St., Dallas, TX, 75214 Fred Patchen, 6344 Goliad Ave., Dallas, TX, 75214 Jack Cooper, 1116 Greencove Ln., Richardson, TX, 75081

Staff Recommended SUP Conditions

a. IN GENERAL.

1. <u>USE</u>: The only use authorized by this specific use permit is gas drilling and production.

2. <u>TIME LIMIT</u>:

- (a) Except as provided, this specific use permit expires on (20 years from passage of ordinance), but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: the Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- (b) The Operator must notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.
- 3. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 4. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and all ordinance, rules, and regulations, including the gas drilling and production regulations, of the City of Dallas.

b. PLANS AND BASELINE ASSESSMENTS.

- 1. <u>SITE PLANS</u>: Use and development of the Property must comply with the attached:
 - (a) Drilling phase site plan; and
 - (b) Production site plan and landscaping plan.
- 2. <u>LANDSCAPING</u>: Landscaping must be provided as shown on the attached production site plan and landscape plan. Landscaping must be installed within six months after the first well is in production. Upon request, the building official may

grant one six-month extension of time to install landscaping. A request for extension to install landscaping must be made in writing and within the initial six-month time period.

3. <u>FENCING</u>: Fencing must be provided as shown on the site plans. The fencing material must be vinyl coated chain link and the vinyl coating must be black.

4. <u>AIR QUALITY MANAGEMENT AND MONITORING PLAN:</u>

(a) The Operator must provide an air quality management and monitoring plan (AQMM plan) to the gas inspector with the gas well permit application.

(b) The AQMM plan must include:

- (1) Measures and equipment the Operator will use to ensure that all site activities and equipment on the operation site comply with applicable emissions limits and all applicable laws relating to emissions.
- (2) Monitoring techniques the Operator will use to measure for emissions to ensure compliance with applicable emissions limits and all applicable laws relating to emissions.
- (3) A categorization of Environmental Protection Agency (EPA) Tier (Tier 0 to Tier 4) of all diesel equipment that will be used on the Property during each phase of the drilling and production use.

5. BASELINE ASSESSMENTS:

(a) AIR QUALITY:

- (1) The Operator must perform a baseline test of air quality on the operation site before gas drilling activities begin.
- (2) The baseline air quality test must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory.
- (3) The baseline test results must be provided to the gas inspector within 30 days after the baseline testing is conducted.

(b) SOIL.

(1) Before drilling activities begin, soil sampling must be conducted to establish a baseline for site conditions.

- (2) A minimum of five soil sample must be collected at locations across the pad site, with at least two samples at or adjacent to the tank containment areas.
- (3) Soil samples must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum acceptable criteria for soil sampling include baseline study of Texas Railroad Commission guidance.
 - (4) The soil sample baseline study results must include:
- (A) a description of the point samples and GPS coordinates of each location,
 - (B) planned equipment above the sampled area,
 - (C) methodology of sample collection,
 - (D) description of field conditions,
- (E) summary of laboratory data results compared to the minimum acceptable soil sampling criteria,
 - (F) copies of all laboratory data sheets,
 - (G) drawings of sample points,
 - (H) areas where equipment is anticipated, and
- (I) concentrations of the following compounds: TPH, benzene, toluene, ethyl benzene, and xylenes.
- (5) The soil sample baseline study results must be provided to the gas inspector within 30 days after the soil sampling is conducted.

(c) WATER.

- (1) Except as provided in this paragraph, before commencing drilling activities on the Property, the Operator must provide a written report of the baseline testing of all water wells within 2,000 feet of a well bore and all surface water within 750 feet of the well bore to the gas inspector.
- (2) If the Operator documents to the satisfaction of the gas inspector that permission to access private property to conduct the required baseline testing is not granted, water baseline testing is not required for that well or water body.

6. <u>SAMPLING AND ANALYSIS</u>.

(a) AIR QUALITY SAMPLING:

- (1) Once drilling activities begin on the first well and through the first year of production on the first well, the Operator must conduct a monthly 24-hour sampling of airborne emissions at the operation site in accordance with the AQMM plan. If drilling, hydraulic fracturing, or flowback operations are being conducted in a sampling month, the air quality sampling must be conducted on a day when these activities are occurring.
- (2) The monthly samplings must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum sampling results must include benzene, toluene, ethylbenzene, xylenes, ozone, hydrocarbons (e.g. methanes, ethanes, propanes), nitrogen oxides, volatile organic compounds, sulfur dioxides, napthalenes, acroleins, and formaldehyde.
- (3) The Operator must provide a monthly report of the sampling results to the gas inspector. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous month to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits and applicable laws relating to emissions.
- (4) After the first year of production on the first well, the Operator must conduct semi-annual 24-hour sampling of airborne emissions at the operation site in accordance with the AQMM plan. One sampling must be in the summer months and one sampling must be in the winter months.
- (5) The semi-annual samplings must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum sampling results must include benzene, toluene, ethylbenzene, xylenes, ozone, hydrocarbons (e.g. methanes, ethanes, propanes), nitrogen oxides, volatile organic compounds, sulfur dioxides, napthalenes, acroleins, and formaldehyde.
- (6) The Operator must provide a report of the semi-annual sampling results to the gas inspector within 30 days after the sampling is conducted. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous month to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits and applicable laws relating to emissions.
- (7) If the operation site is out of compliance with applicable emissions standards at any time after the first year of production or processing, Operator must conduct monthly sampling and provide reports to the gas inspector until the operation site is in compliance with emissions standards for at least three consecutive months from the date of the last violation.

(b) NATURAL GAS.

- (1) Within 30 days after the first well enters production, a written extended natural gas analysis must be provided to the gas inspector.
- (2) The extended natural gas analysis must be performed by a qualified third party laboratory and must include findings for benzene and hydrocarbons.
- 7. <u>FLOOD EVENT CONTINGENCY PLAN</u>: A flood event contingency plan that complies with Article V, "Flood Plain Regulations," of the Dallas Development Code, must be approved by the Flood Plain Administrator before the issuance of the first gas well permit on the Property.

8. NOISE MANAGEMENT PLAN.

- (a) Before the issuance of a gas well permit for the first gas well, the Operator must submit a noise management plan to the gas inspector.
 - (b) The noise management plan must:
- (1) Identify gas drilling and production use operation noise impacts.
- (2) Provide written documentation of a continuous 72-hour study establishing the ambient noise levels before drilling activities begin at the Property. The continuous 72-hour study establishing the ambient noise levels before drilling activities begin must include at least one 24-hour reading during either a Saturday or Sunday.
- (3) Detail how noise impacts will be mitigated considering specific site characteristics, including the location of the site, proximity and type of adjacent development, seasonal prevailing weather patterns including wind directions, vegetative cover on or adjacent to the site, and topography of the site.
- 9. <u>PERMITS</u>: The building official may not issue a certificate of occupancy for gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, or city agencies.

10. PIPELINE MAPS:

(a) Before the issuance of the first gas well permit, a pipeline map showing the location of the nearest gathering station in the City of Dallas and the alignment of the pipelines from the operation site to the gathering stations within the City of Dallas must be submitted to the gas inspector.

(b) Within 60 days after completion of pipeline construction, as-built or record drawings of the pipelines within the City of Dallas must be provided to the gas inspector. A record drawing must meet the field note guidelines of the City of Dallas Public Works and provide a minimum of two GPS coordinates of the pipeline location. The scale of the record drawings must be a minimum of one inch to 40 feet.

11. TRAFFIC PLAN:

- (a) A map showing truck routes must be submitted to and approved by the gas inspector before the issuance of the gas well permit. The mapped truck route must use the shortest route to a state or federal roads. The gas inspector may approve a temporary alternate route when necessary due to road closure.
- (b) Before the issuance of a gas well permit for the first well, a traffic management plan (TMP) must be approved by the Director of Parks and Recreation before the application of a gas well permit. The TMP must describe the trip generation and peak time for trips during the drilling and production phase and mitigation to minimize impact on or conflict with park users and park maintenance staff.
- 12. <u>WATER PLAN</u>: At least 10 days before drilling activities begin on a well, the Operator must disclose in writing to the gas inspector the anticipated_quantity, source, and disposal method for water used during the fracturing process.

c. OPERATIONS.

- 1. <u>AIR QUALITY COMPATIBILITY MEASURES</u>: The gas drilling and production use has been evaluated for its probable land use effects on adjacent properties. The following conditions help ensure that this gas drilling and production use is more compatible with surrounding land uses:
- (a) <u>ENGINES</u>. Electric motors are encouraged during all gas drilling and production phases.

2. VAPOR RECOVERY.

- (1) After fracturing is completed on a well, the Operator must employ appropriate equipment and processes to minimize natural gas and associated vapor release.
- (2) All salable gas must be directed to the sales line as soon as practicable or shut in.
- (3) All wells that have a sale pipeline must use reduced emission completion techniques and methods in accordance with all applicable.

- (4) Vapor recovery equipment is required for tanks and tank batteries in accordance with all applicable laws.
- 3. <u>CLOSED LOOP SYSTEM</u>: All operations must be conducted on a closed loop system.

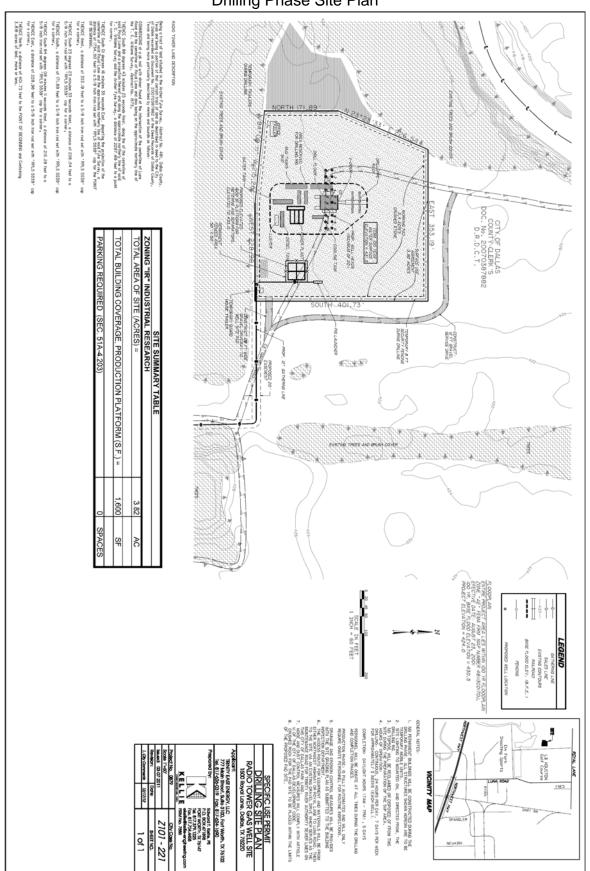
4. DUST, VIBRATIONS, AND ODORS:

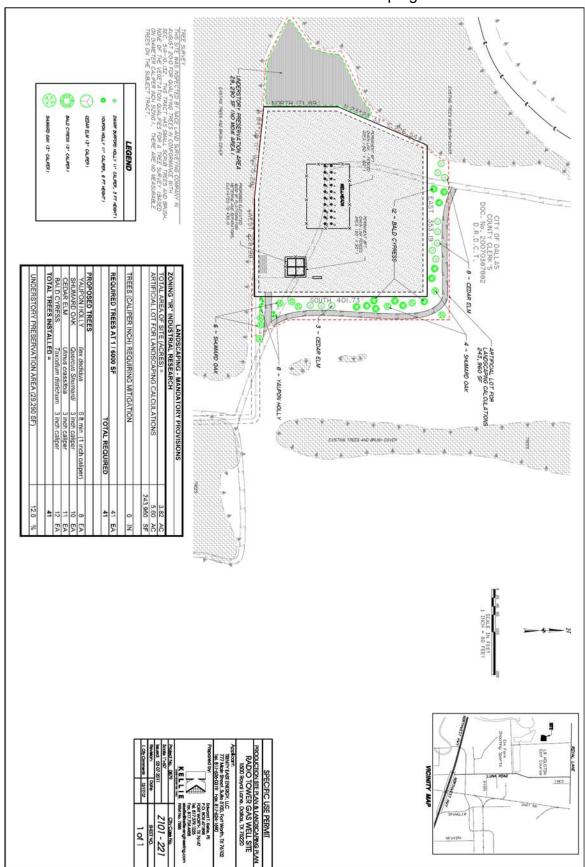
- (a) The Operator must conduct drilling and production activities, including vehicular traffic, in a manner that minimizes dust, vibration, and odors consistent with the best practices of the industry.
- (b) Brine water, sulphur water, or water with any type of hydrocarbon may not be used for dust suppression.
- 5. <u>MANEUVERING SURFACE</u>: Vehicle maneuvering surfaces must be gravel or a similar material and must be located as shown on the site plans.

6. MATERIAL SAFETY DATA SHEET:

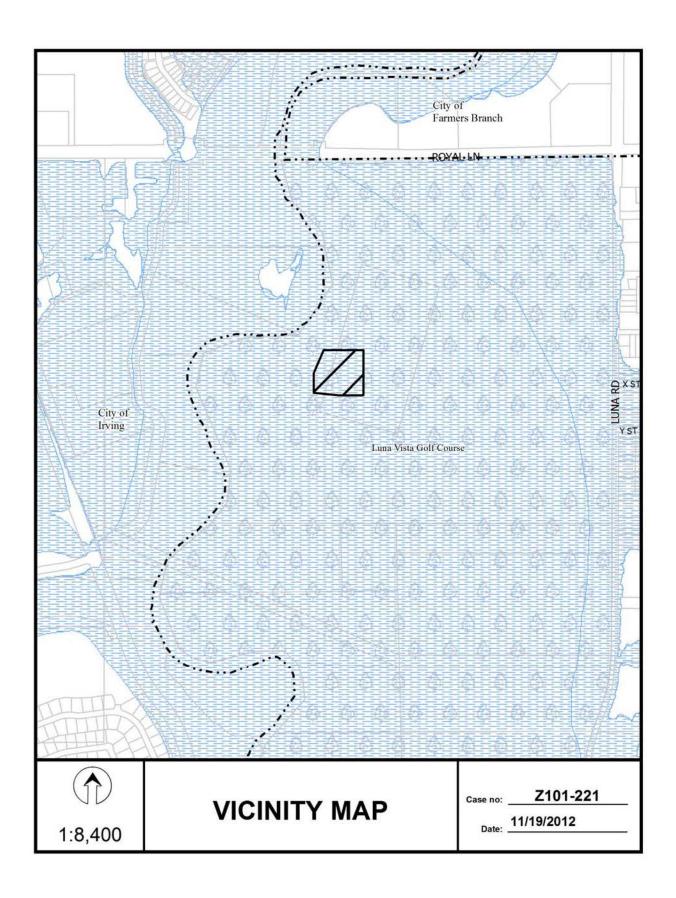
- (a) In accordance with Paragraph (6) of the Amendment of Oil and Gas Lease executed between Trinity East Energy and the City of Dallas on July 18, 2011, the Operator must submit to the City of Dallas a completed Material Safety Data Sheet (MSDS) containing an accurate inventory of chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities.
- (b) The MSDS must disclose every chemical to be used, including inventory quantity, concentrations, combinations, and formulations, sufficient to satisfy the gas inspector that full disclosure has been made.
- (c) An amended MSDS must be provided to the gas inspector disclosing any change in the inventory, quantity, concentrations, combinations, or formulations of the chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities sufficient to satisfy the gas inspector that full disclosure has been made.
- 7. <u>ON-SITE WASTE STORAGE</u>: Drilling mud, cuttings, liquid hydrocarbons, and all other field waste derived or resulting from the drilling or re-working of any well must be discharged into an above-ground self-contained storage tank.
 - 8. MAXIMUM NUMBER OF WELLS: The maximum number of wells is 20.

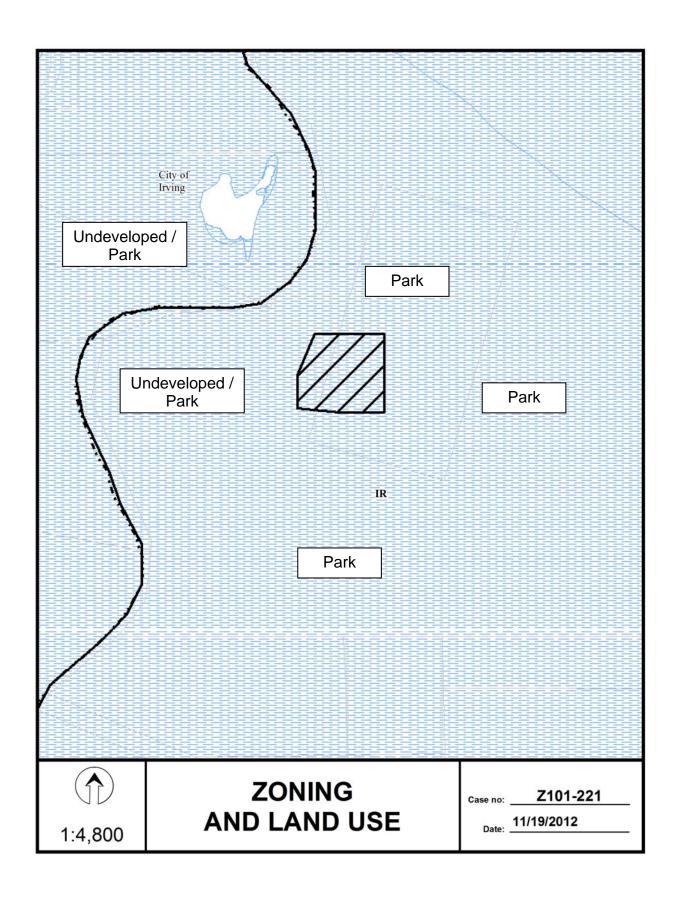
Drilling Phase Site Plan



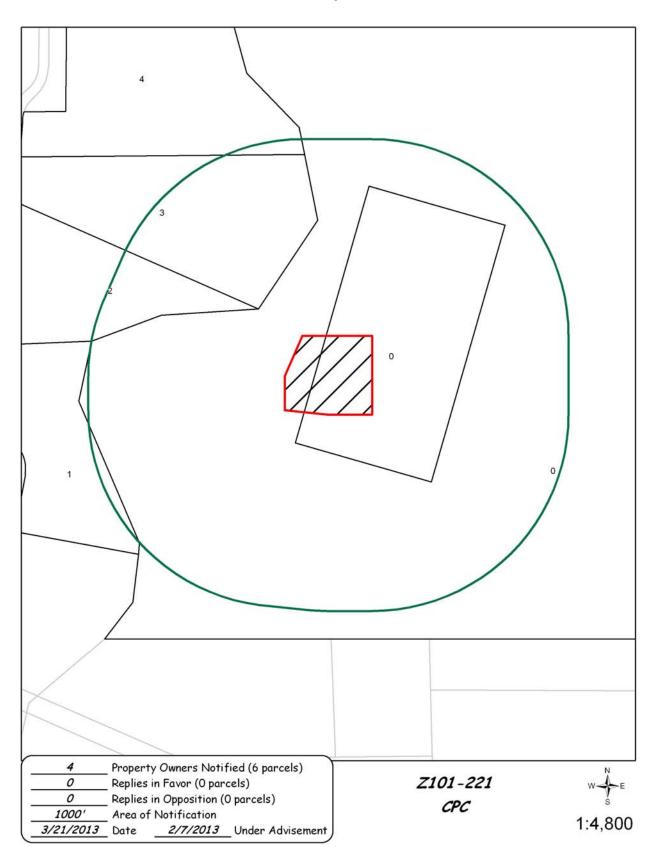


Production Phase Site and Landscaping Plan





CPC Responses



3/22/2013

Reply List of Property Owners Z101-221

4 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply Label #	Address		Owner
1	6210	OCONNOR BLVD	IRVING CITY OF
2	6210	OCONNOR BLVD	IRVING CITY OF
3	6210	OCONNOR BLVD	IRVING CITY OF
4	6210	OCONNOR BLVD	IRVING CITY OF

AGENDA ITEM #85

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 22 N; 22 P

SUBJECT

A public hearing to receive comments regarding an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road

<u>Recommendation of Staff and CPC</u>: <u>Approval</u> for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan/landscape plan and conditions

Recommendation of CPC: Denial

Z101-248(JH)

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z101-248 (JH) DATE FILED: April 12, 2011

LOCATION: East side of Luna Road, north of Ryan Road

COUNCIL DISTRICT: 6 MAPSCO: P-22 & N-22

SIZE OF REQUEST: Approx. 11.584 acres CENSUS TRACT: 0099.00

REPRESENTATIVE: MASTERPLAN

APPLICANT: Trinity East Energy, LLC

OWNER: TCI Luna Ventures, LLC

REQUEST: An application for a Specific Use Permit for gas drilling and

production on property zoned an IR Industrial Research

District.

SUMMARY: The applicant proposes to drill wells and operate equipment

necessary for natural gas production from this site and wells associated with zoning case numbers Z101-220 and Z101-

221.

STAFF RECOMMENDATION: <u>Approval</u> for a 20-year period with eligibility for

automatic renewal for additional 10-year periods, subject to a drilling phase site plan, production phase

site plan/landscape plan and conditions

CPC RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The applicant is proposing to utilize the request site for the drilling of up to 12 wells and operate equipment necessary to produce gas from the wells on the subject site in addition to wells associated with zoning case numbers Z101-220 and Z101-221.
- The nearest residential lot is approximately 5,000 feet to the west from the request site in the City of Irving.

Zoning History:

1. Z112-268	A pending application for the January 9th City Council hearing for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.
2. Z112-262	An application for a SUP for a concrete batch plant on property zoned an IR District. On September 6, 2012, the CPC recommended approval of the request for a five-year period, subject to a site plan and conditions. Pending a tobe determined City Council public hearing.
3. Z112-157	On September 26, 2012, the City Council denied a request to amend and renew Specific Use Permit No. 1609 for a potentially incompatible industrial (outside) use limited to concrete and asphalt crushing on property zoned an IM Industrial Manufacturing District.

Thoroughfares/Streets:

Thoroughfares/Street	Туре	Existing ROW
Luna Road	Principle Arterial	60 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The applicant proposes to drill up to 12 wells to extract natural gas from the site and operate facilities to produce gas from this site and wells on the sites associated with zoning case numbers Z101-220 and Z101-221. The request complies with the following land use goal and policy of the Comprehensive Plan because there are several measures pursuant to the Dallas Development Code that requires the applicant to restore the site back to its natural state after the wells have been capped. In addition,

Z101-248(JH)

there are additional provisions in the Code that require the right-of-way (infrastructure) to be restored.

LAND USE

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND TRANSPORTATION

Policy 1.4.3 Embrace environmental sustainability

Land Use Compatibility:

The 11.6-acre site is undeveloped and is located on the north side of Northwest Highway. The main pad site is located approximately 800 feet from Luna Road along an access drive included in the SUP boundary. The applicant's request for a Specific Use Permit is to permit gas drilling and production on the site.

The primary land uses surrounding the request site are undeveloped tracts of land to the north; heavy industrial to the south; Luna Vista Golf Course to the west; and heavy industrial and parkland to the east (Elm Fork Soccer Complex). The soccer complex is located approximately 600 feet to the east. The nearest residential use is approximately 5,000 feet to the west of the request site in the City of Irving. The current spacing requirement from residential uses from a gas well is 300 feet.

In the Development Code, gas drilling and production means the activities related to the "the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas."

The Development Code requires the applicant to provide the following site plans for a gas drilling and production use:

- Site/operation plan for the drilling phase; and
- Site/operation plan for the production phase.

The request site is generally divided into two areas. The northern portion of the request site is the area proposed for gas drilling with up to 20 wells. The southern portion is the production facility which will include an equipment area, tanks, and compressors located within three approximately 2,300 square foot "sound proof buildings" that will mitigate the noise from the compressors. The applicant has applied for Specific Use Permits for two other locations nearby (Z101-220 and Z101-221) that will pipe extracted gas to this request site to be processed prior to entering a sales pipeline.

The operation plan for the drilling phase addresses the natural-gas drilling. The plan shows the location of several temporary construction trailers, water tanks, mud tanks,

Z101-248(JH)

and drilling equipment. A drilling rig will be on site during this phase. The building official will consider this as a temporary structure, similar to a crane used in constructing a building.

There are two methods for drilling: an open-loop system and a closed-loop system. An open-loop system uses a lined mud-pit to hold mud. The mud-pit may be a safety hazard and may have a negative impact on adjacent property. In contrast, a closed-loop system uses tanks to hold the mud. There are fewer environmental concerns with a closed-loop system and the applicant is providing a drilling phase plans that will include a closed-loop system.

The production plan shows an area in the central portion of the pad site that will store the equipment (e.g., horizontal separators, water tanks and gas lift compressors). The SUP area will be enclosed by an eight-foot-high chain link fence.

Staff has reviewed the applicant's request for an SUP for gas drilling and production and is recommending approval for a time period of 20 years with eligibility for automatic renewal of additional 10-year periods, subject to the attached plans and conditions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system by the proposed development. All truck traffic to and from the site will be from Luna Road to Northwest Highway.

Landscaping:

Landscaping will be provided in accordance with the landscape plan. The landscaping plan shows an area on the eastern portion of the request site that will be reserved for understory preservation.

List of Partners/Principals/Officers

Trinity East Energy, LLC

Thomas B. Blanton, CEO Phillip Pierce, CFO Irene Sullivent, Secretary/Treasurer

TCI Luna Ventures, LLC

Daniel J. Moos, President Gene S. Bertcher, Vice President and Treasurer Stephen Shelley, Vice President Louis J. Corna, Secretary Pamela M. Arsenault, Assistant Secretary Melissa G. James, Assistant Secretary Melody A. Woffard, Assistant Secretary

CPC Minutes

December 20, 2012

Motion I: It was moved to recommend **approval** of a Specific Use Permit for gas drilling and production for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site/landscape plan and revised staff conditions, subject to Council approval of an amendment to floodplain regulations and approval of a non-park use on park land on property zoned an IR Industrial Research District on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road.

Maker: Hinojosa Second: Wolfish Result: Failed: 5 to 7

For: 5 - Hinojosa, Tarpley, Bernbaum, Wolfish,

Alcantar

Against: 7 - Davis, Anglin, Rodgers, Bagley, Lavallaisaa,

Schwartz, Ridley

Absent: 2 - Wally, Shellene

Vacancy: 1 - District 4

Motion II: It was moved to recommend **denial without prejudice** of a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road.

Maker: Anglin Second: Ridley

Result: Carried: 11 to 1

For: 11 - Davis, Anglin, Rodgers, Lavallaisaa, Bagley,

Tarpley, Bernbaum, Wolfish, Schwartz, Ridley,

Alcantar

Against: 1 - Hinojosa

Absent: 2 - Wally, Shellene

Vacancy: 1 - District 4

Notices: Area: 1000 Mailed: 18 **Replies:** For: 1 Against: 1

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

Tom Blanton, 777 Main St., Ft. Worth, TX, 76102 Against: Marc McCord, 2660 La Bolsa Dr., Dallas, TX, 75248 Matt Bach, 15746 Covewood Cir., Dallas, TX, 75248 Linda Cooke, 4029 Lively Ln. Dallas, TX, 75220 Cynthia Durbin, 8436 Birchcroft Dr., Dallas, TX, 75243 Jennifer Land, 3905 Weeburn Dr., Dallas, TX, 75229 Phyllis Guest, 7640 W. Greenway Blvd., Dallas, TX, 75209 Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Susybelle Gosslee, 9511 Faircrest Dr., Dallas, TX, 75238 Dr. Lawrence Cottle, 5086 Matilda St., Dallas, TX, 75206 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214 Zac Trahan, 6017 La Vista Ave., Dallas, TX, 75206 Jim Schermbeck, P.O. Box 763894, Dallas, TX, 75376 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Rita Beving, 13214 Glad Acres Dr., Farmers Branch, TX, 7: Karla Zemler, 6924 Wake Forrest Dr., Dallas, TX, 75214 Claudia Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Jennifer Quinn, 1122 N. Windomere Ave., Dallas, TX, 7520 Marie Tedei, 4708 Pioneer Rd., Balch Springs, TX, 75336 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243

Against (Did not speak): Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Julie Scharr, 6834 Chantilly Ln., Dallas, TX, 75214 Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214 Katy Rowe, 6017 La Vista Ave., Dallas, TX, 75206 Edward Hartmann, 5100 Bryan St., Dallas, TX, 75206 Beau McDermott, 4608 Carr St., The colony, TX, 75056 Stephanie Compton, 2847 W. Brooklyn Ave., Dallas, TX, 75 Kayleigh Hutchings, 116 S. Garrett Ave., Dallas, TX, 75231 Daniel McCartt, 4509 Club Estate, Mesquite, TX, 75150 Shanna Caughey, 6808 Eastridge Dr., Dallas, TX, 75231 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080 Dan Harrison, 2550 Bahama Dr., Dallas, TX, 75211 Roy Sudduth, 9900 Adleta Blvd., Dallas, TX, 75243 Luke Sampeck, 1301 Cavalier Dr., Richardson, TX, 75080 Lyndi Cavett, 1212 Johnson St., Denton, TX, 76205 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Cherelle Blazer, 8510 Sikorski Ln., Dallas, TX, 75228

Planner: Jennifer Hiromo

January 7, 2013

Reconsideration

Z101-220(JH)

Z101-221(JH)

Z101-248(JH)

Motion: It was moved to **approve** the reconsideration of the action taken or December 20, 2012, which was to move to recommend **denial without prejudice** of applications for Specific Use Permits for gas drilling and production on properties zoned IR Industrial Research District on the north side of Northwest Highway, west of Luna Road; south of Royal Lane, west of Luna Road; and on the east side of Luna Road, north of Ryan Road.

Maker: Bernbaum Second: Shellene Result: Carried: 6 to 5

For: 6 - Rodgers, Hinojosa, Lavallaisaa, Shellene,

Bernbaum, Alcantar

Against: 5 - Davis, Bagley, Tarpley, Wolfish, Schwartz

Absent: 3 - Wally, Anglin, Ridley

Vacancy: 1 - District 4

2c. **Z101-248(JH)**

Motion: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the easied of Luna Road, north of Ryan Road, it was moved to **hold** this case under advisement until February 7, 2013, to allow the notification of a public hearing.

Maker: Bernbaum Second: Schwartz

Result: Carried: 11 to 0

For: 11 - Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa,

Tarpley, Shellene, Bernbaum, Wolfish,

Planner: Jennifer Hiromoto

Schwartz, Alcantar

Against: 0

Absent: 3 - Wally, Anglin, Ridley

Vacancy: 1 - District 4

People present who completed Speaker cards:

Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Marc McCord, 2660 La Bolsa Dr., Dallas, TX, 75248 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234 Jann Clanton, 11746 Dixfield Dr., Dallas, TX, 75218 William Funderburk, 3607 Bowser Ct., Dallas, TX, 75219 Don Schobert, 13861 Far Hills Ln., Dallas, TX, 75240 Charles Hayden, 4912 Haverwood Ln., Dallas, TX, 75287 Ann Barnes, 9437 Brentgate Dr., Dallas, TX, 75238 Jeffery Harvill, 9900 Adleta Blvd., Dallas, TX, 75243 Rov Eudduth, 990 Adleta Blvd., Dallas, TX, 75243 Caroline Vornberg, 222 Los Santos Dr., Garland, TX, 75043 Jordon Maness, 6706 Cliffwood Dr., Dallas, TX, 75237 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Erica Cole, 9246 Forest Hill Blvd., Dallas, TX, 75218 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Sally Garcia, 5623 Anita St., Dallas, TX, 75206 Davis Lyles, 2318 Beatrice St., Dallas, TX, 75208 Gene Soslow, 3982 Dunhaven Rd., Dallas, TX, 75220 Catherine Zwernemann, 3257 Lancelot Dr., Dallas, TX, 75229 Eddie Morgan, 2343 Vagas St., Dallas, TX, 75219 Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211 Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234 Katherine McGovern, 4364 Royal Ridge Dr., Dallas, TX, 75229 Helen Boehning, 6463 Woodcrest Ln., Dallas, TX, 75214 Jim Schermbeck, P.O. Box 763844, Dallas, TX, 75376

February 8, 2013

Motion: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road, it was moved to **hold** this case under advisement until March 21, 2013.

Maker: Hinojosa Second: Ridley

Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0

Absent: 1 - Bagley

Vacancy: 0

Notices: Area: 1000 Mailed: 18

Replies: For: 1 Against: 1

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

Tom Blanton, 777 Main St., Ft. Worth, TX, 76102

Against: Marc McCord, 616 S. Colorado St., Celina, TX, 75009 Eloy Trevino, 2007 W. Colorado Blvd., Dallas, TX, 75208

Susybelle Gosslee, 9511 Faircrest Dr., Dallas, TX, 75238 Susan Sullivan, 323 Collins St., Argyle, TX, 76226

Rachel Baker Ford, 3317 Knight Haven Ln., Garland, TX, 7 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234 Julie Schaar, 6834 Chantilly Rd., Dallas, TX, 75214 Gwain Wooten, 1000 Grigsby, Dallas, TX, 75204

Sherry Kessel, 2831 N. Surrey Dr., Carrollton, TX, 75006 Bobby Copeland, 11085 Walnut Hill Ln., Dallas, TX, 75238

Zac Trahan, 6017 La Vista, Dallas, TX, 75206 Gary Stuard, 6344 Goliad Ave., Dallas, TX, 75214

Against (Did not speak): Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234

Anne Morton, 3607 Bowser Ct., Dallas, TX, 75219 Sally Garcia, 5623 Anita St., Dallas, TX, 75206 Mariana Griggs, 1803 Marydale Dr., Dallas, TX, 75208 Jann Clanton, 11746 Dixfield Dr., Dallas, TX, 75218 Eddie Morgan, 2343 Vagas St., Dallas, TX, 75219 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243 Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211 Claudia Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Linda Cooke, 4029 Lively Ln. Dallas, TX, 75220 Daniel McCartt, 4509 Club Estate, Mesquite, TX, 75150 Luke Sampeck, 1301 Cavalier Dr., Richardson, TX, 75080 Kayleigh Hutchings, 116 S. Garrett Ave., Dallas, TX, 75231 Lyndi Cavett, 1212 Johnson St., Denton, TX, 76205 Stephanie Compton, 2847 W. Brooklyn Ave., Dallas, TX, 75 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080 Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214 Jack Cooper, 1116 Greencove Ln., Richardson, TX, 75081 Christine Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 Richard Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 Leslie Harris, 5825 Palm Ln., Dallas, TX, 75206 Diane Harris, 1025 Mission Dr., Southlake, TX, 76092 Sharon Wilson, 1121 Belvedere Dr., Allen, TX, 75013 Susan Bowman, 13358 Meadow Dr., Dallas, TX, 75240 Annaliese Limb, 1512 McKee St., Dallas, TX, 75215

Jane Byers, 3429 Lemmon Ave., Dallas, TX, Sally Garcia, 5623 Anita St., Dallas, TX, 75206 Deirdre Barnett, Address not given Shelby Johnson, 1829 Grove Cir., Mesquite, TX, 75149 Eric Langford, 3303 Lee Parkway, Dallas, TX Kathy Cuevas, 913 Hardy Dr., Garland, TX, 75041 William Funderburk, 3607 Bowser ct., Dallas, TX, 75219 Eamon Danzig, 2300 W. Oak St., Denton, TX, 76201 Tim Jenkins, 3908 Long Meadow Ct., Plano, TX, 75074 Fred Patchen, 6634 Goliad Ave., Dallas, TX, 75214 Susan Cooper, 1116 Greencove Ln., Richardson, TX, 7508 George Nolan, 725 Valiant Cr., Garland, TX, 75243 Susan Grurdy, 1406 Tranquilla Dr., Dallas, TX, 75218 David Griggs, 13214 Glad Acres Dr., Dallas, TX, 75234 Jan Sanders, 12636 Breckenridge Dr., Dallas, TX, 75230 Carolyn Ross, 1215 Holly Glen, Dallas, TX, 75232 Jana Degrand, 2420 Britt Dr., Argyle, TX, 76226 Becky Bornhorst, 1405 Indian Creek Dr., DeSoto, TX, 7511 Ashton Bradford, 2410 Taylor St., Dallas, TX, 75201 Alexandra Singer, 1330 MacArthur Dr., Carrollton, TX, 7500

March 21, 2013

Motion I: In considering an application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road, it was moved to **hold** this case under advisement until June 20, 2013.

Maker: Hinojosa Second: Culbreath Result: Failed: 4 to 11

For: 4 - Culbreath, Hinojosa, Lavallaisaa, Alcantar

Against: 11 - Davis, Wally, Anglin, Rodgers, Bagley,

Tarpley, Shellene, Bernbaum, Wolfish,

Schwartz, Ridley

Absent: 0 Vacancy: 0

Motion II: It was moved to recommend **denial** of a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road.

Maker: Ridley Second: Bagley

Result: Carried: 9 to 6

For: 9 - Davis, Wally, Anglin, Rodgers, Bagley, Lavallaisaa, Tarpley, Wolfish, Ridley

Against: 6 - Culbreath, Hinojosa, Shellene, Bernbaum,

Schwartz, Alcantar

Absent: 0 Vacancy: 0

Notices: Area: 1000' Mailed: 18
Replies: For: 1 Against: 1

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202

G. A. Hastings, 7030 Northaven Rd., Dallas, TX, 75230 David Martineau, 7983 Caruth Ct., Dallas, TX, 75225

Christina (last name not audible)

Tom Blanton, 777 Main St., Ft Worth, TX, 76102

Against: Rose Cannaday, 825 W. Irving Blvd., Irving, TX, 75060 Jim Schermbeck, P.O. Box 75376, Dallas, TX, 75390 Marc McCord, 616 S. Colorado St., Celina, TX, 75007 Diva Walls, 4024 N. Story, Irving, TX, 75038 Sherry Bollenbacher, 4567 O'Connor Rd., Irving, TX, 75062 Marie Tedei, 4708 Pioneer Rd., Balch Springs, TX, 75180 Jean Schobert, 13861 Far Hills, Dallas, TX, 75240 Richard Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 Richard Sheridan, 3022 Forest Ln., Dallas, TX, 75234 John Wolf, 17492 Senne Rd., Forney Rd., TX, 75126 Cynthia Nustad, 631 Lake Point Dr., Irving, TX, 75039 Christine Guldi, 7228 La Sobrina Dr., Dallas, TX, 75248 John Rath, 1537 Country Forest Ct., Grapevine, TX, 76051 Susan Sullivan, 323 Collins St., Argyle, TX, 76226 Linda Cooke, 4029 Lively Ln., Dallas, TX, 75220 Mary Warren, 4312 McKinney Ave., Dallas, TX, 75205 Kristi Lara, 3636 McKinney Ave., Dallas, TX, 75204 Edward Kim, 8704 Stonecrest Dr., Dallas, TX, 75063 Daniel Harrison, 2550 Bahama Dr., Dallas, TX, 75211 Linda Moore, 8652 Ashcroft Ave., Dallas, TX, 75243 Dale Boisso, 230 Wellington Rd., Irving, TX, 75063 Karla Zemler, 6924 Wake Forrest Dr., Dallas, TX, 75214 Shanna Caughey, 3941 Bryan St., Dallas, TX, 75206 Barbara Barbee, 303 N. Barnett Ave., Dallas, TX, 75211 Margaret Rodriguez, 2605 Cunningham St., Irving, TX, 750 Cynthia Anna Nelson, 1710 Station Pl., Carrollton, TX, 750 Rosemary Robbins, 3105 Coronado St., Irving, TX, 75062 Mona Wyatt, 1101 S. Delaware St., Irving, TX, 75060 H. Morgan Boatwright, 1000 Stone Gate Dr., Irving, TX, 750

Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237 Sherry Kessel, 2831 N. Surrey Dr., Carrollton, TX, 75006 Tarun Anand, 1326 Lakeridge Ln., Irving, TX, 75063 Molly Rooke, 5825 Palm Ln., Dallas, TX, 75206 Helen Bush, 9669 Forest Ln., Dallas, TX, 75243 Susan Grundy, 1406 Tranquilla Dr., Dallas, TX, 75218 Tonya Dubro, 1903 Elm St., Glenn Heights, TX, 75154 Richard B. Webb, 915 Loganwood Ave., Richardson, TX, 7 Zac Trahan, 6017 La Vista, Dallas, TX, 75206 Kevin McCumber, 8565 Park Ln., Dallas, TX, 75204 Cameron Halket, 116 Andrea St., Irving, TX, 75060 Eulaine Hall, 11851 High Dale Dr., Dallas, TX, 75234 Tom Berry, 3124 San Jacinto St., Dallas, TX, 75204 Gwain Wooten, 1000 Grigsby Ave., Dallas, TX, 75204 Against (Did not speak): Tamara Gray, 13223 Fish Rd., Dallas, TX, 75253 Susan Turitz Cooper, 1116 Greencove Ln., Richardson, T> Peter Johnson, 2310 Blackwillow Ln., Dallas, TX, 75249 George Nolan, 725 Valiant Cir., Garland, TX, 75043 Lyndi Cavett, 1212 Johnson, Denton, TX, 75205 Carleen Douget, 301 W. Las Colinas Blvd., Irving, TX, 750; Cynthia Pearson, 430 Buckingham Rd., Richardson, TX, 7! Mandalay Trudeay, 3448 Clouerdale Ln., Dallas, TX, 7523 Shelia Franzen, 631 Lake Point Dr., Irving, TX, 75039 W. C. Funderbunk, 3607 Bowser ct., Dallas, TX, 75219 Jordanna Ingram, 10315 Oak Gate Ln., Dallas, TX, 75217 Robert McNeely, 5 Vermont Ave., Midlothian, TX, 76065 Ed Meyer, 6015 Fox Point Trl., Dallas, TX, 75249 Kayleigh Hutchings, 107 Gentle Ridge Ln., Palmer, TX, 75 Gillian Parrillo, 3816 Bowser Ave., Dallas, TX, 75219 Katherine McGovern, 4364 Royal Ln., Dallas, TX, 75229 Matt Bach, 15746 Covewood Cir., Dallas, TX, 75248 Lara Thompson, 657 Clearwater Dr., Irving, TX, 75039 Wayne Thompson, 657 Clearwater Dr., Irving, TX, 75039 Eddie Morsal, 2343 Vagas St., Dallas, TX, 75219 Billie Henderson, 1910 Durham St., Irving, TX, 75062 Ross Kahn, 5125 Water Haven Ln., Plano, TX, 75093 Phil Leven, 1606 Hollywood Ave., Dallas, TX, 75208 Laurence Finman, 1500 Bear Creek Prwy., Euless, TX, 76 Timothy Jenkins, 3908 Long Meadow Ct., Plano, TX, 7507 Charles Havden, 4912 Haverwood Ln., Dallas, TX, 75287 Edward Hartmann, 5100 Bryan St., Dallas, TX, 75206 Angela Briles, 5100 Bryan St., Dallas, TX, 75206 Kiersten Kinser, 3504 Shadow Trl., Denton, TX, 76207 Anthony Martin, 2408 Kimberly Ln., Plano, TX, 75075 Erin Crowdus, 211 Murray Ln., Richardson, TX, 75080

Maria Bauer, 656 Clearwater Dr., Irving, TX, 75039

Liz Cougot, 635 Lake Point Dr., Irving, TX, 75039
Rachel Baker Ford, 3177 Knights Haven, Garland, TX, 750
Jody Conatser, 6826 Truxton Dr, Dallas, TX, 75231
Holly Matthew-Lee, 539 Northwest Hwy., Irving, TX, 75039
Randall Conatser, 6826 Truxton Dr., Dallas, TX, 75231
Corey Troiani, 1200 Camino Real, Fairview, TX, 75069
Brain Powell, 4701 W. Lovers Ln., Dallas, TX, 75209
Julie Schaar, 6834 Chantilly Ln., Dallas, TX, 75214
Dr. Lawrence Cottle, 5086 Matilda St., Dallas, TX, 75206
Betty Lou Winslow, 6611 Anita St., Dallas, TX, 75214
Ryan Haney, 4931 Bryan St., Dallas, TX, 75214
Jack Cooper, 1116 Greencove Ln., Richardson, TX, 75081

Staff Recommended SUP Conditions

a. IN GENERAL.

1. <u>USE</u>: The only use authorized by this specific use permit is gas drilling and production.

2. TIME LIMIT:

- (a) Except as provided, this specific use permit expires on (20 years from passage of ordinance), but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for (Note: the Code currently provides that automatic renewal. applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- (b) The Operator must notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.
- 3. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 4. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and all ordinance, rules, and regulations, including the gas drilling and production regulations, of the City of Dallas.

b. PLANS AND BASELINE ASSESSMENTS.

- 1. <u>SITE PLANS</u>: Use and development of the Property must comply with the attached:
 - (a) Drilling phase site plan; and
 - (b) Production site plan and landscaping plan.

- 2. <u>LANDSCAPING</u>: Landscaping must be provided as shown on the attached production site plan and landscape plan. Landscaping must be installed within six months after the first well is in production. Upon request, the building official may grant one six-month extension of time to install landscaping. A request for extension to install landscaping must be made in writing and within the initial six-month time period.
- 3. <u>FENCING</u>: Fencing must be provided as shown on the site plans. The fencing material must be vinyl coated chain link and the vinyl coating must be black.

4. AIR QUALITY MANAGEMENT AND MONITORING PLAN:

- (a) The Operator must provide an air quality management and monitoring plan (AQMM plan) to the gas inspector with the gas well permit application.
- (b) The AQMM plan must include:
 - (1) Measures and equipment the Operator will use to ensure that all site activities and equipment on the operation site comply with applicable emissions limits and all applicable laws relating to emissions.
 - (2) Monitoring techniques the Operator will use to measure for emissions to ensure compliance with applicable emissions limits and all applicable laws relating to emissions.
 - (3) A categorization of Environmental Protection Agency (EPA) Tier (Tier 0 to Tier 4) of all diesel equipment that will be used on the Property during each phase of the drilling and production use.

5. BASELINE ASSESSMENTS:

(a) AIR QUALITY:

- (1) The Operator must perform a baseline test of air quality on the operation site before gas drilling activities begin.
- (2) The baseline air quality test must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory.
- (3) The baseline test results must be provided to the gas inspector within 30 days after the baseline testing is conducted.

(b) SOIL.

- (1) Before drilling activities begin, soil sampling must be conducted to establish a baseline for site conditions.
- (2) A minimum of five soil sample must be collected at locations across the pad site, with at least two samples at or adjacent to the tank containment areas.
- (3) Soil samples must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum acceptable criteria for soil sampling include baseline study of Texas Railroad Commission guidance.
- (4) The soil sample baseline study results must include:
- (A) a description of the point samples and GPS coordinates of each location,
 - (B) planned equipment above the sampled area,
 - (C) methodology of sample collection,
 - (D) description of field conditions,
 - (E) summary of laboratory data results compared to the minimum acceptable soil sampling criteria,
 - (F) copies of all laboratory data sheets,
 - (G) drawings of sample points,
 - (H) areas where equipment is anticipated, and
 - (I) concentrations of the following compounds: TPH, benzene, toluene, ethyl benzene, and xylenes.
- (5) The soil sample baseline study results must be provided to the gas inspector within 30 days after the soil sampling is conducted.

(c) WATER.

(1) Except as provided in this paragraph, before commencing drilling activities on the Property, the Operator must provide a

written report of the baseline testing of all water wells within 2,000 feet of a well bore and all surface water within 750 feet of the well bore to the gas inspector.

(2) If the Operator documents to the satisfaction of the gas inspector that permission to access private property to conduct the required baseline testing is not granted, water baseline testing is not required for that well or water body.

6. SAMPLING AND ANALYSIS.

(a) AIR QUALITY SAMPLING:

- (1) Once drilling activities begin on the first well and through the first year of production on the first well, or the first year of processing, whichever is first, the Operator must conduct a monthly 24-hour sampling of airborne emissions at the operation site in accordance with the AQMM plan. If drilling, hydraulic fracturing, or flowback operations are being conducted in a sampling month, the air quality sampling must be conducted on a day when these activities are occurring. For purposes of this paragraph, processing means preparing the natural gas for sale.
- (2) The monthly samplings must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum sampling results must include benzene, toluene, ethylbenzene, xylenes, ozone, hydrocarbons (e.g. methanes, ethanes, propanes), nitrogen oxides, volatile organic compounds, sulfur dioxides, napthalenes, acroleins, and formaldehyde.
- (3) The Operator must provide a monthly report of the sampling results to the gas inspector. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous month to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits and applicable laws relating to emissions.
- (4) After the first year of production on the first well or the first year of processing, whichever is first, on the first well, the Operator must conduct semi-annual 24-hour sampling of airborne emissions at the operation site in accordance with the AQMM plan. One sampling must be in the summer months and one sampling must be in the winter months.
- (5) The semi-annual samplings must be collected and analyzed by a qualified third party using proper sampling and laboratory

protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum sampling results must include benzene, toluene, ethylbenzene, xylenes, ozone, hydrocarbons (e.g. methanes, ethanes, propanes), nitrogen oxides, volatile organic compounds, sulfur dioxides, napthalenes, acroleins, and formaldehyde.

- (6) The Operator must provide a report of the semi-annual sampling results to the gas inspector within 30 days after the sampling is conducted. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous month to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits and applicable laws relating to emissions.
- (7) If the operation site is out of compliance with applicable emissions standards at any time after the first year of production or processing, Operator must conduct monthly sampling and provide reports to the gas inspector until the operation site is in compliance with emissions standards for at least three consecutive months from the date of the last violation.

(b) NATURAL GAS.

- (1) Within 30 days after the first well enters production, a written extended natural gas analysis must be provided to the gas inspector.
- (2) The extended natural gas analysis must be performed by a qualified third party laboratory and must include findings for benzene and hydrocarbons.

7. NOISE MANAGEMENT PLAN.

- (a) Before the issuance of a gas well permit for the first gas well, the Operator must submit a noise management plan to the gas inspector.
- (b) The noise management plan must:
 - (1) Identify gas drilling and production use operation noise impacts.
 - (2) Provide written documentation of a continuous 72-hour study establishing the ambient noise levels before drilling activities begin at the Property. The continuous 72-hour study establishing the ambient noise levels before drilling activities

- begin must include at least one 24-hour reading during either a Saturday or Sunday.
- (3) Detail how noise impacts will be mitigated considering specific site characteristics, including the location of the site, proximity and type of adjacent development, seasonal prevailing weather patterns including wind directions, vegetative cover on or adjacent to the site, and topography of the site.
- 8. <u>PERMITS</u>: The building official may not issue a certificate of occupancy for gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, or city agencies.

9. <u>PIPELINE MAPS</u>:

- (a) Before the issuance of the first gas well permit, a pipeline map showing the location of the nearest gathering station in the City of Dallas and the alignment of the pipelines from the operation site to the gathering stations within the City of Dallas must be submitted to the gas inspector.
- (b) Within 60 days after completion of pipeline construction, as-built or record drawings of the pipelines within the City of Dallas must be provided to the gas inspector. A record drawing must meet the field note guidelines of the City of Dallas Public Works and provide a minimum of two GPS coordinates of the pipeline location. The scale of the record drawings must be a minimum of one inch to 40 feet.
- 10. <u>TRAFFIC PLAN</u>: A map showing truck routes must be submitted to and approved by the gas inspector before the issuance of the gas well permit. The mapped truck route must use the shortest route to a state or federal roads. The gas inspector may approve a temporary alternate route when necessary due to road closure.
- 11. <u>WATER PLAN</u>: At least 10 days before drilling activities begin on a well, the Operator must disclose in writing to the gas inspector the anticipated quantity, source, and disposal method for water used during the fracturing process.

c. <u>OPERATIONS.</u>

1. <u>AIR QUALITY COMPATIBILITY MEASURES</u>: The gas drilling and production use has been evaluated for its probable land use effects on adjacent properties. The following conditions help ensure that this gas drilling and production use is more compatible with surrounding land uses:

(a) <u>ENGINES</u>. Electric motors are encouraged during all gas drilling and production phases.

(b) <u>VAPOR RECOVERY</u>.

- (1) After fracturing is completed on a well, the Operator must employ appropriate equipment and processes to minimize natural gas and associated vapor release.
- (2) All salable gas must be directed to the sales line as soon as practicable or shut in.
- (3) All wells that have a sale pipeline must use reduced emission completion techniques and methods in accordance with all applicable.
- (4) Vapor recovery equipment is required for tanks and tank batteries in accordance with all applicable laws.
- 2. <u>CLOSED LOOP SYSTEM</u>: All operations must be conducted on a closed loop system.

DUST, VIBRATIONS, AND ODORS:

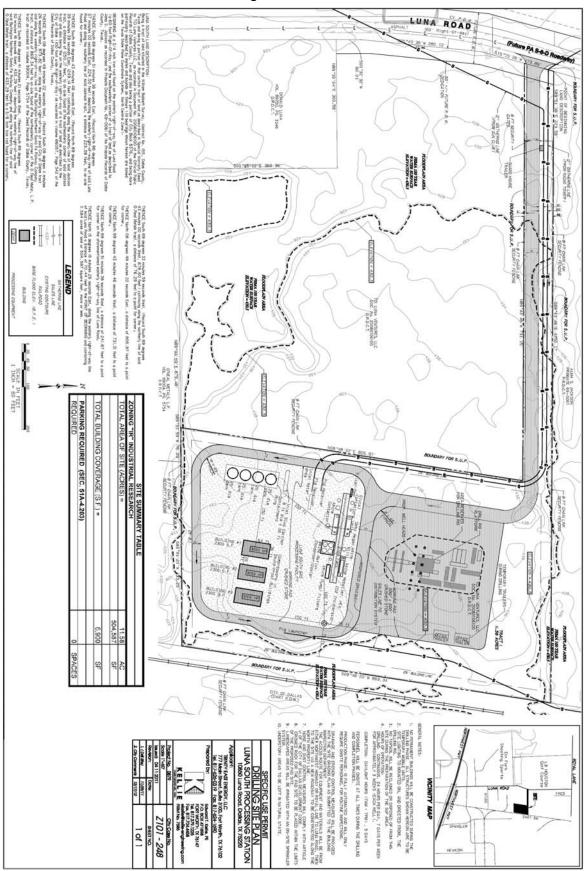
- (a) The Operator must conduct drilling and production activities, including vehicular traffic, in a manner that minimizes dust, vibration, and odors consistent with the best practices of the industry.
- (b) Brine water, sulphur water, or water with any type of hydrocarbon may not be used for dust suppression.
- 4. <u>MANEUVERING SURFACE</u>: Vehicle maneuvering surfaces must be gravel or a similar material and must be located as shown on the site plans.

5. <u>MATERIAL SAFETY DATA SHEET (CHEMICAL DISCLOSURE FORM)</u>:

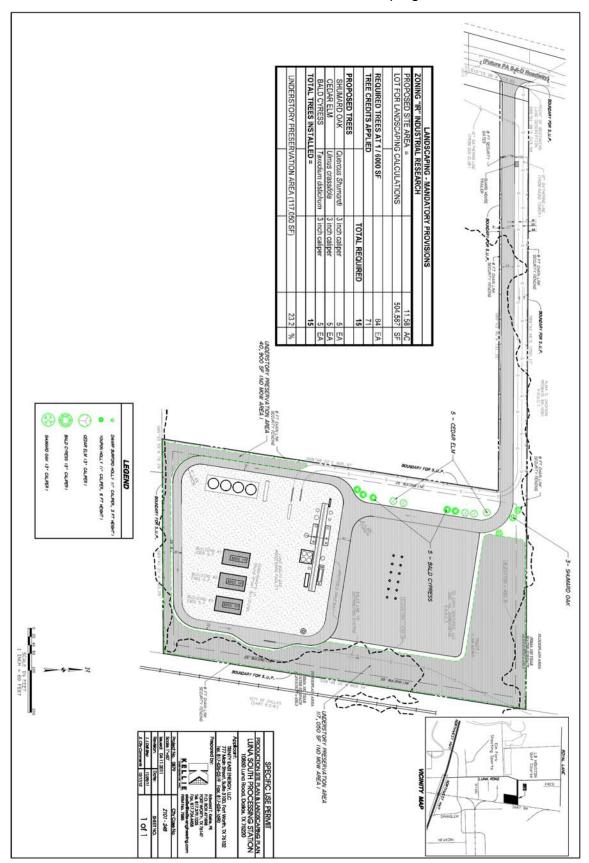
- (a) Operator must provide to the gas inspector the chemical disclosure registry form it is required to upload on the Chemical Disclosure Registry in accordance with Title 16. Texas Administrative Code. Section 3.29.
- (b) The chemical disclosure form must be provided to the inspector the same day it is uploaded to the Chemical Disclosure Registry and must include all of the information required in Title 16, Texas Administrative Code, Section 3.29

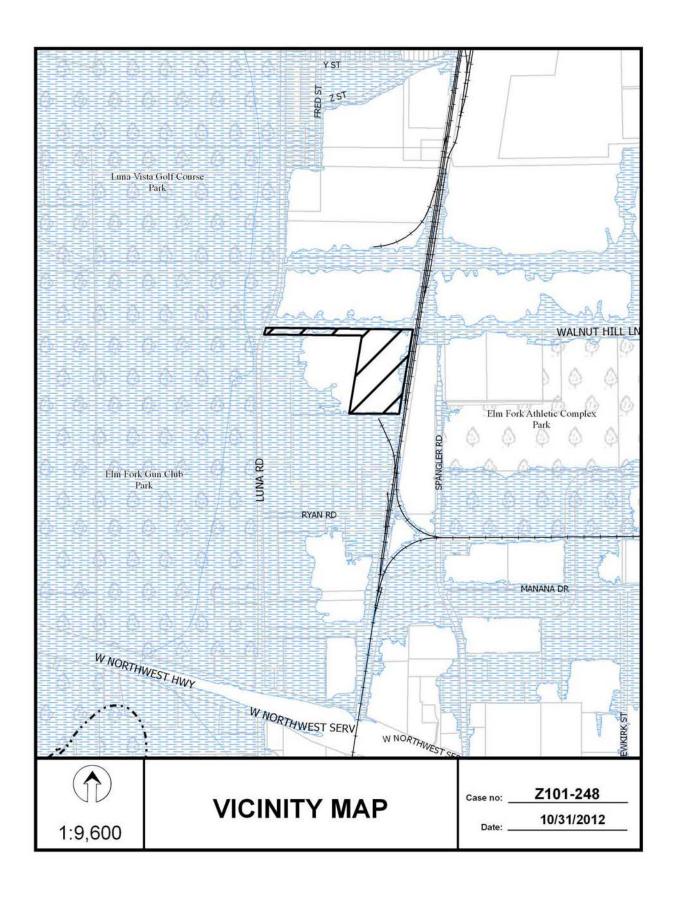
- 6. <u>ON-SITE WASTE STORAGE</u>: Drilling mud, cuttings, liquid hydrocarbons, and all other field waste derived or resulting from the drilling or re-working of any well must be discharged into an above-ground self-contained storage tank.
- 7. MAXIMUM NUMBER OF WELLS: The maximum number of wells is 12.

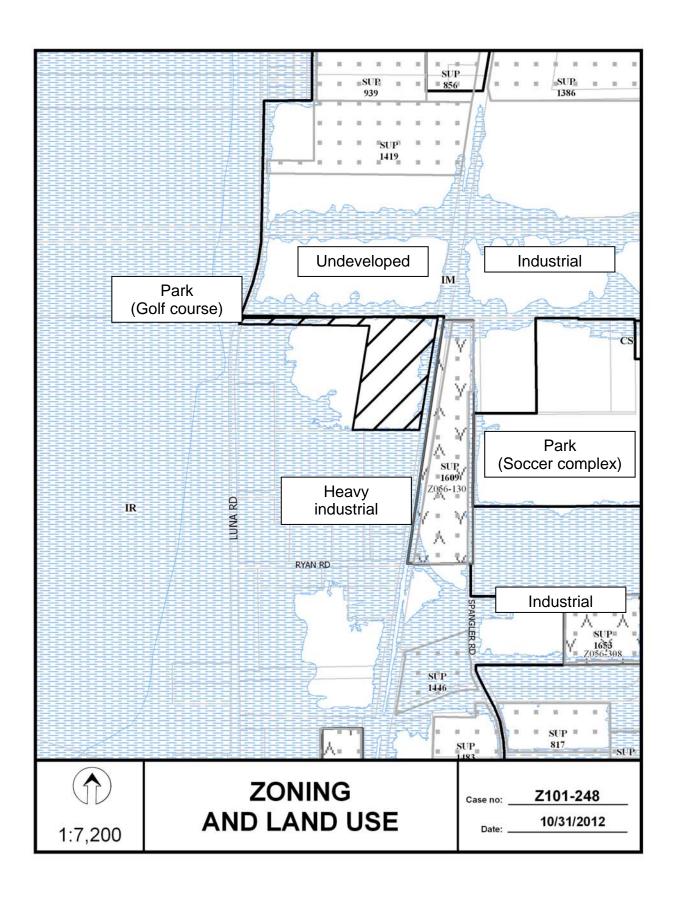
Drilling Phase Site Plan

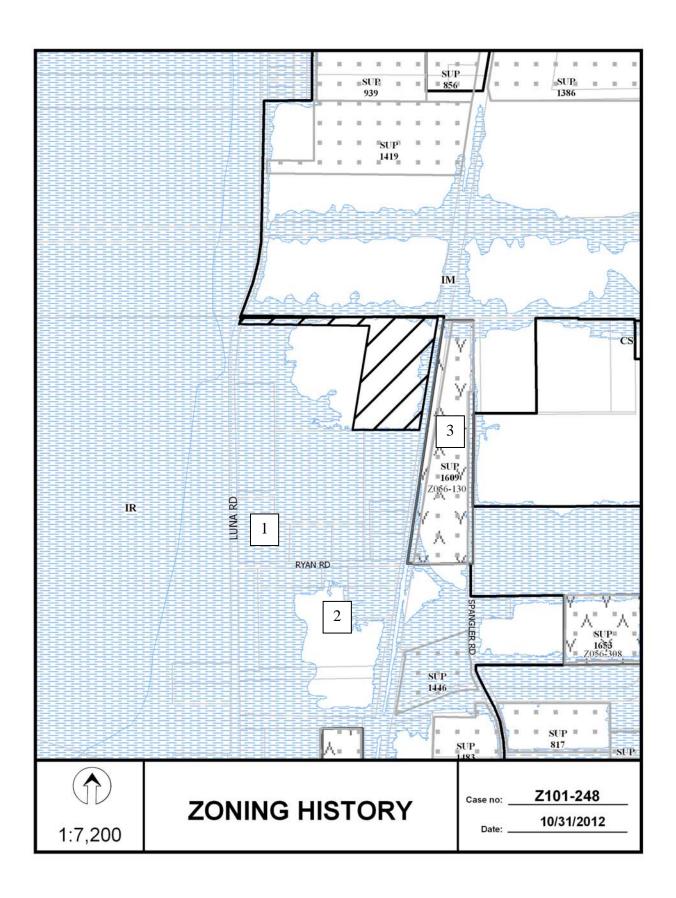


Production Phase Site and Landscaping Plan









CPC Responses



3/22/2013

Reply List of Property Owners Z101-248

18 Property Owners Notified 1 Property Owners in Favor 1 Property Owners Opposed

Reply Label # Ad		Addres	S	Owner	
	1	10900	LUNA RD	JACKSON ALMA S ET AL	
	2	1885	RYAN RD	ONEAL METALS LP	
	3	10850	LUNA RD	TCI LUNA VENTURES LLC	
	4	2300	GRAND AVE	BNSF RAILWAY	
	5	10830	SPANGLER RD	INTERFIRST BANK DALLAS	
	6	10801	SPANGLER RD	WEIR BROTHERS PRTNRS LLC	
Ο	7	10940	SPANGLER RD	PROFFIT VAUGHN & ANNETTE	
	8	2030	WALNUT HILL LN	GANESH GROUP INC THE	
	9	10910	LUNA RD	TEXAS UTILITIES ELEC CO	
	10	2101	WALNUT HILL LN	JACKSON ALMA S ET AL	
	11	2101	WALNUT HILL LN	WASHMON ENTERPRISES INC	
	12	1891	RYAN RD	DALLAS TUBE PS	
X	13	10850	LUNA RD	LUNA VANOD B TRUST PART M	
	14	1865	RYAN RD	ONEAL METALS LP	
	15	10848	LUNA RD	ONEAL METALS LP	
	16	10848	LUNA RD	ONEAL STEEL BLDGS CO	
	17	1839	RYAN RD	NILCO ENTERPRISES INC	
	18	10808	LUNA RD	PARNIAN CHARLIE	

AGENDA ITEM #86

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 670-9195

MAPSCO: 44 G; H

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the expansion of Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned an IR Industrial Research District on the west side of Market Center Boulevard, north of Turtle Creek Boulevard

<u>Recommendation of Staff and CPC</u>: <u>Approval</u>, subject to conditions Z123-204(MW)

Note: This item was considered by the City Council at a public hearing on August 14, 2013, and was taken under advisement until August 28, 2013, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-204(MW) DATE FILED: February 11, 2013

LOCATION: West side of Market Center Boulevard, north of Turtle Creek Boulevard

COUNCIL DISTRICT: 6 MAPSCO: 44-G; H

SIZE OF REQUEST: ±5.9 acres CENSUS TRACT: 100.00

REPRESENTATIVE: Karl Crawley, Masterplan

APPLICANT/OWNER: 1931 Market Center Boulevard, LLC

REQUEST: An application to expand Subdistrict 1 of Planned

Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned an IR

Industrial Research District

SUMMARY: The applicant intends to redevelop the site with ±400

multifamily units with the flexibility to allow for retail uses at

street level.

CPC RECOMMENDATION: Approval, subject to conditions

STAFF RECOMMENDATION: Approval, subject to conditions

BACKGROUND INFORMATION:

- The ±5.9-acre request site is developed with office showroom/warehouse uses.
- The request site is surrounded by multifamily residential to the north, undeveloped land to the east and the Old Trinity River channel to the south and west.

Zoning History:

- 1. **Z112-291:** On February 13, 2013, the City Council denied without prejudice a new subdistrict and a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621.
- **2. Z112-283:** On October 10, 2012, the City Council approved a new subdistrict on property zoned a Subdistrict 1A within Planned Development District No. 621.
- 3. Z067-296: On November 12, 2007, the City Council approved an expansion of Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on property zoned an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing ROW
Market Center Boulevard	Principal arterial	100 feet
Turtle Creek Boulevard	Minor arterial	130 feet

Land Use:

	Zoning	Land Use		
Site	IR	Office showroom/warehouse		
North	PDD No. 621, Subdistrict 1	Multifamily		
East	MU-3	Undeveloped		
South	PDD No. 621, Subdistrict 1	Old Trinity River channel		
West	PDD No. 621, Subdistrict 1	Old Trinity River channel		

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as within an *Urban Mixed Use* Building Block. This building block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

The request complies with the following land use goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.1 Focus economic development efforts on revitalization of the Trinity River Corridor.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

The ±5.9-acre request site is developed with office showroom/warehouse uses. The applicant intends to redevelop the site with ±400 multifamily units with the flexibility to allow for retail uses at street level.

The request site is surrounded by multifamily residential to the north, undeveloped land to the east and the Old Trinity River channel to the south and west.

The applicant considers the project intended for the request site as phase two of the multifamily residential development adjacent to the north. In 2007, the zoning on the adjacent site was changed from an IR Industrial Research District to Subdistrict 1 of Planned Development District No. 621 (Z067-296). While historically industrial in nature, the general area is beginning to transition towards mixed use development. The applicant's request will allow the site to be redeveloped with a mixed use project consistent with the vision for this area.

Development Standards:

DISTRICT	SETBACKS Front Side/Rear		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed							
PDD 621 Subdistrict 1	0,	0'	4.0 FAR	130'	100%	Height bonus, tower orientation & size	Retail, multifamily, industrial, warehouse

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

Parking:

PDD No. 621 requires a minimum of one-and-one-half space per dwelling unit for a multifamily use and one space per 275 square feet of floor area for a general merchandise or food store or personal service use.

Landscaping:

Landscaping will be required per Planned Development District No. 621.

Conditions:

If the applicant's request is approved, the conditions of Planned Development District No. 621 will apply to the request site. The PDD does not require CPC approval of a development plan. The applicant does not propose any changes to the PDD requirements; PDD No 621 conditions are provided within this report for reference.

CPC Action: June 6, 2013:

Motion: It was moved to recommend approval of an expansion of Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, subject to conditions on property zoned an IR Industrial Research District on the west side of Market Center Boulevard, north of Turtle Creek Boulevard.

Maker:

Wally

Second:

Shellene

Result:

Carried: 12 to 0

For: 12 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley,

Lavallaisaa, Tarpley, Shellene, Schwartz, Ridley, Alcantar

Against:

0

Absent:

3 - Davis, Bernbaum, Wolfish

Vacancy:

0

Notices: Replies:

Speakers:

Area:

500

8

Mailed:

Against:

40 1

lies: For:

None

Z123-204(MW)

List of Partners/Principals/Officers:

OWNER: 1931 Market Center Boulevard, LLC

Nicholas Chapman, Partner Kristopher Kashata, Vice President and Partner

ARTICLE 621.

PD 621.

Old Trinity and Design District Special Purpose District

SEC. 51P-621.101. LEGISLATIVE HISTORY.

PD 621 was established by Ordinance No. 25013, passed by the Dallas City Council on August 28, 2002.

SEC. 51P-621.102. PROPERTY LOCATION AND SIZE.

PD 621 is established on property generally bounded by Sylvan Avenue/Wycliff Avenue on the northwest, the meanders of the old channel of the Trinity River on the north, Interstate 35 on the east, Continental Avenue on the south, and the Trinity River Floodway on the west. The size of PD 621 is approximately 415.13 acres.

SEC. 51P-621.102.1. CREATION OF SUBDISTRICTS.

- (a) Name. This special purpose district is to be known as the Old Trinity and Design District Special Purpose District.
 - (b) Creation of subdistricts.
- (1) This special purpose district is divided into five subdistricts. Exhibit 621A describes the boundaries of each subdistrict. The map labeled Exhibit 621B shows the boundaries of each subdistrict. In case of a conflict, the verbal description in Exhibit 621A controls over the map in Exhibit 621B.
- (2) Subdistricts 1, 1A, 1B, 1C, 1D are transit-oriented, mixed-use zoning districts for the development of combinations of medium-density residential, retail, and office uses. Development should encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage. Subdistricts 1, 1A, 1B, 1C and 1D retain the potential for limited industrial and warehouse uses.
- (3) Subdistrict 2 is for MU-3 Mixed Use District uses, bus or rail transit vehicle maintenance or storage facility uses, and commercial bus station and terminal uses.

SEC. 51P-621.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. The following definitions apply to this special purpose district:
- (1) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

- (2) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.
- (3) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.
- (3.1) BEER OR WINE MANUFACTURING means an enclosed facility that processes and manufactures alcoholic beverages. This use does not include the processing or manufacturing of distilled spirits.
- (4) BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY means a facility for the maintenance, repair, or storage of bus, rail, or other transit vehicles, including the following accessory uses: sleeping facilities for bus, rail or transit vehicle drivers, vehicle paint and body shop, vehicle washing, vehicle fueling facilities, sanitary hoppers, oil storage, package express services, bus charter sales, offices, training facilities, vehicle storage, vehicle sales, and communication antennas.
- (5) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground upon maturity.
- (6) DUMPSTER means a movable container holding two cubic yards or more of garbage.
- (7) FACADE means any separate face of a building that is visible from a street, alley, or railbed.
- (8) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in the floor area of an original building if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, and over 75 percent for residential projects.
- (9) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty pariors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.
- (10) MEANDERS OF THE OLD TRINITY RIVER CHANNEL means the old Trinity River channel within this special purpose district, as shown on the map labelled Exhibit 621C.

- (11) MIXED USE PROJECT means a development, on a single building site, that contains more than one use.
- (12) NEW CONSTRUCTION means construction of a main structure that is not an original building.
- (13) OPENING means a door, window, passageway, or any other similar architectural feature through which light or solid objects may pass.
- (14) ORIGINAL BUILDING means a structure existing on the date of the establishment of this special purpose district, but does not include a structure that has undergone a major modification.
- (15) OUTSIDE SEATING means the area between an omitted wall line and the structural wall when the area is used solely for seating of patrons.
- (16) PIERCING SALON means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.
 - (17) RAILBEDS means the areas shown on the map labeled Exhibit 621D.
- (18) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.
- (19) WALKING DISTANCE means the distance from the nearest point of a parking lot to the nearest public entrance of a main use, measured along the most convenient pedestrian walkway.
- (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 special purpose district is considered to be a mixed use zoning district.
 - (d) The following rules apply in interpreting the use regulations in this article:
- (1) The absence of a symbol appearing after a listed use means that the use is permitted by right.
- (2) The symbol [L] appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218. "Limited Uses.")
- (3) The symbol [SUP] appearing after a listed use means that the use is permitted by specific use permit only.
- (4) The symbol [DIR] appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan

Review." ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol [RAR] appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800, "Development Impact Review.")

SEC. 51P-621.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 621A: property and subdistrict descriptions.
- (2) Exhibit 621B: subdistrict map.
- (3) Exhibit 621C: meanders of the Old Trinity River channel.
- (4) Exhibit 621D: existing railbeds.
- (5) Exhibit 621E: list of native plants.
- (6) Exhibit 621F: the Old Trinity and Design District woonerf—living streets conceptual plan.
- (7) Exhibit 621G: tower diagrams for Subdistrict 1A.
- (8) Exhibit 621H: tower orientation.

SEC. 51P-621.104. CONCEPTUAL PLAN.

There is no conceptual plan for this special purpose district.

SEC. 51P-621.105. DEVELOPMENT PLAN.

- (a) Except as otherwise provided in this article, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.
- (b) Development of the railbeds as woonerf, as described in Exhibit 621F, is encouraged. The provisions of Exhibit 621F are not required.

SEC. 51P-621.106. MAIN USES PERMITTED.

- (a) Subdistricts 1, 1A, 1B, 1C and 1D.
 - (1) Agricultural uses.

None permitted.

- (2) Commercial and business service uses.
- -- Building repair and maintenance shop. [RAR]
- -- Catering service.
- -- Commercial cleaning or laundry plant. [SUP]
- -- Custom business services.
- -- Custom woodworking, furniture construction, or repair.
- -- Electronics service center.
- -- Job or lithographic printing. [RAR]
- -- Labor hall. [SUP]
- -- Machine or welding shop. [RAR]
- -- Medical or scientific laboratory.
- -- Technical school.
- -- Tool or equipment rental.
- (3) Industrial uses.
- -- Beer or wine manufacturing. [Limited to Subdistrict 1C and 1D]
- -- Industrial (inside) for light manufacturing.
- -- Industrial (inside). [RAR]
- -- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]
 - (4) Institutional and community service uses.
 - -- Adult day care facility.
 - -- Child-care facility.
 - -- Church.
 - -- College, university, or seminary.
 - -- Community service center. [SUP]
 - -- Convent or monastery.
 - -- Halfway house. [SUP]
 - -- Hospital. [RAR]
 - -- Library, art gallery, or museum.
 - -- Open-enrollment charter school. [SUP]
 - -- Private school other than open-enrollment charter school. [SUP]
 - -- Public school other than open-enrollment charter school. [SUP]
 - (5) Lodging uses.
 - -- Hotel or motel. [RAR]
 - -- Lodging or boarding house. [SUP]
 - (6) Miscellaneous uses.
 - -- Carnival or circus (temporary). [By special authorization of the building
 - -- Temporary construction or sales office.
 - (7) Office uses.

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- -- Financial institution without drive-in window.
- -- Financial institution with drive-in window. [SUP, except with RAR only for lots adjacent to Oak Lawn Avenue, Market Center Boulevard, or Turtle Creek Boulevard.]
 - -- Medical clinic or ambulatory surgical center.
 - -- Office.

(8) Recreation uses.

- -- Country club with private membership.
- -- Private recreation center, club, or area.
- -- Public park, playground, or golf course.

(9) Residential uses.

- -- College dormitory, fraternity, or sorority house. [SUP]
- -- Duplex.
- -- Group residential facility. [SUP required if the spacing component of Section 51A-4.209(3) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District.]
- -- Handicapped group dwelling unit. [SUP required if the spacing component of Section 51A-4.209(3.1) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District.]
 - -- Multifamily.
 - -- Retirement housing. [SUP]
 - -- Single family.

(10) Retail and personal service uses.

- -- Alcoholic beverage establishments. [SUP. See Section 51A-4.210(b)(4).]
- -- Ambulance service. [RAR]
- -- Animal shelter or clinic without outside run. [RAR]
- -- Animal shelter or clinic with outside run. [SUP]
- -- Antique shop.
- -- Art gallery.
- -- Art or craft production facility. [Limited to 5,000 square feet or less of floor

area.]

- -- Auto service center. [SUP]
- -- Billiard hall. [SUP]
- -- Bingo parlor. [SUP]
- -- Business school.
- -- Car wash. [SUP]
- -- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District. Class E dance halls, as defined in Chapter 14 of the Dallas City Code, are not permitted. Billiard hall by SUP only. Bingo parlor by SUP only.]
 - -- Commercial parking lot or garage.
 - -- Dry cleaning or laundry store.
 - -- Furniture store.
 - -- General merchandise or food store 3,500 square feet or less.
 - -- General merchandise or food store greater than 3,500 square feet.
 - -- Home improvement center, lumber, brick, or building materials sales yard.
 - -- Household equipment and appliance repair.

- -- Liquor store.
- -- Massage establishment. [SUP]
- -- Mortuary, funeral home, or commercial wedding chapel.
- -- Motor vehicle fueling station. [SUP]
- -- Nursery, garden shop, or plant sales.
- -- Outside sales. [SUP]
- -- Personal service uses.
- -- Piercing salon. [SUP]
- -- Restaurant without drive-in or drive-through service.
- -- Restaurant with drive-in or drive-through service. [SUP]
- -- Swap or buy shop. [SUP]
- -- Taxidermist.
- -- Tattoo studio. [SUP]
- -- Temporary retail use.
- -- Theater. [Limited to 1,000 seats or fewer.]
- -- Truck stop. [SUP]
- -- Vehicle display, sales, and service. [SUP]
- (11) Transportation uses.
- -- Heliport. [SUP]
- -- Helistop, [SUP]
- -- Railroad passenger station. [SUP]
- -- Transit passenger shelter.
- -- Transit passenger station or transfer center. [By SUP or city council

resolution.]

- (12) Utility and public service uses.
- -- Electrical substation.
- -- Local utilities.
- -- Police or fire station.
- -- Post office.
- -- Radio, television, or microwave tower. [RAR]
- -- Tower/antenna for cellular communication.
- -- Utility or government installation other than listed. [SUP]
- (13) Wholesale, distribution, and storage uses.
- -- Auto auction. [SUP]
- -- Contractor's maintenance yard. [RAR]
- -- Mini-warehouse. [SUP, except with RAR only if all on-site circulation is internal to the structure.]
 - -- Office showroom/warehouse.
- -- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
 - -- Trade center.
 - -- Warehouse.
 - (b) Subdistrict 2.

- (1) Except as otherwise provided in this subsection, the uses permitted in this subdistrict are the same as those uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this special purpose district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this special purpose district; etc.
- (2) The following use is permitted in this subdistrict subject to residential adjacency review:
 - -- Bus or rail transit vehicle maintenance or storage facility. [RAR]
 - (3) The following use is permitted in this subdistrict by specific use permit only:
 - -- Commercial bus station and terminal. [SUP]

SEC. 51P-621.107. ACCESSORY USES.

- (a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, see Section 51A-4.217.
 - (b) The following accessory uses are not permitted in Subdistricts 1, 1A, 1B, 1C and 1D.
 - -- Accessory medical/infectious waste incinerator.
 - -- Accessory pathological waste incinerator.
 - -- Amateur communications tower.
 - -- Day home.
 - -- General waste incinerator.
 - -- Private stable.
- (c) Except as otherwise provided in this section, accessory uses in Subdistrict 2 must comply with the accessory use regulations applicable to the MU-3 Mixed Use District.
 - (d) The following accessory uses are permitted by SUP only:
 - -- Accessory outside storage. [SUP]
 - -- Pedestrian skybridges. [SUP]

SEC. 51P-621.108. CREATION OF A BUILDING SITE.

- (a) The building official shall not issue a certificate of occupancy or a building permit until:
- (1) a building site has been established under Section 51A-4.601, "Creation of a Building Site"; or
- (2) the yard, lot, and space requirements of a lot or parcel can be determined from property lines described in deed records. (Ord. 25013)

SEC. 51P-621.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

- (a) Subdistricts 1, 1A, 1B, 1C and 1D.
 - (1) Front yard. No minimum front yard.
 - (2) Side and rear yard. No minimum side or rear yard.
 - (3) Density. No maximum density.
 - (4) Floor area.
 - (A) For Subdistricts 1, 1A, 1C and 1D, maximum floor area ratio is 4.0.
 - (B) For Subdistrict 1B, maximum floor area is 449,316 square feet.
 - (5) Height. Except as provided in this subsection, maximum height is:
- (A) 150 feet for buildings having an FAR for residential uses of 0.5 or more; and
 - (B) 130 feet for all other buildings and structures.
- (5.1) Height bonuses for Subdistricts 1A, 1B and 1D. One or more of the following height bonuses may be combined to achieve a maximum building height of 270 feet:
- (A) Tower size and orientation. Building height may be increased a maximum of 60 feet if (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B.):
 - (i) in Subdistrict 1A and 1D.

(aa) the portion of the building above 75 feet in height has a floor plate of 12,500 square feet or less; and

(bb) the tower dimension perpendicular to the east Trinity River levee is at least three times longer than the tower dimension parallel to the east Trinity River levee (tower dimension is measured at the widest point of the building facade).

(ii) in Subdistrict 1B:

(aa) the portion of the building above 75 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 621H;

and

(cc) the longer tower dimension is at least three times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

- (B) Street-level parking structure concealment. Building height may be increased a maximum of 36 feet if:
- (i) the building has street-level office showroom/warehouse, office, restaurant, or residential uses that conceal 100 percent of the street-level parking structure facade; and
- (ii) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(C) LEED rating.

(i) Building height may be increased a maximum of 12 feet if the building is eligible for silver, gold, or platinum designation under the United States Green Building Leadership in Energy and Environmental Design (LEED) rating system.

(ii) Determination of eligibility.

(aa) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation. The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services.

(bb) Before the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(cc) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(dd) The checklist, certified development plans, and any supporting documents and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified designation.

- (D) Pedestrian amenities. Building height may be increased a maximum of 12 feet if the building achieves 25 points under Paragraph 51P-621.113(c)(3).
 - (6) Building site coverage.
- (A) Except as provided in this paragraph, maximum building site coverage is 100 percent.

- (B) For Subdistricts 1A and 1B, any portion of a building that is above 75 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B.).
 - (7) Building site size. No minimum building site size.
 - (8) Stories. No maximum number of stories.
 - (b) Subdistrict 2.
- (1) Except for a bus or rail transit vehicle maintenance or storage facility, the yard, lot, and space regulations applicable to the MU-3 Mixed Use District, as amended, apply to this subdistrict.
- (2) The following yard, lot, and space regulations apply to bus or rail transit vehicle maintenance or storage facility uses:
 - (A) Front yard. No minimum front yard.
 - (B) Side and rear yard. No minimum side or rear yard.
 - (C) Density. No maximum density.
 - (D) Floor area. Maximum floor area ratio (FAR) is 4.0.
 - (E) Height. Maximum structure height is 200 feet.
- (F) Building site coverage. Maximum building site coverage is 100 percent.
 - (G) Building site size. No minimum building site size.
 - (H) Stories. No maximum number of stories.

SEC. 51P-621.110. OFF-STREET PARKING AND LOADING.

- (a) General requirements applicable to all subdistricts.
- (1) Except as otherwise provided in this section, off-street parking and loading must be provided in compliance with Division 51A-4.300, "Off-Street Parking and Loading Regulations." In the event of a conflict between this section and Division 51A-4.300, this section controls.
- (2) If several uses are located on a single building site, the off-street parking requirement is the sum of the requirements for each use, and off-street parking spaces for one use may not be counted toward the off-street parking requirement of another use, except as otherwise provided in this section.
- (3) If more than 10 off-street parking spaces are required, handicapped parking must be provided pursuant to Section 51A-4.305, "Handicapped Parking Regulations."

- (b) Subdistricts 1, 1A, 1B, 1C and 1D.
- (1) Except for the uses listed below, consult the use regulations in Division 51A-4.200, "Use Regulations," for the specific off-street parking requirements for each use.
- (A) Alcoholic beverage establishment. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the alcoholic beverage establishment. Outside seating may not be converted to interior floor area unless the additional required parking is provided.
 - (B) Antique shop. One space per 600 square feet of floor area.
 - (C) Art gallery. One space per 600 square feet of floor area.
- (D) Art or craft production facility. One space per 1,000 square feet of floor area.
- (E) Beer or wine manufacturing. One space per 600 square feet of floor area.
 - (F) Dance hall. One space per 25 square feet of floor area.
 - (G) Duplex.
 - (i) One space per dwelling unit with one or fewer bedrooms.
 - (ii) Two spaces per dwelling unit with more than one bedroom.
- (iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.
 - (H) Furniture store. One space per 1.000 square feet of floor area.
- (I) General merchandise or food store 3,500 square feet or less. One space per 275 square feet of floor area.
- (J) General merchandise or food store greater than 3,500 square feet. One space per 275 square feet of floor area.
 - (K) Multifamily.
 - (i) One-and-one-half spaces per dwelling unit.
- (ii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.
 - (L) Office. One space per 358 square feet of floor area.
- (M) Office showroom/warehouse. One space per 1,100 square feet of floor area up to 20,000 square feet, and one space per 4,100 square feet of floor area over 20,000 square feet.

area.

- (N) Personal service uses. One space per 275 square feet of floor area.
- (O) Restaurant. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the restaurant. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(P) Single family.

- (i) One space per dwelling unit with one or fewer bedrooms.
- (ii) Two spaces per dwelling unit with more than one bedroom.
- (iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(2) Parking reductions.

- (A) Bicycle parking. The off-street parking requirement for nonresidential uses located within 600 feet of the centerpoint of the intersection of Slocum Street and Cole Street may be reduced by 10 percent if:
- (i) one five-bicycle parking stand for each 100 feet of street frontage is provided in the front yard of the building site; and
- (ii) a minimum 12-foot-wide pedestrian and bicycle path is provided to link the building site with a DART light rail station.
- (B) Employment centers adjacent to shuttle or bus stops. The following uses may provide off-street parking as specified if the use is within 1,000 feet of a shuttle stop or bus stop that provides a direct link to the Victory rail transit station or the Market Center rail transit station and if the use has 75,000 or more square feet of floor area:
 - (i) Industrial (inside). One space per 750 square feet of floor
 - (ii) Office. One space per 450 square feet of floor area.
- (C) On-street parking. On-street parking spaces adjacent to a building site may be credited toward the off-street parking requirement of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. On-street parking must be striped in accordance with standard city specifications.
- (i) Head-in parking. One head-in parking space may be credited for each nine feet of frontage of the building site. Angled head-in parking must be angled more than 60 degrees but less than 90 degrees to the curb. The closest point of any angled head-in parking space may not be located closer than 10 feet to any perpendicular (90 degree) head-in parking space.
- (ii) Parallel parking. One parallel parking space may be credited for each 22 feet of frontage of the building site.

(D) Special exception. The board of adjustment may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in Section 51A-4.311. The board of adjustment may impose conditions on the special exception.

(3) Delta theory.

- (A) Except as otherwise provided in this paragraph, see Section 51A-4.704(b)(4). In the event of a conflict between this paragraph and Section 51A-4.704(b)(4), this section controls.
- (B) The right to carry forward nonconforming parking and loading spaces does not terminate.

(4) Special parking.

- (A) In general. Except as otherwise provided in this paragraph, see Division 51A-4.320, "Special Parking Regulations."
- (B) Special parking allowed. Except as specifically modified in this section, required off-street parking may be special parking.
 - (C) Remote parking for nonresidential uses.
- (i) Required off-street parking for nonresidential uses may be remote parking.
- (ii) Remote parking for nonresidential uses must be located within 1,000 feet of the use served by the remote parking. The building official may extend the distance for remote parking to no more than 1,500 feet if a shuttle from the remote parking is provided. A license is required to authorize an extension of distance beyond 1,500 feet.
- (iii) Remote parking lots must meet on-site parking landscape requirements.
 - (iv) Parking located in a railbed may be used as remote parking.
- (D) Shared parking. Except for residential uses in Subdistrict 1B, if more than one type of use is located on a building site, all uses on the building site must share parking. Table 1 must be used to calculate the required off-street parking spaces when parking is shared. The number of off-street parking spaces that must be provided for the development is the largest number of spaces required under any of the five time-of-day columns. For example, in the morning, a development with residential and office uses must provide 80 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. A similar calculation must be performed for each time of day. If the number of spaces required in the morning is greater than the number of spaces required during any other time of day, then the number of spaces required in the morning must be provided. Likewise, if the number of spaces required in the late

afternoon is greater than the number of spaces required during any other time of day, then the number of spaces required in the late afternoon must be provided.

Table 1: Shared Parking Table

(For calculating the parking requirement for shared parking)

	%	%	%	%	%
Use Category	<u>Morning</u>	<u>Noon</u>	Afternoon	Late Afternoon	<u>Evening</u>
Residential	80	60	60	70	100
Office-related	100	80	100	85	35
Retail-related	60	75	70	65	70
Bar and Restaurant	20	100	30	30	100
Warehouse/showroom	100	75	100	65	35
All other	100	100	100	100	100

(5) Cash in lieu of required parking. A property owner may make a one-time cash payment to the Old Trinity and Design District Parking Fund in lieu of providing required parking for a use in an original building. The amount of the payment is calculated by using the following formula:

National median cost per square foot x 350 x Dallas cost index x Number of required spaces not

provided x .75 = Payment required

where "national median cost per square foot" is the national median cost per square foot of a parking space in a parking garage. Both the "national median cost per square foot" and the "Dallas cost index" must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director. The department shall administer a city account to be known as the Old Trinity and Design District Parking Fund. Funds from the Old Trinity and Design District Parking Fund must be used only for the acquisition or construction of parking garages or other parking improvements within Subdistricts 1, 1A, 1B, and 1C, and 1D. The payment into the Old Trinity and Design District Parking Fund is due at the time of application for a building permit.

- (6) Fees for required parking. Fees may be charged for use of required parking.
- (c) Subdistrict 2. The off-street parking requirement for a bus or rail transit vehicle maintenance or storage facility is one space per 1,500 square feet of floor area. For all other uses, consult the use regulations contained in Division 51A-4.200, "Use Regulations," for the specific off-street parking/loading requirements for each use.

SEC. 51P-621.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-621.112. LANDSCAPING.

- (a) General requirements applicable to all subdistricts.
- (1) Required tree species. All required trees must be from the following list of Texas native species:

Z123-204(MW)

Scientific name Common name Aesculus glaba v. arguta Texas buckeve Aesculus pavia Red buckeye Bumelia lanuginosa Woolly-bucket bumelia Carva illinoinensis Pecan Carva texana Black hickory Cercis canadensis v. Canadensis Eastern redbud Diospyros virginiana Common persimmon llex decidua Deciduous holly llex vomitoria Yaupon holly Juglans nigra Black walnut Juniperus virginiana Eastern red cedar Morus rubra Red mulberry Myrica cerifera Wax myrtle Prunus mexicana Mexican plum Quercus macrocarpa Bur oak Quercus marilandica Blackjack oak Quercus shumardii Shumard red oak Quercus stellata Post oak Quercus virginiana Live Oak Rhamnus caroliniana Carolina buckthorn Rhus copallina Flameleaf sumac Rhus virens Evergreen sumac Sapindus drummondii Western soapberry Sophora affinis Eve's necklace Taxodium distichum Bald cypress Ulmus americana American elm Ulmus crassifolia Cedar elm Viburnum rufidulum Rusty blackhaw viburnum Zanthoxylum clavaherculis Hercules' club

(2) Prohibited trees.

(A) The following trees may not be planted within this special purpose district:

Scientific name Common name

Populus deltoides Cottonwood Albizia julbrissen Mimosa

(B) Bradford pears (pyrus calleryana) may be planted as site trees. Bradford pears may not be used as street trees, used as landscape buffer trees, or planted in the public right-of-way.

(3) Street trees.

(A) In Subdistricts 1, 1A, 1B, and 1C, and 1D, one street tree must be provided per 25 feet of street frontage, with a minimum of one street tree per building site. In Subdistrict 2, one street tree must be provided per 50 feet of street frontage, with a minimum of one street tree per building site.

- (B) Street trees must be located on the building site within 50 feet of the projected street curb, except that street trees may be located in the public right-of-way if all private licensing requirements of the city code and charter are met and a right-of-way landscape permit is obtained from the city. For purposes of this subparagraph, "projected street curb" means the future location of the street curb consistent with the City of Dallas Thoroughfare Plan as determined by the director of public works and transportation.
 - (C) Street trees must be provided for all new construction.
 - (4) Landscaping in the public right-of-way.
- (A) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.
- (B) Plants in the public right-of-way may not obstruct visibility or create a traffic hazard. See Section 51A-4.602(d), "Visual Obstruction Regulations."
- (C) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the landscaping requirements of this special purpose district. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a right-of-way landscape permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.
- (D) A property owner or tenant is not required to comply with any right-ofway landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of a right-of-way landscape permit or the revocation of the private license granted under this subsection.
- (E) Upon the installation of landscaping in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or

damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

- (F) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, and for keeping the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to make repairs or maintain the landscaping. The granting of a license for landscaping under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees and landscaping in the public right-of-way.
- (5) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that compliance is made impossible by Subsection (d), "Visual Obstruction Regulations," of Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."
 - (b) Subdistricts 1, 1A, 1B, 1C_and 1D.
- (1) General requirement. Except as otherwise provided in this section, landscaping must be provided as required by Article X.
 - (2) Landscaping in railbeds.
- (A) Any landscaping planted in the area to the centerline of a railbed may be used to satisfy required landscaping for the adjacent property. Landscaping planted in a railbed may not be located in an access easement.
- (B) The requirements of Section 51A-10.125(b)(5), "Parking Lot Trees," do not apply to parking located within a railbed.
- (3) Parking lot buffer. A five-foot-wide landscaped strip must be located along any edge of a parking lot or parking structure that is visible at grade level from a street. A minimum three inch-caliper tree must be located every 15 feet, or fraction thereof, or clustered every 30 feet within the landscaped strip.
- (4) Plant requirements. Plants used to satisfy the landscape requirements must comply with the following requirements:
- (A) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.
 - (B) Solid sod or hydro-mulch grass may be used.
 - (C) Artificial plant materials may not be used.
 - (D) Any required landscaping that dies must be replaced.
- (5) Landscape plan. A landscape plan must accompany any application for a building permit to expand floor area if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, or over 75 percent for residential projects. A landscape plan must earn at least 50 points (out of a total of 155 possible points.) The points awarded for providing these features are provided in parentheses. Existing landscaping qualifies for points.

- (A) Lighting. (Total possible points = 20) Ten points each are awarded for providing tree lighting, light bollards, light poles, building facade lighting, or landscaped area lighting, up to a maximum of 20 points. The lighting provided must be at least 1.5 foot-candles in intensity over adjacent pedestrian areas.
- (B) Landscaping on rooftops and facades. (Total possible points = 30) Ten points each are awarded for large planters, hanging planters, exterior embedded or extended planters, and vine supports on rooftops or along front facades up to a maximum of 30 points. Vines within ground-based planters must be able to extend above one-half the total height of the ground story of the main structure.
- (C) Landscape buffer. (Total possible points = 25) The landscape buffer must be a minimum of 80 square feet. A mix of plant materials may be used.
- (D) Tree canopy at the street frontage. (Total possible points = 20) Points may be obtained for planting canopy trees along the entire street frontage, exclusive of vehicular and pedestrian entrances and exits. The trees may be planted in the right-of-way if a right-of-way landscape permit is obtained. Ten points are awarded for planting these trees at a density of one tree per 30 linear feet of street frontage and 20 points are awarded for planting these trees at a density of one tree per 15 linear feet of street frontage. Note: Power lines may affect the types of trees used.
- (E) Seasonal color landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. The plants in the landscape area must be changed at least twice per year with the appropriate seasonal color plants. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.
- (F) Native plant landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area containing native plants. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. Native plants listed in Exhibit 621E must be used.
- (G) Creation of open space. (Total possible points = 20) Five points are awarded per 200 square feet of open space if the open space is a minimum of 500 feet from the building site but within this special purpose district. For purposes of this subparagraph, "open space" means a space containing no structures or pavement at or above grade, and containing only grass or other vegetation. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued.

on Exhibit 621C.

- (6) Open space fund. If a property owner in Subdistricts 1, 1A, 1B, [and] 1C, 1D and 1E cannot plant all of the required trees on the building site, the property owner shall comply with the following requirements for no more than 50 percent of the required trees:
- (A) Make a payment into the Old Trinity and Design District Open Space Fund. The department shall administer a city account to be known as the Old Trinity and Design District Open Space Fund. Funds from the Old Trinity and Design District Open Space Fund must be used only for acquiring and maintaining property for parks and open-space within this special purpose district. The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a two-inch-caliper tree, as derived from the most recent edition of the Guide for Establishing Values of Trees and Other Plants published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining a two-inch tree for two years.

(B) Plant trees within:

(i) portals to the Trinity River (as identified in the Trinity River Corridor Comprehensive Land Use Plan) within this special purpose district,

(ii) along that portion of the Old Trinity Trail within this special purpose district, or

(iii) along the meanders of the Old Trinity River channel, as shown

- (7) Parking/landscaping zone. Where there is at least a 70-foot space between buildings, a parking/landscaping zone meeting the following requirements is allowed in the space between the two buildings, but is not required. The composition of the parking/landscaping zone, moving from one building façade across to the other building façade, is as follows:
- (A) First, a minimum six-foot-wide sidewalk parallel to the façade of the first building.
- (B) Second, a parking area between six feet from the first building façade to 16 feet from the first building façade. This parking area must have angled head-in parking at an angle of 60 degrees to 90 degrees. A landscaped area containing one tree must be located between every fifth parking stall. Trees in the parking area must be spaced 46 to 50 feet on center, and must be 12 to 16 feet away from the first building façade. One parking stall may be omitted to allow for a loading dock to remain functional.
- (C) Third, a minimum of 26 feet of right-of-way for the two-way traffic in the middle.
- (D) Fourth, a matching parking area from between 16 feet from the second building façade to six feet from the second building façade.
- (E) Fifth, a matching six-foot-wide sidewalk parallel to the façade of the second building.
- (c) Subdistrict 2. Except as otherwise provided in this section, all properties in Subdistrict 2 must comply with Article X.

SEC. 51P-621.113. ARCHITECTURAL DESIGN GUIDELINES.

- (a) Purpose. The architectural design guidelines of this section are intended to preserve the historical, cultural, and architectural importance and significance of Subdistricts 1, 1A, 1B, 1C, and 1D. These architectural design guidelines are intended to encourage adaptive reuse of existing buildings; new contemporary and creative construction and major modifications that will enhance the architectural character of the district; and sustainable, green, energy efficient design and construction.
- (b) Facade requirements for new construction and major modifications in Subdistricts 1, 1A, 1B, 1C and 1D.
- (1) Facades must be brick, concrete masonry, glass, hollow tile, stone, or other fireproof materials, except that wooden siding, wooden sheets, and metal may not be used on more than 50 percent of any facade.
- (2) Facades consisting of more than 80 percent glass, excluding glass block, are prohibited.
- (3) The maximum permitted reflectance of glass used as a facade material varies depending on where the glass is used. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used above the first two stories may not exceed 27 percent. Reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. The higher the percentage, the more visible light reflected and the more mirror-like the glass will appear.
- (c) Design test requirements in Subdistricts 1, 1A, 1B, 1C and 1D. New construction or a major modification must earn at least 50 points for properties with a floor area ratio of 2.0 or less, and at least 70 points for properties with floor area ratios greater than 2.0 (out of 205 possible points). The total possible points in any category are provided in parentheses.
- (1) Maintenance of original facades. (Total possible points = 10) Ten points are awarded for the adaptive reuse of an original building if its original facade design elements are not altered.
- (2) Ground floor uses, building facades, and roofs. (Total possible points = 20) Points may be earned as follows:
- (A) Retail and showroom uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) is allocated to retail and personal service uses or office showroom/warehouse uses.
- (B) Restaurant uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) includes restaurant uses.
- (C) Facade treatments. Ten points are awarded if the building's front facade is given texture and complexity by the inclusion of ground level entries more than 14 feet in height, porticos, indented entries, belt coursing or other horizontal banding, grid coursing, articulation of window openings, corner pilasters, rustication of the first floor, changes of color, or ornamental iron.

- (3) Pedestrian amenities. (Total possible points = 25) Five points each are awarded for benches, trash receptacles, awnings/canopies, bicycle parking racks, and pedestrian street lamps. These items should be creative and contemporary. Pedestrian amenities must be located within the curb-to-building area of the building site, but, if a hardship prohibits locating these in the curb-to-building area of the building site, the amenities may be placed within the public right-of-way as long as they meet city standards and licensing requirements and do not block free movement of pedestrians. Pedestrian amenities must be maintained and operated by the owner of the building site. If there is more than one owner, all owners are jointly responsible for maintenance. Such amenities include:
 - (A) Benches or exterior seating areas (maximum of one every 50 feet).
 - (B) Trash receptacles (maximum of five points).
 - (C) Awnings/canopies along the front facade.
 - (D) One five-bicycle stand per 100 feet of street frontage.
- (E) At least one pedestrian street lamp (freestanding or wall mounted) per 50 feet of street frontage.
- (4) Public art or water features. (Total possible points = 15) Fifteen points are awarded for public art or water features costing at least \$2,500, limited to one per building site. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times. Examples of public art could include art in an atrium or lobby that is visible from a public right-of-way, art incorporated into the sidewalk or building facade, or freestanding art. For purposes of this paragraph, "water features" means: fountains, pools, mechanical water jets, or similar water devices.
- (5) Paving material. (Total possible points = 15) Five points are awarded per one third increment of an outdoor private walkway area accessible to the public that is covered by decorative pavement. For purposes of this paragraph, "decorative pavement" means: colored concrete pavers; brick; stone; stamped, textured, or colored concrete; and exterior grade tile.
- (6) Pedestrian orientation of building facade. (Total possible points = 20) Twenty points are awarded if a minimum of 25 percent of the front facade has transparent display windows or windows affording views into retail, office, or lobby space. The transparency requirement applies to the first 16 feet of height of the facade.
- (7) Structured parking facilities. (Total possible points = 50) Fifty points are awarded for a structured parking facility if the design matches the facade of a new building or architecturally complements the facade of an original building.
- (8) Energy conservation. (Total possible points = 15) Ten points are awarded for using solar, geothermal, or other non-petroleum, non-coal energy sources. Five points are awarded for planting twice the number of canopy trees required by Section 51P-621.112, "Landscaping."
- (9) Permeable surface. (Total possible points = 15) Five points are awarded each third of an outdoor walkway or driveway with a permeable surface.

- (10) LEED's credit. (Total possible points = 20) Twenty points are awarded for a project with a floor area ratio of more than 2.0 when the project complies with the following:
- (A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) Checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation (26 to 32 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services. Prior to the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.
- (B) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.
- (C) All supporting documentation and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified designation (26 to 32 project points).
- (d) Approval by development plan. The city plan commission may approve new construction or a major modification that does not meet the requirements of Subsections (b) and (c) of this section if the development plan and elevations show that the new construction or major modification is consistent with the spirit and intent of this section.
- (e) Fences and walls in Subdistricts 1, 1A, 1B, 1C and 1D. Fences and walls longer than 200 feet adjacent to any public street must be designed to prevent visual monotony through use of offsets, changes of materials and textures, gates or openings, or landscaping.

SEC. 51P-621.114. SITE DESIGN REQUIREMENTS.

- (a) Above-grade off-street parking. Parking is permitted on any level of a building.
- (b) Median and curb cuts along Industrial Boulevard. Median and curb cuts to access railbeds for off-street parking from Industrial Boulevard, between Continental Avenue and Sylvan/Wycliff Avenue, must be approved by the director of public works and transportation. Traffic must be one-way from Industrial Boulevard westbound to Levee Street.
 - (c) Sidewalk standards for new construction.
 - (1) In general.
- (A) Sidewalks complying with the standards of this subsection must be provided for all new construction.
- (B) If a sidewalk is to be located in a front yard, a sidewalk easement must be dedicated to the city to assure its availability to the public for pedestrian access.

(C) Except as otherwise provided in this subsection, the requirements of Chapter 43, "Streets and Sidewalks," apply to all sidewalks.

(2) Location.

- (A) Sidewalks must be located along the entire length of the street frontage.
- (B) On state highways, sidewalks must be provided in the parkway, subject to Texas Department of Transportation approval. If Texas Department of Transportation approval cannot be obtained, the property is exempt from this requirement.
- (C) Sidewalks must be located between five feet and 10 feet from the back of the projected street curb, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must be located between five feet and 12 feet from the back of the projected street curb. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(3) Width.

- (A) Sidewalk widths must match the width of existing sidewalks in front of adjacent properties at the point of convergence. Where there are different sidewalk widths on each side of the street frontage, the new sidewalk must taper or expand to meet the incongruous sidewalks.
- (B) Sidewalks must have an unobstructed minimum width of four feet, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must have an unobstructed minimum width of six feet. For purposes of this provision, "unobstructed" means by structures or landscaping, excluding utility poles and service boxes.
 - (d) License to allow compliance with ADA requirements.
- (1) If there is no other way to install ramps required by the Americans with Disabilities Act or similar state laws other than to install the ramps in the public right-of-way, the city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the Americans with Disabilities Act or similar state laws. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a building permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

- (2) Upon the installation of ramp in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.
- (3) Each owner or tenant is responsible for maintaining any ramps in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to make repairs or maintain any ramps. The granting of a license for ramps under this subsection does not release the owner or tenant from liability for the installation or maintenance of ramps in the public right-of-way.
- (e) Exemption for Subdistrict 2. The site design requirements of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

SEC. 51P-621.115. SCREENING REGULATIONS.

- (a) Parking lot screening.
- (1) Except as otherwise provided in this section, Section 51A-4.301(f), "Screening Provisions for Off-Street Parking," applies to all parking lots and parking structures.
- (2) Fences may complement but not substitute for parking lot trees and shrubbery screening.
- (3) The provision of screening for surface parking only applies to new construction. All surface parking must be screened from a street or access easement by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:
- (A) Earthen berm planted with turf grass or groundcover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height per three feet of width.
- (B) A fence constructed of one or more of the following: brick, stone, concrete masonry, stucco, concrete, wood, or other durable material. Wrought iron fences are allowed.
- (C) Hedge-like evergreen plant materials recommended for local area use by the city arborist. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting

density that the building official determines is capable of providing a solid appearance within three years.

- (b) Screening of off-street loading spaces, dumpsters, and garbage storage areas.
- (1) Except as otherwise provided in this subsection, screening of off-street loading spaces, dumpsters, and garbage storage areas must be provided in compliance with Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."
- (2) All off-street loading spaces, dumpsters, and garbage storage areas must be screened from all public streets adjacent to the building site. Screening is not required on sides that are not visible from a public street.
- (3) Screening of all off-street loading spaces, dumpsters, and garbage storage areas must be at least six feet in height.
 - (4) Screening is not required in the railbeds.
- (c) Outdoor storage areas. Except for vehicle display, sales, and service uses and nursery, garden shop, and plant sales uses, all outdoor storage areas for commercial and business services uses and industrial uses must be entirely screened by an eight-foot solid screening fence, vegetative materials, or other alternative deemed appropriate by the building official.
- (d) Exemption for Subdistrict 2. The screening regulations of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

SEC. 51P-621.116. SIGNS.

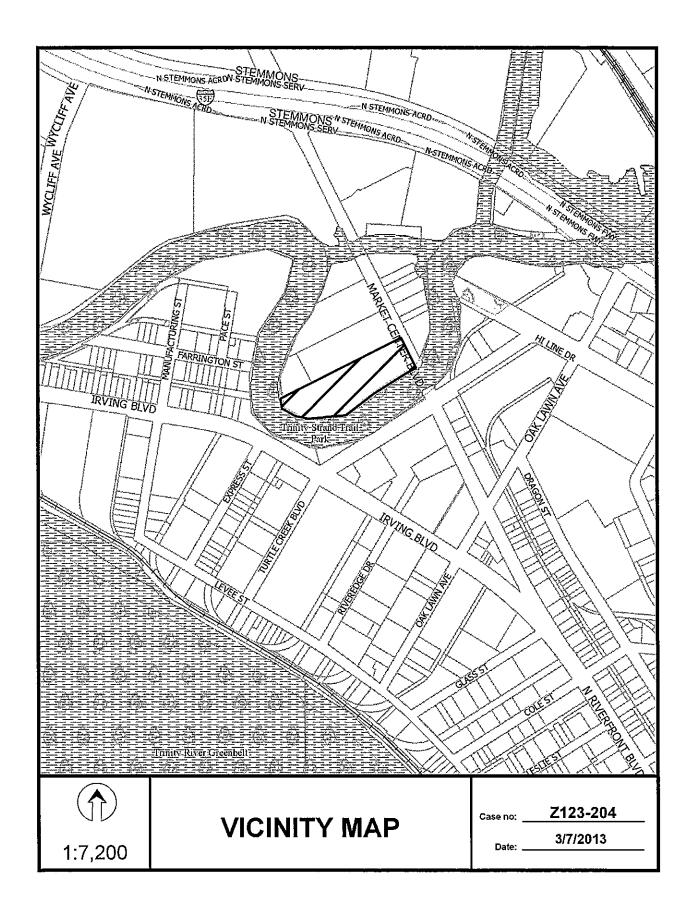
- (a) Except as otherwise provided in this section, signs must comply with the provisions for business zoning districts in Article VII.
- (b) In Subdistrict 2, detached premise signs existing on the date of establishment of this special purpose district may remain, provided the sign and sign supports are maintained in a state of good repair and neat appearance at all times. See Section 51A-7.210, "General Maintenance."
- (c) Projecting attached premise signs for retail and personal service uses are allowed, provided they do not project more than five feet from the building façade and are between nine and 15 feet above the sidewalk. For purposes of this provision, a "projecting attached premise sign" means an attached premise sign projecting more than 12 inches from a building at an angle other than parallel to the façade.

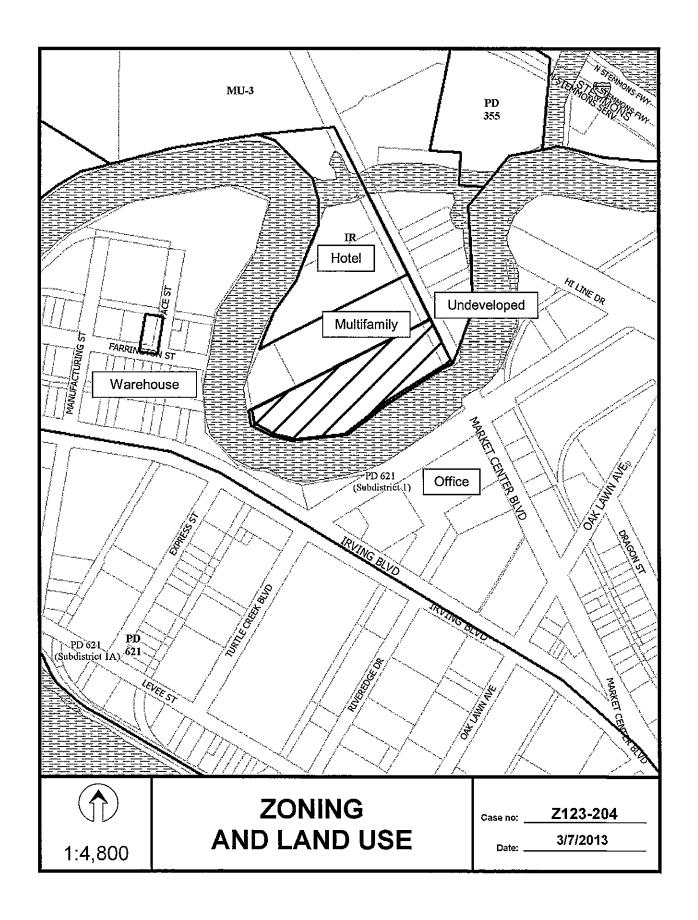
SEC. 51P-621.117. ADDITIONAL PROVISIONS.

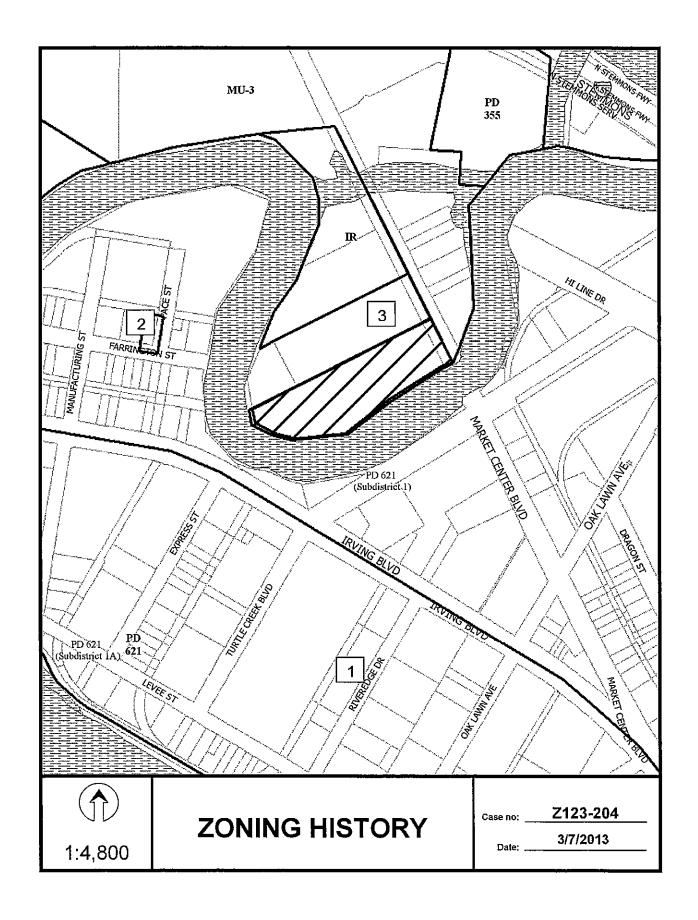
- (a) The entire Property and any improvements in the public right-of-way must be properly maintained in a state of good repair and neat appearance. The city may remove any improvements in the public right-of-way that are not maintained in a state of good repair and neat appearance at the sole expense of the property owner, and may use any available legal remedy to recover the cost of removal from the property owner.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

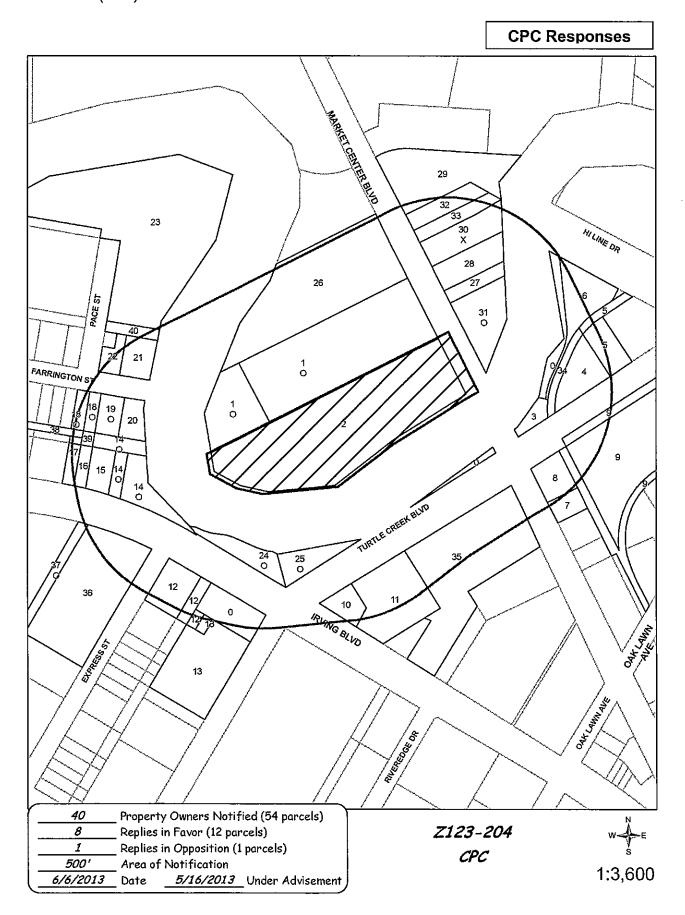
SEC. 51P-621.118. COMPLIANCE WITH CONDITIONS.

- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to authorize work or a certificate of occupancy to authorize the operation of a use in this special purpose district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.









6/6/2013

Reply List of Property Owners

Z123-204

40 Propo	erty Owne	ers Notifie	d 8 Property Owners	in Favor	1 Property Owners Opposed
Reply	Label #	Address		Owner	
O	1	1955	MARKET CENTER BLV	D BROA	ADSTONE MARKET CENTER
				OWN	ER LP
	2	1931	MARKET CENTER BLV	D BOW	NE OF DALLAS INC
	3	1900	MARKET CENTER BLV	D MELI	NIC LTD
	4	1401	TURTLE CREEK BLVD	AZOFF IRV	ING CO TR
	5	1405	TURTLE CREEK BLVD	LUI2 DALL	AS OAK LAWN V LP
	6	1935	HI LINE DR	FEIZY PRO	PERTIES INC
	7	1810	MARKET CENTER BLV	D ITZIG	JERRY M &
	8	1330	TURTLE CREEK BLVD	NICENE PI	ROPERTIES LLC
	9	1551	OAK LAWN AVE	FUND DES	IGN DISTRICT LLC
	10	1838	IRVING BLVD	RED BARN	HOLDINGS LP
	11	1212	TURTLE CREEK BLVD	TEXAS SEC	CURITY BANK
	12	1901	IRVING BLVD	1937 IRVIN	GLLC
	13	1901	IRVING BLVD	URBAN PR	OFESSIONALS GROUP LLC
0	14	2014	IRVING BLVD	TONAN II	INC
	15	2026	IRVING BLVD	PROCACC	INI VICENT ANTHONY
	16	2030	IRVING BLVD	CHAMBER	STHOMASW &
	17	2034	IRVING BLVD	LANE BRU	CE R JR
0	18	2021	FARRINGTON ST	FARRINGT	ON STREET LP
0	19	2009	FARRINGTON ST	FLOREZ D	ONALD R &
	20	2005	FARRINGTON ST	FARRINGT	ON PROPERTIES LLC
	21	2006	FARRINGTON ST	ESOR GRO	UP PARTNERS LTD
	22	2012	FARRINGTON ST	EMERALD	DENTON PPTIES LTD
	23	1350	MANUFACTURING ST	TTMC LIM	ITED
Ο	24	1900	IRVING BLVD	MOKS INC	
0	25	1201	TURTLE CREEK BLVD	MOKS LLC	
	26	2015	MARKET CENTER BLV	D MAR	KET CENTER LODGING LP

Z123-204(MW)

6/6/2013

Reply	Label #	Address	Owner	
	27	1944	MARKET CENTER BLVD	CHARALAMBOPOULOS FAYE
	28	1950	MARKET CENTER BLVD	CHARALAMBOPOULOS FAY
	29	2026	MARKET CENTER BLVD	KALAN INC
Х	30	2006	MARKET CENTER BLVD	SHENDELMAN CHUNG
O	31	1926	MARKET CENTER BLVD	MARKET CENTER BLVD LLC
	32	2014	MARKET CENTER BLVD	DUKE DANIEL J & CHRISTINA
	33	2010	MARKET CENTER BLVD	CHANDIRAMANI NARAIN ETAL
	34	1300	TURTLE CREEK BLVD AZO	FF IRVING CO TR
	35	1825	MARKET CENTER BLVD	1825 MARKET CENTER LP
	36	2001	IRVING BLVD BRA	DEN EUGENE N
O	37	2011	IRVING BLVD USA	TRINITY PPTIES INC
	38	1200	MANUFACTURING ST JLC	X PROPERTY FUND LTD
	39	1200	MANUFACTURING ST CHA	AMBERS MARGARET &
	40	1300	PACE ST JON	ES LAKE CO NO 7

AGENDA ITEM #87

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 670-9195

MAPSCO: 12 Y

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District on property zoned an MU-3 Mixed Use District on the northwest corner of LBJ Freeway and Stemmons Freeway

Recommendation of Staff and CPC: Approval

Z123-245(MW)

Note: This item was considered by the City Council at a public hearing on August 14, 2013, and was taken under advisement until August 28, 2013, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, AUGUST 28, 2013

ACM: Theresa O'Donnell

FILE NUMBER: Z123-245(MW) DATE FILED: April 5, 2013

LOCATION: Northwest corner of LBJ Freeway and Stemmons Freeway

COUNCIL DISTRICT: 6 MAPSCO: 12-Y

SIZE OF REQUEST: ±80.47 acres CENSUS TRACT: 140.02

APPLICANT/REPRESENTATIVE: George Billingsley

OWNER: The Residences of Austin Ranch No. 1, LTD.

REQUEST: An application for an LI Light Industrial District on property zoned an

MU-3 Mixed Use District.

SUMMARY: The applicant intends to develop the request site, in conjunction with

the adjacent ±50 acres of land located within the City of Farmer's

Branch, with inside industrial, office and retail uses.

CPC RECOMMENDATION: Approval

STAFF RECOMMENDATION: <u>Approval</u>

BACKGROUND INFORMATION:

- With the exception of a vacant golf facility, the ±80-acre request site is undeveloped.
- The request site is surrounded by undeveloped land to the north; Stemmons
 Freeway right-of-way to the east; LBJ Freeway right-of-way to the south and
 undeveloped land to the west.

Zoning History:

1. Z089-272: On December 9, 2009, the City Council approved an IR Industrial Research District on property zoned an MU-3 Mixed Use District.

Thoroughfares/Streets:

Thoroughfares/Streets	Туре	Existing ROW	
LBJ Freeway	Interstate Highway	Varies	
Stemmons Freeway	Interstate Highway	Varies	

Land Use:

	Zoning	Land Use	
Site	MU-3	Undeveloped; vacant building	
North	Farmer's Branch	Undeveloped	
East MU-3; IR; MU-2 (SAH)		Stemmons Freeway right-of-way	
South	MU-3; IR	LBJ Freeway right-of-way	
West	Farmer's Branch	Undeveloped	

STAFF ANALYSIS:

Comprehensive Plan:

According to the *forwardDallas!* Vision Illustration, adopted June 2006, the subject site is identified as being within a Business Center or Corridor Building Block.

This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the North Park Center area, Southwest Center Mall area at I-20 and US Hwy 67 and the Stemmons Corridor. Business Centers are usually at major intersections or along Highways or major arterials and rely heavily

on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility:

With the exception of a vacant golf facility, the ±80-acre request site is undeveloped.

The applicant intends to develop the request site, in conjunction with the adjacent ±50 acres located within the City of Farmer's Branch, with inside industrial, office and retail uses in an industrial park setting. Industrial uses will include industrial (inside) for light manufacturing.

The request site is surrounded by undeveloped land to the north; Stemmons Freeway right-of-way to the east; LBJ Freeway right-of-way to the south and undeveloped land to the west.

Development Standards:

District	Setbacks		Density	l la i aula 4	Lot	Special	Duimenu Hees
District	Front Side/Rear		FAR Height		Coverage	Standards	Primary Uses
Existing: MU-3 Mixed Use	15'	20' adjacent to residential OTHER: No Min.	3.2 FAR base 4.0 FAR maximum + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing	Office, retail & personal service, lodging, residential, trade center
Proposed: LI Light Industrial	15'	30' adjacent to residential OTHER: No Min.	1.0 FAR overall 0.75 office/ retail 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and Z123-245(MW)

determined that it will not significantly impact the surrounding roadway system.

Parking:

Parking must be provided in accordance with §51A -4.200 of the Dallas Development code.

Landscaping:

Landscaping must be provided in accordance to Article X of the Dallas Development Code.

Council Action: June 20, 2013:

Motion: It was moved to recommend approval of an LI Light Industrial District on property zoned an MU-3 Mixed Use District on the northwest corner of LBJ Freeway and Stemmons Freeway.

Maker: Shellene Second: Hinojosa

Result: Carried: 13 to 0

For: 13 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley,

Lavallaisaa, Tarpley, Shellene, Wolfish, Ridley, Alcantar

Against: 0

Absent: 2 - Bernbaum, Schwartz

Vacancy: 0

Notices:Area:500Mailed:17Replies:For:1Against:0

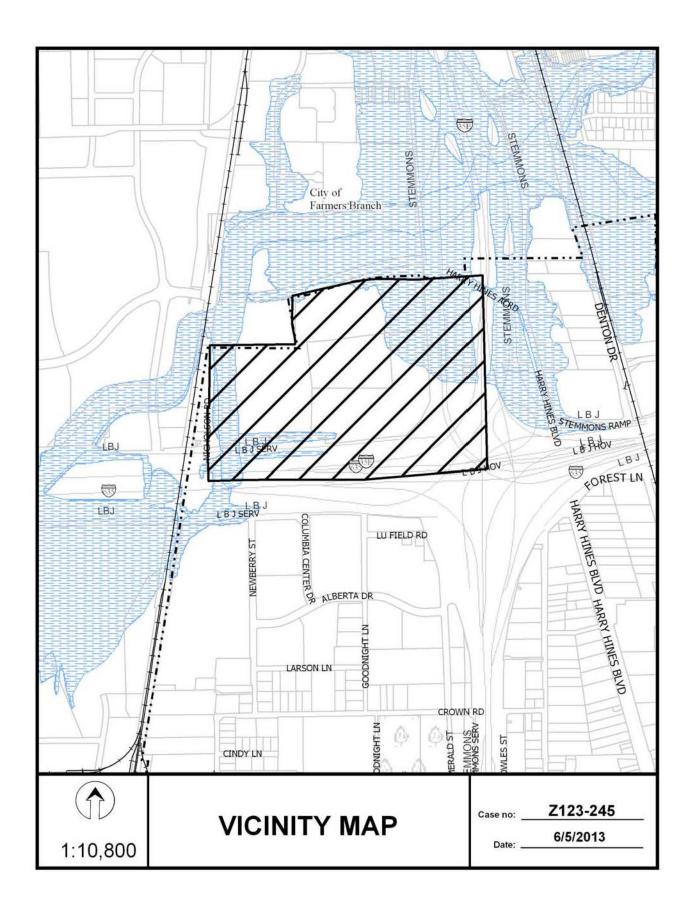
Speakers: None

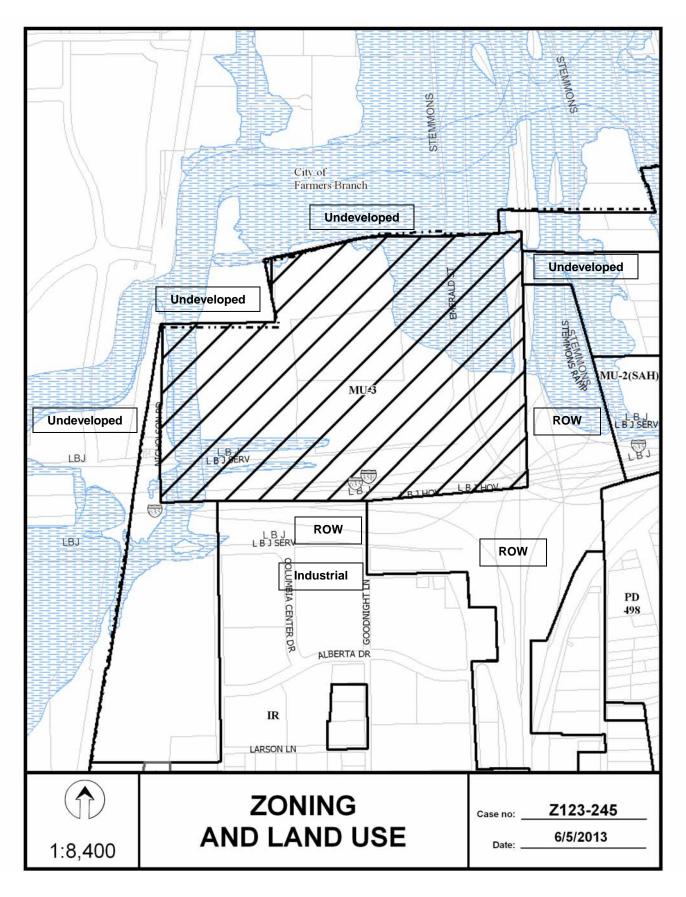
Partners/Principals/Officers:

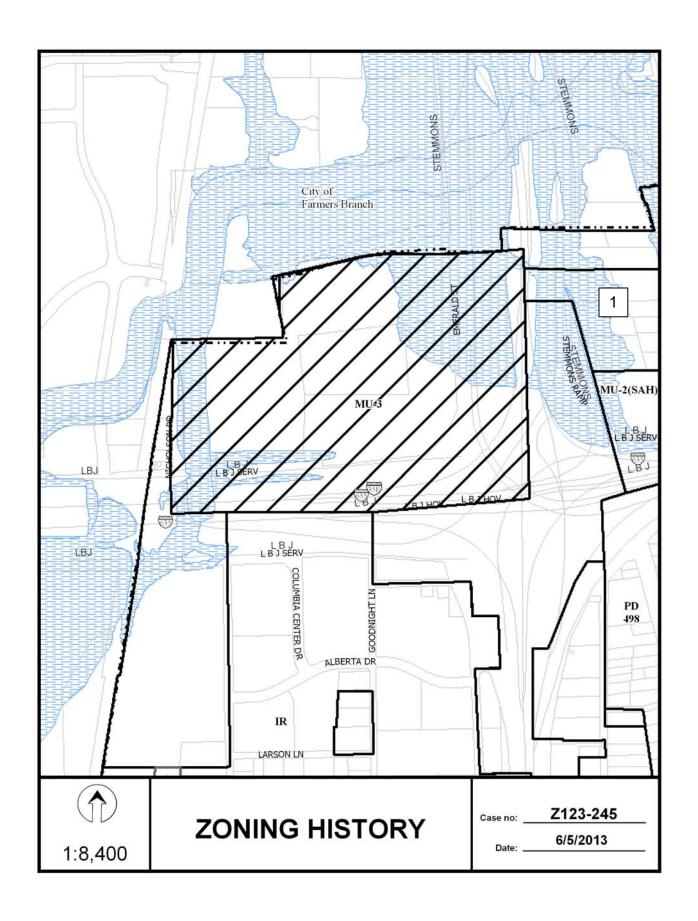
The Residences of Austin Ranch No. 1, LTD. 24BCO, Inc, its General Partner Lucy Paige Billingsley Trust II George Harlan Billingsley Trust II Anne Sumner Billingsley Trust II The 1993 George Harlan Billingsley Inv Trust Billingsley Berkshire, Ltd.

Officers (General Partner)

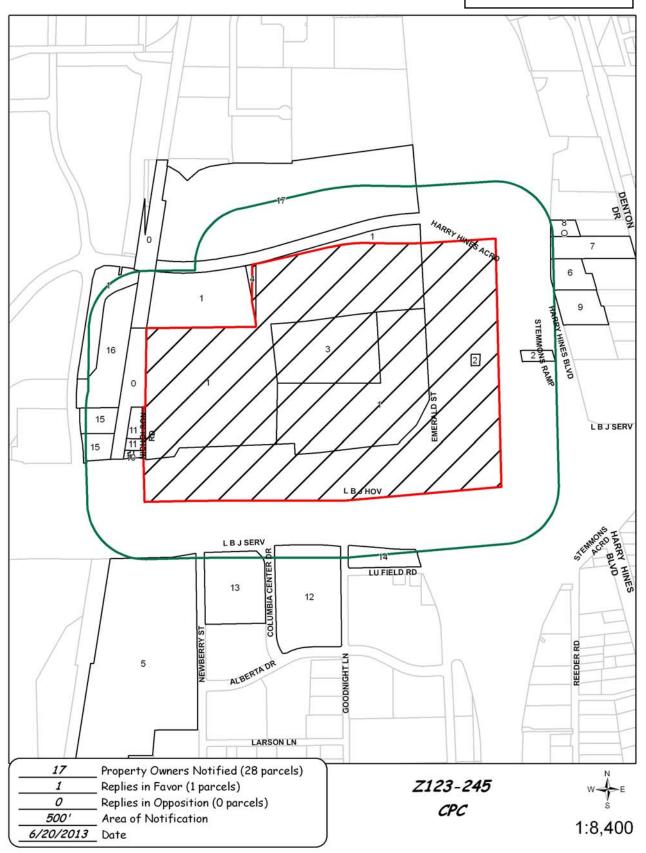
Lucy Billingsley, President/Treasurer Kenneth D. Mabry, SVP/Secretary Kimberly H. Meyer, SVP







CPC Responses



6/19/2013

Reply List of Property Owners Z123-245

17 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

Reply	Label #	Address		Owner
	1	12101	STEMMONS FWY	ARMED FORCES BANK NA
	2	11901	HARRY HINES BLVD	TEXAS UTILITIES ELEC CO
	3	12121	STEMMONS FWY	ARMED FORCES BANK NA
	4	12023	STEMMONS FWY	MINIVEST INC ET AL
	5	11645	NEWBERRY ST	OCEAN BEACH PARTNERS LP
	6	12120	HARRY HINES BLVD	PS TEXAS HOLDINGS LTD
	7	12124	HARRY HINES BLVD	BLAIR JEAN R TR ET AL
O	8	12130	HARRY HINES BLVD	12130 HARRY HINES LLC
	9	12000	HARRY HINES BLVD	GOLDFARB M B & ABRAHAM
	10	2125	LBJ FWY	MOSER DEV CORP
	11	11821	NICHOLSON RD	TRANSCONTINENTAL LAMAR INC
	12	2250	LBJ FWY	PLDAB LLC
	13	11625	COLUMBIA CENTER D	R PACGWL LLC
	14	2310	LU FIELD RD	SECURITY CAPITAL IND TR
	15	1999	LBJ FWY	GRAHAM MORTGAGE CORPORATION
	16	12800	NICHOLSON RD	VALWOOD IMPT AUTHORITY
	17	2300	WESTSIDE PKWY	ARMED FORCES BANK N A

AGENDA ITEM #88

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

A public hearing to receive comments on the proposed FY 2013-14 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds a series of public hearings to provide the citizens of Dallas the opportunity to speak on next year's budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

On August 14, 2013, City Council authorized the public hearing by Resolution No. 13-1299.

FISCAL INFORMATION

No cost consideration to the City

AGENDA ITEMS # 89,90,91

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 28, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 56 G

SUBJECT

Reinvestment Zone and Business Personal Property Tax Abatement Authorization

- * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 82, incorporating approximately 14.8 acres of property located at 5327 South Lamar Street, Dallas, Texas for the purpose of granting economic development incentives to Borden Dairy Company of Texas Financing: No cost consideration to the City
- * An ordinance designating the approximately 14.8 acres of property located at 5327 South Lamar Street, Dallas, Texas as City of Dallas Reinvestment Zone No. 82, for the purpose of granting economic development incentives to Borden Dairy Company of Texas, establishing the boundaries of the Reinvestment Zone and providing for an effective date Financing: No cost consideration to the City
- * Authorize a 75 percent business personal property tax abatement agreement for eight years with Borden Dairy Company of Texas located on 14.8 acres of property located at 5327 South Lamar Street, Dallas Revenue: First year revenue estimated at \$19,948; ten-year revenue estimated at \$139,632 (Estimated revenue foregone for seven-year business personal property tax abatement estimated at \$418,897)

BACKGROUND

For the past several months, city staff has negotiated with Borden Dairy Company (Borden) regarding a possible expansion at its existing plant located at 5327 S. Lamar Street, Dallas, Texas. The company is considering the addition of a production line that would result in an investment of over \$5,000,000 for equipment and over 100 new jobs.

Borden is a subsidiary of Grupo LALA, S.A. de C.V Borden is one of the largest and most recognized brands in the dairy industry. Headquartered in Dallas, Borden also has a shared services center and manufacturing plant located in Dallas.

BACKGROUND (Continued)

During 2013, the company plans to restructure many of its existing 19 manufacturing plants to increase their productivity while maximizing their efficiency. The plans include purchasing additional capital equipment and hiring additional employees where most appropriate. The company's Dallas plant is one of the locations considered for expansion. Currently, the plant has excess capacity and space. If approved, the company plans to spend at least \$5 million on capital expenditures to purchase additional/replacement equipment to improve the plant's productivity. Investment in company vehicles, forklifts, etc. will likely result in an additional \$5 million investment, resulting in a total investment of approximately \$10 million. With the new capacity, the company will add more than 100 new jobs at the plant.

In consideration of the proposed investment and new jobs, staff proposes a seven year, seventy-five percent abatement on added value of the business personal property at the location. In order to provide the proposed tax abatement, a Reinvestment Zone must be created at the site. This requires a public hearing be held prior to the passage of the tax abatement.

This project conforms to the Public Private Partnership Program Guidelines and Criteria in that it involves the creation of more than 25 jobs and has an investment over \$1,000,000. The total forgone revenue resulting from the business personal property tax abatement is \$478,740. The project is a fiscal break even for the City of Dallas.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction July 2013

Substantial Completion December 2013

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was presented to City Council on August 14, 2013, where a public hearing was authorized.

FISCAL INFORMATION

No cost consideration to the City

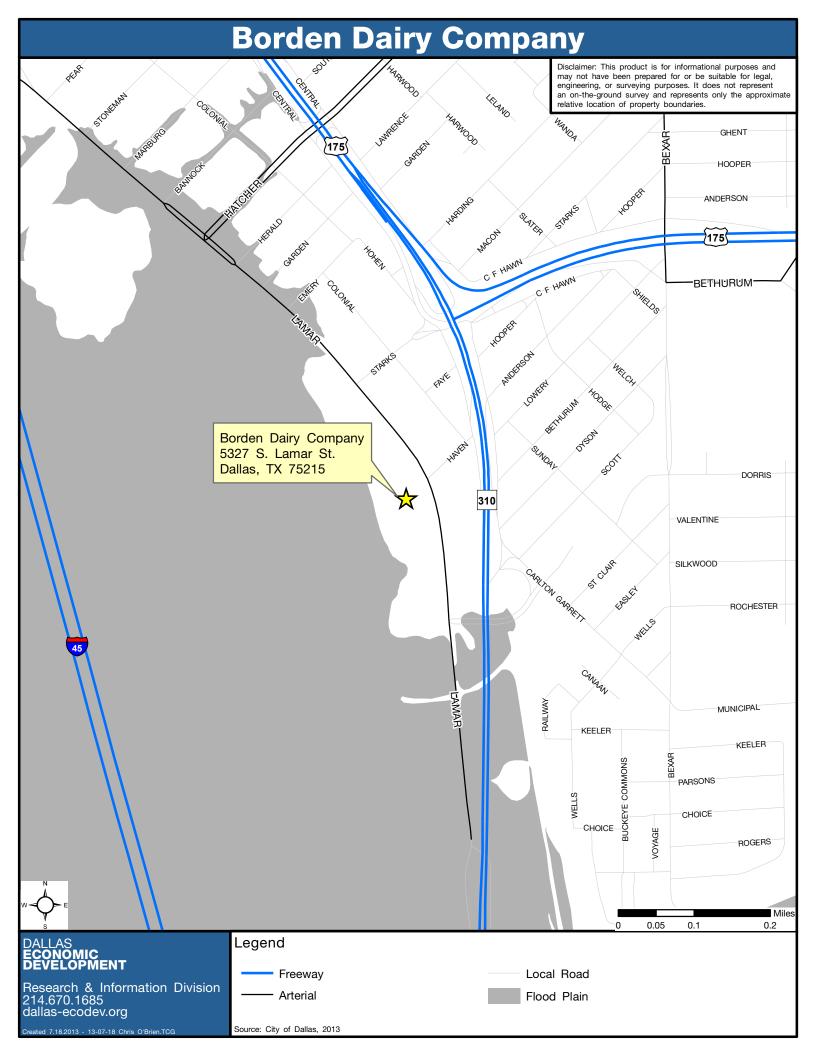
OWNER

Borden Dairy Company of Texas

Aileen Nguyen, Sr. Director, Tax

<u>MAP</u>

Attached.



ORDINANCE NO:	

AN ORDINANCE DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT IN THE CITY OF DALLAS, TEXAS, TO BE KNOWN AS REINVESTMENT ZONE NO. 82, CITY OF DALLAS, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone for commercial tax abatement, as authorized by the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A. Tax Code, Chapter 312); and

WHEREAS, on June 13, 2012, City Council authorized the continuation of its participation in tax abatement and established the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered into by the City as required by the Property Redevelopment and Tax Abatement Act, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 12-1520, as amended; and

WHEREAS, on August 28, 2013, City Council held a public hearing, such date being at least seven (7) days after the date of publication of the notice of such public hearing and the delivery of written notice to the respective presiding officers of each taxing entity which includes within its boundaries real property that is to be included in the proposed reinvestment zone; and

WHEREAS, the City, at such public hearing, invited any interested person to appear and speak for or against the creation of the reinvestment zone and whether all or part of the territory described should be included in the proposed reinvestment zone, and to raise any concerns regarding the offering of tax abatement incentives; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone and opponents, if any, to the reinvestment zone appeared to contest the creation of the reinvestment zone.

NOW, THEREFORE,

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

Section 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

Section 2. That the City, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

Section 2. (Continued)

- (a) That the public hearing for adoption of Reinvestment Zone No. 82 has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone.
- (b) That the boundaries of Reinvestment Zone No. 82 shall be the area as described in the property description attached hereto as **Exhibit A (Metes and Bounds)** and depicted in **Exhibit B (Map)**.
- (c) That creation of the proposed Reinvestment Zone No. 82 will result in benefits to the City and to the land included in the zone and that the improvements sought are feasible and practical.
- (d) That Reinvestment Zone No. 82 meets the criteria for the creation of a reinvestment zone as set forth in the Act, as amended, in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City.
- **Section 3.** That pursuant to the Act, as amended, the City hereby creates a reinvestment zone for commercial tax abatement encompassing only the property area described in **Exhibit A (Metes and Bounds)** and such reinvestment zone is hereby designated and shall hereafter be referred to as Reinvestment Zone No. 82.
- **Section 4**. That Reinvestment Zone No. 82 shall take effect on August 28, 2013, and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation.
- **Section 5.** That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance.
- **Section 6.** That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject of the meeting of the City Council at which this ordinance was adopted was posted at a place convenient and readily accessible at all times as required by the Texas Open Meetings Act, V.T.C.A., Government Code, Chapter 551, as amended, and that a public hearing was held prior to the designation of such reinvestment zone and that proper notice of the hearing was published in the official newspaper of the City seven days prior to the hearing, and furthermore, such notice was in fact delivered to the presiding officer of each affected taxing entity as prescribed by the Act.

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

APPROVED AS TO FORM

THOMAS P. PERKINS, JR. CITY ATTORNEY

By: MMMM Melling
Assistant City Attorney

Passed and correctly enrolled_____

DESCRIPTION OF PROPERTY SURVEYED:

DESCRIPTION, of a 14.859 acre tract of land located in Block 5832, Official Numbers of the City of Dallas, Texas and being out of the J. M. Crockett Survey, Abstract No. 353, Dallas County, Texas; sold tract being all of a tract of land described in Special Warranty Deed to Milk Products, LLC, recorded in Volume 97175, Page 5255 of the Deed Recards of Dallas County, Texas; sold 14.859 acre tract being more particularly described as follows:

BEGINNING, at a 1/2-Inch iron pipe found in the west right-of-way line of South Lamar Street (a variable width right-of-way); said point being North 05 degrees, 10 minutes, 48 seconds West, a distance of 858.64 feet from the intersection of the said west line of South Lamar Street with the north right-of-way line of the T.&N.O. Railroad (a 115-foot wide right-of-way); said point being the northernmost corner of a tract of land described in Deed to Joseph T. Matassa Family, LP. recorded in Volume 2005138, Page 3353 of said Deed Records:

THENCE, South 45 degrees, 08 minutes, 29 seconds West, departing the said west line of South Lamar Street and along the northwest line of said Motassa Family tract, at a distance of 250 feet passing the westernmost corner of said Matassa Family tract and a northern corner of a tract of land described in Warranty Deed to Jerry Don Selman recorded in Valume 99223, Page 223 of said Deed Records, in all a distance of 293.66 feet to a 3/8—inch Iran rad found for corner; said point being the easternmost corner of the remainder of a tract of land described in Warranty Deed with Vendor's Lian to Dan Selman recorded in Volume 88181, Page 2628 of said Deed Records;

THENCE, North 44 degrees, 57 minutes, 19 seconds West, along a northeast line of the second referenced Selman tract, a distance of 20.00 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found for corner;

THENCE, South 45 degrees, 08 minutes, 29 seconds West, continuing along a northwest line of the second referenced Salman tract, a distance of 38.70 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found for corner;

THENCE, North 44 degrees, 57 minutes, 19 seconds West, continuing along a northeast line of the second referenced Seiman tract, a distance of 189.21 feet to a "+" cut in concrete found for corner; said point being the northernmost corner of the second referenced Seiman tract:

THENCE, South 45 degrees, 04 minutes, 00 seconds West, along a northwest line of the second referenced Selman tract, at a distance of 169.15 feet passing a northwest line of the first referenced Selman tract, then along a northwest line of the first referenced Selman tract, in all a distance of 461.25 feet to a 1/2—inch iron rod with "Pacheco Koch" cap found in the northeast right—of—way line of sold T.&N.O. Railroad (300 feet wide at this point);

THENCE, North 41 degrees, 18 minutes, 46 seconds West, along the said northeast line of T.&N.O. Reliroad, a distance of 509.91 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found for corner; said point being the southernmost corner of a tract of land described Paul W. and wife, Sandra E. Parker by Warranty Deed recorded in Volume 95005, Page 6129 of the Deed Records of Dallas County, Texas:

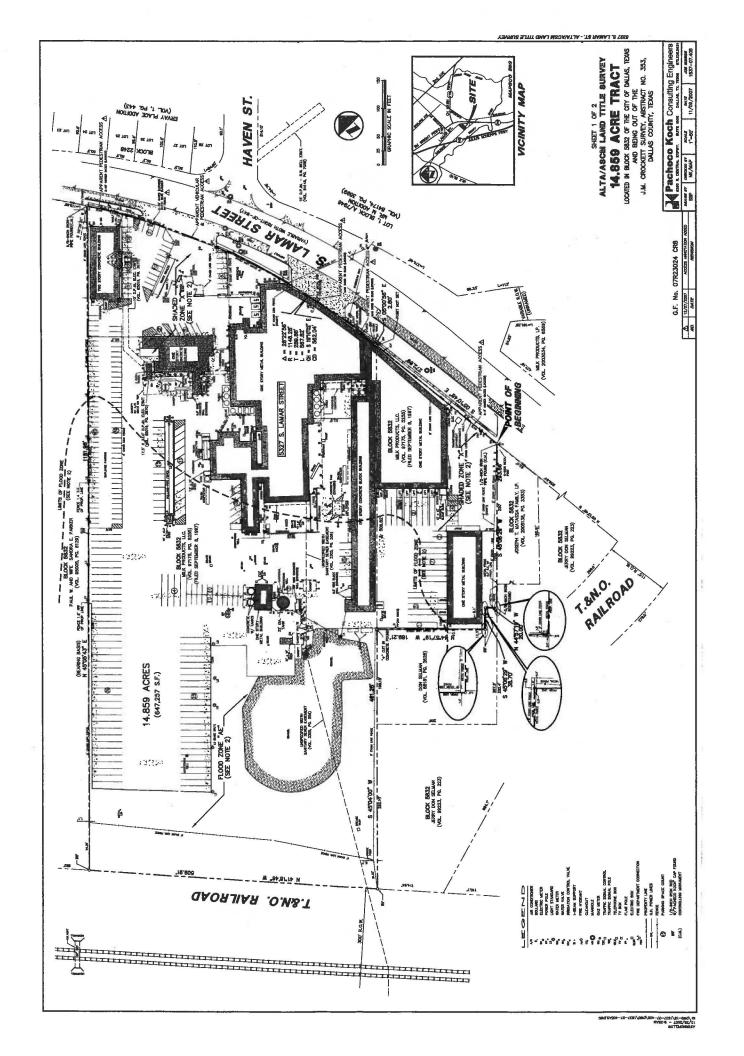
THENCE, North 45 degrees, 05 minutes, 43 seconds East, along the southeast line of said Parker treat, a distance of 1181,98 feet to a 5/8-inch iron pipe found in the said west line of South Lamar Street; said point being on a non-tangent curve to the right;

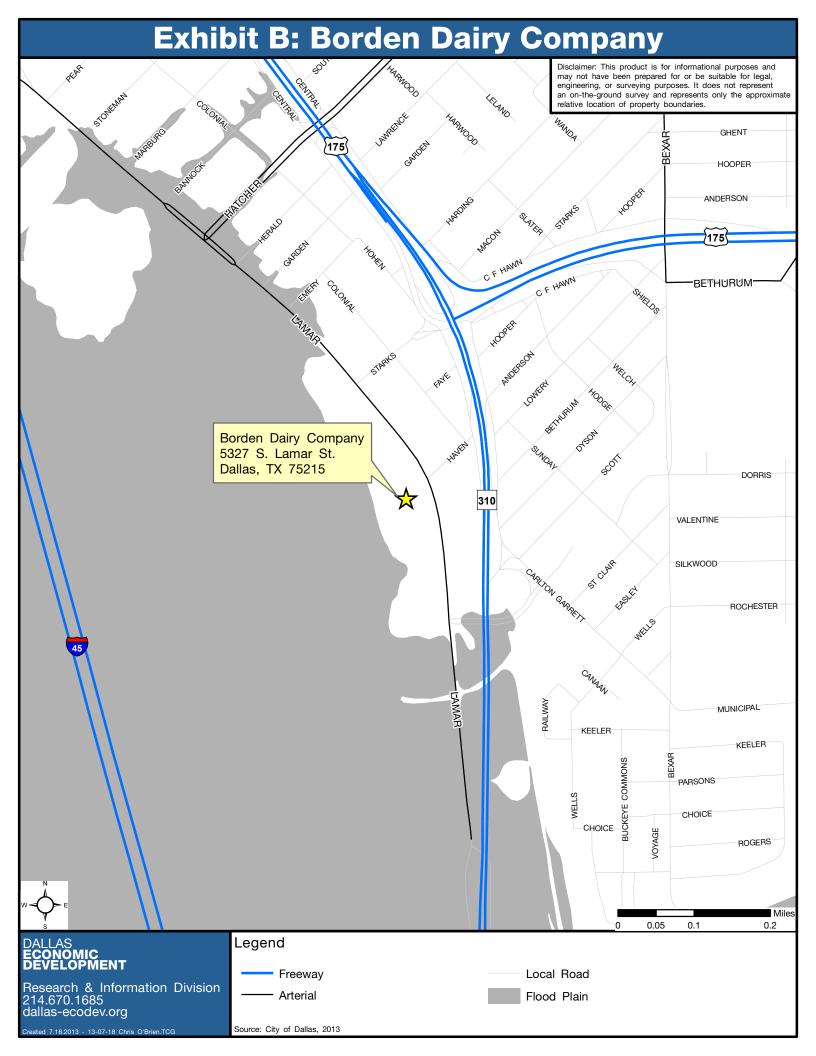
THENCE, in a southerly direction, along the said west line of South Lamar Street and said curve to the right, having a central angle of 28 degrees, 22 minutes, 58 seconds, a chard bearing and distance of South 19 degrees, 10 minutes, 02 seconds East, 582.04 feet, an arc distance of 567.82 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found at the end of said curve;

THENCE, South 05 degrees, 00 minutes, 56 seconds East, continuing along the said west line of South Lamar Street, a distance of 2.80 feet to an angle point (point not set);

THENCE, South 05 degrees, 10 minutes, 48 seconds East, continuing along the said west line of South Larnar Street, a distance of 272.69 feet to the POINT OF BEGINNING;

CONTAINING, 647,257 square feet or 14.859 acres of land, more or less.





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

WHEREAS, on June 13, 2012, City Council elected to continue its participation in tax abatement and the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 12-1520 as amended; and

WHEREAS, on August 14, 2013, City Council authorized a public hearing concerning the creation of Reinvestment Zone No.82; and

WHEREAS, on August 28, 2013, City Council held a public hearing concerning the creation of Reinvestment Zone No. 82; and

WHEREAS, on August 28, 2013, City Council authorized the creation of Reinvestment Zone No. 82; and

WHEREAS, the City desires to enter into a business personal property tax abatement agreement with Borden Dairy Company of Texas for added value to business personal property located within Reinvestment Zone No. 82.

NOW, THEREFORE,

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

Section 1. That the City Manager upon approval as to form by the City Attorney is hereby authorized to execute a business personal property tax abatement agreement with Borden Dairy Company of Texas for added value to the business personal property in accordance with the Act and the City's Public/Private Partnership Guidelines and Criteria.

Section 2. That at least seven (7) days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each other taxing unit that includes in its boundaries the business personal property that is the subject of this agreement.

Section 3. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

Section 4. That the business personal property which will be described in the tax abatement agreement, attached hereto as **Exhibit A (Metes and Bounds)** and depicted on the attached site map as **Exhibit B (Map - the "Property")**, is located within Reinvestment Zone No. 82.

Section 5. That the tax abatement agreement shall provide, among other provisions, the following:

- (a) The Property subject to tax abatement shall be located entirely within Reinvestment Zone No. 82, City of Dallas, Texas.
- (b) None of the Property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.
- (c) That the development of the Property will conform to all requirements of the City's zoning ordinance, and that the use of the Property is consistent with the general purpose of encouraging development or redevelopment in the reinvestment zone during the period the tax abatement is in effect.
- (d) The City will provide Borden Dairy Company of Texas a 75 percent abatement of the added value to the business personal property for a period of eight years for business personal property located within Reinvestment Zone No. 82, as provided in **Exhibit A (Metes and Bounds)**. The tax abatement will commence on or before January 1, 2014.
- (e) That a minimum investment of \$5,000,000 in business personal property will be completed by December 31, 2014. The Director of the Office of Economic Development may, at his sole discretion, extend the completion date for a period up to six months for just cause.
- (f) A description of the kind, number, location and costs of all proposed improvements to the Property will be provided to the Office of Economic Development.
- (g) That access to the Property will be provided to allow for the inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specification and terms of the tax abatement agreement.
- (h) A requirement that the owner of the Property certify annually to the City that the owner is in compliance with each applicable term of the agreement.

Section 5. (Continued)

- (i) That the Dallas City Council may terminate or modify the agreement if the property owner fails to comply with the agreement.
- (j) That the tax abatement agreement shall be personal to Borden Dairy Company of Texas and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

Section 6. Borden Dairy Company of Texas shall agree to create and retain a minimum of 100 additional jobs in Dallas at 5327 South Lamar Street in Dallas.

Section 7. That this resolution 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.

DESCRIPTION OF PROPERTY SURVEYED:

DESCRIPTION, of a 14.859 acre tract of land located in Block 5832, Official Numbers of the City of Dallas, Texas and being out of the J. M. Crockett Survey, Abstract No. 353, Dallas County, Texas; sold tract being all of a tract of land described in Special Warranty Deed to Milk Products, LLC, recorded in Volume 97175, Page 5255 of the Deed Recards of Dallas County, Texas; sold 14.859 acre tract being more particularly described as follows:

BEGINNING, at a 1/2-Inch iron pipe found in the west right-of-way line of South Lamar Street (a variable width right-of-way); said point being North 05 degrees, 10 minutes, 48 seconds West, a distance of 858.64 feet from the intersection of the said west line of South Lamar Street with the north right-of-way line of the T.&N.O. Railroad (a 115-foot wide right-of-way); said point being the northernmost corner of a tract of land described in Deed to Joseph T. Matassa Family, LP. recorded in Volume 2005138, Page 3353 of said Deed Records:

THENCE, South 45 degrees, 08 minutes, 29 seconds West, departing the said west line of South Lamar Street and along the northwest line of said Motassa Family tract, at a distance of 250 feet passing the westernmost corner of said Matassa Family tract and a northern corner of a tract of land described in Warranty Deed to Jerry Don Selman recorded in Valume 99223, Page 223 of said Deed Records, in all a distance of 293.66 feet to a 3/8—inch Iran rad found for corner; said point being the easternmost corner of the remainder of a tract of land described in Warranty Deed with Vendor's Lian to Dan Selman recorded in Volume 88181, Page 2628 of said Deed Records;

THENCE, North 44 degrees, 57 minutes, 19 seconds West, along a northeast line of the second referenced Selman tract, a distance of 20.00 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found for corner;

THENCE, South 45 degrees, 08 minutes, 29 seconds West, continuing along a northwest line of the second referenced Salman tract, a distance of 38.70 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found for corner;

THENCE, North 44 degrees, 57 minutes, 19 seconds West, continuing along a northeast line of the second referenced Seiman tract, a distance of 189.21 feet to a "+" cut in concrete found for corner; said point being the northernmost corner of the second referenced Seiman tract:

THENCE, South 45 degrees, 04 minutes, 00 seconds West, along a northwest line of the second referenced Selman tract, at a distance of 169.15 feet passing a northwest line of the first referenced Selman tract, then along a northwest line of the first referenced Selman tract, in all a distance of 461.25 feet to a 1/2—inch iron rod with "Pacheco Koch" cap found in the northeast right—of—way line of sold T.&N.O. Railroad (300 feet wide at this point);

THENCE, North 41 degrees, 18 minutes, 46 seconds West, along the said northeast line of T.&N.O. Reliroad, a distance of 509.91 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found for corner; said point being the southernmost corner of a tract of land described Paul W. and wife, Sandra E. Parker by Warranty Deed recorded in Volume 95005, Page 6129 of the Deed Records of Dallas County, Texas:

THENCE, North 45 degrees, 05 minutes, 43 seconds East, along the southeast line of said Parker treat, a distance of 1181,98 feet to a 5/8-inch iron pipe found in the said west line of South Lamar Street; said point being on a non-tangent curve to the right;

THENCE, in a southerly direction, along the said west line of South Lamar Street and said curve to the right, having a central angle of 28 degrees, 22 minutes, 58 seconds, a chard bearing and distance of South 19 degrees, 10 minutes, 02 seconds East, 582.04 feet, an arc distance of 567.82 feet to a 1/2-inch iron rod with "Pacheco Koch" cap found at the end of said curve;

THENCE, South 05 degrees, 00 minutes, 56 seconds East, continuing along the said west line of South Lamar Street, a distance of 2.80 feet to an angle point (point not set);

THENCE, South 05 degrees, 10 minutes, 48 seconds East, continuing along the said west line of South Larnar Street, a distance of 272.69 feet to the POINT OF BEGINNING;

CONTAINING, 647,257 square feet or 14.859 acres of land, more or less.

